IN RE: PETITIONS FOR SPECIAL EXCEPTION \* BEFORE THE

AND VARIANCE - W/S Woodholme Avenue,

480' N of the c/l Trentham Drive \* ZONING COMMISSIONER

(1700 Woodholme Avenue)

3<sup>rd</sup> Election District \* OF BALTIMORE COUNTY

2<sup>nd</sup> Council District

\* Case No. 04-399-XA

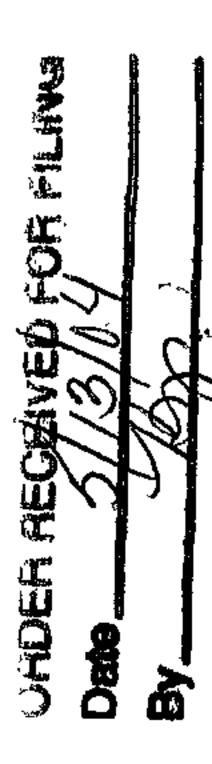
American Red Cross of the National Capital Area, Owners; Assisted Living Centers, Inc., Contract Purchasers

\* \* \* \* \* \* \* \*

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Exception and Variance filed by the owners of the subject property, the American Red Cross of the National Capital Area, and the Contract Purchasers, Assisted Living Centers, Inc., through their attorney, Arnold E. Jablon, Esquire. The Petitioners request a special exception to permit an assisted living facility (other than Class A or B) on the subject property, pursuant to Section 1B01.1.C.26 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, variance relief is requested from Section 504 of the B.C.Z.R. and the Comprehensive Manual of Development Policies (C.M.D.P.) (Residential Standards, Pg.29) to permit a total building length of 290 feet in lieu of the maximum allowed 200 feet; and from Sections 1B01.2.C.1.a and 301.1 of the B.C.Z.R. to permit a front yard, non-residential principal building setback of 20 feet in lieu of the required 30 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 Louis Buchsbaum, Keith Wilson, Robert C. Bartolo and Sadj Bartolo, on behalf of Assisted Living Centers, Inc., Contract Purchasers; David S. Thaler and Mark Vaszil, on behalf of D. S. Thaler and Associates, Inc., the consultants who prepared the site plan for this property; Kenneth Hart, Architect; and Arnold E. Jablon, Esquire, attorney for the Petitioners. There were no Protestants or other interested persons present.



ORDER RECEIVED FOR FILING

By

By

Constants

Testimony and evidence offered revealed that the subject property is an irregular shaped parcel located along the west side of Woodholme Avenue, just north of the Western Maryland Railroad and immediately adjacent to the Baltimore Beltway (I-695), near its interchange with Reisterstown Road in Pikesville. The property contains a gross area of 7.22 acres, more or less, zoned D.R.5.5, and is presently unimproved. Vehicular access to the site is by way of Old Court Road and Woodholme Avenue.

Although unimproved, the property has a significant zoning history. The property is located immediately adjacent to the residential community known as Roslyn Station and was originally proposed for development with the residential condominium community known as Roslyn Station II. That case was considered by the development review agencies of Baltimore County and approved by the County Review Group (CRG) on February 2, 1989. However, that approval was appealed to the County Board of Appeals and on to the Courts of the State. Ultimately, the matter was considered by the highest court of Maryland (Court of Appeals). Although approved, the property has never been developed and remains vacant.

The Petitioners now propose a use, which, unlike the prior proposal, apparently enjoys the support of the surrounding community. As more particularly shown on the site plan, the Petitioners propose a 100-bed assisted living facility. A floor plan and architectural elevation drawings of the proposed building were submitted at the hearing (see Petitioner's Exhibits 12, 13 and 14). Those plans show an attractively designed three-story building. It was indicated that the facility would be developed as five 20-resident "neighborhoods." That is, residents will be clustered into different parts of the facility to allow for a more intimate dining and living experience and foster a more familial-like arrangement. Moreover, as also shown on the plan, the building will be situated close to the right-of-way of the Baltimore Beltway so as to leave a large undisturbed buffer from the residents of Roslyn Station. In fact, the building will face the right-of-way of the Beltway. The plan also shows a parking area providing 35 spaces.

Vehicular access to the site has not been definitively decided at this time. The plan shows two potential means of access; one is shown as Possible Entrance A and the other, Possible Entrance B. Possible Entrance A will use an existing driveway and need cross an environmentally

sensitive area (100-year floodplain). Proposed Entrance B abuts the south side of the property. It was indicated that negotiations were continuing with the Department of Environmental Protection and Resource Management (DEPRM) and the Department of Public Works (DPW) to finalize the access.

In addition to the site plan, building elevation drawings and floor plan, numerous other documents were submitted into the record of the hearing. They included a traffic study, which concludes that the facility will generate minimal volumes of traffic. Photographs were also submitted of the site as well as letters of support and agreements with certain neighbors (e.g., Stephen M. Paige and Nancy E. Paige). The record of the case contains all of these exhibits in addition to the proffer of Counsel and testimony offered during the hearing.

Based upon the testimony and evidence presented, I am easily persuaded that the Petition for Special Exception should be granted. It is clear that the proposed use meets the requirements of Section 502.1 of the B.C.Z.R. and that the proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein. Moreover, the proposed facility will not be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

Turning to the Petition for Variance, the first variance request was withdrawn and dismissed in open hearing. Although I would find that the request was justified, the Petitioners submitted an amended comment from the Office of Planning indicating that the Director has granted a "variation of standards" with regard to building length because the building elevation drawings submitted are of superior quality. I likewise find that the proposed building is of superior quality and design and thus, that variance request shall be dismissed as moot.

The second variance request relates to a canopy along the front of the building.

Although the building will be setback further than the 30 feet required, the canopy attached to the

structure will be but 20 feet to the property line. It was indicated that the canopy was designed to provide protection from the elements for motorists/visitors to the property, as well as residents entering and exiting the building. Additionally, deliveries and emergency vehicles can park in front of the building under the canopy. Based on the testimony and evidence presented in this regard, I am also persuaded that 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 above, the relief requested shall be granted.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Sections 1B01.2.C.1.a and 301.1 of the B.C.Z.R. to permit a front yard, non-residential principal building setback of 20 feet in lieu of the required 30 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restriction:

1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 504 of the B.C.Z.R. and the Comprehensive Manual of Development Policies (C.M.D.P., Residential Standards, Pg.29) to permit a total building length of 290 feet in lieu of the maximum allowed 200 feet, be and is hereby DISMISSED AS MOOT.

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

FOR FILE

ORDER RE

#### **Zoning Commissioner**

Suite 405, County Courts Building 401 Bosley Avenue Towson, Maryland 21204 Tel: 410-887-3868 • Fax: 410-887-3468





James T. Smith, Jr., County Executive Lawrence E. Schmidt, Zoning Commissioner

May 12, 2004

Arnold E. Jablon, Esquire Venable, LLP 210 Allegheny Avenue Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL EXCEPTION & VARIANCE
W/S Woodholme Avenue, 480' N of Trentham Drive, E of Baltimore Beltway (I-695)
(1700 Woodholme Avenue)
3<sup>rd</sup> Election District – 2<sup>nd</sup> Council District
American Red Cross of the National Capital Area, Owners;

Assisted Living Centers, Inc., Contract Purchasers

Case No. 04-399-XA

Dear Mr. Jablon:

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

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

Very truly yours,

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

LES:bjs

Ms. Linda C. Mathes, CEO, American Red Cross
2131 K Street NW, Washington, D.C. 20037
Mr. Lou Buchsbaum, President, Assisted Living Centers, Inc.
10015 Old Columbia Road, Columbia, Md. 21046-1706
Messrs. D. S. Thaler & Mark Vaszil, P.O. Box 47428 Baltimore, Md. 21244-7428
Mr. Kenneth Hart, 1010 N. Charles Street, Baltimore, Md. 21201
Robert Bartolo and Sadj Bartolo, 9570 Longlook Lane, Columbia, Md. 21045
Office of Planning; People's Counsel; Case File

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



## Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at _	1700	Woodholme	Avenue
in broberty tocated at _			

which is presently zoned DR 5.5

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

Special Exception to permit an assisted living facility (other than Class A or B), pursuant to Section 1801.1.C.26 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 Exception, advertising, posting, etc. and further agree to and are to be bounded by t zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

City

#### Contract Purchaser/Lessee:

Assisted Living Centers, Inc.

Marine - Tabe of Strut B	: Lou Bu	chsbaum,	President
Signature	<del></del>	<del></del> -	<del></del>
10015 Old Colum	bia Road	(410) 381	-6889
Address			Telephone No.
Columbia,	Marylan_	d 21046	-1706
City		State	Zip Code
Attorney For Peti	tioner:	•	•
Arnold E. Jablo	n		
Name - Type or Print		····	
Sont			
Signature	·	<del></del>	<del></del>
Venable LLP			
Company	.*		<del></del>
210 Allegheny Av	venue (4	<u>10) 494–6</u>	200
Address			Telephone No.
	Maryland	212	04 .
Ciy		State	Zip Code

așe No.	04-399-XA
Ti .	
Z 20 09 15 98	

FOR FILING

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perjury, that I/we is the subject of the	are the legal own	er(s) of the pro	perty which
Legal Owner(	s):		
American Red	Cross of th	e National	  -  -
Name - Type or Prin	Capital A	rea	-
( <i>)</i>	nes CEO ·	,	
Signature 2131 K Street	: NW (202)	737-8300	
Address Washington,	DC	20037	elephone No.
City		State	Zip Code
Representativ	e to be Conta	cted:	
Arnold E. Ja	blon		
Name 210 Allegher	y Avenue (	410)494-62	00
Address	Manage 27 27		lephone No.
Towson,	Marvland	21204	

State

Date 3/2/04

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING \_

UNAVAILABLE FOR HEARING

Reviewed By D.THOMPSON

Zip Code

IWe do solemnly declare and affirm, under the penalties of



# Petition for Variance

#### to the Zoning Commissioner of Baltimore County

for the property located at 1.700 Woodholme Avenue

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 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 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.

#### Contract Purchaser/Lessee:

Assisted Living Centers, Inc.

Name · Type or Print By: Lou Buchsbaum, President Signature 10015 Old Columbia Road (410)381-6889 Address Telephone No. Columbia, Maryland 21046-1706 City State Zip Code Attorney For Petitioner: Arnold E. Jablon Name - Type of Print Signature eVeráble LLP Compliny Allegheny Avenue 494-6200 (410)Address Telephone No.

Maryland

State

21204

Zip Code

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

#### Legal Owner(s):

American Red Cross of the National

Name - Type or Print Capital Area Signature Linda C. Mathes, CEO Name - Type or Print	
Name - Type or Print	,

2131 K	Street	NW (2	202) [	737-8300	
Address	· · · · · · · · · · · · · · · · · · ·	<del>- :</del>	······································	Tele	phone No.

