

INRE: PETITIONS FOR SPECIAL EXCEPTION * BEFORE THE
 AND VARIANCE – SE/S McDowell Lane *
 N of Virginia Avenue * DEPUTY ZONING COMMISSIONER
 (Highland Village Child Care Center) *
 13thst Election District * OF BALTIMORE COUNTY
 1st Councilmanic District *
 Highland #689, LLC * Case No. 99-142-XA
 Petitioner *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owner of the subject property, Highland #689, LLC, by T. Edgie Russell, President, and the Contract Lessee, the YMCA of Central Maryland, by Benjamin Petrilli. The Petitioners request a special exception for a Class “B” Child Care Center on the subject property, and variance relief from Section 1B01.2.C.1.a of the Baltimore county Zoning Regulations (B.C.Z.R.) to permit a distance between buildings, rear to rear, of 24 feet in lieu of the required 60 feet, and to permit a distance between buildings, side yard to side yard of 20 feet in lieu of the required 50 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner’s Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Christine Ader Soto, a representative of the YMCA, Contract Lessee, Joseph Larson, with Spellman, Larson and Associates, the consulting firm which prepared the site plan for this property, and Ted Millspaugh, Esquire, attorney for the Petitioners. Robert A. Hoffman, Esquire, appeared on behalf of the owner of the property. In addition, a representative from the Office of

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 By [Signature]

Community Conservation was also in attendance. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject property is part of a 57.36 acre tract of land, zoned D.R.16, located in the residential community known as the Baltimore Highlands, in the Lansdowne area of Baltimore County. The Petitioner proposes to lease a portion of its property to the YMCA for a Class "B" child care facility and accessory playground area, as shown on Petitioner's Exhibit 1. Testimony indicated that the YMCA will construct a one-story child care center in place of four (4) townhouse units, which will be razed as part of this project. The proposed facility will serve not only the Baltimore Highlands community, but also the surrounding residential area where child care is greatly needed. The cost of construction will be paid for by way of a grant from Baltimore County government. In addition, the State of Maryland is contributing funds for the purchase of furniture and equipment to furnish the proposed center. Due to the location of the property and existing improvements thereon, the requested special exception and variances are necessary in order to proceed with the proposed development.

It is clear that the B.C.Z.R. permits the use proposed in a D.R.16 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

ACCEPTED RECEIVED FOR FILING
Date 11/23/98
By [Signature]

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 variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or

ORDER RECEIVED FOR FILING
Date 11/23/93
BY [Signature]

structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance 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.

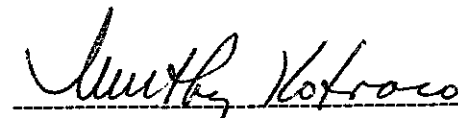
Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth herein, the Petitions for Special Exception and Variance shall be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 23rd day of November, 1998 that the Petition for Special Exception for a Class "B" Child Care Center on the subject property, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and;

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B01.2.C.1.a of the Baltimore county Zoning Regulations (B.C.Z.R.) to permit a distance between buildings, rear to rear, of 24 feet in lieu of the required 60 feet, and to permit a distance between buildings, side yard to side yard, of 20 feet in lieu of the required 50 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until 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.

TMK:bjs



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

COPY RECEIVED FOR FILING
Date 11/26/98
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning

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

November 24, 1998

Mr. T. Edgie Russell, President
Highland #689 LLC
105 W. Chesapeake Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE
S/S McDowell Lane, N of Virginia Avenue
(4159 McDowell Lane)
13th Election District - 1st Councilmanic District
Highland #689, LLC - Petitioners
Case No. 99-142-SPXA

Dear Mr. Russell:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for 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 that reads "Timothy Kotroco".

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjs

cc: Mr. Benjamin Petrilli
YMCA of Central Maryland, 20 S. Charles Street, Baltimore, Md. 21201

Mr. Joseph L. Larson, Spellman, Larson & Associates
105 W. Chesapeake Avenue, Towson, Md. 21204

People's Counsel; Case Files



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at

Highland Village Apartments
4159 McDowell Lane

which is presently zoned

DR 16

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

CHILD CARE CENTER

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

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

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

Contract Purchaser/Lessee Benjamin J. Petrilli

Legal Owner(s)

YMCA of Central Maryland
(Type or Print Name)

Highland #689 LLC
(Type or Print Name)

[Signature] CBA
Signature

[Signature]
Signature

20 S. Charles Street
Address

T. Edgie Russell, President
(Type or Print Name)

Baltimore MD 21201
City State Zipcode

Signature

Attorney for Petitioner
(Type or Print Name)

821-0500
105 W. Chesapeake Ave Suite 307
Address Phone No

Towson MD 21204
City State Zipcode
Name, Address and phone number of representative to be contacted.

