

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE – W/S Punte Lane,
1,063' E of the c/l Old Eastern Avenue
(Oak Grove Village)
15th Election District
5th Council District

The Estate of William R. Karll, Owners;
Stavrou Assoc., Inc., Contract Purchasers

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 02-063-SPHA
*

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by the owners of the subject property, the Estate of William R. Karll, by Laura H. Karll, Personal Representative, and the Contract Purchasers, Stavrou Associates, Inc., by Jeffrey C. Kirby, Vice President, through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special hearing to approve a building length of 292 feet in lieu of the maximum permitted 240 feet, pursuant to Sections 1B01.2.B.2 and 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section II.A.26 of the Comprehensive Manual of Development Policies (C.M.D.P.), and variance relief as follows: From Section 409.6 of the B.C.Z.R. to permit 75 parking spaces in lieu of the required 150 spaces, and from Section 1B02.2.A to permit a building height of 59 feet in lieu of the maximum allowed 50 feet. The subject property and requested relief are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Jeffrey Kirby, on behalf of Stavrou Associates, Inc., Contract Purchasers; Scott R. Wolford, the Landscape Architect who prepared the site plan for this property; Wes Guckert, Traffic Engineer; and, Robert A. Hoffman, Esquire and Patricia A. Malone, Esquire, attorneys for the Petitioners. Also appearing in support of the request were William H. Jones and Logan Schutz. There were no Protestants or other interested persons present.

ORDER RECEIVED FOR FILING
Date 6/11/01
By [Signature]

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located on the west side of Punte Lane, just south of the intersection of Eastern Boulevard and Eastern Avenue, near Middle River in Essex. The property contains a gross area of 12.77 acres, more or less, zoned D.R.10.5, and is presently unimproved. The Petitioner has contracted to sell the property to Stavrou Associates, Inc. who wishes to develop the property with a four-story senior housing facility for up to 120 residents. The proposed building is in the shape of an "H" and will be located towards the rear of the site, with vehicular access thereto by way of a driveway from Punte Lane. As evidenced by correspondence in the case file, the proposed use enjoys the support of neighbors and other residents living in the vicinity. A letter of support was received from the adjacent Hopkins Village Apartments for the Elderly. Also, the Essex-Middle River Civic Council, Inc. endorses the proposal, as does Baltimore County. Apparently, the proposed use is an appropriate and preferred use of this site.

The project has received a B-9 exemption under the development review regulations; however, it has been subject to the scrutiny of the reviewing agencies of Baltimore County. As to the Petition for Special Hearing, same is needed in view of the proposed length of the building. This request is somewhat deceiving, however, in view of the building's irregular shape. That is, the length is measured from farthest point to farthest point of the structure, notwithstanding that the building's shape does not result in a continuous wall. Thus, the building does not convey the mass as might otherwise be expected under the Petition for Special Hearing. As to the parking variance, the requested relief was amended at the hearing. Mr. Hoffman indicated that 80 spaces will actually be provided; however, the regulations require 180 spaces. In this regard, he indicated that 120 elderly residents would be housed in the facility and none would own cars. Mr. Guckert corroborated Mr. Hoffman's testimony that the proposed use will not be a traffic generator and that the proposed parking is more than sufficient to accommodate the use.

Insofar as the variance from height restrictions, same is necessary due to the architectural style of the building. In this regard, the design and architecture of the building is geared towards presenting a residential appearance to be compatible with the area.

ORDER RECEIVED FOR FILING
Date 7/11/11
By [Signature]

Based upon the testimony and evidence offered, I am persuaded to grant the special hearing and variance relief. In my judgment, the proposed use will not be detrimental to the health, safety or general welfare of the locale. To the contrary, it appears to be an appropriate use for this location and will bring a much-needed service to this community. Variance relief is necessary, in part, due to the environmental constraints associated with this property. In this regard, the property is located within the Chesapeake Bay Critical Areas and as such, is subject to significant review by the Department of Environmental Protection and Resource Management (DEPRM). The building is being located in a corner of the site to minimize its environmental impact. Moreover, the mass and height of the building were designed with those factors in mind. In my judgment, the Petitioners have met the requirements of Section 307 of the B.C.Z.R. and the relief should be granted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 11th day of October, 2001 that the Petition for Special Hearing to approve a building length of 292 feet in lieu of the maximum permitted 240 feet, pursuant to Sections 1B01.2.B.2 and 504.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) and Section II.A.26 of the Comprehensive Manual of Development Policies (C.M.D.P.), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance, as amended, seeking relief from Section 409.6 of the B.C.Z.R. to permit 80 parking spaces in lieu of the required 180 spaces, and from Section 1B02.2.A to permit a building height of 59 feet in lieu of the maximum allowed 50 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal

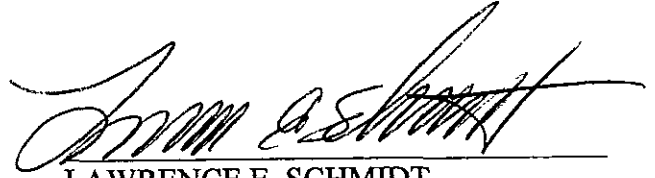
ORDER RECEIVED FOR FILING

Date

By

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.

- 2) Compliance with the Zoning Advisory Committee (ZAC) comments submitted by the Department of Environmental Protection and Resource Management (DEPRM), dated September 14, 2001, and the comments submitted by the Environmental Impact Review division of DEPRM, dated September 18, 2001, copies of which are attached hereto and made a part hereof.
- 3) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 10/11/01
By [Signature]



Baltimore County
Zoning Commissioner

October 12, 2001

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

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

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
W/S Punte Lane, 1,063' E of the c/l Old Eastern Avenue
(Oak Grove Village)
15th Election District – 5th Council District
The Estate of William R. Karll, Owners; Stavrou Assoc., Inc., Contr. Pur. - Petitioners
Case No. 02-063-SPHA

Dear Mr. Hoffman & Ms. Malone:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing 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 Department of Permits and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Ms. Laura H. Karll, 13801 York Road, Cockeysville, Md. 21030
Mr. Jeffrey C. Kirby, V.P., Stavrou Assoc., Inc., 5100 Forbes Blvd., Lanham, Md. 20706
Mr. Scott Wolford, Patton, Harris/Russ & Assoc., 8118 Centre Park Dr., Columbia, Md. 21045
DEPRM; People's Counsel; Case File

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





Coca FLOOD PLAIN

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at South Side of Punte Lanewhich is presently zoned DR 10.5

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

See Attached.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded 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:

Stavrou Associates, Inc.

