

IN RE: PETITIONS FOR SPECIAL HEARING BEFORE THE SE COR. York and Aigburth Roads DEPUTY ZONING 7925 York Road COMMISSIONER OF 9th Election District BALTIMORE COUNTY 4th Councilmanic District Legal Owner: Eric A. Dott, et ux Contract Purchaser: Mr. Richard Kendall and Mr. Gunnar Plake, Petitioners CASE NO. 93-346-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein, pursuant to a Petition for Special Hearing, request a two year extension (i.e. until July 25, 1995) of the utilization period for the Special Exception granted by the Board of Appeals on July 25, 1990 in Case No. 90-145-SPHX and the previous extension granted by the Zoning Commissioner in Case No. 92-431-SPH.

The Petitioners were represented by Robert A. Hoffman, Esquire and appearing with Mr. Hoffman was Mr. Richard Kendall. There were no Protestants.

Mr. Hoffman proffered Mr. Kendall's testimony and stated that the relief granted in Case Nos. 90-145-SPHX permits the construction of an 80-bed assisted living facility at the southeast corner of York and Aigburth Roads. Mr. Hoffman further noted that last year the Petitioners had been granted a one year extension until July 25, 1993 in Case No. 92-431-SPH.

The Baltimore County Zoning Regulations at § 502.3 state that a Special Exception must be utilized within two years from the date of the Final Order. That same section further permits the Zoning Commissioner to grant one or more extensions of the Special Exception, provided that a maximum time for utilization of the

Special Exception is not extended for a period of more than five years from the date of the Final Order.

Mr. Hoffman further proffered that Mr. Kendall and Mr. Plake have not yet completed the financing to begin the construction of the assisted living facility which could result in a delay in utilization of the Special Exception beyond July 25, 1993 (or three years from the date of the Board's Order). Mr. Hoffman stated Petitioner's Exhibit 1, the site plan for the proposed assisted living facility, contains no changes (except for the title block and print date) in comparison to the plans entered in Case Nos. 90-145-SPHX and 92-431-SPH.

Upon consideration of the testimony and evidence presented, and pursuant to the advertisement, posting of the property and public hearing on the petition held, and for the reasons given above, the relief should be granted.

THEREFORE IT IS ORDERED, by the Zoning Commissioner of Baltimore County this 4th day of June, 1993, that the Petition for Special Hearing to permit an extension for utilization of the Special Exception for a period of two years to July 25th, 1995 is hereby granted.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner for Baltimore County

ORDER RECEIVED FOR FILING
Date 6/16/93
By [Signature]
PET0051.GPW

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

June 4, 1993

(410) 887-4386

G. Paige Wingert, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING
SE/Corner York and Aigburth Roads
(7925 York Road)
9th Election District - 4th Councilmanic District
Eric A. Dott, et ux - Petitioners
Case No. 93-346-SPH

Dear Mr. Wingert:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has 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 the Zoning Administration and Development Management Office at 887-3391.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: People's Counsel

[Signature]

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th Date of Posting 7/10
Posted for: Special Hearing
Petitioner: A. Eric Dott + Esther Dott
Location of property: (7925) York Rd. 7th + 1/2 Aigburth Rd
Location of Signs: Living Room, on 1/2 way to 7925 York Rd.
Remarks: [Signature]
Posted by: [Signature] Date of return: 7/10
Number of Signs: 1

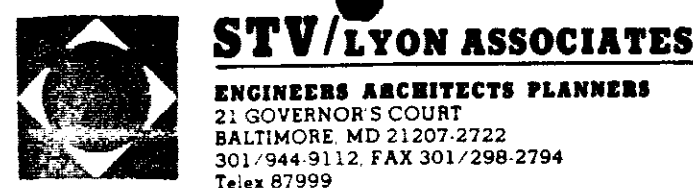
CERTIFICATE OF PUBLICATION

TOWSON, MD. 4/22, 1993
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 4/22, 1993

THE JEFFERSONIAN,

S. Zefe Orlow
Publisher

Approved by
JENNIFER SCHWARTZ
Zoning Commissioner
The Zoning Commissioner of Baltimore County, by authority of the Board of Appeals, has approved the Special Exception for the property described herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:
Case #93-346-SPH
Site: 7925 York Road (9th Election District)
875 York Road and 9th Election District
9th Election District
9th Councilmanic District
Legal Owners: Eric A. Dott and Esther Jackson Dott
Contract Purchaser(s): Richard Kendall and Gunnar Plake
Hearing: Monday, May 11, 1993 at 11:30 a.m. in Room 118, Old Courthouse
Special Hearing to approve an extension of the special exception #93-346-SPH and #92-431-SPH for a period of two years to July 25, 1995.
LAWRENCE E. SCHWARTZ
Zoning Commissioner of Baltimore County
NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE. FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3383, 407 April 22.



93-346-SPH

DESCRIPTION OF PROPERTY FOR THE VICTORIA CORPORATION
SOUTHEAST CORNER OF YORK & AIGBURTH ROADS
ELECTION DISTRICT NO. 9
BALTIMORE COUNTY, MARYLAND.

BEGINNING FOR THE SAME at that point formed by the intersection of the southerly right-of-way line of Aigburth Road (also known as Aigburth Avenue), (50 feet wide), and the easterly right-of-way line of York Road, Maryland Route No. 45, (66 feet wide), said point being at the beginning of the first line of that same parcel of land as described in a conveyance from Katharine K. Berry and C. Arthur Berry, unto A. Eric Dott and Esther Jackson Dott, by a deed dated October 30, 1952 and recorded among the Land Records of Baltimore County, Maryland in Liber G.L.B. No. 2198, folio 307, etc., thence running with and binding on said first line along the easterly right-of-way line of York Road, as now described, with all bearings herein being based on surveys by others, referred to the Baltimore County Metropolitan District Grid Meridian, viz:

- South 12°24'49" West 239.69 feet to a point at the beginning of the second line of the aforesaid conveyance, thence running with and binding on a portion of said second line, as follows;
- South 79°24'03" East 288.84 feet to a point located at the beginning of the fourth or N 16° E 240 feet line of that same parcel of land as described in a conveyance from Sarah K. King, unto S. Clayton Seitz and May A. Seitz, by a deed dated May 13, 1928 and recorded among said Land Records in Liber C.W.B., Jr. No. 1031, folio 324, thence running with and binding on said fourth line, as follows;
- North 10°42'48" East 239.57 feet to a point along the southerly right-of-way line of the aforesaid Aigburth Road, thence along same,
- North 79°24'03" West 281.75 feet to the point of beginning.

