

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Appearing at the public hearing on behalf of the Petitioner was Martin H. Fechter, General Partner of the Petitioner, Richard Smith,

ORDER RECEIVED FOR FILING
Date 4/24/04
By DAI

Under Maryland law, an area variance may be granted where strict application of the Zoning Regulations would cause practical

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 21st day April, 1994, that the Petition for

ORDER RECEIVED FOR FILING
Date 4/21/94
By [Signature] pu ve

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

ORDER RECEIVED FOR FILING
Date 4/2/94
gpc

On the following date _____ Next Exam Month _____

ALL _____ OTHER _____

RECEIVED BY: R.T. DATE 3-8-94

ITEM # 335

ITEM# 335

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

ORDER RECEIVED FOR FILING
Date 12/1/04
BY [Signature]

District: 9th Date of Posting: 4/1/74
 Postal Fee: None
 Publisher: Los Angeles Humiliated Partnership
 Location of property: surface, Yorkmont & Los Angeles Ave
 Location of signs: ending road way on property being zoned
 Remarks: _____
 Posted by: Matthew Date of return: 4/5/74
 Number of Signs: None

THE JEFFERSONIAN,
A. Henickson
LEGAL AD. - TOWSON

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

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

DATE: April 15, 1994

SUBJECT: Hampton Apartments

INFORMATION:

Item Number: 335

Petitioner: Lambourne Limited Partnership

Property Size:

Zoning: RAC-2

Requested Action:

Hearing Date: 5/19/94

SUMMARY OF RECOMMENDATIONS:

The requested variances are necessary in order to redevelop the 50 existing garden apartments shown as Hampton Apartments. The proposal would remove an existing three story building, reconstruct it as a four story building and renovate the remaining buildings for a total of 74 garden apartments.

The site is located within the Towson Community Plan area in the Design Area of Farmington/Dulaney Valley. A limited exception (89) was approved on 6/28/93 by the D.R.C. A Design Review Panel meeting was held on January 3, 1994. The Office of Planning provided comments to the developer and the D.R.C. which incorporated the D.R.P.'s and office comments.

Extensive comments were made concerning site layout, building design, parking and driveways, landscaping and the location of mechanical equipment and dumpsters. Through revisions to the site plan (dated 4/6/94), landscape plan (dated March 1994, received 4/12/94) and elevation drawings (received 4/14/94) these comments have largely been addressed.

These plans will be informally submitted to the D.R.P. for informational purposes. The developer should be commended for the improvements to architectural design and landscape treatment.

ZAC 335/PZ008/ZAC1

Pg. 1

Two issues identified by the D.R.P. have not been addressed on the revised site plan and are the subject of several of the requested setback variances. The issues are the distance between the buildings #19 and #23 of 23.5' in lieu of 75' and the 3' and 4' setback in lieu of 35' (ODP Residential Standards) between the one-way driveway and building #29 and #31.

In order to comply with these remaining items, the proposed plan would need to be redesigned. The hearing officer should determine whether a case of hardship or practical difficulty has been met for these remaining issues.

Prepared by: *Pat Keller*Division Chief: *Carol Keller*

PK/JLW

ZAC 335/PZ008/ZAC1

Pg. 2

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
<i>Rob Walker</i>	<i>216 Adelby Ave 21204</i>
<i>Marty Pechter</i>	<i>410 York Rd 21204</i>
<i>Peter Radekoff</i>	<i>1844 Stevenson Rd 21153</i>
<i>Dick Smith</i>	<i>18 North Park Dr. 21202</i>

Official Record of the
Baltimore County Planning Board
and Board of Zoning Appeals

Towson Park Community Corporation

April 12, 1994

Baltimore County Zoning Commissioner
First Floor, Old Courthouse
400 Washington Avenue
Towson, MD 21204

Re: Hampton Apartments Renovation
Lambourne Limited Partnership, Owner
Case No.: 94-355-A

Dear Mr. Zoning Commissioner:

Since our community is adjacent to the Hampton Apartments, Marty Pechter of the Lambourne Limited Partnership met with us to show us the plan involved in the redevelopment of a portion of the Hampton Apartments. He explained that certain variances are necessary. As president, I also attended the Planning Board meeting for this project.

