To Repro + Then Archive
1997-0518-SPHXA

KEVIN KAMENETZ
County Executive

ARNOLD JABLON
Deputy Administrative Officer
Director, Department of Permits,
Approvals & Inspections

11/22/11

Levin & Gann
Attn: Mr. Howard Alderman
Nottingham Centre
502 Washington Ave., 8th Floor
Towson, MD 21204

Re: Spirit and Intent determination
Zoning Case # 1997-0518- SPHXA
64 Main Street
4th ED

Dear Mr. Alderman:

This is a response to your letter and plans dated 11/08/11 to Mr. Arnold Jablon, Director of Permits, Approvals and Inspections, who has authorized this reply.

Pursuant to your provided information you are requesting a zoning Spirit and Intent letter for a determination that existing Building "C" originally approved for a 15 bed Assisted Living Facility (ALF) may be allowed an increase to 24 beds.

You also propose to eliminate Building "B" as approved for 9 ALF beds by the Special Exception. According to our recent discussion, the RTA elements for the building will no longer be required. These 9 residents are to occupy building "C".

Therefore: the staff has determined that since the onsite zoning remains unchanged, and that that elderly housing is permitted in any story of a building, the above stated changes for the 24 bed ALF in Building "C" and the elimination of Building "B" with a reduction in required parking as shown on the red-lined hearing plans, is in Spirit and Intent compliance with the Approved Plan and Order and is so approved for Zoning Review.

Please be aware that this response is for Zoning Review only and is not meant to supersede any other agencies required approvals or reviews. Please document this response on any future plans submitted for County review or approval.

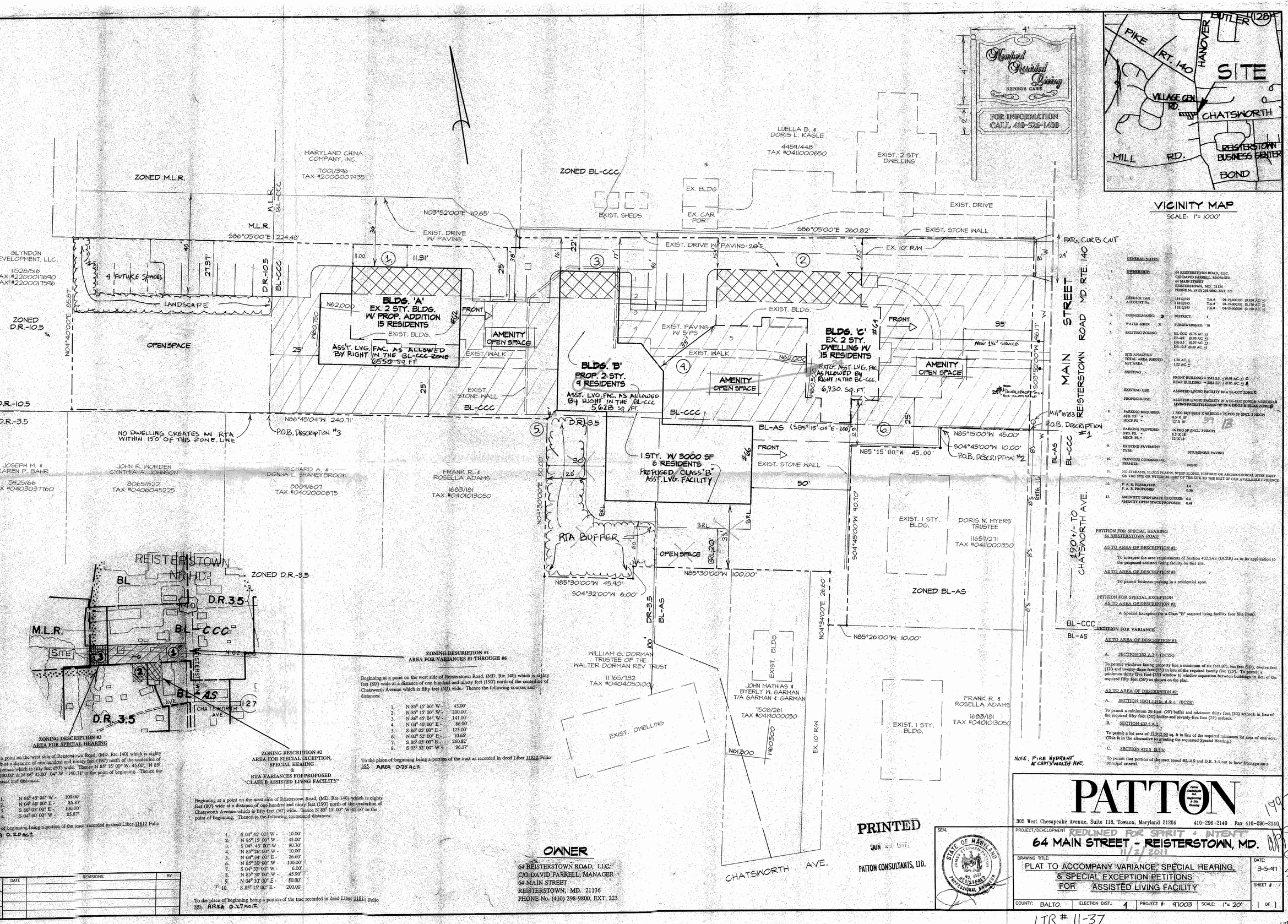
I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions please do not hesitate to contact me at 410-887-3391. Please be aware that this response is for Zoning Verification only and it is not intended for any other purpose.

The foregoing is merely an informal opinion. It is not an expert or legal opinion. It is not intended to be relied on as expert or legal advice, and is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

Sincerely,

John Lewis
Planner II
Zoning Review

JLL/11-326


Newport Assisted Living
SENIOR CARE
FOR INFORMATION
CALL 410-525-1400
4'
4'
2'
PIKE
RT. 140
BUTLER (128)
HANOVER
SITE
VILLAGE GRN RD.
CHATSWORTH
REISTERSTOWN BUSINESS CENTER
MILL RD.
BOND
VICINITY MAP
SCALE: 1"= 1000'
ZONED M.L.R.
MARYLAND CHINA COMPANY, INC.
7001/396
TAX #2000007935
M.L.R.
BL-CCC
M.L.R.
S86°05'00"E 224.48'
GLYNDON DEVELOPMENT, LLC.
11528/516
TAX #2200017690
TAX #2200017596
4 FUTURE SPACES
LANDSCAPE
ZONED D.R.-10.5
OPEN SPACE
N04°40'00"E 85.87'
D.R.-10.5
D.R.-3.5
D.R.-10.5
BLDG. 'A'
EX. 2 STY. BLDG.
W/ PROP. ADDITION
15 RESIDENTS
EXIST. BLDG.
ASST. LVG. FAC. AS ALLOWED BY RIGHT IN THE BL-CCC ZONE
6550 SQ. FT.
FRONT
#172
AMENITY OPEN SPACE
EXIST. WALK
EXIST. STONE WALL
BLDG. 'B'
PROP. 2 STY.
9 RESIDENTS
ASST. LVG. FAC. AS ALLOWED BY RIGHT IN THE BL-CCC
5,628 SQ. FT.
BL-CCC
N86°45'04"W 240.71'
P.O.B. DESCRIPTION #3
NO DWELLING CREATES AN RTA WITHIN 150' OF THIS ZONE LINE
N03°52'00"E 10.65'
EXIST. DRIVE W/ PAVING
EXIST. SHEDS
EX. BLDG
EX. CAR PORT
ZONED BL-CCC
LUELLA B. & DORIS L. KAGLE
4459/448
TAX #0411000650
EXIST. 2 STY. DWELLING
EXIST. DRIVE
S86°05'00"E 260.82'
EXIST. STONE WALL
EXTG. CURB CUT
EX. 10' R/W
EXIST. DRIVE W/ PAVING 29'±
EXIST. BLDG.
EXIST. PAVING W/ 5 PS
EXIST. WALK
N62.000
BLDG. 'C'
EX. 2 STY. DWELLING W/ 15 RESIDENTS
EXTG. ASST. LVG. FAC. AS ALLOWED BY RIGHT IN THE BL-CCC.
6,930. SQ. FT.
#169
FRONT
AMENITY OPEN SPACE
35'
NEW 1½" SERVICE
N61.800
N62.000
S03°52'00"W
MAIN STREET
REISTERSTOWN ROAD MD. RTE. 140
24' DOUBLE FRONT SIDE ROAD FLOWERED
P.O.B. DESCRIPTION #1
N85°15'00"W 45.00'
S04°45'00"W 10.00'
P.O.B. DESCRIPTION #2
N85°15'00"W 45.00'
BL-AS (S85°15'00"E 200')
1 STY. W/ 3000 SF
6 RESIDENTS
PROPOSED 'CLASS 'B' ASST. LVG. FACILITY
#166
FRONT
EXIST. STONE WALL
50'
N04°30'00"E 80.00'
RTA BUFFER
OPEN SPACE
N85°30'00"W 45.90'
S04°32'00"W 6.00'
N85°30'00"W 100.00'
N04°34'00"E 266.60'
EX. 10' R/W
EXIST. BLDG.
EXIST. DWELLING
WILLIAM G. DORMAN TRUSTEE OF THE WALTER DORMAN REV TRUST
11765/732
TAX #0404050100
JOHN MATHIAS & BYERLY W. GARMAN T/A GARMAN & GARMAN
1508/261
TAX #0419000050
EXIST. 1 STY. BLDG.
DORIS N. MYERS TRUSTEE
11659/271
TAX #0411000350
FRANK R. & ROSELLA ADAMS
1683/181
TAX #0401013050
ZONED BL-AS
N85°26'00"W 10.00'
S04°45'00"W 90.70'
85'±
85'±
BL-AS
BL-CCC
190'+/- TO CHATSWORTH AVE.
BL-CCC
BL-AS
JOSEPH M. & KAREN P. BAHR
5925/66
TAX #0403037760
JOHN R. NORDEN CYNTHIA A. JOHNSON
8065/822
TAX #0406045225
RICHARD A. & DONNA L. SHANEYBROOK
8809/607
TAX #0402000875
FRANK R. & ROSELLA ADAMS
1683/181
TAX #0401013050
REISTERSTOWN NR. MD.
ZONED D.R.-3.5
BL
D.R.3.5
M.L.R.
BL-CCC
SITE
BL-AS
CHATSWORTH AVE.
D.R. 3.5
ZONING DESCRIPTION #3
AREA FOR SPECIAL HEARING
Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W- 45.00', N 85° 15' 00" W - 200.00' & N 86° 45.00' 04" W -140.71' to the point of beginning. Thence the following courses and distances:
1. N 86° 45' 04" W - 100.00'
2. N 04° 40' 00" E - 85.87'
3. S 86° 05' 00" E - 100.00'
4. S 04° 40' 00" W - 85.87'
To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.20 Ac.±
ZONING DESCRIPTION #2
AREA FOR SPECIAL EXCEPTION, SPECIAL HEARING
&
RTA VARIANCES FOR PROPOSED 'CLASS B ASSISTED LIVING FACILITY'
Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninty feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W 45.00' to the point of beginning. Thence to the following courses and distances:
1. S 04° 45' 00" W - 10.00'
2. N 85° 15' 00" W - 45.00'
3. S 04° 45' 00" W - 90.70'
4. N 85° 26' 00" W - 10.00'
5. N 04° 34' 00" E - 26.60'
6. N 85° 30' 00" W - 100.00'
7. S 04° 32' 00" W - 6.00'
8. N 85° 30' 00" W - 45.90'
9. N 04° 30' 00" E - 80.00'
10. S 85° 15' 00" E - 200.00'
To the place of beginning being a portion of the tract recorded in deed Liber 1181- Folio 395. AREA 0.27 Ac.±
ZONING DESCRIPTION #1
AREA FOR VARIANCES #1 THROUGH #6
Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence the following courses and distances:
1. N 85° 15' 00" W - 45.00'
2. N 85° 15' 00" W - 200.00'
3. N 86° 45' 04" W - 141.00'
4. N 04° 40' 00" E - 86.00'
5. S 86° 05' 00" E - 125.00'
6. N 03° 52' 00" E - 10.65'
7. S 86° 05' 00" E - 260.82'
8. S 03° 52' 00" W - 96.17'
To the place of beginning being a portion of the tract as recorded in deed Liber 11812 Folio 395. AREA 0.75 Ac.±
OWNER
64 REISTERSTOWN ROAD, LLC.
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223
GENERAL NOTES:
1. OWNERSHIP: 64 REISTERSTOWN ROAD, LLC. C/O DAVID FARRELL, MANAGER 64 MAIN STREET REISTERSTOWN, MD. 21136 PHONE No. (410) 298-9800, EXT. 223
2. DEEDS & TAX ACCOUNT No. 11812/395 T.A.# 04-19-000305 (2.550 AC ±); 11812/395 T.A.# 04-19-000307 (1.170 AC ±); 11812/395 T.A.# 04-19-000306 (0.190 AC ±)
3. COUNCILMANIC 3 DISTRICT: 4
4. WATER SHED: 31 SUBSEWERSHED: 70
5. EXISTING ZONING: BL-CCC (0.75 AC ±); BL-AS (0.20 AC ±); DR-3.5 (0.07 AC ±); DR-10.5 (0.30 AC ±)
6. SITE ANALYSIS: TOTAL AREA (GROSS) 1.28 AC ±; NET AREA 1.22 AC ±
7. EXISTING FRONT BUILDING = 3543 S.F. ± (0.08 AC ±) @ REAR BUILDING = 2581 S.F. ± (0.05 AC ±)
EXISTING USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE.
PROPOSED USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE & ASSISTED A LIVING FACILITY, CLASS "B" IN A DR-3.5 & BL-AS ZONE.
8. PARKING REQUIRED: STD. PS. - 1 PKG SP/3 BEDS X 55 BEDS = 75 PKG SP (INCL. 3 HDCP) HDCP. PS. - 8.5' X 18' 12' X 18'
PARKING PROVIDED: STD. PS. - 16 PKG SP (INCL. 3 HDCP) HDCP. PS. - 8.5' X 18' 12' X 18'
9. EXISTING PAVEMENT TYPE: BITUMINOUS PAVING
10. PREVIOUS COMMERCIAL PERMITS: NONE
11. NO STREAMS, FLOOD PLAINS, STEEP SLOPES, HISTORIC OR ARCHEOLOGICAL SITES EXIST ON THE SITE OR WITHIN 50 FEET OF THE SITE TO THE BEST OF OUR AVAILABLE EVIDENCE.
12. F. A. R. PERMITTED: 4.0 F. A. R. PROPOSED: 0.56
13. AMENITY OPEN SPACE REQUIRED: 0.2 AMENITY OPEN SPACE PROPOSED: 0.48
PETITION FOR SPECIAL HEARING
64 REISTERSTOWN ROAD
AS TO AREA OF DESCRIPTION #2:
To interpret the area requirements of Section 432.5A3 (BCZR) as to its application to the proposed assisted living facility on this site.
AS TO AREA OF DESCRIPTION #3:
To permit business parking in a residential zone.
PETITION FOR SPECIAL EXCEPTION
AS TO AREA OF DESCRIPTION #2:
A Special Exception for a Class "B" assisted living facility (see Site Plan).
PETITION FOR VARIANCE
AS TO AREA OF DESCRIPTION #1:
A. SECTION 232 A.2 (BCZR)
To permit windows facing property line a minimum of six feet (6'), ten feet (10'), twelve feet (12') and twenty-three feet (23') in lieu of the required twenty five (25'). To permit a minimum thirty five foot (35') window to window separation between buildings in lieu of the required fifty feet (50') as shown on the plan.
AS TO AREA OF DESCRIPTION #2:
A. SECTION 1B01.1.B.1.g. 4 & c. (BCZR)
To permit a minimum 20 foot (20') buffer and minimum thirty foot (30') setback in lieu of the required fifty foot (50') buffer and seventy-five foot (75') setback.
B. SECTION 432.5 A.2.
To permit a lot area of 12,917.60 sq. ft in lieu of the required minimum lot area of one acre. (This is in the alternative to granting the requested Special Hearing.)
C. SECTION 432.5 B.3.b.
To permit that portion of the tract zoned BL-AS and D.R. 3.5 not to have frontage on a principal arterial.
NOTE, FIRE HYDRANT AT CHATSWORTH AVE.
PRINTED
JUN - - 1996
PATTON CONSULTANTS, LTD.
SEAL
STATE OF MARYLAND JAMES C. PATTON, JR. No. 3903 REGISTERED PROFESSIONAL ENGINEER
PATTON
Civil Engineering Consultants Ltd. Engineering & Site Planning
305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204 410-296-2140 Fax 410-296-2140
PROJECT/DEVELOPMENT
64 MAIN STREET - REISTERSTOWN, MD.
REDUNED FOR SPIRIT & INTENT 11/2/2011
DRAWING TITLE:
PLAT TO ACCOMPANY VARIANCE, SPECIAL HEARING, & SPECIAL EXCEPTION PETITIONS FOR ASSISTED LIVING FACILITY
DATE: 3-5-97
SHEET # 1
COUNTY: BALTO. ELECTION DIST.: 1 PROJECT #: 97008 SCALE: 1"= 20' 1 OF 1
DRAWN BY:
DESIGN BY:
CHECKED BY:
DATE
REVISIONS
BY:
1997-0518-SPHXA
Approved 1 SFE
See 11/22/11 LTR
LTR # 11-37
LTR PLAN

IN RE:	**PETITIONS FOR SPECIAL EXCEPTION, VARIANCE AND SPECIAL HEARING** **64 Reisterstown Road** **W/S Reisterstown Road, 190' N of Chatsworth Avenue** ***4th Election District*** **3rd Councilmanic District** **64 Reisterstown Road, LLC,** **Petitioner/Legal Owner**	**BEFORE THE** **DEPUTY ZONING** **COMMISSIONER FOR** **BALTIMORE COUNTY** **Case No.: 97-518-SPHXA**

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Variance, Special Hearing, and Special Exception for existing and proposed improvements on the subject property owned by 64 Reisterstown Road, LLC, a Maryland Limited Liability Company ("Petitioners"). The subject property is located on the west side of Reisterstown Road (Main Street) south of Village Glen Road. The subject property is presently improved with two residential structures, one of which is presently being utilized as a fifteen bed Assisted Living Facility.

The Petitions presented for consideration seek approval of the following: Special Exception for a Class B Assisted Living Facility in the DR 3.5 and BL-AS zoned portions of the Petitioner's property; a Special Hearing to interpret the area requirements of Baltimore County Zoning Regulations ("BCZR") §432.5A.2 as to its application to the proposed Class B Assisted Living Facility and to permit business parking in a residentially zoned portion of the subject property; and Variances: i) to permit apartment windows facing a property line other than a street line with a minimum of six feet, ten feet, twelve feet and twenty-three feet, respectively in lieu of the required twenty-five feet; ii) to permit the minimum distance between the centers of facing windows of different apartments on the same lot to be thirty-five feet apart in lieu of the fifty feet, all as required

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by Baltimore County Zoning Regulations ("BCZR") §232A.2; iii) from BCZR §1B01.1B.1.c, d & e to permit a minimum twenty foot buffer and minimum thirty foot setback in lieu of the required fifty foot buffer and seventy-five foot setback for the proposed Assisted Living Facility on a residentially zoned portion of the subject property; iv) to permit the presently zoned BL-AS and D.R. 3.5 portions of the single lot to be developed without frontage on a principal arterial as defined and required by BCZR §432.5B.3.b; and v) depending on the determination of the evidence presented and consideration of a portion of the special hearing relief prayed, to permit a lot area of 12,912.6 square feet in lieu of the required minimum one acre lot area required by BCZR §432.5A.2.

Appearing at the public hearing on these Petitions were Messrs. David Farrell and Dominic Garcia, principals of the Petitioner, and James S. Patton, President and CEO of Patton Consultants, Ltd. The Petitioner was represented by Howard L. Alderman, Jr., Esquire. There were no protestants or other interested persons present at the hearing.

The proffered testimony indicated that the plat which accompanied the Petition was prepared under the direction and control of and bears the seal of James Patton, a registered professional engineer in the State of Maryland, an individual who has appeared numerous times before this Deputy Zoning Commissioner and has been accepted as an expert witness. The Plat was introduced and accepted as Petitioner's Exhibit No. 1. The Plat depicts the subject property as being comprised of approximately 1.288 acres, having frontage on Reisterstown Road of approximately ninety-six feet in width. The subject property is approximately 285 feet deep with a rear width of approximately 86 feet and, as shown on Petitioner's Exhibit No. 1, a portion of the property widens to approximately 170 feet in width on which a portion of the proposed Class B Assisted Living Facility will be located. The subject property is split-zoned with four separate zoning classifications.

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Approximately 0.75 acres of the subject property are zoned BL-CCC, approximately 0.2 acres are zoned BL-AS, approximately 0.7 acres are zoned DR-3.5 and approximately 0.2 acres are zoned DR-10.5. A colored version of Petitioner's Exhibit 1 was introduced and accepted as Petitioner's Exhibit Number 3. The property outline of the subject property was introduced and accepted as Petitioner's Exhibit Number 4. As to the variety of zoning classifications imposed on the subject property, the Petitioner introduced as its Exhibit Number 5, a copy of the Plat showing the boundaries of the various zoning classifications in color and cross-hatch format.

The photographic evidence presented showed that the subject property lies south of an existing dwelling that has been converted into an electrical contractor's office and immediately south of property zoned MLR which has been improved with a warehouse like structure owned and operated by the Maryland China Company. Immediately south of the property, fronting on Reisterstown Road is an existing, single story building, zoned BL-AS that is used by Safelite Auto Glass. The Petitioners introduced a variety of Exhibits, which were accepted as Petitioner's Exhibits 2A-L, which provide a photographic view of the subject property from a variety of vantage points.

Mootness of Certain Variance Requests

As noted previously, the testimony and evidence proffered shows that there are two existing residential buildings on the subject property. The building closest to Reisterstown Road, labeled as building "C" on Petitioner's Exhibit 1 is being used as an Assisted Living Facility for fifteen residents. The second building, being identified as building "A" on Petitioner's Exhibit 1, lies further to the west and to the rear of the subject property for which the Petitioners proposes a minor addition for use as an Assisted Living Facility for fifteen residents. These two buildings in their existing configuration lie less than 25 feet from the northern property line of the subject property.

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The testimony proffered indicated that, after many meetings with officials of the County, James Patton, on behalf of the Petitioner/Owner, was advised that a variance from BCZR §232A.2 was necessary to permit the windows in the existing structures to remain less than 25 feet from the northern property line. Likewise, a variance from §232A.2 was requested to permit a thirty-five foot apartment window to apartment window separation (in separate buildings on the subject property) in lieu of the fifty feet required. Counsel for the Petitioner argued that the subject variances are not required given that the special regulations for CCC districts imposed on BL zones draw a distinct difference between apartments and elderly housing facilities. Counsel argued that Assisted Living Facilities proposed are elderly housing facilities as defined in §101 of the BCZR. As such, unlike apartments, elderly housing facilities are permitted in any story of a building pursuant to BCZR §232A.1. Applying that same distinction to BCZR §232A.2, this Commissioner finds that the windows in the existing and proposed structures to be used as elderly housing facilities are not "apartment" windows facing a property line and therefore, are not required to be setback a minimum of 25 feet relative to a property line, nor are the windows "apartment windows" that require a fifty foot separation between one another in separate buildings. Therefore, Petitioner's variance requests to modify the respective 25 and 50 foot setback requirements are MOOT.

Petitioner is proposing the construction of a new, Class B Assisted Living Facility on the subject property between the two, existing structures. The majority of that proposed building will be located in a BL-CCC zone, a small portion located on the DR 3.5 zone and the balance located in the BL-AS zone. The proffered testimony on behalf of Petitioner was that James Patton was advised by officials of the County that a variance was required from §432.5A.2 because a portion of the "tract" which is zoned residentially on which a portion of the proposed building is to be

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located, is less than the minimum one acre in size. Counsel for Petitioner argued that BCZR §432.5A.2 mandates minimum "lot" area for Class B Assisted Living Facilities. The proffered testimony indicates, as shown graphically on Petitioner's Exhibit Number 1, that the subject property is comprised of a 1.28± acre lot. Although the existing lot contains four separate zoning classifications, in the opinion of this Commissioner such classifications do not create new lot lines, and, therefore, its overall acreage is not altered or diminished thereby. As the proposed Class B Assisted Living Facility, as shown on Petitioner's Exhibit 1, is located on a lot in excess of one acre in size, the requested variance has been rendered MOOT.