Washington, DC 20037 City State Zip Coce

#### Representative to be Contacted:

Arnold E. Jablon Name 210 Allegheny Avenue (410)494-6200 Address Telephone No. Towson, 21204 Maryland City Zip Cose State

#### OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

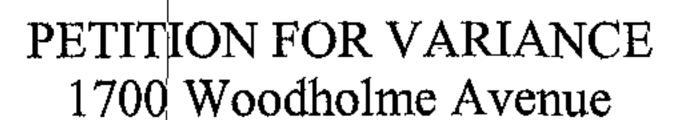
UNAVAILABLE FOR HEARING Reviewed By DTHOMPSON Date 3204

Towson,

REU 9/15/98

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ORDER REC 



Variance from Section 504 of the Baltimore County Zoning Regulations ("BCZR") and the Comprehensive Manual of Development Policies (Residential Standards, Page 29) to allow a total building length of 290 feet in lieu of the permitted 200 feet.

Variance from BCZR Section 1B01.2.C.1.a to allow a front yard nonresidential principal building setback of 20 feet in lieu of the required 30 feet.

TO1DOCS1/DHK01/#179069v1







#### January 14, 2004

#### ZONING DESCRIPTION

#### **ROSLYN STATION II**

Beginning on the westerly side of Woodholme Avenue, 30 feet wide, at a point approximately 480 feet from the center of Trentham Drive, thence running the following 18 courses and distances:

- 1. North 56°01'27" West 558.32 feet, more or less, to a point; thence,
- 2. North 23°07'54" East 199.72 feet, more or less, to a point; thence,
- 3. North 12°46'57" East 288.65 feet, more or less, to a point; thence,
- 4. North 24°17'14" East 135.84 feet, more or less, to a point; thence,
- 5. North 43°28'57" East 384.76 feet, more or less, to a point; thence,
- 6. South 04°52'12" West 72.26 feet, more or less, to a point; thence,
- 7. South 81°34'12" West 24.93 feet, more or less, to a point; thence,
- 8. South 03°56′52" West 264.00 feet, more or less, to a point; thence,
- 9. South 06°31'53" West 108.81 feet, more or less, to a point; thence,
- 10. South 14°32'37" East 27.53 feet, more or less, to a point; thence,
- 11. South 61°06'46" East 60.19 feet, more or less, to a point; thence,
- 12. South 32°36'06" East 40.87 feet, more or less, to a point; thence,
- 13. North 61°06'39" West 77.64 feet, more or less, to a point; thence,
- 14. South 07°58'57" West 189.59 feet, more or less, to a point; thence,
- 15. South 07°02'03" East 98.87 feet, more or less, to a point; thence,
- 16. South 86°01'36" East 153.66 feet, more or less, to a point; thence,

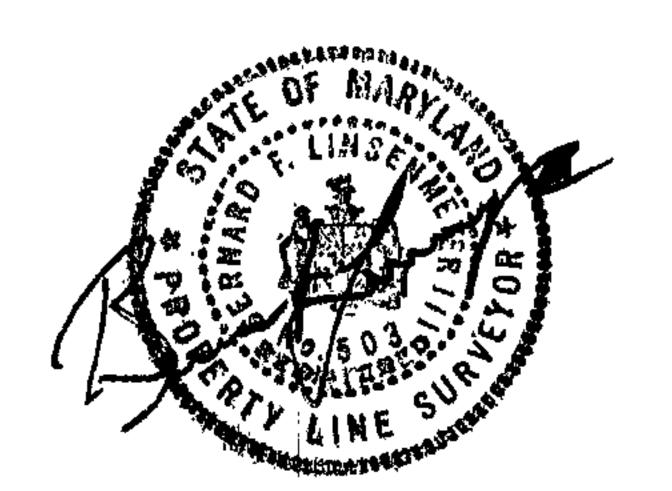




page 2 of 2 Zoning Description Roslyn Station II January 14, 2004

- 17. Southwesterly 334.50 feet by a curve to the right, having a radius of 590.29 feet and a chord bearing South 13°39'25" West330.04 feet, more or less, to a point; thence,
- 18. Southwesterly 65.63 by a curve to the left, having a radius of 105.00 feet and a chord bearing South 11°59'31" West 64.56 feet to the point of beginning.

  Containing 7.0819 acres of land, more or less.



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# **LOTICE OF ZOMUNG HEARTHG**

authority of the Zoning Act and Regulations of Baltim recounty will hold a public hearing in Towson, Natlety on the property identified herein as follows:

Case: #04-399-XA.

1700 Woodholme Avenue
W/side Woodholme Avenue, 480-feet North and West from centerfine Trentham Drive
3rd Election District - 2nd Councilmanic District
Capital Area, Linda C. Mathes, CEO
Contract Purchaser: Assisted Living Centers, had no contract Purchaser: Assisted Living Centers, had no second allow a total building length of 290-feet in lieu of the resident principal building setback of 20-feet in lieu of the regular

principal building setback of 20-reet in normal fit Rodin 30-feet.
Hearing: Tuesday, May 4, 2004 at 9:00 a.m. in Rodin 407, County Courts Building, 407 Bosley Avenue 12 CM

LAWRENCE E. SCHMIDT

Zoning Commissioner for Baltimore County

Zoning Commissioner for Baltimore County

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

(2) For Information concerning the File and/or Hearing.

(2) For Information concerning the File and/or Hearing.

Contact the Zoning Review Office at (410) 887-33919.

JT/4/744 April 20

OF PUBLICATION

, that the annexed advertisement was published successive weeks, the first publication appearing in the following weekly newspaper published in Baltimore County, Md., THIS IS TO CERTIFY each of once in

O

X The Jeffersonian

Arbutus Times

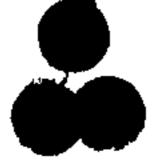
Catonsville Times Towson Time

Times Owings Mills News U North County

NE Booster/Reporter

TOWN TOWN

LEGAL ADVERTISING





#### CERTIFICATE OF POSTING

RE: Case No.: 04-399-XA

Petitioner/Developer: ASSISTED CIVING

CENTERS LOW BUCKSBAUM

Date of Hearing/Closing: MAY 4, 2004

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

ATTN: Kristen Matthews {(410) 887-3394}

Ladies and Gentlemen:

This letter is to certify under the posted conspicuously on the prope		ssary sign(s) re	quired by law v	vere
	WOODHOLME	AVE	73**	
1447- <b>144-1</b> -1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	······································	·	·	
The sign(s) were posted on	(Month, Day, Yea			
	(Month, Day, Yea	r)	4	<del></del>

Sincerely,

A PUBLIC HI ARRIVE WILL BE JEED BY JOHN COMMITTEN WHITE WAS A REAL MEDICAL PROPERTY OF THE PUBLIC OF

Robert Back 4/17/09 (Signature of Sign Poster) (Date)
SSG Robert Black
(Print Name)
1508 Leslie Road
(Address)
Dundalk, Maryland 21222
(City, State, Zip Code)
(410) 282-7940
(Telephone Number)

### elopment 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

March 16, 2004

#### **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: 04-399-XA

1700 Woodholme Avenue

W/side Woodholme Avenue, 480-feet North and West from centerline Trentham Drive.

3<sup>rd</sup> Election District—2<sup>nd</sup> Councilmanic District

Legal Owners: American Red Cross of the National Capital Area, Linda C. Mathes, CEO.

Contract Purchaser: Assisted Living Centers, Inc. Lou Buchsbaum, President

Special Exception: to permit an assisted living facility. To allow a total building length of 290-feet in lieu of the permitted 200-feet. To permit a front yard non residential principal building setback of 20-feet in lieu of the required 30-feet.

Hearing: Tuesday May 4, 2004 at 9:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

Timothy Kotroco Director

TK: clb

C: American Red Cross of the National Captial Area Linda Mathes, CEO, 2131 K Street NW Washington DC 20037

Assisted Living Centers, Inc. Lou Buchsbaum, President 10015 Old Columbia Road Columbia, 21046-1706

Arnold E. Jablon, Venable LLP 210 Allegheny Avenue Towson 21204

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY APRIL 19, 2004.
  - (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



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

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 20, 2004 Issue – Jeffersonian

Please forward billing to Amy Dontell 210 Allegheny Avenue Towson, Maryland 21204

410-494-6244

#### **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: 04-399-XA

1700 Woodholme Avenue

W/side Woodholme Avenue, 480-feet North and West from centerline Trentham Drive.

3<sup>rd</sup> Election District—2<sup>nd</sup> Councilmanic District

Legal Owners: American Red Cross of the National Capital Area, Linda C. Mathes, CEO.

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Hearing: Tuesday May 4, 2004 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 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.





#### DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

#### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 04-399-XA  Petitioner: American Red Cross of the National Capital Apren
Address or Location: 1700 Woodholme Arenue
PLEASE FORWARD ADVERTISING BILL TO:  Name:
Telephone Number: (910) 494 - 6244

#### Department of Permits Development Managen eur

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





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

April 27, 2004

Arnold E. Jablon Venable, LLP. 210 Allegheny Avenue Towson, Maryland 21204

Dear Mr. Jablon:

RE: Case Number:04-399-XA, 1700 Woodholme Avenue

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 2, 2004.

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,
U. Call Rihall

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

People's Counsel C:

American Red Cross of the National Capital Area Linda Mathes 2131 K Street NW Washington DC 20037

Assisted Living Centers, Inc. 10015 Old Columbia Road Columbia 21046-1706



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

#### Fire Department

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





James T. Smith, Jr., County Executive John J. Hohman, Chief

County Office Building, Room 111 Mail Stop #1105 111 West Chesapeake Avenue Towson, Maryland 21204

March 15, 2004

ATTENTION: Rebecca Hart

Distribution Meeting of: March 15, 2004

Item No.:

341, (399)412

Dear Ms. Hart:

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.

6. The Fire Marshal's Office has no comments at this time.

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

cc: File



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





Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: 3.16.04

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

Robert L. Ehrlich, Jr., Governor

Michael S. Steele, Lt. Governor

RE:

Baltimore County

Item No. 399

Dear. Ms. Matthews:

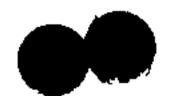
This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

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/toll-free number is \_\_\_\_\_





#### BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

R. Bruce Seeley RBS/JDU

DATE:

April 5, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of March 8, 2004

\_\_X The Department of Environmental Protection and Resource Management has no comments on the following zoning items:

04-341 04-399

04-400

04-401

04-402

04-405

04-407

04-412

Reviewers:

Sue Farinetti, Dave Lykens

S:\Devcoord\ZAC SHELL 11-20-03.doc

#### BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** May, 3, 2004

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**Amended Comment** 

RECEIVED

MAY - 3: 2004

Roslyn Station, 1700 Woodholme Avenue

ZONING COMMISSIONER

**INFORMATION:** 

Item Number:

04-399

Petitioner:

Assisted Living Centers, Inc.

Zoning:

DR 5.5

Requested Action:

Special Exception and Variance/Modification of Standards

#### SUMMARY OF RECOMMENDATIONS:

The applicant is proposing an assisted living facility (100 bed) with a 290 foot building length. The Office of Planning may grant a "Variation of Standards" for building length that would negate the need for the Variance as filed. Upon a favorable recommendation by the Director of the Office of Planning, nonresidential uses permitted in the density residential zones may be increased from the maximum 200' length up to 300' if the structure is designed with special emphasis given to the following design considerations:

- 1. The materials are specified;
- 2. The buildings are segmented and architecturally varied to break up their massing;
- Landscaping is used to visually break up the massing of the façade;
- The architectural details reflect regional residential elements; and,
- Buildings shall comply with Sections 26-203.d.20 and 26-282, "Compatibility", of the Development Regulations.