Name - Type or Print

Signature Jeffrey C. Kirby, Vice President

5100 Forbes Boulevard, Suite 101 (301) 577-6610

Address Telephone No.

Lanham Maryland 20706
City State Zip Code**Attorney For Petitioner:**

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Avenue (410) 494-6200

Address Telephone No.

Towson Maryland 21204
City State Zip Code**Legal Owner(s):**

Estate of William R. Karl

Name - Type or Print

Signature Laura H. Karl

Laura H. Karl, Personal Representative

Name - Type or Print

Signature

13801 York Road (410) 771-6869

Address Telephone No.
Cockeysville Maryland 21030

City State Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue (410) 494-6200

Address Telephone No.

Towson Maryland 21204
City State Zip Code**OFFICE USE ONLY**

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By JCM Date 8.9.01Case No. 02-063 SPH A

REV 9/15/98

ORDER RECEIVED FOR FILING

Date

By

Special Hearing

1. Special hearing in accordance with Section 1B01.2.B.2 and Section 504.2 of the Baltimore County Zoning Regulations and Section II.A.26 of the Comprehensive Manual of Development Policies to permit a maximum building length of 292 feet in lieu of the permitted 240 feet.

TO1DOCS1/#120944 v1

063

ORDER RECEIVED FOR FILING
Date 10/11/11
By [Signature]



CBCA FLOOD PLAIN -
Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at South Side of Punte Lane

which is presently zoned DR 10.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

See Attached.

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

To Be Determined At the Hearing.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded 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:

Stavrou Associates, Inc.

Name - Type or Print

Signature Jeffrey C. Kirby, Vice President

5100 Forbes Boulevard, Suite 101 (301) 577-6610

Address

Telephone No.

Lanham

Maryland

20706

City

State

Zip Code

Attorney For Petitioner:

Robert A. Hoffman

Name - Type or Print

Signature

Venable, Baetjer and Howard, LLP

Company

210 Allegheny Avenue

(410) 494-6200

Address

Telephone No.

Towson

Maryland

21204

City

State

Zip Code

Legal Owner(s):

Estate of William R. Karl

Name - Type or Print

Signature Laura H. Karl

Signature Laura H. Karl,

Personal Representative

Name - Type or Print

Signature

13801 York Road

(410) 771-6869

Address

Cockeysville

Maryland

Telephone No.

21030

City

State

Zip Code

Representative to be Contacted:

Robert A. Hoffman

Name

210 Allegheny Avenue

(410) 494-6200

Address

Towson

Maryland

Telephone No.

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By Jan

Date

8-9-01

Case No. 02-063 SPHA

REV 9/15/98

ORDER RECEIVED FOR FILING

Date

By

Variances

1. Variance from Section 409.6 of the Baltimore County Zoning Regulations to permit 75 parking spaces to be provided in lieu of the required 150 spaces.
2. Variance from Section 1B02.2.A of the Baltimore County Zoning Regulations to permit a maximum building height of 59 feet in lieu of the permitted 50 feet.

TO1DOCS1/#120943 v1

063

ORDER RECEIVED FOR FILING

Date

By

Patton Harris Rust & Associates, pc
8818 Centre Park Drive
Columbia, Maryland 21045
Telephone: 410-997-8900

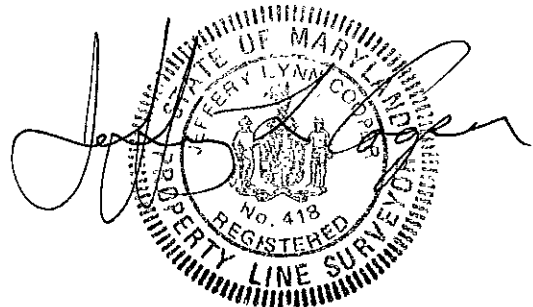
August 7, 2001

**ZONING DESCRIPTION
OAK GROVE PROJECT
HOPKINS VILLAGE
SECTION II**

BEGINNING for the same at a point on the west side of Punte Lane which is 60 feet wide at the distance of 1,063 feet east from the centerline of Old Eastern Avenue. Thence the following courses and distances:

South 26°39'57" East, 199.09 feet, South 78°01'45" West, 15.16 feet, South 21°59'07" East, 450.00 feet, South 68°00'53" West, 30.00 feet, South 21°59'08" East, 35.00 feet, South 68°00'53" West, 352.00 feet, South 79°58'04" West, 410.00 feet, South 00°22'38" East, 69.76 feet, South 61°08'43" West, 212.00 feet, North 28°51'17" West, 263.08 feet, North 23°08'04" East, 130.18 feet, North 61°08'43" East, 43.43 feet, South 66°51'56" East, 79.45 feet, North 23°08'04" East, 98.21 feet, North 66°51'56" West, 50.84 feet, North 28°51'17" West, 61.25 feet, North 23°14'22" East, 65.09 feet, North 73°50'25" East, 106.35 feet, North 84°58'04" East, 99.65 feet, North 02°39'31" West, 229.68 feet, North 54°01'36" East, 98.91 feet, North 84°58'04" East, 137.36 feet, North 66°42'37" East, 51.07 feet, North 84°58'03" East, 23.15 feet, North 63°20'03" East, 208.41 feet to the place of beginning as recorded in Deed Liber 7849 folio 669. Being Section II as shown on a recorded plat entitled "Density Plat Hopkins Village" as recorded in Baltimore County Plat Book E.H.K. Jr. 42, Folio 115, containing 12.77 acres and located in Election District 15.

063



BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

063

No.

4153

DATE 8.9.01 ACCOUNT 01-06-6150

AMOUNT \$ 500.00

RECEIVED FROM: STAUROW Assoc., Inc.

