

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
SPECIAL EXCEPTION & VARIANCE *
S/S Walker Avenue, 929.21 ft. W * ZONING COMMISSIONER
of Banbury Road *
711 Walker Avenue * OF BALTIMORE COUNTY
9th Election District *
4th Councilmanic District * Case No. 98-291-SPHXA
Legal Owner: Est. of John G. Luntz
Contract Purchaser: Cooperative
Services, Inc., Petitioners *

FINDINGS OF FACTS AND CONCLUSIONS OF LAW

These matters come before the Zoning Commissioner as a combined public hearing on Petitions for Special Hearing, Special Exception and Zoning Variance, all for the property located at 711 Walker Avenue in the Cedar-croft community of Baltimore County. The Petitions were filed by the Estate of John G. Luntz, property owner, and Cooperative Services, Inc., Contract Purchaser. Under the Petition for Special Hearing, approval is requested that the subject property, to be used as housing for the elderly, purports with the compatibility review requirements set forth in Section 1B01.1.A.1.c. of the Baltimore County Zoning Regulations (BCZR). Within the Petition for Special Exception, relief is requested pursuant to Section 432.4 of the BCZR to permit the proposed housing for the elderly and a modification or waiver of the residential transition area restrictions. Variance relief is also requested, as follows:

1. Section 1B01.1.B.1.e.2 & 5 of the BCZR to permit RTA building and parking setback distances as close as 46 ft. (east side) and 25 ft. (west side) in lieu of the required 75 ft.; and,
2. Section 1B01.1.B.1.e.3 to permit RTA buffer setback distance as close as 25 ft. (east side) and 9.16 and 21 ft. (west side) in lieu of the required 50 ft.; and,
3. Section 1B01.1.B.1.e.5 to permit RTA building height of 48 ft. in lieu of the required 35 ft.; and,

ORDER RECORDED FOR FILING
Date 3/26/98
By [Signature]

4. Section 450.4.5 (m) (II) and (V) to permit freestanding sign with area of 12 sq. ft., one side illuminated in lieu of the wall-mounted projecting sign with a maximum area of one sq. ft.; and

5. Section 1B01.1.A.1.C to permit a finding of compatibility in a D.R.5.5 zone.

The subject property and requested relief are more particularly shown on the site plan to accompany the Petitions for Special Exception, Special Hearing and Variances, marked as Petitioner's Exhibit No. 1

Appearing at the requisite public hearing on behalf of the Petitions were Dean Reger, Diane Smith and Kim Yamasaci, all on behalf of Cooperative Services, Inc., Contract Purchaser. Also present were Jerry Zellers and Kenneth Green from STV, Inc., the consultants who prepared the site plan. The Petitioners were represented by Herbert Burgunder, Esquire and Jeffrey H. Scherr, Esquire, of Kramon and Graham, P.A. Also present were Fillmore Dryden and Jack Dunworth. Messrs Dryden and Dunworth live in the community and do not oppose the project. There were no Protestants present.

Testimony and evidence presented was that the subject property is approximately 2.016 acres in net area, zoned D.R.5.5. The property is bisected by Baltimore City/Baltimore County line. The property fronts Walker Avenue in Baltimore County, however, a portion of the rear of the site is located in Baltimore City.

The Petitioner proposes constructing a three story building on the site for a Class A elderly housing. The Co-Petitioner, Cooperative Services, Inc., is in the business of providing moderate and low income housing for the elderly. It was indicated at the hearing that Cooperative Services, Inc. has four units in the Baltimore-Metropolitan area, the subject site being the most recently contemplated project.

ORDER REQUESTED FOR PLUMB
Date 3/26/98
By [Signature]

As show on the site plan, the proposed building will be located towards the rear of the property and will be 43-1/2 ft. in height. The facility will contain 88 separate units, 12 of which will be located in that portion of the building located in Baltimore County. Vehicular access to the site is by way of Walker Avenue. The site plan shows a driveway to be located extending from Walker Avenue into the interior of the site and a parking lot which will serve the proposed building. As shown on the site plan, a front corner of the site is presently occupied by a small two story framed structure which is used residentially. It was indicated at the hearing that that house would be retained and that a small lot will be carved from the overall tract to support the dwelling.

Turning to the Petitions at issue, special hearing relief is requested to approve the proposed housing for the elderly and specifically a finding that the project purports with the compatibility requirements set forth in Section 1B01.1.A.1.C of the BCZR. Section 1B01.1 of the BCZR generally describes the uses permitted by right in the D.R. zone. Section 1B01.1.A.1.C indicates that multi-family buildings are permitted by right in the D.R.5.5 zone, subject to findings of compatibility by the Hearing Officer. The subject property proposes 88 apartment units for the elderly. Although the elderly are the targeted market of the project, the proposal is not for an assisted living facility nor a nursing home. Thus, the use is permitted by right as group housing, assuming that it meets the compatibility standard. In this regard, the Petitioner submitted a compatibility study outlining the features of the proposed development. This study was reviewed by the Office of Planning, which concluded, "The Applicant has submitted a well thought out plan and well designed building that should fit into the existing neighborhood context."

●

Based upon the compatibility recommendation and the Office of Planning's review of same, I am persuaded that the compatibility objectives have been met. Thus, the Petition for Special Hearing should be granted. The use is permitted by right, pursuant to Section 1B01.1.A.1.C of the BCZR.

A Petition for Special Exception has also been filed. That Petition's request for relief is pursuant to Section 432.4 of the BCZR. Essentially, the Petitioner seeks special exception relief to modify and/or waive the RTA requirements.

As discussed above, the proposed use is permitted by right pursuant to Section 1B01.1.A.1.C. Special exception relief for the use, per se, is not requested pursuant to Section 1B01.C.(24). That section provides that housing for the elderly is permitted by special exception if the project involves a modification or waiver pursuant to Sections 432.2, 432.3 and 432.4. In that this use is permitted by right and a variance is also requested from the RTA standards, the Petition for Special Exception submitted is unnecessary and will, therefore, be dismissed as moot. Thus, no further comment is necessary thereon.

Turning to the Petition for Variance, three variances are requested as to the RTA requirements. Testimony and evidence was offered at the hearing providing justification for each of the variances. It was noted specifically that the variances are required due to the unique size, shape and configuration of the property. Additionally, the location of the building in the rear of the site generates the need for variance relief. Construction of the facility at that portion of the lot is appropriate in terms of reducing the impact on surrounding properties.

For all of these reasons, I am persuaded that the Petition for Variance as to the RTA requirements should be granted. In my judgment, the Petition-

ORDER RECEIVED FOR FILING
3/26/98
Date
By *[Signature]*

er has presented satisfactory evidence that the variance requests comply with Section 307 of the BCZR.

The fourth variance requested relates to proposed signage. Testimony was also offered as to this issue. A photograph of the sign at the Petitioner's project on Bowley's Lane in Baltimore County was submitted. A similar sign is proposed for this site. The proposed sign will be a monument type sign, advertising the use of the property and supported by brick columns. In my judgment, the sign is attractive and appropriate for the community. I find that the sign variance should also be granted and shall so order.

As to the fifth variance requested, relief is sought to permit a finding of compatibility. This request is puzzling, in that variance relief is not actually necessary. That is, there is no request to vary the regulation and, by grant of the special hearing, I find that the compatibility requirements are met. Thus, the fifth variance from Section 1B01.1.A.1.C is dismissed as moot.

