

IN RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
NE/Corner York Road and Bosley Avenue
(10601 York Road) * ZONING COMMISSIONER
8th Election District
3rd Councilmanic District * OF BALTIMORE COUNTY

Baltimore County, Md., Owner; * Case No. 98-45-X
Cockeysville Elementary Ltd. Part.,
Contract Purchaser *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of a Petition for Special Exception filed by the owner of the subject property, Baltimore County, Maryland, and Contract Purchaser, Cockeysville Elementary Limited Partnership, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek re-approval of the previously granted special exception in Case No. 95-56-XA to modify the maximum residential density standards in the OR-1 and D.R. 3.5 zones to an overall density of 9.1 units per acre for the proposed elderly housing facility. In the alternative, the Petitioners seek approval of 9.2 density units per acre, if the provided manager's apartment counts as one density unit. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitioners were Leo J. D'Aleo, a representative of Cockeysville Elementary Limited Partnership, Stephen B. Rushkin and JoAnn Copes with the Office of Community Conservation, and Jan Heaberlin with the Department of Aging. The Petitioners were represented by Robert A. Hoffman, Esquire. There were no Protestants or other interested persons present.

ORDER RECEIVED FOR FILING

Date

By

The proposal under consideration is familiar to this Zoning Commissioner by virtue of the opinion and Order issued by me in prior Case No. 95-56-XA on October 7, 1994. At that time, I considered a Petition for Special Exception seeking approval of an elderly housing facility on the subject property, which was formerly the site of the Cockeysville Elementary School. As fully set forth in that opinion, the building is being modified to provide elderly housing. The proposal presented an appropriate use of the property and special exception approval was granted.

Under Section 502 of the Baltimore County Zoning Regulations (B.C.Z.R.), approval granted under a Petition for Special Exception is valid for only two years. Due to delays in this project occasioned by financing difficulties, the project did not move forward and the special exception previously granted by me has lapsed. Thus, the Petitioners have filed the instant Petition to obtain re-approval of this project.

The circumstances as they exist today are identical to those in 1994. There were no Protestants present at the hearing and the testimony and evidence proffered was persuasive that the proposal is appropriate and complies with the standards set forth in Section 502.1 of the B.C.Z.R. Thus, the Petition for Special Exception should and will be granted.

Questions were also raised regarding the manager's apartment. The site plan shows that there will be a manager's apartment on the premises. This apartment was also shown on the previous site plan. A question was raised as to whether the apartment should be considered as an additional living unit for density purposes. Under the circumstances, I think not. In this case, the manager's apartment is clearly accessory to the principal use of the building, i.e., elderly housing. Based upon my reading of

ORDER FOR
9/19/97
BY

the regulations, a density unit need not be attributable to the manager's apartment in view of its accessory character.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons set forth above, the special exception relief requested shall be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 9th day of September, 1997 that the Petition for Special Exception seeking a re-approval of the previously granted special exception in Case No. 95-56-XA to modify the ~~maximum~~ residential density standards in the OR-1 and D.R. 3.5 zones to an overall density of 9.1 units per acre for the proposed elderly housing facility, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

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

IT IS FURTHER ORDERED that the manager's apartment shall not be counted as a density unit.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner
Office of Planning

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

September 9, 1997

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

RE: PETITION FOR SPECIAL EXCEPTION
NE/Corner York Road and Bosley Avenue
(10601 York Road)
8th Election District - 3rd Councilmanic District
Baltimore County, Maryland, Legal Owners;
Cockeysville Elementary Ltd. Part., Contract Purchasers
Case No. 98-45-X

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Exception has been granted, in accordance with the attached Order.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt".

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Robin Churchill, County Administrative Officer
400 Washington Avenue, 2nd Floor, Towson, Md. 21204

Mr. Leo D'Aleo, Cockeysville Elementary Ltd. Partnership
11106 North Charles Street, Baltimore, Md. 21201

People's Counsel; Case Files





Petition for Special Exception to the Zoning Commissioner of Baltimore County

for the property located at 10601 York Road 98-45-X
which is presently zoned OR-1 and DR3.5

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

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

reapproval of the previously granted special exception in Case No. 95-56-XA to modify the maximum residential density standards in the OR-1 and DR3.5 zones to an overall density of 9.1 density units per acre for the proposed elderly housing facility (or 9.2 density units per acre if the provided manager's apartment counts as density).

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

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

Contract Purchaser/Lessee:

Cockeysville Elementary Limited Partnership
(Type or Print Name)

By:

Signature: Leo D' Aleo, CES, LLC, General Partner

11106 North Charles Street

Address

Baltimore MD 21201
City State Zipcode

Attorney for Petitioner:

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

Signature

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

Towson MD 21204
State Zipcode

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

Legal Owner(s):

Baltimore County, Maryland
(Type or Print Name)

By:

Robin Churchill, County Administrative Officer

(Type or Print Name)

Signature

Old Court House, 2nd Floor
400 Washington Avenue 410-887-4410
Address Phone No

Towson MD 21204
City State Zipcode

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

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

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

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

unavailable for Hearing the following dates _____

Next Two Months

ALL _____ OTHER _____

REVIEWED BY: _____ DATE _____



ORDER RECEIVED FOR
Date
By

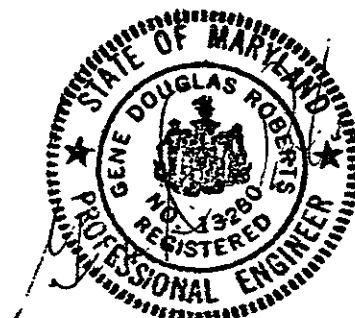
**PROPERTY TO BE DEVELOPED BY
"COCKEYSVILLE ELEMENTARY SCHOOL, L.L.C."
FOR THE CONSTRUCTION OF
THE COCKEYSVILLE SENIOR COMPLEX**

ZONING DESCRIPTION

Beginning at a point on the northeast corner of the intersection of York Road, a state highway with a 66 feet right-of-way, and Bosley Avenue, a county road with a 30 feet right-of-way, in the eight election district of Baltimore County, and running the following six courses and distances:

- 1.) N 75° - 01' - 00" E, 652.10 feet along the northerly side of Bosley Avenue to the westerly side of Virginia Avenue as laid out on the Plat of Montfaucon, recorded in the land records of Baltimore County, Plat Book W.P.C. No.5, Folio 83;
- 2.) thence, N 14° - 55' - 00" W, 610.00 feet along said westerly side of Virginia Avenue to the southerly side of Matthews Avenue, a 30 feet wide right-of-way shown on the aforementioned Plat of Montfaucon;
- 3.) thence, S 75° - 01' - 00" W, 500.00 feet along the southerly side of Matthews Avenue, a 30 feet wide right-of-way as shown on the aforementioned Plat of Montfaucon;
- 4.) thence, S 14° - 59' - 00" E, 65.00 feet;
- 5.) thence, S 75° - 01' - 00" E, 150.92 feet to intersect the easterly side of York Road, a 66 feet wide state road right-of-way;
- 6.) thence, running on the easterly side of said York Road S 14° - 51' - 33" E, 545.00 feet to the place of beginning;

containing 8.90 acres, more or less, being the same plot of ground conveyed to Baltimore County and described by three separate parcels in the land records of Baltimore County, Liber 6408, Folio 549, with the inclusion of Ensor Avenue, a 30 feet wide right-of-way closed by order dated, 6/30/58, and recorded in Road Closing Book No. 1, Folio 122.



#45

CERTIFICATE OF PUBLICATION

TOWSON, MD., Aug. 14, 1997

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 Aug. 14, 1997.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the following:

son Maryland on the property identified herein as follows:

Case #95-45
10801 York Road, in Warren Place, Cockeysville Senior Complex.
NEC York Road and Bosley Avenue.

8th Election District
3rd Councilmanic

Legal Owner(s):
Baltimore County Maryland
Contract Purchaser/Lessee:
Cockeysville Elementary Limited Partnership

Special Exception: for reapproval of the previously granted special exception case #95-56-XA for the proposed elderly housing facility.

Hearing: Monday, September 8, 1997 at 11:00 a.m., Room 407 Courts 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.

8/14/97 Aug 14 C165285

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 042708

DATE 8-5-97 ACCOUNT R-001-6150

RECEIVED FROM: *Itom 8/45* AMOUNT \$ 300.00

FOR: *Venable Baetjer & Howard*

Special Exception - 11/06/1 York Rd

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 043301

DATE 8/22/97 ACCOUNT 001-6150

AMOUNT \$ 100.00 (WCR)

RECEIVED FROM: Venable, Baetjer & Howard

FOR: #110 - REVISIONS

#98-45-X Revised Plats & Petition
10601 York Road -- Warren Place

DISTRIBUTION
E - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

Drop-Off -- No Review

PAID RECEIPT

PROCESS ACTUAL TIME

8/06/1997 8/06/1997 09:23:27

REG #001 CASHIER CLUM CML DRAWER 1

MISCELLANEOUS CASH RECEIPT

Receipt # 017568 OFLN

CR NO. 042708

300.00 CHECK: FN

Baltimore County, Maryland

CASHIER'S VALIDATION

PAID RECEIPT

PROCESS ACTUAL TIME

8/25/1997 8/25/1997 09:25:35

REG #001 CASHIER CLUM CML DRAWER 1

MISCELLANEOUS CASH RECEIPT

Receipt # 019702 OFLN

CR NO. 043301

100.00 CHECK: FN

Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
SCCELLANEOUS RECEIPT

No. **042708**

DATE 8-5-97 ACCOUNT R-001-6150

RECEIVED FROM: Items #45 AMOUNT \$ 300.00

FOR: Venable Baetjer & Howard

Special Exception - # 10601 York Rd

DISTRIBUTION
E - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT
PROPOSED ACTUAL TIME
8/06/1997 8/06/1997 09:21:27
REG 0000 CASHIER CLIM CML DINNER
MISCELLANEOUS CASH RECEIPT
Receipt # 017568
CR NO. 042708