CONTAINING 68,345 square feet or 1.5690 acres of land, more or less. The improvements thereon being known and designated as No. 7925 York Road.

BEING the remaining portion of that same parcel of land as described in a conveyance from Katharine K. Berry and C. Arthur Berry, unto A. Eric Dott and Esther Jackson Dott, by a deed dated October 30, 1952 and recorded among the Land Records of Baltimore County, Maryland in Liber G.L.B. No. 2198, folio 307, etc.

SAVING and EXCEPTING herefrom, however, a Highway Widening Area for York Road, more particularly described as follows:

BEGINNING FOR THE SAME at the beginning of the first line of the herein-described parcel, thence running with and binding on said first line,

7EO 4/1/93
ITEM # 356

STV/LYON ASSOCIATES.

93-346-SPH

- South 12°24'49" West 239.69 feet to a point, thence along a portion of the hereindescribed second line,
- South 79°24'03" East 7.00 feet to a point, thence for the new easterly right-of-way line of York Road (80 feet wide), the following course and distance,
- North 12°24'49" East 229.69 feet to a point, thence along a site file-t,
- North 56°30'23" East 14.36 feet to a point to intersect the fourth line of the hereindescribed parcel, along the southerly right-of-way line of Aigburth Road, thence along same with a portion of said fourth line,
- North 79°24'03" West 17.00 feet to the point of beginning.

CONTAINING 1,727.8 square feet or 0.0397 acre of land, more or less.
SUBJECT TO: a Stormwater Management Easement Area along York Road, and a Drainage and Utility Easement Area along Aigburth Road, as required by the Baltimore County Department of Public Works, Bureau of Land Acquisition, intended to be recorded among the Land Records of Baltimore County, Maryland subsequent hereto.

NOTE: This description was prepared by utilizing existing record documents and was not derived by benefit of a field survey by STV/Lyon Associates.

Mark A. Riddle
STV/LYON ASSOCIATES
Mark A. Riddle
MD Professional Land Surveyor No. 10899

August 9, 1991
Updated: March 30, 1993



7EO 4/1/93
ITEM # 356

Petition for Special Hearing
93-346-SPH
to the Zoning Commissioner of Baltimore County

for the property located at 7925 York Road
Towson, Maryland 21204
which is presently zoned R-18-16

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owners of the property located 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 502.3 of the Zoning Regulations of Baltimore County to determine whether or not the Zoning Commissioner should approve an extension for utilization of the Special Exception granted in Case Nos. 90-145-SPHX and 92-431-SPH for a period of two years to July 25, 1995.

Section 502.3

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we, agree to pay expenses of 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.

Richard Kendall
[Signature]
1255 23rd Street, N.W.
Washington, D.C. 20037
202-857-2873
Gunnar Plake
[Signature]
27638 Villa Road
Easton, Md. 21601
410-820-7610

Attorney for Petitioner:
Robert A. Hoffman
(Type or Print Name)
[Signature]
210 Allegheny Avenue
Towson, Maryland 21204
494-6200

ORDER RECEIVED FOR FILING
Date 4/16/93
By [Signature]
ITEM # 356

receipt
Baltimore County
Zoning Administration & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Account R-001-6150

Date 4/16/93 Item Number 356
A. ERIC DOTT
601 E. SEMINARY AVE
TOWSON, MARYLAND, 21204
TRASH BY JEO
010 SPECIAL HEARING... \$250.00
020 SIGN POSTING... 35.00
TOTAL \$285.00

03403M0210M1CHRC \$285.00
BA COLL1134M04/06/93
Please Make Checks Payable To: Baltimore County

Cashier Validation

111 West Chesapeake Avenue
Towson, MD 21204

93-346-SPH (410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS AND PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighborhood property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Case No.: _____ Item No.: 356

Petitioner: A. ERIC DOTT

LOCATION: ELS YORK RD & S/S ALG BIRTH RD.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: ROBERT A. HOFFMAN

ADDRESS: 210 ALLEGHENY AVE

TOWSON, MD. 21204

PHONE NUMBER: 44-6200

AJ:sgs
(Revised 3/29/93)

200 4/6/93
ITEM # 356

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

APRIL 16, 1993

NOTICE OF HEARING

The Zoning Commission 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, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-346-SPH (Item 356)
7925 York Road (Victoria Corporation)
S/S York Road and S/S Algbirth Road
9th Election District - 4th Councilmanic
Legal Owner(s): A. Eric Dott and Esther Jackson Dott
Contract Purchaser(s): Richard Smell and Susan Place
HEARING: WEDNESDAY, MAY 24, 1993 at 11:30 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve an extension of the special exception granted in case #90-145-SPH and #92-411-SPH for a period of two years to July 25, 1995.

Arnold Jablon
Director

Arnold Jablon
Director

cc: A. Eric Dott and Esther Jackson Dott
Richard Smell
Susan Place
Robert A. Hoffman, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Printed on Recycled Paper

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

May 20, 1993

Robert A. Hoffman, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Case No. 93-346-SPH, Item No. 356
Petitioner: A. Eric Dott, et ux
Petition for Special Hearing

Dear Mr. Hoffman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 April 6, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Printed on Recycled Paper



4-15-93

HELQUE KEHRING
Ms. Julia Winiarski
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 7356 (LEO)

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is 410-333-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5082 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

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

May 5, 1993

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item #356
Dott Property, 7925 York Road
Zoning Advisory Committee Meeting of April 19, 1993

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item.