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

IT IS THEREFORE ORDERED, by the Zoning Commissioner for Baltimore County, this 26th day of March 1998, that, pursuant to the Petition for Special Hearing, approval of the subject property to be used as housing for the elderly, and that the site plans satisfies the compatibility standards as set forth in Section 1B01.1.A.1.c. of the BCZR, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception be and is DISMISSED AS MOOT; and

IT IS FURTHER ORDERED that a variance from Section 1B01.1.B.1.e.2 & 5 of the BCZR to permit RTA building and parking setback distances as close as

ORDER PREPARED FOR FILED
3/26/98
Date
By M. Novak

46 ft. (east side) and 25 ft. (west side) in lieu of the required 75 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.1.B.1.e.3 to permit RTA buffer setback distance as close as 25 ft. (east side) and 9,16 ^{LES} and 21 ft. (west side) in lieu of the required 50 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.1.B.1.e.5 to permit RTA building height of 48 ft. in lieu of the required 35 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 450.4.5 (m) (II) and (V) to permit freestanding sign with area of 12 sq. ft., one side illuminated in lieu of the wall-mounted projecting sign with a maximum area of one sq. ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.1.A.1.C to permit a finding of compatibility in a D.R.5.5 zone, be and is hereby DISMISSED AS MOOT subject, however, to the following restriction:

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


LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

LES:mmn

ORDER RECEIVED FOR FILING

Date

By



Baltimore County
Zoning Commissioner
Office of Planning

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

March 26, 1998

Jeffrey H. Scherr, Esquire
Herbert Burgunder, Esquire
Kramon and Graham, P.A.
One South Street, Suite 2600
Baltimore, Maryland 21202-3201

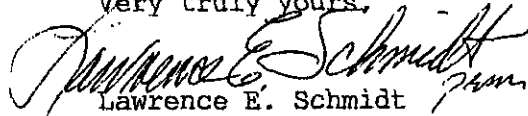
RE: Petitions for Special Hearing, Special Exception & Variance
Case No. 98-291-SPHXA
Property: 711 Walker Avenue
Legal Owner: The Estate of John G. Luntz
Contract Purchaser: Cooperative Services, Inc., Petitioners

Gentlemen:

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

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

Very truly yours,


Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Ms. Diane Smith
25900 Greenfield Rd.,
Oak Park, MI 48237
c: Mr. Dean K. Reger, Regional Mgr.
1001 N. Point Blvd. Suite 505
Baltimore, Maryland 21224
c: Messrs. Fillmore Dryden
Jack Dunworth
713 Walker Avenue
Baltimore, Md. 21212



RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR SPECIAL EXCEPTION		
PETITION FOR VARIANCE	*	ZONING COMMISSIONER
711 Walker Avenue, S/S Walker Ave,		
929.21' W of Banbury Rd	*	OF BALTIMORE COUNTY
9th Election District, 4th Councilmanic		
	*	CASE NO. 98-291-SPHXA
Legal Owner(s): The Estate of John G. Luntz		
Contract Purchaser(s): Cooperative Services, Inc.		
Petitioners		
* * * * *		

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of March, 1998, a copy of the foregoing Entry of Appearance was mailed to Jeffrey H. Scherr, Esquire, Kramon & Graham, 1 South Street, Suite 2600, Baltimore, MD 21202, attorney for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

711 Walker Avenue

which is presently zoned DR 5.5

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

housing for the elderly. Pursuant to BCZR Section 432.4, Petitioner seeks modification or waiver of the residential transition area restrictions because such restrictions will severely and/or adversely affect development of the project.

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

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

Contract Purchaser/Lessee

Cooperative Services, Inc.

(Type or Print Name)

Signature By: Dean K. Reger, Regional Manager

100 North Point Boulevard

Address

Baltimore, Maryland 21224

City

State

Zipcode

Attorney for Petitioner

Jeffrey H. Scherr, Esquire

(Type or Print Name)

Signature KRAMON & GRAHAM, P.A.

One South Street, Suite 2600

Baltimore, Maryland 21202-3201

(410) 752-6030

City

State

Zipcode

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

Legal Owner(s): The Estate of

John G. Luntz

(Type or Print Name)

Signature By: John R. Luntz, Personal Representative

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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

Jeffrey H. Scherr, Esquire

KRAMON & GRAHAM, P.A.

One South Street, Suite 2600

Baltimore, Maryland 21202-3201

(410) 752-6030

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

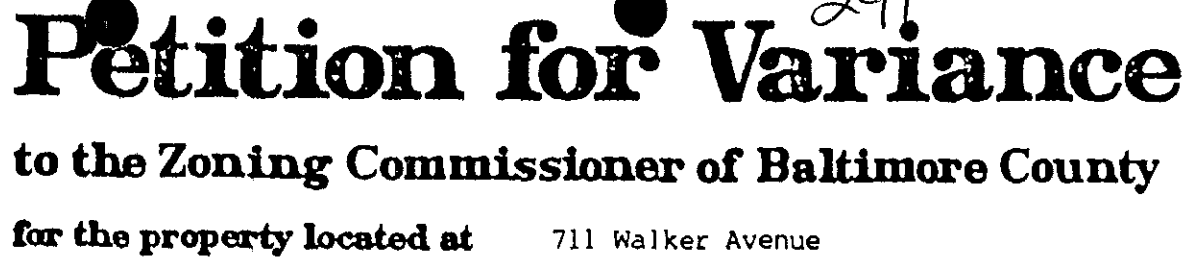
ALL OTHER

REVIEWED BY

DATE

Revised 9/5/95

Please schedule for week of March 16, 1998

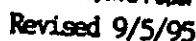


This Petition shall be filed with the Department of Permits & Development Management and the undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) ~~BD01.1.B.1.e2, BD01.1.B.1.e3, BD01.1.B.1.e5, 450.4B and 450.4E, and 50.9.5 (1)(b) (c)(d).~~

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
Compliance with the aforementioned regulations would work hardship and/or practical difficulty on Petitioner due to the subject property's unique features and position astraddle the Baltimore County/Baltimore City boundary line. With respect to the sign requested, a freestanding identification sign at the entrance is necessary to direct visitors and trade traffic

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

2/4/98



Please schedule for week of March 16, 1998

RELIEF REQUESTED:

1. SEC.1B01.1.B.1.e2 AND 5 - TO PERMIT R.T.A. BUILDING AND PARKING SETBACK DISTANCES AS CLOSE AS 46 FEET (EAST SIDE) AND 25 FEET (WEST SIDE) IN LIEU OF THE REQUIRED 75 FEET.
2. SEC.1B01.1.B.1.e3 - TO PERMIT R.T.A. BUFFER SETBACK DISTANCE AS CLOSE AS 25 FEET (EAST SIDE) AND 9, 16 AND 21 FEET (WEST SIDE) IN LIEU OF THE REQUIRED 50 FEET.
3. SEC.1B01.1.B.1.e5 - TO PERMIT R.T.A. BUILDING HEIGHT OF 48 FEET IN LIEU OF THE REQUIRED 35 FEET.
4. SEC.450.4.5 (m) (II) AND (V) - TO PERMIT FREESTANDING SIGN WITH AREA OF 12 SQUARE FEET, ONE SIDE, ILLUMINATED IN LIEU OF WALL-MOUNTED, PROJECTING SIGN WITH A MAXIMUM AREA OF ONE SQUARE FOOT.
5. SEC.1B01.1.A.1.C TO PERMIT A FINDING OF COMPATIBILITY IN A DR 5.5 ZONE



STV Incorporated

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

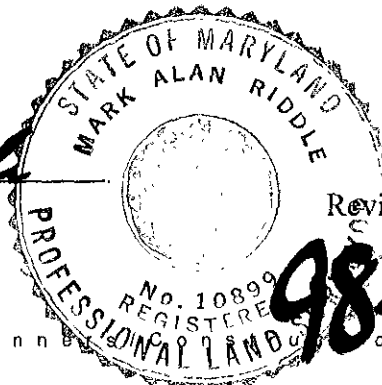
REVISED
ZONING DESCRIPTION FOR
WALKER AVENUE COOPERATIVE APARTMENTS
SOUTH SIDE OF WALKER AVENUE
BALTIMORE COUNTY, MARYLAND

BEGINNING at a point along the southerly side of Walker Avenue, which is 50 feet wide, being the three following bearings and distances from that point formed by the centerline of Walker Avenue and the centerline of Banbury Road, which is 50 feet wide; North 68°19'54" West 369.12 feet, and North 88°15'38" West 560.09 feet, and South 01°44'22" West 25.00 feet to said point of beginning. Thence running with and binding on said southerly side of Walker Avenue, as follows:

1. South 88°15'38" East 302.64 feet to a point, thence leaving said Walker Avenue and running for the five following courses and distances
2. South 01°44'22" West 271.22 feet to a point to intersect the northerly boundary of the City of Baltimore, thence along same,
3. North 90°00'00" West 387.67 feet to a point, thence leaving said northerly boundary of the City of Baltimore and continuing,
4. North 46°51'15" West 26.21 feet to a point thence,
5. North 63°55'39" East 118.66 feet to a point thence,
6. North 01°37'11" East 210.29 feet to the place of beginning, as recorded in Deed Liber W.P.C. No. 552, Folio 422, and Deed Liber W.P.C. No. 504, Folio 028, and Deed Liber W.P.C. No. 504, Folio 029, all being recorded among the Land Records of Baltimore County, Maryland, and, as recorded in Deed Liber J.F.C. No. 856, Folio 447, in the Land Records of the City of Baltimore, Maryland.

