

RE: PETITIONS FOR SPECIAL HEARING,
SPECIAL EXCEPTION & VARIANCE -
SE of Ferguson Avenue, S of
Quails Nest Court
11th Election District
5th Councilmanic District

Perry Hall Land Holding LLC
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 98-361-SPHXA
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owners of the subject property, Perry Hall Land Holding LLC, by Robert S. Gaines, Sr., Managing Member, through their attorney, Robert A. Hoffman, Esquire. The Petitioners seek approval of a special exception for a 64-bed assisted living facility on the subject property, zoned D.R.3.5, and to permit a modification of the residential transition area (RTA) requirements. In addition to the special exception relief, the Petitioners request a special hearing to approve an amendment to the previously approved Final Development Plan for Quail Run to reflect the proposed modifications, and variance relief from the Baltimore County Zoning Regulations as follows: From Section 1B01.2.B.2.C.1 to permit distances between buildings to be as close as 35 feet in lieu of the required 70 feet; from Sections 432.1.D and 102.2 to permit a distance of as close as 7 feet between centers of facing windows of different dwelling units in lieu of the required 20 feet, if necessary; and from Section 450.4 to permit a 25 sq.ft. freestanding identification sign in lieu of the permitted 1 sq.ft. wall-mounted sign, if necessary. 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.

ORDER RECEIVED FOR FILING

Date

By

Appearing at the hearing on behalf of the Petitions were Robert S. Gaines, Sr., and Robert A., Hoffman, Esquire, and Leslie M. Pittler, Esquire, attorneys for the Petitioners. Also appearing on behalf of the Petitioners were Charles Main, II and Mitchell Kellman, representatives of Daft-McCune-Walker, Inc., the consulting firm which prepared the site plan for this property, C. Richard Moore, a traffic engineer with Wells & Associates, Inc., Cass Gottlieb, Darek "Rick" Cammack, Jr., and Kelly Cook. Appearing as interested citizens in the matter were Walter D'Ascenzo and Elaina Lucy-Thomas, nearby residents of the area.

Testimony and evidence offered revealed that the subject property consists of a gross area of 7.68 acres, more or less, zoned D.R.3.5, and is presently vacant. The property is located on the west side of Simms Road, just south of Quail Run Road in Perry Hall. This parcel is part of a larger tract of land which was previously approved for development as a 50-lot subdivision known as Quail Run. Section I has already been built out with 15 single family homes. However, Section II remains undeveloped and is the subject of the instant Petitions before me.

Specifically, the Petitioners propose to amend the previously approved Final Development Plan for Quail Run and request special exception and special hearing approvals to develop Section II with a 64-bed assisted living facility in lieu of the previously approved single family homes. The proposed facility will be comprised of 4 separate, one-story buildings as shown on Petitioner's Exhibit 1, each containing 16 dwelling units. The buildings were designed in keeping with the character and nature of the surrounding residential community; however, in order to proceed with the proposed modifications and improvements, the requested relief is necessary.

Appearing at the hearing out of concern for their neighborhood were Walter D'Ascenzo and Elaina Thomas. Mr. D'Ascenzo raised several legitimate concerns he had with the proposed project, including lighting for the proposed facility, deliveries and traffic to and from the site, and parking. Mr. D'Ascenzo believed that an overflow parking area should be set aside now to avoid any parking problems in the future. In addition, Mr. D'Ascenzo was concerned that the landscape buffer located on the west side of the subject site, running parallel to the BGE transmission lines, was insufficient.

As to the lighting of this property, the Petitioners agreed to add Notes 25 and 26 on their red-lined plan representing that all parking light standards will be a maximum 12 feet high, and will be directed towards the project so as not to spill over onto adjacent residential properties. In view of these additional notes, I find that the lighting proposed for the subject site is appropriate and will not adversely affect the surrounding community.

As to the traffic and parking concerns raised by Mr. D'Ascenzo, the Petitioners provided this Deputy Zoning Commissioner with a staffing schedule of the employees who will be working at the proposed facility. In my view, the number of daily trips that will be made by employees to and from the site will be minimal and will not cause an adverse traffic problem. In addition, testimony indicated that the average age of the residents at the proposed facility will be approximately 83 years of age. Based on past experience with other facilities, the Petitioners contend that many of these individuals who need assistance with daily living do not operate automobiles. Therefore, it is anticipated that traffic as a result of the residents themselves driving will be minimal.

Further testimony revealed that the Petitioners are required to provide 22 parking spaces in accordance with the B.C.Z.R. The Petitioners have far exceeded that minimum requirement by providing 39 parking spaces at this facility. In addition, a traffic study was performed by Mr. Dick Moore, a traffic, transportation, and parking consultant. Mr. Moore studied the parking demands of other similar assisted living facilities in Baltimore County and concluded that the 39 parking spaces to be provided at this site far exceed that which will actually be needed once this facility becomes operational. Therefore, I find that the parking to be provided is more than sufficient to meet the needs of the Petitioner and will not be a burden on the surrounding community. Furthermore, I do not believe it is appropriate for the Petitioners to design an overflow parking area at this time and do not believe that this concern warrants doing so.

As to the landscaping issue raised by Mr. D'Ascenzo, I find that the landscape buffer provided by the Petitioners is sufficient to shelter the proposed one-story facility from the surrounding community. Furthermore, as an additional buffer, a BGE easement runs along the western property line wherein high power lines border the subject property. While that property is not landscaped, it is open space and does provide a distance buffer of some 150 feet to the nearest residential properties.

Ms. Elaina Thomas also appeared at the hearing. Ms. Thomas testified that she had a meeting in her home with several members of the community, all of whom support the concept of an assisted living facility over additional housing on this property. She and her neighbors believe that an elderly care facility will have less of an impact, naturally, on the surrounding school system, which is overburdened and taxed at this time. Therefore, they support the proposed assisted living facility.

ORDER RECORDED & INDEXED
DATE 11/1/83 BY [signature]

In addition to the requests already indicated, the Petitioners have requested a special exception to modify the RTA requirements for the proposed facility. Testimony indicated that the relief requested is necessary due to an unimproved 1.98 acre parcel, identified as Tract A on the site plan, located adjacent to the proposed special exception area. I hereby find, in accordance with Section 432.4 of the B.C.Z.R., that the Petitioners would be severely affected if strict compliance with those RTA restrictions were required. In addition, I find that compliance with those RTA restrictions would cause unreasonable hardship upon the development; that the quality of the site design and the amenities provided by the Petitioners justify a modification of the RTA restrictions; and that the proposed facility will not be detrimental to the use, peaceful enjoyment, economic value, or development of surrounding properties in the general neighborhood. (Page 1-431, Section 432.4).

