IN RE: PETITION FOR SPECIAL HEARING S/S Aigburth Road, 400' E of the c/l Maryland Avenue (212 Aigburth Road) 9th Election District 4th Council District Aigburth Vale, LLC Petitioner	* * * * * *	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY Case No. 02-311-SPH

* * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Aigburth Vale, LLC, by Leo D'Aleo, Member, through his attorney, Robert A. Hoffman, Esquire. The Petitioner requests a special hearing to amend Restriction A in Case No. 99-107-XA and to permit an accessory use in accordance with Section 432.1.B.5 of the Baltimore County Zoning Regulations (B.C.Z.R.). The subject property and requested relief are more particularly shown on the site plan submitted, which was accepted into evidence and marked as Petitioner's Exhibit 1.

By way of background, the subject property is located approximately three blocks east of York Road on Aigburth Road in the Donnybrook-Knollwood community, just west of Towson. The property consists of 3.62 acres, more or less, zoned D.R.5.5, and was subdivided out of a larger tract owned by Baltimore County and used for institutional purposes, specifically the campus of the Towson Senior High School and related education offices. In Case No. 99-107-XA, Baltimore County and Aigburth Vale, LLC sought special exception and variance relief to modify the existing maximum residential density standards to allow a proposed Class A Elderly Housing Facility, to be known as Aigburth Vale Senior Community, on the subject property. By order dated January 5, 1999, the undersigned Zoning Commissioner granted the relief, subject to certain restrictions. Restriction A thereof limited the use of the structures on the subject property to either single family dwellings or accessory structures, as defined by Section 432.1B of the B.C.Z.R., for the sole use of the residents of the elderly housing community. Restriction A also provided that the availability of said facility could not be advertised to the general public. Subsequently, one of the outbuildings on the property,

identified as "The Cottage", was leased for use as a wellness center to individuals engaged in the practice of physical therapy, acupuncture and massage, and mental health. The lease agreement entered into was for a period of two years. Thereafter, an issue arose relative to the use of The Cottage by "non-residents" of the facility. Thus, the instant Petition was filed to resolve the matter.

At the hearing held before the undersigned on May 13, 2002, the Petitioner, Aigburth Vale, LLC was represented by Robert A. Hoffman, Esquire. Additionally, certain members of the surrounding community, including the Aigburth Manor Association of Towson, Inc. were represented by Francis X. Borgerding, Jr., Esquire. Testimony indicated that the Association objected to the proposed use of the facility as requested; however, an agreement was reached between the parties to resolve the dispute. That agreement, a copy of which was entered into evidence as Joint Exhibit 1, essentially provided that the tenants of "The Cottage" would vacate the premises and relocate outside the facility on or before November 1, 2002. Upon that relocation, the Petition for Special Hearing would be withdrawn.

On or about October 31, 2002, the undersigned received written notification from Counsel for the Petitioners that the tenants described above have vacated "The Cottage." In accordance with the agreement reached between Aigburth Vale, LLC and Aigburth Manor Association of Towson, Inc., the Petitioners have requested a withdrawal of the instant Petition for Special Hearing.

Pursuant to the advertisement, posting of the property and public hearing on this Petition held, and for the reasons set forth herein, the relief requested shall be dismissed as moot.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 6th day of January, 2003 that the Petition for Special Hearing to amend Restriction A of prior Case No. 99-107-XA and to permit an accessory use in accordance with Section 432.1B5 of the Baltimore County Zoning Regulations (B.C.Z.R.), be and is hereby DISMISSED AS MOOT.

IT IS FURTHER ORDERED that the terms and conditions of the Order issued in prior Case No. 99-107-XA shall remain in full force and effect.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 1/6/03
By

Baltimore County
Zoning Commissioner

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

January 6, 2003

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

RE: PETITION FOR SPECIAL HEARING
S/S Aigburth Road, 400' E of the c/l Maryland Avenue
(212 Aigburth Road)
9th Election District – 4th Council District
Aigburth Vale, LLC - Petitioners
Case No. 02-311-SPH

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been dismissed as moot, 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,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Leo D'Aleo, Aigburth Vale, LLC
1106 N. Charles Street, Baltimore, Md. 21201
Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600, Towson, Md. 21204
People's Counsel; Case File

Baltimore County
Zoning Commissioner

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

April 25, 2002

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

RE: PETITION FOR SPECIAL HEARING
S/S Aigburth Road, 400' E of the c/l Maryland Avenue
(212 Aigburth Road)
9th Election District – 4th Council District
Leo D'Aleo – Petitioner
Case No. 02-311-SPH

Dear Mr. Hoffman:

This letter is confirm that the above-captioned matter, which was scheduled for a public hearing on Wednesday, April 24, 2002, was postponed at the request of Counsel for both parties, and rescheduled for Monday, May 13, 2002 at 9:00 AM in Room 106 of the County Office Building. It was also agreed that a new sign will be posted on the property giving public notice of the new hearing date, time and location.

Should you have any questions in the meantime, please do not hesitate to call me.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Leo D'Aleo, Aigburth Vale, LLC
1106 N. Charles Street, Baltimore, Md. 21201
Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600, Towson, Maryland 21204
People's Counsel; Case File

Baltimore County
Zoning Commissioner

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

June 3, 2002

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

RE: PETITION FOR SPECIAL HEARING
S/S Aigburth Road, 400' E of the c/l Maryland Avenue
(212 Aigburth Road)
9th Election District – 4th Council District
Leo D'Aleo – Petitioner
Case No. 02-311-SPH

Dear Mr. Hoffman and Ms. Malone:

This letter is to confirm the disposition of the above-captioned matter, which was placed on the record at the public hearing held on May 13, 2002. At the request of the parties, this case has been generally continued. Also, I have entered into the file a copy of Joint Exhibit 1, the agreement entered into by and between Aigburth Vale, LLLP and Aigburth Manor Association of Towson, Inc., dated May 10, 2002.

Generally, I understand that the parties have agreed that certain current tenants on the property will vacate the site on or before January 1, 2003. Upon that event, the requested relief under the Petition for Special Hearing will be moot. Thus, it is anticipated that the Petition will be dismissed without prejudice at that time. Nonetheless, the parties requested that the case remain open and generally continued until that date.

I appreciate both parties' efforts in amicably concluding this matter. Upon receipt of notification that the Petition should be dismissed, I will thereafter enter the appropriate Order.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Leo D'Aleo, Aigburth Vale, LLC
1106 N. Charles Street, Baltimore, Md. 21201
Francis X. Borgerding, Jr., Esquire
409 Washington Avenue, Suite 600,Towson, Maryland 21204
Mr. Len Wasilewski, Code Enforcement Division, DPDM; People's Counsel; Case File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 212 Aigburth Road

which is presently zoned DR 5.5

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

Special Hearing to amend Restriction (a) in Case No. 99-107-XA and to permit an accessory use in accordance with Section 432.1.B.5 of the Baltimore County Zoning Regulations.

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:

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Legal Owner(s):

Aigburth Vale, LLC
Name - Type or Print

Signature Leo D'Alco, Member

Name - Type or Print

Signature

~~1106~~ N. Charles Street 410-752-7848
Address Telephone No.

Baltimore MD 21201
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 MD 21204
City State Zip Code

Representative to be Contacted:

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

210 Allegheny Avenue 410-494-6200
Address Telephone No.

Towson MD 21204
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By SR Date 1/25/02

Case No. 02-311-SPH

ORDER RECEIVED FOR FILING
Date 1/9/02
By

REV 9/15/98

PROPERTY DESCRIPTION

AIGBURTH VALE

212 Aigburth Road, Towson, Md. 21204

From existing driveway of Towson Senior High School, 150'± galong Aigburth Road's southern right-of-way to Point of Beginning. Starting in a counter clockwise direction, S 04°57'50" E 10.91' then S70°54'34"E 121.90' then S32°32'49"E 67.54' then S35°41'50"W 31.04' then S54°26'28"E 47.62' then S79°51'14"E 50.23' then S10°00'59"W 133.28' then S81°56'32"E 188.73' then S64°03'22"E 73.77' then N19°14'45"E 22.87' then N63°03'56"E 58.28' then N06°23'16"E 55.91' then N17°26'39"E 65.65' then N07°41'25"W 34.82' then N13°35'27"E 58.04' then N13°18'41"W 49.47' then N07°32'54"E 65.15' then N43°03'19"W 37.23' then along Aigburth Road ROW on a 275.00' radius, a length of 25.51' then S41°36'48"W 20.00' then N48°23'12"W 30.80' then N09°34'49"W 24.61' then along the Aigburth Road ROW on a 275.00' radius a distance of 51.58' continuing along ROW N69°36'14"W 2.43' continuing along ROW on a radius of 225.00' a distance of 222.86' continuing along ROW S53°38'55"W 12.13' continuing along Aigburth Road ROW on a radius of 375.00' a distance of 205.37' back to the Point of Beginning.
Deed reference 12467 / 764, containing 3.62± acres, known as 212 Aigburth Road, in election district 9, councilmanic district 4.