CONTAINING 2.016 acres of land, also known as No. 711 Walker Avenue, located in the Ninth (9th) Election District.


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



December 10, 1997
Revised: February 4, 1998

98-291-SPHXA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

AND No. 048634

DATE 2/4/98 ACCOUNT 80016150
AMOUNT \$ 650.00

RECEIVED FROM: Coop. Soc. Inc.

FOR: SPHXA Filing **08-291-SPHXA**

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
5/15/1998 5/14/1998 14:46:32
REF #001 CASHIER CLIN OML INWER 1
5 MISCELLANEOUS CASH RECEIPT
Receipt # 050364
CA NO. 048764
\$50.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 048764

DATE 5/14/98 ACCOUNT 001-6150
AMOUNT \$ 40.00

RECEIVED FROM: Kramon & Graham

FOR: VERIFICATION #98-1831

711 Walker Avenue - Walker Cooperative Apts

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
5/15/1998 5/14/1998 14:46:32
REF #001 CASHIER CLIN OML INWER 1
5 MISCELLANEOUS CASH RECEIPT
Receipt # 050364
CA NO. 048764
\$40.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 28-291-SPHXA

Petitioner/Developer: _____

JOHN G. LUNTZ

Date of Hearing/Closing: MAR. 16, 1998

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 _____

711 WALKER AVENUE

The sign(s) were posted on FEBRUARY 27, 1998
(Month, Day, Year)

Sincerely,

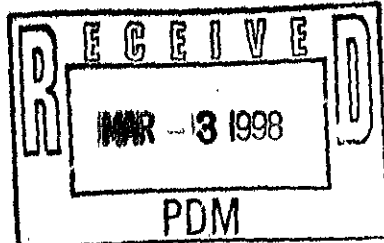
Garland E. Moore
(Signature of Sign Poster and Date)

GARLAND E. MOORE
(Printed Name)

3225 RYERSON CIRCLE
(Address)

BALTIMORE, MD. 21227
(City, State, Zip Code)

(410) 242-4263
(Telephone Number)



ZONING NOTICE

CASE # 98-291-SPHXA

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

NEW COURTS BLDG 401 BOSLEY AVE.

PLACE: TOWSON MD ROOM 407

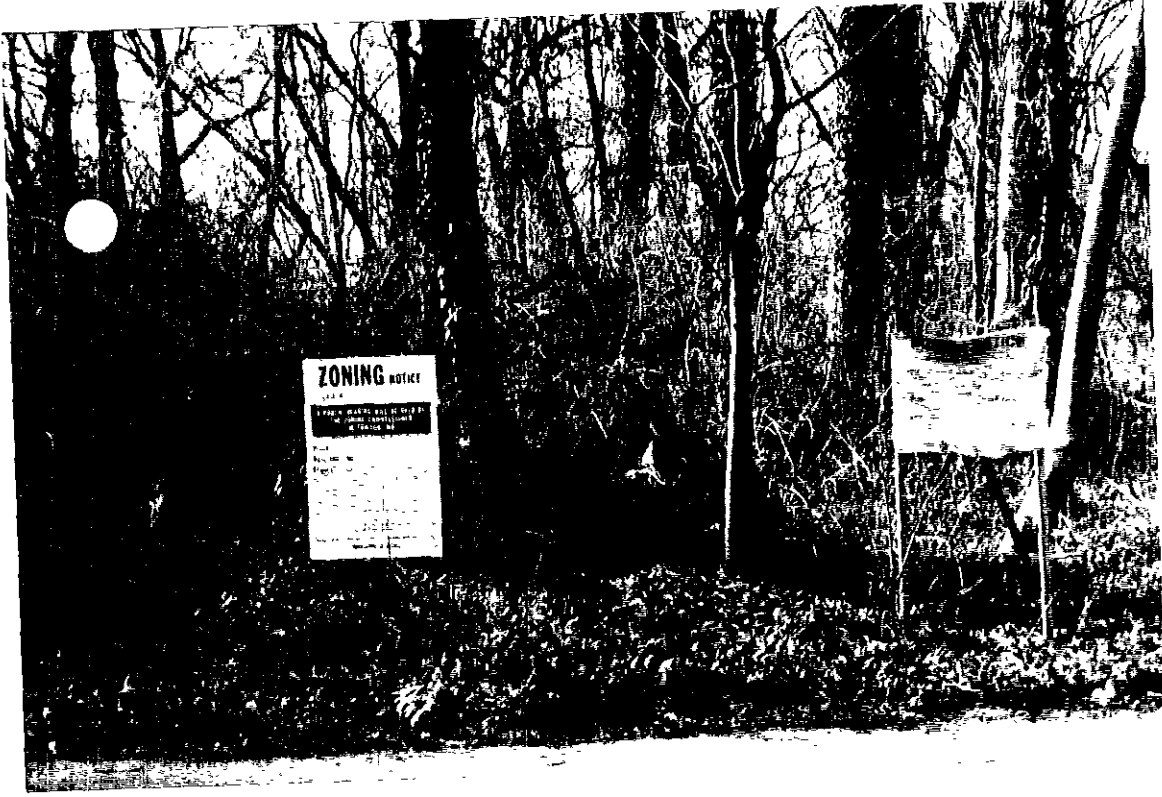
DATE AND TIME: MARCH 16, 1998 AT 9:00 A.M.

REQUEST: A SPECIAL EXCEPTION TO WAIVE OR
VOID CERTAIN RESIDENTIAL TRANSITION'S AREA
(RTA) REQUIREMENTS A SPECIAL HEARING TO APPROVE
COMPATIBILITY UNDER RTA VARIANCE REQUIREMENTS
AND IN THE ALTERNATIVE TO THE SPECIAL EXCEPTION TO
VARIANCE CERTAIN RTA BUFFERS, SETBACKS AND
HEIGHT REQUIREMENTS AND APPROVE RTA
COMPATIBILITY AS WELL AS TO VARIANCE THE 150 FT.
SIGN ALLOWED TO PERMIT A 1250 FT SIGN.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONTINUE HEARING CALL 857-3391

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

HANDICAPPED ACCESSIBLE





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.: 291

Petitioner: Cooperative Services, Inc.

Location: 711 Walker Avenue

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Herbert Burgunder, III

ADDRESS: Kramer & Graham, PA

One South Street, Suite 2600 Baltimore 21202

PHONE NUMBER: 410-347-7409

AJ:ggs

98-291-SPHXA

(Revised 04/09/93)

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.: 98-291-SPHXA

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

PLACE: *

DATE AND TIME: *

REQUEST: A SPECIAL EXCEPTION TO WAIVE OR MODIFY CERTAIN RESIDENTIAL TRANSITION
AREA (RTA) REQUIREMENTS, A SPECIAL HEARING TO APPROVE COMPATIBILITY UNDER RTA
VARIANCE REQUIREMENTS AND IN THE ALTERNATIVE TO THE SPECIAL EXCEPTION TO VARIANCE
CERTAIN RTA BUFFERS AND SETBACKS AND HEIGHT REQUIREMENTS AND APPROVE RTA
COMPATIBILITY AS WELL AS TO VARIANCE THE 150 FT SIGN ALLOWED TO PERMIT A 12 SQ FT SIGN

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

TO: PATUXENT PUBLISHING COMPANY
February 26, 1998 Issue - Jeffersonian

Please forward billing to:

Herbert Burgunder, III
Kramer & Graham, PA
One South Street
Suite 2600
Baltimore, MD 21202

410-347-7409

NOTICE OF ZONING 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: 98-291-SPHXA
711 Walker Avenue
S/S Walker Avenue, 929.21' W of Banbury Road
9th Election District - 4th Councilmanic District
Legal Owner: The Estate of John G. Luntz
Contract Purchaser: Cooperative Services, Inc.