Out of caution, the Petitioners also requested a variance from the new sign regulations to allow them to construct a community identification sign of 25 sq.ft. as shown on Petitioner's Exhibit 1, in lieu of the required 1 sq.ft., wall-mounted sign. Mr. Hoffman argued, successfully, that the proper regulation to apply is not the section that permits only a 1 sq.ft. wall-mounted sign. The sign will identify the proposed facility as the Quail Run Assisted Living Community and will be 25 sq.ft. in area. Mr. Hoffman argued that such community identification signs are permitted to be 25 sq.ft. in size and that applying a different section of the sign regulations allows the proposed sign as a matter of right. After considering Mr. Hoffman's testimony in this regard, I am persuaded that this particular variance request is unnecessary and should be dismissed as moot.

ORDER RECEIVED FOR FILING
Date 6/3/95
By [Signature]

It is clear that the B.C.Z.R. permits the use proposed in a D.R. 3.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

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

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

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

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variances are not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject property and that strict compliance with the zoning regulations will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special exception, special hearing, and variance relief should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 8th day of June, 1998 that the Petition for Special Hearing to approve an amendment to the previously approved Final Development Plan for Quail Run to reflect the proposed assisted living

ORDER RECEIVED FOR FILING
Date 6/5/98
By [Signature]

facility, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a 64-bed assisted living facility on the subject property, zoned D.R. 3.5, and to allow a modification of the residential transition area (RTA) requirements, pursuant to Section 432.4 of the B.C.Z.R., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that variances from Section 1B01.2.B.2.C.1 of the B.C.Z.R. to permit distances between buildings to be as close as 35 feet in lieu of the required 70 feet and from Sections 432.1.D and 102.2 of the B.C.Z.R. to permit a distance of as close as 7 feet between centers of facing windows of different dwelling units in lieu of the required 20 feet, if necessary, 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 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 requested relief from Section 450.4 to permit a 25 sq.ft. freestanding identification sign in lieu of the permitted 1 sq.ft. wall-mounted sign, be and is hereby DISMISSED AS MOOT; and,

IT IS FURTHER ORDERED that the proposed 25 sq.ft. freestanding identification sign, as shown on Petitioner's Exhibit 1, be and is hereby permitted as of right.

TMK:bjs


TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

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

June 8, 1998

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

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION, AND VARIANCE
SE of Ferguson Avenue, S of Quails Nest Court
11th Election District - 5th Councilmanic District
Perry Hall Land Holding LLC - Petitioner
Case No. 98-361-SPHXA

Dear Mr. Hoffman:

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

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

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Robert S. Gaines, Sr., Perry Hall Land Holding LLC
62 Gwynns Mill Court, Owings Mills, Md. 21117
Leslie M. Pittler, Esquire, 29 W. Susquehanna Ave., Towson, Md. 21204
Messrs. Charles Main II and Mitchell Kellman, Daft-McCune-Walker, Inc.
200 E. Pennsylvania Avenue, Towson, Md. 21286
Mr. Walter M. D'Ascenzo, 9217 Bretton Reef Road, Baltimore, Md. 21234
Ms. Elainea Lucy-Thomas, 9601 Northwind Road, Baltimore, Md. 21234

People's Counsel; Case Files



Description

To Accompany Petition for Variance, Special Exception and Special Hearing

7.68 Acre Parcel

Southeast of Ferguson Avenue

South of Quails Nest Court

Eleventh Election District, Baltimore County, Maryland



Daft McCune Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at the end of the second of the two following courses and distances measured from the intersection of the centerline of Quails Nest Court (50 feet wide) with the centerline of Ferguson Avenue (variable width) (1) Southwesterly along the centerline of Ferguson Avenue 175 feet, more or less, and thence (2) South 63 degrees 14 minutes 52 seconds East 501.96 feet to the point of beginning, thence leaving said point of beginning and running the four following courses and distances, viz: (1) South 63 degrees 14 minutes 52 seconds East 620.10 feet, thence (2) South 05 degrees 02 minutes 43 seconds West 510.06 feet, thence (3) North 79 degrees 24 minutes 04 seconds West 551.55 feet, and thence (4) North 02 degrees 46 minutes 40 seconds East 686.57 feet to the point of beginning; containing 7.68 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

March 24, 1998

Project No. 93103.B2 (L93103.B2)





Petition for Special Exception to the Zoning Commissioner of Baltimore County

and Special Hearing

for the property located at Southeast of Ferguson Ave., South of Quails Nest Ct.
which is presently zoned DR 3.5

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

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

a 64 bed assisted living facility in a DR 3.5 zone, modify the residential transition area requirements and amend the previously approved Final Development Plan for Quail Run.

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

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

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

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City State Zipcode

Attorney for Petitioner:

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

Signature

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

Towson MD 21204
City State Zipcode

Legal Owner(s):

Perry Hall Land Holding LLC

(Type or Print Name)

By:

Signature Robert S. Gaines, Sr., Managing Member

(Type or Print Name)

Signature

62 Gwynns Mill Ct.

Address

410-654-4667

Phone No.

Owings Mills

City

MD

State

21117

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

Address

(410) 494-6200

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY: JIS/JRF

DATE

3/31/98

361

ORDER RECEIVED FOR FILING

98-361-SPHXA



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at Southeast of Ferguson Ave., South of Quails Nest Ct.
which is presently zoned DR 3.5

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

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

and Section 102.2
1B01.2.B2C1a to permit buildings as close as 35 ft. in lieu of the required 70 ft. (distance between buildings) and Section 432.1.D. to permit a distance as close as 7 ft. between centers of facing windows of different dwelling units in lieu of 20 ft., if necessary. *
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardships or practical difficulty)

To be determined at hearing.

* A variance of \$450.4 to permit a 25 sf. freestanding sign in lieu of the one sf. wall mounted sign permitted, if necessary. *per*

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

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

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

Contract Purchaser/Lessee:

Legal Owner(s):

(Type or Print Name)

Perry Hall Land Holding LLC

(Type or Print Name)

Signature

By: *Robert S. Gaines, Sr.*
Signature Robert S. Gaines, Sr., Managing Member

Address

(Type or Print Name)

City

State

Zipcode

Signature

62 Gwynns Mill Ct.

410-654-4667

Address

Phone No.

Attorney for Petitioner:

Robert A. Hoffman

Venable, Baetjer and Howard, LLP

(Type or Print Name)

Owings Mills

MD

21117

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

Signature

210 Allegheny Ave.

(410) 494-6200

Address

Phone No

210 Allegheny Ave, Towson, MD 21204

(410) 494-6200

Address

Phone No.