Property description taken from Subdivision Plat, Lot 1, Aigburth Vale dated April 1997 by Baltimore County Survey Division for the Board of Education of Baltimore County.

STATE OF MARYLAND
BLAIR G. FARRAND
REGISTERED LANDSCAPE ARCHITECT
NO. 282

#311

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 07[illegible]

DATE 1/3/02 ACCOUNT [illegible]-615 0

AMOUNT $ 250.00

RECEIVED FROM: [illegible] per N Howard

FOR: [illegible]

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASHIER'S VALIDATION

PAID RECEIPT
[illegible]

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: #02-311-SPH
212 Algburth Road
S/S Algburth Road, 400' E centerline Maryland Avenue
9th Election District
4th Councilmanic District
Legal Owner(s): Leo D'Aleo
Special Hearing: to amend restriction (a) in zoning case 99-107-XA and to permit an accessory use.
Hearing: Thursday, March 21, 2002 at 9:00 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.

3/007 Mar. 7 C524119

CERTIFICATE OF PUBLICATION

3/7/, 2002

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 3/7/, 2002.

- [x] The Jeffersonian
- [ ] Arbutus Times
- [ ] Catonsville Times
- [ ] Towson Times
- [ ] Owings Mills Times
- [ ] NE Booster/Reporter
- [ ] North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 02-311-SPH

Petitioner/Developer: AIGBURTH VALE
VENABLE - AMY DONTELL

Date of Hearing/Closing: 3/21/02

POSTP.

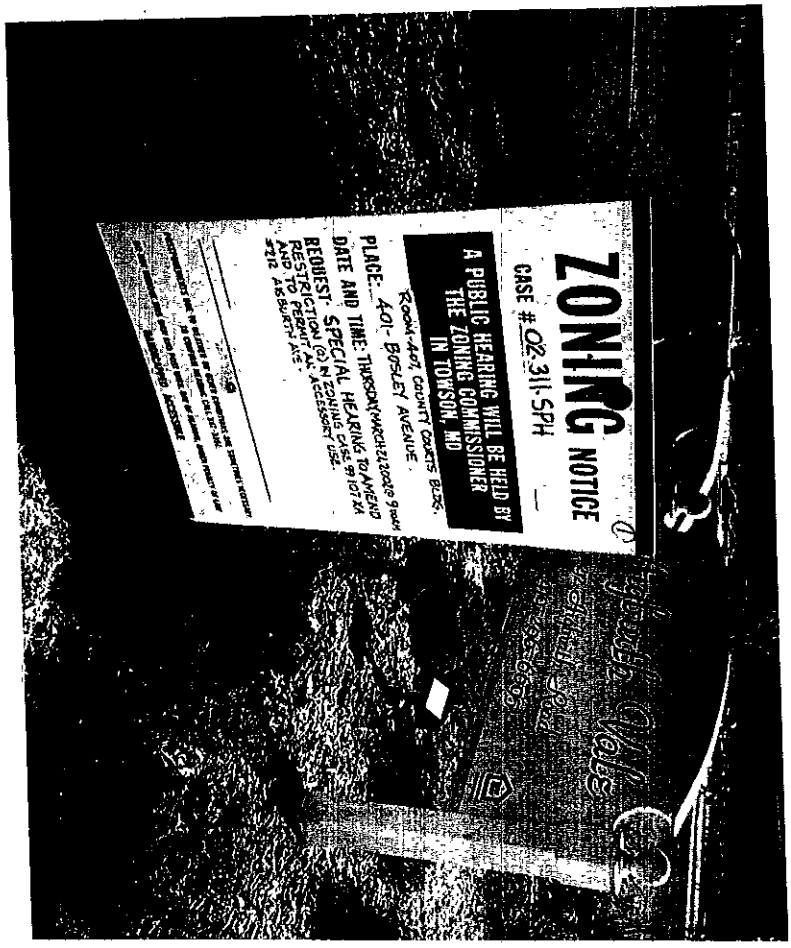
Baltimore County Department of
Permits and Development Management
County Office Building, Room 111,
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens / 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 #212 AIGBURTH RD.

The sign(s) were posted on 3/5/02
(Month, Day, Year)



Sincerely,

Patrick M O'Keefe 8/25/02
(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)

CERTIFICATE OF POSTING

RE: Case No.: 02-311-SPH

Petitioner/Developer: AIGBURTH VALE, L
C/O AMY DONTELL (VENABLE)

Date of Hearing/Closing: 5/13/02

NEW DATE

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

Attention: [redacted] 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 # 212 AIGBURTH AVE

The sign(s) were posted on 4/26/02
(Month, Day, Year)

Sincerely,

Patrick M O'Keefe 4/28/02
(Signature of Sign Poster and Date)

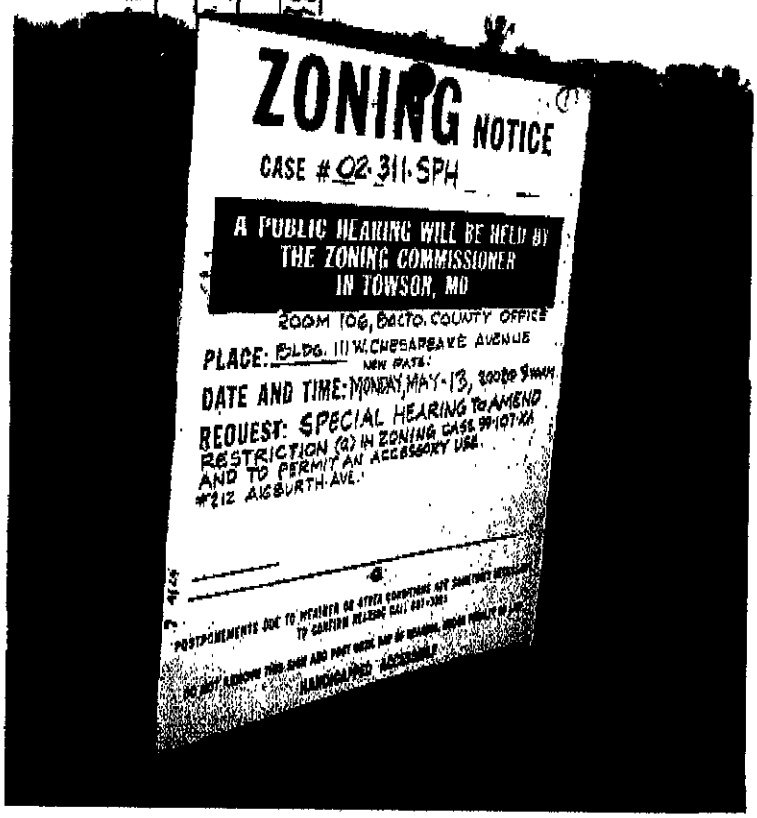
PATRICK M. O'KEEFE
(Printed Name)

523 PENNY LANE
(Address)

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

410-666-5366 ; CELL-410-905-857
(Telephone Number)

Fax Note 7671	Date	# of pages ▶
To ZONING COMM	From P. O'KEEFE	
Co.	Phone # 512-4621	
Fax # 887-3468	Fax # 3468	



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: 02-311-SPH

Petitioner: Aigburth Vale, LLC

Address or Location: 212 Aigburth Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Amy Dontell

Address: 210 Allegheny Avenue
Towson, Maryland

Telephone Number: (410) 494-6200

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 7, 2002 Issue – Jeffersonian

Please forward billing to:
Amy Dontell
Venable Baetjer & Howard
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: 02-311-SPH
212 Aigburth Road
S/S Aigburth Road, 400' E centerline Maryland Avenue
9th Election District – 4th Councilmanic District
Legal Owner: Leo D'Aleo

Special Hearing to amend restriction (a) in zoning care 99-107-XA and to permit an accessory use.