Special Hearing to approve that the subject property, to be used as housing for the elderly, comports with the compatibility review requirements. Special Exception for housing for the elderly. Variance to permit RTA building and parking setback distances as close as 46 feet (east side) and 25 feet (west side) in lieu of the required 75 feet; to permit RTA buffer setback distance as close as 25 feet (east side) and 9, 16, and 21 feet (west side) in lieu of the required 50 feet; to permit RTA building height of 48 feet in lieu of the required 35 feet; to permit freestanding sign with area of 12 square feet, one side, illuminated in lieu of wall-mounted, projecting sign with a maximum area of one square foot; and to permit a finding of compatibility in a D.R.-5.5 zone.

HEARING: Monday, March 16, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue.



Lawrence E. Schmidt

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.



Baltimore County
Department of Permits and
Development Management

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

February 13, 1998

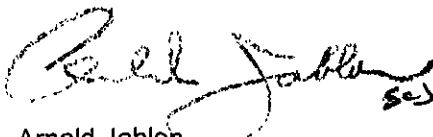
NOTICE OF ZONING HEARING

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: 98-291-SPHXA
711 Walker Avenue
S/S Walker Avenue, 929.21' W of Banbury Road
9th Election District - 4th Councilmanic District
Legal Owner: The Estate of John G. Luntz
Contract Purchaser: Cooperative Services, Inc.

Special Hearing to approve that the subject property, to be used as housing for the elderly, comports with the compatibility review requirements. Special Exception for housing for the elderly. Variance to permit RTA building and parking setback distances as close as 46 feet (east side) and 25 feet (west side) in lieu of the required 75 feet; to permit RTA buffer setback distance as close as 25 feet (east side) and 9, 16, and 21 feet (west side) in lieu of the required 50 feet; to permit RTA building height of 48 feet in lieu of the required 35 feet; to permit freestanding sign with area of 12 square feet, one side, illuminated in lieu of wall-mounted, projecting sign with a maximum area of one square foot; and to permit a finding of compatibility in a D.R.-5.5 zone.

HEARING: Monday, March 16, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue.



Arnold Jablon
Director

c: Jeffrey H. Scherr, Esquire
Cooperative Services, Inc.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MARCH 1, 1998.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.





Baltimore County
Department of Permits and
Development Management

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

March 12, 1998

Jeffrey H. Scherr, Esq.
Kramon & Graham, P.A.
One South Street, #2600
Baltimore, MD. 21202-3201

RE: Item No.: 291
Case No.: 98-291-SPHXA
Petitioner: Cooperative Services, Inc.

Dear Mr. Scherr:

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 February 4, 1998.

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 Gwendolyn Stephens in the zoning office (410-887-3391).

Sincerely,

A handwritten signature in cursive script that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR:ggs
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: February 24, 1998

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

SUBJECT: Walker Ave., Cooperative Apartments
Limited Exemption # 98016
PDM # IX-684

INFORMATION

Item Number: 291

Petitioner: Cooperative Service, Inc., Contract Purchaser

Zoning: DR 5.5

Requested Action: Special Exception, Variance, and Special Hearing

Compatibility:

Section 26-282 (2) of The Baltimore County Development Regulations requires the Director Of Planning to make compatibility recommendations to the Hearing Officer or Zoning Commissioner for multi family buildings in the DR 5.5 zone and for modifications of Residential Transition Areas (RTA). The Office of Planning has reviewed the Development and Landscape Plan, architectural elevations and floor plans and compatibility report and offers the following compatibility analysis.

The applicant has submitted a well thought out plan and a well designed building that should fit into the existing neighborhood context. The compatibility report does an excellent job addressing the eight compatibility objectives as well as the design rationale, process, and negotiations which resulted in the proposed design. The building and parking lot siting , building design and landscaping work together to assure that this development is appropriate and complements the existing neighborhood.

Summary of Recommendations:

The Office of Planning recommends to the Hearing Officer that this Development meets the Compatibility Objectives of the CMDP and Baltimore County Development Regulations.

Sign Variance:

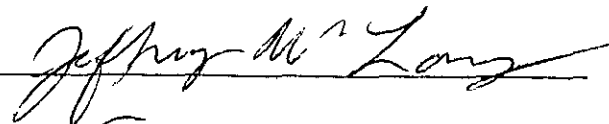
The request for a sign variance is unnecessary. By right, this project is allowed a freestanding "identification" sign not to exceed 25 square feet in area with a maximum height of 6 feet.

RTA Variances:

As articulated in pages 5 and 6 of the compatibility report prepared by the applicant, a design approach was chosen to blend the building as well as possible with the residential character of the neighborhood. The arrangement of the building on the site places only a small portion of it in the county. The building is setback approximately 230 feet from the Walker Avenue edge, with the parking area setback 100 feet.

This building and parking arrangement reduces the visual impact of the proposal from the adjacent single family residential, by placing the building at a lower grade elevation on the south portion of the site. By preserving the existing residence that fronts Walker Avenue and by preserving many of the existing trees between the parking area and Walker Avenue the residential character along Walker Avenue is preserved. This also places the building closer to the multi-family development to the south. While any arrangement of a building on this site would create a need for RTA variances, this preferred arrangement reduces the amount of RTA variance and maximizes the amount of buffer provided. Alternative building and parking locations would create significantly greater impacts on the adjacent single family residential community by placing the building and parking closer to the existing single family residences and also necessitating the removal of a greater amount of existing vegetation. Therefore, the Office of Planning supports the requested variances of the residential transition areas.

Prepared by:



Division Chief:



AFK/JL

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

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: February 24, 1998

FROM: Robert W. Bowling, Chief
 Bureau of Developer's Plans Review

SUBJECT: Zoning Advisory Committee Meeting
 for February 23, 1998
 Item No. 291

The Bureau of Developer's Plans Review has reviewed the subject zoning item. Subject to landscape review comments previously given as part of the Development Review Committee (D.R.C.).

RWB:HJO:jrb

cc: File

ZONE0223.291



Baltimore County
Fire Department

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

FEBRUARY 23, 1998

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

RE: Property Owner: THE ESTATE OF JOHN G. LUNTZ

Location: DISTRIBUTION MEETING OF FEBRUARY 17, 1998

Item No.: 291 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 to 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. AN ON-SITE HYDRANT IS REQUIRED.
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", 1994 edition prior to occupancy.
10. IF ACCESS FOR FIRE DEPARTMENT EMERGENCY APPARATUS CANNOT BE PROVIDED AT THE EAST SIDE OF THE BUILDING, ALL STATE- WELLS SHALL BE PROVIDED WITH WET STANDPIPES.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND
Office of Community Conservation

Inter-Office Correspondence

Date: February 23, 1998

To: Department of Permits and Development Management
Zoning Review
Attn: Roslyn Eubanks
Mail Stop No. 1105

From: P. David Fields,
Director

Re: Item No. 291
Walker Avenue Cooperative Apartments
S/S Walker Ave. (711 Walker Avenue)

The Office of Community Conservation supports the proposed development of rental housing for elderly citizens known as Walker Avenue Cooperative Apartments. The need for affordable, elderly housing in Baltimore County has been well documented and this project will help fill the need for such housing in the fourth councilmanic district. The Office of Community Conservation therefore supports the Petition for Variance, the Petition for Special Exception and the Petition for Special Hearing pending before you.

The project will be financed through the federal HUD 202 funding program. Baltimore County anticipates providing real property tax relief for the project in the form of a Payment in Lieu of Taxes (PILOT) Agreement.