300.00 CHECK: \$0
Baltimore County, Maryland

RE: Case No.: 98-45-X

Petitioner/Developer: COCKEYSVILLE ELEM., ETAL
C/O ROBERT HOFFMAN, ESQ

Date of Hearing/Closing: 9/8/97
AT 11:00 AM
RM-407 - COURTS

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

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
 were posted conspicuously on the property located at ES YORK ROAD N.S.
BOSLEY AV. (COCKEYSVILLE)
OLD COCKEYSVILLE ELEM. SCHOOL SITE

The sign(s) were posted on 8/22/97
 (Month, Day, Year)

FIX

Sincerely,

Patrick M. O'Keefe 9/1/97

(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

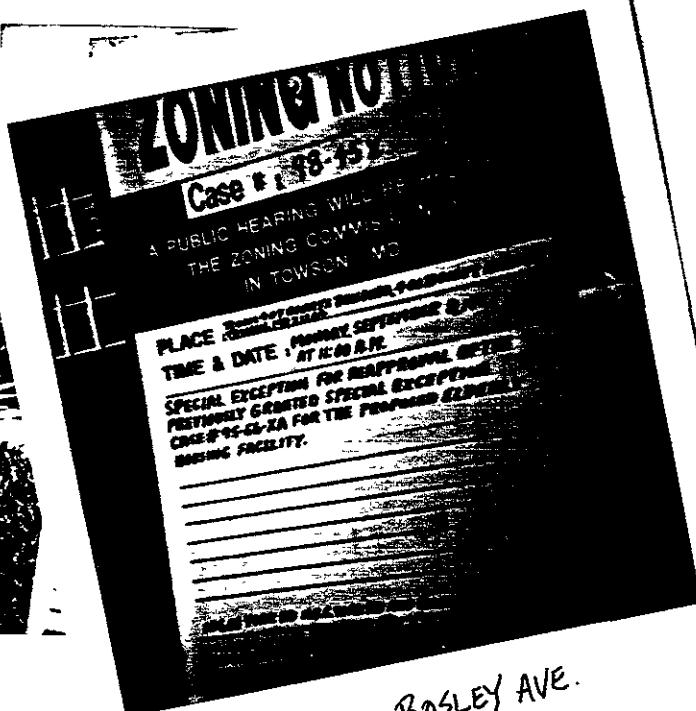
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

905-8571
 Pager (410) 646-8354



YORK RD. @ BOSLEY AVE.
98-45-X
H-9/8/97

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

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

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

Case No.:

45 98-45-X

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

PLACE: *

DATE AND TIME: *

REQUEST: Special Exception Hearing to reapprove
the previously granted Special Exception in case no.
95-56-XA to modify the maximum residential density
standards in the OR-4 & DR-35 zones to an overall density of 9.1
density units per acre for the proposed elderly housing facility

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



Baltimore County
Department of Permits and
Development Management

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

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

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

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

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

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

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 45 Pet. Cockeysville Elementary LTD
Petitioner: BALTO. County-own Partnership
Location: 10601 YORK Rd

PLEASE FORWARD ADVERTISING BILL TO:

NAME: _____

ADDRESS: _____

PHONE NUMBER: _____

AJ:ggs

(Revised 09/24/96)

TO: PUTOXENT PUBLISHING COMPANY
August 14, 1997 Issue - Jeffersonian

Please forward billing to:

Cockeysville Elementary Limited Partnership
c/o Barbara Ormord
Venable, Baetjer and Howard
210 Allegheny Avenue
Towson, MD 21204
410-494-6201

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 98-45-X
10601 Tork Road - Warren Place Cockeysville Senior Complex
NEC York Road and Bosley Avenue
8th Election District - 3rd Councilmanic
Legal Owner(s): Baltimore County Maryland
Contract Purchaser/Lessee: Cockeysville Elementary Limited Partnership

Special Exception for reapproval of the previously granted special exception case #95-56-XA for the proposed elderly housing facility.

HEARING: MONDAY, SEPTEMBER 8, 1997 at 11:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

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



Baltimore County
Department of Permits and
Development Management

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

August 7, 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: 98-45-X

10601 Tork Road - Warren Place Cockeysville Senior Complex

NEC York Road and Bosley Avenue

8th Election District - 3rd Councilmanic

Legal Owner(s): Baltimore County Maryland

Contract Purchaser/Lessee: Cockeysville Elementary Limited Partnership

Special Exception for reapproval of the previously granted special exception case #95-56-XA for the proposed elderly housing facility.

HEARING: MONDAY, SEPTEMBER 8, 1997 at 11:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: Leo D'Aleo/Cockeysville Elementary Limited Partnership
Robert A. Hoffman, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY AUGUST 24, 1997.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County
Department of Permits and
Development Management

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

September 8, 1997

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

RE: Item No.: 45
Case No.: 97-45-X
Petitioner: Baltimore County, MD

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 5, 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,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)





Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

August 19, 1997

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

RE: Property Owner: MILTON F. PORTER & LINDA C. ROGERS
BALTIMORE COUNTY, MD

Location: DISTRIBUTION MEETING OF August 25, 1997

Item No.: 044 AND 045

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. 2.4.4 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



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

DATE: August 25, 1997

To: Arnold L. Jablon

From: R. Bruce Seeley *RS/yp*

Subject: Zoning Item #45

Cockeysville Senior Complex

Zoning Advisory Committee Meeting of August 18, 1997

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

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

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

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

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

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

☒ The Forest Conservation Regulations apply to this project because it is being subdivided.

BS:VK:sp



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary

Parker F. Williams
Administrator

9-5-97

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

RE: Baltimore County
~~CASE~~ ~~Item~~ No. 98-45-X

Dear Ms. Eubanks:

We have reviewed the referenced ~~item~~ ^{CASE} and we have no objection to approval, as a field inspection reveals the existing entrance(s) onto MD/85*45 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,

Ronald Burns, Chief
Engineering Access Permits
Division

LG

My telephone number is _____

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

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

hs
9/8
file

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

DATE: August 26, 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. 45

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 M. Long

Division Chief:

Darryl L. Kerns

AFK/JL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: August 22, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
for August 25, 1997
Item Nos. 044, 045, 046, 047, 048,
049, 050, and 051

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

RWB:HJO:jrb

cc: File

ZONE825.NOC

Larry
9/8

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

DATE: September 4, 1997

To: Arnold L. Jablon
From: R. Bruce Seeley *RB/JS*
Subject: Zoning Item #98-45-X

Cockeysville Senior Complex

Zoning Advisory Committee Meeting of September 2, 1997

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
- ☐ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code.)
 - ☒ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
 - ☐ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

BS:VK:sp

RE: PETITION FOR SPECIAL EXCEPTION *
10601 York Road (Warren Place Cockeysville
Senior Complex) NEC York Rd and Bosley Ave*
8th Election District, 3rd Councilmanic

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 98-45-X

Legal Owner(s): Baltimore County, Maryland
Contract Purchaser/Lessee: Cockeysville *
Elementary Limited Partnership
Petitioners

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of August, 1997, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

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

September 26, 1997

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

RE: Drop-Off Revision Review (Case 98-45-X)
10601 York Road
8th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced revisions were accepted for filing without a final filing review by the staff. The revisions were accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

Correct setback (on plan) to 15 feet (not 12 feet) of the proposed 1-story senior center building to Bosley Avenue on sheet #1.

Add dimensions of all buildings.

Add setbacks to all property lines and all distances between buildings (proposed and existing) on sheet #1.

Give typical parking space dimensions.

Correct sign note to Section 205.3.C, BCZR.



Robert A. Hoffman, Esquire
September 26, 1997
Page 2

If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script, appearing to read "John J. Sullivan, Jr.", written in black ink.

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS:scj

Enclosure (receipt)

c: Zoning Commissioner

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

VENABLE
ATTORNEYS AT LAW

98-45-X

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Writer's Direct Number:
(410) 494-6201

August 22, 1997

W. Carl Richards, Jr.
Department of Permits and Development
Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 98-45-X
10601 York Road - Warren Place
Cockeysville Senior Complex
Petition for Special Exception

Dear Carl:

Enclosed please find twelve revised site plans for submittal in connection with the above captioned matter. Also enclosed is our check in the amount of \$100.00 for the revision fee.

If you have any questions, please do not hesitate to give us a call.

Sincerely,


Barbara W. Ormord
Legal Assistant

BWO:pmp
Enclosures
cc: Robert A. Hoffman, Esquire

TO1DOCS1/BAW01/0050276 01

REVISIONS
DROP-OFF
NO REVIEW
8/22/97

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
www.venable.com

VENABLE
ATTORNEYS AT LAW

OFFICES IN

MARYLAND
WASHINGTON, D.C.
VIRGINIA

Writer's Direct Number:
410-494-6201

August 5, 1997

Arnold F. Jablon, Director
Department of Permits and Development Management
County Courts Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Property Owners: Baltimore County, Maryland
Petitioner: Cockeysville Elementary Limited Partnership
Location: 10601 York Road
Petition for Special Exception

Dear Mr. Jablon:

Pursuant to your conversation with Rob Hoffman, I am forwarding you the enclosed Special Exception petition and accompanying documents for filing. The petitioner is requesting a reapproval of the special exception previously granted in Case No. 95-56-X. Robin Churchill, Administrative Officer for Baltimore County, has informed us that your office will obtain her signature on the petitions once they have been reviewed. This request has not been previously reviewed by your office and this property is not in violation of any zoning laws. Enclosed are the following documents:

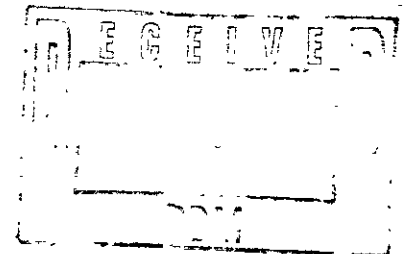
1. Petition for Special Exceptions (3);
2. Zoning Descriptions (3);
3. Site Plans (12);
5. Portion of 200' Scale Zoning Map (1); and
4. Check in the amount of \$300.00

If you have any questions, please give me a call.

