IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & ZONING VARIANCE SW/S Reisterstown Rd., 7.5 ft. S c/l Woodholme Center Cir (EXT.) 1836-1840 Reisterstown Road 3rd Election District 3rd Councilmanic District Legal Owner: Emeritus Corp., et al Contract Purchaser: Marriott Senior Living Services, Inc., Petitioners * BEFORE THE * ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 97-423-SPHXA

****

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on Petitions for Special Hearing, Special Exception and Zoning Variance, all for the property located at 1836-1840 Reisterstown Road in Pikesville. The Petition was filed by Marriott Senior Living Services, Inc., through Michael J. Giacopelli, Jr., Vice President, property owner. Special Exception relief is requested to approve an assisted living facility on the subject property zoned O.R.2, R.O. and D.R.3.5. Special Hearing relief is requested to approve a modification of standards to permit a total building length of 215 ft. in lieu of the 200 ft. required by Section 1B01.2.B.2 of the Baltimore County Zoning Regulations (BCZR) and page A-29 of the Comprehensive Manual of Development Policies (CMDP). As originally filed, the Petition for Special Hearing also requested relief to amend the Final Development Plan for the subject site, however, that portion of the requested relief was withdrawn in open hearing in that the Petitioner determined that a Final Development Plan was not filed for the property and, thus, there is no plan to amend. Three zoning variances are also requested. They are:

1. Variance from Section 1B01.2.C.1.a to permit a non-residential principle building side yard setback of 3 ft. in lieu of the required 20 ft., if necessary; and,

2. Variance from Section 206.3.C.2.b.1 of the BCZR to permit 84 sq. ft. per face of sign area in lieu of the required 25 sq. ft. per face; and,

3. Variance from Section 2063.C.2.b.3 of the BCZR to permit a sign 9 ft. 4 inches in height in lieu of the required 6 ft. height.

The subject property and all of the requested relief are more particularly shown on Petitioners' Exhibits No. 1A and 1B, the 2 page plat to accompany the Petitions for Special Hearing, Special Exception and Variance.

Appearing at the public hearing held for this case were Will Holmes on behalf of Marriott Senior Living Services, Inc., property owner. Also present was Debra Whittle and Donovan L. Olsen, both from STV, Inc., the land use consultant firm which prepared the site plan. Also present on behalf of the Petition was Jim Wilmot, an architect, and Wes Guckert, a traffic engineer. The Petitioner was represented by Robert A. Hoffman, Esquire. Also present in support of the Petition were Arthur Adler, on behalf of the Woodholme Country Club, and Ross Dingman.

Appearing in opposition to the request was Alan S. Rynd, a property owner in the vicinity. Appearing on behalf of Mr. Rynd was R. Alonzo Childress, an engineer. Mr. Rynd was represented by Michael Tanczyn, Esquire.

Ms. Whittle, a landscape architect, testified and presented the plan. That plan indicates that the subject property is approximately 3.412 acres in area, split zoned O.R.2, R.O. and D.R.3.5. The predominant zoning of the property is O.R.2 (2.10 acres), with a smaller portion of R.O. (1.04 acres) and a small sliver (.04 acres) zoned D.R.3.5. The property is located immediately adjacent to Reisterstown Road, just north of the interchange of the Baltimore Beltway (I-695) and Woodholme Avenue/Hooks Lane. The property is roughly rectangular in shape, with a grade which falls away from Reisterstown Road.

Ms. Whittle described the proposed improvements to the site which include the construction of a three story assisted living facility building. The building will be in the shape of an "H" and will be located on the center/rear of the property. Additionally, a parking area is proposed for the front of the site which will contain 56 parking spaces. In addition to the building and parking area, a significant amount of landscaping is being installed. An examination of the site plan depicts the proposed improvements in detail.

Additional testimony was offered by Will Holmes on behalf of Marriott Senior Living Services, Inc., the owner of the property and the operator of the proposed facility. Mr. Holmes described the proposed facility as a "Brighton Gardens" model facility, similar to other facilities operated by the Petitioner in the mid-Atlantic region. He indicated that the facility would feature 115 beds, 25 which would be designated for special care/early alzheimer's patients. He described the facility as geared towards individuals primarily aged 80 years and older who are in need of assistance with some of the activities of daily living. Mr. Holmes emphasized that the facility is not a nursing home, rather, an assisted living facility. Mr. Holmes also described the number of employees to be employed, indicating that no more than 30 would be on the site at any one time. He also generally described the proposed shift hours, transportation arrangements and other features of the operation.

Testimony was also offered by Jim Wilmot, an architect who designed the building elevation drawings which were submitted as Petitioners' Exhibits Nos. 2 and 3. Mr. Wilmot discussed the design in detail indicating that a great effort had been made to design a building which would be compatible with the vicinity. He stated that certain design features would be incorpo-

rated (including building materials), which will give the building a residential theme and will be appropriate with surrounding land uses.

Testimony was also offered from Donovan L. Olsen, a professional engineer and Robert W. Sheesley, an environmental engineer, regarding the storm water management plan for the project. Mr. Sheesley's testimony, in particular, was persuasive that the proposed plan is appropriate. The system is innovative in design and relies upon a series of small ponds to capture and control storm water runoff. Storm water will be directed from the impervious areas at the property, (e.g., the building and parking lot) to a system of four ponds. Ultimately, the storm water will be released in a sheet flow manner which will gradually disburse the water over a large area. It was Mr. Sheesley's testimony that the proposed storm water management system was appropriate for the proposed use and subject lot, given the proposed improvements and grade of the site. He also opined that the proposed storm water management system would meet County standards and indicated that he had submitted design plans to the Department of Environmental Protection and Resource Management (DEPRM). In his judgment, the proposed storm water management system will ensure that there will be no detrimental impact on surrounding properties.

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Date 7/6/97
By M. Ward

Mr. Arthur Adler, on behalf of the Woodholme Country Club, also testified. It should be noted that Mr. Adler's club retained Mr. Sheesley and was thus involved in the design of the storm water management system. Arguably, as the abutting property owner, the country club stands to be the most affected neighbor by any development of the site. Mr. Adler testified that the club supports the proposed Petitions and believes that the storm water management system, as described by Mr. Sheesley, will adequately control storm water runoff management and prevent erosion and flooding in the area.

Mr. Alan S. Rynd testified and presented testimony regarding storm water runoff around near his property. He does not reside immediately adjacent to the subject property but in the vicinity. He expressed a number of concerns over the project, most relating to flooding in the area.

The above is but a summary of the testimony and evidence presented. A significant number of exhibits were offered and considered by this Zoning Commissioner in addition to the oral testimony and evidence presented. These exhibits included a copy of the topographic map, depicting drainage patterns in the area. Also a series of photographs were submitted, showing the proposed site and its environs.

Based upon the cumulative testimony and evidence offered, I am persuaded to grant the Petition for Special Exception. In my judgment, the Petitioners have produced substantial and compelling evidence that the proposal will not be detrimental to the health, safety and general welfare of the locale and complies with the standards set forth in Section 502.1 of the BCZR. In this regard, it is to be noted that this property is located immediately adjacent to Reisterstown Road, a major commercial corridor in Baltimore County. This location, as well as the adjacent property uses, are persuasive factors supporting the conclusion that the project is consistent with nearby land uses. It is also to be noted that the property enjoys access to public utilities and is located adjacent to adequate transportation infrastructure (i.e., Reisterstown Road and I-695). For all of these reasons, I am persuaded that the Petition for Special Exception should be granted.

ORDER RECEIVED FOR FILING
Date
By

It need also be emphasized that the primary concern, regarding this project, both expressed by Mr. Rynd and in the judgment of the Zoning Commissioner, relates to the potential of flooding. The grade of the site and the large area of impervious surface to be constructed are factors deserving

careful consideration. I was persuaded by the testimony offered by the Petitioner, particularly that given by Mr. Sheesley. I am satisfied that the system which he proposes will work and will prevent an adverse impact on surrounding locales. Thus, the Petition for Special Exception should be granted.

As to the Petition for Special Hearing, same should also be granted. In this regard, it is to be noted that the Petitioner requests relief for modification of standards to permit a building 215 ft. in length in lieu of the required 200 ft. A zoning variance is not sought, in this regard, rather a modification of standards as regulated by the BCZR and CMDP. I am persuaded that this relief should also be granted. The testimony of Ms. Whittle and Mr. Wilmot was particularly dispositive. The building's design and the materials to be used for construction are of high quality and, in my judgment, appropriate. Thus, the Petition for Special Hearing should also be granted.

Lastly, the Petition for Variance will also be approved. Two of the variances relate to the signage for the property. Testimony on this subject was offered by Mr. Holmes on behalf of Marriott. It is to be noted that access to the proposed parking lot is not directly from Reisterstown Road, rather, from an access road. Due, in part, to this arrangement, the Petitioner is requesting zoning relief so that the proposed sign can be slightly larger and taller than that permitted by the regulations. In my judgment, this relief should be granted. The size of the property, its configuration and slope from Reisterstown Road are factors which make the subject property unique. Moreover, I am persuaded that the Petitioner has proved that practical difficulty would result if relief were denied. The proposed signage will not create any adverse impact to surrounding properties.

ORDER RECEIVED FOR FILING
Date 7/6/93
By

The final variance requested in the Petition, to permit a side yard setback of 3 ft. in lieu of the required 20 ft. was withdrawn in open hearing. This variance was originally intended to accommodate HVAC equipment. The attorney for the Petitioner indicated that the equipment would be moved to the roof of the building, thereby rendering the side yard setback relief unnecessary.

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.

IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 16th day of July 1997, that, pursuant to the Petition for Special Exception, approval to allow an assisted living facility on the subject property zoned O.R.2, R.O. and D.R.3.5., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that, pursuant to the Petition for Special Hearing approval to modify standards to permit a total building length of 215 ft. in lieu of the 200 ft. required by Section 1B01.2.B.2 of the Baltimore County Zoning Regulations (BCZR) and A-29 of the Comprehensive Manual of Development Policies (CMDP), be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 206.3.C.2.b.1 of the BCZR to permit 84 sq. ft. per face of sign area in lieu of the required 25 sq. ft. per face, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 2063.C.2.b.3 of the BCZR to permit a sign 9 ft. 4 inches in height in lieu of the required 6 ft. height, be and are hereby GRANTED, subject, however to the following restriction:

ORDER RECEIVED FOR FILING
Date 7/16/97
By

1. The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible

for returning, said property to its original condition.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING
Date 7/31/87
By

Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

July 15, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard LLP
210 Allegheny Avenue
Towson, Maryland 21204

RE: Petitions for Special Hearing, Special Exception & Variance
Case No. 97-423-SPHXA
Property: 1836-1840 Reisterstown Road
Legal Owner: Emeritus Corp., et al
Contract Purchasers: Marriott Senior Living Services, Inc., Petitioners

Dear Mr. Hoffman:

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

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.
c: Mr. Michael J. Giacopelli, Jr., Vice President,
Mr. Will Holmes
Marriott International, Inc., Marriott Drive, Washington D.C.20058
Mr. Arthur Adler, Woodholme Country Club, 300 Woodholme Ave., Pikesville, Md. 21208
Michael Tanczyn, Esquire, Suite 106, 606 Baltimore Avenue, Towson, Md. 21204
Mr. Ross Dingman, 8911 Reisterstown Rod, Pikesville, Md. 21208

Printed with Soybean Ink on Recycled Paper

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 1836-1840 Reisterstown Road

which is presently zoned OR2, RO, DR3.5,

A23

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 part of hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

To amend the previously approved Final Development Plan and to approve a modification of standards to permit a total building length of 215 ft. in lieu of the 200 ft. required by Section 1B01.2.B.2 of the Baltimore County Zoning Regulations and A-29 of the Comprehensive Manual of Development Policies.

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

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

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

Contract Purchaser/Lessee:

Marriott Senior Living Services, Inc.
(Type or Print Name) Michael J. Giacopelli, Jr., Vice Pres.

By: Michael Giacopelli Jr.
Signature

c/o Marriott International, Inc.
Marriott Drive
Address

Washington DC — 20058
City — State — Zipcode

Attorney for Petitioner:

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
(Type or Print Name)

Signature

210 Allegheny Ave. — (410) 494-6200
Address — Phone No

Towson — MD — 21204
City — State — Zipcode

Zoning Administration & Development Management

Legal Owner(s):

See Attached.
(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address — Phone No

City — State — Zipcode

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

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
Name

210 Allegheny Ave, Towson, MD 21204 — (410) 494-6200
Address — Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2HRS

unavailable for Hearing the following dates
Next Two Months
ALL — OTHER

REVIEWED BY: DAK DATE 3/22/01

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

A23

for the property located at 1836-1840 Reisterstown Road

which is presently zoned OR2, RO, DR3.5,

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 part of hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

An Assisted Living Facility.

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 this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

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

Contract Purchaser/Lessee:

Marriott Senior Living Services, Inc.
(Type or Print Name) Michael J. Giacopelli, Jr., Vice Pres.

By: Michael Giacopelli
Signature

c/o Marriott International, Inc.
Marriott Drive
Address

Washington DC — State — 20058
City — Zipcode

Attorney for Petitioner:

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
(Type or Print Name)

Signature

210 Allegheny Ave. — (410) 494-6200
Address — Phone No

Towson — MD — 21204
City — State — Zipcode

Legal Owner(s):

See Attached.
(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address — Phone No

City — State — Zipcode

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

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
Name

210 Allegheny Ave, Towson, MD 21204 — (410) 494-6200
Address — Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2 HRS.

unavailable for Hearing the following dates

Next Two Months
ALL ✓ OTHER

REVIEWED BY: DJH DATE 3/7.8/97

Zoning Administration & Development Management

Petition for Variance

423

to the Zoning Commissioner of Baltimore County

for the property located at 1836-1840 Reisterstown Road

which is presently zoned OR2, RO, DR3.5,

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 part of hereof, hereby petition for a Variance from Section(s)

See Attached.

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

To be determined at hearing.

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

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

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

Contract Purchaser/Lessee:

Marriott Senior Living Services, Inc.
(Type or Print Name) Michael J. Giacopelli, Jr., Vice Pres.

By: Michael Giacopelli Jr.
Signature

c/o Marriott International, Inc.
Marriott Drive
Address

Washington DC — 20058
City — State — Zipcode

Legal Owner(s):

See Attached.
(Type or Print Name)

Signature

(Type or Print Name)

Signature

Address — Phone No

City — State — Zipcode

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

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
Name

210 Allegheny Ave, Towson, MD 21204 — (410) 494-6200
Address — Phone No

Attorney for Petitioner:

Robert A. Hoffman
Venable, Baetjer and Howard, LLP
(Type or Print Name)

Signature

210 Allegheny Ave. — (410) 494-6200
Address — Phone No

Towson — MD — 21204
City — State — Zipcode

Zoning Administration & Development Management

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 2HRS

unavailable for Hearing the following dates

Next Two Months
ALL — OTHER

REVIEWED BY: JDH DATE 3/28/97

Variance Requests

1. Variance from Section 1B01.2.C.1.a to permit a non-residential principle building side yard setback of 3 ft. in lieu of the required 20 ft., if necessary.

2. Variance from Section 206.3.C.2.b.1 of the Baltimore County Zoning Regulations to permit 84 sq. ft. per face of sign area in lieu of the required 25 sq. ft. per face.

3. Variance from Section 206.3.C.2.b.3 of the Baltimore County Zoning Regulations to permit a sign 9 ft.- 4 in. in height in lieu of the required 6 ft. height.

LEGAL OWNERS:

EMERITUS CORPORATION
(formerly Assisted Living of America, Inc.)

By: _____
Raymond R. Brandstrom, President
c/o Mr. Kelly Price
3131 Elliott Avenue, Suite 500
Seattle, Washington 98121
1-800-429-4828

RR, INC.

By: _____
Howard Janis
c/o Richard Talkin, Esquire
Quarry Park Place, Suite 301
9175 Guilford Road
Columbia, Maryland 21046
410-730-7733

Marshall W. Fesche
11506 St. David's Lane
Timonium, Maryland 21093
410-252-8177

Tammy Fesche
11506 St. David's Lane
Timonium, Maryland 21093
410-252-8177

TO1DOCS1/BAW01/0040360.01

LEGAL OWNERS:

EMERITUS CORPORATION
(formerly Assisted Living of America, Inc.)

By: _____
XXRaymond XX XXXXXXXXXXXXXXXX Kelly J. Price, Secretary
c/o Mr. Kelly Price
3131 Elliott Avenue, Suite 500
Seattle, Washington 98121
1-800-429-4828

RR, INC.

By: _____
Howard Janis
c/o Richard Talkin, Esquire
Quarry Park Place, Suite 301
9175 Guilford Road
Columbia, Maryland 21046
410-730-7733

_____
Marshall W. Fesche
11506 St. David's Lane
Timonium, Maryland 21093
410-252-8177

_____
Tammy Fesche
11506 St. David's Lane
Timonium, Maryland 21093
410-252-8177

TO1DOCS1/BAW01/0040360.01

LEGAL OWNERS:

EMERITUS CORPORATION
(formerly Assisted Living of America, Inc.)
(Parcel Nos. 440 and 489)

By: _____
Raymond R. Brandstrom, President
c/o Mr. Kelly Price
3131 Elliott Avenue, Suite 500
Seattle, Washington 98121
1-800-429-4828

WP at RR, INC.
(Parcel No. 228)

By: _____
Howard Janet, Esquire
c/o Richard Talkin, Esquire
Quarry Park Place, Suite 301
9175 Guilford Road
Columbia, Maryland 21046
410-730-7733

(Parcel No. 434)

_____
Marshall W. Fesche
11506 St. David's Lane
Timonium, Maryland 21093
410-252-8177

_____
Tammy Fesche
11506 St. David's Lane
Timonium, Maryland 21093
410-252-8177

423

STV Incorporated

21 Governor's Court
Baltimore, Maryland 21244-2722
(410) 944-9112 fax:(410) 298-2794

ZONING DESCRIPTION
MARRIOTT INTERNATIONAL, INC.
BRIGHTON GARDENS
REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

Beginning at a point on the southwest side of Reisterstown Road, Maryland Route No. 140, which is 66 feet wide, being distant South 42°09'11" East 7.50 feet from that point formed by the intersection of said southwest side of Reisterstown Road with the southwesterly projection of the centerline of the northerly portion of Woodholme Center Circle. Thence running along said southwesterly side of Reisterstown Road as follows:

1. South 42°09'11" East 342.20 feet to a point, thence leaving Reisterstown Road and running the five following courses and distances,

2. South 47°50'49" West 328.42 feet to a point thence,

3. South 83°13'19" West 185.18 feet to a point thence,

4. North 47°48'26" East 73.38 feet to a point thence,

5. North 42°49'32" West 234.27 feet to a point thence,

6. North 47°45'01" East 408.78 feet to the place of beginning, as recorded in Deed Liber S.M. No. 11051, Folio 335.

Containing 3.1887 acres of land, also known as No. 1838 Reisterstown Road, located between Garrison and Pikesville, Third (3rd) Election District.

STV INCORPORATED
Mark A. Riddle
MD Professional Land Surveyor No. 10899

STATE OF MARYLAND
MARK ALAN RIDDLE
No. 10899
REGISTERED
PROFESSIONAL LAND SURVEYOR

March 13, 1997

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 in Towson, Maryland on the property identified herein as follows:

Case: #97-423-SPHXA
1836-1840 Reisterstown Rd.
SW/S Reisterstown Rd, 7.5' S c/l Woodholme Center Circle (extended)
3rd Election District
3rd Councilmanic
Legal Owner(s):
Emerntus Corporation, WP at RR, Inc., Marshall W. Fesche and Tammy Fesche
Contract Purchaser(s):
Marriott Senior Living Services, Inc.

Special Hearing: to amend the previously approved Final Development Plan and to approve a modification of standards to permit a total building length of 215 feet in lieu of the 200 feet allowed. **Special Exception:** for an Assisted Living Facility. **Variance:** to permit a non-residential principal building side yard setback of 3 feet in lieu of the required 20 feet, if necessary; to permit 84 square feet per face of sign area in lieu of the required 25 square feet per face; and to permit a sign 9 feet, 4 inches in height in lieu of the allowed 6 foot height.

Hearing: Friday, May 16, 1997 at 2:00 p.m. in Room 106, County Office Bldg., 1 W. Chesapeake Avenue.

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.

4/369 April 24

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/24, 19 97

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/24, 19 97.

THE JEFFERSONIAN,

A. Henderson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 035016

JLL 423

DATE 3/28/97 ACCOUNT R001 6150

AMOUNT $ 650.00

RECEIVED FROM: VBH

FOR: SPHXA FILING

01A00W0206MISCHRC $650.00
BA C010:42AM03-28-97

DISTRIBUTION
WHITE - CASHIER | PINK - AGENCY | YELLOW - CUSTOMER

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 061012

DATE 11/5/98 ACCOUNT 001-6150

AMOUNT $ 40.00 (JCM)

RECEIVED FROM: McGuire Woods Battle & Boothe

FOR: VERIFICATION #98-4499

Brighton Heigh Gardens/Marriott Seniro Living Ser
1836-1840 Reisterstown Road

DISTRIBUTION
WHITE - CASHIER | PINK - AGENCY | YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT
PROCESS ACTUAL TIME
11/06/1998 11/05/1998 14:17:32
REG W301 CASHIER CLUM CML DRAWER 1
5 MISCELLANEOUS CASH RECEIPT
Receipt # 076479 OFLN
CR NO. 061012
40.00 CHECK
Baltimore County, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

REVISED PLANS 97-423-SPHXA

No.

DATE 6-12-97 ACCOUNT R001-6150

AMOUNT $ 100.00

RECEIVED FROM: STU

FOR: Revision Fee

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YEI

RECEIVED
JUN 12 1997
PDM

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 97-423-SPHXA

Petitioner/Developer: MARRIOTT SENIOR LIVING SERV., INC.
C/O ROBERT HOFFMAN, ESQ

Date of Hearing/Closing: 5/16/97
AT - 2:00 PM
RM - 106 - COB

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at # 1836 - 1840 REISTERSTOWN RD

The sign(s) were posted on 4/25/97
(Month, Day, Year)

Sincerely,

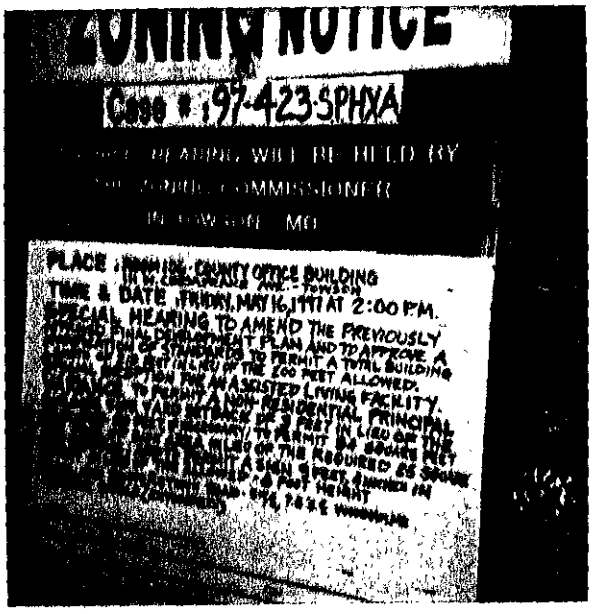
Patrick M. O'Keefe 4/25/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe
(Printed Name)

523 Penny Lane
(Address)

Hunt Valley, MD 21030
(City, State, Zip Code)

(410) 666-5366 Pager (410) 646-8354
(Telephone Number)



#1836-1840 REISTERSTOWN RD.

P. 4/25/97

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *_____.

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.: 97-423-SPHXA

A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD

PLACE: *

DATE AND TIME: *

REQUEST: A SPECIAL EXCEPTION FOR AN ASSISTED LIVING FACILITY; A SPECIAL HEARING TO APPROVE A MODIFICATION OF STANDARDS FOR THE BUILDING LENGTH OF 215 FT. AND TO AMEND THE PRIOR APPROVED FINAL DEVELOPMENT PLAN AND VARIANCE ~~FROM~~ OF 3FT. FROM A SIDE YARD SETBACK REQUIREMENT OF 20 FT. AND A VARIANCE FROM SIGN AREA AND HEIGHT REGULATIONS.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

9/96
post.4.doc

*UPON RECEIPT OF THE NOTICE OF HEARING, THE PETITIONER OR HIS AGENT FILLS IN THIS INFORMATION AND THEN FORWARDS THIS FORM TO THE SIGN POSTER.

Baltimore County
Department of Permits and
Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

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

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 423 Howard Janet, Esquire, et al

Petitioner: Markwith Interstate Realty Corp.

Location: 1836-1840 Reisterstown Road

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Barbara M. Ormond

ADDRESS: 210 Allegheny Ave.
Towson, Md 21204

PHONE NUMBER: 494-6201 (410)

AJ:ggs

(Revised 09/24/96)

Printed with Soybean Ink on Recycled Paper

CONCEPT PLAN CONFERENCES SCHEDULE

* Comments to Soph by 2/9 AM

MEETING LOCATION: County Office Building - Room 301
111 West Chesapeake Avenue
Towson, Maryland 21204

DATE: 2/13/95

Time: 9:00:00 AM **Name:** MORRIS MEADOWS JLL **ZADM** 06-211

Proposal: 9-HOLE GOLF COURSE

Location: SW CORNER MORRIS AND FREELAND ROADS

Election District: 6 **Engineer:** CENTURY ENGINEERING, INC.

Council District: 3 **Manager:** KURT KUGELBERG

Time: 10:00:00 AM **Name:** GLENSIDE FARM CAM **ZADM** 11-724

Proposal: 199 UNITS

Location: END OF FORGE HAVEN DR., SW BANGERT STREET

Election District: 11 **Engineer:** PATTON CONSULTANTS, LTD.

Council District: 5 **Manager:** DAVE FLOWERS

REVIEWING AGENCIES: PLEASE DELIVER 5 COPIES OF YOUR COMMENTS TO ZADM, ROOM 123 COB, PRIOR TO THE CONCEPT PLAN CONFERENCE OR BRING THEM TO THE CONFERENCE IF YOUR AGENCY WILL BE REPRESENTED.

FOR MORE INFORMATION PLEASE CALL THE OFFICE OF ZONING ADMINISTRATION AND DEVELOPMENT MANAGEMENT AT 887-3335

TO: PUTUXENT PUBLISHING COMPANY
April 24, 1997 Issue - Jeffersonian

Please foward billing to:

Barbara W. Ormord
210 Allegheny Avenue
Towson, Maryland 21204
410-494-6201

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-423-SPHXA
1836-1840 Reisterstown Road
SW/S Reisterstown Road, 7.5' S c/l Woodholme Center Circle (extended)
Legal Owner(s): Emerritus Corporation, WP at RR, Inc., Marshall W. Fesche and Tammy Fesche
Contract Purchaser(s): Marriott Senior Living Services, Inc.

Special Hearing to amend the perviously approved Final Development Plan and to approve a modification of standards to permit a total building length of 215 feet in lieu of the 200 feet allowed.
Special Exception for an Assisted Living Facility.
Variance to permit a non-residential principal building side yard setback of 3 feet in lieu of the required 20 feet, if necessary; to permit 84 square feet per face of sign area in lieu of the required 25 square feet per face; and to permit a sign 9 feet, 4 inches in height in lieu of the allowed 6 foot height.

HEARING: FRIDAY, MAY 16, 1997 at 2:00 p.m. in Room 106, County Office Bldg., 111 W. Chesapeake Avenue.

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.

Baltimore County
Department of Permits and
Development Management

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

April 18, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-423-SPHXA
1836-1840 Reisterstown Road
SW/S Reisterstown Road, 7.5' S c/l Woodholme Center Circle (extended)
Legal Owner(s): Emerritus Corporation, WP at RR, Inc., Marshall W. Fesche and Tammy Fesche
Contract Purchaser(s): Marriott Senior Living Services, Inc.

Special Hearing to amend the perviously approved Final Development Plan and to approve a modification of standards to permit a total building length of 215 feet in lieu of the 200 feet allowed.
Special Exception for an Assisted Living Facility.
Variance to permit a non-residential principal building side yard setback of 3 feet in lieu of the required 20 feet, if necessary; to permit 84 square feet per face of sign area in lieu of the required 25 square feet per face; and to permit a sign 9 feet, 4 inches in height in lieu of the allowed 6 foot height.

HEARING: FRIDAY, MAY 16, 1997 at 2:00 p.m. in Room 106, County Office Bldg., 111 W. Chesapeake Avenue.

Arnold Jablon
Director

cc: Robert A. Hoffman, Esq.
Marriott Senor Living Services, Inc.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MAY 1, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper

Baltimore County
Department of Permits and
Development Management

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

May 9, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Towson, MD 21204

RE: Item No.: 423
Case No.: 97-423-SPHXA
Petitioner: Emeritus Corporation

Dear Mr. Hoffman:

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 March 28, 1997.

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 Roslyn Eubanks in the zoning office (410-887-3391).

Sincerely,

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

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on Recycled Paper

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Management

Date: April 14, 1997

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for April 14, 1997
Item Nos. 410, 411, 413, 416, 417, 422, 423 and 424

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:cab

cc: File

ZONE414.NOC

Baltimore County Government
Fire Department

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

(410) 887-4500

RECEIVED
APR 10 1997
PDM

APRIL 9, 1997

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

RE: Property Owner: EMERRITUS CORP. (PARCEL NOS. 440 & 490); WP AT RP, INC. (PARCEL NO. 228); MARSHALL W. FESCHE & TAMMY FESCHE (PARCEL NO. 434)

Location: DISTRIBUTION MEETING OF APRIL 7, 1997

Item NO: 423 Zoning Agenda:

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.

A. AN EMERGENCY VEHICLE ACCESS ROAD OF A MINIMUM WIDTH OF 22 FEET MUST BE PROVIDED ON THE NORTH EAST SIDE OF THE BUILDING EXTENDING FROM THE SIDE PARKING AREA TO THE REAR OF THE BUILDING.

B. THE FIRE HYDRANT LOCATED AT THE NORTH CORNER OF THE BUILDING MUST BE RELOCATED TO A POINT 40 FEET FROM THE BUILDING.

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The surety for entrance construction must be received by this office prior to our approving any building permits for this development.

Please contact Larry Gredlein at 410-545-5606 if you have any questions. Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

LG/eu

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

April 8, 1997

Ms Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building
Room 109
Towson MD 21204

RE: Baltimore County
Item No. 423
Brighton Gardens
MD 140
Mile Post 2.43

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval of the special exception.

However, we will require the owner to obtain an access permit through this office.