Towson

MD

21204

City

State

Zipcode

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

JIS/JEP

DATE

3/31/98

#361

98-361-SPHXA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 1706

DATE 3-21-98 ACCOUNT R-001-015-000

AMOUNT \$ 650.00

RECEIVED FROM: Perry Hall Land Holding

050 SE of Ferguson Ave. Dent # 361
FOR 050 SPHXA (Maximum) Taken by: JEP

98-361-SPHXA

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

CASHIER'S VALIDATION

RECEIVED
BALTIMORE COUNTY
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT
DATE 3-21-98
AMOUNT \$ 650.00
RECEIVED FROM: Perry Hall Land Holding
FOR 050 SPHXA (Maximum) Taken by: JEP

**NOTICE OF ZONING
HEARING**

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

4285 Edison Avenue, S of
Savon II
7th Election District
Legal Owner(s):
Perry Hall Land Holding LLC

Special Hearing: to amend
Development Plan for Final
64-bed Assisted Living Facility
and to modify the Residential
Transition Area Exception for a
Variance to permit buildings
as close as 35 feet in lieu of
the required 70 feet (distance
between buildings); to permit
units in lieu of 20 feet if
necessary; and to permit a
25-foot free-standing sign in
lieu of the permitted one
square foot wall-mounted
sign if necessary.

Hearing: Monday, May 14
1990 at 9:00 a.m. in Room
407, County Courts Bldg.
401 Brody Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are
Special Accessible, for
Please Call (410) 887-3353.
(2) For information concern-
ing the File and/or Hearing,
Please Call (410) 887-3391.

4538 April 30

C224682

CERTIFICATE OF PUBLICATION

TOWSON, MD., 4/30, 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 4/30, 1998.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

RE Case No 98-361 SPHXA

Petitioner/Developer: QUAIL RUN ASST. LIVING, ETAL
ROBERT HOFFMAN, ESQ.
LINDA JONES, DMW

Date of Hearing/Closing: 5/18/98

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 3 ONSITE LOCATIONS

QUAILS NEST CT. WALTHER BLVD. &
END SIMMS ROAD.

The sign(s) were posted on 5/3/98
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe 5/10/98
(Signature of Sign Poster and Date)

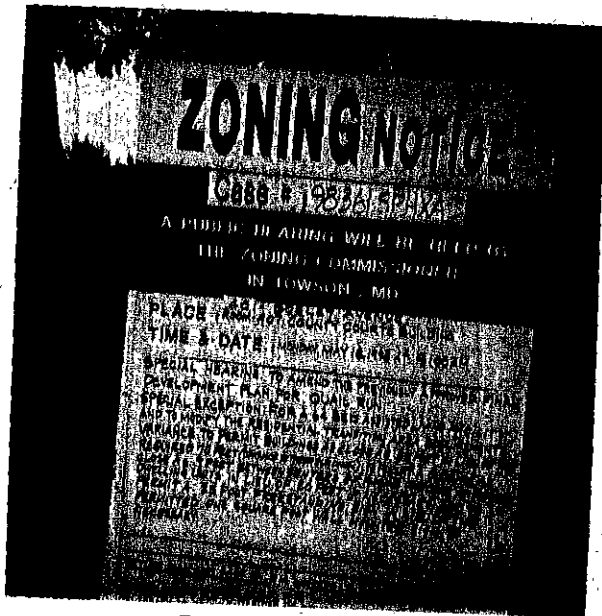
PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

HUNT VALLEY, MD. 21030
(City, State, Zip Code)

10-666-5366 ; CELL-410-905-8571
(Telephone Number)

FIXED



98-361 SPHXA
QUAIL RUN ASST. LVG. FAC.
P- 5/3/98 H- 5/18/98



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.: 361

Petitioner: Perry Hall Land Holding LLC

Location: SE of Ferguson Ave., S of Quail Nest Court

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Barbara Ormord, Legal Assistant

ADDRESS: 210 Allegheny Avenue

Towson, Md 21204

PHONE NUMBER: 410-494-6201

AJ:ggs

98-361-SPHXA
(Revised 09/24/96)

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.: 98-361-SPHXA

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

PLACE: _____

DATE AND TIME: _____

VARIANCE - To permit buildings as close as 35' in lieu of
REQUEST: the required 70'; To permit a distance as close as
7' between centers of facing windows of different dwelling
units in lieu of 20', if necessary; To permit a 25' free standing sign
in lieu of the permitted one square foot wall mounted sign, if necessary;
SPECIAL EXCEPTION & SPECIAL HEARING - A 64 bed
assisted living facility in a DR 3.5 zone, modify the
residential transition area requirements and amend
the previously approved Final Development Plan for Quail Run.

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
April 30, 1998 Issue - Jeffersonian

Please forward billing to:

Barbara Ormord, Legal Assistant 410-494-6201
210 Allegheny Avenue
Towson, MD 21204

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: 98-361-SPHXA

SE/S Ferguson Avenue, S of Quails Nest Court (Quail Run, Section II)

11th Election District - 5th Councilmanic District

Legal Owner: Perry Hall Land Holding LLC

Special Hearing to amend the previously approved Final Development Plan for Quail Run. Special Exception for a 64-bed Assisted Living Facility and to modify the Residential Transition Area requirements. Variance to permit buildings as close as 35 feet in lieu of the required 70 feet (distance between buildings); to permit a distance as close as 7 feet between centers of facing windows of different dwelling units in lieu of 20 feet, if necessary; and to permit a 25-foot free-standing sign in lieu of the permitted one square foot wall-mounted sign, if necessary.

HEARING: Monday, May 18, 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

April 13, 1998

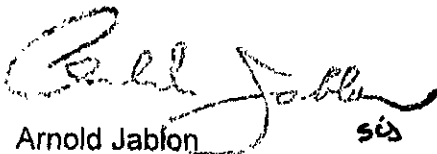
NOTICE OF ZONING HEARING

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: 98-361-SPHXA
SE/S Ferguson Avenue, S of Quails Nest Court (Quail Run, Section II)
11th Election District - 5th Councilmanic District
Legal Owner: Perry Hall Land Holding LLC

Special Hearing to amend the previously approved Final Development Plan for Quail Run. Special Exception for a 64-bed Assisted Living Facility and to modify the Residential Transition Area requirements. Variance to permit buildings as close as 35 feet in lieu of the required 70 feet (distance between buildings); to permit a distance as close as 7 feet between centers of facing windows of different dwelling units in lieu of 20 feet, if necessary; and to permit a 25-foot free-standing sign in lieu of the permitted one square foot wall-mounted sign, if necessary.

HEARING: Monday, May 18, 1998 at 9:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue


Arnold Jablon
Director

c: Robert A. Hoffman, Esquire
Perry Hall Land Holding LLC

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY MAY 3, 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

May 13, 1998

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

RE: Item No.: 361
 Case No.: 98-361-SPHXA
 Petitioner: Perry Hall Land Holding, LLC
 Location: SE of Ferguson Ave., S of Quails Nest Ct.

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on March 31, 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 black ink, reading "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.
Zoning Supervisor

WCR:ggs
Attachment(s)



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: April 24, 1998

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

SUBJECT: Zoning Advisory Committee Meeting
 for April 20, 1998
 Item Nos. 361, 362, and 363

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

RWB:HJO:jrb

cc: File

Due Date: April 21, 1998

TO: Arnold Jablon

FROM: R. Bruce Seeley *RBs/jf*

SUBJECT: Zoning Item #361

Perry Hall Land Holding (AKA) Quail Run Section II

Zoning Advisory Committee Meeting of April 13, 1998

- The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
 - X 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 (Section 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).