Sincerely,



Barbara W. Ormord
Legal Assistant



cc: Robert A. Hoffman, Esquire
TO1DOCS1/BAW01/0049192.01



Baltimore County
Department of Permits and
Development Management

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

September 10, 2002

Mr. David Thompson
Mercantile Mortgage Corp
Multi-Family Division
2 Hopkins Plaza, Suite 900
Baltimore, MD 21201

Dear Mr. Thompson:

Re: Warren Place Senior Living
10535 York Road
8th Election District

This letter for zoning verification is being provided to you at the request of Mr. Leo D'Aleo, R. A. NCARB. Of D'Aleo & Associates, LLC.

The staff has reviewed the current zoning violation file and has found no active violations on this site.

A review of the zoning file in case # 98-45-X shows that this site was approved for a total of 121 units. The staff discussed the original approval and use of the former managers' apartment to be the 121st elderly housing unit with the Zoning Commissioner who approves this total number of units as being consistent with his order in case # 98-45-X.

Therefore, if constructed in accordance with the Petitioners Exhibit #1 as found in the zoning case records and if under substantial construction by September 9, 1999, this project is vested and approved as being in compliance with all zoning regulations.

Come visit the County's Website at www.co.ba.md.us

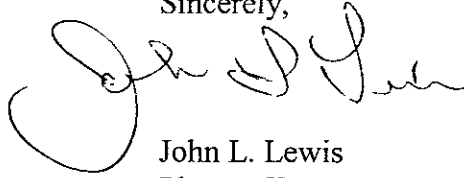


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on Recycled Paper

Mr. David Thompson
September 10, 2002
Page Two

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "John L. Lewis". The signature is fluid and cursive, with a large initial "J" and "L".

John L. Lewis
Planner II
Zoning Review

JLL:rlh

c: Leo J. D'Aleo
98-45-X
Letter File

ITEM #45

LO - Baltimore County, MD
CP - Cockeysville Elementary Limited
Partnership
NEC York Road + Bosley Avenue
#10601 York Road - Warren
Place Cockeysville Senior Complex
8.9 +/- acres
8c3

OR-1 + DR-3.5

Attorney: Robert A. Hoffman

Priors: #95-56-XA #89-46-SPH,

Lt. Ex. Granted 5/26/94 DRC #05234H

Special Exception for reapproval of
the previously granted special
exception case no. 95-56-XA
for the proposed elderly housing
facility.

GGG -

Per WCR schedule in
30 days per AS + Dutch

IN RE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
AND VARIANCE - NE/Corner York Rd.
and Bosley Ave., N of Warren Rd. * ZONING COMMISSIONER
(10601 York Road)
8th Election District * OF BALTIMORE COUNTY
3rd Councilmanic * Case No. 95-56-XA
Baltimore County, Maryland and
Cockeysville Elem. Ltd. Part. - *
Petitioners

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Exception and Variance for that property known as 10601 York Road, located in the Cockeysville area of northern Baltimore County. The Petitions were filed by the owners of the property, Baltimore County, Maryland, a body politic, and the Contract Lessee, Cockeysville Elementary Limited Partnership, a private entity. The Petitioners seek a special exception, pursuant to Section 432.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to modify the maximum residential density standards in the O-1 and D.R. 3.5 zones to an overall density of 9.1 units per acre for a proposed Elderly Housing Class A facility on the subject property. In the alternative, if necessary, relief is requested to allow the utilization of the overall density in the O-1 zone and the area of the existing community building and supporting parking to be utilized to support density and, if not, to permit an overall density of 9.5 units per acre. Also, requested, if necessary, is relief pursuant to Sections 1B01.1.C.6 and 1B01.1.B.1.g(10) to permit the community building (a Baltimore County Senior Center) and modifications thereto, to be in compliance to the extent possible with R.T.A. requirements. Within the Petition for Variance, the Petitioners seek relief from the B.C.Z.R. as follows: From Section 409.4 to permit vehicular travelways with direct access to off-street parking

MICROFILMED

and, pursuant to Section 409.12, to approve a modified parking plan; from Section 409.8.A.4 to permit a parking setback of 8 feet in lieu of the required 10 feet; from Section 1B01.2.C.1.e to permit a side building face to tract boundary setback of 19 feet in lieu of the required 30 feet for the proposed multi-family building; from Section 1B01.2.C.1.a, if necessary, to permit a side setback of 15 feet in lieu of the required 20 feet for a non-residential building (the Baltimore County Senior Center); and, from Sections 1B01.2.B.2 and 504.2 of the B.C.Z.R. and Sections II-26 and II-29 of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a modification of standards and a variance to permit a building length of up to 320 feet. The subject property, proposed uses, and relief sought are more particularly described on the site plan submitted into evidence as Petitioner's Exhibit 1.

Appearing at the public hearing on behalf of the Petitions was Frank Welsh, Director of the Office of Community Development for Baltimore County. Also appearing was Dr. Philip H. Pushkin, the Director of the Office of Aging for Baltimore County. Also present was Leo J. D'Aleo, General Partner of the Cockeysville Elementary Limited Partnership. Steve Morlock, Gene D. Roberts, George Frizzell, and Glenn Cook also appeared. The Petitioners were represented by Robert A. Hoffman, Esquire. There were no interested parties or Protestants present.

The proffered testimony and evidence presented revealed that the subject site consists of a gross area of approximately 9.9 acres, of which roughly 4.1 acres are zoned D.R. 3.5 and 4.9 acres zoned O-1. The property is the former site of the Cockeysville Elementary School. It is located immediately adjacent to York Road at its intersection with Bosley Avenue in Cockeysville. Mr. Hoffman proffered that Baltimore County and the

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MAR 11 1974
BY [Signature]

principals of the private partnership known as the Cockeysville Elementary Limited Partnership, have worked long and hard on a proposed plan for redevelopment of the subject property. The result of their labors is shown on the site plan identified herein as Petitioner's Exhibit 1. This plan shows that the property will be redeveloped to provide an elderly housing facility, a senior center, and a large recreation area. As to the housing facility, the existing two-story building on that portion of the site which fronts York Road, will be renovated to provide 38 units. Moreover, a proposed three-story building addition to the existing structure will be added to provide an additional 82 units. Altogether, 120 one-bedroom units for the elderly will be provided. Also proposed is a senior center/community building which will be attached by a common lobby to the elderly housing facility. Coupled with these improvements will be a required parking area, garden, and similar amenities.

As to the proposed improvements, the testimony of Dr. Pushkin was proffered that the senior citizens in the north and central areas of Baltimore County are in dire need of such facilities. The senior center, which will operate Monday through Friday from approximately 9:00 AM to 3:00 PM, will serve residents from the Lutherville/Timonium area to the Pennsylvania line. It will be operated in a similar fashion to the senior center presently existing on Rolling Road in Catonsville. The residential structure will provide needed units to house the County's growing senior population. Moreover, the residents of the senior housing facility will be able to utilize the services at the senior center (community building).

In conjunction with the uses geared toward senior citizens is the use of the balance of the site to support recreational programs for youths. An existing multi-purpose court will be retained as will existing tennis

courts. Moreover, on the northern portion of the site, adjacent to Matthews Avenue, several existing athletic facilities will remain. Both Dr. Pushkin and Mr. Welsh, through proffered testimony, noted the benefits of this inter-generational approach. That is, the proposed use of this site will not only benefit the senior citizens in northern Baltimore County, but also support and assist many of the youth recreation athletic leagues.

The special exception request was filed for approval of the senior citizen facilities and to determine the appropriate density thereof. In essence, the issue presented within this special exception is whether the housing facility may utilize the density on which the senior center (community building) is located. If such acreage can be utilized, the overall density would be calculated at 9.1 units per acre. If not, the overall density must be computed at 9.5 units per acre. Moreover, the Petition for Special Exception also requests an interpretation as to whether the senior center building must comply with RTA requirements.

In this respect, it is clear that the senior center (community building) will be operated by Baltimore County (Department of Aging) and will be located on property leased by Baltimore County. Based on these considerations, I must conclude that the community center is a governmental use, owned and operated by Baltimore County, and thus, exempt from the otherwise relevant provisions of the B.C.Z.R. On this issue, the Court of Appeals of this state has clearly ruled. In Glascok v. Baltimore County, 321 Md. 118, 581 A2d 822 (1990), the Court concluded that Baltimore County is exempt from its own zoning regulations. Moreover, the Court within its opinion cited as authority a prior decision in Board of Appeals v. Harker 316 Md. 683, 561 A2d 219 (1989). This Zoning Commissioner authored the Board of Appeals' decision in Harker and is familiar with that case.

ORDER RECEIVED FOR FILING

Date

By

Therein, the Court cited a long line of authority in reaching its conclusion that governmental functions carried out by a corporate politic (Baltimore County) are exempt from the provisions of the B.C.Z.R. For these reasons, it is clearly proper and appropriate that the overall density of the use in this case should be computed at 9.1 units per acre.

