



JOHN A. OLSZEWSKI, JR.
County Executive

C. PETE GUTWALD, AICP, *Director*
Department of Permits,
Approvals & Inspections

November 14, 2023

Ms. Laurie Anne Spagnola
President and CEO
Board of Child Care, Baltimore Campus
3300 Gaither Road
Baltimore, Maryland 21244

RE: Spirit and Intent/Zoning Confirmation Request
Zoning Approval for a Residential Treatment Center
Zoning Case No. 03-558-SPH
3300 Gaither Road
Election District 2, Councilmanic District 4

Dear Ms. Spagnola,

Your letter of November 6, 2023 to Jeff Perlow, Zoning Supervisor has been referred to me for reply. You requested a confirmation letter or written approval for 3300 Gaither Road to support or allow a new service line which is a residential treatment center (RTC). The RTC is supported by a state grant through the Maryland Department of Health. You indicated that the RTC program will provide residential stabilization services for approximately 4 youths (4 beds) and will operate within an existing renovated building. You also offer that in order to obtain RTC licensure, you are required by COMAR 10.07.04.04 A(4) to have the Baltimore County Zoning Review Office's (Zoning Review's) written approval.

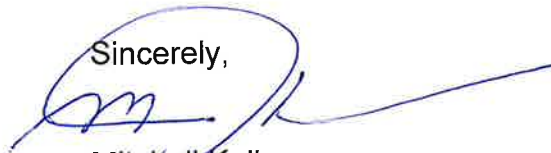
Based upon our review of Baltimore County's "My Neighborhood" website (County GIS), the property is zoned DR5.5, and the last approved zoning hearing for the property was Case No. 2003-0558-SPH. That hearing granted approval to amend the site plan and special exception within Zoning Case Nos. 95-479-XA and 98-217-SPHA. Within the 1995 case (The Case), testimony was accepted that the property was originally developed in the 1960's to provide a facility for neglected, abused, and homeless children. As stated within The Case, the facility continued to provide counseling and psychiatric services with a goal of assisting children in need and reunification of families, during their residence. The prior hearings approved and confirmed the use of the property as community care facility for those mentioned services.

Zoning Review will permit and consider the proposed RTC as within the scope of the previously approved and referenced hearing as it is our opinion that the RTC fits within the approved use of the property. Please note however that this approval is based upon that the facility is not licensed as recovery house, halfway house, alternative living unit (ALU), medical clinic, or state licensed medical clinic where care, housing, counseling, supervision, treatment, or rehabilitation is provided for alcoholics or drug abusers. If the aforementioned living types or services are provided, a Special Hearing will be required to amend all prior Zoning Cases.

THE FOREGOING IS MERELY AN INFORMAL ZONING OPINION; IT IS NOT AN EXPERT OR LEGAL OPINION. IT IS NOT INTENDED TO BE RELIED ON AS EXPERT OR LEGAL ADVICE, AND IS NOT LEGALLY OR FACTUALLY BINDING ON BALTIMORE COUNTY OR ANY OF ITS OFFICIALS, AGENTS, OR EMPLOYEES. BALTIMORE COUNTY EXPRESSLY DISCLAIMS ANY AND ALL LIABILITY ARISING OUT OF, OR IN ANY WAY CONNECTED WITH THE INFORMATION PROVIDED IN THIS DOCUMENT, OR ANY INTERPREATION THEREOF.

If you have any questions or concerns, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in blue ink, appearing to be 'MK', with a long horizontal line extending to the right.

Mitchell Kellman
Zoning Review

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND ZONING VARIANCE
C/L Gaither Road, 413 ft. SWly * ZONING COMMISSIONER
Subit Road
3300 Gaither Road * OF BALTIMORE COUNTY
2nd Election District
2nd Councilmanic District * Case No. 95-479-XA
Board of Child Care of Balto.-Wash.
Conference of United Methodist *
Church, Inc., Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Exception and Zoning Variance for the property located at 3300 Gaither Road in western Baltimore County. The Petitions are filed by the Board of Child Care of the Baltimore-Washington Conference of the United Methodist Church, Inc. (hereinafter called the "Board"), a body corporate, by Thomas L. Curcio, Executive Director. The Board is and has been owner of the subject site for many years. Special Exception relief is requested for approval of a community care center in a D.R.5.5 zone, in accordance with Section 1B01.1.C.(6a) of the Baltimore County Zoning Regulations (BCZR), and a variance from R.T.A. standards in accordance with Section 1B01.1.B.c(2) of the BCZR. Variance relief is also requested from Sections 1B01.2.C.1.A and 102.2 of the BCZR to allow a building to building setback of no less than 15 ft., in lieu of the required 60 ft., in certain portions of the property, and no less than 30 ft. in lieu of the required 40 ft. in other parts of the site. All of the relief requested is more particularly shown on Petitioner's Exhibit No. 1, the site plan to accompany the Petitions for Special Exception and Variance.

Appearing at the requisite public hearing held for this case was Fran Boyer on behalf of the Board. Also present was Robert S. Rosenfelt, P.E., of Colbert, Matz, Rosenfelt, Inc., the engineers who prepared the site

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

plan. Thomas Kerns, an Architect who prepared many of the elevation drawings also appeared and testified. The Petitioner was represented by Duncan Cornell, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence offered on behalf of the Petitioner was that the subject site is approximately 18.8055 acres in area and is zoned D.R.5.5. The property lies at the end of Gaither Road, not far from Liberty Road, (Md. Route 26) and its junction with the Baltimore Beltway (I-695).

Apparently, the site has been owned by the Board for many years. The property was developed in the early 1960s to provide a facility for neglected, abused and homeless children. Six separate cottages were originally constructed for this purpose. The laudable history and mission of the Board of Child Care is well set forth in the opinion of Zoning Commissioner, J. Robert Haines, issued on May 19, 1989. At that time, Commissioner Haines, pursuant to a Petition for Special Hearing, found that the subject facility was a legal nonconforming use as a community building devoted to civic, social, recreational and educational purposes. The Petition for Special Exception was also granted at that time for a community care center.

The history of the facility was also testified to by Fran Boyer at the hearing before me. Ms. Boyer indicated that of the ~~six~~ six cottages constructed, five housed children on a long term basis and one on a short term basis. The children who utilized the facility ranged between the ages of 10 to 18 years and approximately 14 children are housed in each cottage. The children are referred by the Department of Social Services to the Methodist Home. During their residence, counseling and psychiatric services are provided with a goal assisting children in need and re-unification of families.

In an effort to upgrade the facility, certain improvements are proposed to the site. These improvements were testified to by Robert Rosenfelt, the engineer who prepared the site plan. Mr. Rosenfelt indicated that a number of improvements are proposed. The existing gymnasium facility will be enlarged and a minor addition will also be added to the existing multi-purpose building. The major improvement will be a new administration building constructed at the end of a cul-de-sac on the driveway which enters the property from Gaither Road. This new administration building will allow the existing administrative offices to be re-located from other portions of the site and conversion of those spaces into classrooms. Moreover, two temporary trailers are proposed until such time as the permanent construction is completed. Porches are also being enlarged on the residential cottages.

Mr. Rosenfelt also testified as to the specific relief requested within the Petitions. As to the Petition for Special Exception, he addressed each of the standards set forth in Section 502.1 of the BCZR and opined that the proposed use satisfied that criteria. In his opinion, the continued use and proposed improvements of the site will not be detrimental to the surrounding locale. He also noted that the R.T.A. standards from which a waiver is sought is generated by the athletic fields on the southern portion of the property. That is, most of the buildings are clustered on the north central portion of the site and a large open area to the south of the property is used for soccer/football fields, baseball/softball fields and tennis/basketball courts. The R.T.A. standard is generated by this use and not any specific building. It is clear that the buildings, themselves, are more than adequately buffered from surrounding properties. As to the variances, these are requested so as to cluster the buildings in a central location. Mr. Rosenfelt indicated that a campus-like atmosphere needs to

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Date

By

be maintained and that strict adherence to the setback distances, as required by the BCZR, would disrupt the traffic pattern and architectural flow of the site. These comments were echoed by Mr. Kerns, who has prepared the site plans for the proposed improvements. He noted that the proposed buildings will be one story in height and will be compatible with the residential character of the cottages and campus. He desires to create a pedestrian style campus and retain much of the existing landscaping. In his view, the proposed additions are entirely appropriate and consistent with the present use of the site.

Based upon the testimony and evidence offered, I am persuaded that the Petition for Special Exception and Variance should be granted. This is surely a case of a needed facility which fits in well with the surrounding locale. The long history of the use of this site by the Board of Child Care and the absence of Protestants at the hearing before me attest to the quality of the operation of this facility. As to the special exception, it is clear that there will be no detrimental impact to the surrounding locale. It is to be noted that although the building area on the property will be incidental, the number of children will not increase, and the nature of the use of the site will not change. The Petition for Variance are also warranted in view of the uniqueness of the property, the desire to preserve open space and concentrate the physical plant/campus in the center of the community.

A final note is also in order about the Zoning Plans Advisory Committee (ZAC) comments which have been submitted. One comment in particular is of note which was received from Developers Engineering Division. That agency suggests that a 50 ft. right of way from Montford Road must be extended to the western property line of the site and that the right of way shall be constructed at no cost to the County. Testimony from Mr.

ORDER RECEIVED FOR FILING

Date

By

8/9/91
M. Horak

RECORDED & INDEXED

Rosenfelt on this issue was enlightening. He indicated that the Board presently owns an adjacent tract and is under contract to purchase another adjacent property. Ultimately, if these tracks are acquired, the Petitioner's land holdings will be increased and the use may be expanded. In fact, it appears that the Petitioner has presently instituted a proceeding through the development process in order to obtain approval for these proposed acquisitions and further development.

The future of Montford Road appears to be an issue which should be resolved in the context of those development plan hearings. Apparently, many members of the surrounding residential community do not wish Montford Road to be extended. No one from the Department of Public Works/Developers Engineering Section appeared at the hearing before me to explain the rationale for the ZAC comment. Under the circumstances, I will defer this issue until the development plan comes before this office. The approval granted herein shall not be construed to, either provide an exception to, or mandate compliance with, the ZAC comment. Quite simply, this is an issue for another day when testimony from all interested persons can be received and evaluated.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 9th day of August, 1995 that, pursuant to the Petition for Special Exception, approval for a community care center in a D.R.S.5 zone, in accordance with Section 1B01.1.C(6a) of the Baltimore County Zoning Regulations (BCZR), and a variance from R.T.A. standards in accordance with Section 1B01.1.B.c(2) of the BCZR, be and is hereby GRANTED; and,

ORDER RECEIVED FOR FILING

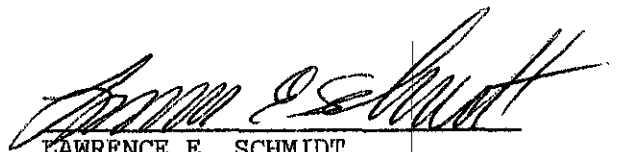
Date

By

MICROFILMED

IT IS FURTHER ORDERED that a variance from Sections 1B01.2.C.1.A and 102.2 of the BCZR to allow a building to building setback of no less than 15 ft., in lieu of the required 60 ft., in certain portions of the property, and no less than 30 ft., in lieu of the required 40 ft. in other parts of the site, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.



LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmm

ORDER RECEIVED FOR FILING
Date 8/9/95
By M. Hoad

WILSON

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 8, 1995

Duncan Cornell, Esquire
408 Allegheny Avenue
Towson, Maryland 21204

RE: Petitions for Special Exception and Variance
Case No. 95-479-XA
Property: 3300 Gaither Road
Board of Child Care of the Balto./Wash. Conference of the
United Methodist Church, Inc., Petitioner

Dear Mr. Cornell:

Enclosed please find the decision rendered on the above captioned case. The Petitions for Special Exception and Zoning Variance have been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".
Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

att.

cc: Ms. Fran Boyer, Board of Child Care





Petition for Special Exception

95-479-XA

to the Zoning Commissioner of Baltimore County

for the property located at

3300 GAITHER ROAD

which is presently zoned

DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 Regulations of Baltimore County, to use the herein described property for

A COMMUNITY CARE CENTER IN A DR 5.5 ZONE, IN ACCORDANCE WITH SECTION 1B01.C(6a) OF THE BALTIMORE COUNTY ZONING REGULATIONS AND A VARIANCE FROM RTA STANDARDS IN ACCORDANCE WITH SEC. 1B01.1.B, C.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS.

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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

DUNCAN CORNELL, ESQ.

(Type or Print Name)

Signature

408 ALLEGHENY AVE. 410-823-3010

Address

Phone No.

TOWSON

MD

21204

City

State

Zipcode

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.

Legal Owner(s): BOARD OF CHILD CARE OF THE
BALTIMORE-WASHINGTON CONFERENCE OF
THE UNITED METHODIST CHURCH, INC.

(Type or Print Name)

THOMAS L. CURCIO, EXEC. DIR.

Signature

(Type or Print Name)

Signature

3300 GAITHER RD

410-922-2100

Address

Phone No.

BALTIMORE, MD

21244

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

JUDITH FLOAM

COLBERT MATZ ROSENFELT, INC.

Name

3723 OLD COURT ROAD #206

BALTIMORE, MD 21208

410-653-3838

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

MICROFILMED

470



Petition for Variance

95-479-XA

to the Zoning Commissioner of Baltimore County

for the property located at

3300 GAITHER ROAD

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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(s)

1B01.2.C.1.A. AND 102.2 FOR A BETWEEN BUILDING SETBACK OF NO LESS THAN 15 FEET IN LIEU OF THE REQUIRED 60 FEET AND NO LESS THAN 30 FEET IN LIEU OF THE REQUIRED 40 FEET.

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

NEW BUILDING MUST FIT IN AVAILABLE SPACE IN RELATION TO EXISTING BUILDINGS AND EXISTING ATHLETIC FACILITIES.

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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

DUNCAN CORNELL, ESQ.

(Type or Print Name)

Signature

408 ALLEGHENY AVE. 410-823-3010

Address

Phone No.

TOWSON MD

21204

City

State

Zipcode

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.

Legal Owner(s): BOARD OF CHILD CARE OF THE
BALTIMORE-WASHINGTON CONFERENCE OF
THE UNITED METHODIST CHURCH, INC.
(Type or Print Name)
THOMAS L. CURCIO, EXEC. DIR.

Signature

(Type or Print Name)

Signature

3300 GAITHER RD 410-922-2100

Address

Phone No.

BALTIMORE, MD

21244

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.

JUDITH FLOAM

COLBERT MATZ ROSENFELT, INC.

Name

3723 OLD COURT ROAD #206

BALTIMORE, MD 21208 410-653-3838

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



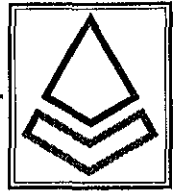
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A70

Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION

95-479-XA

18.81 ACRE PARCEL MORE OR LESS SITUATED IN THE SECOND ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT A POINT ON THE OUTLINES OF THE LAND CONVEYED TO BOARD OF CHILD CARE OF THE BALTIMORE/WASHINGTON CONFERENCE OF THE UNITED METHODIST CHURCH, INC. SAID POINT OF BEGINNING BEING DISTANT SOUTHWESTERLY 413 FEET MORE OR LESS FROM THE CENTERLINE OF SUBET ROAD AS MEASURED ALONG THE CENTERLINE OF GAITHER ROAD AND N 52° 11'00"W 171.68 FEET, RUNNING THENCE BINDING ON THE OUTLINES OF SAID LAND FOLLOWING FOUR (4) COURSES:

- (1) S 52° 11'00"E 780.25 FEET,
 - (2) S 53° 01'30"W 1180.03 FEET,
 - (3) N 19° 57'10"W 1052.87 FEET, AND
 - (4) N 73° 51'20"E 713.76 TO THE PLACE OF BEGINNING
- CONTAINING 18.81 ACRES OF LAND MORE OR LESS

MICROFILMED



j:\COLBERT\DESCRIPTION\94103.DES P7

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-1179-X12

District: 2nd Date of Posting: 7/7/95

Posted for: Special Exception & Variance

Petitioner: Board of Childs Care

Location of property: 3300 Balthor Rd,

Location of Signs: Facing roadway on property being zoned

Remarks: _____

Posted by: M. Shale Date of return: 7/14/95
Signature

Number of Signs: 1



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 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number:
95-479-XA (Item 470)
3300 Gaither Road
off Gaither Road,
418 SWly Subit Road
2nd Election District
2nd Councilmanic
Legal Owner(s):

Board of Child Care
of the Baltimore-
Washington Conference of
the United Methodist
Church, Inc.

HEARING: TUESDAY
JULY 25, 1995 at 9:00 a.m.
In Rm. 118 Old
Courthouse

Special Exception: for a
community care center;
Variance: for a between build-
ing setback of less than 15
feet in lieu of the required 80
feet and no less than 30 feet in
lieu of the required 40 feet.

LAWRENCE E. SCHMIDT,
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Hand-
icapped accessible; for special
accommodations Please Call
887-3353.

(2) For informa-
tion concerning the File and/or
Hearing, Please Call 887-3391.

7/032 July 6.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

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

THE JEFFERSONIAN,

A. Henrichson
LEGAL AD. - TOWSON

~~Recklesher~~



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-479-XA

Account: R-001-6150

Number

Date

Date 20 JUN-95 ~~8350~~
~~3300 GAITHER~~ ~~3300 GAITHER~~

470

Board of Child Care ~~of~~ of the Baltimore - Washington
Conference of the United Methodist Church, Inc. CAM

CAM

020 - 250.00
050 - 300.00
(2) 080 - 70.00
\$ 620.00

check #015054

MICROFILMED

0.1A01.802109 TLHRC

\$420.012

FA 002:24PMC4-20-95

Please Make Checks Payable To: Baltimore County

Cashier Validation



Baltimore County
Zoning Administration &
Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

95-479-XA

Account: R-001-6150

Number

470

75-479-XA
CAM

Date

20 June 95 ~~3300~~ ~~3300~~ ~~3300~~ ~~3300~~

3300 Gaither

Board of Child Care of the Baltimore-Washington
Conference of the United Methodist Church, Inc.

020 - 250.00

050 - 300.00

(2) 080 - 70.00

\$620.00

check #015054

01A01#0210MICHRC

\$620.00

BA C002:24PM05-20-95

Please Make Checks Payable To: Baltimore County

Cashier Validation

DETACH AND RETAIN THIS STATEMENT
 IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

THE ATTACHED CHECK IS IN FULL PAYMENT OF ITEMS DESCRIBED BELOW.
 BOARD OF CHILD CARE • BALTIMORE, MD

DATE	ACCOUNT	DESCRIPTION	AMOUNT
6/5/95		GAITHER ROAD-ZONING FEES	\$620.00
6/5/95		GAITHER ROAD-ZONING FEES	(\$620.00)
6/5/95		GAITHER ROAD-ZONING FEES	\$620.00
MICROFILMED			

TO: PUTUXENT PUBLISHING COMPANY
July 6, 1995 Issue - Jeffersonian

Please forward billing to:

Board of Child Care of the Baltimore-Washington Conference of the
United Methodist Church, Inc.
Thomas L. Curcio
3300 Gaither Road
Baltimore, MD 21244
922-2100

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

CASE NUMBER: 95-479-XA (Item 470)

3300 Gaither Road

c/l Gaither Road, 413' SWly Subit Road

2nd Election District - 2nd Councilmanic

Legal Owner(s): Board of Child Care of the Baltimore-Washington Conference of the United Methodist Church, Inc.

HEARING: TUESDAY, JULY 25, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a community care center.

Variance for a between building setback of no less than 15 feet in lieu of the required 60 feet and no less than 30 feet in lieu of the required 40 feet.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 27, 1995

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

CASE NUMBER: 95-479-XA (Item 470)

3300 Gaither Road

c/l Gaither Road, 413' SWly Subit Road

2nd Election District - 2nd Councilmanic

Legal Owner(s): Board of Child Care of the Baltimore-Washington Conference of the United Methodist Church, Inc.