1. Baltimore County's Forest Conservation Regulations will apply.

JLP:jbm

DOTT/TXTRMP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: April 16, 1993

FROM: Jerry L. Pfeifer, Captain
Fire Department

SUBJECT: Zoning Petitions

- #352B No comments
- #353 No comments
- #354 No comments
- #355 No comments
- #356 Building shall comply with the applicable provisions of the Life Safety Code and the Baltimore County Fire Prevention Code.
- #357 No comments
- #358 No comments
- #359 No comments
- #360 Building shall comply with the applicable provisions of the Life Safety Code and the Baltimore County Fire Prevention Code.

JLP/dal
cc: File

RECEIVED
APR 20 1993

ZADM

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: May 18, 1993

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

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

- Item No. 356, 7925 York Road 43-346-574
- Item No. 372, 8506 Marblehead
- Item No. 389, 7034 Sollers Point Road
- Item No. 390, 1715 Bond Road

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 887-3480.

Prepared by: Jeffrey M. Long

Division Chief: Campbell Keem

PK/JL:lw

RECEIVED
MAY 26 1993
ZONING COMMISSIONER

356.ZAC/ZAC1

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

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

October 5, 1993

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

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

Dear Mr. Lewis,

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

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

Special
Letter



Respectfully,
[Signature]

Richard J. Kendall
President

Councilmember John Mr. Lisa Kemp contacted Towson
Mayor Association on October 18, 1993. They have
no objection regarding this 11' drop drive relocation.
Therefore, the revised plan shall be approved by this
office for zoning file inclusion on October 18, 1993. This
plan is within the spirit and intent of the prior approved plans.
No further public hearing will be required for the revision.