Entrance construction shall be subject to the terms and conditions of an access permit issued by this office, with the following submittals required:

a. Nine (9) copies of the site plan showing the SHA requirements.
b. Completed application.
c. Performance bond, letter of credit, or certified check (**include Federal ID number or social security number on certified checks only**) in the amount of 150% of the actual entrance construction cost and in an even thousand dollar increment. These must be made payable to the State of Maryland (**Please note that it takes 6-8 weeks for a certified check to be returned after project completion and SHA final inspection**).
c. An engineering fee check in the amount of $50.00 for each point of access, made payable to the State of Maryland.
e. A letter of authorization from the appropriate agency relative to the relocation of any utilities which may be necessitated by this construction; or a letter from the developer acknowledging and agreeing to the financial responsibility for relocating any affected utilities, provided the cost for the utility relocation is included in the surety submitted for the permit.

My telephone number is 410-545-5600 (Fax# 333-1041)

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONCE

TO: Arnold Jablon, Director
Department of Permits
and Development Management

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

SUBJECT: 1836-1840 Reisterstown Road

INFORMATION

Item Number: 423

Petitioner: Marriott Senior Living Services, Inc.

Zoning: OR2, RO, DR 3.5

Requested Action: Special Exception, Variance and Special Hearing

Summary of Recommendations:

The Planning Office supports the applicant's special exception, variance and special hearing requests which are necessary in order to provide for an assisted living facility at subject property. In addition, pursuant to Section 1B01.3A.7.b(1) of the BCZR, the Director of Planning finds that the proposed amendment is in accordance with the specific standards and requirements of BCZR Article (1B) and other provisions of the CMDP.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JL

C:\MSOFFICE\WINWORD\ZAC\423.DOC

_____ Attach original petition Due Date 4/29/97

To: Arnold L. Jablon

From: Bruce Seeley BS

Subject: Zoning Item #423

Emerritus Corporation aka Brighton Gardens

Zoning Advisory Committee Meeting of April 7, 1997

____ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

____ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.

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

____ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

__X__ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

____ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

____ _____

_____

_____

_____

____ _____

_____

_____

jablon.doc

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE * ZONING COMMISSIONER
1836-1840 Reisterstown Road, SW/S Reist Rd,
7.5' S c/l Woodholme Ctr Cir (Extended) * OF BALTIMORE COUNTY
3rd Election District, 3rd Councilmanic
* CASE NO. 97-423-SPHXA
Legal Owner(s): Emeritus Corporation, et al.
Contract Purchaser(s): Marriott Senior *
Living Services, 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 16th day of March, 1997, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

IN RE: THE PETITION OF EMERITUS CORP., WP at RR, INC. & MARSHALL W. FESCHE, et ux, OWNERS/MARRIOTT SENIOR LIVING SERVICES, INC., CONTR.PURCH.,	*	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY
Petitioners,	*	
1838 Reisterstown Road	*	Case No. 97-423-SPHXA

* * * * * * * * * * * * *

AFFIDAVIT OF SERVICE

The undersigned hereby certifies that he executed service of process pursuant to the authority granted by the Zoning Commissioner of the Subpoena to Bob Wood by delivering to and leaving with the receptionist on his behalf a copy of same on the 18th day of June, 1997, at 1:55 p.m. at the offices of DEPRM, County Courts Building, 401 Bosley Avenue, 4th Floor, Towson, Maryland, 21204.

The undersigned further certifies that he/~~she~~ is over eighteen years of age and is not a party to this action.

MICHAEL P. TANCZYN, ESQ.

STATE OF MARYLAND, COUNTY OF BALTIMORE; to wit:

I HEREBY CERTIFY that on this 19th day of June, 1997, before me the subscriber, a Notary Public in and for the State and County aforesaid, personally appeared MICHAEL P. TANCZYN, satisfactorily identified to me, who made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his knowledge, information and belief.

NOTARY PUBLIC
My Commission Expires

IN RE: THE PETITION OF EMERITUS CORP., WP at RR, INC. & MARSHALL W. FESCHE, et ux, OWNERS/MARRIOTT SENIOR LIVING SERVICES, INC., CONTR.PURCH.,	*	BEFORE THE ZONING COMMISSIONER FOR BALTIMORE COUNTY
Petitioners,	*	
1838 Reisterstown Road	*	Case No. 97-423-SPHXA

* * * * * * * * * * * * *

SUBPOENA

PLEASE issue a Subpoena for a hearing in the above matter to be held on Friday, June 20, 1997, at 8:30 a.m. before the Zoning Commissioner for Baltimore County at Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland, 21204, for:

BOB WOOD
DEPRM
County Courts Building, 4th Floor
401 Bosley Avenue
Towson, Maryland 21204

to appear and testify and to bring with him any waiver requests and approvals from Baltimore County Storm Water Management requirements or Baltimore County Forest Preservation requirements for Brighton Gardens, 1938 Reisterstown Road, Baltimore County, Maryland.

This Subpoena is requested by the Protestants. If there are any questions, please contact Michael P. Tanczyn, Esq., attorney for the Protestants, at 606 Baltimore Avenue, Suite 106, Towson, Maryland, 21204, telephone (410) 296-8823.

Date: June 18th, 1997

Timothy Kotroco
Deputy ZONING COMMISSIONER FOR
BALTIMORE COUNTY

Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

May 5, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
SW/S Reisterstown Road, 7.5' SE of Woodholme Center Circle
(1838 Reisterstown Road)
3rd Election District - 3rd Councilmanic District
Emeritus Corp., WP at RR, Inc., and Marshall W. Fesche and Tammy Fesche, Legal Owners; and Marriott Senior Living Services, Inc., Contract Purchasers - Petitioners
Case No. 97-423-SPHXA

Dear Mr. Hoffman:

Pursuant to our recent telephone conversation concerning the above-captioned matter, this letter is to confirm that this case will be heard on Friday, May 16, 1997 at 8:30 AM, instead of 2:00 PM that afternoon. The hearing will be held in Room 106 of the County Office Building.

Furthermore, as was agreed to during our conversation on this subject, it is understood that you have notified all parties to the case of the rescheduled time for the hearing and have changed the Posting Sign on the property to reflect the new time.

Should you have any questions concerning this matter, please do not hesitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Gwendolyn Stephens, Docket Clerk, DPDM
People's Counsel
Case File

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Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

May 14, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer & Howard
210 Allegheny Avenue
Towson, Maryland 21204

Benjamin Bronstein, Esquire
29 W. Susquehanna Ave., Suite 205
Towson, Md. 21204

Michael P. Tanczyn, Esquire
606 Baltimore Avenue, Suite 106
Towson, Md. 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
(1838 Reisterstown Road)
Emeritus Corp., WP at RR, Inc., & Marshall W. Fesche, et ux, Owners/
Marriott Senior Living Services, Inc., Contr. Purch. - Petitioners
Case No. 97-423-SPHXA

Dear Counsel:

This letter is being written in response to Mr. Tanczyn's letter dated May 9, 1997 requesting a postponement of the above-captioned matter, which was recently rescheduled to be heard on Friday, May 16, 1997. Moreover, this letter is to confirm my telephone conversation with Messrs. Hoffman and Tanczyn regarding that request.

As agreed, this matter will be postponed from the May 16, 1997 hearing date and rescheduled to be heard on Friday, June 20, 1997 at 8:30 AM, Room 106 of the County Office Building. I am starting the hearing slightly early so that every effort can be made to hear this case in its entirety in a single day. Although I believe the above Counsel represent all parties to this case, I nonetheless request that Mr. Hoffman make arrangements to repost the property to provide public notice of the postponement and rescheduled hearing date. The property should be reposted no less than 15 days prior to the new hearing date of June 20, 1997.

Should you have any questions concerning this matter, please do not hesitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Gwendolyn Stephens, Docket Clerk, DPDM
People's Counsel; Case File

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Baltimore County
Department of Permits and
Development Management

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

November 3, 1997

Robert A. Hoffman, Esquire
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
Post Office Box 5517
Towson, MD 21285-5517

RE: Zoning Verification
1838 Reisterstown Road
Brighton Gardens
Zoning Case 97-423-SPHXA
3rd Election District

Dear Mr. Hoffman:

I have reviewed your request for a finding that the proposed modification to the parking layout, entrance, number of parking spaces and landscape design are consistent with the spirit and intent of the order previously approved in zoning case 97-423-SPHXA.

I can confirm that the changes as shown on the red-lined plan dated September 17, 1997 and submitted with your letter dated October 22, 1997 are within the spirit and intent of zoning case 97-423-SPHXA, and no zoning hearing is necessary to implement these changes. I will forward a copy of this letter and the plan as submitted, to the zoning case file.

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.

Sincerely,

Catherine A. Milton
Planner II
Zoning Review

CAM:rye

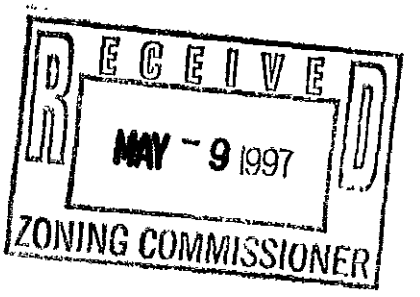
c: zoning case 97-423-SPHXA

Enclosure

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on Recycled Paper

Law Offices
MICHAEL P. TANCZYN, P.A.
Suite 106, 606 Baltimore Avenue
Towson, Maryland 21204
(410) 296-8823 - (410) 296-8824
Fax: (410) 296-8827
Computer Fax: (410) 296-2848

May 9, 1997



Lawrence Schmidt, Zoning Commissioner
Old Courthouse
400 Washington Avenue
Towson, MD 21204

Re: Case Number 97-423-SPH-XA

Dear Mr. Schmidt:

Please enter my appearance in the above matter on behalf of Alan Rynd, Protestant, and notify us of any hearing dates.

As I have just been retained, I would ask that you consider granting a continuance of the hearing presently scheduled for May 16, 1997 in order to allow me time to research this case and prepare for the hearing.

Your anticipated cooperation with this request is appreciated.

Very truly yours,

Michael P. Tanczyn

Michael P. Tanczyn

MPT/ed

cc: Mr. Alan Rynd

Dictated but not read.

4911/01

FAX TRANSMISSION

NOLAN, PLUMHOFF & WILLIAMS, CHARTERED
502 WASHINGTON AVENUE, SUITE 700
TOWSON, MARYLAND 21204
(410) 823-7800
FAX: (410) 296-2765

To: Hon. Lawrence E. Schmidt, Zoning Commissioner **Date:** May 22, 1997 / June 9, 1997

Fax #: 887-3468

Pages: 1, including this cover sheet.

From: Newton Williams

Subject: Marriott Senior Services, Case 97-423-SPHXA
1836-1840 Reisterstown Road
Hearing, Friday, May 16, 1997

COMMENTS:

Dear Commissioner Schmidt:

When your decision in the above case becomes available would you please send me a copy. Thank you.

Respectfully,
Newton Williams

CONFIDENTIALITY NOTICE

"WARNING: Unauthorized interception of this telephonic communication could be a violation of Federal and Maryland laws."

The documents accompanying this telecopy transmission contain confidential information belonging to the sender which is legally privileged. The information is intended only for the use of the individual or entity named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or the taking of any action in reliance on the contents of this telecopied information is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone to arrange for return of the original documents to us.

TITLE 9.

LANDSCAPE ARCHITECTS.

Subtitle 1. Definitions; General Provisions.

Sec.
9-101. Definitions.
(a) In general.
(b) Board.
(c) Landscape architect.
(d) License.
(e) Licensed landscape architect.
(f) Permit.
(g) Practice landscape architecture.
9-102. Legislative policy.
9-103. Scope of title.

Subtitle 2. State Board of Examiners of Landscape Architects.

9-201. Established.
9-202. Membership.
9-203. Officers.
9-204. Quorum; meetings; compensation; staff.
9-205. Enforcement and investigative powers.
9-206. Miscellaneous powers and duties.
9-206.1. Maintenance of list of certificate holders.
9-207. Establishment of fees; disposition of money.
9-207.1. Judicial review.
9-208. Authority of Secretary.

Subtitle 3. License.

9-301. License required; exceptions.
9-302. Qualifications of applicants.
9-303. Education and experience.
9-304. Applications for licenses.
9-305. Examinations.
9-306. Reciprocity.
9-307. Issuance of license.
9-308. Scope of license.
9-309. Term and renewal of license.
Sec.
9-310. Denials, reprimands, suspensions and revocations — Grounds.
9-311. Same — Commencement of proceedings.
9-312. Same — Hearings.
9-313. Reinstatement of revoked license.

Subtitle 4. Permits.

9-401 "Responsible member" defined.
9-402. Practice through corporation or partnership authorized.
9-403. Permit required; exception.
9-404. Qualifications of applicants.
9-405. Applications for permits.
9-406. Issuance of permit.
9-407. Scope of permit.
9-408. Term and renewal of permit.
9-409. Notice of change.

Subtitle 5. Miscellaneous Provision.

9-501. Signing and sealing documents.

Subtitle 6. Prohibited Acts.

9-601. Practicing without license.
9-602. Providing services without permit.
9-603. Misrepresentation that person authorized to practice.
9-604. Misrepresentation that business may provide services.
9-604.1. Giving false information to Board.
9-605. Penalties.

Subtitle 7. Short Title; Termination of Title.

9-701. Short title.
9-702. Termination of title.

Subtitle 1. Definitions; General Provisions.

§ 9-101. Definitions.

(a) *In general.* — In this title the following words have the meanings indicated.

(b) *Board.* — "Board" means the State Board of Examiners of Landscape Architects.

(c) *Landscape architect.* — "Landscape architect" means an individual who practices landscape architecture.

(d) *License.* — "License" means, unless the context requires otherwise, a license issued by the Board to practice landscape architecture.

(e) *Licensed landscape architect.* — "Licensed landscape architect" means a landscape architect who is licensed by the Board to practice landscape architecture.

(f) *Permit.* — "Permit" means a permit issued by the Board to allow a partnership or corporation to operate a business through which an individual may practice landscape architecture.

(g) *Practice landscape architecture.* — (1) "Practice landscape architecture" means:

(i) to plan, to design, to prepare drawings and specifications, to consult, or to provide any other professional service, including responsible supervision, in connection with the development of land if the principal purpose of the service is:

1. to determine, to enhance, or to preserve land uses, natural land features, plantings, or settings and approaches to structures or other improvements;

2. to determine an environmental problem of land, including erosion, blight, or other hazard;

3. to set a grade;

4. to determine drainage; or

5. subject to any standards that the State or a local authority sets, to provide for a storm drainage system that does not require a hydraulic or structural design of system components; or

(ii) to design an object or feature that is incidental and necessary to a service described in item (i) of this paragraph.

(2) "Practice landscape architecture" does not include:

(i) designing a structure or facility that has a self-contained purpose and ordinarily would be designed by a licensed architect or professional engineer; or

(ii) surveying land or preparing plats for official approval or recordation. (An. Code 1957, art. 56, § 271; 1989, ch. 3, § 1.)

Cross references. — As to termination of title provisions and regulations, see § 9-702 of this article.

§ 9-102. Legislative policy.

The purposes of this title are to safeguard public welfare, health, and property and to promote the public good by regulating persons who practice landscape architecture in the State. (An. Code 1957, art. 56, § 272; 1989, ch. 3, § 1.)

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

November 16, 1998

Aurous Acquisition I, LLC
500 Crescent Court, Suite 300
Dallas, Texas 75201

Patrick M. Shelley, Esquire
McGuire, Woods, Battle & Boothe LLP
The Blaustein Building
One North Charles Street
Baltimore, Maryland 21201

To Whom It May Concern:

RE: Brighton Gardens/Marriott Senior Living Services, Inc. 1836 - 1840 Reisterstown Road, Zoning Case 97-423-SPHXA, 3rd Election District

Pursuant to a letter from Mr. Francis J. Knott, Jr. dated October 29, 1998, you have requested certain zoning verifications on the above referenced property. The subject property is currently split zoned OR-2 (Office Building - Residential), R-O (Residential-Office) and D.R. -3.5 (Density Residential), with the predominant zoning of the property OR-2, a smaller portion of the property R-O and a small sliver of the property zoned D.R. -3.5.

Pursuant to zoning case 97-423-SPHXA, the property was approved for a senior assisted living center, in accordance with the approved site plan in said case.

Further, to the best of our knowledge, there are no other variances, special exceptions or other administrative orders adversely affecting the property.

Finally, Zoning Enforcement has advised that there are no current or outstanding zoning citations of the subject property.

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,

Joseph C. Merrey
Planner II
Zoning Review

JCM:cjs

c: zoning case 97-423-SPHXA

Printed with Soybean Ink on Recycled Paper

McGuireWoods
Battle & Boothe LLP

The Blaustein Building
One North Charles Street
Baltimore, Maryland 21201-3793
Telephone/TDD (410) 659-4400 • Fax (410) 659-4599

RECEIVED
OCT 29 1998
98-494A

10/29/98 To: Jcm
11/4/98
wcr
& cashier

Francis J. Knott, Jr.
Direct Dial: (410) 659-4462

Facsimile: (410) 659-4479
E-Mail: fjknott@mwbb.com

October 29, 1998

Rec'd
11.5.98

Director, PDM
Baltimore County Zoning Commission
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

Re: Property Name: Brighton Gardens/Marriott Senior Living Services, Inc.
Address: 1836-1840 Reisterstown Road, Pikesville, Maryland 21208-1335
Zoning: O.R.2, R.O., D.R.3.5
Land Area: 3.412 acres
Owner: Marriott Senior Living Services, Inc.

Ladies and Gentlemen:

This letter is to request that your office confirm the zoning status of the above-referenced property located at 1836-1840 Reisterstown Road, Pikesville, Maryland (the "Property"). We represent a prospective purchaser that requires this information as part of its due diligence in connection with the purchase. Specifically, I request confirmation of the following:

1. that the Property is split zoned O.R.2, R.O. and D.R.3.5 with the predominant zoning of the Property as O.R.2 (2.10 acres), a smaller portion of the Property zoned as R.O. (1.204 acres), and a small sliver of the Property zoned as D.R.3.5 (.04 acres);

2. that the Property and the proposed use thereof as a senior assisted living center are in compliance with the Baltimore County Zoning Regulations;

3. that there are no known or pending zoning violations pertaining to the Property; and

To the best of our knowledge

4. that no variances, special exceptions or other administrative orders affecting the Property, except for the special exception and zoning variance granted by the Zoning Commissioner of Baltimore County in Case No. 97-423-SPHXA, dated July 16, 1997.

Our client has requested that we obtain a Zoning Verification Letter from you as soon as possible. Accordingly, anything that you can do to expedite the issuance of such letter would be greatly appreciated.

Enclosed please find this firm's check in the amount of $40.00 for the issuance of the Zoning Verification Letter as prescribed by your department.

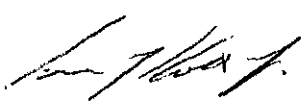
Finally, could you please address the Zoning Verification Letter to the following two parties:

1. Aureus Acquisition I, LLC
   500 Crescent Court
   Suite 300
   Dallas, Texas 75201

2. Patrick M. Shelley, Esquire
   McGuire, Woods, Battle & Boothe LLP
   The Blaustein Building
   One North Charles Street
   Baltimore, Maryland 21201

Thank you for your attention to this matter. Please call me at the direct dial number listed above if you have any questions regarding this request.

Sincerely,



Francis J. Knott, Jr.

FJK:db
cc: Patrick M. Shelley, Esq.

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Rob Hoffman	210 Allegheny Ave 21204
Will Holmes	Marriott Dr. Washington, D.C. 20058
DEBRA WITHE	STV INC. 21 Governeur Dr. Balt. 21244
[illegible]	" " "
JIM WILMOT	WILMOT / SANZ (8310 MONTROSE) VILLAGE AVE, GAITHERSBURG
WES GUCKERT	Suite 600 40 W. Chesapeake Ave Towson MD. 21204
Arthur Adler	Woodholme Country Club 300 Woodholme Ave Pikesville, Md 21208
Ross Dingman	8830 Green Neck Dr. Built MD 20736

Robert W. Sheesley
Principal

8354 Chestnut Farm Lane
Ellicott City, MD 21043
Tel (410) 750-9925
Fax (410) 750-9925

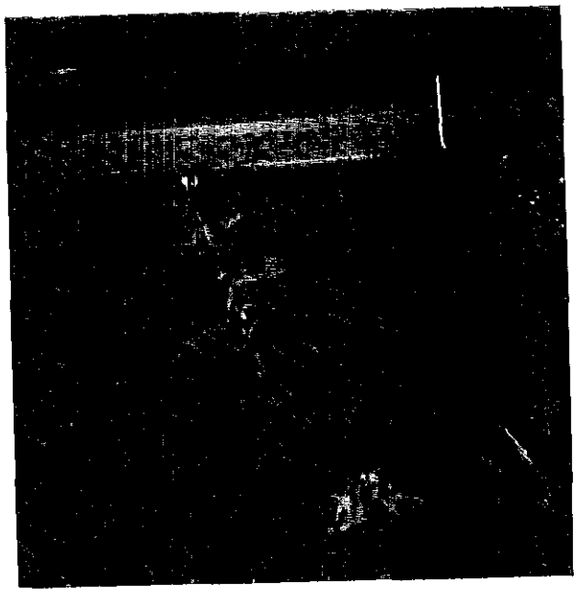
Environmental Consultants
eco Sense, Inc.

Printed with Soybean Ink on Recycled Paper

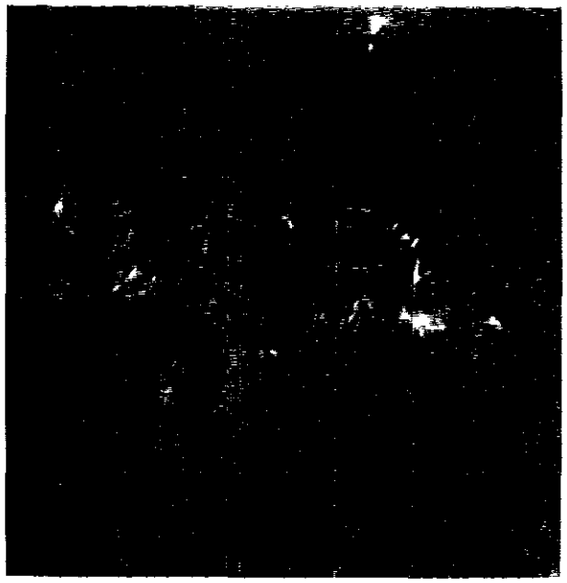
PLEASE PRINT CLEARLY

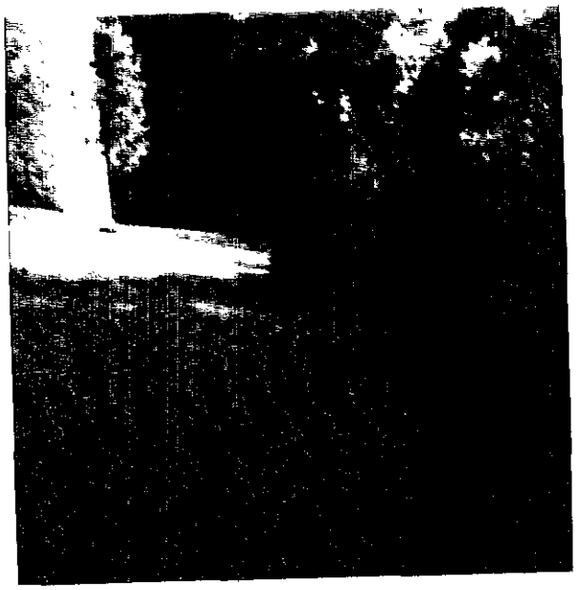
PROTESTANT(S) SIGN-IN SHEET

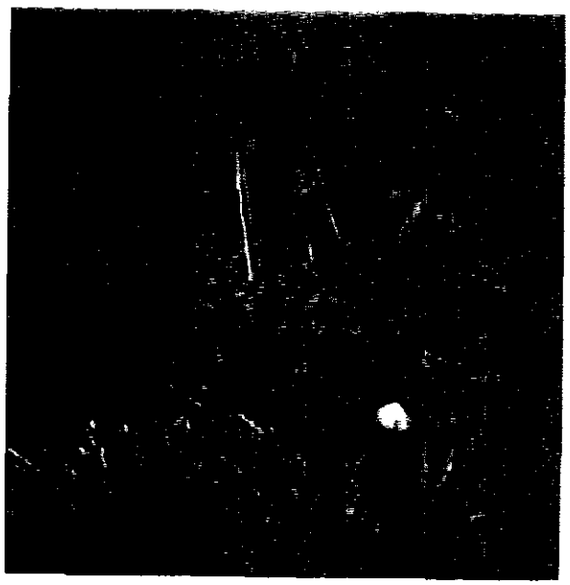
NAME	ADDRESS
Alan S. Rupert	103 Woodmoor Ave. Balt. Md. 21208
Alonzo Childress	713 Pheasant Dr. Forest Hill 21050
Michael Tanczyn	Ste 102 604 Baltimore Ave Towson MD 21204
Ross Dingman	8911 Riesterstown rd, Pikesville, MD 21209



Topping of the road







Erosion



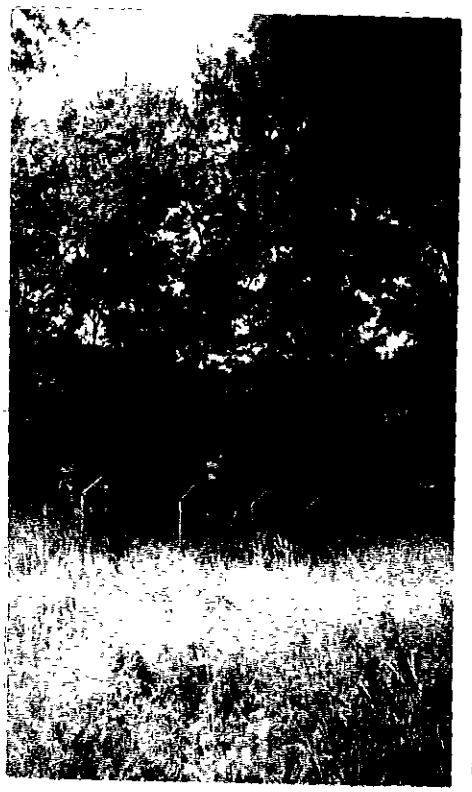










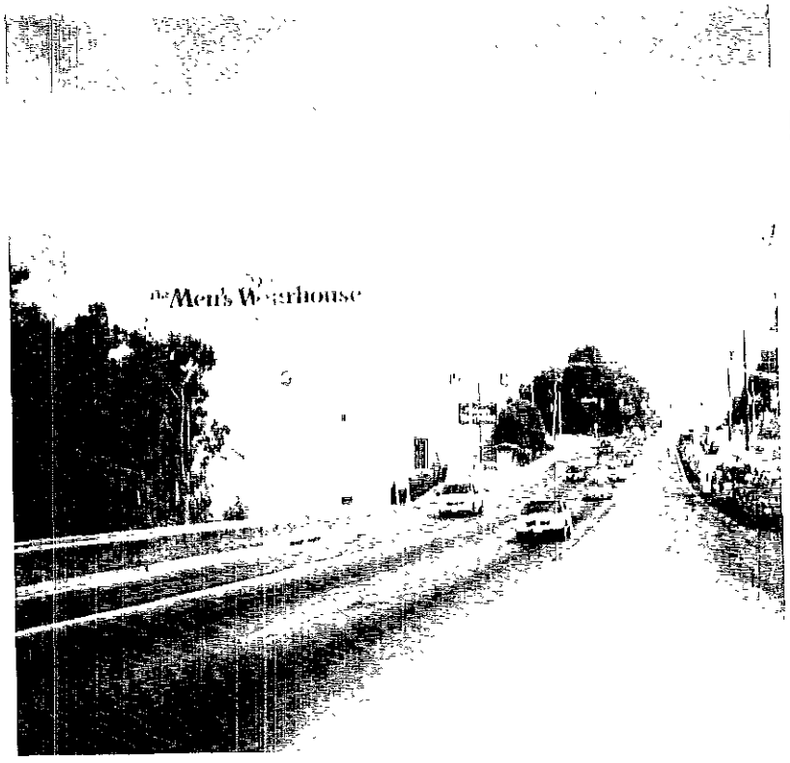


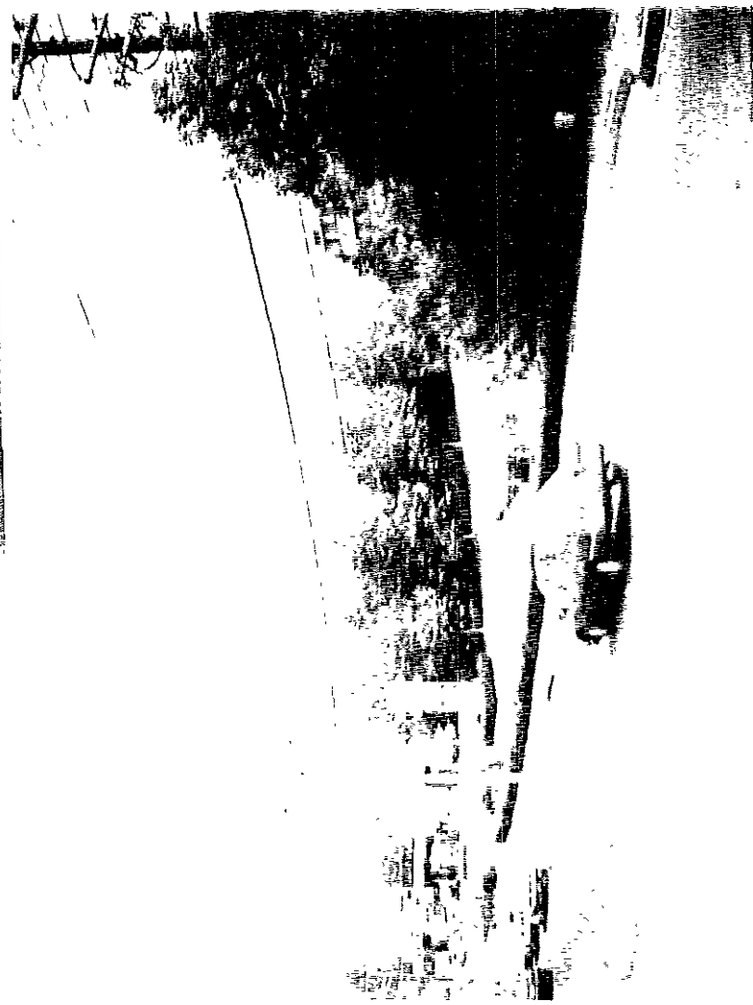




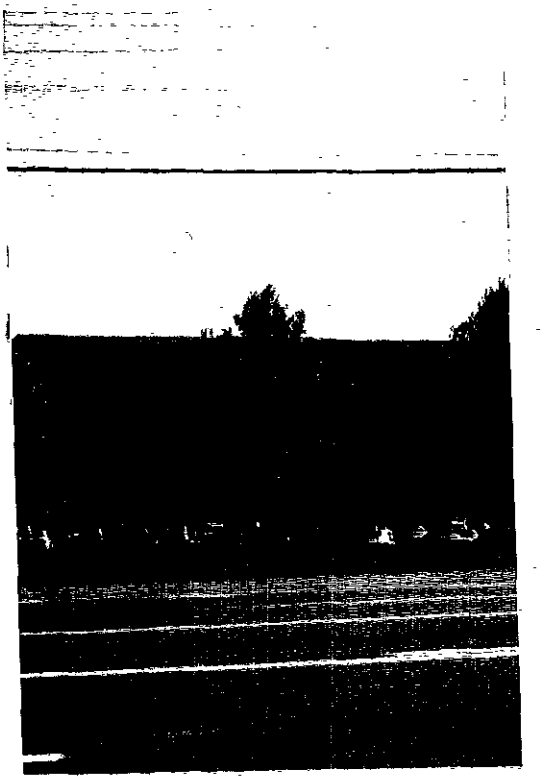





The Men's Wearhouse











(SHEET NW-7-5)

77-423-SPHXA

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS			SCALE
	BY	DATE	1" = 200'
Topographic	MAPS, INC.	4-11-70	
		5-26-72	DATE OF PHOTOGRAPHY APRIL 1953

Topography Compiled By Photogrammetric Methods
AERO SERVICE CORPORATION - PHILADELPHIA, PA.