HEARING: TUESDAY, JULY 25, 1995 at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a community care center.

Variance for a between building setback of no less than 15 feet in lieu of the required 60 feet and no less than 30 feet in lieu of the required 40 feet.

A handwritten signature in black ink, appearing to read "Arnold Jablon". The signature is fluid and cursive, with a large loop at the end.

Arnold Jablon

Director

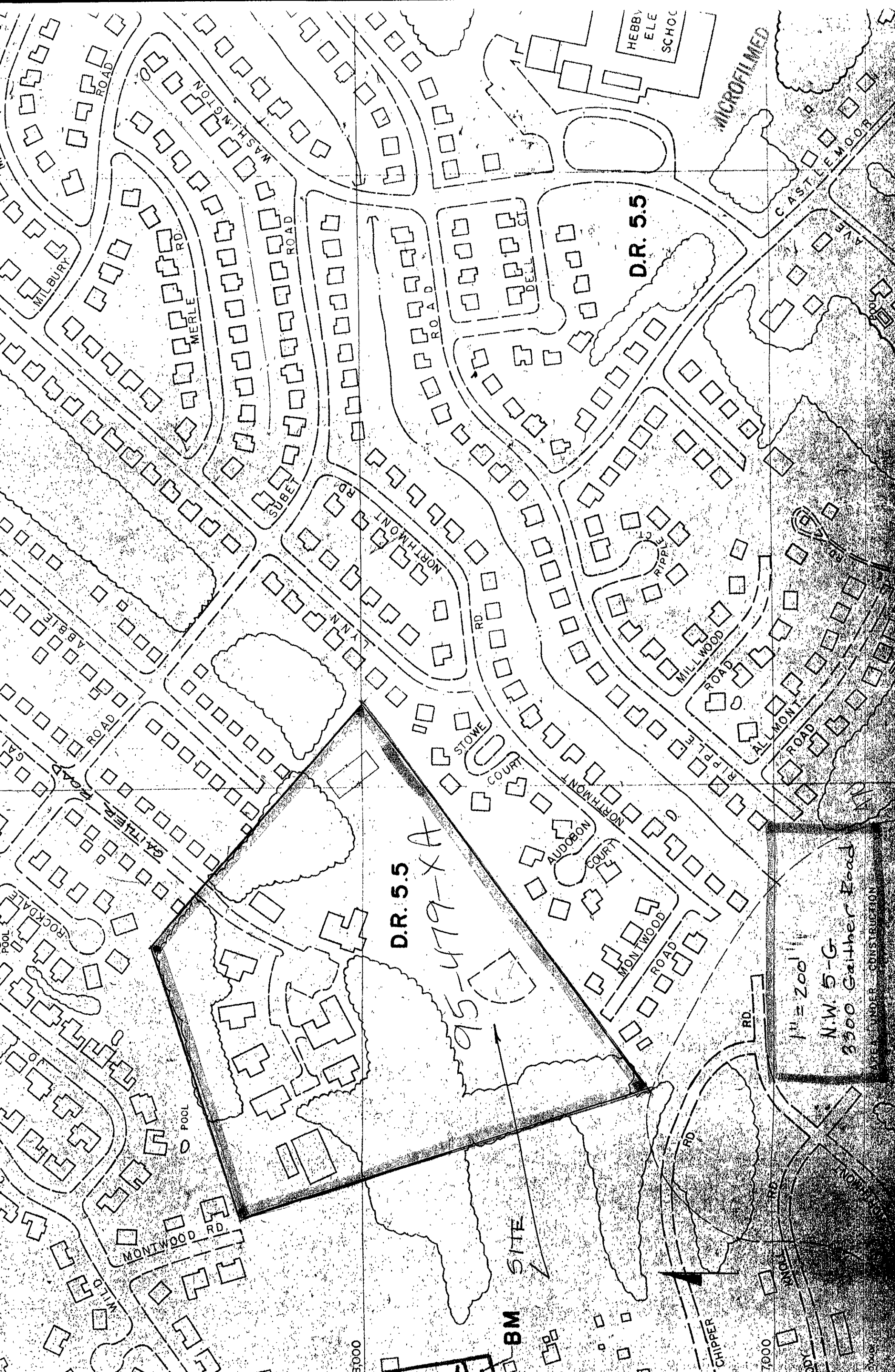
Department of Permits and Development Management

cc: Thomas L. Curcio
Judith Floam
Duncan Cornell, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





HEBBY
ELE
SCHOOL

MICROFILMED

DR. 5.5

DR. 5.5

95-479-XA

1" = 200'

N.W. 5-G

3300 Gather Road

UNDER CONSTRUCTION

BM SITE

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

July 18, 1995

Duncan Cornell, Esquire
408 Allegheny Avenue
Towson, Maryland 21204

RE: Item No.: 470
Case No.: 95-479-XA
Petitioner: Board of Child Care
of The Baltimore-Washington
Conference of The United-Methodist
Church, Inc.

Dear Mr. Cornell:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on June 20, 1995.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over the typed name.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/jw
Attachment(s)



BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: July 11, 1995
Zoning Administration and Development Management

FROM: *RWB* Robert W. Bowling, P.E., Chief
Development Plans Review

RE: Zoning Advisory Committee Meeting
for July 10, 1995
Item No. 470

The Development Plans Review Division has reviewed the subject zoning item. The 50-foot right-of-way for Montford Road must be extended to the western property line. This right-of-way shall be constructed at no cost to the County.

RWB:sw

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 12, 1995

FROM: Pat Keller, Director 
Office of Planning and Zoning

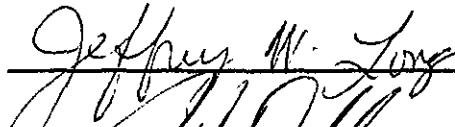
SUBJECT: Petitions from Zoning Advisory Committee

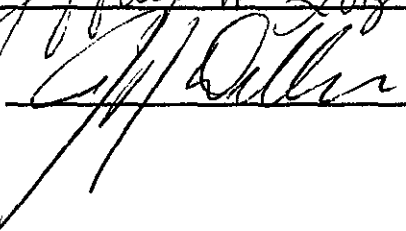
The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 450, (470) and 472 ~

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:



Division Chief: 

PK/JL

TO: ZADM

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: July 3, 1995

DATE: 7/7/95

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: July 3, 1995

Item #'s: 468
469
470
472
473

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

RECEIVED

JUL 5 1995

ZADM

(410) 887-4500

DATE: 07/03/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: BOARD OF CHILD CARE OF THE BALTIMORE-WASHINGTON
CONFERENCE OF THE UNITED METHODIST CHURCH INC.
LOCATION: CENTERLINE GAITHER RD., 413' SWly SUBIT RD. (3300 GAITHER RD.)

Item No.: 470

Zoning Agenda: SPECIAL EXCEPTION/VARIANCE

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.

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", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File





Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

6-23-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County

Item No.:

470 (CAM)

Dear Ms. Watson:

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 project.

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*
Ronald Burns, Chief
Engineering Access Permits
Division

BS/

**PETITION PROBLEMS
AGENDA OF JULY 3, 1995**

#469 --- JRA

1. Need title of person signing for legal owner.
2. Need address and telephone number for legal owner.
3. Need attorney.

#470 --- CAM

1. Receipt was not given to petitioner - still in folder.

#471 --- CAM

1. Need telephone number for legal owner.
2. Receipt was not given to petitioner - still in folder.

#472 --- MJK

1. Need printed or typed title for person signing for legal owner.
2. Need power of attorney for person signing for legal owner.
3. Need printed or typed title for person signing for contract purchaser.
4. Need power of attorney for person signing for contract purchaser.
5. No location description on folder.

#475 --- JRA

1. Folder was not marked critical area.

#476 --- JLL

1. Need power of attorney for person signing for contract purchaser.

MICROFILMED

RE: PETITION FOR SPECIAL EXCEPTION	*	BEFORE THE
PETITION FOR VARIANCE		
3300 Gaither Road, c/l Gaither Rd, 413'	*	ZONING COMMISSIONER
SWly Subit Road, 2nd Election District,		
2nd Councilmanic	*	OF BALTIMORE COUNTY
Board of Child Care of Balto.-Washington	*	CASE NO. 95-479-XA
Conference of the United Methodist Church, Inc.		
Petitioners	*	

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of July, 1995, a copy of the foregoing Entry of Appearance was mailed to Duncan Cornell, Esquire, 408 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

RECORDED

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



August 1, 1995

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

Honorable Delores G. Kelley
Senator, 10th Legislative District
6660 Security Boulevard, Suite 10
Baltimore, Maryland 21207

Re: Case No. 95-479-XA
Board of Child Care

Dear Senator Kelley:

Thank you for your letter of July 6, 1995.

On July 25, 1995, I conducted a hearing on Petitions for Special Exception and Variance for the property located at 3300 Gaither Road. These Petitions were filed by the Board of Child Care of Baltimore-Washington Conference of the United Methodist Church, Inc. Testimony and evidence taken at that hearing disclosed that the Petitions related to property owned by the Board of Child Care since the early 1960s. The parcel of land involved is approximately 19 acres in area and is located at the end of Gaither Road not far from the interchange of I-695 and Liberty Road.

The Petitioner's plans submitted at that hearing showed that the site has been developed for many years with six residential cottages. These cottages provide residential facilities for abused and neglected children. Further testimony offered was that counseling and psychological services are available on site with the goal of unifying these children with their natural family.

The matter came before me because of the Board's plan to construct an administrative building and to make other improvements to several of the existing structures on site. Both the plan and testimony indicated that no additional residential cottages were proposed. The number of children residing on site would not be increased from the capacity previously established when the facility was founded over 30 years ago. Moreover, no one appeared in opposition to the Petitioner's plans to construct the new administration building and other improvements.

MICROFILMED



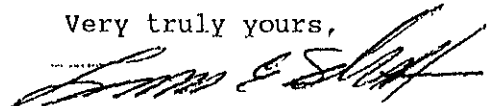
Honorable Delores G. Kelley
Senator, 10th Legislative District
6660 Security Boulevard, Suite 10
Baltimore, Maryland 21207
page 2.....

Based on the testimony, evidence and plan offered in this case, there appears no cause for your concern over "the installation of back to back group housing developments."

Perhaps your concerns arise from the Board's possible acquisition of adjacent properties. During the hearing before me, it was indicated that the Board was contemplating acquiring two additional parcels which are located adjacent to the subject site. If these parcels are ultimately acquired and development is contemplated, the Board would be required to submit to the development review procedures of Baltimore County. These procedures include a requirement that a community input meeting be conducted. This meeting would be held within the subject community, during evening hours, allowing all affected residents and interested parties to question the plan and record any objections thereto. Following that meeting, the matter would be scheduled for a public hearing before the Zoning Commissioner, wherein approval of the plan would be considered. The development process encourages community participation at all stages so that the plan can be fairly considered. As I indicated at the July 25, 1995 hearing to all present, any decision rendered in that case would relate only to the subject request and that questions regarding the adjacent parcels were not, as yet, properly before me.

Should you have any further questions, please do not hesitate to contact me regarding this matter.

Very truly yours,



Lawrence E. Schmidt
Zoning Commissioner

LES:mmn

RECEIVED
JUL 28 1995



Baltimore County
Department of Permits and
Development Management

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

January 17, 1996

Judith M. Floam
Colbert Matz Rosenfelt, Inc.
3723 Old Court Road
Suite 206
Baltimore, MD 21208

RE: Spirit and Intent
Board of Child Care
Gaither Road Facility
Zoning Case #95-479-XA
2nd Election District

Dear Ms. Floam:

Mr. Schmidt and I reviewed the site plan enclosed with your letter dated December 28, 1995. It was determined that this plan is within the spirit and intent of the zoning order #95-479-XA. However, before this plan can be approved for submittal into the zoning file, some minor changes must be incorporated onto the plan.

I gave a copy of the check print to Mr. Matz on January 16, 1996. Please submit one revised copy to me with the check print. Enclosed please find your \$40.00 check, as it was determined it was not needed.

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 (410) 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "CAM Jte".

Catherine A. Milton
Planner I
Zoning Review

CAM:scj

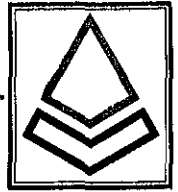
Enclosure

c: Zoning Case #95-479-XA



Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



December 28, 1995

Mr. Arnold Jablon, Director
Permits and Development Mgmt.
Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

12/28/95
TO WLF

to CAM
12/28/95 S+I
return check -
addressed at DRC

Re: Board of Child Care, Gaither Road Facility
Case No. 95-479-XA, "Spirit and Intent" Request
Job No. 95086.1

Dear Mr. Jablon,

In July 1995, a hearing was held and on August 9, 1995, a Zoning Order was issued in the above-referenced case. The Order approved a Special Exception for a community care facility in a D.R.-5.5 zone, a variance from R.T.A. standards, and two building setback variances to permit the expansion of the existing facility of the Board of Child Care. The enclosed plan entitled "Amended Plan to Accompany Hearing for Special Exception and Variances" is the site plan approved in Case No. 45-479-XA. Kate Milton reviewed the petition plat in that zoning case.

Subsequent to the Hearing and Zoning Order, the Board of Child Care revised its expansion plans. The enclosed plan entitled "Preliminary Site Plan" shows the revised building configurations. This plan was submitted to the Development Review Committee, which approved it as a Limited Exemption on December 26, 1995.

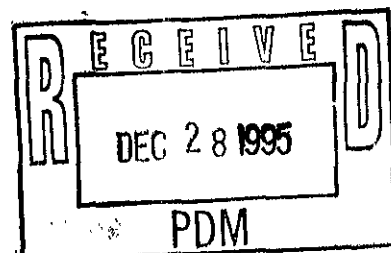
We hereby request approval of this plan as being within the spirit and intent of the Order in Case No. 45-479-XA. There are no additional encroachments on the R.T.A. buffers and setbacks. The between-building setbacks are within the approved variances: a 15-foot setback was approved between the Classroom and Administration buildings and the proposed setback is ± 27 feet; a 30-foot setback was approved between the Multi-purpose and Administration buildings and the proposed setback is 35 feet. The proposed addition at the rear of the Multi-purpose building is ± 42 feet from the residential Cottage No. 5, and the required rear setback is 30 feet.

We look forward to your approval of this request.

Yours truly,

Judith M. Floam
Judith M. Floam

cc: Elisa Kellett, AIA
Tom Curcio



SENATOR DELORES G. KELLEY
10TH LEGISLATIVE DISTRICT
JUDICIAL PROCEEDINGS COMMITTEE
CHAIR, JOINT COMMITTEE ON
FEDERAL RELATIONS
CHAIR, LEGISLATIVE COMMITTEE,
WOMEN LEGISLATORS OF MARYLAND



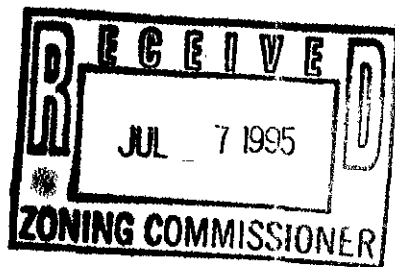
SENATE OF MARYLAND

ANNAPOLIS, MARYLAND 21401-1991

ANNAPOLIS OFFICE:
SENATE OFFICE BUILDING
ROOM 209
TOLL FREE (410) 841-3606
DISTRICT OFFICE:
6660 SECURITY BOULEVARD
SUITE 10
BALTIMORE, MARYLAND 21207
(410) 298-9707
(410) 298-2856 (FAX)

July 6, 1995

Mr. Larry Schmidt, Commissioner
Office of Zoning
Old Courthouse
400 Washington Avenue
Towson, Maryland 21204



Dear Mr. Schmidt:

I would like to express my concern with the installation of back-to-back group housing developments in District Ten. A specific example involves the Board of Child Care's plans to install a development consisting of seven cottages on Rolling Road. I support the Board's idea of providing homes for the teenagers, but am concerned with the concentration of these homes in one location.

If each of the seven proposed cottages were to house no more than three children, each legally separated from natural parents and devoid of a stable family, the aggregate results would be twenty-one special-needs children, introduced en masse to a new neighborhood and to a living arrangement under the supervision of rotating shifts of hired staff persons.

Each of these children would need to adjust to at least three daily sets of supervisors (a situation full of discontinuity and checks lacking the stability of even foster care), while at the same time needing to adjust to a neighborhood with schools already stressed and significantly over capacity.

The proposed living situations are the equivalent of mini-institutions, not regular home environments, and the over-concentration of such entities on one in the Hebbville community is sure to have a devastating impact upon the character of the neighborhood.

The proposal before you involves institutional living, not a home environment for the targeted population of children. Nothing, including creative use of definitions, can change that fact.

Sincerely,

Delores G. Kelley

MEMPHIS, Tenn., June 10 (AP)—

To: TRA
3/27/97 ucr
CASHIER 3/27



March 24, 1997

Mr. Arnold Jablon, Director
Permits and Development Mgmt.
Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Board of Child Care, Gaither Road Facility
Case No. 95-479-XA, "Spirit and Intent" Request
DRC No. 03037N
Job No. 95086.1

3/26/97
y
ucr

Dear Mr. Jablon,

In July 1995, a hearing was held and on August 9, 1995, a Zoning Order was issued in the above-referenced case. The Order approved a Special Exception for a community care facility in a D.R.-5.5 zone, a variance from R.T.A. standards, and two building setback variances to permit expansion of the existing Board of Child Care facility.

Subsequent to the Hearing and Zoning Order, the Board of Child Care made several revisions to its expansion plans, which have been approved as Limited Exemption plans by the DRC and approved as within the Spirit and Intent of Case No. 95-479-XA.

The Board of Child Care would like to replace its six existing residential cottages with new buildings, add a seventh cottage and construct a small addition (480 square feet) to the multi-purpose building. After construction of the new residential cottages, the total number of children in residence on the site will decrease, from 80 to 70, because the new cottages are smaller than the ones they will replace. These changes were approved by the DRC as Limited Exemption on March 3, 1997.

There are no additional encroachments on the R.T.A. buffers and setbacks, the proposed changes meet all required building-to-building setbacks and there is adequate parking. We look forward to your approval of this request.

Yours truly,

Judith M. Floam
Judith M. Floam

cc: Tom Curcio
Duncan Cornell, Esq.
Thomas L. Kerns, AIA

Speed
Letter

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



111 West Chesapeake Avenue, Suite 206 Baltimore, Maryland 21208
(410) 653-3838 / Facsimile: (410) 653-7953

April 4, 1997

2nd Election District

Dear Ms. Floam:

The Zoning Commissioner has reviewed the file for case #95-479-XA. Based on the understanding that the statements of the above letter are true, the changes documented on the revised plan dated March 26, 1997 are approved as being within the spirit and intent of the case.

Very truly yours,

John R. Alexander/scj

John R. Alexander
Planner II
Zoning Review

JRA:rye

c: zoning case 95-479-XA

AND SPECIAL EXCEPTION	
End/Gaither Rd. 413.13'SW c/l	* ZONING COMMISSIONER
Sublet Rd.(3300 Gaither Rd.)	
2nd Election District	* OF BALTIMORE COUNTY
2nd Councilmanic District	
	* CASE # 89-356-SPHX
Board of Child Care of the	
Balto. Annual Conference of	*
the Methodist Church, Inc.	
Petitioner	*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requested, pursuant to a Special Hearing, approval of a nonconforming use and the following additions to existing improvements at the Board of Child Care facility at 3300 Gaither Road and a Special Exception to use the herein described property for a Community Care Center and/or Community Building for existing improvements and additions, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, represented by Duncan Cornell, Esquire, Law Offices of Hooper, Kiefer and Cornell, appeared and testified. The Petitioner was supported in its testimony by Mr. Rosenfelt, a professional engineer, and Ms. Judith Rabb of Rosenfelt and Woolfolk, Inc., Mr. Claude Libis and Ms. Jeanne Dewey. There were no Protestants.