Signature

Joseph L. Larson
Spellman, Larson & Associates
Name

Address Phone No.
City State Zipcode

105 W. Chesapeake Ave 823-3535
Address Phone No

COPIES REQUIRED FOR FILING
Date 11/23/98
BY [Signature]

OFFICE USE ONLY
ESTIMATED LENGTH OF HEARING 1 1/2 hrs
unavailable for Hearing

the following dates _____ Next Two Months
ALL OTHER _____
REVIEWED BY: *[Signature]* DATE 10-6-98

Revised 9/5/95

99-142-XA

#142



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

Highland Village Apartments
4159 McDowell Lane

which is presently zoned DR 16

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

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1 B01.2 C.1.a.

to allow a 24' distance between buildings rear to rear in lieu of the required 60' and to allow a 20' distance between buildings sideyard to sideyard in lieu of the required 50'

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

To be fully explained and documented at the Zoning Hearing

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing 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: Benjamin J. Petrilli

YMCA of Central Maryland

(Type or Print Name)

Signature

20 S. Charles Street

Address

Baltimore MD 21201

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

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

Legal Owner(s):

Highland #689 LLC

(Type or Print Name)

Signature

T. Edgie Russell, President

(Type or Print Name)

Signature

105 W. Chesapeake Ave 821-0500

Address Suite 307

Phone No.

Towson

MD

21204

City

State

Zipcode

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

Joseph L. Larson

Spellman, Larson & Associates

Name

105 W. Chesapeake Ave

823-3535

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

SEE SP. EX.

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

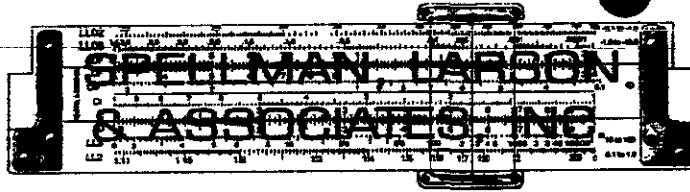
DATE

10-6-98

99-142-XA

11/23/98
86/20/98
142

Printed with Soybean Ink on Recycled Paper



ROBERT E. SPELLMAN, P.L.S.
JOSEPH L. LARSON

CIVIL ENGINEERS AND LAND SURVEYORS

SUITE 406 - JEFFERSON BUILDING
105 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TEL (410) 823-3535 / (410) 823-3539
FAX (410) 825-5215

DESCRIPTION FOR
A SPECIAL HEARING, HIGHLAND VILLAGE APARTMENTS
THIRTEENTH DISTRICT, BALTIMORE COUNTY, MARYLAND.

Being the property as shown on a Plat entitled "Record Plat Section One, Highland Village Apartments" said Plat being recorded among the Plat Records of Baltimore County in Plat Book RRG No. 29, Folio 112 and the property as shown on a Plat entitled "Sections 2, 3 and 4 Highland Village Apartments" said Plat being recorded among the Plat Records of Baltimore County in Plat Book OTG No. 31, Folio 116.

Containing 57.36 acres of land, more or less.

9/10/98



142

99.142-XA

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

1700 142
No. 055238

DATE 10.6.98 ACCOUNT R-201-6150
AMOUNT \$ 550.00

RECEIVED FROM: YACA of Central Maryland

FOR: Special Exception & Variance
4159 McDowell Lane

PAID RECEIPT
PROCESSOR ACTUAL TIME
07/06/1998 10/06/1998 11:01:57
RECEIVED BY CASHIER PUES PER DRUMER
5 MISCELLANEOUS CASH RECEIPT
09/09/98 05/12/96
CR NO. 059750

\$\$\$50.00 CHECK
BALTIMORE COUNTY, MARYLAND

99-142-XA

CASHIER'S VALIDATION

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

ford

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: #99-142-XA
4159 McDowell Lane
E/S McDowell Lane, 800' N of Virginia Avenue
13th Election District
1st Councilmanic District
Legal Owner(s): Highland #689 LLC
Contract Purchaser: YMCA of Central Maryland
Special Exception: for a Class "B" child care center.

Variance: to allow a 24-foot distance between buildings rear to rear in lieu of the required 60 feet and to allow a 20-foot distance between buildings side yard to side yard in lieu of the required 50 feet.

Hearing: Friday, November 20, 1998 at 2:00 p.m. in Room 100, County Office Bldg., 111 West Chesapeake Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

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

11/010 Nov. 5 C271085

CERTIFICATE OF PUBLICATION

TOWSON, MD., Nov. 5, 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 Nov. 5, 1998.

THE JEFFERSONIAN,

A. Henrichson

LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

RE: Case No.: 99-142-XA

Petitioner/Developer: YMCA, ETAL
% JOE LARSON

Date of Hearing/Closing: 11/20/98

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 # 4159 MC DOWELL LA.

The sign(s) were posted on 11/2/98
(Month, Day, Year)

Sincerely,

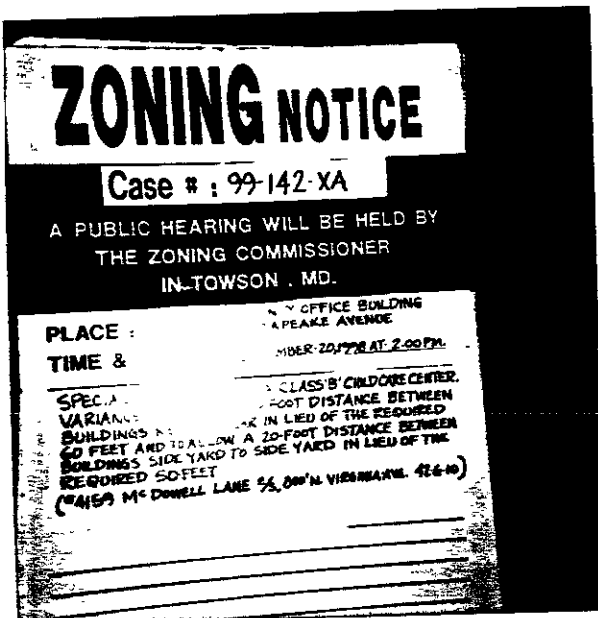
Patrick M O'Keefe 11/12/98
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