As to the special exception standards set forth in Section 502.1 of the B.C.Z.R., it is clear that the proposed uses will not be detrimental to the health, safety or general welfare of the surrounding locale. To the contrary, the proposed use of this property is imaginative and will serve a real need to both the County seniors and youth and adult recreation programs. Dr. Pushkin, Mr. Welsh, and Mr. D'Aleo are all to be commended for their imaginative blending of uses which will greatly enhance the quality of life and serve the needs of citizens of this County. Moreover, it is to be noted that the community building, as exempt from the B.C.Z.R. for the reasons set forth above, need not comply with RTA requirements.

As to the Petition for Variance, same will likewise be granted. Again, the variance related to the Baltimore County Senior Center need not be approved in that this structure is exempt from the B.C.Z.R. However, the other variances related to the housing facility, which will be operated by Mr. D'Aleo's private corporation, are required. It is obvious that the planners of this project have considered carefully the layout of the proposed buildings and uses therein. The plan reflects a practical approach to development on this site and utilization of existing structures. In my view, deviation from the plan as shown on Petitioner's Exhibit 1 would present a practical difficulty to the Petitioners. Moreover, it is clear that the variance relief sought will be consistent with the relevant provisions of the B.C.Z.R. and will not adversely impact the surrounding locale.

provisions of the B.C.Z.R. and will not adversely impact the surrounding locale.

Pursuant to the advertising and posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the special exception and variance relief sought should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 17th day of October, 1994 that the Petition for Special Exception seeking approval, pursuant to Section 432.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to modify the maximum residential density standards in the O-1 and D.R. 3.5 zones to an overall density of 9.1 units per acre for a proposed Elderly Housing Class A facility on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petitioners shall be permitted to utilize the overall density in the O-1 zone and the area of the community building and supporting parking as support density for an overall density of 9.1 units per acre; and,

IT IS FURTHER ORDERED that, pursuant to Section 1B01.1.C.6 and 1B01.1.B.1.g(10), the community building (the Baltimore County Senior Center) and modifications thereto are exempt from the B.C.Z.R. and as such, need not comply with R.T.A. requirements; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Section 409.4 to permit vehicular travelways with direct access to off-street parking and, pursuant to Section 409.12, to approve a modified parking plan; from Section 409.8.A.4 to permit a parking setback of 8 feet in lieu of the required 10 feet; from Section 1B01.2.C.1.e to permit a side building face to tract boundary

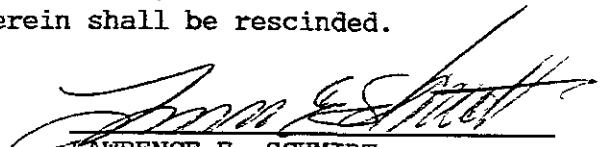
ORDER RECEIVED FOR FILING

Date

By

setback of 19 feet in lieu of the required 30 feet for the proposed multi-family building; from Section 1B01.2.C.1.a, if necessary, to permit a side setback of 15 feet in lieu of the required 20 feet for the non-residential building (the Baltimore County Senior Center); and, from Sections 1B01.2.B.2 and 504.2 of the B.C.Z.R. and Sections II-26 and II-29 of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a modification of standards and a variance to permit a building length of up to 320 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

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


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 11/27/84
By [Signature]

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

Rob Hoffman

LEO J. D'ARCE

STEPHANIE RUSHIN

JO ANN COPE

JAN HEABERLIN

ADDRESS

210 Allegheny Ave 21204

1106 N. CHARLES ST. BART. MD 21201

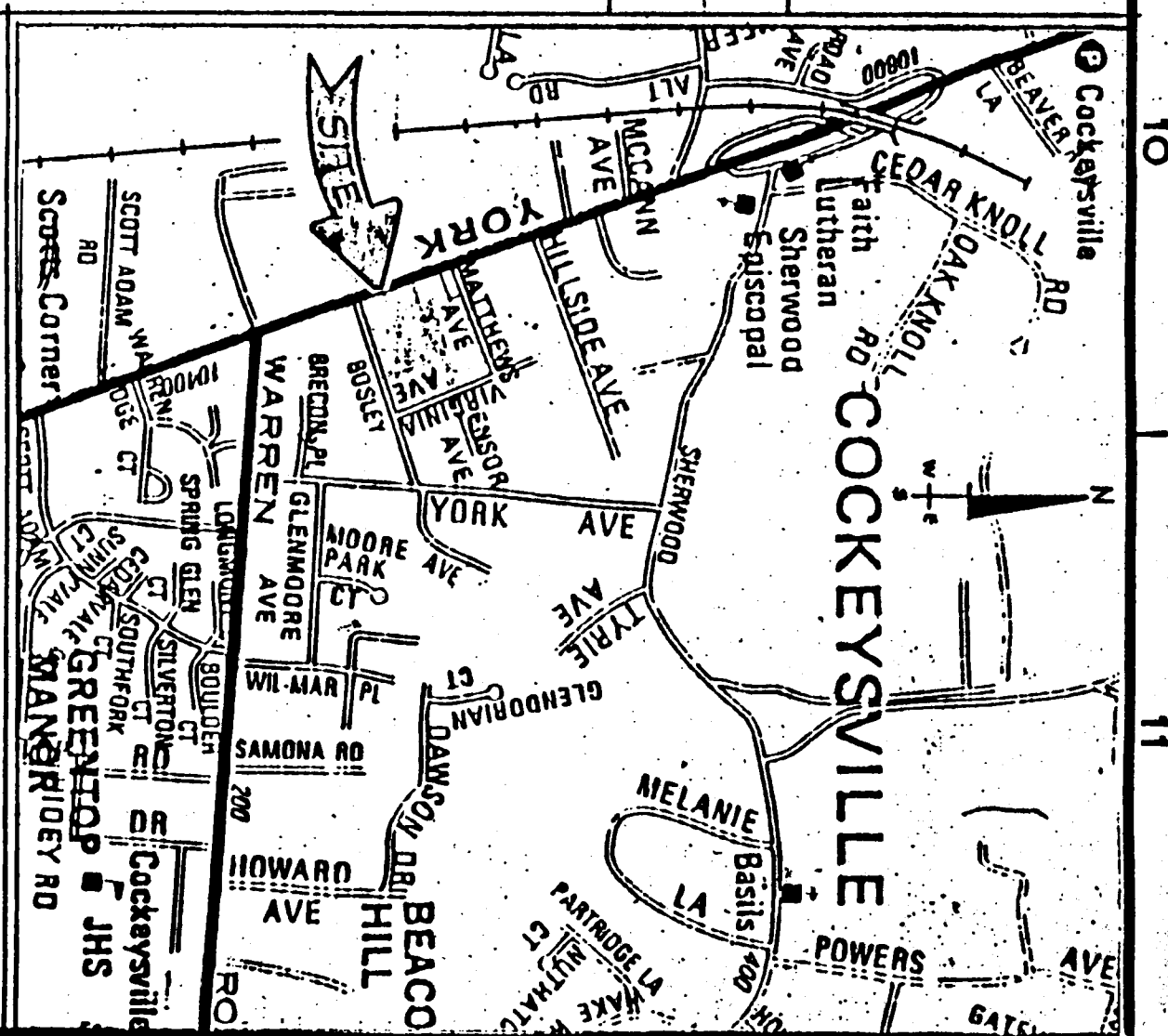
OFFICE OF COMMUNITY CONSERVATION

OFFICE OF COMMUNITY CONSERVATION

DEPARTMENT OF AGING



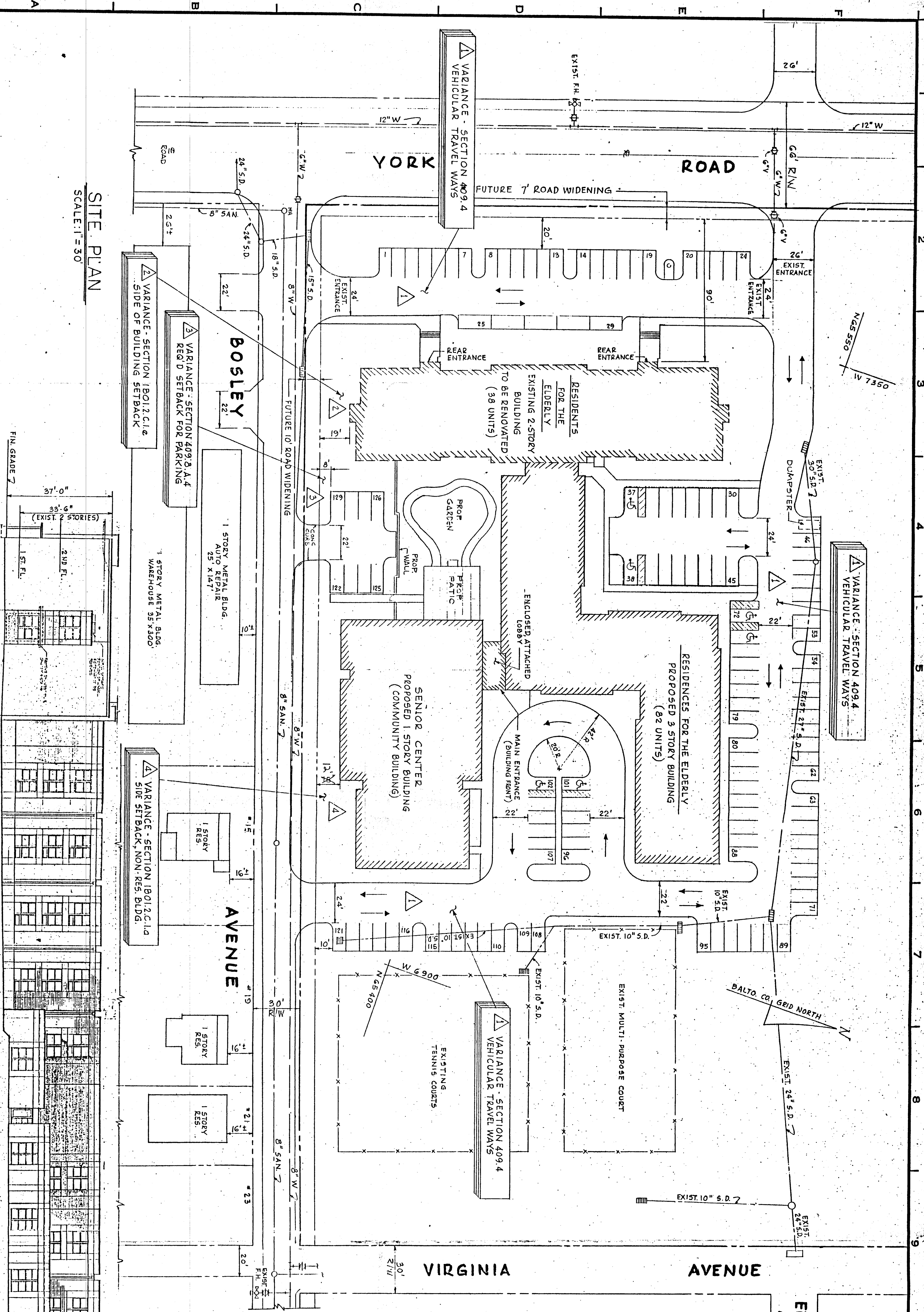




VICINITY MAP
SCALE: 1" = 1,000'