The evidence and testimony, all of which was uncontradicted, tends to establish that the subject property consists of approximately 21 acres of ground situated west of Liberty Road and north of the Baltimore Beltway in the greater Milford Mill section of Baltimore County. The property is located at the end of Gaither Road and is depicted on Petitioner's Exhibit 1. The property is currently zoned D.R.5.5 and is improved with six (6) cottages, a gymnasium, and various ancillary recreational facilities.

MICROFILMED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Robert S. Rosenbly/H.P.E.
Tudman Cornu
THOMAS KERNS

Colbert Mat's Rosenbly
3723 Old Court RD #1206 21208
408 Allegheny Ave 2120X
3030 CLARENDON BLVD. ARLINGTON VA
22201.

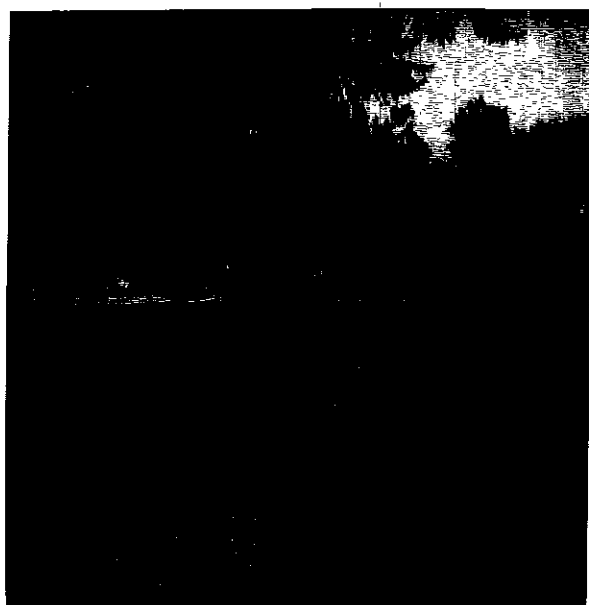
Shan Boyer FRAM Boyer
Christine K. Roake

BOARD OF CHILD CARE
3300 GAITHER RD BMT 21244
PDM- Project Management

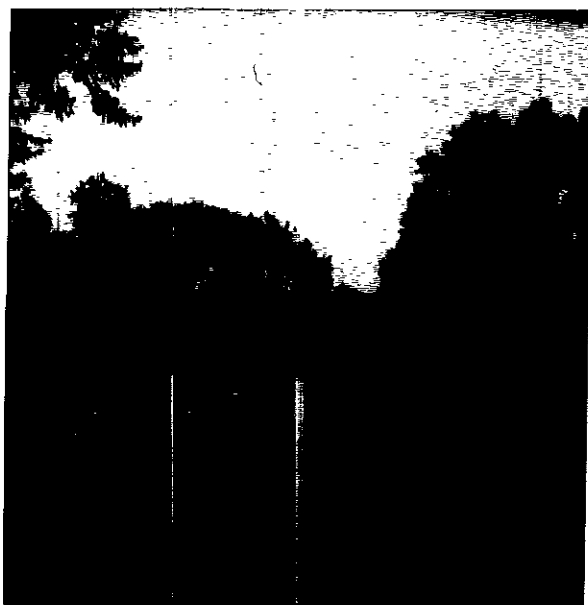


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on Recycled Paper

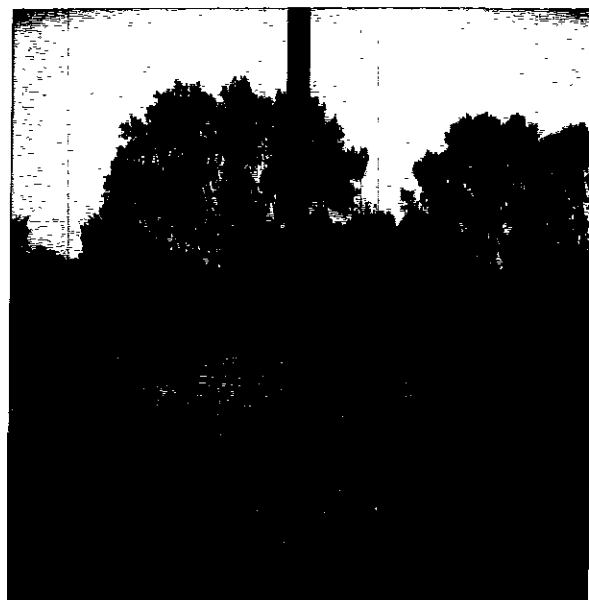
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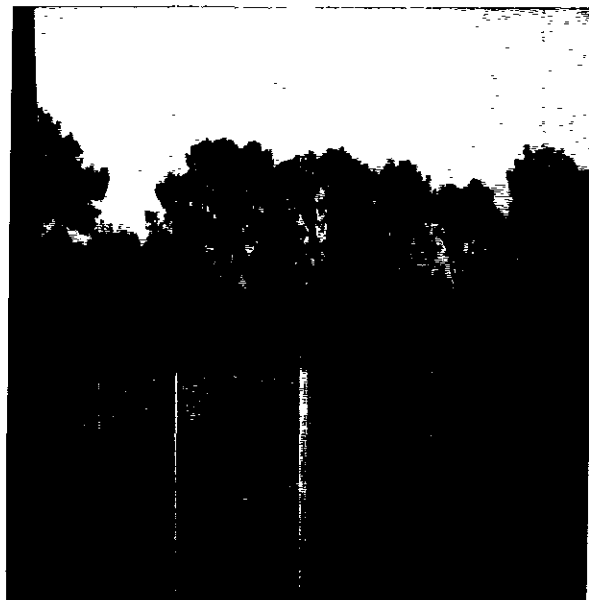
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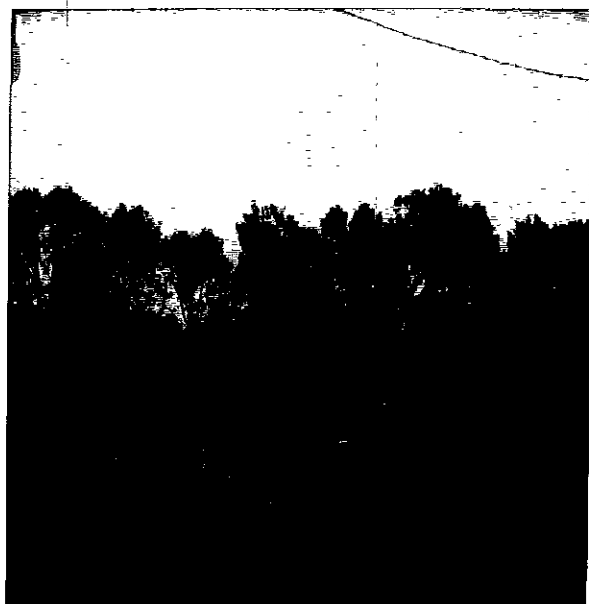
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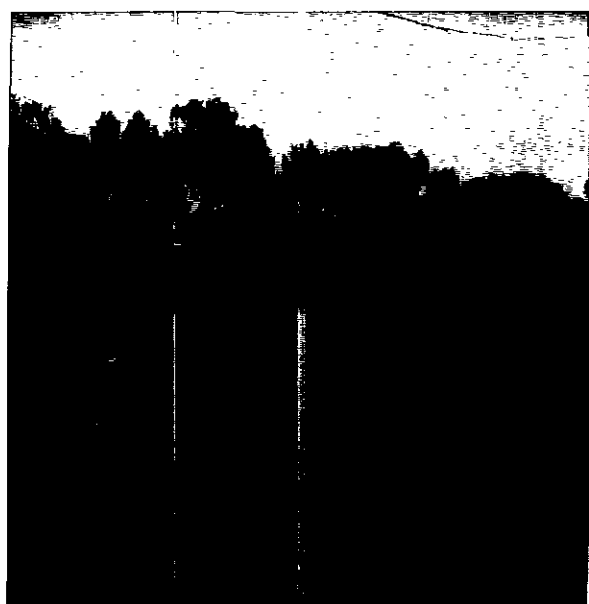
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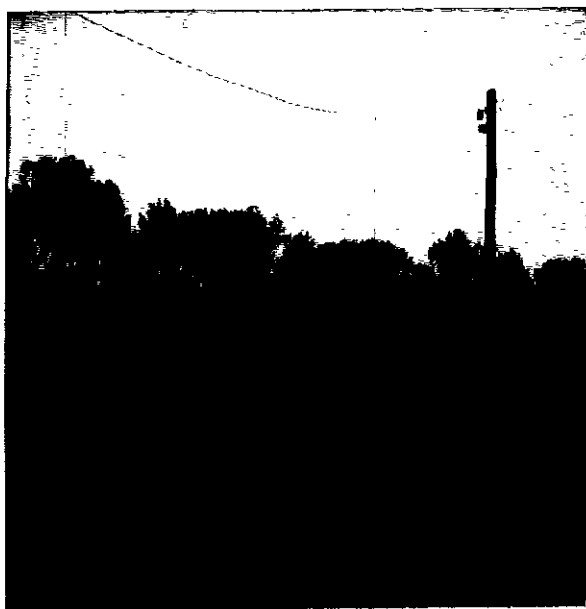
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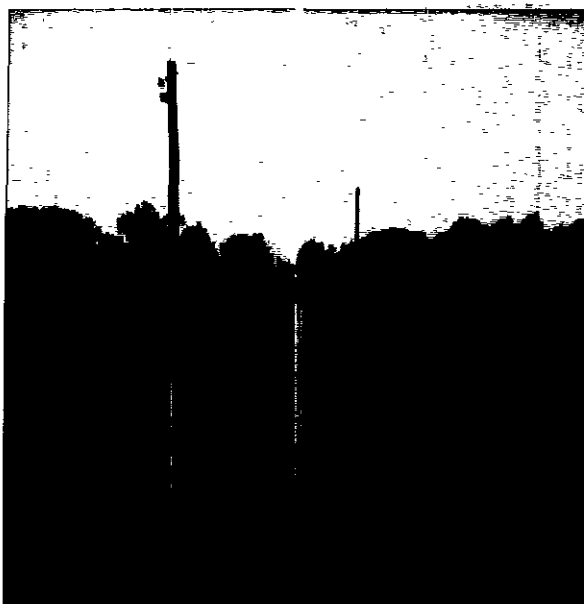
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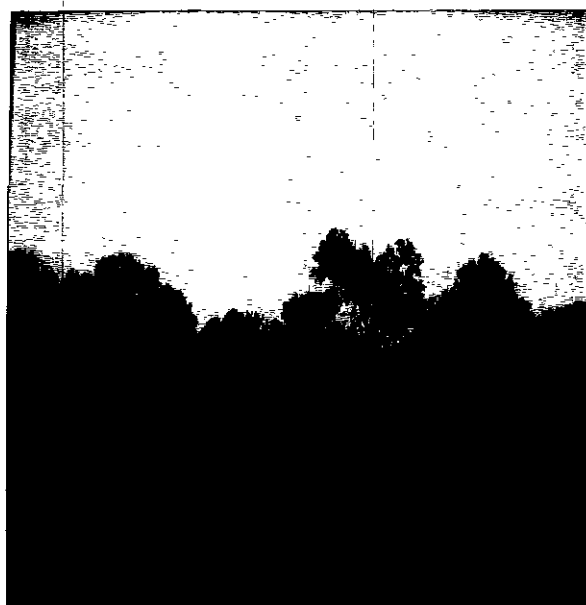
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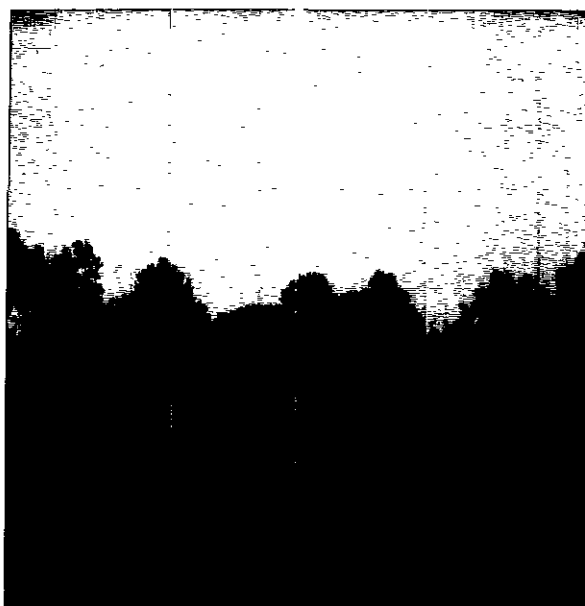
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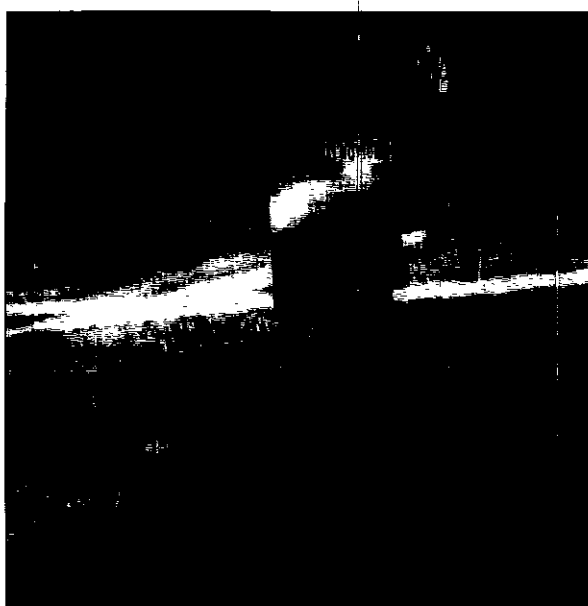
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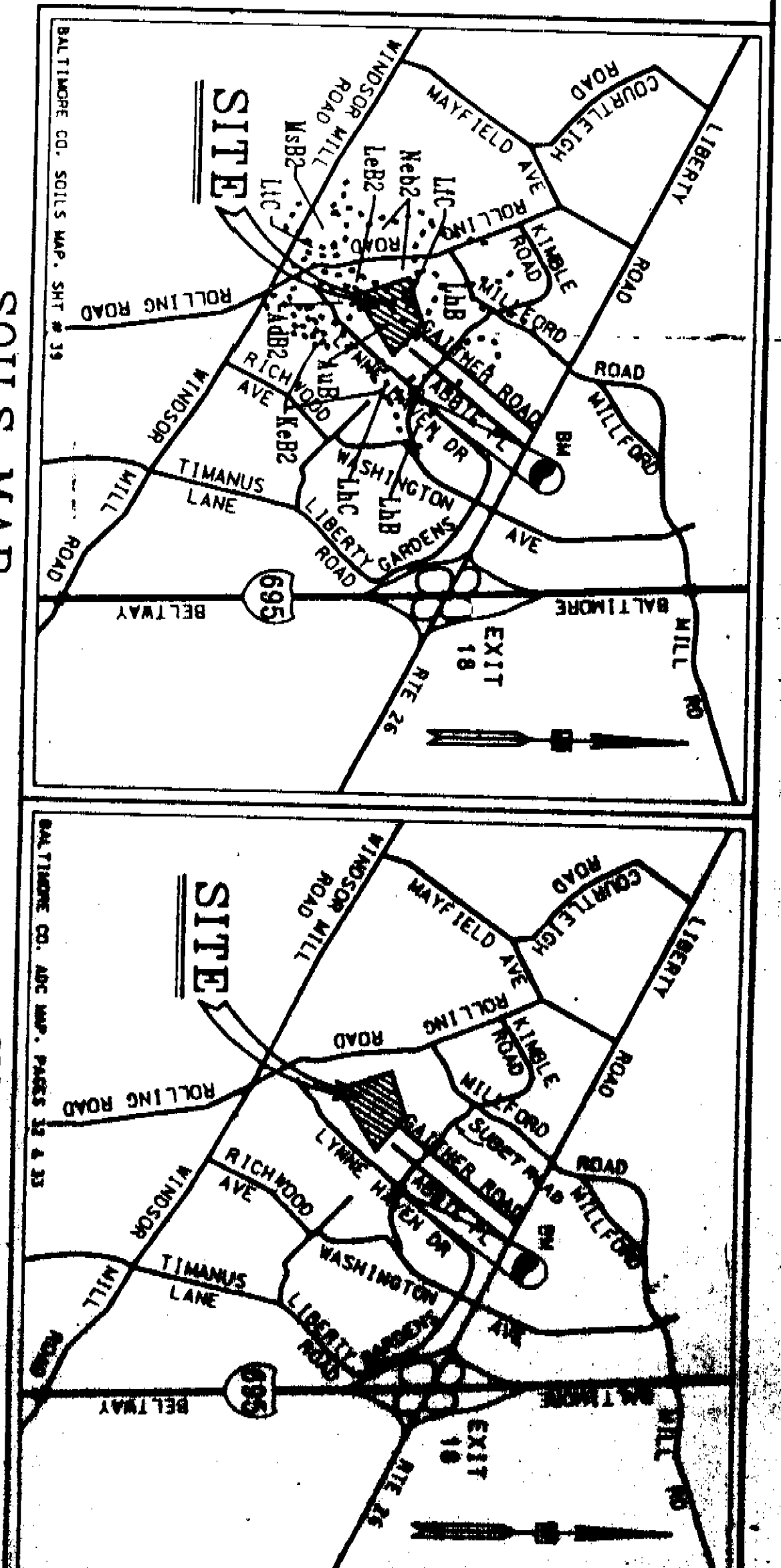
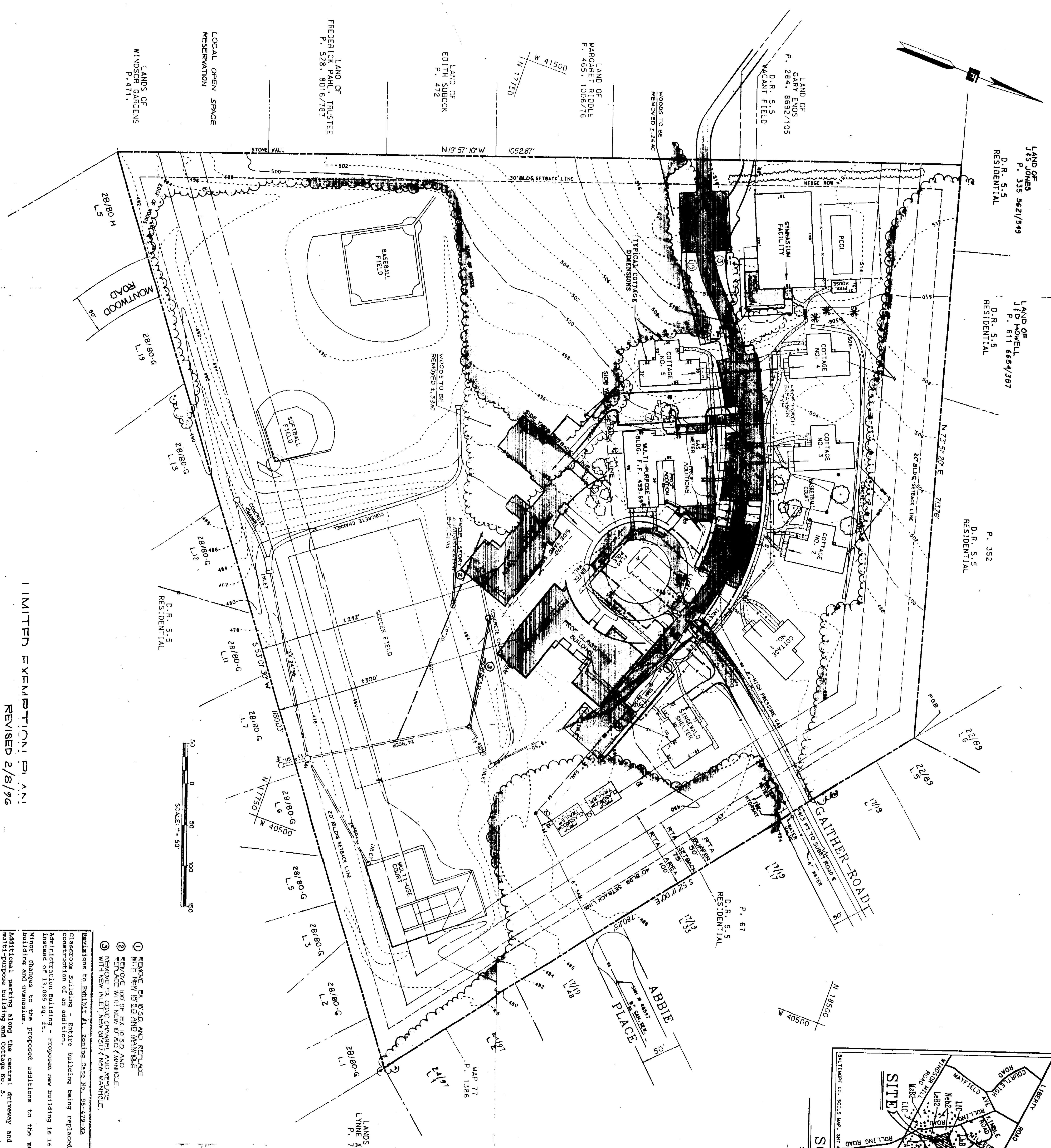
28