HEARING: Thursday, March 21, 2002 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 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

February 14, 2002

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: 02-311-SPH
212 Aigburth Road
S/S Aigburth Road, 400' E centerline Maryland Avenue
9th Election District – 4th Councilmanic District
Legal Owner: Leo D'Aleo

Special Hearing to amend restriction (a) in zoning care 99-107-XA and to permit an accessory use.

HEARING: Thursday, March 21, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: Robert A Hoffman, Venable Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Amy Dontell, Venable Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Leo D'Aleo, Aigburth Vale LLC, 1106 N Charles Street, Baltimore 21201

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, MARCH 6, 2002.**
(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

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

March 21, 2002

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: 02-311-SPH
212 Aigburth Road
S/S Aigburth Road, 400' E centerline Maryland Avenue
9th Election District – 4th Councilmanic District
Legal Owner: Leo D'Aleo

Special Hearing to amend restriction (a) in zoning care 99-107-XA and to permit an accessory use.

HEARING: Wednesday, April 24, 2002 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Arnold Jablon
Director

C: Robert A Hoffman, Venable Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Amy Dontell, Venable Baetjer & Howard, 210 Allegheny Avenue, Towson 21204
Leo D'Aleo, Aigburth Vale LLC, 1106 N Charles Street, Baltimore 21201

NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 9, 2002.**
(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

March 15, 2002

Mr. Robert A Hoffman
Venable Baetjer & Howard
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Hoffman:

RE: Case Number: 02-311-SPH, 212 Aigburth Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on January 25, 2002.

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: Leo D'Aleo, Aigburth Vale LLC, 1106 N Charles Street, Baltimore 21201
People's Counsel

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

April 19, 2002

Mr. Robert A Hoffman
Venable Baetjer & Howard
210 Allegheny Avenue
Towson MD 21204

Dear Mr. Hoffman:

RE: Case Number: 02-311-SPH, 212 Aigburth Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 01, 2002.

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: Ms. Amy Dontell, Venable Baetjer & Howard, 210 Allegheny Ave, Towson 21204
Mr. Leo D'Aleo, Aigburth Vale LLC, 1106 N Charles Street, Baltimore 21201
People's Counsel

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: March 7, 2002

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

SUBJECT: Zoning Advisory Committee Meeting
for February 19, 2002
Item Nos. 293, 294, 295, 296, 297, 298, 299, 300, 301, 304, 305, 306, 308, 310 and 311

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

RWB:HJO:cab

cc: File

ZAC-2-19-2002-NO COMMENT ITEM-03072002.doc

Baltimore County
Fire Department

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

February 13, 2002

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

ATTENTION: George Zahner

RE: Property Owner: See Below

Location: DISTRIBUTION MEETING OF February 11, 2002

Item No.: See Below

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.

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

295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 506, 307, 308, 309, 311, 312,

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

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO: Arnold Jablon

FROM: Todd Taylor TGT

DATE: March 14, 2002

Zoning Advisory Committee Meeting of February 11, 2002

SUBJECT: NO COMMENTS for the FOLLOWING ZONING ITEMS:

285, 293, 294, 295, 296, 297, 305, 308, 309, 310, 311,

EIR is still reviewing Zoning Item: 312

Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor

John D. Porcari
Secretary

Parker F. Williams
Administrator

Date: 2.12.02

Mr. George Zahner
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 311 BR

Dear. Mr. Zahner:

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,

for 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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: April 17, 2002

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

APR 18

SUBJECT: 212 Aigburth Road

INFORMATION:

Item Number: 02-311

Petitioner: Aigburth Vale Inc.

Zoning: DR 5.5

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The applicant requests a Special Hearing to amend Restriction (a.) in Case No 99-107-XA. This restriction states the following: "There will be no use of the structures on the property except as either single family dwellings or as accessory structures as defined by B.C.Z.R Section 432.1 B, for the sole use of the residents of the elderly housing community, and provided further that the availability of said facilities are not advertised to the general community. Staff is aware that there was significant community interest when the Aigburth Vale elderly housing facility was approved in 1999.

Based upon continuing community interest with regard to the subject property, the Office of Planning is concerned about the proposed amendment to the previously approved Petition for Special Exception. Therefore, it will be incumbent upon the petitioner to prove to the satisfaction of the Zoning Commissioner that the proposed amendment will not negatively impact the community. In addition, should the applicant's request be granted, the Zoning Commissioner will likely consider imposing certain restrictions based on the testimony and evidence provided at the hearing.

Prepared by: Mark A Cunningham

Section Chief: Jeffrey W. Long

AFK/LL:MAC

W:\DEVREV\ZAC\02-311.doc

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

DATE: February 11, 2002

TO: W. Carl Richards, Jr.
Zoning Review Supervisor

FROM: James Thompson
Code Enforcement Supervisor

SUBJECT: Case No.: 02-311-SPH
Legal Owner/Petitioner: Aigburth Vale, LLC
Contract Purchaser:
Property Address: 212 Aigburth Road, Towson, MD 21204
Location Description:

VIOLATION INFORMATION: **Case No.: 02-0064**
Defendants:

Please be advised that the aforementioned petition is the subject of an active violation case.

When the petition is scheduled for a public hearing, please notify the following person(s) regarding the hearing date:

NAME	ADDRESS
Judith M. Giacomo, President Aigburth Manor Association	17 Aigburth Road Baltimore, MD 21286

After the public hearing is held, please send a copy of the Zoning Commissioner's order to Helene Kehring in Room 113 in order that the appropriate action may be taken relative to the violation case.

JHT/lrs

RE: PETITION FOR SPECIAL HEARING 212 Aigburth Road, S/S Aigburth Rd, 400' E of c/l Maryland Ave 9th Election District, 4th Councilmanic	*	BEFORE THE
	*	ZONING COMMISSIONER
	*	FOR
Legal Owner: Aigburth Vale LLC Petitioner(s)	*	BALTIMORE COUNTY
	*	Case No. 02-311-SPH

* * * * * * * * * * * * * *

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

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 13th day of February, 2002 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

PETER MAX ZIMMERMAN

Serve 3/21

IN RE: PETITION FOR
212 Aigburth Road
S/S Aigburth Road, 400' E centerline Maryland Avenue
9th Election District-4th Councilmanic District
Legal Owner: Leo D'Aleo

* BEFORE THE
* ZONING COMMISSIONE
* OF BALTIMORE COUNT
* Case No. 02-311SPH

* * * * * * * * * * *

SUBPOENA

TO: Len Wasilewski
Code Enforcement, Baltimore County
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

You are hereby summoned and commanded to be and appear personally before the Zoning Commissioner/Deputy Zoning Commissioner of Baltimore County in Room 407, County Courts Building, 401 Bosley Avenue, Towson, Maryland 21204

and to bring file for zoning violation citation/case no. 02-0064

on the 21st day of March 2002, regarding the above captioned case, for the purpose of testifying at the request of Francis X. Borgerding, Jr.

Mr. Sheriff/Private Process Server:

Please process in accordance with Zoning Commissioner's Rule 2 (C).

Zoning Commissioner/Deputy
Zoning Commissioner
for Baltimore County

Issued: 3/15/02

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

March 19, 2002

Ms. Patricia A. Malone
Venable Baetjer & Howard LLP
210 Allegheny Avenue
Towson MD 21204

Dear Ms. Malone:

RE: Case Number 02-311-SPH, 212 Aigburth Road

The above matter, previously scheduled for March 21, 2002, has been postponed at your request. Once the hearing has been rescheduled you will be notified by mail.

Please be advised that, as the individual requesting and receiving the postponement, the responsibility and costs associated with the appropriate posting of the property now lies with you. The petitioner or his/her agent may not personally post or change a zoning sign. One of the currently approved vendors/posters must be contacted to do so. If the property has been posted with notice of the original hearing date, as quickly as possible a notice of the new hearing date should be affixed to the sign(s).

Very truly yours,

Arnold Jablon
Director GDZ

AJ: gdz

C: Leo D'Aleo, Aigburth Vale LLC, 1106 N Charles Street, Baltimore 21201
Judith M. Giacomo, President, Aigburth Manor Association, 17 Aigburth Road, Baltimore 21286
James Thompson, Code Enforcement

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

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

OFFICES IN

MARYLAND
WASHINGTON, D.C
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:
(410) 494-6206

pamalone@venable.com

March 18, 2002

HAND-DELIVERED

Timothy M. Kotroco, Deputy Zoning
Commissioner for Baltimore County
Suite 405, County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Re: PETITION FOR SPECIAL HEARING
212 Aigburth Road, S/S Aigburth Road
Case No. 02-311-SPH

Dear Mr. Kotroco:

A hearing is currently scheduled in the above-referenced matter for March 21, 2002, at 9:00 a.m. By way of this letter, I am formally requesting that this hearing be postponed and rescheduled to another date due to a conflict that has arisen in my schedule requiring my presence elsewhere that morning.