FOR: SPH A

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

SCM

PAID RECEIPT

PAYMENT	ACTUAL	TIME
8/9/2001	8/9/2001	08:11:08
MS01 CASHIER TRIC JHR DRAWER		1
RECEIPT # 057386		DFLN
Dept 5 528 ZONING VERIFICATION		
CR NO. 004153		

Receipt Tot	500.00
500.00 CK	.00 CA
Baltimore County, Maryland	

CASHIER'S VALIDATION

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: # 02-063-SPHA

South Side Punte Lane

E/S Punte Lane, 2040' SE of Eastern Boulevard

15th Election District - 5th Councilmanic District

Legal Owner(s): Laura H. Karil

Contract Purchaser: Jeffrey C. Kirby, Stavrou Associates, Inc.

Special Hearing: to permit a maximum building length of 292 feet in lieu of the permitted 240 feet. **Variance:** to permit 75 parking spaces to be provided in lieu of the required 150 spaces, to permit a maximum building height of 59 feet in lieu of the permitted 50 feet.

Hearing: Tuesday, September 25, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

IT 9/84 September 11 0492875

CERTIFICATE OF PUBLICATION

9/13, 20 01

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 9/11, 20 01.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

SEP 14

RE: Case No.: 02-063-SPHA

Petitioner/Developer: KARLL, ETAL
V.B.H.

Date of Hearing/Closing: 9/25/01

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

Attention: Ms. Gwendolyn Stephens / MR. GEORGE ZAHNER

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 PUNTE LANE ONSITE

The sign(s) were posted on

9/6/01

(Month, Day, Year)

Sincerely,

Patrick M. O'Keele 9/7/01
(Signature of Sign Poster and Date)

Patrick M. O'Keele

(Printed Name)

523 Penny Lane

(Address)

Hunt Valley, MD 21030

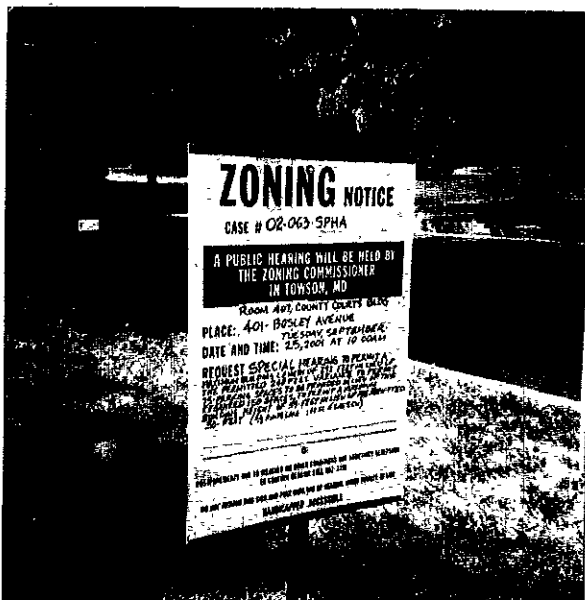
(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

905-85

Page (410) 666



02-063

PUNTE

KARLL

9/25/01

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/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 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: 02-063-SPHA

Petitioner: Estate of William R. Karl, et al.

Address or Location: 100 Block Punte Lane, South Side of Punte Lane

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amy Pontell

Address: 210 Allegheny Avenue

Towson Maryland 21204

Telephone Number: (410) 494-6200

TO: PATUXENT PUBLISHING COMPANY
Tuesday, September 11, 2001 Issue – Jeffersonian

Please forward billing to:

Amy Dontell
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

410 494-6200

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: 02-063-SPHA

South Side Punte Lane

E/S Punte Lane, 2040' SE of Eastern Boulevard

15th Election District – 5th Councilmanic District

Legal Owner: Laura H Karll

Contract Purchaser: Jeffrey C Kirby, Stavrou Associates Inc

Special Hearing to permit a maximum building length of 292 feet in lieu of the permitted 240 feet. Variance to permit 75 parking spaces to be provided in lieu of the required 150 spaces, to permit a maximum building height of 59 feet in lieu of the permitted 50 feet.

HEARING: Tuesday, September 25, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT G D Z
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Baltimore County
Department of Permits and
Development Management

Director's Office
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
410-887-3353
Fax: 410-887-5708

August 29, 2001

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: 02-063-SPHA
South Side Punte Lane
E/S Punte Lane, 2040' SE of Eastern Boulevard
15th Election District – 5th Councilmanic District
Legal Owner: Laura H Karll
Contract Purchaser: Jeffrey C Kirby, Stavrou Associates Inc

Special Hearing to permit a maximum building length of 292 feet in lieu of the permitted 240 feet. Variance to permit 75 parking spaces to be provided in lieu of the required 150 spaces, to permit a maximum building height of 59 feet in lieu of the permitted 50 feet.

HEARING: Tuesday, September 25, 2001 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in black ink, appearing to read "Arnold Jablon".

Arnold Jablon G D Z
Director

C: Robert A Hoffman, Venable Baetjer & Howard LLP, 210 Allegheny Avenue,
Towson 21204
Laura H Karll, 13801 York Road, Cockeysville 21030
Jeffrey C Kirby, VP, Stavrou Associates Inc, 5100 Forbes Blvd, Suite 101,
Lanham 20706

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, SEPTEMBER 10, 2001.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW 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
pdmlandacq@co.ba.md.us

September 21, 2001

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

Dear Mr. Hoffman:

RE: Case Number: 02-063-SPHA, South Side Punte Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on August 9, 2001.

The Zoning Advisory Committee (ZAC), which consists of representatives from several 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, please do not hesitate to contact the commenting agency.

Very truly yours,

W. Carl Richards, Jr.

W. Carl Richards, Jr. GDZ
Supervisor, Zoning Review

WCR: gdz

Enclosures

c: Laura H Karll, 13801 York Road, Cockeysville 21030
Jeffrey C Kirby VP, Stavrou Associates Inc, 5100 Forbes Blvd, Suite 101,
Lanham 20706
People's Counsel



BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development Mgmt.