From our review and discussion among our community association members, we support the project and variances. To show this support, we waived parking covenants to allow implementation of Planning Board suggestions.

If you have any questions or comments, I can be reached at (410) 205-0470 (business) or (410) 821-1295 (home).

Sincerely,

Nanci Barker
Nanci Barker
President

cc: Martin Pechter

PETITIONER'S
EXHIBIT 2

March 24, 1994

HAND-DELIVERED

Baltimore County
Zoning Commissioner
First Floor, Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

Re: Hampton Apartments Renovation
Lambourne Limited Partnership, Owner
Case No.: 94-355-A

Dear Mr. Zoning Commissioner:

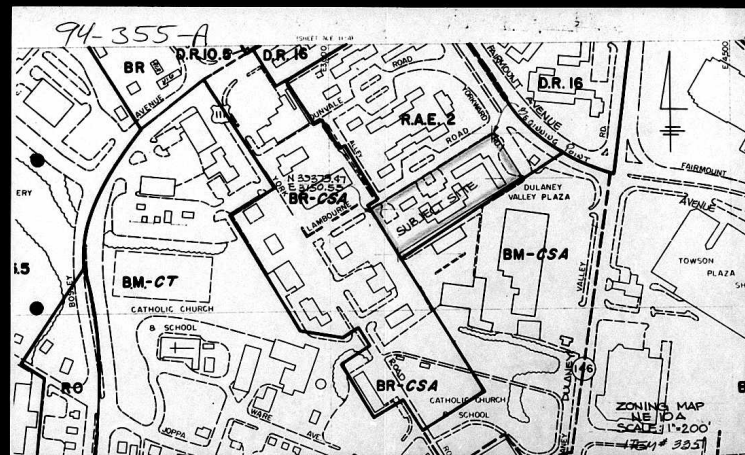
We have recently met to discuss the referenced project which is located in close proximity to our community association. Understanding that variances are necessary in order for this project to move forward, we support the granting of those variances and the intended redevelopment of the site.

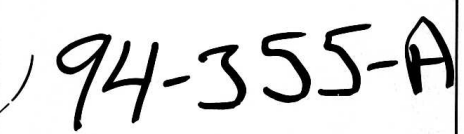
Should you have any questions, please do not hesitate to call.

Yours truly,

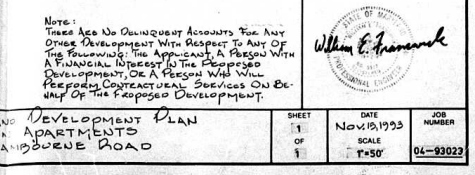
Marshall Barker
Marshall Barker
Boarder Association President