The applicant has submitted a site plan, cross sections, architectural elevations, building materials and floor plans. The Office of Planning has reviewed these submissions and recommends to the Hearing Officer that this Development is compatible with the community and meets the Compatibility Objectives of the CMDP and Baltimore County Development Regulations. Quality building materials such as brick and stucco and the use of residential elements such as arches, multiple offsets in the building façade and steps in the roofline create a residential feel. Site disturbance is minimized through placement of the site improvements and the utilization of the existing roadway in order to reduce grading and retain as much forest as possible. Additional landscape screening will be added between the proposed building and the adjacent neighborhood and the beltway.

The Office of Planning supports the petitioner's requests for a variation of standards for building length, a special exception to permit an assisted living facility and for a variance to allow a 9 foot front yard setback of 20 foot in lieu of the 30 feet allowed for an open projection. In addition, the Director of Planning grants a "Variation of Standards" with regard to building length as the elevation drawings submitted are of superior quality.

**Deputy Director:** 

AFK/LL





**DATE:** April 5, 2004

#### BALTIMORE COUNTY, MARYLAND

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

**SUBJECT:** 

Zoning Advisory Committee Meeting

For March 22, 2004

(Item No. 399)

The Bureau of Development Plans Review has reviewed the subject-zoning item.

This office prefers the entry road "B" option; however, if entry road "A" plan is selected, Woodholme Avenue shall be raised to be outside of 100-year plain.

RWB:CEN:jrb

cc: File



AND VARIANCE

1700 Woodholme Ave; W/side Woodholme \*

Ave, 480' N & W c/line Trentham Drive

3<sup>rd</sup> Election & 2<sup>nd</sup> Election Districts

Legal Owner(s): American Red Cross of The National Capital Area, Linda Mathes, CEO \*

Contract Purchaser(s): Assisted Living

Centers, Lou Buchsbaum, President

BEFORE THE

**ZONING COMMISSIONER** 

**FOR** 

**BALTIMORE COUNTY** 

04-399-XA

. \* \* \* \* \* \* \* \*

#### ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and 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 17<sup>th</sup> day of March, 2004, a copy of the foregoing Entry of Appearance was mailed to Arnold E. Jablon, Esquire, Venable, LLP, 210 Allegheny Avenuem Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

RECEIVED

MAR 1 7 2004

Per Am

ARNOLD JABLON (410) 494-6298

aejablon@venable.com

15 November 2004

Timothy M. Kotroco, Director Department of Permits and Development Management County Office Building 111 West Chesapeake Ave Towson, Maryland 21204

Re: Assisted Living Centers, Inc.

Case No. 04-399XA

1700 Woodholme Ave

3<sup>rd</sup> ED 2<sup>nd</sup> CD

Dear Mr. Kotroco:

In my letter to you dated 29 October, I requested agreement that the movement of the driveway as shown on the approved site plan from one side of the proposed assisted living facility to the other, and the "flipping" of what was shown as the front to the back and the back to the front, that these changes were minor and would not require further hearing.

The zoning commissioner by his order granted a variance to \$301.1 of the BCZR to permit a front yard, non-residential principal building setback of 20 feet instead of the required 30 feet. This variance was to permit a covered canopy along the front of the building to enable the assisted living facility to provide a covered area under which vehicles could load and unload residents in inclement weather. Inasmuch as the driveway will be shifted from the area between the building and the beltway to the opposite side, the canopy in this area will no longer be needed. Therefore, my client will give up the variance and insure that the building envelope is 30 feet from the property line, and in conformity with the BCZR.

Please consider this letter as an addendum to my earlier letter, and in response to a concern raised by the zoning office. I believe this solution complies with its concern.



210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 Telephone 410-494-6200 Facsimile 410-821-0147

> 11/10 HOLD PER UCR

ARNOLD JABLON (410) 494-6298

aejablon@venable.com

www.vehable.com

29 October 2004

Timothy M. Kotroco, Director
Department of Permits and Development Management
County Office Building
111 West Chesapeake Ave
Towson, Maryland 21204

Re: Assisted Living Centers, Inc.
Case No. 04-399XA
1700 Woodholme Ave
3<sup>rd</sup> ED 2<sup>nd</sup> CD

Dear Mr. Kotroco:

I represent Assisted Living Centers, Inc., which was granted a special exception and variance in Case No. 04-399 xa for an assisted living facility and a variance to permit a front yard, non-residential principal building setback of 20 feet in lieu of the required 30 feet. A copy of the decision is attached hereto, as exhibit A.

The property is located on Woodholme Ave off of Old Court Rd, and is bordered by the beltway to the west, by Woodholme Ave to the south, and the Western Maryland RR tracks to the east. See attached site plan, noted as Exhibit B.

The purpose of this letter is to seek your approval to make the following minor changes to the site plan submitted at the hearing and to confirm that these changes are within the spirit and intent of the decision rendered in the instant case.

The request is two-fold: (1) to flip the front and back of the proposed building; and (2) to re-route the driveway from between the building and the beltway to the side parallel to Woodholme Ave., as is more particularly shown on Exhibit B. The side that was to be the "front" would become the "back" and the side that was to be the "back" would become the "front" of the building. There will be no change to the building envelope; it remains the same in size and scope. There is no



of the National Capital Area

Zoning Office
Department of Permits and Development Management
111 West Chesapeake Ave
Towson, Maryland 21204

#### Zoning Office:

Please be advised that we, the undersigned, have authorized Arnold Jablon, Esq., 210 Allogheny Ave., Towson, Maryland 21204, to be our attorney-in-fact and attorney-at-law and on our behalf file the attached petitions for zoning relief. We hereby understand that the relief requested is for property we own and we hereby and herewith acknowledge our express permission for said petitions to be filed on our behalf. The petition(s) filed are for property located at 1700 Woodholme Avenue, Baltimore, MD., property we own.

Further, the undersigned is the contract purchaser of said property, and hereby and herewith authorize Mr. Jablon to be my attorney-in-fact and attorney-at-law and represent me in this matter.

American Red Cross of the National Capital Area (owner)

Linda C. Mathes, Chief Executive Office

2131 K St., NW, Washington, DC 20037

Assisted Living Centers, Inc. (contract purchaser)

Lou Buchsbaum, President

10015 Old Columbia Rd., Columbia, MD 21046

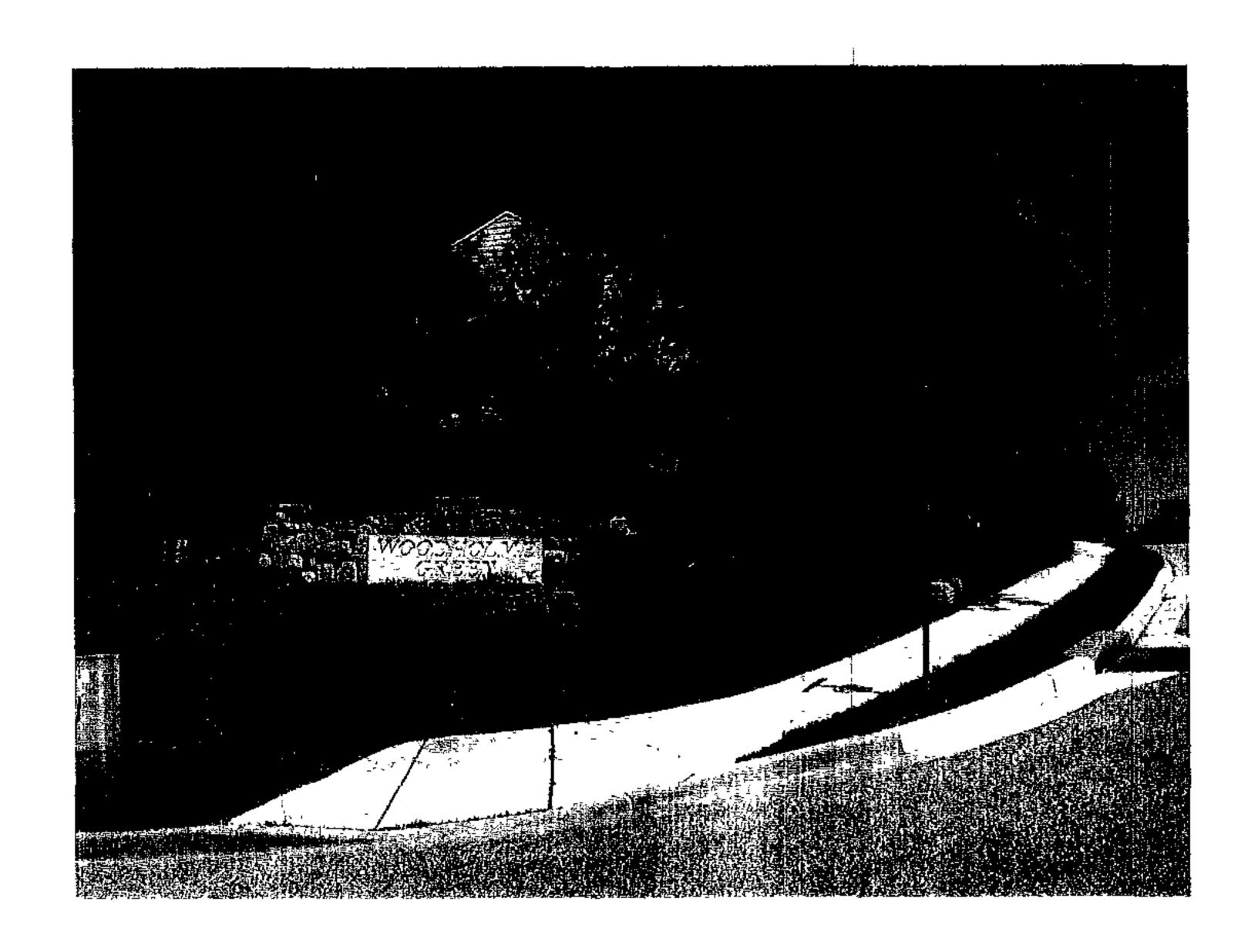
2/23/04 (Date)