I appreciate your consideration of this request.

Granted
Timothy Kotroco
3/18/02

Very truly yours,

Patricia A. Malone

PAM/mar

cc: Mr. James Thompson

MAR 18

TO1DOCS1/ 133647 v1

VENABLE, BAETJER AND HOWARD, LLP
Including professional corporations

210 Allegheny Avenue
Post Office Box 5517
Towson, Maryland 21285-5517
(410) 494-6200, Fax (410) 821-0147
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WASHINGTON, D.C.
VIRGINIA

VENABLE
ATTORNEYS AT LAW

Writer's Direct Number:
(410) 494-6206

pamalone@venable.com

October 30, 2002

31

HAND-DELIVERED

Lawrence E. Schmidt, Zoning
Commissioner for Baltimore County
County Courts Building
401 Bosley Avenue, 4th Floor
Towson, Maryland 21204

Re: Petition for Special Hearing
212 Aigburth Road
Case No. 02-311-SPH

Dear Commissioner Schmidt:

Earlier this year, Aigburth Vale, LLC ("Aigburth"), and Aigburth Manor Association of Towson, Inc. agreed to postpone indefinitely hearing on a Petition for Special Hearing pertaining to occupation of the Cottage at the Aigburth Vale Senior Community by certain tenants. The parties had entered into an Agreement whereby Aigburth agreed that the tenants would vacate the premises by November 1, 2002.

I am writing to let you know that I have received confirmation from Aigburth that the tenants have vacated the Cottage in accordance with the Agreement. I have spoken with counsel for the Association, Frank Borgerding, and have informed him that the tenants are gone. At this time, on behalf of Aigburth, I am writing to withdraw the Petition for Special Hearing at issue in this case.

If you have any questions regarding the withdrawal of this petition, please let me know.

Very truly yours,

Patricia A. Malone

PAM/mar
cc: Francis X. Borgerding, Esquire
Mr. Leo J. D'Aleo
Mr. Vincent P. Quayle
TO1DOCS1/148138 v1

R. J. FARR

4/8/02
WCR
J Farr
P

April 7, 2002

Code and Zoning Board
County Office Box
111 West Chesapeake Avenue
Towson, MD 21204

To Whom It May Concern:

I am writing on behalf of the licensed acupuncturists who practice at the Cottage at Aigburth Vale (212 Aigburth Rd.). These very special women are gentle healers who deserve to be able to stay at their new home. They were told explicitly that zoning was not an issue at the time that they moved into their cottage, and they invested a great deal of money into repairing the cottage, furnishing it tastefully, and protecting it with a prepaid protection service. This investment in time, money and emotional energy is something they can ill afford to lose.

These people are not running an industry that in any way can harm the neighborhood. Each works only part time at the cottage. Appointments last a long time (1-2 hours), and thus the cottage does not generate traffic problems. I personally have visited Kitty Devlin numerous times since the fall, and there have always been multiple parking places available.

While I can understand why the people living in the community near Aigburth Vale might be anxious to prevent their neighborhood from becoming a commercial strip, it is difficult to associate the work of the women at the Cottage of Aigburth Vale with any depreciation of the area. They are health practitioners of the highest caliber. Their healing arts enhance the gentle dignity of this fine neighborhood.

Sincerely yours,

Robert Farr

6019 Lakeview Road • Baltimore, MD 21210
(410) 377-6861 • rj_farr@yahoo.com

3/20/02
of
w CR George
File A+AP

Rodgers Forge Community Association, Inc.
P. O. Box 571
Riderwood, Maryland 21139

Director's Office,
Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Dear Director;

At our most recent meeting of March 13, 2002, a motion was passed to oppose granting a variance in case #02-311-SPH, based on the restrictions placed on this property's with its historic designation in case #99-107-XA – that is that "there will be no use of the structures on the property except as either single family dwellings or as accessory structures as defined by B.C.Z. R. Section 432.1.B, for the sole use of the residents of the elderly housing community, and provided further that he availability of said facilities are not advertised to the general community." We concur that the residential nature of the Aigburth Manor Community is fragile and we also adamantly oppose any additional commercial development within its boundaries.

Sincerely,

Melissa M. Tillman
President, RFCA

cc: Aigburth Manor Association of Towson, Inc.

02-0204

4/4/02
10CR
for file

April 1, 2002

Commissioner Larry Schmidt
Baltimore County Zoning Board

Re: The Cottage at Aigburth Vale
212 Aigburth Rd

Dear Commissioner Schmidt:

I am writing to respectfully request you amend the 1999 ruling to allow The Cottage at Aigburth Vale to remain a Healing Arts Center. The Center has had and will continue to have only a positive impact on the surrounding community for the following reasons:

- The Center is a low impact, quiet, unintrusive healing center, not a commercial retail business. The residents were not even aware the Center had been operating in their midst since November until they read about it in the paper.
- The Center is part of the property's transformation from a decaying hazard to vital usefulness.
- The Center was established as a beneficial service for the seniors and the surrounding community.
- The Center has ample parking on the Vale grounds. The three practitioners take turns seeing patients every one to two hours.

I have been fortunate to benefit from the serene, relaxing atmosphere at the small Center as the caring Kitty Devlin was treating me. The residents of the Aigburth community should welcome the quiet, healing atmosphere of the Center tucked unoptrusively on the Mansions grounds. It is in stark contrast to the boisterous and huge Towson High School located in there midst.

Sincerely,

Brenda R. Cutter
White Hall, Md.

cc: Kitty Devlin, Vinny Quail

4 Midvale Road
Baltimore
Maryland 21210
7 April 2002

APR

Mr. Larry Schmidt
Zoning Commissioner
402 Bosley Avenue
Room 405
Towson, Maryland 21204

Dear Mr. Schmidt:

I was stunned to hear that the practitioners who work at The cottage at Aigburth Vale may be displaced. The leasees were totally unaware of any conflict with the county zoning, and had specifically asked if there were any restrictions before they entered into an agreement to move to this area.

The individuals who work in 212 C are providing a much needed service to their clients and to the community. I understand that since they have started work there they have acquired patients from the senior housing unit as well as Towson High School students.

The practitioners work part time. At any one time there are only one or two or at the very most three women working at the same time. There has never been a parking problem. There are always extra places.

I have known Kitty Devlin, an acupuncturist, for approximately ten years. I have been a patient for three years. She serves young and old in a very professional and caring manner. Cancer sufferers are dependent on her for substantial relief of their pain. She and her associates are a tremendous asset to the community.

It seems implausible to me that this well serving group should be displaced through no fault of their own. Please find a way to allow them to stay.

Sincerely yours,

Serena S. Baum

Serena S. Baum

Counsel file ASAP
3/16/02
will put in file - make sure set to 2/c
Syn 3/21
P.P. 4/24

BURKLEIGH SQUARE COMMUNITY ASSOCIATION
P.O. Box 6713
Towson, Maryland 21204

March 14, 2002

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

Re: Case Number 02-311-SPH
Hearing date of March 21, 2002

Dear Mr. Jablon,

On Wednesday, March 13, 2002, the Burkleigh Square Community Association presented a letter of request from our sister neighborhood association, Aigburth Manor. The request was to support the community's efforts in maintaining the current zoning status of the Aigburth Vale property. After discussion, a vote was taken and we of the Burkleigh Square Community Association support the postion of Aigburth Manor to maintain the current zoning status.

Thank you for your attention in this matter.

Sincerely,

Whitney Dudley
President, Burkleigh Square Community Association

Cc: Aigburth Manor Assoc.
Wayne Skinner

02-823
MAR 14 2002

I would invite you to visit the cottage before you decide. It is a tranquil place of peace and healing in a world of noise, chaos and violence. The people who work there are trained professionals who also practice at other locations so concern of increased traffic should not be a major issue. Parking is available in an off-street cul de sac.

The most important point is that the healing arts practiced at the Center is a service available, nearby, to the resident of the Aigburth Vale Senior Community.

I urge you to allow this lovely, peaceful place to remain at Aigburth Vale. The whole community will benefit from its healing presence.

I thank you for your attention to this matter.