GENERAL NOTES

1. Current Zoning: OR 1 & DR 35
2. Gross Site Area: 9.90 Acres +/-
3. Net Site Area: 8.90 Acres +/-
4. Proposed Use: Elderly Housing Class A with accessory medical office and beauty salon and a community center. Accessory medical office and beauty salon are for continuing care is proposed.
5. Parking Requirements:
Elderly Housing = 1 space per 15 living units
Add 5% for visiting parking, 80 x 115 = 82 total spaces required.
Total spaces provided = 129
90 parking, 8.5' x 18' min.
Handicap parking = 12 (1.5% of 800)
Handicap parking provided = 6 spaces
6. No stream exists on or are within 50 feet of the property.
7. Fencing: Asphalitic, all parking spaces will be permanently striped and lighting will be reflected away from all roads and residential uses.
8. Previous Zoning Hearings:
B-9-46 SPT-1 - A Special Hearing to permit a mix of public and private uses of the Elementary School to provide a Senior Center, Recreation Uses, Office Galleries, Educational Facilities, etc. The complex was never developed.
The Cockeysville Senior Center Complex (Warren Road)
95-56-XA - see Sheet 2 of 2
9. Previous ORG Minutes: none for this property.
10. Density Calculations:
Gross Site Area = 9.9 Acres +/-
Density Proposed:
120 one bedroom units x 0.75 = 90 Density Units, additionally one manager's apartment to be provided.
Proposed Density = 90 / 9.90 = 9.1 density units per acre (9.2 if manager's apartment requires density)
11. All signs will comply with B.C.T.R. Section 415 and all Zoning sign policies.
12. A Limited Exception, was granted by the Office of Zoning Administration under DRC No. 0823941, 9/4, dated May 26, 1994.

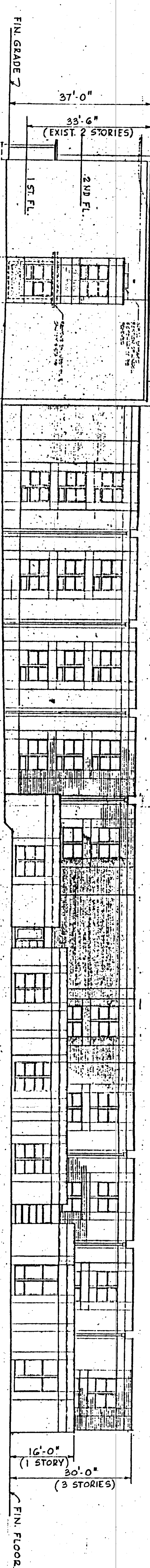


SITE PLAN
SCALE: 1" = 30'

ELEVATION - EXISTING BUILDING

SOUTH ELEVATION - THREE STORIES - RESIDENTIAL

SOUTH ELEVATION - SENIOR CENTER



PETITIONER'S
EXHIBIT No. 1

REQUEST FOR SPECIAL EXCEPTION
FOR REAPPROVAL OF THE PREVIOUSLY GRANTED SPECIAL
EXCEPTION IN CASE NO. 48-56-XA TO MODIFY THE
THE MAXIMUM RESIDENTIAL DENSITY STANDARDS
IN THE OR-1 AND DR-35 ZONES TO AN OVERALL
DENSITY OF 9.2 DENSITY UNITS PER ACRE FOR
THE PROPOSED ELDERLY HOUSING FACILITY.

CONTRACT PURCHASER
COCKEYSVILLE ELEMENTARY
1105 N. CHARLES STREET
BALTIMORE, MARYLAND 21201

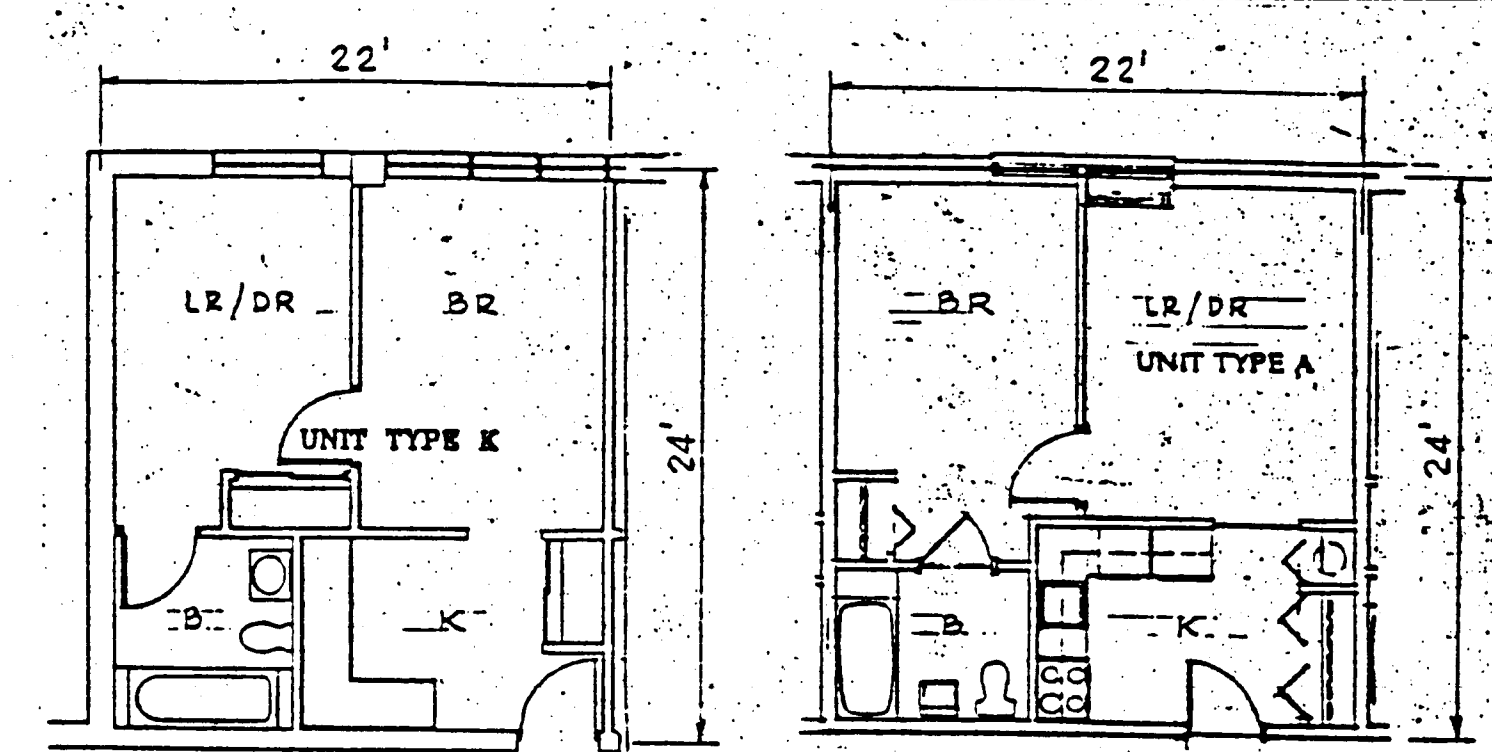
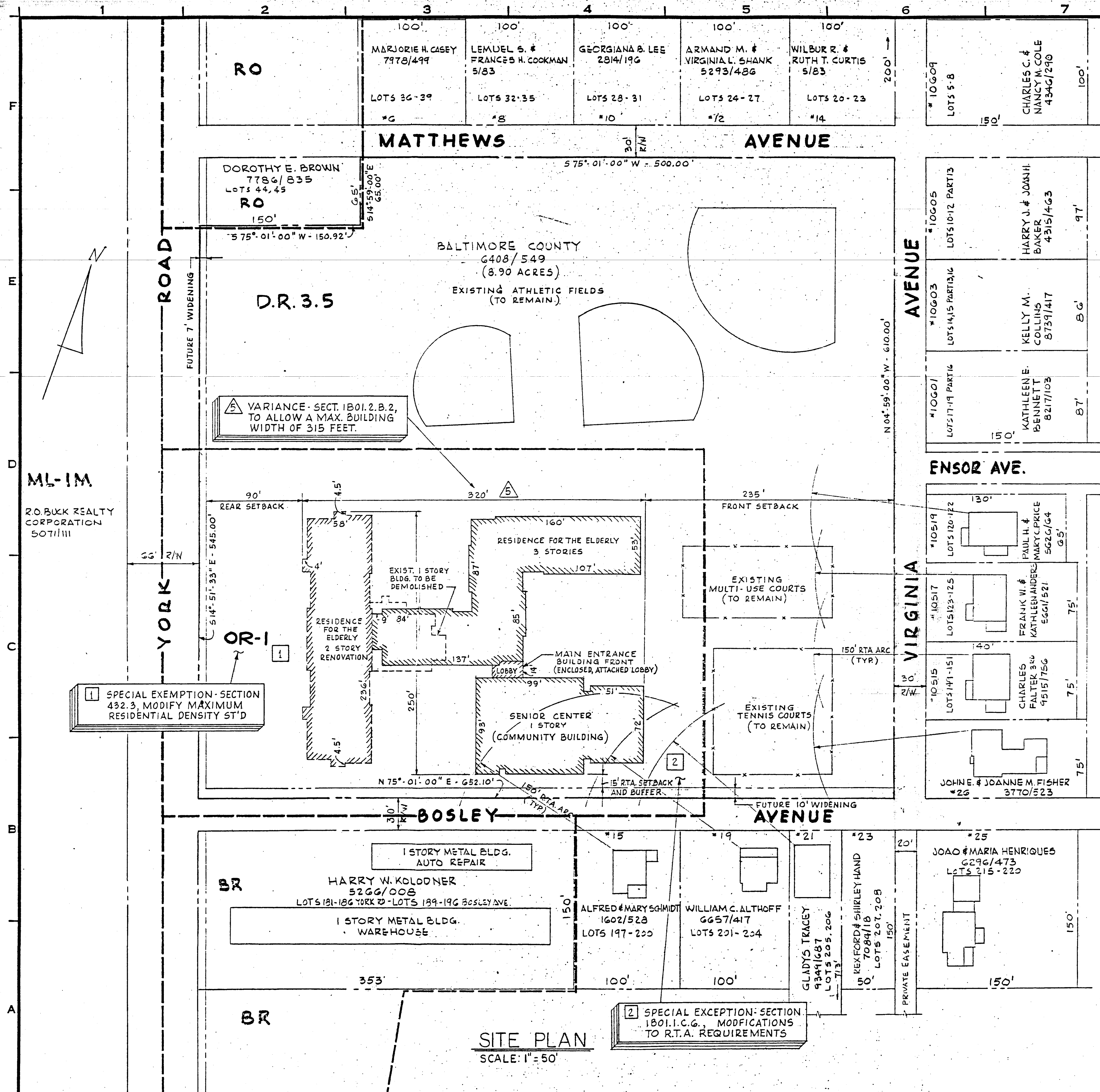
OWNER
BALTIMORE COUNTY, MARYLAND
400 W. BALTIMORE, 2ND FLOOR
TORON, MARYLAND 21204
410-887-4410