As noted previously, a portion of the proposed Class B Assisted Living Facility will be located on those portions of the subject property zoned BL-AS and DR 3.5. Neither of these respective portions of the subject property has direct access on a principal arterial as defined in the BCZR. Testimony indicated that the subject property is within a historic district and the development proposal and zoning relief required was presented to the Baltimore County Landmarks Preservation Commission which gave approval of the proposal, subject to that Commission's review of exterior materials for the proposed Class B Assisted Living Facility, if approved. In an abundance of caution, based on representations by Baltimore County officials, the Petitioner seeks a variance from BCZR §432.5B.3.b which requires that Class B Assisted Living Facilities be located on a lot which has frontage on a principal arterial as defined in those regulations, unless located on property designated as historic or in a historic district. Given that the subject property is located on a lot that fronts directly on Reisterstown Road, a principal arterial, and the fact that since it is located within an historic district, it is exempt from the requirement to have frontage on such arterial roadway, the Petitioners variance request is rendered MOOT.

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Special Exception for Class B Assisted Living Facility

The uncontradicted, proffered testimony indicated that the proposed Class B Assisted Living Facility can be conducted without creating a potential hazard from fire, panic or other dangers, overcrowding of land, causing undue concentration of population or otherwise being detrimental to the health, safety or general welfare of the community. The testimony indicated further that the proposed development of the subject property has been considered by the Development Review Committee and the Landmarks Preservation Committee, both of which have given favorable approval, subject to the conditions noted hereinafter. The Petitioners proffered testimony demonstrated that the proposed Class B Assisted Living Facility would not create congestion in the roads or streets within the area nor interfere with the adequacy of public facilities, conveniences or improvements, included without limitations, the parks, water sewerage and transportation systems. Based upon the testimony proffered and the evidence presented, this Commissioner finds that the proposed Class B Assisted Living Facility is located on the subject property so as not to interfere with adequate light and air or to be inconsistent with the impermeable surface and vegetation and retention requirements of the Baltimore County Zoning Regulations and that because the Petitioner has demonstrated that Assisted Living Facilities can be conducted from the subject property in harmony with the surrounding community, the proposed Class B facility will not be inconsistent with the property zoning classification or otherwise inconsistent with the spirit and intent of the BCZR. Moreover, the facts and circumstances and the overwhelming evidence in this case show that the proposed uses at this particular location would not have any adverse impact above and beyond those inherently associated with such special exception uses, irrespective of their location within a similar zoning classification, *Schultz v. Pritts*, 291 Md. 1 (1981), and, therefore, the Special

Exception should be granted.

Special Hearing for Commercial Parking in Residentially Zoned Portion of Lot

The Petitioner presented uncontradicted and proffered testimony in support of its request, by way of Special Hearing, to permit business parking in the DR 10.5 classified portion of the subject property in accordance with BCZR §409.8.B. The Petitioner is proposing to provide six parking spaces in the residentially zoned land at present, with a possibility of four additional spaces in the future, all as shown more completely on Petitioner's Exhibit 1. It should be noted that the subject spaces adjoin the paved parking and travel area of the Maryland China Company immediately to the north. To the west of the proposed spaces and immediately to the south, the Petitioners are proposing a landscape buffer of approximately ten feet in width. Further to the south the Petitioners have reserved a large area of open space to further buffer any effect that the subject parking in this residentially zoned portion of the property may have had. The proffered testimony indicated that the parking is designed only for passenger vehicles and that there will be no loading service or business other than parking allowed and that any lighting will be for safety purposes only. Further proffered testimony indicated that ingress and egress to this subject property is obtained by way of an existing interior roadway which intersects and is perpendicular to Reisterstown Road and is constructed to the west where it widens into the paved, macadam area owned by Maryland China Company. Based on the existing roadway and other uses on the subject property and the tie in of the proposed area of parking with the parking area of the Maryland China Company, the evidence proffered showed that there will be no negative impact anticipated nor will there be any out of the ordinary maintenance or operational characteristics associated with the proposed parking. After consideration of the facts and evidence presented, the Special Hearing relief of the Petitioner for

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business parking in a residential zone should be granted.

Variance Requests

Additional, proffered testimony pertained to the location of the proposed Class B Assisted Living Facility such that a variance from Sections BCZR 1B01.1B.1.c, d & e to permit a minimum twenty foot buffer and fifty foot setback within a residential transition area was required. The proffered testimony focused on the uniqueness of the subject property because of its narrowness, irregular shape, and the variety of zoning classifications attached to it. The testimony proffered showed clearly that there are no other properties of a similar shape, design or zoning classification in the community. As the testimony indicated, if a requested variance relief is granted there will not be any increase in allowable residential density and that the proposed building will be more compatible with the immediate neighborhood than that which would occur as of right. As shown on Petitioner's Exhibit Number 1 and as indicated in the proffered evidence, the variance relief requested is the minimum necessary and that without the granting of such relief, strict compliance with the Baltimore County Zoning regulations would unreasonably prevent use of the subject property for the proposed assisted living facility. It is clear to this Commissioner that, but for the narrowness of the subject property and its irregular shape, which, based on the proffered testimony, the Petitioner had no part in designing, and the variety of zoning classifications (each of which permits certain residential uses including that proposed by the Petitioner), the subject variances would not be necessary.

The BCZR, specifically §307.1, establishes a two-step process for the granting of variances. That two-step process was addressed and identified by the Court of Special Appeals in the case of *Cromwell v. Ward*, 102 Md. App. 691 (1995). The opinion in that case, issued January 4, 1995 and

authored by the Honorable J. Cathell, interpreted the regulations to require the applicant to establish the following:

1. First, the Applicant (Petitioner) must prove, and this Deputy Zoning Commissioner must find, that the "uniqueness and peculiarity of the subject property causes the zoning provision to impact disproportionately upon that property." I find from the testimony and evidence proffered in this case that the subject property is unique, unusual and different from properties which surround the subject site so as to cause the applicable zoning provisions to impact proportionately upon it. As noted above, the irregularity and narrowness of the subject property, combined with the fact that it is already improved with two existing structures, and the fact that it is bisected by four separate zoning classifications render it unique and unusual from other properties in the district.

2. Having satisfied this "first step", the Petitioner must proceed to the "second step" of the variance process, which is to show that strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship. The practical difficulty or unreasonable hardship guidelines that have been imposed by the BCZR have been thoroughly examined and discussed by the Appellate Courts of this State. In *Loyala Federal Savings & Loan Association v. Buschman*, 227 Md. 243 (1961), the Court of Appeals considered the identical regulation to §307.1 of the BCZR. As the Court noted: "Section 307 of the Regulations uses the two terms (practical difficulty or unreasonable hardship) in the disjunctive." *Loyala Federal* at 358. Thus, by use of the term "or", §307 offers the Petitioner an opportunity to obtain its variance upon satisfaction of either the undue hardship or practical difficulty standard.

The distinction between these standards was clarified by the Court of Special Appeals in *Anderson v. Board of Appeals, Town of Chesapeake Beach*, 22 Md. App. 28, 322 A.2d 220 (1974).

ORDER RECEIVED FOR FILING
Date 7/26/02
By

Within that opinion, the Court held that the undue hardship standard applies to a petition for a use variance. The Court noted that a use variance, which permits a use on the property other than that specifically permitted in that particular district, requires the imposition of a higher standard. That is, to allow the change of use for a particular property requires the Petitioner to demonstrate real hardship, where the land cannot allow a reasonable return if used only in accordance with the use restrictions of the ordinance.

Compared with this heavy burden, the Court reviewed the practical difficulty standard applicable for area variances. The Court characterized area variances as having a much less drastic effect than use variances, in that they seek relief only from height, area, setback, or side property line restrictions and would not affect the property's use, *per se*. The Court envisioned the impact of area variances on the surrounding locale to be less than that generated by use variances, and thus, the lesser practical difficulty standard applies. The prongs of that standard which must be satisfied by the Petitioners, as enunciated in *Anderson*, supra, are as follows:

> 1) whether compliance with the strict letter of restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome;
>
> 2) whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners; and
>
> 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson at 39. *See also, McLean v. Soley*, 270 Md. 208 (1973) at 214-215.

Upon consideration of the testimony and evidence presented, this Commissioner finds that

granting the requested relief would do substantial justice to the Petitioners as well as other property owners in the district within the spirit and intent of the BCZR without impact on the public health and safety and/or welfare. Therefore, the requested variances should be granted, subject to the conditions hereinafter noted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 25th day of July, 1997 that the Petition for Special Exception to permit a Class B Assisted Living Facility in accordance with BCZR §§ 230.1 & 432.1A.3 is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variances seeking relief from BCZR §432.5A.2 to permit a Class B Assisted Living Facility to be located on a lot which is less than the minimum one acre in size, from BCZR §232A.2 to permit the windows in the existing structures to remain less than 25 feet from the northern property line and to permit a thirty-five foot window to window separation between windows in different buildings on the subject property in lieu of the fifty feet required, from BCZR §432.5B.3.b to permit a Class B Assisted Living Facility to not be located on a lot which has frontage on a principal arterial, are all, for the reasons stated above, DENIED as MOOT; and

IT IS FURTHER ORDERED that the Petition for Special Hearing to permit business parking in the DR 10.5 classified portion of the subject property in accordance with BCZR §409.8.B is hereby GRANTED; and

IT IS FURTHER ORDERED that the Petition for Variances seeking relief from BCZR §§ 1B01.1B.1.c, d & e to permit a minimum twenty foot buffer and fifty foot setback within a residential transition area is hereby GRANTED.

ORDER RECEIVED FOR FILING
Date 7/25/97
By

The Special Exception, Special Hearing and Variance relief granted hereby is, however, subject to the following restrictions which are conditions precedent to the relief granted herein:

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

2. A final landscape plan is to be submitted to and approved by the County Landscape Architect prior to issuance of any building permit for the Class B Assisted Living Facility.

3. A list and description of the materials to be used in the exterior additions and Class B Assisted Living Facility proposed by Petitioner shall be submitted for review to the Baltimore County Landmarks Commission prior to the issuance of any building or exterior alteration permits.

Timothy Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner for Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning

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

July 25, 1997

Howard L. Alderman, Jr., Esquire
Levin & Gann
305 W. Chesapeake Avenue, Suite 113
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCE
W/S Reisterstown Road, 190' N of Chatsworth Avenue
(64 Reisterstown Road)
4th Election District - 3rd Councilmanic District
64 Reisterstown Road, LLC - Petitioner
Case No. 97-518-SPHXA

Dear Mr. Alderman:

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

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

Very truly yours,

Timothy Kotroco

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. David Farrell, Manager, 64 Reisterstown Road, LLC
64 Main Street, Reisterstown, Md. 21136

Mr. James S. Patton, Patton Consultants, Inc.
305 W. Chesapeake Avenue, Suite 118, Towson, Md. 21204

People's Counsel; Case Files

Printed with Soybean Ink
on Recycled Paper

RE: PETITION FOR SPECIAL HEARING PETITION FOR SPECIAL EXCEPTION PETITION FOR VARIANCE 64 Reisterstown Road, W/S Reisterstown Rd, 190' N of Chatsworth Avenue 4th Election District, 3rd Councilmanic 64 Reisterstown Road, LLC Petitioners	*	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY CASE NO. 97-518-SPHXA

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

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 30th day of March, 1997, a copy of the foregoing Entry of Appearance was mailed to Howard L. Alderman, Esq., 305 W. Chesapeake Avenue, Suite 113, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

518

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 64 Reisterstown Road

which is presently zoned BL-AS; DR-10.5; DR-3.5

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

SEE ATTACHED

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

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

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

N/A

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

Howard L. Alderman, Jr.
(Type or Print Name)

Howard L. Alderman

Signature

305 W. Chesapeake Ave. #113 Phone No 410-321-0600
Address

Towson, Maryland 21204
City State Zipcode

Legal Owner(s).

64 Reisterstown Road, LLC.
David Farrell, Manager (410) 298-9800
(Type or Print Name)

Signature

(Type or Print Name)

Signature

64 Main Street (410) 298-9800
Address Phone No

Reisterstown, Maryland 21136
City State Zipcode

Name, Address and phone number of representative to be contacted

James S. Patton
Patton Consultants, Ltd.
Name

305 W. Chesapeake Ave., Suite 118 296-2140
Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING 3 HRS.

unavailable for Hearing

the following dates _____ Next Two Months

ALL ✓ OTHER

REVIEWED BY JAD DATE 5/15/97

ORDER RECEIVED FOR FILING

Date 5/23/97

By

Revised 9/5/95

ATTACHMENT
PETITION FOR SPECIAL HEARING
64 REISTERSTOWN ROAD

AS TO AREA OF DESCRIPTION #2:

To interpret the area requirements of Section 432.5A2 (BCZR) as to its application to the proposed assisted living facility on this site.

AS TO AREA OF DESCRIPTION #3:

To permit business parking in a residential zone.

ORDER RECEIVED FOR FILING
Date 11/23/99
By

518

Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 64 Reisterstown Road

which is presently zoned DR- 3.5 BL-AS;

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

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

SEE ATTACHED

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

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

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Legal Owner: 64 Reisterstown Road, LLC
David Farrell, Manager

(Type or Print Name)

Signature

(Type or Print Name)

Signature

64 Main Street 410-298-9800

Address Phone No

Reisterstown, Maryland 21136

City State Zipcode

Attorney for Petitioner:

Howard L. Alderman, Jr.

(Type or Print Name)

Signature

305 W. Chesapeake Ave. #113

Address Phone No

Towson, MD. (410) 321-0600

City State Zipcode

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

James S. Patton
Patton Consultants, Ltd.

Name

305 W. Chesapeake Ave. #118 (410) 296-2140

Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY DATE

ORDER RECEIVED FOR FILING
Date 7/18/02
By

518

ATTACHMENT TO
PETITION FOR SPECIAL EXCEPTION
64 REISTERSTOWN ROAD

A Special Exception for a Class "B" assisted living facility (see Site Plan).

ORDER RECEIVED FOR FILING
Date 11/23/22
By

518

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 64 Reisterstown Road

which is presently zoned BL-CCC; BL-AS; ~~DR 10.5~~; DR 3.5

This Petition shall be filed with the Department of Permits & Development Management

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

SEE ATTACHED

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

SEE ATTACHED

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

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

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

Contract Purchaser/Lessee.

N/A

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner

Howard L. Alderman, Jr.

(Type or Print Name)

Howard L. Alderman, Jr.

Signature

305 W. Chesapeake Ave. #113

Address Phone No

Towson, Maryland 21204 410-321-0600

City State Zipcode

Legal Owner(s)

64 Reisterstown Road, LLC
David Farrell, Manager (410) 298-9800

(Type or Print Name)

Signature

(Type or Print Name)

Signature

64 Main Street (410) 298-9800

Address Phone No

Reisterstown, Maryland 21136

City State Zipcode

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

James S. Patton
Patton Constulants, Ltd.

Name

305 W. Chesapeake Ave., #118 296-2140

Address Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____ OTHER _____

REVIEWED BY _____ DATE _____

ORDER RECEIVED FOR FILING

Date 9/23/96

By

Printed with Soybean Ink on Recycled Paper

Revised 9/5/95

ATTACHMENT TO
PETITION FOR VARIANCE
64 REISTERSTOWN ROAD, LLC

AS TO AREA OF DESCRIPTION #1:

A. SECTION 232 A.2: (BCZR)

To permit windows facing property line a minimum of six feet (6'), ten feet (10'), twelve feet (12') and twenty-three feet (23') in lieu of the required twenty five (25'). To permit a minimum thirty five foot (35') window to window separation between buildings in lieu of the required fifty feet (50') as shown on the plan.

PRACTICAL DIFFICULTY:

The reason for this request in the case of existing structures "A" and "C" is that the existing structures with windows facing the north lot lines were constructed and are presently utilized with windows on the north face. To seal up the windows would eliminate light and air from resident bedrooms now in use or proposed for the two (2) existing structures. The major reconstruction, disruption to residents and inefficient use of facilities which were designed and constructed with windows on the north side present a real practical difficulty, if changed.

In the case of proposed building "B" the compatibility with the other two existing structures as to building face and entrance locations for access between buildings, and the placement on the tract requires a separation of windows and windows of entrances closer than fifty feet (50'). The design of the proposed structure has been accomplished to provide the maximum distance between windows while at the same time utilizing the topography and existing site features to the greatest compatibility between structures. The practical difficulty is the extensive disruption of the site for the placement of the proposed building if this minimal variance is not granted.

AS TO AREA OF DESCRIPTION #2:

A. SECTION 1BO1.1.B1c, d & e. (BCZR)

To permit a minimum 20 foot (20') buffer and minimum thirty foot (30') setback in lieu of the required fifty foot (50') buffer and seventy-five foot (75') setback.

PRACTICAL DIFFICULTY:

The reason for this request is that the proposed building "B" to house a total of fifteen (15) elderly residents if constructed solely on the BL-CCC would require a taller structure which is not in keeping with the existing character of the area. Because of the topography of the site, and irregular lot lines residents will find greater difficulty in circulating between structures and within the structure if the structure was constructed as a three-story building. or entirely on the BL-CCC portion of the lot.

SEE CONTINUED.

ORDER RECEIVED FOR FILING
Date 12/8/92
By

ATTACHMENT TO
PETITION FOR VARIANCE
64 REISTERSTOWN ROAD, LLC

(CONTINUED)

B. SECTION 432.5.A.2:

To permit a lot area of 12,912.60 sq. ft in lieu of the required minimum lot area of one acre. (This is in the alternative to granting the requested Special Hearing.)

PRACTICAL DIFFICULTY:

As this tract is split zoned and the total acreage of the tract is greater than one acre the compliance with the specific requirements within the zone presents a pratical difficulty which was created by the adoption of the zoning and not of the ownership of the tract.

C. SECTION 432.5 B.3.b:

To permit that portion of the tract zoned BL-AS and D.R. 3-5 not to have frontage on a principal arterial.

PRACTICAL DIFFICULTY:

Because of the split zoning of the tract and the irregular lot lines portion of the lot zoned D.R. 3-5 and BL-AS does not front on Reisterstown Road.

ORDER RECEIVED FOR FILING
Date 7/23/12
By

PA • • N

THIS PACK
3 DESCRIPTIONS
FOR TOTAL SITE
3 OTHER SETS WITHIN SITE
ACCOMPANY, THIS IS WHY ZONES ON PET FORMS VARY.
5 10

ZONING DESCRIPTION
TOTAL TRACT

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence the following courses and distances:

1.	N 85° 15' 00" W -	45.00'
2.	S 04° 45' 00" W -	10.00'
3.	N 85° 15' 00" W -	45.00'
4.	S 04° 45' 00" W -	90.70'
5.	N 85° 26' 00" W -	10.00'
6.	N 04° 34' 00" E -	26.60'
7.	N 85° 30' 00" W -	100.00'
8.	S 04° 32' 00" W -	6.00'
9.	N 85° 30' 00" W -	45.90'
10.	N 04° 30' 00" E -	80.00'
11.	N 86° 45' 04" W -	240.71'
12.	N 04° 40' 00" E -	85.87'
13.	S 86° 05' 00" E -	224.48'
14.	N 03° 52' 00" E -	10.65'
15.	S 86° 05' 00" E -	260.82'
16.	S 03° 52' 00" W -	96.17'

NET AREA 1.22AC±

To the place of beginning as recorded in deed Liber 11812 Folio 395.

STATE OF MARYLAND
JAMES STEPHEN PATTON
NO. 9193
REGISTERED
PROFESSIONAL ENGINEER

305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204
410-296-2140 Fax 410-296-0419

PATTON
Patton Consultants Ltd. Engineering & Site Planning

518

ZONING DESCRIPTION #3
AREA FOR SPECIAL HEARING

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W- 45.00', N 85° 15' 00" W - 200.00' & N 86° 45.00' 04" W - 140.71' to the point of beginning. Thence the following courses and distances:

1.	N 86° 45' 04" W -	100.00'
2.	N 04° 40' 00" E -	85.87'
3.	S 86° 05' 00" E -	100.00'
4.	S 04° 40' 00" W -	85.87'

AREA 0.20 AC ±

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395.

STATE OF MARYLAND
JAMES STEPHEN PATTON
No. 9493
REGISTERED
PROFESSIONAL ENGINEER

305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204
410-296-2140 Fax 410-296-0419

PATTON
Patton Consultants Ltd. Engineering & Site Planning

518

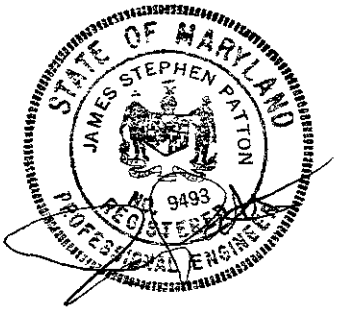
ZONING DESCRIPTION #2
AREA FOR SPECIAL EXCEPTION,
SPECIAL HEARING
&
RTA VARIANCES FOR PROPOSED
"CLASS B ASSISTED LIVING FACILITY"

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W 45.00' to the point of beginning. Thence to the following courses and distances:

1.	S 04° 45' 00" W -	10.00'
2.	N 85° 15' 00" W -	45.00'
3.	S 04° 45' 00" W -	90.70'
4.	N 85° 26' 00" W -	10.00'
5.	N 04° 34' 00" E -	26.60'
6.	N 85° 30' 00" W -	100.00'
7.	S 04° 32' 00" W -	6.00'
8.	N 85° 30' 00" W -	45.90'
9.	N 04° 30' 00" E -	80.00'
10.	S 85° 15' 00" E -	200.00'

AREA 0.27 AC±

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395.



305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204
410-296-2140 Fax 410-296-0419

PATTON
Patton Consultants Ltd. Engineering & Site Planning

518

ZONING DESCRIPTION #1
AREA FOR VARIANCES #1 THROUGH #6

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence the following courses and distances:

1.	N 85^0 15' 00" W -	45.00'
2.	N 85^0 15' 00" W -	200.00'
3.	N 86^0 45' 04" W -	141.00'
4.	N 04^0 40' 00" E -	86.00'
5.	S 86^0 05' 00" E -	125.00'
6.	N 03^0 52' 00" E -	10.65'
7.	S 86^0 05' 00" E -	260.82'
8.	S 03^0 52' 00" W -	96.17'

AREA 0.75AC±

To the place of beginning being a portion of the tract as recorded in deed Liber 11812 Folio 395.

STATE OF MARYLAND
JAMES STEPHEN PATTON
No. 9393

305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204
410-296-2140 Fax 410-296-0419



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: #97-518-SPHXA
64 Reisterstown Road
W/S Reisterstown Road, 190' N of Chatsworth Avenue
4th Election District
3rd Councilmanic
Legal Owner(s):
64 Reisterstown Road, LLC

Special Hearing: to interpret the area requirements of Section 432.5A.2 (BCZR) as to its application to the proposed assisted living facility of description #2; and to permit business parking in a residential zone of description #3. **Special Exception:** for a Class B assisted living facility. **Variance:** to permit windows facing property line a minimum of 6 feet, 10 feet, 12 feet, 23 feet in lieu of the required 25 feet of description #1; to permit a minimum 35 foot window to window separation between buildings in lieu of the required 50 feet of description #1; to permit a minimum 20 foot buffer and minimum 30 foot setback in lieu of the required 50 foot buffer and 75 foot setback of description #2; to permit a lot area of 12,912.60 square feet in lieu of the required minimum lot area of one acre of description #2; and to permit that portion of the tract zoned B.L.-A.S. and D.R.-3.5 not to have frontage on a principal arterial of description #2.

Hearing: Monday, June 30, 1997 at 10:00 a.m. in 106 hearing room, County Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call (410) 887-3353.
(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

5/479 May 29 C147030

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/29, 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 5/29, 19 97.

