

IN THE MATTER OF THE
THE APPLICATION OF
ST. CHARLES ASSOCIATES, INC.
FOR SPECIAL HEARING, SPECIAL
EXCEPTION AND VARIANCE ON
PROPERTY LOCATED ON THE NORTH-
EAST SIDE MAIDEN CHOICE LANE,
2,385' NORTHWEST OF CENTERLINE
WILKENS LANE (711 MAIDEN
CHOICE LANE) AND
CROSS CREEK & CHARLESTOWN
RE: CRG APPROVAL OF PLAN
1ST ELECTION DISTRICT
1ST COUNCILMANIC DISTRICT

ORDER OF DISMISSAL

This matter comes before this Board on appeal from a decision of the Zoning Commissioner dated June 18, 1991, in which the subject Petitions were granted in part with restrictions and dismissed in part (Case #91-351-SPHXA); and also on appeal from the decision of the County Review Group dated October 17, 1991, wherein the Plan was approved (Case #CBA-91-204).

WHEREAS, by letter dated March 28, 1995, the Board of Appeals notified the parties of record in the above-entitled matter that these appeals would be dismissed for lack of prosecution after a period of 30 days; and

WHEREAS, the Board has not received a reply from its letter of March 28, 1995, within 30 days as requested;

THEREFORE, the Board will, on its own Motion, dismiss the within appeals.

IT IS HEREBY ORDERED this 22nd day of May, 1995 by the County Board of Appeals of Baltimore County that the above-referenced appeals in Case No. 91-351-SPHXA and CBA-91-204 be and the same are hereby DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Robert O. Schuetz
Robert O. Schuetz, Chairman



County Board of Appeals of Baltimore County

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

May 22, 1995

Stephen J. Nolan, Esquire
NOLAN, PLUMHOFF & WILLIAMS, CHTD.
Suite 700, Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Case No. 91-351-SPHXA /St. Charles Associates
and Case No. CBA-91-204 /Cross Creek at Charlestown

Dear Mr. Nolan:

Enclosed is a copy of the Order of Dismissal issued this date by the County Board of Appeals in the subject matter.

Very truly yours,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Julius W. Lichter, Esquire
Paul L. Erickson, Esquire
Retirement & Health Services Corp.
J. Carroll Holzer, Esquire
People's Counsel for Baltimore County
Mr. Paul Marks
Mr. Dan Rexford
Bruce Brown, Esquire
Ms. Theresa Fisher
Pat Keller
Lawrence E. Schmidt
Donald T. Rascoe /ZADM
James Thompson /Zoning Enforcement
W. Carl Richards, Jr. /ZADM
Docket Clerk /ZADM
Arnold Jablon, Director /ZADM



County Board of Appeals of Baltimore County

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

March 28, 1995

Stephen J. Nolan, Esquire
NOLAN, PLUMHOFF & WILLIAMS, CHTD.
Suite 700, Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204

Julius W. Lichter, Esquire
LEVIN & GANN, P.A.
305 W. Chesapeake Avenue
Towson, MD 21204

Peter Max Zimmerman
People's Counsel for
Baltimore County
Room 47, Old Courthouse
Towson, MD 21204

Paul L. Erickson
General Counsel and
Vice President of Finance
Retirement & Health Svcs
Corporation
703 Maiden Choice Lane
Baltimore, MD 21228

RE: Case No. 91-351-SPHXA and
Case No. CBA-91-204
St. Charles Associates /Cross
Creek at Charlestown
Carriage Manor Subdivision

Dear Counsel:

The subject matter is still being carried on the Board's pending docket. Our records indicate that a proposed consent order was submitted on November 30, 1992 by Messrs. Erickson and Nolan. At that time, the Board was advised that contact would be made with Mr. Lichter, whose appeals were still outstanding in both the subject zoning and CRG cases. Also, while the Board was provided a copy of the proposed consent order, a copy of the actual agreement referenced therein as an attachment was not included.

Since that entry, there has been no further activity with regard to these files. Therefore, the Board will hold this matter open on its docket for an additional 30 days. At the end of that period (on or about April 27, 1995), unless otherwise requested, the Board will dismiss the appeals pending in Case No. 91-351-SPHXA and Case No. CBA-91-204 for lack of prosecution.

Very truly yours,

Kathleen C. Weidenhammer
Kathleen C. Weidenhammer
Administrative Assistant

cc: James Thompson
Zoning Enforcement

ST. CHARLES ASSOCIATES, LTD. * BEFORE THE
NE/s Maiden Choice Lane * COUNTY BOARD OF APPEALS
2,385' NW of C/1 *
Wilkins Lane * OF
(711 Maiden Choice Lane) *
* * * * * BALTIMORE COUNTY
CROSS CREEK & CHARLESTOWN * CASE NOS. 91-351-SPHXA
RE: CRG Decision * and CBA-91-204
(711 Maiden Choice Lane) *
1st Election District *
1st Councilmanic District *
* * * * *

CONSENT ORDER

WHEREAS, RETIREMENT & HEALTH SERVICES CORPORATION and ST. CHARLES ASSOCIATES, LTD. (hereinafter collectively called "Charlestown") are the owners and developers of approximately 110.10 acres known as 711 Maiden Choice Lane, which site is a retirement community known as "Charlestown," which is fully described in Deeds recorded among the Land Records of Baltimore County in Liber 6643, Folio 132, and Liber 6540, Folio 001 (hereinafter collectively called the "Charlestown Property");

WHEREAS, Charlestown as Petitioner filed a Petition for Special Hearing, a Petition for Special Exception and petitions for zoning variances before the Zoning Commissioner of Baltimore County in Case No. 91-351-SPHXA, and LITTLE SISTERS OF THE POOR, BALTIMORE, INC. (hereinafter called "Sisters") filed an appeal before this County Board of Appeals of Baltimore County from Findings of Fact and Conclusions of

Law and an Order of the Zoning Commissioner dated June 18, 1991, which granted in part and denied in part the aforesaid zoning petitions;

WHEREAS, Charlestown also applied for and obtained County Review Group ("CRG") approval of its development plan on October 17, 1991, from which the Sisters noted an appeal to this Board in Case No. CBA-91-204, which was scheduled to be heard on January 21, 1992; and

WHEREAS, the parties have entered into the attached First Amended and Restated Stipulation (Settlement Agreement), dated 18th day of November, 1992, and they have requested that this Board incorporate the said agreement in its Consent Order herein,

NOW THEREFORE, IT IS THIS day of November, 1992, by the County Board of Appeals of Baltimore County,

ORDERED that the zoning appeal filed by LITTLE SISTERS OF THE POOR, BALTIMORE, INC. in Case No. 91-351-SPHXA be and the same is hereby DISMISSED WITH PREJUDICE, and

IT IS FURTHER ORDERED that the CRG Appeal filed by SISTERS in Case No. CBA-91-204 be and the same is also hereby DISMISSED WITH PREJUDICE, and

IT IS FURTHER ORDERED that both of these dismissals are subject to, and the parties shall continue to be governed by, the terms and conditions embodied in the attached First Amended and Restated Stipulation (Settlement Agreement) dated 18th day of November, 1992, which is fully incorporated herein.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett, Chairman

Board Member

Board Member

APPROVED AS TO FORM AND CONTENT:

Paul L. Erickson,
Counsel for Petitioners

Stephen J. Nolan,
Counsel for Little Sisters of
the Poor, Baltimore, Inc.

9558B

Retirement & Health Services Corporation

703 Maiden Choice Lane • Baltimore, Maryland 21228 • (410) 242-2880 • Fax (410) 247-7881

November 25, 1992

County Board of Appeals of Baltimore County
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

Re: Case Nos. 91-351-SPHXA and
CBA-91-204

Gentlemen:

Enclosed herewith please find proposed Consent Order in reference to the above captioned matter. Please submit this Order to the appropriate hearing officer for execution.

I have also enclosed self-addressed, stamped envelopes which you may use to forward conformed copies to my office as well as to Stephen Nolan.

Regards,

Paul L. Erickson
General Counsel and
Vice President of Finance

PLE:cam

cc: Stephen J. Nolan, Esq.

Enclosures

RECEIVED
COUNTY BOARD OF APPEALS
22 NOV 30 AM 11:44

Retirement & Health Services Corporation

703 Maiden Choice Lane • Baltimore, Maryland 21228 • (410) 242-2880 • Fax (410) 247-7881

November 25, 1992

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

Attn: Lawrence E. Schmidt
Zoning Commissioner

Re: Case Nos. 91-351-SPHXA and
CBA-91-204

Gentlemen:

Enclosed herewith please find proposed Consent Order in reference to the above captioned matter. Please submit this Order to the appropriate hearing officer for execution.

I have also enclosed self-addressed, stamped envelopes which you may use to forward conformed copies to my office as well as to Stephen Nolan.

Regards,

Paul L. Erickson
General Counsel and
Vice President of Finance

PLE:cam

cc: Stephen J. Nolan, Esq.

Enclosures

RECEIVED
NOV 30 1992

ZONING OFFICE

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION AND VARIANCE - * ZONING COMMISSIONER
NE/S Maiden Choice Lane, 2,385' * OF BALTIMORE COUNTY
NW of the c/l of Wilkens Lane
(711 Maiden Choice Lane)
1st Election District * Case No. 91-351-SPHA
1st Councilmanic District
St. Charles Associates, Inc.
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an amendment to the previously approved site plan and Order issued in Case No. 91-85-SPHA; a special exception to permit Class A or Class B elderly housing facilities on the subject property and to permit an increase of residential density units to 1.437 total (16 density units per acre), including a proposed 140-unit assisted living facility, pursuant to Section 432.3 of the Baltimore County Zoning Regulations (B.C.Z.R.); and variances from Section 1802.2.A to permit a maximum height of 80 feet in lieu of the permitted 50 feet for a six-story building, from Section 1801.2.B.2 to permit a maximum building width and length of 1525 feet and 2200 feet, more or less, in lieu of the 1525 feet and 1600 feet granted in Case No. 91-85-SPHA, and from Section 409.6 to permit 1,940 parking spaces in lieu of those required by the B.C.Z.R., all as more particularly described on Petitioner's Exhibit 13.

The Petitioners, by John Erickson, appeared, testified and were represented by J. Carroll Holzer, Esquire. Also appearing on behalf of the Petitioners were Paul Marks, Architect, George Frizzell, Real Estate Appraiser, Jeffrey Frank, Land Planner, Andrew Solberg, Health Care Planning Consultant, Michael Martin, Traffic Consultant, Kevin Glover, Wayne Rush and Paul Erickson. The Broadfield Homeowners' Association, Inc. en-

tered their appearance as Protestants and were represented by Bruce Brown, Esquire. Numerous individuals entered their appearance as Protestants as indicated on the Protestant's Sign-In Sheet. Phyllis Friedman, People's Counsel, appeared on behalf of the Kensington Community Association, Inc., and generally assisted the Protestants with their case.

Testimony indicated that the subject property, known as 711 Maiden Choice Lane, consists of 89.82 acres more or less, split zoned D.R. 5.5, D.R. 10.5, D.R. 16 and D.R. O-2, and is the site of a retirement community known as Charlestown. John Erickson, President, Retirement Health Services Corporation, indicated that in view of the cost to provide the current services offered at Charlestown, the Petitioners are desirous of expanding their existing facilities to insure that Charlestown remains economically stable. Mr. Erickson described Petitioners' proposal which is graphically illustrated in Petitioner's Exhibits 6, 7, 9, 16, 17 and 18. Mr. Erickson generally discussed the proposed parking layout, traffic impact, stream crossings, ingress and egress points, and planned security measures.

Paul Marks, Architect, generally discussed the site layout. He testified at length regarding the various proposals that were considered for the layout of this site and indicated why all were inappropriate except for the one presented at this hearing. He testified that the instant plan is sensitive to environmental concerns and provides the shortest pedestrian distances for the residents of Charlestown. He indicated that existing buffers will be well-preserved and will act as a buffer to the surrounding residential communities. The totality of Petitioners' testimony indicated that it would suffer an undue hardship and practical difficulty should the requested height, width and length variances be denied.

George Frissell, Real Estate Appraiser, testified regarding the study he conducted relative to the economic impact, if any, the proposed project will have on surrounding properties. Mr. Frissell concluded, based on his research of the area and in light of Petitioners' proposal, that there would be no significant economic impact on surrounding properties if the relief requested were granted.

Jeffrey Frank, Land Planner, discussed at length the layout of the subject site and the parking requirements for both a Class A and Class B elderly housing facility. Mr. Frank concluded, based on his study, that Charlestown has adequate parking to accommodate the demand should the requested relief be granted. He indicated that should additional parking be required, there is adequate open space to provide the necessary parking. He indicated that of the 89.82 acres, approximately 69% will remain as open space after the proposed project is completed.

Andrew Solberg, Health Care Planning Consultant, testified briefly to the impact the Petitioners' proposal would have on local hospitals. Mr. Solberg concluded that the impact on local hospitals, particularly St. Agnes Hospital, will be insignificant.

Michael Martin, Traffic Consultant and Professional Engineer, testified that he applied the national standards in his evaluation of the subject site relative to traffic and parking. Mr. Martin testified specifically to the trip counts estimated for this site and indicated that Petitioners' proposal would have no detrimental impact on the surrounding community.

Bruce Brown, Esquire, appeared and testified on behalf of the Broadfield Homeowners' Association, Inc., and submitted the Position Statement by said Association marked Protestant's Exhibit 2. The Broadfield

Homeowners' Association is primarily concerned with the negative traffic impact that it anticipates will result if the requested relief is granted. Generally, they believe that the relief requested will have a negative impact on the health, safety and general welfare of their community and requested that the Petitions be denied. Protestant's Exhibit 2 is a four-page position statement and speaks for itself.

Beverly Sanderson appeared and testified in opposition to the relief requested. Ms. Sanderson testified she was against the transfer of any State property to Petitioners that would facilitate the construction of the proposed access road as indicated on Petitioner's Exhibit 13.

David Grochmal appeared and testified as a Protestant. He testified that he has lived in this community for approximately 7 years and is concerned that the proposed access road onto Warwick Avenue will increase traffic throughout the adjoining residential community. Mr. Grochmal was also concerned about the maintenance building being located in such close proximity to the adjoining residential community and believes it will increase noise and adversely affect property values. Mr. Grochmal was also concerned regarding the possible use of the maintenance facility for the storage of pesticides and other chemicals.

George Kenney, a resident of the Charlestown community, argued that the proposed density is too great for this community. He was concerned that the proposed improvements may put the residents of Charlestown in some financial jeopardy in the event new residents do not occupy the proposed units in a timely manner.

Otto Hirsch, also a resident of Charlestown, indicated his opposition to the granting of the requested relief.

Eugene Epper testified that he is generally in support of Petitioners' proposal but requested that construction traffic related to the proposed additions be kept to a minimum near the historic chapel on the subject property.

Charles R. Harrison appeared on behalf of the Kensington Community Association and voiced that Associations' opposition to the Petitioners' request (See Protestants' Exhibit 4).

The Protestants' concerns centered around their belief that the proposed project will result in an increase in traffic and overcrowding of their community. Section 432 of the B.C.Z.R. was enacted to permit the development of elderly housing facilities in D.R. zones. In fact, Section 432 was developed for purposes of allowing for additional density inasmuch as increased traffic is not generally associated with such use. In the opinion of the Zoning Commissioner, there was no evidence that would indicate that the current operation has created traffic problems or that the proposed expansion will result in any increase in traffic through the surrounding community.

The real issue is whether or not the proposed project complies with the requirements set forth in Section 432.A through H. It is clear from the testimony and evidence presented that the relief requested meets the requirements of Section 432 and that the use proposed fulfills the standards set forth therein.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing 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 condi-

tions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

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

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 Section 502.1 of the B.C.Z.R. 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, with the exception of the proposed placement of the maintenance facility. In the opinion of the Zoning Commissioner, a more appropriate location for the maintenance facility is that area located within the hatched line indicated on Zoning Commissioner's Exhibit 1 attached hereto. In so doing, the maintenance facility will be placed behind the existing shopping center where it will have little, if any, impact on the surrounding residential community. Otherwise, the facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 13 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritte, 432 A.2d 1319 (1981).

The Protestants raise legitimate concerns regarding the proposed placement of the subject maintenance facility and its close proximity to the Kensington residential community. In the opinion of the Zoning Commissioner, a more appropriate location for the maintenance facility would be

in that area behind the shopping center indicated on Attachment 1 appended to this Order.

Additionally, many concerns were raised by the Protestants concerning the proposed emergency road accessing Warwick Avenue and whether or not a second stream crossing will be permitted. The Protestants would like the Zoning Commissioner to prohibit the Petitioners from either purchasing or leasing the small parcel of land adjacent to the subject site which is owned by the State to provide a second access. It was explained at the hearing that such issue is out of the jurisdiction of the Zoning Commissioner. Further, it appears at this writing that the Petitioners will be receiving approval from the appropriate State and County agencies to construct a second crossing over the stream thereby alleviating the need for the aforementioned access, and as such, the issue of the Warwick Avenue access may be rendered moot. However, Petitioners shall obtain written documentation from the appropriate State and/or County agencies indicating whether or not the subject second stream crossing will be permitted. A copy of said documentation must be submitted to this Office for inclusion in the case file as a condition of this Order.

In consideration of the above, it is the opinion of the Zoning Commissioner that the use proposed 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.

Additionally, the Petitioners have established that the proposed use is a Class A elderly housing facility, as defined in Section 101 of the B.C.Z.R. and as such, have met the parking space requirements set

forth in Section 409.6. Therefore, this portion of the variance relief requested shall be dismissed.

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

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, as modified, 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 health, safety, and general welfare.

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

Retirement & Health Services Corporation

703 Maiden Choice Lane • Baltimore, Maryland 21228 • (301) 242-2880

July 10, 1991

HAND-DELIVERED

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

RE: Case No. 91-351-SPHXA
St. Charles Associates, Ltd. - Petitioner

Dear Commissioner Haines:

On behalf of St. Charles Associates, Ltd., please be advised that we are in receipt of the Notice of Appeal, dated July 8, 1991, filed by Julius W. Lichter, on behalf of The Caton and Loudon Railway Company, Protestant. Since an appeal has been taken in this matter, we feel that it is prudent to file a counter-appeal with regards to the relocation of the maintenance shed, pursuant to your June 18, 1991 Order, in the above-referenced case granting the Petition for Special Hearing. The requisite \$125.00 filing fee and \$25.00 sign fee is enclosed.

Sincerely,

Paul L. Erickson
Paul L. Erickson

PLE to
enclosures
copies: J. Carroll Holzer, Esquire
Julius W. Lichter, Esquire

November 20, 1996

Baltimore County Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Attn: Mr. John L. Lewis

Re: Charlestown
8th Amended CRG/10th Amended FDP
Project Number 62028.1

Gentlemen:

We are requesting that certain adjustments to the Charlestown Retirement Community Plan be considered as being in accordance with the spirit and intent of the Zoning Commissioner's order in Case Number 91-351SPHXA. The adjustments are:

1. Creating Lot 2 around the administration building and removing its area (2.72 acres net, 3.16 acres gross) from the special exception granting a density increase as authorized by Section 432.3 BCZR. Office activities in the buildings deal with elderly housing facilities elsewhere as well as at Charlestown. It is no longer an accessory use simply serving Charlestown. OR-2 zoning was created by the 1996 comprehensive zoning map to remedy this situation.
2. Correcting the density calculations to remove 120 nursing beds as a component of Charlestown density. Nursing beds, as contrasted with assisted living beds, do not count as an element of residential. (See approved density calculations for Oak Crest Village)
3. Adjusting the density calculations to account for item two above, and removing 3.16 acres from the gross residential acreage of Charlestown.

The administration building will continue to serve Charlestown. The building will continue to be an element of Charlestown and an integral part of the National Register Historic District. It will be unchanged in terms of external appearance. The only difference is that office activity taking place within services other developments as well as Charlestown.

Permits and Development Management
Page 2
November 20, 1996

It is our belief that these modifications are in accordance with the spirit and intent of the Zoning Commissioner's order. At Mr. Lewis' request, we are submitting two "red-line" special exception plans from Case Number 91-351SPHXA showing the adjustments.

Sincerely,

George E. Gavrels
George E. Gavrels

GEG/mls

Enclosures

cc: Mr. Dick Baummer

Jack M. Long, D.S.W.
720 Maiden Choice Lane
Catonsville, Maryland 21228
Tel: 744-5499

J. Robert Haines
Zoning Commissioner
111 W. Chesapeake Ave.
Rm. 109
Towson, Maryland 21204

Dear Mr. Haines:

We are interested in obtaining a tape of the zoning hearing concerning expansion of the Charlestown Retirement Community. The case number is 91-351-FP-HAA.

Enclosed is a check for \$15.00 to cover expenses of the tape. We hope to listen to the tape before the next hearing, so if there are 2 tapes, please call me at 744-5199 so that I can send any additional money.

I thank you in advance for your help.

Sincerely,
Jack M. Long
Jack M. Long, D.S.W.

RECEIVED
MAY 8 1991
ZONING OFFICE

Eugene B. Ripper
707 Maiden Choice Lane, #7111
Catonsville, Md 21228
Tel: 596-7247

J. Robert Haines
Zoning Commissioner of Baltimore County
111 West Chesapeake Avenue
Towson, Md 21204

Dear Commissioner Haines:

Item #337, Case 91-351-SPHXA

The reports of independent accountants on Charlestown financial statements for 1990/1989, 1989/1988, and 1988/1987 all state that the present zoning allows for approximately 1200 units. As a well satisfied resident since July 5, 1988, I had hoped to see this limit observed in the completion of Charlestown.

I believe that the residents and the neighborhood will be best served by having a well executed project that will attract full occupancy, no matter what the final size. I oppose further reductions in parking spaces and other departures from the excellent Baltimore County zoning standards that would lower the ambience of Charlestown.

The present single main entrance on Maiden Choice Lane is inadequate for the number of residents. The proposed medical building with parking inside the gate would make congestion at the gate intolerable. A second fully operational main entrance on Wilkens Avenue could have longer waiting lanes and avoid backups into the main street.

It seems to me that the Baltimore County standards for road access to housing developments should apply within the Charlestown campus for safety reasons. The proposed single roadway across the creek is dangerously inadequate. The infrastructure of the completed Charlestown should include a loop roadway around the entire premises connecting to both main entrances. Such a roadway would eliminate the need for the controversial emergency rear entrance.

One of the assets of the present Charlestown campus is the presence of pleasant exterior walkways to supplement the enclosed walkways. There should also be ground level walkways in the new section and between the old and new sections.

I hereby request that I be listed as one of those to be heard at the hearing on Friday, May 3, 1991, at 2:00 p.m.

Sincerely,
Eugene B. Ripper
Eugene B. Ripper

APARTMENT 3478
CHARLESTOWN RETIREMENT COMM.
707 MAIDEN CHOICE LANE
CATONSVILLE, MD 21228-3600
DECEMBER, 19, 1991

OFFICE OF ZONING COMMISSIONER,
BALTIMORE COUNTY DEPT. COMMISSIONER,
111 WEST CHESAPEAKE AVENUE
TOWSON, MD 21204

SUBJECT: CASE 91-351-SPHXA
CHARLESTOWN RETIREMENT COMM.
CROSS CREEK PROJECT, ETC.

DEAR SIR:

IT IS REQUESTED TO JUSTIFY COMMERCIAL PARKING OR COMMERCIAL FACILITIES IN A NON-PROFIT RETIREMENT COMMUNITY.

PRESENTLY THERE IS NOT ADEQUATE PARKING FOR THE MORE THAN 2400 RESIDENTS NOW RESIDING IN THIS RETIREMENT COMMUNITY. THERE ARE ONLY FEW HANDICAPPED PARKING PLACES FOR THE MANY HANDICAPPED RESIDENTS.

ADDITIONAL PARKING IS NECESSARY BECAUSE OF INADEQUATE EXISTENT PARKING FACILITIES.

THERE ARE AREAS WHERE IT IS IMPOSSIBLE FOR CARS TO PASS EACH OTHER.

IT IS HIGHLY QUESTIONABLE THAT FIRE FIGHTING EQUIPMENT, ETC., CAN MANEUVER AREAS WHERE IT IS NECESSARY TO PARK ON BOTH SIDES OF THE ROAD. CONCERT GOERS USE THE RESIDENTS PARKING AREAS. EVENT CHARLESTOWN FACILITIES ARE USED AS A POLLING PLACE; THERE ARE OTHER PROBLEMS.

WHILE THERE IS MORE OF A RESIDENTS' PARKING AREA HAS BEEN ASSIGNED TO FACILITIES USED TO CONSTRUCT THE CROSS CREEK DEVELOPMENT. THIS HAS BEEN IN PROGRESS FOR SEVERAL MONTHS.

PROVIDING THE RECENT INFORMATION RECEIVED FROM YOUR OFFICE, THIS PROJECT HAS NOT BEEN APPROVED. HOWEVER IT MUST BE A FOREGONE CONCLUSION NO WORK IS IN PROGRESS ON THIS PROJECT.

WHAT CONTROL DOES YOUR OFFICE, OR THE AUTHORITIES OF BALTIMORE COUNTY HAVE?

IT IS QUITE APPARENT THAT THE AUTHORITIES OF BALTIMORE COUNTY ARE NOT CONCERNED ABOUT THE NEEDS OR WELFARE OF ITS SENIOR CITIZENS TO SECURE THE DECEPTIVE PRACTICES EMPLOYED IN THE DEVELOPMENT OF THE CHARLESTOWN COMMUNITY.

RESPECTFULLY,

OTTO P. HIRSCH
OTTO P. HIRSCH (202) 342-3422

BALTIMORE COUNTY EXECUTIVE

RECEIVED
DEC 23 1991

MICROFILMED

ZONING OFFICE

Ms. Betsy Barnard, Director
Office of Planning and Policy Management
Department of Health and Mental Hygiene
O'Connor Building, Room 303
201 West Preston Street
Baltimore, MD 21201

May 6, 1991

Dear Ms. Barnard,

I am writing in protest to the proposed transfer of State Property to a private developer. I am referring to case reference # MD910328-0231. The developer is planning to use this piece of property in conjunction with "Cross Creek at Charlestown". This is a proposed complex of buildings to be added to the Charlestown Retirement Community.

At present, this proposed development is being protested by nearby communities. A hearing was held on May 3, 1991 in Towson with the Zoning Commissioner's Office to hear testimony in regards to this proposed development. This hearing is still in progress as an adjournment was called at 5 P.M. on May 3rd due to the lateness of the day. Opposition to the transfer of this deed was entered into the record at that hearing.

This property is near Herbert Run. The developer has applied for a variance to Article IV, Section 38-38 of the Baltimore County Code. In order to build as proposed, there will be temporary and permanent impacts on the wetlands on their property. Has it been determined whether the property to be transferred has any wetlands? If so, what steps has the State taken to protect any wetlands from being destroyed?

I feel that the State of Maryland should retain ownership in order to protect our natural resources.

Sincerely,

Lorraine Lindsay

Lorraine Lindsay
818 Warwick Road
Baltimore, MD 21229

cc: Governor William Donald Schaefer

Senator Nancy Murphy
Delegate Kenneth Masters
Delegate Louis Morseberger
Delegate Thomas Dewberry
Senator Barbara Mikulski
Senator Paul Sarbanes
Representative Ben Cardin

MICROFILMED

Ms. Betsy Barnard, Director
Office of Planning and Policy Management
Department of Health and Mental Hygiene
O'Connor Building, Room 303
201 West Preston Street
Baltimore, MD 21201

May 6, 1991

Dear Ms. Barnard,

I am writing in protest to the proposed transfer of State Property to a private developer. I am referring to case reference # MD910328-0231. The developer is planning to use this piece of property in conjunction with "Cross Creek at Charlestown". This is a proposed complex of buildings to be added to the Charlestown Retirement Community.

At present, this proposed development is being protested by nearby communities. A hearing was held on May 3, 1991 in Towson with the Zoning Commissioner's Office to hear testimony in regards to this proposed development. This hearing is still in progress as an adjournment was called at 5 P.M. on May 3rd due to the lateness of the day. Opposition to the transfer of this deed was entered into the record at that hearing.

This property is near Herbert Run. The developer has applied for a variance to Article IV, Section 38-38 of the Baltimore County Code. In order to build as proposed, there will be temporary and permanent impacts on the wetlands on their property. Has it been determined whether the property to be transferred has any wetlands? If so, what steps has the State taken to protect any wetlands from being destroyed?

I feel that the State of Maryland should retain ownership in order to protect our natural resources.

Sincerely,

Joseph A. DeLoach
4814 Barrington Road
Baltimore, Md. 21229

cc: Governor William Donald Schaefer

Senator Nancy Murphy
Delegate Kenneth Masters
Delegate Louis Morseberger
Delegate Thomas Dewberry
Senator Barbara Mikulski
Senator Paul Sarbanes
Representative Ben Cardin

MICROFILMED

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of June, 1991 that the Petition for Special Hearing to approve an amendment to the Order and site plan in previous Case No. 91-85-SPHA, in accordance with Petitioner's Exhibit 13, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED, pursuant to the relief requested in the Petition for Special Exception, that Petitioners may use the subject property for a Class A elderly housing facility and may increase the number of residential density units to 1,437 total, including a proposed 140-unit assisted living facility (16 density units per acre) pursuant to Section 432.3 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 13, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variances to permit a variance from Section 1802.2.A to permit a maximum height of 80 feet in lieu of the permitted 50 feet for a six-story building and from Section 1801.2.B.2 to permit a maximum building width and length of 1,525 feet and 2200 feet, more or less, in lieu of the 1,525 feet and 1600 feet granted in Case No. 91-85-SPHA, in accordance with Petitioner's Exhibit 13, be and are hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

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

2) Petitioners shall attempt to acquire permission from the appropriate agency(ies) to cross the subject stream indicated on Petitioner's Exhibit 13, a second time to avoid accessing Warwick Avenue on the north-

east side of the property as indicated. Petitioners may not extend the subject access road to Warwick Avenue until such time as Petitioners receive, in writing, a denial of their request to cross said stream a second time from the appropriate State or County agency(ies).

3) The subject maintenance facility shall be relocated to that area within the hatched line indicated on Zoning Commissioner's Exhibit 1 attached hereto. Prior to the issuance of any building permits for said maintenance facility, Petitioners shall submit for approval by the Zoning Commissioner a revised site plan depicting the new location for said maintenance facility.

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit a variance from Section 409.6 to permit 1,340 parking spaces in lieu of those required by the B.C.Z.R., be and is hereby DISMISSED as moot.

JRH:bjs

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

ORDER RECEIVED FOR FILING
Date 6/18/91
By [Signature]

Baltimore County Department
Planning, Zoning and Zoning
Office of Planning and Zoning

181 West Chesapeake Avenue
Towson, MD 21204

June 18, 1991

887-3553

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

RE: PETITION FOR SPECIAL HEARING, SPECIAL EXCEPTION AND ZONING VARIANCE
NW/4 Maiden Choice Lane, 2395' NW of the c/l of Wilkens Avenue
(711 Maiden Choice Lane)
1st Election District - 1st Councilmanic District
St. Charles Associates, Inc. - Petitioners
Case No. 91-351-SPHA

Dear Mr. Holzer:

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

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

Very truly yours,

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

JRH:bjs

cc: Bruce D. Brown, Esquire
Cynthia K. Hitt, Esquire
Siskind, Burch, Grady and Rosen
2 East Fayette Street, Baltimore, Md. 21202

Julius W. Lichter, Esquire
Howard L. Alderman, Jr., Esquire
305 W. Chesapeake Avenue, Towson, Md. 21204

Barry Stabile, Office of Planning & Zoning
Maryland Department of Mental Health & Hygiene
201 W. Preston Street, Baltimore, Md. 21201

People's Counsel; File

RE: PETITION FOR SPECIAL EXCEPTION, : BEFORE THE ZONING COMMISSIONER
SPECIAL HEARING & VARIANCES
NW/4 Maiden Choice Lane, 2395' : OF BALTIMORE COUNTY
NW of C/L Wilkens Ave. (711 :
Maiden Choice Lane), :
1st Election District :
1st Councilmanic District :
ST CHARLES ASSOCIATES, INC. : Case No. 91-351-SPHA
["Charlestown"], Petitioner :
: : : : :
ENTRY OF APPEARANCE

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

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

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

I HEREBY CERTIFY that on this 2nd day of May, 1991, a copy of the foregoing Entry of Appearance was mailed to J. Carroll Holzer, Esquire, Suite 105, 305 W. Chesapeake Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

MICROFILMED

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-351-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 an amendment to the case and site plan of Case No. 91-85SPHA.

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: N/A
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Attorney for Petitioner: J. Carroll Holzer
(Type or Print Name)
Signature: _____
Address: 305 W. Chesapeake Avenue, Suite 105
Towson, MD 21204
City and State: _____
Attorney's Telephone No.: 825-6960
Legal Owner(s): St. Charles Associates, Inc.
(Type or Print Name) Wayne M. Rush
Director of Engineering
Signature: _____
Address: 711 Maidenchoice Lane
Catonville, MD 21228
City and State: _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
J. Carroll Holzer
Name Suite 105
305 W. Chesapeake Avenue 825-6960
Towson, MD 21204 Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 20 day of MARCH, 1991, 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 3 day of MAY, 1991, at 2 o'clock P.M.

Zoning Commissioner of Baltimore County

ECO-No. 1

(over)

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-351-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 Class A or Class B elderly housing facilities and to permit an increase of residential density to 1437 total density units, including a proposed 140-unit assisted living facility, density units per acre allowable under Sec. 432.3 of the Zoning Regulations on said property. A Board of Advisors has been established. 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: N/A
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Attorney for Petitioner: J. Carroll Holzer
(Type or Print Name)
Signature: _____
Address: 711 Maidenchoice Lane
Catonville, MD 21228
City and State: _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
J. Carroll Holzer
Name Suite 105
305 W. Chesapeake Avenue 825-6960
Towson, MD 21204 Phone No.
Legal Owner(s): St. Charles Associates, Inc.
(Type or Print Name) Wayne M. Rush
Director of Engineering
Signature: _____
Address: 711 Maidenchoice Lane
Catonville, MD 21228
City and State: _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
J. Carroll Holzer
Name Suite 105
305 W. Chesapeake Ave. 825-6960
Towson, MD 21204 Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 20 day of MARCH, 1991, 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 3 day of MAY, 1991, at 2 o'clock P.M.

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

ECO-No. 1

(over)

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 91-351-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 1802.2.A to permit a maximum height of 80' in a six story bldg. in lieu of the permitted 50'; and from Sec. 1801.2.B.2 of the BCZR to permit maximum building width and length of 1525'± and 2200'± in lieu of 1525'± and 1600'± granted in Case 91-85SPHA; of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) and from Sec. 409.6 to permit 1340 parking spaces in lieu of those required of the Zoning Regulations of Baltimore County for the following reasons: practical difficulty and hardship to be presented at time of hearing.