Baltimore County
Fire Department

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

April 13, 1998

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

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF APRIL 6, 1998

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

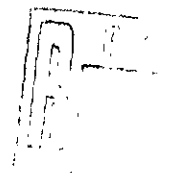
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

3. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

351, 355, 357, 358, 359, AND (360)

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

cc: File





Baltimore County
Fire Department

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

April 13, 1998

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

RE: Property Owner: PERRY HALL LAND HOLDING LLC

Location: DISTRIBUTION MEETING OF April 13, 1998

Item No.: 361 Zoning Agenda:

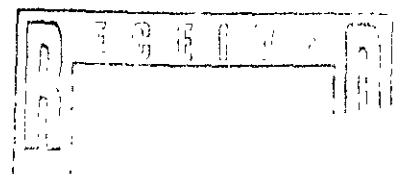
Gentlemen:

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", 1994 edition prior to occupancy.

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

cc: File





Maryland Department of Transportation
State Highway Administration

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 4.7.98
Item No. 361 JRF/JJS

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,

for 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

TO: Arnold Jablon, Director
Dept. of Permits & Development Management

Date: May 18, 1998

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

SUBJECT: INFORMATION

Item Number: 361

Petitioner: Perry Hall Holding LLC

Zoning: DR 3.5

Summary of Recommendation:

The Office of Planning supports the applicant's request and finds that the amendment to the previously approved Final Development Plan for Quail Run meets all applicable sections of the Zoning Regulations and Development Regulations.

Prepared by: Jeffrey W. Long

Division Chief: Gary L. Kerns

AFK/JL

JO RM

RE: PETITION FOR SPECIAL HEARING	*	BEFORE THE
PETITION FOR SPECIAL EXCEPTION		
PETITION FOR VARIANCE	*	ZONING COMMISSIONER
Quail Run, Section II, SE/S Ferguson Ave,		
S of Quails Nest Ct, 11th Election	*	OF BALTIMORE COUNTY
District, 5th Councilmanic		
	*	CASE NO. 98-361-SPHXA
Perry Hall Land Holding LLC		
Petitioner	*	

* * * * *

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.

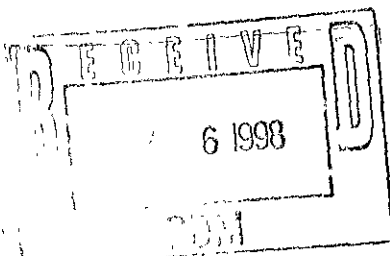
Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

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 5th day of May, 1998, 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 Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



**Department of Permits and
Development Management**

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

May 6, 2005

Pamela Raymond, Legal Assistant
Miles & Stockbridge, P.C.
1 West Pennsylvania Avenue, Suite 900
Towson, MD 21204-5076

And

Paul D. Trinkoff, Esquire
Miles & Stockbridge, P.C.
10 Light Street
Baltimore, MD 21202

RE: Zoning Verification-Assisted Living Facility, 9900 Walther Boulevard, 6.940 Acres Southeast of Magledt Road, South of Quails Nest Court, (.943 Acre Parcel A, 3.219 Acre Lot 1, and 2.778 Acre H.O.A Open Space) 11th Election District

Dear Ms. Raymond and Mr. Trinkoff:

Your recent letter to Timothy Kotroco, Director of Permits and Development Management, regarding the above referenced property was forwarded to me for reply. Based upon the limited information provided therein and my review of the available zoning records, the following has been determined:

1. The zoning laws and regulations affecting the above referenced property and the uses thereof are the Baltimore County Zoning Regulations (BCZR).
2. The above referenced property has the current zoning classification of D.R. 3.5 (Density Residential-3.5 units per acre) according to the official Baltimore County zoning map 071C1.
3. A 64 bed "Assisted Living Facility" was not permitted by right under the 1998 Baltimore County Zoning Regulations (BCZR). However, under former Section 1B01.1.C.26 and former Section 432.1.A.4 of the 1998 regulations (since repealed by Bill 19-2004), an "Assisted Living Facility" was permitted by special exception in the D.R. 3.5 zone.
4. A search of the zoning history files in our office shows that zoning case # 98-361-SPHXA granted a special exception to permit a 64 bed assisted living facility on the subject property as well as a modification of the residential transition area (RTA) requirements along with the granting of special hearing relief and variance relief related to said assisted living facility.
5. This zoning case does not necessarily represent the extent of zoning or permit history for this property. However, zoning/permit history is part of the public record and is available for review by the public between the hours of 8:00 a.m. and 4:30 p.m. weekdays. You may consider retaining local legal resources to conduct a diligent search of the public records to compile the full zoning and permit history for the referenced property.

Visit the County's Website at www.baltimorecountyonline.info



6. The passage of Bill 19-2004 repealing the 1998 assisted living facility regulations would technically establish a non-conforming use for the subject property under the provisions of the zoning regulations (BCZR). However, the special exception granted in zoning case # 98-361-SPHXA controls the current assisted living facility use and related zoning standards on the subject property. Therefore, regarding the current uses and structures on the property, please be advised that provided the subject property was developed and occupied in accordance with Baltimore County approved development and permit plans and provided all current uses and structures adhere to the requirements of the BCZR and those plans, the current uses and structures on the subject property are in compliance with the applicable zoning regulations (BCZR).
7. The subject property appears to comply with applicable subdivision laws and regulations and can be conveyed without the filing of any further plats of subdivision or resubdivision of the subject property. The subject property appears to have been subdivided in accordance with applicable laws and regulations as evidenced by the recording of a subdivision plat and various governmental approvals affixed thereto.
8. Research in the Division of Development Management reveals a development file (PDM File # XI-609) that may include a site development plan as well as any development approval letters that most likely relate to the subdivision laws, regulations and plats mentioned above. Contact the Division of Development Management at 410-887-3335 for more information and/or copies of the materials in those files or if the materials are archival in nature, how they can be obtained.
9. The Division of Code Inspections and Enforcement has indicated that there are no current or outstanding violations associated with the referenced property at this time.
10. This response applies to the zoning regulations (BCZR) and policies only and does not apply to regulations enforced by other County and State agencies.