DATE: October 15, 2001

FROM:  Robert W. Bowling, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For September 4, 2001
Item Nos. 027, 056, 058, 060, 061,
062, 063, 064, 065, 068

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

RWB:HJO:jrb

cc: File



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

September 4, 2001

RECEIVED SEP 5 2001

Department of Permits and
Development Management (PDM)
County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

ATTENTION: Gwen Stephens

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF August 27, 2001

Item No.: 059, (063) 064, 066, 067,

Dear Ms. Stephens:

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.

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: LIEUTENANT JIM MEZICK, Fire Marshal's Office
PHONE 887-4881, MS-1102F

cc: File

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

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: R. Bruce Seeley

DATE: September 14, 2001

SUBJECT: Zoning Item Oak Grove at Punte Lane (02-063)
Address South Side Punte Lane

Zoning Advisory Committee Meeting of

_____ 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:

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).

X 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).

X Additional Comments:

- 1 See attached letter.
- 2 Also 300 foot buffer is incorrectly shown
- 3 It appears that water quality management for offsite runoff could be provided as mitigation for buffer impacts.

Reviewer: Glen Shaffer

Date: 9/18/01

les
9/25

DEPARTMENT OF ENVIRONMENTAL PROTECTION
AND RESOURCE MANAGEMENT
INTEROFFICE CORRESPONDENCE

TO: R. Bruce Seeley
Development Coordination

DATE: September 18, 2001

FROM: Glenn Shaffer *CS*
Environmental Impact Review

SUBJECT: Oak Grove at Punte Lane
(Zoning Item 02-063)

SEP 21

This proposed development has received previous cursory review by EIR and the latest comments reflected on the attached letter. The current development plan accompanying the zoning petition was reviewed by EIR and the following comments made:

1. The 300 foot buffer must be accurately shown. The buffer shown is not 300 feet from the stream system.
2. It appears that water quality management of offsite runoff could be provided onsite. This WQM may be necessary to mitigate for any unavoidable impacts to the 300 foot buffer.
3. The 300 foot buffer and all existing forest to remain must be included in a Critical Area easement.
4. It appears that the entrance road could be realigned to further minimize impact to the forest and 300 foot buffer. An alternatives analysis for all road and utility impacts within the buffer and forest must be approved by EIR prior to any development plan approval.
5. The proposed sewer connection must be shown.

If there are any questions regarding these comments, please contact me at extension 3980.

Attachment



**Maryland Department of Transportation
State Highway Administration**

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 9.5.01

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

RE: Baltimore County
Item No. 063 JCM

Dear Ms. Jackson:

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,

Kenneth A. McDonald Jr., 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

Ho
9/26

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: September 7, 2001

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

SEP - 7

SUBJECT: Zoning Advisory Petition(s): Case(s) 02-063

The Office of Planning has reviewed the above referenced case(s) and has no comments to offer. For further questions or additional information concerning the matters stated herein, please contact Mark A. Cunningham in the Office of Planning at 410-887-3480.

Prepared by:

Mark A. Cunningham

Section Chief:

Jeffrey W. Lee

AFK/JL:MAC

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
South Side Punte lane, E/S Punte Ln,
2040' SE of Eastern Blvd
15th Election District, 5th Councilmanic

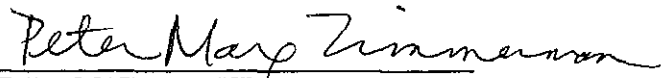
Legal Owner: Estate of William R. Karl
Contract Purchaser: Stavrou Associates, Inc.
Petitioner(s)

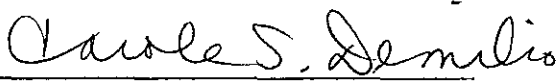
* BEFORE THE
* ZONING COMMISSIONER
* FOR
* BALTIMORE COUNTY
* Case No. 02-63-SPHA

* * * * *

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. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.


PETER MAX ZIMMERMAN
People's Counsel for Baltimore County


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 10th day of September, 2001 a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer & Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioner(s).


PETER MAX ZIMMERMAN



Baltimore County
Department of Environmental Protection
and Resource Management

401 Bosley Avenue, Suite 416
Towson, Maryland 21204

September 18, 2001

Mr. John Canoles
Eco-Science Professionals, Inc.
P.O. Box 5006
Glen Arm, MD 21057

Re: Oak Grove Senior Living at Punte Lane
Revised Concept Plan

Dear Mr. Canoles:

Environmental Impact Review (EIR) received the above referenced plan on January 24, 2001 for review and approval. This plan honors the 300 foot Critical Area buffer except for the access road and part of the parking lot, which were relocated further from the stream system. The Chesapeake Bay Critical Area (CBCA) Regulations require that an alternatives analysis be submitted and approved to permit road and utility impacts in habitat protection areas such as buffers and forest. Adequate mitigation must be provided for any impacts to forest and water resources. Impacts to buffers must be mitigated at a 3:1 ratio per CBCA Commission and DEPRM policy. No conceptual mitigation plan was included in your submittal. Furthermore, any required reforestation must be accomplished within the Critical Area. Payment of fee-in-lieu is not an option for addressing this requirement, unless you can demonstrate that no offsite planting areas can be located. Additionally, the sewer connection for this development is not shown. Hopefully, the sewer connection can be made without additional forest or buffer impacts. More importantly however, is that there is no means of providing water quality management for the structures, parking lot and driveway proposed.

We cannot approve the subject plan as a concept or development plan, but we can state that the revised plan minimizes buffer impacts more so than the previous plans. However, water quality management facilities (including their outfalls) and the sewer connection must be shown on future submittals and a conceptual mitigation plan for impacts to the buffer must be provided.

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

John Canoles
February 23, 2001
Page 2

If you have any questions regarding these findings, please contact me at 410-887-3980.