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

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

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

Contract Purchaser: N/A
(Type or Print Name)
Signature: _____
Address: _____
City and State: _____
Attorney for Petitioner: J. Carroll Holzer
(Type or Print Name)
Signature: _____
Address: 711 Maidenchoice Lane
Catonville, MD 21228
City and State: _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
J. Carroll Holzer
Name Suite 105
305 W. Chesapeake Avenue 825-6960
Towson, MD 21204 Phone No.
Legal Owner(s): St. Charles Associates, Inc.
(Type or Print Name) Wayne M. Rush
Director of Engineering
Signature: _____
Address: 711 Maidenchoice Lane
Catonville, MD 21228
City and State: _____
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
J. Carroll Holzer
Name Suite 105
305 W. Chesapeake Avenue 825-6960
Towson, MD 21204 Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 20 day of MARCH, 1991, 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 3 day of MAY, 1991, at 2 o'clock P.M.

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

ECO-No. 1

(over)

CHARLESTOWN RETIREMENT COMMUNITY ZONING DESCRIPTION FOR SPECIAL EXCEPTION MARCH 4, 1991

Beginning at a point on the north side of Maiden Choice Lane which is 70-feet wide at said point lying 35-feet and perpendicular to the centerline of Maiden Choice Lane and Wilkens Avenue which is a varied width right-of-way thence the following courses and distances:

N 40-07-00 E. 465.02 ft. S 49-53-00 E. 250 ft. N 40-07-00 E. 300 ft. N 49-53-00 W. 250 ft. N 40-07-00 E. 777.55 ft. N 73-43-08 E. 69.12 ft. N 59-31-49 E. 102.80 ft. N 72-40-22 E. 47 ft. N 78-47-32 E. 53.39 ft. N 80-46-57 E. 17.06 ft. N 81-37-31 E. 84.07 ft. N 81-22-28 E. 51.77 ft. N 73-32-31 E. 25.67 ft. N 75-12-43 E. 25.67 ft. N 64-38-47 E. 53.04 ft. N 57-12-55 E. 56.67 ft. N 64-43-48 E. 17.58 ft. S 79-26-19 E. 91.80 ft. S 87-04-59 E. 103.69 ft. N 87-31-24 E. 103.29 ft. S 83-14-54 E. 30.27 ft. S 60-34-32 E. 979.34 ft. S 15-51-57 E. 1,063.65 ft. S 66-52-10 W. 773.20 ft. S 23-07-50 E. 661 ft. S 88-19-27 W. 32.23 ft. thence running with the 02 zoning line the following two courses and distances, N 23-07-50 W. 989.21 ft. S 66-21-10 W. 1,458.10 ft. to a point on the aforementioned Maiden Choice Lane and thence running with the north line the following courses and distances: along an arc of 60.00 ft. of a curve to the left having a radius of 12035.00 ft. a central angle of 00-17-08 and a chord bearing and distance of N 47-50-17 W. 60 ft. and N 47-58-52 W. 1045.56 ft. to the place of beginning, containing 90.24 acres of land more or less and being a part of deeds as recorded in deed Liber 6540 Folio 001 and L 6822 F 101 also being all of deed Liber 6643 Folio 132.

Saving and excepting therefrom the following two parcels:

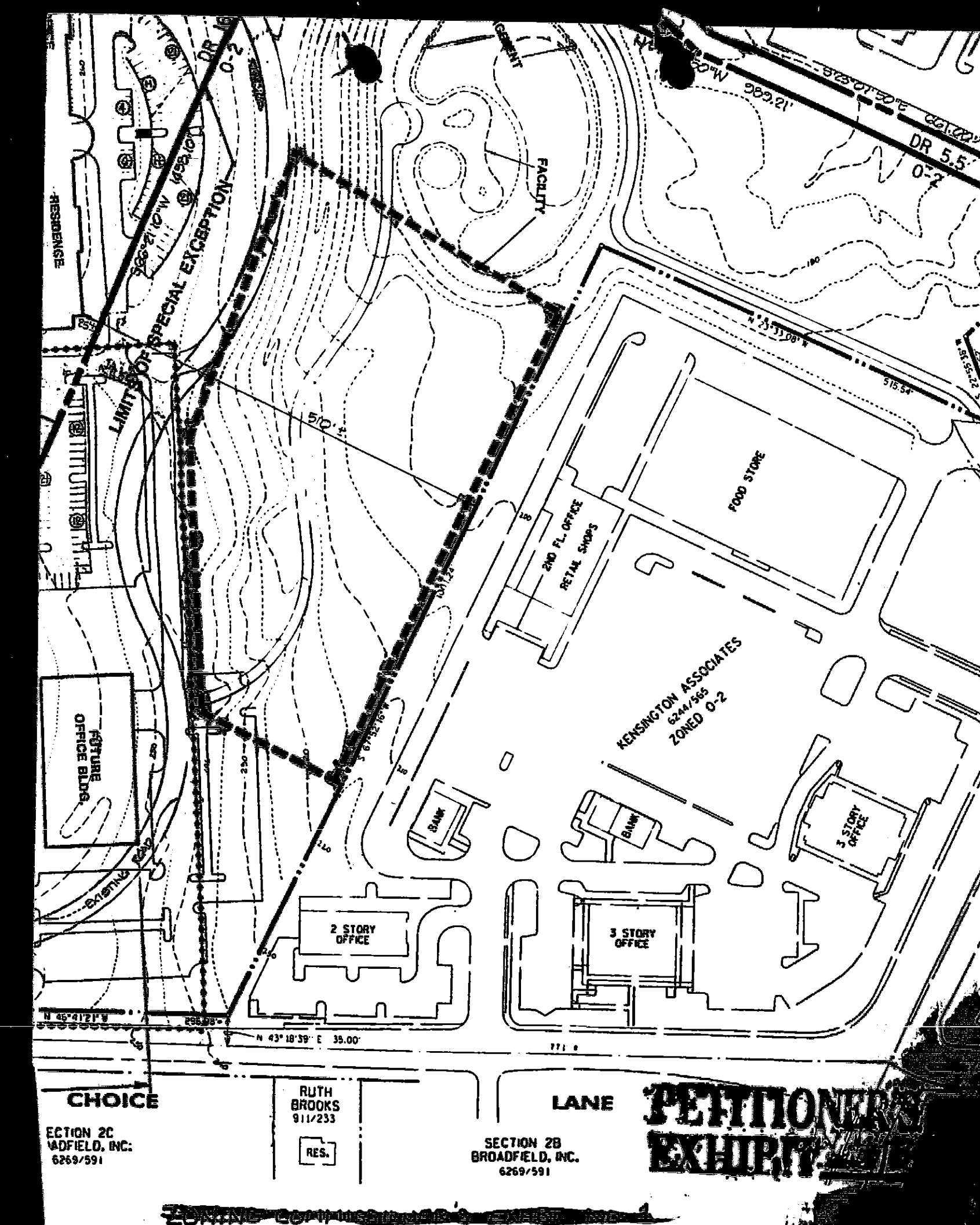
Exception No. 1. The Chapel Site:

Beginning for the same at a point located South 44-30-40 East 284.59 feet from the end of the second or South 49-53-00 East 250.00 feet line of the herein described 90.24 acre parcel and running thence from said point of beginning around the existing chapel, the following five courses and distances:

S 50-44-32 E. 218.60 ft. S 39-15-17 W. 107.86 ft. along a 48.58 ft. arc of a curve to the left having a radius 40.00 ft., a central angle of 89-35-09 and a chord bearing and distance of N 74-52-37 W. 45.65 ft. N 51-14-48 W. 176.37 ft. N 38-59-53 E. 128.08 ft. to the place of beginning, continuing 0.62 acres of land more or less.

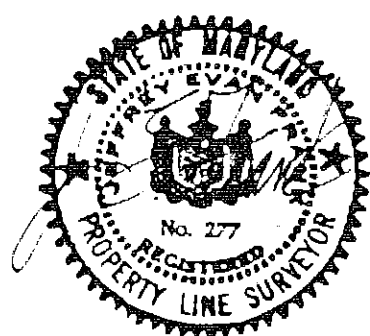
91-351-SPHXA

MICROFILMED



Exception No. 2, The Cemetery

Beginning for the same at a point lying N 42-06-31 W. 1123.92 ft. from the end of the S 82-52-10 W. 773.00 foot line of the herein described 90.24 acre parcel, and running thence around said cemetery the following eight courses and distances: N 52-20-18 W. 57.57 ft., N 42-57-40 W. 96.98 ft., N 52-12-08 E. 218.29 ft., S 72-02-22 E. 61.15 ft., S 03-39-04 E. 48.54 ft., S 37-05-33 W. 51.15 ft., S 46-45-23 W. 60.00 ft. to the place of beginning, continuing 0.560 acres of land, more or less.



91-351-SPHXA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: 4-12-91
Posted for: Approval Hearing - Special Exception - 11/1
Petitioner: St. Charles Associates, Inc.
Location of property: NE/8 Maiden Choice Lane, 2385' NW of c/l Wilkens Avenue, 711 Maiden Choice Lane, 1st Election District
Location of Sign: NE/8 Maiden Choice Lane, 2385' NW of c/l Wilkens Avenue, 711 Maiden Choice Lane, 1st Election District
Remarks: St. Charles Associates, Inc.
Posted by: J. Robert Haines Date of return: 4-18-91
Number of Signs: 2

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 number: 91-351-SPHXA
NE/8 Maiden Choice Lane, 2385' NW of c/l Wilkens Avenue, 711 Maiden Choice Lane, 1st Election District
Petitioner(s): St. Charles Associates, Inc.
Hearing Date: Friday, May 3, 1991 at 2:00 p.m.
Special Hearing: An amendment to the case and site plan of Case 91-351-SPHXA.
Special Exception: Class A or Class B elderly housing facilities and to permit an increase of residential density to 1437 total density units, including a proposed 140 unit assisted living facility (16 density units per acre) allowable under S.C.2.6. on said property. A Board of Advisors has been established.
Variance: To permit a maximum height of 80 ft. in a six story building in lieu of the permitted 50 ft. and to permit maximum building width and length of 1525 ft. (4'-0") and 2200 ft. (4'-0") in lieu of 1025 ft. (4'-0") and 1600 ft. (4'-0") granted in Case Number 91-351-SPHXA and to permit 1340 parking spaces in lieu of those required for the following reasons: practical difficulty and hardship to be presented at time of hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
CT-24009 Apr. 4

CERTIFICATE OF PUBLICATION

TOWSON, MD. 4-5-91
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 4-4-91

THE JEFFERSONIAN,

C. Zeke Olson
Publisher

\$ 95.27

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

Account: R-001-6150
Number

Date

3/05/91

	QTY	PRICE
PUBLIC HEARING FEES	1	
020 - ZONING VARIANCE (OTHER)	1	
040 - SPECIAL HEARING (OTHER)	1	
050 - SPECIAL EXCEPTION	1	
070 - SUM OF ABOVE FEES (MAXIMUM)		\$450.00

LAST NAME OF OWNER: St. Charles Associates, Inc. TOTAL: \$450.00
Please Make Checks Payable To: Baltimore County, CT-24009-05-91

Cashier Validation

receipt

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4-4-91

CATONSVILLE TIMES

C. Zeke Olson
Publisher

\$ 95.27

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 number: 91-351-SPHXA
NE/8 Maiden Choice Lane, 2385' NW of c/l Wilkens Avenue, 711 Maiden Choice Lane, 1st Election District
Petitioner(s): St. Charles Associates, Inc.
Hearing Date: Friday, May 3, 1991 at 2:00 p.m.
Special Hearing: An amendment to the case and site plan of Case 91-351-SPHXA.
Special Exception: Class A or Class B elderly housing facilities and to permit an increase of residential density to 1437 total density units, including a proposed 140 unit assisted living facility (16 density units per acre) allowable under S.C.2.6. on said property. A Board of Advisors has been established.
Variance: To permit a maximum height of 80 ft. in a six story building in lieu of the permitted 50 ft. and to permit maximum building width and length of 1525 ft. (4'-0") and 2200 ft. (4'-0") in lieu of 1025 ft. (4'-0") and 1600 ft. (4'-0") granted in Case Number 91-351-SPHXA and to permit 1340 parking spaces in lieu of those required for the following reasons: practical difficulty and hardship to be presented at time of hearing.
J. ROBERT HAINES
Zoning Commissioner of Baltimore County
CT-24009 Apr. 4

PLEASE PROVIDE AS MUCH AS THE FOLLOWING INFORMATION AS POSSIBLE.

CASE NUMBER: 91-351-SPHXA
PROPERTY LOCATION: Maiden Choice Wilkens Ave
PROPERTY OWNER: St. Charles Associates
CONTRACT PURCHASER: _____
ITEM #: _____ HEARING/CLOSING DATE: 6/18/91
YOUR NAME & ADDRESS: Stevling Lease 305 W. Chesapeake Ave. + 100 TELWIN 845-6961

MICROFILMED

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

Account: R-001-6150
Number

Date

91-351-SPHXA

	QTY	PRICE
PUBLIC HEARING FEES	1	
020 - ZONING VARIANCE (OTHER)	1	
040 - SPECIAL HEARING (OTHER)	1	
050 - SPECIAL EXCEPTION	1	
070 - SUM OF ABOVE FEES (MAXIMUM)		\$450.00

LAST NAME OF OWNER: St. Charles Associates, Inc. TOTAL: \$450.00
Please Make Checks Payable To: Baltimore County, CT-24009-05-91

Cashier Validation

receipt

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

Account: R-001-6150
Number

Date

91-351-SPHXA

Public Hearing Fees
Zoning Variance (Other)
Special Hearing (Other)
Special Exception
Sum of Above Fees (Maximum)
\$450.00
Last Name of Owner: St. Charles Associates, Inc.
Total: \$450.00
Please Make Checks Payable To: Baltimore County, CT-24009-05-91

Cashier Validation

receipt

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 4/29/91

St. Charles Associates, Inc.
711 Maiden Choice Lane
Catonville, MD 21228

RE:

Case Number: 91-351-SPHXA
NE/8 Maiden Choice Lane, 2385' NW of c/l Wilkens Avenue, 711 Maiden Choice Lane, 1st Election District - 1st Councilmanic
Petitioner(s): St. Charles Associates, Inc.
HEARING: FRIDAY, MAY 3, 1991 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that \$ 170.27 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 CASE WILL 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 106, Towson, Maryland 21204 (15) minutes before your hearing is scheduled to begin.

J. ROBERT HAINES
Zoning Commissioner
BALTIMORE COUNTY, MARYLAND

J. D. Carroll, Esq.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st Date of Posting: 7-22-91
Posted for: Approval
Petitioner: St. Charles Associates, Inc.
Location of property: NE/8 Maiden Choice Lane, 2385' NW of c/l Wilkens Avenue, 711 Maiden Choice Lane, 1st Election District
Location of Sign: NE/8 Maiden Choice Lane, 2385' NW of c/l Wilkens Avenue, 711 Maiden Choice Lane, 1st Election District
Remarks: St. Charles Associates, Inc.
Posted by: J. Robert Haines Date of return: 7-26-91
Number of Signs: 2

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 15, 1991

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 Number: 91-351-SPHXA
NE/8 Maiden Choice Lane, 2385' NW of c/l Wilkens Avenue, 711 Maiden Choice Lane, 1st Election District - 1st Councilmanic
Petitioner(s): St. Charles Associates, Inc.
HEARING: FRIDAY, MAY 3, 1991 at 2:00 p.m.

Special Hearing: An amendment to the case and site plan of Case 91-351-SPHXA.
Special Exception: Class A or Class B elderly housing facilities and to permit an increase of residential density to 1437 total density units, including a proposed 140 unit assisted living facility (16 density units per acre) allowable under S.C.2.6. on said property. A Board of Advisors has been established.
Variance: To permit a maximum height of 80 ft. in a six story building in lieu of the permitted 50 ft. and to permit maximum building width and length of 1525 ft. (4'-0") and 2200 ft. (4'-0") in lieu of 1025 ft. (4'-0") and 1600 ft. (4'-0") granted in Case Number 91-351-SPHXA, and to permit 1340 parking spaces in lieu of those required for the following reasons: practical difficulty and hardship to be presented at time of hearing.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County

J. D. Carroll, Esq.

receipt

Account: R-001-6150
Number

91-351-SPHXA

MICROFILMED

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

MAY 17, 1991

887-3353

NOTICE OF CONTINUANCE

CASE NUMBER: 91-351-SPHXA
LEGAL OWNER: Charlestown
LOCATION: 711 Maiden Choice Lane

HEARING OF THE ABOVE MATTER, WHICH BEGAN ON MAY 3, 1991, WILL CONTINUE ON
THURSDAY, MAY 23, 1991 AT 9:00 A.M.

THIS CONTINUANCE WILL TAKE PLACE IN ROOM 106 OF THE COUNTY
OFFICE BUILDING, 111 W. Chesapeake Avenue, Towson, Maryland 21204.

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

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. September 6, 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. 91-351-SPHXA ST. CHARLES ASSOCIATES, INC.
NE/s Maiden Choice La., 2,385' NW of c/1
Wilkins Lane (711 Maiden Choice La.)
1st Election District
1st Councilmanic District
SPH-Amendment to 91-85-SPH;
SE-Class A/B elderly housing facility
& increased density;
VAR-Height, width and parking
6/18/91 - Z.C.'s Order GRANTING Petitions
in part with restrictions; DISMISSING in
part.

ASSIGNED FOR: TUESDAY, JANUARY 21, 1992 at 10:00 a.m.

cc: Julius W. Lichter, Esquire - Counsel for Caton and Loudon
Railway Company, Protestant/Appellant
Stephen J. Nolan, Esquire - Counsel for The Little Sisters
of the Poor, Protestant/Appellant
St. Charles Associates, Inc.-Petitioner/Cross-Appellant
J. Carroll Holzer, Esquire
Mr. Paul Marks
Mr. Dan Rexford
Bruce Brown, Esquire
Ms. Theresa Fisher
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Timothy M. Ketroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon-Director of
Zoning Administration
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. September 6, 1991

NOTICE OF ASSIGNMENT
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yes or no

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. September 6, 1991

NOTICE OF ASSIGNMENT
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CASE NO. 91-351-SPHXA ST. CHARLES ASSOCIATES, INC.
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6/18/91 - Z.C.'s Order GRANTING Petitions
in part with restrictions; DISMISSING in
part.

ASSIGNED FOR: TUESDAY, JANUARY 21, 1992 at 10:00 a.m.

cc: Julius W. Lichter, Esquire - Counsel for Caton and Loudon
Railway Company, Protestant/Appellant
Stephen J. Nolan, Esquire - Counsel for The Little Sisters
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Arnold Jablon-Director of
Zoning Administration
LindaLee M. Kuszmaul
Legal Secretary

*Consent of Agreement
to amend regulation & consent order to follow*

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
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SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH
RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. CBA-91-204 CROSS CREEK @ CHARLESTOWN
NW/s Wilkins Ave. & Maiden Choice La.
(711 Maiden Choice La.)
1st Election District
1st Councilmanic District
RE: CRG Decision
10/17/91 - CRG Meeting wherein the Plan
was approved.

ASSIGNED FOR: TUESDAY, JANUARY 21, 1992 at 10:00 a.m.

cc: Julius W. Lichter, Esquire - Counsel for Caton and Loudon
Railway Company, Protestant/Appellant
Caton and Loudon Railway Company - Protestant/Appellant
Stephen J. Nolan, Esquire - Counsel for The Little Sisters
of the Poor, Protestant/Appellant
The Little Sisters of the Poor - Protestant/Appellant
Charlestown Retirement & Health Services Corp. -
Developer/Owner
Patton, Harris, Rust & Assoc. - Engineer
Director of Planning
Current Planning
Developers Engineering Division
Economic Development Commission
Robert E. Covahey
David L. Thomas
Jose H. Escalante
Nancy C. West, Asst. County Attorney
LindaLee M. Kuszmaul
Legal Secretary

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

April 18, 1991

887-3353

J. Carroll Holzer, Esquire
Suite 105, 305 W. Chesapeake Avenue
Towson, MD 21204

RE: Item No. 337, Case No. 91-351-SPH
Petitioner: Wayne M. Rush
Petition for Special Excetion,
Special Hearing and Zoning Variance

Dear Mr. Holzer:

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. Wayne M. Rush
St. Charles Associates, Inc.
711 Maidenchoice Lane
Catonsville, MD 21228

MICROFILMED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this
20th day of March, 1991.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:
James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: St. Charles Associates, Inc.
Petitioner's Attorney: J. Carroll Holzer

MICROFILMED

BUREAU OF TRAFFIC ENGINEERING
DEPARTMENT OF PUBLIC WORKS
BALTIMORE COUNTY, MARYLAND

DATE: April 9, 1991

TO: Mr. J. Robert Haines
Zoning Commissioner

FROM: Rahee J. Famill

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: March 19, 1991

ITEM NUMBER: 337

Dear Mr. Haines:

As indicated in the Baltimore County Development Manual, there needs to
be two full means of access, if the proposed number of units is over 200.
Therefore, this office recommends against the request for increase in number
of units (specifically proposed buildings No. 15 & 16).

A visit to the site indicated that the existing parking spaces were
being used at or near capacity, especially those closest to the buildings.
This office requests that no reduction in total number of parking spaces
and/or parking ratios be allowed.

In summary, the Bureau of Traffic Engineering does not support the
requested special exception for increase in density and reduction of parking
spaces.

Rahee J. Famill
Rahee J. Famill
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

March 15, 1991

TO: Zoning Commissioner
Office of Planning and Zoning

FROM: DIVISION OF GROUND WATER MANAGEMENT

SUBJECT: Zoning Item #337, Zoning Advisory Committee Meeting of March 19, 1991, St. Charles Associates, Inc., NE/S Maiden Choice Lane, 2385' NW of centerline Wilkens Ave. (#711 Maiden Choice Lane), D-1, Public Water and Sewer

COMMENTS ARE AS FOLLOWS:

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.

SSF:rmk

received
3/21/91

Baltimore County Government
Fire Department

700 East Joppa Road Suite 901
Towson, MD 21204-5500

(301) 887-4500

MARCH 26, 1991

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

RE: Property Owner: ST. CHARLES ASSOCIATES, INC.
Location: #711 MAIDEN CHOICE LANE
Item No.: 337 Zoning Agenda: MARCH 19, 1991

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. Roads shall have a 35' inside turning radius for fire apparatus and portico's shall be 14' clear height.

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. James Kelly 3/26/91* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JK/REK

received
3/26/91

RECORDED

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: March 14, 1991
FROM: Robert W. Bowling, P.E.
RE: Zoning Advisory Committee Meeting for March 19, 1991

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 327, 334, 335, 336, 338, 339 and 345.

For Item 337, a County Review Group Meeting may be required for these additions.

For Item 342, a County Review Group Meeting is required for this site.

For Item 343, the previous minor subdivision comments supplied for this site will apply.

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

RWB:s

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

DATE: May 2, 1991

TO: Mr. J. Robert Haines,
Zoning Commissioner

FROM: Stephen E. Weber, P.E.
Assistant Traffic Engineer

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: March 19, 1991

ITEM NUMBER: 337-REVISED COMMENTS

We have been reviewing the plans for the Charlestown Retirement Community with the developer/owner to determine acceptable solutions to address the access problems into the proposed buildings at the north end of the site. Attached is a conceptual plan of what we would find acceptable to address these problems. We would request that beginning at the existing circumferential roadway, the new proposed roadway accessing the proposed 568 units must be a divided roadway with two minimum 18-foot wide roadways and associated median. This divided roadway must be carried at least 50 feet beyond the first driveway access which allows ingress to the main parking lot for Building #15 (268 units). Provided that this is done along with constructing the emergency gated access to College Road, we would have no objections to the proposed development.

Based on our observations of existing parking demands on the site, we have no objections as long as the existing parking to density unit ratio is maintained at a minimum of 0.72, which is the current ratio.

SEW/lab

Attachment

cc: Mr. Rahee Famili

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines DATE: May 3, 1991
Zoning Commissioner

FROM: Mr. J. James Dieter

SUBJECT: Cross Creek at Charlestown
Special Exception
#91-351SPHXA

In reviewing the above referenced project for a special zoning exception, please be advised that this project requires a variance from Baltimore County Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains. Staff from the Environmental Impact Review Division have been working with representatives of Charlestown Retirement and Health Services Corporation to resolve the concerns involved with this variance. During the review process, several technical issues were identified which will be addressed. This Department received commitment from the developer that the streams, wetlands, floodplains, steep slopes and forested areas on the site will be adequately protected during and after the construction of this project. In addition, they have agreed to work with this Department to incorporate the requirements in the attached letter into the final design. My staff will continue to work with Charlestown representatives to reach a satisfactory conclusion and feel that the basic concept is workable.

J. James Dieter
J. James Dieter, Director
Department of Environmental
Protection and Resource Management

JJD:vr:sp

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines DATE: April 23, 1991
Zoning Commissioner

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

SUBJECT: St. Charles Associates, Inc., Item No. 337

In reference to the petitioner's Special Exception, this office offers the following comments:

- Should the applicant's request be granted, a greenway easement, which would permit public pedestrian access, should be provided along the Catonsville Shortline Railroad right-of-way. The Catonsville Shortline Railroad is a Master Plan designated greenway.

The existing closed gate, located 950 ft. northwest of the existing main access drive, should be utilized in the event that future conditions create the need for permanent access.

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

ITEM337/ZAC1

received
4/24/91

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: William T. Hackett, Chairman DATE: January 7, 1992
Baltimore County Board of Appeals

FROM: James H. Thompson
Zoning Enforcement Coordinator

RE: Case No. 91-351-SPHXA
NE/S Maiden Choice Lane,
2,385' NW of the L/L of Wilkens Lane
(711 Maiden Choice Lane)
St. Charles Associates, Inc.
Petitioners

Enclosed is a copy of a letter received from Otto P. Hirsch, a resident of the Charlestown Retirement Community, as to present conditions at this complex.

Please make this letter a part of the public hearing file that is presently scheduled for January 21, 1992, before the Board.

JH/cmm
Enclosure

c: Mr. Otto P. Hirsch

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

July 18, 1991

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

RE: Petition for Special Hearing, Special Exception and Variance
NE/S Maiden Choice Lane, 2,385' NW of the c/l of Wilkens Lane
(711 Maiden Choice Lane)
1st Election District, 1st Councilmanic District
ST. CHARLES ASSOCIATES, INC. - Petitioner
Case No. 91-351-SPHXA

Dear Board:

Please be advised that an appeal (Special Hearing portion appealed only) of the above-referenced case was filed in this office on July 9, 1991 by Julius W. Lichter, Attorney on behalf of the Caton and Loudon Railway Company, Protestants.

In addition a second appeal of each part of the decision was filed in this office of July 17, 1991 by Stephen J. Nolan, Attorney on behalf of The Little Sisters of the Poor, Baltimore, Inc.

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: Wayne Rush & John Erickson - St. Charles Associates, Inc.
711 Maiden Choice Lane, Baltimore, MD

Julius W. Lichter, Esquire - Levin & Gann
305 W. Chesapeake Avenue, Towson, MD 21204

Appeal Cover Letter - Case No. 91-351-SPHXA
ST. CHARLES ASSOCIATES, INC. - Petitioner
July 17, 1991
Page 2

J. Carroll Holzer, Esquire - Holzer, Maher & Demilio
305 W. Chesapeake Avenue, Suite 105, Towson, MD 21204

Stephen J. Nolan, Esquire - Nolan, Plumbhoff & Williams, Chartered
Suite 700, 210 W. Pennsylvania Ave., Towson, MD 21204

Paul Marks, 120 W. Hill Street, Baltimore, MD 21230

Dan Rexford - 6155 Regency Park Road, Catonsville, MD 21228

Bruce Brown - Esquire - Siskind, Burch, Grady and Rosen
Jefferson Building, Two East Fayette Street, Baltimore, MD 21202

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

File

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

ADDENDUM TO LETTER OF JULY 18, 1991

July 18, 1991

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

RE: Petition for Special Hearing, Special Exception & Variance
NE/S Maiden Choice Lane, 2,385' NW of the c/l of Wilkens Lane
(711 Maiden Choice Lane)
1st Election District, 1st Councilmanic District
ST. CHARLES ASSOCIATES, INC. - Petitioner
Case No. 91-351-SPHXA

Dear Board:

Please be advised that a third appeal of the above-referenced case (Special Hearing portion appealed only) was filed in this office on July 18, 1991 by Paul L. Erickson, on behalf of St. Charles Associates, Ltd. All materials relative to the case were previously forward this date.

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: Same as our letter of July 18, 1991

APPEAL

Petition for Special Hearing, Special Exception, & Variance
NE/S Maiden Choice Lane, 2,385' NW of the c/l of Wilkens Lane
(711 Maiden Choice Lane)
1st Election District - 1st Councilmanic District
ST. CHARLES ASSOCIATES, INC. - Petitioner
Case No. 91-351-SPHXA

Petition for Special Hearing, Special Exception, & 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

Zoning Commissioner's Exhibit: 1. Drawing showing Limits of Special Exception

Petitioner's Exhibits: 1. Marketing Zip Code Analysis
2. Report of \$1,000 Deposits
3. ZAC Comments from Traffic Engineering
4A. - 4K. - Various Analysis' & Schemes
5. Site Plan for Cross Keys
6. & 7. Colored Sketches of building
8. Elevation Drawing
9. Colored Sketch of Aerial View
10. Qualifications of G. P. Frizzell
11. Memo from Les Pittler
12. Special Exception Plan
13. Plat for Special Exception
14. Concept Site Layout
15. Concept Site Layout
16. - 18. Concept Site Layouts
19. Qualifications of A. L. Solberg
20. Traffic Impacts
22. Letter from Shelter Development Corp.

Appeal Checklist - Case No. 91-351-SPHXA
ST. CHARLES ASSOCIATES, INC. - Petitioner
July 18, 1991
Page 2

Protestant's Exhibit: 1. & 2. Letter (written petition) and Position Statement from Broadfield Homeowner's Association
3. Memo from P. D. Fields (Quit-Claim Deed)
4. Letter of Opposition
5. Letter from Office of Aging
6. Letter from John C. Erickson
7. Letter from Mike Russo

Zoning Commissioner's Order dated June 18, 1991 (Granted in part, Dismissed in part)

--Notice of Appeal received July 9, 1991 from Julius W. Lichter, Attorney on behalf of the Caton and Loudon Railway Company;
--a second Notice of Appeal received on July 17, 1991 from Stephen J. Nolan, Attorney on behalf of The Little Sisters of the Poor, Baltimore, Inc.; and
--a third Notice of Appeals received on July 18, 1991 from Paul L. Erickson on behalf of St. Charles Associates, Ltd.

cc: Paul L. Erickson, Wayne Rush & John Erickson
St. Charles Associates, Inc.
711 Maiden Choice Lane, Baltimore, MD

Julius W. Lichter, Esquire - Levin & Gann
305 W. Chesapeake Avenue, Towson, MD 21204

J. Carroll Holzer, Esquire - Holzer, Maher & Demilio
305 W. Chesapeake Avenue, Suite 105, Towson, MD 21204

Stephen J. Nolan, Esquire - Nolan, Plumbhoff & Williams, Chartered
Suite 700, 210 W. Pennsylvania Ave., Towson, MD 21204

Paul Marks, 120 W. Hill Street, Baltimore, MD 21230

Dan Rexford - 6155 Regency Park Road, Catonsville, MD 21228

Bruce Brown - Esquire - Siskind, Burch, Grady and Rosen
Jefferson Building, Two East Fayette Street, Baltimore, MD 21202

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. Mastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Chief Deputy County Attorney
Public Services

9/6/91 - Following parties notified of hearing set for January 21, 1992 at 10:00 a.m.:

Julius W. Lichter, Esquire
Stephen J. Nolan, Esquire
St. Charles Associates, Inc.
J. Carroll Holzer, Esquire
Mr. Paul Marks
Mr. Dan Rexford
Bruce Brown, Esquire
Ms. Theresa Fisher
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon-Director of
Zoning Administration

1. 9/10 - Scheduled for hearing w/ companion CRD case; was called for hearing on 1/21/92; all parties appeared represented by Counsel. Board was advised that settlement of all issues is very near; matter was postponed to be rescheduled pending receipt of settlement documents, proposed order and memoranda. (per MBS)

2. 9/11 - Letter from Paul Erickson submitting copy of proposed Consent Order signed by Erickson on behalf of Petitioner and by S. Nolan on behalf of Little Sisters of the Poor.

3. 9/11 - Mr. J. Nolan - above only applies to his clients; not to Lichter's appeal and appeal taken by Petitioner from SE. Will call Erickson.

4. 9/11 - Erickson - advised that we do not have copy of actual agreement; also, that this consent order does not eliminate the necessity for hearing. Advised him that building permits cannot be issued while appeal from CRD is pending before Board, as it is in this case with regard to Lichter's appeal. Will contact J. Lichter and get back to me.

5. 9/11 - discussed pending matters with WTH will hold for another month and then review status again.

6. 9/11 - Letter to all counsel; matter is still pending on Board's docket. (see previous case of 10/15/91). Advised parties that unless Board hears otherwise prior to April 25, 1992, appeals in this matter will be dismissed and the matter pulled from docket.



Baltimore County
Department of Permits and
Development Management

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

March 6, 1996

Edmund F. Haile
President
Daft, McCune and Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286

RE: Cross Creek at Charlestown
Proposed Plan Revision
Case #91-351-SPHXA
1st Election District

Dear Mr. Haile:

A review of your proposed density increase and accrual from the O.R.-2 zoned site area has been reviewed for zoning compliance.

The increase, as permitted by special exception hearing under Section 432.3 of the Baltimore County Zoning Regulations (BCZR), will require a new special exception. This area was not included in the density increase request under zoning case #91-351-SPHXA and must be brought within the overall tract area. All parking, maneuvering, building and setback areas used for the existing office building would have to be deleted from any revised area and density calculations.

Please be aware that the current zoning Final Development Plan (FDP) contains a note on this O.R.-2 zoned area, requiring that any changes from the approved Board of Appeal plan will require (BOA) approval.

Any plan changes from the most recent approved FDP, will require amendments per Section 1B01.3.A.7 of the BCZR.

I hope this response clarifies the position of the staff in this matter. Should you need further information, please feel free to contact me at 887-3391 (FAX - 887-5708).

Sincerely,

John L. Lewis
John L. Lewis
Planner II
Zoning Review



Baltimore County
Department of Permits and
Development Management

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

November 25, 1996

Mr. George E. Gavrelis
Daft McCune Walker, Inc.
200 East Pennsylvania Avenue
Towson, MD 21286

RE: Zoning Verification
Charlestown Retirement Community
1st Election District

Dear Mr. Gavrelis:

Based on your provided information and red-lined plans, the proposed creation of Lot 2 (3.16 acres gross) and its removal from the Charlestown Retirement Community Complex appears to conform to the minimum density standards for the remainder of Charlestown.

Subject to complying to the minimum OR-2 area and use standards, the lot may be created; however, the staff must state that compliance with the following requirements will be necessary.

1. Amend the Charlestown F.D.P. for this site.
2. Prior to any reuse of the property, other than as an accessory building for Charlestown, a special hearing to remove the special exception from Lot 2 will be required.