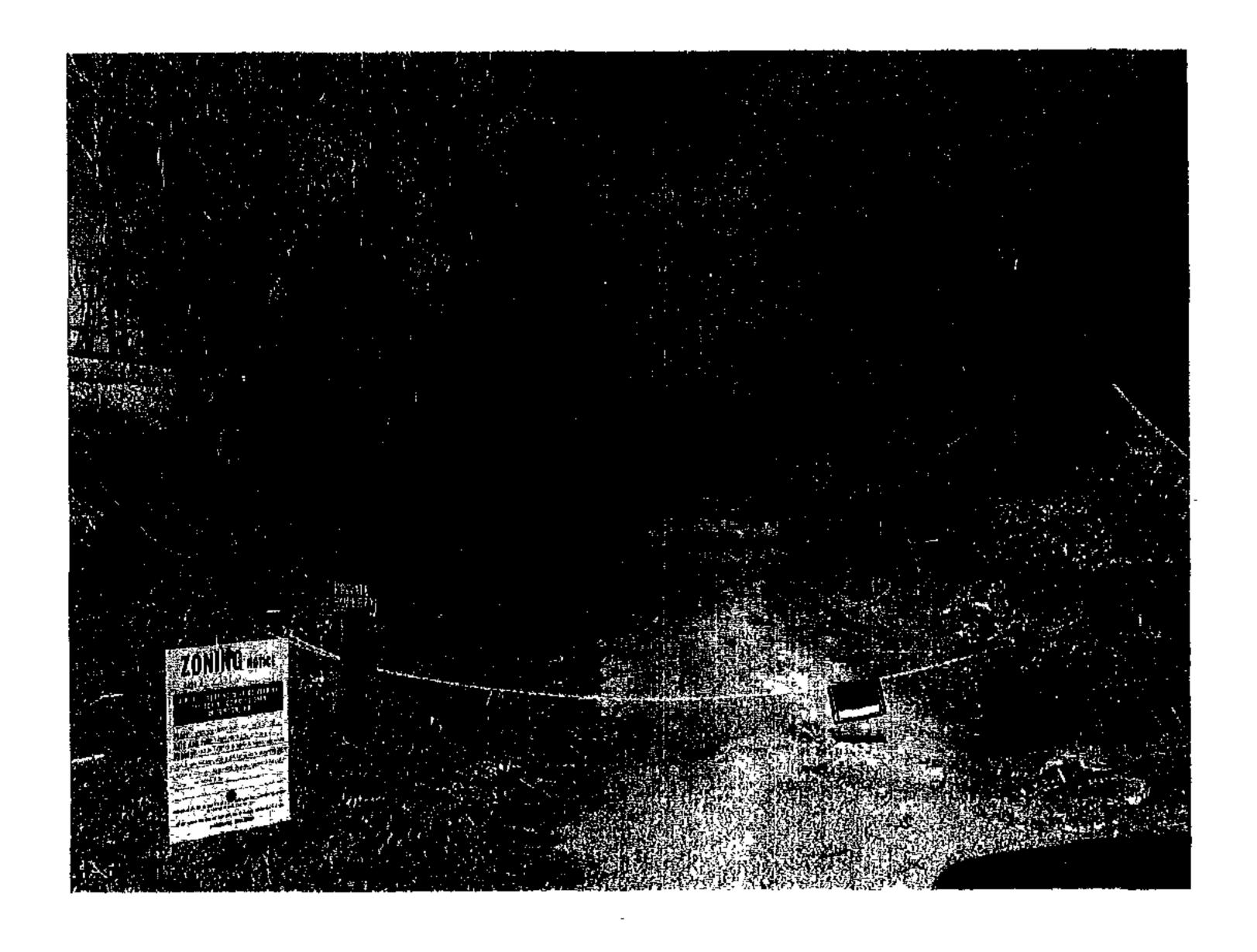
Together, we can save a life

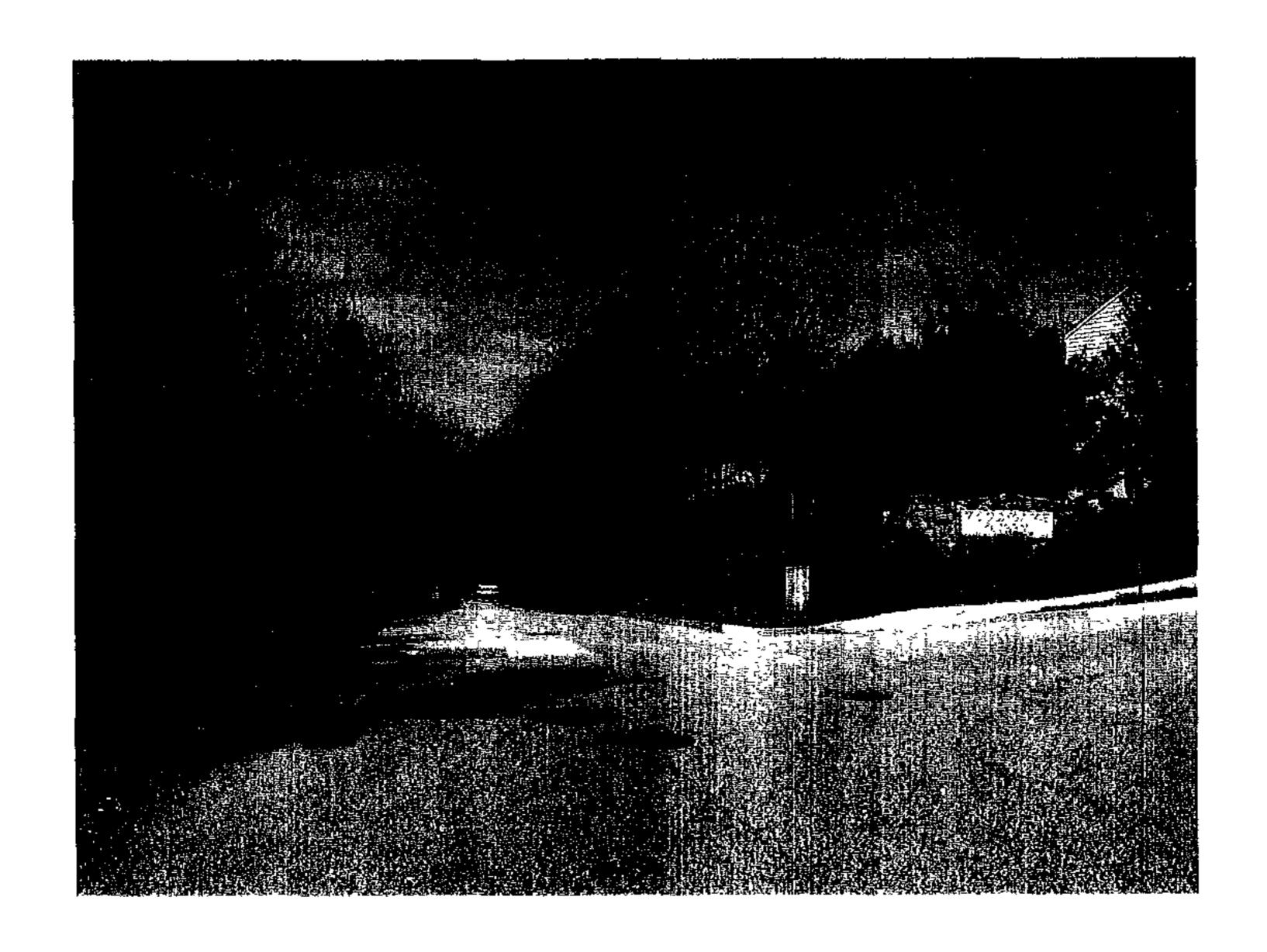
DATE	CASE NUMBER	CASE NAME

# PETTIONER'S SIGN-IN SHEET

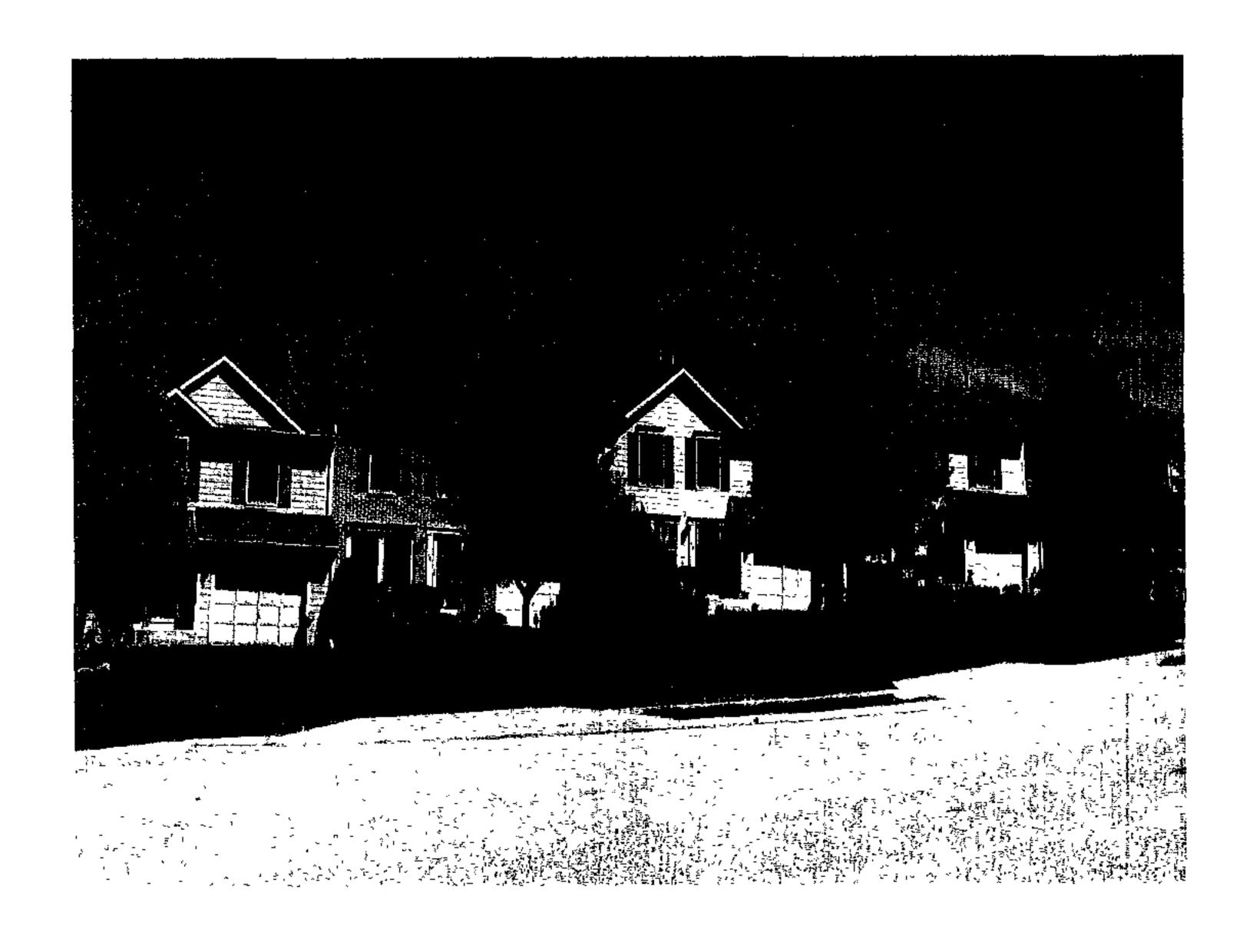
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						Mullon :	10018 020 Columbia 120 8th	957 blendbok bene	10015 Old EdwarBIA RD	1010 N. CHAPLES 87.	5 BALT. MD	2 BOX Y YARR	9570 Conglook Ca	ADDRESS
							この じゅうにゅう、そ ろう かっちゃく	JOHNMAN MIOS ZOUX	ColuMBIA MD ZIOHC	BAITIMOLE, WOOL	8244-44512		Columbia Md 2109	CITY, STATE, ZIP
							Keith Wilson CPA @ Abl.		LOVE ALCENTERS, SA				1 - C	E- MAIL