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,



Jeffrey N. Perlow
Planner II
Zoning Review

JNP

PETITIONER(S) SIGN-IN SHEET

ADDRESS

210 Allegheny Ave 21204
62 Quynns Millet. 21117
29 W. Susquehanna Ave. Ste 610. 21204
200 E. Penn. Ave. 21286
207 E. REDWOOD ST. 21202
420 VIRGINIA AVE 21286
200 E. Penn Ave 21286
1300 WINDMILLS DR 21220
218 No. Charles #500 21201

PLEASE PRINT CLEARLY

CITIZEN SIGN-IN SHEET

NAME

ADDRESS

WALTER M. D'ASCENZO

9217 BRETTON REEF RD. 21234

Elaina Lucy - Thomas

9601 NORTHWIND RD 21234





WELLS & ASSOCIATES, LLC

TRAFFIC, TRANSPORTATION, and PARKING CONSULTANTS

May 5, 1998

VIA FACSIMILE

Mr. Bob Gaines
Perry Hall Land Holding LLC
P.O. Box 543
Timonium, Maryland 21094

PERMITTEE'S
LABOR 4

Re: Variance, Special Exception and Special Hearing
Quail Run Section II Assisted Living Facility

Dear Mr. Gaines:

As requested, Wells & Associates is pleased to submit this report for professional traffic engineering services in conjunction with the Special Exception for assisted living facility.

Perry Hall Land Holding LLC. proposes to develop the property with a 64 bed assisted living facility in a D. R. 3.5 zone. Wells & Associates has conducted this traffic study in accordance with Baltimore County Requirements.

Existing Traffic Conditions

We have conducted a field reconnaissance of the existing traffic conditions in the site vicinity. Northwind, Magleth Roads, and Fergusen Avenue are major collector roadways that serve the entire area of Oakhurst. Each road is a two lane road that has been widened to 20 feet from center where development has taken place. All roads have a speed limit of twenty-five(25) miles per hour. No parking signs have been placed near the intersection to allow for two approach lanes and provide adequate sight distance.

The intersection of Northwind and Magleth Roads operates satisfactorily. During the afternoon peak, between 5:45pm- and 6:00pm, some backup does exist for left turn eastbound vehicles on Northwind Road. This backup ranges from 10-20 vehicles and takes one to two minutes for a vehicle to make a left turn. Right turn vehicles and straight vehicles eastbound are not delayed. Most left turning vehicles took 10-15 seconds to make the left turn at the stop sign.

Existing Traffic Volumes

Traffic counts were conducted in early April 1998 at the intersection of Northwind and Magleth Roads. This count indicates that the morning peak hour is 7:30am - 8:30am with 1016 vehicles passing thru this intersection in all directions. The afternoon peak hour is 5:00pm - 6:00pm with 1032 vehicles passing thru this intersection in all directions. This count is consistent with



counts conducted by Baltimore County in 1994 and 1995. These counts were conducted at the request of the community for a traffic signal. This study also reviewed Baltimore County counts at Joppa and Magledt Roads as well as Harford and Northwind Roads.

Existing Level of Service

Existing peak hour levels of service were calculated based on the existing lane use and traffic control, the existing traffic counts, and the critical lane method. The intersection of Northwind and Magledt Roads currently operate at level of service(LOS) "A" during both the AM and PM peak hour.

Trip Generation

Quail Run Section II Assisted Living Facility is, by its very nature, a relatively low trip generator, particularly during typical commuter peak hours. A typical 64 unit congregate care center generates only four(4) to eleven(11) peak hour trips based on standard Institute of Transportation Engineers (ITE) trip generation rates.

Wells and Associates conducted traffic counts at three assisted living communities in Baltimore County. These communities were:

1. Sunrise of Towson
2. Arden Courts on Reisterstown Road
3. Colonial Manor homes of Lutherville

The traffic counts were from 7:00 am to 7:00 pm. As a result of the summary of these counts, a sixty-four(64) unit assisted living community generates only five(5) to eleven(11) peak hour trips.

This trip generation would only represent an increase of traffic at the intersection of Northwind and Magledt Roads of less than one(1) percent.

Based on existing counts, twenty(20) percent of the traffic to and from the assisted living facility will use Magledt Road to Joppa Road. Eighty(80) percent will use Northwind to Harford Road.

This trip generation will not change the level of service or the operation of the intersection.

In contrast, a typical 16 single family subdivision will generate sixteen(16) to twenty(20) peak hour trips. Twenty-four(24) townhomes will generate seventeen(17) to nineteen(19) peak hour trips.

Parking Demand

Wells and Associates also conducted counts of parked cars throughout the day to determine the parking demand required for assisted living communities. The parking count at Sunrise of Towson indicates that the parking demand for 80 units vary from three (7:00pm) to twenty-one(12:00 noon) parking spaces. To meet this demand, Quail Run assisted living community will need seventeen(17) parking spaces. Twenty-two parking spaces are required by Baltimore County and thirty-nine parking spaces are provided on the plan.

Intersection Sight Distance

Our analysis indicated that the sight distance at Northwind Road to the North and South is more than 500 feet. This anticipates that the average vehicle height is 4.25 feet and the driver's eye is 3.31 feet. The stopping sight distance, which uses an object height of 6 inches, is also more than 500 feet. The stopping sight distance as described in A Policy on Geometric Design of Highways and Streets 1984 for a design speed of 50 miles an hour is 400-475 feet. The sight distance for a 40-hour miles per hour design speed is 325 feet.

Based on this analysis, adequate sight distance exists at Northwind Road and Magledt Road in all directions to allow drivers on each public street too adequately see each other and safely enter the road. On the northwest corner some hedges exist that does prevent the second vehicle on Northwind Road eastbound to see to the north. This requires all drivers eastbound to come to a complete stop before entering Magledt Road. This condition adds to the safety of the intersection.

Accident Analysis

An accident analysis of the latest accident data available to Baltimore County was conducted on Magledt Road near the site. This data indicates that only one accident report was created by the police during the years of 1993 thru 1996 at the intersection of Northwind and Magledt Road. Only 16 accidents were reported on Magledt Road from Joppa Road to Fontaine Drive, a distance of 1.5 miles, for the four years (1993-1996) studied.

CONCLUSION

This data indicates a safe operation exists at the intersection of Northwind and Magledt Roads.

The granting of the special exception or variance to allow a 64 bed assisted living facility will not be detrimental to the health, safety, or general welfare of the neighborhood.

This assisted living facility will not create additional congestion in the roads, streets, or alleys in the neighborhood.

The facility will not interfere with adequate provisions for transportation.

Thank you for requesting this report. We look forward to your favorable review and the opportunity to work with you on this important project.