25



29



SITE DATA

- 1. ADDRESS: 3300 GATHER ROAD, BALTIMORE, MD 21207
- 2. TAX MAP: 87 GRID: 5 PARCEL: 285
- 3. ZONING: D.R. 5.5 (RESIDENTIAL)
- 4. DEED REFERENCE: 68 3446/498
- 5. SITE AREA: 18.405 ACRES +/- (181,164 SQ. FT. +/-)
- 6. SITE USAGE: INSTITUTIONAL
- 7. TAX ACCOUNT: 020510500, USE "E" (TAX ASSESSMENTS CATEGORY EXEMPT)
- 8. COUNCIL DISTRICT: 2
- 9. ELECTION DISTRICT: 2
- 10. CO. PHOTOGRAPHIC MAP: N.K. 5-4
- 11. BENCH MARK: N.B. 2414, 10' WIDE SPHERE IN ASPHALT PAVING AT INTERSECTION OF GATHER ROAD AND LYNN ROAD DRIVE, ELEV. 435.20
- 12. TOPOGRAPHIC SURVEY INFORMATION, INCLUDING STRUCTURES AND UTILITIES, AND BOUNDARY SURVEY INFORMATION TAKEN FROM PLANS PREPARED BY ROSENWELL & WOODWARD, INC. IN 1971 AND 1973, DATED 5-4-88 AND 5-25-89, RESPECTIVELY. SITS 1 AND SITS 3, DATED

13. BUILDING FLOOR AREA (Square Feet):

Building	Existing	Proposed
Cottages	15,430	15,430
Single-story	15,430	15,430
Classroom Bldg.	7,200	7,200
Administration Bldg.	1,000	1,000
Pool House	1,000	1,000
Administration Bldg.	140	140
Total	26,770	26,770

14. BUILDING FLOOR AREA (Square Feet):

Building	Existing	Proposed
Cottages	15,430	15,430
Single-story	15,430	15,430
Classroom Bldg.	7,200	7,200
Administration Bldg.	1,000	1,000
Pool House	1,000	1,000
Administration Bldg.	140	140
Total	26,770	26,770

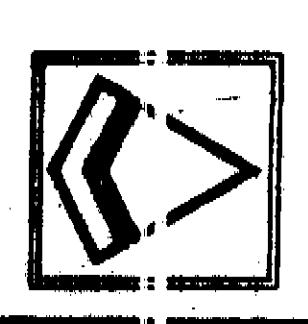
LIMITED EXEMPTION PLAN
REVISED 2/8/96

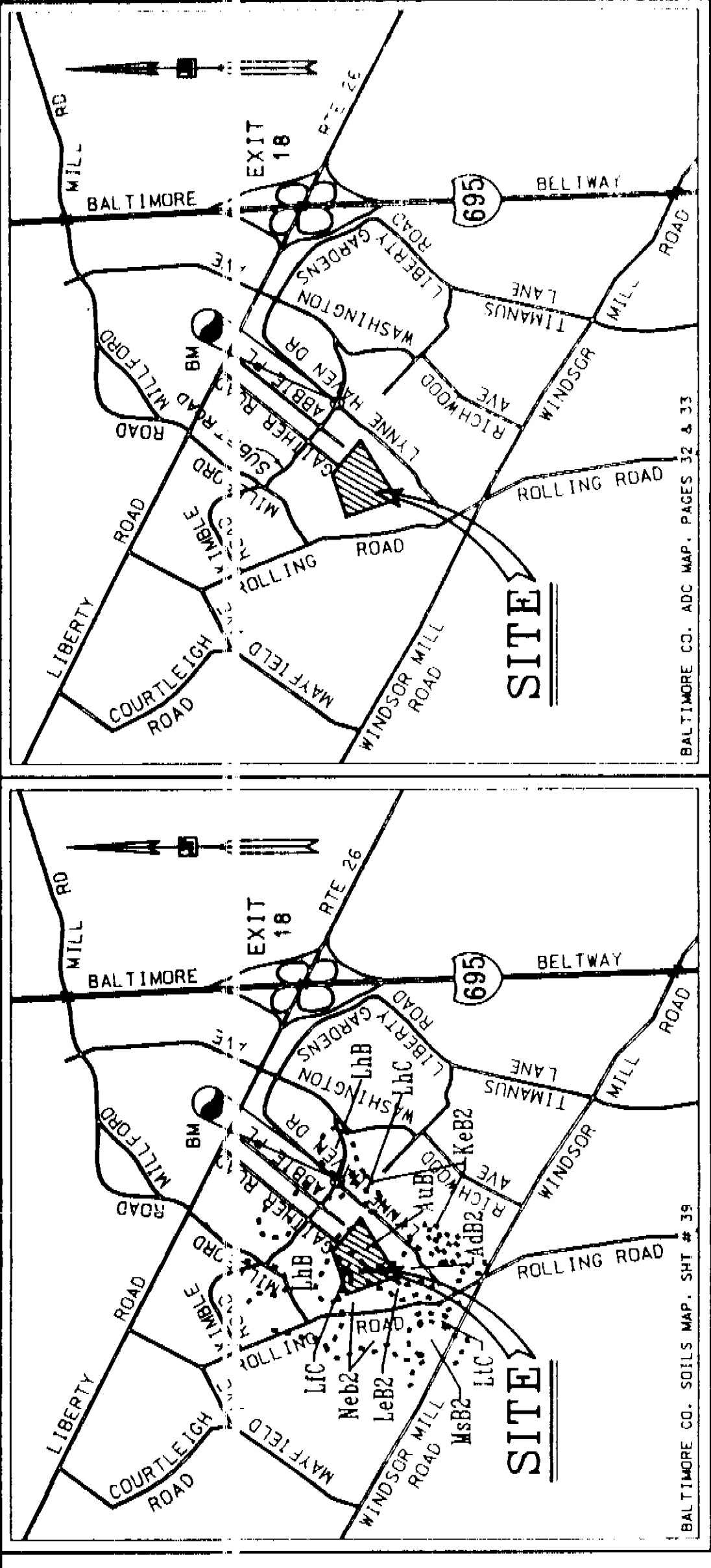
Colbert Matz Rosentel, Inc.
Engineers • Surveyors • Planners
3723 Old Court Road, Suite 206
Baltimore, Maryland 21208
Telephone: (410) 653-3838 Facsimile: 653-7953

OTHER/DEVELOPER
BOARD OF CHILD CARE OF THE
BALTIMORE ANNUAL CONFERENCE OF
THE METHODIST CHURCH, INC.
3300 GATHER ROAD
BALTIMORE, MARYLAND 21207

METHODIST CENTER AT GATHER ROAD
PRELIMINARY SITE PLAN
3300 GATHER ROAD
BALTIMORE, MARYLAND 21208
AND BALTIMORE COUNTY MARYLAND
2ND ELECTION DISTRICT BALTIMORE COUNTY MARYLAND

Colbert Matz Rosentel, Inc.
Engineers • Surveyors • Planners
3723 Old Court Road, Suite 206
Baltimore, Maryland 21208
Telephone: (410) 653-3838
Facsimile: (410) 653-7953





VICINITY MAP
SCALE: 1" = 2000'

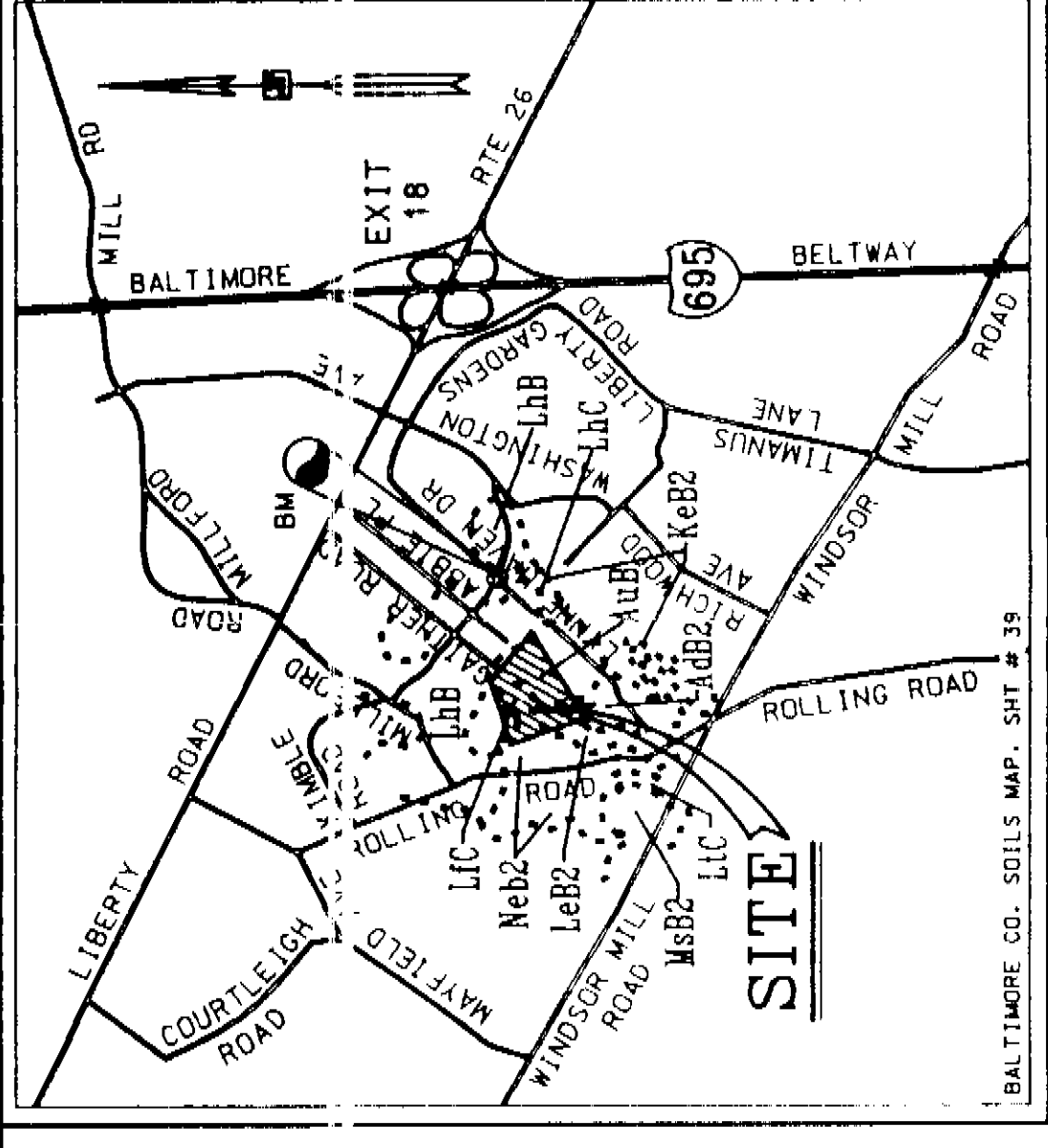
SITE DATA

1. ADDRESS: 1300 GAITHER ROAD, BALTIMORE, MD 21207
2. TAX MAP: 87 GRID: 5 PARCEL: 285
3. ZONING: D.R. 5.5 (RESIDENTIAL)
4. DEED REFERENCE: QLB 3446/498
5. SITE AREA: 18,405 S.F. (0.42 ACRES)
6. SITE USE: INST. / EDUC.
7. TAX ACCOUNT: 020205080 USE "E" (TAX ASSESSMENTS CATEGORY EXEMPT)
8. COUNCIL DISTRICT: 2
9. ELECTION DISTRICT: 2
10. CD. PHOTOGRAPHIC MAP: N.W. 5-6
11. BENCH MARK: HUB X-5414, GALVANIZED SPIKE IN ASPHALT PAVING AT INTERSECTION OF SUBT ROAD AND LYNE HAVEN DRIVE, ELEV. 459.20.
12. TOPOGRAPHIC SURVEY INFORMATION: INCLUDING STRUCTURES AND ELEVATIONS, AND AERIAL PHOTOGRAPHIC INFORMATION, PREPARED BY ROSENFELT & WOLF, INC., DMS SIT 1 AND SIT 3, DATED 5-2-89 AND 5-22-89, RESPECTIVELY.
13. Previous zoning hearing, Case No. 89-156-SPLX, granted a Special Exception for a Community Care Center.
14. Building Floor Area (Square Feet):

Existing	Proposed	Total
Cottages	15,430	15,430
Singlewide Shelter	2,950	2,950
Multi-Purpose Bldg.	7,680	7,680
Gymnasium	8,400	8,400
Pool House	340	340
Administration Bldg.	340	340
Total	41,930	41,930

Total Proposed Building Area = 61,740 Sq. Ft.
Total Site Area = 815,168 Sq. Ft.
Proposed Floor Area Ratio = 0.075
15. BUILDING CALCULATIONS:

Category	Count
Cottages	80 Residents @ 1 Space/5 Residents = 16 Spaces
Administration Bldg.	13,085 Sq. Ft. @ 3.3 Spaces/1,000 Sq. Ft. = 44 Spaces
Classroom Bldg.	20 Employees @ 1 Space/Employee = 20 Spaces
Parking Spaces Required	80 Spaces
Parking Spaces Proposed	89 Spaces
16. Plan Prepared by Colbert Matz Rosenfelt, Inc. based on site plan by Frederick Ward Associates, Inc., dated 3/16/94.
17. Variances are being requested from the MTA buffer requirements in accordance with Section 1801.1.B.1.6.2 of the BCZR.
18. Variances are being requested from Sections 601.1.C.4.4 and 102.2 of the BCZR for a between-building setback of no less than 10 feet and a between-building setback of no less than 15 feet in lieu of the required 60 feet.



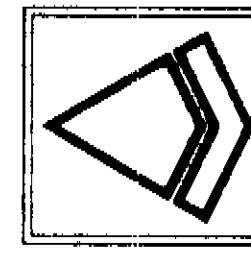
SOILS MAP
SCALE: 1" = 2000'

WENED
PLAN TO ACCOMPANY HEARING FOR
SPECIAL EXCEPTION AND VARIANCES

Colbert Matz Rosenfelt, Inc.

Engineers • Surveyors • Planners

3723 Old Court Road, Suite 206
Baltimore, Maryland 21208
Telephone: (410) 653-3838
Facsimile: (410) 653-7953



OWNER/DEVELOPER

BOARD OF CHILD CARE OF THE
BALTIMORE ANNUAL CONFERENCE OF
THE METHODIST CHURCH, INC.
3300 GAITHER ROAD
BALTIMORE, MARYLAND 21207

REVISIONS

FREDERICK WARD ASSOCIATES INC.
ENGINEERS • ARCHITECTS • SURVEYORS
5 SOUTH MAIN STREET
BALTIMORE, MARYLAND
(410) 871-2090



METHODIST CENTER AT GAITHER ROAD

SITE PLAN

3300 GAITHER ROAD
2ND ELECTION DISTRICT BALTIMORE COUNTY MARYLAND

DATE: 6/1/95

SCALE: 1" = 50'