OFFICE OF COMMUNITY CONSERVATION

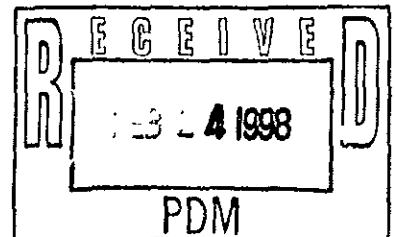
By:



P. David Fields,
Director

PDF/ssr

cc: JoAnn Copes, Manager, Housing Opportunities Program
Penny Johnson, Central Sector Coordinator



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

TO: PDM

DATE: 2/18/98

FROM: R. Bruce Seeley - RBS/sp
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee
Meeting Date: Feb. 12, 98

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

Item #'s:

287
(291)
297
298

RBS:sp

BRUCE2/DEPRM/TXTSBP



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 2/13/98
Item No. 29/ JLL

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration 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
Department of Permits and
Development Management

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

June 2, 1998

Jeffrey H. Scherr, Esquire
Kramon & Graham, P.A.
One South Street
Suite 2600
Baltimore, MD 21202-3201

RE: Zoning Verification
Walker Cooperative Apts.
711 Walker Avenue
Zoning Case 98-291-SPHXA
9th Election District

Dear Mr. Scherr:

Staff has reviewed your correspondence and plan submitted for zoning compliance review of the above referenced location and based on all provided information, the following has been determined.

The current zoning of the site is D.R.-5.5 (Density Residential, 5.5 dwelling units per acre).

A zoning hearing (case number 98-291-SPHXA concerning this site) was granted for special hearing and variances, as stated in the Zoning Commissioner's order of March 26, 1998. A highlighted copy of this order is enclosed.

A comparison of the submitted plan shows agreement with the zoning case site plan and order. Therefore, the proposed elderly housing development is in compliance with the Baltimore County Zoning Regulations and policies.

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "John L. Lewis".

John L. Lewis
Planner II, Zoning Review

Enclosure

c: zoning case 98-291-SPHXA



#291

H.O.

2/4/98

Atty advised of requirement
to establish right of power of
attny for John Luntz. Will
provide (will) copy ASAP.

Filing at request of attny
with this understanding

L.S. 98-291-SPHXA

LAW OFFICES
KRAMON & GRAHAM, P. A.
ONE SOUTH STREET
SUITE 2600
BALTIMORE, MARYLAND 21202-3201
TELEPHONE: (410) 752-6030
FACSIMILE: (410) 539-1269

2/9/98
7:54
2/12/98
wa
E-MAIL
hburgunderlll@kg-law.com

HERBERT BURGUNDER, III

DIRECT DIAL
(410) 347-7409

ALSO ADMITTED IN DC

February 9, 1998

VIA HAND DELIVERY

Mr. John Lewis
Baltimore County Department of
Permits & Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: File #98-291
711 Walker Avenue
9th Election District - Baltimore County, Maryland -
Walker Cooperative Apartments

Dear Mr. Lewis:

Per your request at our meeting on February 4, 1998 regarding the above-referenced filing, enclosed please find a Short Certificate confirming that Letters of Administration on the Estate of John G. Luntz were granted to John R. Luntz. Please include this document in File #98-291.

Please give me a call if you have any questions or need any additional information. In the meantime, I appreciate your help and cooperation.

Sincerely,

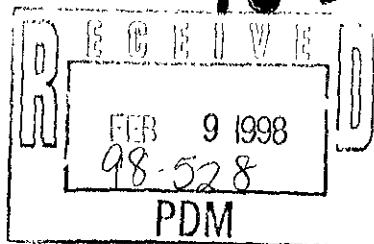
Tripp Burgunder

Herbert Burgunder, III

HB3:pad
Enclosure

F:\USERS\HB\Cooperative Services\Lewis 02-09 wpd

98-291-SPHXA



3/1/6

LAW OFFICES
KRAMON & GRAHAM, P. A.
ONE SOUTH STREET
SUITE 2600
BALTIMORE, MARYLAND 21202-3201

JEFFREY H. SCHERR
DIRECT DIAL
(410) 347-7424

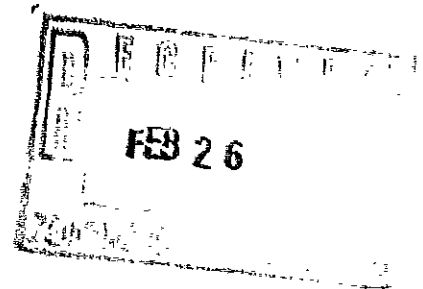
TELEPHONE: (410) 752-6030
FACSIMILE: (410) 539-1269

E-MAIL
jscherr@kg-law.com

February 25, 1998

VIA HAND DELIVERY

Lawrence E. Schmidt,
Zoning Commissioner for
Baltimore County
400 Washington Avenue
Suite 112
Towson, Maryland 21204



Re: 711 Walker Avenue
9th Election District - Baltimore County, Maryland -
Walker Cooperative Apartments

Dear Commissioner Schmidt:

Enclosed is a copy of the Compatibility Study performed by my client. I am sending it to you in advance of the hearing so that you may have a full understanding of the project and the reasons and motivations for the zoning relief requested to a greater extent than is required to be reflected on the Zoning Petitions. Also enclosed is a picture of an existing sign at another Cooperative Services apartment complex located in Baltimore County. We can provide you with any additional information in advance of the hearing. Please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Jeff Scherr'.

Jeffrey H. Scherr

JHS:kts

Enclosures

cc: Mr. Kim Yamasaki (via facsimile w/out encls.)
Mr. Dean K. Reger (via facsimile w/out encls.)

LAW OFFICES
KRAMON & GRAHAM, P. A.
ONE SOUTH STREET
SUITE 2600
BALTIMORE, MARYLAND 21202-3201
TELEPHONE: (410) 752-6030
FACSIMILE: (410) 539-1269

JEFFREY H. SCHERR
DIRECT DIAL
(410) 347-7424

*To: JHC
5/12/98
WCR
no check
need \$
E-MAIL
jscherr@kg-law.com
5/12 - 11: to Jeff Scherr
\$40 coming
GIVEN CHECK - FOR CHX #
5/19.
CALLED J.S. FOR CASE #*

May 6, 1998

Mr. Arnold Jablon, Director
Director
Baltimore County Department of
Permits & Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

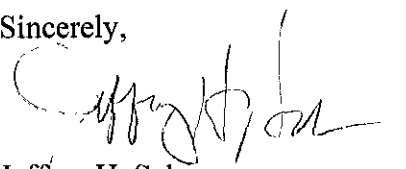
Re: Zoning Verification Letter
711 Walker Avenue
9th Election District - Baltimore County, Maryland -
Walker Cooperative Apartments

Dear Mr. Jablon:

Please issue a Zoning Verification Letter for the above-referenced property. Please address the applicable zoning, any variances granted, and any special hearing relief for the property to be used as housing for the elderly. Also, please indicate that the use as proposed and as designed is in compliance with the Baltimore County Zoning Regulations. Enclosed is a copy of the site plan of the property to assist you in making these determinations.

Please give me a call if you have any questions or need any additional information. In the meantime, I appreciate your help and cooperation.

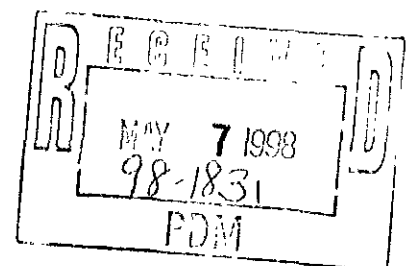
Sincerely,



Jeffrey H. Scherr

JHS:pad
Enclosure

F:\SLR\SH\Cooperative Services\Letter\Jablon 05 06.wpd





STV Incorporated

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

May 19, 1998
1118-1449

Baltimore County
PDM-Zoning Review
111 W. Chesapeake Ave.
Towson, Maryland 21204

*FEA CASE FILE
98-291-SPHXA*

Attention: Mr. John R. Alexander

Reference: Walker Avenue Cooperative Apartments
PDM #1x-684

Dear Mr. Alexander:

Please find enclosed a point by point response to the county comments related to the limited exemption request.