Sincerely,
Anne H. Bricke

APR 1 1 2002

2632 White Hall Rd
White Hall, Md 21161
April 9, 2002

Dear Commissioner Schmidt,

I am writing in reference to the 1999 ruling regarding use of property at Aigburth Vale. I would like to request that you consider an amendment to the ruling to allow for the present healing center to continue to occupy 212 C Aigburth - The Cottage.

4/3/02
WCR
Y for file

Code Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

April 1, 2002

To Whom It May Concern:

I am very disheartened and concerned because of the plight of the dedicated women health practitioners who practice at the Cottage at Aigburth. I have lived at Aigburth-Vale since September 2001. I first met Kitty Devlin, one the practitioners, that month. A few months earlier I had a serious auto accident and was wheel –chair bound. Mobility being a problem Kitty came to my apartment for treatments the first few visits. As healing progressed I went to the cottage. On my first visit there I was impressed by the amount of detail and planning that went into the rooms to make them comfortable, eye appealing and relaxing.

The practitioners each work part-time and are so scheduled that only one or two are there at the same time. Parking is in front of the building and not on street. These women care about their clients and came in good faith to bring healing and comfort. Much time, money and effort went into the lay out and decorating. This is not just a business for this group of ladies it is a dedicated service to those in need.

The leasers asked the question of zoning before signing and the owner of the buildings assured them zoning was not an issue. The Cottage at Aigburth brings a dimension to the area that is needed. I do not know all the practitioners, Kitty Devlin, a practicing acupuncturist for years I do know. She is dedicated, caring, skillful and knowledgeable in her fields. Kitty's care, concern and sensitivity to my needs both physical and emotional helped bring me back to participating in everyday life.

The exception proves the rule; this needs to be considered in this case. These women acted in good faith to bring their gifts of healing to others. They should not be made to suffer losses on every level for someone's oversight. Please in considering this case look at the positive contribution to individuals and the community and not the possibilities of non-existent businesses. Thank you

Sincerely,

Anna Maria Kihn

02-311-SPH

Anna Maria Kihn
212 Aigburth Rd. Apt. 113
Towson, MD 21286
410-296-6430

c.c. Vinnie Quale, Kitty Devlin

02-1084

Paula Schmidt Ed.D.
Child Psychologist
Ruscombe Mansion
4801 Yellowwood Avenue
Baltimore, Maryland 21209
(410) 367-7300

4/15/02
WCR
for file
George - File

April 8, 2002

Arnold C. Jablon, Director
Baltimore Country Zoning Board
111 W. Chesapeake Avenue
Room 111
Towson, MD 21204

Dear Mr. Jablon:

Please be advised that the Healing Arts Center on Aigburth Road in Towson, Maryland provides a vital community service enabling nearby seniors easy access to health services as well as the students at Towson High School. The Center provides its own full parking so there is no impact on nearby residences. It would be in Baltimore County's best interests to approve zoning for centers like these so that health care can be community based and also conveniently located for those living further away who might otherwise be subjected to parking meters, parking lot fees, and long walks to treatment.

Sincerely,

Paula T. Schmidt

Paula T. Schmidt
Licensed Psychologist

02-1247

THE CAMBRIDGE APT. 202
3900 NORTH CHARLES ST.
BALTIMORE, MARYLAND
21218

George - File

4/15/02
To war file

April 3, 2002

PREMISES ON AIGBURTH ROAD

To whom it may concern:

I am eighty-six years old, the widow of a physician and a mother of another physician. I have a B.A. degree from Oberlin College and a M.A. from George Washington University. For fifty years I lived on Poplar Hill Road in Baltimore and was active in maintaining the quality of the neighborhood.

I say these things to demonstrate that I am capable of judging the feasibility and desirability of your allowing your tenants of Aigburth Vale to continue work as planned.

I have known Kitty Devlin for more than twenty years, and Dixie Mullineaux for at least ten. I have benefited enormously from their skillful treatments which have helped to make me a vigorous octogenarian. I have needed their care and still do, so please do not displace them.

Sincerely yours,

June S. Wing

June S. Wing

02-1129

April 1, 2002

Baltimore County Zoning Board
Code Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Dear Members of the Board:

I am writing today because I am hopeful that I will make a difference in some upcoming decisions being faced by the Baltimore County Zoning Board. I receive acupuncture treatments at the Cottage at Aigburth Vale. The treatments contribute to my well being in ways that are so positive, I am certain I cannot begin to express them in this letter. I have been working with Kitty Devlin, one of the practitioners at the Cottage, for nearly 20 years. Without hesitation, I can tell you that she it is one of the most gifted acupuncturists I have ever met. She not only does exceptional work with individuals but is dedicated to and concerned about the community as well.

I understand there are questions being raised about the impact of this practice on the surrounding community. I would like to suggest to you that this healing arts center is a *gift* to the community. From the beginning, Kitty and her fellow practitioners expressed their excitement about being part of a community where they could have a positive influence. In fact, it was one of the reasons they chose this site. The students at the high school next door, the university two blocks away, and the senior citizens living on the grounds are part of a neighborhood that all benefit from the services of the Cottage. The healing art center is a vital part of this community. The practitioners bring *health and service* to the neighborhood.

I know concerns have been raised about the impact of this center on the surrounding area in terms of traffic, commercialism, and so forth. I can tell you from my experience that there has never been a problem with parking. There are an ample number of spots right in front of the center and, if ever needed, at Aigburth Vale. Each practitioner works at this center part-time so it would be rare if more than a couple of people were there at a time. This is also *not* a commercial business. As I have said above, it is a healing arts center intended to help build the community, not detract from it. Had the practitioners known there was a zoning concern before they entered into an agreement to lease the space, I am sure they would have taken it up with the board at that time.

In my daily work life, I oversee a very large mental health program servicing over 60,000 people. Every day I am reminded about the importance of providing good services in the context of the broader community. When they are at their best, all those working in the healing arts field are having a positive impact on individuals

and are highly integrated with the community. This is how healing and on-going health take place. I urge you to support the healing arts center now operating at Aigburth Vale. It is good for the *entire* neighborhood because it provides a vital and positive service.

If I can provide you with any further information or testimony, please do not hesitate to contact me.

Lisa Teems
8683 Doves Fly Way
Laurel, MD 20723
301-776-3801

cc: Vinny Quail, Director, St. Ambrose Housing
Kitty Devlin, Acupuncturist, Cottage at Aigburth Vale

APR 9

Terri G. Wurmser
6016 The Terraces
Baltimore, Maryland 21209

April 4, 2002

Larry Schmidt
Baltimore County Zoning Board
401 Bosley Avenue, Room 405
Towson, MD 21204

Re: The Cottage at Aigburth
212 C Aigburth

Dear Commissioner Schmidt:

I'm a Baltimore resident, living in the Mt. Washington part of the City. I've seen Kitty Devlin for acupuncture treatments for several years. Kitty's an amazing woman who sees incredible things and makes them happen. I felt honored when she shared with me her vision for the healing arts practice she was to create, The Cottage at Aigbuth. Kitty and the other part-time acupuncturists (who see only a handful of clients on any given day), paid serious attention to details as they established their new practice, including the needs of the community they wanted to be part of and hoped to serve. They took great pains to do everything the way it should be done. Including inquiring about the zoning status of the property before entering a lease agreement. The health practice now occupying the cottage was established in good faith based on a firm belief that the use of the property was in compliance with zoning of the property and in the best interest of the community.

The facts as they are now known, i.e., the current use of the cottage requires a variance in the zoning of the property, takes nothing away from the value the health practice offers the community. The residential quality of this neighborhood is in no way compromised by the use of the property as a healing arts center, making health and wellness resources accessible to the community. There must be a way to do avoid closing the cottage to this work. This small group of practitioners just can't dismantle what they've created and move it somewhere else. These women put "their all" into this center, literally. They don't have the resources to do it all over again, just 6 months after opening their doors.

Please. Without your intervention to help resolve the zoning dispute, The Cottage at Aigburth will clearly have no option but to close. That would be an enormous loss to me, to the many other supporters of the center, to all those folks in the community who might

otherwise discovered the richness of what the center and the people who created it have to offer. There must be a way.

I hope and expect you will hear from others who want to help find some resolution that allows this practice to remain in its current location. I realize this is a difficult outcome to achieve. I understand it may require an exceptional intervention. This letter is to say I think it's worth that effort. I know you are responsible for making weighty decisions concerning the best interest of the community. I hope you will see this use of the cottage to serve that interest. Please consider whether there is anything you can do, we can do, to make it possible for the healing arts practice to stay where it is.

Thank you for your time and attention.