[Signature]
John D. Lewis, Planner II

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

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME
Rob Hoffman

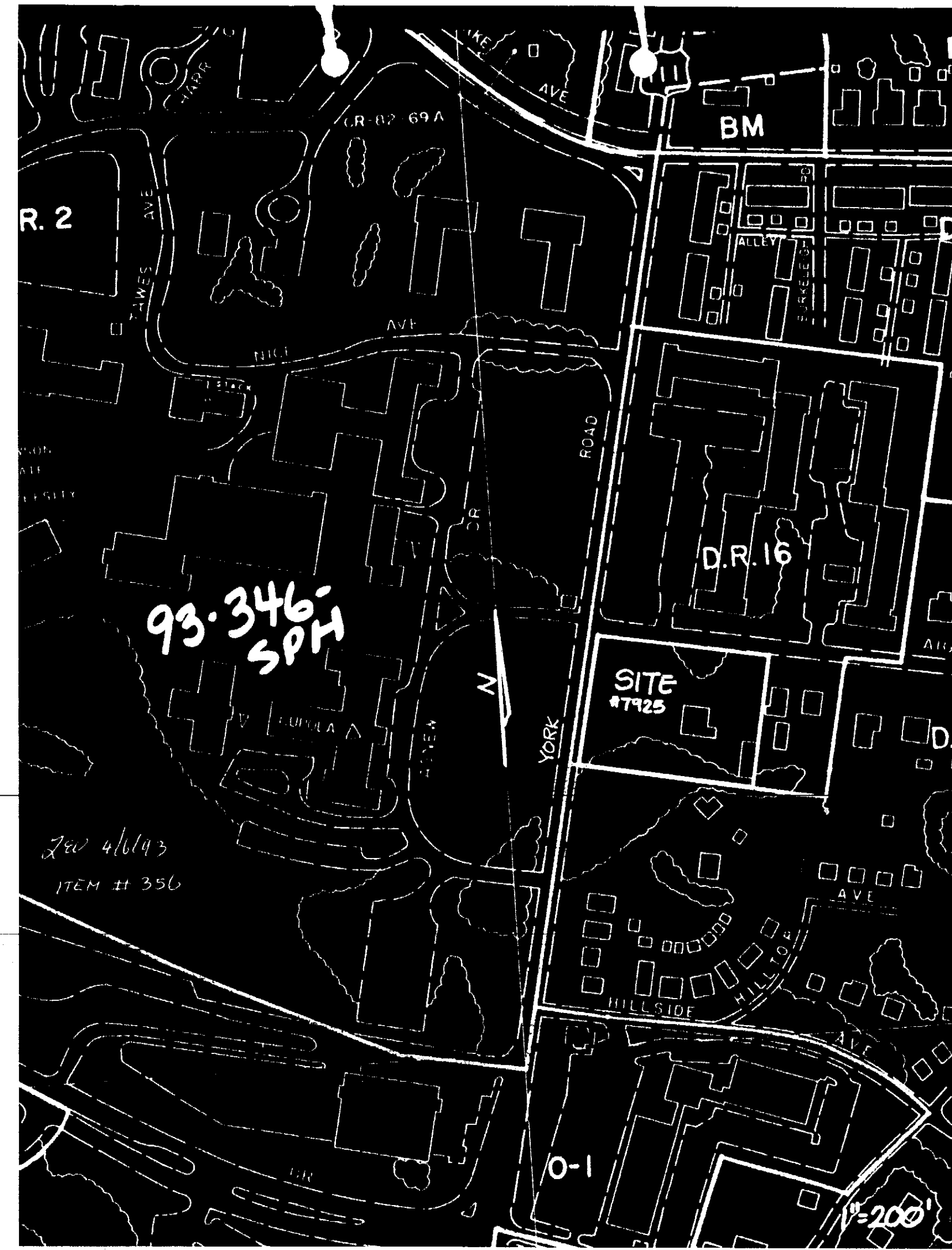
ADDRESS
216 Allegany Ave 21204

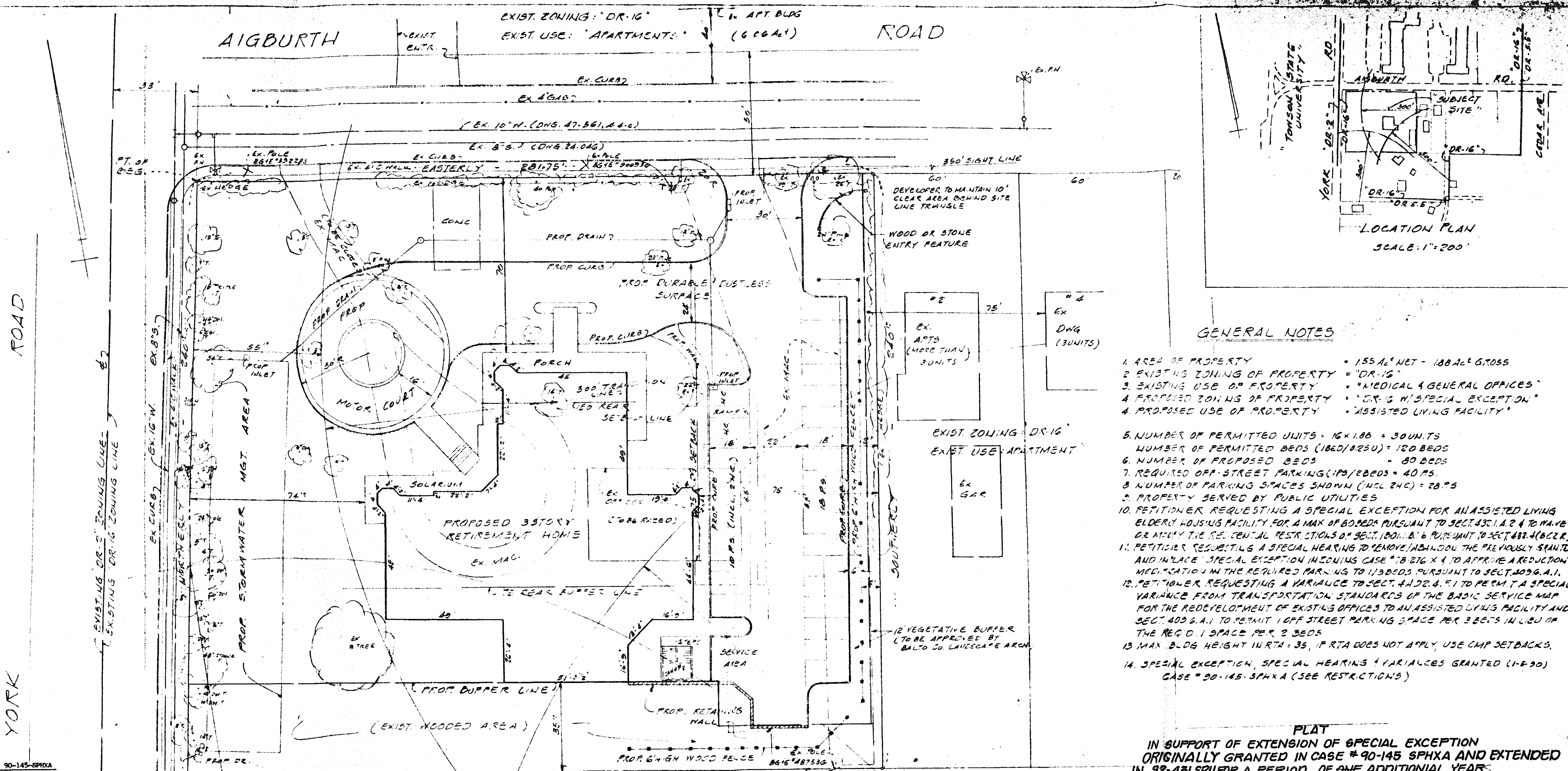
DICK KENDALL

*1255 23rd St N.W. Suite 750
Washington DC 20037*

Joseph S. Lewis

*1411 1st St
Towson MD 21286*





- GENERAL NOTES**
1. AREA OF PROPERTY = 155 AC NET - 188 AC GROSS
 2. EXISTING ZONING OF PROPERTY = "DR-16"
 3. EXISTING USE OF PROPERTY = "MEDICAL & GENERAL OFFICES"
 4. PROPOSED ZONING OF PROPERTY = "DR-16 W/ SPECIAL EXCEPTION"
 5. PROPOSED USE OF PROPERTY = "ASSISTED LIVING FACILITY"
 5. NUMBER OF PERMITTED UNITS = 16 x 188 = 30 UNITS
 - NUMBER OF PERMITTED BEDS (1800/2850) = 120 BEDS
 6. NUMBER OF PROPOSED BEDS = 80 BEDS
 7. REQUIRED OFF-STREET PARKING (175/2800) = 40 P.S.
 8. NUMBER OF PARKING SPACES SHOWN (INCL 2HC) = 28 P.S.
 9. PROPERTY SERVED BY PUBLIC UTILITIES
 10. PETITIONER REQUESTING A SPECIAL EXCEPTION FOR AN ASSISTED LIVING ELDERLY HOUSING FACILITY FOR A MAX OF 80 BEDS PURSUANT TO SECT. 433.1 A 2 & TO WAIVE OR MODIFY THE RESTRICTIONS OF SECT. 180.1 A 6 PURSUANT TO SECT. 433.4 (B) (2).
 11. PETITIONER REQUESTING A SPECIAL HEARING TO REMOVE/ABANDON THE PREVIOUSLY GRANTED AND IN PLACE SPECIAL EXCEPTION IN CASE # 78-276 X 4 TO APPROVE A REDUCTION/MODIFICATION IN THE REQUIRED PARKING TO 175 BEDS PURSUANT TO SECT. 409.6 A.1.
 12. PETITIONER REQUESTING A VARIANCE TO SECT. 412.2 A. 1 TO PERMIT A SPECIAL VARIANCE FROM TRANSPORTATION STANDARDS OF THE BASIC SERVICE MAP FOR THE REDEVELOPMENT OF EXISTING OFFICES TO AN ASSISTED LIVING FACILITY AND SECT. 409.6 A.1 TO PERMIT 1 OFF STREET PARKING SPACE PER 3 BEDS IN LIEU OF THE REQ. 1 SPACE PER 2 BEDS
 13. MAX BLDG HEIGHT IN RTA = 35', IF RTA DOES NOT APPLY, USE CMP SETBACKS.
 14. SPECIAL EXCEPTION, SPECIAL HEARING & VARIANCES GRANTED (1-1-90) CASE # 90-145-SPHX (SEE RESTRICTIONS)

PLAT
 IN SUPPORT OF EXTENSION OF SPECIAL EXCEPTION
 ORIGINALLY GRANTED IN CASE # 90-145 SPHX AND EXTENDED
 IN 92-431 SPHX FOR A PERIOD OF ONE ADDITIONAL YEAR

**SPECIAL EXCEPTION,
 SPECIAL HEARING AND VARIANCES**

"7925 YORK ROAD"
 SE CORNER YORK & AIGBURTH RDS.