Sincerely,

Patricia Farr, Supervisor
Environmental Impact Review

- c. Mr. Sandy J. Marenberg, Stavrou Associates, inc.
Ms. Mary Harvey, Office of Community Conservation

**Department of Permits
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*

February 2, 2006

Ms. Stacey A. McArthur, R.L.A.
D.S. Thaler & Associates, Inc.
7115 Ambassador Road
P.O. Box 47428
Baltimore, Maryland 21244-7428

Re: Oak Grove Manor
Spirit and Intent Request
Zoning Case No. 02-063-SPHA (XV-789)
15th Election District

Dear Ms. McArthur,

Your letter and redlined site plan to Timothy Kotroco, Director of Permits and Development Management has been referred to me for reply. Your request is for the approval of 17 new parking spaces as shown on the submitted plan. This appears to be a possible conflict with General Note # 8 (in the walkway path). However, if this proposal is approved by the review agencies at the February 13, 1006 Development Review Committee (DRC) meeting #021306G, then this office would approve it as being within the spirit and intent of the above referenced zoning case.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "John J. Sullivan, Jr.", is written over a horizontal line.

John J. Sullivan, Jr.
Planner II
Zoning Review

JJS/ clb



02-063-
S/A

PLEASE PRINT LEGIBLY

PETITIONER'S SIGN-IN SHEET

[illegible]

04/18/2001 01:02

780465

HOPKINS VILLAGE

PAGE 02

HOPKINS VILLAGE APARTMENTS FOR THE ELDERLY
3 BRETT COURT, BALTIMORE, MD 21221
(410) 687-2828

April 18, 2001

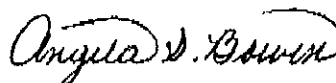
Jason P. Gerstein, Esquire,
Project Developer
Stavrou Associates, Incorporated
5100 Forbes Boulevard, Suite 101
Lanham, Maryland 20706

Dear Mr. Gerstein,

It was a pleasure to meet with you and have the opportunity to become familiar with the proposed neighboring development. Oak Grove Manor will certainly contribute to the much-needed revitalization of Essex. Stavrou Associates, Incorporated, is to be commended for all efforts to provide affordable housing for senior citizens.

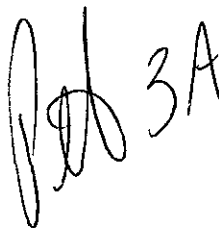
You can be assured the Owners and Management Team of Hopkins Village takes great pride in our community and providing "simply superior service" to our residents. We are confident Oak Grove Manor will demonstrate the same level of dedication and will compliment the entire community.

Sincerely



Angela S. Bowen,
Community Manager

Cc: Jeannie Rhodes,
Regional Property Manager





Essex-Middle River Civic Council, Inc.

P.O. Box 5031 Baltimore, MD 21220

DEAR SIRs,

THE ESSEX-MIDDLE RIVER CIVIC COUNCIL RECENTLY REVIEWED ~~CONCEPT~~ PLANS FOR OAK GROVE MANOR SENIOR RENTAL HOUSING ON PUNTA LANE IN ESSEX. THESE PLANS WERE PRESENTED BY STAVROU SENIOR COMMUNITIES, LLC. THE CIVIC COUNCIL FEELS THIS WOULD BE A GOOD USE FOR THIS PROPERTY AND WOULD COMPLIMENT OTHER SENIOR DEVELOPMENTS ALLREADY IN THIS AREA. OUR COUNCIL IS ON RECORD FOR SUPPORTING QUALITY NON SUBSIDIZED HOUSING FOR OUR COMMUNITY, WHICH THIS WOULD BE. IF THE FINAL PLANS REMAIN CONSISTANT WITH THE CONCEPT PLANS WE REVIEWED, THE CIVIC COUNCIL WOULD SUPPORT THIS DEVELOPEMENT

WILLIAM 'ROCKY' JONES

William H. Jones

PRESIDENT ESSEX-MIDDLE
RIVER CIVIC COUNCIL

Ad 3B

101 Punte Lane
Essex, Maryland 21221

RECEIVED

APR 12 2001

STAVROU

April 9, 2001

Mr. Peter Engel
Director of Housing Development Programs
Maryland Department of Housing and Community Development
100 Community Place
4th Floor
Crownsville, MD 21032

Dear Mr. Engel,

I am writing this letter on behalf of myself and my family, all long-time residents of Punte Lane in Essex, Maryland. We live at 101 Punte Lane, directly across the street from the proposed development. After careful review of the proposed development by Stavrou Associates, we would like to offer our approval of and support to the project.

Representatives from Stavrou Associates have come to visit with a number of local civic organizations throughout the predevelopment process. These meetings have been both informational regarding the nature of the building as well as to address specific concerns that area residents might have. In addition, Jason Gerstein has visited with my family to elicit any additional concerns, as my family will live closest to the project site. I appreciate their continued involvement in our community and feel that they will be a positive addition to Essex Middle River.

The proposed 120-unit senior development will satisfy a great need for quality senior living in the Essex Middle River area. In addition, the design that Stavrou Associates has chosen complements the land and the neighborhood. We particularly like the list of services and amenities that they will be providing to their residents.

We feel that Oak Grove Manor, as it has been described to us, will be a wonderful addition to the community. We would like to give it our full support and welcome it to Essex.

Sincerely,

Annabelle Vleck

Annabelle Vleck

Paul Vleck

Paul Vleck

Georgeann Vleck Lynch

Georgeann Vleck Lynch

Mark David Vleck

Mark David Vleck

Rob 34



RECEIVED

APR 16 2001

STAVROU

COUNTY COUNCIL OF BALTIMORE COUNTY
COURT HOUSE, TOWSON, MARYLAND 21204

VINCE GARDINA
COUNCILMAN, FIFTH DISTRICT

COUNCIL OFFICE:
887-3384

March 28, 2001

Mr. Jeffery C. Kirby
Stavrou Associates, Inc.
5100 Forbes Boulevard, Suite 101
Lanham, MD 20706

Dear Mr. Kirby:

Please accept this letter as one of support for the proposed affordable, elderly housing development known as Oak Grove Manor, to be located on Punte Lane in Essex. I appreciate the time that you and your staff have devoted to working with the community on this new development.

As you know, the proposed development is within the revitalization area of Essex-Middle River and will add to the many projects designed to enhance and stabilize the area. To ensure that the development is successful, the County is willing to support a Payment in Lieu of Taxes (PILOT) agreement as our local contribution to the project.