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

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



99-142-XA

#4159 M^c DOWELL LA

Y.M.C.A., ETAL

11/20/98

TO: PATUXENT PUBLISHING COMPANY
November 5, 1998 Issue - Jeffersonian

Please forward billing to:

Spellman, Larson & Associates, Inc. 410-823-3535
105 West Chesapeake 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: 99-142-XA
4159 McDowell Lane
E/S McDowell Lane, 800' N of Virginia Avenue
13th Election District – 1st Councilmanic District
Legal Owner: Highland #689 LLC
Contract Purchaser: YMCA of Central Maryland

Special Exception for a Class "B" child care center. Variance to allow a 24-foot distance between buildings rear to rear in lieu of the required 60 feet and to allow a 20-foot distance between buildings side yard to side yard in lieu of the required 50 feet.

HEARING: Friday, November 20, 1998 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue



Lawrence E. Schmidt 34

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.

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCE
Highland Village Apartments, 4159 McDowell Lane,
13th Election District, 1st Councilmanic

Legal Owners: Highland #689 LLC
Contract Purchaser: YMCA of Central Maryland

Petitioner(s)

* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case Number: 99-142-XA

* * * * *

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 of 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
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 22nd day of October, 1998, a copy of the foregoing Entry of Appearance was mailed to Joseph L. Larson, Spellman, Larson & Assoc., Inc., 105 W. Chesapeake Avenue, Towson, MD 21204, representative for Petitioner(s).

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Department of Permits and
Development Management

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

October 20, 1998

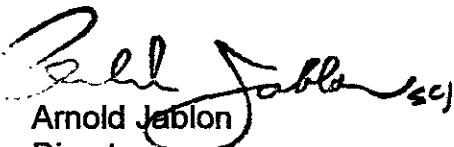
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HEARING: Friday, November 20, 1998 at 2:00 p.m. in Room 106, County Office Building, 111 West Chesapeake Avenue


Arnold Jablon
Director

c: Highland #689 LLC
YMCA of Central Maryland
Spellman, Larson & Associates

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY NOVEMBER 5, 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.

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



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighbor 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 99-142-XA
Petitioner: Highland # 689 LLC (Highland Village Apts)
Address or Location: 4159 McDowell Lane

PLEASE FORWARD ADVERTISING BILL TO:

Name: Spellman, Larson & Assoc. Inc
Address: 105 W. Chesapeake Suite 406
Towson, MD 21204
Telephone Number: 410-823-3535

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.: 99-142-XA

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

PLACE: _____

DATE AND TIME: _____

REQUEST: A special Exception for a Child Care Center
and ~~Foot~~ A Variance to allow a rear to rear
building distance of 24 ft. & a side to side building
distance of 20 ft. in lieu of the minimum required
60 ft and 50 ft. respectively.

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

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

HANDICAPPED ACCESSIBLE



Baltimore County
Department of Permits and
Development Management

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

November 12, 1998

Mr. Joseph Larson
Spellman, Larson & Associates
105 W. Chesapeake Avenue
Towson, MD 21204

RE: Item No.: 142
Case No.: 99-142-XA
Location: 4159 McDowell Lane

Dear Mr. Larson:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on October 6, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments 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.

Very truly yours,

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

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

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




BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: October 28, 1998

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

SUBJECT: Zoning Advisory Committee Meeting
for October 26, 1998
Item Nos. 142, 143, 144, 145, 146,
147, 148, 149, 150, 151, 152, & 160

The Bureau of Developer's Plans Review has reviewed the subject zoning items, and we have no comments.

RWB:HJC:jrb

cc: File



Baltimore County
Fire Department

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

October 29, 1998

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

RE: Property Owner: HIGHLAND #689 LLC - 142
BOARD OF EDUCATION OF BALTIMORE COUNTY - 141

Location: DISTRIBUTION MEETING OF OCTOBER 19, 1998

Item No.: 141, 142 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



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

TO: PDM
FROM: R. Bruce Seeley *RBS/MS*
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: 10/19/98

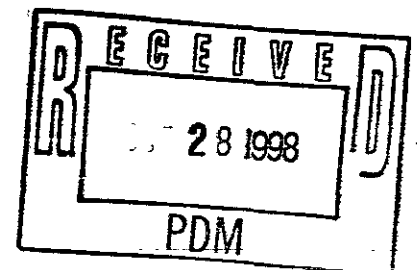
DATE: 10/26/98

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

Item #'s:	140	148
	141	152
	<u>142</u>	160
	145	
	146	
	147	

RBS:sp

BRUCE2/DEPRM/TXTS8P





Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

David L. Winstead
Secretary

Parker F. Williams
Administrator

Date: 10.20.98

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

RE: Baltimore County
Item No. 142 JJS

Dear Ms Stephens:

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.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

A handwritten signature in black ink, appearing to read 'M. M. Lenhart'.

for Michael M. Lenhart, Acting Chief
Engineering Access Permits Division

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

[Handwritten signature and date]
11/20

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: November 19, 1998

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

SUBJECT: Highland Village Apartments

INFORMATION:

Item Number: 142
Petitioner: YMCA of Central Maryland
Property Size:
Zoning: DR 16
Requested Action: Special Exception and Variance
Hearing Date: November 20, 1998

The petitioner requests a special exception for a Class B Child Care Center for 52 children and setback variances for distance between buildings of 24 feet (rear to rear) and 20 feet (side to side) in lieu of the required 60 feet and 50 feet, respectively. It appears that a variance from Section 424.7 of the Baltimore County Zoning Regulations is also required which establishes the minimum lot area for a Class B Child Care Center as 1.14± acres (1 acre per 40 children and 500 square feet per additional child).