With respect,

Terri Wurmser

cc: Kitty Devlin

Anne Healy
3900 North Charles Street
Baltimore, Maryland 21218

4/10/02
JI
S

April, 6, 2002

To the Code Enforcement Department :

I am concerned that all aspects of the rental of the Aigburth Cottage to three acupuncturists may not have been considered, and I am writing to present to you what may be lost if they are not permitted to stay there.

By now you know that the charges about their lease have been wafted away by the true facts of the situation. The clause in the lease forbidding a rental to a retail commercial business has no validity since the practice of acupuncture is in no way a "business". Indeed, just as a minister offers solace for the soul, an acupuncturist offers surcease of pain for the body. They both serve humanity in a unique way. Equally omportant to recall is the fact that before Kitty Devlin signed the lease she meticulously inquired about the zoning from the owner and was assured that there was no problem.

There is also no problem about the parking situation. All of the practitioners practice on a part time basis at the cottage so there is no danger of overcrowding. If more space should be needed there is plenty of space for parking in Aigburth Vale.

With the banishment of these charges it is clear that the practitioners are in compliance with the code and should be permitted to continue their work at the cottage where their intent was to offer a low impact healing arts center established to serve the community (the Seniors, the High School students, and the surrounding community) . Though they have been in residence only briefly, Kitty Devlin has been able to offer treatment pro bono to residents of the Senior facility next door and to nearby Towson High School students suffering from depression. As word spreads of their work, public awareness of the atmosphere of healing of mind and body which prevails within the cottage will add to a feeling of well being in the whole community.

The passage of time will also introduce to the community the presence of women of character and achievement who are highly esteemed in their profession and who are at the cottage because they want to be a vital part of the neighborhood family for whom they offer powers of healing and the warmth of their dedication to a life of service

From my deep concern for their future I offer these words: Let Good Faith prevail om all sides and let a "welcome" be offered to the acupuncturists who already (in a brief time) have transformed the cottage into a haven.

Respectfully submitted,

Anne Healy

Headmistress Emerita
Roland Park Country School

cc: Vinny Quail, Director, St. Ambrose Housing
Kitty Devlin

02-3W

fro 4/24

APR 5

#02-311-SPH

Brooke Pacy
5717 Roland Avenue
Baltimore, MD 21210

March 27, 2002

To the Baltimore County Zoning Board:

I am deeply concerned that the practice of acupuncturists working in the Cottage at Aigburth Vale may be interrupted by protests from the Aigburth Community Association, and fear that lives may be upset and valuable resources lost simply through lack of communication and clear understanding. I can sympathize with resident concern about any neighborhood changes, but no possible tenant of the Cottage could have less negative impact than these dedicated health practitioners, who in their kind, quiet way make a valuable service available.

This is no commercial retail enterprise. It is a healing arts center. The three therapists at the Cottage intend to be a vital part of the neighborhood and were assured by the owner that the zoning was appropriate to their lease. They see patients part time at this site two or three days a week each for sessions that last between an hour and an hour and a half. I am Kitty Devlin's patient--she has saved me and Medicare a small fortune in medical bills--and I have never seen more than two other people in the building at a time. Certainly, there is no traffic problem being created. The Cottage has its own more than ample parking area on the Aigburth Vale grounds.

More important, these therapists have years of training and experience behind them and are able to alleviate the pain, physical and mental, of the people who come to them. Kitty Devlin has done pro bono work for residents of the Senior Citizen facility next door; she's treated Towson high School students suffering from depression and charged them almost nothing. All three have worked hard to create in the Cottage a serene and lovely environment to further their work, and they belong there.

Apparently, the Community Association has been unwilling to meet with them or with St. Ambrose, their landlord, whose people are eager to cooperate with the Association. The residents don't know what they are rejecting. Any neighbors who actually saw what goes on in the Cottage might want to keep this service right there. I'd be thrilled to have the practice next door to me in Roland Park.

I hope reason will prevail and the dispute can be resolved amicably. In any case, it would be a criminal shame to displace these wonderfully worthy people, who are embroiled through no fault of theirs in this dispute. I urge you to allow them to remain in their ideal space and let them continue undisturbed aiding those of us who need them. Thank you for your attention.

Sincerely,

Brooke P Pacy

cc: Vinny Quail, Director, St. Ambrose Housing
Kitty Devlin

3/22/02
WCR
Goose-File
ASAP
3/25/02

THE KNOLLWOOD DONNYBROOK - Improvement Association, Inc.

3/20/02

Towson, Maryland 21204

Director's Office
Department of Permits and
Development Management
County Office Building
111 Chesapeake Avenue
Towson, MD 21204

Dear Sirs:

Re: Case number 02-311-SPH

The purpose of this letter is to advise that the Knollwood Donnybrook Improvement Association support the Aigburth Manor Association of Towson, Inc. in their **opposition** of the commercial development at Aigburth Vale LLC.

The Knollwood Donnybrook Improvement Association supports efforts to keep the area residential given our close proximity to both central Towson and Towson University.

As president of the Knollwood Donnybrook Improvement Association I would appreciate if you would include me in any notification of zoning hearings on this matter. You may reach me at 1116 Stevenson Lane, Towson, MD 21286, by phone at 410-296-1843 and/or email thejudygregory@comcast.net.

Sincerely,

Judy Gregory

Judy Gregory
President
Knollwood Donnybrook Improvement Association

cc: Aigburth Manor Association of Towson, Inc.

02-0930

4/17/02
copy for file

April 12, 2002

Sharee K. Kreisberg
7803 Crossland Road
Baltimore, MD 21208
(410) 484-8564

Baltimore County Zoning Board:

I am writing to ask your consideration in the matter of the Cottage at Aigburth Vale. It has recently been brought to my attention that the services currently being offered by its' practitioners are in danger of being terminated due to protests by the Aigburth Community Association. Surely there must be some terrible misunderstanding. This sacred little healing arts center is a beautiful asset to the community, not a hindrance.

Has no consideration been given to the gifts that this center is bringing to the community? Has anyone investigated the nature of what is being done with the school and the local residents in the area of health and education? I challenge those of you in a position of authority to take a look at what is behind the motive for trying to stop services and programs that are being offered to heal our communities and the individuals living there.

The people who work at the Cottage at Aigburth Vale have enriched my life and the lives of many others. Why would anyone be inclined to prevent goodness from being brought into the world for people in need? Certainly with the aftermath and tragedy of September 11th, we have all been reminded of the need for kindness and being more mindful of taking care of loved ones and our fellow neighbors.

I urge you to contemplate your decision carefully regarding this matter. I ask that you reach into your hearts and minds in order to find a solution that is fair and equitable to the practitioners at the Cottage as well as the members of the community. If I can be of any assistance in providing additional insights into this matter, I would be delighted to speak with you. Thank you for your consideration.

Warmest Regards,

Sharee K. Kreisberg

Sharee K. Kreisberg

Cc: Vinny Quail, Director, St. Ambrose Housing
Kitty Devlin

Kauffman-Marinelli Family
4328 Roland Avenue
Baltimore, MD 21210

April 1, 2002

Baltimore County Zoning Board
Code Enforcement
County Office Building
111 West Chesapeake Avenue
Towson, MD 21204

Dear Board Members:

We are saddened to hear that the Cottage at Aigburth Vale may have to close due to a zoning conflict, through no fault of the lessees. The Cottage is not a retail business. This high quality Healing Arts Center does nothing but enhance the community by offering affordable and gentle health care and wellness promotion that supports people across their life-cycle. Young families like ours, our aging parents, and teen-agers have benefited from the health services offered.

We have known each practitioner for over a decade and all three of them are highly educated, very professional and experienced. They have worked hard to create a lovely and peaceful space intended to heal the body, mind and spirit. The Cottage at Aigburth Vale belongs in this community; we'd be thrilled to have Acupuncturists practice in our neighborhood.

We understand that residents have concerns about a possible negative impact upon their neighborhood. The lessees bring a quiet, healing presence, not at all disturbing to the neighborhood. Each practitioner at the Cottage works at this location part-time, a few days a week, which incurs minimal traffic. The parking is ample and we have never seen the lot full. It's unfortunate the residents haven't toured the Cottage, met the practitioners, or taken the time to more fully understand what goes on there.

This is an unfortunate situation that we hope can be resolved amicably. We urge you to allow them to remain in their ideal space and to continue serving the community. Thank you for your attention to this matter.