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
John L. Lewis
Planner II
Zoning Review

JLL:rye

c: zoning case 91-351-SPHXA

Enclosure



STATE OF MARYLAND
DEPARTMENT OF GENERAL SERVICES
OFFICE OF THE SECRETARY

301 WEST PRESTON STREET
BALTIMORE, MARYLAND 21201-2377
TELEPHONE: 225-4435
TTY FOR DEAF: BALTO AREA 383-7555
DC METRO 385-0451

WILLIAM DONALD SCHAEFER
GOVERNOR

MARTIN W. WALSH, JR.
SECRETARY

June 11, 1991

Ms. Jacquelyn O. Schaeffer
4314 Barrington Road
Baltimore, Maryland 21229

Dear Ms. Schaeffer,

Governor William Donald Schaefer asked me to respond to your letter dated May 6, 1991 concerning 0.5 acres of land at the RICA-Baltimore Campus which is contiguous to the Charlestown Retirement Community.

St. Charles Associates has requested that the state consider selling this parcel of land in order for them to pave the existing dirt road on the state property and use it as an alternative means of access to their site. Before any final decision can be considered, notification must be sent to all state agencies and local municipalities so that any concerns that surface can be addressed and investigated. This process is now on-going, and we will ensure that the comments you have raised are addressed.

However, the State is not involved in the zoning issue that you mention in your letter which is a separate local issue that can only be dealt with through Baltimore County. Please contact Mr. J. Robert Haines, Baltimore County Zoning Commissioner, at (301) 887-3355 for further information.

I appreciate your concerns and hope that all issues can be resolved to everyone's satisfaction.

If you have any questions, please contact Deborah Photiadis, Director, Office of Real Estate, at (301) 225-4322.

Sincerely,

Martin W. Walsh, Jr.
Martin W. Walsh, Jr.
Secretary

MW/nt

cc: The Honorable William Donald Schaefer
The Honorable Barbara A. Mikulski
Mr. J. Robert Haines

June 11, 1991

Ms. Lorraine Lindsay
818 Warwick Road
Baltimore, Maryland 21229

Dear Ms. Lindsay:

Governor William Donald Schaefer asked me to respond to your letter dated May 6, 1991 concerning 0.5 acres of land at the RICA-Baltimore Campus which is contiguous to the Charlestown Retirement Community.

St. Charles Associates has requested that the state consider selling this parcel of land in order for them to pave the existing dirt road on the state property and use it as an alternative means of access to their site.

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Sincerely,

Martin W. Walsh, Jr.
Secretary

MWW/nt

cc: The Honorable William Donald Schaefer
The Honorable Barbara A. Mikulski
Mr. J. Robert Haines

PRINTED ON RECYCLED PAPER

UNITED STATES SENATE
WASHINGTON, DC 20510-2000
May 10, 1991

Ms. Jacquelyn O. Schaeffer
4314 Barrington Road
Baltimore, Maryland 21229

Dear Ms. Schaeffer:

Thank you for contacting me about the proposed transfer of State property to a private developer.

As a United States Senator, I feel that I can best assist my constituents in matters pertaining to federal legislation and federal agencies. The matter you raise is more appropriately handled at the State level.

Therefore, I have taken the liberty of forwarding your letter to Governor William Donald Schaefer and requesting that he respond directly to you. I am sure that you will be hearing from him soon.

If I can ever be of assistance to you in the future, concerning a federal matter, please feel free to contact me.

Sincerely,

Barbara A. Mikulski
United States Senator

BAM:eh

PRINTED ON RECYCLED PAPER

UNITED STATES SENATE
WASHINGTON, DC 20510-2000
May 10, 1991

Ms. Lorraine Lindsay
818 Warwick Road
Baltimore, Maryland 21229

Dear Ms. Lindsay:

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If I can ever be of assistance to you in the future, concerning a federal matter, please feel free to contact me.

Sincerely,

Barbara A. Mikulski
United States Senator

BAM:ab

PRINTED ON RECYCLED PAPER

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CONSULTING ENGINEERS
111 W. Chesapeake Avenue
Towson, Maryland 21204
(301) 823-7800
TELEFAX (301) 296-2765

December 9, 1991

Re: Charlestown Retirement Community

Dear Mr. Jablon:

On behalf of our client, Senior Campus Living, George William Stephens, Jr. and Associates, Inc. (GWS) has submitted a red-lined refinement for the last portion of the above captioned site. This portion consists of the proposed construction of the corporate office building in the southeast corner of the site.

This refinement was presented before the Development Review Committee (DRC) for review, comment and approval. We have recently received comments from various departments and we have essentially resolved the outstanding comments except those submitted by the Zoning Office. The Zoning comments suggested a potential problem exists which requires a determination on your behalf. Mr. John Lewis, of the Zoning office is requiring that a letter and red-lined plan (as approved in case #91-85-SPHA) listing and detailing the proposed changes and requesting a determination of the Director of ZADM that the proposed changes are within the spirit and intent of the order and approved plan in this case. Further, that this change does not require a zoning public hearing to amend the Special Exception Plan.

If you review case #91-85-SPHA, you will find that it dealt with residential building lengths and residential building heights and the height of a clock tower. The proposed office building was not a part of the petition other than having been reflected on the plan.

Very truly yours,
Stephen J. Nolan

RECEIVED
DEC 14 1991
ZADM

Mr. Arnold Jablon, Director
December 9, 1993
page -2-

(as required) for informational purposes. The Commissioner's decision made no mention of any constraints, limitations or restrictions regarding this building or its location.

Subsequent decisions by the Commissioner on other zoning cases affecting this property, and CRG refinements have been submitted reflect the new location of the Assisted Living Building and the relocation of the loop road. In fact, the refinement for the loop road reflected the new location of the corporate office building in question to approximately the location shown on the refinement submitted by this office. At no time during the previous refinements did anyone question the relationship of this building to that shown on the Special Hearing Plat. The refinement submitted by (GWS) is only massaging the footprint and parking layout of the proposed office building, as approved on the last CRG refinement, to be more in line with our client's program.

Upon discussing this red-lined plan with Mr. Lewis, I was advised to submit the plan showing only the changes which lie within the O-2 Zone. This area is shown as the "Limit of Refinement". The area outside of the "Limit of Refinement" have already been amended or refined by a hearing or by a CRG refinement as described above.

With the above described background, it is our opinion that this refinement is within the spirit and intent of case #91-85-SPHA and that a public hearing is not necessary. Should you concur with this opinion, please sign below in the area provided and return a copy to this office. Enclosed you will find the required fee of \$40.00, thank you for your consideration of this matter.

Very truly yours,

GEORGE WILLIAM STEPHENS, INC.
AND ASSOCIATES, INC.

Rick Chadsey, P.E.

RC:cc
cc Wayne Rush

As discussed with you on December 10, 1993, this approval is given with the understanding that the letter from the Department of Environmental Protection and Resource Management approving the parking and cooling tower encroachment into the buffer area is (as restricted) zoning case 91-351-SPHAX to be provided to this office. Should this approval not be forthcoming a special hearing may be required.

SIGNED: J. Carroll Holzer
JUL 11 1991

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301-321-0600
TELECOPIER 301-296-2801
July 8, 1991

ELLIS LEVIN (1893-1960)
CARROLL COUNTY OFFICE
1137 LIBERTY ROAD
STYKEVILLE, MD 21784

JOELUS W. LICHTER

HAND-DELIVERED

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

RE: Case No. 91-351-SPHXA
St. Charles Associates, Inc. - Petitioners

Dear Commissioner Haines:

On behalf of the Caton and Loudon Railway Company, Protestants, please note an appeal of your June 18, 1991 Order in the above referenced case granting the Petition for Special Hearing. The requisite \$125.00 filing fee and \$25.00 sign fee is enclosed.

Sincerely,
Julius W. Lichter

JWL/dc

Enclosure

cc: J. Carroll Holzer, Esquire
Mr. Howard Chertkof

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301-321-0600
TELECOPIER 301-296-2801
May 23, 1991

ELLIS LEVIN (1893-1960)
CARROLL COUNTY OFFICE
1137 LIBERTY ROAD
STYKEVILLE, MD 21784

JOELUS W. LICHTER

HAND-DELIVERED

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

RE: St. Charles Associates, Inc.
Case No. 91-351-SPHXA
Opposition to Requested Relief

Dear Mr. Haines:

We represent the owners of the Caton and Loudon Railway whose property is located in the immediate vicinity of the property owned by the Petitioner in the above-referenced case. After a review of the Petition and the Plat to accompany the Petition, our clients object to the granting of the relief requested by the Petitioner.

Should you desire any further information in this regard, please do not hesitate to contact me.

Sincerely,
Julius W. Lichter

JWL/gk

cc: J. Carroll Holzer, Esquire

LAW OFFICES
NOLAN, PLUMHOFF & WILLIAMS
A PROFESSIONAL ASSOCIATION
SUITE 700, COURT TOWERS
210 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204-5340
301-823-7800
TELEFAX (301) 296-2765
July 17, 1991

JAMES D. NOLAN
BETHEL 1980
J. CARLE PLUMHOFF
1940 1980
RALPH E. DEITZ
1918 1980
WRITER DIRECTOR
823 7853

HAND DELIVERY

J. Robert Haines, Esquire
Zoning Commissioner for
Baltimore County
County Office Building
Towson, Maryland 21204

Re: NOTICE OF APPEAL
Case No. 91-351-SPHXA
Petitions for Special Hearing,
Special Exception and Variance
(711 Maiden Choice Lane)
St. Charles Associates, Inc.
Petitioner

Dear Commissioner Haines:

On behalf of our client, The Little Sisters of the Poor, Baltimore, Inc., a Maryland corporation, whose address is 601 and 603 Maiden Choice Lane, Catonsville, Maryland 21228, we are hereby noting an appeal to the County Board of Appeals of Baltimore County from the attached Findings of Fact and Conclusions of Law and Order dated June 18, 1991 in the above-captioned case. Our client is appealing each and every part of that decision and Order, namely the grant of the special hearing petition, the grant of the special exception and the grant of the variances.

Enclosed herewith is our firm's check payable to "Baltimore County, Maryland" in the amount of Four Hundred Fifty (\$450.00) Dollars to cover all appeal fees and the sign fee. If there is anything further that is necessary to perfect this appeal, please notify us immediately.

Thank you for your consideration of this matter.

Very truly yours,
Stephen J. Nolan

SJN:mao
encl.

RECEIVED
JUL 19 1991
ZONING OFFICE

HAND DELIVERED

March 14, 1991

Robert Haines
Zoning Commissioner for Baltimore County
County Courts Building
401 Bosley Avenue
Towson, MD 21204

RE: Charlestown Petition for Special Exception
and Variance, Pursuant to Section 432 BCZR
Item No. 337

Dear Commissioner Haines:

Recently, I filed a Petition for Special Exception pursuant to Section 432.3 of the Baltimore County Zoning Regulations and a Petition for Variance to enable Charlestown Retirement and Health Services to proceed with a new section.

On their behalf, I am requesting that this case be set in for hearing as promptly as possible. I am enclosing a copy of a letter from Mr. Paul Erickson to me dated March 12, 1991 which is self-explanatory. From that letter, you can see that there are currently 621 people on various waiting lists to move into Charlestown and they cannot be accommodated at the present time. In addition, 17 are on the emergency list which requires that those individuals move into the community because of contracts regarding their home or other unique emergencies.

As you can see from Mr. Erickson's letter to me, anything that can be done to schedule this hearing promptly would be appreciated. I can assure you that the Advisory Board has been created and has met, that the necessary experts needed on behalf of Charlestown to establish their responsibilities under Section 432 have reviewed the matter and are prepared to be available for the hearing.

91-351-SPHXA

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS,
AND LANDSCAPE ARCHITECTS



April 23, 1991

Mr. J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
County Courts Building
401 Bosley Avenue
Baltimore, MD 21204

Subject: Charlestown

Dear Mr. Haines:

Please be aware that Morris & Ritchie Associates, Inc. is no longer providing consulting services on the Charlestown project. This relationship ended January 1, 1991.

We are very concerned that plans may be submitted for Charlestown which continue to show our firm's name and, more particularly, the professional seal and signature of our staff. We will not be responsible for any of the designs, certifications, etc. shown on said plans.

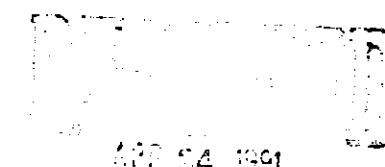
Very truly yours,

MORRIS & RITCHIE ASSOCIATES, INC.

Robert F. Bradley, P.E.
Senior Vice President

RFB/tt

cc: Retirement & Health Services Corporation



ZONING OFFICE

1000 CHESAPEAKE AVENUE, SUITE 700
TOWSON, MARYLAND 21204
(301) 242-4880
FAX (301) 242-4881

600 D. BOSLEY AVENUE
TOWSON, MARYLAND 21204
(301) 821-1600
FAX (301) 821-1746

RECORDED

Retirement & Health Services Corporation

703 Maiden Choice Lane • Baltimore, Maryland 21225 • (301) 242-2880

March 18, 1991

J. Carroll Holzer, Esquire
Holzer, Maher & Demilio
Suite 105
306 West Chesapeake Avenue
Towson, Maryland 21204

Re: Section 432 Meeting

Dear Carroll:

I wanted to follow up on our discussion yesterday wherein I asked if it is possible to speed up the process for the 432 hearing. Although we at Charlestown will do everything within our power to assist the elderly people in our area, we currently have 621 people on various waiting lists to move in to Charlestown, but are unable to accommodate them due to having no units available to meet their needs.

Out of the 621 people on our various waiting lists, 17 are on our Emergency List. They are people who have recognized their need to move to our community, have contracted to sell their homes and have scheduled closing dates in the next few weeks or months. We have had to make emergency arrangements for 3 of these people by moving them into our Assisted Living facility until an Independent unit becomes available. Our Assisted Living facility is intended to accommodate people who are either physically or mentally impaired or both. Charlestown is unique in that we do not turn away residents suffering from Alzheimer's disease, Parkinson disease and other debilitating diseases, as most other communities do.

The other 14 people on the Emergency List also are needing to vacate their homes in the very near future. We have 178 people on a Standby List, a list maintained for those who intend to move to Charlestown in the near future, but who are not in the emergency situation of having to vacate their existing homes in the next few weeks or months. Finally, we have 481 people on our Futures List, which is a list we maintain for people committed to moving to Charlestown in the not-so-near future. Our statistics indicate that 86% of the people on the Standby List will want to move into Charlestown within the next nine months.

MICROFILMED

91-351-SPHXA

FAX (301) 242-4881

As for the Futures List, we fully expect more than half of the 400+ people will want to complete their move by 1994.

Of the people who joined our Futures List during the three year period from 1985 through 1987:

- ♦ 55% have since moved to Charlestown,
- ♦ 82% of those people are maintaining their priority position on the List, and only
- ♦ 13% have cancelled, generally due to death or major illness.

You should particularly note that of those who joined our Futures List in 1985 and 1986, 76% have since moved to Charlestown.

I am sure that Commissioner Haines has many other matters to be concerned with. However, from all that I have heard, he appears to have the insight to recognize and manage a potential crisis today before it becomes tomorrow's major problem. It may be easy to rationalize letting things continue at their present pace, but we should keep in mind it will take at least a year to get any of the buildings completed and ready for occupancy. In that year's time, matters will only become more critical with significantly more people finding themselves in emergency situations with nowhere to turn.

Anything that you can do to help expedite the Section 432 Hearing would be greatly appreciated.

Sincerely,

Paul L. Erickson
Paul L. Erickson

PLE:

91-351-SPHXA

Retirement & Health Services Corporation

703 Maiden Choice Lane • Baltimore, Maryland 21225 • (301) 242-2880

July 10, 1991

HAND-DELIVERED

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

RE: Case No. 91-351-SPHXA
St. Charles Associates, Ltd. - Petitioner

Dear Commissioner Haines:

On behalf of St. Charles Associates, Ltd., please be advised that we are in receipt of the Notice of Appeal, dated July 8, 1991, filed by Julius W. Lichter, on behalf of The Caton and Loudon Railway Company, Protestant. Since an appeal has been taken in this matter, we feel that it is prudent to file a counter-appeal with regards to the relocation of the maintenance shed, pursuant to your June 18, 1991 Order, in the above-referenced case granting the Petition for Special Hearing. The requisite \$125.00 filing fee and \$25.00 sign fee is enclosed.

Sincerely,

Paul L. Erickson

PLE:
enclosures
copies: J. Carroll Holzer, Esquire
Julius W. Lichter, Esquire

MICROFILMED

FAX (301) 242-7881

Retirement & Health Services Corporation

703 Maiden Choice Lane • Baltimore, Maryland 21225 • (301) 242-2880

May 3, 1991

Mr. James Deiter
Director, Dept. of Environmental
Protection & Resource Management
Baltimore County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

RE: CROSS CREEK
AT CHARLESTOWN

Dear Mr. Deiter:

We greatly appreciate the efforts of your staff in making a timely review of our Forest Buffer Variance Request and in meeting with us and our professionals on such short notice.

We understand from your staff that DESPM can support this conceptual plan provided we make every effort to provide the following:

1. Undertake a comprehensive stream restoration project for the Herberts Run as it passes through our site, the extent and nature of the restoration project to be worked out between your staff and our professionals.
2. Undertake an a-forestation/re-forestation project on our site, particularly at the south end of the site around the existing stormwater management facility and steep slopes.
3. Locate the limit of disturbance a minimum of 50 feet from the existing wetlands limits and a minimum of 100 feet from the stream of Herberts Run.
4. Provide a water quality basin to treat off-site water entering our site at the main northern tributaries near our proposed Community Center. This basin can also serve as our stormwater management facility to control to pre-developed rates our stormwater run-off.

FAX (301) 242-7881

TEL: 301-242-7881

Mail: 3-91 11:57 No.007 P.03

As discussed, we would appreciate a letter from your staff supporting the conceptual plan with the above understandings to be written to the Zoning Commissioner for his use in deciding our Special Exception request.

Thank you again for the cooperation from you and your department.

Sincerely,

Wayne M. Rush, P.E.
Director of Engineering

WHR/sar

cc: Mr. Rocky Powell, DESPM
Mr. Don Outen, DESPM
Mr. John Erickson, RAHSC
Mr. Kevin Glover, RAHSC
Mr. Jeff Frank, PHRA
Mr. Reed Huppman, 310habitats
Mr. Paul Marks, Marks, Thomas & Assoc.

Kensington Improvement Association

817 Warwick Road • Baltimore, Maryland 21229

Established 1936

January 29, 1992

Officers
President
Robert Harrison, 242-3582

Vice-presidents
Greg Fenlon, 247-8767
Stewart Potter, 536-5268

Recording Secretary
Jackie Schaeffer, 242-5004

Treasurer
Bob Haas, 644-7548

Baltimore County Government
Board of Zoning Appeals
400 Washington Avenue, Room 49
Towson, Maryland 21204

TO WHOM IT MAY CONCERN:

This is a request for notification of future hearing dates in the Charlestown at Cross Creek project, Case No. 91-351-SPHXA.

Please send the notification to me at the address on this letterhead. Thank you for your cooperation.

Sincerely,

Robert Harrison
Robert Harrison
President

CHARLESTOWN Retirement Community

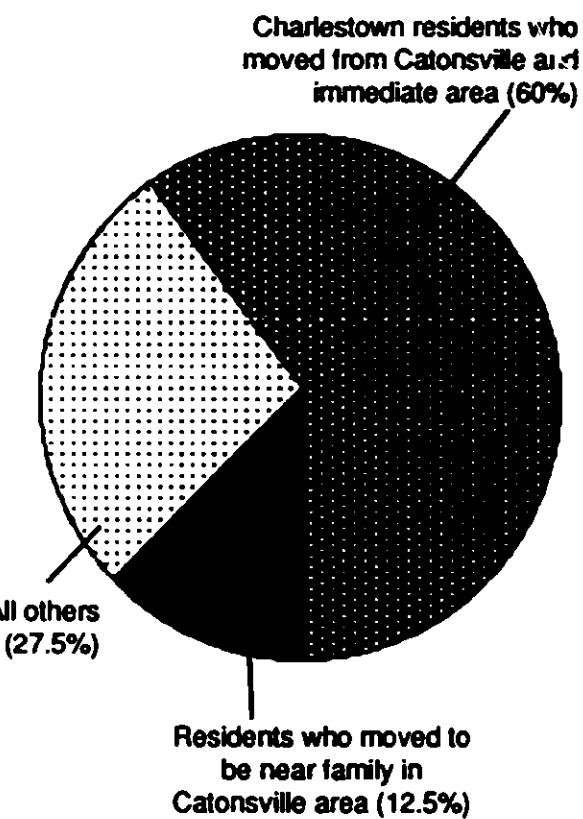
Marketing Zip Code Analysis 1982 - 1989

Charlestown has always drawn very heavily from its surrounding neighborhoods. In a recent analysis of former home locations for residents of 400 randomly selected apartments, over 40% of the residents came from Catonsville's 21228 zip code.

Nearly 60% of the residents came from the immediate Catonsville area (21228 and its contiguous zip codes).

Based on interviews with our admissions staff, it is estimated that an additional 10%-15% of our residents have moved to Charlestown, often from out of state, to be near family in the Catonsville area.

Date of Sample: 1/90
Buildings Sampled: 1-12
Number of Apartments Sampled: 400 100%
Number of Occupants From 21228 Zip Code: 168 42%
Number of Occupants From 21228 and 5 Contiguous Zip Codes*: 234 60%

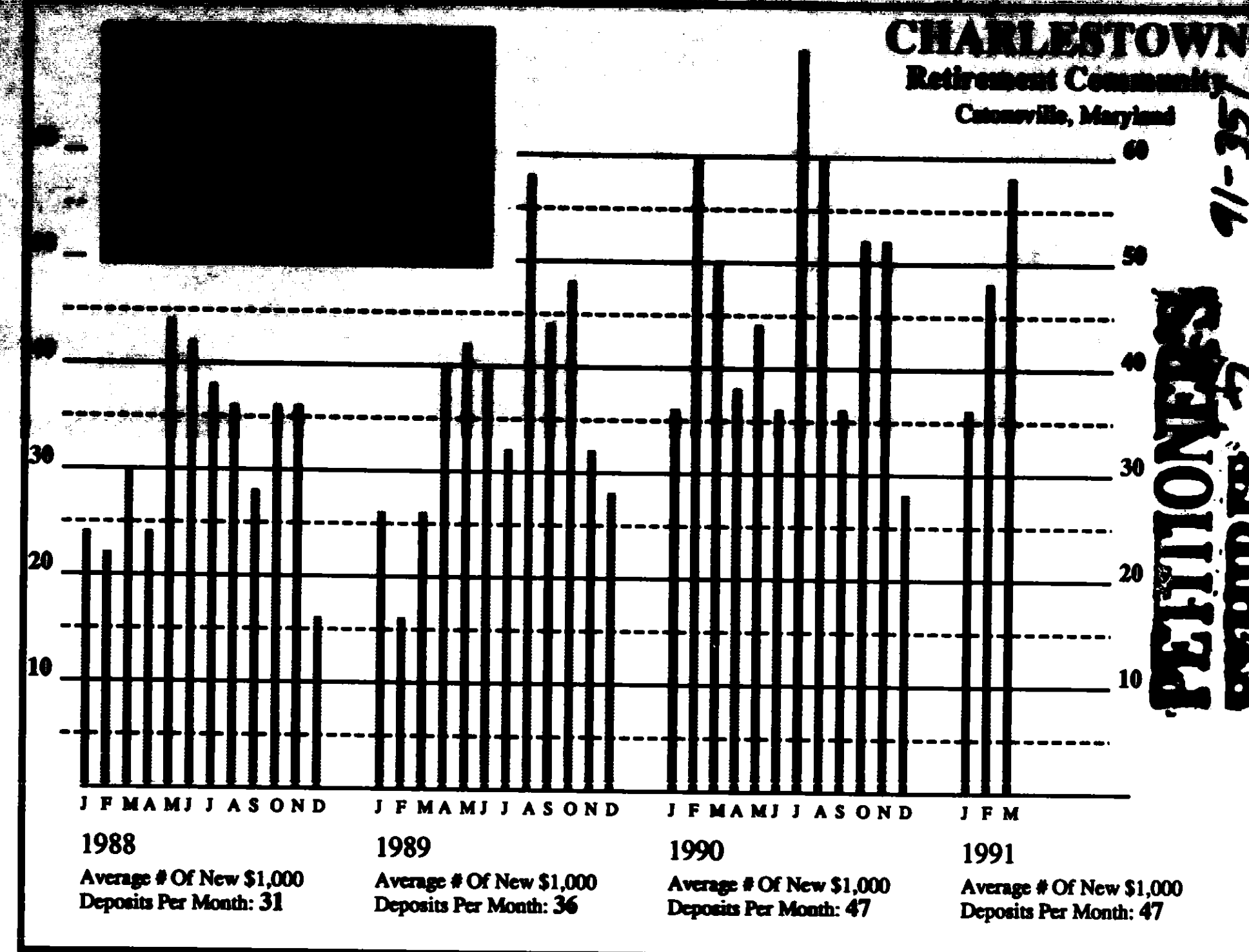


*21228, 21229, 21227, 21043, 21044, 21307

**PETITIONER'S
EXHIBIT 1**

91-351SPHXA

CHARLESTOWN Retirement Community Catonsville, Maryland



**PETITIONER'S
EXHIBIT 2**

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: May 2, 1991

TO: Mr. J. Robert Haines,
Zoning Commissioner

FROM: Stephen E. Weber, P.E.
Assistant Traffic Engineer

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: March 19, 1991

ITEM NUMBER: 337-REVISED COMMENTS

We have been reviewing the plans for the Charlestown Retirement Community with the developer/owner to determine acceptable solutions to address the access problems into the proposed buildings at the north end of the site. Attached is a conceptual plan of what we would find acceptable to address these problems. We would request that beginning at the existing circumferential roadway, the new proposed roadway accessing the proposed 568 units must be a divided roadway with two minimum 18-foot wide roadways and beyond the first driveway access which allows ingress to the main parking lot for Building #15 (268 units). Provided that this is done along with constructing the emergency gated access to College Road, we would have no objections to the proposed development.

Based on our observations of existing parking demands on the site, we have no objections as long as the existing parking to density unit ratio is maintained at a minimum of 0.72, which is the current ratio.

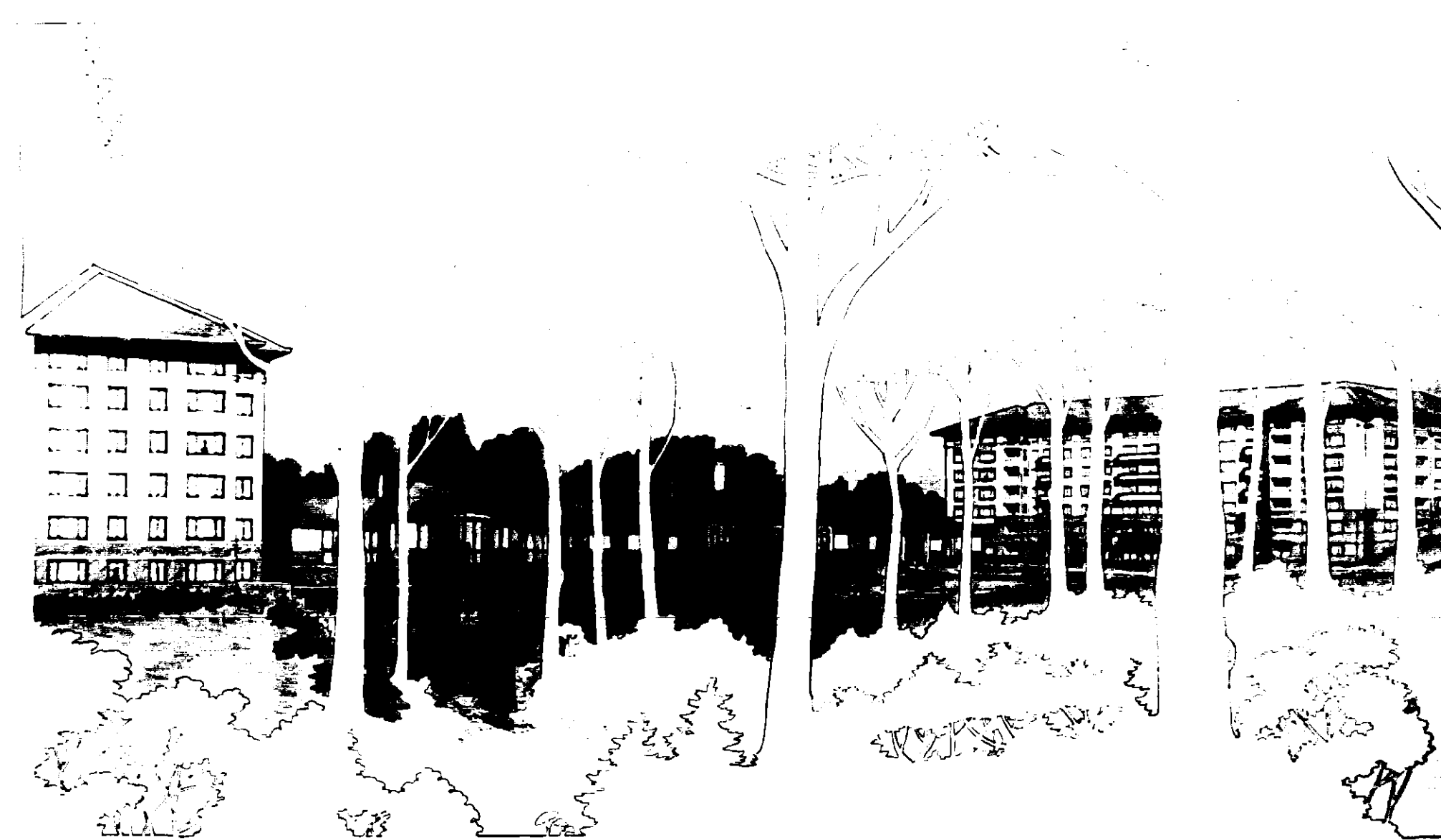
SEW/Lab

Attachment

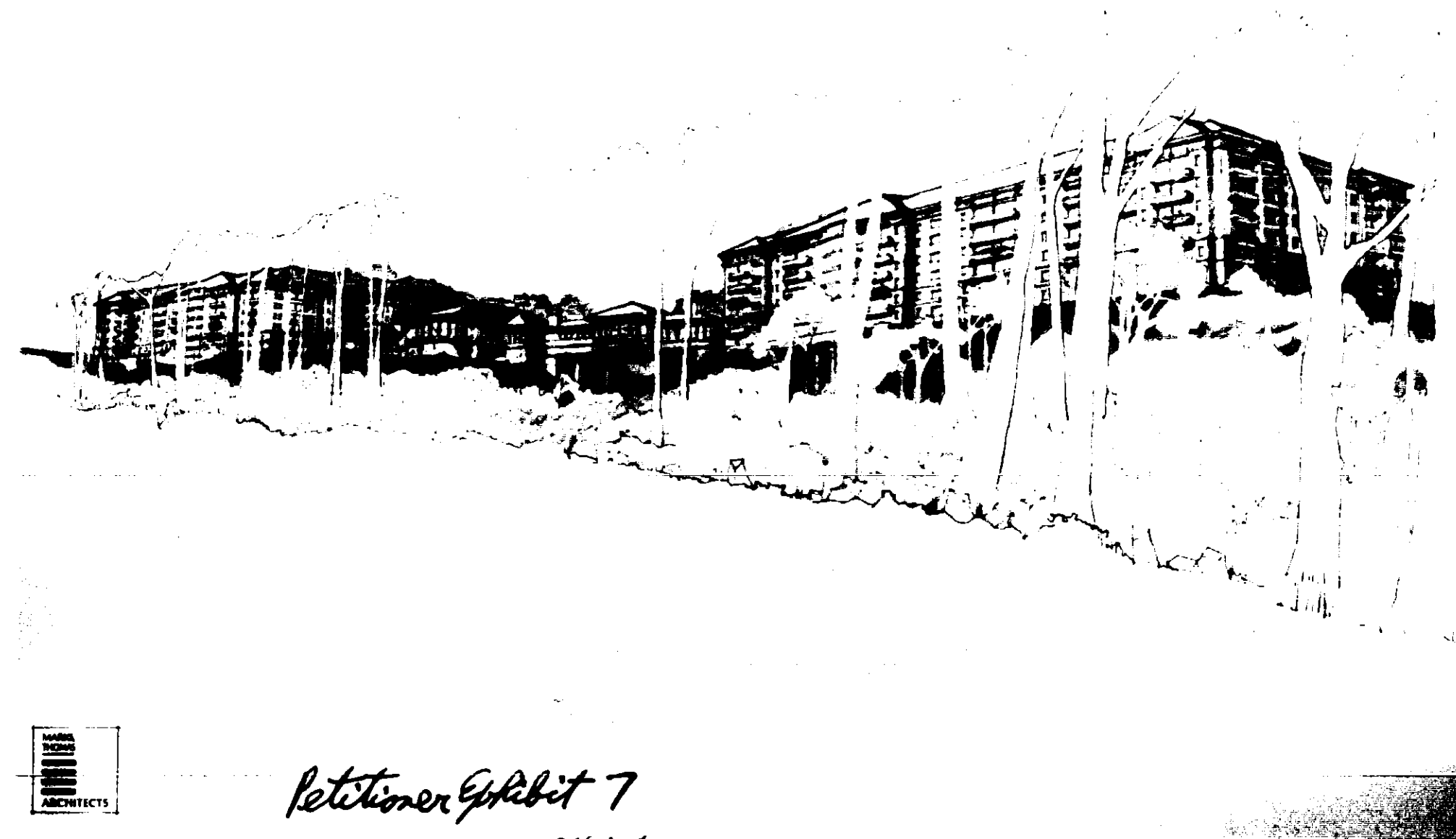
cc: Mr. Rahee Famili

**PETITIONER'S
EXHIBIT 3**

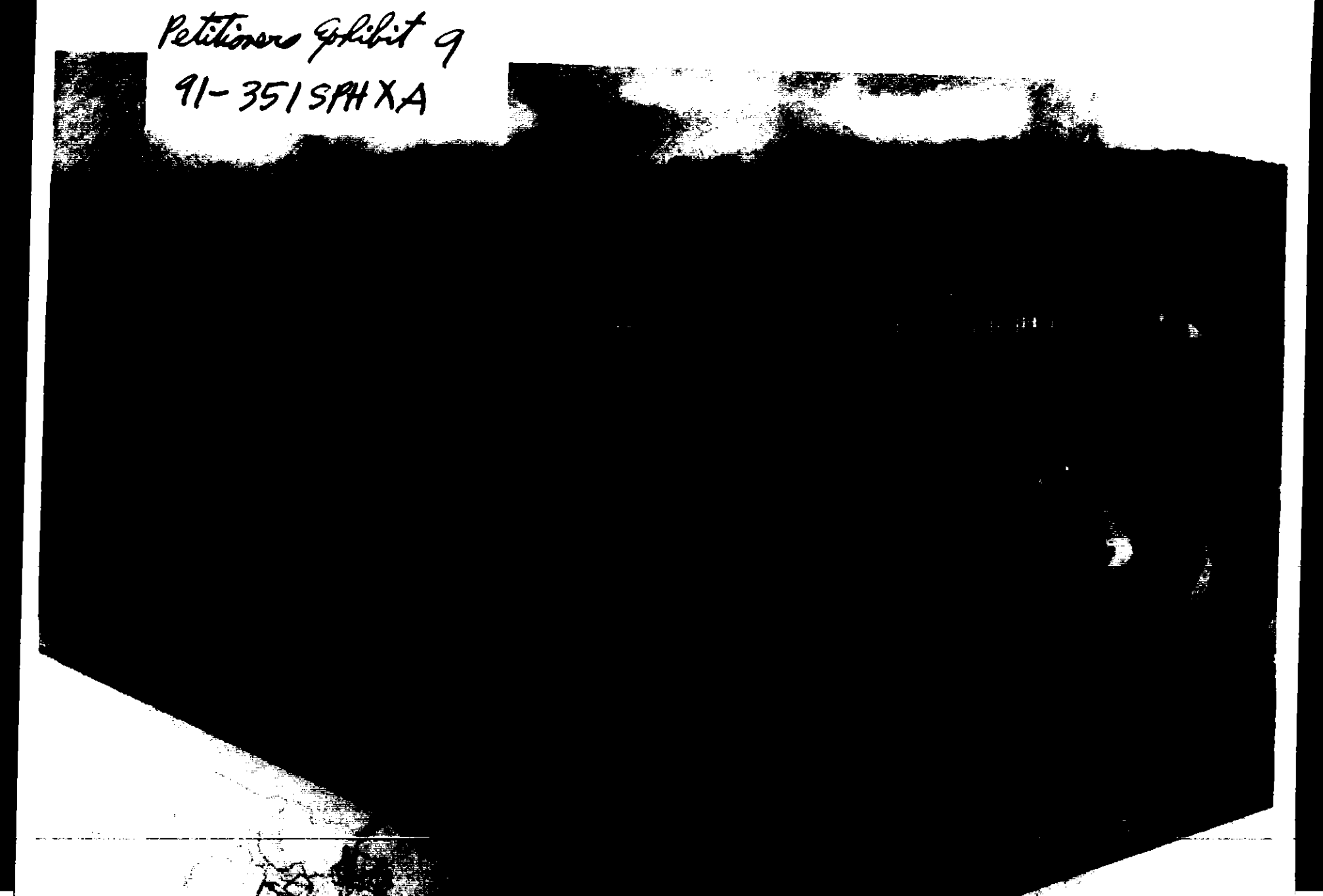
91-351SPHXA



Petitioner Exhibit 6
91-351SPHXA



Petitioner Exhibit 7
91-351SPHXA



Petitioner Exhibit 9
91-351SPHXA

QUALIFICATIONS OF APPRAISER - GEORGE P. FRIZZELL

Member:

Member (CRE): American Society of Real Estate Counselors
 Member (MAI): Appraisal Institute
 Greater Baltimore Board of Realtors (Realtor)
 Licensed Salesman - Maryland Real Estate Commission

Note: The Appraisal Institute was formed January 1, 1991 by the merger of the American Institute of Real Estate Appraisers and the Society of Real Estate Appraisers.