BALTIMORE CO, MD.
 JULY 10, 1989
 OCT. 17, 1989
 REV. JUNE 19, 1990
 REV. PLAN PER APPEAL BOARD ORDER

EXTENSION GRANTED _____ DATE _____

PAUL LEE ENGINEERING, INC.
 304 W. PENNSYLVANIA AVE
 TOWSON, MARYLAND 21284

PRINTED
 MARCH 5, 1993
 STVLYON ASSOC.
 350 ALLEN
 1124 # 354
 8562

- RESTRICTIONS: CRA-89-106 & 90-145-SPHX**
1. The Petitioners may apply for their building permit and be granted same upon receipt of this Consent Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Consent Order has expired. If, for whatever reason, this Consent Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
 2. The chiller or condensers proposed to be installed by the Petitioners shall be located on the roof of the building, as noted on Exhibit 3.
 3. The Petitioners shall erect a six (6) foot high wooden privacy fence behind the retaining wall shown on Exhibit 3. Said privacy fence shall run the entire length of the retaining wall from the proposed building to the vegetative buffer along the southeast side of the property line.
 4. The Petitioners shall construct a six (6) foot high wooden privacy fence six (6) feet inside the easterly boundary line to run the length of the parking spaces shown on Exhibit 3.
 5. The Petitioners shall provide landscaping as shown on Exhibit 3, including but not limited to a twelve (12) foot vegetative buffer along the eastern boundary line of the subject site.
 6. The entranceway to and driveways on the subject property, as redeveloped, shall be in the location and configuration shown on Exhibit 3.
 7. The building location, footprint, and dimensions shall be shown on Exhibit 3.
 8. The stormwater management facility for the site shall consist of an underground structure.
 9. Victoria Corporation shall collect trash and garbage in a space designed for this purpose inside the building to be constructed on the subject property, rather than using an outside dumpster.
 10. Residents of the proposed Victoria House shall be prohibited from parking personal use automobiles on the subject site.
 11. The assisted living facility approved herein shall contain no more than eighty(80) beds.

PROVISIONS FOR SPECIAL HEARING
 BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY
 199 York Road
 4th Floor
 Baltimore, MD 21202
 CASE NO. 93-346-SPH

HEARING NOTICE AND COMMUNICATIONS
 The Petitioners herein, pursuant to a Petition for Special Hearing, request a one year extension of the utilization period for the Special Exception granted by the Board of Appeals on July 25, 1990 in Case No. 92-145-SPHX (A.M.), July 25, 1993.

The Petitioners were represented by Robert A. Hoffman, Esquire and appearing with Mr. Hoffman was Mr. Richard Kendall, President of Victoria Corporation. There were no Prothonotaries.

Mr. Hoffman proffered Mr. Kendall's testimony and stated that the relief granted in Case No. 92-145-SPHX permits the construction of an 80-bed assisted living facility at the southeast corner of York and Aigburth roads.

The Baltimore County Zoning Regulations at Section 502.3 state that a Special Exception must be utilized within two years from the date of the Final Order. That said, section further grants the Zoning Commissioner the right to grant extensions of the Special Exception, provided that a maximum time for utilization of the Special Exception is not extended for a period of more than five years from the date of the Final Order.

Mr. Hoffman further proffered that Victoria Corporation was in the final stages of preparing financing to begin the construction of the assisted living facility when it received a delay in utilization of the Special Exception beyond July 25, 1992 for two years from the date of the Board's Order. Mr. Hoffman stated

EXIST. ZONING: "DR-16"
 EXIST. USE: "NEWMAN CENTER"
 (FOR RELIGIOUS SERVICES)
 (1.86 AC.)