Best wishes for a favorable review by the Maryland Department of Housing and Community Development in the next round of competition for low income housing tax credits. We look forward to working with you to meet the growing needs of the elderly in Baltimore County.

Sincerely,

A handwritten signature in cursive script that reads "Vince".

Vince Gardina
Councilman, Fifth District

VG:mg

Handwritten initials "PAG" followed by the date "3/30".





C.A. Dutch Ruppersberger
Baltimore County Executive

RECEIVED

MAR 15 2001

STAVROU

Executive Office
400 Washington Avenue
Towson, Maryland 21204
410-887-2450
Fax: 410-887-4049

March 26, 2001

Jeffrey C. Kirby
Stavrou Associates, Inc.
5100 Forbes Boulevard, Suite 101
Lanham, MD 20706

Dear Mr. Kirby:

Thank you for providing information about your proposed affordable, elderly housing development known as Oak Grove Manor, to be located on Punte Lane in Essex. We are aware you have worked with Councilman Gardina's office and the local community to gain support for the project.

The proposed development site is located within the Community Conservation area designated in the County's Master Plan, and is also within the "Priority Funding Area" for Maryland's Smart Growth initiatives. As a result of these designations, County and State resources are targeted for investment, stabilization and revitalization in this area.

I understand you have requested a Payment in Lieu of Taxes (PILOT) agreement on similar terms as those provided for other affordable elderly communities in the County. Typically, PILOT Agreements require a minimum tax payment of between \$100 and \$250 per unit per year out of operating income, with a second payment to the County to the extent there is cash flow after payment of debt service on the first mortgage for the project.

The County supports the proposed development of Oak Grove Manor, and is willing to offer such property tax relief as our local contribution to the project. However, final terms and conditions of an agreement will be subject to review and underwriting by the Office of Community Conservation, and final approval by the Baltimore County Council. Please submit development and operating projections to the Office of Community Conservation at the appropriate time.

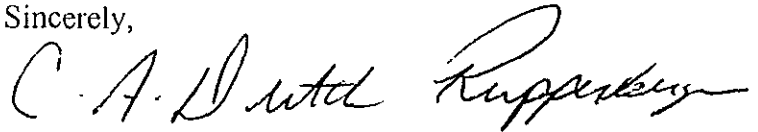
[Handwritten signature] 3E



Jeffrey C. Kirby
March 26, 2001
Page 2

Best wishes for a favorable review by the Maryland Department of Housing and Community Development in the next round of competition for low income housing tax credits. We look forward to working with you to meet the growing needs of the elderly in Baltimore County.

Sincerely,

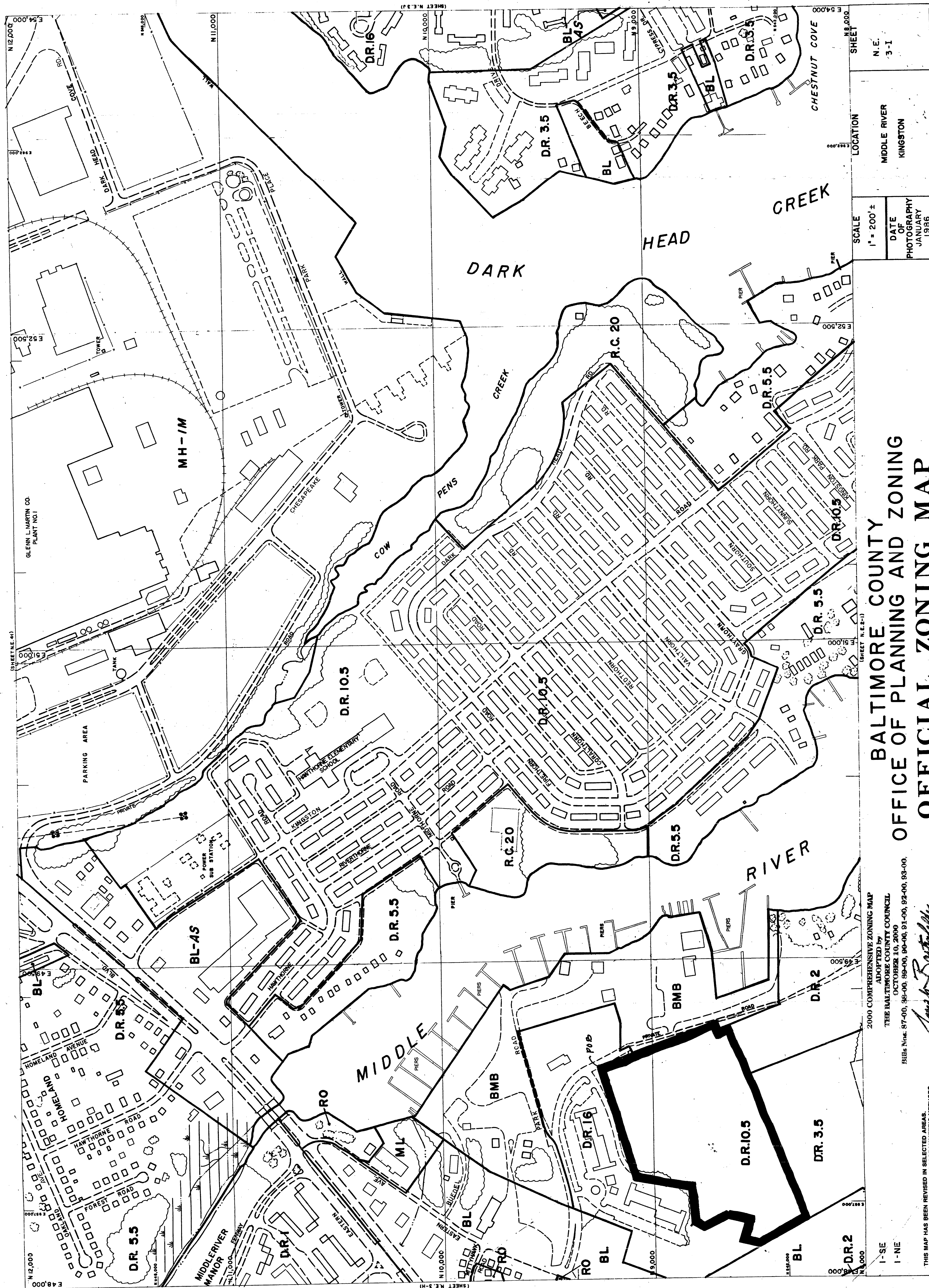
A handwritten signature in cursive script, reading "C. A. Dutch Ruppertsburger".