Petitioners #5

LEGEND

OFFICE ZONES

BUSINESS ZONES

RESIDENTIAL ZONES

97-423-SPHXA

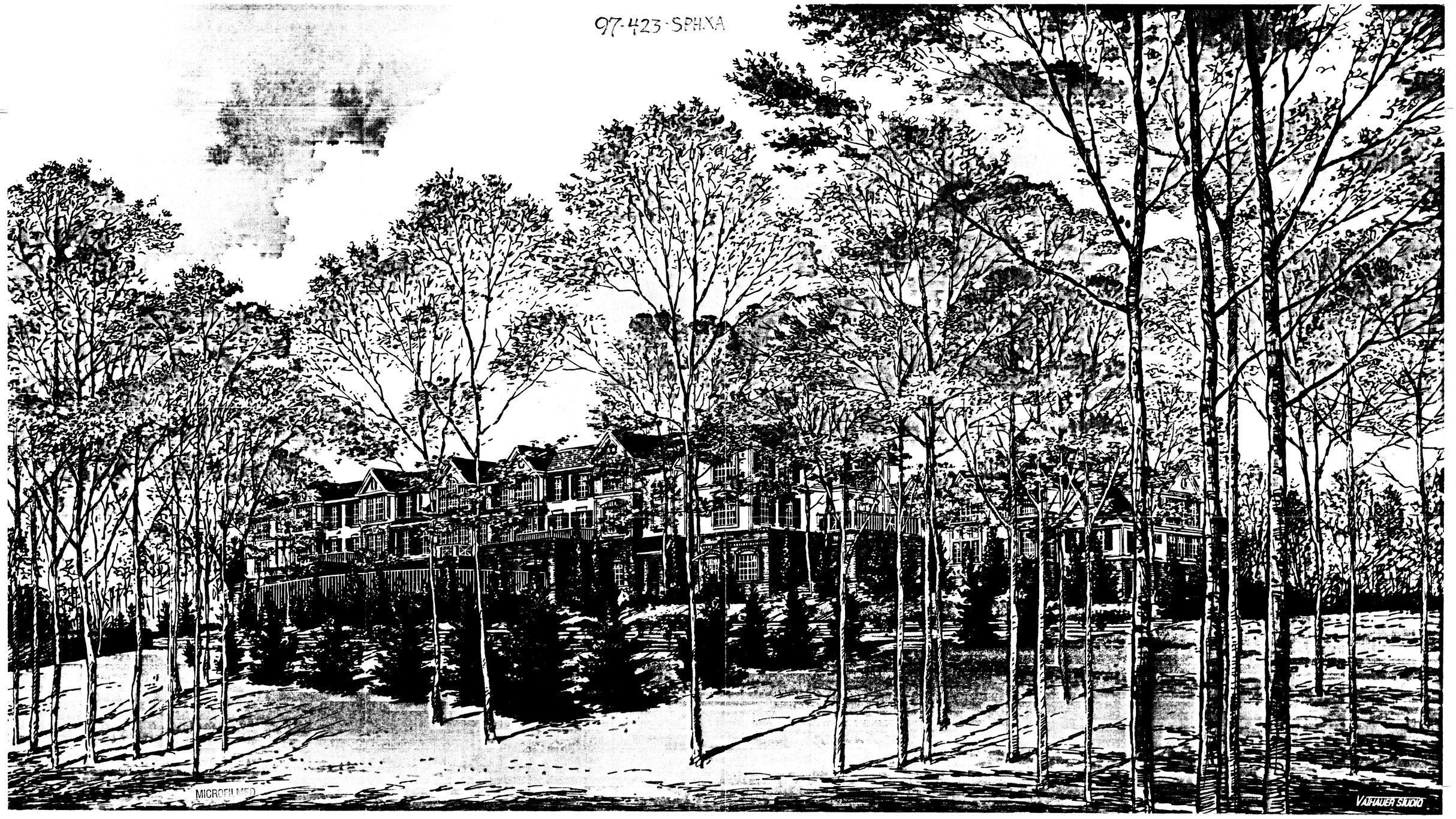
BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
OFFICIAL ZONING MAP

SCALE 1" = 200' ±

DATE OF PHOTOGRAPHY JANUARY 1986

(SHEET NW-7-G)

97-423-SPHXA



MICROFILMED

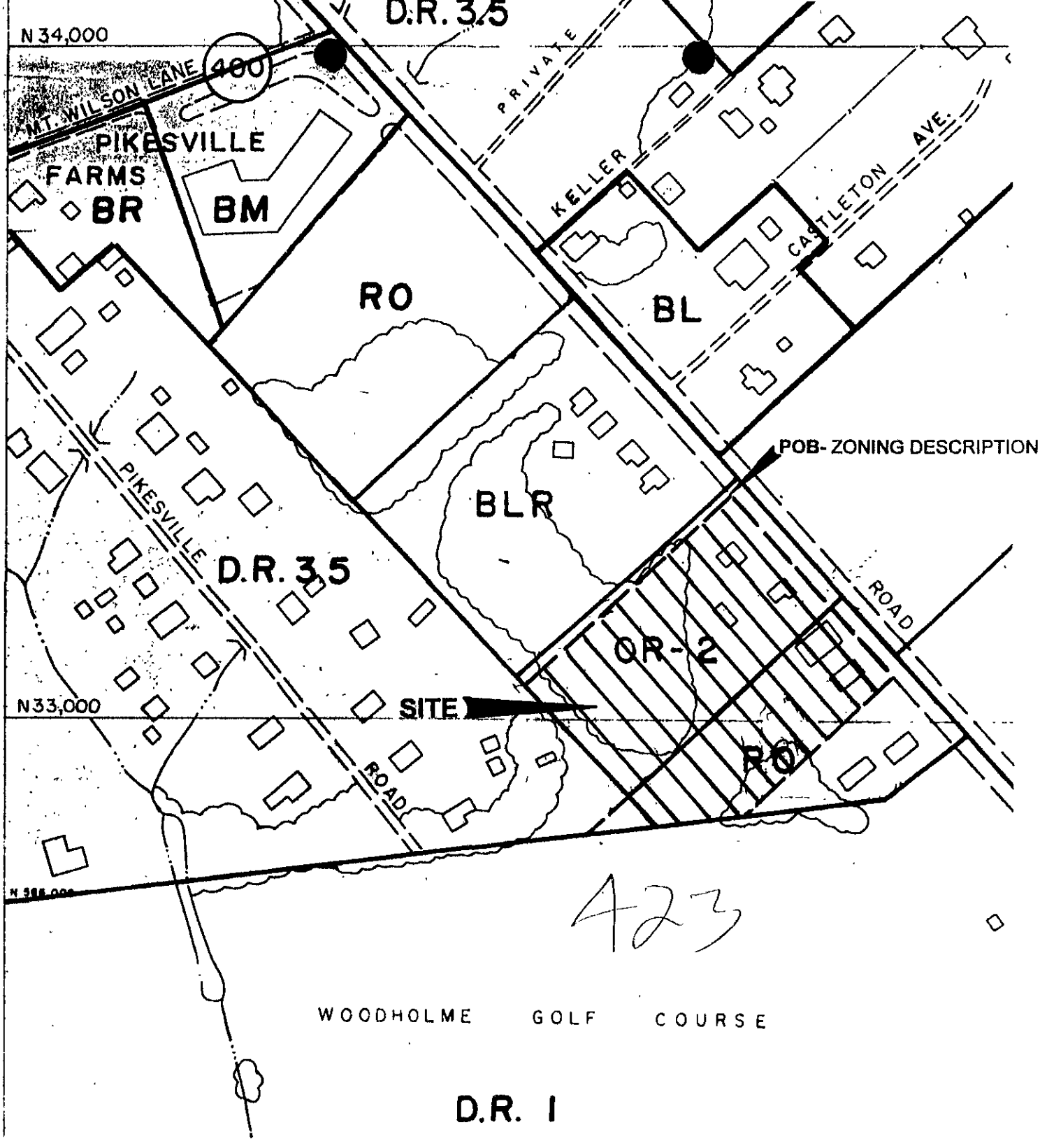
VALHAUER STUDIO

97-423-SPHXA



VAIHAUER STUDIO

MICROFILMED



ZONING MAP
BRIGHTON GARDENS

BALTIMORE COUNTY ZONING MAP SHEET:N.W.9-F

SCALE 1"= 200'



EAST SIDE



NORTH ELEVATION – MAIN ENTRANCE

MATERIAL LEGEND

1. SIDING - LIGHT TAN
2. FACE BRICK - MEDIUM REDDISH BROWN
3. WHITE TRIM
4. ASPHALTIC ROOF SHINGLES - GREY/BROWN
5. RAILING
6. BRICK WATERTABLE
7. PAINTED GREEN SHUTTER
8. FYPON ATTIC VENT
9. BRICK ARCH
10. FYPON ARCH
11. FYPON ARCH WITH KEYSTONE

97-423-SPHXA



SOUTH ELEVATION



WEST SIDE

TYPICAL PLAN FILED FOR EXHIBIT AT PETITION FILING - 423

Marriott CORPORATION

PIKESVILLE, MARYLAND

BRIGHTON GARDENS

Wilmot/Sanz
ARCHITECTURE&PLANNING



EAST SIDE



NORTH ELEVATION -- MAIN ENTRANCE

MATERIAL LEGEND

1. SIDING - LIGHT TAN
2. FACE BRICK - MEDIUM REDDISH BROWN
3. WHITE TRIM
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11. FYPON ARCH WITH KEYSTONE



SOUTH ELEVATION



WEST SIDE

Marriott CORPORATION

PIKESVILLE, MARYLAND

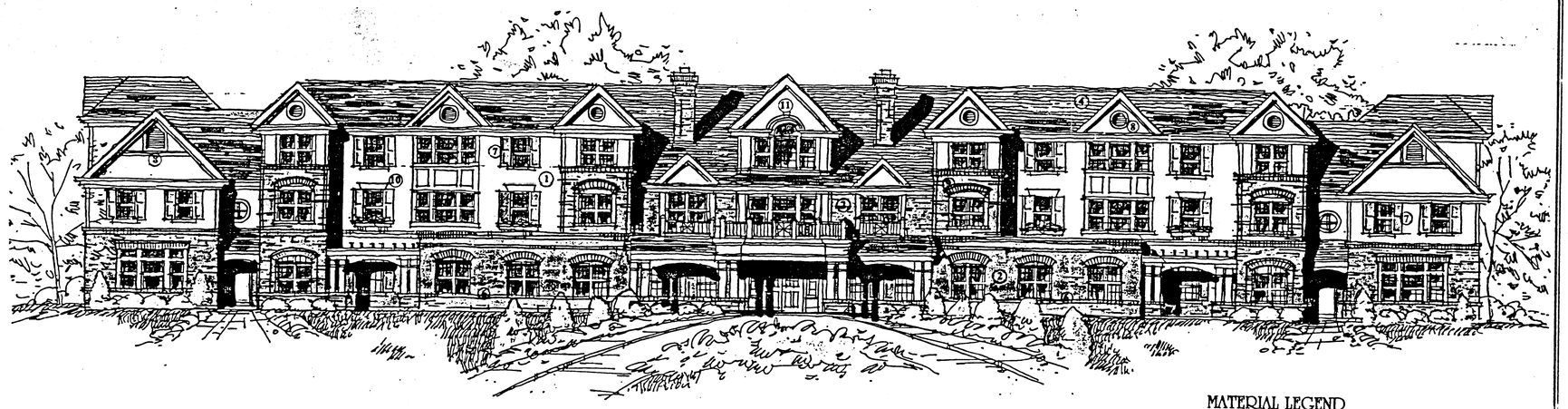
BRIGHTON GARDENS

Wilmot/Sanz
ARCHITECTURE/PLANNING

PDM # III-398



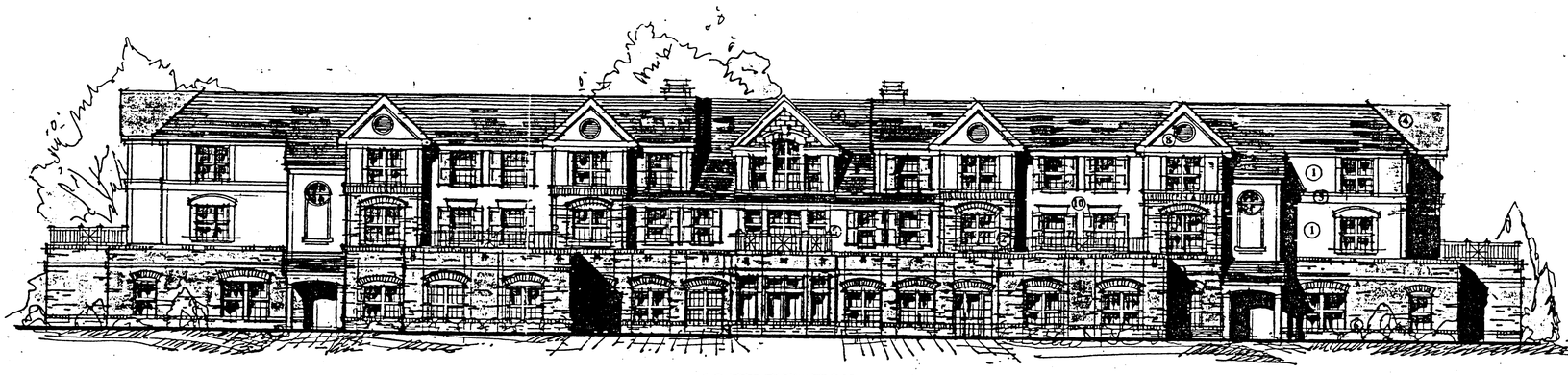
EAST SIDE



NORTH ELEVATION – MAIN ENTRANCE

MATERIAL LEGEND

1. SIDING - LIGHT TAN
2. FACE BRICK - MEDIUM REDDISH BROWN
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8. FYPON ATTIC VENT
9. BRICK ARCH
10. FYPON ARCH
11. FYPON ARCH WITH KEYSTONE



SOUTH ELEVATION



WEST SIDE

PLAN TO ACCOMPANY
HEARING OFFICER'S ORDER

11/13/98 Christine Rorke
DATE PROJECT MANAGER

Marriott CORPORATION

PIKESVILLE, MARYLAND

BRIGHTON GARDENS

Wilmot/Sanz
ARCHITECTURE/PLANNING

8 of 3

PDM # II-396

Petitioner's Exhibit

PROPOSED HANDICAPPED RAMP

PRELIMINARY LIGHTING LOCATION SUBJECT TO CHANGE (TYP.)

PROPOSED DOUBLE - FACED SIGN (+9'-4" HT., 84 SF/FACE)

EXISTING BUILDING TO BE DEMOLISHED

WOODHOLME CENTER CIRCLE

NORTH

PROPOSED USE-IN-COMMON INGRESS / EGRESS

920'± TO ℄ OF MOUNT WILSON LA.

MD. ROUTE 140

REISTERSTOWN ROAD (PUBLIC - STATE OF MARYLAND)

PROPOSED WALK

POINT OF BEGINNING

S 42° 09'11" E 342.20'

FUTURE 80' R/W

EX. 66' R/W

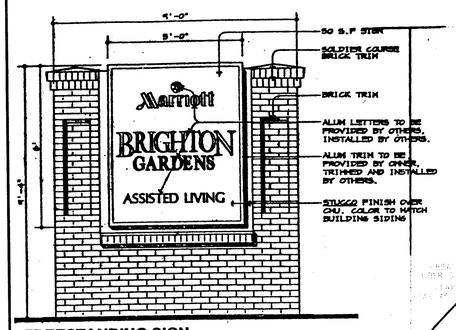
77'± PAVING

EDGE OF MACADAM PAVEMENT

(MACADAM PAVEMENT, WIDTH VARIES)

(SHA PLAT No. 49932)

BENCHMARK SET
SQUARE CUT ON CURB
ELEVATION=537.83



FREESTANDING SIGN
NOT TO SCALE

SIGN NOTES:
1. TOTAL NUMBER OF SIGNS = 1
2 TOTAL SIGN AREA =+168SF DOUBLE-FACED SIGN (84SF PER SIDE)

Site Development Proposal

DWELLING TYPE	PROPOSED UNITS	PARKING REQUIRED	PARKING PROPOSED	OPEN SPACE
ASSISTED LIVING	115 BEDS	115 BEDS @ 1/3 BEDS = 39	54 SP.	REQUIRED: 115 BEDS @ 650 S.F./ 4 BED= 18,688 S.F. (0.43 AC.) PROVIDED: 18,688 S.F. (0.43 AC.)

PROPOSED 3-STORY BUILDING ASSISTED LIVING FACILITY (115 BEDS)
F.F. ELEV. - 531.00

PROP. DUMPSTER & 8' HT BRICK ENCLOSURE (10' x 24')

PROP. GREASE TRAP

PROP. COOLING TOWER (8' x 15') - NOT AN ACCESSORY STRUCTURE. THE COOLING TOWER IS PART OF THE MECHANICAL SYSTEM OF THE BUILDING AND IS ATTACHED TO BUILDING BY UNDERGROUND PIPES.

PROP. FENCE (±16' HT.)

BUS PARKING SPACE (10' x 25')

PROP. LOADING SPACE (18' X 12')

PROPOSED TRANSFORMER

PROPOSED WOOD FENCE (±8' HT.)

PROP. 20' UTILITY & S.W.M. ACCESS EASEMENT

ABANDON EXIST. 8" SAN. SEWER

PRELIMINARY PLANTING IN COURTYARD AND TERRACE AREA SUBJECT TO CHANGE

PROP. TERRACE

LIMIT OF DISTURBANCE

PROPOSED RELOCATION OF PUBLIC SANITARY MAIN

PROPOSED PLANTINGS SHOWN IN THIS AREA ARE FOR SCREENING PURPOSES. THESE PLANTINGS HAVE NOT BEEN INCLUDED IN LANDSCAPE CALCULATIONS. PLEASE NOTE THAT THESE PLANTINGS ARE CONCEPTUAL AND MAY BE MODIFIED DURING FINAL DESIGN.

PROPOSED SATELLITE DISH

PROPOSED PLANTER (±3' HT.)

PROPOSED RETAINING WALL W/ 6' FENCE

PROPOSED PRIVATE OPEN SPACE (0.43 AC.)

70'± TO NEAREST F.H.

50' CROSS EASEMENT LIBER S.M. 10063, FOLIO 624 & LIBER S.M. 11012, FOLIO 545

STORMWATER MANAGEMENT EASEMENT LIBER S.M. 11051, FOLIO 338

STORMWATER MANAGEMENT EASEMENT LIBER S.M. 11051, FOLIO 338

ARON LEIB MIMER LIBER S.M. 8959, FOLIO 628

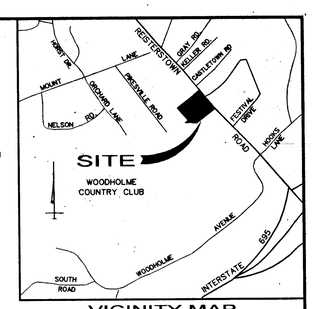
ROBERT H. BRIDGES LIBER S.M. 11528, FOLIO 129

WILLIAM R. GRANT LIBER S.M. 7940, FOLIO 185

GEORGE A. DILLON (NO REFERENCE)

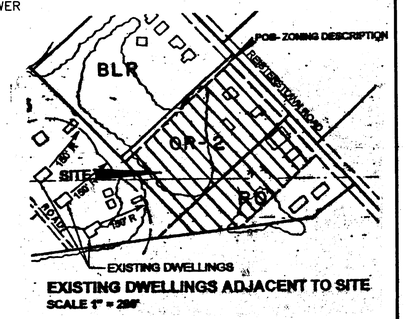
TERRY NEUMAN GORANT LIBER S.M. 8934, FOLIO 846

WOODHOLME COUNTRY CLUB LIBER W.P.C. 646, FOLIO 225 LIBER G.L.B. 2411, FOLIO 539



VICINITY MAP
SCALE: 1"=1,000'

Legend:
- PROPOSED MAJOR DECIDUOUS TREES
- PROPOSED MINOR DECIDUOUS TREES
- PROPOSED EVERGREEN TREES
- PROPOSED SHRUBS
- EXISTING CONTOUR
- PROPOSED CONTOUR (522)
- PROPOSED WATER (W)
- PROPOSED SANITARY (S)
- PROPOSED STORM DRAIN
- LIMITS OF PRIVATE OPEN SPACE
- ZONING LINE
- LIMITS OF DISTURBANCE
- SOILS LINE (GcB2 / GcC2)



EXISTING DWELLINGS ADJACENT TO SITE
SCALE 1" = 200'

97-423
SPHXA

STV Incorporated
engineers / architects / planners / scientists / construction managers
21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112

REVISIONS		
NO.	DATE	DESCRIPTION
1	4/25/97	REVISE ENTRANCE LAYOUT, S.W.M. BASIN & OUTFALL
2	6/11/97	REVISE S.W.M. / FOREST CONSERVATION

GRAPHIC SCALE
90 60 30 0 60
75 45 15 30 90

PLAN PREPARATION

DRAWN BY:	T. KILLMEYER	DATE:	MARCH 19, 1997
DESIGNED BY:	C. WILKINSON	SCALE:	1" = 30'
CHECKED BY:			61-1401

PLAN TO ACCOMPANY SPECIAL HEARING, SPECIAL EXCEPTION, AND VARIANCES

BRIGHTON GARDENS
1838 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

DRAWING NO. DP-1

SHEET NO. 1 of 2

P:\E_N\projects\1401\dp0gard.dgn
DATE: 6/11/97 14:07

General Notes:

1. APPLICANT: MARRIOTT INTERNATIONAL INC.
MARRIOTT DRIVE
WASHINGTON, DC 20058

CONTACT: JOHN HOGAN (301-380-9000)
WILL HOLMES (301-380-8949)

2. OWNERS: PARCEL 440
EMERITUS CORPORATION (FORMERLY ASSISTED LIVING OF AMERICA, INC.)

DEED REFERENCE: 11051/335
TAX ACCOUNT: 1700006251
SITE ADDRESS: 1840 REISTERSTOWN ROAD

PARCEL 489
EMERITUS CORPORATION (FORMERLY ASSISTED LIVING OF AMERICA, INC.)
DEED REFERENCE: 11051 / 335
TAX ACCOUNT: 1700006253
SITE ADDRESS: 1838 REISTERSTOWN ROAD

PARCEL 228
W P AT RR INC.
DEED REFERENCE: 7798 /265
TAX ACCOUNT: 1900005053
SITE ADDRESS: 1836 REISTERSTOWN ROAD

PARCEL 434
MARSHALL W. AND TAMMY FESCHE
DEED REFERENCE: 11821 /570
TAX ACCOUNT: 0322045277
SITE ADDRESS: 1832 REISTERSTOWN ROAD

3. ELECTION DISTRICT: 3
COUNCILMANIC DISTRICT: 3
CENSUS TRACT: 4037.02

4. WATERSHED 27: SUBSEWERSHED 65
WATER DESIGNATION W-1: SEWER DESIGNATION S-1

5. A. EXISTING USE: VACANT LOTS
PROPOSED USE: ASSISTED LIVING FACILITY
(115 BEDS TOTAL)

B. CURRENT ZONING AND ACREAGE:
2.10 AC.± (OR-2 ZONE)
1.04 AC.± (RO ZONE)
0.04 AC.± (DR 3.5 ZONE)
TOTAL 3.18 AC.± NET

2.265 AC.± (OR-2 ZONE)-INCLUDES 30' REISTERSTOWN RD.
1.107 AC.± (RO ZONE)-INCLUDES 30' REISTERSTOWN RD.
0.04 AC.± (DR 3.5 ZONE)
0.003 AC.± (BM ZONE) -LOCATED IN REISTERSTOWN RD.
TOTAL 3.415 AC.± GROSS

C. FLOOR AREA RATIO:
69,109 S.F. BUILDING
148,757 S.F. GROSS SITE AREA
= 0.46

D. PARKING REQUIRED:
115 BEDS @ 1/3 BEDS = 39 SP.

PARKING PROVIDED: = 54 SP.

ALL PARKING SPACES SHALL BE PERMANENTLY STRIPED. ALL PAVING SHALL BE PAVED WITH A DURABLE, DUSTLESS AND PROPERLY DRAINED SURFACE MAINTAINED SO AS NOT TO CREATE ANY UNDESIRABLE CONDITIONS.

E. DENSITY PERMITTED:
(OR ZONE) 2.265 AC. @ 10.5 D.U. = 23.78 D.U.
(RO ZONE) 1.107 AC. @ 5.5 D.U. = 6.09 D.U.
TOTAL 29.87 D.U.

DENSITY PROPOSED:
(ASSISTED LIVING) 115 BEDS @ 4 BEDS/D.U. = 29 D.U.

F. LANDSCAPE REQUIREMENTS:
341 LF + ADJ. RD. @ /140 ± = 8.5 (4.25 MD)
80 LF + INT. RD. @ 120 = 4.0 (2 MD)
54 SP @ 1/12 = 4.5 (3.37 MD)
310 LF + CLASS 'B' SCR @ 1/15 = 20.6
342 LF + CLASS 'A' SCR @ 1/15 = 22.8
TOTAL REQUIRED = 61 (10 MD)

LANDSCAPE PROVIDED:
17 MD @ 1/1 = 17.0 P.U. (17 MD)
1 EVGR @ 2/1 = .5 P.U.
256 SHRUBS @ 5/1 = 51.2 P.U.
SUB TOTAL PROVIDED = 68 (17MD)

LANDSCAPE PROVIDED FOR TERRACE/COURTYARD/FOUNDATION:
7 MD = = 3.5 P.U.*
420 SHRUBS @ 5/1 = 87.5 P.U.*
TOTAL PROVIDED = 156.2 P.U. *
* LANDSCAPE FOR TERRACE/COURTYARD/FOUNDATION SUBJECT TO CHANGE

G. OPEN SPACE REQUIRED
115 BED @ 650 SF/4 BED = 18,688 SF (0.43 ACRE)
OPEN SPACE PROVIDED: = 0.43 ACRE

OPEN SPACE SHALL BE PRIVATE.

6. AVERAGE DAILY TRIPS:
115 UNITS @ 3.5/UNIT = 402.5 ADT

7. THE SITE IS LOCATED ON MTA BUS ROUTE NUMBER 9.

8. ALL LIGHTING SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.

9. BUILDING SETBACKS: RO ZONE (RESIDENTIAL-OFFICE)
(NON RESIDENTIAL PRINCIPAL BUILDING - D.R. 10.5 ZONE)

		REQUIRED	PROPOSED
FRONT YARD	=	25'	±114'
INTERIOR SIDE YARD	=	20'	±102' FROM EAST PROPERTY LINE 0' FROM WEST PROPERTY LINE
STREET CORNER SIDE	=	35'	±N/A
REAR YARD	=	50'	± 98'
* MAXIMUM BUILDING HEIGHT	=	50' MAX.	MAXIMUM ±35'-8" (FRONT ELEV.)
MAXIMUM BUILDING LENGTH	=	200' MAX.	215'

* THE PROPOSED 50 FOOT MAXIMUM HEIGHT IS MEASURED BY THE VERTICAL DISTANCE FROM THE HIGHEST POINT ON THE BUILDING TO THE HORIZONTAL PROJECTION OF THE CLOSEST POINT AT EXTERIOR GRADE PER SECTION 101 BCZR.

10. SOIL TYPES:

SYMBOL	SERIES
GcC2	GLENELG
GcC2	GLENELG
CcB2	CHESTER

11. THERE ARE NO KNOWN STREAMS, BODIES OF WATER, OR SPRINGS LOCATED ON THE SITE.

12. THERE ARE NO KNOWN WETLANDS, ARCHEOLOGICAL SITES OR ENDANGERED SPECIES.

13. THE SITE DOES NOT INCLUDE NOR IS IT CONTIGUOUS TO ANY BUILDINGS, PROPERTY, OR SITES ON AN HISTORICAL INVENTORY OR LIST.

14. THE SITE IS NOT LOCATED WITHIN A 100-YEAR FLOODPLAIN OR FLOOD AREA. (FEMA FLOOD INSURANCE RATE MAP NO. 0240 B, DATED MARCH 2, 1981)

15. THERE ARE NO KNOWN SEPTIC OR WELL AREAS LOCATED ON THE SITE.

16. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS OR HAZARDOUS MATERIAL LOCATED ON THE SITE.

17. THE SITE IS NOT LOCATED IN A CRITICAL AREA.

18. ZONING MAP NUMBER: NW 9-F

19. ZONING HISTORY
A. CASE NOS. 111-398 & 95-202-X. A SPECIAL EXCEPTION TO ALLOW AN ASSISTED LIVING FACILITY WAS GRANTED BY THE HEARING OFFICER FOR BALTIMORE COUNTY ON FEBRUARY 15, 1995, SUBJECT TO THE FOLLOWING RESTRICTIONS.

1) THE PETITIONERS MAY APPLY FOR THEIR BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER; HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL SUCH TIME AS THE 30-DAY APPELLATE PROCESS FROM THIS ORDER HAS EXPIRED. IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE RELIEF GRANTED HEREIN SHALL BE RESCINDED.

2) THE RESTRICTIVE COVENANT AGREEMENT IDENTIFIED HEREIN AS DEVELOPER'S EXHIBIT 2, AND THE MAINTENANCE AGREEMENT MARKED AS DEVELOPER'S EXHIBIT 3 WHICH WAS ENTERED INTO BETWEEN THE WOODHOLME COUNTRY CLUB AND THE TWO RIVERS RETIREMENT HOMES, INC., ARE HEREBY INCORPORATED HEREIN AND MADE A PART OF THIS ORDER. THOSE AGREEMENTS ARE ENFORCEABLE AND BINDING UPON THE HEIRS, SUCCESSORS, ASSIGNS, AND ANY TRANSFEREES OF THE SUBJECT PROPERTY.