Education, Background & Experience:

Bachelor of Science Degree in Geography, University of Maryland, 1970
 Planner for Maryland State Roads Commission, 1970
 Instructor on Real Estate Appraising - Graduate Realtors Institute, 1973, 1979-87
 Assistant Professor - Towson State College - Real Estate Appraisal, 1976-81
 Instructor - Income Property Appraising - Annual School for Md. Assessors, 1977-82
 Expert Witness - Trial Advocacy Program (MICPEL), 1979-82
 Appraiser with B.I. & G.W. Frederick, Inc.
 Appraiser with McCurdy-Lipman & Associates
 Partner - Lipman Frizzell & Mitchell, Real Estate Consultants
 (Have been appraising real estate since 1970)

Real Estate Courses Completed:

AIREA Course 1A - Basic Appraisal Principles, 1972
 AIREA Course 1B - Capitalization Theory & Techniques, 1972
 AIREA Course 6 - Investment Analysis, 1974
 SREA Course 201 - Income Property Appraising, 1972
 Principles of Urban Planning, University of Maryland 1969
 Basic Principles of Real Estate - Maryland Real Estate Commission, 1971
 Computer Applications for Investment Analysis - University of Wisconsin, 1980

Appraisal & Consulting Assignments Include:

Garden and high-rise apartments and condominiums, regional malls, shopping centers, commercial strip stores, office buildings, motels, country clubs and golf courses, industrial buildings, planned developments, unimproved land parcels, nursing homes, special purpose properties, and market feasibility studies.

Appraisal and consulting assignments have been heavily concentrated in the Maryland, Virginia, and District of Columbia region, but have also been employed in Pennsylvania, Delaware, Texas, Nebraska, Illinois, Indiana, Tennessee, New York, Massachusetts, Oklahoma, Georgia, North Carolina, and Louisiana.

**PETITIONER'S
EXHIBIT 10**

91-351SPHX A

TO: John Erickson
 Paul Erickson
 FROM: Lee Pittler (514-7363)
 Maryland Housing Fund
 DATE: May 22, 1991
 RE: BALTIMORE COUNTY (Terri's wording)
 Elderly Housing Crisis

*Petitioner's
Exhibit 11*

91-351SPHX A

(transcription of 4 pages of hand-written material and verbal confirmation of text by Lee Pittler)

In September of 1989, as the Director of Baltimore County Department of Community Development, I wrote a memorandum to several members of the County Council in regard to housing the county's elderly population, wherein I stated:

- (a) the need to provide incentives to elderly housing development;
- (b) the need to increase the supply of land which is suitable for elderly development;
- (c) the need for technical clarification of amendments to existing regulations which would provide ease to the development of elderly housing.

My reasoning in 1989 was that the benefit to Baltimore County would be the development of more elderly housing units, in some cases, affordable units, and the possible creation of communities which address a wide range of senior housing and service needs.

Mr. Erickson's testimony clearly indicated to me that Charlestown's request before the Zoning Commissioner, if granted, will unequivocally address the housing needs for the elderly in the western part of Baltimore County.

In the "Baltimore Regional Council of Governments, Regional Housing Partnership Task Force Final Report", issued November 16, 1990, the report recognized that "elderly residents who require special services to remain in their housing" are an influential factor as the cause of the crisis in housing in this region. The report quoted from Baltimore County's Housing Policy Report to that effect. This addition to Charlestown will help to meet that need.

The attached chart from page 42 of the Baltimore County Housing Policy Team Recommendations to the County Executive, dated March 28, 1988, sets forth the undeniable need for additional housing units for the elderly at various income levels. On page 41 of the same report, it indicated a need to

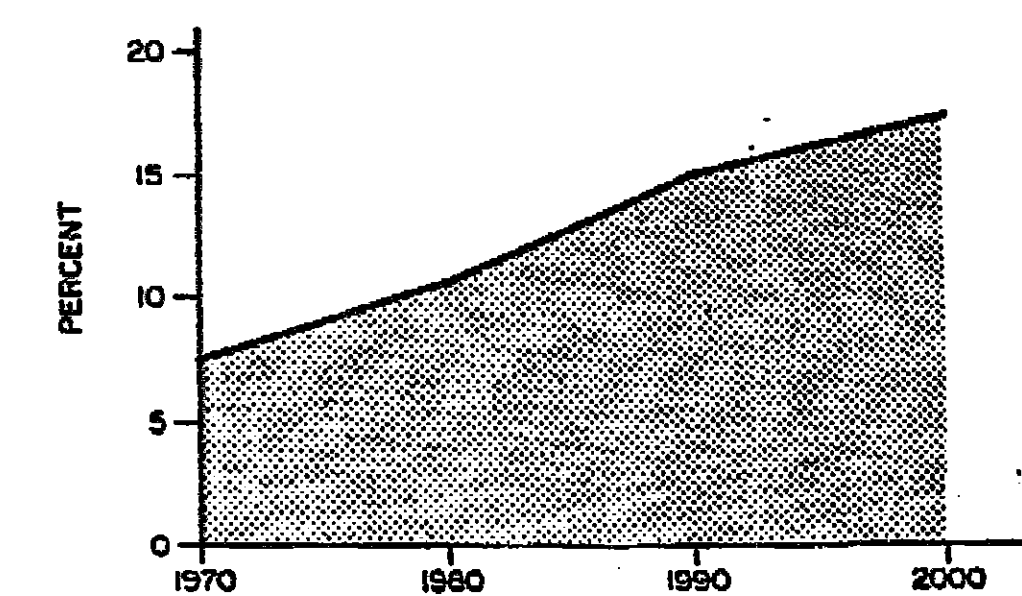
expand the supply of rental units for "various income groups, county-wide"...as pertaining to the county's elderly population.

Baltimore County's housing policy since 1987 has had, as its highest priority, the issue of housing for its elderly citizens.

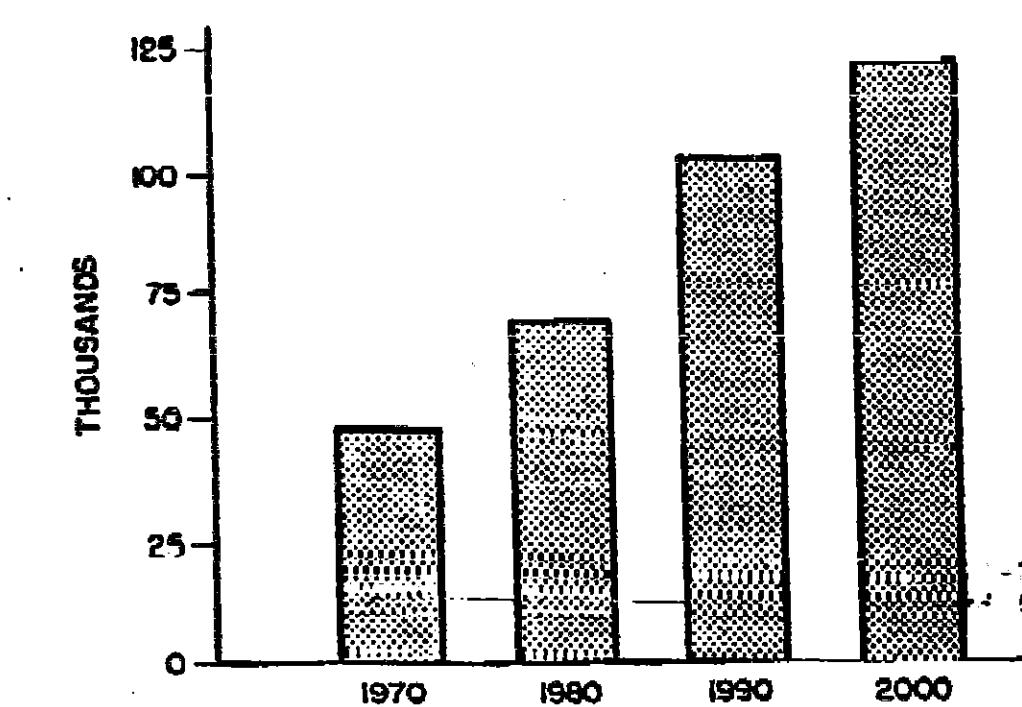
The demographics have been unequivocal that the general Catonsville area has been and needs to be a target area for housing the elderly. If this issue is not sufficiently addressed, the county will face a major crisis over the next decade.

The Charlestown addition is a valuable and important project for Baltimore County's elderly in meeting the aforesaid needs.

Chart 2
BALTIMORE COUNTY POPULATION, AGE 65 AND OVER
AS A PERCENT OF TOTAL POPULATION
1970-2000



BALTIMORE COUNTY POPULATION, AGE 65 AND OVER
1970-2000

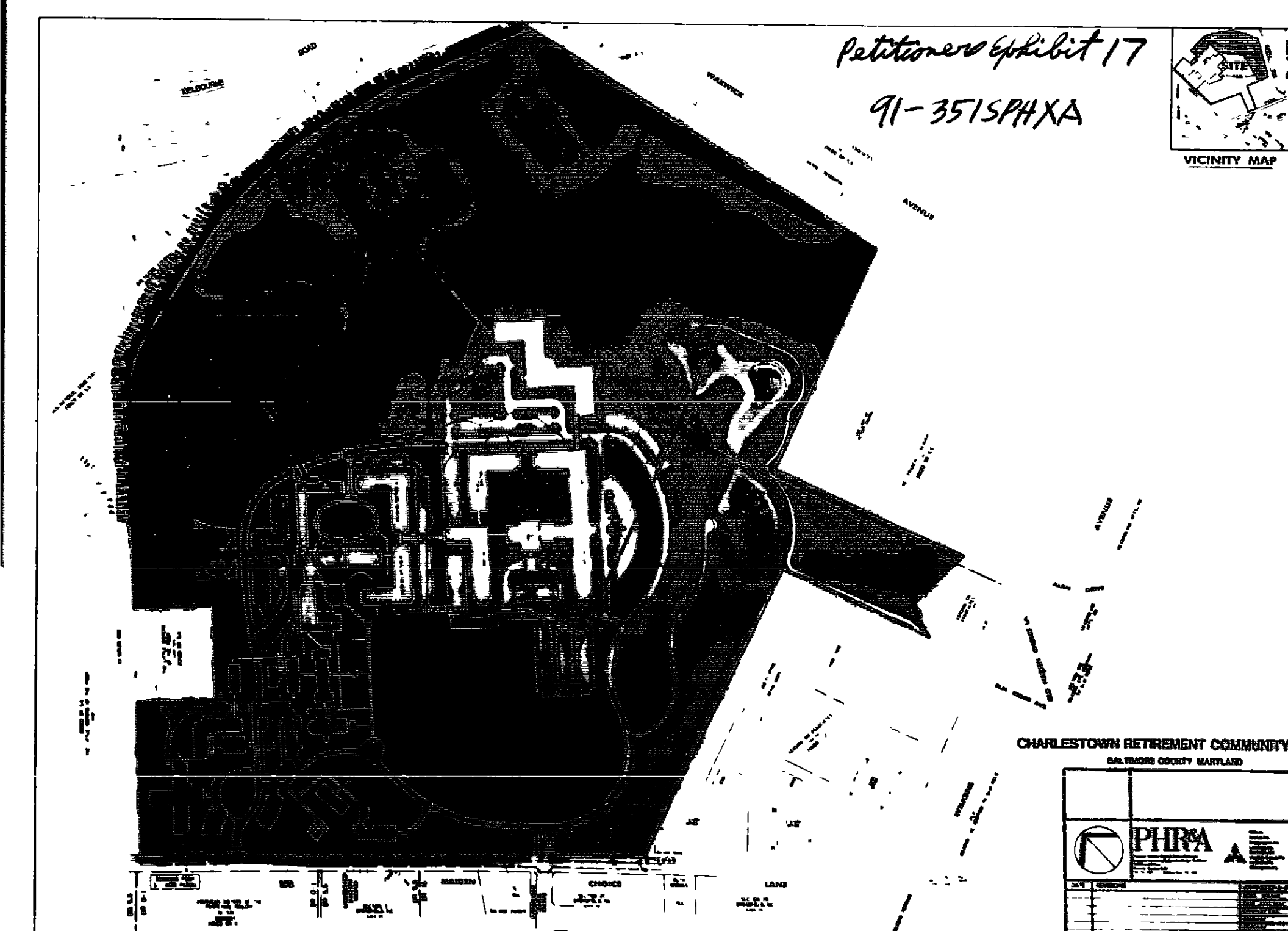
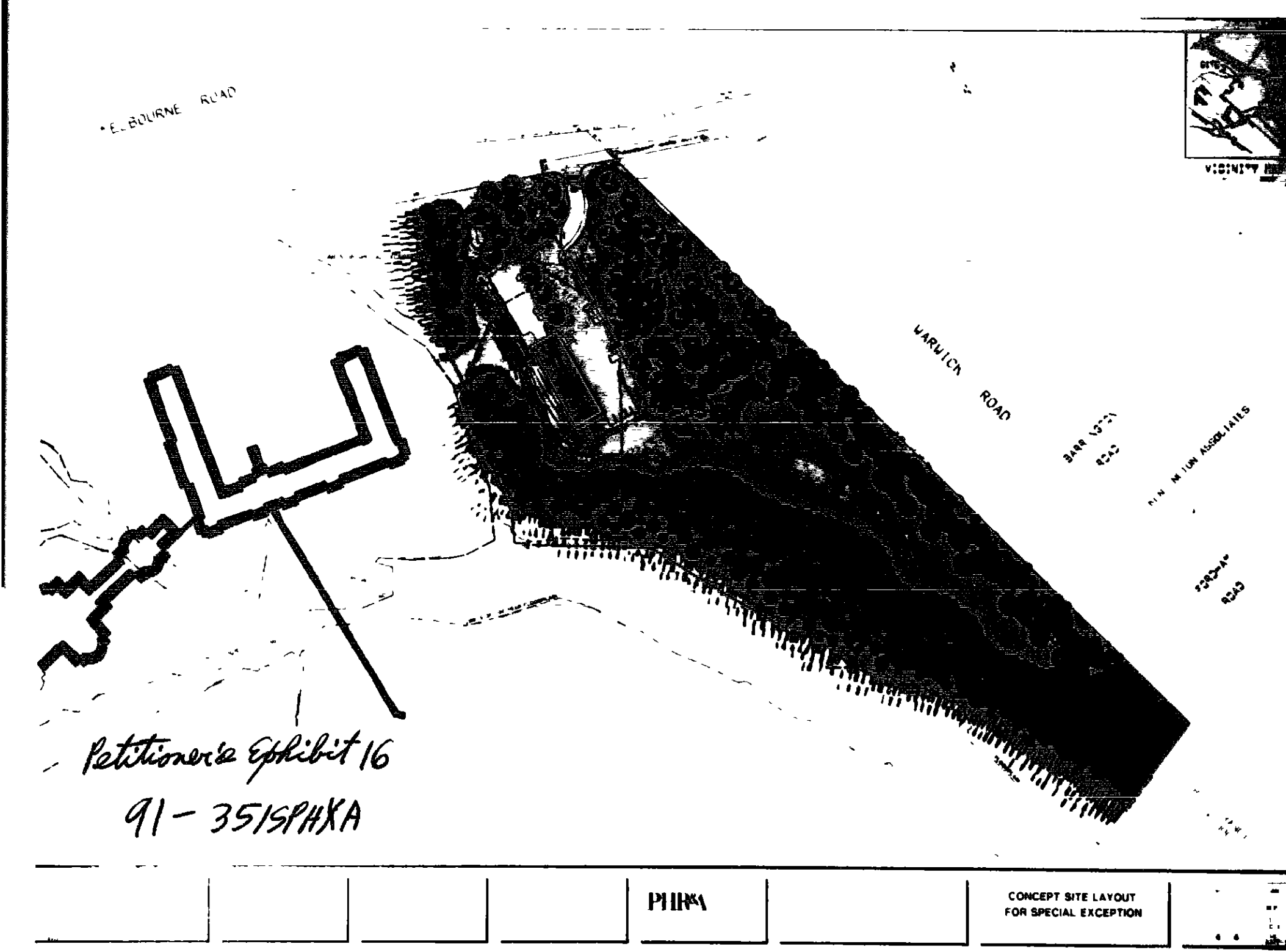


SOURCE: DECENNIAL CENSUS AND RPC ESTIMATES AND PROJECTIONS.

-42-

Housing Policy team emphasized that programs are being developed at both the State and Federal level and that local funds will be required in order to obtain funds.

...ion unavailable to the elderly in Baltimore red housing. This is a State program designed to provide housing for up to 15 persons to live in a housing, meals and program has been set up for



91-351SPHXA

ANDREW L. SOLBERG

ADDRESS

5612 Thicket Lane
Columbia, MD 21044
(301) 730-2664

EDUCATION

JOHNS HOPKINS SCHOOL OF HYGIENE AND PUBLIC HEALTH, Baltimore, Maryland, Master of Health Science in Public Health Administration and Comprehensive Health Planning, 1975-1977.

UNIVERSITY OF MARYLAND, Baltimore County, Maryland, Continuing Education Course in Accounting and Planning, 1977.

THE BALTIMORE SCHOOL, Baltimore, Maryland, Continuing Education Course in Grant Management, 1976.

BRANDIS UNIVERSITY, Waltham, Massachusetts, Bachelor of Arts in Philosophy, Minors in Chemistry, Political Science, Biology, and German, 1969-1973.

PROFESSIONAL EXPERIENCES

A.L.S. HEALTHCARE CONSULTANT SERVICES, Columbia, Maryland, INDEPENDENT HEALTHCARE CONSULTANT, September, 1985 to present.

Description of Responsibilities:

Administration, marketing, performance of health policy analysis, market research, joint venture structuring, assessment of community health status, health care planning advice, feasibility studies, strategic planning, new project development, Certificate of Need application development and strategy, legislative advice, proposal development.

MARYLAND HEALTH RESOURCES PLANNING COMMISSION, Baltimore, Maryland, May, 1976 to August, 1985.

Description of Responsibilities:

(1) CERTIFICATE OF NEED (CON) PROGRAM: DIRECTOR OF RESOURCES DEVELOPMENT, April 1981 to August, 1985; ACTING CHIEF OF CERTIFICATE OF NEED PROGRAM, August, 1980 to March, 1981. Direct and supervise the CON regulatory program and staff (12 FTE CON staff, and approximately 100 CON applications and \$200,000,000 in proposed capital

(301) 730-2664

PETITIONER'S EXHIBIT 19A

ANDREW L. SOLBERG

PAGE 2

expenditures per year); Provide technical assistance in health care and facility planning to areawide agencies, hospitals, nursing homes, and other providers; Participate in negotiations of agreements with Federal, State, and local agencies; Interact and maintain relationships with hospitals and other health care institutions, professional associations in the health field, governmental agencies and elected officials, and representatives from the health insurance industry; Develop policies and relationships with the Maryland Health Services Cost Review Commission; Testify before legislative committees and at evidentiary hearings; Develop legislation and regulations affecting the CON program; Develop statewide health policy; Lecture at workshops on health care planning issues and methodologies; Provide primary staff support to committees of the Commission.

(2) PLAN DEVELOPMENT: ACTING CHIEF OF PLAN DEVELOPMENT, December, 1979 to August, 1980. Direct, coordinate, and supervise all agency activities relating to development of the Maryland State Health Plan (10 FTE plan development staff).

(3) PLAN DEVELOPMENT AND CERTIFICATE OF NEED: STAFF, May, 1976 to December, 1979; September. Determine the need for (and write the sections of the State Health Plan relating to) acute inpatient medical/surgical, pediatric, obstetrical/neonatal, psychiatric, open heart surgery/cardiac catheterization, C.T. scanning, and end stage renal disease services; Represent the agency on various task forces; Convene the five Health Systems Agencies (HSA's) as a statewide Plan Development Group, developing agreements on the structure and content of Health Systems Plans. Assist in the formation of the Statewide Health Manpower Planning Group; Write a technical assistance document, A Survey of Methodologies Currently Used in Health Manpower Planning (1976, available from National Technical Information Service).

HEALTH AND EDUCATION COUNCIL, Baltimore, Maryland, GRANT DEVELOPER, February, 1976 through March, 1976.

Description of Responsibilities:

Develop and write a proposal for funding of a methadone maintenance rehabilitation program.

HUNTINGTON GENERAL HOSPITAL, Boston, Massachusetts; THE WALTHAM HOSPITAL, Waltham, Massachusetts; NEWTON CONVALESCENT CENTER, Newton, Massachusetts; REVERE MEMORIAL HOSPITAL, Revere, Massachusetts; BOSTON UNIVERSITY MEDICAL CENTER, Boston, Massachusetts; VARIOUS POSITIONS, May, 1964 through August, 1975.

Description of Responsibilities:

PETITIONER'S EXHIBIT 19B

ANDREW L. SOLBERG

PAGE 3

Temporarily manage laboratory supply service and mail room; Perform direct patient care in outpatient and radiation therapy departments, and on inpatient units; Assist in the planning, coordination, and implementation of the automation of the medical records system; Train nurses' aides and orderlies.

TEACHING EXPERIENCES

JOHNS HOPKINS SCHOOL OF HYGIENE AND PUBLIC HEALTH, Department of Health Policy and Management, Baltimore, Maryland, ASSOCIATE, 1984-1989; INSTRUCTOR, 1980-1984.

Description of Responsibilities:

Teach a case model course in health care planning (Comprehensive Health Planning); Guest lecture in other courses; Act as a resource to other faculty.

THE FREE UNIVERSITY, THE JOHNS HOPKINS UNIVERSITY, Baltimore, Maryland, INSTRUCTOR, February, 1978 through December, 1979.

Description of Responsibilities:

Teach a course in Health and Biomedical Ethics.

UNIVERSITY OF MARYLAND, Baltimore County, Maryland, GUEST LECTURER, October, 1978 through June, 1980; November, 1982.

Description of Responsibilities:

Act as a resource to faculty; Lecture on health care planning in Health Services Course.

COMMUNITY SERVICE

GREATER HOMEWOOD COMMUNITY CORPORATION, Baltimore, Maryland, MEMBER OF HEALTH COMMITTEE, December, 1975 through October, 1977.

Description of Responsibilities:

Develop strategies for community involvement in local, city, and HSA-wide health care planning issues; Coordinate community health education programs; Provide technical assistance in community organizations and health care planning to other community organizations.

HOLLOW OAKS COMMUNITY ASSOCIATION, Columbia, Maryland, BOARD MEMBER, EDITOR AND PRINCIPLE WRITER OF COMMUNITY NEWSLETTER, January, 1984 through Present.

ORGANIZATIONS AND MEMBERSHIPS

American Public Health Association, 1975 to present

PHR&A

May 3, 1991

Mr. Wayne Rush
Retirement & Health Care Services, Incorporated
703 Maiden Choice Lane
Baltimore, Maryland 21228

RE: TRAFFIC IMPACTS OF ADDITIONAL CHARLESTOWN RETIREMENT COMMUNITY DEVELOPMENT
PHR&A #F-2377-1-0

Dear Mr. Rush:

Patton Harris Rust and Associates, pc has reviewed the impacts of the addition of 568 dwelling units and 140 nursing/assisted care beds to the Charlestown Retirement Community.

In summary, the proposed expansion of the Charlestown Retirement Community can be efficiently and adequately accommodated by the area roadway network. The traffic generated from the site expansion will not create additional congestion on the surrounding roadway network.

SCOPE OF STUDY

This study examines the impacts of the projected peak hour traffic volumes associated with the proposed expansion of the Charlestown Retirement Community, located along Maiden Choice Lane in Baltimore County, Maryland.

The study examined weekday peak hour traffic volumes before and after the proposed site expansion to determine the impact of the proposed site expansion upon the sum of the critical conflicting movement traffic volumes (a measure of congestion) at the following three (3) intersections:

- Wilkins Avenue/Maiden Choice Lane
- Maiden Choice Lane/Winslow Park Drive/Site Entrance
- Frederick Road/Paradise Avenue

SITE DESCRIPTION

The Charlestown Retirement Community site is located on the northeast side of Maiden Choice Lane, north of Wilkins Avenue (See Figure 1). The proposed expansion calls for the addition of four (4) residential buildings consisting of 568 dwelling units and 140 nursing/assisted care beds) to the Charlestown Retirement Community.

Mr. Wayne Rush
May 3, 1991
Page 14

CONCLUSION

The proposed expansion of the Charlestown Retirement Community with the addition of 568 dwelling units and 140 nursing/assisted care beds, will not create congestion on the surrounding roadway network.

Comparison of the intersection critical conflicting movement volumes for the Existing Conditions verses the Existing + Site Expansion Conditions show that only the site entrance, during only the PM Peak Hour, will be affected by the proposed expansion of the Charlestown Retirement Community. Even with the impact of the proposed site expansion, the intersection of the Retirement Community entrance and Maiden Choice Lane will continue to operate at acceptable levels of congestion.

The proposed expansion of the Charlestown Retirement Community can be efficiently and adequately accommodated by the area roadway network. The traffic generated from the site expansion will not adversely impact the critical conflicting movement volumes for any of the analyzed intersections.

If we can answer any questions or be of any further assistance please do not hesitate to call.

Sincerely,

PATTON HARRIS RUST & ASSOCIATES

A Professional Corporation

Michael R. Martin, PE
Vice President

cc: Jeff Frank - PHR&A
Paul Nelson - PHR&A

ANDREW L. SOLBERG

PAGE 4

Maryland Public Health Association, 1980 to 1982
Chairperson, Health Care Planning Section, 1980 to 1982
Alzheimer's Disease and Related Disorders Association, 1987 to present
Forum for Health Planning, 1988 to present
National Citizen's Coalition for Nursing Home Reform, 1989 to present

REFERENCES AVAILABLE UPON REQUEST

PETITIONER'S EXHIBIT 19C

DEVELOPERS, OWNERS AND MANAGERS OF INCOME PROPERTIES
BTR REALTY, INC.
GATEWAY INTERNATIONAL
1322 CONCORDE DRIVE, SUITE 202
LURCH, MARYLAND 21043
301-664-2000

D.C. LINE 202-621-9346
FAX NO: 301-669-6686

RECEIVED
APR 22 1991

April 18, 1991 91-351SPHXA

PETITIONER'S EXHIBIT 21

Mr. Paul L. Erickson
Retirement and Health
Services Corporation
703 Maiden Choice Lane
Baltimore, MD 21228

Dear Paul:

Although some may accuse me of being prejudiced (I currently have an aunt who is a resident of Charlestown), I am writing this letter to whole-heartedly endorse the expansion of the Charlestown facility. As a result of the development of our shopping center and the housing development at Maiden Choice Lane and Wilkins Avenue, Maiden Choice Lane has been widened sufficiently, in my opinion, to handle any additional traffic that will be generated by Charlestown. It is my experience that the Charlestown community generates little traffic except during non-peak hours.

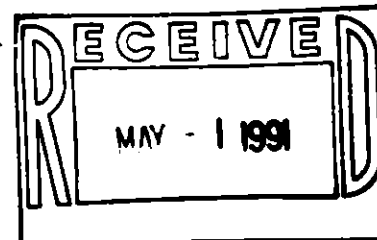
In terms of the type of product offered to the immediate community, I must say that an independent lifestyle such as Charlestown offers together with a life care facility allows people to remain productive members of their community at a reasonable cost. This type of peace of mind is difficult to purchase any place in today's economy.

I have taken the time to familiarize myself with the proposed expansion at Charlestown and can whole-heartedly endorse this expansion. I believe any slight inconvenience to any surrounding community is more than offset by the services which Charlestown offers and its positive impact on the lifestyle of the communities which it serves. In fact, I am surprised that the Charlestown concept is not being developed throughout the greater Baltimore area.

Very truly yours,
BTR REALTY, INC.

F. Patrick Hughes
President

FPH/kap



April 29, 1991

Mr. Paul L. Erickson
Retirement & Health Services Corp.
703 Maiden Choice Lane
Baltimore, Maryland 21228

RE: Charlestown - Last Phase

Dear Mr. Erickson:

I am with Shelter Development Corporation who, as you know, is currently building an affordable elderly rental housing complex on Maiden Choice Lane just west of your campus. As such, I am very familiar with the urgent need for senior housing in the area to fulfill the growing demand. During the 1990's, Baltimore County is expected to have the largest absolute number of elderly citizens of any jurisdiction in the State. Areas like Catonsville will surely have a high concentration of the growth in elderly population. It is our contention that public policy should attempt to create the ability to deliver elderly housing resources in established communities like Catonsville where it is most needed.

We believe that your proposed expansion is needed to address the growing number of senior citizens who need quality housing and life care and support your efforts to develop the last phase of your campus. We believe that with appropriate care in the planning of the facilities, traffic and environmental issues can be adequately dealt with. In fact, the benefits of providing this housing should weigh heavily when considering other issues from a public policy standpoint.

We wish you luck in this important endeavor.

Sincerely,

Andrew J. Audie
Andrew J. Audie
Vice President

AJA/bj
14735

**PROTESTANT'S
EXHIBIT 22**

91-351 SPHXA

May 3, 1991

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

Re: Petition for Special Exception
Petition for Zoning Variance
Petition for Special Hearing
Case No. 91-351-SPHXA, No. 337

Commissioner Haines:

The following is submitted as a written petition by the Board of Directors for the Broadfield Homeowners Association. The Broadfield Subdivision is located near the intersection of Wilkens Avenue and Maiden Choice Lane and is situated across from the Charlestown Retirement Community on Maiden Choice Lane. It is the understanding of the Broadfield Homeowners Association that a Petition for Zoning Variance and a Petition for Special Exception (the "Petitions") have been submitted by the St. Charles Associates, Inc. (the "Developer"), requesting permission to construct certain improvements to the Charlestown Retirement Community for which the Developer requires a building height variance and a building width and length variance. In addition, the Developer requires a variance from the required number of parking spaces and a special exception for the living units. We, the undersigned Directors of the Broadfield Homeowners Association, wish to alert the Zoning Commissioner as to the concerns of the Broadfield Homeowners Association (the "Association") to the proposed construction by the Developer to the Charlestown Retirement Community ("Charlestown").

The Charlestown property is currently served by two entrances. One entrance is restricted. The second entrance is located across from Winslow Park Drive, a county right-of-way leading into the Broadfield Subdivision. This intersection is not regulated by any traffic control signals. Maiden Choice Lane, at this point in time, carries a significant amount of traffic, often causing delays to the homeowners leaving the Broadfield Subdivision, which in turn is cause for concern as they exit off of Winslow Park Drive onto Maiden Choice Lane.

St. Charles Associates, Inc. is proposing to increase its current number of units from approximately 1,000 units to approximately 1,500 units. Even though the Charlestown Retirement Community is a senior care facility, it is anticipated that the additional 500 units will increase traffic on the Charlestown property and increase traffic exiting from the Charlestown property onto Maiden Choice Lane.

**PROTESTANT'S
EXHIBIT 1**

91-351 SPHXA

0643.01/CEH
Statement
06/22/91

POSITION STATEMENT BY BROADFIELD HOMEOWNERS ASSOCIATION, INC.

TO: J. Robert Haines, Zoning Commissioner of Baltimore County

The following is submitted as a written position statement by the Broadfield Homeowners Association, Inc. (the "Association") in opposition to the Petition of St. Charles Associates, Inc. for a special exception and for variances, Case No. 91-351-SPHXA, No. 337.

St. Charles Associates, Inc. (the "Developer") has requested a special exception under the provisions of Section 432 of the Baltimore County Zoning Regulations ("BCZR") for increases in density and building bulk for elderly housing for the property owned by the Developer known as the Charlestown Retirement Community, located in Catonsville, Baltimore County, Maryland (sometimes referred to as the "Property").

The Developer has requested a variance from height, width and length restrictions for proposed buildings and a variance from off-street parking requirements for the Property. Through the grant of the variances, the Developer proposes to increase the number of living units from a current 1,299 to a total of 2,007 living units.