THE JEFFERSONIAN,

A. Henderson

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

JLL #518

No. 036557

DATE 5/15/97

ACCOUNT R001A150

AMOUNT $ 650.00

RECEIVED FROM: 64 Reisterstown Rd LLC

FOR: SPHXA FILING

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT
05/15/97 03: 6 VLM R 4733
Dept 5 513 ZONING VERIFICATION
CR NO. 036557
$650.00 CK P-A-I-D
Baltimore County Maryland
Office Of Budget & Finance

CERTIFICATE OF POSTING

RE: Case # 97-518-SPHXA
Petitioner/Developer:
(64 Reisterstown Rd. LLC)
Date of Hearing/~~Closing~~:
(June 30, 1997)

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

64 Reisterstown Road Baltimore, Maryland 21136

The sign(s) were posted on Jun. 13, 1997
(Month, Day, Year)

Sincerely,

6/13/97

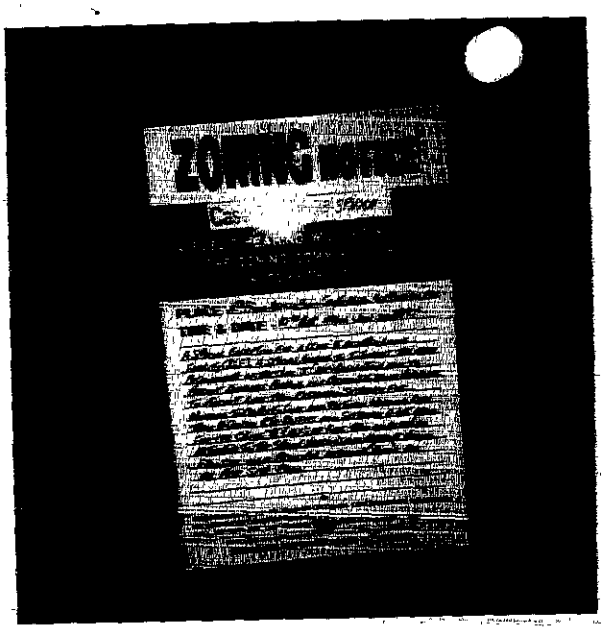
(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.
(Printed Name)

325 Nicholson Road
(Address)

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)



97-518-SPHXA

Exhibit B

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.: 97-518-SPHXA

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

PLACE: *

DATE AND TIME: *

REQUEST: A SPECIAL EXCEPTION FOR A CLASS "B" ASSISTED LIVING FACILITY (ALF) & A SPECIAL HEARING TO INTERPRET THE AREA REQUIREMENTS OF THE CLASS "B" (ALF) REGULATIONS AND TO PERMIT BUSINESS PARKING IN A RESIDENTIAL ZONE. VARIANCES TO PERMIT LESS THAN REQUIRED SETBACKS FOR WINDOWS TO PROPERTY LINES AND BETWEEN WINDOWS, LESS THAN REQUIRED RTA BUFFERS AND SETBACKS, A LOT AREA FOR THE CLASS "B" (ALF) OF LESS THAN AN ACRE (AN ALTERNATIVE TO THE SPECIAL HEARING) AND WITHOUT HAVING FRONTAGE ON A PRINCIPAL ARTERIAL (ROAD). ALL AS PER SITE PLAN

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 Government
Office of Zoning Administration
and Development Management

111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

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 and placement of a notice in at least one newspaper of general circulation in the County.

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

PAYMENT WILL BE MADE AS FOLLOWS:

1) Posting fees will be accessed and paid to this office at the time of filing.

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

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

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 518

Petitioner: 64 Reisterstown Rd., LLC

Location: 64 Main St.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: David Farrell c/o 64 Reisterstown Rd., LLC

ADDRESS: 7000 Security Blvd., Ste 106

Baltimore, MD 21244

PHONE NUMBER: 410-298-9800 x223

AJ:ggs

(Revised 04/09/93)

Printed on Recycled Paper

Baltimore County
Department of Permits and
Development Management

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

May 23, 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: 97-518-SPHXA
64 Reisterstown Road
W/S Reisterstown Road, 190' N of Chatsworth Avenue
4th Election District - 3rd Councilmanic
Legal Owner(s): 64 Reisterstown Road, LLC

Special Hearing to interpret the area requirements of Section 432.5A.2 (BCZR) as to its application to the proposed assisted living facility of description #2; and to permit business parking in a residential zone of description #3.
Special Exception for a Class "B" assisted living facility.
Variance to permit windows facing property line a minimum of 6 feet, 10 feet, 12 feet, 23 feet in lieu of the required 25 feet of description #1; to permit a minimum 35 foot window to window separation between buildings in lieu of the required 50 feet of description #1; to permit a minimum 20 foot buffer and minimum 30 foot setback in lieu of the required 50 foot buffer and 75 foot setback of description #2; to permit a lot area of 12,912.60 square feet in lieu of the required minimum lot area of one acre of description #2; and to permit that portion of the tract zoned B.L.-A.S. and D.R.-3.5 not to have frontage on a principal arterial of description #2.

HEARING: MONDAY, JUNE 30, 1997 at 10:00 a.m., 4th floor hearing room Courts Building, 401 Bosley Avenue.

Arnold Jablon
Director

cc: 64 Reisterstown Road, LLC
James S. Patton
Howard L. Alderman, Jr., Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JUNE 15, 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

June 26, 1997

Howard L. Alderman, Jr., Esquire
305 W. Chesapeake Avenue, #113
Towson, MD 21204

RE: Item No.: 518
Case No.: 97-518-SPHXA
Petitioner: David Farrell

Dear Mr. Alderman:

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 May 15, 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)

Printed with Soybean Ink
on Recycled Paper

Baltimore County, Maryland
Inter-Office Correspondence

TO: Roslyn Eubanks
Department of Permits and Development Management

FROM: Steve Lafferty
Office of Community Conservation

SUBJECT: 64 Reisterstown Road, LLC
Item: 518

DATE: May 30, 1997

This Office is generally supportive of the creation of Assisted Living Facilities in community conservation areas to serve the growing need of the County's elderly population. This project can be a valuable addition to the Resisterstown community.

There is no comment as to Area of Description #1.

As to Area of Description #2, the Office has concern about granting a dramatic reduction in the buffer, in this instance, permitting less than one-half of that which is required. RTA buffers to residential areas should be strictly maintained. Also, since there are no elevations provided, nor descriptions of the surrounding homes, it is impossible to determine why a taller structure would be out of character with the surrounding buildings. Based upon the drawings, it is also very difficult to determine why residents would have greater problems circulating between buildings and why such circulation must be preserved.

The Applicant contends that part of the problem stems from the split zoning. Was this issue raised during the CZMP and, if so, how was it resolved? If it was not, should the Hearing Officer consider this request when there was another legal mechanism for addressing this request?

We offer no comments as to other aspects of the application at this time.

RECEIVED
2 1997
PDM

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: June 6, 1997

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

SIGNED: ROBERT W. BOWLING

SUBJECT: Zoning Advisory Committee Meeting
for June 2, 1997
Item No. 518

The Development Plans Review Division has reviewed the subject zoning item. Rebuild the entrance off Reisterstown Road per Baltimore County Department of Public Works' Standard Plate R-32 entrance with depressed curb.

A Schematic Landscape Plan must be submitted for review in conjunction with the subject submittal.

RWB:HJO:jrb

cc: File

ZONE602.518

Baltimore County Government
Fire Department

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

(410) 887-4500

May 29, 1997

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

RE: Property Owner: Owings Mills Mall Limited Partn.
and
64 Reisterstown Road, LLC
and
The Estate of Grace Williams

Location: DISTRIBUTION MEETING OF June 2, 1997

Item No.: 516, 518, and 520 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.

1. Fire hydrants for the referenced property are required and shall be located at proper intervals, along an approved road in accordance with Baltimore County Standard Design Manual Sec. 2.4.5 Fire Hydrants, as published by the Department of Public Works.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

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

cc: File

Printed on Recycled Paper

Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

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

RE: Baltimore County 5.23.97
Item No. 518 JCL

Dear Ms. Eubanks:

We have reviewed the referenced item and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/US 140 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

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,

R. J. Gredlein

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: PDM DATE: 5/23/97

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: May 27, 97

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

Item #'s: 97-375A, 513, 514, 516, 517, 518, 519

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: June 9, 1997

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

SUBJECT: Zoning Advisory Petitions

The Planning Office has no comments on the following petitions (s):

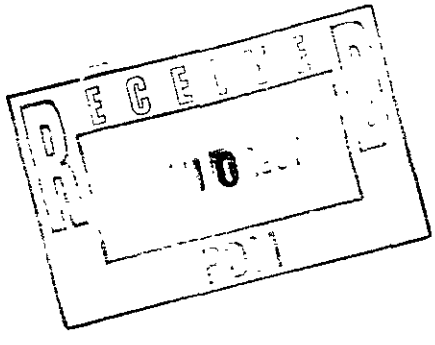
Item Nos. 516, 518 and 522

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JL



BALTIMORE OFFICE
MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
9TH FLOOR
BALTIMORE, MARYLAND 21201
410-539-3700
TELECOPIER 410-625-9050

LAW OFFICES
LEVIN & GANN
A PROFESSIONAL ASSOCIATION
305 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
410-321-0600
TELECOPIER 410-296-2801

ELLIS LEVIN (1893-1960)

HOWARD L. ALDERMAN, JR.

July 25, 1997

HAND DELIVERED

Timothy M. Kotroco, Deputy Zoning Commissioner
Baltimore County Zoning Commissioner's Office
401 Bosley Avenue - 4th Floor
Towson, Maryland 21204

RE: 64 Reisterstown Road LLC
Case No.: 97-518-SPHXA
Final Order

Dear Mr. Kotroco:

In accordance with the instructions received from your office, I am pleased to provide to you the final Order in the above-referenced case. You will note that one change has been made in the first full paragraph on page eleven That paragraph was amended to provide a space for the entry of the date of the Order.

Upon your receipt and review of this final Order, should you desire any further changes, as always, please do not hesitate to contact me. Thank you for your cooperation in this regard.

Very truly yours,



Howard L. Alderman, Jr.

HLA:lah
Enclosure
cc: 64 Reisterstown Road LLC
Mr. James S. Patton, P.E.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

COMPATIBILITY REPORT

TO: Lawrence E. Schmidt, Zoning Commissioner of Baltimore County

FROM: Arnold F. (Pat) Keller, III Director-Office of Planning

DATE: June 24, 1997

PROJECT NAME: Newport Assisted Living Facility
64 Main Street
Reisterstown, Maryland

ZONING CASE NUMBER: 97-518-SPHXA

Section 432.5B.1.d of the Baltimore County Zoning Regulations require a compatibility report for a Class B Assisted Living Facility under Section 26-282 on the Baltimore County Code. The Applicant has submitted a written compatibility report without architectural elevations and landscape plan for this project.

Staff has reviewed the written report and recommends that if this project is approved that the Zoning Commissioner requires the Applicant to submitted architectural elevations and a landscape plan to the Office of Planning for review and approval.

Division Chief : Eileen M. Rudd

line and not less than 40 feet from the center line of the street, except as specified in Section 303.2. [B.C.Z.R., 1955.]

232.2[14]--Side Yards--[B.C.Z.R., 1955.]

A. For residences, as in Section 302; [B.C.Z.R., 1955.]

B. For commercial buildings, none required on interior lots, except that where the lot abuts a lot in a residence zone there must be a side yard not less than the greater minimum width required for a dwelling on the abutting lot and on corner lots the side yard on the street side shall be not less than 10 feet in width. [B.C.Z.R., 1955.]

232.3--Rear Yard--[B.C.Z.R., 1955; Bill No. 26, 1963.]

A. For residences, as in Section 302; [B.C.Z.R., 1955; Bill No. 26, 1963.]

B. For commercial buildings, none required except that where the rear lot line abuts a lot in a residence zone there shall be a rear yard not less than 20 feet deep. [B.C.Z.R., 1955; Bill No. 26, 1963.]

232.4--Parking Area and Loading Space--In accordance with the provisions of Section 409. [B.C.Z.R., 1955.]

232.5--Floor Area Ratio. The maximum permitted floor area ratio for any site in a B.L. zone, excepting C.C.C. and C.T. districts, shall be 3.0. [Bills No. 7, 1962; No. 111, 1968; No. 100, 1970.]

Section 232A--SPECIAL REGULATIONS FOR C.C.C. DISTRICTS.[15] [Bills No. 100, 1970; No. 26, 1988.]

Contrary provisions of these zoning regulations notwithstanding, the regulations of this section shall apply in C.C.C. districts superimposed upon B.L. zones. (All aspects of matters not governed by the following provisions of this section shall be governed by all other applicable provisions of these zoning regulations.) [Bill No. 100, 1970.]

232A.1--Apartments shall be permitted, but only above the first story of a building. Elderly housing facilities shall be permitted in any story of a building. [Bills No. 100, 1970; No. 36, 1988.]

232A.2--No apartment window facing a property line other than a street line shall be closer than 25 feet thereto. The

minimum distance between the centers of facing windows of different apartments on the same lot shall be 50 feet. [Bill No. 100, 1970.]

232A.3--The maximum permitted floor area ratio for any site shall be 4.0; the specific number of dwelling or density units, as such, shall not be directly limited. [Bill No. 100, 1970.]

232A.4--The minimum permitted amenity open space ratio shall be 0.2. [Bill No. 100, 1970.]

Section 232B--SPECIAL REGULATIONS FOR C.T. DISTRICTS. [Bill No. 111, 1968, Section 232A, No. 100, 1970; No. 26, 1988; No. 36, 1988.]

Notwithstanding other provisions of these zoning regulations to the contrary, the following regulations shall apply in C.T. districts superimposed upon B.L. zones (all aspects of matters not governed by the following provisions of this subsection shall be governed by all other applicable provisions of these zoning regulations): [Bills No. 111, 1968, Section 232A; No. 100, 1970.]

232B.1--Apartments shall be permitted, but only above the first story of a building. Elderly housing facilities shall be permitted in any story of a building. [Bills No. 111, 1968, Subsection 232A.1; No. 100, 1970; No. 36, 1988.]

232B.2--No apartment window facing a property line other than a street line shall be closer than 25 feet thereto. The minimum distance between the centers of facing windows of different apartments on the same lot shall be 50 feet. [Bills No. 111, 1968, Subsection 232A.2: No. 100, 1970.]

232B.3--The maximum permitted floor area ratio for any site shall be 5.5; the specific number of dwelling or density units, as such, shall not be directly limited. [Bills No. 111, 1968, Subsection 232A.3; No. 100, 1970.]

232B.4--The minimum permitted amenity open space ratio shall be 0.1, except that for above-grade floor space used for accessory off-street parking spaces, the ratio shall be 0.02. [Bills No. 111, 1968, Subsection 232A.4; No. 100, 1970; No. 115, 1982.]

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

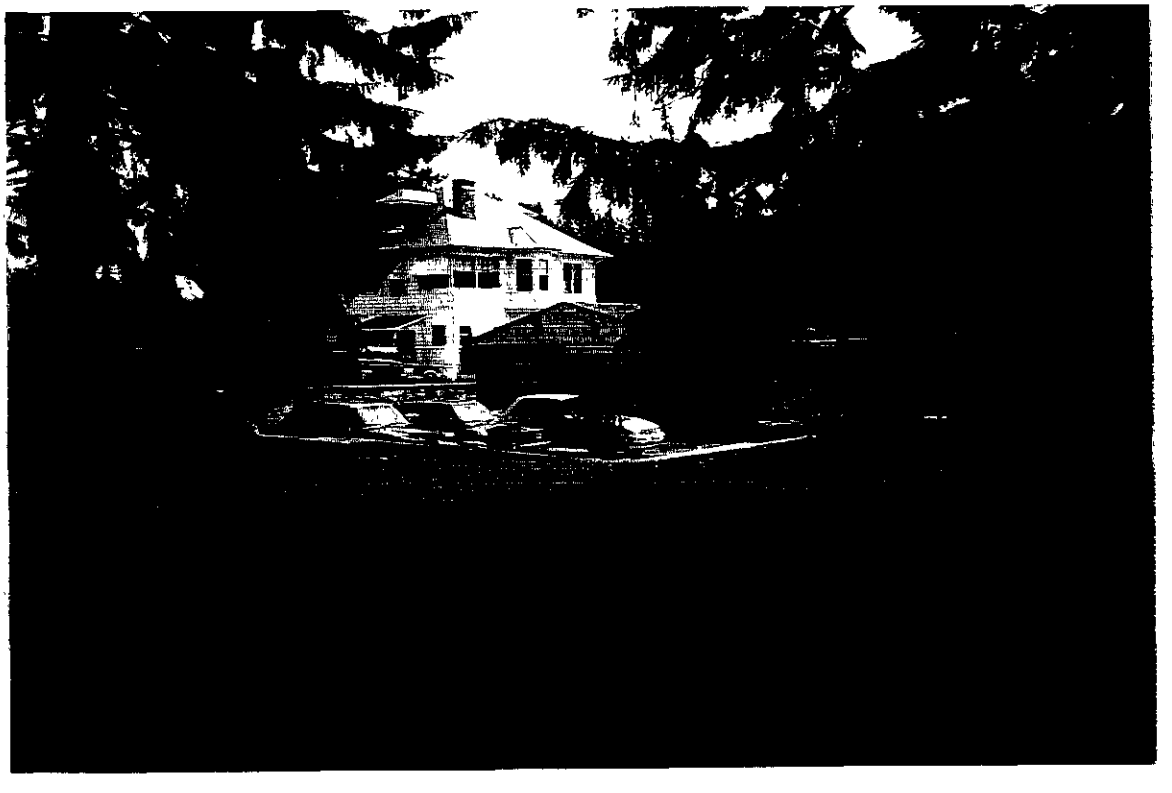
NAME	ADDRESS
Jim Patton	305 W. Chesapeake Ave Suite 118 Towson 21204
David Farrell	7000 Security Blvd, #322 Balt MD 21244
Dominick A. Garcia	2 Dunmanway Suite 210 Balt MD 21228
Howard L. Alderman Jr. Esq	305 W. Chesapeake Ave #113 21204

