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B. A PORTION OF THE SITE PREVIOUSLY ZONED RO. DURING THE 1996 COMPREHENSIVE ZONING PROCESS THIS PORTION WAS REZONED TO OR-2 (ISSUE NO. 2-001).

20. A MODIFICATION OF STANDARDS WILL BE REQUESTED FROM SECTION 1B01.2.B.2 (BCZR) AND SECTION A.29 OF THE CMDP TO PERMIT A TOTAL BUILDING LENGTH OF ± 215' IN LIEU OF THE PERMITTED 200'.

21. THE DEVELOPMENT REVIEW COMMITTEE (DRC) GRANTED APPROVAL OF A DEVELOPMENT PLAN REFINEMENT PER SECTION 26-211 OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS ON FEBRUARY 18, 1997 (DRC NUMBER 021OTJ).

22. THERE HAVE BEEN NO PREVIOUS COMMERCIAL PERMITS ISSUED FOR THE SITE.

A. A SPECIAL EXCEPTION TO ALLOW A ASSISTED LIVING FACILITY AND MODIFICATIONS TO THE FOLLOWING RESIDENTIAL TRANSITION AREA (RTA) STANDARDS PURSUANT TO SECTION 432.4.

B. VARIANCE FROM SECTION 206.3.C.2.b.1 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT 84 SQ. FT. PER FACE OF SIGN AREA IN LIEU OF THE REQUIRED 25 SQ. FT. PER FACE.

C. VARIANCE FROM SECTION 206.3.C.2.b.3 OF THE BALTIMORE COUNTY ZONING REGULATAIONS TO PERMIT A SIGN 9 FT-4 IN. IN HEIGHT IN LIEU OF THE REQUIRED 6 FT. HEIGHT.

D. VARIANCE FROM SECTION 1B01.2.C.1.a TO PERMIT A NON-RESIDENTIAL PRINCIPLE BUILDING SIDE YARD SETBACK OF 3 FT. IN LIEU OF THE REQUIRED 20'.

23. THERE ARE NO RESIDENTIAL TRANSITION AREAS (RTA'S) ON THE SITE. THERE ARE NO SINGLE FAMILY, DUPLEX DWELLINGS OR UNIMPROVED LOTS OF RECORD LESS THAN 2 ACRES LOCATED WITHIN 150 FEET OF THE TRACT BOUNDARY.

24 A WAIVER WILL BE REQUESTED FROM THE BALTIMORE COUNTY STORMWATER MANAGEMENT REQUIREMENTS.

25 A WAIVER WILL BE REQUESTED FROM THE BALTIMORE COUNTY FOREST CONSERVATION REQUIREMENTS.

Forest Buffer and / or Forest Conservation Notes:

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

ANY FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

Certification as to Delinquent Accounts

I, WILLIAM M. HOLMES, CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

William M. Holmes 3/14/97

Landscape Architect's and Owner's Signature and Certification Form

"I CERTIFY THAT I HAVE REVIEWED THIS SCHEMATIC LANDSCAPE PLAN, THAT I AM AWARE OF THE LANDSCAPE REGULATIONS PRESENTED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL, LATEST EDITION, AND I AGREE TO COMPLY WITH THESE REGULATIONS AND ALL APPLICABLE POLICY, GUIDELINE, AND ORDINANCES."

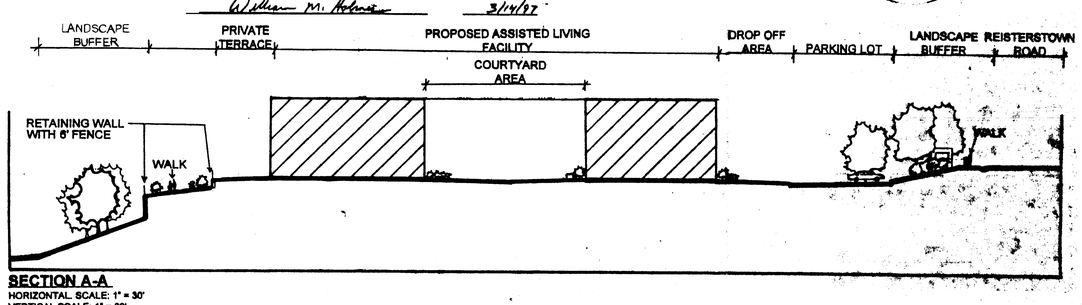
William M. Holmes — SIGNATURE OF APPLICANT — 3/14/97 DATE

WILLIAM M. HOLMES
PRINT NAME

LANDSCAPE ARCHITECT'S SIGNATURE

DEBRA K. WHITTLE
PRINT NAME

STATE OF MARYLAND — DEBRA KAY WHITTLE — REGISTERED LANDSCAPE ARCHITECT — NO. 855



SECTION A-A
HORIZONTAL SCALE: 1" = 30'
VERTICAL SCALE: 1" = 30'

Ref: 1B 97-423-SPHXA

FILE: h:\projects\1401\dp02gard.dgn
DATE: 11-Jun-97 09:35

STV Incorporated
engineers / architects / planners / scientists / construction managers
21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112

REVISIONS		
NO.	DATE	DESCRIPTION
1	4/25/97	REVISE NOTE 5D PER NEW ENTRANCE LAYOUT
2	6/11/97	REVISE NOTES 5, 10, 24, 25 / FOREST CONSERVATION

GRAPHIC SCALE
90 60 30 0 60
75 45 15 30 90

PLAN PREPARATION

DRAWN BY:	T. KILLMEYER	DATE:	MARCH 19, 1997
DESIGNED BY:	C. WILKINSON	SCALE:	1" = 30'
CHECKED BY:			61-1401

PLAN TO ACCOMPANY SPECIAL HEARING, SPECIAL EXCEPTION, AND VARIANCES

BRIGHTON GARDENS
1838 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

DRAWING NO. DP-2
SHEET NO. 2 of 2

NORTH

WOODHOLME CENTER CIRCLE

PROPOSED HANDICAPPED RAMP

PRELIMINARY LIGHTING LOCATION SUBJECT TO CHANGE (TYP.)

PROPOSED DOUBLE - FACED SIGN (+9'-4" HT., 84 SF/FACE)

EXISTING BUILDING TO BE DEMOLISHED

PROPOSED USE-IN-COMMON INGRESS / EGRESS

±20'± TO ℄ OF MOUNT WILSON LA

MD. ROUTE 140

REISTERSTOWN ROAD (PUBLIC - STATE OF MARYLAND)

PROPOSED WALK

POINT OF BEGINNING
N 33,077.64
W 34,696.46

S 42° 09' 11" E 345.20'

EDGE OF MACADAM PAVEMENT

36" WATER (COVER 4.5')

8" SANITARY SEWER

(SHA PLAT No. 49932)

(MACADAM PAVEMENT, WIDTH VARIES

EX. 66' R/W

FUTURE 80' R/W)

BENCHMARK - SET PK NAIL IN POLE - ELEVATION = 537.82

APPROX. LOCATION OF GAS

ZONED ~ BL

ZONED ~ OR-2

ZONED ~ BLR

ZONED ~ BM

ZONED ~ RO

77'± PAVING

GRAVEL

70'± TO NEAREST F.H.

CHAIN LINK FENCE

WOOD FENCE

N/F REISTERSTOWN ROAD PROPERTY LLC
LIBER S.M. 10877, FOLIO 312
ZONED ~ RO
(TAX PARCEL 363)

BUS PARKING SPACE (10' x 25')

PROPOSED 3-STORY BUILDING ASSISTED LIVING FACILITY (115 BEDS)
F.F. ELEV. = 531.00

PROP. DUMPSTER & 8' HT BRICK ENCLOSURE (10' x 24')

PROP. GREASE TRAP

PROP. LOADING SPACE (18' X 12')

PROPOSED TRANSFORMER

PROPOSED WOOD FENCE (±8' HT.)

WOODHOLME COUNTRY CLUB
LIBER W.P.C. 646, FOLIO 225
LIBER G.L.B. 2411, FOLIO 539
ZONED ~ D.R. 1

PROP. 20' UTILITY & S.W.M. ACCESS EASEMENT

ABANDON EXIST. 8" SAN. SEWER

PROP. COOLING TOWER (8' x 15') - NOT AN ACCESSORY STRUCTURE. THE COOLING TOWER IS PART OF THE MECHANICAL SYSTEM OF THE BUILDING AND IS ATTACHED TO BUILDING BY UNDERGROUND PIPES.

PROP. FENCE (±16' HT.)

PRELIMINARY PLANTING IN COURTYARD AND TERRACE AREA SUBJECT TO CHANGE

PROP. TERRACE

50' CROSS EASEMENT
LIBER S.M. 10063, FOLIO 624 &
LIBER S.M. 11012, FOLIO 545

STORMWATER MANAGEMENT EASEMENT
LIBER S.M. 11051, FOLIO 338

PROPOSED RETAINING WALL W/ 6' FENCE

PROPOSED PRIVATE OPEN SPACE (0.43 AC.)

LIMIT OF DISTURBANCE

PROPOSED RELOCATION OF PUBLIC SANITARY MAIN

PROPOSED PLANTINGS SHOWN IN THIS AREA ARE FOR SCREENING PURPOSES. THESE PLANTINGS HAVE NOT BEEN INCLUDED IN LANDSCAPE CALCULATIONS. PLEASE NOTE THAT THESE PLANTINGS ARE CONCEPTUAL AND MAY BE MODIFIED DURING FINAL DESIGN.

PROPOSED SATELLITE DISH

PROPOSED PLANTER (±3' HT.)

N 42° 49' 32" W 234.27'

N 47° 48' 26" E 73.38'

S 83° 15' 19" W 185.18'

S 47° 50' 49" W 328.42'

N 47° 45' 00" E 192'±

SMH TOP=525.22 INV. IN=514.99 INV. OUT=514.77

SMH TOP=507.32 INV. IN=498.61 INV. OUT=498.42

SMH TOP=481.42 INV. IN=471.55 INV. OUT=471.74

SMH TOP=481.42 INV. IN=471.55 INV. OUT=471.74

BENCHMARK - SET SQUARE CUT ON SANITARY SEWER MANHOLE RIM ELEVATION=542.18

2½ STORY FRAME BUILDING

No. 1844

No. 1848

No. 1850

CREATIVE HOUSING, INC. LIBER S.M. 11012, FOLIO 481 (TAX ACCT. #03-03508(1950)

MD. HOLDING CORP. LIBER S.M. 2378 (TAX ACCT. #03-03508(2005)

JESSE HOLLENBERRY LIBER S.M. 10597, FOLIO 278 (TAX PARCEL 504) (TAX ACCT. #03-03508(1051)

ARON LEIB MINER LIBER S.M. 8506, FOLIO 1

ROBERT A. RAY CO. LIBER S.M. 11101, FOLIO 129

WILLIAM R. FROST LIBER S.M. 7740, FOLIO 187

TERRY NEUMAN GERRATT LIBER J.M. 5974, FOLIO 546

ABOVE GROUND POOL

SHED

GARAGE

RETAINING WALL

GRAVEL

DRY WELL

WOOD FENCE

CHAIN LINK FENCE

OPEN LINK FENCE

WIRE FENCE

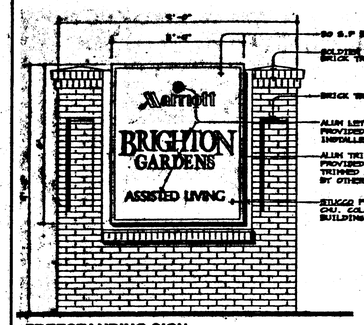
ZONED ~ D.R. 3.5

ZONED ~ BLR

ZONED ~ OR-2

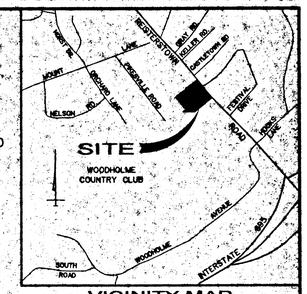
ZONED ~ RO

ZONED ~ D.R. 1



FREESTANDING SIGN
NOT TO SCALE

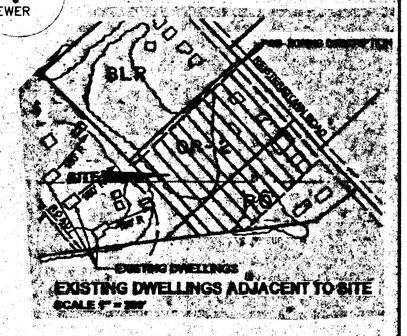
SIGN NOTES:
1. TOTAL NUMBER OF SIGNS = 1
2. TOTAL SIGN AREA = 168SF DOUBLE-FACED SIGN (84SF PER SIDE)



VICINITY MAP
SCALE 1"=1,000'

Legend:

- PROPOSED MAJOR DECIDUOUS TREES
- PROPOSED MINOR DECIDUOUS TREES
- PROPOSED EVERGREEN TREES
- PROPOSED SHRUBS
- EXISTING CONTOUR
- 522 PROPOSED CONTOUR
- W PROPOSED WATER
- S PROPOSED SANITARY
- PROPOSED STORM DRAIN
- LIMITS OF PRIVATE OPEN SPACE
- ZONING LINE
- LIMITS OF DISTURBANCE
- GcB2 / GcC2 SOILS LINE



EXISTING DWELLINGS ADJACENT TO SITE
SCALE 1" = 200'

Site Development Proposal

DWELLING TYPE	PROPOSED UNITS	PARKING REQUIRED	PARKING PROPOSED	OPEN SPACE
ASSISTED LIVING	115 BEDS	115 BEDS @ 1/3 BEDS = 39	54 SP.	REQUIRED: 115 BEDS @ 650 S.F./ 4 BED= 18,688 S.F. (0.43 AC.) PROVIDED: 18,688 S.F. (0.43 AC.)

Revised 97-423-SPHXA

RECEIVED
DEC 12 1997
PDM

STV Incorporated
engineers / architects / planners / scientists / construction managers
21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112

REVISIONS

NO.	DATE	DESCRIPTION
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2	6/11/97	REVISE S.W.M. / FOREST CONSERVATION

GRAPHIC SCALE
90 60 30 0 60
75 45 15 30 90

PLAN PREPARATION

DRAWN BY:	T. KILLMEYER	DATE:	MARCH 19, 1997
DESIGNED BY:	C. WILKINSON	SCALE:	1" = 30'
CHECKED BY:			61-1401

PLAN TO ACCOMPANY SPECIAL HEARING, SPECIAL EXCEPTION, AND VARIANCES

BRIGHTON GARDENS
1838 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

DRAWING NO. DP-1

SHEET NO. 1 of 2

FILE: h:\projects\1401\sp01gard.dgn
DATE: 11-Jun-97 14:07

General Notes:

1. APPLICANT: MARRIOTT INTERNATIONAL INC.
MARRIOTT DRIVE
WASHINGTON, DC 20058

CONTACT: JOHN HOGAN (301-380-9000)
WILL HOLMES (301-380-8949)

2. OWNERS:

PARCEL 440
EMERITUS CORPORATION (FORMERLY ASSISTED LIVING OF AMERICA, INC.)

DEED REFERENCE: 11051/335
TAX ACCOUNT: 1700006251
SITE ADDRESS: 1840 REISTERSTOWN ROAD

PARCEL 489
EMERITUS CORPORATION (FORMERLY ASSISTED LIVING OF AMERICA, INC.)
DEED REFERENCE: 11051 / 335
TAX ACCOUNT: 1700006253
SITE ADDRESS: 1838 REISTERSTOWN ROAD

PARCEL 228
W P AT RR INC.
DEED REFERENCE: 7798 /265
TAX ACCOUNT: 1900005053
SITE ADDRESS: 1836 REISTERSTOWN ROAD

PARCEL 434
MARSHALL W. AND TAMMY FESCHE
DEED REFERENCE: 11821 /570
TAX ACCOUNT: 0322045277
SITE ADDRESS: 1832 REISTERSTOWN ROAD

3. ELECTION DISTRICT: 3
COUNCILMANIC DISTRICT: 3
CENSUS TRACT: 4037.02

4. WATERSHED 27: SUBSEWERSHED 65
WATER DESIGNATION W-1: SEWER DESIGNATION S-1

5. A. EXISTING USE: VACANT LOTS
PROPOSED USE: ASSISTED LIVING FACILITY
(115 BEDS TOTAL)

B. CURRENT ZONING AND ACREAGE:

2.10 AC.±	(OR-2 ZONE)
1.04 AC.±	(RO ZONE)
0.04 AC.±	(DR 3.5 ZONE)
TOTAL 3.18 AC.±	NET

2.265 AC.±	(OR-2 ZONE)-INCLUDES 30' REISTERSTOWN RD.
1.107 AC.±	(RO ZONE)-INCLUDES 30' REISTERSTOWN RD.
0.04 AC.±	(DR 3.5 ZONE)
0.003 AC.±	(BM ZONE) -LOCATED IN REISTERSTOWN RD.
TOTAL 3.415 AC.±	GROSS

C. FLOOR AREA RATIO:
69,109 S.F. BUILDING
148,757 S.F. GROSS SITE AREA
= 0.46

D. PARKING REQUIRED:
115 BEDS @ 1/3 BEDS = 39 SP.

PARKING PROVIDED: = 54 SP.

ALL PARKING SPACES SHALL BE PERMANENTLY STRIPED. ALL PAVING SHALL BE PAVED WITH A DURABLE, DUSTLESS AND PROPERLY DRAINED SURFACE MAINTAINED SO AS NOT TO CREATE ANY UNDESIRABLE CONDITIONS.

E. DENSITY PERMITTED:
(OR ZONE) 2.265 AC. @ 10.5 D.U. = 23.78 D.U.
(RO ZONE) 1.107 AC. @ 5.5 D.U. = 6.09 D.U.
TOTAL 29.87 D.U.

DENSITY PROPOSED:
(ASSISTED LIVING) 115 BEDS @ 4 BEDS/D.U. = 29 D.U.

F. LANDSCAPE REQUIREMENTS:
341 LF + ADJ. RD. @ /140 ± = 8.5 (4.25 MD)
80 LF + INT. RD. @ 120 = 4.0 (2 MD)
54 SP @ 1/12 = 4.5 (3.37 MD)
310 LF + CLASS B' SCR @ 1/15 = 20.6
342 LF + CLASS A' SCR @ 1/15 = 22.8
TOTAL REQUIRED = 61 (10 MD)

LANDSCAPE PROVIDED:
17 MD @ 1/1 = 17.0 P.U. (17 MD)
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STREET CORNER SIDE	=	35'	±N/A
REAR YARD	=	50'	± 98'
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MAXIMUM BUILDING LENGTH	=	200' MAX.	215'

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A. A SPECIAL EXCEPTION TO ALLOW A ASSISTED LIVING FACILITY AND MODIFICATIONS TO THE FOLLOWING RESIDENTIAL TRANSITION AREA (RTA) STANDARDS PURSUANT TO SECTION 432.4.

B. VARIANCE FROM SECTION 206.3.C.2.b.1 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT 84 SQ. FT. PER FACE OF SIGN AREA IN LIEU OF THE REQUIRED 25 SQ. FT. PER FACE.

C. VARIANCE FROM SECTION 206.3.C.2.b.3 OF THE BALTIMORE COUNTY ZONING REGULATAIONS TO PERMIT A SIGN 9 FT-4 IN. IN HEIGHT IN LIEU OF THE REQUIRED 6 FT. HEIGHT.

D. VARIANCE FROM SECTION 1B01.2.C.1.a TO PERMIT A NON-RESIDENTIAL PRINCIPLE BUILDING SIDE YARD SETBACK OF 3 FT. IN LIEU OF THE REQUIRED 20'.

23. THERE ARE NO RESIDENTIAL TRANSITION AREAS (RTA'S) ON THE SITE. THERE ARE NO SINGLE FAMILY, DUPLEX DWELLINGS OR UNIMPROVED LOTS OF RECORD LESS THAN 2 ACRES LOCATED WITHIN 150 FEET OF THE TRACT BOUNDARY.

24 A WAIVER WILL BE REQUESTED FROM THE BALTIMORE COUNTY STORMWATER MANAGEMENT REQUIREMENTS.

25 A WAIVER WILL BE REQUESTED FROM THE BALTIMORE COUNTY FOREST CONSERVATION REQUIREMENTS.

Forest Buffer and / or Forest Conservation Notes:

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

ANY FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

Certification as to Delinquent Accounts

I, WILLIAM M. HOLMES, CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

William M. Holmes 3/14/97

Landscape Architect's and Owner's Signature and Certification Form

"I CERTIFY THAT I HAVE REVIEWED THIS SCHEMATIC LANDSCAPE PLAN, THAT I AM AWARE OF THE LANDSCAPE REGULATIONS PRESENTED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL, LATEST EDITION, AND I AGREE TO COMPLY WITH THESE REGULATIONS AND ALL APPLICABLE POLICY, GUIDELINE, AND ORDINANCES."

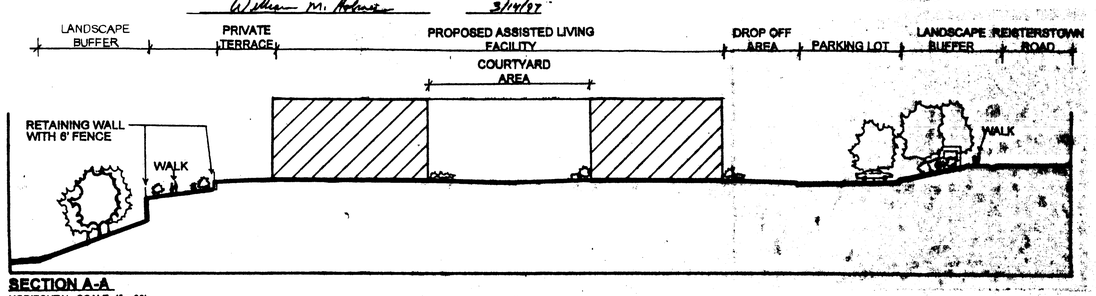
William M. Holmes
SIGNATURE OF APPLICANT — 3/14/97 DATE

WILLIAM M. HOLMES
PRINT NAME

LANDSCAPE ARCHITECT'S SIGNATURE

DEBRA K. WHITTLE
PRINT NAME

STATE OF MARYLAND — DEBRA KAY WHITTLE — REGISTERED LANDSCAPE ARCHITECT — NO. 855



SECTION A-A
HORIZONTAL SCALE: 1" = 30'
VERTICAL SCALE: 1" = 30'

STV Incorporated
engineers / architects / planners / scientists / construction managers
21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112

REVISIONS		
NO.	DATE	DESCRIPTION
1	4/25/97	REVISE NOTE 5D PER NEW ENTRANCE LAYOUT
2	6/11/97	REVISE NOTES 5, 10, 24, 25 / FOREST CONSERVATION

GRAPHIC SCALE
90 60 30 0 60
75 45 15 30 90

PLAN PREPARATION

DRAWN BY:	T. KILLMEYER	DATE:	MARCH 19, 1997
DESIGNED BY:	C. WILKINSON	SCALE:	1" = 30'
CHECKED BY:			61-1401

PLAN TO ACCOMPANY SPECIAL HEARING, SPECIAL EXCEPTION, AND VARIANCES

BRIGHTON GARDENS
1838 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

DRAWING N DP-2

SHEET N 2 of

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DATE: 11-Jun-97 09:55

NORTH

PROPOSED HANDICAPPED RAMP

PRELIMINARY LIGHTING LOCATION SUBJECT TO CHANGE (TYP.)

PROPOSED DOUBLE - FACED SIGN (+9'-4" HT., 84 SF/FACE)

EXISTING BUILDING TO BE DEMOLISHED

PROPOSED USE-IN-COMMON INGRESS / EGRESS

MD. ROUTE 140 — REISTERSTOWN ROAD (PUBLIC - STATE OF MARYLAND)

PROPOSED WALK

POINT OF BEGINNING
N 33,077.64
W 34,698.46

920'± TO ℄ OF MOUNT WILSON LA.

FESTIVAL AT WOODHOLME PLAT S.M. 59, FOLIO 79

WOODHOLME CENTER CIRCLE

EDGE OF MACADAM PAVEMENT

16" WATER

36" WATER (COVER 4.5')

8" SANITARY SEWER

(SHA PLAT No. 49932)

(MACADAM PAVEMENT, WIDTH VARIES)

EX. 66' R/W

FUTURE (80' R/W)

BENCHMARK SET
5/8" SPIKE IN ELECTRIC POLE; ELEVATION=537.83'

S 42° 09'11" E
342.20'

APPROX. LOC. 6" HP GAS

TRAFFIC LIGHTS

SIGNAL POLE

CONCRETE

ZONED - BL
ZONED - OR-2
ZONED - BLR
ZONED - BM
ZONED - RO

MACADAM SHOULDER

EDGE OF MACADAM PAVEMENT

UT. POLE

GRAVEL

70'± TO NEAREST F.H.

FH

WM

WV

SMH

INLET FOR PROP. DRAIN

CHAIN LINK FENCE

GRAVEL DRIVE

No. 1846
2½ STORY FRAME BUILDING

No. 1844
2½ STORY FRAME BUILDING

No. 1848
CREATIVE HOLDING, INC.
LIBER S.M. 11763, FOLIO 410
(TAX PARCEL 404)
(TAX ACCT. #03-0315081050)

JFO HOLDING CORP.
LIBER S.M. 7876, FOLIO 445
(TAX PARCEL 450)
(TAX ACCT. #03-0322030700)

BUS PARKING SPACE (10' x 25')

PROPOSED 3-STORY BUILDING ASSISTED LIVING FACILITY (115 BEDS)
F.F. ELEV. = 551.00

PROP. DUMPSTER & 8' HT BRICK ENCLOSURE (10' x 24')

PROP. GREASE TRAP

PARCEL I

PARCEL II

PARCEL 489
(TAX ACCT. #03-1700006253)

PROP. COOLING TOWER (8' x 15') - NOT AN ACCESSORY STRUCTURE. THE COOLING TOWER IS PART OF THE MECHANICAL SYSTEM OF THE BUILDING AND IS ATTACHED TO BUILDING BY UNDERGROUND PIPES.

PROP. FENCE (±16' HT.)

TW 588.00
BW 528.00

TW 529.23
BW 522.83

JOHN F. OWINGS, JR.
LIBER S.M. 11252, FOLIO 459
(TAX PARCEL 439)
(TAX ACCT. #03-1700006252)

INGRESS/EGRESS EASEMENT
LIBER S.M. 11051, FOLIO 338

PRELIMINARY PLANTING IN COURTYARD AND TERRACE AREA SUBJECT TO CHANGE

PROP. TERRACE

TW 528.24
BW 514.40

TW 531.00
BW 526.56

TW 530.70
BW 526.24

TW 527.00
BW 524.90

TW 530.70
BW 526.00

TW 530.90
BW 525.90

TW 526.80
BW 510.66

TW 527.00
BW 524.90

TW 528.10
BW 528.10

TW 526.00
BW 522.60

TW 530.80
BW 527.60

TW 530.70
BW 527.60

TW 530.70
BW 527.60

TW 530.70
BW 527.60

LIMIT OF DISTURBANCE

PROPOSED S.W.M. FACILITY

STORMWATER MANAGEMENT EASEMENT
LIBER S.M. 11051, FOLIO 338

50' CROSS EASEMENT
LIBER S.M. 10063, FOLIO 624 &
LIBER S.M. 11012, FOLIO 545

SMH
TOP=482.44
INV. IN=474.25
INV. IN=470.72
INV. IN=470.88
INV. OUT=470.74

SMH
TOP=480.05
INV. IN=473.92
INV. OUT=473.35

SMH
TOP=481.42
INV. IN=471.88
INV. OUT=471.74

SMH
TOP=498.36
INV. IN=488.67
INV. OUT=488.57

SMH
TOP=525.22
INV. IN=514.99
INV. OUT=514.77

8" SS

PROP. LOADING SPACE (18' X 12')

PROPOSED TRANSFORMER (8' HT.)

PROPOSED WOOD FENCE

PROP. 20' UTILITY & S.W.M. ACCESS EASEMENT

ABANDON EXIST. 8" SAN. SEWER

PROPOSED RELOCATION OF PUBLIC SANITARY MAIN

PROPOSED FOREST CONSERVATION EASEMENT

PROPOSED SATELLITE DISH

PROPOSED PLANTER (±3' HT.)

PROPOSED RETAINING WALL W/ 6' FENCE

PROPOSED PRIVATE OPEN SPACE (0.43 AC.)

N 42° 49'32" W 234.27'

S 83° 13'19" W 195.18'

N 47° 48'26" E 73.38'

S 47° 50'48" W 328.42'

N 47° 45'00" E 106.76'

N/F REISTERSTOWN ROAD PROPERTY LLC
LIBER S.M. 10877, FOLIO 372
ZONED - RO
(TAX PARCEL 363)

(0.3304 ACRE)
(TAX PARCEL 228)
(TAX ACCT. #03-0000050051)

(TAX PARCEL 403 OR 2046)

WOOD FENCE

BRUSH

CHAIN LINK FENCE

WOODHOLME COUNTRY CLUB
LIBER W.P.C. 646, FOLIO 225
LIBER G.L.B. 2411, FOLIO 539
ZONED - D.R. 1

ZONED - RO
ZONED - D.R. 3.5

ABOVE GROUND POOL

SHED

GARAGE

WOOD FENCE

RETAINING WALL

GRAVEL

ROBERT H. BROOKS
LIBER S.M. 11328, FOLIO 129

ARON LEIB MIMER
LIBER S.M. 8959, FOLIO 628

WILLIAM R. GRANT
LIBER S.M. 7940, FOLIO 185

GEORGE A. DILLON
(NO REFERENCE)

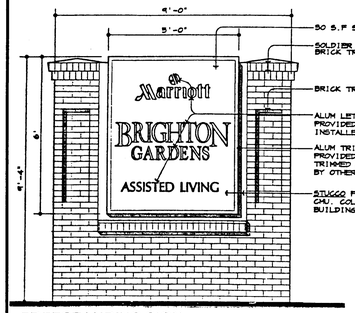
TERRY NEUMAN GORANT
LIBER S.M. 8934, FOLIO 846

PINCHED PIPE NOT HELD FOR PROPERTY CORNER

HOG WIRE FENCE

70'NFD ~ D.R. 1

STATE OF MARYLAND
BENEDICT E. KABOSCHE, ARTHUST

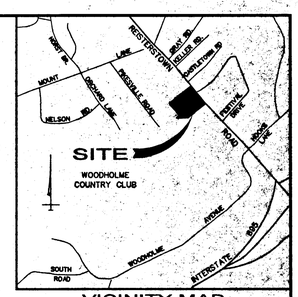


FREESTANDING SIGN
NOT TO SCALE

SIGN NOTES:
1. TOTAL NUMBER OF SIGNS = 1
2 TOTAL SIGN AREA =+168SF DOUBLE-FACED SIGN (84SF PER SIDE)

Site Development Proposal

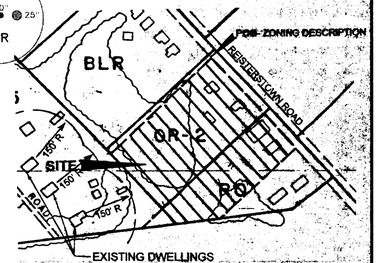
DWELLING TYPE	PROPOSED UNITS	PARKING REQUIRED	PARKING PROPOSED	OPEN SPACE
ASSISTED LIVING	115 BEDS	115 BEDS @ 1/3 BEDS = 39	56 SP.	REQUIRED: 115 BEDS @ 650 S.F./ 4 BED= 18,688 S.F. (0.43 AC.) PROVIDED: 18,688 S.F. (0.43 AC.)