Sincerely,

Robert J. Kauffman Marinelli, MAT
Public School Teacher

Jane Kauffman-Marinelli, MS,
Health and Wellness Educator

cc: Vinny Quail, Director St. Ambrose Housing
Kitty Devlin

APR 3 2002
02-1090

FRANCIS X. Borgerding, JR.

S. ERIC DINENNA, P.A.
ATTORNEY AT LAW

DINENNA AND BRESCHI
SUITE 600, MERCANTILE-TOWSON BLDG.
409 WASHINGTON AVE.
TOWSON, MD 21204

OFFICE (301) 296-6820
TELEFAX (301) 296-6884

(3) the Petition for Variance from B.C.Z.R. Section 1B01.2.C.1.e to permit a rear of building to tract boundary setback of 30 feet in lieu of the required 40 feet is hereby GRANTED, ALL SUBJECT TO THE FOLLOWING RESTRICTIONS:

a. There will be no use of the structures on the property except as either single family dwellings or as accessory structures as defined by B.C.Z.R. Section 432.1.B. for the sole use of the residents of the elderly housing community, and provided further that the availability of said facilities are not advertised to the general community;

b. Prior to any architectural changes to the "outbuildings" or the main structure, or changes to the landscaping on the property, drawings or plans will be submitted for review and comment to the Board of Advisors of the Aigburth Vale Senior Community and to the Baltimore County Office of Planning and to the Landmarks Preservation Committee of Baltimore County as may be deemed appropriate for determination. The drawings and plans will then be submitted to the Zoning Commissioner for Baltimore County for approval;

c. There will be no further expansion of buildings on the site without prior zoning approval after hearing;

d. There will be no regular deliveries to or pickups from the site, e.g., food service, laundry, etc., between the hours of 10:00 p.m. and 7:00 a.m.;

e. Afforestation will be met by the required planting of 2" caliper trees as stated on the plan.

f. Restrictive covenants will be recorded guaranteeing that the property will be used for elderly housing for a period of forty (40) years.

g. The Petitioner may apply for building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until

such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

Lawrence E. Schmidt,
Zoning Commissioner of Baltimore County

10IDOCS1/PAM01/0074208.01

The Greater Towson Council of Community Assoc., Inc

REPRESENTING MORE THAN 20 COMMUNITIES

PO BOX 5421, TOWSON, MD. 21285-5421

410-828-8694

APR 1 1

APRIL 9, 2002

MR. LAWRENCE E. SCHMIDT
BALTIMORE COUNTY ZONING COMMISSIONER
401 BOSLEY AVENUE
TOWSON, MARYLAND 21204

Ref: Case No.02=311-SPH

Dear Commissioner Schmidt,

At the March 21st meeting of the Greater Towson Council of Community Associations (GTCCA), the above case was discussed and it was unanimously decided thar the owner's request to amend the restriction to Zoning Case 99-107XA should be denied. Enclosed is a letter from the Aigburth Manor Assn. which is the affected community. Also enclosed is a letter of support from the Rodgers Forge Community.

It is our understanding that the original zoning restrictions were quite clear as to the limits of further development of the 212 Aigburth Road Property and that any proposed changes were to be discussed with the community before any action. In reality, while increased activity was noted at the site, it was only after the fact that the community discovered the commercial venue via newspaper advertisements. At the March 21st meeting, Mr. Brian Devlin of St. Ambrose Housing, the operator of the elderly housing facility, spoke to GTCCA regarding the problem and admitted that proper procedure had not been followed and that actually, his sister was one of the accupuncturists in the subject establishment. Further, he was of the opinion that this was a "community" issue and was unwilling to acknowledge that any restrictions with Baltimore County had been violated.

Without repeating the basic problems in the area and the long search for a suitable use for Aigburth Vale in a residential environment (all of which are addressed in the enclosures); the real issue here is the County's willingness to enforce zoning restrictions. Too many times, communities are discouraged by County settlements which seriously dilute the intentions of zoning codes. While most of the instances surround the continuing problems associated with rental properties, have no doubt that the word circulates through commercial owners. This is not the perception that the residential population of Baltimore County desires.

In this case, the owner has been caught violating the basic agreement with Baltimore County which permitted him to proceed with his development enterprise in the first place. Instead of admitting his indiscretion and agreeing to eliminate the violating condition, he now expects the County to legitimize his wrongdoing. If in fact, were he to succeed in his quest, it would make zoning restriction a future travesty to all but developers of the highest integrity. Clearly, the owner felt that he could enter any agreement and then have his own way at a later date.

The GTCCA is united in the stand that the request for amending current restrictions be denied. We wish this case to send a clear message that developers cannot expect to run roughshod over residential communities and Baltimore County zoning restrictions. Thank you for your consideration.

Very truly yours,

Conrad J. Poniatowski

President

Cc; Dir. Offc.; Permits & Dev. Mgt.
W.Skinner
N.Dozier
P.Hartman
D.Gerding

The Aigburth Manor Association of Towson, Inc.
P.O. Box 20143 • Towson, Maryland 21284-0143

March 5, 2002

Dear Friends at GTCCA,

The Aigburth Manor Association of Towson, Inc., needs your help and support.

We have a long history of fighting against commercial development in our residentially-zoned neighborhood. In the mid-1990s, Baltimore County was looking for someone to buy and develop the Aigburth Manor, a beautiful mansion built in the mid-19th century. There were plans for a bed and breakfast/small hotel/business center with an associated restaurant, which we fought because we did not want to open the door to commercial enterprises within our neighborhood. Eventually a plan was developed for low-income Senior Housing, which we acceded to because of its residential nature.

In the zoning board decision that allowed a variance to develop the Aigburth Manor property for senior housing (Case 99-107-XA; issued Jan 12, 1999), there was a restriction placed on the property that said: **"There will be no use of the structures on the property except as either single family dwellings or as accessory structures as defined by B.C.Z.R. Section 432.1.B, for the sole use of the residents of the elderly housing community, and provided further that the availability of said facilities are not advertised to the general community."**

At that time we were satisfied that our community's interests were protected by this zoning decision. However, it has come to our attention that the building's owner, Mr. Leo D'Aleo and the Aigburth Vale LLC, has rented out one of the outbuildings to a commercial venture. They have been issued a correction notice by the Zoning Department and their response has been to request that the restriction be removed.

We believe that the residential nature of our neighborhood is quite fragile, especially with our proximity to both central Towson and Towson University. We are adamantly opposed to *any* additional commercial development within the boundaries of our community association. We ask you to **support us in writing**, by addressing letters of support to Director's Office, Department of Permits and Development Management, County Office Building, 111 West Chesapeake Avenue, Towson, MD 21204 (fax 410-887-5708). Please cc. our association at Aigburth Manor Association of Towson, Inc., P.O. Box 20143, Towson, MD 21284-0143 (fax 410-337-6735).

If you would like to send a representative to the hearing to demonstrate your support, we would be most appreciative. The hearing is Case Number 02-311-SPH, to be held March 21, 2002, at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue. Because hearings are sometimes postponed, you may call Paul Hartman (410-296-6934) or Judith Giacomo (410-337-7348) the night before to confirm the status of the hearing.

Sincerely yours,

Paul Hartman

Paul Hartman
President
Aigburth Manor Association of Towson, Inc.

JOINT EXHIBIT NO 1

AGREEMENT

THIS AGREEMENT is entered into by and between Aigburth Vale, LLLP and Aigburth Manor Association of Towson Inc. (hereinafter "the Association").

INTRODUCTION

A. Aigburth Vale, LLLP is the owner of approximately 3.62 acres of property located at 212 Aigburth Road in Baltimore County, Maryland, which property has been developed as the Aigburth Vale Senior Community ("the Facility").

B. Aigburth Vale, LLC ("Aigburth") and St. Ambrose Housing Aid Center, Inc. ("St. Ambrose") are the general partners of Aigburth Vale, LLLP, and, in that capacity, agree to be bound by the terms of this Agreement with respect to the promises, obligations, and responsibilities of Aigburth Vale, LLLP.

C. St. Ambrose entered into a Lease Agreement, dated September 1, 2001, with Dixie Mullineaux, Cynthia Jabs, and Kitty Devlin ("the Tenants"), for an outbuilding at the Facility known as "The Cottage" for use as office space for the practice of physical therapy, acupuncture, massage, and mental health counseling by licensed professionals. The lease term was two years.

D. The Association filed a complaint with Baltimore County Division of Code Inspections and Enforcement, which complaint resulted in a correction notice being issued to Aigburth Vale, LLLP.