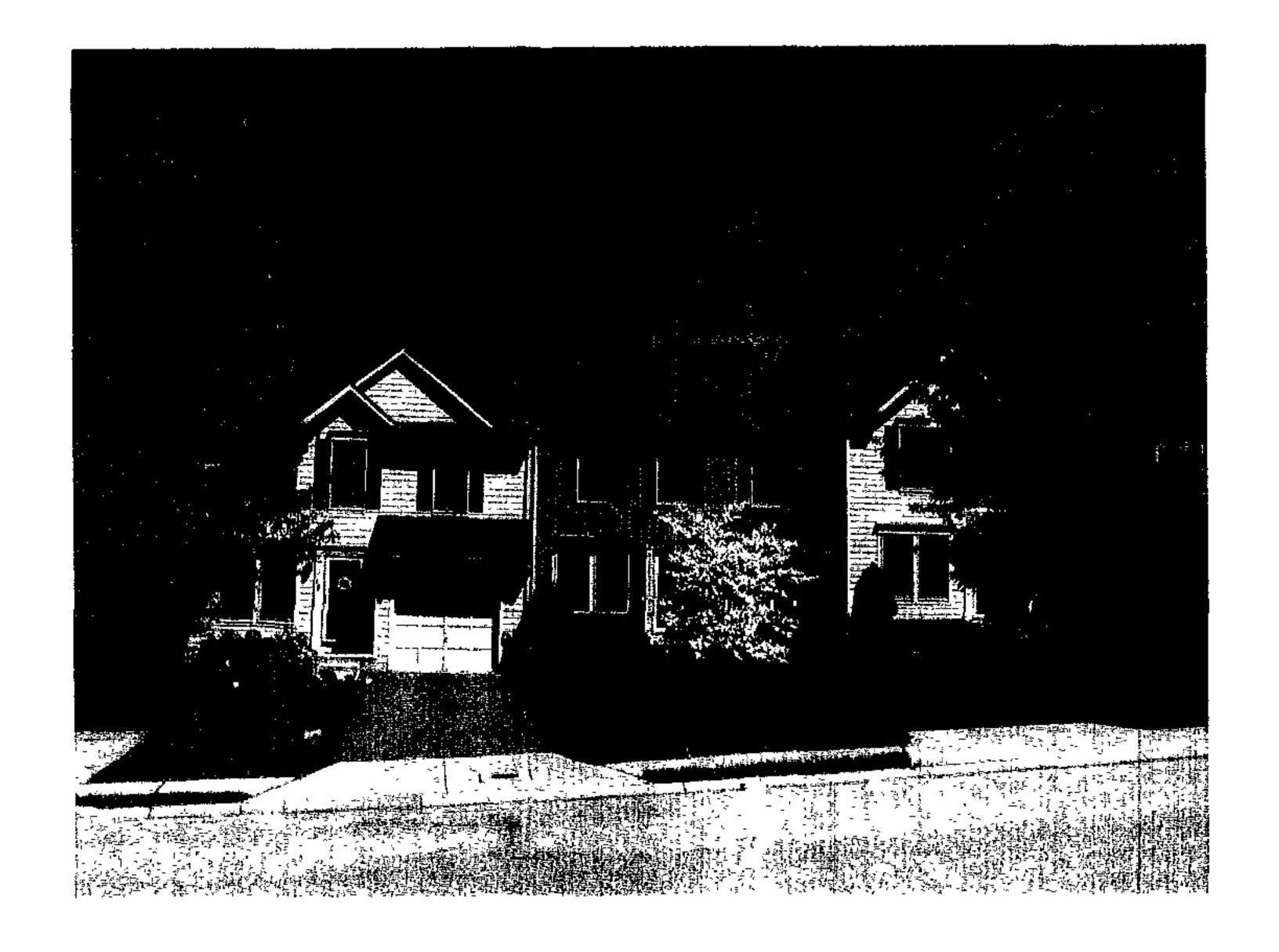


















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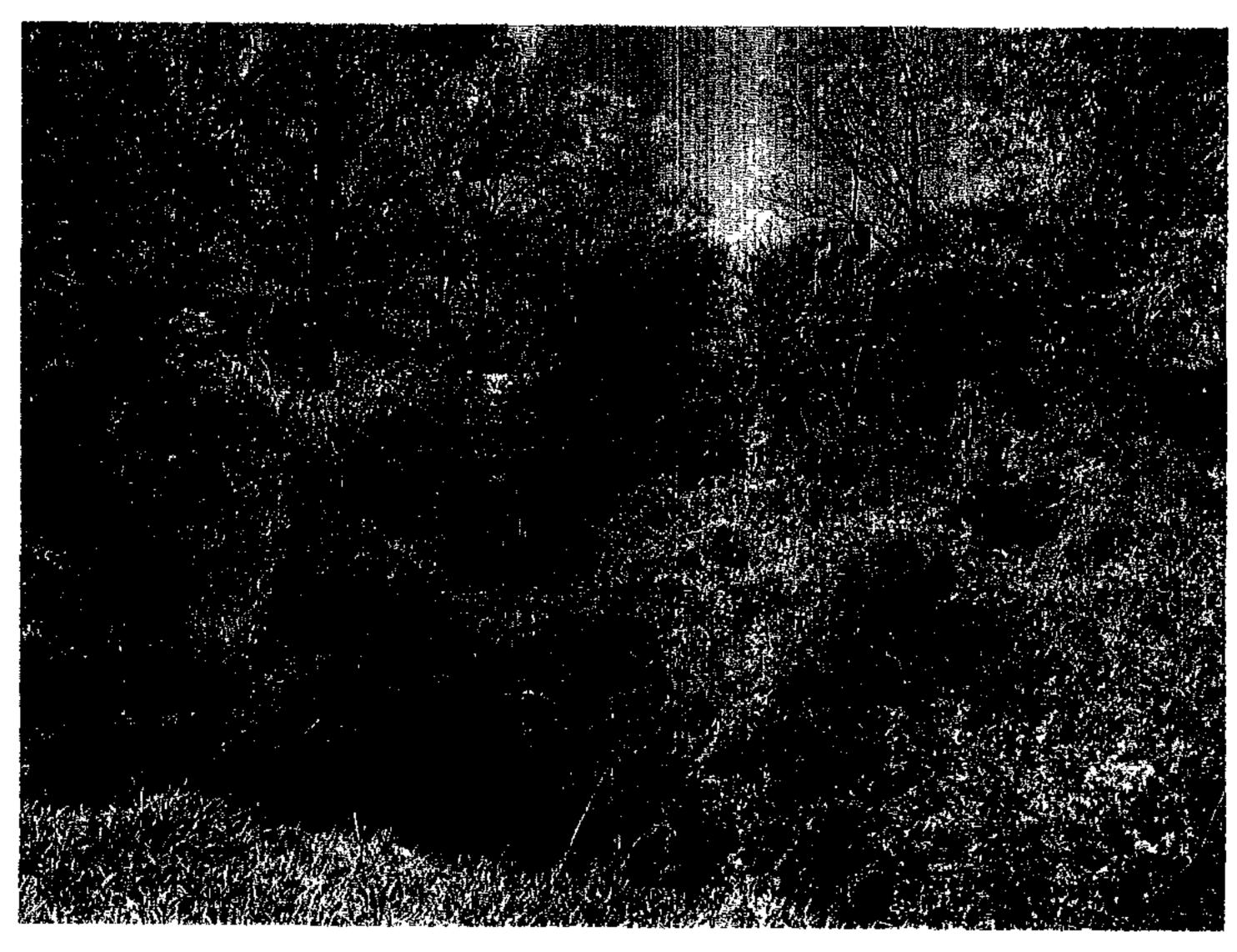
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Shows existing house

Malloz PRT RX42

VENABLE LLP

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

ARNOLD JABLON (410) 494-6298

aejablon@venable.com

Mr. Arnold "Pat" Keller Director, Office of Planning, Baltimore County 401 Bosley Ave. Towson, Maryland 21204

5 April 2004

Re: Roslyn Station Section II Proposed assisted living facility Zoning Case 04-395 XA

Dear Mr. Keller:

We represent Assisted Living Centers, Inc., who propose developing an assisted living facility, as more particularly described on the site plan submitted in support of its request for special exception in Case No. 4-0395 xa. This case is scheduled for hearing before the Zoning Commissioner on May 4, 2004.

As part of its request, the applicant is also seeking variances to permit a front yard nonresidential principal building setback of 20' in lieu of the required 30' for an open projection and to allow a total building length of 290' in lieu of the permitted 200'. This letter is to serve as a memorandum of understanding in support of our request for a "variation of standards" to permit the building length of 290' instead of the permitted 200'.

Requisite building lengths are determined by \$1B01.2B.2, Baltimore County Zoning Regulations (BCZR, and \$504.2, of the Comprehensive Manual of Development Policies. Our purpose is to request a waiver to the standards set out therein, and, thereby negate the need for the variance. Should you agree, the variance would no longer be needed.

Robert Bartolo, the project manager for the applicant, Ken Hart, of Burton Chambers, the architect, Alan Scoll, of David S. Thaler & Assoc, the engineer, and I met with Jeffrey Long, Deputy Director, Diana Itter and Lynn Lanham, of your office, on Wednesday, March 31<sup>st</sup>. At this meeting we reviewed and discussed the proposed project and made our request for the waiver. The purpose was to provide an opportunity for us to present illustrative plans, sections and elevations for the proposed facility to the Office of Planning to further our request for the waiver.

VENABLE

210 Allegheny Avenue Telep

Post Office Box 5517

Towson, Maryland 21285-5517

Telephone 410-494-6200 Facsimile 410-821-0147 imm1 @ 10/3/0

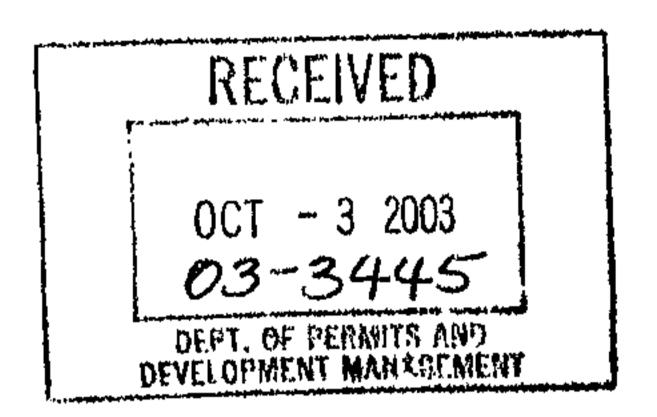
www.yenable.com

ARNOLD JABLON (410) 494-6298

aejablon@venable.com

September 29, 2003

Timothy M. Kotroco, Director
Department of Permits and Development Management
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204



Re: REQUEST FOR ZONING CONFIRMATION --- APPLICATION OF §432.5, BCZR

Dear Mr. Kotroco:

This office represents a client who currently operates assisted living facilities in Baltimore County. Our client is interested in developing another site and locating an assisted living facility thereon. We are seeking confirmation that proposed use will not be subject to the provisions of section 432.5 of the Baltimore County Zoning Regulations.