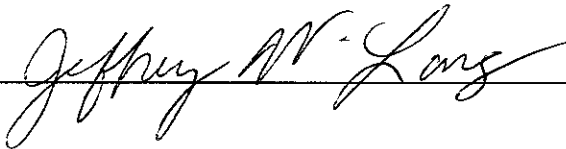
The proposal involves razing eight 2-bedroom apartment units and constructing a 60-foot by 66 foot Class B Child Care Center, serving the Highland Village community and surrounding area. The proposal is a community conservation initiative involving a partnership effort of the Office of Community Conservation, the YMCA and Partners Management. The proposal is consistent with the Southwest Baltimore County Revitalization Strategy (adopted by the Baltimore County Council as an amendment to the Master Plan on December 15, 1997). The use will enhance the area and provide a program that should strengthen the community 's families.

SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the request for special exception and variances subject to the following revisions:

1. A turn around area should be provided extending the paved parking lot to allow for adequate turn around for drop off and pick up and to allow for a paved recreational area for bike riding (big wheels, etc.) during day care hours.
2. Architectural elevation drawings should be submitted to this office for review and approval prior to issuance of building permits.
3. A landscape plan showing foundation planting for the Child Care Center and the retention of major caliper trees near the existing buildings and parking lot, should be submitted to this office prior to issuance of building permits.

Section Chief: _____

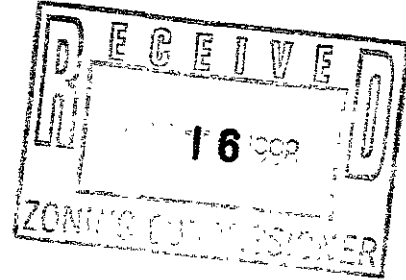
Handwritten signature of Jeffrey W. Long in cursive script, written over a horizontal line.

AFK:DI:lsn

11/13 KAS
to WCA
P. file
8
11/20

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Gwen Stephens, Department of Permits and Development Management
FROM: P. David Fields, Director, Office of Community Conservation
RE: ZAC Item Number 142
DATE: October 26, 1998



On behalf of the Office of Community Conservation, I would like to express my strong support for the Special Exception Zoning Variance request filed on behalf of the YMCA of Central Maryland, ZAC item number 142. This office has been working closely with the YMCA and the management of Highland Village to bring this much-needed child care facility to the area. We believe that the project will provide a great benefit to the residents of Highland Village Apartments, many of whom are lower-income, and the surrounding community.

If you have any questions or need additional information, please contact me at x3317.


P. David Fields

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

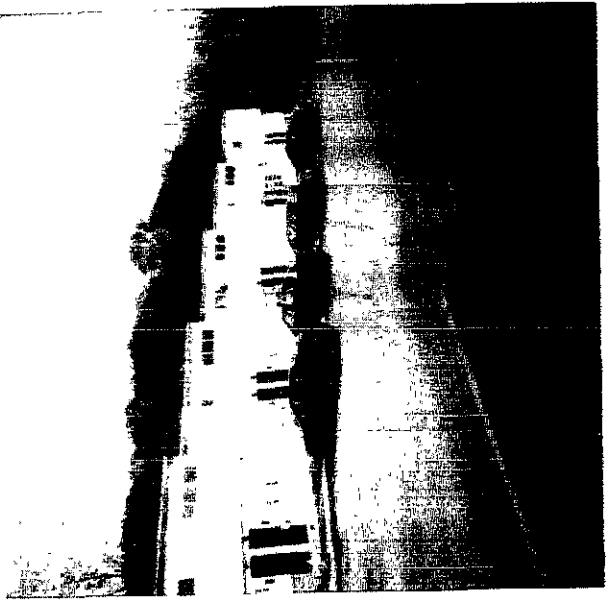
NAME

ADDRESS

JOSEPH LARSON
Ted Willepaugh
Chris Ann Soto

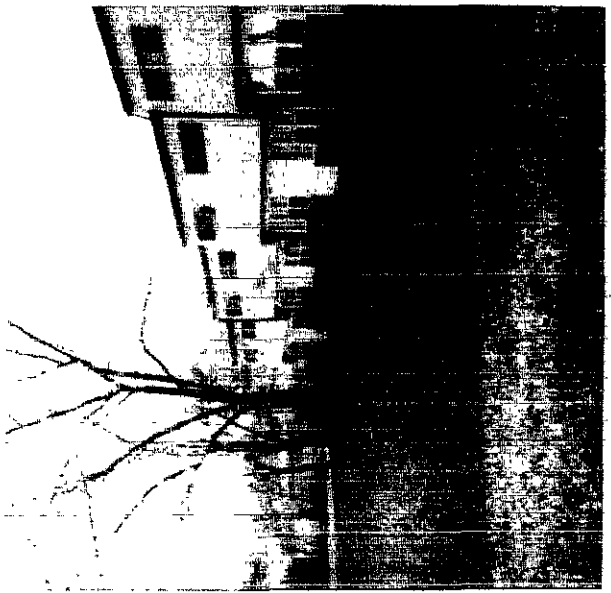
Towson
105 W. Chesapeake Ave
36 So Charles, Balto 21201
20 S. Charles Street Balto. 21201





PHOTOGRAPH) EXHIBIT
HIGHLAND VILLAGE APTS.