Sincerely,

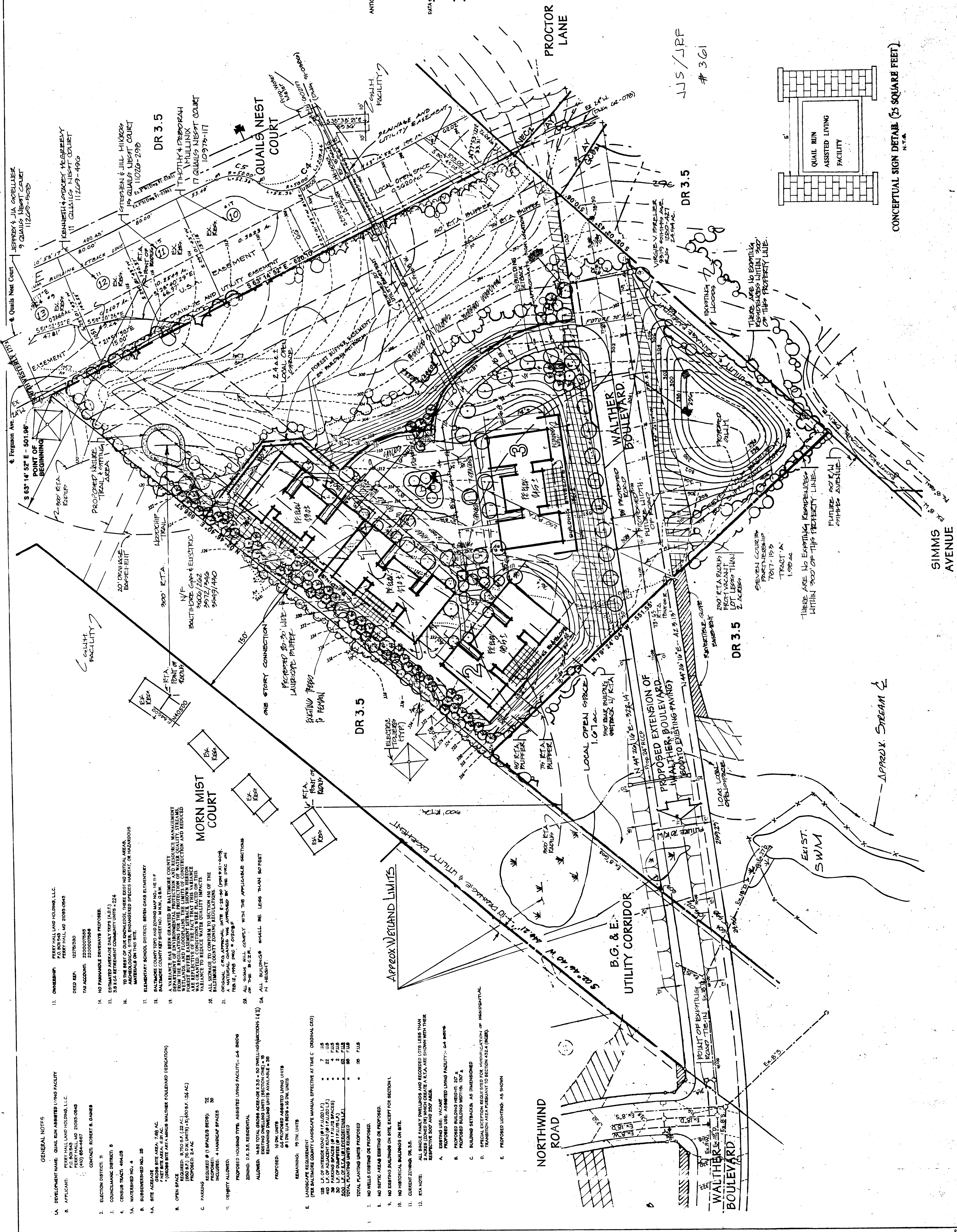
A handwritten signature in dark ink, appearing to read 'C. Richard Moore', with a stylized flourish at the end.

C. Richard Moore
Vice President

cc: Edmund Haile, PE, DMW. Inc.
Robert Hoffman, Esquire, Venable Baetjer and Howard

Trip Generation Rates
Assisted Living Communities

AM Peak Hour	Units	IN	OUT	Total	Total Trips/unit	Quail Run Trips 64 units
Sunrise of Towson	80	7	1	8	0.10	
Arden Courts	161	8	3	11	0.07	
Colonial Homes	30	2	2	4	0.13	8.5
Total	271	17	6	23	0.08	5.4
Avg. Trips/Unit		0.063	0.022	0.085		
PM Peak Hour	Units	IN	OUT	Total		
Sunrise of Towson	80	7	10	17	0.21	
Arden Courts	161	9	15	24	0.15	
Colonial Homes	30	3	3	6	0.20	12.8
Total	271	19	28	47	0.17	11.1
Avg. Trips/Unit		0.070	0.103	0.173		
Midday Hour	Units	IN	OUT	Total		
Sunrise of Towson	80	14	11	25	0.31	
Arden Courts	161	17	12	29	0.18	
Colonial Homes	30	6	6	12	0.40	25.6
Total	271	37	29	66	0.24	15.6
Avg. Trips/Unit		0.137	0.107	0.244		
Total 7am-7pm	Units	IN	OUT	Total		
Sunrise of Towson	80	91	94	185	2.31	
Arden Courts	161	125	102	227	1.41	
Colonial Homes	30	40	37	77	2.57	164.3
Total	271	256	233	489	1.80	115.5
Avg. Trips/Unit		0.945	0.860	1.804		