VICINITY MAP
SCALE: 1"=1,000'

Legend:

- PROPOSED MAJOR DECIDUOUS TREES
- PROPOSED MINOR DECIDUOUS TREES
- PROPOSED EVERGREEN TREES
- PROPOSED SHRUBS
- EXISTING CONTOUR
- PROPOSED CONTOUR
- W — PROPOSED WATER
- S — PROPOSED SANITARY
- PROPOSED STORM DRAIN
- LIMITS OF PRIVATE OPEN SPACE
- FOREST CONSERVATION EASEMENT
- ZONING LINE
- LIMITS OF DISTURBANCE



EXISTING DWELLINGS ADJACENT TO SITE
SCALE 1" = 200'

97423-

PRINTED
MAR 20 1997
STV INCORPORATED

FIRST AMENDED

STV Incorporated

engineers / architects / planners / scientists / construction managers

21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112

REVISIONS

NO.	DATE	DESCRIPTION

GRAPHIC SCALE
90 60 30 0 60
75 45 15 30 90

PLAN PREPARATION

DRAWN BY:	T. KILLMEYER	DATE:	MARCH 19, 1997
DESIGNED BY:	A.K. GREEN	SCALE:	1" = 30'
CHECKED BY:			61-1401

DEVELOPMENT PLAN, PLAT TO ACCOMPANY SPECIAL EXCEPTION, VARIANCES AND PRELIMINARY FOREST CONSERVATION PLAN

BRIGHTON GARDENS
REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

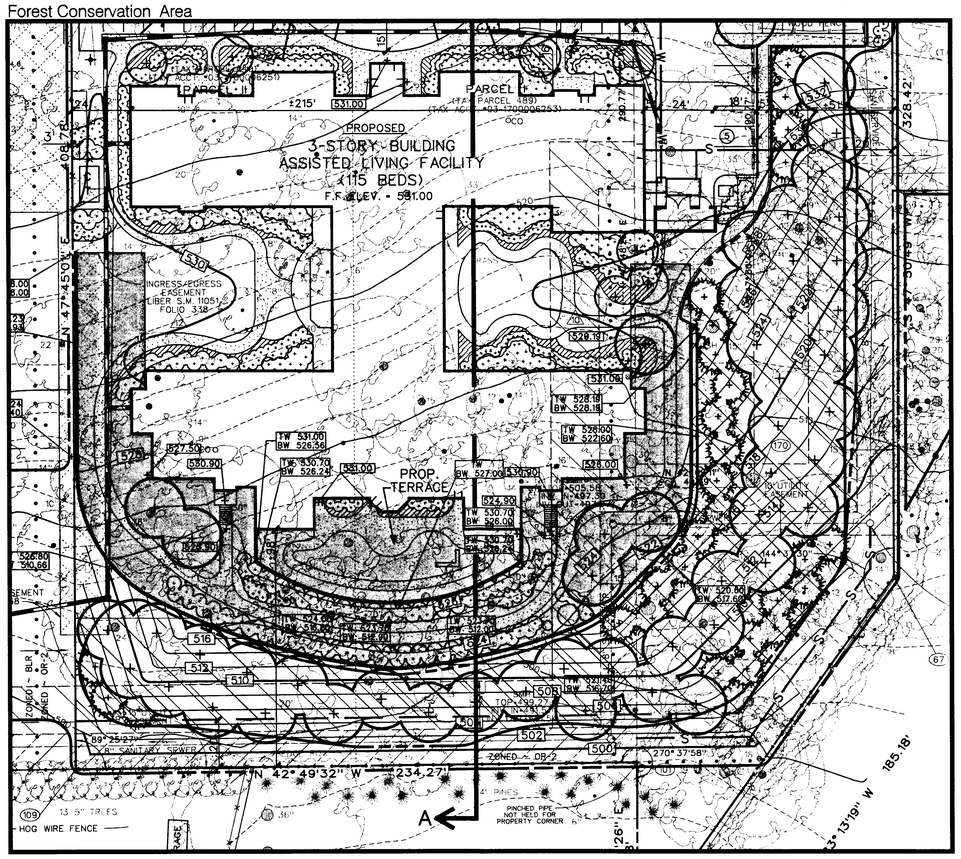
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DATE: 19-Mar-97 08:34

Forest Conservation Area



Preliminary Forest Conservation Notes:

NET TRACT AREA	138.901 S.F. = 3.2 AC.
FOREST CONSERVATION REQUIRED	17.325 S.F. = 0.5 AC.
FOREST CONSERVATION PROPOSED	(PROPOSED AFFORESTATION) 17,325 S.F. = 0.5 AC.
REQUIRED PAYMENT INTO BALTIMORE COUNTY FOREST CONSERVATION FUND	0

2. EXPLANATION OF HOW THE PROVISIONS IN SECTION 14-406 OF BILL NO. 224-92 (BALTIMORE COUNTY) HAVE BEEN MET:

ON-SITE AFFORESTATION WILL BE PROPOSED AT THE REAR OF THE SITE WHICH WILL FULFILL THE FOREST CONSERVATION REQUIREMENTS. THIS LOCATION WILL ALSO BUFFER THE PROPOSED FACILITY FROM THE ADJOINING RESIDENTIAL USES.

3. PRELIMINARY OUTLINE: THREE-YEAR MAINTENANCE AGREEMENT:

A) WATERING PLANS:

WATERING SHALL BE PROVIDED DURING THE GROWING SEASON AS REQUIRED ACCORDING TO THE FOLLOWING SCHEDULE:

1ST GROWING SEASON: ONCE A WEEK
2ND AND 3RD GROWING SEASON: AS REQUIRED ONCE A MONTH DURING JULY AND AUGUST

B) FERTILIZING PLANS:

ORGANIC FERTILIZERS MAY ONLY BE USED AS NECESSARY.

C) CONTROL OF COMPETING VEGETATION:

ALL TREES WILL BE MULCHED AT THE TIME OF INSTALLATION.

D) PROTECTION FROM DISEASE AND INJURY:

THE AFFORESTATION AREA HAS BEEN PLACED AT THE REAR OF THE SITE TO MINIMIZE DISTURBANCE OF THE AREA.

SIGNS WILL BE POSTED AT THE EDGE OF THE AFFORESTED AREA. PERIODIC INSPECTIONS WILL BE MADE FOR ANY EVIDENCE OF DISEASE OR DAMAGE.

E) REINFORCEMENT PLANTING PROVISIONS:

A MINIMUM OF 75% OF THE TOTAL NUMBER OF TREES PLANTED PER ACRE IS REQUIRED TO SURVIVE AT THE END OF THE 3-YEAR MAINTENANCE PERIOD.

HEALTHY, NATIVE TREE SEEDLINGS AT LEAST 12" TALL, FOUND AS A RESULT OF NATURAL REGENERATION MAY BE COUNTED UP TO 50% TOWARD THE TOTAL SURVIVAL NUMBER.

F) COMPANY RESPONSIBLE FOR TREE CARE:

UNKNOWN AT THIS TIME

G) AFFORESTATION REQUIRED:

0.5ACRES @ 700 P.U./AC = 350 P.U. (SUBTOTAL)

CREDIT FOR EXISTING TREES TO REMAIN

N/A

SUBTOTAL AFFORESTATION REQUIRED = 350 P.U.

AFFORESTATION PROPOSED:

43 (2" CALIPER) @ 7 P.U./TREE = 301 P.U.
28 (1" CALIPER) @ 3.5 P.U./TREE = 98 P.U.
TOTAL = 399 P.U.

TOTAL CANOPY DOMINANT SPECIES = 43 (61%)
TOTAL UNDERSTORY SPECIES = 28 (39%)

4. AFFORESTATION CONCEPT:

THE PROPOSED AFFORESTATION AREA WILL BE COMPRISED OF TREE SPECIES WHICH WILL BE APPROPRIATE FOR THE PROPOSED CONDITIONS. DUE TO THE PROPOSED GRADING AND CHANGING HYDROLOGY OF THE FOREST CONSERVATION AREA, SPECIES WHICH PREFER MOIST TO DRY SOILS HAVE BEEN SELECTED. THESE SPECIES SHALL INCLUDE LIRIODENDRON, QUERCUS, AND PINUS, ALL TYPICAL OF THE TUPLIPTREE - WHITE OAK - NORTHERN RED OAK FOREST COVER TYPES.

General Notes:

1. APPLICANT: MARRIOTT INTERNATIONAL INC.
MARRIOTT DRIVE
WASHINGTON, DC 20058

CONTACT: JOHN HOGAN (301-380-9000)
WILL HOLMES (301-380-8949)

2. OWNERS: PARCEL 440
EMERITUS CORPORATION (FORMERLY ASSISTED LIVING OF AMERICA, INC.)

DEED REFERENCE: 11051/335
TAX ACCOUNT: 1700006251
SITE ADDRESS: 1840 REISTERSTOWN ROAD

PARCEL 489
EMERITUS CORPORATION (FORMERLY ASSISTED LIVING OF AMERICA, INC.)
DEED REFERENCE: 11051 / 335
TAX ACCOUNT: 170006253
SITE ADDRESS: 1838 REISTERSTOWN ROAD

PARCEL 228
W P AT RR INC.
DEED REFERENCE: 7798 /265
TAX ACCOUNT: 1900005053
SITE ADDRESS: 1836 REISTERSTOWN ROAD

PARCEL 434
MARSHALL W. AND TAMMY FESCHE
DEED REFERENCE: 11821 /570
TAX ACCOUNT: 0322045277
SITE ADDRESS: 1832 REISTERSTOWN ROAD

3. ELECTION DISTRICT: 3
COUNCILMANIC DISTRICT: 3
CENSUS TRACT: 4037.02

4. WATERSHED 27: SUBSEWERSHED 65
WATER DESIGNATION W-1: SEWER DESIGNATION S-1

5. A. EXISTING USE: VACANT LOTS
PROPOSED USE: ASSISTED LIVING FACILITY (115 BEDS TOTAL)

B. CURRENT ZONING AND ACREAGE:
2.10 AC.± (OR-2 ZONE)
1.04 AC.± (RO ZONE)
0.04 AC.± (OR 3.5 ZONE)
TOTAL 3.18 AC.± NET

2.27 AC. ± (OR-2 ZONE)-INCLUDES 30' REISTERSTOWN RD.
1.11 AC. ± (RO ZONE)-INCLUDES 30' REISTERSTOWN RD.
0.03 AC. ± (OR 3.5 ZONE)
0.002 AC.± (BM ZONE) -LOCATED IN REISTERSTOWN RD.
TOTAL 3.412 AC.± GROSS

C. FLOOR AREA RATIO:
69,109 S.F. BUILDING
148,626 S.F. GROSS SITE AREA
= 0.46

D. PARKING REQUIRED:
115 BEDS @ 1/3 BEDS = 39 SP.

PARKING PROVIDED: = 56 SP.

ALL PARKING SPACES SHALL BE PERMANENTLY STRIPED. ALL PAVING SHALL BE PAVED WITH A DURABLE, DUSTLESS AND PROPERLY DRAINED SURFACE MAINTAINED SO AS NOT TO CREATE ANY UNDESIRABLE CONDITIONS.

E. DENSITY PERMITTED:
(OR ZONE) 2.27 AC. @ 10.5 D.U. = 23.83 D.U.
(RO ZONE) 1.11 AC. @ 5.5 D.U. = 6.10 D.U.
TOTAL 29.930 D.U.

DENSITY PROPOSED:
(ASSISTED LIVING) 115 BEDS @ 4 BEDS/D.U. = 29 D.U.

F. FOREST CONSERVATION REQUIREMENTS:
A) NET TRACT AREA = 3.2 AC.±
B) EXISTING FOREST = 0
THE EXISTING SCATTERED TREES LOCATED ON THE SITE DO NOT MEET THE DEFINITION OF "FOREST".
C) AFFORESTATION THRESHOLD = 15%
D) TOTAL AFFORESTATION REQUIRED = 0.5 AC.
PROVIDED = 0.5 AC.

G. LANDSCAPE REQUIREMENTS:
341 LF + ADJ. RD. @ /140 = 8.5 (4.25 WD)
80 LF + INT. RD. @ 120 = 4.0 (2 WD)
56 SP @ 1/12 = 4.6 (3.45 WD)
310 LF + CLASS B' SCR @ 1/15 = 20.6
342 LF + CLASS A' SCR @ 1/15 = 22.8
TOTAL REQUIRED = 61 (10 WD)

LANDSCAPE PROVIDED:
17 WD @ 1/1 = 17.0 P.U. (17 WD)
1 EVGR @ 2/1 = .5 P.U.
256 SHRUBS @ 5/1 = 51.2 P.U.
SUB TOTAL PROVIDED = 68 (17WD)

LANDSCAPE PROVIDED FOR TERRACE/COURTYARD/FOUNDATION:
7 WD = = 3.5 P.U.*
420 SHRUBS @ 5/1 = 87.5 P.U.*
TOTAL PROVIDED = 156.2 P.U. *
* LANDSCAPE FOR TERRACE/COURTYARD/FOUNDATION SUBJECT TO CHANGE

H. OPEN SPACE REQUIRED
115 BED @ 650 SF/4 BED = 18,688 SF (0.43 ACRE)
OPEN SPACE PROVIDED: = 0.43 ACRE

OPEN SPACE SHALL BE PRIVATE.

6. AVERAGE DAILY TRIPS:
115 UNITS @ 3.5/UNIT = 402.5 ADT

7. THE SITE IS LOCATED ON MTA BUS ROUTE NUMBER 9.

8. ALL LIGHTING SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.

9. BUILDING SETBACKS: RO ZONE (RESIDENTIAL-OFFICE)
(NON RESIDENTIAL PRINCIPAL BUILDING - D.R. 10.5 ZONE)

	REQUIRED	PROPOSED
FRONT YARD	= 25'	±114'
INTERIOR SIDE YARD	= 20'	±102' FROM EAST PROPERTY LINE 0' FROM WEST PROPERTY LINE
STREET CORNER SIDE	= 35'	±N/A
REAR YARD	= 50'	±100'
* MAXIMUM BUILDING HEIGHT	= 50' MAX.	MAXIMUM ±35'-8" (FRONT ELEV.)
MAXIMUM BUILDING LENGTH	= 200' MAX.	215'

* THE PROPOSED 50 FOOT MAXIMUM HEIGHT IS MEASURED BY THE VERTICAL DISTANCE FROM THE HIGHEST POINT ON THE BUILDING TO THE HORIZONTAL PROJECTION OF THE CLOSEST POINT AT EXTERIOR GRADE PER SECTION 101 BCZR.

10. SOIL TYPES:

SYMBOL	SERIES
GcC2	GLENELG
GcB2	GLENELG
CcB2	CHESTER

11. THERE ARE NO KNOWN STREAMS, BODIES OF WATER, OR SPRINGS LOCATED ON THE SITE.

12. THERE ARE NO KNOWN WETLANDS, ARCHEOLOGICAL SITES OR ENDANGERED SPECIES.

13. THE SITE DOES NOT INCLUDE NOR IS IT CONTIGUOUS TO ANY BUILDINGS, PROPERTY, OR SITES ON AN HISTORICAL INVENTORY OR LIST.

14. THE SITE IS NOT LOCATED WITHIN A 100-YEAR FLOODPLAIN OR FLOOD AREA. (FEMA FLOOD INSURANCE RATE MAP NO. 0240 B, DATED MARCH 2, 1981)

15. THERE ARE NO KNOWN SEPTIC OR WELL AREAS LOCATED ON THE SITE.

16. THERE ARE NO KNOWN, UNDERGROUND STORAGE TANKS OR HAZARDOUS MATERIAL LOCATED ON THE SITE.

17. THE SITE IS NOT LOCATED IN A CRITICAL AREA.

18. ZONING MAP NUMBER: NW 9-F

19. ZONING HISTORY
A. CASE NOS. 111-398 & 95-202-X. A SPECIAL EXCEPTION TO ALLOW AN ASSISTED LIVING FACILITY WAS GRANTED BY THE HEARING OFFICER FOR BALTIMORE COUNTY ON FEBRUARY 15, 1995, SUBJECT TO THE FOLLOWING RESTRICTIONS.

1) THE PETITIONERS MAY APPLY FOR THEIR BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER; HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL SUCH TIME AS THE 30-DAY APPELLATE PROCESS FROM THIS ORDER HAS EXPIRED. IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE RELIEF GRANTED HEREIN SHALL BE RESCINDED.

2) THE RESTRICTIVE COVENANT AGREEMENT IDENTIFIED HEREIN AS DEVELOPER'S EXHIBIT 2, AND THE MAINTENANCE AGREEMENT MARKED AS DEVELOPER'S EXHIBIT 3 WHICH WAS ENTERED INTO BETWEEN THE WOODHOLME COUNTRY CLUB AND THE TWO RIVERS RETIREMENT HOMES, INC., ARE HEREBY INCORPORATED HEREIN AND MADE A PART OF THIS ORDER. THOSE AGREEMENTS ARE ENFORCEABLE AND BINDING UPON THE HEIRS, SUCCESSORS, ASSIGNS, AND ANY TRANSFEREES OF THE SUBJECT PROPERTY.

3) WHEN APPLYING FOR A BUILDING PERMIT, THE SITE PLAN AND/OR LANDSCAPING PLAN FILED MUST REFERENCE THIS CASE AND SET FORTH AND ADDRESS THE RESTRICTIONS OF THIS ORDER.

B. A PORTION OF THE SITE PREVIOUSLY ZONED RO, DURING THE 1996 COMPREHENSIVE ZONING PROCESS THIS PORTION WAS REZONED TO OR-2 (ISSUE NO. 2-001).

20. A MODIFICATION OF STANDARDS WILL BE REQUESTED FROM SECTION 1B01.2.B.2 (BCZR) AND SECTION A.29 OF THE CMDP TO PERMIT A TOTAL BUILDING LENGTH OF ± 215' IN LIEU OF THE PERMITTED 200',

21. THE DEVELOPMENT REVIEW COMMITTEE (DRC) GRANTED APPROVAL OF A DEVELOPMENT PLAN REFINEMENT PER SECTION 26-211 OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS ON FEBRUARY 18, 1997 (DRC NUMBER 0210J).

22. THERE HAVE BEEN NO PREVIOUS COMMERCIAL PERMITS ISSUED FOR THE SITE.

A. A SPECIAL EXCEPTION TO ALLOW A ASSISTED LIVING FACILITY AND MODIFICATIONS TO THE FOLLOWING RESIDENTIAL TRANSITION AREA (RTA) STANDARDS PURSUANT TO SECTION 432.4.

B. VARIANCE FROM SECTION 206.3.C.2.b.1 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT 84 SQ. FT. PER FACE OF SIGN AREA IN LIEU OF THE REQUIRED 25 SQ. FT. PER FACE.

C. VARIANCE FROM SECTION 206.3.C.2.b.3 OF THE BALTIMORE COUNTY ZONING REGULATAIONS TO PERMIT A SIGN 9 FT-4 IN. IN HEIGHT IN LIEU OF THE REQUIRED 6 FT. HEIGHT.

D. VARIANCE FROM SECTION 1B01.2.C.1.a TO PERMIT A NON-RESIDENTIAL PRINCIPLE BUILDING SIDE YARD SETBACK OF 3 FT. IN LIEU OF THE REQUIRED 20'.

23. THERE ARE NO RESIDENTIAL TRANSITION AREAS (RTA'S) ON THE SITE. THERE ARE NO SINGLE FAMILY, DUPLEX DWELLINGS OR UNIMPROVED LOTS OF RECORD LESS THAN 2 ACRES LOCATED WITHIN 150 FEET OF THE TRACT BOUNDARY.

Forest Buffer and / or Forest Conservation Notes:

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

ANY FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

Certification as to Delinquent Accounts

I, _____, CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

William M. Holmes 3/14/97

Landscape Architect's and Owner's Signature and Certification Form

"I CERTIFY THAT I HAVE REVIEWED THIS SCHEMATIC LANDSCAPE PLAN, THAT I AM AWARE OF THE LANDSCAPE REGULATIONS PRESENTED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL, LATEST EDITION, AND I AGREE TO COMPLY WITH THESE REGULATIONS AND ALL APPLICABLE POLICY, GUIDELINE, AND ORDINANCES."

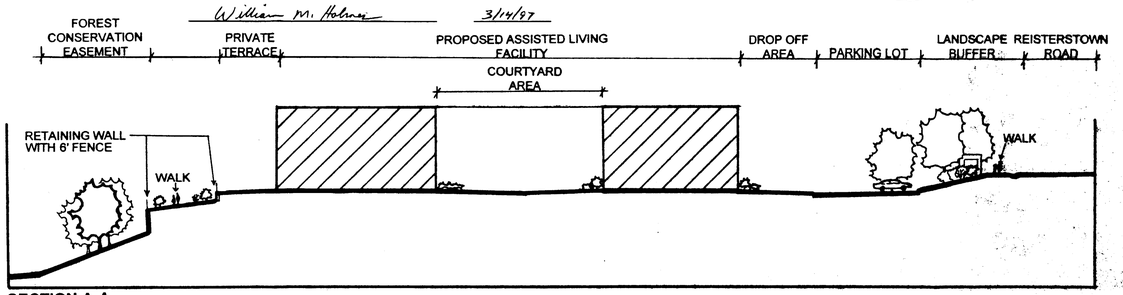
William M. Holmes 3/14/97
SIGNATURE OF APPLICANT DATE

William M. Holmes
PRINT NAME

LANDSCAPE ARCHITECT'S SIGNATURE

DEBRA K. WITTLE
PRINT NAME

STATE OF MARYLAND DEBRA KAY WITTLE A.O. 855 REGISTERED LANDSCAPE ARCHITECT



SECTION A-A
HORIZONTAL SCALE: 1" = 30'
VERTICAL SCALE: 1" = 30'

FIRST AMENDED

STV Incorporated
engineers / architects / planners / scientists / construction managers
21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112

REVISIONS

NO.	DATE	DESCRIPTION

GRAPHIC SCALE
90 60 30 0 60
75 45 15 30 90

PLAN PREPARATION

DRAWN BY:	T. KILLMEYER	DATE:	MARCH 19, 1997
DESIGNED BY:	A.K. GREEN	SCALE:	1" - 30'
CHECKED BY:			61-1401

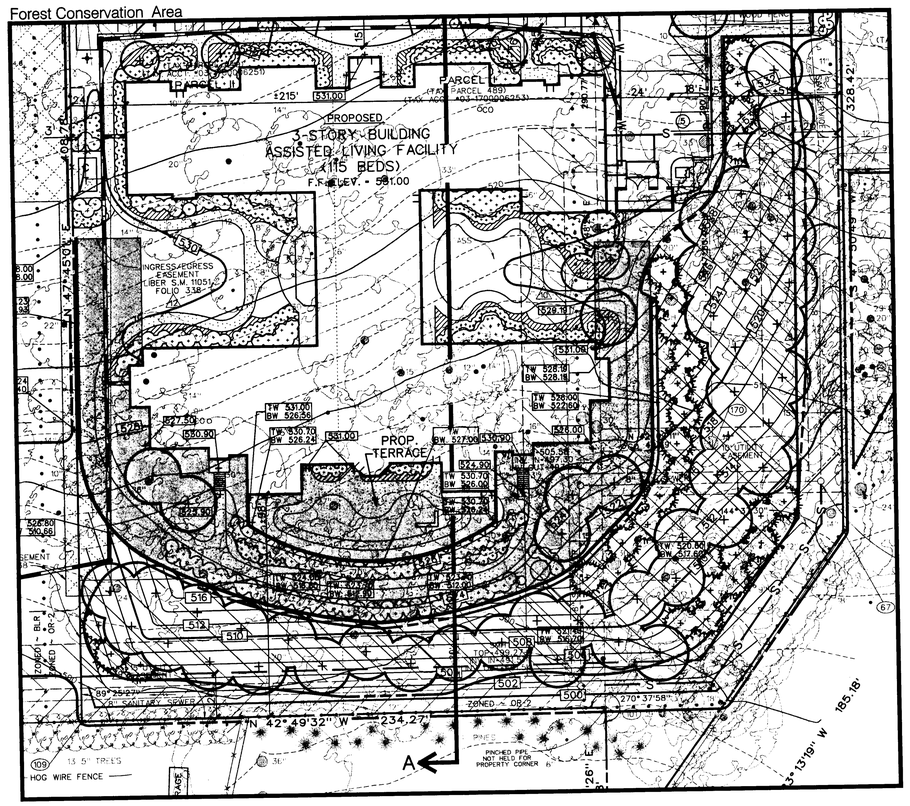
DEVELOPMENT PLAN, PLAT TO ACCOMPANY SPECIAL EXCEPTION, VARIANCES AND PRELIMINARY FOREST CONSERVATION PLAN

BRIGHTON GARDENS
REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

DRAWING NO. DP-2

SHEET NO. 2 of 3

Forest Conservation Area



Preliminary Forest Conservation Notes:

1.

NET TRACT AREA	138,901 S.F. = 3.2 AC.
FOREST CONSERVATION REQUIRED	17,325 S.F. = 0.5 AC.
FOREST CONSERVATION PROPOSED	(PROPOSED AFFORESTATION) 17,325 S.F. = 0.5 AC.
REQUIRED PAYMENT INTO BALTIMORE COUNTY FOREST CONSERVATION FUND	0

2. EXPLANATION OF HOW THE PROVISIONS IN SECTION 14-406 OF BILL NO. 224-92 (BALTIMORE COUNTY) HAVE BEEN MET:

   ON-SITE AFFORESTATION WILL BE PROPOSED AT THE REAR OF THE SITE WHICH WILL FULFILL THE FOREST CONSERVATION REQUIREMENTS. THIS LOCATION WILL ALSO BUFFER THE PROPOSED FACILITY FROM THE ADJOINING RESIDENTIAL USES.

3. PRELIMINARY OUTLINE: THREE-YEAR MAINTENANCE AGREEMENT:

   A) WATERING PLANS:

   WATERING SHALL BE PROVIDED DURING THE GROWING SEASON AS REQUIRED ACCORDING TO THE FOLLOWING SCHEDULE:

   1ST GROWING SEASON: ONCE A WEEK
   2ND AND 3RD GROWING SEASON: AS REQUIRED ONCE A MONTH DURING JULY AND AUGUST

   B) FERTILIZING PLANS:

   ORGANIC FERTILIZERS MAY ONLY BE USED AS NECESSARY.

   C) CONTROL OF COMPETING VEGETATION:

   ALL TREES WILL BE MULCHED AT THE TIME OF INSTALLATION.

   D) PROTECTION FROM DISEASE AND INJURY:

   THE AFFORESTATION AREA HAS BEEN PLACED AT THE REAR OF THE SITE TO MINIMIZE DISTURBANCE OF THE AREA.

   SIGNS WILL BE POSTED AT THE EDGE OF THE AFFORESTED AREA. PERIODIC INSPECTIONS WILL BE MADE FOR ANY EVIDENCE OF DISEASE OR DAMAGE.

   E) REINFORCEMENT PLANTING PROVISIONS:

   A MINIMUM OF 75% OF THE TOTAL NUMBER OF TREES PLANTED PER ACRE IS REQUIRED TO SURVIVE AT THE END OF THE 3-YEAR MAINTENANCE PERIOD.

   HEALTHY, NATIVE TREE SEEDLINGS AT LEAST 12" TALL, FOUND AS A RESULT OF NATURAL REGENERATION MAY BE COUNTED UP TO 50% TOWARD THE TOTAL SURVIVAL NUMBER.

   F) COMPANY RESPONSIBLE FOR TREE CARE:

   UNKNOWN AT THIS TIME

   G) AFFORESTATION REQUIRED:

   0.5ACRES @ 700 P.U./AC = 350 P.U. (SUBTOTAL)

   CREDIT FOR EXISTING TREES TO REMAIN

   N/A

   SUBTOTAL AFFORESTATION REQUIRED = 350 P.U.

   AFFORESTATION PROPOSED:

   43 (2" CALIPER) @ 7 P.U./TREE = 301 P.U.
   28 (1" CALIPER) @ 3.5 P.U./TREE = 98 P.U.
   TOTAL = 399 P.U.

   TOTAL CANOPY DOMINANT SPECIES = 43 (61%)
   TOTAL UNDERSTORY SPECIES = 28 (39%)

4. AFFORESTATION CONCEPT:

   THE PROPOSED AFFORESTATION AREA WILL BE COMPRISED OF TREE SPECIES WHICH WILL BE APPROPRIATE FOR THE PROPOSED CONDITIONS. DUE TO THE PROPOSED GRADING AND CHANGING HYDROLOGY OF THE FOREST CONSERVATION AREA, SPECIES WHICH PREFER MOIST TO DRY SOILS HAVE BEEN SELECTED. THESE SPECIES SHALL INCLUDE LIRIODDENDRON, QUERCUS, AND PINUS. ALL TYPICAL OF THE TUPLIPTREE - WHITE OAK - NORTHERN RED OAK FOREST COVER TYPES.

General Notes:

1. APPLICANT: MARRIOTT INTERNATIONAL INC.
   MARRIOTT DRIVE
   WASHINGTON, DC 20058

   CONTACT: JOHN HOGAN (301-380-9000)
   WILL HOLMES (301-380-8949)

2. OWNERS:

   PARCEL 440
   EMERITUS CORPORATION (FORMERLY ASSISTED LIVING OF AMERICA, INC.)