**PETITIONER'S
EXHIBIT NO. 2**



July 21, 1997

**PETITIONER'S
EXHIBIT NO. 3A**

Ms. Christine Ader Soto
Director of Child Care & Family Services
YMCA of Centra Maryland S. Charles Street
Baltimore, MD 21201

Dear Chris:

Partner's Management Company is pleased to support the YMCA's application for funding through the Child Care Block Grant.

This application represents the work of a collaboration between numerous public/private agencies committed to supporting families and stabilizing communities. Partner's role in this collaboration is to dedicate land and existing facilities at the Highland Village Townhouse Community for a Child Care and Family Resource Center. Partners Management Company owns and manages the property.

Please contact me if you need further information.

Sincerely,



PJ Wideman
Vice President Residential Operations

cc: Jan Kiracofe
Francis Knott



Baltimore County
Department of Social Services

One Investment Place
Towson, Maryland 21204
(410) 887-2520
Deaf/TDD: (410) 887-2314

July 16, 1997

3B

Ms. Christine Ader Soto
Director of Child Care & Family Services
YMCA of Central Maryland
20 S. Charles Street
Baltimore, Maryland 21201

Dear Ms. Soto:

The Baltimore County Department of Social Services is pleased to support the application of the YMCA for funding through the Child Care Block Grant. This application represents the work of a collaboration between numerous public/private agencies committed to supporting families and stabilizing communities.

Baltimore County Department of Social Services will be operating the Family Resource Center component of the Highland Village collaboration. We will provide comprehensive services to community residents and will help them to access employment, vocational training, and develop self sufficient families. The following services will be offered: counseling, adult education, employment readiness, job development and placement, computer technology lab, life skills training, parent education, in-home intervention, and developmental child care for participants.

The YMCA Child Care Program and the Family Resource Center will be closely linked through the integration of seamless services to families.

We are most optimistic about a grant award from CCBG to complete our start-up requirements for this much needed project. Please contact Fran Kelly at 887-3459 if you need further information.

Very truly yours,

Camille B. Wheeler, LCSW
Director

CBW/kp



Baltimore County
Office of Community Conservation

Investment Building, Suite 800
One Investment Place
Towson, Maryland 21204
(410) 887-3317
Fax: (410) 887-5696
TTY: (410) 887-2799

July 18, 1997

Ms. Chris Ader Soto
Director of Child Care and Family Services
YMCA of Central Maryland, Inc.
20 S. Charles Street, Suite 600
Baltimore, MD 21201

3C

Dear Ms. Soto

I am writing in support of the YMCA's application for a Child Care Development Block Grant. I understand that the \$60,000 that you are requesting will be used for equipment, materials and supplies at the child care/community center that is being developed at the Highland Village rental community in Baltimore Highlands.