1. Development Management - No comments, approved
2. P.D.M. Development Control - Zoning
 - a. Case # 98-291 - SPHXA approved March 16, 1998 (indicated on plan)
 - b. The number of proposed units within Baltimore County is 12 units. The total number of proposed units for this development is 88 units:
Baltimore County - 12 units
Baltimore City - 76 units
 - c. Zoning Map number "N.E. 7-A" was added to the 200 scale plan.
 - d. Existing buildings to be removed are indicated on the plan.
 - e. The proposed sign elevation has been added on the plan.

Very truly yours,

STV INCORPORATED
A. Kenneth Green
Project Manager

JERRY ZELLERS

By: Gerard B. Zellers

AKG/GBZ/jlh

SHORT CERTIFICATE

COMMONWEALTH OF PENNSYLVANIA }
COUNTY OF ADAMS SS

I, Betty H. Pitzer, Register of Wills in and for the County of Adams, in the Commonwealth of Pennsylvania, DO HEREBY CERTIFY that on the 8th day of October, 19 97
LETTERS of Administration on the Estate of John G. Luntz

deceased, were granted to

John R. Luntz

having first been qualified well and truly to administer the same. And I further certify that no revocation of said Letters appears of record in my office.

Date of Death August 23, 1997 Given under my hand and seal of office this

Social Security No. 219-28-6740 2nd day of February 19 98

Betty H. Pitzer
Register

NOT VALID WITHOUT ORIGINAL SIGNATURE AND IMPRESSED SEAL

98-291-SPHXA

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Diane Smith

25900 Greenfield Rd, Oak Park, MI 48237

DEAN REGER

~~Box~~ N. Hunt Blvd, Suite 605, BALTO 21208

JERRY ZELWERS

STV INC. 21 GOWER ST. BALTO MD

KENNETH GREEN

STV INC. " 51244

Herbert Borgman, Jr

Kramon & Graham One South St 21202

Fillmore Dryden

713 Walker Ave Balto 21212

AK DUNWORTH

County Council

Alexa Ken

County Council

KIM YAMASAKI

25900 GREENFIELD RD. OAK PARK MI

JEFFREY H. SCHER

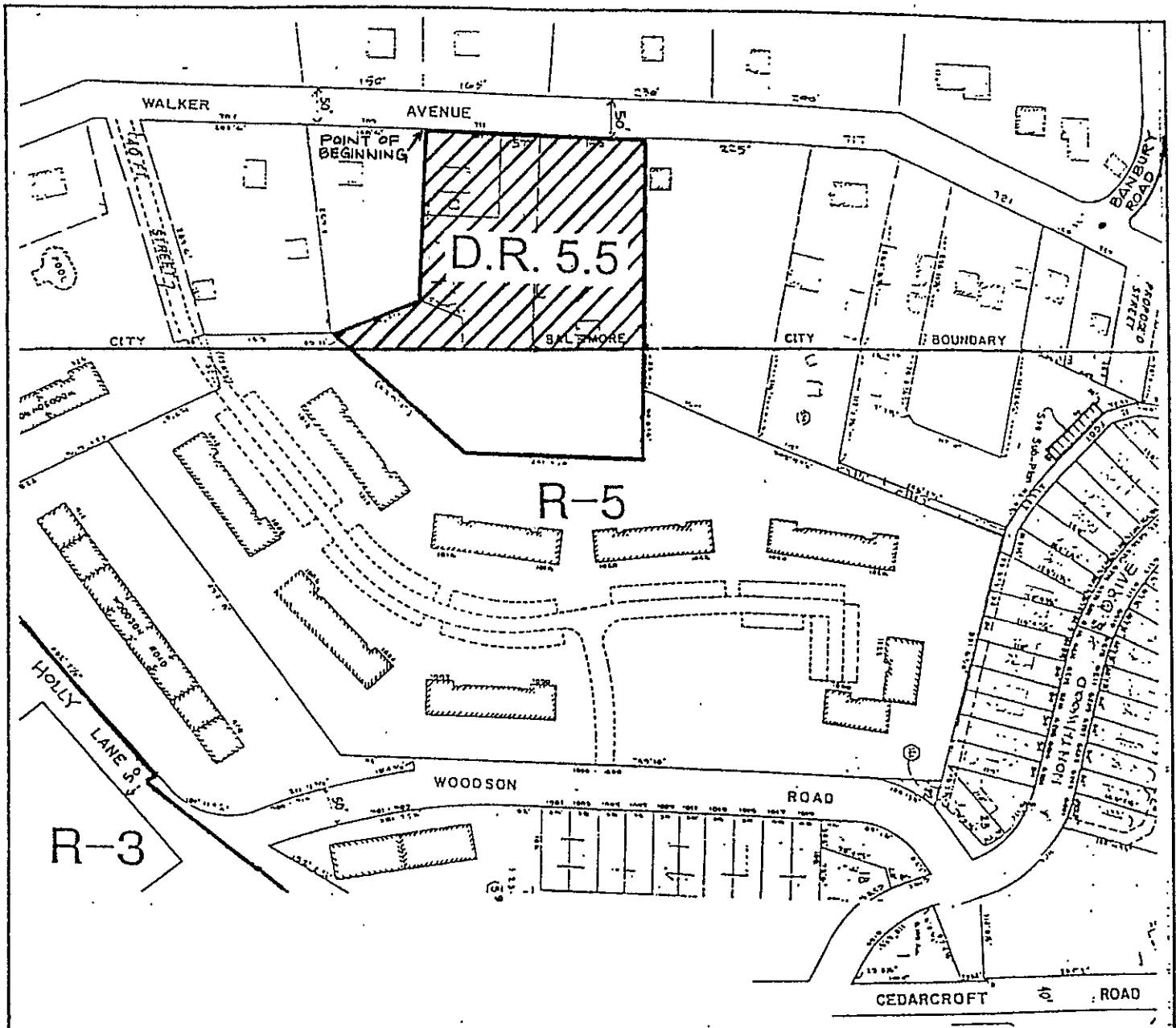
KRAMON & GRAHAM, PA 2100 - ONE SOUTH ST
21202