NO.	REVISIONS	DATE

PLAT TO ACCOMPANY
SPECIAL EXCEPTION PETITION

WARREN PLACE
COCKEYSVILLE SENIOR COMPLEX
10601 YORK ROAD 21090
SCALE: AS SHOWN

1 of 2 SHEETS



RENOVATED BUILDING (528 SQ. FT.)
NEW BUILDING (528 SQ. FT.)
TYPICAL APARTMENT FLOOR PLAN
SCALE: 1/8" = 1'-0"

ZONING ORDER 95-56-XA

WHEREAS, it is ORDERED by the Zoning Commission for Baltimore County this 17th day of October, 1994 that the Petition for Special Exception seeking approval, pursuant to Section 432.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to modify the maximum residential density standards in the O-1 and D.R. 3.5 zones to an overall density of 9.1 units per acre for a proposed Elderly Housing Class A facility on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petitioners shall be permitted to utilize the overall density in the O-1 zone and the area of the community building and supporting parking as support density for an overall density of 9.1 units per acre; and,

IT IS FURTHER ORDERED that, pursuant to Section 1801.1.C.6 and 1801.1.B.1.g.(10), the community building (the Baltimore County Senior Center) and modifications thereto are exempt from the B.C.Z.R. and as such, need not comply with R.T.A. requirements; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the B.C.Z.R. as follows: From Section 409.4 to permit vehicular travelways with direct access to off-street parking and, pursuant to Section 409.12, to approve a modified parking plan; from Section 409.8.A.4 to permit a parking setback of 8 feet in lieu of the required 10 feet; from Section 1801.2.C.1.a to permit a side building face to tract boundary setback of 19 feet in lieu of the required 30 feet for the proposed multi-family building; from Section 1801.2.C.1.a, if necessary, to permit a side setback of 15 feet in lieu of the required 20 feet for the non-residential building (the Baltimore County Senior Center); and, from Sections 1801.2.B.2 and 504.2 of the B.C.Z.R. and Sections II-26 and II-29 of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit a modification of standards and a variance to permit a building length of up to 320 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

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

- VARIANCES**
- 1 FROM SECTION 409.4 TO PERMIT VEHICULAR TRAVEL WAYS WITH DIRECT ACCESS TO OFF-STREET PARKING AND PER SECTION 409.12 TO APPROVE A MODIFIED PARKING PLAN.
SEE SHEET 1 OF 2.
 - 2 FROM SECTION 1801.2.C.1.a TO PERMIT A 19 FOOT SIDE BUILDING FACE TO TRACT BOUNDARY SETBACK OF THE MULTI-FAMILY BUILDING IN LIEU OF THE ALLOWED 30 FOOT SETBACK.
SEE SHEET 1 OF 2.
 - 3 PER SECTION 409.8.A.4 TO PERMIT AN 8 FOOT SETBACK FOR PARKING IN LIEU OF THE ALLOWED 10 FOOT SETBACK.
SEE SHEET 1 OF 2.
 - 4 IF NECESSARY FROM SECTION 1801.2.C.1.a TO PERMIT A 15 FOOT SIDE SETBACK AT THE NON-RESIDENTIAL BUILDING (THE BALTIMORE COUNTY SENIOR CENTER) IN LIEU OF THE ALLOWED 20 FOOT SETBACK.
SEE SHEET 1 OF 2.
 - 5 PER SECTIONS 1801.2.B.2 AND 504.2 OF THE BALTIMORE COUNTY ZONING REGULATIONS AND SECTION II-26 AND II-29 OF THE COMPREHENSIVE MANUAL OF DEVELOPMENT POLICIES TO PERMIT A MODIFICATION OF STANDARDS AND VARIANCE TO ALLOW A BUILDING LENGTH OF UP TO 320 FEET.
SEE THIS SHEET.

- SPECIAL EXCEPTIONS**
- 1 PER SECTION 432.3 TO MODIFY THE MAXIMUM RESIDENTIAL DENSITY STANDARDS IN THE O-1 AND D.R. 3.5 AREAS (5.5 UNITS PER ACRE AND 3.5 UNITS PER ACRE) TO AN OVERALL DENSITY OF 9.1 UNITS PER ACRE AND IF NECESSARY TO ALLOW THE UTILIZATION OF THE OVERALL DENSITY IN THE O-1 ZONE AND THE AREA OF THE COMMUNITY BUILDING AND SUPPORTING PARKING TO BE UTILIZED FOR SUPPORT DENSITY AND, IF NOT, TO PERMIT AN OVERALL DENSITY OF 9.5 UNITS PER ACRE.
SEE THIS SHEET.
 - 2 IF NECESSARY PER SECTION 1801.1.C.6 AND 1801.1.B.1.g.(10) TO ALLOW A COMMUNITY BUILDING (BALTIMORE COUNTY SENIOR CENTER) AND ALLOW MODIFICATIONS FOR A COMMUNITY BUILDING (BALTIMORE COUNTY SENIOR CENTER) THAT COMPLIES WITH R.T.A. REQUIREMENTS TO THE EXTENT POSSIBLE AS SHOWN ON THESE PLANS.
SEE THIS SHEET.

1 SPECIAL EXEMPTION - SECTION 432.3, MODIFY MAXIMUM RESIDENTIAL DENSITY ST'D

2 SPECIAL EXCEPTION - SECTION 1801.1.C.6, MODIFICATIONS TO R.T.A. REQUIREMENTS

REQUEST FOR SPECIAL EXCEPTION
FOR REAPPROVAL OF THE PREVIOUSLY GRANTED SPECIAL
EXCEPTION IN CASE NO. 95-56-XA TO MODIFY
THE MAXIMUM RESIDENTIAL DENSITY STANDARDS
IN THE OR-1 AND D.R. 3.5 ZONES TO AN OVERALL
DENSITY OF 9.2 DENSITY UNITS PER ACRE FOR
THE PROPOSED ELDERLY HOUSING FACILITY

CONTRACT PURCHASER
COCKEYSVILLE ELEMENTARY
LIMITED PARTNERSHIP
1106 N. CHARLES STREET
BALTIMORE, MARYLAND 21201

OWNER
BALTIMORE COUNTY, MARYLAND
OLD COURT HOUSE, 2nd FLOOR
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
410-887-4410