Our client is proposing to construct an assisted living facility of three stories for approximately ninety (90) to one hundred (100) residents in a DR zone. Therefore, proposed facility will not be either a Class A or Class B facility, by definition. Section 101, BCZR, defines an assisted-living facility as follows:

ASSISTED-LIVING FACILITY -- A building, or a section of a building, or a residence that provides: (1) a residential environment assisted by congregate meals, housekeeping and personal services for persons 62 years of age or older, who have temporary or periodic difficulties with one or more essential activities of daily living, such as feeding, bathing, dressing or mobility, and for persons, regardless of age, who have physical or developmental disabilities; or (2) three daily meals in a family setting, housekeeping and personal services such as assistance with bathing, dressing or laundry for no more than 15 persons 62 years of age or older and which satisfies and complies with Section 432 of these regulations. Such a facility must be certified or licensed by the Maryland Office on Aging as is otherwise required in COMAR, Title 14.11.07.



Baltimore County Government
Department of Permits and
Development Management



111 West Chesapeake Avenue Towson, MD 21204

410-887-3335

Јапиагу 29, 2004

D. S. Thaler & Associates, Inc. 7115 Ambassador Road Baltimore, MD 21244

RE: Roslyn Station II
Woodholme Ave; I-695 & Old Court
DRC Number 012004A, Dist. 3C2

Dear Sir or Madam:

Pursuant to Article 25A, Section 5 (U) of the Annotated Code of Maryland, and as provided in Section 602 (d) of the Baltimore County Charter, and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal, or modification of a license, permit, approval, exemption, waiver, or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land-use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to ensure compliance with Section 26-171 and Section 26-211 of the <u>Baltimore County Code</u> and to make recommendations to the Director, Department of Permits and Development Management (PDM).

The DRC has, in fact, met in an open meeting on January 20, 2004, and made the following recommendations:

The DRC has determined that your project meets the requirements of refinement to the development plan, under Section 26-211. It is necessary to submit a plan to the Department of Environmental Protection and Resource Management, the Office of Planning, PDM's Office of Zoning, Development Plans Review, and Recreation and Parks for further review. Please forward the plans, along with five copies of this DRC letter, to Room 123, County Office Building; 111 West Chesapeake Avenue; Towson, MD 21204.

Storewall near stream

7-3-2 B

End of Word home Are. near 1295

5-3-04 AL



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pat excell

### **AGREEMENT**

This Agreement made this \_\_\_\_\_\_\_ of May, 2004, by and between Assisted Living Centers, Inc. ("ALC"), of the first part, Robert C. Bartolo, T/A Falcon Development Company ("Falcon") of the second part, and David M. and Nancy E. Paige ("Paiges"), of the third part.

WHEREAS, ALC is the contract purchaser of certain property known as the 1700 Woodholme Avenue in Baltimore County, Maryland (the "Property"), which it wishes to develop for assisted living; and

WHEREAS Falcon will be the developer of such facility, and

WHEREAS, the Paige's are owners of property known as 4020 Old Court Road, which may be impacted by such development.

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and the payment of One Dollar (\$1.00) from each party to the other and for other good and valuable considerations, the receipt and sufficiency of which is hereby acknowledged, the parties do hereby enter into this Agreement.

- 1. ALC and Falcon agree that development of the Property will be limited to no more than 25 density units for a seven year period beginning June 1, 2004 and ending June 1, 2011.
- 2. Paiges will support the application for special exception to develop the Property for assisted living in accordance with the Development Plan dated February 24, 2004 prepared by D. S. Thaler & Associates, Inc. Such obligation of support shall be limited to providing a letter to Falcon in the form shown on the attached Exhibit A hereof.
- 3. This agreement shall (i) be binding upon ALC, Falcon and the Paiges and their legal and personal representatives, successors and assigns and shall enure to the benefit of the Paiges, their legal and personal representatives and assigns, (ii) shall be deemed to be covenants that run with the land of the parties hereto in perpetuity, (iii) shall be binding upon the Property for the benefit of the property now owned by the Paiges, and (iv) may be enforced by injunction.

WITNESS THE HANDS AND SEALS of the parties hereto on the day and year first above written.

(signatures continued next page)

PINT EXON \$57

Robert Bartolo Falcon Development Company May 3, 2004

Re: Wagers Property

Dear Mr. Bartolo:

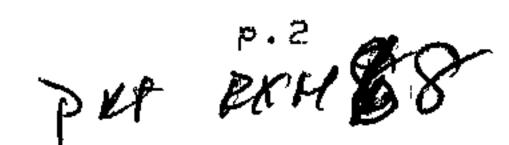
I am writing this letter to express our support for the proposal to develop the property known as 1700 Woodholme Avenue for a 100 bed assisted living facility. We believe this is a very appropriate use of the property, which will be an asset to our community. The property has been vacant for a protracted period and has attracted vandals. The low impact use for assisted living will return the property to productive use, consistent with the residential character of the community.

Sincerely,

David M.Paige

Nancy E. Palge

4020 Old Court Road Pikesville, Md. 21208



# Linda F. Priebe Tax Consulting and Accounting

39 Rosland Court. Baltimore. Maryland 21208

April 30, 2004

Mr. Lawrence Schmidt, Esq.
Zoning Commissioner Baltimore County
401 Bosley Avenue
Towson, Maryland 21204

Re: Case No.:04-395XA

Dear Mr. Schmidt:

I am writing on behalf of Woodholme Green Homeowners Association located at Roslyn Station off Woodholme Avenue.

The Board of Directors and other residents of our community recently met with Mr. Robert Bartolo of Falcon Development Corporation concerning the development of the property located behind our community along Woodholme Avenue as an assisted living facility.

Our understanding is the assisted living facility will have 100 beds, be a three (3) story brick and stucco building designed to resemble the look of townhouses, have about 35 parking spaces and employ approximately 15 people per shift.

While we prefer the property to remain undeveloped, we also recognize that is unlikely. The assisted living facility is preferred over others possible development options, such as an apartment complex or even additional town homes. Our community feels the assisted living facility represents the least disruption in the area: the least amount of additional traffic, noise and potential for increases in crime. Already, the potential development has had a positive effect, in that the large amount of trash dumped by non Roslyn Station residents has been cleaned up, an issue our community has been concerned with for some time.

Woodholme Green HOA welcomes the assisted living facility to the area.

Sincerely,

Linda F. Priebe

Treasurer, Woodholme Green HOA

cc:

Arnold Rablon

Telephone: (410) 602-2468

Linka F. Printe

C:\lotus\123\lotus\I:IOA\assistedliving

E-Mail: Pricbelf@aol.com

Cell Phone, (410) 746-2276

## ROBERT C. BARTOLO

Prior to starting the Falcon Development Company, Bob served as Development Officer for Storage USA, responsible for site evaluation, financial feasibility analysis, land negotiation and acquisition, and local entitlements for all projects in Maryland, DC, and Northern Virginia.

As Vice President for Development for Lancelotta and Associates, he was responsible for the development of several commercial projects in the Baltimore/Washington Metropolitan area. Also, Bob served as the Project Director for *Wyndholme Village*, a 920-unit, \$120 million retirement community for the Deaf, to be developed in Baltimore, which is presently awaiting financing.

During Bob's tenure as Vice President and Director of Development for Perpetual Savings Bank, he was responsible for the orderly development and disposition of over \$90 million of residential and commercial properties located in nine counties of Virginia and Maryland.

As Senior Vice President for Planning and Development for Phillips & Knott Community Developers, Inc., Bob was responsible for the design, approval, and construction of three major projects in Metropolitan Washington, D.C.: The Village of Potomac Knolls, a \$125 million residential planned community; Rice Mill, a \$150 million luxury golf course community; and Meridian, a \$1 billion high-density urban development planned around a Washington Metro station.

As Senior Transportation Planner for the Rouse Company, he was actively involved in the planning and development of the "new town" of Columbia, Maryland, as well as several regional shopping centers. His responsibilities included detailed parking and traffic studies, including traffic counts, traffic projections, parking requirements, and intersection design.

He was also a Vice President and Development Director for the consulting subsidiary of the Rouse Company, responsible for the successful public/private development of the \$300 million residential and commercial Waterfront Village in Buffalo, New York. In that capacity, and working with the New York State's U.S. Senator, Buffalo's Mayor, City Council, and private leaders, Bob selected and managed several engineering and construction firms for \$8 million of infrastructure (roads, sewer, water, sea wall, etc.), directed a nationwide marketing program for developers that yielded five projects under construction in first year, and oversaw the design and construction of \$50 million of private developments.

Bob gained international experience as an independent consultant, working with national government leaders at the ministerial level in Damascus, Syria; Bogotá, Colombia; Santo Domingo, Dominican Republic; and Kuwait, where he was part of a team that strategized the planning and development of new towns and other major urban developments. His primary focus, as the team's transportation expert, was to forecast and design for future community traffic and transit needs.

Bob has testified as an expert witness in real estate development in New York, Pennsylvania and New Jersey, as well as in Howard County, Maryland. He has testified as an expert witness in traffic and transportation matters in New York, Florida, Tennessee, Colorado and Virginia, as well as Howard, Ann Arundel, and Carroll Counties, Maryland.

Bob is a civil engineering graduate of Notre Dame University, and holds Masters Degrees from Yale University in both Urban Planning and Transportation Planning. Bob is also a former U.S Marine Captain, and a current marathon runner.

# Kenneth A. Hart. RA. CID

### Education

1983

Kansas State University, Bachelor of Architecture

# Professional Experience

2003-Present

Director of Design. Burton Chambers Architects, LLC Baltimore, Maryland. Responsible for administration, design, and production for a full-service architectural firm serving commercial, developer, private, institutional, educational, senior facilities, and health-care clients through a wide variety of building and project types.

1997-2003

Partner. Gant Hart Brunnett Architects, Inc. Baltimore, Maryland. Design and implementation of document for the Homewood residence for Johns Hopkins University. Historic Rehab of a turn of the century building into 125 new units. Design of a variety of State Use projects. Historic rehab of an old tobacco factory in Fells point into modern residential units. Architect for the Woman's Industrial Exchange in Baltimore, rehab of residential units. Design of a variety of single family and multi-family residential units throughout Baltimore. Designer for several projects for the historic rehab of Hayfields country Club in Baltimore County.

1991-1997

Principal, Kenneth Hart Architects, Baltimore, Maryland. Responsible for project management of small scale assisted living facilities in Baltimore City for low and moderate income residents. Design drawings for Venable Avenue assisted living facility, concept drawings and community review presentations. Marketed and managed a variety of single family home designs ranging from \$200,000 additions to \$2 million.

1989-1991

Project Designer. Cochrane Stephenson and Donkervoet Architects, Baltimore, Maryland. Project Designer for the award winning twin 19 story towers called the Jefferson for the Marriott Corp. The Jefferson is a continuing care facility for the senior market in the northern Virginia market in Ballston. Project Designer for the assisted living addition for Broadmead retirement facility in Baltimore County Maryland. Assisted in the design and implementation of construction documents for a variety of assisted living and continuing care facilities.