Neighbors



STV Incorporated

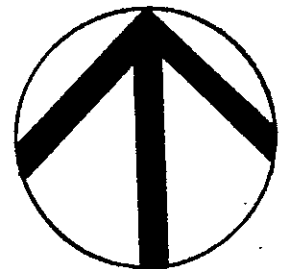
291



ZONING MAP

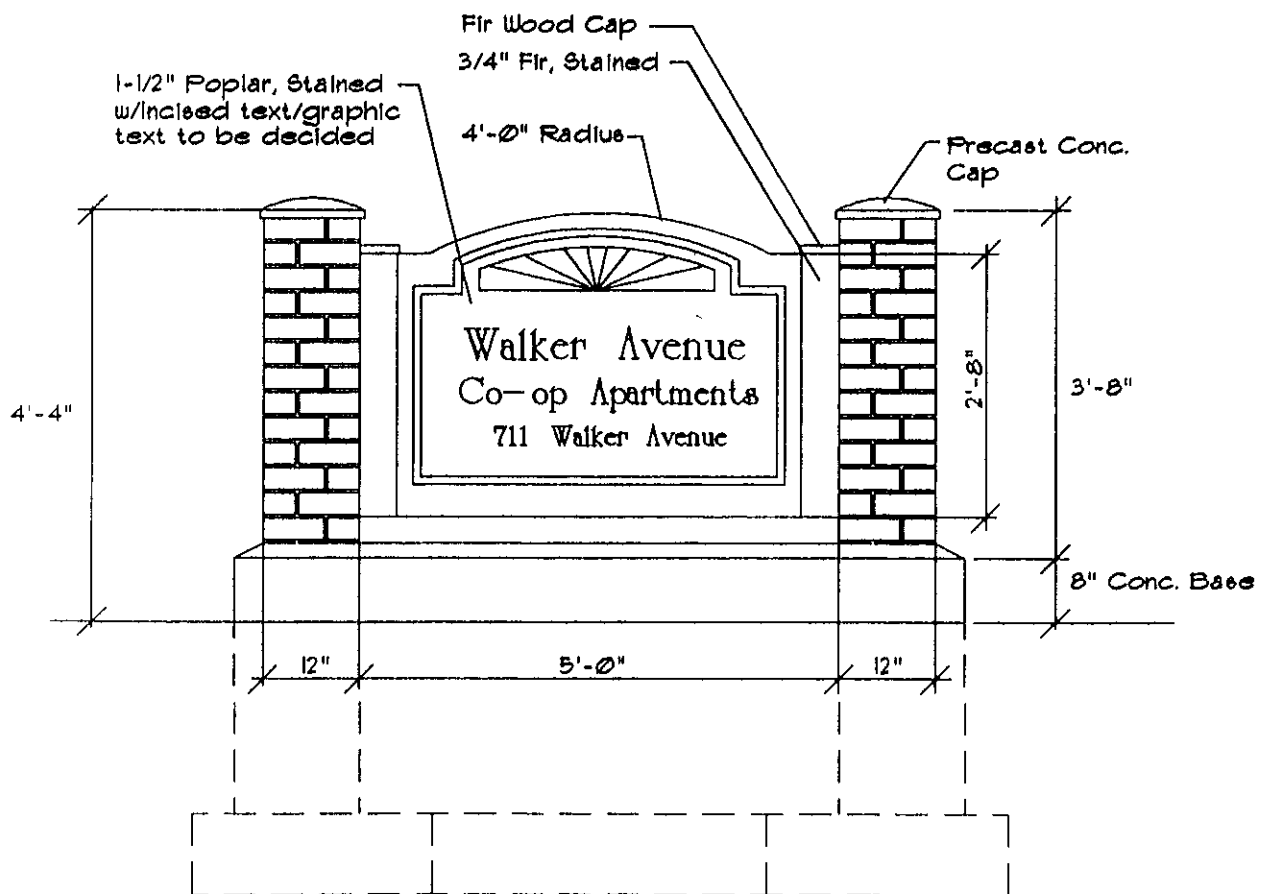
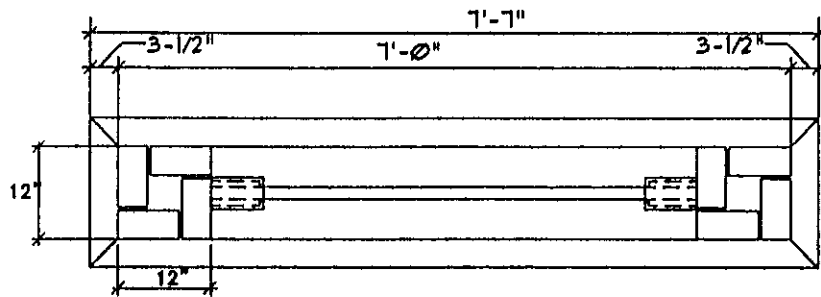
WALKER AVENUE COOPERATIVE APARTMENTS
711 WALKER AVENUE
BALTIMORE, MARYLAND 21212

BALTIMORE COUNTY ZONING MAP NE 7-A



SCALE: 1" = 200'

98-291-SPHXA



NOTES:
Color to be approved by architect.

In-ground uplighting to be located.



Site Entry Sign

Scale: 1/4"=1'-0"



MEMORANDUM

Project: Walker
File ref: Site zoning

Memo to: Jeffrey H. Scherr
Copies to: Dean Reger, Fred Wood, Diane Smith
From: Kim Yamasaki, Development Manager, Cooperative Services, Inc.
Date: February 18, 1998
Re: Report on the residential compatibility of the Walker Avenue Cooperative Apartments Development

1. Site development context.

The building site is in an older, established neighborhood which includes a variety of uses, fronting on Walker Avenue, which include older single family residences in excellent condition, but of dramatically varying sizes. The smallest homes are in the neighborhood of 700 to 800 sf, with larger homes in the approximate 2,500-3,000 sf range. The site is flanked by a very small home, probably less than 800 sf on the east, and an approximate 2,000 sf two story home on the west, both in good condition. The site includes an abandoned home, in poor repair, with an estimated area of approximately 1,650 sf. This home is being restored as a separate but related project, and will be put back on the market by a third party.

There is also a nonconforming but grand fathered industrial use on the site directly to the east of the project, and some light commercial use farther to the east, on the north side of Walker Ave. A large multi-story multi-family development, called Walker Manor is directly south of the site, and is also at the southern edge of several of the residential properties fronting on Walker. The main driveway exit to Walker Manor is several hundred feet to the west on Walker. To the west, there is a mixture of single family homes of varying sizes, and two large multi-family developments, one on each side of the street. Two large strip shopping centers are at the next major intersection to the west, the intersection of Walker and York.

The street frontage in the immediate area of the site is characterized by the Walker Manor exit drive, and by the well maintained single family homes, with well landscaped front yards and and large mature trees.

2. Site features, existing.

The character of the site frontage is established by the single family residence and its mature trees and well developed though unmaintained landscaping. Through separate arrangements, this house and yard will be restored, eliminating an eyesore and safety hazard in the neighborhood, while restoring the street frontage. The remainder of the site frontage east of

*File No
3*

the house is characterized by unmaintained low landscaping and large trees. The site slopes gently to the south and east, away from Walker. The slope accelerates nearer the south boundary of the site. The entire front (north) area of the site contains large trees.

3. Open Space

The entire north 110-120 feet of the site will be preserved as open space, with a plan and grading which will save as many of the existing healthy trees as possible. At the east side of the site, the open space will be deeper from north to south, over 190'. At the west side, the existing house will be restored by a related party. The intent of this plan is to preserve both the look and character of the existing frontage of the site. The main driveway will be curved, with landscaping at its edges placed to eliminate direct views of the parking lot from the street, or the residences on the opposite side of Walker Avenue. The north and west edges of the parking lot will also be graded and treated with a continuous evergreen landscape buffer to eliminate ground level views from the adjacent residential lot into the parking lot.

A large number of evergreen and deciduous trees, as specified in the reforestation plan will be planted in islands, and at the perimeter of the parking lot, in addition to flowering and other decorative landscape materials. Both the site plan and the landscaping concept are being designed and will be executed specifically to diminish the visual impact of the new building and its parking lot. In fact, the combination of the site grading and landscaping will essentially block views to both the parking lot and the majority of the base of the building from the street. In addition, the main building facades will be seen through the screen of the very large existing trees.

4. Building and parking lot Layouts

The building is being located as close to the south or rear property line as possible. This concept has been developed after careful and consistent discussions with neighborhood leaders, and the majority of the home owners living in close proximity to the site along Walker. The intent is to utilize the site's natural slope to the south to effectively reduce the apparent height of the building from Walker, in addition to masking the building by preserving the existing trees on the north side of the site. . This approach achieves the following goals:

- * Preservation of the natural, existing street frontage, including the existing house and landscaping.
- * Preservation of the front yard mature trees.
- * Screening of the parking lot from the street, and from nearby residences through use of existing and modified grades, and new and existing landscaping buffers.
- * Reduction of the apparent height of the new building, through use of grades and new, and existing landscape buffers.
- * Placement of the building structure as far from the existing single family structures as possible.

- * Placement of the building close to the multi-family development to the south.

5. Proposed streets

The project will be serviced by a single driveway off of Walker. Both acceleration and deceleration lanes will be constructed to facilitate entry and exit from the site. As mentioned above, the driveway has been curved, and will be landscaped on both sides to mask direct views from the street into the parking lot. After correspondence and direct discussion with the neighborhood, a previously planned service drive from the parking lot to the end of the west building wing was eliminated. Eliminating this driveway greatly increases the landscaping buffers on that side, allows for better grading, and diminishes any potential intrusion of noise and lights from site traffic onto the neighboring property. Servicing of the building, which is light in the case of an independent senior facility such as this, will be from the front.