E. To remedy the situation, Aigburth Vale, LLC filed a Petition for Special Hearing seeking a determination from the Zoning Commissioner for Baltimore County that

the Tenants' use of the Cottage as a permitted accessory use to the Facility. The Association had indicated its intent to contest such a determination.

F. A hearing before the Zoning Commissioner on the Petition for Special Hearing was scheduled for April 24, 2002. Aigburth, St. Ambrose, and the Association agreed to request jointly that the hearing date be postponed to allow the parties time to meet to consider a compromise. The Zoning Commissioner agreed to postpone the date of April 24, 2002, and to set the case in for May 13, 2002.

G. The parties met on April 24, 2002, and worked out a compromise agreement, the terms of which are contained in this document.

H. Aigburth desires to explore the possibility of utilizing the Cottage and two other outbuildings for additional residential units to be used in conjunction with the Facility. Aigburth acknowledges that adding residential units to the Facility would require additional zoning approvals. The Association is agreeable to meeting to review and consider supporting development of the outbuildings for this purpose.

AGREEMENT

Accordingly, Aigburth, St. Ambrose, and the Association, in consideration for the mutual promises, responsibilities, and undertakings stated herein, agree, as follows:

1. Aigburth and St. Ambrose agree that the Tenants will vacate the Cottage on or before November 1, 2002, unless the Tenants produce a fully executed lease to relocate to another location outside the Facility, which will extend the required date of vacation of the Cottage until no later than January 1, 2003. In order for such extension to take place, the Tenants must produce a qualifying lease to the Association's attorney, Francis X.

Borgerding, Jr., on or before October 31, 2002. Under no circumstances will the Tenants be permitted to remain in the Cottage after January 1, 2003.

2. Aigburth, St. Ambrose, and the Association agree to request jointly that the Zoning Commissioner again postpone the hearing scheduled for May 13, 2002, until the earliest available date following November 1, 2002, unless the vacation date is extended as provided in Paragraph 1. If the vacation date is not extended as provided in Paragraph 1, Aigburth and St. Ambrose agree to withdraw the requested Petition for Special Hearing at the hearing following November 1, 2002, or, within two weeks of the actual date the Tenants vacate the premises, whichever is earlier. If the vacation date is extended as provided in Paragraph 1, the parties will again jointly request that the hearing be rescheduled to a date after January 1, 2003, on which hearing date, Aigburth and St. Ambrose agree to withdraw the requested Petition for Special Hearing.

3. The Association agrees not to directly or indirectly, or through any surrogates, affiliates, or any other related party, request or pursue further violation or injunctive proceedings before November 1, 2002, or, if the vacation date is extended as provided in Paragraph 1, before January 1, 2003.

4. Aigburth and St. Ambrose agree to convene a Board of Advisors, comprised in accordance with Section 432.3.F of the Baltimore County Zoning Regulations, at least four times a year, to discuss and comment on any architectural changes to and/or future plans for the Facility, including, but not limited to, any proposal to utilize the outbuildings for additional residential units.

5. Aigburth Vale, LLLP and Aigburth Vale, LLC agree to pay an amount up to Three Thousand Dollars ($3,000.00) for legal fees incurred by the Association in

challenging the Petition for Special Hearing and in negotiating this agreement. Such legal fees shall be paid within thirty (30) days of the date a supporting invoice is submitted by Mr. Borgerding.

6. Any individual signing on behalf of a corporate entity warrants and represents that he has the authority to do so and to bind the corporation.

7. This Agreement may be executed in separate counterparts.

CONCLUSION

ACCORDINGLY, this Agreement is signed and sealed and shall be effective as of the date of the latest signature below ("the effective date"), as follows:

Aigburth Vale, LLLP

BY: St. Ambrose Housing Aid Center, Inc.,
General Partner

BY: _____ (SEAL)
Vincent P. Quayle, Executive Director

5/10/02
Date

BY: Aigburth Vale, LLC,
General Partner

BY: _____ (SEAL)
Leo J. D'Aleo, Member

5/10/02
Date

Aigburth Manor Association of Towson, Inc.

BY: Paul S. Hartman (SEAL)
Paul Hartman, President

5/9/07
Date

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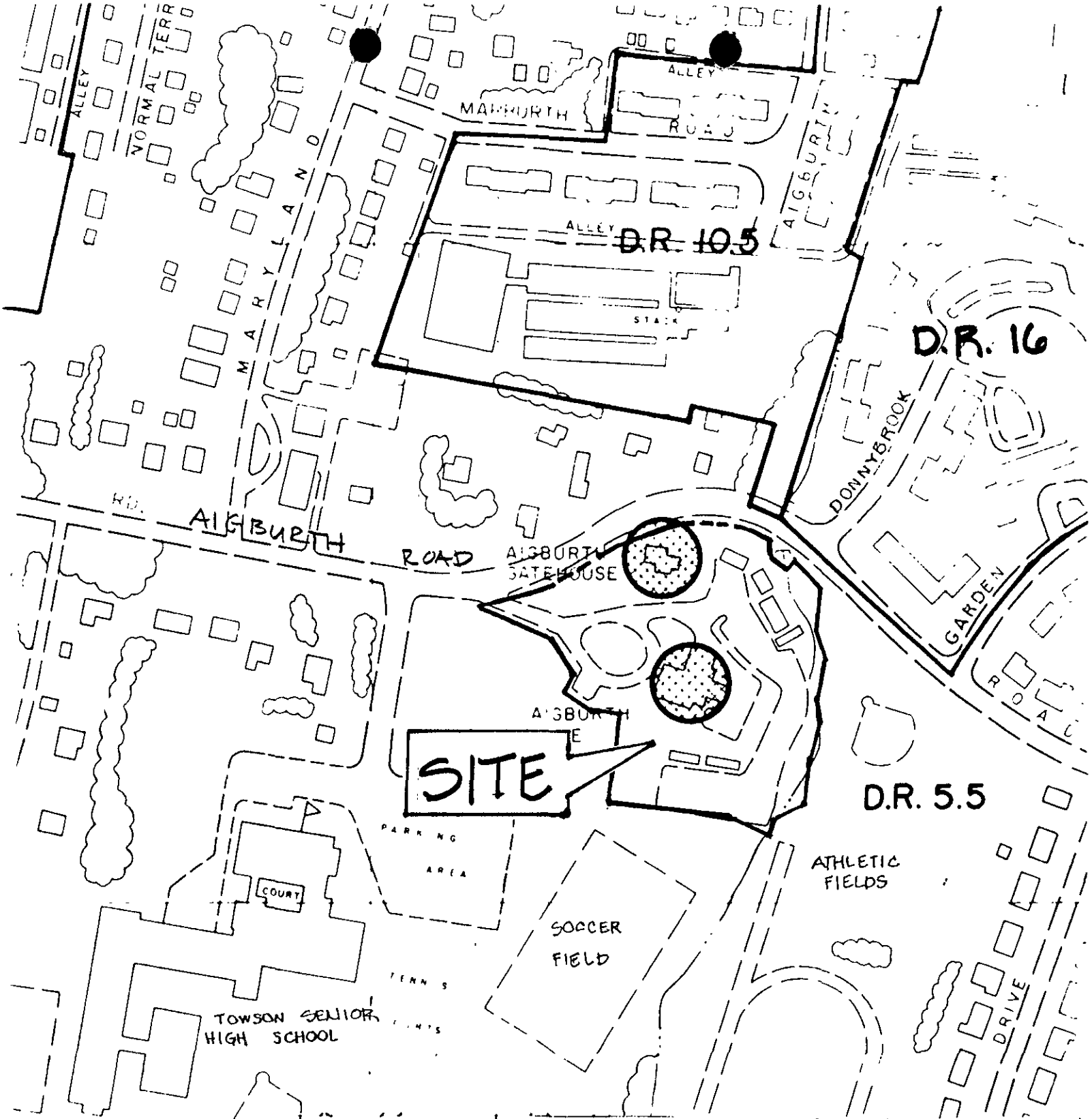

D.R. 5.5

BALTIMORE COUNTY OFFICIAL ZONING MAP

SCALE	LOCATION	SHEET
1" = 200' ±	WILTONDALE	NE
DATE OF PHOTOGRAPHY JANUARY 1986	TOWSON AIGBURTH VALE 212 AIGBURTH RD.	9-A

NORTH

311

All field dimensions and conditions are to be verified by the fabricators or contractors. Any condition which affects the implementation of the design shall be brought to the attention of D'Aleo & Associates, LLC in writing prior to the start of work.

REVISIONS

DATE	DESCRIPTION