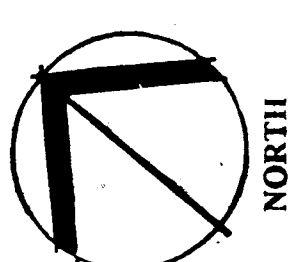
- 1. Special Exception for a 64 bed assisted living facility in a DR 35 zone.
- 2. Special Exception for a 100 bed assisted living facility to be approved under the Preliminary Development Plan for Quail Run community.
- 3. Variance requested to permit building on slopes as steep as 15 feet in lieu of required 10 feet and to permit a difference in elevation of 15 feet in lieu of required 10 feet. If necessary, Allow to provide a 15 foot adjacent lot line of 20 feet in lieu of the permitted 10 foot adjacent lot line.
- 4. Request for rezoning from R-10 to R-15.
- 5. Request for rezoning from R-15 to R-20.
- 6. Request for rezoning from R-20 to R-25.
- 7. Request for rezoning from R-25 to R-30.
- 8. Request for rezoning from R-30 to R-35.
- 9. Request for rezoning from R-35 to R-40.
- 10. Request for rezoning from R-40 to R-45.
- 11. Request for rezoning from R-45 to R-50.
- 12. Request for rezoning from R-50 to R-55.
- 13. Request for rezoning from R-55 to R-60.
- 14. Request for rezoning from R-60 to R-65.
- 15. Request for rezoning from R-65 to R-70.
- 16. Request for rezoning from R-70 to R-75.
- 17. Request for rezoning from R-75 to R-80.
- 18. Request for rezoning from R-80 to R-85.
- 19. Request for rezoning from R-85 to R-90.
- 20. Request for rezoning from R-90 to R-95.
- 21. Request for rezoning from R-95 to R-100.
- 22. Request for rezoning from R-100 to R-105.
- 23. Request for rezoning from R-105 to R-110.
- 24. Request for rezoning from R-110 to R-115.
- 25. Request for rezoning from R-115 to R-120.
- 26. Request for rezoning from R-120 to R-125.
- 27. Request for rezoning from R-125 to R-130.
- 28. Request for rezoning from R-130 to R-135.
- 29. Request for rezoning from R-135 to R-140.
- 30. Request for rezoning from R-140 to R-145.
- 31. Request for rezoning from R-145 to R-150.
- 32. Request for rezoning from R-150 to R-155.
- 33. Request for rezoning from R-155 to R-160.
- 34. Request for rezoning from R-160 to R-165.
- 35. Request for rezoning from R-165 to R-170.
- 36. Request for rezoning from R-170 to R-175.
- 37. Request for rezoning from R-175 to R-180.
- 38. Request for rezoning from R-180 to R-185.
- 39. Request for rezoning from R-185 to R-190.
- 40. Request for rezoning from R-190 to R-195.
- 41. Request for rezoning from R-195 to R-200.
- 42. Request for rezoning from R-200 to R-205.
- 43. Request for rezoning from R-205 to R-210.
- 44. Request for rezoning from R-210 to R-215.
- 45. Request for rezoning from R-215 to R-220.
- 46. Request for rezoning from R-220 to R-225.
- 47. Request for rezoning from R-225 to R-230.
- 48. Request for rezoning from R-230 to R-235.
- 49. Request for rezoning from R-235 to R-240.
- 50. Request for rezoning from R-240 to R-245.
- 51. Request for rezoning from R-245 to R-250.
- 52. Request for rezoning from R-250 to R-255.
- 53. Request for rezoning from R-255 to R-260.
- 54. Request for rezoning from R-260 to R-265.
- 55. Request for rezoning from R-265 to R-270.
- 56. Request for rezoning from R-270 to R-275.
- 57. Request for rezoning from R-275 to R-280.
- 58. Request for rezoning from R-280 to R-285.
- 59. Request for rezoning from R-285 to R-290.
- 60. Request for rezoning from R-290 to R-295.
- 61. Request for rezoning from R-295 to R-300.
- 62. Request for rezoning from R-300 to R-305.
- 63. Request for rezoning from R-305 to R-310.
- 64. Request for rezoning from R-310 to R-315.
- 65. Request for rezoning from R-315 to R-320.
- 66. Request for rezoning from R-320 to R-325.
- 67. Request for rezoning from R-325 to R-330.
- 68. Request for rezoning from R-330 to R-335.
- 69. Request for rezoning from R-335 to R-340.
- 70. Request for rezoning from R-340 to R-345.
- 71. Request for rezoning from R-345 to R-350.
- 72. Request for rezoning from R-350 to R-355.
- 73. Request for rezoning from R-355 to R-360.
- 74. Request for rezoning from R-360 to R-365.
- 75. Request for rezoning from R-365 to R-370.
- 76. Request for rezoning from R-370 to R-375.
- 77. Request for rezoning from R-375 to R-380.
- 78. Request for rezoning from R-380 to R-385.
- 79. Request for rezoning from R-385 to R-390.
- 80. Request for rezoning from R-390 to R-395.
- 81. Request for rezoning from R-395 to R-400.
- 82. Request for rezoning from R-400 to R-405.
- 83. Request for rezoning from R-405 to R-410.
- 84. Request for rezoning from R-410 to R-415.
- 85. Request for rezoning from R-415 to R-420.
- 86. Request for rezoning from R-420 to R-425.
- 87. Request for rezoning from R-425 to R-430.
- 88. Request for rezoning from R-430 to R-435.
- 89. Request for rezoning from R-435 to R-440.
- 90. Request for rezoning from R-440 to R-445.
- 91. Request for rezoning from R-445 to R-450.
- 92. Request for rezoning from R-450 to R-455.
- 93. Request for rezoning from R-455 to R-460.
- 94. Request for rezoning from R-460 to R-465.
- 95. Request for rezoning from R-465 to R-470.
- 96. Request for rezoning from R-470 to R-475.
- 97. Request for rezoning from R-475 to R-480.
- 98. Request for rezoning from R-480 to R-485.
- 99. Request for rezoning from R-485 to R-490.
- 100. Request for rezoning from R-490 to R-495.
- 101. Request for rezoning from R-495 to R-500.
- 102. Request for rezoning from R-500 to R-505.
- 103. Request for rezoning from R-505 to R-510.
- 104. Request for rezoning from R-510 to R-515.
- 105. Request for rezoning from R-515 to R-520.
- 106. Request for rezoning from R-520 to R-525.
- 107. Request for rezoning from R-525 to R-530.
- 108. Request for rezoning from R-530 to R-535.
- 109. Request for rezoning from R-535 to R-540.
- 110. Request for rezoning from R-540 to R-545.
- 111. Request for rezoning from R-545 to R-550.
- 112. Request for rezoning from R-550 to R-555.
- 113. Request for rezoning from R-555 to R-560.
- 114. Request for rezoning from R-560 to R-565.
- 115. Request for rezoning from R-565 to R-570.
- 116. Request for rezoning from R-570 to R-575.
- 117. Request for rezoning from R-575 to R-580.
- 118. Request for rezoning from R-580 to R-585.
- 119. Request for rezoning from R-585 to R-590.
- 120. Request for rezoning from R-590 to R-595.
- 121. Request for rezoning from R-595 to R-600.
- 122. Request for rezoning from R-600 to R-605.
- 123. Request for rezoning from R-605 to R-610.
- 124. Request for rezoning from R-610 to R-615.
- 125. Request for rezoning from R-615 to R-620.
- 126. Request for rezoning from R-620 to R-625.
- 127. Request for rezoning from R-625 to R-630.
- 128. Request for rezoning from R-630 to R-635.
- 129. Request for rezoning from R-635 to R-640.
- 130. Request for rezoning from R-640 to R-645.
- 131. Request for rezoning from R-645 to R-650.
- 132. Request for rezoning from R-650 to R-655.
- 133. Request for rezoning from R-655 to R-660.
- 134. Request for rezoning from R-660 to R-665.
- 135. Request for rezoning from R-665 to R-670.
- 136. Request for rezoning from R-670 to R-675.
- 137. Request for rezoning from R-675 to R-680.
- 138. Request for rezoning from R-680 to R-685.
- 139. Request for rezoning from R-685 to R-690.
- 140. Request for rezoning from R-690 to R-695.
- 141. Request for rezoning from R-695 to R-700.
- 142. Request for rezoning from R-700 to R-705.
- 143. Request for rezoning from R-705 to R-710.
- 144. Request for rezoning from R-710 to R-715.
- 145. Request for rezoning from R-715 to R-720.
- 146. Request for rezoning from R-720 to R-725.
- 147. Request for rezoning from R-725 to R-730.
- 148. Request for rezoning from R-730 to R-735.
- 149. Request for rezoning from R-735 to R-740.
- 150. Request for rezoning from R-740 to R-745.
- 151. Request for rezoning from R-745 to R-750.
- 152. Request for rezoning from R-750 to R-755.
- 153. Request for rezoning from R-755 to R-760.
- 154. Request for rezoning from R-760 to R-765.
- 155. Request for rezoning from R-765 to R-770.
- 156. Request for rezoning from R-770 to R-775.
- 157. Request for rezoning from R-775 to R-780.
- 158. Request for rezoning from R-780 to R-785.
- 159. Request for rezoning from R-785 to R-790.
- 160. Request for rezoning from R-790 to R-795.