DESIGNED BY: DR

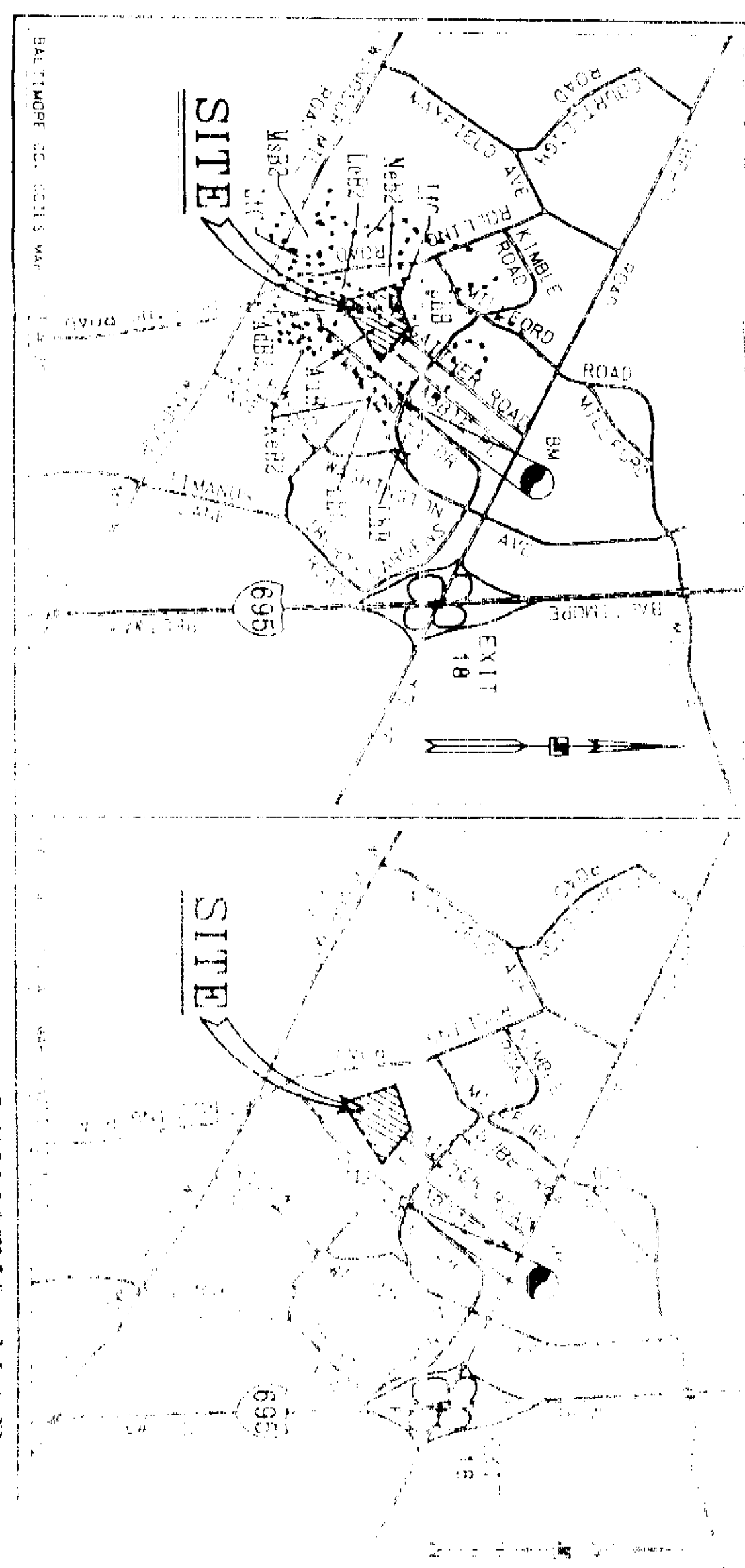
SHEET NO. 1

DRAWN BY: BOS

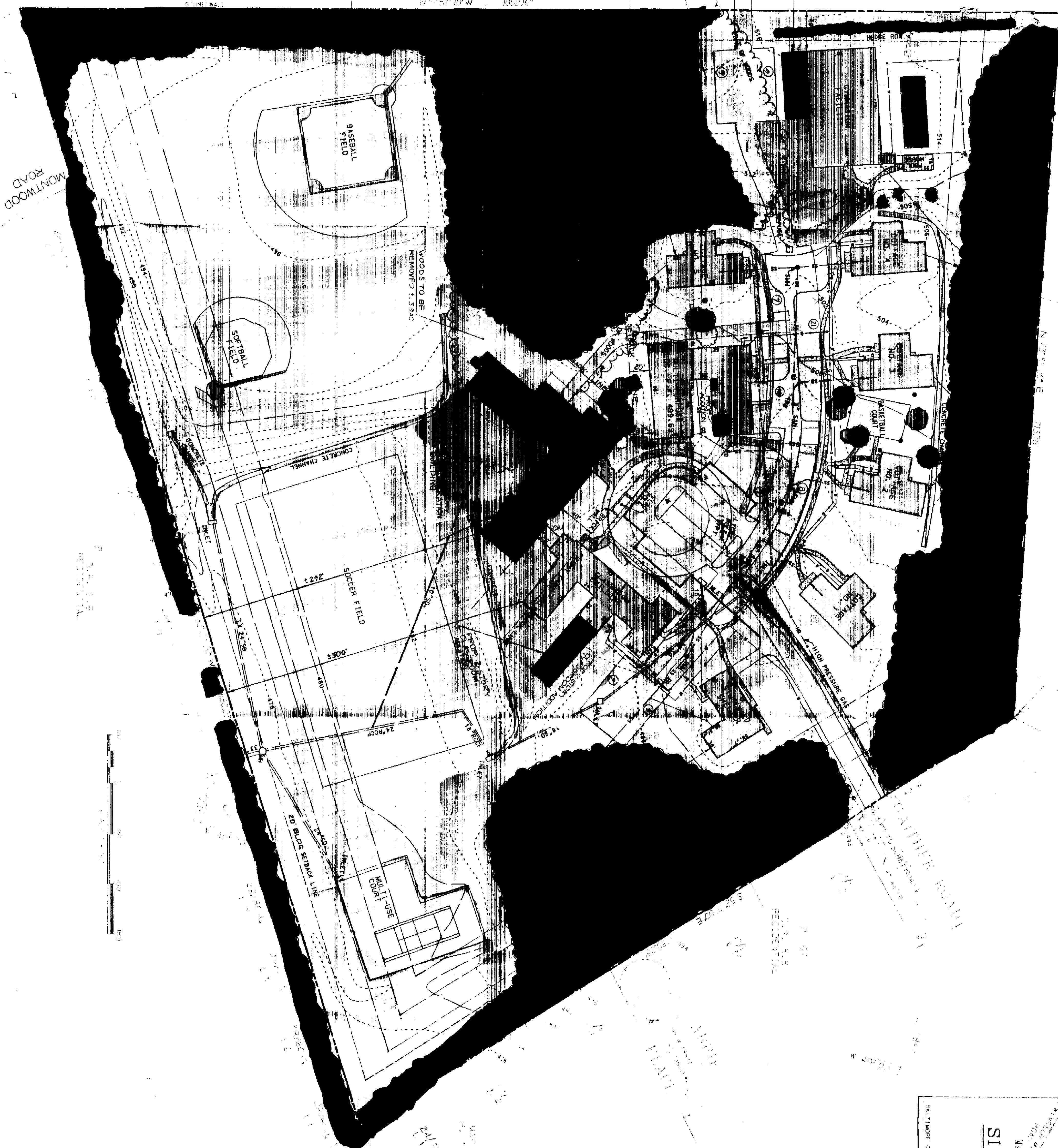
FILE NO. 94089.00

2.
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 (2) 1
 (3) 2
 (4) 3
 (5) 4
 (6) 5
 (7) 6
 (8) 7
 (9) 8
 (10) 9

95-479 XA
Bond of Child Care



VICINITY MAP

[illegible]

70

100

Robert Matz Rosenfield 1905

PA. No 3

FREDERICK WARD ASSOCIATES, INC.
ENGINEERS ARCHITECTS

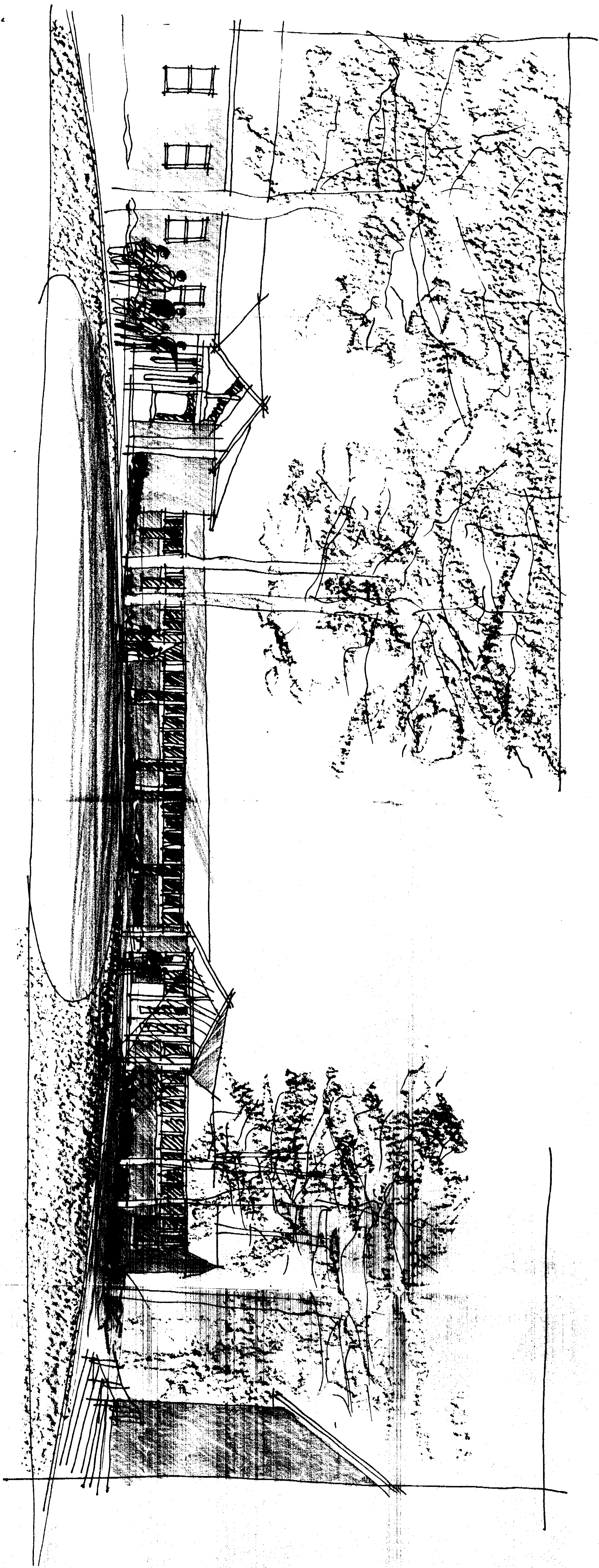
OWSER DEN TLOPETH

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Figure 1 illustrates the steps of the proposed algorithm for finding a minimum spanning tree. The process starts with a graph with 6 nodes and 7 edges. The algorithm iteratively selects edges with the minimum weight, avoiding cycles and ensuring no node has a degree greater than 2. The steps are labeled (a) through (m), showing the selection of edges (1,2), (2,3), (3,4), (4,5), (5,6), (1,3), (2,4), (3,5), (4,6), (1,4), (2,5), and (3,6) in sequence. The final graph is a minimum spanning tree with 5 edges and 6 nodes.

4

223



DRAWING NO. PROJECT

BOARD OF CHILD CARE
3300 GAITHER ROAD
BALTIMORE, MARYLAND

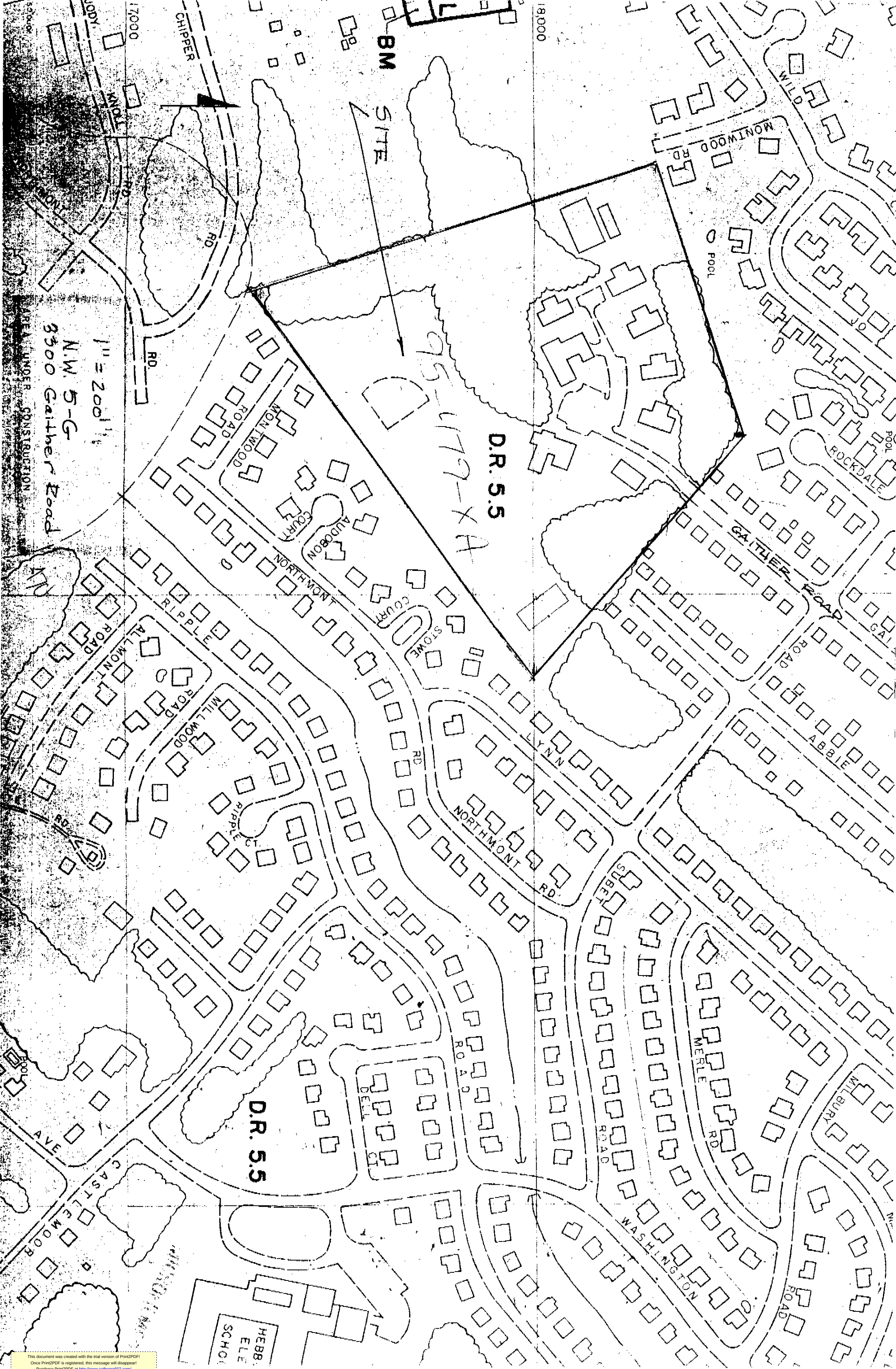
ISSUE / DATE

ZONING HEARING JULY 21, 1998

SHEET ___ of ___ SHEET TITLE

KERNS GROUP ARCHITECTS, P.C.
3030 CLARENDON BOULEVARD, ARLINGTON, VIRGINIA 22201
SUITE 100 703 528-1150

©1998 Kerns Group Architects, P.C. All Rights Reserved



BM SITE

D.R. 5.5

95-177-XA

D.R. 5.5

1" = 200'

N.W. 5-G

3500 Gather Road

AREA UNDER CONSTRUCTION

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND ZONING VARIANCE * ZONING COMMISSIONER
C/L Gaither Road, 413 ft. SWly *
Subit Road * OF BALTIMORE COUNTY
3300 Gaither Road *
2nd Election District * Case No. 95-479-XA
2nd Councilmanic District *
Board of Child Care of Balto.-Wash.
Conference of United Methodist *
Church, Inc., Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Exception and Zoning Variance for the property located at 3300 Gaither Road in western Baltimore County. The Petitions are filed by the Board of Child Care of the Baltimore-Washington Conference of the United Methodist Church, Inc. (hereinafter called the "Board"), a body corporate, by Thomas L. Curcio, Executive Director. The Board is and has been owner of the subject site for many years. Special Exception relief is requested for approval of a community care center in a D.R.5.5 zone, in accordance with Section 1B01.1.C.(6a) of the Baltimore County Zoning Regulations (BCZR), and a variance from R.T.A. standards in accordance with Section 1B01.1.B.c(2) of the BCZR. Variance relief is also requested from Sections 1B01.2.C.1.A and 102.2 of the BCZR to allow a building to building setback of no less than 15 ft., in lieu of the required 60 ft., in certain portions of the property, and no less than 30 ft. in lieu of the required 40 ft. in other parts of the site. All of the relief requested is more particularly shown on Petitioner's Exhibit No. 1, the site plan to accompany the Petitions for Special Exception and Variance.

Appearing at the requisite public hearing held for this case was Fran Boyer on behalf of the Board. Also present was Robert S. Rosenfelt, P.E., of Colbert, Matz, Rosenfelt, Inc., the engineers who prepared the site

plan. Thomas Kerns, an Architect who prepared many of the elevation drawings also appeared and testified. The Petitioner was represented by Duncan Cornell, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence offered on behalf of the Petitioner was that the subject site is approximately 18.8055 acres in area and is zoned D.R.5.5. The property lies at the end of Gaither Road, not far from Liberty Road, (Md. Route 26) and its junction with the Baltimore Beltway (I-695).

Apparently, the site has been owned by the Board for many years. The property was developed in the early 1960s to provide a facility for neglected, abused and homeless children. Six separate cottages were originally constructed for this purpose. The laudable history and mission of the Board of Child Care is well set forth in the opinion of Zoning Commissioner, J. Robert Haines, issued on May 19, 1989. At that time, Commissioner Haines, pursuant to a Petition for Special Hearing, found that the subject facility was a legal nonconforming use as a community building devoted to civic, social, recreational and educational purposes. The Petition for Special Exception was also granted at that time for a community care center.

The history of the facility was also testified to by Fran Boyer at the hearing before me. Ms. Boyer indicated that of the six cottages constructed, five housed children on a long term basis and one on a short term basis. The children who utilized the facility ranged between the ages of 10 to 18 years and approximately 14 children are housed in each cottage. The children are referred by the Department of Social Services to the Methodist Home. During their residence, counseling and psychiatric services are provided with a goal assisting children in need and re-unification of families.

- 2 -

In an effort to upgrade the facility, certain improvements are proposed to the site. These improvements were testified to by Robert Rosenfelt, the engineer who prepared the site plan. Mr. Rosenfelt indicated that a number of improvements are proposed. The existing gymnasium facility will be enlarged and a minor addition will also be added to the existing multi-purpose building. The major improvement will be a new administration building constructed at the end of a cul-de-sac on the driveway which enters the property from Gaither Road. This new administration building will allow the existing administrative offices to be re-located from other portions of the site and conversion of those spaces into classrooms. Moreover, two temporary trailers are proposed until such time as the permanent construction is completed. Porches are also being enlarged on the residential cottages.

Mr. Rosenfelt also testified as to the specific relief requested within the Petitions. As to the Petition for Special Exception, he addressed each of the standards set forth in Section 502.1 of the BCZR and opined that the proposed use satisfied that criteria. In his opinion, the continued use and proposed improvements of the site will not be detrimental to the surrounding locale. He also noted that the R.T.A. standards from which a waiver is sought is generated by the athletic fields on the southern portion of the property. That is, most of the buildings are clustered on the north central portion of the site and a large open area to the south of the property is used for soccer/football fields, baseball/softball fields and tennis/basketball courts. The R.T.A. standard is generated by this use and not any specific building. It is clear that the buildings, themselves, are more than adequately buffered from surrounding properties. As to the variances, these are requested so as to cluster the buildings in a central location. Mr. Rosenfelt indicated that a campus-like atmosphere needs to

- 3 -

be maintained and that strict adherence to the setback distances, as required by the BCZR, would disrupt the traffic pattern and architectural flow of the site. These comments were echoed by Mr. Kerns, who has prepared the site plans for the proposed improvements. He noted that the proposed buildings will be one story in height and will be compatible with the residential character of the cottages and campus. He desires to create a pedestrian style campus and retain much of the existing landscaping. In his view, the proposed additions are entirely appropriate and consistent with the present use of the site.

Based upon the testimony and evidence offered, I am persuaded that the Petition for Special Exception and Variance should be granted. This is surely a case of a needed facility which fits in well with the surrounding locale. The long history of the use of this site by the Board of Child Care and the absence of Protestants at the hearing before me attest to the quality of the operation of this facility. As to the special exception, it is clear that there will be no detrimental impact to the surrounding locale. It is to be noted that although the building area on the property will be incidental, the number of children will not increase, and the nature of the use of the site will not change. The Petition for Variance is also warranted in view of the uniqueness of the property, the desire to preserve open space and concentrate the physical plant/campus in the center of the community.

A final note is also in order about the Zoning Plans Advisory Committee (ZAC) comments which have been submitted. One comment in particular is of note which was received from Developers Engineering Division. That agency suggests that a 50 ft. right of way from Montford Road must be extended to the western property line of the site and that the right of way shall be constructed at no cost to the County. Testimony from Mr.

- 4 -

Rosenfelt on this issue was enlightening. He indicated that the Board presently owns an adjacent tract and is under contract to purchase another adjacent property. Ultimately, if these tracts are acquired, the Petitioner's land holdings will be increased and the use may be expanded. In fact, it appears that the Petitioner has presently instituted a proceeding through the development process in order to obtain approval for these proposed acquisitions and further development.

The future of Montford Road appears to be an issue which should be resolved in the context of those development plan hearings. Apparently, many members of the surrounding residential community do not wish Montford Road to be extended. No one from the Department of Public Works/Developers Engineering Section appeared at the hearing before me to explain the rationale for the ZAC comment. Under the circumstances, I will defer this issue until the development plan comes before this office. The approval granted herein shall not be construed to, either provide an exception to, or mandate compliance with, the ZAC comment. Quite simply, this is an issue for another day when testimony from all interested persons can be received and evaluated.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 9th day of August, 1995 that, pursuant to the Petition for Special Exception, approval for a community care center in a D.R.5.5 zone, in accordance with Section 1B01.1.C(6a) of the Baltimore County Zoning Regulations (BCZR), and a variance from R.T.A. standards in accordance with Section 1B01.1.B.c(2) of the BCZR, be and is hereby GRANTED; and,

- 5 -

IT IS FURTHER ORDERED that a variance from Sections 1B01.2.C.1.A and 102.2 of the BCZR to allow a building to building setback of no less than 15 ft., in lieu of the required 60 ft., in certain portions of the property, and no less than 30 ft., in lieu of the required 40 ft. in other parts of the site, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

LES:mmm

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

ORDER RECEIVED FOR FILING
Date 8/9/95
By [Signature]

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 8, 1995

Duncan Cornell, Esquire
408 Allegheny Avenue
Towson, Maryland 21204

RE: Petitions for Special Exception and Variance
Case No. 95-479-XA
Property: 3300 Gaither Road
Board of Child Care of the Balto./Wash. Conference of the
United Methodist Church, Inc., Petitioner

Dear Mr. Cornell:

Enclosed please find the decision rendered on the above captioned case. The Petitions for Special Exception and Zoning Variance have been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner

LES:mmm

att.
cc: Ms. Fran Boyer, Board of Child Care

ORDER RECEIVED FOR FILING
Date 8/9/95
By [Signature]



Petition for Special Exception
75-479-XA
to the Zoning Commissioner of Baltimore County
for the property located at 3300 GAITHER ROAD

which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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 Regulations of Baltimore County, to use the herein described property for:

A COMMUNITY CARE CENTER IN A DR 5.5 ZONE, IN ACCORDANCE WITH SECTION 1B01.1.C(6a) OF THE BALTIMORE COUNTY ZONING REGULATIONS AND A VARIANCE FROM RTA STANDARDS IN ACCORDANCE WITH SEC. 1B01.1.B.C.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS.