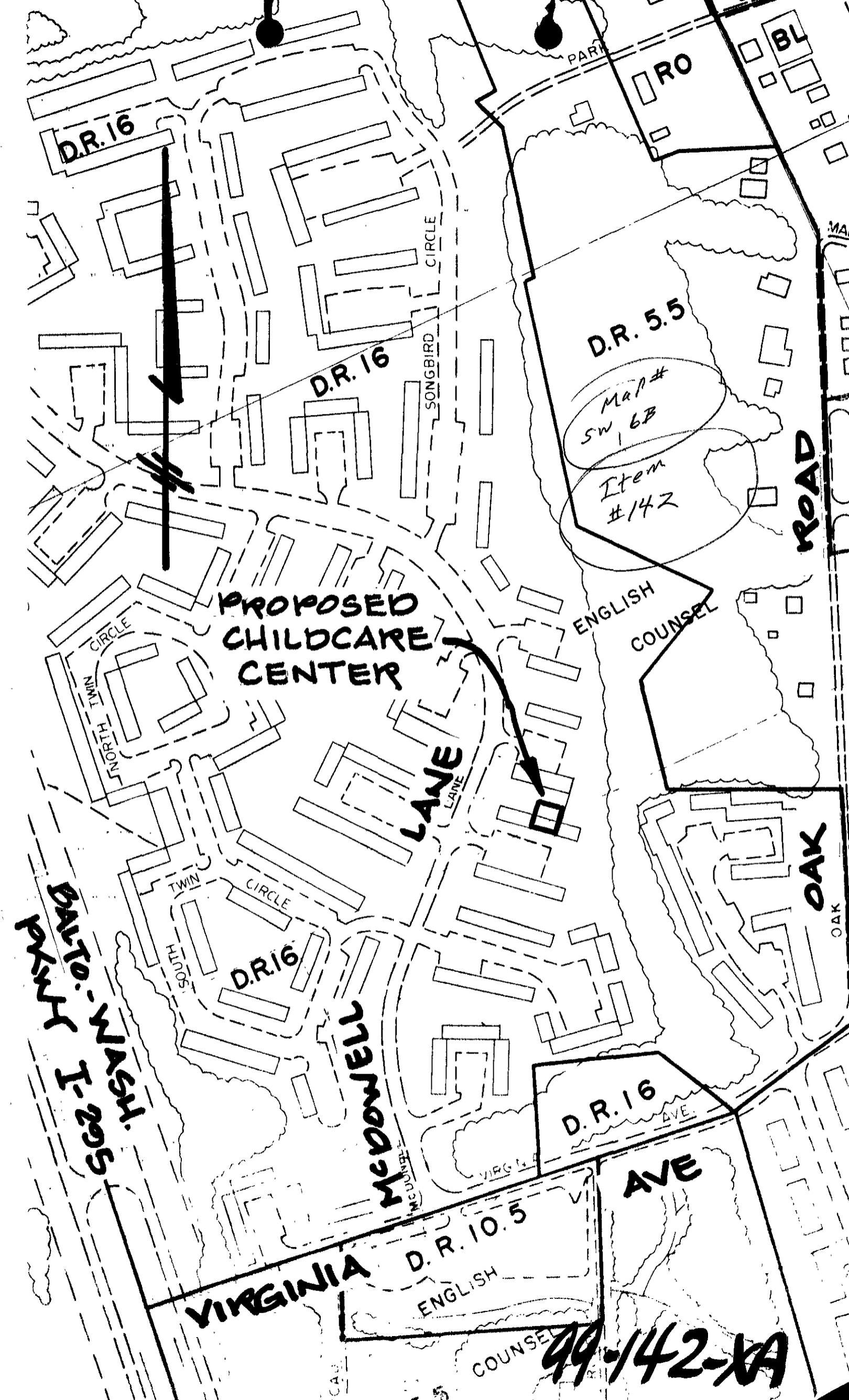
As you know, the County has designated Baltimore Highlands and Lansdowne as "priority action areas" in the County's *Consolidated Plan 1996-2000*. These priority action areas are specific parts of generally stable communities that were deemed to be "at risk," characterized by unemployment, low incomes, high mobility, low educational attainment, issues of public safety, incidence of substance abuse, and lack locally-provided government services

The mission of the Office of Community Conservation is to stabilize and enhance the county's older communities, making them attractive places for families to live, work, and play. This Office works in partnership with other County agencies, community members, non-profit agencies, and businesses to develop strategies and coordinate projects that will enhance the quality of life in older neighborhoods. The community center at Highland Village demonstrates this partnership, with Partners Management, the YMCA, and Baltimore County Department of Social Services and Office of Community Conservation all committed to expanding the services available to the 2200 residents of the complex.

The project outlined in the Y's application for Child Care Development funds will complement the County's efforts in rental communities located in community conservation areas. We support this project, and consider it an important part of a comprehensive strategy to address issues in Baltimore Highlands and Lansdowne.

Sincerely,

P. David Fields
Director



D.R. 16

D.R. 16

D.R. 5.5

**PROPOSED
CHILDCARE
CENTER**

ENGLISH
COUNSEL

LANE
LANE

ROAD

OAK
OAK

D.R. 16

D.R. 16
AVE.