# TRAFFIC PROJECTIONS


# FOR THE

# PROPOSED 100 BED ASSISTED LIVING FACILITY

AT

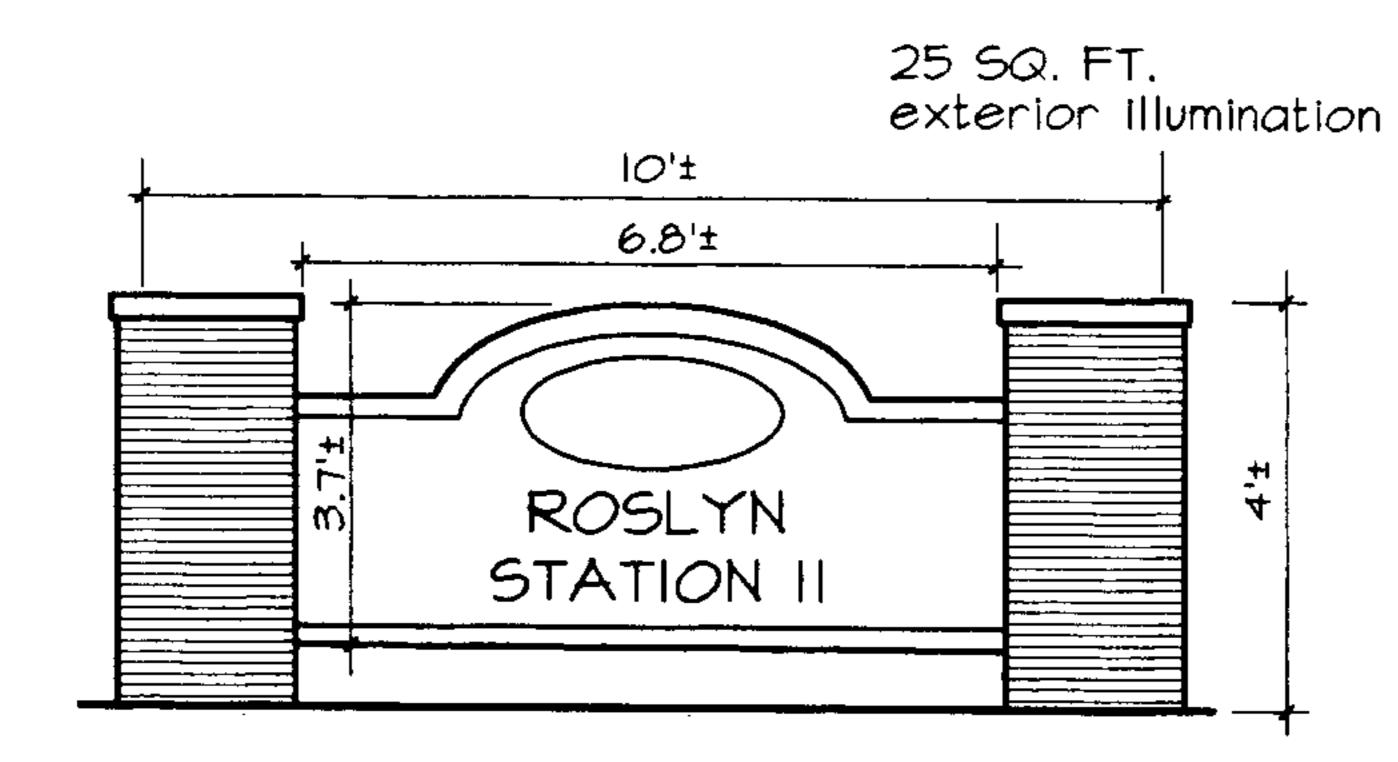
1700 WOODHOLME AVENUE PIKESVILLE, MARYLAND 21208

**MARCH 2004** 



04-399-XA

ELECTION DISTRICT: 3



SCHEMATIC SIGN ELEVATION 'A' N.T.S.

# NONRESIDENTIAL PRINCIPAL BUILDING SETBACKS

	FRONT YARD (FEET)	SIDE YARD INTERIOR (FEET)	CORNER STREET SIDE (FEET)	REAR YARD (FEET)
D.R.1	70	40	65	50
D.R.2	60	30	50	40
D.R.3.5	50	20	35	.30
D.R.5.5	40	20	35	30
D.R.10.5	25	20	<b>3</b> 5	50
D.R.16	30	25	25	30

OR INFORMATIONAL PURPOSES AND IS SCHEMATIC AND SUBJECT T CHANGE WITHIN THE DIMENSIONAL AND SETBACK LIMITS INDICATED HEREON.

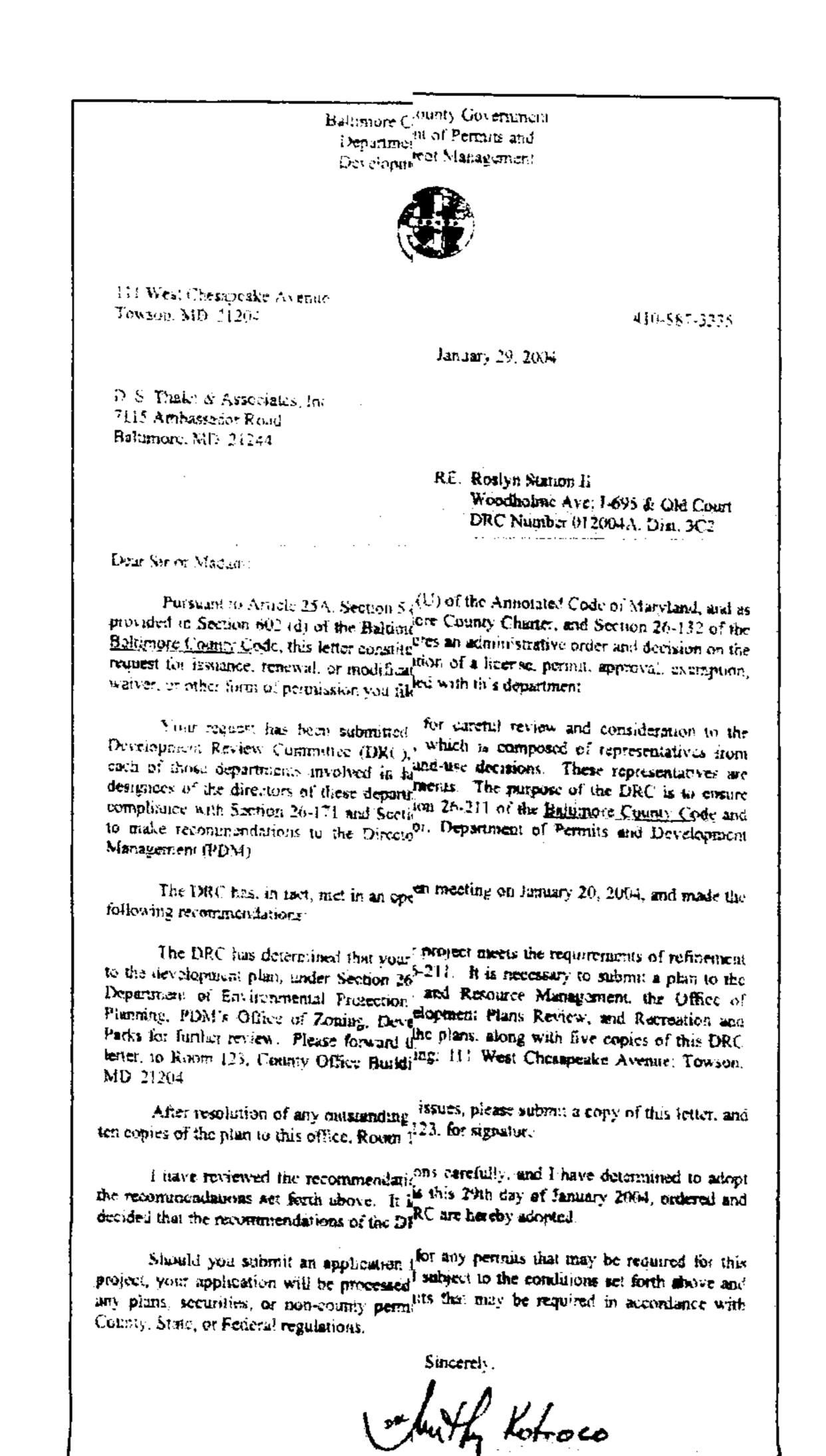
(UNENCLOSED)

NOTE RETAINING MALLS

MAY BE REQUIRED TO

12 spaces 0 10201

SUPPLEMENT GRADING.



TK DTR:dak er Kristin Weis GENERAL NOTES:

I. DEVELOPMENT NAME: Roslyn Station II

2. CONTRACT PURCHASER! Assisted Living Centers, Inc.

10015 Old Columbia Road Columbia, MD. 21046-1706 (410)381-6889 Attn: Lou Buchsbaum, President

Attn: Linda C. Mathes, CEO

3. OWNER: American Red Cross of the National Capital Area 2131 K Street, N.M. Washington D.C. 20057 (202)737-8300

4. PLAN D.S. Thaler & Associates, PREPARED 7115 Ambassador Road D.S. Thaler & Associates, inc. P.O. Box 47428 Baltimore, Maryland 21244-7428 (410) 944-3647 ATTN: Alan E. Scoll, R.L.A.

5. PROPERTY REFERENCES: Parcel Tax Map Grid Tax Account No. Deed ADC-Map 17894/700 28-13J&K 21000008907

COURT

GIS \* 44, N621551.04, E1394669.87, ELEV. = 462.27

A 2" BRASS DISC IN GALV. PIPE 51' PROM THE CENTERLINE OF

SCALE: 1"=2000"

SLADE AVENUE, AT THE NORTHEAST CORNER AT THE

INTERSECTION OF PARK HEIGHTS AVE. AND SLADE AVE.

BENCH MARK:

VICINITY MAP

Boundary: D.S. Thaler & Associates, Inc. (1991 & January 2004) Topography: Baltimore County 615 (78-A1) Utilities: Baltimore County Design Drawings as noted Zoning: Baltimore County 200 Scale Zoning Map (2000) (NW-8F) Floodolain: Per Rosiun Station Plats 59:1 € 59:2

6. GENERAL DATA: Election District: 5 Matershed: 27 Census Tract: 4034 Subsemenshed: 65 Councilmanic District: 2

T. SITE INFORMATION: A. Acreage: 7.08 Acrest or 308,404.8 SFt (net)

7.22 Acrest or 314,406.75 SFt (gross) (400.13 I.f. along Woodholme Ave. x 15') B. Existing Zoning: DR-5.5

C. Density Calculations (per Section 101 and 1802.2.A., BCZR): Allowed: 7.22 AC e DR-5.5= 59 Dwelling Units (156 Beds) Proposed: 'Other' Assisted Living Facility: 100 Beds (25 Density Units)

Required: Not Applicable Proposed: 35 Spaces (I space / 3 beds + I additional)

E. Open Space: Required: Not Required Proposed: Not Required

D. Panking:

F. There are no residences or small lots of record that create a RTA in the area proposed for development.

8. UTILITIES: Public mater and semer are provided.

9. USE: Existing use is residential. Proposed use is an Assisted Living Facility.

(Neither Class 'A' or 'B') This property could possibly fall under the definition (Section 101, BCZR) of either Class 'A' or Class B' Housing for the Elderly.

10. EXISTING: There are no known critical areas, archaeological sites, endangered species, or hazardous materials\* on the site. This site does not lie within the limits of the Chesapeake Bay Critical Area.

"As known to the applicant; location and description of hazardous materials as defined by section 7-101 of the environmental article of the annotated code of Maryland, as from time to time amended.