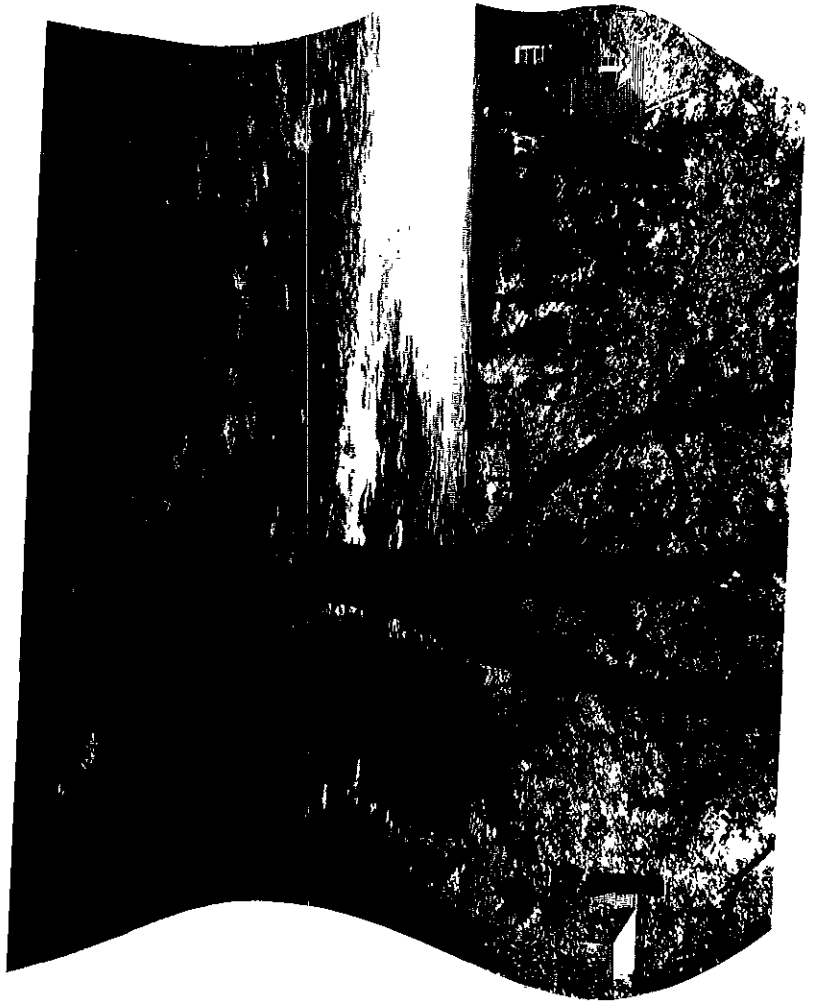


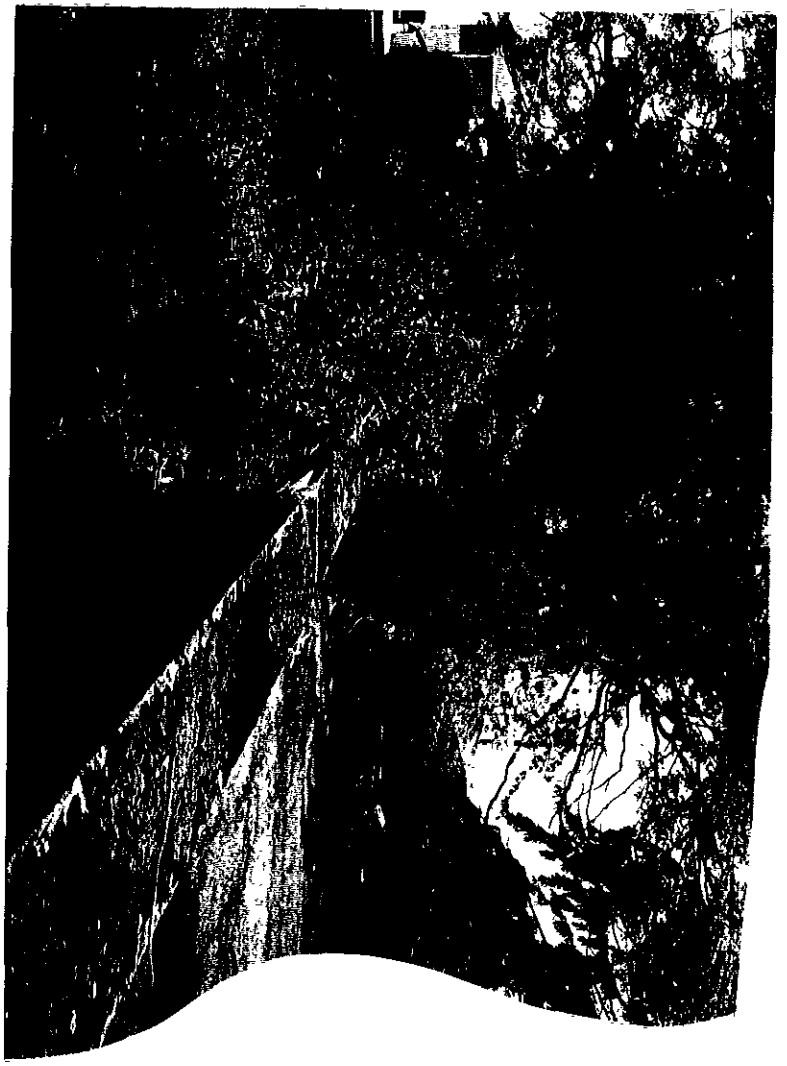








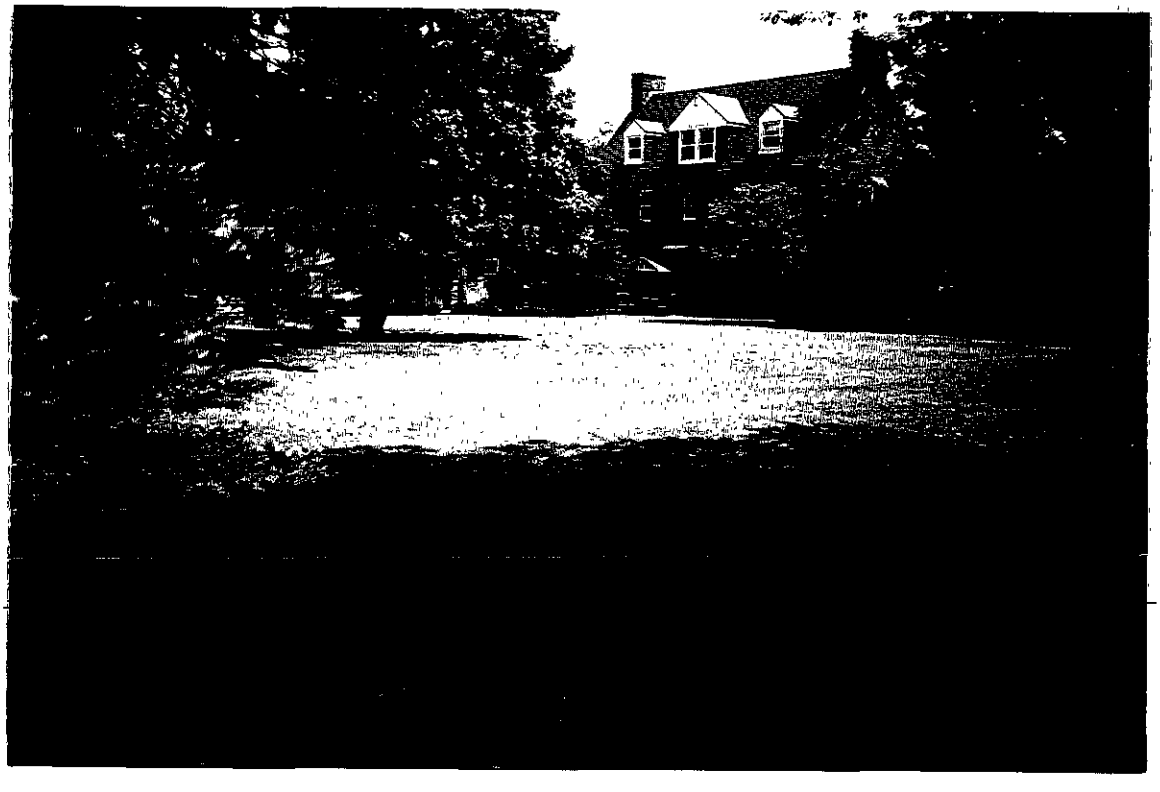






























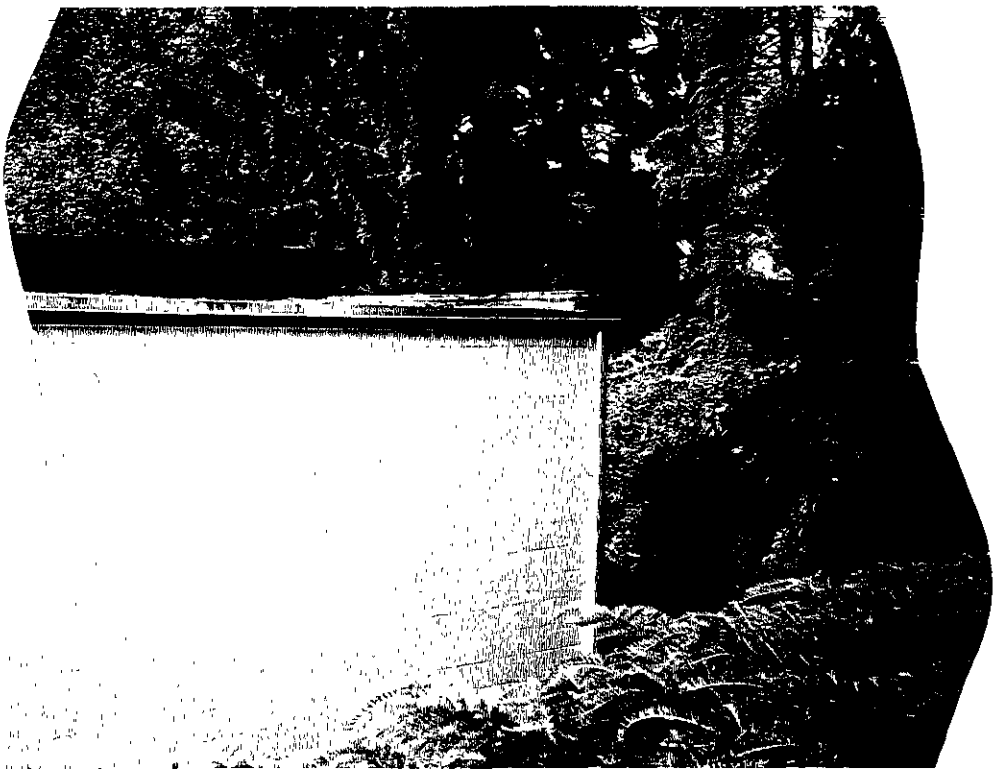


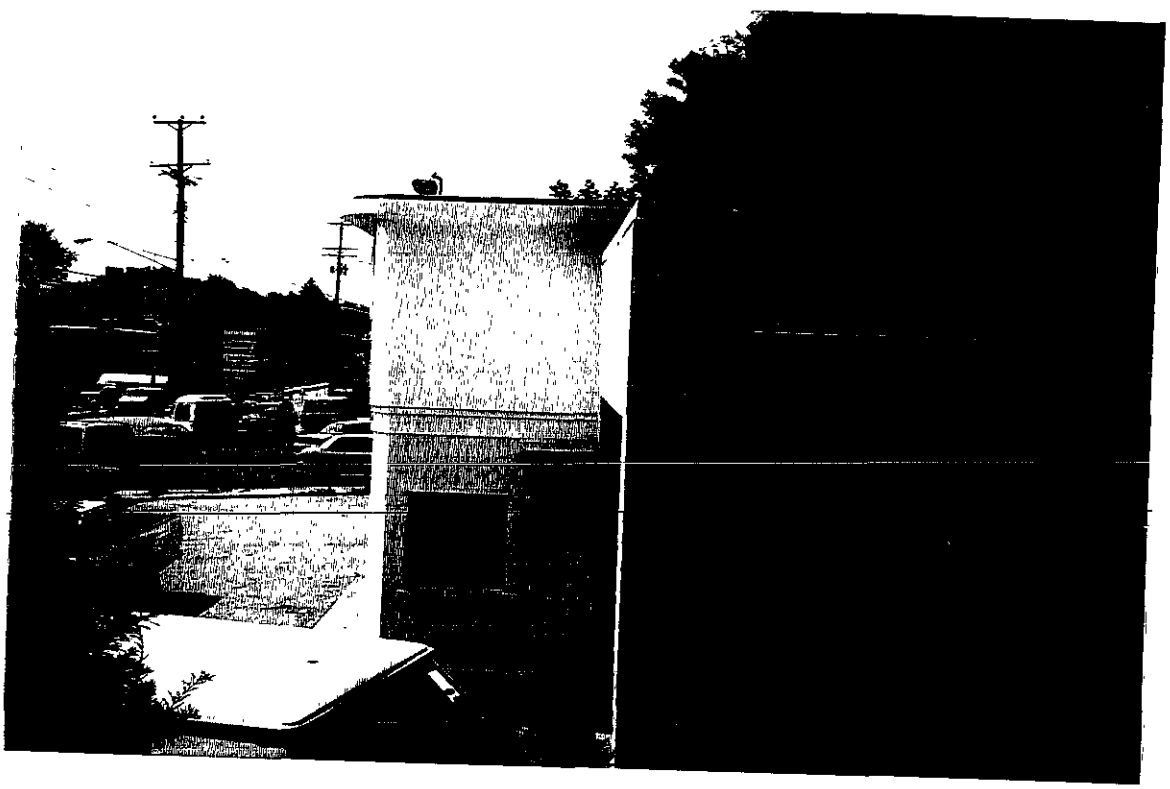





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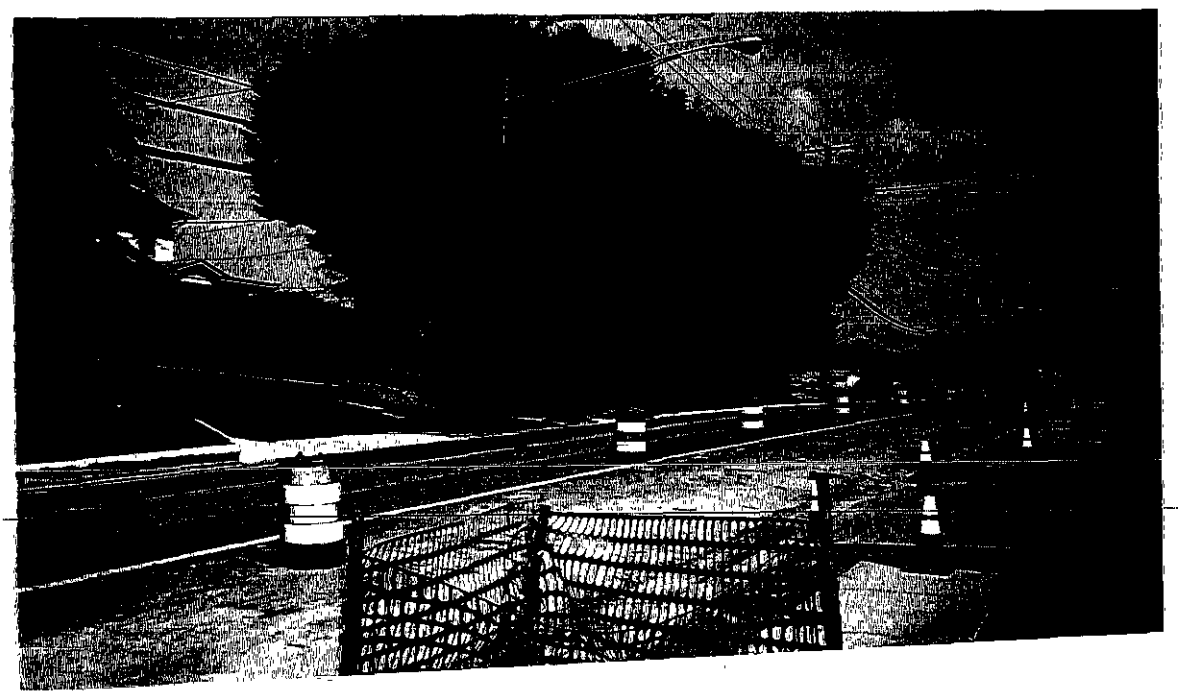




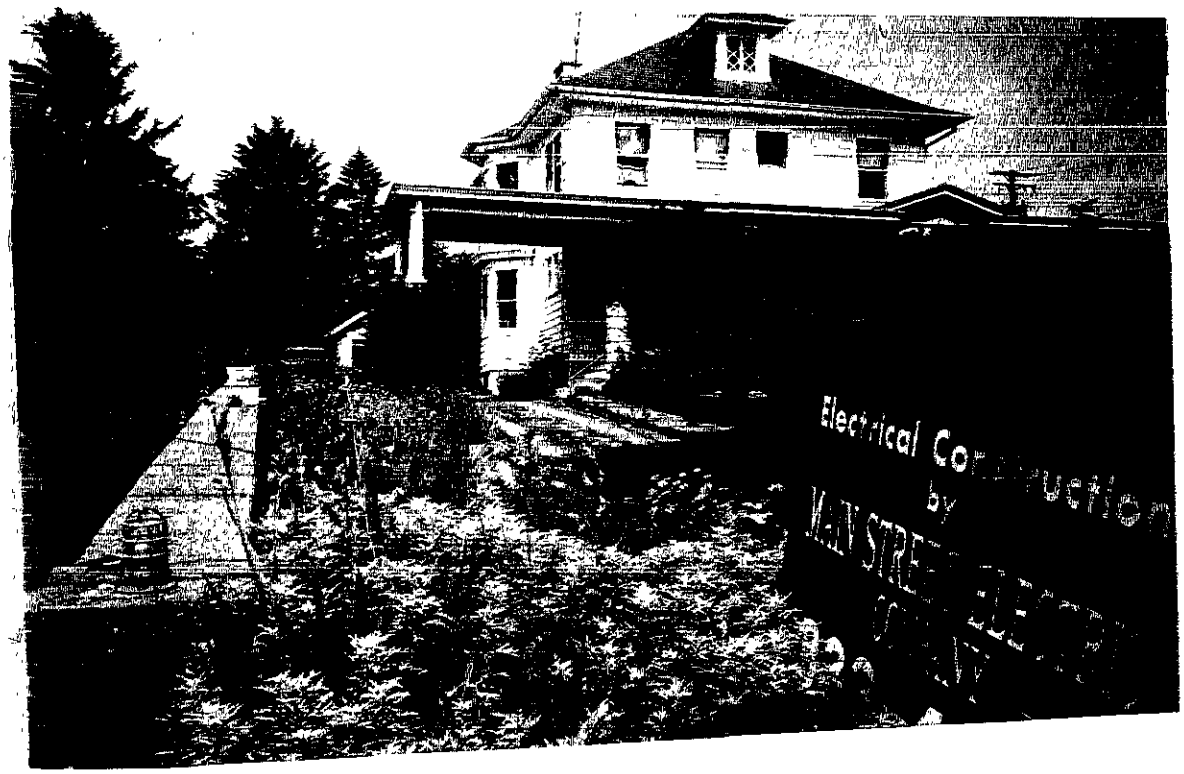











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by

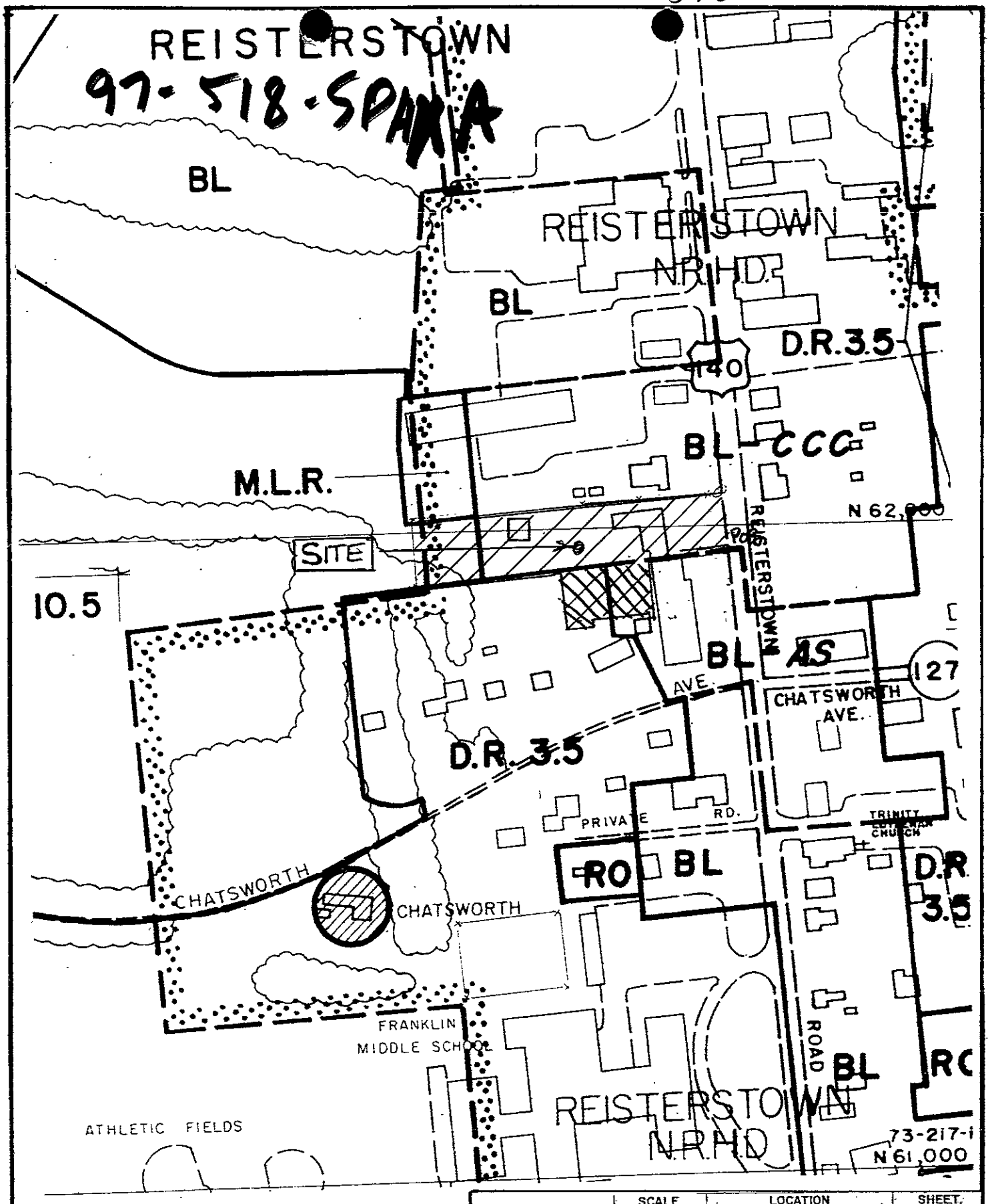






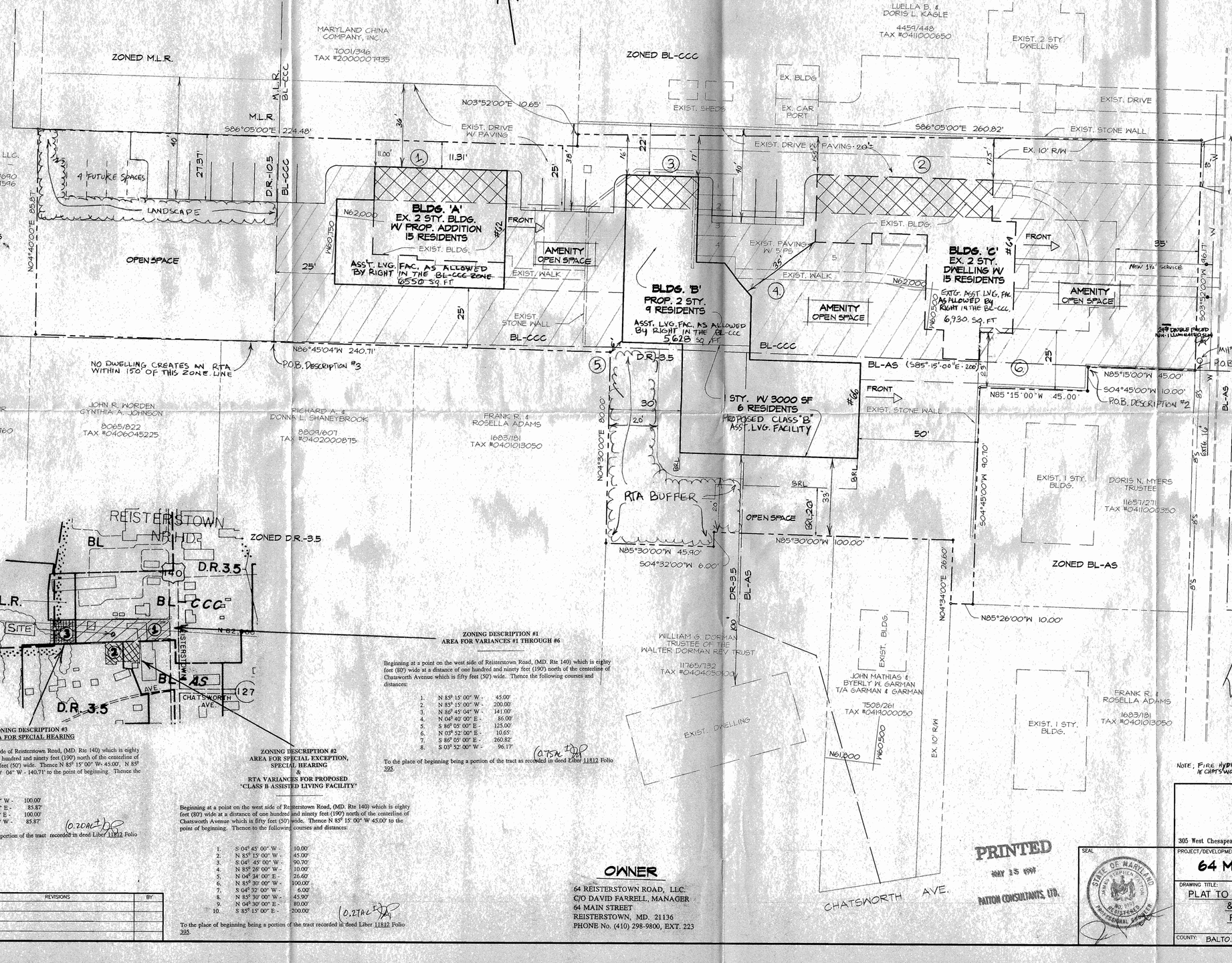


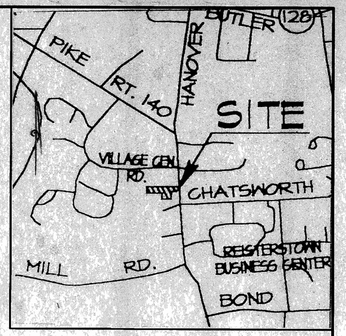
518



PATTON
Patton Consultants Ltd., Engineering & Site Planning
305 West Chesapeake Avenue, Suite 118
Towson, Maryland 21204
410-296-2140 Fax 410-296-0519

	SCALE	LOCATION	SHEET
	1" = 200' ±	REISTERSTOWN	N.W. 16-K
	DATE OF PHOTOGRAPHY JANUARY 1986		
DRAWN:	CHECKED:	JOB#	SCALE: SHT.





VICINITY MAP

SCALE: 1"= 1000'

97-518-SPHXA

GENERAL NOTES:

1. OWNERSHIP: 64 REISTERSTOWN ROAD, LLC
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223
2. DEEDS & TAX ACCOUNT No. 11812/395 T.A.# 04-19-000303 @.958 AC.+/-
11812/395 T.A.# 04-19-000307 @.178 AC.+/-
11812/395 T.A.# 04-19-000806 @.190 AC.+/-
3. COUNCILMANIC: 3rd DISTRICT: 4
4. WATER SHED: 31 SUBSEWERSHED: 709
5. EXISTING ZONING: BL-CCC (0.75 AC.+/-)
BL-AS (0.20 AC.+/-)
DR-3.5 (0.07 AC.+/-)
DR-10.5 (0.20 AC.+/-)
6. SITE ANALYSIS:
TOTAL AREA (GROSS) 1.28 AC.+/-
NET AREA 1.22 AC.+/-
7. EXISTING DWELLINGS: FRONT BUILDING = 3543 S.F. = (0.08 AC.+/-)
REAR BUILDING = 2081 S.F. = (0.05 AC.+/-)
EXISTING USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE
PROPOSED USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE & ASSISTED LIVING FACILITY, CLASS "B" IN A DR-3.5 & BL-AS ZONE
8. PARKING REQUIRED: 1 PKG SP/3 BEDS X 45 BEDS = 15 PKG SP (INCL. 3 HDCP)
STD. PS. = 8.5' X 18'
HDCP. PS. = 12' X 18'
PARKING PROVIDED: 16 PKG SP (INCL. 3 HDCP)
STD. PS. = 8.5' X 18'
HDCP. PS. = 12' X 18'
9. EXISTING PAVEMENT TYPE: BITUMINOUS PAVING
10. PREVIOUS COMMERCIAL PERMITS: NONE
11. NO STREAMS, FLOOD PLAINS, STEEP SLOPES, HISTORIC OR ARCHEOLOGICAL SITES EXIST ON THIS SITE OR WITHIN 50 FEET OF THE SITE TO THE BEST OF OUR AVAILABLE EVIDENCE.
12. F. A. R. PERMITTED: 4.0
F. A. R. PROPOSED: 0.56
13. AMENITY OPEN SPACE REQUIRED: 0.2
AMENITY OPEN SPACE PROPOSED: 0.48

PETITIONER'S EXHIBIT 1

PETITION FOR SPECIAL HEARING
64 REISTERSTOWN ROAD

AS TO AREA OF DESCRIPTION #2:

To interpret the area requirements of Section 432.5A2 (BCZR) as to its application to the proposed assisted living facility on this site.

AS TO AREA OF DESCRIPTION #3:

To permit business parking in a residential zone.

PETITION FOR SPECIAL EXCEPTION

AS TO AREA OF DESCRIPTION #2:

A Special Exception for a Class "B" assisted living facility (see Site Plan).

PETITION FOR VARIANCE

AS TO AREA OF DESCRIPTION #1:

A. SECTION 232 A.2. (BCZR)

To permit windows facing property lins a minimum of six feet (6'), ten feet (10'), twelve feet (12') and twenty-three feet (23') in lieu of the required twenty five (25'). To permit a minimum thirty five foot (35') window to window separation between buildings in lieu of the required fifty feet (50') as shown on the plan.

AS TO AREA OF DESCRIPTION #2:

A. SECTION 1B01.1B1c, d & e (BCZR)

To permit a minimum 20 foot (20') buffer and minimum thirty foot (30') setback in lieu of the required fifty foot (50') buffer and seventy-five foot (75') setback.

B. SECTION 432.5 A.2:

To permit a lot area of 12,912.60 sq. ft in lieu of the required minimum lot area of one acre. (This is in the alternative to granting the requested Special Hearing.)

C. SECTION 432.5 B.1.b:

To permit that portion of the tract zoned BL-AS and D.R. 3.5 not to have frontage on a principal arterial.