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.

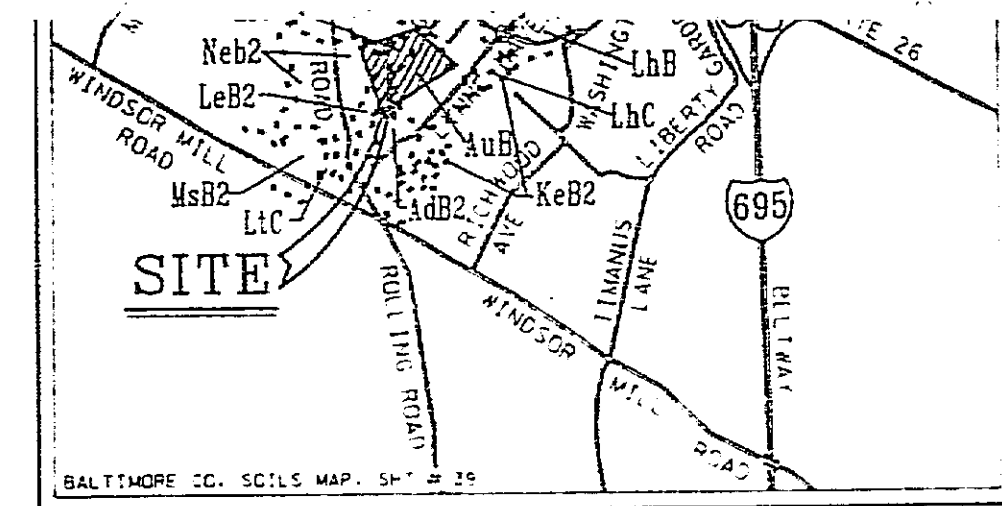
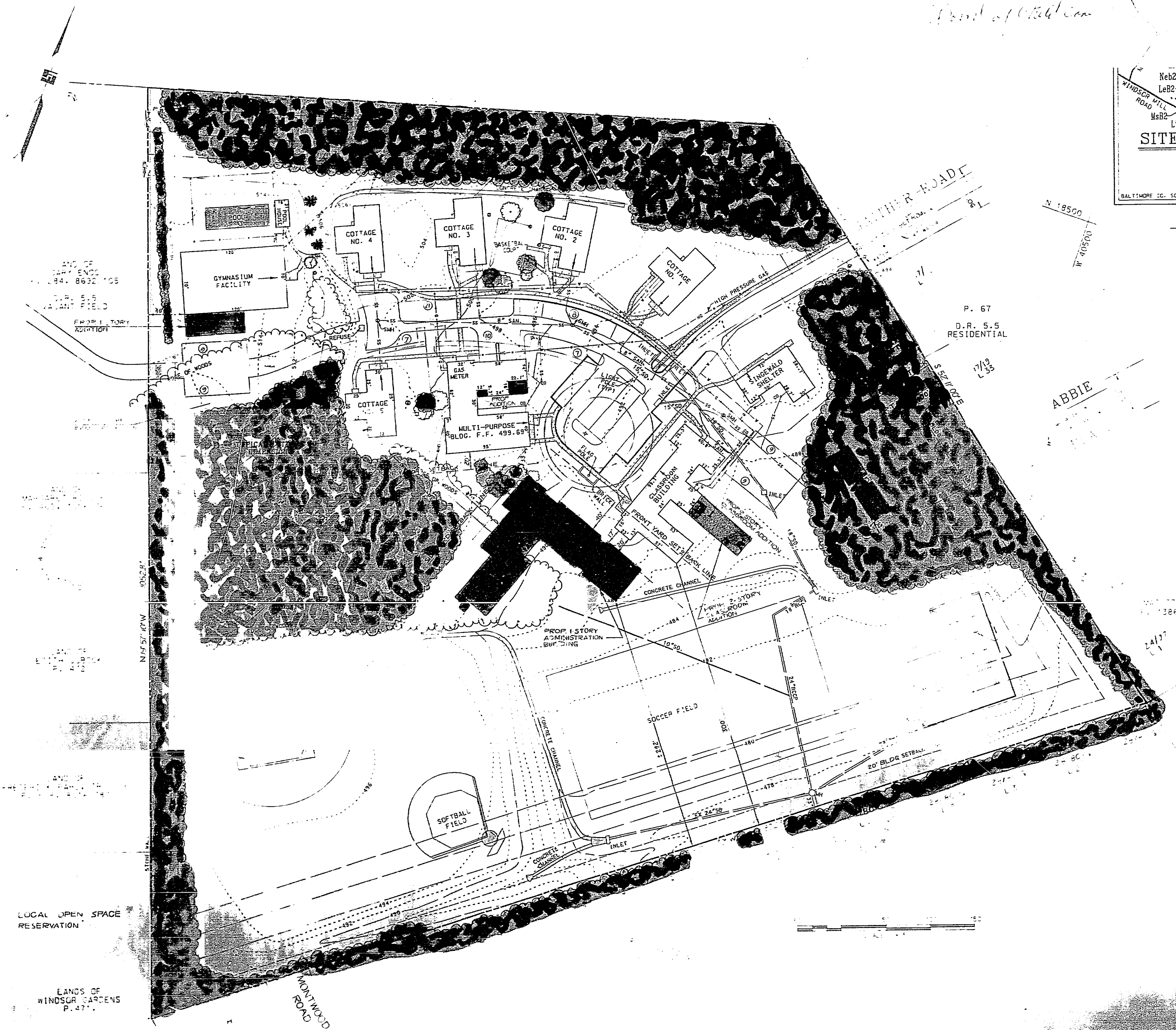
Contract Purchaser/Lessor
Type or Print Name
Signature
Address
City State Zipcode

Legal Owner
Type or Print Name
Signature
Address
City State Zipcode

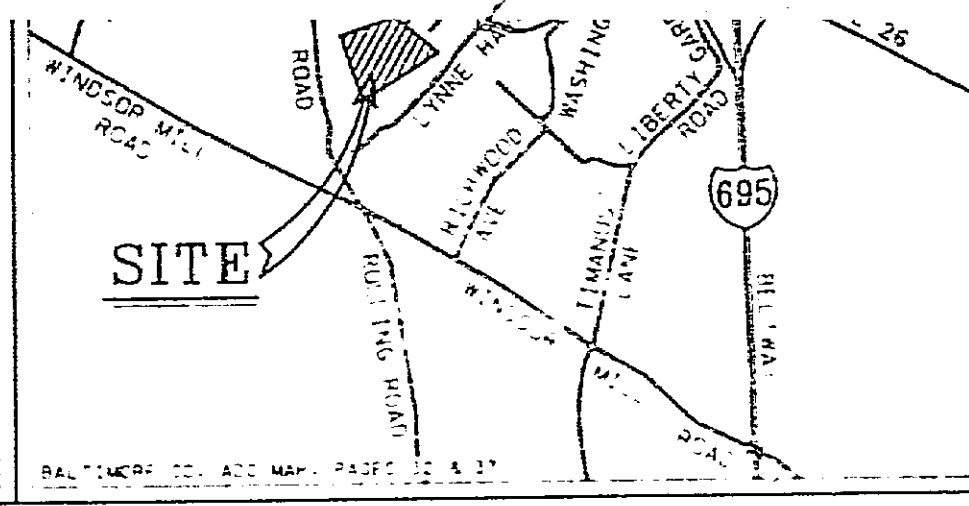
Attorney for Petitioner
DUNCAN CORNELL, ESQ.
Type or Print Name
Signature
Address
City State Zipcode

408 ALLEGHENY AVE. 410-823-3010
TOWSON MD 21204
City State Zipcode

ESTIMATED LENGTH OF HEARING
The following date is available for hearing
ALL OTHER
REVIEWED BY: DATE



SOILS MAP
SCALE: 1" = 200'



VICINITY MAP
SCALE: 1" = 1/4 MILE

SITE DATA

1. ADDRESS: 1301 WINDSOR ROAD, BALTIMORE, MD 21207
2. TAX MAP: 67, GRID: 5, PARCEL: 285
3. ZONING: D.R. 5.5 RESIDENTIAL
4. DEED REFERENCE: DB 3446-498
5. SITE AREA: 19.8555 ACRES +/- (1819,168 SQ. FT +/-)
6. CITY USE: INSTITUTIONAL
7. TAX ACCOUNT: 002050580, USE "E" (TAX ASSESSMENTS CATEGORY EXEMPT)
8. COUNCIL DISTRICT: 2
9. PLANNING COMMISSION: 2
10. PREVIOUS DEVELOPMENT: NONE
11. SOILS: SEE SOILS MAP, MAP NO. 5-6
12. SURVEY: SEE SURVEY MAP, MAP NO. 5-6
13. UTILITIES: SEE UTILITIES MAP, MAP NO. 5-6
14. ENVIRONMENTAL: SEE ENVIRONMENTAL MAP, MAP NO. 5-6
15. TRAFFIC: SEE TRAFFIC MAP, MAP NO. 5-6
16. LANDSCAPE: SEE LANDSCAPE MAP, MAP NO. 5-6
17. LIGHTING: SEE LIGHTING MAP, MAP NO. 5-6
18. FLOODING: SEE FLOODING MAP, MAP NO. 5-6
19. SEISMIC: SEE SEISMIC MAP, MAP NO. 5-6
20. OTHER: SEE OTHER MAP, MAP NO. 5-6

LOCAL OPEN SPACE RESERVATION

LANDS OF WINDSOR GARDENS P. 47

Vol. No 3

Handwritten signature

Colbert Matz Rosenfelt, Inc.
Engineers • Surveyors • Planners
3123 Old Court Road, Suite 205
Baltimore, Maryland 21206

THE WARD ASSOCIATES
ARCHITECTS
1111 N. WINDSOR ROAD
BALTIMORE, MD 21207

AMENDED
PLAN TO ACCOMPANY HEARING FOR
EXCEPT AND MAP



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3300 GAITHER ROAD
which is presently zoned DR 5.5

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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(s) 1504.2, 1.1.A. AND 102.2 FOR A BETWEEN BUILDING SETBACK OF NO LESS THAN 15 FEET IN LIEU OF THE REQUIRED 60 FEET AND NO LESS THAN 30 FEET IN LIEU OF THE REQUIRED 40 FEET.

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

NEW BUILDING MUST FIT IN AVAILABLE SPACE IN RELATION TO EXISTING BUILDINGS AND EXISTING ATHLETIC FACILITIES.

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.

Correct Purchaser/Lessee:

Type or Print Name

Signature

Address

City

State

Zipcode

Attest for Petitioner:

DUNCAN CORNELL, ESQ.

408 ALLEGHENY AVE., 410-823-3010

TOWSON, MD 21204

Signature

408 ALLEGHENY AVE., 410-823-3010

TOWSON, MD 21204

City

State

Zipcode

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.

Legal Owner(s): BOARD OF CHILD CARE OF THE BALTIMORE-WASHINGTON CONFERENCE OF THE UNITED METHODIST CHURCH, INC.

THOMAS L. CURCIO, EXEC. DIR.

Signature

3300 GAITHER RD 410-922-2100

BALTIMORE, MD 21244

City

State

Zipcode

Name, Address and phone number of legal owner, contract purchaser or representative to be contacted

JUDITH FLOAM

COLBERT MATZ ROSENFELT, INC.

3723 OLD COURT ROAD #206

BALTIMORE, MD 21208 410-653-3838

City

State

Zipcode

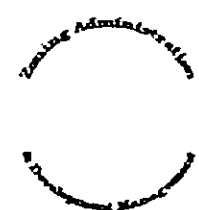
ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates

ALL OTHER

REVIEWED BY: DATE



Colbert Matz Rosenfelt, Inc.

Civil Engineers • Surveyors • Planners



ZONING DESCRIPTION

95-479-XA

18.81 ACRE PARCEL MORE OR LESS SITUATED IN THE SECOND ELECTION DISTRICT OF BALTIMORE COUNTY, MARYLAND AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING FOR THE SAME AT A POINT ON THE OUTLINES OF THE LAND CONVEYED TO BOARD OF CHILD CARE OF THE BALTIMORE/WASHINGTON CONFERENCE OF THE UNITED METHODIST CHURCH, INC. SAID POINT OF BEGINNING BEING DISTANT SOUTHWESTERLY 413 FEET MORE OR LESS FROM THE CENTERLINE OF SUBET ROAD AS MEASURED ALONG THE CENTERLINE OF GAITHER ROAD AND N 52° 11'00"W 171.68 FEET, RUNNING THENCE BINDING ON THE OUTLINES OF SAID LAND FOLLOWING FOUR (4) COURSES:

- (1) S 52° 11'00"E 780.25 FEET,
- (2) S 53° 01'30"W 1180.03 FEET,
- (3) N 19° 57'10"W 1052.87 FEET, AND
- (4) N 73° 51'20"E 713.76 TO THE PLACE OF BEGINNING

CONTAINING 18.81 ACRES OF LAND MORE OR LESS



J:\COLBERT\DESCRIPTION\94103.DES P7

3723 Old Court Road, Suite 206 Baltimore, Maryland 21208
Telephone: (410) 653-3838 / Facsimile: (410) 653-7953

470

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

95-479-XA

District: 2nd Date of Posting: 7/1/95

Posted for: Special Execution & Service

Petitioner: Board of Child Care of the Baltimore-Washington Conference of the United Methodist Church, Inc.

Location of property: 3300 Gaither Rd.

Location of Sign: Gaither Road, 2nd Election District, 3300 Gaither Rd.

Remarks:

Posted by: [Signature] Date of return: 7/14/95

Number of Signs: 1

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 7, 1995

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 July 6, 1995.

THE JEFFERSONIAN,

A. H. Henrichson

LEGAL AD. - TOWSON

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, 111 W. Chesapeake Avenue in Towson, Maryland 21204, on Tuesday, July 25, 1995 at 9:00 a.m. in Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case Number: 95-479-XA (Item 470)
3300 Gaither Road
413 S.W. Subit Road
2nd Election District

Legal Owner(s): Board of Child Care of the Baltimore-Washington Conference of the United Methodist Church, Inc.

Special Exception for a community care center.

NOTES: (1) Hearings are held on Tuesdays at 9:00 a.m. in Room 118, Old Courthouse.

Special Exception for a community care center.

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Special Exception for a community care center.

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 12, 1995

FROM: Pat Keller, 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 Nos. 450, 470 and 472

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 897-3490.

Prepared by: *Jeffrey M. Long*

Division Chief: *Pat Keller*

PK/JL

ITEM450/PZONE/ZAC1

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

TO: ZACM

FROM: DEPRM
Development Coordination

SUBJECT: Zoning Advisory Committee
Agenda: *July 3, 1995*

DATE: *7/12/95*

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s: 468
469
470
472
473

LS:sp

LETTY2/DEPRM/TXTSBP

Baltimore County Government
Fire Department



700 East Joppa Road, Suite 901
Towson, MD 21286-5500

RECEIVED
JUL 5 1995

ZADM
(410) 887-1500

DATE: 07/03/95

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: BOARD OF CHILD CARE OF THE BALTIMORE-WASHINGTON
CONFERENCE OF THE UNITED METHODIST CHURCH, INC.
LOCATION: CENTERLINE GAITHER RD., 413' SWLY SUBIT RD. (3300 GAITHER RD.)

Item No.: 470 Zoning Agenda: SPECIAL EXCEPTION/VARIANCE

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.

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", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 897-4881, MS-1102F

cc: File

Printed on Recycled Paper

Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassell
Administrator

6-23-95

Ms. Joyce Watson
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No.: 470 (CAM)

Dear Ms. Watson:

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 project.

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,

Bob Small
for Ronald Burns, Chief
Engineering Access Permits
Division

BS/

PETITION PROBLEMS
AGENDA OF JULY 3, 1995

#469 -- JRA

1. Need title of person signing for legal owner.
2. Need address and telephone number for legal owner.
3. Need attorney.

#470 -- CAM

1. Receipt was not given to petitioner - still in folder.

#471 -- CAM

1. Need telephone number for legal owner.
2. Receipt was not given to petitioner - still in folder.

#472 -- MJK

1. Need printed or typed title for person signing for legal owner.
2. Need power of attorney for person signing for legal owner.
3. Need printed or typed title for person signing for contract purchaser.
4. Need power of attorney for person signing for contract purchaser.
5. No location description on folder.

#475 -- JRA

1. Folder was not marked critical area.

#476 -- JLL

1. Need power of attorney for person signing for contract purchaser.

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
PETITION FOR VARIANCE * ZONING COMMISSIONER
3300 Gaither Road, c/1 Gaither Rd, 413' *
SWly Subit Road, 2nd Election District, *
2nd Councilmanic * OF BALTIMORE COUNTY
Board of Child Care of Balto.-Washington * CASE NO. 95-479-XA
Conference of the United Methodist Church, Inc. *
Petitioners *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this *31st* day of July, 1995, a copy of the foregoing Entry of Appearance was mailed to Duncan Cornell, Esquire, 408 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



August 1, 1995

(410) 887-4386

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

Honorable Delores G. Kelley
Senator, 10th Legislative District
6660 Security Boulevard, Suite 10
Baltimore, Maryland 21207

Re: Case No. 95-479-XA
Board of Child Care

Dear Senator Kelley:

Thank you for your letter of July 6, 1995.

On July 25, 1995, I conducted a hearing on Petitions for Special Exception and Variance for the property located at 3300 Gaither Road. These Petitions were filed by the Board of Child Care of Baltimore-Washington Conference of the United Methodist Church, Inc. Testimony and evidence taken at that hearing disclosed that the Petitions related to property owned by the Board of Child Care since the early 1960s. The parcel of land involved is approximately 19 acres in area and is located at the end of Gaither Road not far from the interchange of I-695 and Liberty Road.

The Petitioner's plans submitted at that hearing showed that the site has been developed for many years with six residential cottages. These cottages provide residential facilities for abused and neglected children. Further testimony offered was that counseling and psychological services are available on site with the goal of unifying these children with their natural family.

The matter came before me because of the Board's plan to construct an administrative building and to make other improvements to several of the existing structures on site. Both the plan and testimony indicated that no additional residential cottages were proposed. The number of children residing on site would not be increased from the capacity previously established when the facility was founded over 30 years ago. Moreover, no one appeared in opposition to the Petitioner's plans to construct the new administration building and other improvements.

Honorable Delores G. Kelley
Senator, 10th Legislative District
6660 Security Boulevard, Suite 10
Baltimore, Maryland 21207
page 2.....

Based on the testimony, evidence and plan offered in this case, there appears no cause for your concern over "the installation of back to back group housing developments."

Perhaps your concerns arise from the Board's possible acquisition of adjacent properties. During the hearing before me, it was indicated that the Board was contemplating acquiring two additional parcels which are located adjacent to the subject site. If these parcels are ultimately acquired and development is contemplated, the Board would be required to submit to the development review procedures of Baltimore County. These procedures include a requirement that a community input meeting be conducted. This meeting would be held within the subject community, during evening hours, allowing all affected residents and interested parties to question the plan and record any objections thereto. Following that meeting, the matter would be scheduled for a public hearing before the Zoning Commissioner, wherein approval of the plan would be considered. The development process encourages community participation at all stages so that the plan can be fairly considered. As I indicated at the July 25, 1995 hearing to all present, any decision rendered in that case would relate only to the subject request and that questions regarding the adjacent parcels were not, as yet, properly before me.