The Property consists of 111.31 acres and is bounded by Maiden Choice Lane to the southwest and Warwick Avenue to the northeast. A portion of the Property abuts access to Wilkens Avenue. The Broadfield Subdivision is directly across Maiden Choice Lane from the Charlestown Retirement Community Property. The main entrance into the Charlestown Retirement Community is directly across from a main entrance into the Broadfield Subdivision via Winslow Park Drive, a County right-of-way. Although not technically an intersection, a vehicle traveling on Maiden Choice Lane can turn right or turn left either onto Winslow Park Drive, or into the Charlestown Retirement Community Property. In addition, those vehicles proceeding northeast on Winslow Park Drive can proceed directly across Maiden Choice Lane into the Charlestown Retirement Community or vehicles from the Charlestown Retirement Community can proceed straight across Maiden Choice Lane into the Broadfield Subdivision. The roadways therefore comprise a full intersection (the "Intersection").

The Intersection is not regulated by a traffic control signal. Travelers exiting the Broadfield Subdivision, traveling northeast on Winslow Park Drive, are confronted with traffic both traveling northwest and southwest on Maiden Choice Lane and those vehicles entering or exiting the Charlestown Retirement Community. This

**PROTESTANT'S
EXHIBIT 2**

91-351 SPHXA

Baltimore County Government
Office of Planning and Zoning



401 Bosley Avenue
Towson, MD 21204

887-3211
Fax 887-5862

May 9, 1991

TO: Mary J. Abrams, Chief
Maryland State Clearinghouse for
Intergovernmental Assistance

FROM: P. David Fields, Director
Office of Planning & Zoning

SUBJECT: MD910328-0231: Quit-Claim Deed
on Excess DDMH Property

The notice that the Department of Health and Mental Hygiene is contemplating the execution of a Quit-Claim deed for transfer of a parcel of land to St. Charles Associates, Limited has been circulated for review by County elected officials and County agencies. On the basis of this review, Baltimore County government strongly opposes the proposed transfer and urges that the property should be retained in public ownership.

The property in question abuts and purportedly includes part of the abandoned right-of-way of the former Catonsville-London (Catonsville Shortline) Railroad. The Baltimore County Master Plan 1989-2000 adopted last year by the County Council proposes, subject to confirmation by further detailed studies, that the right-of-way could be used for future light rail service linking Baltimore and Catonsville, along with (and perhaps preceding) the transportation use, the right-of-way would also be incorporated into the Greenway network proposed in the Master Plan.

Besides being identified in the County's Master Plan, this right-of-way has also been identified as a possible future light rail corridor in the Maryland Department of Transportation's Statewide Commuter Assistance Study, as prepared in response to a request from the General Assembly.

In addition to these longer-range reasons for retaining public ownership, two more immediate reasons would also make the transfer inappropriate. St. Charles Associates is now in the midst of a Special Exception hearing before the Zoning Commissioner (in regard to its request for a density increase pursuant to Section 432 of the Regulations). The proposed access road along the right-of-way has been

**PROTESTANT'S
EXHIBIT 3**

MAY 1 9 1991

Kensington Community Association, Inc.
817 Warwick Road
Baltimore, Maryland 21229
Robert Harrison, President

This statement is presented on behalf of the residents of the Kensington community who, on April 29, 1991, at a meeting of the KENSINGTON COMMUNITY ASSOCIATION, voted to oppose ST. CHARLES ASSOCIATES' petition for Special Exception under the Zoning Law and Regulations of Baltimore County. The residents of Kensington specifically oppose the St. Charles Associates' intention to construct an emergency access road at the corner of Warwick and College Roads, located in the northwest section of the community. St. Charles executives have met with us and explained that the access road would be limited to emergency use only; however, we believe the construction of this road would be a detriment to our community for the following reasons:

1. The construction of the access road would require St. Charles Associates to destroy a forest buffer of established trees and vegetation that currently separates Kensington from both the Charlestown and Yale Heights communities. If this buffer is altered by the road or replaced with a security fence, as St. Charles Associates has suggested, it will destroy the natural beauty and rural appearance of our older community.

2. The access road would increase vehicular traffic in the Kensington community. Currently, the Charlestown Retirement Community has one road for all of its visitors, residents,

**PROTESTANT'S
EXHIBIT 4**

91-351 SPHXA

STATE OF MARYLAND
OFFICE ON AGING



301 W. Preston Street, Baltimore, Maryland 21201-2374
Area Code 301 • 226-1119

February 9, 1988

**PROTESTANT'S
EXHIBIT 5**

91-351 SPHXA

Mr. John Erickson
President
Retirement & Health Services Corporation
711 Valden Choice Lane
Catonsville, Maryland 21228

Dear Mr. Erickson:

I am writing to confirm the decisions that were reached at our meeting at the Office on Aging on February 5, 1988. The meeting was held to clarify the issues contained in the correspondence of December 31, 1987 and January 7, 1988, between the Office on Aging and Charlestown.

The Office informed you that the construction which is taking place at Charlestown for the Chapel Court addition and other expansion, is in violation of Article 70B which prohibits construction or expansion of continuing care communities prior to approval of feasibility studies by the Office on Aging.

Although the approval of the feasibility study for Building 10 is imminent, the Office on Aging will not issue this approval until we receive a letter of assurance that additional construction will not occur until the necessary approvals have been obtained. You agreed to provide this assurance. If any building continues at Charlestown in violation of the law, the Office will seek a court injunction to stop construction.

With regard to the concern that the review of feasibility studies is a lengthy and therefore a costly process, let me assure you that the Office has approved feasibility studies within a three-month period. As we pointed out, however, the review process is more quickly completed when a well-prepared and complete feasibility study has been submitted. You have agreed to contact David Mitchell of this Office to set up a meeting to review the format and requirements for a feasibility study submission for Charlestown's next planned expansion.

Retirement & Health Services Corporation

703 Maiden Choice Lane • Baltimore, Maryland 21228 • (301) 242-2880

John C. Erickson
President

May 16, 1991

Mr. Otto Hirsch
Charlestown Community, Inc.
Apartment 8408

Dear Otto:

I think that you have done a great disservice to your community and to your fellow residents as well as to the staff at Charlestown when you stated to a reporter that we have break-ins, muggings and purse-snatchings here in our community. We have had no significant security break-ins since Mike Russo joined us two years ago.

You should be ashamed of yourself and I feel that you owe a public apology to your neighbors and the staff at Charlestown. Fortunately, many of the residents know that you can't help yourself in this regard, and many have asked me why you stay at Charlestown. I have strongly defended the fact that grouch, depressed and discontent old people need a home and services just as much as the friendly, pleasant and appreciative ones - perhaps even more so. Unfortunately, that is not something a new young reporter would understand.

The senior staff at Charlestown and I have known you for years and can easily deal with your problem. But when you get in public environments, you hurt a lot of innocent people. I would therefore recommend that you try to discipline yourself to avoid attending public meetings because you know you can't control your harsh discontent spirit and your outbursts will have no substantive change, but instead will continue to reflect poorly on your character and mislead a lot of innocent people. Thank you for your consideration.

Sincerely,

John C. Erickson
John C. Erickson

cc: Rick Grindrod
Mike Russo
Paul Erickson

91-351 SPHXA

**PROTESTANT'S
EXHIBIT 6**

FAX 301-947-7881

TO SET THE RECORD STRAIGHT...
Mike Russo, Director, General Services

I would like to clarify some mis-information which was printed in the May 15th edition of the Catonsville Times in reference to crime at Charlestown.

The article stated that there is a "presence of crime on the facility." "Break-ins, muggings and purse snatchings have broken the illusion of peace..."

I find this statement to be misleading, inflammatory and worse, an inaccurate statement of this nature could be unjustifiably frightening to the residents of Charlestown.

The facts are:

During a period of several months from 1988 to May, 1989 there were a number of break-ins and one purse snatching which occurred at Charlestown.

These problems were caused by poor hiring practices. All of the incidents were perpetrated by former employees. One former employee was arrested in May, 1989, through the efforts of the Charlestown Security Staff which involved some excellent investigation. He was charged with ALL of the break-ins and is presently serving 30 years in prison without parole.

There have been NO break-ins during the past two years.

There has never been a mugging on Charlestown property to my knowledge.

There have been two confirmed thefts during the past two years in the independent community. Both of these were committed by OUTSIDE-NON CHARLESTOWN agency nursing assistants. These incidents were again investigated by Security and resulted in convictions and full restitution to the residents.

Recently, during the opening of the Frederick House, some theft from rooms were reported. An intensive investigation by Security has resulted in criminal charges being placed against a nursing assistant.

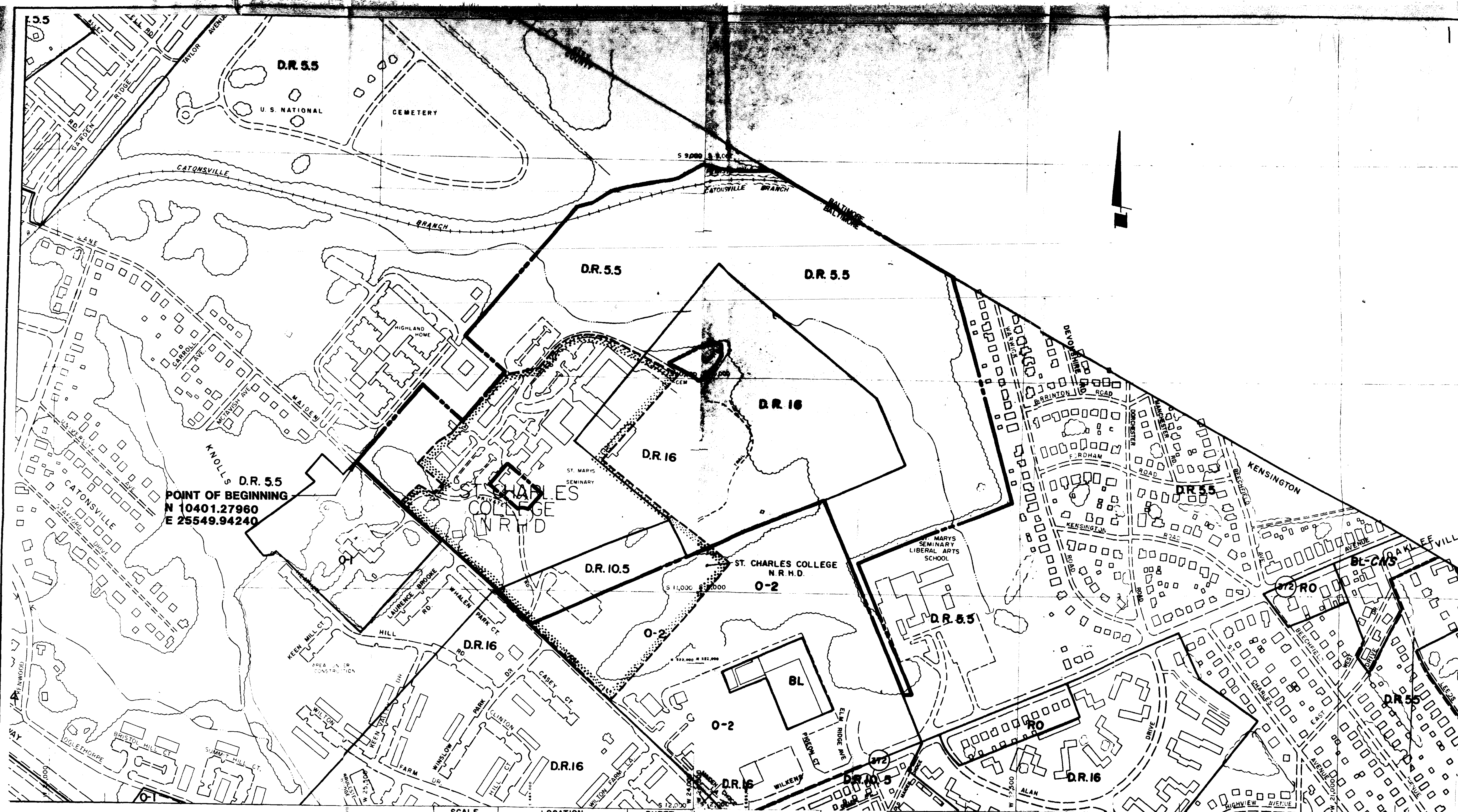
Hiring practices were changed in April 1989. New procedures include drug tests for ALL employees and criminal record checks for employees with access to resident apartments.

I strongly feel the current employees are committed and dedicated to the residents of Charlestown.

Having been a police officer for 20 years, I can state unequivocally that nowhere in Maryland are citizens safer than while on Charlestown property.

**PROTESTANT'S
EXHIBIT 7**

91-351 SPHXA



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

CHARLESTOWN RETIREMENT COMMUNITY

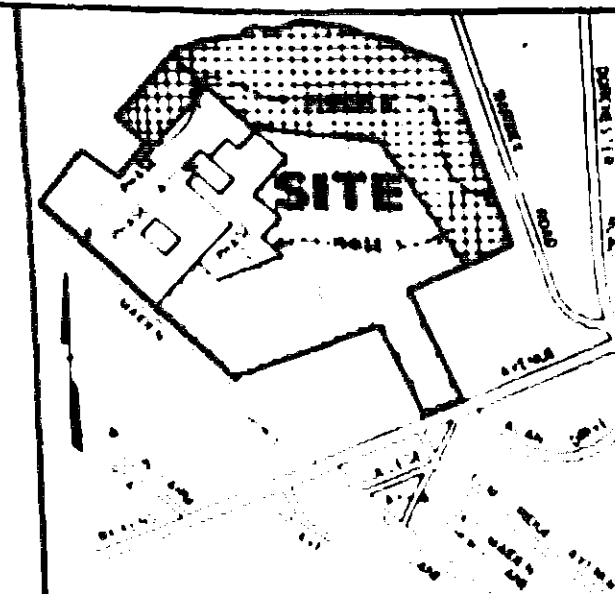
ZONING MAP FOR
SPECIAL EXCEPTION

91-351-SPHXA

MICROFILMED



Petten, Harris, Rust & Associates, Inc.
7608 Standish Place
Rockville, Maryland 20855
301 782-2520 Baltimore 301 792-7244
Fresno 301 782-6042



VICINITY MAP

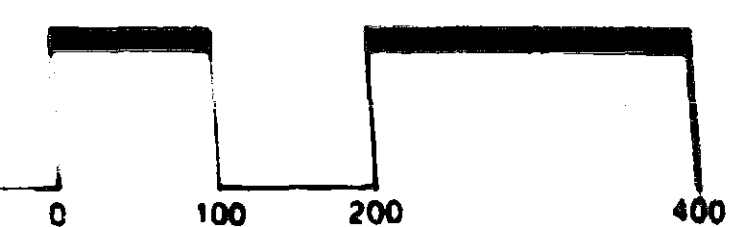
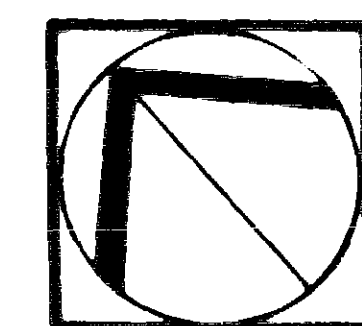
LEGEND

- FORESTED STREAM BUFFER AND BUILDING SETBACK
- SLOPES OVER 25%
- WETLAND LIMIT
- STREAMS
- SOIL TYPES

SOILS LIMITATIONS

SYMBOL	SOIL SERIES	LIMITATIONS FOR DEVELOPMENT
BYE	BRANDYWINE	SEVERE SLOPE
CID	CHILLUM	SLIGHT TO MODERATE
CL	CODORUS	SEVERE FLOODING HAZARD
LeB2	LEGORE	SLIGHT TO MODERATE
LeD2	LEGORE	SEVERE SLOPE
LIE	LEGORE	SEVERE SLOPE
LNC	LEGORE	MODERATE TO SEVERE SLOPE

PEITIONER'S EXHIBIT 42

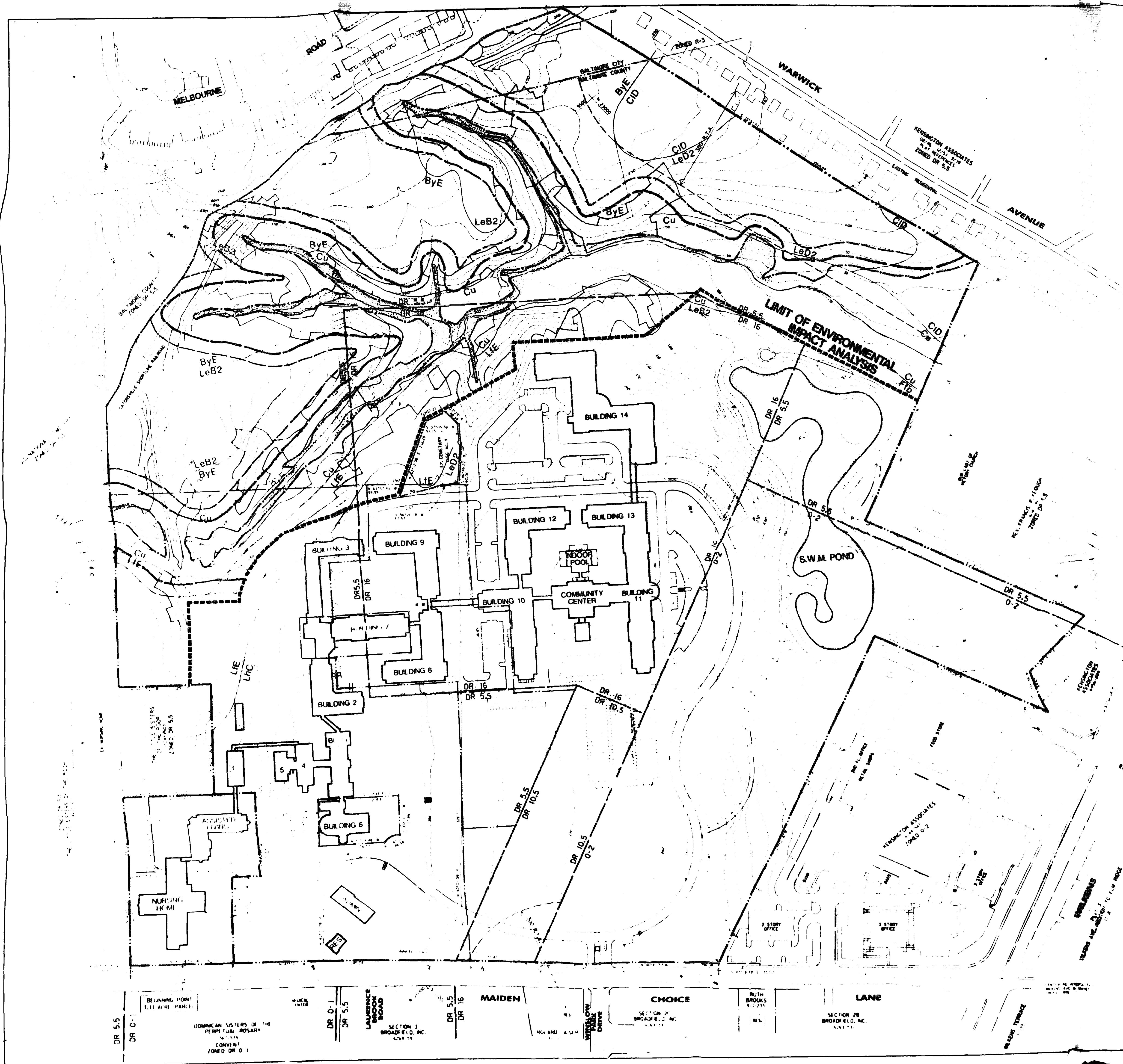


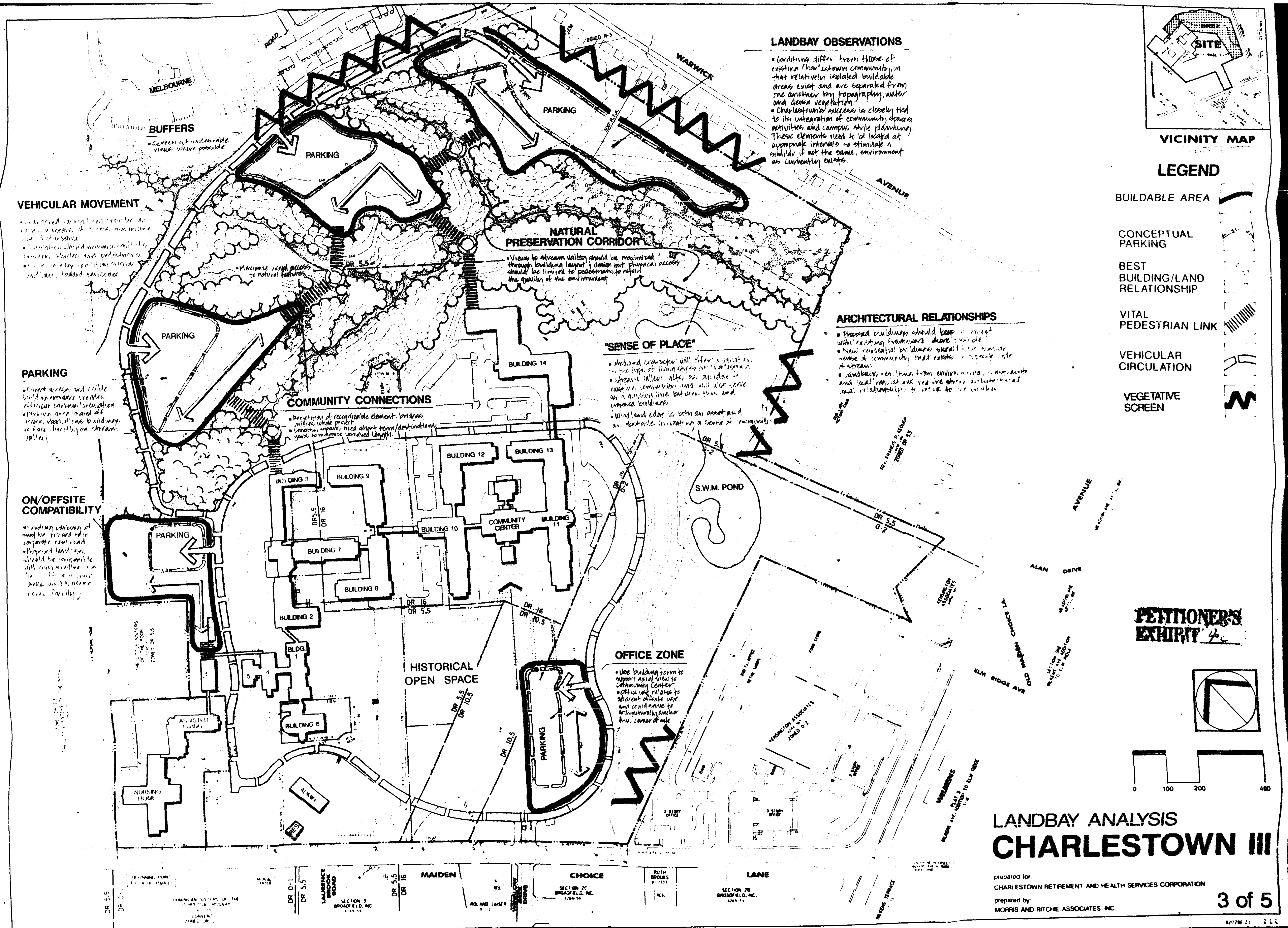
ENVIRONMENTAL IMPACT ANALYSIS CHARLESTOWN III

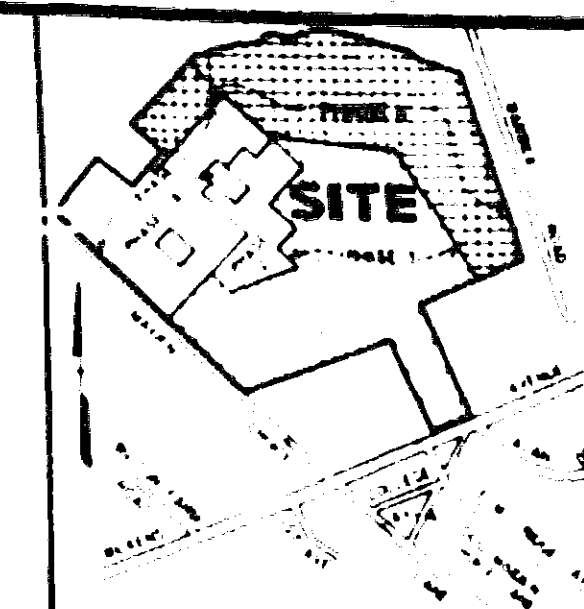
prepared for
CHARLESTOWN RETIREMENT AND HEALTH SERVICES CORPORATION
prepared by
MORRIS AND RITCHIE ASSOCIATES, INC.

2 of 5

8/2/88 21 2 13







VICINITY MAP

SITE AREA CALCULATIONS

1. TOTAL SITE AREA: 3.11 ACRES
2. TOTAL EXISTING IMPERVIOUS AREA: 1.15 ACRES
3. TOTAL EXISTING PAVED AREA: 0.15 ACRES
4. TOTAL EXISTING GREEN SPACE: 1.81 ACRES
5. TOTAL EXISTING BUILDING FOOTPRINT: 11,500 SQ. FT.
6. TOTAL EXISTING PARKING SPACES: 100
7. TOTAL EXISTING UTILITIES: 1.00 ACRES
8. TOTAL EXISTING OPEN SPACE: 1.81 ACRES
9. TOTAL EXISTING LANDSCAPE: 1.81 ACRES
10. TOTAL EXISTING TREES: 100

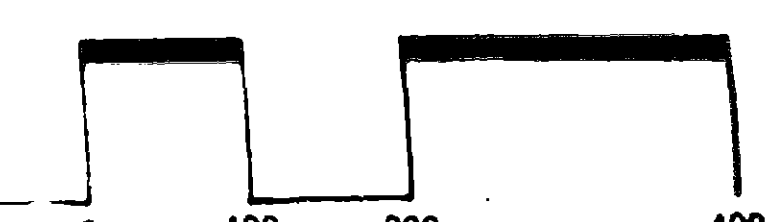
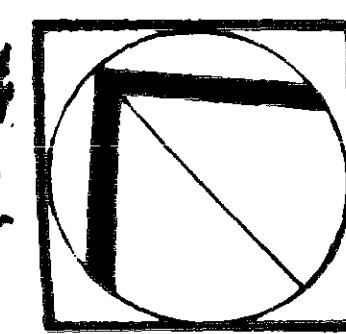
EXISTING LIVING UNITS

Building	Units
Building 1	10
Building 2	10
Building 3	10
Building 4	10
Building 5	10
Building 6	10
Building 7	10
Building 8	10
Building 9	10
Building 10	10
Building 11	10
Building 12	10
Building 13	10
Building 14	10
Building 15	10
Building 16	10
Building 17	10
Building 18	10
Building 19	10
Building 20	10
Building 21	10
Building 22	10
Building 23	10
Building 24	10
Building 25	10
Building 26	10
Building 27	10
Building 28	10
Building 29	10
Building 30	10
Building 31	10
Building 32	10
Building 33	10
Building 34	10
Building 35	10
Building 36	10
Building 37	10
Building 38	10
Building 39	10
Building 40	10
Building 41	10
Building 42	10
Building 43	10
Building 44	10
Building 45	10
Building 46	10
Building 47	10
Building 48	10
Building 49	10
Building 50	10
Building 51	10
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Building 53	10
Building 54	10
Building 55	10
Building 56	10
Building 57	10
Building 58	10
Building 59	10
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Building 63	10
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Building 66	10
Building 67	10
Building 68	10
Building 69	10
Building 70	10
Building 71	10
Building 72	10
Building 73	10
Building 74	10
Building 75	10
Building 76	10
Building 77	10
Building 78	10
Building 79	10
Building 80	10
Building 81	10
Building 82	10
Building 83	10
Building 84	10
Building 85	10
Building 86	10
Building 87	10
Building 88	10
Building 89	10
Building 90	10
Building 91	10
Building 92	10
Building 93	10
Building 94	10
Building 95	10
Building 96	10
Building 97	10
Building 98	10
Building 99	10
Building 100	10

PROPOSED LIVING UNITS

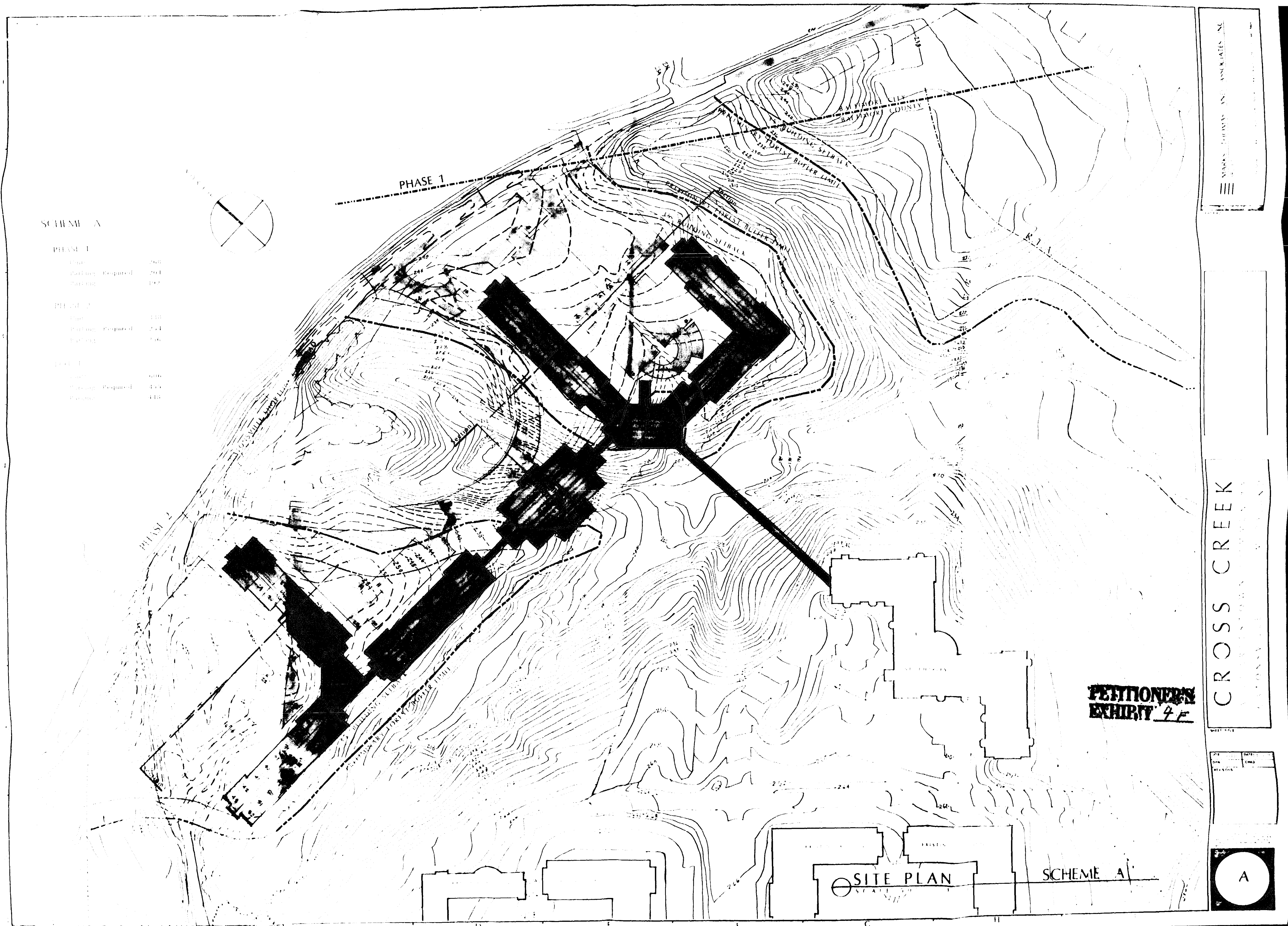
Building	Units
Building 1	10
Building 2	10
Building 3	10
Building 4	10
Building 5	10
Building 6	10
Building 7	10
Building 8	10
Building 9	10
Building 10	10
Building 11	10
Building 12	10
Building 13	10
Building 14	10
Building 15	10
Building 16	10
Building 17	10
Building 18	10
Building 19	10
Building 20	10
Building 21	10
Building 22	10
Building 23	10
Building 24	10
Building 25	10
Building 26	10
Building 27	10
Building 28	10
Building 29	10
Building 30	10
Building 31	10
Building 32	10
Building 33	10
Building 34	10
Building 35	10
Building 36	10
Building 37	10
Building 38	10
Building 39	10
Building 40	10
Building 41	10
Building 42	10
Building 43	10
Building 44	10
Building 45	10
Building 46	10
Building 47	10
Building 48	10
Building 49	10
Building 50	10
Building 51	10
Building 52	10
Building 53	10
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Building 57	10
Building 58	10
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Building 66	10
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Building 89	10
Building 90	10
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Building 99	10
Building 100	10

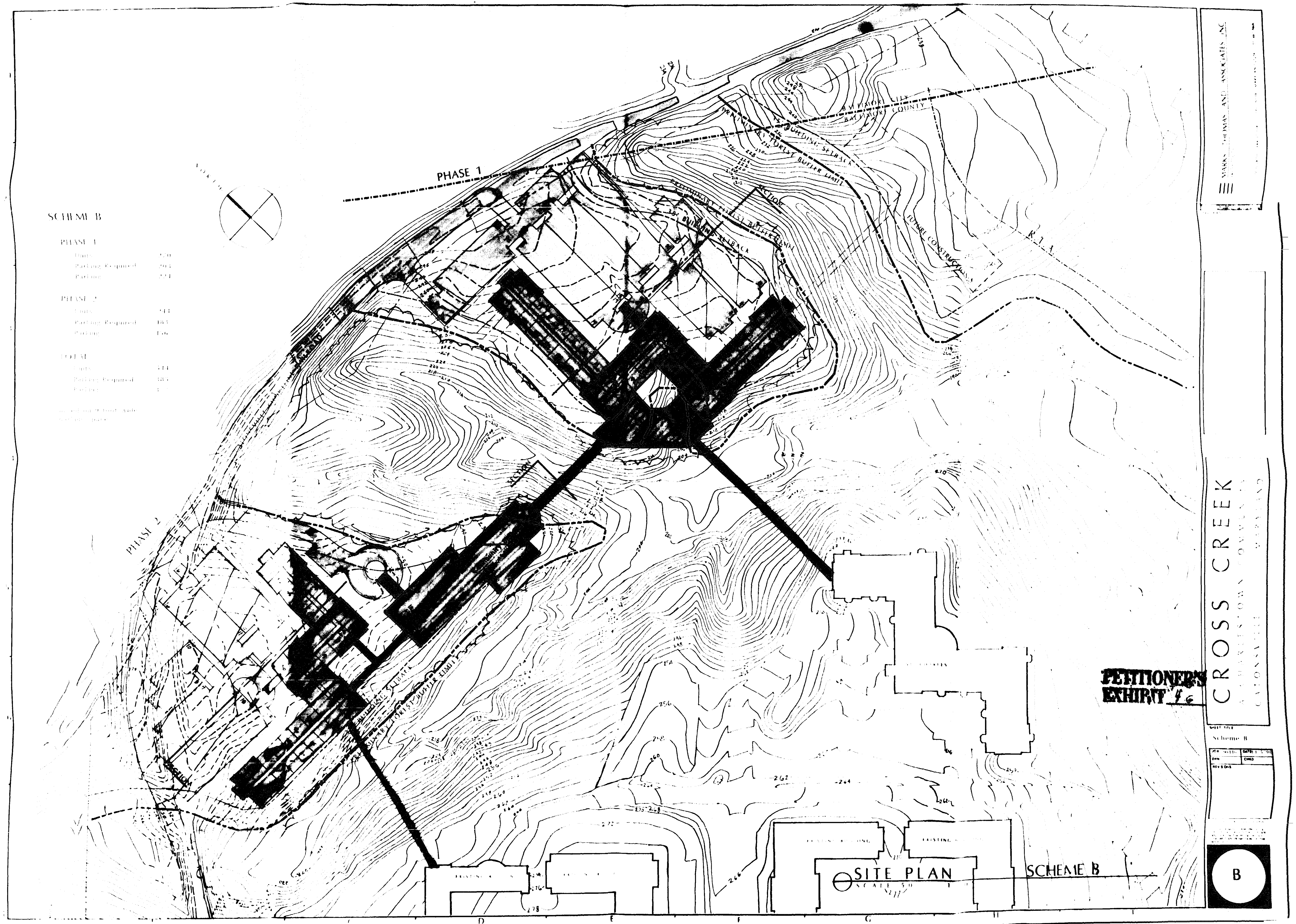
PEITIONER'S EXHIBIT 4E



MASTER PLAN CHARLESTOWN III

prepared for
CHARLESTOWN RETIREMENT AND HEALTH SERVICES CORPORATION
prepared by
MORRIS AND RITCHE ASSOCIATES, INC.