   DEED REFERENCE: 11051/335
   TAX ACCOUNT: 1700006251
   SITE ADDRESS: 1840 REISTERSTOWN ROAD

   PARCEL 489
   EMERITUS CORPORATION (FORMERLY ASSISTED LIVING OF AMERICA, INC.)
   DEED REFERENCE: 11051 / 335
   TAX ACCOUNT: 1700006253
   SITE ADDRESS: 1838 REISTERSTOWN ROAD

   PARCEL 228
   W P AT RR INC.
   DEED REFERENCE: 7798 /265
   TAX ACCOUNT: 1900005053
   SITE ADDRESS: 1836 REISTERSTOWN ROAD

   PARCEL 434
   MARSHALL W. AND TAMMY FESCHE
   DEED REFERENCE: 11821 /570
   TAX ACCOUNT: 0322045277
   SITE ADDRESS: 1832 REISTERSTOWN ROAD

3. ELECTION DISTRICT: 3
   COUNCILMANIC DISTRICT: 3
   CENSUS TRACT: 4037.02

4. WATERSHED 27: SUBSEWERSHED 65
   WATER DESIGNATION W-1: SEWER DESIGNATION S-1

5. A. EXISTING USE: VACANT LOTS
   PROPOSED USE: ASSISTED LIVING FACILITY (115 BEDS TOTAL)

   B. CURRENT ZONING AND ACREAGE:
   2.10 AC.± (OR-2 ZONE)
   1.04 AC.± (RO ZONE)
   0.04 AC.± (OR 3.5 ZONE)
   TOTAL 3.18 AC.± NET

   2.27 AC. ± (OR-2 ZONE)-INCLUDES 30' REISTERSTOWN RD.
   1.11 AC. ± (RO ZONE)-INCLUDES 30' REISTERSTOWN RD.
   0.03 AC. ± (OR 3.5 ZONE)
   0.002 AC.± (BM ZONE) -LOCATED IN REISTERSTOWN RD.
   TOTAL 3.412 AC.± GROSS

   C. FLOOR AREA RATIO:
   69,109 S.F. BUILDING
   148,626 S.F. GROSS SITE AREA
   = 0.46

   D. PARKING REQUIRED:
   115 BEDS @ 1/3 BEDS = 39 SP.

   PARKING PROVIDED: = 56 SP.

   ALL PARKING SPACES SHALL BE PERMANENTLY STRIPED. ALL PAVING SHALL BE PAVED WITH A DURABLE, DUSTLESS AND PROPERLY DRAINED SURFACE MAINTAINED SO AS NOT TO CREATE ANY UNDESIRABLE CONDITIONS.

   E. DENSITY PERMITTED:
   (OR ZONE) 2.27 AC. @ 10.5 D.U. = 23.83 D.U.
   (RO ZONE) 1.11 AC. @ 5.5 D.U. = 6.10 D.U.
   TOTAL 29.930 D.U.

   DENSITY PROPOSED:
   (ASSISTED LIVING) 115 BEDS @ 4 BEDS/D.U. = 29 D.U.

   F. FOREST CONSERVATION REQUIREMENTS:
   A) NET TRACT AREA = 3.2 AC.±
   B) EXISTING FOREST = 0
   THE EXISTING SCATTERED TREES LOCATED ON THE SITE DO NOT MEET THE DEFINITION OF "FOREST".
   C) AFFORESTATION THRESHOLD = 15%
   D) TOTAL AFFORESTATION REQUIRED = 0.5 AC.
   PROVIDED = 0.5 AC.

   G. LANDSCAPE REQUIREMENTS:
   341 LF + ADJ. RD. @ 1/40 = 8.5 (4.25 WD)
   80 LF + INT. RD. @ 1/20 = 4.0 (2 WD)
   56 SP @ 1/12 = 4.6 (3.45 WD)
   310 LF + CLASS B' SCR @ 1/15 = 20.6
   342 LF + CLASS A' SCR @ 1/15 = 22.8
   TOTAL REQUIRED = 61 (10 WD)

   LANDSCAPE PROVIDED:
   17 WD @ 1/1 = 17.0 P.U. (17 WD)
   1 EVGR @ 2/1 = .5 P.U.
   256 SHRUBS @ 5/1 = 51.2 P.U.
   SUB TOTAL PROVIDED = 68 (17WD)

   LANDSCAPE PROVIDED FOR TERRACE/COURTYARD/FOUNDATION:
   7 WD = = 3.5 P.U.*
   420 SHRUBS @ 5/1 = 87.5 P.U.*
   TOTAL PROVIDED = 156.2 P.U. *
   * LANDSCAPE FOR TERRACE/COURTYARD/FOUNDATION SUBJECT TO CHANGE

   H. OPEN SPACE REQUIRED
   115 BED @ 650 SF/4 BED = 18,688 SF (0.43 ACRE)
   OPEN SPACE PROVIDED: = 0.43 ACRE

   OPEN SPACE SHALL BE PRIVATE.

6. AVERAGE DAILY TRIPS:
   115 UNITS @ 3.5/UNIT = 402.5 ADT

7. THE SITE IS LOCATED ON MTA BUS ROUTE NUMBER 9.

8. ALL LIGHTING SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.

9. BUILDING SETBACKS: RO ZONE (RESIDENTIAL-OFFICE) (NON RESIDENTIAL PRINCIPAL BUILDING - O.R. 10.5 ZONE)

	REQUIRED	PROPOSED
FRONT YARD	= 25'	±114'
INTERIOR SIDE YARD	= 20'	±102' FROM EAST PROPERTY LINE 0' FROM WEST PROPERTY LINE
STREET CORNER SIDE	= 35'	±N/A
REAR YARD	= 50'	±100'
* MAXIMUM BUILDING HEIGHT	= 50' MAX.	MAXIMUM ±35'-8" (FRONT ELEV.)
MAXIMUM BUILDING LENGTH	= 200' MAX.	215'

   * THE PROPOSED 50 FOOT MAXIMUM HEIGHT IS MEASURED BY THE VERTICAL DISTANCE FROM THE HIGHEST POINT ON THE BUILDING TO THE HORIZONTAL PROJECTION OF THE CLOSEST POINT AT EXTERIOR GRADE PER SECTION 101 BCZR.

10. SOIL TYPES:

SYMBOL	SERIES
GcC2	GLENELG
GcB2	GLENELG
CcB2	CHESTER

11. THERE ARE NO KNOWN STREAMS, BODIES OF WATER, OR SPRINGS LOCATED ON THE SITE.

12. THERE ARE NO KNOWN WETLANDS, ARCHEOLOGICAL SITES OR ENDANGERED SPECIES.

13. THE SITE DOES NOT INCLUDE NOR IS IT CONTIGUOUS TO ANY BUILDINGS, PROPERTY, OR SITES ON AN HISTORICAL INVENTORY OR LIST.

14. THE SITE IS NOT LOCATED WITHIN A 100-YEAR FLOODPLAIN OR FLOOD AREA. (FEMA FLOOD INSURANCE RATE MAP NO. 0240 B, DATED MARCH 2, 1981)

15. THERE ARE NO KNOWN SEPTIC OR WELL AREAS LOCATED ON THE SITE.

16. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS OR HAZARDOUS MATERIAL LOCATED ON THE SITE.

17. THE SITE IS NOT LOCATED IN A CRITICAL AREA.

18. ZONING MAP NUMBER: NW 9-F

19. ZONING HISTORY
   A. CASE NOS. 111-398 & 95-202-X. A SPECIAL EXCEPTION TO ALLOW AN ASSISTED LIVING FACILITY WAS GRANTED BY THE HEARING OFFICER FOR BALTIMORE COUNTY ON FEBRUARY 15, 1995, SUBJECT TO THE FOLLOWING RESTRICTIONS.

   1) THE PETITIONERS MAY APPLY FOR THEIR BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER; HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL SUCH TIME AS THE 30-DAY APPELLATE PROCESS FROM THIS ORDER HAS EXPIRED. IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE RELIEF GRANTED HEREIN SHALL BE RESCINDED.

   2) THE RESTRICTIVE COVENANT AGREEMENT IDENTIFIED HEREIN AS DEVELOPER'S EXHIBIT 2, AND THE MAINTENANCE AGREEMENT MARKED AS DEVELOPER'S EXHIBIT 3 WHICH WAS ENTERED INTO BETWEEN THE WOODHOLME COUNTRY CLUB AND THE TWO RIVERS RETIREMENT HOMES, INC., ARE HEREBY INCORPORATED HEREIN AND MADE A PART OF THIS ORDER. THOSE AGREEMENTS ARE ENFORCEABLE AND BINDING UPON THE HEIRS, SUCCESSORS, ASSIGNS, AND ANY TRANSFEREES OF THE SUBJECT PROPERTY.

   3) WHEN APPLYING FOR A BUILDING PERMIT, THE SITE PLAN AND/OR LANDSCAPING PLAN FILED MUST REFERENCE THIS CASE AND SET FORTH AND ADDRESS THE RESTRICTIONS OF THIS ORDER.

   B. A PORTION OF THE SITE PREVIOUSLY ZONED RO. DURING THE 1996 COMPREHENSIVE ZONING PROCESS THIS PORTION WAS REZONED TO OR-2 (ISSUE NO. 2-001).

20. A MODIFICATION OF STANDARDS WILL BE REQUESTED FROM SECTION 1B01.2.B.2 (BCZR) AND SECTION A.29 OF THE CMDP TO PERMIT A TOTAL BUILDING LENGTH OF ± 215' IN LIEU OF THE PERMITTED 200'.

21. THE DEVELOPMENT REVIEW COMMITTEE (DRC) GRANTED APPROVAL OF A DEVELOPMENT PLAN REFINEMENT PER SECTION 26-211 OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS ON FEBRUARY 18, 1997 (DRC NUMBER 021QJ).

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   D. VARIANCE FROM SECTION 1B01.2.C.1.a TO PERMIT A NON-RESIDENTIAL PRINCIPLE BUILDING SIDE YARD SETBACK OF 3 FT. IN LIEU OF THE REQUIRED 20'.

23. THERE ARE NO RESIDENTIAL TRANSITION AREAS (RTA'S) ON THE SITE. THERE ARE NO SINGLE FAMILY, DUPLEX DWELLINGS OR UNIMPROVED LOTS OF RECORD LESS THAN 2 ACRES LOCATED WITHIN 150 FEET OF THE TRACT BOUNDARY.

Forest Buffer and / or Forest Conservation Notes:

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Certification as to Delinquent Accounts

I, William M. Holmes, CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

William M. Holmes 3/14/97

Landscape Architect's and Owner's Signature and Certification Form

"I CERTIFY THAT I HAVE REVIEWED THIS SCHEMATIC LANDSCAPE PLAN, THAT I AM AWARE OF THE LANDSCAPE REGULATIONS PRESENTED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL, LATEST EDITION, AND I AGREE TO COMPLY WITH THESE REGULATIONS AND ALL APPLICABLE POLICY, GUIDELINE, AND ORDINANCES."

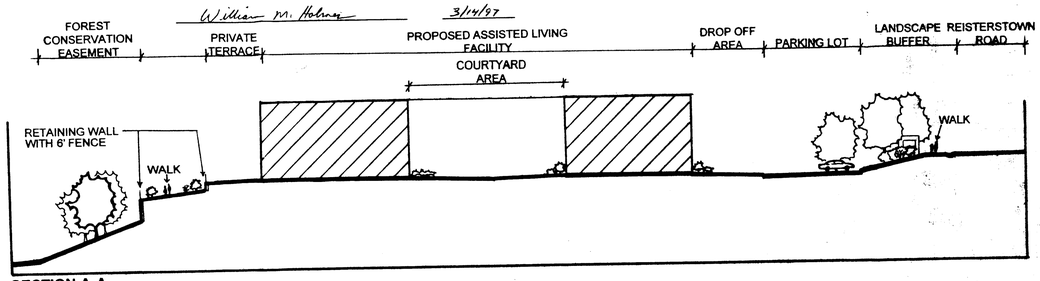
William M. Holmes 3/14/97
SIGNATURE OF APPLICANT DATE

William M. Holmes
PRINT NAME

LANDSCAPE ARCHITECT'S SIGNATURE

DEBRA R. WITTLE
PRINT NAME

STATE OF MARYLAND DEBRA RAY WITTLE NO. 855 REGISTERED LANDSCAPE ARCHITECT



SECTION A-A
HORIZONTAL SCALE: 1" = 30'
VERTICAL SCALE: 1" = 30'

FIRST AMENDED

STV Incorporated
engineers / architects / planners / scientists / construction managers
21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112

REVISIONS		
NO.	DATE	DESCRIPTION

GRAPHIC SCALE
90 60 30 0 60
75 45 15 30 90

PLAN PREPARATION

DRAWN BY:	T. KILLMEYER	DATE:	MARCH 19, 1997
DESIGNED BY:	A.K. GREEN	SCALE:	1" = 30'
CHECKED BY:			61-1401

DEVELOPMENT PLAN, PLAT TO ACCOMPANY SPECIAL EXCEPTION, VARIANCES AND PRELIMINARY FOREST CONSERVATION PLAN

BRIGHTON GARDENS
REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

DRAWING NO. DP-2

SHEET NO. 2 of 3

FILE: h:\projects\1401\dp02per.dgn
DATE: 19-Mar-97 09:58

RECEIVED
JUL 31 1997
BALTIMORE COUNTY
ZADM/ORM

NORTH

MD. ROUTE 140

REISTERSTOWN ROAD (PUBLIC - STATE OF MARYLAND)

WOODHOLME CENTER CIRCLE

PROPOSED USE-IN-COMMON INGRESS / EGRESS

920'± TO ℄ OF MOUNT WILSON LA.

PROPOSED HANDICAPPED RAMP

PRELIMINARY LIGHTING LOCATION SUBJECT TO CHANGE (TYP.)

PROPOSED DOUBLE - FACED SIGN (+9'-4" HT., 84 SF/FACE)

EXISTING BUILDING TO BE DEMOLISHED

POINT OF BEGINNING
N 53,077.64
W 34,698.46

PROPOSED WALK

S 42° 09'11" E
342.20'

70'± TO NEAREST F.H.

BUS PARKING SPACE (10' x 25')

PROPOSED 3-STORY BUILDING ASSISTED LIVING FACILITY (115 BEDS)
F.F. ELEV. - 531.00

PROP. DUMPSTER & 8' HT BRICK ENCLOSURE (10' x 24')

PROP. GREASE TRAP

PROP. COOLING TOWER (8' x 15') - NOT AN ACCESSORY STRUCTURE. THE COOLING TOWER IS PART OF THE MECHANICAL SYSTEM OF THE BUILDING AND IS ATTACHED TO BUILDING BY UNDERGROUND PIPES.

PROP. FENCE (±16' HT.)

PROP. LOADING SPACE (18' X 12')

PROPOSED TRANSFORMER

PROPOSED WOOD FENCE (±8' HT.)

PROP. 20' UTILITY & S.W.M. ACCESS EASEMENT

ABANDON EXIST. 8" SAN. SEWER

PRELIMINARY PLANTING IN COURTYARD AND TERRACE AREA SUBJECT TO CHANGE

PROP. TERRACE

PROPOSED RETAINING WALL W/ 6' FENCE

PROPOSED PRIVATE OPEN SPACE (0.43 AC.)

LIMIT OF DISTURBANCE

PROPOSED RELOCATION OF PUBLIC SANITARY MAIN

PROPOSED PLANTINGS SHOWN IN THIS AREA ARE FOR SCREENING PURPOSES. THESE PLANTINGS HAVE NOT BEEN INCLUDED IN LANDSCAPE CALCULATIONS. PLEASE NOTE THAT THESE PLANTINGS ARE CONCEPTUAL AND MAY BE MODIFIED DURING FINAL DESIGN.

PROPOSED SATELLITE DISH

PROPOSED PLANTER (±3' HT.)

N 42° 49'32" W 234.27'

N 47° 48'28" E 73.38'

S 83° 19'19" W 185.18'

S 47° 50'49" W 328.42'

N 47° 45'00" E 408.76'

S 27° 37'58" E

FREESTANDING SIGN
NOT TO SCALE

SIGN NOTES:
1. TOTAL NUMBER OF SIGNS = 1
2. TOTAL SIGN AREA = 168SF DOUBLE-FACED SIGN (84SF PER SIDE)

Marriott
BRIGHTON GARDENS
ASSISTED LIVING

Site Development Proposal

DWELLING TYPE	PROPOSED UNITS	PARKING REQUIRED	PARKING PROPOSED	OPEN SPACE
ASSISTED LIVING	115 BEDS	115 BEDS @ 1/3 BEDS = 39	54 SP.	REQUIRED: 115 BEDS @ 650 S.F./ 4 BED= 18,688 S.F. (0.43 AC.) PROVIDED: 18,688 S.F. (0.43 AC.)

FOREST CONSERVATION NOTE

THE FOREST CONSERVATION FOR THIS DEVELOPMENT IS BEING PROVIDED IN CONJUNCTION WITH THE STORMWATER MANAGEMENT (SWM) DESIGN. SWM WILL CONSIST OF BIO-RETENTION BASIN WHICH WILL UTILIZE FOREST CONSERVATION PLANTINGS FOR SLOPE STABILIZATION, REDUCTION OF EROSION AND TREATMENT FOR WATER QUALITY. A VARIANCE FROM THE FOREST CONSERVATION REQUIREMENTS WILL BE SUBMITTED FOR REVIEW BY BALTIMORE COUNTY DEPRM. IN THE EVENT THE FOREST CONSERVATION VARIANCE IS NOT APPROVED, FOREST CONSERVATION WILL BE FULFILLED AT AN OFF-SITE LOCATION OR A FEE-IN-LIEU SHALL BE PAID.

PLAN TO ACCOMPANY HEARING OFFICER'S ORDER
8-1-97 David Flowers
DATE PROJECT MANAGER

VICINITY MAP
SCALED 1"=1,000'

Legend:
- PROPOSED MAJOR DECIDUOUS TREES
- PROPOSED MINOR DECIDUOUS TREES
- PROPOSED EVERGREEN TREES
- PROPOSED SHRUBS
- EXISTING CONTOUR
- 522 PROPOSED CONTOUR
- W PROPOSED WATER
- S PROPOSED SANITARY
- PROPOSED STORM DRAIN
- LIMITS OF PRIVATE OPEN SPACE
- ZONING LINE
- LIMITS OF DISTURBANCE
- GcB2 / GcC2 SOILS LINE

GRAPHIC SCALE
90 60 30 0 60
75 45 15 30 90

REVISIONS		
NO.	DATE	DESCRIPTION
1	4/25/97	REVISE ENTRANCE LAYOUT, S.W.M. BASIN & OUTFALL
2	6/11/97	REVISE S.W.M. / FOREST CONSERVATION
3	7/29/97	ADD FOREST CONSERVATION NOTE PER DEPRM

PLAN PREPARATION

DRAWN BY:	T. KILLMEYER	DATE:	MARCH 19, 1997
DESIGNED BY:	C. WILKINSON	SCALE:	1" = 30'
CHECKED BY:			81-1401

First Amended Development Plan

BRIGHTON GARDENS
1838 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND
DR # 02-167-3
PDM # III-398

DRAWING NO. DP-1

SHEET NO. 1 of 3

STV Incorporated
engineers / architects / planners / scientists / construction managers
21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112

FILE: N:\DWGS\81-1401\WOODHOLME.DGN

General Notes:

1. APPLICANT: MARRIOTT INTERNATIONAL INC.
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WASHINGTON, DC 20058

CONTACT: JOHN HOGAN (301-380-9000)
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EMERITUS CORPORATION (FORMERLY ASSISTED LIVING OF AMERICA, INC.)

DEED REFERENCE: 11051/335
TAX ACCOUNT: 1700006251
SITE ADDRESS: 1840 REISTERSTOWN ROAD

PARCEL 489
EMERITUS CORPORATION (FORMERLY ASSISTED LIVING OF AMERICA, INC.)
DEED REFERENCE: 11051 / 335
TAX ACCOUNT: 17000 6253
SITE ADDRESS: 1838 REISTERSTOWN ROAD

PARCEL 228
W P AT RR INC.
DEED REFERENCE: 7798 /265
TAX ACCOUNT: 1900005053
SITE ADDRESS: 1836 REISTERSTOWN ROAD

PARCEL 434
MARSHALL W. AND TAMMY FESCHE
DEED REFERENCE: 11821 /570
TAX ACCOUNT: 0322045277
SITE ADDRESS: 1832 REISTERSTOWN ROAD

3. ELECTION DISTRICT: 3
COUNCILMANIC DISTRICT: 3
CENSUS TRACT: 4037.02

4. WATERSHED 27: SUBSEWERSHED 65
WATER DESIGNATION W-1: SEWER DESIGNATION S-1

5. A. EXISTING USE: VACANT LOTS
PROPOSED USE: ASSISTED LIVING FACILITY
(115 BEDS TOTAL)

B. CURRENT ZONING AND ACREAGE:
2.10 AC.± (OR-2 ZONE)
1.04 AC.± (RO ZONE)
0.04 AC.± (DR 3.5 ZONE)
TOTAL 3.18 AC.± NET

2.265 AC.± (OR-2 ZONE)-INCLUDES 30' REISTERSTOWN RD.
1.107 AC.± (RO ZONE)-INCLUDES 30' REISTERSTOWN RD.
0.04 AC.± (DR 3.5 ZONE)
0.003 AC.± (BM ZONE) -LOCATED IN REISTERSTOWN RD.
TOTAL 3.415 AC.± GROSS

C. FLOOR AREA RATIO:
69,109 S.F. BUILDING
148,757 S.F. GROSS SITE AREA
= 0.46

D. PARKING REQUIRED:
115 BEDS @ 1/3 BEDS = 39 SP.

PARKING PROVIDED: = 54 SP.

ALL PARKING SPACES SHALL BE PERMANENTLY STRIPED. ALL PAVING SHALL BE PAVED WITH A DURABLE, DUSTLESS AND PROPERLY DRAINED SURFACE MAINTAINED SO AS NOT TO CREATE ANY UNDESIRABLE CONDITIONS.

E. DENSITY PERMITTED:
(OR ZONE) 2.265 AC. @ 10.5 D.U. = 23.78 D.U.
(RO ZONE) 1.107 AC. @ 5.5 D.U. = 6.09 D.U.
TOTAL 29.87 D.U.

DENSITY PROPOSED:
(ASSISTED LIVING) 115 BEDS @ 4 BEDS/D.U. = 29 D.U.

F. LANDSCAPE REQUIREMENTS:
341 LF + ADJ. RD. @ /140 ± = 8.5 (4.25 MD)
80 LF + INT. RD. @ 120 = 4.0 (2 MD)
54 SP @ 1/12 = 4.5 (3.37 MD)
310 LF + CLASS B' SCR @ 1/15 = 20.6
342 LF + CLASS A' SCR @ 1/15 = 22.8
TOTAL REQUIRED = 61 (10 MD)

LANDSCAPE PROVIDED:
17 MD @ 1/1 = 17.0 P.U. (17 MD)
1 EVGR @ 2/1 = .5 P.U.
256 SHRUBS @ 5/1 = 51.2 P.U.
SUB TOTAL PROVIDED = 68 (17MD)

LANDSCAPE PROVIDED FOR TERRACE/COURTYARD/FOUNDATION:
7 MD = = 3.5 P.U.*
420 SHRUBS @ 5/1 = 87.5 P.U.*
TOTAL PROVIDED = 156.2 P.U. *
* LANDSCAPE FOR TERRACE/COURTYARD/FOUNDATION SUBJECT TO CHANGE

G. OPEN SPACE REQUIRED
115 BED @ 650 SF/4 BED = 18,688 SF (0.43 ACRE)
OPEN SPACE PROVIDED: = 0.43 ACRE

OPEN SPACE SHALL BE PRIVATE.

6. AVERAGE DAILY TRIPS:
115 UNITS @ 3.5/UNIT = 402.5 ADT

7. THE SITE IS LOCATED ON MTA BUS ROUTE NUMBER 9.

8. ALL LIGHTING SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.

9. BUILDING SETBACKS: RO ZONE (RESIDENTIAL-OFFICE)
(NON RESIDENTIAL PRINCIPAL BUILDING - D.R. 10.5 ZONE)

		REQUIRED	PROPOSED
FRONT YARD	=	25'	±114'
INTERIOR SIDE YARD	=	20'	±102' FROM EAST PROPERTY LINE
			0' FROM WEST PROPERTY LINE
STREET CORNER SIDE	=	35'	±N/A
REAR YARD	=	50'	± 98'
* MAXIMUM BUILDING HEIGHT	=	50' MAX.	MAXIMUM ±35'-8" (FRONT ELEV.)
MAXIMUM BUILDING LENGTH	=	200' MAX.	215'

* THE PROPOSED 50 FOOT MAXIMUM HEIGHT IS MEASURED BY THE VERTICAL DISTANCE FROM THE HIGHEST POINT ON THE BUILDING TO THE HORIZONTAL PROJECTION OF THE CLOSEST POINT AT EXTERIOR GRADE PER SECTION 101 BCZR.

10. SOIL TYPES:

SYMBOL	SERIES
GcC2	GLENELG
GcC2	GLENELG
CcB2	CHESTER

11. THERE ARE NO KNOWN STREAMS, BODIES OF WATER, OR SPRINGS LOCATED ON THE SITE.

12. THERE ARE NO KNOWN WETLANDS, ARCHEOLOGICAL SITES OR ENDANGERED SPECIES.

13. THE SITE DOES NOT INCLUDE NOR IS IT CONTIGUOUS TO ANY BUILDINGS, PROPERTY, OR SITES ON AN HISTORICAL INVENTORY OR LIST.

14. THE SITE IS NOT LOCATED WITHIN A 100-YEAR FLOODPLAIN OR FLOOD AREA. (FEMA FLOOD INSURANCE RATE MAP NO. 0240 B, DATED MARCH 2, 1981)

15. THERE ARE NO KNOWN SEPTIC OR WELL AREAS LOCATED ON THE SITE.

16. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS OR HAZARDOUS MATERIAL LOCATED ON THE SITE.

17. THE SITE IS NOT LOCATED IN A CRITICAL AREA.

18. ZONING MAP NUMBER: NW 9-F

19. ZONING HISTORY
A. CASE NOS. 111-398 & 95-202-X. A SPECIAL EXCEPTION TO ALLOW AN ASSISTED LIVING FACILITY WAS GRANTED BY THE HEARING OFFICER FOR BALTIMORE COUNTY ON FEBRUARY 15, 1995, SUBJECT TO THE FOLLOWING RESTRICTIONS.

1) THE PETITIONERS MAY APPLY FOR THEIR BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER; HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL SUCH TIME AS THE 30-DAY APPELLATE PROCESS FROM THIS ORDER HAS EXPIRED. IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE RELIEF GRANTED HEREIN SHALL BE RESCINDED.

2) THE RESTRICTIVE COVENANT AGREEMENT IDENTIFIED HEREIN AS DEVELOPER'S EXHIBIT 2, AND THE MAINTENANCE AGREEMENT MARKED AS DEVELOPER'S EXHIBIT 3 WHICH WAS ENTERED INTO BETWEEN THE WOODHOLME COUNTRY CLUB AND THE TWO RIVERS RETIREMENT HOMES, INC., ARE HEREBY INCORPORATED HEREIN AND MADE A PART OF THIS ORDER. THOSE AGREEMENTS ARE ENFORCEABLE AND BINDING UPON THE HEIRS, SUCCESSORS, ASSIGNS, AND ANY TRANSFEREES OF THE SUBJECT PROPERTY.

3) WHEN APPLYING FOR A BUILDING PERMIT, THE SITE PLAN AND/OR LANDSCAPING PLAN FILED MUST REFERENCE THIS CASE AND SET FORTH AND ADDRESS THE RESTRICTIONS OF THIS ORDER.

B. A PORTION OF THE SITE PREVIOUSLY ZONED RO. DURING THE 1996 COMPREHENSIVE ZONING PROCESS THIS PORTION WAS REZONED TO OR-2 (ISSUE NO. 2-001).

20. A MODIFICATION OF STANDARDS WILL BE REQUESTED FROM SECTION 1B01.2.B.2 (BCZR) AND SECTION A.29 OF THE CMDP TO PERMIT A TOTAL BUILDING LENGTH OF ± 215' IN LIEU OF THE PERMITTED 200'.

21. THE DEVELOPMENT REVIEW COMMITTEE (DRC) GRANTED APPROVAL OF A DEVELOPMENT PLAN REFINEMENT PER SECTION 26-211 OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS ON FEBRUARY 18, 1997 (DRC NUMBER 021097J).

22. THERE HAVE BEEN NO PREVIOUS COMMERCIAL PERMITS ISSUED FOR THE SITE.

A. A SPECIAL EXCEPTION TO ALLOW A ASSISTED LIVING FACILITY AND MODIFICATIONS TO THE FOLLOWING RESIDENTIAL TRANSITION AREA (RTA) STANDARDS PURSUANT TO SECTION 432.4:

B. VARIANCE FROM SECTION 206.3.C.2.b.1 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT 84 SQ. FT. PER FACE OF SIGN AREA IN LIEU OF THE REQUIRED 25 SQ. FT. PER FACE.

C. VARIANCE FROM SECTION 206.3.C.2.b.3 OF THE BALTIMORE COUNTY ZONING REGULATAIONS TO PERMIT A SIGN 9 FT-4 IN. IN HEIGHT IN LIEU OF THE REQUIRED 6 FT. HEIGHT.

D. VARIANCE FROM SECTION 1B01.2.C.1.a TO PERMIT A NON-RESIDENTIAL PRINCIPLE BUILDING SIDE YARD SETBACK OF 3 FT. IN LIEU OF THE REQUIRED 20'.

23. THERE ARE NO RESIDENTIAL TRANSITION AREAS (RTA'S) ON THE SITE. THERE ARE NO SINGLE FAMILY, DUPLEX DWELLINGS OR UNIMPROVED LOTS OF RECORD LESS THAN 2 ACRES LOCATED WITHIN 150 FEET OF THE TRACT BOUNDARY.

24 A WAIVER WILL BE REQUESTED FROM THE BALTIMORE COUNTY STORMWATER MANAGEMENT REQUIREMENTS.

25 A WAIVER WILL BE REQUESTED FROM THE BALTIMORE COUNTY FOREST CONSERVATION REQUIREMENTS.

Forest Buffer and / or Forest Conservation Notes:

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

ANY FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

Certification as to Delinquent Accounts

I, WILLIAM M. HOLMES, CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

William M. Holmes 3/14/97

Landscape Architect's and Owner's Signature and Certification Form

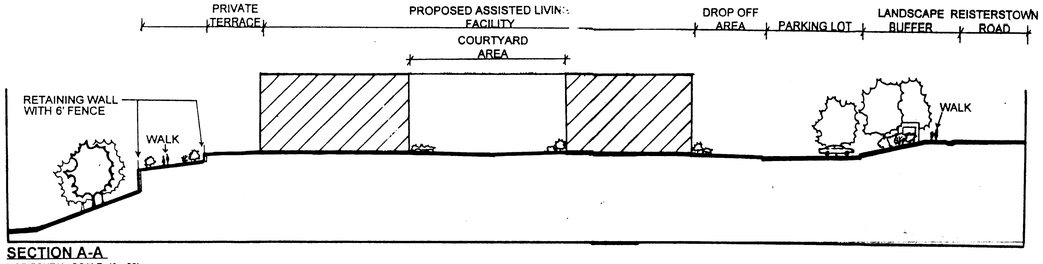
"I CERTIFY THAT I HAVE REVIEWED THIS SCHEMATIC LANDSCAPE PLAN, THAT I AM AWARE OF THE LANDSCAPE REGULATIONS PRESENTED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL, LATEST EDITION, AND I AGREE TO COMPLY WITH THESE REGULATIONS AND ALL APPLICABLE POLICY, GUIDELINE, AND ORDINANCES."