PETITIONER'S
EXHIBIT 3





- 1 Area Of Property = 424 AC. (GROSS SITE AREA) 3,004 AC.
- 2 EXISTING ZONING OF PROPERTY "R-2E" (ELEVATOR APARTMENTS)
- 3 EXISTING USE OF PROPERTY "30 GARDEN APARTS IN 3 STORY BUILDINGS"
- 4 PROPOSED USE OF PROPERTY "32 GARDEN APARTS IN 1 PROPOSED 4 STORY BUILDING AND 2 EXISTING 3 STORY BUILDINGS"
- 5 DENSITY CALCULATIONS:
 - a. EXISTING UNITS = 20744 DENSITY UNITS (24.158 UNITS PER GROSS AC)
 - b. UNITS TO BE REMOVED FROM 1-3 STORY BLDGS = 11 DENSITY UNITS (14.588 UNITS PER GROSS AC)
 - c. UNITS TO BE ADDED TO 4 STORY BLDG = 128 DENSITY UNITS (130.288 UNITS PER GROSS AC)
 - d. TOTAL NUMBER OF UNITS PROPOSED = 726 DENSITY UNITS (80.252 UNITS PER GROSS AC)
 - e. TOTAL NUMBER OF UNITS ALLOWED = 2403 (3.004 X 80) DENSITY UNITS
- 6 OFF-THE-SET RECORDING:
 - a. REQUIRED SPACES = 39 (1.26 UNITS PER SPACE)
 - b. PROPOSED SPACES = 39 (VARIANCE REQUESTED THE 3 SPACES)
 - c. AMPLIFIED OPEN SPACE (EXIST LAND AREAS & WALKWAYS WITHIN PROPERTY)
 - d. REQUIRED = 0.38 AC. (74,555.33 SQ. FT.) (1.31, 371.33)
 - e. REQUIRED = 1.00 AC. (202,640.00 SQ. FT.)
- 7 SITE IS LOCATED WITHIN THE "TOUGHSN TOWN CENTER" AND THE "TOUGHSN COMMUNITY PLAN" IS SUBJECT TO REVIEW BY THE DESIGN REVIEW PANEL
- 8 PUBLIC UTILITIES EXIST AT THE SITE
- 9 THERE ARE NO HISTORIC QUARTER DENSITIES DRAINAGE AREA
- 10 TEAS COLLECTION WILL BE BY A PRIVATE TEAS COLLECTION COMPANY
- 11 LANDSCAPING WILL BE IN ACCORDANCE WITH THE DARTMOUTH COUNTY LANDSCAPE MANUAL
- 12 THERE ARE NO HISTORIC OR DEPTIC TANKS ON THE PROPERTY TO OUR KNOWLEDGE
- 13 THERE ARE NO HISTORIC PROPERTIES ADJACENT TO THE SITE AND THERE ARE NO HISTORIC PROPERTIES ADJACENT TO THE SITE
- 14 THERE ARE NO KNOWN AESTHETICALLY SITES OR ENDANGERED SPECIES HAZARDS ON THE SITE
- 15 DUE TO A REVIEW OF A RECENT US EPA COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPLETION AND LIABILITY INFORMATION SYSTEM (CERCLIS) LISTING THIS SITE HAS BEEN LISTED AS A POTENTIAL SOURCE OF CONTAMINATION HAS POTENTIAL WASTE SITE
- 16 THERE ARE NO EXISTING STREAMS, SPRINGS, DORIES OF WATER OR FLOOD ZONES ON THE SITE
- 17 THERE ARE NO KNOWN WETLANDS OR CRITICAL AREAS ON THE SITE
- 18 SITE IS CURRENTLY LANDSCAPED WITH TREES AND ORNAMENTAL PLANTS
- 19 THERE ARE LOCAL WETLANDS OF YORK ROAD & NYS ROUTE 281
- 20 AVERAGE DAILY TRIP = 440
- 21 A VARIANCE REQUEST OF STREET WATER MANAGEMENT WILL BE SUBMITTED TO DARTMOUTH DEPRM.
- 22 THERE WILL BE NO CONFLICT WITH SECTION 2012.2.4 OF THE BCOR
- 23 OCCUPANCY OF THE NEW BUILDING CANNOT OCCUR UNTIL THE DARTMOUTH DEPRM HAS BEEN REVIEWED AND THE VARIANCE REQUEST FOR THE 4 UNIT 3 STORY BUILDING HAS BEEN REVIEWED AND APPROVED



COUNTY ADOPTED PLANS		
Existing	Not	In
✓	✓	✓
✓	✓	Bell Co. Master Plan 1987-2020
✓	✓	Community Redevelopment Plan(s)
✓	✓	Precinct and Parks Plan
✓	✓	Streetscape Plan
✓	✓	Greenways Plan
✓	✓	Other:

REMARKS: Tongson Community Plan

Drafting CK	DATE	REVISIONS
Check RLS		
Design RLS		
Check GW	2-16-04	PARKING MOVD. GEN. NOTES MOVD PER DEV. REVIEW COMMENTS