SCHEME C

PHASE 1

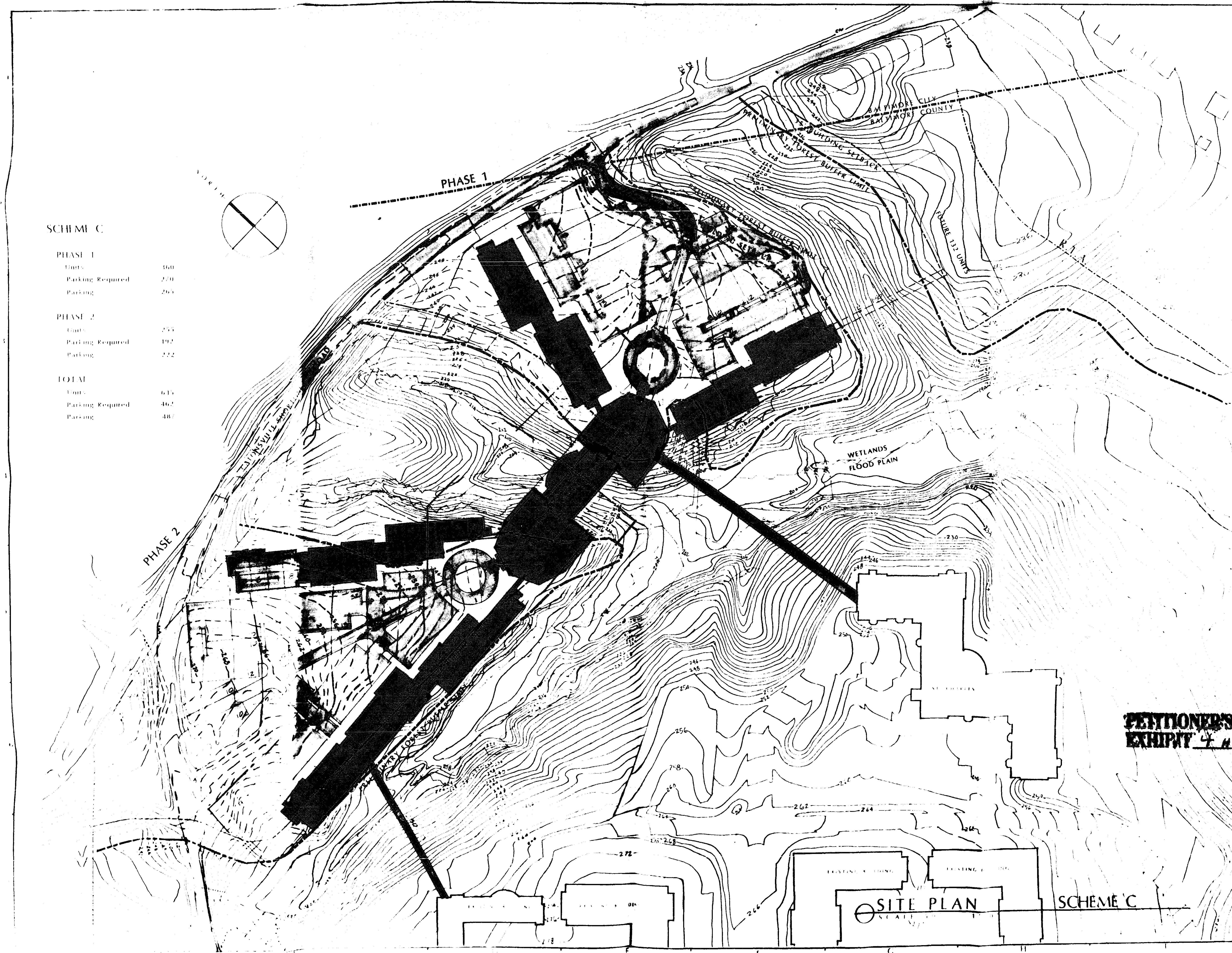
Units	360
Parking Required	220
Parking	260

PHASE 2

Units	255
Parking Required	192
Parking	222

TOTAL

Units	615
Parking Required	412
Parking	482



MARKS, THOMAS, AND ASSOCIATES, INC.

CROSS CREEK

PETITIONER'S EXHIBIT 4.4

Scheme C

NO.	DATE	BY	CHKD
1	11-1-90	CHD	
2	11-1-90	CHD	

C

SCHEME I

PHASE I

Units: 275
 Parking Required: 200
 Parking: 212

PHASE II

Units: 340
 Parking Required: 250
 Parking: 264

TOTAL

Units: 615
 Parking Required: 450
 Parking: 476

PHASE I

PHASE II

SCHEME E

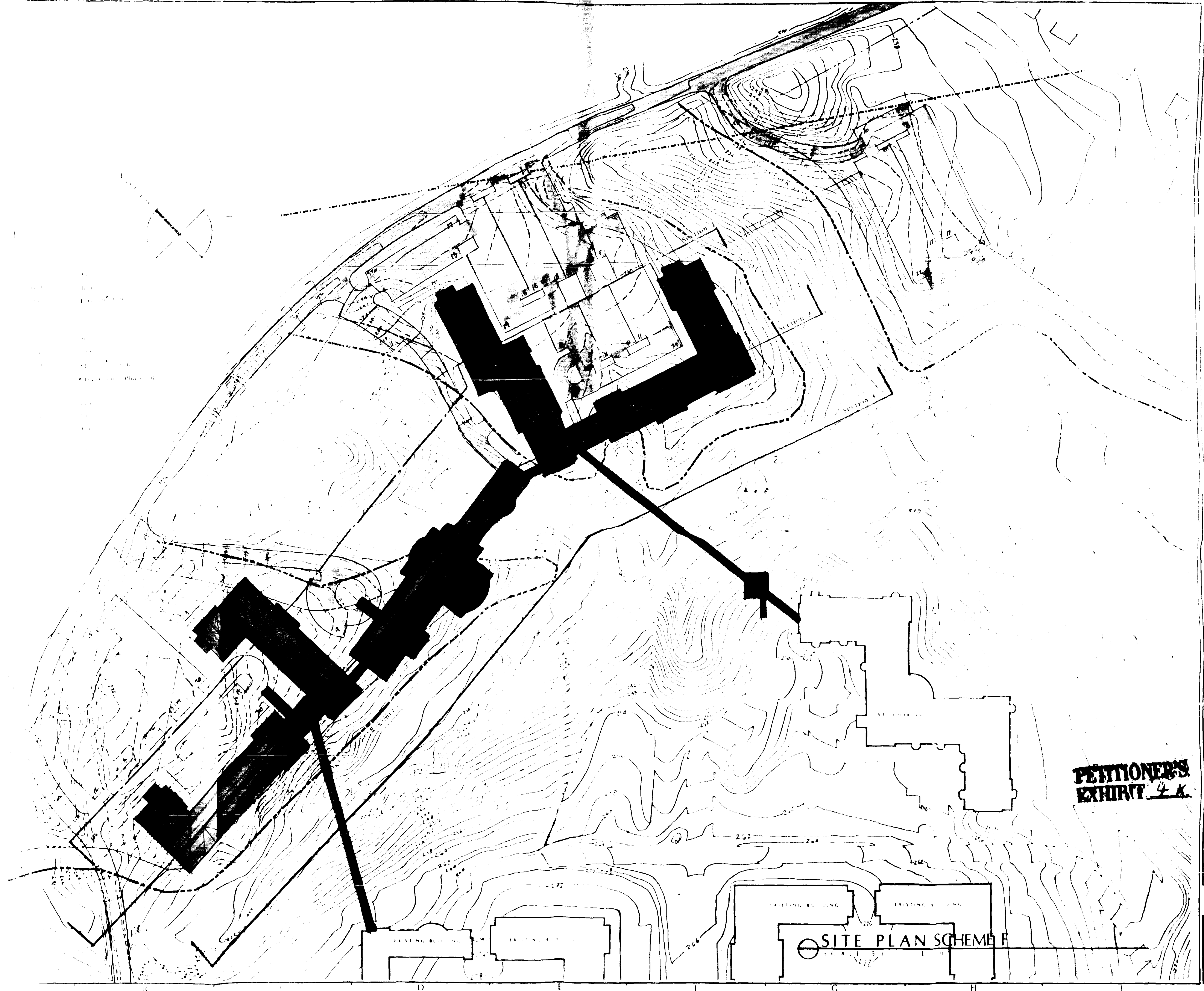
**PETITIONER'S
 EXHIBIT 4J**

MARKS, THOMAS AND ASSOCIATES, INC.
 ARCHITECTS
 1111 N. W. 11th St., Miami, Florida 33136

CROSS CREEK
 A CHARLESTON COMMUNITY
 CATONSVILLE, MARYLAND

SHEET TITLE	
DATE	BY
REV	DATE

E



MAPS, PLANS AND ASS. DES. N.

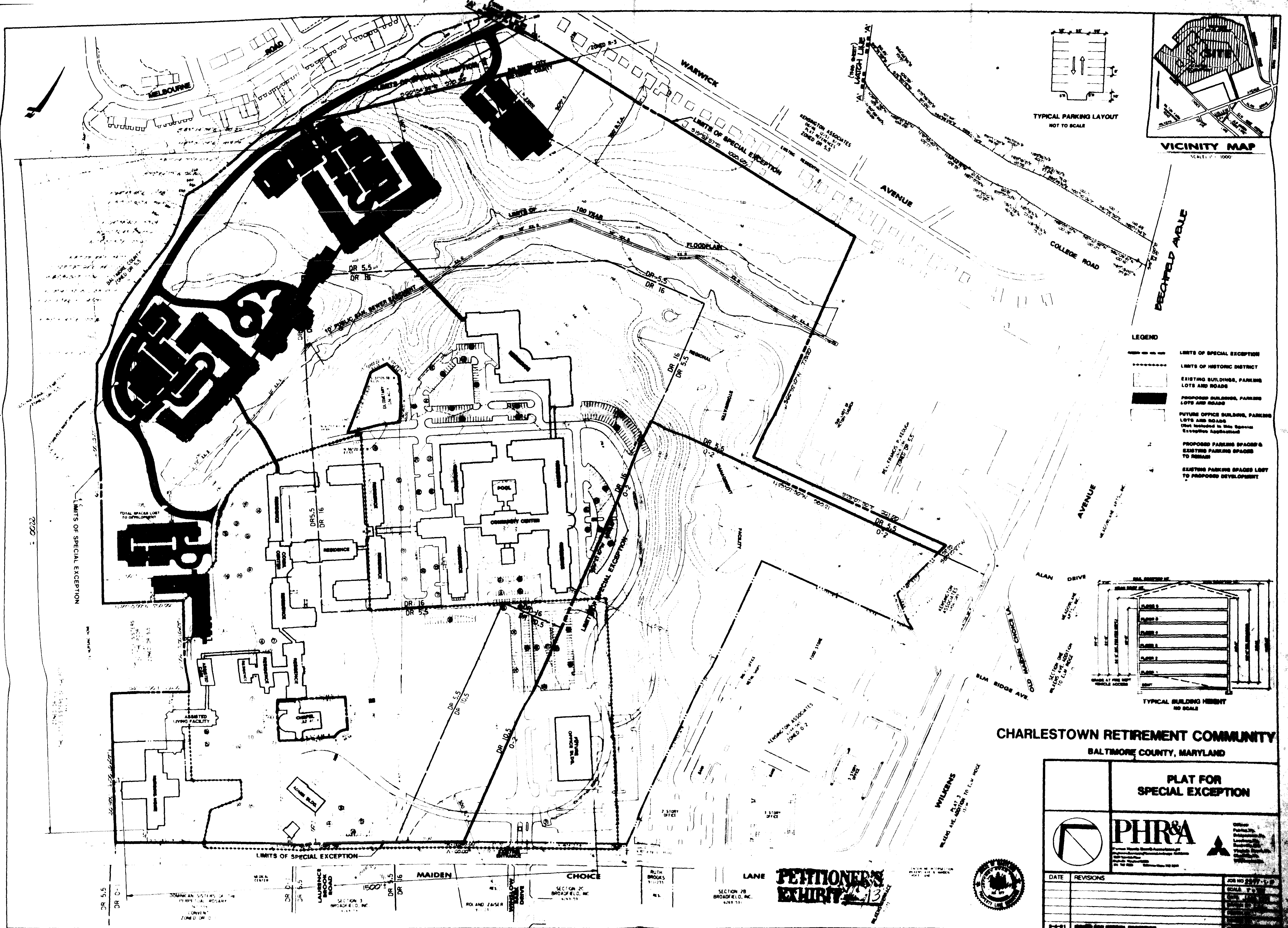
CROSS CREEK
ARCHITECTS
CATONSVILLE, MD.

**PETITIONER'S
EXHIBIT 4K**

DATE	DATE
1982	1982
REV	NO
1	1

F

SITE PLAN SCHEME F

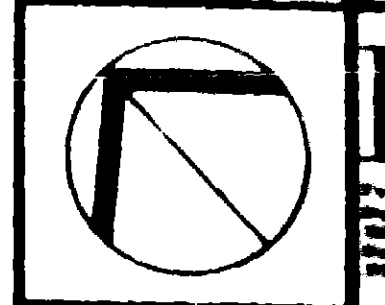


VICINITY MAP
SCALE: 1" = 100'

- LEGEND
- LIMITS OF SPECIAL EXCEPTION
 - LIMITS OF HISTORIC DISTRICT
 - EXISTING BUILDINGS, PARKING LOTS AND ROADS
 - PROPOSED BUILDINGS, PARKING LOTS AND ROADS
 - FUTURE OFFICE BUILDING, PARKING LOTS AND ROADS (Not Included in this Special Exception Application)
 - PROPOSED PARKING SPACES & EXISTING PARKING SPACES TO REMAIN
 - EXISTING PARKING SPACES LOST TO PROPOSED DEVELOPMENT

CHARLESTOWN RETIREMENT COMMUNITY
BALTIMORE COUNTY, MARYLAND

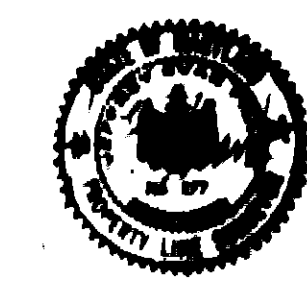
PLAT FOR
SPECIAL EXCEPTION



PHR&A
Professional Planning & Research Associates, Inc.
1000 North Washington Avenue
Baltimore, Maryland 21201
(410) 524-1000

DATE	REVISIONS	JOB NO. 2007-10
		SCALE: 1" = 100'
		DATE: 10/1/07
		BY: J. J. JONES
		CHECKED BY: J. J. JONES
		APPROVED BY: J. J. JONES

PEITIONER'S
EXHIBIT 13



..642 4.204
70490: DE 5.5

CITY OF BALTIMORE
BALTIMORE COUNTY

U.S. NATIONAL CEMETERY
Add: DW 5.5

CATONSVILLE SHORT LINE
RAILROAD
CATONSVILLE, MD.

WEST RESIDENTIAL BUILDING
FIRST FLOOR ELEVATION 254.0
TERRACE LEVEL 244.0

COMMUNITY CENTER
UPPER LEVEL ELEVATION 242.
LOWER LEVEL ELEVATION 230

EAST RESIDENTIAL BUILDING
FIRST FLOOR ELEVATION 242.0
TERRACE LEVEL 232.0

ASSISTED LIVING FACILITY
FIFTH FLOOR ELEVATION 2700

EXISTING BUILDING 3

**PETITIONER'S
EXHIBIT 14**

BUILDING 14
(UNDER CONSTRUCTION)

DATE	JAN. 1991
DRAWN	BLP / CADD
SCALE	1" = 50' C.I. 2'
SHEET	3 OF 4
FILE NO.	237-1-0-1

CONCEPT SITE LAYOUT FOR SPECIAL EXCEPTION

PHR&A 

PHILIP H. ROSENTHAL & ASSOCIATES
1000 NEW YORK AVENUE, SUITE 1000
WASHINGTON, D.C. 20004
202-638-1000

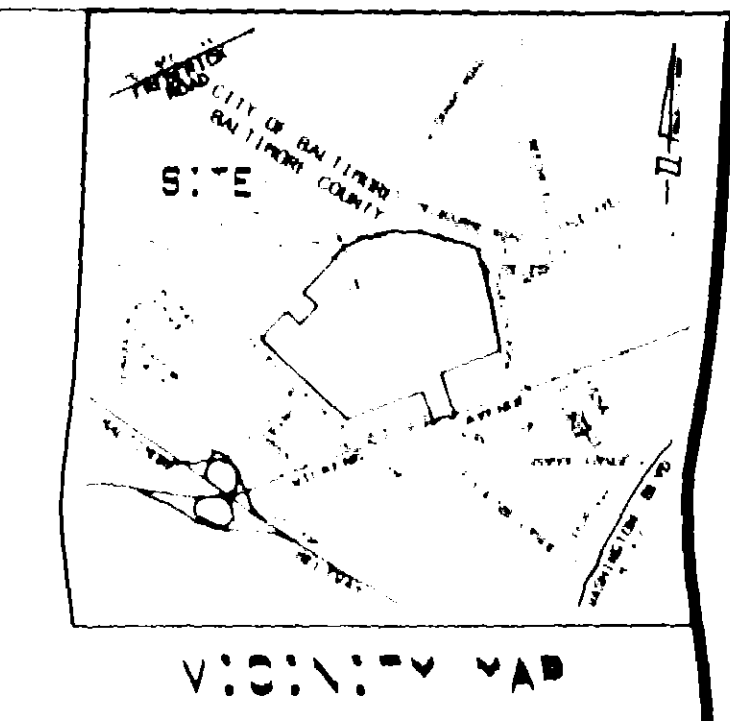
CHARLESTOWN PRISON IN THE COMMUNITY
ELECTION DISTRICT 1
BALTIMORE COUNTY, MARYLAND

BIODIAGNOSTICS INCORPORATED
10000 W. 10th Avenue, Suite 100
Denver, Colorado 80231
(303) 751-1000

1960, 1961, 1962, 1963, 1964, 1965, 1966, 1967, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1975, 1976, 1977, 1978, 1979, 1980, 1981, 1982, 1983, 1984, 1985, 1986, 1987, 1988, 1989, 1990, 1991, 1992, 1993, 1994, 1995, 1996, 1997, 1998, 1999, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2100, 2101, 2102, 2103, 2104, 2105, 2106, 2107, 2108, 2109, 2110, 2111, 2112, 2113, 2114, 2115, 2116, 2117, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2125, 2126, 2127, 2128, 2129, 2130, 2131, 2132, 2133, 2134, 2135, 2136, 2137, 2138, 2139, 2140, 2141, 2142, 2143, 2144, 2145, 2146, 2147, 2148, 2149, 2150, 2151, 2152, 2153, 2154, 2155, 2156, 2157, 2158, 2159, 2160, 2161, 2162, 2163, 2164, 2165, 2166, 2167, 2168, 2169, 2170, 2171, 2172, 2173, 2174, 2175, 2176, 2177, 2178, 2179, 2180, 2181, 2182, 2183, 2184, 2185, 2186, 2187, 2188, 2189, 2190, 2191, 2192, 2193, 2194, 2195, 2196, 2197, 2198, 2199, 2200, 2201, 2202, 2203, 2204, 2205, 2206, 2207, 2208, 2209, 2210, 2211, 2212, 2213, 2214, 2215, 2216, 2217, 2218, 2219, 2220, 2221, 2222, 2223, 2224, 2225, 2226, 2227, 2228, 2229, 2230, 2231, 2232, 2233, 2234, 2235, 2236, 2237, 2238, 2239, 2240, 2241, 2242, 2243, 2244, 2245, 2246, 2247, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255, 2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264, 2265, 2266, 2267, 2268, 2269, 2270, 2271, 2272, 2273, 2274, 2275, 2276, 2277, 2278, 2279, 2280, 2281, 2282, 2283, 2284, 2285, 2286, 2287, 2288, 2289, 2290, 2291, 2292, 2293, 2294, 2295, 2296, 2297, 2298, 2299, 2300, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2308, 2309, 2310, 2311, 2312, 2313, 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2322, 2323, 2324, 2325, 2326, 2327, 2328, 2329, 2330, 2331, 2332, 2333, 2334, 2335, 2336, 2337, 2338, 2339, 2340, 2341, 2342, 2343, 2344, 2345, 2346, 2347, 2348, 2349, 2350, 2351, 2352, 2353, 2354, 2355, 2356, 2357, 2358, 2359, 2360, 2361, 2362, 2363, 2364, 2365, 2366, 2367, 2368, 2369, 2370, 2371, 2372, 2373, 2374, 2375, 2376, 2377, 2378, 2379, 2380, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2392, 2393, 2394, 2395, 2396, 2397, 2398, 2399, 2400, 2401, 2402, 2403, 2404, 2405, 2406, 2407, 2408, 2409, 2410, 2411, 2412, 2413, 2414, 2415, 2416, 2417, 2418, 2419, 2420, 2421, 2422, 2423, 2424, 2425, 2426, 2427, 2428, 2429, 2430, 2431, 2432, 2433, 2434, 2435, 2436, 2437, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2447, 2448, 2449, 2450, 2451, 2452, 2453, 2454, 2455, 2456, 2457, 2458, 2459, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2467, 2468, 2469, 2470, 2471, 2472, 2473, 2474, 2475, 2476, 2477, 2478, 2479, 2480, 2481, 2482, 2483, 2484, 2485, 2486, 2487, 2488, 2489, 2490, 2491, 2492, 2493, 2494, 2495, 2496, 2497, 2498, 2499, 2500, 2501, 2502, 2503, 2504, 2505, 2506, 2507, 2508, 2509, 2510, 2511, 2512, 2513, 2514, 2515, 2516, 2517, 2518, 2519, 2520, 2521, 2522, 2523, 2524, 2525, 2526, 2527, 2528, 2529, 2530, 2531, 2532, 2533, 2534, 2535, 2536, 2537, 2538, 2539, 2540, 2541, 2542, 2543, 2544, 2545, 2546, 2547, 2548, 2549, 2550, 2551, 2552, 2553, 2554, 2555, 2556, 2557, 2558, 2559, 2560, 2561, 2562, 2563, 2564, 2565, 2566, 2567, 2568, 2569, 2570, 2571, 2572, 2573, 2574, 2575, 2576, 2577, 2578, 2579, 2580, 2581, 2582, 2583, 2584, 2585, 2586, 2587, 2588, 2589, 2590, 2591, 2592, 2593, 2594, 2595, 2596, 2597, 2598, 2599, 2600, 2601, 2602, 2603, 2604, 2605, 2606, 2607, 2608, 2609, 2610, 2611, 2612, 2613, 2614, 2615, 2616, 2617, 2618, 2619, 2620, 2621, 2622, 2623, 2624, 2625, 2626, 2627, 2628, 2629, 2630, 2631, 2632, 2633, 2634, 2635, 2636, 2637, 2638, 2639, 2640, 2641, 26

[illegible]

MELBOURNE ROAD



CITY OF BALTIMORE
BALTIMORE COUNTY

WARWICK ROAD

BARRINGTON ROAD

KENTINGTON AVENUE

FORDMAN ROAD

REV. FRANCIS
ST. IN DUCH

LIMITS OF SPECIAL EXCEPTION

MAINTENANCE BUILDING
100' x 100' x 10' 25' 0"

LIMITS OF WETLANDS

FLOODPLAIN

WETLANDS

LIMITS OF 100 YEAR FLOODPLAIN

EASEMENT TO PUBLIC SANITARY SEWER EASEMENT

PEPPER'S EXHIBIT

SPECIAL EXCEPTION PLAN

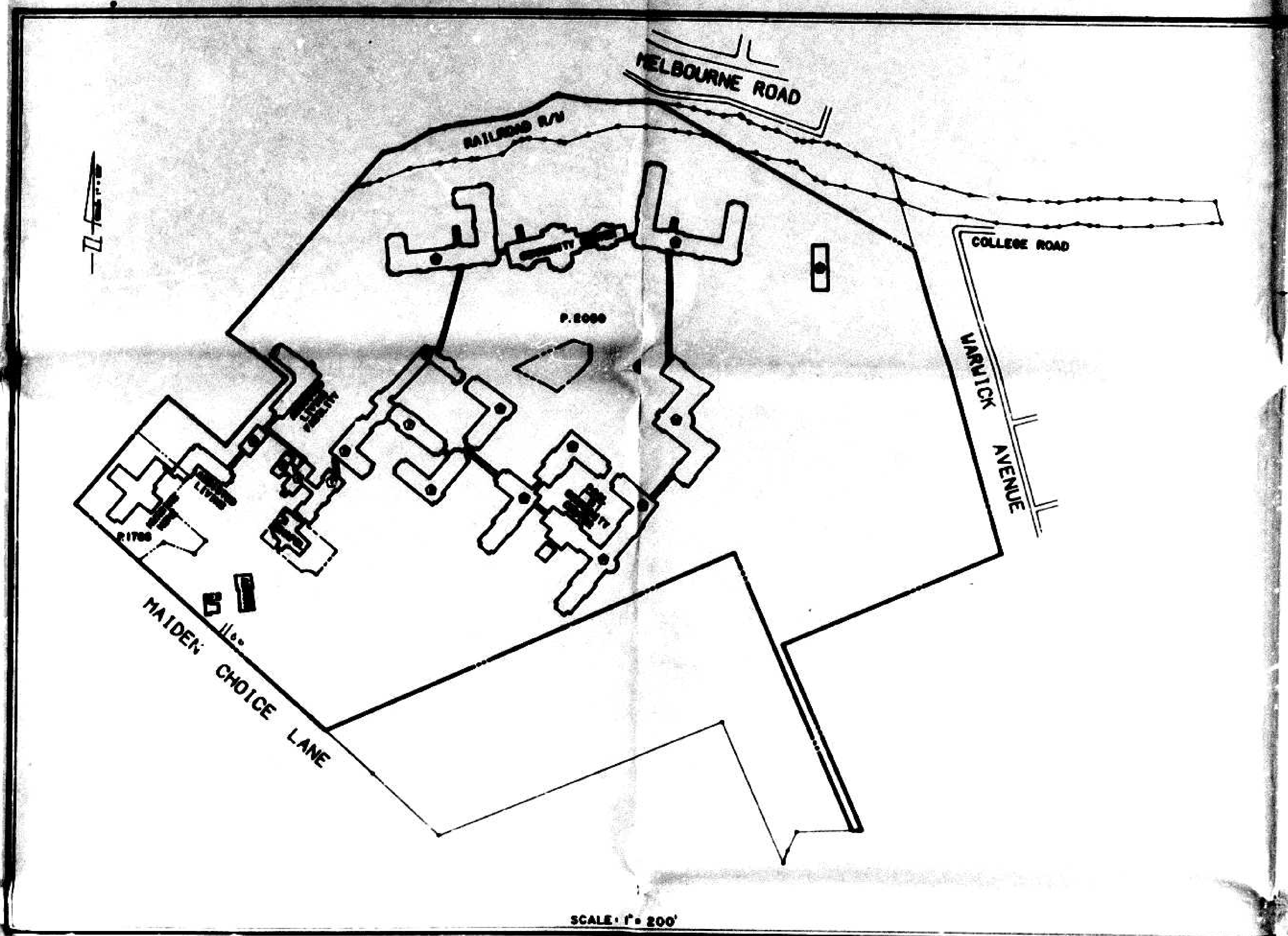
CHARLESTOWN RETIREMENT COMMUNITY

COUNCILMANTON DISTRICT 1 ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

GENERAL NOTES

- There are no existing or proposed well areas on this site; public water will be provided to the development via connections to the existing on-site private system.
- There are no existing or proposed septic areas on this site; public sewerage will be provided through connection to the existing interceptor at Harbor Run.
- There are no known critical areas, hazardous material disposal sites, endangered species habitats or archaeological sites on this property.
- There are no known underground or above ground chemical or petroleum products storage tanks within 200 feet of the subject property.
- Special exception is requested under the provisions of Section 432 of the Baltimore County Zoning Regulations for increased in density and building bulk for elderly housing, and assisted living facilities in a DR Zone. The subject site meets the requirements of an elderly housing facility as defined in Section 432.
- Deeds of Ownership:
P. 1788 - L8643 F132
P. 2000 - L8640 F001
Railroad right-of-way - L8822 F101
- Tax Account Numbers:
P. 1788 - 01600000002
P. 2000 - 01600000009
- Topography shown herein is based on a field survey by C.H. Miller & Associates, Inc., September 1984, as field verified and augmented by PHRA, January 1991.
- Historic buildings and limits of the National Register Historic District are taken from the official zoning maps of Baltimore County, Maps No. 803-E and 803-D as adopted October 1988.
- Forest buffer limits are based on the most restrictive of the following parameters: 20-foot setback from the station limits; 25-foot setback from the 100-year floodplain; 75-foot setback from the steep contourlines; or calculated steep slope setback.
- The 100-year floodplain shown on these plans is based upon a floodplain study by Dept. McCune & Deaver, Inc. dated September 1987 with topographic information augmented by PHRA in January 1991.
- Setback limits shown are based upon field investigation by Geo-Technology Associates, Inc. & Stabilists, Inc. with the location of the field limits verified by PHRA in January 1991, and approved by the Department of Environmental Protection and Resource Management (DEPRM) in February 1991.
- No clearing, grading or disturbance of vegetation shall be allowed in wetlands, floodplain and forest buffer areas, except as permitted by DEPRM and Baltimore County Water Quality Management Policy.
- All existing vegetation shall remain in areas not subject to landscape planting, construction or grading. Disturbed areas shall be revegetated or reforested as shown on these plans.
- Zoning lines shown on these plans are based upon the official zoning maps of Baltimore County, Maps No. 803-E and 803-D as adopted October 1988 and an CRC Plan No. 87-05, as amended June 1990.
- 2-, 10- and 100-year year stormwater management will be provided for all new development. The existing development and off-site tributary areas are managed by the existing regional stormwater management facility.
- Water quality measures will be provided in conjunction with stormwater management for proposed development and will be consistent with the policies of DEPRM.
- Erosion and sediment control for this site will be provided as necessary to develop the property and protect the environment. Erosion and sediment controls shall remain until all areas are stabilized and their removal approved by the erosion and their removal to sediment control officials.
- Proposed grading shown on these plans is preliminary and subject to modification as required by the zoning code and any other applicable laws.
- All roadway improvements shown on this plan are preliminary and subject to modification.
- All proposed utilities, storm drainage and stormwater management shown on this plan are preliminary and subject to modification.
- All landscaping and lighting designs are schematic and subject to modification.
- Building envelopes shown on this plan represent the approximate boundary for the maximum first floor footprint of each building. The actual layout of buildings and their relationship may vary, while maintaining the general concept of the envelopes shown.
- All improvements including water, sewer, storm drain, stormwater management, landscaping, and security open space will be privately owned and maintained by the owner/developer.
- Parking spaces shall meet or exceed county minimum dimension requirements.
- Fire access shall be provided from Maiden Choice Lane and Melbourne Road via private roads.
- Refuse collection shall be the responsibility of the owner/developer.
- Traffic generated by the proposed development will not require additional improvements or changes to the off-site infrastructure as detailed in the Traffic Impact Study and Signal Warrant Analysis prepared by PHRA, dated February 1991.
- Sequential development of the proposed project will begin with construction of the community center and adjacent east residential building, proceed through the construction of the adjacent east residential building and terminate with the construction of the assisted living facility, and the detached building. Rough grading of all areas will occur simultaneously, however, installation of the site infrastructure will be phased to support the construction sequence.
- Boundary information shown herein has been compiled from plats and deeds of record and does not constitute an actual boundary survey.



ZONING HISTORY

Refer to schematic drawing this sheet.
Building subscripts reference zoning code

- A. 10-10-82 Case No. 83-104 - Variance granted for building width of 60' - previously width of 0' and 7' 4" in lieu of required 10' and building height exceeding 50' for building No. 1 (B1.1), No. 2 (B8.7) and No. 6 (C1.0). Buildings No. 1, No. 6 included in exhibits for petition for variance.
- B. 10-22-84 Case No. 85-054 - Variance for building width of 60'. Buildings No. 7 - No. 13 included in exhibits for petition for variance.
- C. 1-24-86 Case No. 86-182-X Special Exception for a 120-bed nursing home, 30 units assisted living facility and 20 unit dormitory care facility.

- D. 5-4-88 Case No. 88-120-KSPHA - Special Hearing to amend and amend case No. 85-054 and Case No. 86-182-X to include a second assisted living facility and increase maximum building width and length to 1,000 feet and 1,000 feet respectively. Includes Buildings No. 1 - No. 14.
- E. 10-23-90 Case No. 91-06-SPHA-Special Hearing to further amend maximum building width and length to 1,000 feet and 1,000 feet and maximum building height to 78 feet for roofs and 85 feet for floor-to-floor.
- F. 1-88 1984 Comprehensive zoning map results in changes in property zoning as follows: DR 10.5 reduced from 6.7 to 3.7 acres; DR 5.5 reduced from 62.6 acres to 54.6 acres; 25.1 acres of DR 10 added.