93-346-SPH

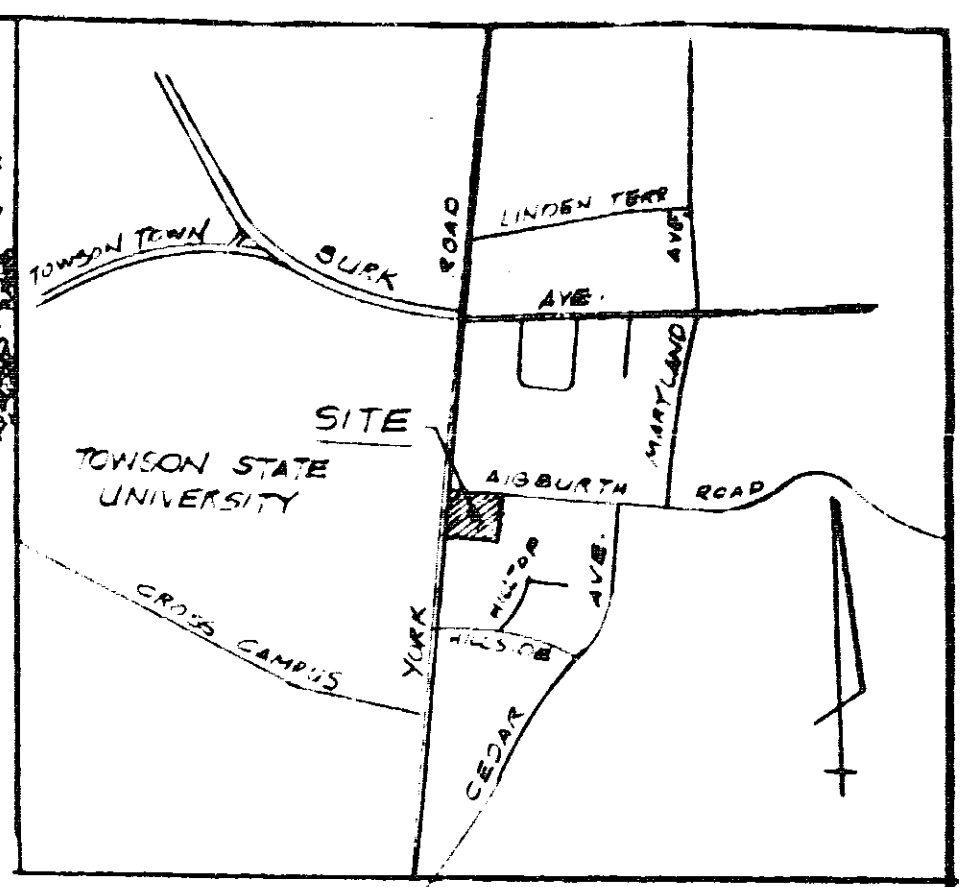
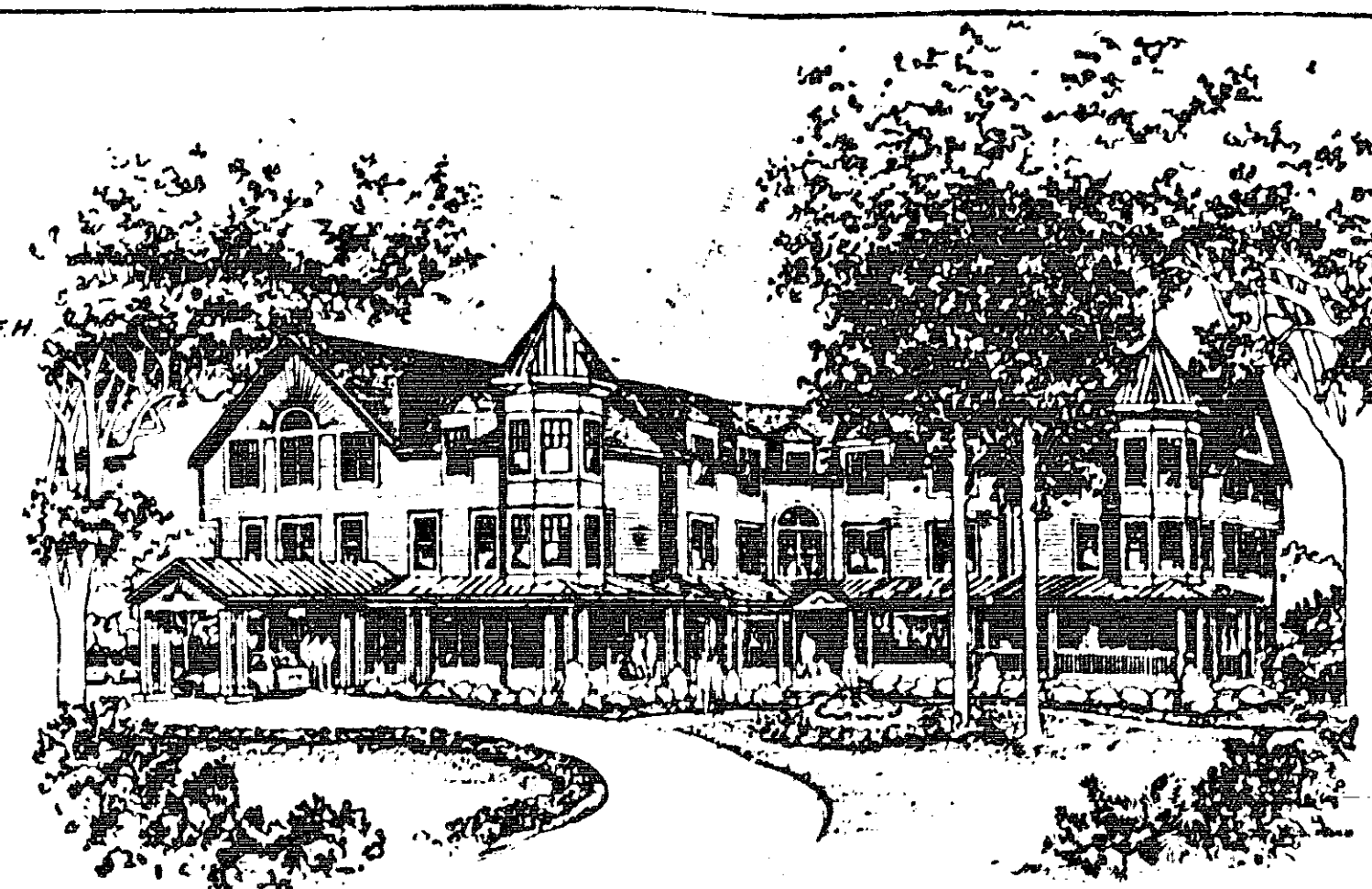


STV GROUP
 ENGINEERS - ARCHITECTS - PLANNERS
 21 GOVERNORS COURT
 BALTIMORE, MARYLAND 21207-2722
 (410) 944-9112 - FAX (410) 298-2794

EX. BLDG.
 NOT RESIDENTIAL USE

NOT RESIDENTIAL USE
 EX. BLDG

NOT RESIDENTIAL USE
 EX. BLDG.