AVE

D.R. 10.5

ENGLISH
COUNSEL

99-142-XA

**PKWY
BAYTO - WASH.
SG2-I-205**

Map #
SW 6B

Item
#142

NORTH
TWIN
CIRCLE

SOUTH
TWIN
CIRCLE

SONGBIRD
CIRCLE

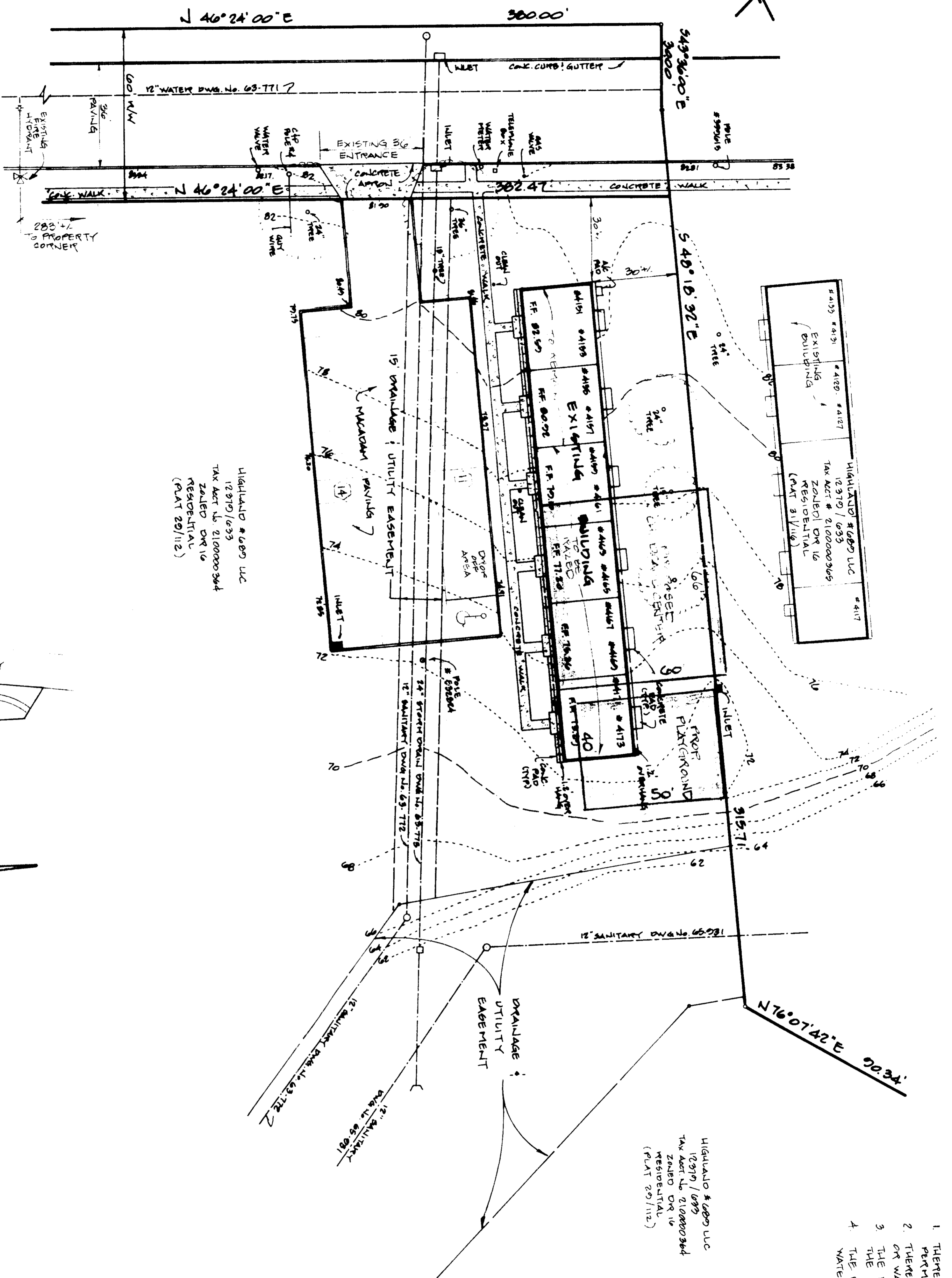
PART

RO

BL

MA

McDOWELL LANE



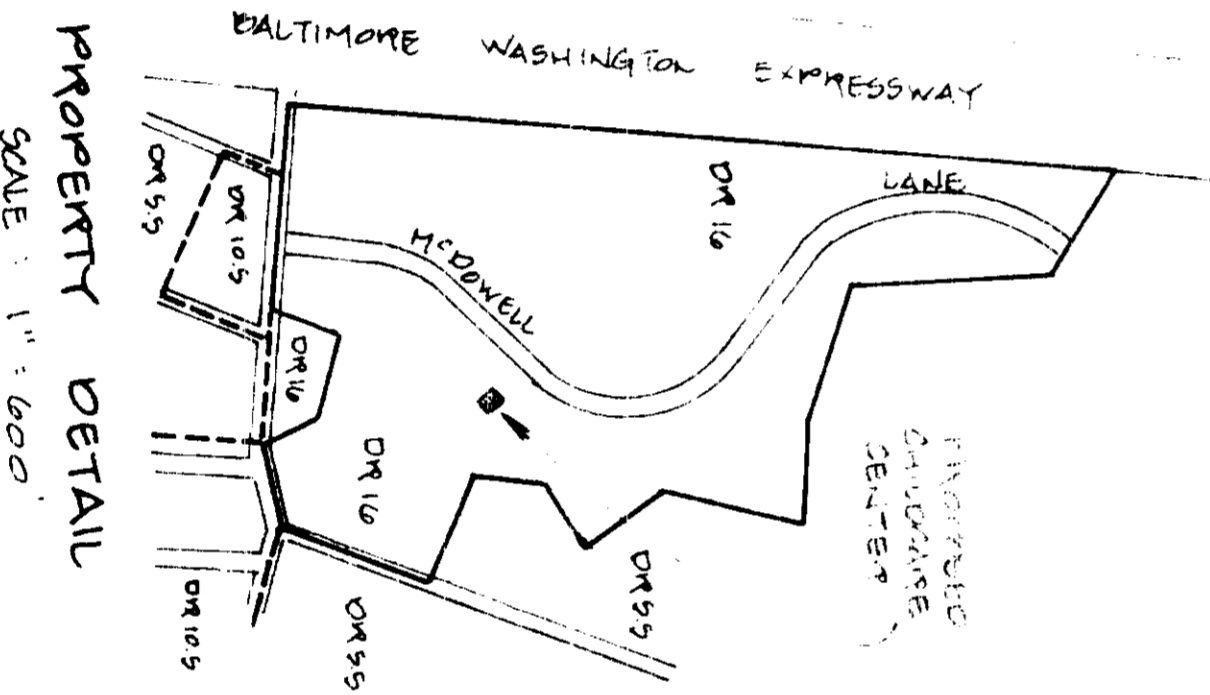
ZONING PETITION NOTE

THIS PLAN IS TO ACCOMPANY A ZONING VARIANCE PETITION FOR A VARIANCE FROM SECTION 1801.2 C.1.2. TO ALLOW A 24' DISTANCE BETWEEN BUILDINGS REAR TO REAR IN USE OF THE REQUIRED 50' AND TO ALLOW A 10' DISTANCE BETWEEN BUILDINGS TO BE VARYING IN USE OF THE REQUIRED 50'.