C. A. Dutch Ruppertsburger
County Executive

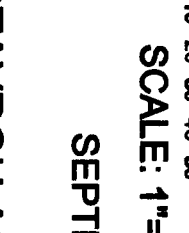
CADR:ssr

cc: Councilman Vincent Gardina
John M. Wasilisin, Administrative Officer
Robert J. Barrett, Special Assistant to the County Executive
Mary L. Harvey, Director, Office of Community Conservation
Stephanie S. Ruskin, Office of Community Conservation

003



OAK GROVE
BALTIMORE COUNTY, MARYLAND



0 10 20 30 40 50 75 100
SCALE: 1"=50'

SEPTEMBER, 2001

NORTH



STAVROU ASSOCIATES, INC.

ZONE 1 D R 3 5

20

51

ZONE: D.R. 2

ZONE: BL

ZONE: D.R.16

ZONE: BMB

PROPERTY OF
CUTTER YACHT BASIN, LLC
L15011, F.641
PARCEL 1298
ZONE: BMB

EX. 100 YEAR FLOORPLAIN
ZONE A (ET 430)
FIRMITY PANEL B
COMMUNITY 0430
240010 DATE: 3/2/01
EFFECTIVE DATE:

ZONE: D.R. 16

ZONE: BL

ZONE: BL

OLD EASTERN
AVENUE

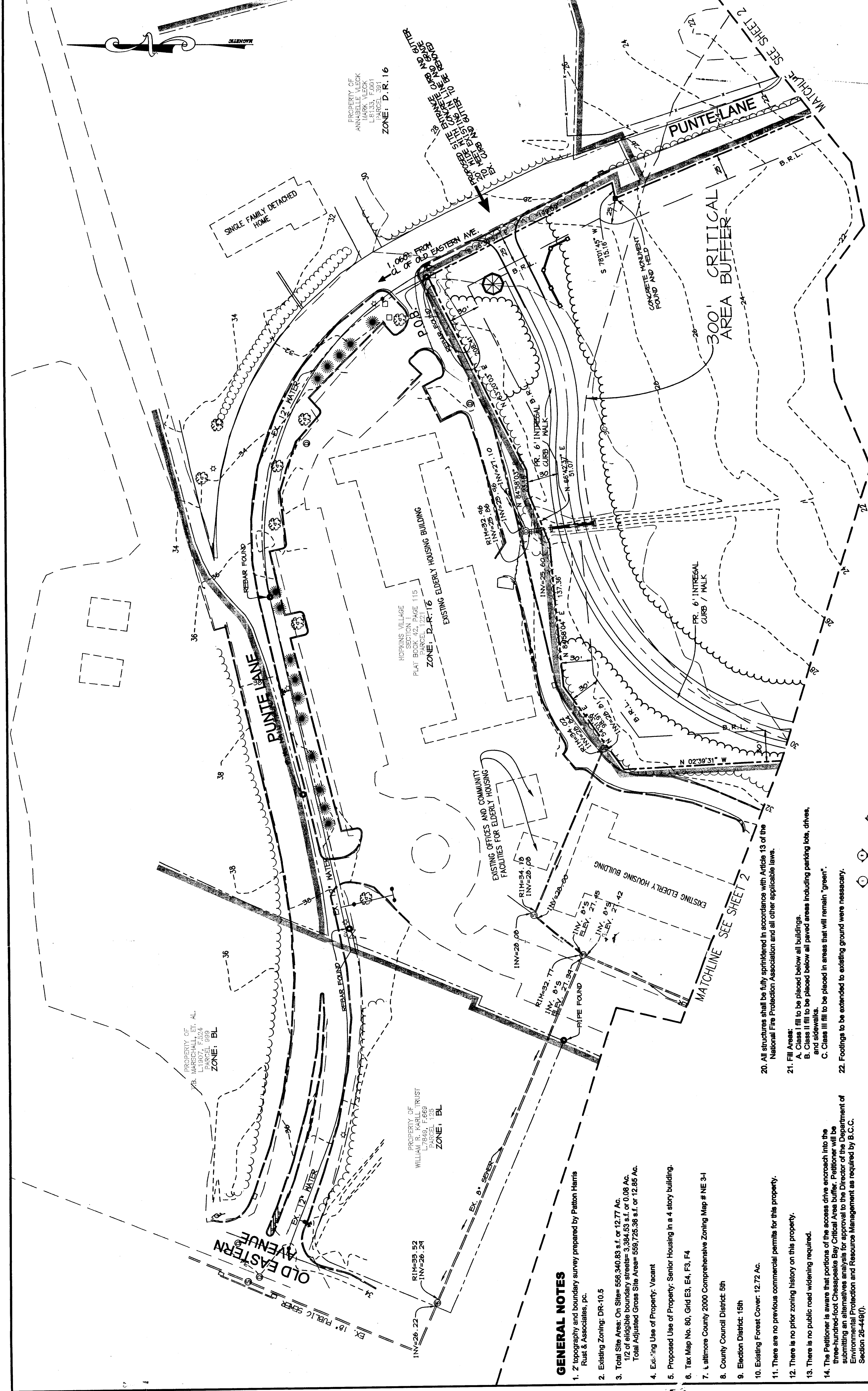
PUNTE LANE

EX. 18* PUBLIC SEWER

EX. 12. WATER

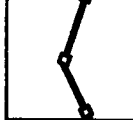
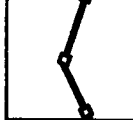
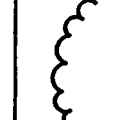
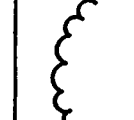
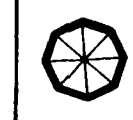
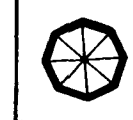
ZONE: D-R-16