VICINITY MAP
SCALE: 1"=1000'

Victoria House

GENERAL NOTE:

1. DEVELOPMENT NAME: VICTORIA HOUSE OF TOWSON
2. APPLICANT: VICTORIA CORPORATION
400 W. PENNSYLVANIA AVE.
TOWSON, MD. 21204
TEL. 301-882-7200
3. ENGINEER: PAUL LEE ENGINEERING, INC.
304 W. PENNSYLVANIA AVE.
TOWSON, MD. 21204, TEL. 301-821-5941
4. SCALE: AS SHOWN
5. DATE: 8-1-89
6. ELECTION DIST. 9
7. COUNCILMANIC DIST. 4
8. CENSUS TRACT = 4908
9. WATERSHED = 23 SUBWATERSHED = 97
10. COORDINATES: AS SHOWN
11. SITE ACREAGE: NET AREA = 1.55 AC. (1/2 ROAD R/W)
GROSS AREA = 1.88 AC.
12. COMMON OPEN SPACE: REQD. OPEN SPACE = 20 UNITS @ 650²/UNIT = 13,000² = 0.30 AC.
PROP. " " = WAIVER REQUESTED
13. PARKING: REQUIRED PARKING (1RS/2BEDS) = 40 P.S.
PARKING SHOWN (CINC 2HC) = 28 P.S. (VARIANCE REQUESTED)
14. DENSITY: 1.88 @ 16 UNITS/AC. = 30.00 UNITS
ASSISTED LIVING UNITS: 30.00 @ 4 BEDS/UNIT = 120 BEDS
PROPOSED: ASSISTED LIVING UNITS = 80 BEDS
UNITS ARE FOR RENT
15. LANDSCAPE: PER LANDSCAPE MANUAL - STREET 522' @ 1/4" PARKING 1/2" @ 3/17"
16. FLOOR AREA RATIO: N/A
17. BEARINGS & DISTANCE: AS SHOWN
18. PROPOSED EXISTING WELL: N/A
19. SEPTIC: N/A
20. SEWER & WATER LINES W/ REF DWG. NO. 45 SHOWN
21. FIRE HYDRANT: AS SHOWN
22. SOIL TYPE: SLIGHT MODERATE B

23. TRANSITION: SPECIAL EXCEPTION REQUESTED
24. EXIST. USES: GENERAL & MEDICAL OFFICES
PROPOSED USE: ASSISTED LIVING FACILITY
25. HEIGHT & ELEV. OF PROP. BLDGS.: AS SHOWN
26. BLDGS. SETBACK & DIST. BET. BLDGS.: VARIANCE
27. BUFFER & SCREENING AREAS: VARIANCE
28. EX. & PROP. LIGHTING: 1
29. OWNER: A. ERIC & ESTHER J. DOTT
601 E. SEMINARY AVE.
TOWSON, MD. 21204
DEED REF. 2198-307
PROPERTY NO. 09-04-500930
30. OWNERSHIP OF ADJACENT PROPERTIES: AS SHOWN
31. PROP. LOT & BLDGS. LAYOUT: AS SHOWN
32. COMMON OPEN SPACE: WAIVER REQUESTED
33. PROP. PARKING LAYOUT: AS SHOWN
34. STREET PAVING & RIGHT-OF-WAY: AS SHOWN
35. PANHANDLE DRIVEWAYS: N/A
36. ESTIMATED AVERAGE DAILY TRIP (ADT) = 130
37. HANDICAPPED PARKING: AS SHOWN
38. EASEMENTS: AS SHOWN
39. EX. & PROP. STORM DRAINS: AS SHOWN
40. EX. & PROP. UTILITY SYSTEM: AS SHOWN
41. S.W.M. AREA: WAIVER REQUESTED
42. WETLANDS: N/A
43. CRITICAL AREAS: N/A
44. ARCHEOLOGICAL SITES: N/A
45. ENDANGERED SPECIES HABITAT: N/A
46. HAZARDOUS MATERIALS SITE: N/A

AREA	TYPE	BLDG.	PARKING	CLASS
160	G1B	SLIGHT	MODERATE	B

- NOTES:
1. SIGNS AS PERMITTED IN SEC. 413 OF THE ZONING REGULATIONS.
 2. SIGN AREA: 25' TO BE APPLIED FOR AS A LATE DATE.
 3. SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY. SPECIAL HEARING FOR SIGNING. SEE USE AND SPECIAL LARACE FROM THE TRANSITION STANDARDS OF THE BASIC SERVICES MAPS APPLIED.
 4. ALL TRUCKING AND MANEUVERING AREAS ARE TO BE MACADAM PAVING AND PERMANENTLY STRIPPED PER SECTION 409 (B.C.Z.2)
 5. THIS ASSISTED LIVING FACILITY IS A CLASS B FACILITY AS DEFINED IN SECTION 10 (B.C.Z.2) AND WILL MEET THE FIRE PROTECTION ASSOCIATION LIFE SAFETY CODE 1985 EDITION, CHAPTER 21.
 6. ALL OFF-SITE DWELLINGS AND SMALL LOTS OF RECORD (LESS THAN 1/2 ACRES) THAT CREATE A R.T.A. ON-SITE ARE SHOWN WITH THE REQUIRED 300 FEET AND 250 FEET ACRES.
 7. DUMPSTER ROOM TO BE IN BASEMENT, TO BE PARKED UP AS REQD.
 8. NO WELLS, SEPTIC SYSTEMS OR UNDERGROUND TANKS EXIST ON SITE.

16. EX. TOPOGRAPHY: AS SHOWN
17. PROP. GRADING: AS SHOWN
18. EX. WOODED AREA & VEGETATION: AS SHOWN
19. LOCATION & PROP. PLANTING: SEE LANDSCAPE
20. EX. STREAM: N/A
21. FLOOD PLAINS: N/A
22. EX. BLDGS. & PROP. STATUS ON THE SITE: AS SHOWN
23. HISTORIC BLDGS.: N/A
24. EX. BLDGS. ADJACENT TO THE SITE: AS SHOWN
25. CURRENT ZONING OF SITE DR-16

PALTIMORE COUNTY, MD. JUN 27 1990

STAFF DEVELOPMENT AND VARIANCE ORDER (7-5-90)