SHEET INDEX

- COVER SHEET SHEET 1 OF 4
PLAY FOR SPECIAL EXCEPTION SHEET 2 OF 4
CONCEPT SITE LAYOUT FOR SPECIAL EXCEPTION SHEET 3 OF 4
CONCEPT SITE LAYOUT FOR SPECIAL EXCEPTION SHEET 4 OF 4

PETITIONER'S EXHIBIT 12

OWNER/DEVELOPER

CHARLESTOWN RETIREMENT AND HEALTH SERVICES CORPORATION
763 MAIDEN CHOICE LANE
BALTIMORE, MARYLAND 21206
(301) 546-5555

TRAFFIC CONSULTANT

PATTON, MORRIS, RUST & ASSOCIATES, PC
60 WEST CHESAPEAKE DRIVE
3RD FLOOR SUITE 300
FAIRFAX, VIRGINIA 22033
(703) 673-0700

ENVIRONMENTAL CONSULTANTS

DISCOUNTS INCORPORATED
200 ALABAMA AVENUE
TOWSON, MARYLAND 21204
(410) 237-2555

ARCHITECT

MORRIS, THOMAS & ASSOCIATES, INC.
2200 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21218
(410) 487-0000

LANDSCAPE ARCHITECT

PATTON, MORRIS, RUST & ASSOCIATES, PC
7000 STATION PLACE
ROCKVILLE, MARYLAND 20855
(301) 762-7244

SITE DATA

1. Site Data

Total Site Area	111.31 ac
Area in Baltimore City	4.54 ac
Area in Zone D-2	17.71 ac
Net Area	65.06 ac
30' Street Frontage	0.76 ac
Gross Area	69.82 ac

Total site acreage does not include chapel and cemetery parcels. Special exception request does not include properties in Baltimore City, or properties in Zone D-2.

2. Calculation of living units permitted under current zoning:

Zoning	Acreage	Allowable Units Per Acre	Maximum Permitted Units
DR 5.5	60.85 Ac	5.5 DU	334.68 DU
DR 10.5	3.79 Ac	10.5 DU	39.80 DU
DR 10	25.18 Ac	16.0 DU	402.88 DU
		Total Permitted Units	777.36 DU

Calculation of living units permitted for elderly housing facilities on a property containing institutional or historic buildings:
Maximum permitted units = Gross Area x 16 DU
= 1,117.12 DU

3. Tabulation of living units:

A. Existing units							
	STUDIO	1 BDRM	1 BDRM w/ DEN	2 BDRM	3 BDRM	BEDS	TOTAL
BLDG 1	19	22	0	14	0	0	46
BLDG 2	20	16	0	16	0	0	56
BLDG 3	6	43	0	12	0	0	61
BLDG 4	12	0	0	0	0	0	12
BLDG 5	0	4	0	2	1	0	7
BLDG 6					0	20	20
BLDG 7	8	48	0	8	0	0	64
BLDG 8	28	26	0	21	0	0	75
BLDG 9	32	30	0	26	0	0	88
BLDG 10	12	32	0	32	0	0	136
BLDG 11	6	61	6	19	0	0	92
BLDG 12	18	59	10	29	0	0	126
BLDG 13	17	70	10	26	0	0	123
BLDG 14	0	23	8	12	0	0	43
NURSING HOME						120	120
ASSIST'D LIVING FACILITY						115	115
TOTAL UNITS	169	506	34	334	1	255	1,299
DENSITY UNIT EQUIVALENT	0.5	0.15	1.0	1.0	1.5	0.25	
TOTAL DENSITY 85 UNITS	380	34	334	2	84	899	

B. Proposed units

	STUDIO	1 BDRM	1 BDRM w/ DEN	2 BDRM	3 BDRM	BEDS	TOTAL
BLDG 15	18	132	24	94	0	0	268
BLDG 16	30	145	24	100	0	0	300
ASSIST'D LIVING FACILITY						140	140
TOTAL	48	278	48	194	0	140	760
DENSITY UNIT EQUIVALENT	0.5	0.15	1.0	1.0	1.5	0.25	
TOTAL DENSITY 24 UNITS	209	48	194	0	30	510	

C. Total units post development
Dwelling units (existing & proposed) 2,007
Density units (existing & proposed) 1,409

5. Parking Tabulation

Existing parking spaces	929
Existing spaces lost to development	103
Proposed parking spaces	912
Total parking spaces	1,738
Existing parking/DU ratio	0.25/1999
Proposed parking/DU ratio	1.338/2007

6. Open Space Tabulation

Existing amenity open space	75.95 AC
Post development amenity open space	86.03 AC



91-351-SPHXA

PHRA

Patton, Morris, Rust & Associates, PC
7000 Station Place
Rockville, Maryland 20855
301-762-7244
FAX: 301-762-7244

#337

GENERAL NOTES

1. Site Data •

Total Site Acreage	• 100.3 ac.
- Area In Baltimore City	• 4.54 ac.
- Area In James City	• 1.76 ac.
- Net Area	• 94.00 ac.
- 50% Wetland Knowledge	• 47.00 ac.
- Gross Area	• 84.00 ac.

* Total site acreage does not include chapel and cemetery parcels. Special exception request does not include properties in Baltimore City, or properties zoned R-2.

2. Calculation of living units permitted under current zoning

Zoning	Areaage	Allowable Units Per Acre	Maximum Permitted Units
DM-5.5	60.85 A	4.5 U/A	274 U
DM-10.5	3.73 A	10.5 U/A	39 U
DM-15	2.18 A	15 U/A	33 U
		Total Permitted Units	346 U

5. Calculation of living units permitted for existing housing facilities on a property containing institutional or historic buildings:

[illegible]

- Abolition of slavery and

A (scaling) unit.

	2016-10-01	2016-09-01	2016-08-01	2016-07-01	2016-06-01	2016-05-01
2016-01-01	154	154	154	154	154	154
2016-02-01	203	199	199	199	199	199
2016-03-01	21	21	21	21	21	21
2016-04-01	147	147	147	147	147	147
2016-05-01	151	151	151	151	151	151
2016-06-01						151
2016-07-01	25	25	25	25	25	25
2016-08-01	25	25	25	25	25	25
2016-09-01	151	151	151	151	151	151
2016-10-01	151	151	151	151	151	151
2016-11-01	151	151	151	151	151	151
2016-12-01	151	151	151	151	151	151
2017-01-01	151	151	151	151	151	151
2017-02-01	151	151	151	151	151	151
2017-03-01	151	151	151	151	151	151
2017-04-01	151	151	151	151	151	151
2017-05-01	151	151	151	151	151	151
2017-06-01	151	151	151	151	151	151
2017-07-01	151	151	151	151	151	151
2017-08-01	151	151	151	151	151	151
2017-09-01	151	151	151	151	151	151
2017-10-01	151	151	151	151	151	151
2017-11-01	151	151	151	151	151	151
2017-12-01	151	151	151	151	151	151
2018-01-01	151	151	151	151	151	151
2018-02-01	151	151	151	151	151	151
2018-03-01	151	151	151	151	151	151
2018-04-01	151	151	151	151	151	151
2018-05-01	151	151	151	151	151	151
2018-06-01	151	151	151	151	151	151
2018-07-01	151	151	151	151	151	151
2018-08-01	151	151	151	151	151	151
2018-09-01	151	151	151	151	151	151
2018-10-01	151	151	151	151	151	151
2018-11-01	151	151	151	151	151	151
2018-12-01	151	151	151	151	151	151
2019-01-01	151	151	151	151	151	151
2019-02-01	151	151	151	151	151	151
2019-03-01	151	151	151	151	151	151
2019-04-01	151	151	151	151	151	151
2019-05-01	151	151	151	151	151	151
2019-06-01	151	151	151	151	151	151
2019-07-01	151	151	151	151	151	151
2019-08-01	151	151	151	151	151	151
2019-09-01	151	151	151	151	151	151
2019-10-01	151	151	151	151	151	151
2019-11-01	151	151	151	151	151	151
2019-12-01	151	151	151	151	151	151
2020-01-01	151	151	151	151	151	151
2020-02-01	151	151	151	151	151	151
2020-03-01	151	151	151	151	151	151
2020-04-01	151	151	151	151	151	151
2020-05-01	151	151	151	151	151	151
2020-06-01	151	151	151	151	151	151
2020-07-01	151	151	151	151	151	151
2020-08-01	151	151	151	151	151	151
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2020-11-01	151	151	151	151	151	151

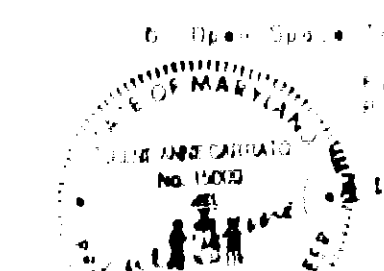
Figure 1. The effect of the concentration of the inhibitor on the rate of polymerization of α -methylstyrene in the presence of SnCl_4 at 25°C .

Category	Number of Cases	Number of Deaths	Number of Cases per 100,000	Number of Deaths per 100,000	Ratio	Ratio per 100,000
1990-1995	100	1	1.0	0.01	0	250
1996-1998	10	0	0.1	0	0	300
1999-2000 (Pre- 9/11)	100	0	1.0	0	0	400
2001-2002	400	1	4.0	0.01	0.01	750
2003-2005 (Post- 9/11)	100	1	1.0	0.01	0.01	500
2006-2010 (Post- 9/11)	10	0	0.1	0	0	500

1. Introduction, 2. Theoretical background, 3. Methodology, 4. Results, 5. Discussion, 6. Conclusion, 7. References, 8. Appendix, 9. Acknowledgements, 10. Author biographies, 11. Declaration of interest, 12. Funding, 13. Data availability, 14. Ethics approval, 15. Consent to participate, 16. Consent to publish, 17. Copyright, 18. Open Access, 19. Correspondence, 20. Additional information, 21. References, 22. Appendix, 23. Acknowledgements, 24. Author biographies, 25. Declaration of interest, 26. Funding, 27. Data availability, 28. Ethics approval, 29. Consent to participate, 30. Consent to publish, 31. Copyright, 32. Open Access, 33. Correspondence, 34. Additional information, 35. References, 36. Appendix, 37. Acknowledgements, 38. Author biographies, 39. Declaration of interest, 40. Funding, 41. Data availability, 42. Ethics approval, 43. Consent to participate, 44. Consent to publish, 45. Copyright, 46. Open Access, 47. Correspondence, 48. Additional information, 49. 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6. Approximate the value of $\frac{1}{2} \pi$ by using the first three terms of the series.

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HEALTH SERVICES CORPORATION
FEDERAL CHOICE PLAN
BALTIMORE, MARYLAND 21202

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FARMAS, VIRGINIA 22033
(703) 221-2100

ENVIRONMENTAL CONSULTANTS

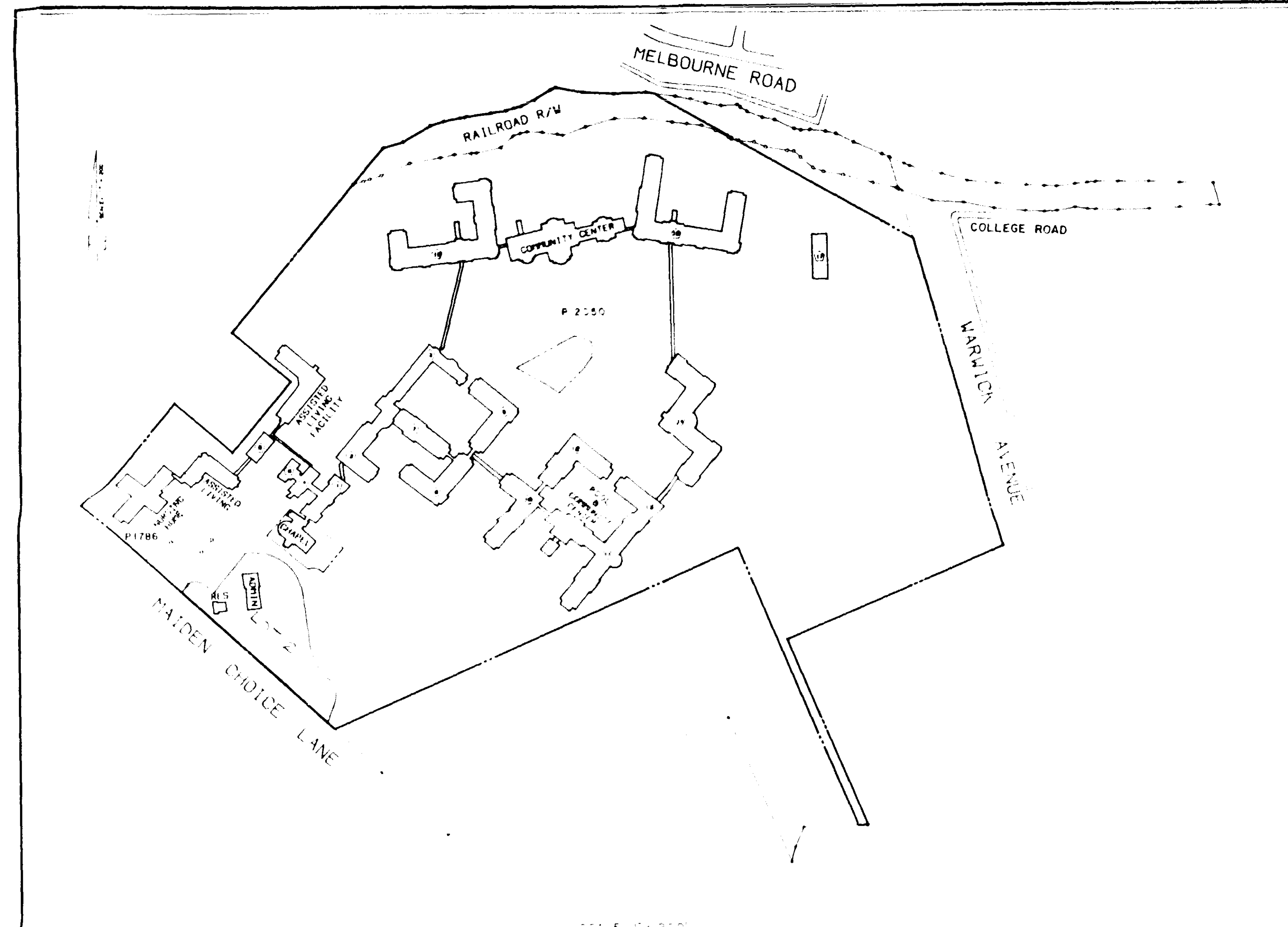
BIOHABITATS INCORPORATED
303 ALLEGENT AVENUE
TOWSON, MARYLAND 21204
(301) 327-3659

ARCHITECT

MARKS, THOMAS & ASSOCIATES, INC.
2300 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21218
(301) 462-0600

LANDSCAPE ARCHITECT

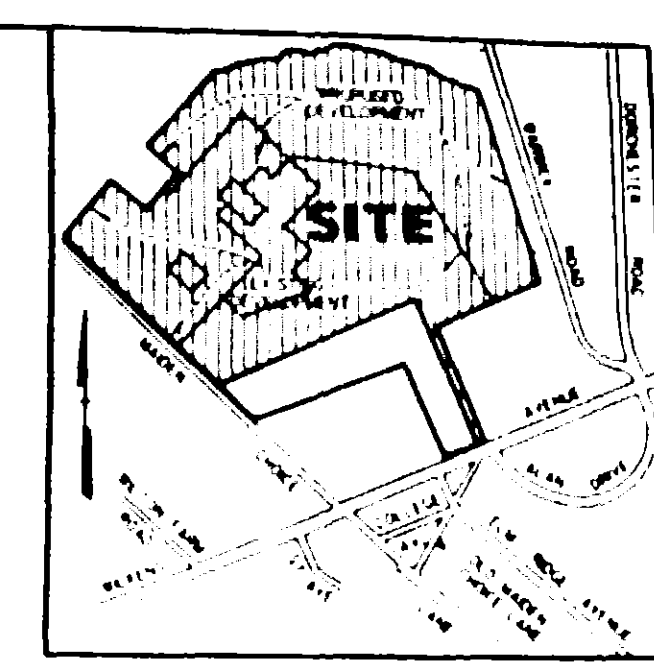
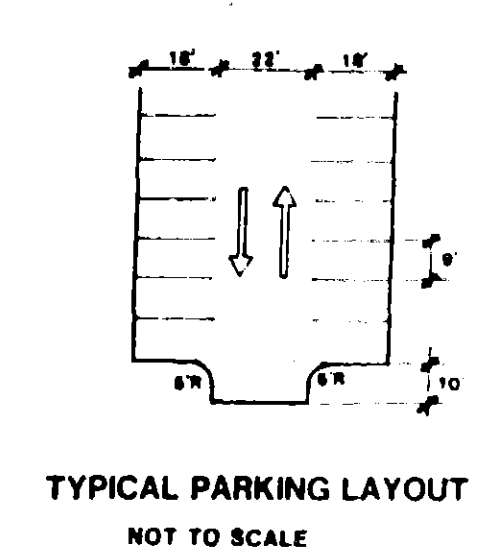
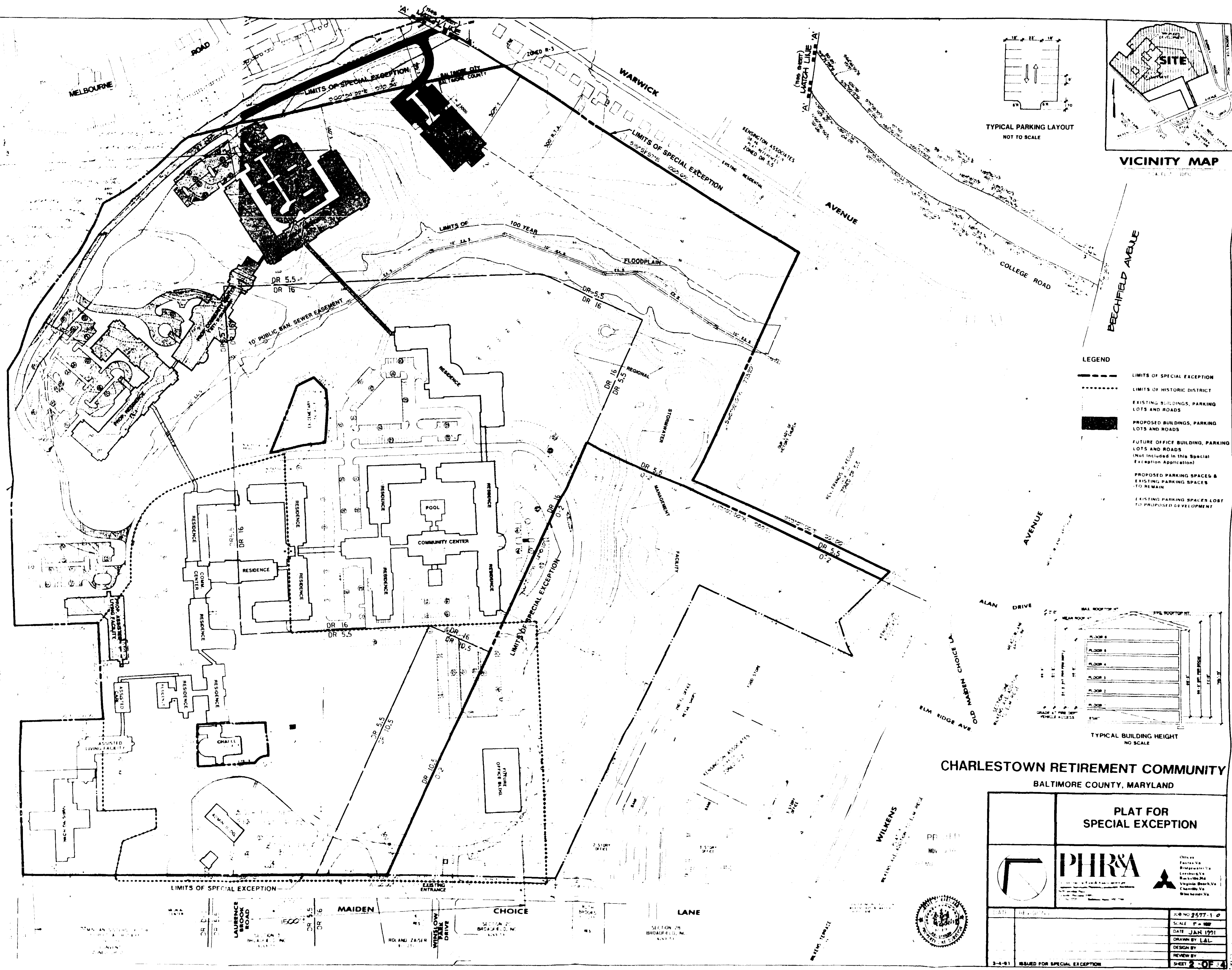
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2609 STANDISH PLACE
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(301) 792 7244



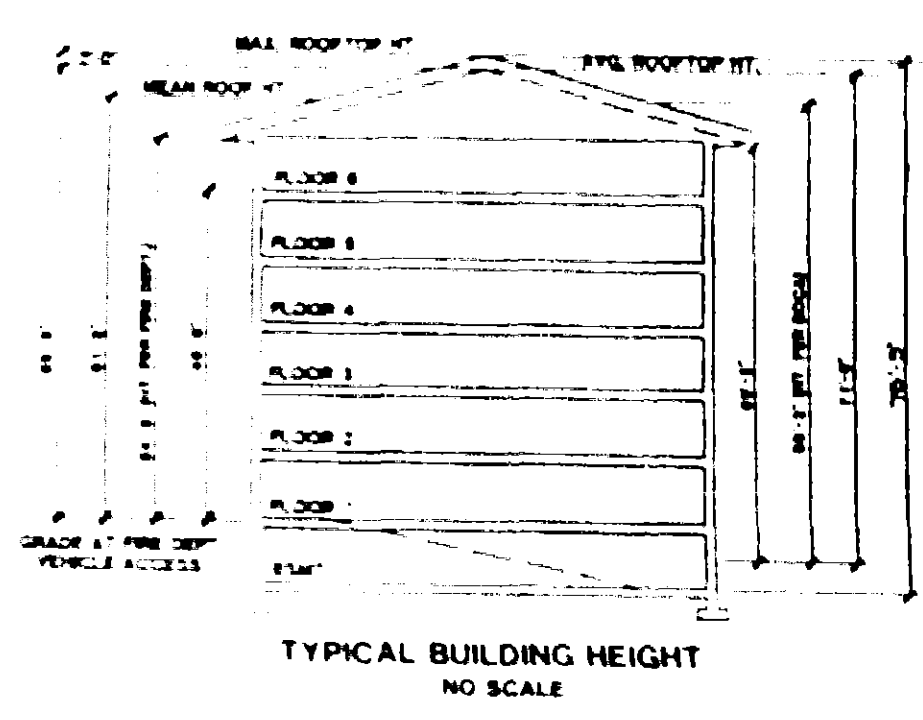
ZONING HISTORY

S-EE- INDEX

COVER SHEET	SHEET 1 OF 4
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CONCEPT SITE LAYOUT FOR SPECIAL EXCEPTION	SHEET 3 OF 4
CONCEPT SITE LAYOUT FOR SPECIAL EXCEPTION	SHEET 4 OF 4

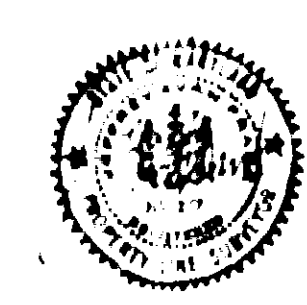


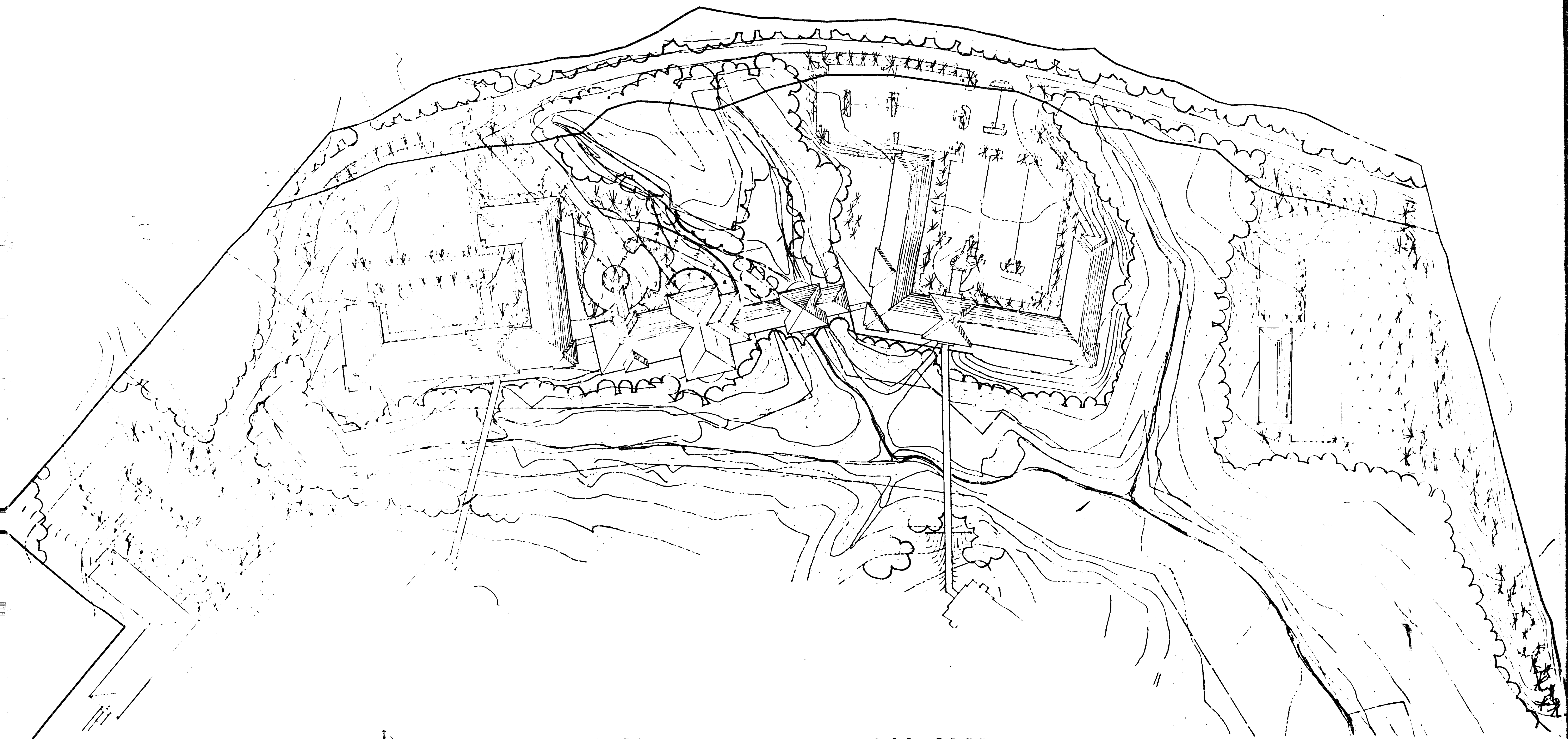
- LEGEND**
- LIMITS OF SPECIAL EXCEPTION
 - LIMITS OF HISTORIC DISTRICT
 - EXISTING BUILDINGS, PARKING LOTS AND ROADS
 - PROPOSED BUILDINGS, PARKING LOTS AND ROADS
 - FUTURE OFFICE BUILDING, PARKING LOTS AND ROADS (NOT INCLUDED IN THIS SPECIAL EXCEPTION APPLICATION)
 - PROPOSED PARKING SPACES & EXISTING PARKING SPACES TO REMAIN
 - EXISTING PARKING SPACES LOST TO PROPOSED DEVELOPMENT



CHARLESTOWN RETIREMENT COMMUNITY
BALTIMORE COUNTY, MARYLAND

		PLAT FOR SPECIAL EXCEPTION	
		PREPARED BY: PHR&A DATE: JAN 1991 DRAWN BY: LAL CHECKED BY: [blank] DESIGNED BY: [blank]	
PROJECT NO: 2577-1-0 SCALE: 1" = 100' DATE: JAN 1991 DRAWN BY: LAL CHECKED BY: [blank] DESIGNED BY: [blank]		SHEET 2 OF 4	

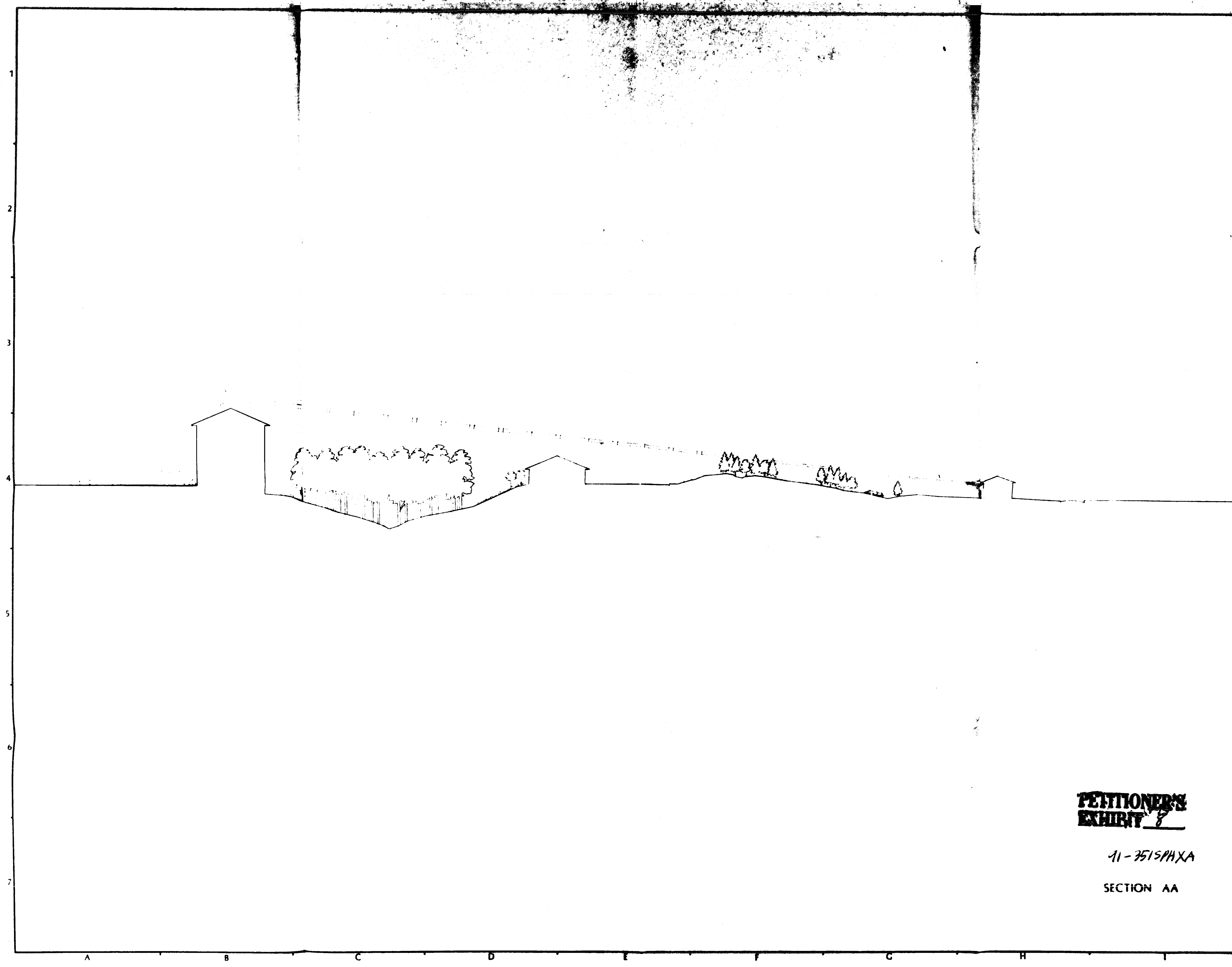




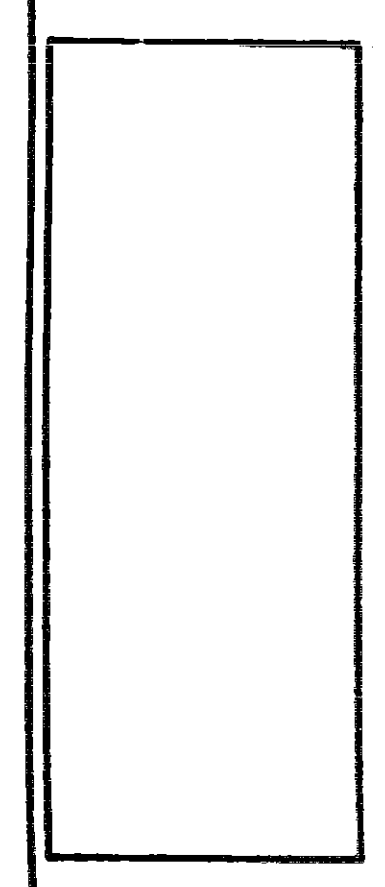
SITE PLAN FOR CROSS CREEK
MARKS, THOMAS AND ASSOCIATES ARCHITECTS
SCALE 1" = 50' 18 JAN 91

PETITIONER'S
EXHIBIT 5

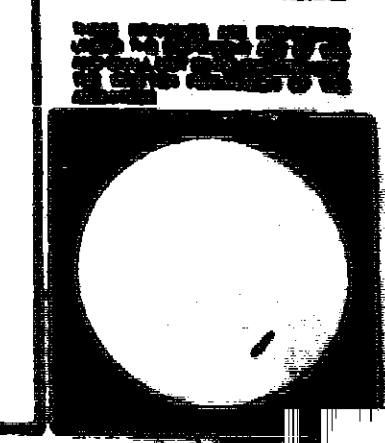
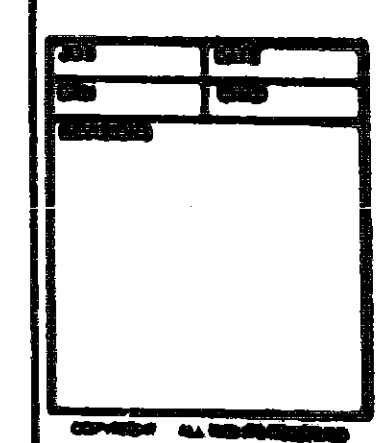
41-351
SPHXA S-1