Should you have any further questions, please do not hesitate to contact me regarding this matter.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm

SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401-1901

July 6, 1995

Mr. Larry Schmidt, Commissioner
Office of Zoning
Old Courthouse
400 Washington Avenue
Towson, Maryland 21204

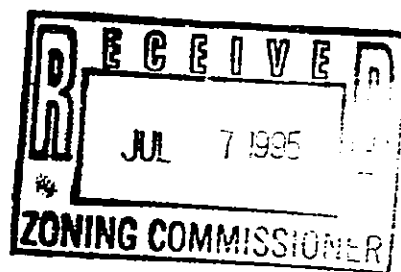
Dear Mr. Schmidt:

I would like to express my concern with the installation of back-to-back group housing developments in District Ten. A specific example involves the Board of Child Care's plans to install a development consisting of seven cottages on Rolling Road. I support the Board's idea of providing homes for the teenagers, but am concerned with the concentration of these homes in one location.

If each of the seven proposed cottages were to house no more than three children, each legally separated from natural parents and devoid of a stable family, the aggregate results would be twenty-one special-needs children, introduced en masse to a new neighborhood and to a living arrangement under the supervision of rotating shifts of hired staff persons.

Each of these children would need to adjust to at least three daily sets of supervisors (a situation full of discontinuity and checks lacking the stability of even foster care), while at the same time needing to adjust to a neighborhood with schools already stressed and significantly over capacity.

The proposed living situations are the equivalent of mini-institutions, not regular home environments, and the over-concentration of such entities on one in the Hebbville community is sure to have a devastating impact upon the character of the neighborhood.



Kelley, page 2

The proposal before you involves institutional living, not a home environment for the targeted population of children. Nothing, including creative use of definitions, can change that fact.

In light of all these considerations, I respectfully request that this project, if permitted at all, be reduced in scope so as not to overwhelm this small community, which has already absorbed a dormitory full of special-needs children also under the same institutional sponsorship.

Sincerely,

Delores G. Kelley
Delores G. Kelley

IN RE: PETITIONS FOR SPECIAL HEARING
AND SPECIAL EXCEPTION
End/Gaither Rd. 413.13' SW c/l
Sublet Rd. (3300 Gaither Rd.)
2nd Election District
2nd Councilmanic District

BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE # 89-356-SPEX

Board of Child Care of the
Balto. Annual Conference of
the Methodist Church, Inc.
Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requested, pursuant to a Special Hearing, approval of a nonconforming use and the following additions to existing improvements at the Board of Child Care facility at 3300 Gaither Road and a Special Exception to use the herein described property for a Community Care Center and/or Community Building for existing improvements and additions, as more particularly described on Petitioner's Exhibit 1.

The Petitioner, represented by Duncan Cornell, Esquire, Law Offices of Hooper, Kiefer and Cornell, appeared and testified. The Petitioner was supported in its testimony by Mr. Rosenfelt, a professional engineer, and Ms. Judith Rabb of Rosenfelt and Woolfolk, Inc., Mr. Claude Labis and Ms. Jeanne Dewey. There were no Protestants.

The evidence and testimony, all of which was uncontradicted, tends to establish that the subject property consists of approximately 21 acres of ground situated west of Liberty Road and north of the Baltimore Bayway in the greater Milford Mill section of Baltimore County. The property is located at the end of Gaither Road and is depicted on Petitioner's Exhibit 1. The property is currently zoned D.R.5.5 and is improved with six (6) cottages, a gymnasium, and various ancillary recreational facilities.



Baltimore County
Department of Permits and
Development Management

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

January 17, 1996

Judith M. Floam
Colbert Matz Rosenfelt, Inc.
3723 Old Court Road
Suite 206
Baltimore, MD 21208

RE: Spirit and Intent
Board of Child Care
Gaither Road Facility
Zoning Case #95-479-XA
2nd Election District

Dear Ms. Floam:

Mr. Schmidt and I reviewed the site plan enclosed with your letter dated December 28, 1995. It was determined that this plan is within the spirit and intent of the zoning order #95-479-XA. However, before this plan can be approved for submittal into the zoning file, some minor changes must be incorporated onto the plan.

I gave a copy of the check print to Mr. Matz on January 16, 1996. Please submit one revised copy to me with the check print. Enclosed please find your \$40.00 check, as it was determined it was not needed.

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 (410) 887-3381.

Very truly yours,

Catherine A. Milton
Catherine A. Milton
Planner I
Zoning Review

CAM:scj

Enclosure

c: Zoning Case #95-479-XA

Colbert Matz Rosenfelt, Inc.
Civil Engineers • Surveyors • Planners

December 28, 1995

Mr. Arnold Jablon, Director
Permits and Development Mgmt.
Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Board of Child Care, Gaither Road Facility
Case No. 95-479-XA, "Spirit and Intent" Request
Job No. 95086.1

Dear Mr. Jablon,

In July 1995, a hearing was held and on August 9, 1995, a Zoning Order was issued in the above-referenced case. The Order approved a Special Exception for a community care facility in a D.R.-5.5 zone, a variance from R.T.A. standards, and two building setback variances to permit the expansion of the existing facility of the Board of Child Care. The enclosed plan entitled "Amended Plan to Accompany Hearing for Special Exception and Variances" is the site plan approved in Case No. 45-479-XA. Kate Milton reviewed the petition plat in that zoning case.

Subsequent to the Hearing and Zoning Order, the Board of Child Care revised its expansion plans. The enclosed plan entitled "Preliminary Site Plan" shows the revised building configurations. This plan was submitted to the Development Review Committee, which approved it as a Limited Exemption on December 26, 1995.

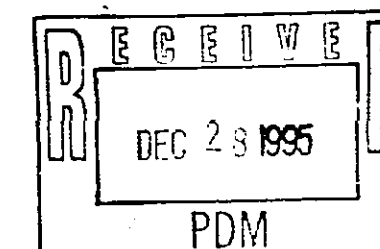
We hereby request approval of this plan as being within the spirit and intent of the Order in Case No. 45-479-XA. There are no additional encroachments on the R.T.A. buffers and setbacks. The between-building setbacks are within the approved variances: a 15-foot setback was approved between the Classroom and Administration buildings and the proposed setback is 27 feet; a 30-foot setback was approved between the Multi-purpose and Administration buildings and the proposed setback is 35 feet. The proposed addition at the rear of the Multi-purpose building is 42 feet from the residential Cottage No. 5, and the required rear setback is 30 feet.

We look forward to your approval of this request.

Yours truly,

Judith M. Floam
Judith M. Floam

cc: Elisa Kellett, AIA
Tom Curcio

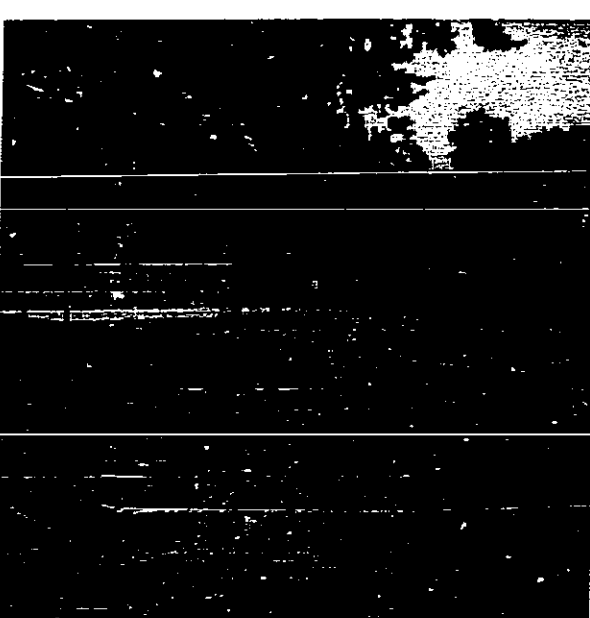


3723 Old Court Road, Suite 206 Baltimore, Maryland 21208
Telephone: (410) 653-3638 / Facsimile: (410) 653-7953

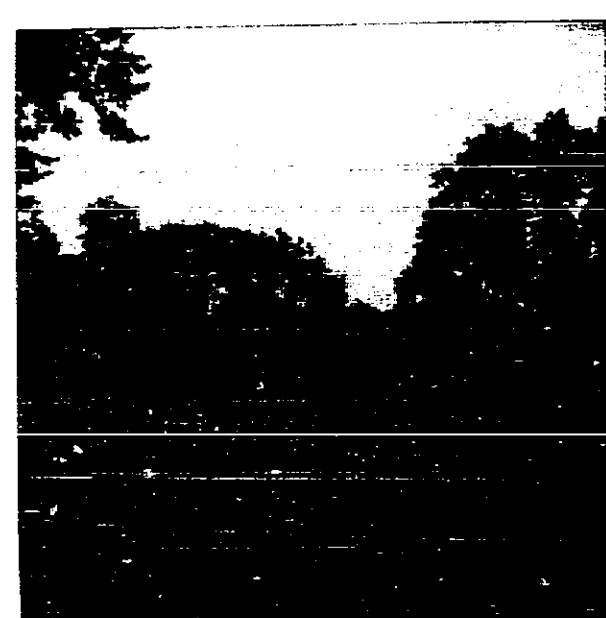
PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

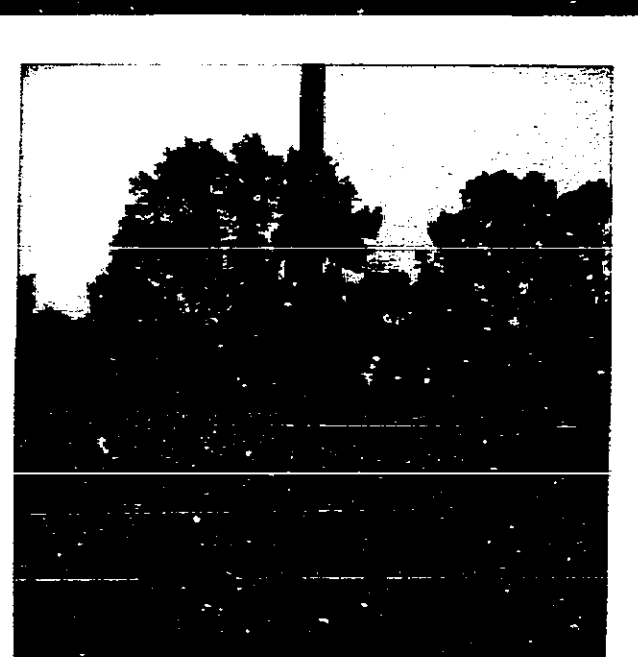
NAME	ADDRESS
Robert S. Rosenfelt, Inc.	Colbert Matz Rosenfelt 3723 Old Court Rd #206 21208
Duncan Cornell	405 W. Lexington Ave 21201
Thomas Kerns	3030 CLAYTON BLVD ARLINGTON VA 22201
Shan Ryan Fran Boyer	Boxed of Child Care 3300 Gaither Rd Baltimore 21204
Christine K. Forke	PDM - Project Management



2A



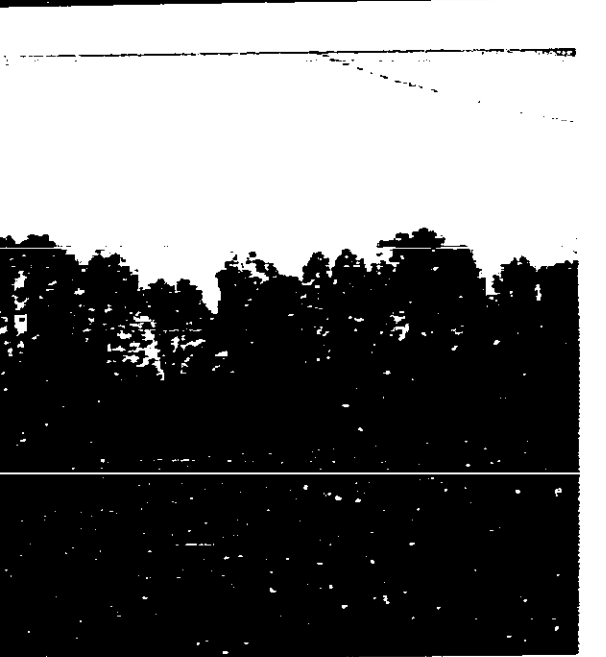
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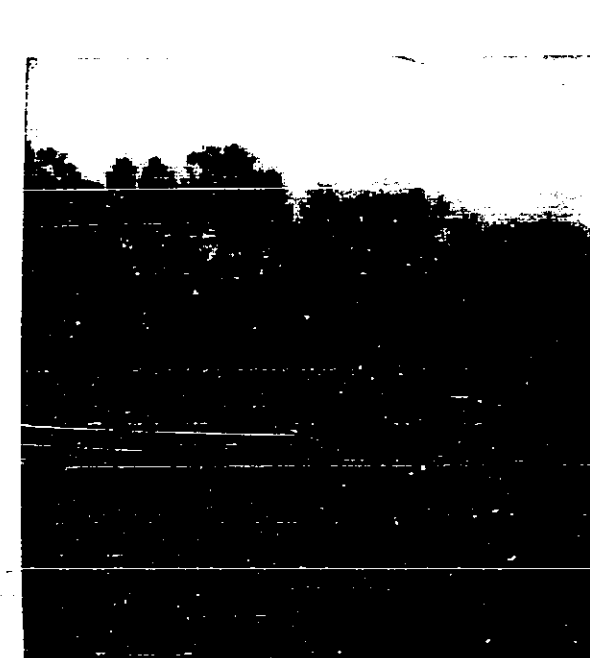
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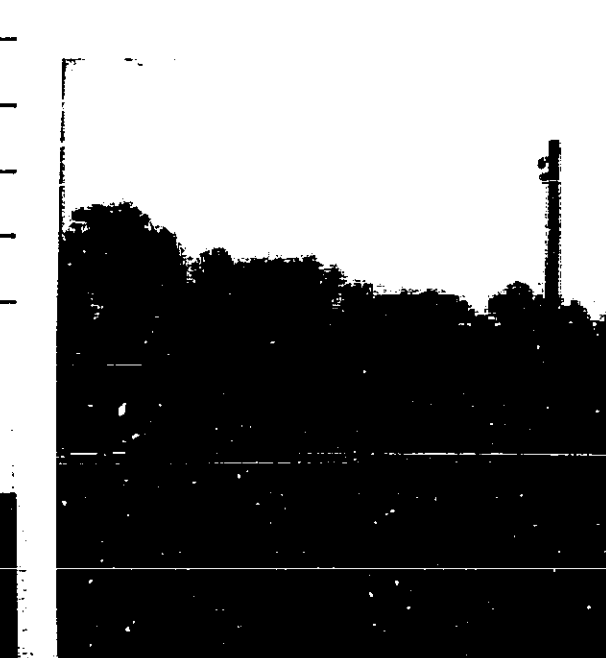
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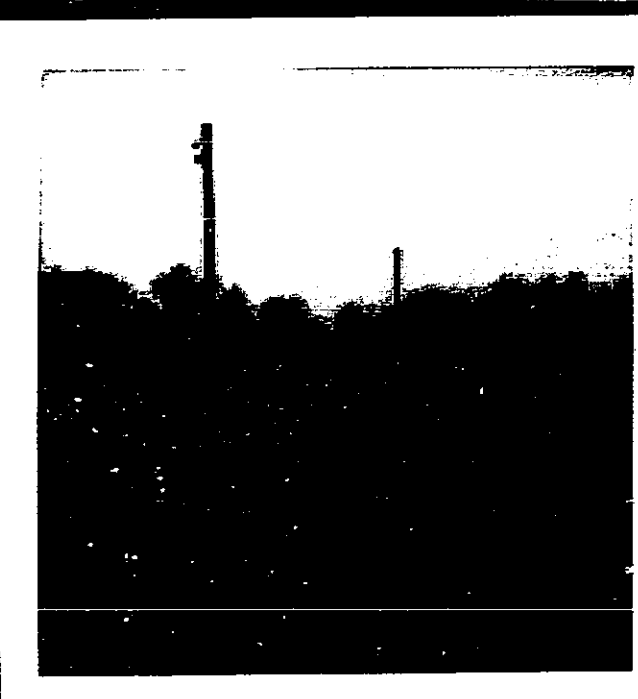
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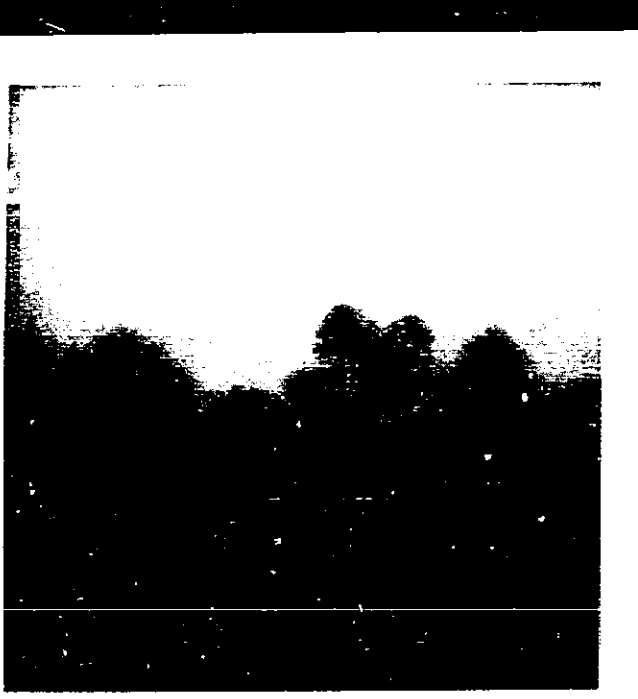
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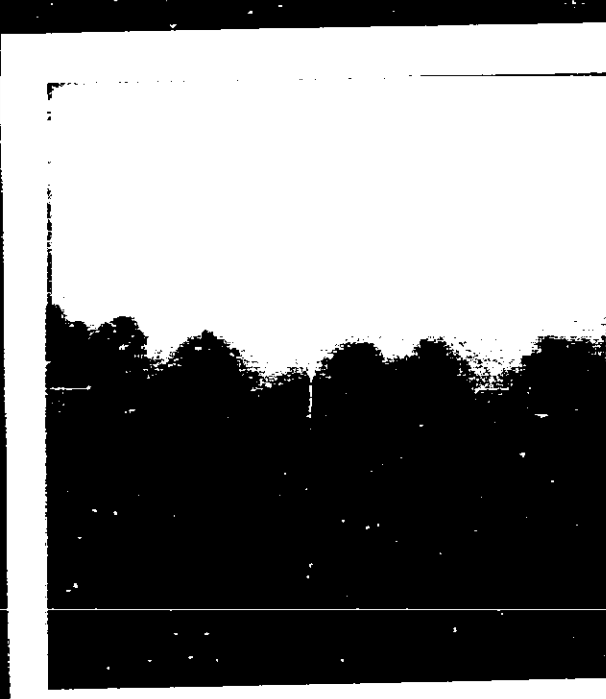
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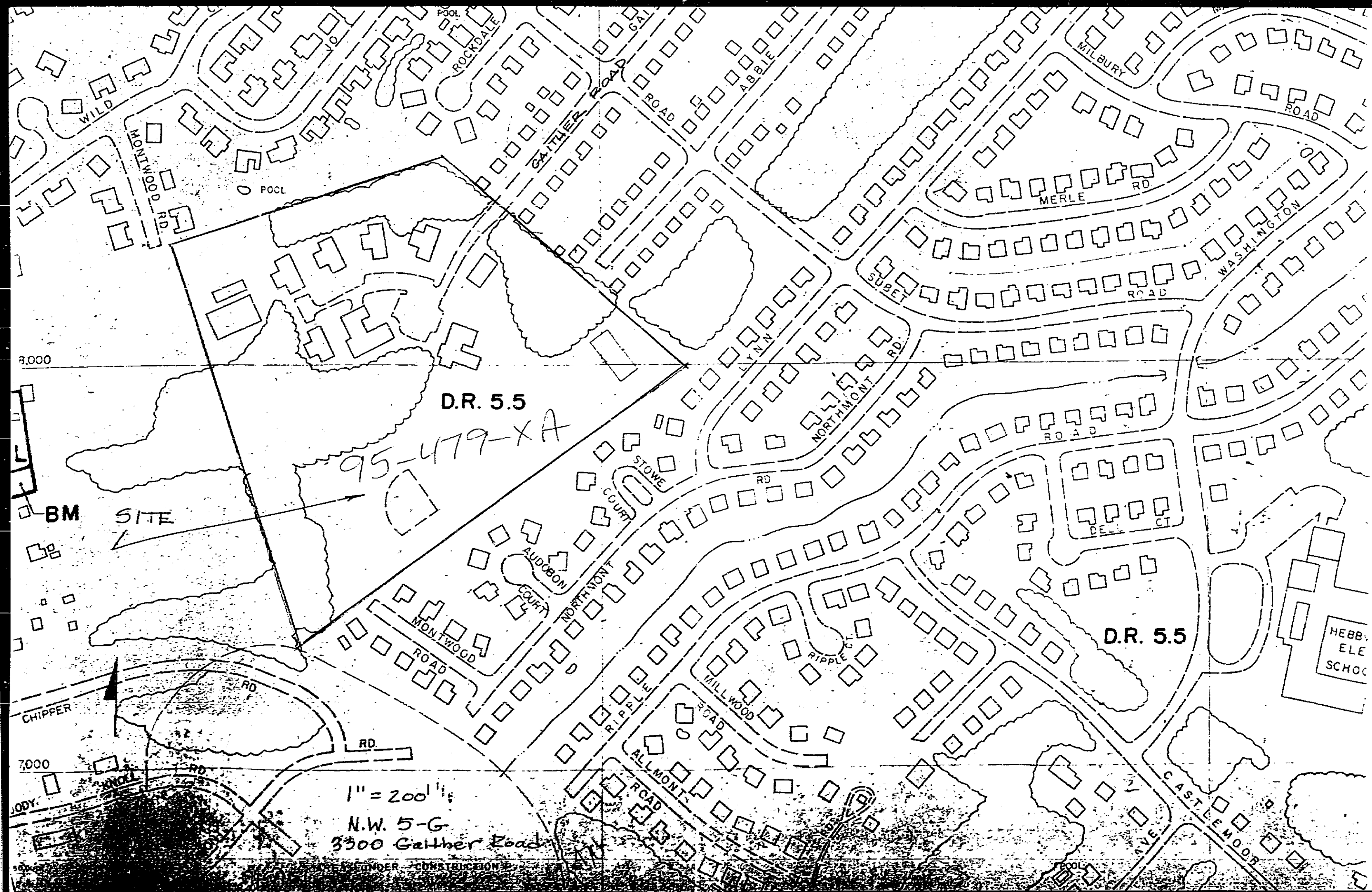
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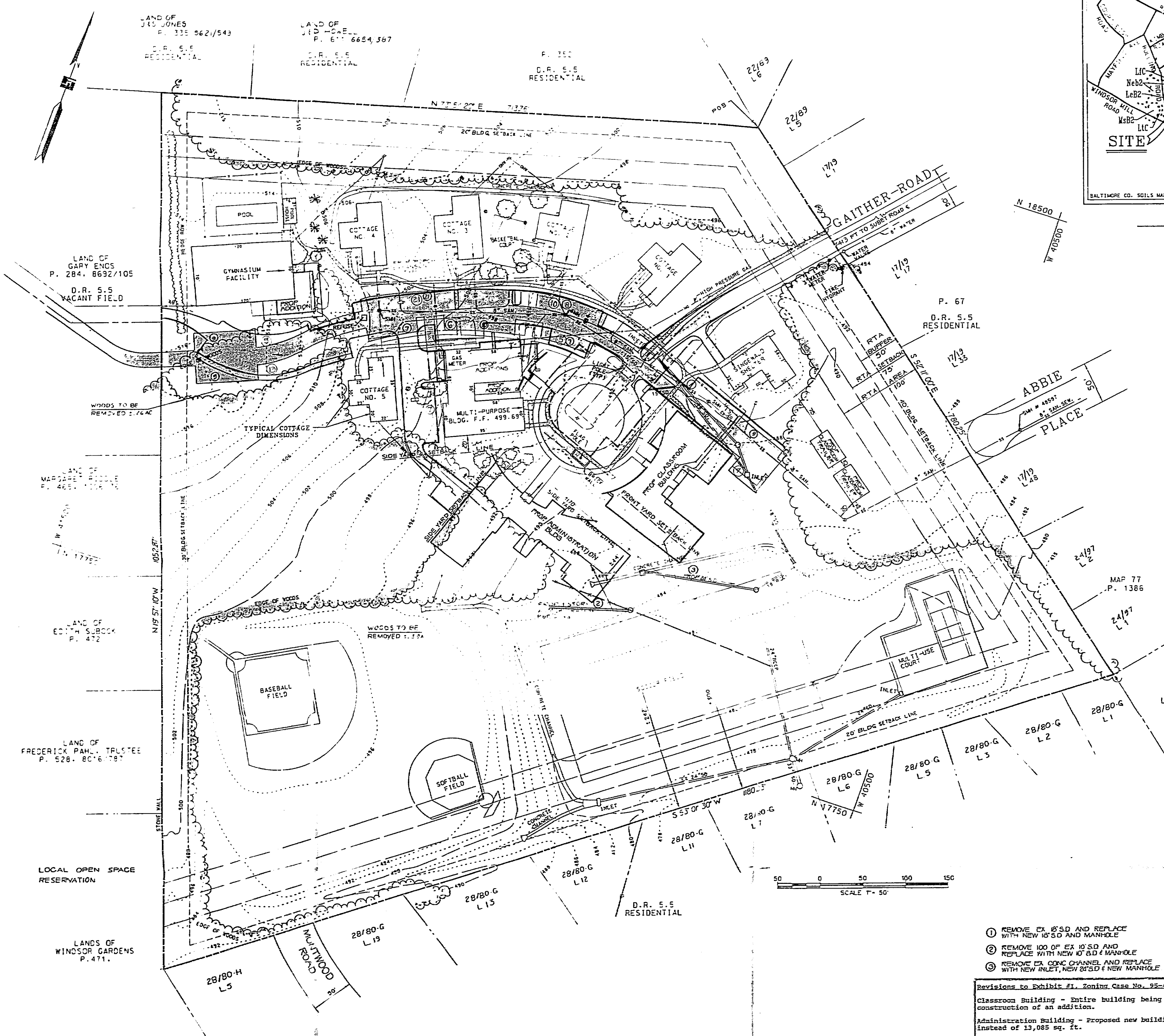