6. Site Landscaping, Streetscapes and Buffers

As discussed above, the landscape presentation of the site is based on the following basic concepts:

- * Preservation of the existing natural frontage, mature trees, and low landscaping. The front yard area will be cleaned up and supplemented with additional low decorative plantings. But the look and feel of the existing property will be preserved and enhanced.
- * Use of existing topography to establish parking lot grades below street level, with the establishment of continuous landscape buffers to mask direct views from the street or adjacent properties into the parking lot.
- * Placement of deciduous trees at the parking lot perimeter, and in the parking lot islands and curb areas to break up views of the parking lot area, from the building and site driveway.
- * Use of flowering and decorative elements throughout the parking and front yard areas.
- * Development of flower beds and other areas for resident gardens.
- * Use of evergreen materials for year round appeal.
- * Landscaping will be irrigated and maintained under contract.
- * Use of the existing yard and house as an additional landscape buffer from the street and adjacent property.
- * Use of landscaping to mask the lower area of the building, thereby diminishing its apparent height.

7. Exterior signs, Lighting and Accessory Structures

One site sign will be located at the entry drive off of Walker Avenue. The sign will be painted wood, with painted incised letters and decorative border, suspended between two brick piers on a concrete base. The sign will be accented with appropriate ornamental landscaping. The

sign will be 13.3 SF on one side. We have attached a drawing of the sign as an exhibit to this report. The actual name of the project will be determined by the future residents of the building. We believe that a high quality but low scale wooden sign, with brick piers will be very appropriate in the context of the neighborhood. Sign lighting will be minimal and will be directed at the sign only.

On-site lighting for the parking lot will be downcast, low in height, and shielded and located to avoid lighting adjacent properties. Walk lighting will be low, utilizing a combination of entry canopy lights and bollards to light both the walking surfaces and garden areas near the building entry. A garbage dumpster will be located on the west edge of the lot, well separated from adjacent property, and enclosed in an opaque, gated architectural fence. Landscaping will further mask this structure. A mechanical equipment area will also be located at the west side of the parking lot, and will also be screened by an opaque architectural fence and landscaping, diminishing views from the building and site areas.

8. Building Scale, Proportions, Massing and Detailing

The building plan was developed to bring the building as close as possible to the rear site line. This allowed the development of a split level building, which took best advantage of the site topography, while affording the major advantages described in Sections 3 and 4 above. The irregular shape of the plan also provides the following architectural benefits:

- * Facades are varied from all sight angles. The elements closest to the street and to the adjacent neighbors present end of wing facades which are the smallest in mass, and have the most interesting architectural development including special gable features and bays.
- * The building mass is broken into three elements, which further reduces its apparent mass from the street and adjacent properties.
- * The broken form creates many opportunities in the development of projected bays, gables, roof intersections, dormers, etc. to soften the building mass and develop architectural interest.
- * Any sight line of the building mass elements will always include both direct and oblique views through the existing and new landscape elements further enhancing the visual interest of the building.

A gable roof design was chosen for this development to relate to the roof forms typical in the neighborhood. Walker Manor to the south has flat roofs, but this more modern, and starker expression was deemed inappropriate in the context of the neighborhood. The roof forms are further broken down by employing dormer like projections over the third story window heads, and by projecting a gabled bay at alternate pairs of windows. The roof will be further decorated with false chimneys which will hide a collection of mechanical vents and flues. If funding allows, a metal roofed cupola will be added to further enhance the residential character of the building.

The proportions and detailing of the building have been studied extensively. In fact the first design proposal for the building facades was fundamentally changed after one of the many reviews with the neighborhood. The changes involved redesigning the expression and pattern of the windows, including changing spacing, size, and lintel and sill detailing. The facade will have two colors of brick with a rustication at the first floor, and soldier courses at the 2nd and 3rd floor levels. The third floor on the main facade facing the neighborhood will be a warm colored siding. This change of material was chosen, to further reduce the vertical scale of the building as well as to relate to the extensive use of siding in the neighborhood.

The building features projected bays along all facades which add space and interest to the interior, while breaking down the mass of the roof and the facades. The main bay facade is further detailed with a projected box bay window. Decoration and detailing of the gable ends has also been enriched, with cornice and trim details, as well as a diamond shaped lite in the field of the gable siding.

The main entrance is marked by a decorative canopy supported by pairs of cylindrical columns. The ground floor of the main facade is further decorated by large windows arranged as pairs of 8 lite french doors, under arched decorative lintels.

We reviewed the current design with a group of approximately 20 Walker Ave. neighbors, including residents from all of the homes in closest proximity to the site. The design was enthusiastically approved.

ZONING ISSUES

This project and its specific design has been reviewed with the neighborhood on numerous occasions, throughout the course of approval and development of the project. It is important to note that the project, and its specific design has received the approval of the neighborhood leadership of the three most affected neighborhood organizations. Possibly even more importantly, we have had numerous meetings with approximately 15-20 of the closest neighbors along Walker Avenue to review the development of the project and specifically the design. In fact our last meeting in early January resulted in numerous design changes to the site and building. These involved a complete redesign of the building facades, the elimination of a service drive, important changes to the landscape design, and the relocation of several important site elements, including the trash enclosure.

The Residential Transition Area variances which are requested relate completely to the design approach which has been outlined above. This design approach was chosen to blend the building as well as possible with the residential character of the neighborhood. It is extremely important to emphasize that a fully conforming design is easily accomplished, by arranging a flat roofed building in an inverted T-shape with the leg of the T pointed toward Walker on the County side of the site. This would have eliminated all setback and height variances.

However, it is our very strong belief that on this specific site with its large foreground trees and sloping topography, our proposal represents a far more sensitive response to the neighborhood and its residents than would the conforming design. Further, we strongly believe that a conforming design would have a far greater visual impact on the community. The conforming design would push the parking lot much closer to the street, resulting in a significant loss of trees, a major positive attribute of the site. In addition, moving the parking lot toward the street, moves the lot to a higher elevation, dramatically increasing its visibility, eliminating the masking benefit provided by the natural site topography. Similarly, moving the building closer to the street moves the building to a higher grade on the site, making it dramatically more imposing.

Examination of our proposal shows that the elements of the building, are in fact as far as possible from the adjacent residential structures in the County, and present the narrowest and most varied views of the building to the neighborhood. A conforming design, is both closer to the neighbor's houses, and because of the higher first floor elevation, and the simpler massing, dramatically more imposing. We are therefore requesting variances, which are directly a result of a design approach which significantly diminishes the impact of our building on the neighborhood, when compared to a conforming design. We believe that the unanimous approval and enthusiastic response to our design proposal from the neighbors to this project represents clear and important evidence that our non-conforming design as proposed, is superior to a fully conforming, but far more intrusive planning approach.



BOWLERS
CARPENTRY

**NOTICE OF ZONING
HEARINGS**

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: #98-291-SPHXA
711 Walker Avenue
S/S Walker Avenue, 929.21' W
of Barbury Road
9th Election District
4th Councilmanic District
Legal Owner(s): The Estate of John G. Lutz
Contract Purchaser: Cooperative Services, Inc.

Special Hearing: to approve that the subject property, to be used as housing for the elderly, conforms with the community, comparts with the community, possibly review requirements.

Special Exception: for housing for the elderly. **Variance:** to permit RTA building and parking setback distances as close as 46 feet (east side) and 25 feet (west side) in lieu of the required 75 feet to permit RTA buffer setback distance as close as 25 feet (east side) and 9, 16, and 21 feet (west side) in lieu of the required 50 feet to permit RTA building feet to permit RTA building height of 48 feet in lieu of the required 35 feet to permit freestanding sign with area of 12 square feet, one side, illuminated in lieu of wall-mounted, projecting sign with a maximum area of one square foot and to permit a finding of compatibility in a D.R.-5.5 zone.

Hearing: Monday, March 16, 1998 at 9:30 a.m., in Room 407, County Courts Bldg., 401 Bestley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call (410) 887-3563. (2) For information concerning the file and/or hearing, Please Call (410) 887-3591.

2/4/50 Feb. 26 C209778

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/26, 1998

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 2/26, 1998.

THE JEFFERSONIAN,

A. H. Emile
LEGAL AD. - TOWSON