This Plan Was Reviewed By The CRG On 12-13-89 With The Following Action Taken

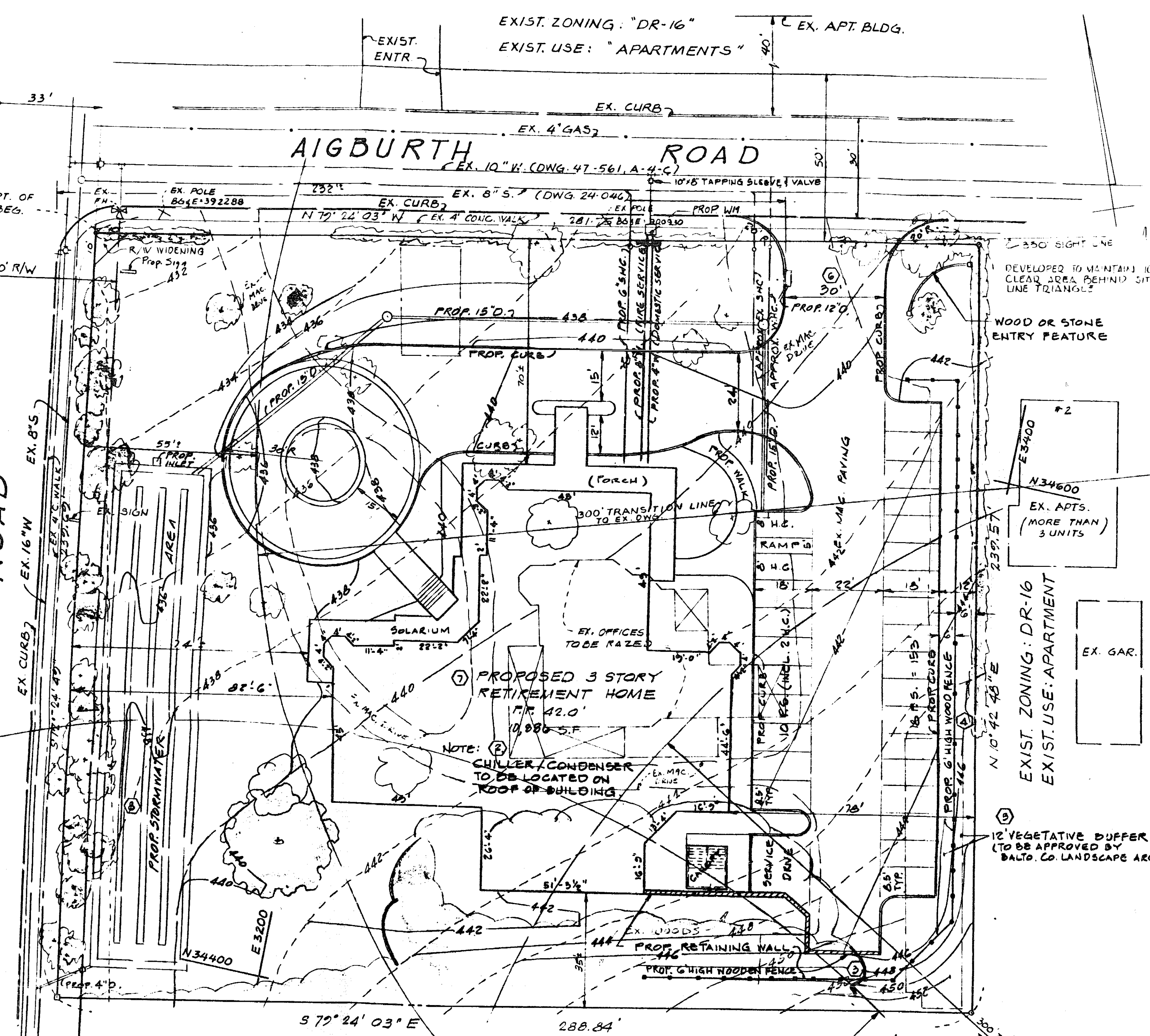
Revised PLAN APPROVED

Plan Approved By: [Signature]

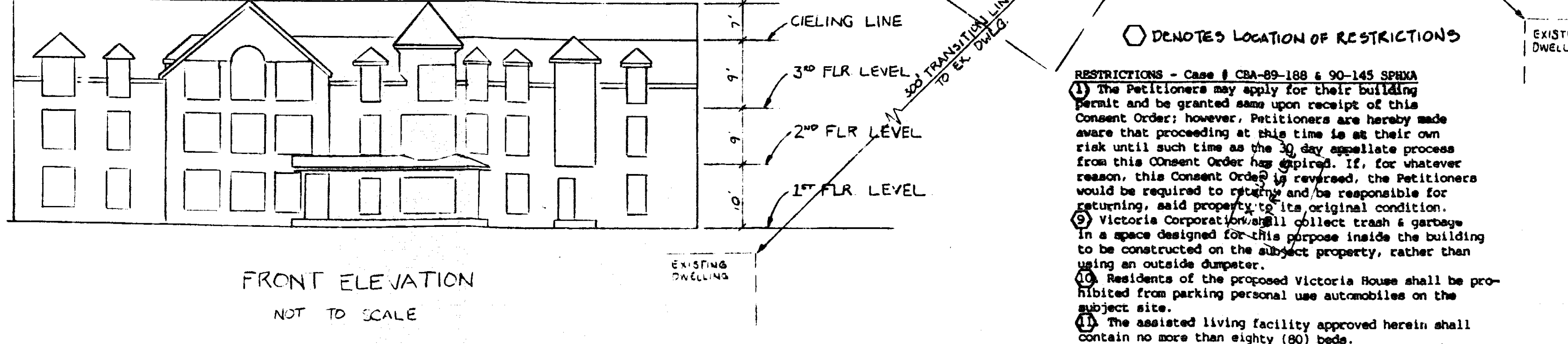
Plan Approved On: [Date]

Public Services CRG NO. 89225

PLANNING NO. IX-547



EXIST. ZONING: "DR-16"
EXIST. USE: "APARTMENTS"
EXIST. ZONING: "DR-16"
EXIST. USE: "APARTMENT"
EXIST. ZONING: "DR-16"
EXIST. USE: "NEWMAN CENTER"
(FOR RELIGIOUS SERVICES)



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

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

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

(3) Residents of the proposed Victoria House shall be prohibited from parking personal use automobiles on the project site.

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

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

DATE	REVISIONS
10-6-89	REV PER PRE-CRIG COMMENTS
4-7-90	REV PER ZONING RESTRICTIONS