2. Zoning Variance Required
 1. Per Section 301.01 C.1 of BCR:
 - A. Driveway - 7'6" - Front - Setback Line:
 - 60' Required, 45' Proposed - Variance of 15'
 - B. Driveway - 105'4" - Along - Property - Line:
 - 30' Required, 150'4" Proposed - Variance of 115'4"
 2. Per Section 301.01 C.2 of BCR:
 - A. Appt. Window Facing Property Line:
 - 25' Min. Dist. Required, 20' Proposed - Variance of 5'
 - B. Driveway - Facing - Windows - Of - Different - Adjacent - Properties - Twelve - Feet - Dist.:
 - 75' Min. Dist. Required, 20' Proposed - Variance of 55'
 3. Per Section 400.01 A.1 of BCR (Paving):
 - Proposed - Space = 33'
 - Required - Space = 20'
 - Proposed - Variance - Of - 3 - Spaces

OWNER & DEVELOPER
LAMBOURNE LIMITED PARTNERSHIP
C/O MR. JACK PECHTER
10 YORK ROAD, TOWSON, MD. 21204
410-321-8777

ELECTION DISTRICT 9
COUNCILMANIC DIST. 4
CENSUS TRACT 4903.01
DEED REF. 8435-001
ACCT NO. 32-00-00002
WATERSHED N= 10

SEWERAGE NO 29
WATER & SEWER DESIG. W18
31.

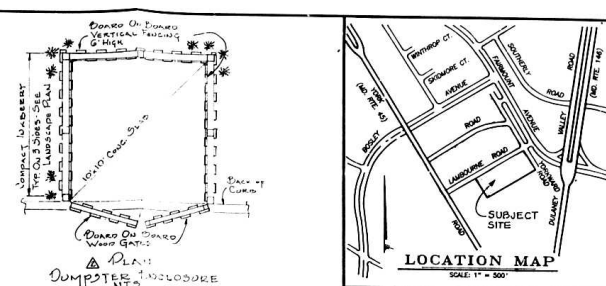
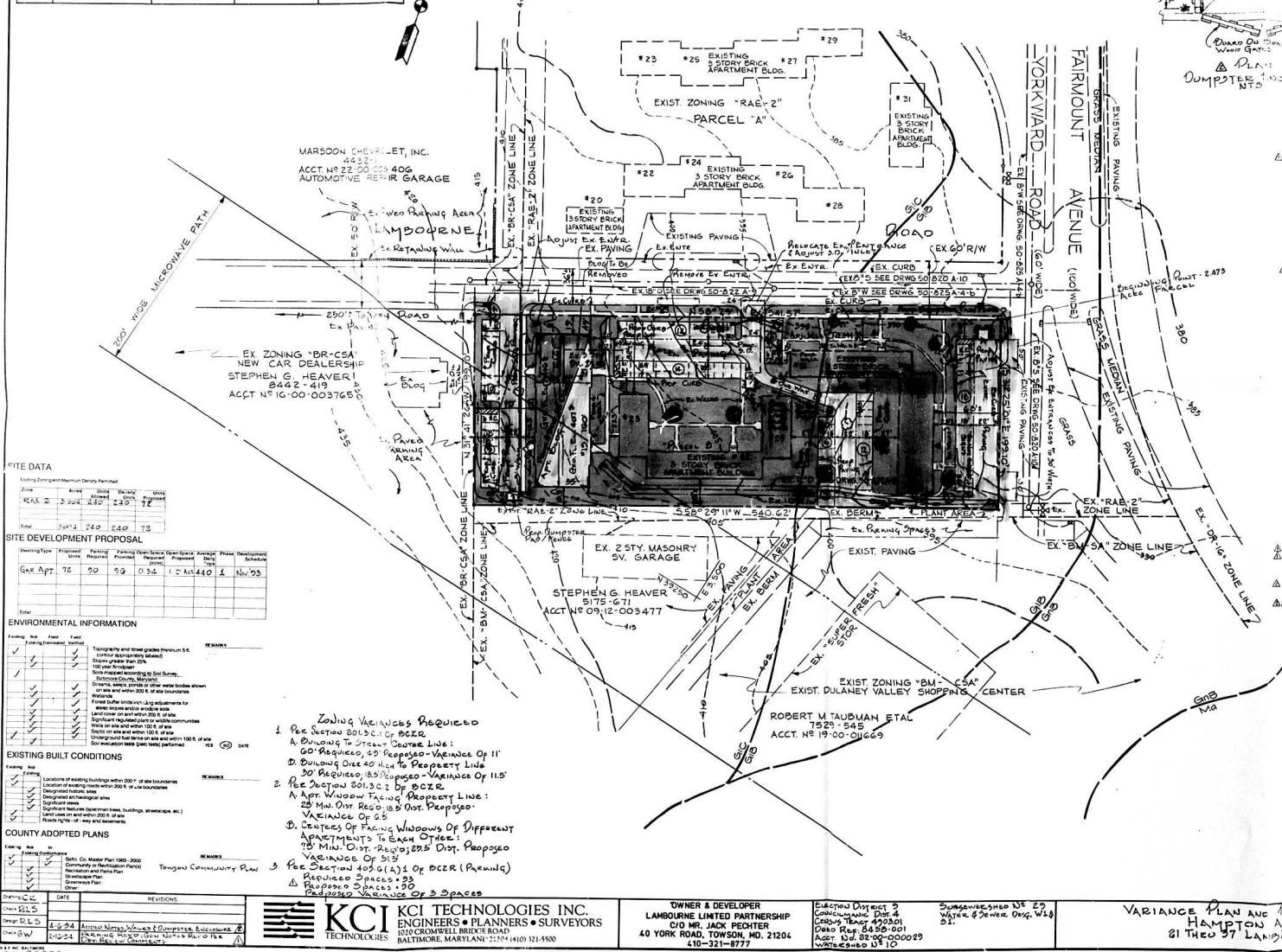
VARIANCE PLAN AND DEVELOPMENT PLAN
HAMPTON APARTMENTS
81 THEU 37 LANGBOURNE ROAD