HOPKINS VILLAGE
BOOK 42 PL 1



SCALE: 1" = 1000'

ZONE: BMB

- | | | | |
|---|------------------------------------|---|--|
|  | EXISTING 2' TOPOGRAPHY |  | PROPOSED ENTRANCE SIGN |
|  | EXISTING STREAM |  | PROPOSED CURB AND GUTTER AND ADJACENT 8' SIDE WALK |
|  | EXISTING TREE LINES |  | PROPOSED STORM DRAIN |
|  | EXISTING 100 YEAR FLOODPLAIN |  | PROPOSED TREE LINES |
|  | EXISTING BUILDING |  | PROPOSED GAZEBO |
|  | EXISTING 300' CRITICAL AREA BUFFER |  | PROPOSED BUILDING |

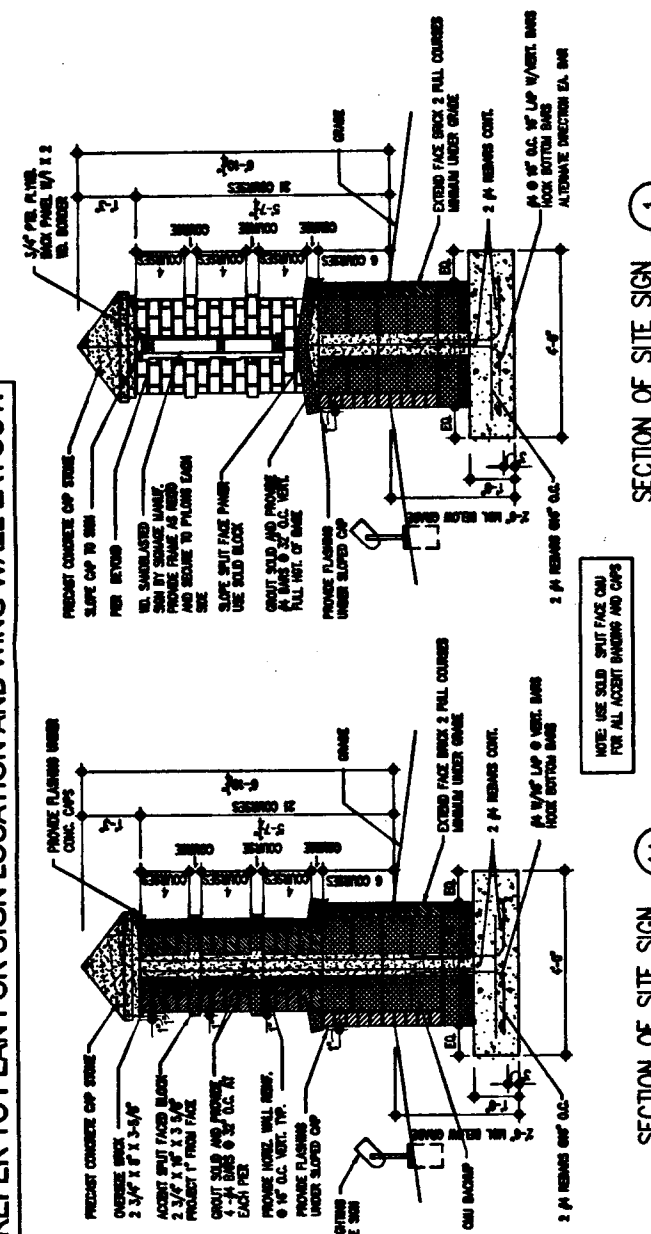
(IN FEET)
1 inch = 50 ft.

101

Special Hearing in accordance with Section 1B01.2.F and Section 504.2 of the Baltimore County Zoning Regulations and Section 1-26 of the Comprehensive Manual of Development Policies to permit a maximum building length of 292 feet in lieu of the permitted 240 feet.

1. Variance from Section 409.6 of the Baltimore Counting Regulations to permit ~~75~~⁸⁰ parking spaces to be provided in lieu of the ~~150~~¹⁸⁰ spaces.
2. Variance from Section 1B02.2.A of the Baltimore City Zoning Regulations to permit a maximum building height of 59 feet in lieu of the permitted 50 feet.

NOTE:
REFER TO PLAN FOR SIGN LOCATION AND WING-WALL LAYOUT.



SECTION OF SITE SIGN SECTION OF SITE SIGN

ENGINEERS

REDA

8818 CENTRE PARK DRIVE, COLUMBIA, MARYLAND 21045
PHONE: (410) 997-8900 FAX: (410) 997-9282

PHILIP

LANHAM, MARYLAND 20706
PHONE: 301.577.6610
ATTN: JEFF KIRBY

COCKEYSVILLE, MD 21030
PHONE: 410.771.6869
ATTN: LAURA H. KARLL, PERSONAL REPRESENTATIVE

CONTRACT PURCHASER:
STAVROI ASSOCIATES INC.

LEGAL OWNER:
ESTATE OF WILLIAM R. KARLL

5100 FORBES BLVD., SUITE 101
LANHAM, MARYLAND 20706
PHONE: 202-576-2942

PHONE: 301.577.6610
ATTN: JEFF KIRBY

LEGAL OWNER:

ESTATE OF WILLIAM R. KARLL
13801 YORK ROAD

COCKEYSVILLE, MD 21221
PHONE: 410 774 6860

PHONE: 410.771.6869
ATTN: LAURA H. KARLL, PERSONAL REPRESENTATIVE

©LATEST DATE HEREON

PLAN TO ACCOMPANY PETITIONS FOR SPECIAL HEARING AND VARIANCE

OAK GROVE VILLAGE
THE 100 BLOCK PUNTE / AVE SOUTHWEST SIDE OF PUNTE / AVE

1,060' SOUTHEAST OF OLD EASTERN AVENUE

BALTIMORE COUNTY, MARYLAND

 $\alpha = 50^\circ$

1

2

2

1

BNL

DESIGN / INR

20

DRAW

CHEC

Align

374

195

17-