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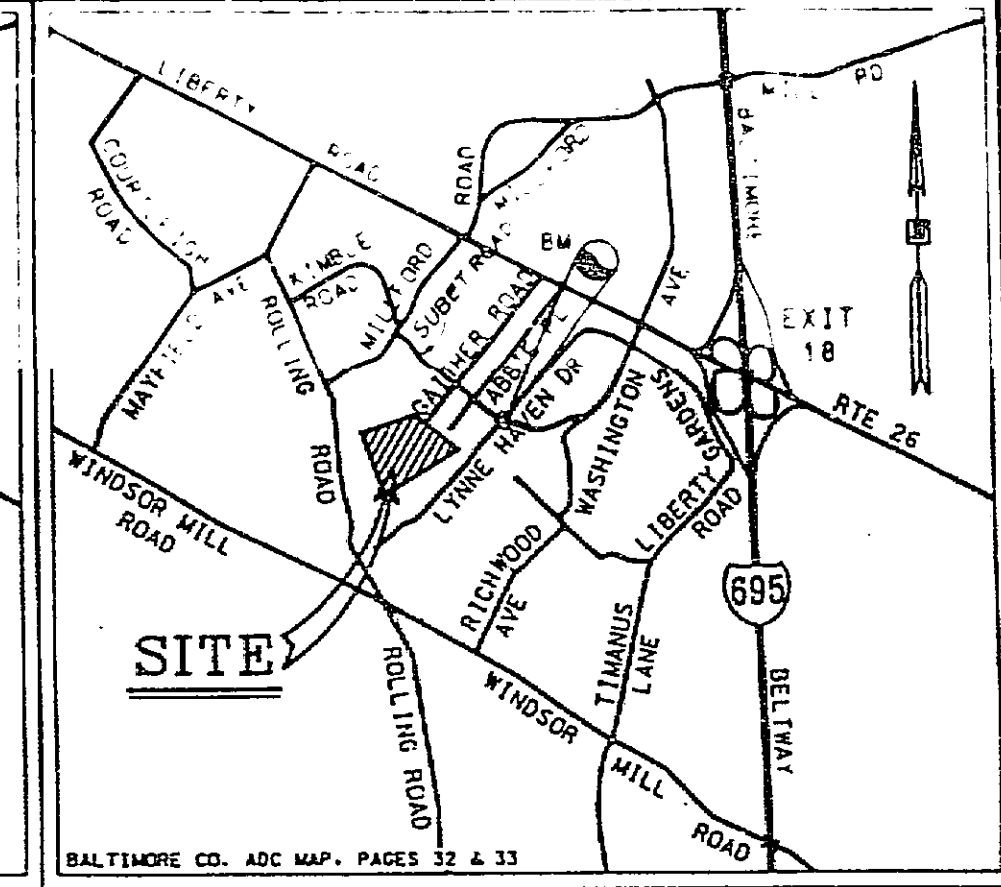
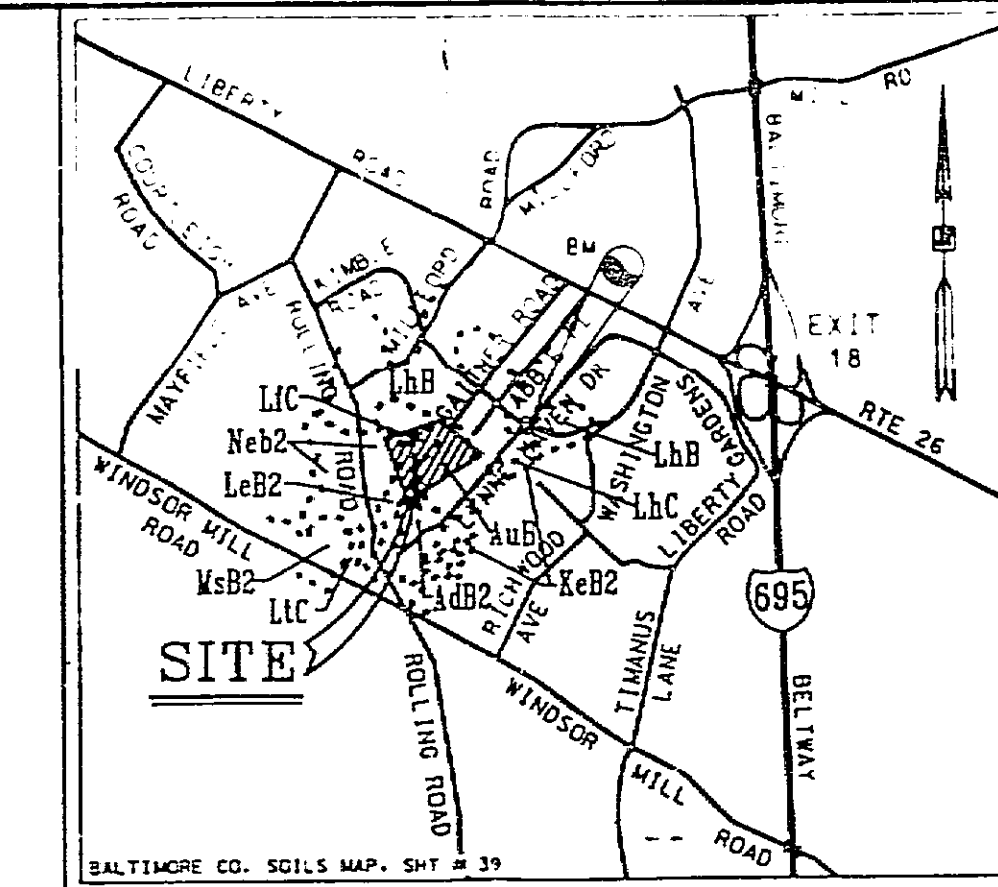


- ① REMOVE EX. 8" SD AND REPLACE WITH NEW 10" SD AND MANHOLE
- ② REMOVE 100' OF EX. 10" SD AND REPLACE WITH NEW 10" SD AND MANHOLE
- ③ REMOVE EX. CONC. CHANNEL AND REPLACE WITH NEW INLET, NEW 24" SD AND NEW MANHOLE

Revisions to Exhibit #1, Zoning Case No. 95-479-XA

Classroom Building - Entire building being replaced instead of construction of an addition.

Administration Building - Proposed new building is 14,875 sq. ft. instead of 13,085 sq. ft.



SITE DATA

1. ADDRESS: 3300 GAITHER ROAD, BALTIMORE, MD 21207
2. TAX MAP: 87 GR10: 5 PARCEL: 285
3. ZONING: D.R. 5.5 (RESIDENTIAL)
4. DEED REFERENCE: GLB 3446/498
5. SITE AREA: 18.8055 ACRES +/- (819,168 SQ. FT. +/-)
6. SITE USAGE: INSTITUTIONAL
7. TAX ACCOUNT: 0202570580, USE "E" (TAX ASSESSMENTS CATEGORY EXEMPT)
8. COUNCIL DISTRICT: 2
9. ELECTION DISTRICT: 2
10. CO. PHOTOGRAMMETRIC MAP: N.W. 5-6
11. BENCH MARK: HUB 1-5414, GALVANIZED SPIKE IN ASPHALT PAVING AT INTERSECTION OF SUBET ROAD AND LYNNE HAVEN DRIVE, ELEV. 459.20.
12. TOPOGRAPHIC SURVEY INFORMATION: INCLUDING STRUCTURES AND UTILITIES, AND BOUNDARY SURVEY INFORMATION TAKEN FROM PLANS PROVIDED BY KEINS GROUP ARCHITECTS, P.C. PLANS PREPARED BY ROSENFELT & WOLFOLK, INC., DWGS. SET 1 AND SET 3, DATED 5-4-89 AND 5-25-89, RESPECTIVELY.

13. Building Floor Area (Square Feet):

	Existing	Proposed	Total
Cottages	15,430	--	15,430
Singewald Shelter	2,950	--	2,950
Classroom Bldg.	7,216*	12,500*	19,716*
Multi-Purpose Bldg.	5,803	3,217	9,020
Gymnasium	8,495	1,802	10,297
Pool House	340	--	340
Administration Bldg.	--	16,875	16,875
Total	40,234	34,424	74,658

Total Proposed Building Area - 74,658 Sq. Ft.
Total Site Area - 819,168 Sq. Ft.
Proposed Floor Area Ratio - 0.002

14. Parking Calculations

Cottages: 80 Residents @ 1 Space/5 Residents = 16 Spaces
Administration Bldg.: 16,875 Sq. Ft. @ 3.3 Spaces/1,000 Sq. Ft. = 56 Spaces
Classroom Bldg: 20 Employees @ 1 Space/Employee = 20 Spaces
Parking Spaces Required: 92 Spaces
Parking Spaces Proposed: 92 Spaces

DRC Number: 12765P and 06055M

Building Floor Area (Square Feet):

	Existing	Proposed	Total
Cottages	15,430	--	15,430
Singewald Shelter	2,950	--	2,950
Classroom Bldg.	7,216*	12,500*	19,716*
Multi-Purpose Bldg.	5,803	3,217	9,020
Gymnasium	8,495	1,802	10,297
Pool House	340	--	340
Administration Bldg.	--	16,875	16,875
Total	40,234	34,424	74,658

ZONING HISTORY

Previous zoning hearing, Case No. 89-356-SPHX, granted a Special Exception for a Community Care Center.

On June 15, 1995, the DRC approved a Limited Exemption under Section 26-171 (a)(7) for the proposed additions.

On December 26, 1995, the DRC approved the revised plan as a Limited Exemption under Section 26-171 (a)(7).

On August 9, 1995, in Case No. 95-479-XA, the Zoning Commissioner granted a Special Exception for a community care center in a D.R. 5.5 zone, a variance from R.D.A. standards in accordance with Section 1901.1.C(6a) of the SCZS and a variance from Sections 1901.2.C.1.a and 102.2 of the BCZS for a between-building setback of no less than 30 feet in lieu of the required 40 feet and no less than 15 feet in lieu of the required 40 feet.

On January 17, the Baltimore County Office of Zoning approved the revised plan as being within the Spirit and Intent of Case No. 95-479-XA.

Colbert Matz Rosenfelt, Inc.
Engineers • Surveyors • Planners

3723 Old Court Road, Suite 208
Baltimore, Maryland 21208

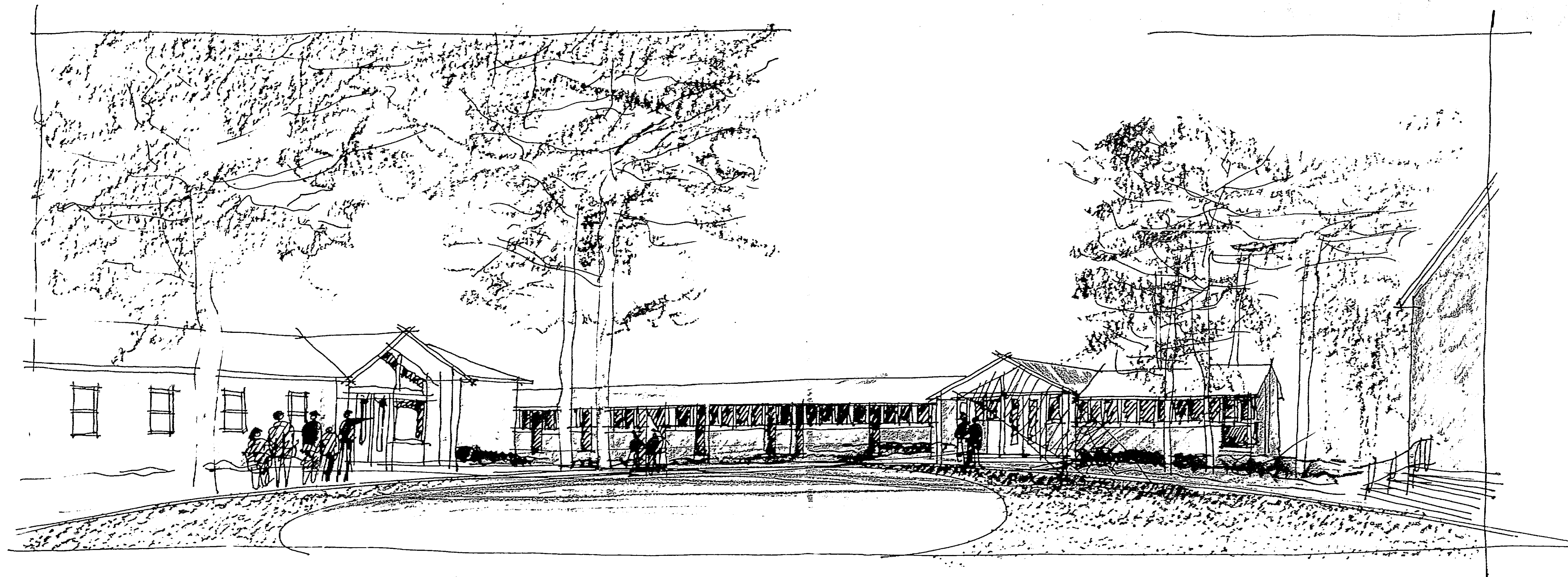
Telephone: (410) 653-3834
Facsimile: (410) 653-7951

Colbert Matz Rosenfelt, Inc.

PRELIMINARY SITE PLAN

3300 GAITHER ROAD
BALTIMORE COUNTY, MARYLAND

1



DRAWING NO. PROJECT
SHEET 01 SHEET TITLE

BOARD OF CHILD CARE
3300 GAITHER ROAD
BALTIMORE, MARYLAND

ISSUE / DATE
ZONING HEARING JULY 25, 1995

KERNS GROUP ARCHITECTS, P.C.
3030 CLARENDON BOULEVARD, ARLINGTON, VIRGINIA 22201
SUITE 100 703 528-1150

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