William M. Holmes — SIGNATURE OF APPLICANT — 3/14/97 DATE

WILLIAM M. HOLMES — PRINT NAME

LANDSCAPE ARCHITECT'S SIGNATURE

DEBRA K. WITTLE — PRINT NAME



SECTION A-A
HORIZONTAL SCALE: 1" = 30'
VERTICAL SCALE: 1" = 30'

STATE OF MARYLAND — DEBRA K. WITTLE — No. 1305 — LANDSCAPE ARCHITECT

STV Incorporated

engineers / architects / planners / scientists / construction managers

21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112

REVISIONS		
NO.	DATE	DESCRIPTION
1	4/25/97	REVISE NOTE 5D PER NEW ENTRANCE LAYOUT
2	6/11/97	REVISE NOTES 5, 10, 24, 25 / FOREST CONSERVATION
3	7/29/97	ADD FOREST CONSERVATION NOTE PER DEPRM

GRAPHIC SCALE
90 60 30 0 60
75 45 15 30 90

PLAN PREPARATION			
DRAWN BY:	T. KILLMEYER	DATE:	MARCH 19, 1997
DESIGNED BY:	C. AHLGREN	SCALE:	1" - 30'
CHECKED BY:			61-1401

First Amended
Development Plan
BRIGHTON GARDENS
1838 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

DRAWING NO. DP-2
SHEET NO. 2 of 3

PDM # III-398

I:\projects\1401\dp02gard.dgn
DATE: 11-Jul-97 08:55

General Notes:

1. APPLICANT: TWO RIVERS RETIREMENT HOMES, INC. CONTACT: RICHARD J. KENDALL
1201 CONNECTICUT AVENUE, N.W. PHONE: 202-822-9070
SUITE 700
WASHINGTON, D.C. 20036-2605

2. OWNERS: PHASE I PARCEL 459
JOHN OWINGS
111 SUNNYMEADOW LANE
REISTERSTOWN, MD 21136
DEED REFERENCE: 6078/372
TAX ACCOUNT: 17-09-09203
SITE ADDRESS: 1836 REISTERSTOWN RD.

PARCEL 458
JOHN OWINGS
111 SUNNYMEADOW LANE
REISTERSTOWN, MD 21136
DEED REFERENCE: 10597/266
TAX ACCOUNT: 17-09-09204
SITE ADDRESS: 1840 REISTERSTOWN RD.

PHASE II PARCEL 439 AND 450
J.F.O. HOLDING CORPORATION
P.O. BOX 286
OWINGS MILLS, MD 21117
DEED REFERENCE: 8192/566
7876/445
TAX ACCOUNT: 17-09-90021
03-22-000700

3. ELECTION DISTRICT: 3
COUNCILMANIC DISTRICT: 3
CENSUS TRACT: 4057.02

WATERSHED 27; SUBSEWERSHED 65
WATER DESIGNATION W-1; SEWER DESIGNATION S-1

4. A. EXISTING USE: VACANT LOTS
PROPOSED USE: ASSISTED LIVING FACILITY FOR 80 BEDS

B. CURRENT ZONING AND ACREAGE:
PHASE I 2.19 AC± (RO ZONE)
PHASE II 1.86 AC± (RO ZONE AND D.R. 3.5 ZONE)
TOTAL 3.79 AC± NET

PHASE I 2.30 AC± (INCL. 30' REISTERSTOWN ROAD)
PHASE II 1.87 AC± (INCL. 30' REISTERSTOWN ROAD)
TOTAL 4.86 AC± GROSS

C. PARKING REQUIRED:
80 BEDS @ 1/3 BEDS = 27 SP.

PARKING PROVIDED: = 28 SP.

ALL PARKING SPACES SHALL BE PERMANENTLY STRIPED. ALL PAVING SHALL BE PAVED WITH A DURABLE, DUSTLESS AND PROPERLY DRAINED SURFACE MAINTAINED SO AS NOT TO CREATE ANY UNDESIRABLE CONDITIONS.

D. DENSITY PERMITTED:
PHASE I 2.30 AC. @ 5.5 D.U. = 12.65
PHASE II 1.87 AC. @ 5.5 D.U. = 10.28
TOTAL = 22.93 DAU

DENSITY PROPOSED:
(PHASE I ASSISTED LIVING) 80 BEDS @ 4 BEDS/D.U. = 20 D.U.
(PHASE II) 2 EXISTING DWELLINGS @ 1.0 = 2 D.U.
TOTAL = 22 D.U.

E. FOREST CONSERVATION REQUIREMENTS:
A) NET TRACT AREA = 3.8 AC. (PHASES I & II)
B) EXISTING FOREST = 0
THE EXISTING SCATTERED TREES LOCATED ON THE SITE DO NOT MEET THE DEFINITION OF 'FOREST'
C) AFFORESTATION THRESHOLD 15% = 0.6 AC. (PHASES I & II)
D) TOTAL AFFORESTATION REQUIRED = 0.6 AC. (PHASES I & II)

PHASE I AFFORESTATION:
REQUIRED = 0.3 AC.
PROVIDED = 0.3 AC.

F. LANDSCAPE REQUIREMENTS:
220 L.F. ± ADJ. RD. @ 1/40 = 5.67 P.U. (283 M.D.)
615 L.F. ± INT. RD. @ 1/30 = 20.75 P.U. (1037 M.D.)
28 S.P. @ 1/10 = 2.33 P.U. (1.74 M.D.)
180 L.F. ± CLASS 'B' SCR @ 1/15 = 12.00 P.U.
225 L.F. ± CLASS 'A' SCR @ 1/15 = 15.00 P.U.
TOTAL REQUIRED = 55.51 P.U. (15.04 M.D.)

CREDIT FOR EXISTING TREES TO REMAIN:
9 M.D. (9-22" CAL.s) @ 2 P.U./TREE = 18 P.U. (9 M.D.)

LANDSCAPE REQUIRED LESS CREDIT:
SUBTOTAL LANDSCAPE REQUIREMENTS = 57 P.U. (16 M.D.)
LESS CREDIT = 18 P.U. (9 M.D.)
39 P.U. (7 M.D.)

LANDSCAPE PROVIDED:
9 MD @ 1/1 = 9 P.U. (9 M.D.)
2 MD @ 2/1 = 1 P.U.
6 EVGR. @ 2/1 = 3 P.U.
130 SHRUBS @ 5/1 = 26 P.U.
TOTAL PROVIDED = 39 P.U. (9 M.D.)

G. OPEN SPACE REQUIRED:
65 UNITS @ 600 S.F./UNIT = 0.87 AC.

OPEN SPACE PROVIDED: = 0.97 AC.

OPEN SPACE SHALL BE PRIVATE.

BUILDING SETBACKS: RO ZONE (RESIDENTIAL-OFFICE)
(NON RESIDENTIAL PRINCIPAL BUILDING - D.R. 5.5 ZONE)

	REQUIRED	PROPOSED
FRONT YARD	40'	116'
INTERIOR SIDE YARD	30'	47' AND 56±
STREET CORNER SIDE	30'	n/a
REAR YARD	30'	102±
MAXIMUM BUILDING HEIGHT	60' MAX.	50' MAXIMUM (FRONT ELEV.)
MAXIMUM BUILDING LENGTH	200' MAX.	181'

THE PROPOSED 50 FOOT MAXIMUM HEIGHT IS MEASURED BY THE VERTICLE DISTANCE FROM THE HIGHEST POINT ON THE BUILDING TO THE HORIZONTAL PROJECTION OF THE CLOSEST POINT AT EXTERIOR GRADE PER SECTION 101 BCZR.

5. SOIL TYPES:

SYMBOL	NAME
GkC2	GLENELG
GkD2	GLENELG
GoB2	CHESTER

6. THERE ARE NO KNOWN STREAMS, BODIES OF WATER, OR SPRINGS LOCATED ON THE SITE.
7. THERE ARE NO KNOWN WETLANDS, ARCHEOLOGICAL SITES OR ENDANGERED SPECIES / HABITATS LOCATED ON THE SITE.
8. THE SITE DOES NOT INCLUDE NOR IS IT CONTIGUOUS TO ANY BUILDINGS, PROPERTY, OR SITES ON AN HISTORICAL INVENTORY OR LIST.
9. THE SITE IS NOT LOCATED WITHIN A 100-YEAR FLOODPLAIN OR FLOOD AREA.
10. THERE ARE NO KNOWN SEPTIC OR WELL AREAS LOCATED ON THE PHASE I PORTION OF THE SITE. THERE IS ONE EXISTING WELL AND ONE EXISTING SEPTIC AREA LOCATED ON THE PHASE II PORTION OF THE SITE. REFER TO PLAN FOR APPROXIMATE LOCATIONS.
11. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS OR HAZARDOUS MATERIAL LOCATED ON THE SITE.
12. THE SITE IS NOT LOCATED IN A CRITICAL AREA.
13. ZONING MAP NUMBER: N.W. 8-F
14. THERE IS NO PREVIOUS ZONING HISTORY FOR THIS SITE.
15. ANTICIPATED VARIANCES, WAIVERS, ETC.:
a) A SPECIAL EXCEPTION HAS BEEN REQUESTED TO ALLOW A FACILITY WITH MORE THAN 4 ASSISTED LIVING UNITS.
b) A REQUEST TO ALLOW A PORTION OF THE LOCAL OPEN SPACE REQUIREMENT TO OCCUR WITHIN THE FOREST CONSERVATION EASEMENT HAS BEEN SENT TO THE DEPARTMENT OF RECREATION AND PARKS.
16. AVERAGE DAILY TRIPS:
80 UNITS @ 3.5/UNIT = 287.5 A.D.T.'S
17. THE SITE IS LOCATED ON MTA BUS ROUTE NUMBER 8.

Legend:

- FOREST CONSERVATION EASEMENT
- ZONE LINE
- LIMITS OF DISTURBANCE
- PROP. LIGHT
- EXIST. CONTOUR
- PROP. CONTOUR
- LIMITS OF PRIVATE OPEN SPACE
- PROP. MAJOR MDECIUOUS TREE
- PROP. MINOR DECIDUOUS TREE
- PROP. EVERGREEN TREE
- PROP. SHRUBS
- PROP. GROUNDCOVER
- STORMWATER MANAGEMENT EASEMENT
- PROPOSED BALTIMORE COUNTY ACCESS EASEMENT
- PROPOSED EASEMENT FOR INGRESS AND EGRESS.

Forest Buffer and/or Forest Conservation Easement Notes:

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

ANY FOREST BUFFER EASEMENT AND FOREST CONSERVATION EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

Certification as to Delinquent Accounts:

This Certification is submitted in connection with the development known as Standish Assisted Living ... and is given in accordance with the provisions of Section 22-55 (c) of the Baltimore County Code, 1978, as amended.

I, RICHARD J. KENDALL, have made such due to the best of my knowledge and belief there are no delinquent accounts for any other development due and owing Baltimore County, Maryland by the applicant, a person with a financial interest in the proposed development, or any person who will participate in the development on behalf of the proposed development.

Applicant

Schematic Landscape Plan Certification:

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PUBLIC WORKS
Bureau of Public Services

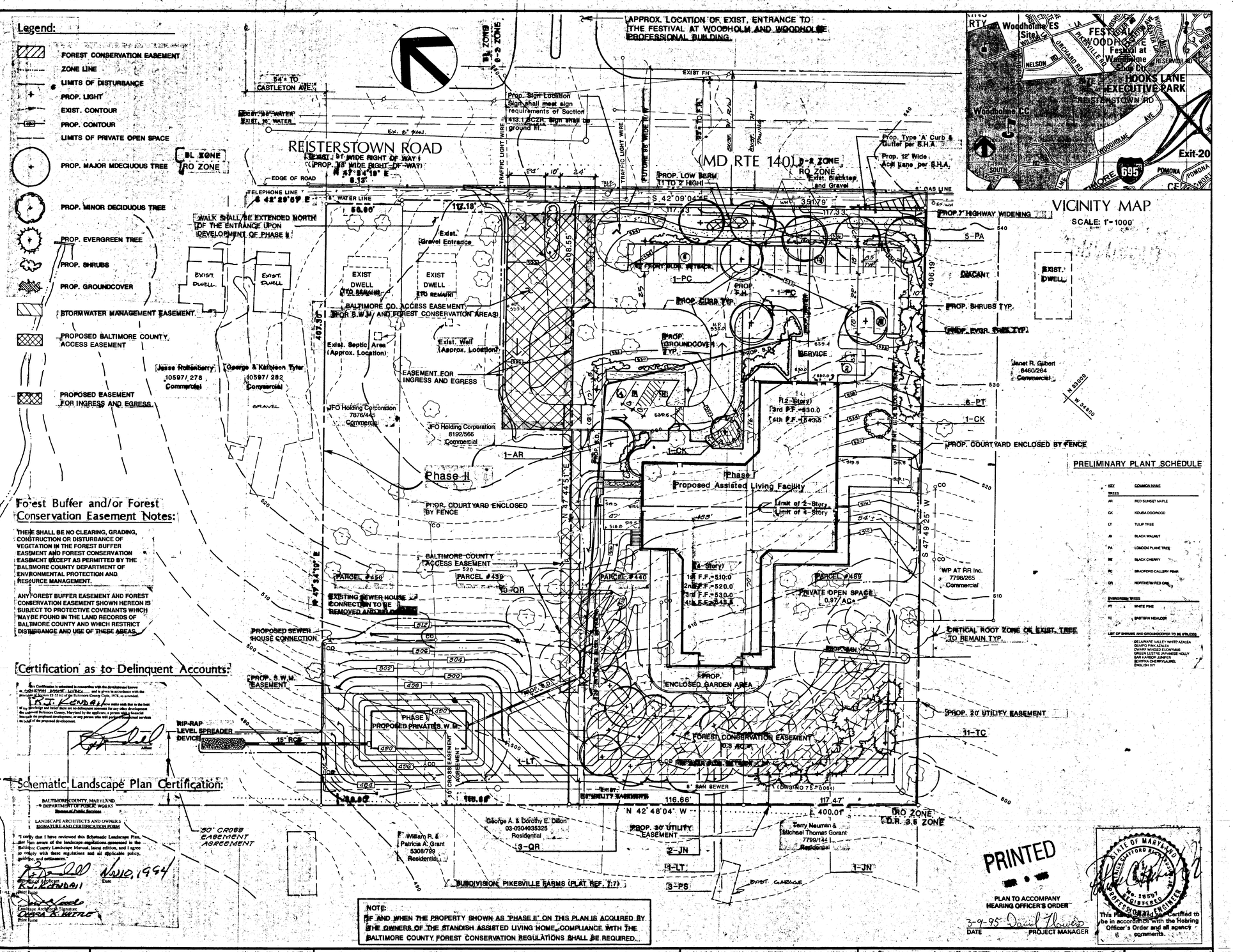
LANDSCAPE ARCHITECTS AND OWNER'S SIGNATURE AND CERTIFICATION FORM

"I certify that I have reviewed this Schematic Landscape Plan and am aware of the landscape regulations presented in the Baltimore County Landscape Manual, latest edition, and I agree to comply with these regulations and all applicable policy, guidelines and ordinances."

Authorized Agent/Owner: RICHARD J. KENDALL
Print Name

Landscape Architect Signature
CHRIS K. EVANS
Print Name

Date: NOV. 10, 1994



VICINITY MAP

SCALE: 1"=1000'

PRELIMINARY PLANT SCHEDULE

KEY	COMMON NAME
TREES	
AR	RED SUNSET MAPLE
CK	KOUSA DOGWOOD
LT	TULIP TREE
JN	BLACK WALNUT
PA	LONDON PLANE TREE
PC	BRADFORD CALLERY PEAR
QR	NORTHERN RED OAK
EVERGREEN TREES	
PT	WHITE PINE
TC	BABSIRN HEMLOCK
LIST OF SHRUBS AND GROUNDCOVER TO BE UTILIZED	
	DELAWARE VALLEY WHITE AZALEA
	GUMPO PINK AZALEA
	DWARF WINGED EUONYMUS
	GREEN LUSTRE JAPANESE HOLLY
	BAR HARBOR JUNIPER
	SCHIPKA CHERRYLAUREL
	ENGLISH IVY

NOTE:
IF AND WHEN THE PROPERTY SHOWN AS 'PHASE II' ON THIS PLAN IS ACQUIRED BY THE OWNERS OF THE STANDISH ASSISTED LIVING HOME, COMPLIANCE WITH THE BALTIMORE COUNTY FOREST CONSERVATION REGULATIONS SHALL BE REQUIRED.

PRINTED

PLAN TO ACCOMPANY HEARING OFFICER'S ORDER

3-9-95 DATE

PROJECT MANAGER

STATE OF MARYLAND — CHRISTOPHER K. EVANS — No. 18597 — REGISTERED PROFESSIONAL LANDSCAPE ARCHITECT

This Plan is hereby certified to be in accordance with the Hearing Officer's Order and all agency comments.

STV GROUP, INC.
Engineers Surveyors Planners
21 Governor's Court Baltimore, Maryland 21207
Telephone - 410-944-9112
TCA 301-565-3340

REVISIONS

NO	DATE	DESCRIPTION
1	3/8/95	REVISE NAMES OF ADJOINING PROPERTY OWNERS
2	12/8/94	REVISE FOREST CONSERVATION
3	1/24/95	PER BALTO. CO. COMMENTS & REV. BLDG. FOOTPRINT

DEVELOPER: TWO RIVERS RETIREMENT HOMES, INC.
1201 CONNECTICUT AVENUE, N.W.
SUITE 700
WASHINGTON, D.C. 20036-2605
CONTACT: RICHARD J. KENDALL
PHONE: (202)822-9070

PLAN PREPARATION

DRAWN BY: TLS	DATE: Dec. 2, 1994
DESIGNED BY:	SCALE: 1"=30'
CHECKED BY: CKW & PCR	

Development Plan, Plat to Accompany Special Exception, and Preliminary Forest Conservation Plan

Standish Assisted Living Home

Developed By: Two Rivers Retirement Homes, Inc.
ASSISTED LIVING FACILITY
1836 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

ZADM #111-398

DRAWING NO. 61-9155

SHEET NO. 1 of 3



Front Building Elevation
Scale: 1/16"=1'-0"



Side Building Elevation
Scale: 1/16"=1'-0"



Rear Building Elevation
Scale: 1/16"=1'-0"



Side Building Elevation
Scale: 1/16"=1'-0"

Preliminary Forest Conservation Notes:

1.

Net Tract Area	95,396 S.F. - 2.19 AC. (Phase I)
Forest Conservation Required	13,068 S.F. - 0.3 AC. (Phase I)
Forest Conservation Proposed	(Proposed Afforestation) 13,068 S.F. - 0.3 AC. (Phase I)
Required Payment into Baltimore County Forest Conservation Fund	0

2. EXPLANATION OF HOW THE PROVISIONS OF SECTION 14.406 OF BILL NO. 224-92 (BALTIMORE COUNTY) HAVE BEEN MET:

ON SITE AFFORESTATION WILL BE PROPOSED AT THE REAR OF THE SITE WHICH WILL FULFILL THE FOREST CONSERVATION REQUIREMENTS FOR PHASE I. THE PROPOSED LOCATION ADJOINS A SMALL WOODED AREA WHICH IS LOCATED ON THE ADJOINING PROPERTY LOCATED ON THE SE SIDE OF THE SITE. THIS LOCATION WILL ALSO BUFFER THE PROPOSED FACILITY FROM THE ADJOINING RESIDENTIAL USE.

3. PRELIMINARY OUTLINE THREE YEAR MAINTENANCE AGREEMENT:

A. WATERING PLANS:

WATERING SHALL BE PROVIDED DURING THE GROWING SEASON AS REQUIRED ACCORDING TO THE FOLLOWING SCHEDULE

1ST GROWING SEASON:	ONCE A WEEK
2ND AND 3RD GROWING SEASON	AS REQUIRED ONCE A MONTH DURING JULY AND AUGUST

B. FERTILIZING PLANS:

ORGANIC FERTILIZERS MAY ONLY BE USED AS NECESSARY

C. CONTROL OF COMPETING VEGETATION:

ALL TREES WILL BE MULCHED AT THE TIME OF INSTALLATION

D. PROTECTION FROM DISEASE AND INJURY:

THE AFFORESTATION AREA HAS BEEN PLACED AT THE REAR OF THE SITE TO MINIMIZE DISTURBANCE OF THE AREA

SIGNS WILL BE POSTED AT THE EDGE OF THE AFFORESTED AREA. PERIODIC INSPECTIONS WILL BE MADE FOR ANY EVIDENCE OF DISEASE OR DAMAGE

E. REINFORCEMENT PLANTING PROVISIONS:

A MINIMUM OF 75% OF THE TOTAL NUMBER OF TREES PLANTED PER ACRE IS REQUIRED TO SURVIVE AT THE END OF THE 3 YEAR MAINTENANCE PERIOD

EACH HEALTHY NATIVE TREE SEEDLINGS AT LEAST 12" TALL FOUND AS A RESULT OF NATURAL REGENERATION, MAY BE COUNTED UP TO 50% TOWARD THE TOTAL SURVIVAL NUMBER

F. COMPANY/INDIVIDUAL RESPONSIBLE FOR TREE CARE:

UNKNOWN AT THIS TIME

G. AFFORESTATION REQUIRED - PHASE I:

0.3 ACRES @ 700 P.U./AC. = 210 P.U. (SUBTOTAL)

CREDIT FOR EXISTING TREES TO REMAIN

2" AND GREATER CALIPER) @ 7 P.U./TREE = 94 P.U.

AFFORESTATION REQUIRED LESS CREDIT

SUBTOTAL AFFORESTATION REQUIRED	=	210 P.U.
LESS CREDIT	=	94 P.U.
		154 P.U.

AFFORESTATION PROPOSED:

# 2" CALIPER) @ 7 P.U./TREE	=	182 P.U.
# 1" CALIPER) @ 3.5 P.U./TREE	=	021 P.U.
TOTAL	=	203 P.U.

* TOTAL CANOPY DOMINANT SPECIES = 15 (47%)
* TOTAL UNDERSTORY SPECIES = 17 (53%)
NOTE: 9 ADDITIONAL EASTERN HEMLOCKS (2" CALIPER) HAVE BEEN ADDED ABOVE THE REQUIRED 50% OF UNDERSTORY SPECIES TO ENHANCE THE AFFORESTATION. THESE 9 ADDITIONAL EVERGREEN TREES WERE EXCLUDED. THE TOTAL CANOPY DOMINANT SPECIES WOULD TOTAL 15 TREES (60%) AND THE TOTAL UNDERSTORY SPECIES WOULD TOTAL 9 TREES (40%).

4. AFFORESTATION CONCEPT:

THE PROPOSED AFFORESTATION AREA WILL BE COMPRISED OF TREE SPECIES WHICH WERE FOUND ON THE SITE. THE PERIMETER AREA (AREA A) WILL CONSIST OF LARGER CALIPER TREES ALONG THE EDGES (SMALLER STOCK WILL BE PROPOSED IN THE INTERIOR AREA (AREA B). JUGLANS NIGRA WAS THE DOMINANT TREE SPECIES FOUND IN THE LOCATION OF THE PROPOSED AFFORESTATION AREA DURING THE SIMPLIFIED FOREST STAND DELINEATION. OTHER TREE SPECIES OBSERVED IN THE VICINITY OF THE PROPOSED AREA (WITHIN TREE STAND) OBSERVED AT THE SITE INCLUDED PRUNUS SEROTINA, LIRIODENDRON AND SASSAFRAS. THESE SPECIES ARE ALL TYPICAL OF THE "TULIP TREE - WHITE OAK - NORTHERN RED OAK" FOREST COVER TYPES.

PROPOSED AFFORESTATION PER AREA DESIGNATION

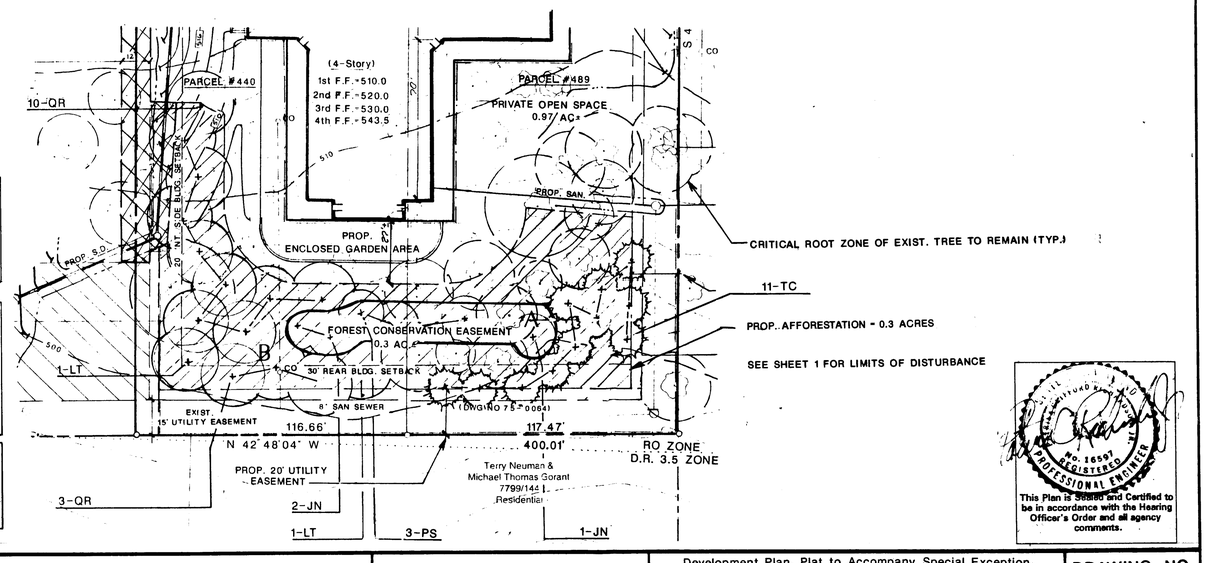
KEY	CANOPY DOMINANT SPECIES	AREA DESIGNATIONS A	B	TOTAL PER SPECIES
LT	* LIRIODENDRON TULIPIFERA/TULIP TREE			
	2" CALIPER	0	2	2
	1" CALIPER			
QR	QUERCUS RUBRA/NORTHERN RED OAK			
	2" CALIPER	0	13	13
	1" CALIPER	—	—	—
	TOTAL CANOPY DOMINANT SPECIES	0	15	15

KEY	COMMON UNDERSTORY SPECIES	AREA DESIGNATIONS A	B	TOTAL PER SPECIES
TC	TSUGA CANADENSIS/EASTERN HEMLOCK			
	2" CALIPER	0	11	11
	1" CALIPER			
JN	* JUGLANS NIGRA/BLACK WALNUT			
	2" CALIPER			
	1" CALIPER	3	0	3
PS	* PRUNUS SEROTINA/BLACK CHERRY			
	2" CALIPER			
	1" CALIPER	3	0	3
	TOTAL UNDERSTORY SPECIES	6	11	17

* DESIGNATED PIONEER SPECIES

EXISTING TREES TO REMAIN IN AFFORESTATION AREA

COMMON UNDERSTORY TREES	AREA DESIGNATIONS A	B	TOTAL PER SPECIES
* JUGLANS NIGRA/BLACK WALNUT			9



This Plan is Sealed and Certified to be in accordance with the Hearing Officer's Order and all agency comments.

STV GROUP, INC.
Engineers Surveyors Planners
21 Governor's Court Baltimore, Maryland 21207
Telephone : 410-944-9112

REVISIONS

NO	DATE	DESCRIPTION
1	12/9/94	REVISE FOREST CONSERVATION
2	1/24/95	PER BALTO. CO. COMMENTS & REV. BLDG. FOOTPRINT

PLAN PREPARATION

DRAWN BY	KHM	DATE	Dec. 2, 1994
DESIGNED BY	KHM	SCALE	As Noted
CHECKED BY	DKW & PCR		

Development Plan, Plat to Accompany Special Exception and Preliminary Forest Conservation Plan
Standish Assisted Living Home
Developed By: Two Rivers Retirement Homes, Inc.
(ASSISTED LIVING FACILITY)
1838 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

DRAWING NO. 61-9155
SHEET NO. 2 of 3

ZADM #111-398

165899
TCA 301-565-3340

Development Plan Hearing and Petition for Special Exception.— Case Nos. III-398 & 95-202-X

The following decision at the Hearing Officer's Hearing hearing held on Feb. 7, 1995:

IN RE: DEVELOPMENT PLAN HEARING and PETITION FOR SPECIAL EXCEPTION for Standish Assisted Living Home 1838 Reisterstown Road 3rd Election District 3rd Councilmanic District

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case Nos. III-398 & 95-202-X

John F. Owings, Jr., Owner;
Two Rivers Retirement Homes, Inc. - Developer

* * * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Hearing Officer for consideration of a development plan prepared by STV Group, Inc., and a Petition for Special Exception for the proposed development of the subject property by John F. Owings, Jr., Owner, and Two Rivers Retirement Homes, Inc., Developer and Contract Purchaser, with an assisted living facility with a capacity of 86 beds, in accordance with the development plan submitted into evidence as Developer's Exhibit 1. In addition to development plan approval, the Applicants request a special exception to permit an assisted living facility on the subject property, pursuant to Sections 432.1.A.3, 1B01.C.22 and 203.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and relief sought are more particularly described on the site plan submitted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing required for this project were John Owings, owner, Michael Doyle, President of Standish Care Company, Mickey Cornelius, Vice President of The Traffic Group, Michael Lin, and Robert A. Hoffman, Esquire, attorney for the Owner/Developer. Numerous representatives of the various Baltimore County reviewing agencies attended the hearing as did several residents from the surrounding locale, including Ms. Lillian Berger, a resident of the Grey Rock community, and Sidney Freeman, President of the Pikesville Chamber of Commerce. In addition, Mr. Richard Talkin appeared on behalf of the Woodholme Country Club, adjoining property owner.

As to the history of this project, the concept plan conference for this development was conducted on October 31, 1994. As required, a community input meeting was held at the Pikesville Library on November 22, 1994. Subsequently, a development plan was submitted and a conference thereon was conducted on January 18, 1995. Following the submission of that plan, comments were submitted by the appropriate agencies of Baltimore County and a red-lined development plan incorporating these comments and bearing a revision date of January 24, 1995 was submitted at the hearing held before me on February 7, 1995.

The subject property is located on the west side of Reisterstown Road, directly opposite the entrance to the Festival at Woodholme Shopping Center. It also borders the fourth hole of the Woodholme Country Club. As noted above, the property is proposed to be developed with an assisted living facility. The property actually consists of two separate parcels of land, one of which consists of 2.19 acres, more or less, zoned R.O., and is identified as Phase I on Developer's Exhibit 1. Phase I will be developed with the proposed assisted living facility. Phase II of the property consists of 1.56 acres, split zoned R.O. and D.R. 3.5, and is improved with two dwellings. Phase II of the property will also contain the storm water management facility for the proposed project.