ZONING DESCRIPTION #3
AREA FOR SPECIAL HEARING

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W- 45.00', N 85° 15' 00" W - 200.00' & N 86° 45.00' 04" W - 140.71' to the point of beginning. Thence the following courses and distances:

1.	N 86° 45' 04" W -	100.00'
2.	N 04° 40' 00" E -	85.87'
3.	S 86° 05' 00" E -	100.00'
4.	S 04° 40' 00" W -	85.87'

(0.20AC.+/-)

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395.

ZONING DESCRIPTION #2
AREA FOR SPECIAL EXCEPTION, SPECIAL HEARING
&
RTA VARIANCES FOR PROPOSED "CLASS B ASSISTED LIVING FACILITY"

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W 45.00' to the point of beginning. Thence to the following courses and distances:

1.	S 04° 45' 00" W -	10.00'
2.	N 85° 15' 00" W -	45.00'
3.	S 04° 45' 00" W -	90.70'
4.	N 85° 26' 00" W -	10.00'
5.	N 04° 34' 00" E -	26.60'
6.	N 85° 30' 00" W -	100.00'
7.	S 04° 32' 00" W -	6.00'
8.	N 85° 30' 00" W -	45.90'
9.	N 04° 30' 00" E -	80.00'
10.	S 85° 15' 00" E -	200.00'

(0.27AC.+/-)

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395.

ZONING DESCRIPTION #1
AREA FOR VARIANCES #1 THROUGH #6

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence the following courses and distances:

1.	N 85° 15' 00" W -	45.00'
2.	N 85° 15' 00" W -	200.00'
3.	N 86° 45' 04" W -	141.00'
4.	N 04° 40' 00" E -	86.00'
5.	S 86° 05' 00" E -	125.00'
6.	N 03° 52' 00" E -	10.65'
7.	S 86° 05' 00" E -	260.82'
8.	S 03° 52' 00" W -	96.17'

(0.75AC.+/-)

To the place of beginning being a portion of the tract as recorded in deed Liber 11812 Folio 395.

OWNER

64 REISTERSTOWN ROAD, LLC.
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223

PRINTED
MAY 15 1997
PATTON CONSULTANTS, LTD.

SEAL
STATE OF MARYLAND
JAMES STEPHEN PATTON
No. 6005
REGISTERED
PROFESSIONAL ENGINEER

PATTON
Active Consultants Ltd. Engineering & Site Planning
305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204 410-296-2140 Fax 410-296-2140

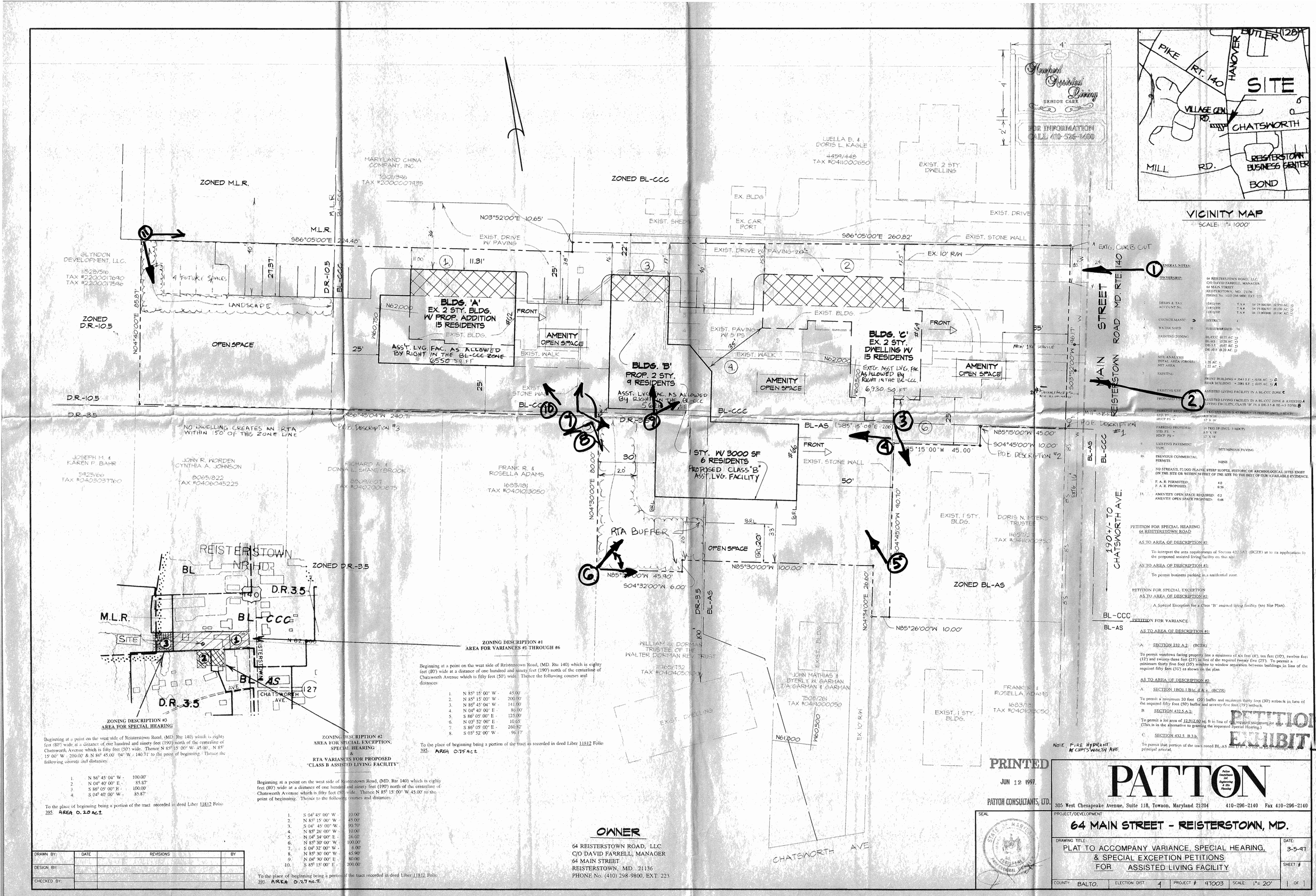
PROJECT/DEVELOPMENT
64 MAIN STREET - REISTERSTOWN, MD.

DRAWING TITLE:
PLAT TO ACCOMPANY VARIANCE, SPECIAL HEARING, & SPECIAL EXCEPTION PETITIONS FOR ASSISTED LIVING FACILITY

DATE: 3-5-97
SHEET # 1 OF 1

COUNTY: BALTO. ELECTION DIST.: 4 PROJECT #: 97003 SCALE: 1"= 20'

DRAWN BY:	DATE	REVISIONS	BY
DESIGN BY:			
CHECKED BY:			



VICINITY MAP

SCALE: 1"= 1000'

ZONING DESCRIPTION #3
AREA FOR SPECIAL HEARING

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W 45.00', N 85° 15' 00" W 200.00' & N 86° 45.00' 04" W - 140.71' to the point of beginning. Thence the following courses and distances:

1.	N 86° 45' 04" W -	100.00'
2.	N 04° 40' 00" E -	85.87'
3.	S 86° 05' 00" E -	100.00'
4.	S 04° 40' 00" W -	85.87'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.20 AC±

ZONING DESCRIPTION #2
AREA FOR SPECIAL EXCEPTION, SPECIAL HEARING & RTA VARIANCES FOR PROPOSED "CLASS B ASSISTED LIVING FACILITY"

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W 45.00' to the point of beginning. Thence to the following courses and distances:

1.	S 04° 45' 00" W -	10.00'
2.	N 85° 15' 00" W -	45.00'
3.	S 04° 45' 00" W -	90.70'
4.	N 85° 26' 00" W -	10.00'
5.	N 04° 34' 00" E -	26.60'
6.	N 85° 30' 00" W -	100.00'
7.	S 04° 32' 00" W -	6.00'
8.	N 85° 30' 00" W -	45.90'
9.	N 04° 30' 00" E -	80.00'
10.	S 85° 15' 00" E -	200.00'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.27 AC±

ZONING DESCRIPTION #1
AREA FOR VARIANCES #1 THROUGH #6

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence the following courses and distances:

1.	N 85° 15' 00" W -	45.00'
2.	N 85° 15' 00" W -	200.00'
3.	N 86° 45' 04" W -	141.00'
4.	N 04° 40' 00" E -	86.00'
5.	S 86° 05' 00" E -	125.00'
6.	N 03° 52' 00" E -	10.65'
7.	S 86° 05' 00" E -	260.82'
8.	S 03° 52' 00" W -	196.17'

To the place of beginning being a portion of the tract as recorded in deed Liber 11812 Folio 395. AREA 0.75 AC±

OWNER

64 REISTERSTOWN ROAD, LLC.
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223

GENERAL NOTES:

1. OWNERSHIP: 64 REISTERSTOWN ROAD, LLC. C/O DAVID FARRELL, MANAGER. 64 MAIN STREET. REISTERSTOWN, MD. 21136. PHONE No. (410) 298-9800, EXT. 223.
2. DEEDS & TAX ACCOUNT No.: 11812/395 T.A.# 04-19-000301 (0.950 AC ±); 11812/395 T.A.# 04-19-000707 (0.130 AC ±); 11812/395 T.A.# 04-19-003008 (0.190 AC ±)
3. COUNCILMANIC DISTRICT: 3
4. WATERSHED: 31 SUBDIVISION/SECTION: 70
5. EXISTING ZONING: BL-CCC (0.025 AC ±); BL-AS (0.206 AC ±); DR 3.5 (0.07 AC ±); DR 10.5 (0.20 AC ±)
6. SITE ANALYSIS: TOTAL AREA (GROSS): 1.28 AC ±; NET AREA: 1.22 AC ±
7. EXISTING: FRONT BUILDING = 3543 S.F. ± (0.08 AC ±) C; REAR BUILDING = 2081 S.F. ± (0.05 AC ±) A
8. EXISTING USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE C
   PROPOSED USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE & ASSISTED LIVING FACILITY, CLASS "B" IN A DR-3.5 & BL-AS ZONE B
   PARKING REQUIRED: STD. PS = 1 PER 600 SQ. FT. PROP. = 15 PROP. SP. (INCL. 3 HDCP); HDCP PS = 12' X 18'
   PARKING PROVIDED: STD. PS = 16 PKG SP (INCL. 3 HDCP); 8.5' X 18'; HDCP PS = 12' X 18'
9. EXISTING PAVEMENT TYPE: BITUMINOUS PAVING
10. PREVIOUS COMMERCIAL PERMITS: NONE
11. NO STREAMS, FLOOD PLAINS, STEEP SLOPES, HISTORIC OR ARCHEOLOGICAL SITES EXIST ON THE SITE OR WITHIN 50 FEET OF THE SITE TO THE BEST OF OUR AVAILABLE EVIDENCE.
12. F. A. R. PERMITTED: 4.0; F. A. R. PROPOSED: 0.56
13. AMENITY OPEN SPACE REQUIRED: 0.2; AMENITY OPEN SPACE PROPOSED: 0.48

PETITION FOR SPECIAL HEARING
64 REISTERSTOWN ROAD

AS TO AREA OF DESCRIPTION #2:

To interpret the area requirements of Section 432.5.A.2. (BCZR) as to its applications to the proposed assisted living facility on this site.

AS TO AREA OF DESCRIPTION #3:

To permit business parking in a residential zone.

PETITION FOR SPECIAL EXCEPTION
AS TO AREA OF DESCRIPTION #2:

A Special Exception for a Class "B" assisted living facility (see Site Plan).

PETITION FOR VARIANCE
AS TO AREA OF DESCRIPTION #1:

A. SECTION 232 A.2. (BCZR)

To permit windows facing property line a minimum of six feet (6'), ten feet (10'), twelve feet (12') and twenty-three feet (23') in lieu of the required twenty five (25'). To permit a minimum thirty five foot (35') window to window separation between buildings in lieu of the required fifty feet (50') as shown on the plan.

AS TO AREA OF DESCRIPTION #2:

A. SECTION 1B01.1.B.1.c. & e. (BCZR)

To permit a minimum 20 foot (20') buffer and minimum thirty foot (30') setback in lieu of the required fifty foot (50') buffer and seventy-five foot (75') setback.

B. SECTION 432.5.A.2:

To permit a lot area of 12,912.60 sq. ft in lieu of the required minimum lot area of 43,560 sq. ft. (This is in the alternative to granting the requested Special Hearing.)

C. SECTION 432.5. B.3.b.

To permit that portion of the tract zoned BL-AS and DR-3.5 to be used to access a principal arterial.

PETITIONER'S EXHIBIT 2

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JUN 12 1997
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SEAL

PATTON

Patton Consultants Ltd. Engineering & Site Planning

305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204 410-296-2140 Fax 410-296-2140

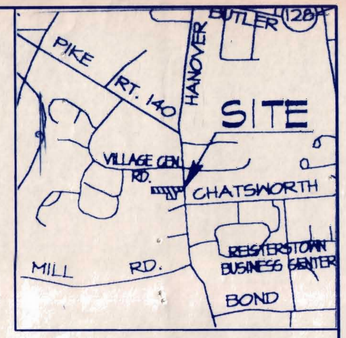
PROJECT/DEVELOPMENT
64 MAIN STREET - REISTERSTOWN, MD.

DRAWING TITLE:
PLAT TO ACCOMPANY VARIANCE, SPECIAL HEARING, & SPECIAL EXCEPTION PETITIONS FOR ASSISTED LIVING FACILITY

DATE: 3-5-97
SHEET #
OF

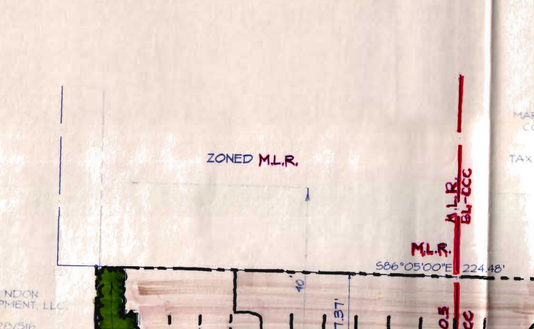
COUNTY: BALTO. | ELECTION DIST.: 1 | PROJECT #: 97003 | SCALE: 1"= 20'

DRAWN BY:	DATE	REVISIONS	BY
DESIGN BY:			
CHECKED BY:			



VICINITY MAP

SCALE: 1"= 1000'



ZONING DESCRIPTION #3
AREA FOR SPECIAL HEARING

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W - 45.00', N 85° 15' 00" W - 200.00' & N 86° 45' 04" W - 140.71' to the point of beginning. Thence the following courses and distances:

1.	N 86° 45' 04" W -	100.00'
2.	N 04° 40' 00" E -	85.87'
3.	S 86° 05' 00" E -	100.00'
4.	S 04° 40' 00" W -	85.87'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.20 Ac±

ZONING DESCRIPTION #2
AREA FOR SPECIAL EXCEPTION, SPECIAL HEARING
&
RTA VARIANCES FOR PROPOSED "CLASS B ASSISTED LIVING FACILITY"

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W 45.00' to the point of beginning. Thence to the following courses and distances:

1.	S 04° 45' 00" W -	10.00'
2.	N 85° 15' 00" W -	45.00'
3.	S 04° 45' 00" W -	90.70'
4.	N 85° 26' 00" W -	10.00'
5.	N 04° 34' 00" E -	26.60'
6.	N 85° 30' 00" W -	100.00'
7.	S 04° 32' 00" W -	6.00'
8.	N 85° 30' 00" W -	45.90'
9.	N 04° 30' 00" E -	80.00'
10.	S 85° 15' 00" E -	200.00'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.27 Ac.±

ZONING DESCRIPTION #1
AREA FOR VARIANCES #1 THROUGH #6

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence the following courses and distances:

1.	N 85° 15' 00" W -	45.00'
2.	N 85° 15' 00" W -	200.00'
3.	N 86° 45' 04" W -	141.00'
4.	N 04° 40' 00" E -	86.00'
5.	S 86° 05' 00" E -	125.00'
6.	N 03° 52' 00" E -	10.65'
7.	S 86° 05' 00" E -	260.82'
8.	S 03° 52' 00" W -	96.17'

To the place of beginning being a portion of the tract as recorded in deed Liber 11812 Folio 395. AREA 0.75 Ac±

OWNER

64 REISTERSTOWN ROAD, LLC.
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223

GENERAL NOTES

1	OWNERSHIP:	64 REISTERSTOWN ROAD, LLC C/O DAVID FARRELL, MANAGER 64 MAIN STREET REISTERSTOWN, MD. 21136 PHONE No. (410) 298-9800, EXT. 223
2	DEEDS & TAX ACCOUNT No.	11812/395 T.A.# 04-19-000302 (6.950 AC ±) 11812/395 T.A.# 04-19-000307 (0.170 AC ±) 11812/395 T.A.# 04-19-000306 (0.190 AC ±)
3	COUNCILMANIC	DISTRICT: 4
4	WATER SHED	11 SUBSEWERSHED 310
5	EXISTING ZONING:	BL-CCC (0.75 AC ±) BL-AS (3.20 AC ±) DR-3.5 (0.07 AC ±) DR-10.5 (0.20 AC ±)
6	SITE ANALYSIS TOTAL AREA (GROSS): NET AREA:	4.24 AC ± 4.22 AC ±
7	EXISTING:	FRONT BUILDING = 3543 S.F. = (0.08 AC ±) C REAR BUILDING = 2081 S.F. = (0.05 AC ±) A
	EXISTING USE:	ASSISTED LIVING FACILITY IN A BL-CCC ZONE C
	PROPOSED USE:	ASSISTED LIVING FACILITY IN A BL-CCC ZONE & ASSISTED LIVING FACILITY, CLASS "B" IN A DR-3.5 & BL-AS ZONE B
8	PARKING REQUIRED: STD. PS = HDCP PS =	1 PKG SP/3 BEDS X 45 BEDS = 15 PKG SP (INCL. 3 HDCP) 8.5' X 18' 12' X 18'
	PARKING PROVIDED STD. PS = HDCP PS =	16 PKG SP (INCL. 3 HDCP) 8.5' X 18' 12' X 18'
9	EXISTING PAVEMENT TYPE:	BITUMINOUS PAVING
10	PREVIOUS COMMERCIAL PERMITS:	NONE
11	NO STREAMS, FLOOD PLAINS, STEEP SLOPES, HISTORIC OR ARCHEOLOGICAL SITES EXIST ON THE SITE OR WITHIN 50 FEET OF THE SITE, TO THE BEST OF OUR AVAILABLE EVIDENCE.	
12	F.A.R. PERMITTED: F.A.R. PROPOSED:	4.0 0.56
13	AMENITY OPEN SPACE REQUIRED: AMENITY OPEN SPACE PROPOSED:	0.7 0.68

PETITION FOR SPECIAL HEARING
64 REISTERSTOWN ROAD

AS TO AREA OF DESCRIPTION #2:

To interpret the area requirements of Section 432.5A2 (BCZR) as to its applicability to the proposed assisted living facility on this site

AS TO AREA OF DESCRIPTION #3:

To permit business parking in a residential zone.

PETITION FOR SPECIAL EXCEPTION
AS TO AREA OF DESCRIPTION #2:

A Special Exception for a Class "B" assisted living facility (see Sec. 432.5A2)

PETITION FOR VARIANCE

AS TO AREA OF DESCRIPTION #1:

A SECTION 232.A.2 (BCZR)

To permit windows facing property line a minimum of six feet (6'), ten feet (10'), twelve feet (12') and twenty-three feet (23') in lieu of the required twenty five (25'). To permit a minimum thirty five foot (35') window to window separation between buildings in lieu of the required fifty feet (50') as shown on the plan.

AS TO AREA OF DESCRIPTION #2:

A SECTION 1B01.1.B1(g, d & e (BCZR)

To permit a minimum 20 foot (20') buffer and minimum thirty foot (30') setback in lieu of the required fifty foot (50') buffer and seventy-five foot (75') setback.

B SECTION 432.5.A.2.

To permit a lot area of 12,912.60 sq. ft in lieu of the required minimum lot area of one acre. (This is in the alternative to granting the requested Special Hearing.)

C SECTION 432.5 B.3.b:

To permit that portion of the tract zoned BL-AS and D.R. 3.5 not to have frontage on a principal arterial.

NOTE: FIRE HYDRANT AT CHATSWORTH AVE.

PETITIONER'S EXHIBIT 3

DRAWN BY:	DATE	REVISIONS	BY
DESIGN BY:			
CHECKED BY:			

SEAL

STATE OF MARYLAND — No. 19731 — REGISTERED PROFESSIONAL ENGINEER

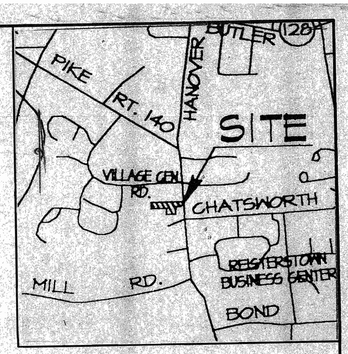
PATTON
Patton Consultants Ltd. Engineering & Site Planning
305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204 410-296-2140 Fax 410-296-2140

PROJECT/DEVELOPMENT
64 MAIN STREET - REISTERSTOWN, MD.

DRAWING TITLE:
PLAT TO ACCOMPANY VARIANCE, SPECIAL HEARING, & SPECIAL EXCEPTION PETITIONS FOR ASSISTED LIVING FACILITY

DATE: 3-5-97
SHEET # 1 OF 1

COUNTY:	ELECTION DIST.:	PROJECT #:	SCALE:
BALTO.	1	97003	1"= 20'



VICINITY MAP

SCALE: 1"= 1000'



ZONED M.L.R.

MARYLAND CHINA COMPANY, INC.
1001/396
TAX #2000007935

ZONED BL-CCC

LUELLA B. & DORIS L. KAGLE
4459/448
TAX #0411000650

EXIST. 2 STY. DWELLING

EXIST. DRIVE

EX. BLDG

EX. CAR PORT

EXIST. SHEDS

N03°52'00"E 10.65'

EXIST. DRIVE W/ PAVING

M.L.R.

S86°05'00"E 224.48'

S86°05'00"E 260.82'

EXIST. STONE WALL

EXTG. CURB CUT

GLYNDON DEVELOPMENT, LLC.
11528/516
TAX #2200017690
TAX #2200017946

4 FUTURE SPACES

LANDSCAPE

ZONED D.R.-10.5

OPEN SPACE

N04°40'00"E 85.87'

D.R.-10.5

BL-CCC

D.R.-3.5

BLDG. 'A'
EX. 2 STY. BLDG.
W/ PROP. ADDITION
15 RESIDENTS

EXIST. BLDG.

ASST. LVG. FAC. AS ALLOWED BY RIGHT IN THE BL-CCC ZONE
6550 SQ. FT.

FRONT

#62

AMENITY OPEN SPACE

EXIST. WALK

EXIST. STONE WALL

N62,000

N60,750

EXIST. DRIVE W/ PAVING-20'±

EXIST. 10' R/W

EXIST. BLDG.

EXIST. PAVING W/ 5 PS

BLDG. 'C'
EX. 2 STY.
DWELLING W/
15 RESIDENTS

EXTG. ASST. LVG. FAC. AS ALLOWED BY RIGHT IN THE BL-CCC.
6,930 SQ. FT

#64

FRONT

AMENITY OPEN SPACE

N62,000

N60,500

NEW 1½" SERVICE

MAIN STREET
REISTERSTOWN ROAD MD. RTE. 140

S03°53'00"W 46.17'

P.O.B. DESCRIPTION #1

N11°16'33"W 16.83'

BLDG. 'B'
PROP. 2 STY.
9 RESIDENTS

ASST. LVG. FAC. AS ALLOWED BY RIGHT IN THE BL-CCC
5628 SQ. FT.

BL-CCC

BL-AS (S85°15'00"E - 200')

N85°15'00"W 45.00'

S04°45'00"W 10.00'

P.O.B. DESCRIPTION #2

N86°45'04"W 240.71'

P.O.B. DESCRIPTION #3

NO DWELLING CREATES AN RTA WITHIN 150' OF THIS ZONE LINE

1 STY. W/ 3000 SF
6 RESIDENTS
PROPOSED CLASS 'B'
ASST. LVG. FACILITY

#66

FRONT

EXIST. STONE WALL

50'

N04°30'00"E 80.00'

30'

20'

BRL

RTA BUFFER

N85°30'00"W 45.90'

S04°32'00"W 6.00'

OPEN SPACE

BRL 20'

35'

N85°30'00"W 100.00'

S04°45'00"W 40.70'

EXIST. 1 STY. BLDG.