REVISIONS	
NO.	DATE

PLAT TO ACCOMPANY
SPECIAL EXCEPTION PETITION

WARREN, PLACE
COCKEYSVILLE SENIOR COMPLEX
10601 YORK ROAD 21030

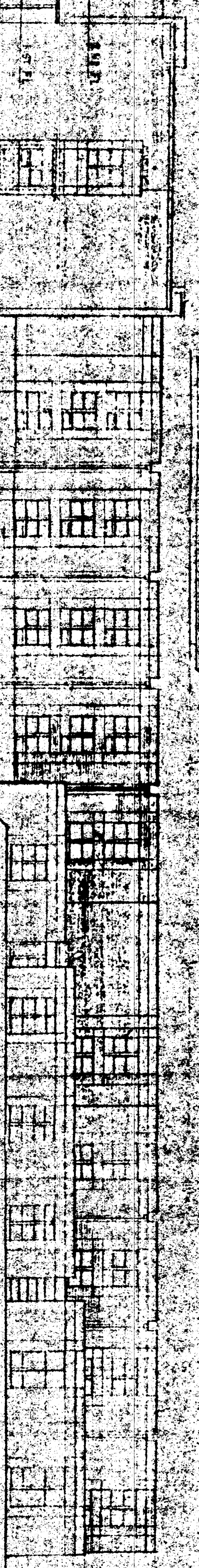
August 21, 1997
DRAWING NO.
2
2 OF 2 SHEETS
SCALE AS SHOWN



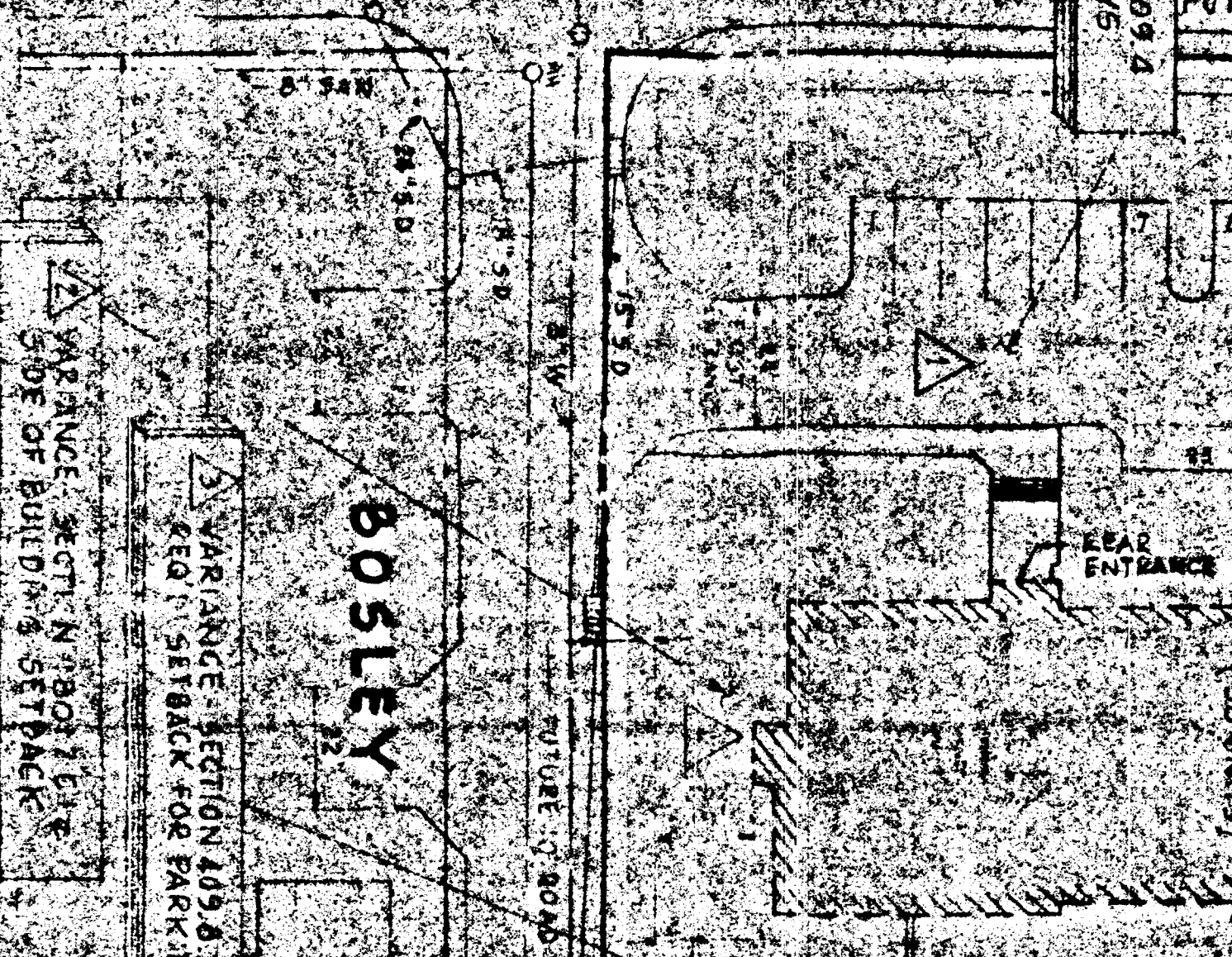
VICINITY MAP
SCALE: 1" = 1,000'

GENERAL NOTES:
1. PROPERTY IS PRESENTLY ZONED R-1 AND R-2.
2. THE PROPOSED SENIOR CENTER AND TRAVEL WAYS ARE LOCATED WITHIN THE R-1 ZONING DISTRICT.
3. THE PROPOSED TRAVEL WAYS ARE LOCATED WITHIN THE R-2 ZONING DISTRICT.
4. THE PROPOSED SENIOR CENTER IS LOCATED WITHIN THE R-1 ZONING DISTRICT.
5. THE PROPOSED TRAVEL WAYS ARE LOCATED WITHIN THE R-2 ZONING DISTRICT.
6. THE PROPOSED SENIOR CENTER IS LOCATED WITHIN THE R-1 ZONING DISTRICT.
7. THE PROPOSED TRAVEL WAYS ARE LOCATED WITHIN THE R-2 ZONING DISTRICT.
8. THE PROPOSED SENIOR CENTER IS LOCATED WITHIN THE R-1 ZONING DISTRICT.
9. THE PROPOSED TRAVEL WAYS ARE LOCATED WITHIN THE R-2 ZONING DISTRICT.
10. THE PROPOSED SENIOR CENTER IS LOCATED WITHIN THE R-1 ZONING DISTRICT.
11. THE PROPOSED TRAVEL WAYS ARE LOCATED WITHIN THE R-2 ZONING DISTRICT.
12. THE PROPOSED SENIOR CENTER IS LOCATED WITHIN THE R-1 ZONING DISTRICT.
13. THE PROPOSED TRAVEL WAYS ARE LOCATED WITHIN THE R-2 ZONING DISTRICT.
14. THE PROPOSED SENIOR CENTER IS LOCATED WITHIN THE R-1 ZONING DISTRICT.
15. THE PROPOSED TRAVEL WAYS ARE LOCATED WITHIN THE R-2 ZONING DISTRICT.

1. PROVIDING THE MATERIALS, WORK FOR THIS PROPERTY.
2. GROSS SITE AREA OF TRACT = 8.30 AC.
3. GROSS SITE AREA OF TRACT = 8.30 AC.
4. GROSS SITE AREA OF TRACT = 8.30 AC.
5. GROSS SITE AREA OF TRACT = 8.30 AC.
6. GROSS SITE AREA OF TRACT = 8.30 AC.
7. GROSS SITE AREA OF TRACT = 8.30 AC.
8. GROSS SITE AREA OF TRACT = 8.30 AC.
9. GROSS SITE AREA OF TRACT = 8.30 AC.
10. GROSS SITE AREA OF TRACT = 8.30 AC.
11. GROSS SITE AREA OF TRACT = 8.30 AC.
12. GROSS SITE AREA OF TRACT = 8.30 AC.
13. GROSS SITE AREA OF TRACT = 8.30 AC.
14. GROSS SITE AREA OF TRACT = 8.30 AC.
15. GROSS SITE AREA OF TRACT = 8.30 AC.



ELEVATION - EXISTING BUILDING
ELEVATION - THREE-STORIES RESIDENTIAL
SCALE: 1" = 10'



SITE PLAN
SCALE: 1" = 30'

TUPPIN, WACHTER ASSOCIATES, INC.
ENGINEERS
8 East Pennsylvania Ave.
Towson, Maryland

OWNER
COCKEYSVILLE SENIOR CENTER
6333 ROCKFORD RD. SUITE 101
COCKEYSVILLE, MD 21035

NO.	REVISIONS	DATE
1	PRELIMINARY SPECIAL EXEMPTION AND ZONING VARIANCE	10/1/2020
2	WALKER PLACE COCKEYSVILLE SENIOR CENTER	10/1/2020
3	10/1/2020	
4	10/1/2020	
5	10/1/2020	
6	10/1/2020	
7	10/1/2020	
8	10/1/2020	
9	10/1/2020	
10	10/1/2020	

DATE: AUGUST 9, 2021
DRAWING NO.: 10/1/2020
SCALE: AS SHOWN

98-45-X

ML-IM
FIDELITY REALTY
CORPORATION
SOUTH

YORK ROAD

ROAD

DR. 3.5

VARIANCE SECT 1801.1 & 2
TO ALLOW A MAX BUILDING
WIDTH OF 315 FEET

1 STORY METAL BLDG.
AUTO REPAIR

HARRY W. KOLODNER
5266/008
LOT 181-182 W. 100' - 100' 35.27' WIDE
1 STORY METAL BLDG.
WAREHOUSE

BR

SITE PLAN
SCALE: 1" = 50'

SPECIAL EXEMPTION SECTION
1801.1 C.G. MODIFICATIONS
TO RTA REQUIREMENTS

TURPIN, WACHTER ASSOCIATES, INC.
ENGINEERS
8 East Pennsylvania Ave.
Towson, Maryland



BOSELEY AVENUE

VIRGINIA AVENUE

AVENUE

ENSEO AVE.