MARKS, THOMAS AND ASSOCIATES, INC.
ARCHITECTS
220 NORTH CHARLES STREET • BALTIMORE, MARYLAND 21201 • 410-528-0200



CROSS CREEK
A CHARLESTOWN COMMUNITY
GATONSVILLE, MARYLAND



PETITIONER'S
EXHIBIT 8

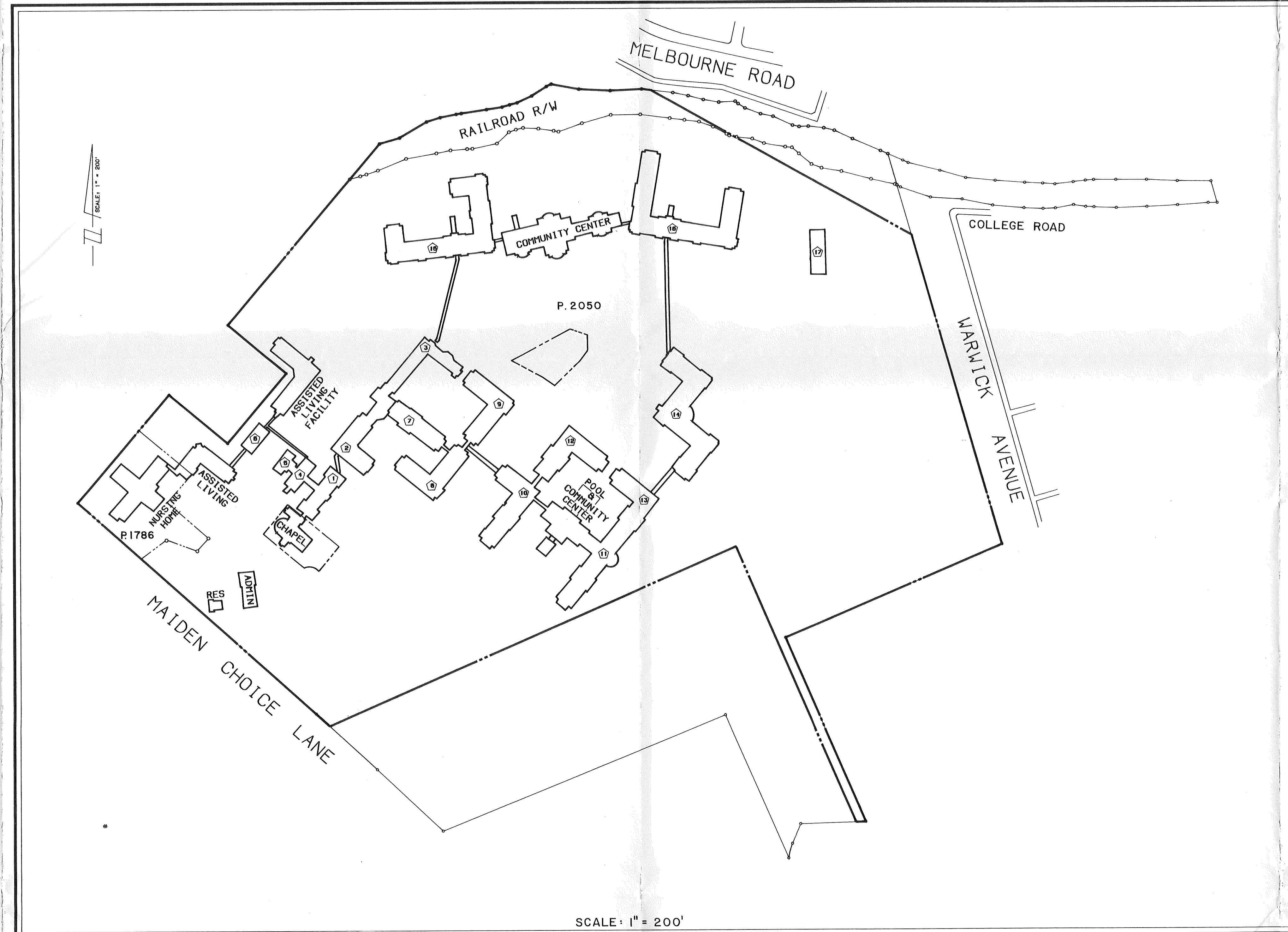
11-3515PHXA

SECTION AA

SPECIAL EXCEPTION PLAN
CHARLESTOWN RETIREMENT COMMUNITY
COUNCILMANIC DISTRICT 1 ELECTION DISTRICT 1
BALTIMORE COUNTY, MARYLAND

GENERAL NOTES

- There are no existing or proposed well areas on this site; public water will be provided to new development via connections to the existing on-site private system.
- There are no existing or proposed septic areas on this site; public sewerage will be provided through connection to the existing interceptor at Herbert Run.
- There are no known critical areas, hazardous material disposal sites, endangered species habitats or archaeological sites on this property.
- There are no known under or above ground chemical or petroleum products storage tanks within 200-foot of the subject property.
- Special exception is requested under the provisions of Section 432 of the Baltimore County Zoning Regulations for increases in density and building bulk for elderly housing, and assisted living facilities in a DR Zone. The subject site meets the requirements of an elderly housing facility as defined in Section 432.
- Deeds of Ownership:
P. 1786 - L6643 F132
P. 2050 - L6640 F001
Railroad right-of-way - L6822 F101
- Tax Account Numbers:
P. 1786 - #1600005052
P. 2050 - #190000869
- Topography shown herein is based on a field survey by C.H. Miller & Associates, September 1984, as field verified and augmented by PHR&A, January 1991.
- Historic buildings and limits of the National Register Historic District are taken from the official zoning maps of Baltimore County, Maps No. SW3-E and SW3-D as adopted October 1988.
- Forest buffer limits are based on the most restrictive of the following parameters: 25-foot setback from the wetland limits, 25-foot setback from the 100-year floodplain limits, 75-foot setback from the stream centerlines, or calculated steep slope setbacks.
- The 100-year floodplain shown on these plans is based upon a floodplain study by Doft, McCune, & Walker, Inc. dated September 1987 with topographic information augmented by PHR&A in January 1991.
- Wetlands limits shown are based upon field investigation by Geo-Technology Associates, Inc. & Biohabitats, Inc. with the location of the field limits verified by PHR&A in January 1991, and approved by the Department of Environmental Protection and Resource Management (DEPRM) in February 1991.
- No clearing, grading or disturbance of vegetation shall be allowed in wetland, floodplain and forest buffer areas, except as permitted by DEPRM and Baltimore County Water Quality Management Policy.
- All existing vegetation shall remain in areas not subject to landscape planting, construction or grading. Disturbed areas shall be revegetated or reforested as shown on these plans.
- Zoning lines shown on these plans are based upon the official zoning maps of Baltimore County, Maps No. SW3-E and SW3-D as adopted October 1988 and on CRC Plan No. 87155, as amended June 1990.
- 2-, 10- and 100-year year stormwater management will be provided for all new development. The existing development and off-site tributary areas are managed by the existing regional stormwater management facility.
- Water quality measures will be provided in conjunction with stormwater management for proposed development and will be consistent with the policies of DEPRM.
- Erosion and sediment control for this site will be provided as necessary to develop the property and protect the environment. Erosion and sediment controls shall remain until all areas are stabilized and their removal approved by the erosion and their removal is sediment control official.
- Proposed grading shown on these plans is preliminary and subject to modification as further studies and design needs may dictate.
- All roadway improvements shown on this plan are preliminary and subject to modification.
- All proposed utilities, storm drainage and stormwater management shown on this plan are preliminary and subject to modification.
- All landscaping and lighting designs are schematic and subject to modification.
- Building envelopes shown on this plan represent the approximate boundary for the maximum first floor footprint of each building. The actual layout of buildings and their relationship may vary, while maintaining the general concept of the envelopes shown.
- All improvements including water, sewer, storm drain, stormwater management, landscaping, and amenity open space will be privately owned and maintained by the owner/developer.
- Parking space sizes shall meet or exceed county minimum dimension requirements.
- Fire access shall be provided from Maiden Choice Lane and Warwick Road via private roads.
- Refuse collection shall be the responsibility of the owner/developer.
- Traffic generated by the proposed development will not require additional improvements or signalization of off-site intersections as detailed in the Traffic Impact Study and Signal Warrant Analysis prepared by PHR&A, dated February 1991.
- Sequential development of the proposed project will begin with construction of the community center and adjacent west residential building, proceed through the construction of the adjacent east residential building and terminate with the construction of the assisted living facility, and the maintenance building. Rough grading of all areas will occur simultaneously, however, installation of the site infrastructure will be phased to support the construction sequence.
- Boundary information shown herein has been compiled from plots and deeds of record and does not constitute an actual boundary survey.



ZONING HISTORY

Refer to schematic drawing this sheet.
Building subscripts reference zoning case

- | | |
|-------------|---|
| A. 10-18-82 | Case No. 83-19A - Variances granted for building width of 842', passageway width of 0' and 7.4' in lieu of required 10' and building heights exceeding 50' for building No. 1 (61.1'), No. 2 (56.7') and No. 6 (71.8'). Buildings No. 1 - No. 6 included in exhibits for petition for variance. |
| B. 10-22-84 | Case No. 85-69A - Variances for building width of 852'. Buildings No. 7 - No. 13 included in exhibits for petition for variance. |
| C. 1-24-85 | Case No. 85-152-X Special Exception for a 120-bed nursing home, 30 units assisted living facility and 20 unit domiciliary care facility. |

- | | |
|-------------|---|
| D. 5-4-88 | Case No. 88-120-SPHA - Special Hearing to expand and amend case No. 85-69A and Case No. 85-152-X to include a second assisted living facility and increase maximum building width and length to 1,500 feet + and 1,450 feet +, respectively. Includes buildings No. 1 - No. 14. |
| E. 10-23-90 | Case No. 91-85-SPHA-Special Hearing to further amend maximum building width and length to 1,525 feet + and 1,600 feet + and maximum building height to 72 feet for roofs and 85 feet for clocktower. |
| F. 1-85 | 1984 Comprehensive zoning map results in changes in property zoning as follows: DR 10.5 reduced from 6.7 to 3.7 acres; DR 5.5 reduced from 82.6 acres to 54.8 acres; 25.1 acres of DR 16 added. |

SHEET INDEX

- | | |
|---|--------------|
| COVER SHEET | SHEET 1 OF 4 |
| PLAT FOR SPECIAL EXCEPTION | SHEET 2 OF 4 |
| CONCEPT SITE LAYOUT FOR SPECIAL EXCEPTION | SHEET 3 OF 4 |
| CONCEPT SITE LAYOUT FOR SPECIAL EXCEPTION | SHEET 4 OF 4 |

PETITIONER'S EXHIBIT 4

OWNER/DEVELOPER

CHARLESTOWN RETIREMENT AND
HEALTH SERVICES CORPORATION
703 MAIDEN CHOICE LANE
BALTIMORE, MARYLAND 21228
(301) 242-2880

TRAFFIC CONSULTANT

PATTON, HARRIS, RUST & ASSOCIATES, PC
303 ALLEGHENY AVENUE
50 WEST FAIR CORPORATE CENTER
3990 FAIR RIDGE DRIVE
FAIRFAX, VIRGINIA 22033
(703) 273-8700

ENVIRONMENTAL CONSULTANTS

BIOHABITATS INCORPORATED
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 337-3659

ARCHITECT

MARKS, THOMAS & ASSOCIATES, INC.
2300 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21218
(301) 467-8600

LANDSCAPE ARCHITECT

PATTON, HARRIS, RUST & ASSOCIATES, PC
7609 STANDISH PLACE
ROCKVILLE, MARYLAND 20855
301 762-2220 Baltimore 301 792-7244
(301) 792-7244

SITE DATA

1. Site Data •

Total Site Acreage	= 111.31 ac
- Area in Baltimore City	= 4.54 ac
- Area in Zoned O-2	= 17.71 ac
= Net Area	= 89.06 ac
+ 30 x Street Frontage	= 0.76 ac
= Gross Area	= 89.82 ac

- Total site acreage does not include chapel and cemetery parcels. Special exception request does not include properties in Baltimore City or properties Zoned O-2.

2. Calculation of living units permitted under current zoning:

Zoning	Acreage	Allowable Units Per Acre	Maximum Permitted Units
DR 5.5	60.85 Ac	5.5 DU	334.68 DU
DR 10.5	3.79 Ac	10.5 DU	39.80 DU
DR 16	25.18 Ac	16 DNU	402.88 DNU
Total Permitted Units			= 374.18 DU
			= 402.88 DNU

3. Calculation of living units permitted for elderly housing facilities on a property containing institutional or historic buildings:

$$\text{Maximum permitted units} = \text{Gross Area} \times 16 \text{ DNU} = 1,437.12 \text{ DNU}$$

4. Tabulation of living units:

A. Existing units							
	STUDIO	1 BDRM	1 BDRM w/DEN	2 BDRM	3 BDRM	BEDS	TOTAL
BLDG 1	10	22	0	14	0	0	46
BLDG 2	20	18	0	18	0	0	56
BLDG 3	6	43	0	12	0	0	61
BLDG 4	12	0	0	0	0	0	12
BLDG 5	0	4	0	2	1	0	7
BLDG 6						20	20
BLDG 7	8	48	0	8	0	0	64
BLDG 8	28	26	0	21	0	0	75
BLDG 9	32	30	0	26	0	0	88
BLDG 10	12	92	0	32	0	0	136
BLDG 11	6	61	6	19	0	0	92
BLDG 12	18	69	10	29	0	0	126
BLDG 13	17	70	10	26	0	0	123
BLDG 14	0	23	8	127	0	0	158
NURSING HOME						120	120
ASST'D LIVING FACILITY						115	115
TOTAL UNITS	169	506	34	334	1	255	1,299
DENSITY UNIT EQUIVALENT	0.5	0.75	1.0	1.0	1.5	0.25	
TOTAL DENSITY 85 UNITS	380	34	334	2	64	899	

B. Proposed Units

	STUDIO	1 BDRM	1 BDRM w/DEN	2 BDRM	3 BDRM	BEDS	TOTAL
BLDG 15	18	132	24	94	0	0	268
BLDG 16	30	146	24	100	0	0	300
ASST'D LIVING FACILITY						140	140
TOTAL	48	278	48	194	0	140	708
DENSITY UNIT EQUIVALENT	0.5	0.75	1.0	1.0	1.5	0.25	
TOTAL DENSITY UNITS	24	209	48	194	0	35	510

C. Total units post development

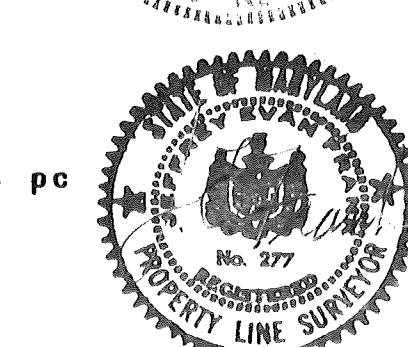
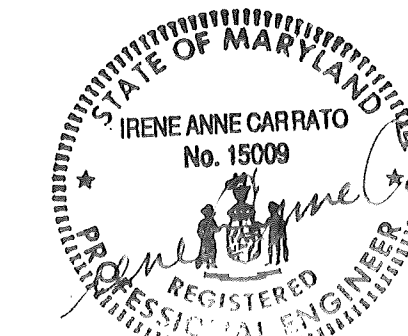
DWELLING UNITS (EXISTING & PROPOSED)	2,007
DENSITY UNITS (EXISTING & PROPOSED)	1,409

5. Parking Tabulation

Existing parking spaces	= 929
- Existing spaces lost to development	= 103
+ Proposed parking spaces	= 512
= Total parking spaces	= 1,338
Existing parking/DU ratio = 929/1299	= 0.72
Proposed parking/DU ratio = 1338/2007	= 0.67

6. Open Space Tabulation

Existing amenity open space	= 75.95 AC
Post development amenity open space	= 66.03 AC

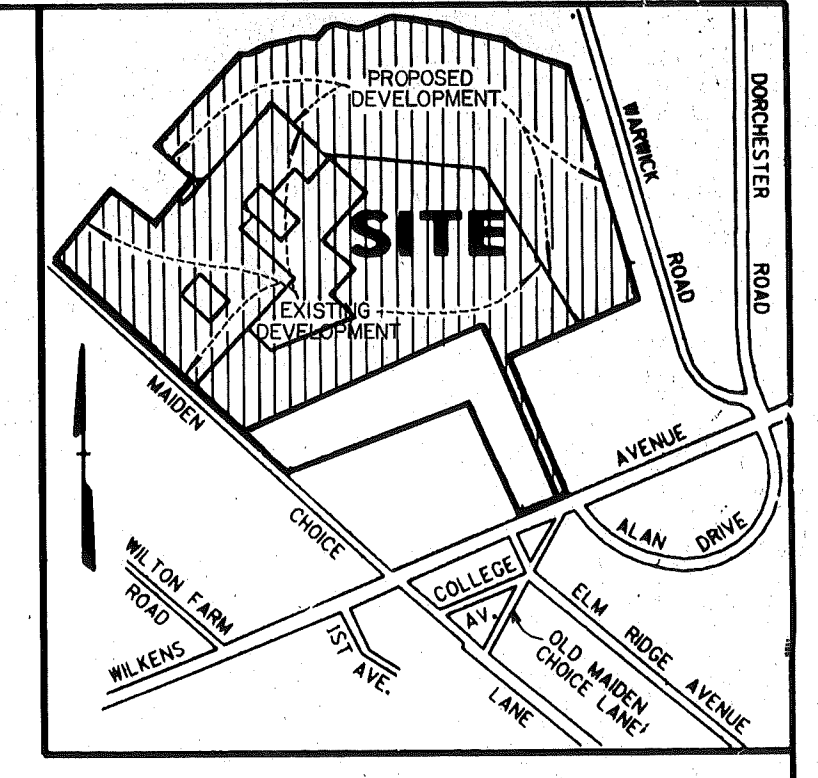
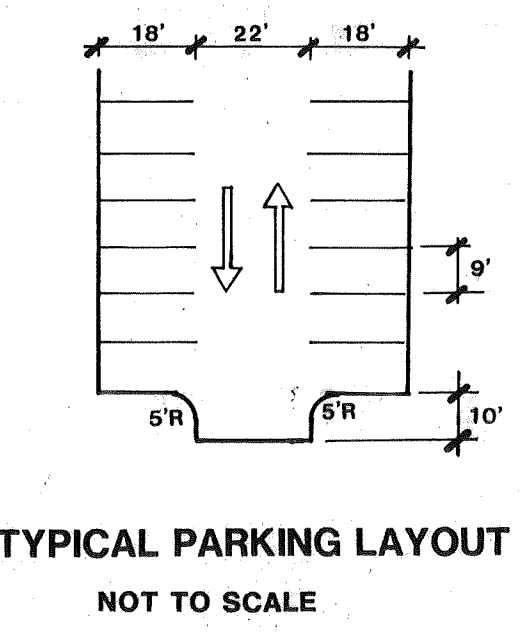
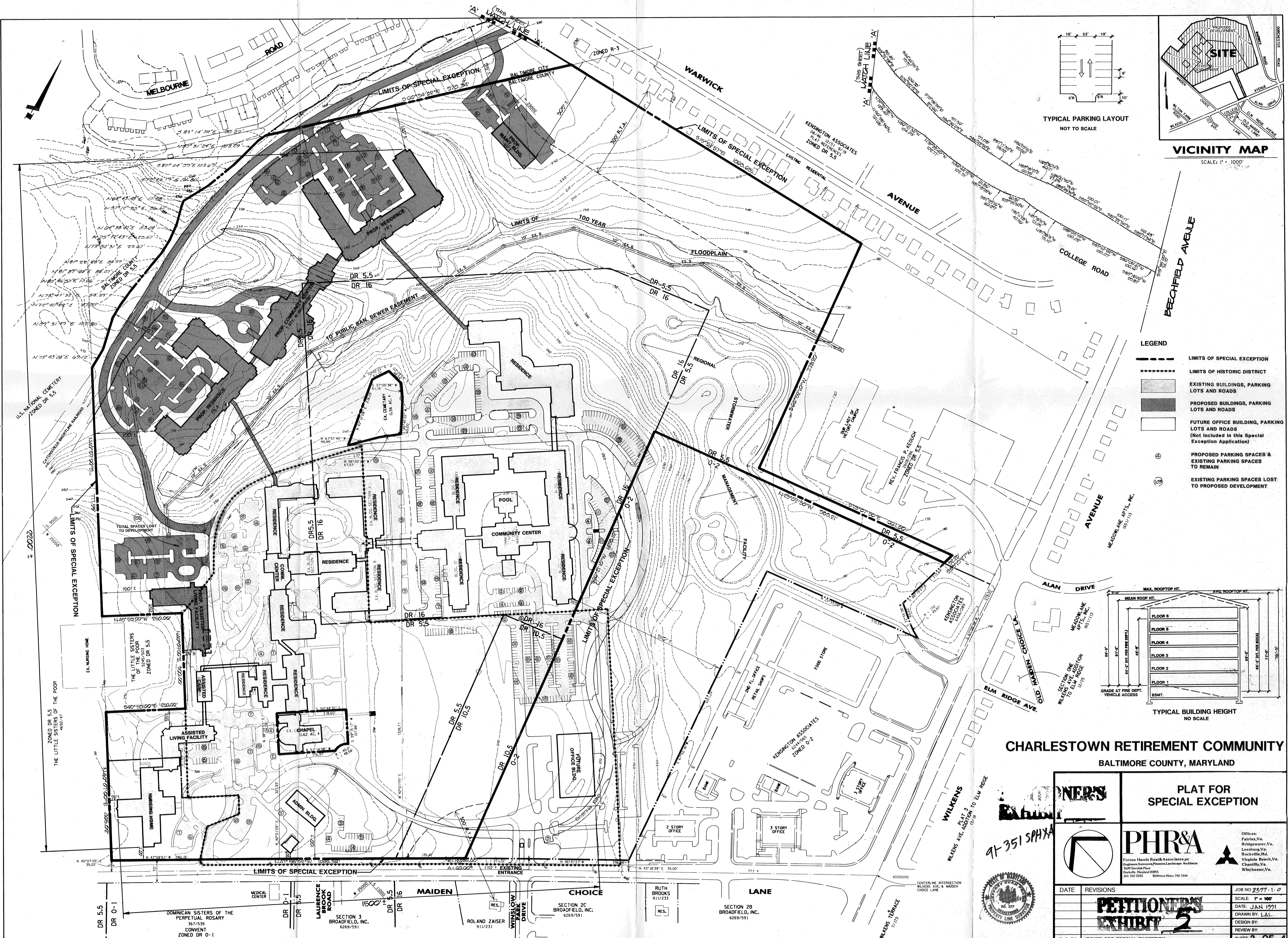


91-351-SPHXA

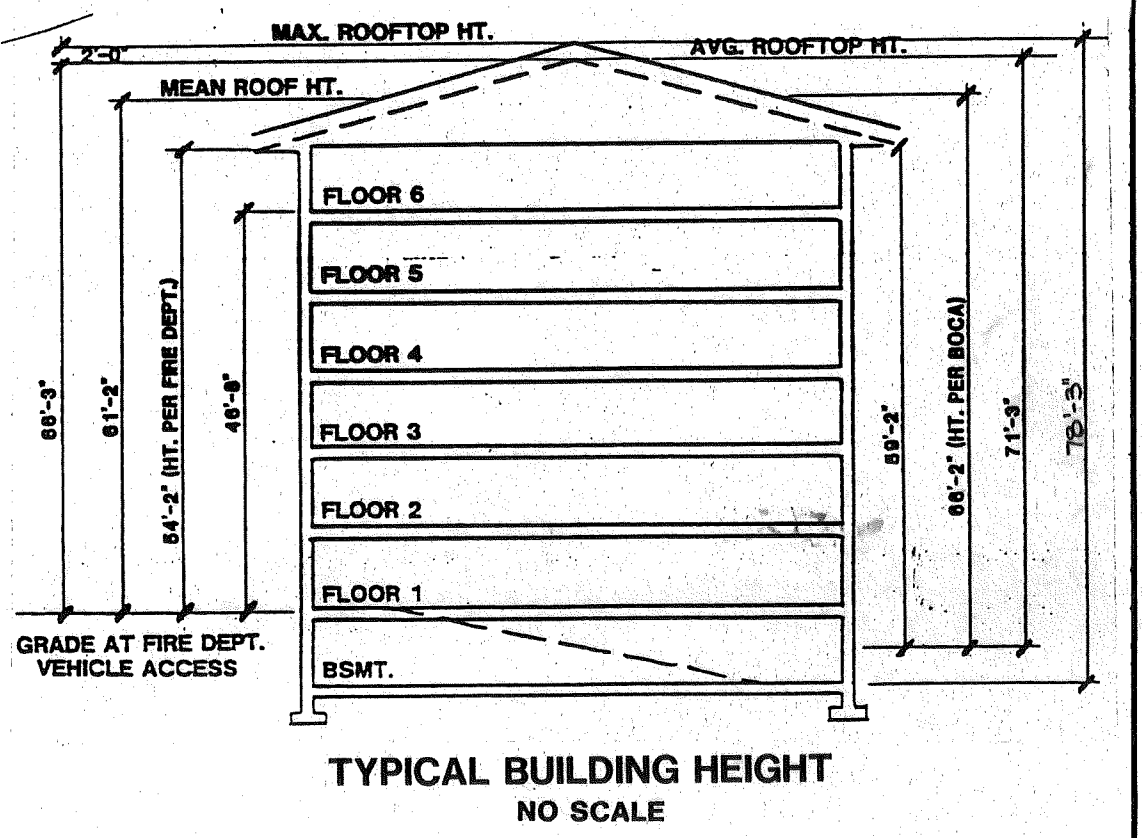
PHR&A
Patton, Harris, Rust & Associates, PC
7609 Standish Place
Rockville, Maryland 20855
301 762-2220 Baltimore 301 792-7244
Facsimile (301) 301 762-6042

#337

NO.	REVISIONS	DATE	CHKD.
	ISSUED FOR SPECIAL EXCEPTION	3-1-91	

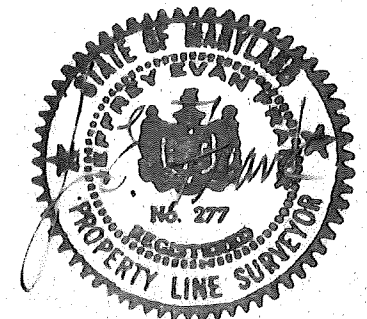


- LEGEND**
- LIMITS OF SPECIAL EXCEPTION
 - LIMITS OF HISTORIC DISTRICT
 - EXISTING BUILDINGS, PARKING LOTS AND ROADS
 - PROPOSED BUILDINGS, PARKING LOTS AND ROADS
 - FUTURE OFFICE BUILDING, PARKING LOTS AND ROADS (Not included in this Special Exception Application)
 - PROPOSED PARKING SPACES & EXISTING PARKING SPACES TO REMAIN
 - EXISTING PARKING SPACES LOST TO PROPOSED DEVELOPMENT



CHARLESTOWN RETIREMENT COMMUNITY
BALTIMORE COUNTY, MARYLAND

71-351 SPHYA



OWNER'S		PLAT FOR SPECIAL EXCEPTION	
DATE		REVISIONS	
JOB NO 2577-1-0		SCALE 1" = 100'	
DATE: JAN. 1991		DRAWN BY: LAL	
DESIGN BY:		REVIEW BY:	
3-4-91		ISSUED FOR SPECIAL EXCEPTION	
SHEET: 2 OF 4			

THE MISSIONARY SOCIETY
OF ST. PAUL THE APOSTLE
IN THE STATE OF NEW YORK

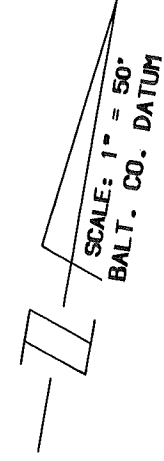
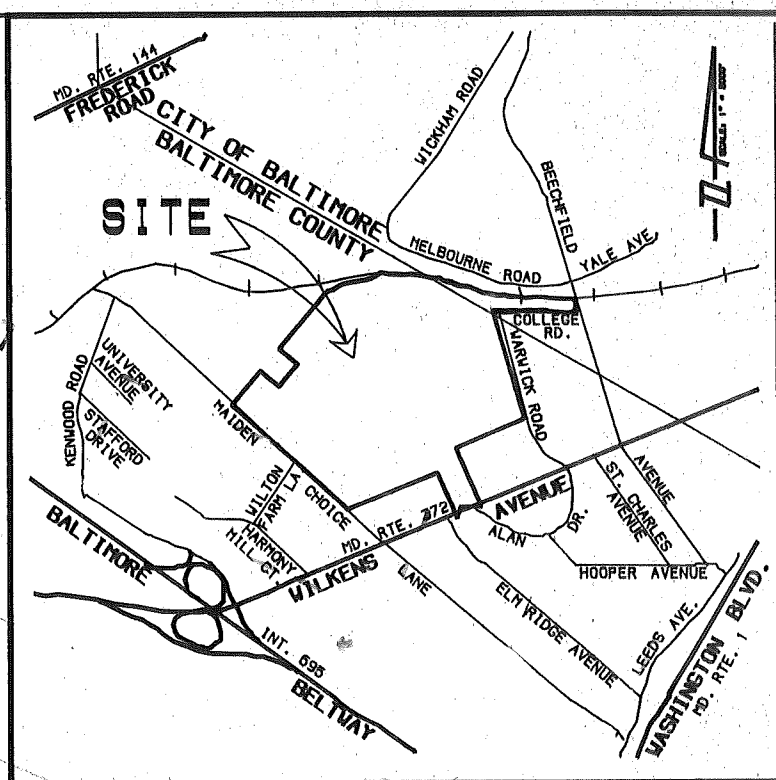
L.642 F.204
ZONED: DR 5.5

BALTIMORE COUNTY

ZONED: DR 5.5

U.S. NATIONAL CEMETERY
ZONED: DR 5.5

CITY OF BALTIMORE
BALTIMORE COUNTY



CATONSVILLE SHORTLINE
RAILROAD
ABANDONED R/W

THE LITTLE SISTERS
OF THE POOR
L.4692 F.47
ZONED: DR 5.5

THE LITTLE SISTERS
OF THE POOR
L.5245 F.503
ZONED: DR 5.5

ASSISTED LIVING FACILITY
FIRST FLOOR ELEVATION 270.0

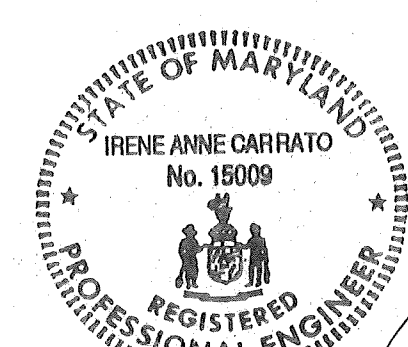
EXISTING BUILDING 3

WEST RESIDENTIAL BUILDING
FIRST FLOOR ELEVATION 254.0
TERRACE LEVEL 244.0

COMMUNITY CENTER
UPPER LEVEL ELEVATION 242.0
LOWER LEVEL ELEVATION 230.0

EAST RESIDENTIAL BUILDING
FIRST FLOOR ELEVATION 242.0
TERRACE LEVEL 232.0

BUILDING 14
(UNDER CONSTRUCTION)



91-351SPHXA

**PETITIONER'S
EXHIBIT 6**

No.	REVISIONS	DATE	CHKD.
ISSUED FOR SPECIAL EXCEPTION			
3-4-91			

OWNER/DEVELOPER:
CHARLESTOWN RETIREMENT
AND HEALTH SERVICES
CORPORATION
703 MAIDEN CHOICE LANE
BALTIMORE, MARYLAND 21228
(301) 242-2880

ARCHITECTS:
MARKS, THOMAS AND
ASSOCIATES, INC.
2300 NORTH CHARLES STREET
TOWSON, MARYLAND 21204
(301) 467-8600

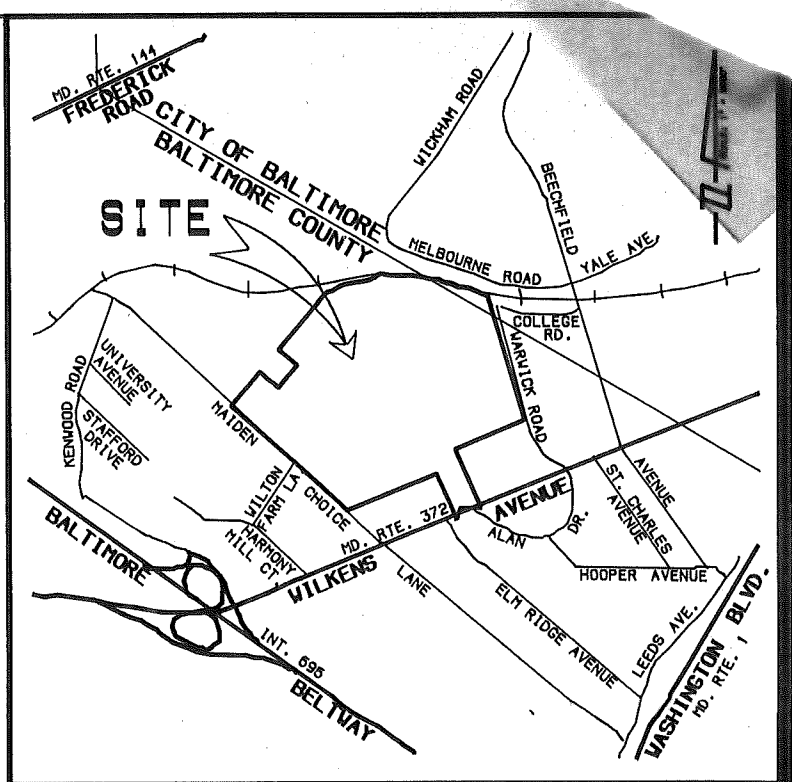
ENVIRONMENTAL CONSULTANTS:
BIOHABITATS INCORPORATED
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 337-3659

ENGINEERS:
PHR&A
Patton Harris Rust & Associates, P.C.
Engineers, Surveyors, Planners, Landscape Architects
7030 Standish Place
Rockville, Maryland 20855
301-782-2880 Baltimore Metro-792-7244

CHARLESTOWN RETIREMENT COMMUNITY
ELECTION DISTRICT 1
BALTIMORE COUNTY, MARYLAND

CONCEPT SITE LAYOUT
FOR SPECIAL EXCEPTION

SURVEY	PHR&A	DATE	JAN. 1991
DESIGN		DRAWN	BLP / CADD
CHKD.	IAC	SCALE	1" = 50' C.I. 2"
SHEET	3 OF 4	FILE NO.	2377-1-0-1



VICINITY MAP
SCALE: 1" = 2000'

PETITIONER'S EXHIBIT 7

REV. FRANCIS P. KEOUGH
91-3515 PHKA
ZONED: DR 5.5

No.	REVISIONS	DATE	CHKD.
ISSUED FOR SPECIAL EXCEPTION		3-4-91	

OWNER/DEVELOPER:
CHARLESTOWN RETIREMENT
AND HEALTH SERVICES
CORPORATION
703 MAIDEN CHOICE LANE
BALTIMORE, MARYLAND 21228
(301) 242-2880

ARCHITECTS:
MARKS, THOMAS AND
ASSOCIATES, INC.
2300 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21218
(301) 467-8600

ENVIRONMENTAL CONSULTANTS:
BIOHABITATS INCORPORATED
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 337-3659

ENGINEERS:
PHR&A
POLLAN HARRIS RUST & ASSOCIATES, P.C.
Engineers, Surveyors, Planners, Landscape Architects
7609 Steadish Place
Rehoboth, Maryland 20855
301-768-2880 Baltimore Metro-792-7244

CHARLESTOWN RETIREMENT COMMUNITY
ELECTION DISTRICT 1
BALTIMORE COUNTY, MARYLAND

**CONCEPT SITE LAYOUT
FOR SPECIAL EXCEPTION**

SURVEY	PHR&A	DATE	JAN. 1991
DESIGN		DRAWN	BLP / CADD
CHKD.	IAC	SCALE	1" = 50' C.I. 2'
SHEET	4 OF 4	FILE NO.	2377-1-0-1