DDM

Daft McCune Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
410) 296-3333
Fax 296-4705

**PLAN TO ACCOMPANY
PETITION FOR VARIANCE.
SPECIAL EXCEPTION
AND SPECIAL HEARING
QUAIL RUN
SECTION II**

SECTION II. ASSISTED LIVING FACILITY



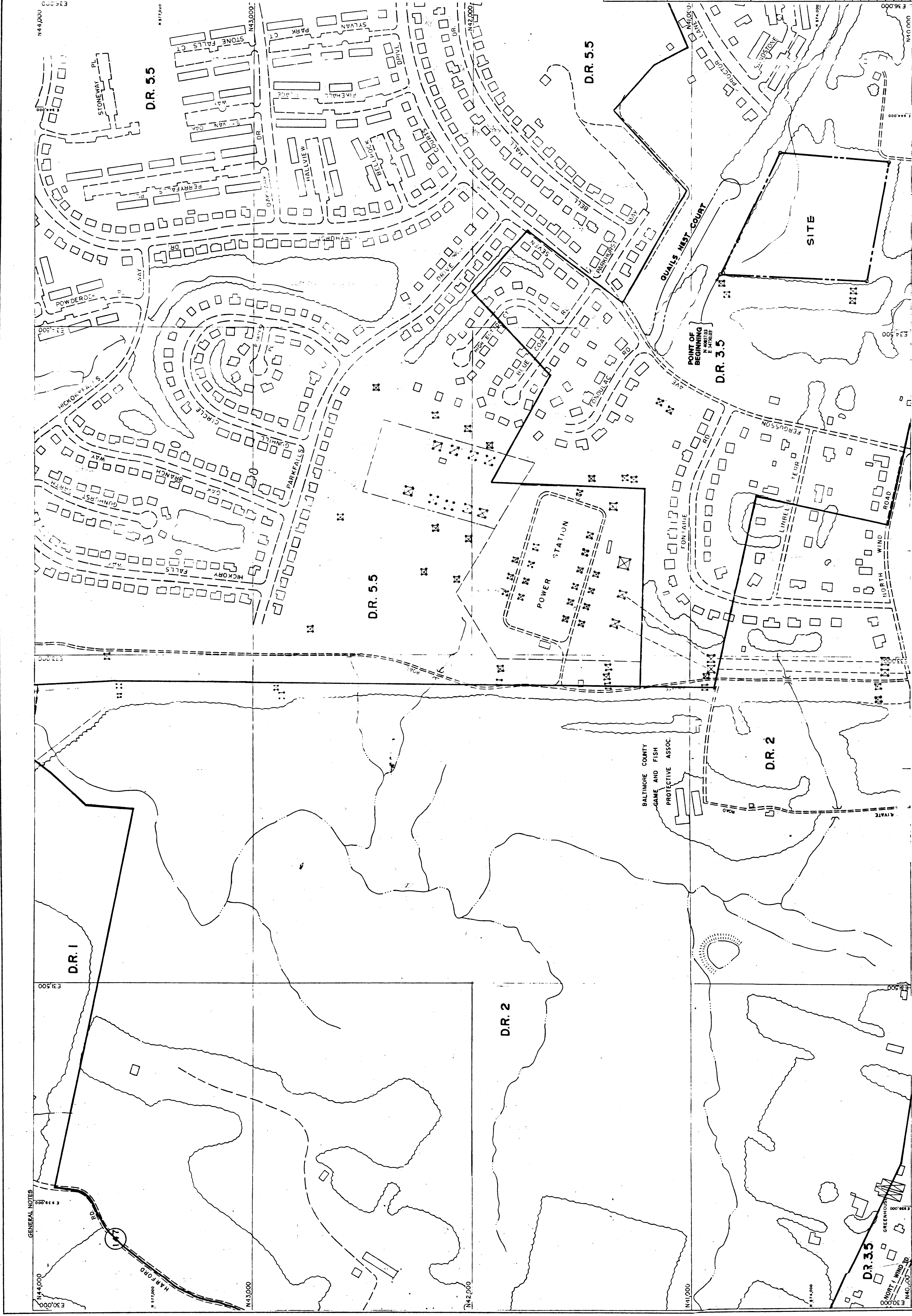
DATE	BY	REVISIONS

2-11 <DHXA

ISSUE DATES	BASE:	SOC
REVIEW:	DRAWN:	SOC
ID:	DESIGNED:	RCH
PERMIT:	CHECKED BY:	RCH
CONSTRUCTION:	DATE CHECKED:	4-3-2003
SCALE: 1" = 50'	DRAWING:	1 OF 3
PROJECT NO.: 93103.B.2		

CONCEPTUAL SIGN DETAIL (25 SQUARE FEET)

SIMMS
AVENUE



1996 COMPREHENSIVE ZONING MAP
THE BALTIMORE COUNTY COUNCIL
OCTOBER 8, 1996
Bills Nos. 125-96, 130-96, 131-96, 132-96, 133-96, 134-96, 135-96
Kevin Kananev
(Chairman, County Council)

THIS MAP HAS BEEN REVISED IN SELECTED AREAS.
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS
BY BUSHART-WHITT, INC., BALTIMORE, MD. 21210

R-SE Q-SW
N-NE M-NW

DATE OF PHOTOGRAPHY
JANUARY 1986

SCALE
1" = 200'

LOCATION
CUB HILL
CARNEY AREA

SHEET
N.E.
11-F

DMW
David M. Walker, Inc.
A Team of Land Planners,
Landscape Architects,
Urban Designers,
Environmental Engineers,
and Surveyors
200 East Pennsylvania Avenue
Baltimore, Maryland 21202
Tel. 236-4705
Fax 236-4705

PLAN TO ACCOMPANY
PETITION FOR VARIANCE,
SPECIAL EXCEPTION
AND SPECIAL HEARING
QUAIL RUN
SECTION II
ASSISTED LIVING FACILITY
ELECTION DISTRICT 11, CONSUMMATE DISTRICT 1, BALTIMORE COUNTY, MD

DATE BY REVISIONS
PRINTED
MAR 3 1996
DAVID M. WALKER, INC.

ISSUE DATES
REVIEW: DATE
BID: DATE
PERMIT: DATE
CONSTRUCTION: DATE
SCALE: 1" = 200'
PROJECT NO.: 9103.02

BASE: SDC
DRAWN: SDC
DESIGNED: JCL
CHECKED BY: REIL
DATE CHECKED: REIL
DRAWING: 3 OF 3