DORIS N. MYERS TRUSTEE
11657/251
TAX #0411000350

ZONED BL-AS

N04°34'00"E 26.60'

N85°26'00"W 10.00'

DR-3.5

BL-AS

WILLIAM G. DORMAN TRUSTEE OF THE WALTER DORMAN REV TRUST
11765/732
TAX #0404050103

EXIST. DWELLING

EXIST. BLDG.

JOHN MATHIAS & BYERLY N. GARMAN T/A GARMAN & GARMAN
7508/261
TAX #0411000050

N61,800

N60,500

EX. 10' R/W

EXIST. 1 STY. BLDG.

FRANK R. & ROSELLA ADAMS
1683/181
TAX #0401013050

CHATSWORTH AVE.

190'+/- TO CHATSWORTH AVE.

BL-CCC

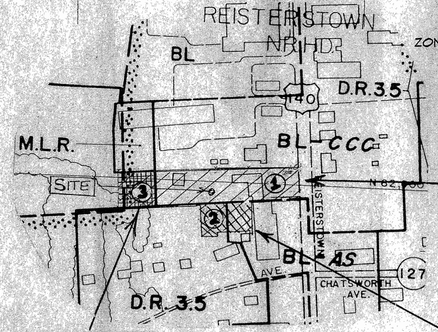
BL-AS

JOSEPH M. & KAREN P. BAHR
5925/66
TAX #0403037760

JOHN R. NORDEN
CYNTHIA A. JOHNSON
8065/822
TAX #0406045225

RICHARD A. & DONNA L. SHANEYBROOK
8809/607
TAX #0402000875

FRANK R. & ROSELLA ADAMS
1683/181
TAX #0401013050



ZONING DESCRIPTION #3
AREA FOR SPECIAL HEARING

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W- 45.00', N 85° 15' 00" W - 200.00' & N 86° 45.00' 04" W - 140.71' to the point of beginning. Thence the following courses and distances:

1. N 86° 45' 04" W - 100.00'
2. N 04° 40' 00" E - 85.87'
3. S 86° 05' 00" E - 100.00'
4. S 04° 40' 00" W - 85.87'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.20 AC±

ZONING DESCRIPTION #2
AREA FOR SPECIAL EXCEPTION, SPECIAL HEARING
&
RTA VARIANCES FOR PROPOSED "CLASS B ASSISTED LIVING FACILITY"

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W 45.00' to the point of beginning. Thence to the following courses and distances:

1. S 04° 45' 00" W - 10.00'
2. N 85° 15' 00" W - 45.00'
3. S 04° 45' 00" W - 90.70'
4. N 85° 26' 00" W - 10.00'
5. N 04° 34' 00" E - 26.60'
6. N 85° 30' 00" W - 100.00'
7. S 04° 32' 00" W - 6.00'
8. N 85° 30' 00" W - 45.90'
9. N 04° 30' 00" E - 80.00'
10. S 85° 15' 00" E - 200.00'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.27 AC±

ZONING DESCRIPTION #1
AREA FOR VARIANCES #1 THROUGH #6

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet, (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence the following courses and distances:

1. N 85° 15' 00" W - 45.00'
2. N 85° 15' 00" W - 200.00'
3. N 86° 45' 04" W - 141.00'
4. N 04° 40' 00" E - 86.00'
5. S 86° 05' 00" E - 125.00'
6. N 03° 52' 00" E - 10.65'
7. S 86° 05' 00" E - 260.82'
8. S 03° 52' 00" W - 96.17'

To the place of beginning being a portion of the tract as recorded in deed Liber 11812 Folio 395. AREA 0.75 AC±

OWNER

64 REISTERSTOWN ROAD, LLC.
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223

PRINTED
JUN 24 1997
PATTON CONSULTANTS, LTD.

GENERAL NOTES:

1. OWNERSHIP: 64 REISTERSTOWN ROAD, LLC.
   C/O DAVID FARRELL, MANAGER
   64 MAIN STREET
   REISTERSTOWN, MD. 21136
   PHONE No. (410) 298-9800, EXT. 223
2. DEEDS & TAX ACCOUNT No.: 11812/395 T.A.# 04-19-000305 (0.950 AC. ±); 11812/395 T.A.# 04-19-000300 (0.170 AC. ±); 11812/395 T.A.# 04-19-002806 (0.150 AC. ±)
3. COUNCILMANIC: 3 DISTRICT: 4
4. WATER SHED: 31 SUBSEWERSHED: 59
5. EXISTING ZONING: BL-CCC (0.55 AC. ±); BL-AS (0.35 AC. ±); DR-3.5 (0.02 AC. ±); DR-10.5 (0.20 AC. ±)
6. SITE ANALYSIS: TOTAL AREA (GROSS): 1.28 AC. ±; NET AREA: 1.22 AC. ±
7. EXISTING: FRONT BUILDING - 3543 S.F. ± (0.08 AC. ±) C; REAR BUILDING - 2081 S.F. ± (0.05 AC. ±) A
   EXISTING USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE C
   PROPOSED USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE & ASSISTED LIVING FACILITY, CLASS 'B' IN A DR-3.5 & BL-AS ZONE B
8. PARKING REQUIRED: STD. PS = HDCP PS = 1 PKG SPP BEDS X 45 BEDS = 15 PKG SP (INCL 3 HDCP); 8.5' X 18'; 12' X 18'
   PARKING PROVIDED: STD. PS = HDCP. PS = 16 PKG SP (INCL. 3 HDCP); 8.5' X 18'; 12' X 18'
9. EXISTING PAVEMENT TYPE: BITUMINOUS PAVING
10. PREVIOUS COMMERCIAL PERMITS: NONE
11. NO STREAMS, FLOOD PLAINS, STEEP SLOPES, HISTORIC OR ARCHEOLOGICAL SITES EXIST ON THE SITE OR WITHIN 50 FEET OF THE SITE TO THE BEST OF OUR AVAILABLE EVIDENCE.
12. F. A. R. PERMITTED: 4.0; F. A. R. PROPOSED: 0.56
13. AMENITY OPEN SPACE REQUIRED: 0.2; AMENITY OPEN SPACE PROPOSED: 0.48

PETITION FOR SPECIAL HEARING
64 REISTERSTOWN ROAD

AS TO AREA OF DESCRIPTION #2:

To interpret the area requirement of Section 432.5A2 (BCZR) as to its application to the proposed assisted living facility on this site.

AS TO AREA OF DESCRIPTION #3:

To permit business parking in a residential zone.

PETITION FOR SPECIAL EXCEPTION
AS TO AREA OF DESCRIPTION #2:

A Special Exception for a Class "B" assisted living facility (see Site Plan).

PETITION FOR VARIANCE

AS TO AREA OF DESCRIPTION #1:

A. SECTION 232.A.2 (BCZR)

To permit windows facing property line a minimum of ~~[illegible]~~ feet (10), twelve feet (12) and twenty-three feet (23') in lieu of the required twenty five (25'). To permit a minimum thirty five feet (35') window to window separation between buildings in lieu of the required fifty feet (50') as shown on the plan.

AS TO AREA OF DESCRIPTION #2:

A. SECTION 1B01.1.B1c, d & e. (BCZR)

To permit a minimum 20 foot (20') buffer and minimum thirty foot (30') setback in lieu of the required fifty foot (50') buffer and seventy-five foot (75') setback.

B. SECTION 432.5.A.2:

To permit a lot area of 12,912.60 sq. ft in lieu of the required minimum lot area of one acre. (This is in the alternative to granting the requested Special Hearing.)

C. SECTION 432.5. B.3.b:

To permit that portion of the tract zoned BL-AS and D.R. 3.5 not to have frontage on a principal arterial.

NOTE: FIRE HYDRANT AT CHATSWORTH AVE.

PETITIONER'S EXHIBIT 4

DRAWN BY:	DATE	REVISIONS	BY
DESIGN BY:			
CHECKED BY:			

SEAL

STATE OF MARYLAND — JAMES STEPHEN PATTON — NO. 9900 — REGISTERED PROFESSIONAL ENGINEER

PATTON

Patton Consultants Ltd. Engineering & Site Planning

305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204 410-296-2140 Fax 410-296-2140

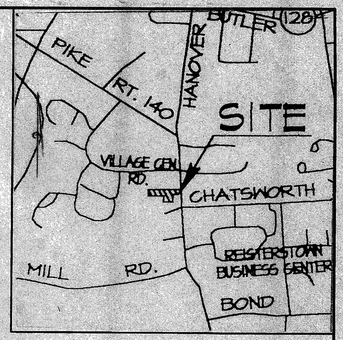
PROJECT/DEVELOPMENT: 64 MAIN STREET - REISTERSTOWN, MD.

DRAWING TITLE: PLAT TO ACCOMPANY VARIANCE, SPECIAL HEARING, & SPECIAL EXCEPTION PETITIONS FOR ASSISTED LIVING FACILITY

DATE: 3-5-97

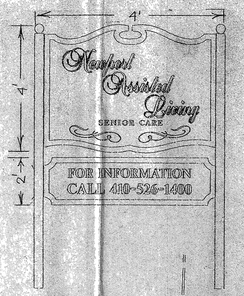
SHEET # 1 OF 1

COUNTY: BALTO. ELECTION DIST.: 1 PROJECT #: 97003 SCALE: 1"= 20'



VICINITY MAP

SCALE: 1" = 1000'



ZONED M.L.R.

MARYLAND CHINA COMPANY, INC.
7001/396
TAX #2000007935

ZONED BL-CCC

WELLA B. & DORIS L. KAGLE
4459/448
TAX #0411000650

EXIST. 2 STY. DWELLING

EXIST. SHEDS

EX. BLDG

EX. CAR PORT

EXIST. DRIVE

EXIST. STONE WALL

EXIST. DRIVE W/ PAVING

EXIST. DRIVE W/ PAVING: 20'±

EX. 10' R/W

EXTG. CURB CUT

N03°52'00"E 10.65'

S86°05'00"E 224.48'

S86°05'00"E 260.82'

GLYNDON DEVELOPMENT, LLC.
11526/516
TAX #2200017690
TAX #2200017546

ZONED D.R.-10.5

D.R.-10.5

M.L.R.

BL-CCC

4 FUTURE SPACES

LANDSCAPE

OPEN SPACE

N02°00'00"E 85.27'

N02°00'00"E 200.00'

N62,000

N60,750

N60,500

N61,800

BLDG. 'A'
EX. 2 STY. BLDG.
W/ PROP. ADDITION
15 RESIDENTS

ASST. LVG. FAC. AS ALLOWED BY RIGHT IN THE BL-CCC ZONE
6550 SQ FT

EXIST. BLDG.

FRONT

#62

AMENITY OPEN SPACE

EXIST. WALK

EXIST. STONE WALL

BLDG. 'B'
PROP. 2 STY.
9 RESIDENTS

ASST. LVG. FAC. AS ALLOWED BY RIGHT IN THE BL-CCC.
5,628 SQ. FT.

EXIST. PAVING W/ 5 PS

BLDG. 'C'
EX. 2 STY.
DWELLING W/
15 RESIDENTS

EXTG. ASST. LVG. FAC. AS ALLOWED BY RIGHT IN THE BL-CCC.
6,930 SQ. FT.

#64

AMENITY OPEN SPACE

NEW 1½" SERVICE

24" DOUBLE CHECK VALVE ASSY. NON-BYPASSED

MAIN STREET
REISTERSTOWN ROAD MD. RTE. 140

M.H. #15183

P.O.B. DESCRIPTION #1

P.O.B. DESCRIPTION #2

P.O.B. DESCRIPTION #3

N85°15'00"W 45.00'

S04°45'00"W 10.00'

S03°52'00"W 140.17'

NO DWELLING CREATES AN RTA WITHIN 150' OF THIS ZONE LINE.

D.R.-3.5

BL-AS (S85°15'00"E 200')

BL-AS

BL-CCC

N66°45'04"W 240.11'

S04°30'00"E 80.00'

30'

20'

RTA BUFFER

BRL

BRL 20'

33'

OPEN SPACE

N85°30'00"W 100.00'

N85°30'00"W 45.90'

S04°32'00"W 6.00'

S04°45'00"W 90.70'

N85°26'00"W 10.00'

N04°34'00"E 26.60'

EXIST. 1 STY. BLDG.

DORIS N. MYERS TRUSTEE
11657/271
TAX #0411000350

ZONED BL-AS

BL-CCC

BL-AS

190'+/- TO CHATSWORTH AVE.

85'

85'

85' EXTG. 11'

WILLIAM G. DORMAN TRUSTEE OF THE WALTER DORMAN REV. TRUST
11765/732
TAX #0404050100

EXIST. DWELLING

JOHN MATHIAS & BYERLY M. GARMAN T/A GARMAN & GARMAN
7508/261
TAX #0410000050

EXIST. BLDG.

EX. 10' R/W

FRANK R. & ROSELLA ADAMS
1683/181
TAX #0401013050

EXIST. 1 STY. BLDG.

CHATSWORTH AVE.

NOTE, FIRE HYDRANT AT CHATSWORTH AVE.

JOSEPH M. & KAREN P. BAHR
5925/66
TAX #0403037760

JOHN R. WORDEN
CYNTHIA A. JOHNSON
8065/822
TAX #0406045225

RICHARD A. & DONNA L. SHANEYBROOK
8804/607
TAX #0402000875

FRANK R. & ROSELLA ADAMS
1683/181
TAX #0401013050

D.R.3.5

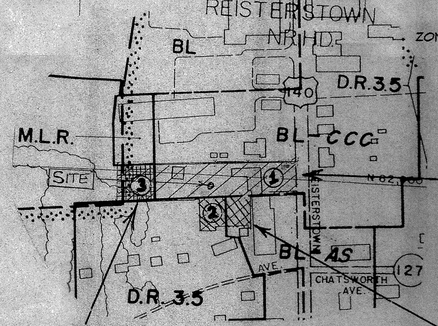
D.R.3.5

BL-AS

BL-CCC

D.R.3.5

D.R.3.5



ZONING DESCRIPTION #3
AREA FOR SPECIAL HEARING

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W- 45.00', N 85° 15' 00" W - 200.00' & N 86° 45.00' 04" W - 140.71' to the point of beginning. Thence the following courses and distances:

1.	N 86° 45' 04" W -	100.00'
2.	N 04° 40' 00" E -	85.87'
3.	S 86° 05' 00" E -	100.00'
4.	S 04° 40' 00" W -	85.87'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.20 Ac.±

ZONING DESCRIPTION #2
AREA FOR SPECIAL EXCEPTION, SPECIAL HEARING
&
RTA VARIANCES FOR PROPOSED "CLASS B ASSISTED LIVING FACILITY"

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W 45.00' to the point of beginning. Thence to the following courses and distances:

1.	S 04° 45' 00" W -	10.00'
2.	N 85° 15' 00" W -	45.00'
3.	S 04° 45' 00" W	90.70'
4.	N 85° 26' 00" W -	10.00'
5.	N 04° 34' 00" E -	26.60'
6.	N 85° 30' 00" W -	100.00'
7.	S 04° 32' 00" W -	6.00'
8.	N 85° 30' 00" W -	45.90'
9.	N 04° 30' 00" E -	80.00'
10.	S 85° 15' 00" E -	200.00'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.27 Ac.±

ZONING DESCRIPTION #1
AREA FOR VARIANCES #1 THROUGH #6

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence the following courses and distances:

1.	N 85° 15' 00" W -	45.00'
2.	N 85° 15' 00" W -	200.00'
3.	N 86° 45' 04" W -	141.00'
4.	N 04° 40' 00" E -	86.00'
5.	S 86° 05' 00" E -	125.00'
6.	N 03° 52' 00" E -	10.65'
7.	S 86° 05' 00" E -	260.82'
8.	S 03° 52' 00" W -	96.17'

To the place of beginning being a portion of the tract as recorded in deed Liber 11812 Folio 395. AREA 0.75 Ac.±

OWNER

64 REISTERSTOWN ROAD, LLC.
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223

PRINTED
JUN 24 1997
PATTON CONSULTANTS, LTD.

GENERAL NOTES:

1. **OWNERSHIP:** 64 REISTERSTOWN ROAD, LLC
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223

2. DEEDS & TAX ACCOUNT No.
11812/395 T.A.# 04-19-000393 (0.550 AC. ±)
11812/395 T.A.# 04-19-000507 (0.170 AC. ±)
11812/395 T.A.# 04-19-000866 (0.190 AC. ±)

3. COUNCILMANIC: 3 DISTRICT: 4

4. WATER SHED: 31 SUBSEWERSHED: 70

5. EXISTING ZONING: BL-CCC (0.75 AC. ±)
BL-AS (0.29 AC. ±)
DR-3.5 (0.07 AC. ±)
DR-10.5 (0.20 AC. ±)

6. SITE ANALYSIS:
TOTAL AREA (GROSS) 1.28 AC ±
NET AREA 1.22 AC ±

7. EXISTING, , FRONT BUILDING - 3543 S.F. ± (0.08 AC. ±) C
REAR BUILDING - 2081 S.F. ± (0.05 AC. ±) A

EXISTING USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE C

PROPOSED USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE & ASSISTED LIVING FACILITY, CLASS "B" IN A DR-3.5 & BL-AS ZONE B

8. PARKING REQUIRED: 1 PKG SP/3 BEDS X 45 BEDS = 15 PKG SP (INCL. 3 HDCP)
STD. PS =
HDCP. PS =

PARKING PROVIDED: 16 PKG SP (INCL. 3 HDCP)
STD. PS = 8.5' X 18'
HDCP. PS = 12' X 18'

9. EXISTING PAVEMENT TYPE: BITUMINOUS PAVING

10. PREVIOUS COMMERCIAL PERMITS: NONE

11. NO STREAMS, FLOOD PLAINS, STEEP SLOPES, HISTORIC OR ARCHEOLOGICAL SITES EXIST ON THE SITE OR WITHIN 50 FEET OF THE SITE TO THE BEST OF OUR AVAILABLE EVIDENCE.

12. F. A. R. PERMITTED: 4.0
F. A. R. PROPOSED: 0.56

13. AMENITY OPEN SPACE REQUIRED: 0.1
AMENITY OPEN SPACE PROPOSED: 0.48

PETITION FOR SPECIAL HEARING
64 REISTERSTOWN ROAD

AS TO AREA OF DESCRIPTION #2:

To interpret the area requirements of Section 432.5A2 (BCZR) as to its application to the proposed assisted living facility on this site.

AS TO AREA OF DESCRIPTION #3:

To permit business parking in a residential zone.

PETITION FOR SPECIAL EXCEPTION
AS TO AREA OF DESCRIPTION #2:

A Special Exception for a Class "B" assisted living facility (see Site Plan).

PETITION FOR VARIANCE
AS TO AREA OF DESCRIPTION #1:

A. SECTION 232 A.2. (BCZR)

To permit windows facing property line a minimum of six feet (6), ten feet (10), twelve feet (12) and twenty-three feet (23') in lieu of the required twenty five (25'). To permit a minimum thirty five feet (35') window to window separation between buildings in lieu of the required fifty feet (50') as shown on the plan.

AS TO AREA OF DESCRIPTION #2:

A. SECTION 1B01.1.B.1.g. & e. (BCZR)

To permit a minimum 20 foot (20') buffer and minimum thirty foot (30') setback in lieu of the required fifty foot (50') buffer and seventy-five foot (75') setback.

B. SECTION 432.5 A.2.

To permit a lot area of 12,912.60 sq. ft in lieu of the required minimum lot area of one acre. (This is in the alternative to granting the requested Special Hearing.)

C. SECTION 432.5 B.3.b.

To permit that portion of the tract zoned BL-AS and D.R. 3.5 not to have frontage on a principal arterial.

PETITIONER'S EXHIBIT 5

SEAL

STATE OF MARYLAND — JAMES STEPHEN PATTON — NO. 5823 — REGISTERED PROFESSIONAL ENGINEER

PATTON

Patton Consultants Ltd. Engineering & Land Planning

305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204 410-296-2140 Fax 410-296-2140

PROJECT/DEVELOPMENT
64 MAIN STREET - REISTERSTOWN, MD.

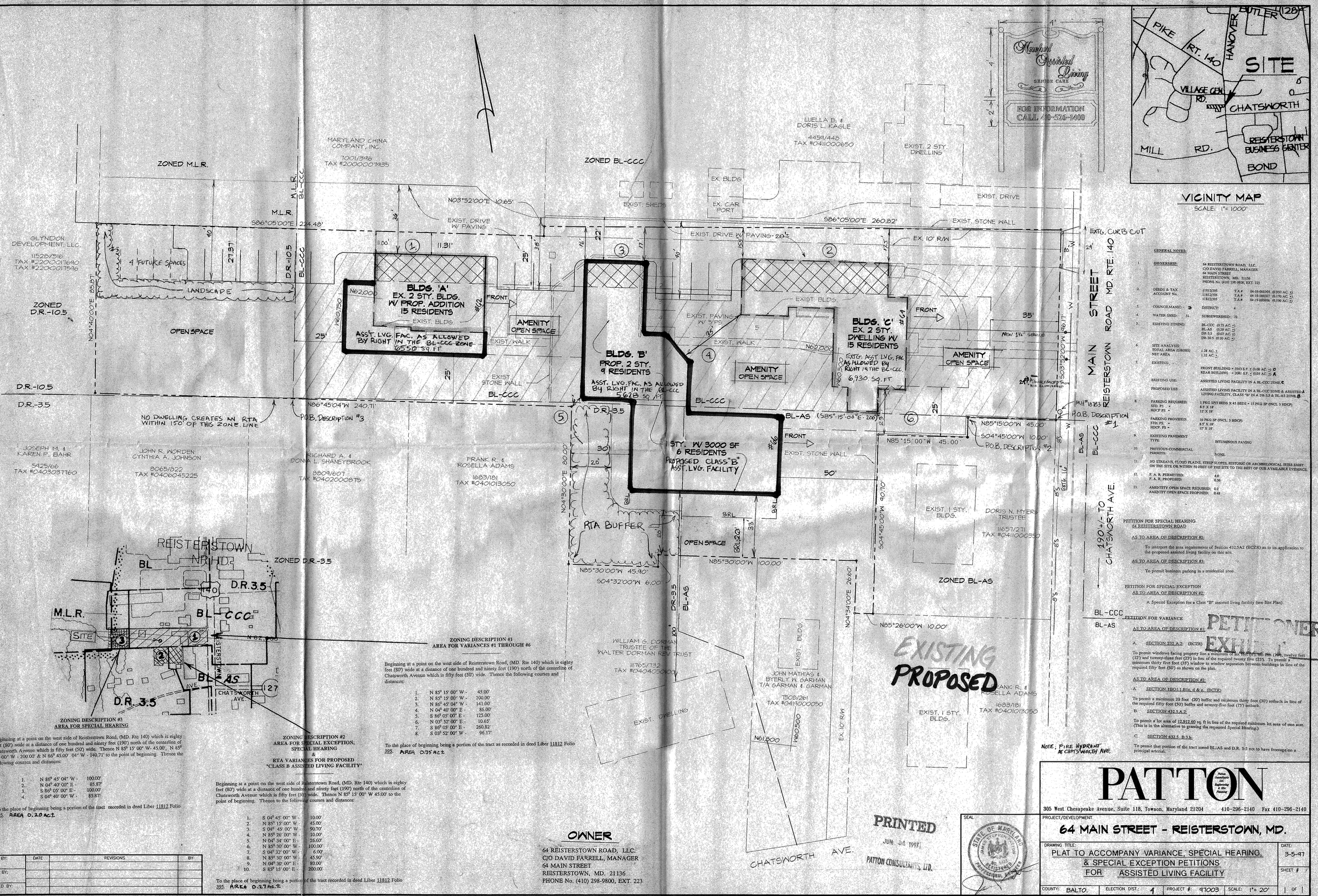
DRAWING TITLE:
PLAT TO ACCOMPANY VARIANCE, SPECIAL HEARING, & SPECIAL EXCEPTION PETITIONS FOR ASSISTED LIVING FACILITY

DATE: 3-5-97

SHEET # 1 OF 1

COUNTY: BALTO. | ELECTION DIST.: 4 | PROJECT #: 97003 | SCALE: 1" = 20'

REVISIONS:	DATE	BY:
DRAWN BY:		
DESIGN BY:		
CHECKED BY:		



VICINITY MAP

SCALE: 1" = 1000'

ZONING DESCRIPTION #3
AREA FOR SPECIAL HEARING

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W- 45.00', N 85° 15' 00" W - 200.00' & N 86° 45.00' 04" W - 140.71' to the point of beginning. Thence the following courses and distances:

1.	N 86° 45' 04" W -	100.00'
2.	N 04° 40' 00" E -	85.87'
3.	S 86° 05' 00" E -	100.00'
4.	S 04° 40' 00" W -	85.87'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.20 Ac±

ZONING DESCRIPTION #2
AREA FOR SPECIAL EXCEPTION, SPECIAL HEARING
&
RTA VARIANCES FOR PROPOSED "CLASS B ASSISTED LIVING FACILITY"

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W 45.00' to the point of beginning. Thence to the following courses and distances:

1.	S 04° 45' 00" W -	10.00'
2.	N 85° 15' 00" W -	45.00'
3.	S 04° 45' 00" W -	90.70'
4.	N 85° 26' 00" W -	10.00'
5.	N 04° 34' 00" E -	26.60'
6.	N 85° 30' 00" W -	100.00'
7.	S 04° 32' 00" W -	6.00'
8.	N 85° 30' 00" W -	45.90'
9.	N 04° 30' 00" E -	80.00'
10.	S 85° 15' 00" E -	200.00'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.27 Ac±

ZONING DESCRIPTION #1
AREA FOR VARIANCES #1 THROUGH #6

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence the following courses and distances:

1.	N 85° 15' 00" W -	45.00'
2.	N 85° 15' 00" W -	200.00'
3.	N 86° 45' 04" W -	141.00'
4.	N 04° 40' 00" E -	86.00'
5.	S 86° 05' 00" E -	125.00'
6.	N 03° 52' 00" E -	10.65'
7.	S 86° 05' 00" E -	260.82'
8.	S 03° 52' 00" W -	96.17'

To the place of beginning being a portion of the tract as recorded in deed Liber 11812 Folio 395. AREA 0.75 Ac±

GENERAL NOTES:

1. OWNERSHIP: 64 REISTERSTOWN ROAD, LLC.
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223
2. DEEDS & TAX ACCOUNT No.: 11812/395 T.A.# 04-19-000301 @ 0.93 AC ±
11812/395 T.A.# 04-19-000307 @ 0.170 AC ±
11812/395 T.A.# 04-19-000806 @ 0.190 AC ±
3. COUNCILMANIC: 3 DISTRICT: 4
4. WATER SHED: 31. SUBSEWERSHED: 70
5. EXISTING ZONING: BL-CCC (0.73 AC ±)
BL-AS (0.20 AC ±)
DR-3.5 (0.07 AC ±)
DR-10.5 (0.20 AC ±)
6. SITE ANALYSIS:
TOTAL AREA (GROSS): 1.28 AC ±
NET AREA 1.22 AC ±
7. EXISTING: FRONT BUILDING = 3543 S.F. ± (0.08 AC ±) C
REAR BUILDING = 2081 S.F. ± (0.05 AC ±) A
EXISTING USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE C
PROPOSED USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE & ASSISTED A
LIVING FACILITY, CLASS "B" IN A DR-3.5 & BL-AS ZONE B
8. PARKING REQUIRED: 1 PKG SP/3 BEDS X 45 BEDS = 15 PKG SP (INCL. 3 HDCP)
STD. PS - 8.5' X 18'
HDCP. PS - 13' X 18'
PARKING PROVIDED: 16 PKG SP (INCL. 3 HDCP)
STD. PS - 8.5' X 18'
HDCP. PS - 13' X 18'
9. EXISTING PAVEMENT TYPE: BITUMINOUS PAVING
10. PREVIOUS COMMERCIAL PERMITS: NONE
11. NO STREAMS, FLOOD PLAINS, STEEP SLOPES, HISTORIC OR ARCHEOLOGICAL SITES EXIST ON THE SITE OR WITHIN 50 FEET OF THE SITE TO THE BEST OF OUR AVAILABLE EVIDENCE.
12. F. A. R. PERMITTED: 1.0
F. A. R. PROPOSED: 0.56
13. AMENITY OPEN SPACE REQUIRED: 0.2
AMENITY OPEN SPACE PROPOSED: 0.48

PETITION FOR SPECIAL HEARING
64 REISTERSTOWN ROAD

AS TO AREA OF DESCRIPTION #1:

To interpret the area requirements of Section 432.5A2 (BCZR) as to its application to the proposed assisted living facility on this site.

AS TO AREA OF DESCRIPTION #3:

To permit business parking in a residential zone.

PETITION FOR SPECIAL EXCEPTION
AS TO AREA OF DESCRIPTION #2:

A Special Exception for a Class "B" assisted living facility (see Site Plan)

PETITION FOR VARIANCE
AS TO AREA OF DESCRIPTION #1:

A. SECTION 232 A.2: (BCZR)

To permit windows facing property line a minimum of six feet (6'), ten feet (10'), twelve feet (12') and twenty-three feet (23') in lieu of the required twenty five (25'). To permit a minimum thirty five foot (35') window to window separation between buildings in lieu of the required fifty feet (50') as shown on the plan.

AS TO AREA OF DESCRIPTION #2:

A. SECTION 1B01.1.B1c, d & e: (BCZR)

To permit a minimum 20 foot (20') buffer and minimum thirty foot (30') setback in lieu of the required fifty foot (50') buffer and seventy-five foot (75') setback.

B. SECTION 432.5.A.2:

To permit a lot area of 12,912.60 sq. ft in lieu of the required minimum lot area of one acre. (This is in the alternative to granting the requested Special Hearing.)

C. SECTION 432.5 B.3.b:

To permit that portion of the tract zoned BL-AS and D.R. 3.5 not to have frontage on a principal arterial.

PETITIONER'S EXHIBIT 6

OWNER

64 REISTERSTOWN ROAD, LLC.
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223

PRINTED
JUN 04 1997
PATTON CONSULTANTS, LTD.

SEAL
STATE OF MARYLAND
JAMES STEPHEN PATTON
No. 5337
REGISTERED
PROFESSIONAL ENGINEER

DRAWN BY:	DATE	REVISIONS	BY
DESIGN BY:			
CHECKED BY:			

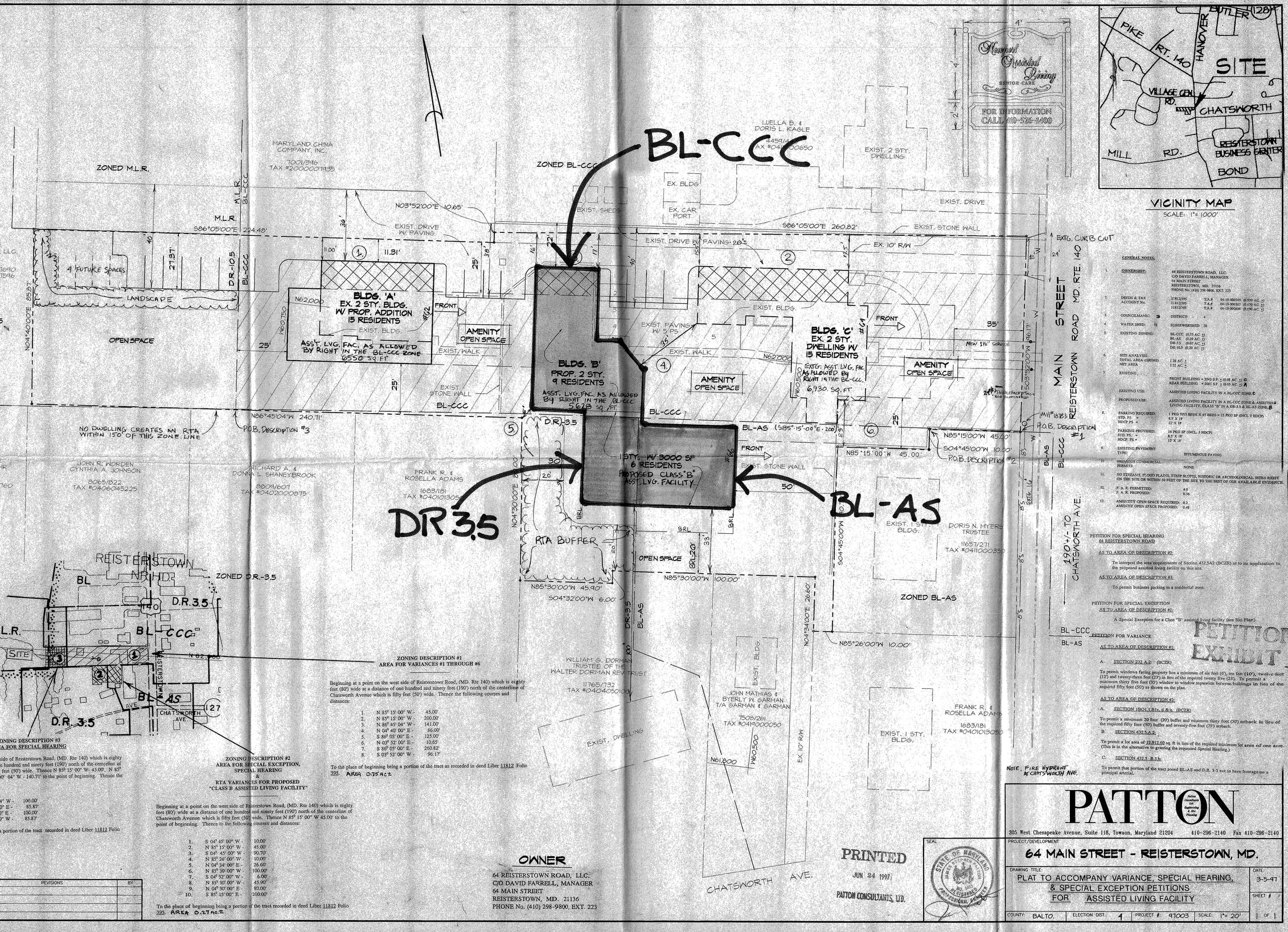
PATTON
Patton Consultants Ltd. Engineering & Site Planning
305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204 410-296-2140 Fax 410-296-2140

PROJECT/DEVELOPMENT
64 MAIN STREET - REISTERSTOWN, MD.

DRAWING TITLE:
PLAT TO ACCOMPANY VARIANCE, SPECIAL HEARING, & SPECIAL EXCEPTION PETITIONS FOR ASSISTED LIVING FACILITY

DATE: 3-5-97
SHEET # 1 OF 1

COUNTY: BALTO. | ELECTION DIST.: 1 | PROJECT #: 97003 | SCALE: 1" = 20'



VICINITY MAP

SCALE: 1" = 1000'

ZONING DESCRIPTION #3
AREA FOR SPECIAL HEARING

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W- 45.00', N 85° 15' 00" W - 200.00' & N 86° 45.00' 04" W - 140.71' to the point of beginning. Thence the following courses and distances:

1.	N 86° 45' 04" W -	100.00'
2.	N 04° 40' 00" E -	85.87'
3.	S 86° 05' 00" E -	100.00'
4.	S 04° 40' 00" W -	85.87'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.20 ac±

ZONING DESCRIPTION #2
AREA FOR SPECIAL EXCEPTION, SPECIAL HEARING
&
RTA VARIANCES FOR PROPOSED "CLASS B ASSISTED LIVING FACILITY"

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W 45.00' to the point of beginning. Thence to the following courses and distances:

1.	S 04° 45' 00" W -	10.00'
2.	N 85° 15' 00" W -	45.00'
3.	S 04° 45' 00" W -	90.70'
4.	N 85° 26' 00" W -	10.00'
5.	N 04° 34' 00" E -	26.60'
6.	N 85° 30' 00" W -	100.00'
7.	S 04° 32' 00" W -	6.00'
8.	N 85° 30' 00" W -	45.90'
9.	N 04° 30' 00" E -	80.00'
10.	S 85° 15' 00" E -	200.00'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.27 ac±

ZONING DESCRIPTION #1
AREA FOR VARIANCES #1 THROUGH #6

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence the following courses and distances:

1.	N 85° 15' 00" W -	45.00'
2.	N 85° 15' 00" W -	200.00'
3.	N 86° 45' 04" W -	141.00'
4.	N 04° 40' 00" E -	86.00'
5.	S 86° 05' 00" E -	125.00'
6.	N 03° 52' 00" E -	10.65'
7.	S 86° 05' 00" E -	260.82'
8.	S 03° 52' 00" W -	96.17'

To the place of beginning being a portion of the tract as recorded in deed Liber 11812 Folio 395. AREA 0.75 ac±

OWNER

64 REISTERSTOWN ROAD, LLC.
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223

PRINTED
JUN 24 1997
PATTON CONSULTANTS, LTD.

SEAL
STATE OF MARYLAND
JAMES STEPHEN PATTON
No. 9431
REGISTERED
PROFESSIONAL ENGINEER

GENERAL NOTES:

1. OWNERSHIP: 64 REISTERSTOWN ROAD, LLC.
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223
2. DEEDS & TAX ACCOUNT No. 11812/395 T.A.# 04-19-000301 (0.550 AC ±)
11812/395 T.A.# 04-19-000307 (0.170 AC ±)
11812/395 T.A.# 04-19-001800 (0.190 AC ±)
3. COUNCILMANIC: 2 DISTRICT: 4
4. WATER SHED: 31 SUBSEWERSHED: 20
5. EXISTING ZONING: BL-CCC (0.75 AC ±)
BL-AS (0.29 AC ±)
DR-3.5 (0.07 AC ±)
DR-10.5 (0.20 AC ±)
6. SITE ANALYSIS:
TOTAL AREA (GROSS) 1.28 AC ±
NET AREA 1.22 AC ±
7. EXISTING: FRONT BUILDING - 3543 S.F. ± (0.08 AC ±) C
REAR BUILDING - 2081 S.F. ± (0.05 AC ±) A
EXISTING USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE C
PROPOSED USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE & ASSISTED LIVING FACILITY, CLASS "B" IN A DR-3.5 & BL-AS ZONE B
8. PARKING REQUIRED: STD. PS. = 1 PKG SP/3 BEDS X 45 BEDS = 15 PKG SP (INCL. 3 HDCP)
HDCP. PS. = 8.5' X 18'
12' X 18'
PARKING PROVIDED: STD. PS. = 16 PKG SP (INCL. 3 HDCP)
HDCP. PS. = 8.5' X 18'
12' X 18'
9. EXISTING PAVEMENT TYPE: BITUMINOUS PAVING
10. PREMIOUS COMMERCIAL PERMITS: NONE
11. NO STREAMS, FLOOD PLAINS, STEEP SLOPES, HISTORIC OR ARCHEOLOGICAL SITES EXIST ON THE SITE OR WITHIN 50 FEET OF THE SITE TO THE BEST OF OUR AVAILABLE EVIDENCE.
12. F. A. R. PERMITTED: 4.0
F. A. R. PROPOSED: 0.56
13. AMENITY OPEN SPACE REQUIRED: 0.2
AMENITY OPEN SPACE PROPOSED: 0.48

PETITION FOR SPECIAL HEARING
64 REISTERSTOWN ROAD

AS TO AREA OF DESCRIPTION #2:

To interpret the area requirements of Section 432.5.A.2 (BCZR) as to its application to the proposed assisted living facility on this site.

AS TO AREA OF DESCRIPTION #3:

To permit business parking in a residential zone.

PETITION FOR SPECIAL EXCEPTION
AS TO AREA OF DESCRIPTION #2:

A Special Exception for a Class "B" assisted living facility (see Site Plan)

PETITION FOR VARIANCE
AS TO AREA OF DESCRIPTION #1:

A. SECTION 232.A.2: (BCZR)

To permit windows facing property line a minimum of six feet (6'), ten feet (10'), twelve feet (12') and twenty-three feet (23') in lieu of the required twenty five (25'). To permit a minimum thirty five foot (35') window to window separation between buildings in lieu of the required fifty feet (50') as shown on the plat.

AS TO AREA OF DESCRIPTION #2:

A. SECTION 1B01.1.B.1.d & e: (BCZR)

To permit a minimum 20 foot (20') buffer and minimum thirty foot (30') setback in lieu of the required fifty foot (50') buffer and seventy-five foot (75') setback.

B. SECTION 432.5.A.2:

To permit a lot area of 12,912.60 sq. ft in lieu of the required minimum lot area of one acre. (This is in the alternative to granting the requested Special Hearing.)

C. SECTION 432.5. B.1.b:

To permit that portion of the tract zoned BL-AS and D.R. 3.5 not to have frontage on a principal arterial.

PETITIONER'S EXHIBIT 7

PATTON

Patton Consultants Ltd. Engineering & Site Planning

305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204 410-296-2140 Fax 410-296-2140

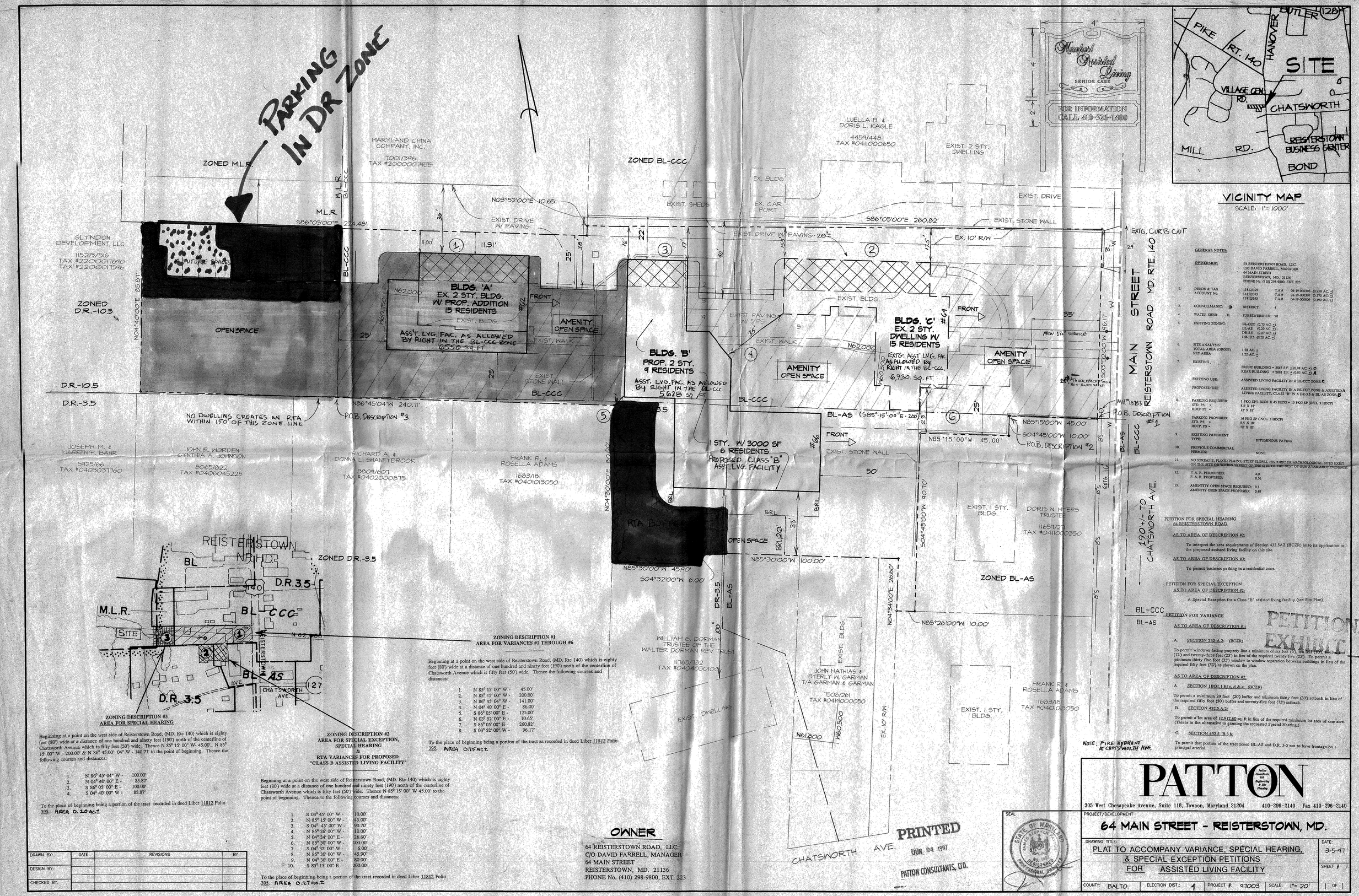
PROJECT/DEVELOPMENT
64 MAIN STREET - REISTERSTOWN, MD.

DRAWING TITLE:
PLAT TO ACCOMPANY VARIANCE, SPECIAL HEARING, & SPECIAL EXCEPTION PETITIONS FOR ASSISTED LIVING FACILITY

DATE: 3-5-97
SHEET # 1 OF 1

COUNTY: BALTO. ELECTION DIST. 1 PROJECT #: 97003 SCALE: 1"= 20'

DRAWN BY:	DATE	REVISIONS	BY
DESIGN BY:			
CHECKED BY:			



VICINITY MAP

SCALE: 1"= 1000'

ZONING DESCRIPTION #3
AREA FOR SPECIAL HEARING

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W- 45.00', N 85° 15' 00" W - 200.00' & N 86° 45.00' 04" W - 140.71' to the point of beginning. Thence the following courses and distances:

1.	N 86° 45' 04" W -	100.00'
2.	N 04° 40' 00" E -	85.87'
3.	S 86° 05' 00" E -	100.00'
4.	S 04° 40' 00" W -	85.87'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.20 AC±

ZONING DESCRIPTION #2
AREA FOR SPECIAL EXCEPTION, SPECIAL HEARING
&
RTA VARIANCES FOR PROPOSED "CLASS B ASSISTED LIVING FACILITY"

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W 45.00' to the point of beginning. Thence to the following courses and distances:

1.	S 04° 45' 00" W -	10.00'
2.	N 85° 15' 00" W -	45.00'
3.	S 04° 45' 00" W -	90.70'
4.	N 85° 26' 00" W -	10.00'
5.	N 04° 34' 00" E -	26.60'
6.	N 85° 30' 00" W -	100.00'
7.	S 04° 32' 00" W -	6.00'
8.	N 85° 30' 00" W -	45.90'
9.	N 04° 30' 00" E -	80.00'
10.	S 85° 15' 00" E -	200.00'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.27 AC±

ZONING DESCRIPTION #1
AREA FOR VARIANCES #1 THROUGH #6

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence the following courses and distances:

1.	N 85° 15' 00" W -	45.00'
2.	N 85° 15' 00" W -	200.00'
3.	N 86° 45' 04" W -	141.00'
4.	N 04° 40' 00" E -	86.00'
5.	S 86° 05' 00" E -	125.00'
6.	N 03° 52' 00" E -	10.65'
7.	S 86° 05' 00" E -	260.82'
8.	S 03° 52' 00" W -	96.17'

To the place of beginning being a portion of the tract as recorded in deed Liber 11812 Folio 395. AREA 0.75 AC±

OWNER

64 REISTERSTOWN ROAD, LLC.
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223

GENERAL NOTES:

1. OWNERSHIP: 64 REISTERSTOWN ROAD, LLC. C/O DAVID FARRELL, MANAGER 64 MAIN STREET REISTERSTOWN, MD. 21136 PHONE No. (410) 298-9800, EXT. 223
2. DEEDS & TAX ACCOUNT No.: 11812/395 T.A.# 04-19-000301 (0.959 AC ±); 11812/395 T.A.# 04-19-000307 (0.176 AC ±); 11812/395 T.A.# 04-19-000806 (0.190 AC ±)
3. COUNCILMANIC: 3 DISTRICT: 4
4. WATER SHED: 3H SUBSEWERSHED: 70
5. EXISTING ZONING: BL-CCC (0.75 AC ±); BL-AS (0.20 AC ±); DR-3.5 (0.07 AC ±); DR-10.5 (0.20 AC ±)
6. SITE ANALYSIS: TOTAL AREA (GROSS): 1.28 AC ±; NET AREA: 1.22 AC ±
7. EXISTING: FRONT BUILDING = 3545 S.F. ± (0.08 AC ±) C; REAR BUILDING = 3081 S.F. ± (0.03 AC ±) A
   EXISTING USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE C
   PROPOSED USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE & ASSISTED LIVING FACILITY, CLASS "B" IN A DR-3.5 & BL-AS ZONE B
8. PARKING REQUIRED: STD. PS. - 1 PKG SP/3 BEDS X 45 BEDS = 15 PKG SP (INCL. 3 HDCP); HDCP. PS. - 8.5' X 18' / 12' X 18'
   PARKING PROVIDED: STD. PS. - 16 PKG SP (INCL. 3 HDCP); HDCP. PS. - 8.5' X 18' / 12' X 18'
9. EXISTING PAVEMENT TYPE: BITUMINOUS PAVING
10. PREVIOUS COMMERCIAL PERMITS: NONE
11. NO STREAMS, FLOOD PLAINS, STEEP SLOPES, HISTORIC OR ARCHEOLOGICAL SITES EXIST ON THE SITE OR WITHIN 50 FEET OF THE SITE TO THE BEST OF OUR A VAILABLE EVIDENCE.
12. F. A. R. PERMITTED: 4.0; F. A. R. PROPOSED: 0.56
13. AMENITY OPEN SPACE REQUIRED: 0.2; AMENITY OPEN SPACE PROPOSED: 0.48

PETITION FOR SPECIAL HEARING
64 REISTERSTOWN ROAD

AS TO AREA OF DESCRIPTION #2:

To interpret the area requirements of Section 432.5A2 (BCZR) as to its application to the proposed assisted living facility on this site.