10601	10603	10605	10607
LOT 10601 PARTIAL	LOT 10603 PARTIAL	LOT 10605 PARTIAL	LOT 10607 PARTIAL
KATHLEEN B. BENNETT 8217/103	KELLY M. COLLINS 8739/417	HARRY J. & JOANNE BAKER 4816/463	CHARLES C. & NANCY W. COLE 4542/295
87	86	97	100

10515	10517	10519
LOT 10515-151	LOT 10517-123	LOT 10519-121
CHARLES PALTER 37 9515/756	FRANK W. & KATHLEEN ANDERSON 6661/681	PAUL H. & MARYC PRICE 6626/64
75	75	85

10511	10513	10515
LOT 10511-111	LOT 10513-113	LOT 10515-115
JOHN & JOANNE FISHER 3710/523		
75		

10517	10519	10521
LOT 10517-123	LOT 10519-121	LOT 10521-123
FRANK W. & KATHLEEN ANDERSON 6661/681	PAUL H. & MARYC PRICE 6626/64	
75	85	

10523	10525	10527
LOT 10523-125	LOT 10525-127	LOT 10527-129

10529	10531	10533
LOT 10529-129	LOT 10531-131	LOT 10533-133

10535	10537	10539
LOT 10535-135	LOT 10537-137	LOT 10539-139

10541	10543	10545
LOT 10541-141	LOT 10543-143	LOT 10545-145

10547	10549	10551
LOT 10547-147	LOT 10549-149	LOT 10551-151

10553	10555	10557
LOT 10553-153	LOT 10555-155	LOT 10557-157

10559	10561	10563
LOT 10559-159	LOT 10561-161	LOT 10563-163

10565	10567	10569
LOT 10565-165	LOT 10567-167	LOT 10569-169

10571	10573	10575
LOT 10571-171	LOT 10573-173	LOT 10575-175

10577	10579	10581
LOT 10577-177	LOT 10579-179	LOT 10581-181

10583	10585	10587
LOT 10583-183	LOT 10585-185	LOT 10587-187

10589	10591	10593
LOT 10589-189	LOT 10591-191	LOT 10593-193

10595	10597	10599
LOT 10595-195	LOT 10597-197	LOT 10599-199

10601	10603	10605
LOT 10601 PARTIAL	LOT 10603 PARTIAL	LOT 10605 PARTIAL
KATHLEEN B. BENNETT 8217/103	KELLY M. COLLINS 8739/417	HARRY J. & JOANNE BAKER 4816/463
87	86	97

10607	10609	10611
LOT 10607 PARTIAL	LOT 10609 PARTIAL	LOT 10611 PARTIAL
CHARLES C. & NANCY W. COLE 4542/295		
100		

10613	10615	10617
LOT 10613 PARTIAL	LOT 10615 PARTIAL	LOT 10617 PARTIAL

10619	10621	10623
LOT 10619 PARTIAL	LOT 10621 PARTIAL	LOT 10623 PARTIAL

10625	10627	10629
LOT 10625 PARTIAL	LOT 10627 PARTIAL	LOT 10629 PARTIAL

10631	10633	10635
LOT 10631 PARTIAL	LOT 10633 PARTIAL	LOT 10635 PARTIAL

10637	10639	10641
LOT 10637 PARTIAL	LOT 10639 PARTIAL	LOT 10641 PARTIAL

10643	10645	10647
LOT 10643 PARTIAL	LOT 10645 PARTIAL	LOT 10647 PARTIAL

10649	10651	10653
LOT 10649 PARTIAL	LOT 10651 PARTIAL	LOT 10653 PARTIAL

10655	10657	10659
LOT 10655 PARTIAL	LOT 10657 PARTIAL	LOT 10659 PARTIAL

10661	10663	10665
LOT 10661 PARTIAL	LOT 10663 PARTIAL	LOT 10665 PARTIAL

10667	10669	10671
LOT 10667 PARTIAL	LOT 10669 PARTIAL	LOT 10671 PARTIAL

10673	10675	10677
LOT 10673 PARTIAL	LOT 10675 PARTIAL	LOT 10677 PARTIAL

10679	10681	10683
LOT 10679 PARTIAL	LOT 10681 PARTIAL	LOT 10683 PARTIAL

10685	10687	10689
LOT 10685 PARTIAL	LOT 10687 PARTIAL	LOT 10689 PARTIAL

10691	10693	10695
LOT 10691 PARTIAL	LOT 10693 PARTIAL	LOT 10695 PARTIAL

10697	10699	10701
LOT 10697 PARTIAL	LOT 10699 PARTIAL	LOT 10701 PARTIAL

10703	10705	10707
LOT 10703 PARTIAL	LOT 10705 PARTIAL	LOT 10707 PARTIAL

10709	10711	10713
LOT 10709 PARTIAL	LOT 10711 PARTIAL	LOT 10713 PARTIAL

10715	10717	10719
LOT 10715 PARTIAL	LOT 10717 PARTIAL	LOT 10719 PARTIAL

10721	10723	10725
LOT 10721 PARTIAL	LOT 10723 PARTIAL	LOT 10725 PARTIAL

10727	10729	10731
LOT 10727 PARTIAL	LOT 10729 PARTIAL	LOT 10731 PARTIAL

10733	10735	10737
LOT 10733 PARTIAL	LOT 10735 PARTIAL	LOT 10737 PARTIAL

10739	10741	10743
LOT 10739 PARTIAL	LOT 10741 PARTIAL	LOT 10743 PARTIAL

10745	10747	10749
LOT 10745 PARTIAL	LOT 10747 PARTIAL	LOT 10749 PARTIAL

10751	10753	10755
LOT 10751 PARTIAL	LOT 10753 PARTIAL	LOT 10755 PARTIAL

10757	10759	10761
LOT 10757 PARTIAL	LOT 10759 PARTIAL	LOT 10761 PARTIAL

10763	10765	10767
LOT 10763 PARTIAL	LOT 10765 PARTIAL	LOT 10767 PARTIAL

10769	10771	10773
LOT 10769 PARTIAL	LOT 10771 PARTIAL	LOT 10773 PARTIAL

10775	10777	10779
LOT 10775 PARTIAL	LOT 10777 PARTIAL	LOT 10779 PARTIAL

10781	10783	10785
LOT 10781 PARTIAL	LOT 10783 PARTIAL	LOT 10785 PARTIAL

10787	10789	10791
LOT 10787 PARTIAL	LOT 10789 PARTIAL	LOT 10791 PARTIAL

10793	10795	10797
LOT 10793 PARTIAL	LOT 10795 PARTIAL	LOT 10797 PARTIAL

10799	10801	10803
LOT 10799 PARTIAL	LOT 10801 PARTIAL	LOT 10803 PARTIAL

10805	10807	10809
LOT 10805 PARTIAL	LOT 10807 PARTIAL	LOT 10809 PARTIAL

10811	10813	10815
LOT 10811 PARTIAL	LOT 10813 PARTIAL	LOT 10815 PARTIAL

10817	10819	10821
LOT 10817 PARTIAL	LOT 10819 PARTIAL	LOT 10821 PARTIAL

10823	10825	10827
LOT 10823 PARTIAL	LOT 10825 PARTIAL	LOT 10827 PARTIAL

10829	10831	10833
LOT 10829 PARTIAL	LOT 10831 PARTIAL	LOT 10833 PARTIAL

10835	10837	10839
LOT 10835 PARTIAL	LOT 10837 PARTIAL	LOT 10839 PARTIAL

10841	10843	10845
LOT 10841 PARTIAL	LOT 10843 PARTIAL	LOT 10845 PARTIAL

10847	10849	10851
LOT 10847 PARTIAL	LOT 10849 PARTIAL	LOT 10851 PARTIAL

10853	10855	10857
LOT 10853 PARTIAL	LOT 10855 PARTIAL	LOT 10857 PARTIAL

10859	10861	10863
LOT 10859 PARTIAL	LOT 10861 PARTIAL	LOT 10863 PARTIAL

10865	10867	10869
LOT 10865 PARTIAL	LOT 10867 PARTIAL	LOT 10869 PARTIAL

10871	10873	10875
LOT 10871 PARTIAL	LOT 10873 PARTIAL	LOT 10875 PARTIAL

10877	10879	10881
LOT 10877 PARTIAL	LOT 10879 PARTIAL	LOT 10881 PARTIAL

10883	10885	10887
LOT 10883 PARTIAL	LOT 10885 PARTIAL	LOT 10887 PARTIAL

10889	10891	10893
LOT 10889 PARTIAL	LOT 10891 PARTIAL	LOT 10893 PARTIAL

10895	10897	10899
LOT 10895 PARTIAL	LOT 10897 PARTIAL	LOT 10899 PARTIAL

10901	10903	10905
LOT 10901 PARTIAL	LOT 10903 PARTIAL	LOT 10905 PARTIAL

10907	10909	10911
LOT 10907 PARTIAL	LOT 10909 PARTIAL	LOT 10911 PARTIAL

10913	10915	10917
LOT 10913 PARTIAL	LOT 10915 PARTIAL	LOT 10917 PARTIAL

10919	10921	10923
LOT 10919 PARTIAL	LOT 10921 PARTIAL	LOT 10923 PARTIAL

10925	10927	10929
LOT 10925 PARTIAL	LOT 10927 PARTIAL	LOT 10929 PARTIAL

10931	10933	10935
LOT 10931 PARTIAL	LOT 10933 PARTIAL	LOT 10935 PARTIAL

10937	10939	10941
LOT 10937 PARTIAL	LOT 10939 PARTIAL	LOT 10941 PARTIAL

10943	10945	10947
LOT 10943 PARTIAL	LOT 10945 PARTIAL	LOT 10947 PARTIAL

10949	10951	10953
LOT 10949 PARTIAL	LOT 10951 PARTIAL	LOT 10953 PARTIAL

10955	10957	10959
LOT 10955 PARTIAL	LOT 10957 PARTIAL	LOT 10959 PARTIAL

10961	10963	10965
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