Highland #680 LLC
12379/0893
TAX ACCT. NO. 210000364
ZONED DR 16
RESIDENTIAL
(PLAT 29/112)

Highland #680 LLC
12379/0893
TAX ACCT. NO. 210000364
ZONED DR 16
RESIDENTIAL
(PLAT 29/112)

- GENERAL NOTES**
1. THESE ARE NO PREVIOUS COMMERCIAL PERMITS FOR THE SUBJECT PROPERTY.
 2. THERE ARE NO ZONING VIOLATIONS, CIRCULAR OR WAIVERS FOR THE SUBJECT PROPERTY.
 3. THE PROPERTY IS NOT LOCATED WITHIN THE CHEESAPEAKE BAY CRITICAL AREA.
 4. THE PROPERTY IS SERVED BY PUBLIC WATER AND SEWER.

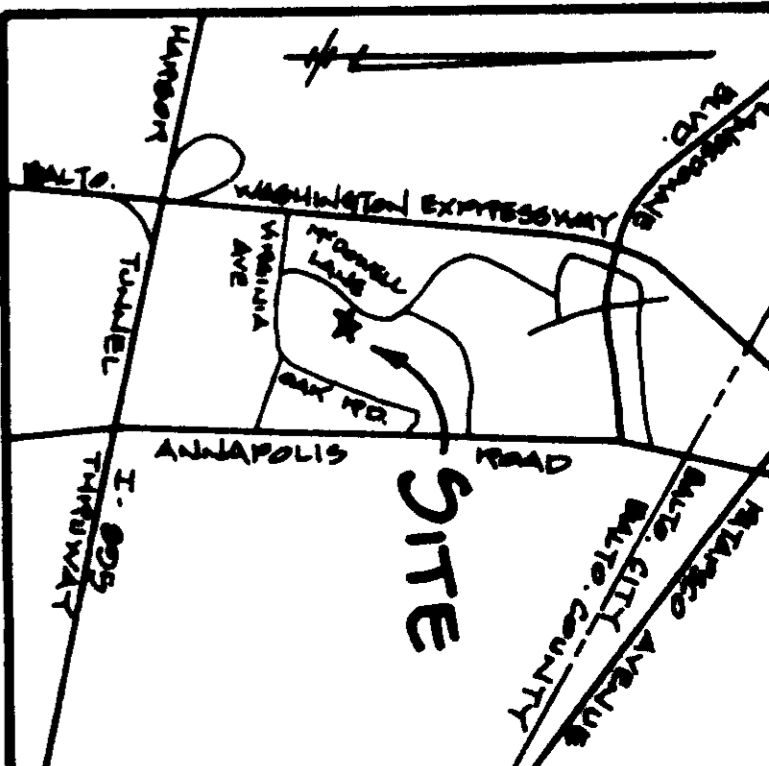


OWNER
Highland #680 LLC
105 W. CHEESAPEAKE AVE
SUITE 307
TOWSON, MARYLAND
21284-4712



PETITIONER'S EXHIBIT NO. 1

PARKING REQUIREMENT NOTE
FOR THE PROPOSED RESIDENTIAL DEVELOPMENT, THE FOLLOWING PARKING REQUIREMENTS ARE APPLICABLE:
1. 12 PARKING SPACES PER UNIT (15 UNIT DEVELOPMENT)
2. 12 PARKING SPACES PER UNIT (15 UNIT DEVELOPMENT)
3. 12 PARKING SPACES PER UNIT (15 UNIT DEVELOPMENT)
4. 12 PARKING SPACES PER UNIT (15 UNIT DEVELOPMENT)
5. 12 PARKING SPACES PER UNIT (15 UNIT DEVELOPMENT)
6. 12 PARKING SPACES PER UNIT (15 UNIT DEVELOPMENT)
7. 12 PARKING SPACES PER UNIT (15 UNIT DEVELOPMENT)
8. 12 PARKING SPACES PER UNIT (15 UNIT DEVELOPMENT)
9. 12 PARKING SPACES PER UNIT (15 UNIT DEVELOPMENT)
10. 12 PARKING SPACES PER UNIT (15 UNIT DEVELOPMENT)



SITE DATA

DEED REFERENCE	12379/0893
TAX ACCT. NUMBER	210000364
EXISTING ZONING	DR 16
PLAT REFERENCE	29/112
SITE AREA	0.15 ACRES
PROPOSED USE	RESIDENTIAL

NO.	DATE	REVISIONS / DESCRIPTION
1	07/20/20	ISSUED FOR PERMITS

SPELLMAN, LARSON & ASSOCIATES, INC.
CIVIL ENGINEERS AND LAND SURVEYORS
SUITE 406, JEFFERSON BLDG., TOWSON, MD 21284
PHONE: 823-3535

PLAT TO ACCOMPANY PETITION FOR SPECIAL VARIANCE
HIGHLAND VILLAGE
CHILDREN'S CENTER
AND VARIANCE

99442-XA

Electrical Dist. 11/13
Washington Co., MD

SCALE: 1" = 300'
DATE: 07/17/20
DES. BY: P.M.L.
DWN. BY: P.M.L.
SHT. 1 OF 1