AS TO AREA OF DESCRIPTION #3:

To permit business parking in a residential zone.

PETITION FOR SPECIAL EXCEPTION
AS TO AREA OF DESCRIPTION #2:

A Special Exception for a Class "B" assisted living facility (see Site Plan).

PETITION FOR VARIANCE
AS TO AREA OF DESCRIPTION #1:

A. SECTION 232.A.2. (BCZR)

To permit windows facing property line a minimum of six feet (6), ten feet (10), one hundred (12') and twenty-three feet (23') in lieu of the required twenty five (25'). To permit a minimum thirty five foot (35') window to window separation between buildings in lieu of the required fifty feet (50') as shown on the plan.

AS TO AREA OF DESCRIPTION #2:

A. SECTION 1B01.1.B1.c, d & e. (BCZR)

To permit a minimum 20 foot (20') buffer and minimum thirty foot (30') setback in lieu of the required fifty foot (50') buffer and seventy-five foot (75') setback.

B. SECTION 432.5.A.2.

To permit a lot area of 19,917.60 sq. ft in lieu of the required minimum lot area of one acre. (This is in the alternative to granting the requested Special Hearing.)

C. SECTION 432.5. B.3.b.

To permit that portion of the tract zoned BL-AS and D.R. 3-5 not to have frontage on a principal arterial.

NOTE: FIRE HYDRANT AT CHATSWORTH AVE.

PETITIONER'S EXHIBIT 8

DRAWN BY:	DATE	REVISIONS	BY:
DESIGN BY:			
CHECKED BY:			

SEAL

PRINTED JUN. 04 1997
PATTON CONSULTANTS, LTD.

PATTON

Patton Consultants Ltd. Engineering & Surveying

305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204 410-296-2140 Fax 410-296-2140

PROJECT/DEVELOPMENT: 64 MAIN STREET - REISTERSTOWN, MD.

DRAWING TITLE: PLAT TO ACCOMPANY VARIANCE, SPECIAL HEARING, & SPECIAL EXCEPTION PETITIONS FOR ASSISTED LIVING FACILITY

DATE: 3-5-97

SHEET # 1 OF 1

COUNTY: BALTO. | ELECTION DIST.: 4 | PROJECT #: 97003 | SCALE: 1"= 20'

A. SECTION 232 A.2: (BCZR)

To permit windows facing property line a minimum of six feet (6'), ten feet (10'), twelve feet (12') and twenty-three feet (23') in lieu of the required twenty five (25'). To permit a minimum thirty five foot (35') window to window separation between buildings in lieu of the required fifty feet (50') as shown on the plan.

A. SECTION 1BO1.1.B1c, d & e. (BCZR)

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ZONING DESCRIPTION #3
AREA FOR SPECIAL HEARING

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W- 45.00', N 85° 15' 00" W - 200.00' & N 86° 45.00' 04" W - 140.71' to the point of beginning. Thence the following courses and distances:

1.	N 86° 45' 04" W -	100.00'
2.	N 04° 40' 00" E -	85.87'
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ZONING DESCRIPTION #2
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&
RTA VARIANCES FOR PROPOSED "CLASS B ASSISTED LIVING FACILITY"

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2.	N 85° 15' 00" W -	45.00'
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5.	N 04° 34' 00" E -	26.60'
6.	N 85° 30' 00" W -	100.00'
7.	S 04° 32' 00" W -	6.00'
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10.	S 85° 15' 00" E -	200.00'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.27 Ac.±

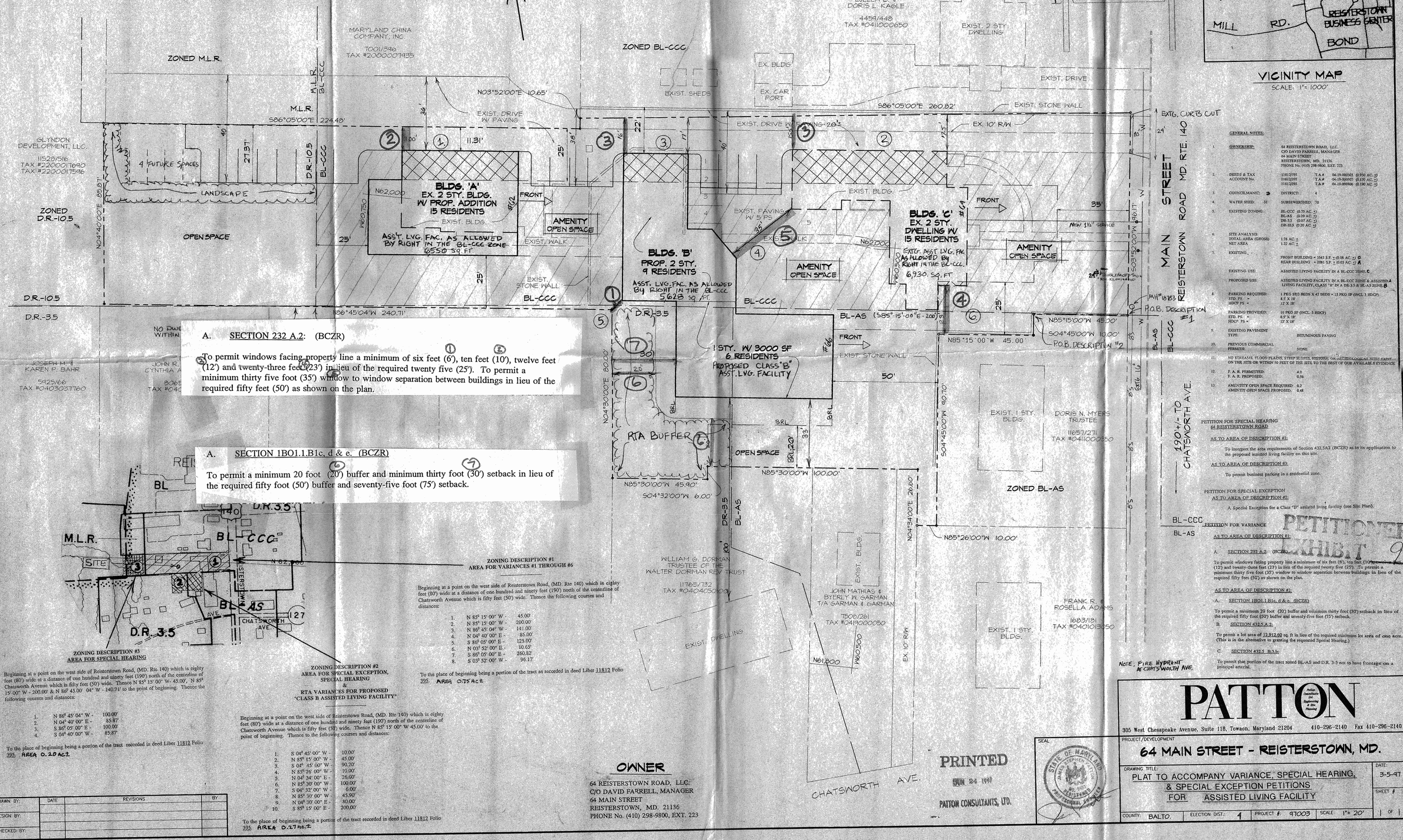
ZONING DESCRIPTION #1
AREA FOR VARIANCES #1 THROUGH #6

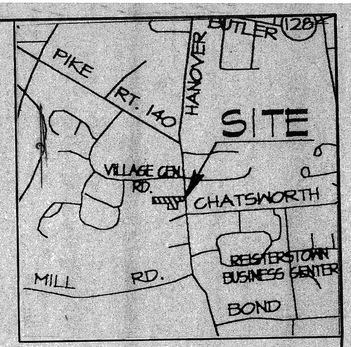
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To the place of beginning being a portion of the tract as recorded in deed Liber 11812 Folio 395. AREA 0.75 Ac.±

DRAWN BY:	DATE	REVISIONS	BY
DESIGN BY:			
CHECKED BY:			





VICINITY MAP
SCALE: 1" = 1000'

Newport Assisted Living
SENIOR CARE
FOR INFORMATION
CALL 410-526-1400

GENERAL NOTES:

1. **OWNERSHIP:** 64 REISTERSTOWN ROAD, LLC
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223
2. DEEDS & TAX ACCOUNT No. 11812/395 T.A.# 04-19-000365 (0.950 AC.±)
11812/395 T.A.# 04-19-000507 (0.170 AC.±)
11812/395 T.A.# 04-19-000806 (0.100 AC.±)
3. COUNCILMANIC: 2 DISTRICT: 4
4. WATER SHED: 31 SUBWERSHED: 70
5. EXISTING ZONING: BL-CCC (0.75 AC.±)
BL-AS (0.20 AC.±)
DR-3.5 (0.07 AC.±)
DR-10.5 (0.20 AC.±)
6. SITE ANALYSIS:
TOTAL AREA (GROSS) 1.28 AC.±
NET AREA 1.22 AC.±
7. EXISTING, - FRONT BUILDING = 3543 S.F. ±-(0.08 AC.±) C
REAR BUILDING = 2081 S.F. ± (0.05 AC.±) A
EXISTING USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE C
PROPOSED USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE & ASSISTED A
LIVING FACILITY, CLASS 'B' IN A DR-3.5 & BL-AS ZONE B
8. PARKING REQUIRED: 1 PKG SP/3 BEDS X 45 BEDS = 15 PKG SP (INCL. 1 HDCP)
STD. PS = 8.5' X 18'
HDCP PS = 12' X 18'
PARKING PROVIDED: 16 PKG SP (INCL. 3 HDCP)
STD. PS = 8.5' X 18'
HDCP. PS = 12' X 18'
9. EXISTING PAVEMENT TYPE: BITUMINOUS PAVING
10. PREVIOUS COMMERCIAL PERMITS: NONE
11. NO STREAMS, FLOOD PLAINS, STEEP SLOPES, HISTORIC OR ARCHEOLOGICAL SITES EXIST ON THE SITE OR WITHIN 50 FEET OF THE SITE TO THE BEST OF OUR AVAILABLE EVIDENCE
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F. A. R. PROPOSED: 0.56
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AMENITY OPEN SPACE PROPOSED: 0.48

PETITION FOR SPECIAL HEARING
64 REISTERSTOWN ROAD

AS TO AREA OF DESCRIPTION #2:

To interpret the area requirements of Section 432.5A2 (BCZR) as to its application to the proposed assisted living facility on this site.

AS TO AREA OF DESCRIPTION #3:

To permit business parking in a residential zone.

PETITION FOR SPECIAL EXCEPTION
AS TO AREA OF DESCRIPTION #2:

A Special Exception for a Class "B" assisted living facility (see Site Plan).

PETITION FOR VARIANCE
AS TO AREA OF DESCRIPTION #1:

A. SECTION 232 A.2: (BCZR)

To permit windows facing property line a minimum of six feet (6'), ten feet (10'), twelve feet (12') and twenty-three feet (23') in lieu of the required twenty five (25'). To permit a minimum thirty five foot (35') window to window separation between buildings in lieu of the required fifty feet (50') as shown on the plan.

AS TO AREA OF DESCRIPTION #2:

A. SECTION 1BO1.1.B1c, d & e. (BCZR)

To permit a minimum 20 foot (20') buffer and minimum thirty foot (30') setback in lieu of the required fifty foot (50') buffer and seventy-five foot (75') setback.

B. SECTION 432.5 A.2:

To permit a lot area of 12,912.60 sq. ft in lieu of the required minimum lot area of one acre. (This is in the alternative to granting the requested Special Hearing.)

C. SECTION 432.5 B.3.b:

To permit that portion of the tract zoned BL-AS and D.R. 3.5 not to have frontage on a principal arterial.

NOTE, FIRE HYDRANT AT CHATSWORTH AVE.

PETITIONER'S EXHIBIT 9

OWNER

64 REISTERSTOWN ROAD, LLC.
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223

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JUN 24 1997
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Professional Land Engineering & Site Planning
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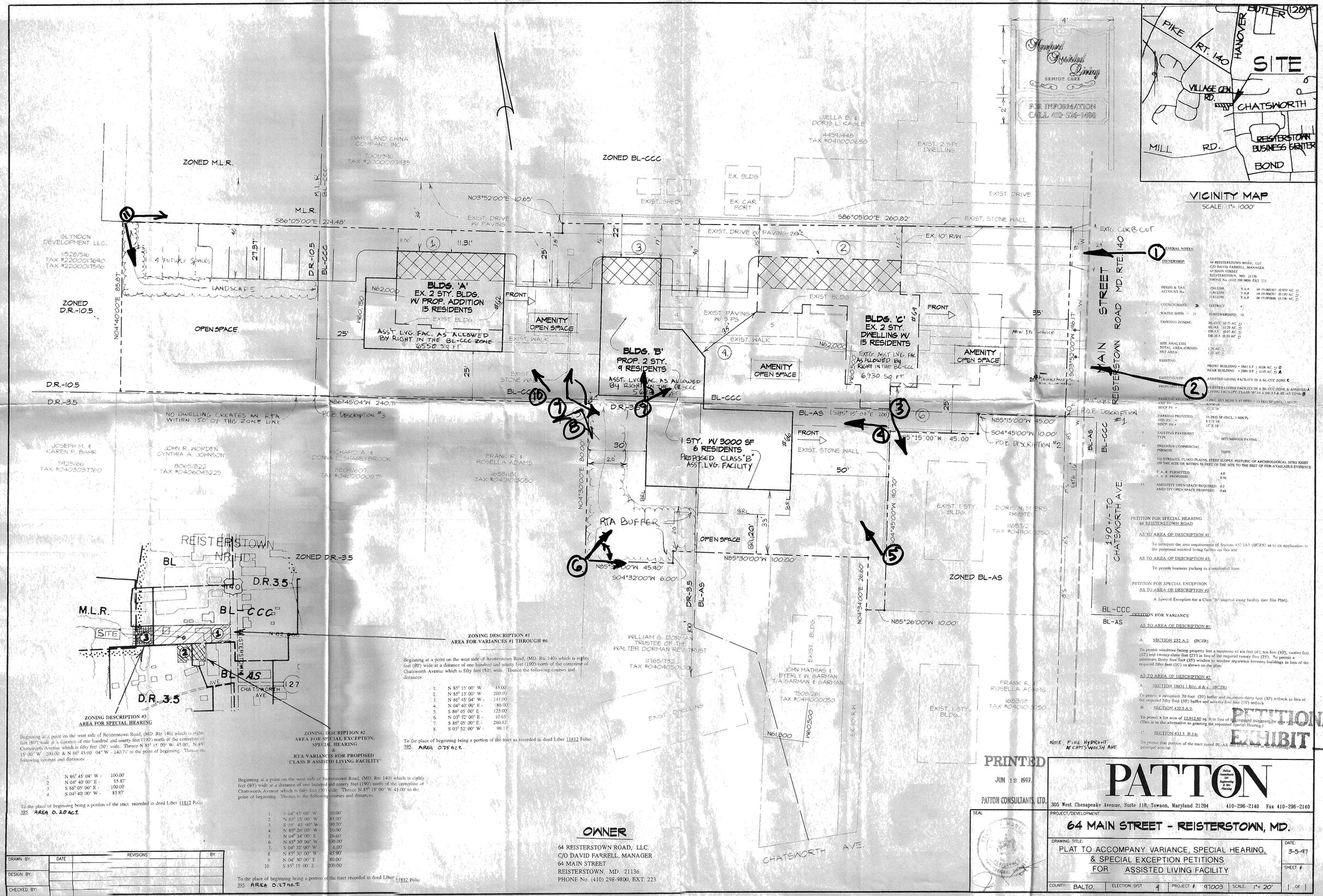
SEAL
STATE OF MARYLAND JAMES STEPHEN PATTON No. 11858 REGISTERED PROFESSIONAL ENGINEER

PROJECT/DEVELOPMENT
64 MAIN STREET - REISTERSTOWN, MD.

DRAWING TITLE:
PLAT TO ACCOMPANY VARIANCE, SPECIAL HEARING, & SPECIAL EXCEPTION PETITIONS FOR ASSISTED LIVING FACILITY

DATE: 3-5-97
SHEET # 1 OF 1

COUNTY: BALTO. ELECTION DIST.: 1 PROJECT #: 97003 SCALE: 1"= 20'



VICINITY MAP

SCALE: 1" = 1000'

ZONING DESCRIPTION #3
AREA FOR SPECIAL HEARING

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W- 45.00', N 85° 15' 00" W - 200.00' & N 86° 45.00' 04" W - 140.71' to the point of beginning. Thence the following courses and distances

1.	N 86° 45' 04" W -	100.00'
2.	N 04° 40' 00" E -	85.87'
3.	S 86° 05' 00" E -	100.00'
4.	S 04° 40' 00" W -	85.87'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.20 AC±

ZONING DESCRIPTION #2
AREA FOR SPECIAL EXCEPTION, SPECIAL HEARING & RTA VARIANCES FOR PROPOSED "CLASS B ASSISTED LIVING FACILITY"

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence N 85° 15' 00" W 45.00' to the point of beginning. Thence to the following courses and distances.

1.	S 04° 45' 00" W -	10.00'
2.	N 85° 15' 00" W -	45.00'
3.	S 04° 45' 00" W -	90.70'
4.	N 85° 26' 00" W -	10.00'
5.	N 04° 34' 00" E -	26.60'
6.	N 85° 30' 00" W -	100.00'
7.	S 04° 32' 00" W -	6.00'
8.	N 85° 30' 00" W -	45.90'
9.	N 04° 30' 00" E -	80.00'
10.	S 85° 15' 00" E -	200.00'

To the place of beginning being a portion of the tract recorded in deed Liber 11812 Folio 395. AREA 0.27 AC±

ZONING DESCRIPTION #1
AREA FOR VARIANCES #1 THROUGH #6

Beginning at a point on the west side of Reisterstown Road, (MD. Rte 140) which is eighty feet (80') wide at a distance of one hundred and ninety feet (190') north of the centerline of Chatsworth Avenue which is fifty feet (50') wide. Thence the following courses and distances

1.	N 85° 15' 00" W -	45.00'
2.	N 85° 15' 00" W -	200.00'
3.	N 86° 45' 04" W -	141.00'
4.	N 04° 40' 00" E -	86.00'
5.	S 86° 05' 00" E -	125.00'
6.	N 03° 52' 00" E -	10.65'
7.	S 86° 05' 00" E -	260.82'
8.	S 03° 52' 00" W -	96.17'

To the place of beginning being a portion of the tract as recorded in deed Liber 11812 Folio 395. AREA 0.75 AC±

OWNER

64 REISTERSTOWN ROAD, LLC
C/O DAVID FARRELL, MANAGER
64 MAIN STREET
REISTERSTOWN, MD. 21136
PHONE No. (410) 298-9800, EXT. 223

GENERAL NOTES:

1. OWNERSHIP: 64 REISTERSTOWN ROAD, LLC C/O DAVID FARRELL, MANAGER 64 MAIN STREET REISTERSTOWN, MD. 21136 PHONE No. (410) 298-9800, EXT. 223
2. DEEDS & TAX ACCOUNT No.: 11812/395 T.A.# 04-19-000303 @ 0.950 AC ±; 11812/395 T.A.# 04-19-000307 @ 0.120 AC ±; 11812/395 T.A.# 04-19-000306 @ 0.190 AC ±
3. COUNCILMANIC DISTRICT: 4
4. WATER SHED: 11 SUBSEWERSHED: 50
5. EXISTING ZONING: BL-CCC @ 0.25 AC ±; BL-AS @ 0.20 AC ±; DR-3.5 @ 0.07 AC ±; DR-10.5 @ 0.20 AC ±
6. SITE ANALYSIS: TOTAL AREA (GROSS): 1.25 AC ±; NET AREA: 1.22 AC ±
7. EXISTING: FRONT BUILDING = 3843 S.F. ; 0.08 AC. ±) C; REAR BUILDING = 2001 S.F. ; 0.05 AC. ±) A
8. EXISTING USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE C
9. PROPOSED USE: ASSISTED LIVING FACILITY IN A BL-CCC ZONE & ASSISTED LIVING FACILITY, CLASS "B" IN A DR-3.5 & BL-AS ZONE B
10. PARKING REQUIRED: STD. PS - 1 PKG SP/1 BEDS X 45 BEDS = 15 PKG SP (INCL. 3 HDCP); HDCP PS - 8.5' X 18' - 12' X 18'
11. PARKING PROVIDED: STD. PS - 16 PKG SP (INCL. 3 HDCP); HDCP PS - 8.5' X 18' - 12' X 18'
12. EXISTING PAVEMENT TYPE: BITUMINOUS PAVING
13. PREVIOUS COMMERCIAL PERMITS: NONE
14. NO STREAMS, FLOOD PLAINS, STEEP SLOPES, HISTORIC OR ARCHEOLOGICAL SITES EXIST ON THE SITE OR WITHIN 50 FEET OF THE SITE TO THE BEST OF OUR AVAILABLE EVIDENCE
15. F.A.R. PERMITTED: 4.0; F.A.R. PROPOSED: 0.56
16. AMENITY OPEN SPACE REQUIRED: 0.2; AMENITY OPEN SPACE PROPOSED: 0.48

PETITION FOR SPECIAL HEARING
64 REISTERSTOWN ROAD

AS TO AREA OF DESCRIPTION #2

To interpret the area requirements of Section 432.5.A.2 (BCZR) as to its application to the proposed assisted living facility on this site

AS TO AREA OF DESCRIPTION #3

To permit business parking in a residential zone.

PETITION FOR SPECIAL EXCEPTION

AS TO AREA OF DESCRIPTION #2

A Special Exception for a Class "B" assisted living facility (see Site Plan).

PETITION FOR VARIANCE

AS TO AREA OF DESCRIPTION #1:

A. SECTION 232.A.2 (BCZR)

To permit windows facing property line a minimum of six feet (6'), ten feet (10'), twelve feet (12') and twenty-three feet (23') in lieu of the required twenty five (25'). To permit a minimum thirty five foot (35') window to window separation between buildings in lieu of the required fifty feet (50') as shown on the plan.

AS TO AREA OF DESCRIPTION #2

A. SECTION 1B01.1.B.1c.4 & c. (BCZR)

To permit a minimum 20 foot (20') buffer and minimum thirty foot (30') setback in lieu of the required fifty foot (50') buffer and seventy-five foot (75') setback

B. SECTION 432.5.A.2.

To permit a lot area of 12,912.60 sq. ft.m in lieu of the required minimum lot area of 43,560 sq. ft. (This is in the alternative to granting the requested Special Hearing.)

C. SECTION 432.5 B.3.b.

To permit that portion of the tract zoned BL-AS to be 0' in lieu of the required 75' from the centerline of a principal arterial.

NOTE FIRE HYDRANT AT CHRYSWORTH AVE

PETITIONER'S EXHIBIT 2A

PRINTED
JUN 12 1997

PATTON CONSULTANTS, LTD.

SEAL

PATTON

Patton Consultants Ltd. Engineering & Site Planning

305 West Chesapeake Avenue, Suite 118, Towson, Maryland 21204 410-296-2140 Fax 410-296-2140

PROJECT/DEVELOPMENT
64 MAIN STREET - REISTERSTOWN, MD.

DRAWING TITLE:
PLAT TO ACCOMPANY VARIANCE, SPECIAL HEARING, & SPECIAL EXCEPTION PETITIONS FOR ASSISTED LIVING FACILITY

DATE: 3-5-97
SHEET # 1 OF 1

COUNTY: BALTO. | ELECTION DIST: 4 | PROJECT #: 97003 | SCALE: 1" = 20'

DRAWN BY:	DATE	REVISIONS	BY
DESIGN BY:			
CHECKED BY:			