ITEM # 335
 Δ LIMITED EXEMPTION FILE # 93-1722
 ZADM NO IX-538

STATE OF MASSACHUSETTS
COMMONWEALTH OF MASSACHUSETTS
PROFESSIONAL ENGINEER
No. 3917
EXPIRATION DATE 06-01-2014
WILLIAM E. FRANKS

SHEET 1 OF 1	DATE Nov. 15, 1993 SCALE 1"=50'	JOB NUMBER 04-93023
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SOIL TYPES & LIMITATIONS				
SOIL	DESCRIPTION	STREETS & PARKING LOTS	HOMESITES W/O BASEMENTS	HOMESITES W/ BASEMENTS
G1B	GLENNVILLE URBAN LAND COMPLEX 0 TO 0.5% SLOPES	MODERATE SLOPE	SLIGHT	SLIGHT
G1C	GLENNVILLE URBAN LAND COMPLEX 0.5 TO 1.5% SLOPES	SEVERE SLOPE	MODERATE SLOPE	MODERATE SLOPE
G1D	GLENNVILLE URBAN LAND COMPLEX 1.5 TO 2.5% SLOPES	SEVERE HIGH WATER TABLE	MODERATE HIGH WATER TABLE	SEVERE HIGH WATER TABLE



- ### GENERAL NOTES
1. Area Of Property = 2.67 Ac.; Gross Site Area = 3.004 Ac.;
 2. Existing Zoning Of Property = "RAE-2" (RECREATION APARTMENTS);
 3. Existing Use Of Property = "30 GARAGE APARTMENTS IN 3 STORY BUILDINGS";
 4. Proposed Use Of Property = "14 GARAGE APARTMENTS IN 3 STORY BUILDINGS AND 2 EXISTING 3 STORY BUILDINGS";
 5. Density Calculations:
 - a. Existing Units = 300 (44 Density Units (24 1 BR Units & 20 2 BR Units)
 - b. Units To Be Removed From 1-3 STY. BLDG = 4 Dens (1 Density Units (1 1 BR Unit & 1 2 BR Unit)
 - c. Unit To Be Proposed & 3 ST BLDG = 24 = 24 Density Units (12 1 BR Units & 12 2 BR Units)
 6. Total Number Of Units Proposed = 74 (40 Density Units (20 1 BR Units & 20 2 BR Units) & 34 Density Units (17 1 BR Units & 17 2 BR Units))
 7. Total Number Of Units Allowed = 240 (300 Density Units (150 1 BR Units & 150 2 BR Units))
 8. Off-Street Parking:
 - a. Required Spaces = 99 (120/Unit = 14)
 - b. Available Spaces = 100 (Variance Requested For 3 Spaces)
 - c. Required = 0.84 Ac. (74,895 S.F. (3.21 1/2))
 - d. Proposed = 1.0 Ac. (43,560 S.F.)
 9. Site Is Located Within The "TOWNSHIP TOWN CENTER" AND THE "TOWNSHIP COMMUNITY PLANNING" IS SUBJECT TO REVIEW BY THE DESIGN REVIEW BOARD.
 10. Public Utilities Exist At The Site.
 11. Site Is Located Within The "LOCAL QUARTER DRAINAGE AREA".
 12. Storm Collection Will Be By A Private Trench Collection System.
 13. Landscaping Will Be In Accordance With The "Dulane Valley County Landscaping Manual".
 14. There Are No Wetlands On The Property To Our Knowledge.
 15. There Are No Historic Buildings Or Archaeological Sites On The Site.
 16. There Are No Known Agricultural Sites Or Endangered Species Habitats On The Site To Our Knowledge.
 17. Based On A Review Of A Recent U.S.E.P.A. Comprehensive Environmental Response, Compensation And Liability Information System (CERCLA) Listing The Site Has Not Been Identified As A Known, Alleged Or Potential Hazardous Waste Site.
 18. There Are No Existing Streams, Springs, Ditches Or Water Of Flood Plains On The Site.
 19. There Are No Known Wetlands Or Critical Areas On The Site.
 20. Site Is Located 350' EAST OF YORK ROAD & 90' S. OF MTA BUS ROUTE.
 21. Average Daily Traffic = 440.
 22. A VARIANCE REQUEST OF STORM WATER MANAGEMENT WILL BE SUBMITTED TO DULANEY CO. DEPRM.
 23. Square Will Be In Compliance With SECTION 201.2.4 OF THE BCZR.
 24. The Office Of Zoning Will Verify That The 4 UNIT 3 STORY BUILDING HAS BEEN RECEIVED FROM THE SITE.
 25. The Office Of Zoning Will Verify That The 4 UNIT 3 STORY BUILDING HAS BEEN RECEIVED FROM THE SITE.
 26. The Proposed Heat Pumps To Be Installed For The Existing Apartment Units Will Be Appropriately Sited.

Relinquish #1

Δ LIMITED EXEMPTION FILE #93-182Z
ZADM NO IX-538

NOTE: THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH PROPERTY TO ANY OF THE FOLLOWING: THE APPLICANT A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

William E. Thompson

KCI TECHNOLOGIES INC.
ENGINEERS • PLANNERS • SURVEYORS
1000 CROWLEY BLVD., SUITE 200
BALTIMORE, MARYLAND 21204 (410) 521-5500

DOWNER & DEVELOPER
LAMBOURNE LIMITED PARTNERSHIP
C/O MR. JACK PECHTER
40 YORK ROAD, TOWSON, MD. 21204
410-321-8777

ELECTION DISTRICT 3
CANDIDATE: JAMES J. PECHTER
C/O MR. JACK PECHTER
40 YORK ROAD, TOWSON, MD. 21204
410-321-8777

DATE 4-26-94
SCALE 1"=50'

DATE NOV 1993
SCALE 1"=50'

DATE NOV 1993
SCALE 1"=50'