At the public hearing before me, I am required to determine what, if any, agency comments remain unresolved. On behalf of the Developer, Mr. Robert Hoffman stated that he was unaware of any unresolved comments or issues relative to the development plan. In addition, the representatives of the various Baltimore County reviewing agencies who were in attendance indicated that all issues raised within their respective comments had been resolved and incorporated within the red-lined development plan. As for the citizens in attendance, Ms. Lillian Berger, on behalf of the Grey Rock Community Association, raised an issue concerning traffic conditions on Reisterstown Road and what effect, if any, the proposed project will have on existing traffic patterns.

In response to the concerns raised by Ms. Berger, Mr. Hoffman called Mr. Michael Doyle, President of Standish Care, to testify. Mr. Doyle testified that Standish Care operates 13 or 14 assisted living facilities primarily along the east coast of the United States. He indicated that his company is the fourth largest provider of assisted living facilities in the country. He offered testimony regarding the amount of traffic which they project will be generated by the proposed facility. Mr. Doyle indicated that rarely does a resident of this type of facility operate a motor vehicle. He indicated that once an individual chooses to reside in an assisted living facility, they generally do not retain their driver's license. Therefore, it was his opinion that there would be little, if any, traffic generated by any of the residents of this facility. He did, however, estimate that employees who work at the facility would generate traffic to and from the site. He testified that the peak hours of operation for this facility will be from 10:00 AM to 3:00 PM, which are considered off peak from the morning and evening rush hours. Mr. Doyle testified that the total number of employees who will work at this facility will be somewhere between 37 to 40 employees. He also testified that no more than 17 employees would be working at the facility at any one time. Out of those 17 employees, it was estimated, based upon other facilities they operate, that 30 to 50% of those employees would utilize mass transit facilities to and from work. This project is located directly on Reisterstown Road which is serviced by the Mass Transit Administration. Therefore, the number of trips which are expected to be generated by this facility would be about 10 to 12 trips each morning and afternoon.

Mr. Doyle also testified concerning deliveries to the site. He indicated that there are usually two food service deliveries to the site per day. He testified that all food is prepared on site and that no food is prepared off-site and brought to the facility. He indicated that laundry facilities are provided on-site so there is no laundry service.

Mr. Mickey Cornelius, Vice President of The Traffic Group, appeared and testified on behalf of the Applicant. Mr. Cornelius basically reiterated the testimony presented by Mr. Doyle as to the number of trips expected to be generated by the proposed facility. Mr. Cornelius also testified concerning the level of operation at various intersections along Reisterstown Road, including Mt. Wilson Lane, the Festival at Woodholme, and Hooks Lane. He testified that the intersections at Mt. Wilson Lane and the Festival at Woodlholme both operate at a level "A" and that the intersection at Hooks Lane has been upgraded from a level "D" to a "C" level of operation. While some residents questioned the accuracy of these calculations, they were nonetheless the findings of the latest traffic counts prepared by the Baltimore County Bureau of Traffic Engineering.

Mr. Cornelius also testified that there will be changes to the traffic light which will service the subject facility. Testimony indicated that there currently exists a traffic light at the intersection of the Festival at Woodholme and Reisterstown Road. This traffic light will be utilized by the assisted living facility as a point of ingress and egress. Therefore, all traffic coming to the site will enter through a signal controlled intersection which will provide a greater level of safety for this site. Also the applicant is providing an acceleration (or deceleration) lane along Reisterstown Road in a southerly direction.

In addition to the witnesses called by the applicant, Mr. Robert Small, a representative of the State Highway Administration (SHA) attended the hearing. As is customary, the SHA sends a representative to development plan hearings when a development imposes upon a State highway. Mr. Small assured Ms. Berger who raised the traffic issue, that the SHA would study the traffic situation at this particular intersection and make appropriate modifications to the traffic light in order to assist and accommodate any additional traffic generated by the proposed facility. Mr. Small provided the name of the State Traffic Engineer who handles Reisterstown Road to Ms. Berger so that she may contact that individual directly to participate in any modifications to the traffic signal that will serve the proposed development as well as others along Reisterstown Road. These traffic lights have been of concern to the Grey Rock Community Association, both at this hearing and others held before this Hearing Officer. Hopefully, Ms. Berger will be allowed to participate and offer comments to the SHA as to any modifications proposed for these traffic lights.

After reviewing all of the testimony and evidence presented concerning the issue of traffic, I am persuaded that the proposed assisted living facility will not increase the level of traffic to a level that would justify a denial of the development plan. Inasmuch as the issue of traffic was the only issue raised concerning this development, and that issue has been resolved in favor of the Applicant, the development plan as submitted shall be approved.

Mr. Richard Talkin appeared on behalf of the Woodholme Country Club. Mr. Talkin stated that he had met with the Applicants in this case to discuss their concerns with the proposed project and that an agreement had been reached, a copy of which was submitted to this Hearing Officer as Developer's Exhibits 2 and 3 with attachments. On behalf of the Applicants, Mr. Hoffman testified that his clients agreed with the terms of the agreements reached with the Woodholme Country Club and agreed that same should be incorporated as a condition to approval of the development plan and special exception request before me.

As to the Petition for Special Exception, the Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

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

As stated previously, Mr. Richard Talkin, appeared on behalf of the Woodholme Country Club. Mr. Talkin asked, and it was agreed, that the agreement reached between this Developer and the Woodholme Country Club would be incorporated as part of the special exception approval. Therefore, the provisions of the Restrictive Covenant Agreement, identified herein as Developer's Exhibit 2, and the Maintenance Agreement marked as Developer's Exhibit 3, with attachments, shall be enforceable as part of the special exception relief granted. Also, it should be noted that the special exception for the proposed assisted living facility only applies to that portion of the property identified as Phase I on Developer's Exhibit 1 and Petitioner's Exhibit 1. Phase II of the property which contains two dwellings and the proposed storm water management facility for this project is not part of the special exception request. Therefore, any attempt to develop Phase II in the future will require the Applicants to petition for a public hearing to determine the appropriateness of any improvements to that portion of the property.

Pursuant to the zoning and development plan regulations of Baltimore County as contained within the B.C.Z.R. and Subtitle 26 of the Baltimore County Code, the advertising of the property and public hearing held thereon, the development plan shall be approved and the Petition for Special Exception granted consistent with the comments contained herein and the restrictions set forth hereinafter.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner and Hearing Officer for Baltimore County this 15th day of February, 1995 that the development plan for Standish Assisted Living Home, identified herein as Developer's Exhibit 1, be and is hereby APPROVED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit an assisted living facility on the subject property, pursuant to Sections 432.1.A.3, 1B01.C.22 and 203.3.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The Restrictive Covenant Agreement identified herein as Developer's Exhibit 2, and the Maintenance Agreement marked as Developer's Exhibit 3 which was entered into between the Woodholme Country Club and the Two Rivers Retirement Homes, Inc., are hereby incorporated herein and made a part of this Order. Those agreements are enforceable and binding upon the heirs, successors, assigns, and any transferees of the subject property.

3) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be taken in accordance with Section 26-209 of the Baltimore County Code.

Timothy M. Kotroco
Hearing Officer
for Baltimore County

TMK:bjs

STV GROUP, INC.
Engineers Surveyors Planners
21 Governor's Court Baltimore, Maryland 21244-2722
Telephone : 410-944-9112

CAD DWG, INC. 10-155-1139 (95x17)

REVISIONS		
NO	DATE	DESCRIPTION

PLAN PREPARATION	
DRAWN BY TRW	DATE DEC. 2, 1994
DESIGNED BY	SCALE
CHECKED BY DKW/KHM	

Development Plan, Plat to Accompany Special Exception and Preliminary Forest Conservation Plan
Standish Assisted Living Home
Developed By: Two Rivers Retirement Homes, Inc.
(ASSISTED LIVING FACILITY)
1838 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND

DRAWING NO. 61-9155
SHEET NO. 3 of 3

ZADM #111-398

NORTH

PROPOSED HANDICAPPED RAMP

PRELIMINARY LIGHTING LOCATION SUBJECT TO CHANGE (TYP.)

PROPOSED DOUBLE - FACED SIGN (+9'-4" HT., 84 SF/FACE)

EXISTING BUILDING TO BE DEMOLISHED

PROPOSED USE-IN-COMMON INGRESS / EGRESS

920'± TO ℄ OF MOUNT WILSON LA.

MD. ROUTE 140 REISTERSTOWN ROAD (PUBLIC - STATE OF MARYLAND)

(SHA PLAT No. 49932)

FESTIVAL AT WOODHOLME PLAT S.M. 59, FOLIO 79

WOODHOLME CENTER CIRCLE

PROPOSED WALK

POINT OF BEGINNING N 553,776.43 W 34,636.44

S 42° 09'11" E 342.20'

BEACHMARK SET 1/2" REBAR W/ PLASTIC CAP "LAND" ELEVATION=537.83'

FUTURE 60' R/W

EX. 66' R/W

70'± TO NEAREST F.H.

BUS PARKING SPACE (10' x 25')

PROP. DUMPSTER & 8' HT BRICK ENCLOSURE (10' x 24')

PROPOSED 3-STORY BUILDING ASSISTED LIVING FACILITY (115 BEDS) F.F. ELEV. = 531.00

PROP. GREASE TRAP

PROP. COOLING TOWER (8' x 15') - NOT AN ACCESSORY STRUCTURE. THE COOLING TOWER IS PART OF THE MECHANICAL SYSTEM OF THE BUILDING AND IS ATTACHED TO BUILDING BY UNDERGROUND PIPES.

PROP. FENCE (±16' HT.)

PROP. LOADING SPACE (18' X 12')

PROPOSED TRANSFORMER

PROPOSED WOOD FENCE (±8' HT.)

PROP. 20' UTILITY & S.W.M. ACCESS EASEMENT

PRELIMINARY PLANTING IN COURTYARD AND TERRACE AREA SUBJECT TO CHANGE

PROP. TERRACE

ABANDON EXIST. 8" SAN. SEWER

LIMIT OF DISTURBANCE

PROPOSED RELOCATION OF PUBLIC SANITARY MAIN

PROPOSED PLANTINGS SHOWN IN THIS AREA ARE FOR SCREENING PURPOSES. THESE PLANTINGS HAVE NOT BEEN INCLUDED IN LANDSCAPE CALCULATIONS. PLEASE NOTE THAT THESE PLANTINGS ARE CONCEPTUAL AND MAY BE MODIFIED DURING FINAL DESIGN.

PROPOSED SATELLITE DISH

PROPOSED PLANTER (±3' HT.)

PROPOSED RETAINING WALL W/ 6' FENCE

PROPOSED PRIVATE OPEN SPACE (0.43 AC.)

STORMWATER MANAGEMENT EASEMENT LIBER S.M. 11051, FOLIO 338

50' CROSS EASEMENT LIBER S.M. 10063, FOLIO 624 & LIBER S.M. 11012, FOLIO 545

N 42°49'32" W 234.27'

N 47°48'26" E 73.38'

S 83°15'19" W 185.18'

S 47°50'49" W 328.42'

N 47°45'00" E 490.78'

N 42°15'00" W 192.00'

FREESTANDING SIGN

NOT TO SCALE

SIGN NOTES:
1. TOTAL NUMBER OF SIGNS = 1
2. TOTAL SIGN AREA = 168SF DOUBLE-FACED SIGN (84SF PER SIDE)

Site Development Proposal

DWELLING TYPE	PROPOSED UNITS	PARKING REQUIRED	PARKING PROPOSED	OPEN SPACE
ASSISTED LIVING	115 BEDS	115 BEDS @ 1/3 BEDS = 39	54 SP.	REQUIRED: 115 BEDS @ 650 S.F./ 4 BED= 18,688 S.F. (0.43 AC.) PROVIDED: 18,688 S.F. (0.43 AC.)

VICINITY MAP
SCALE: 1"=1,000'

Legend:

- PROPOSED MAJOR DECIDUOUS TREES
- PROPOSED MINOR DECIDUOUS TREES
- PROPOSED EVERGREEN TREES
- PROPOSED SHRUBS
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED WATER
- PROPOSED SANITARY
- PROPOSED STORM DRAIN
- LIMITS OF PRIVATE OPEN SPACE
- ZONING LINE
- LIMITS OF DISTURBANCE
- SOILS LINE (GcB2 / GcC2)

FOREST CONSERVATION NOTE:

THE FOREST CONSERVATION FOR THIS DEVELOPMENT IS BEING PROPOSED IN CONJUNCTION WITH THE STORMWATER MANAGEMENT (SWM) DESIGN. SWM WILL CONSIST OF BIO-RETENTION BAYS WHICH WILL UTILIZE FOREST CONSERVATION PLANTINGS FOR SLOPE STABILIZATION, REDUCTION OF EROSION AND TREATMENT FOR WATER QUALITY. A VARIANCE FROM THE FOREST CONSERVATION REQUIREMENTS WILL BE SUBMITTED FOR REVIEW BY BALTIMORE COUNTY DEPRM. IN THE EVENT THE FOREST CONSERVATION VARIANCE IS NOT APPROVED, FOREST CONSERVATION WILL BE FULFILLED AT AN OFF-SITE LOCATION OR A FEE-IN-LIEU SHALL BE PAID.

PLAN TO ACCOMPANY HEARING OFFICER'S ORDER

11/6/98 DATE — Christine Rorke PROJECT MANAGER

SECOND AMENDED

STATE OF MARYLAND — DEBRA KAY WILTROUT — REGISTERED LANDSCAPE ARCHITECT — No. 1225

It is Certified that this Plan is or Plat is in Compliance with all plans previously approved by the County and Baltimore County comments attendant thereto.

STV Incorporated
engineers / architects / planners / scientists / construction managers
21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112

REVISIONS

NO.	DATE	DESCRIPTION
1	4/25/97	REVISE ENTRANCE LAYOUT, S.W.M. BASIN & OUTFALL
2	6/11/97	REVISE S.W.M. / FOREST CONSERVATION
3	7/29/97	ADD FOREST CONSERVATION NOTE PER DEPRM
4	9/17/97	REVISE PARKING PER CLIENT

GRAPHIC SCALE 90 60 30 0 60 75 45 15 30 90

PLAN PREPARATION

DRAWN BY:	T. KILLMEYER	DATE:	MARCH 19, 1997
DESIGNED BY:	C. WILKINSON	SCALE:	1" = 30'
CHECKED BY:			61-1401

DEVELOPMENT PLAN

BRIGHTON GARDENS
1838 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND
DRC NO. 021071 AMD DRC NO. 10067 A

DRAWING NO. DP-1

SHEET NO. 1 of 3

PDM# III-398

FILE: I:\projects\1401\dp01\sprd.dgn
DATE: 09/29/97 14:01

General Notes:

1. APPLICANT: MARRIOTT INTERNATIONAL INC.
MARRIOTT DRIVE
WASHINGTON, DC 20058

CONTACT: JOHN HOGAN (301-380-9000)
WILL HOLMES (301-380-8949)

2. OWNERS: PARCEL 440
EMERITUS CORPORATION (FORMERLY ASSISTED LIVING OF AMERICA, INC.)

DEED REFERENCE: 11051/335
TAX ACCOUNT: 1700006251
SITE ADDRESS: 1840 REISTERSTOWN ROAD

PARCEL 489
EMERITUS CORPORATION (FORMERLY ASSISTED LIVING OF AMERICA, INC.)
DEED REFERENCE: 11051 / 335
TAX ACCOUNT: 170006253
SITE ADDRESS: 1838 REISTERSTOWN ROAD

PARCEL 228
W P AT RR INC.
DEED REFERENCE: 7798 /265
TAX ACCOUNT: 1900005053
SITE ADDRESS: 1836 REISTERSTOWN ROAD

PARCEL 434
MARSHALL W. AND TAMMY FESCHE
DEED REFERENCE: 11821 /570
TAX ACCOUNT: 0322045277
SITE ADDRESS: 1832 REISTERSTOWN ROAD

3. ELECTION DISTRICT: 3
COUNCILMANIC DISTRICT: 3
CENSUS TRACT: 4037.02

4. WATERSHED 27: SUBSEWERSHED 65
WATER DESIGNATION W-1: SEWER DESIGNATION S-1

5. A. EXISTING USE: VACANT LOTS
PROPOSED USE: ASSISTED LIVING FACILITY
(115 BEDS TOTAL)

B. CURRENT ZONING AND ACREAGE:
2.10 AC.± (OR-2 ZONE)
1.04 AC.± (RO ZONE)
0.04 AC.± (DR 3.5 ZONE)
TOTAL 3.18 AC.± NET

2.265 AC.± (OR-2 ZONE)-INCLUDES 30' REISTERSTOWN RD.
1.107 AC.± (RO ZONE)-INCLUDES 30' REISTERSTOWN RD.
0.04 AC.± (DR 3.5 ZONE)
0.003 AC.± (BM ZONE) -LOCATED IN REISTERSTOWN RD.
TOTAL 3.415 AC.± GROSS

C. FLOOR AREA RATIO:
69,109 S.F. BUILDING
148,757 S.F. GROSS SITE AREA
= 0.46

D. PARKING REQUIRED:
115 BEDS @ 1/3 BEDS = 39 SP.

PARKING PROVIDED: = 49 SP.

ALL PARKING SPACES SHALL BE PERMANENTLY STRIPED. ALL PAVING SHALL BE PAVED WITH A DURABLE, DUSTLESS AND PROPERLY DRAINED SURFACE MAINTAINED SO AS NOT TO CREATE ANY UNDESIRABLE CONDITIONS.

E. DENSITY PERMITTED:
(OR ZONE) 2.265 AC. @ 10.5 D.U. = 23.78 D.U.
(RO ZONE) 1.107 AC. @ 5.5 D.U. = 6.09 D.U.
TOTAL 29.87 D.U.

DENSITY PROPOSED:
(ASSISTED LIVING) 115 BEDS @ 4 BEDS/D.U. = 29 D.U.

F. LANDSCAPE REQUIREMENTS:
341 LF + ADJ. RD. @ /140 ± = @.5 (4.25 MD)
80 LF + INT. RD. @ 120 = 4.0 (2 MD)
49 SP @ 1/12 = 4.08 (3.06 MD)
310 LF + CLASS B' SCR @ 1/15 = 20.6
342 LF + CLASS A' SCR @ 1/15 = 22.8
TOTAL REQUIRED = 80 (10 MD)

LANDSCAPE PROVIDED:
23 MD @ 1/1 = 23 P.U. (23 MD)
1 EVGR @ 2/1 = .5 P.U.
242 SHRUBS @ 5/1 = 48.4 P.U.
SUB TOTAL PROVIDED = 72 (23 MD)

LANDSCAPE PROVIDED FOR TERRACE/COURTYARD/FOUNDATION:
7 MnO = = 3.5 P.U.*
420 SHRUBS @ 5/1 = 87.5 P.U.*
TOTAL PROVIDED = 156.2 P.U. *
* LANDSCAPE FOR TERRACE/COURTYARD/FOUNDATION SUBJECT TO CHANGE

G. OPEN SPACE REQUIRED
115 BED @ 650 SF/4 BED = 18,688 SF (0.43 ACRE)
OPEN SPACE PROVIDED: = 0.43 ACRE

OPEN SPACE SHALL BE PRIVATE.

6. AVERAGE DAILY TRIPS:
115 UNITS @ 3.5/UNIT = 402.5 ADT

7. THE SITE IS LOCATED ON MTA BUS ROUTE NUMBER 9.

8. ALL LIGHTING SHALL BE SO ARRANGED AS TO REFLECT THE LIGHT AWAY FROM ADJACENT RESIDENTIAL SITES AND PUBLIC STREETS.

9. BUILDING SETBACKS: RO ZONE (RESIDENTIAL-OFFICE)
(NON RESIDENTIAL PRINCIPAL BUILDING - D.R. 10.5 ZONE)

		REQUIRED	PROPOSED
FRONT YARD	=	25'	±114'
INTERIOR SIDE YARD	=	20'	±102' FROM EAST PROPERTY LINE
			0' FROM WEST PROPERTY LINE
STREET CORNER SIDE	=	35'	± N/A
REAR YARD	=	50'	± 98'
* MAXIMUM BUILDING HEIGHT	=	50' MAX.	MAXIMUM ±35'-8" (FRONT ELEV.)
MAXIMUM BUILDING LENGTH	=	200' MAX.	215'

* THE PROPOSED 50 FOOT MAXIMUM HEIGHT IS MEASURED BY THE VERTICAL DISTANCE FROM THE HIGHEST POINT ON THE BUILDING TO THE HORIZONTAL PROJECTION OF THE CLOSEST POINT AT EXTERIOR GRADE PER SECTION 101 BCZR.

10. SOIL TYPES:

SYMBOL	SERIES
GoC2	GLENELG
GoC2	GLENELG
CeB2	CHESTER

11. THERE ARE NO KNOWN STREAMS, BODIES OF WATER, OR SPRINGS LOCATED ON THE SITE.

12. THERE ARE NO KNOWN WETLANDS, ARCHEOLOGICAL SITES OR ENDANGERED SPECIES.

13. THE SITE DOES NOT INCLUDE NOR IS IT CONTIGUOUS TO ANY BUILDINGS, PROPERTY, OR SITES ON AN HISTORICAL INVENTORY OR LIST.

14. THE SITE IS NOT LOCATED WITHIN A 100-YEAR FLOODPLAIN OR FLOOD AREA. (FEMA FLOOD INSURANCE RATE MAP NO. 0240 B, DATED MARCH 2, 1981)

15. THERE ARE NO KNOWN SEPTIC OR WELL AREAS LOCATED ON THE SITE.

16. THERE ARE NO KNOWN UNDERGROUND STORAGE TANKS OR HAZARDOUS MATERIAL LOCATED ON THE SITE.

17. THE SITE IS NOT LOCATED IN A CRITICAL AREA.

18. ZONING MAP NUMBER: NW 9-F

19. ZONING HISTORY
A. CASE NOS. III-398 & 95-202-X: A SPECIAL EXCEPTION TO ALLOW AN ASSISTED LIVING FACILITY WAS GRANTED BY THE HEARING OFFICER FOR BALTIMORE COUNTY ON FEBRUARY 15, 1995 SUBJECT TO THE FOLLOWING RESTRICTIONS.

1) THE PETITIONERS MAY APPLY FOR THEIR BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER; HOWEVER, PETITIONERS ARE HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT THEIR OWN RISK UNTIL SUCH TIME AS THE 30-DAY APPELLATE PROCESS FROM THIS ORDER HAS EXPIRED. IF, FOR WHATEVER REASON, THIS ORDER IS REVERSED, THE RELIEF GRANTED HEREIN SHALL BE RESCINDED.

2) THE RESTRICTIVE COVENANT AGREEMENT IDENTIFIED HEREIN AS DEVELOPER'S EXHIBIT 2, AND THE MAINTENANCE AGREEMENT MARKED AS DEVELOPER'S EXHIBIT 3 WHICH WAS ENTERED INTO BETWEEN THE WOODHOLME COUNTRY CLUB AND THE TWO RIVERS RETIREMENT HOMES, INC., ARE HEREBY INCORPORATED HEREIN AND MADE A PART OF THIS ORDER. THOSE AGREEMENTS ARE ENFORCEABLE AND BINDING UPON THE HEIRS, SUCCESSORS, ASSIGNS, AND ANY TRANSFEREES OF THE SUBJECT PROPERTY.

3) WHEN APPLYING FOR A BUILDING PERMIT, THE SITE PLAN AND/OR LANDSCAPING PLAN FILED MUST REFERENCE THIS CASE AND SET FORTH AND ADDRESS THE RESTRICTIONS OF THIS ORDER.

B. A PORTION OF THE SITE PREVIOUSLY ZONED RO. DURING THE 1996 COMPREHENSIVE ZONING PROCESS THIS PORTION WAS REZONED TO DR-2 (ISSUE NO. 2-001).

20. A MODIFICATION OF STANDARDS WILL BE REQUESTED FROM SECTION 1B01.2.B.2 (BCZR) AND SECTION A.29 OF THE CMDP TO PERMIT A TOTAL BUILDING LENGTH OF ± 215' IN LIEU OF THE PERMITTED 200'.

21. THE DEVELOPMENT REVIEW COMMITTEE (DRC) GRANTED APPROVAL OF A DEVELOPMENT PLAN REFINEMENT PER SECTION 26-211 OF THE BALTIMORE COUNTY DEVELOPMENT REGULATIONS ON FEBRUARY 18, 1997 (DRC NUMBER 0210TJ).

22. THERE HAVE BEEN NO PREVIOUS COMMERCIAL PERMITS ISSUED FOR THE SITE.

A. A SPECIAL EXCEPTION TO ALLOW A ASSISTED LIVING FACILITY AND MODIFICATIONS TO THE FOLLOWING RESIDENTIAL TRANSITION AREA (RTA) STANDARDS PURSUANT TO SECTION 432.4.

B. VARIANCE FROM SECTION 206.3.C.2.b.1 OF THE BALTIMORE COUNTY ZONING REGULATIONS TO PERMIT 84 SQ. FT. PER FACE OF SIGN AREA IN LIEU OF THE REQUIRED 25 SQ. FT. PER FACE.

C. VARIANCE FROM SECTION 206.3.C.2.b.3 OF THE BALTIMORE COUNTY ZONING REGULATAIONS TO PERMIT A SIGN 9 FT-4 IN. IN HEIGHT IN LIEU OF THE REQUIRED 6 FT. HEIGHT.

D. VARIANCE FROM SECTION 1B01.2.C.1.a TO PERMIT A NON-RESIDENTIAL PRINCIPLE BUILDING SIDE YARD SETBACK OF 3 FT. IN LIEU OF THE REQUIRED 20'.

23. THERE ARE NO RESIDENTIAL TRANSITION AREAS (RTA'S) ON THE SITE. THERE ARE NO SINGLE FAMILY, DUPLEX DWELLINGS OR UNIMPROVED LOTS OF RECORD LESS THAN 2 ACRES LOCATED WITHIN 150 FEET OF THE TRACT BOUNDARY.

24 A WAIVER WILL BE REQUESTED FROM THE BALTIMORE COUNTY STORMWATER MANAGEMENT REQUIREMENTS.

25 A WAIVER WILL BE REQUESTED FROM THE BALTIMORE COUNTY FOREST CONSERVATION REQUIREMENTS.

26. THE DEVELOPMENT REVIEW COMMITTEE (DRC) GRANTED APPROVAL OF A DEVELOPMENT PLAN REFINEMENT ON OCTOBER 6, 1997 (DRC NUMBER 1006TJA). THIS REFINEMENT INCLUDED MODIFICATION TO THE PARKING LAYOUT AND ENTRANCE AREA. THIS RESULTED IN THE REDUCTION OF PARKING FROM 54 TO 49 SPACES, AND MINOR CHANGES TO THE LANDSCAPE DESIGN.

Forest Buffer and / or Forest Conservation Notes:

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EASEMENT EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

ANY FOREST BUFFER EASEMENT SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.

Certification as to Delinquent Accounts

I, WILLIAM M. HOLMES, CERTIFY UNDER OATH THAT THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.

William M. Holmes 3/14/97

Landscape Architect's and Owner's Signature and Certification Form

"I CERTIFY THAT I HAVE REVIEWED THIS SCHEMATIC LANDSCAPE PLAN, THAT I AM AWARE OF THE LANDSCAPE REGULATIONS PRESENTED IN THE BALTIMORE COUNTY LANDSCAPE MANUAL, LATEST EDITION, AND I AGREE TO COMPLY WITH THESE REGULATIONS AND ALL APPLICABLE POLICY, GUIDELINE, AND ORDINANCES."

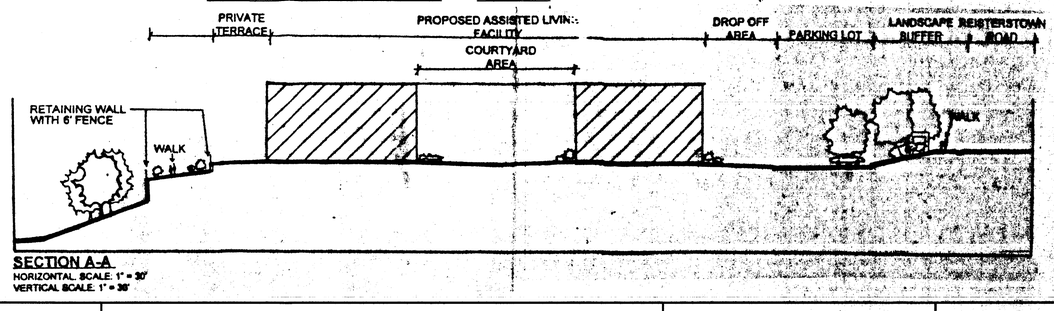
William M. Holmes 3/14/97
SIGNATURE OF APPLICANT DATE

WILLIAM M. HOLMES
PRINT NAME

LANDSCAPE ARCHITECT'S SIGNATURE

DEBRA K. WITTLE
PRINT NAME

STATE OF MARYLAND DEBRA KAY WITTLE REGISTERED LANDSCAPE ARCHITECT NO. 855



SECTION A-A
HORIZONTAL SCALE 1" = 30'
VERTICAL SCALE 1" = 30'

PLAN TO ACCOMPANY HEARING OFFICER'S ORDER
11/3/98 Christine Rorke
DATE PROJECT MANAGER

SECOND AMENDED

FILE: h:\projects\1401\dp\dp2.dgn
DATE: 14-Oct-97 09:35

STV Incorporated
engineers / architects / planners / scientists / construction managers
21 Governor's Court Baltimore, MD 21244-2722 (410) 944-9112

REVISIONS

NO.	DATE	DESCRIPTION
1	4/25/97	REVISE NOTE 5D PER NEW ENTRANCE LAYOUT
2	6/11/97	REVISE NOTES 5, 10, 24, 25 / FOREST CONSERVATION
3	7/29/97	ADD FOREST CONSERVATION NOTE PER DEPRM
4	9/17/97	REVISE NOTES 5D AND 5F PER NEW ENTRANCE LAYOUT
5	12/5/97	REVISE NOTE 26 PER COUNTY COMMENTS.

GRAPHIC SCALE
90 60 30 0 60
75 45 15 30 90

PLAN PREPARATION

DRAWN BY:	T. KILLMEYER	DATE:	MARCH 19, 1997
DESIGNED BY:	C. WILKINSON	SCALE:	1" = 30'
CHECKED BY:			61-1401

DEVELOPMENT PLAN
BRIGHTON GARDENS
1838 REISTERSTOWN ROAD
BALTIMORE COUNTY, MARYLAND
DRC NO. 0210TJ AND DEC NO 1006TJA
PDM# III-398

DRAWING NO. DP-2
SHEET NO. 2 of 3