11. ROADS: All interior roads are private. Moodholme Avenue is a 30' public right-of-way. 12. AVERAGE DAILY TRIPS (ADTS):)

Average Daily Trips= 35 ADT (per noteed in prior use by Contract Purchaser) 13. STORAGE There are no known underground storage tank on site.

14. LIGHTING: Indicated on plan as  $\Delta$  . Lighting indicated is schematic and subject to change.

15. BUILDING HEIGHT:

Allowed: 50' Proposed: 3 story building, max. 50' height.

16. This property as shown on the plan has been held intact since 1962 (land taken for Baltimore Beltinay, according to the deed). No known part of the gross area of this property as shown on the plan has been utilized, recorded or represented as density or area to support any off-site

17. All parking aisles and maneuvering areas are paved with macadam and permanently striped.

18. Any future signage will comply with Section 450 of the BCZR.

19. According to 61en Hoge, Office of Planning, MTA, the nearest MTA service to this site is 880'± (bus line M-2) at Old Court Road and Moodholme Avenue.

20. There are no known Areas of Critical State Concern on-site. There is riverine 100 yr. floodplain indicated on this sheet.

21. There are no known limitations established by the Courts, County Board of Appeals, Planning Board or Zoning Commissioner or restrictive covenants recorded with individual or group which would limit proposed development on site.

22. There is no building, property or site within or contiguous to the proposed development Included on the Maryland Historical Trust Inventory of Historic Properties, the Baltimore County Preliminary or Final Landmarks List, the National Register of Historic Places, the Maryland Archaeological Survey, or identification of any Baltimore County Historic District, or National Register District covering the proposed development.

23. No additional information is requested by the Department of Environmental Protection and Resource Management to determine compliance with the Critical Area Local Protection Program pursuant to 26-442(a). 24. SITE HISTORY

"Woodholme Green" C.R.G. - Plan approved 05-28-87

"Roslyn Station" Revised C.R.G. - Plan signed 01-27-89 "Rosłyn Station II" C.R.G. - Plan approved 02-02-89 "Addition to Roslyn Station" C.R.G. - Plan Approved 02-20-92

History of - Roslyn Station Section II CRG Meeting -Held February 2, 1989. Plan was approved.

CBA-89-108 -

Baltimore County Board of Appeals hears appeal on August 3, 1989; lesues ruling on October 3, 1989. CBA rules that plan is approved

without transfer of density from Roslyn Station Section I. Case 89-C6-3856 -Baltimore County Circuit Court rules that CBA ruled in error and

No. 795 -

reinstates original CRG approved of Plan. This decision dated April 17, 1990. Maryland Court of Special Appeals upholds County Circuit Court ruling (Case 89-C6-3856). This decision Dated March 1, 1991.

September Term 1990 No. 41 -September Term 1991

Court of Appeals of Maryland reverses Court of Special Appeals and Circuit Court rulings and Reinstates CBA decision (CBA-89-108). This decision Dated October 27, 1992.

May 20, 1993 DRC - 012004A, Dist. 3C2

Amended Roslyn Station II CRG approved with 38 Condiminium units. Refinement to the Development Plan approved on January 29, 2004 to allow an Assisted Living Facility. (see DRC letter, this sheet).

PROJECT NAME: ROSLYN STATION II

PLAN TITLE: PLAT TO ACCOMPANY ZONING PETITION

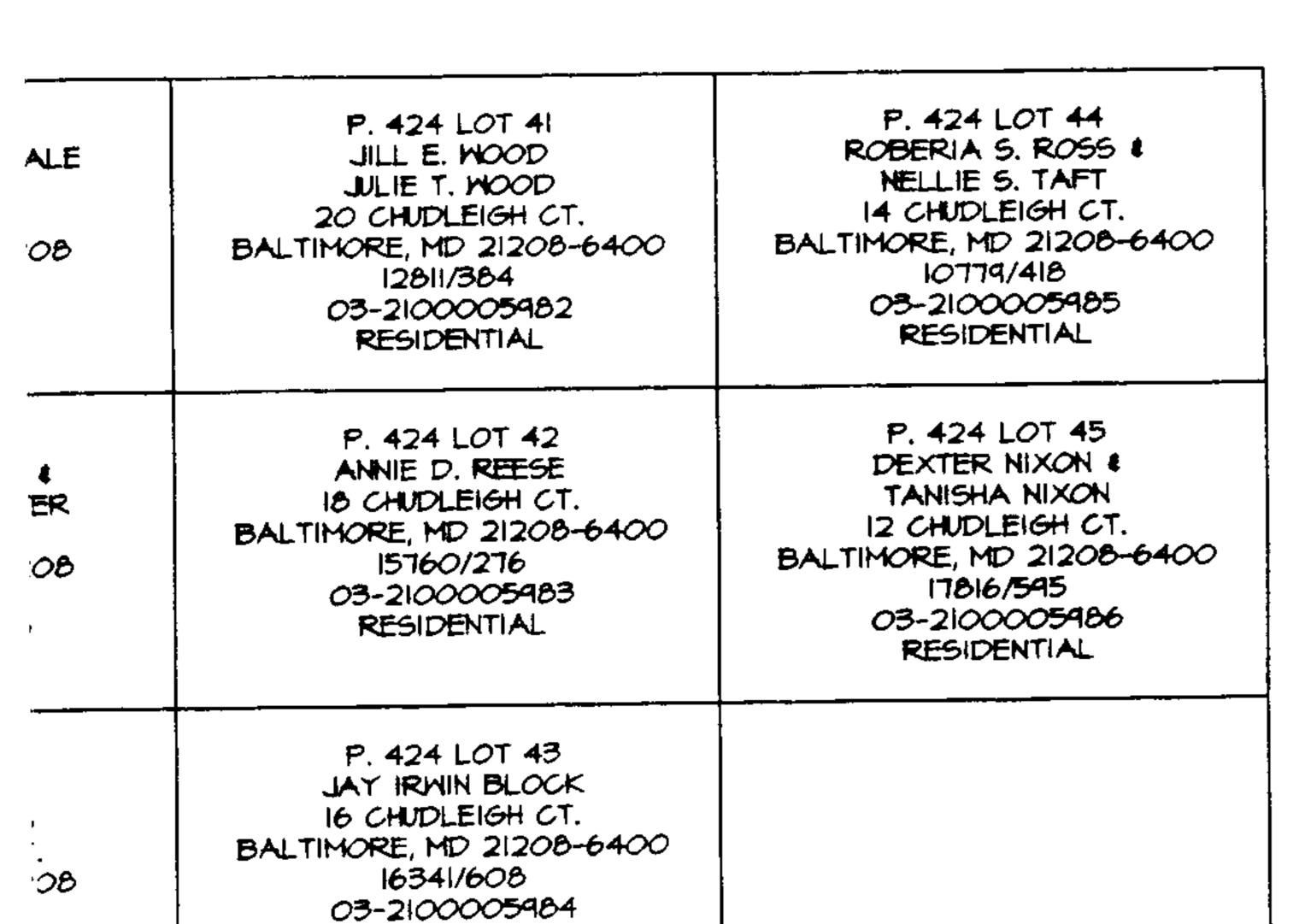
COUNCILMANIC DIST.: 2nd ELECTION DIST.: 3rd REGIONAL PLANNING DISTRICT: 313C PROJECT MANAGER:

DEVELOPER

NORTH

MCS

FALCON DEVELOPMENT COMPNAY 9570 LONGLOOK LANE COLUMBIA, MD 21045 ATTN: ROBERT BARTOLO

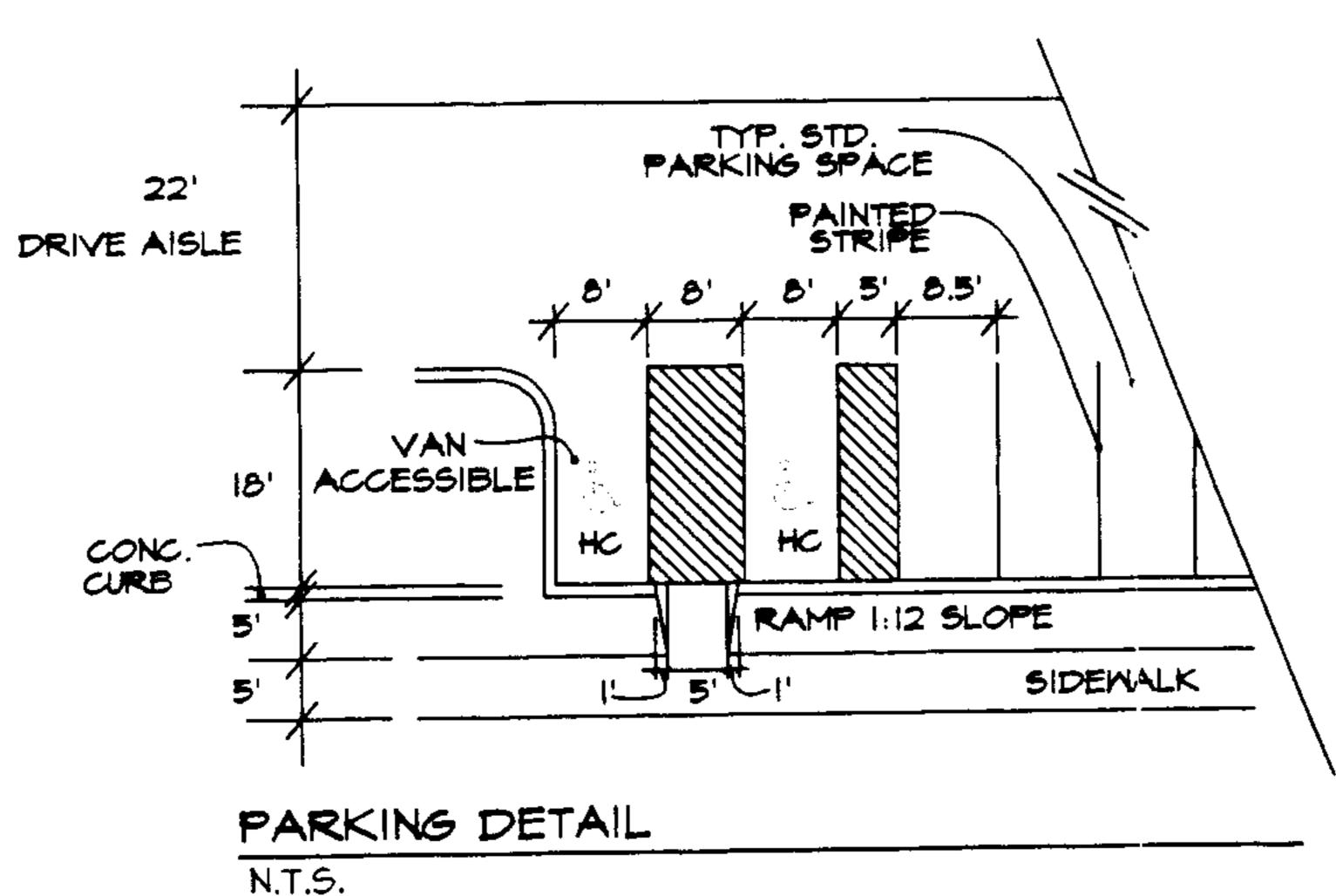


RESIDENTIAL

ENTRY ROAD B' OPTION

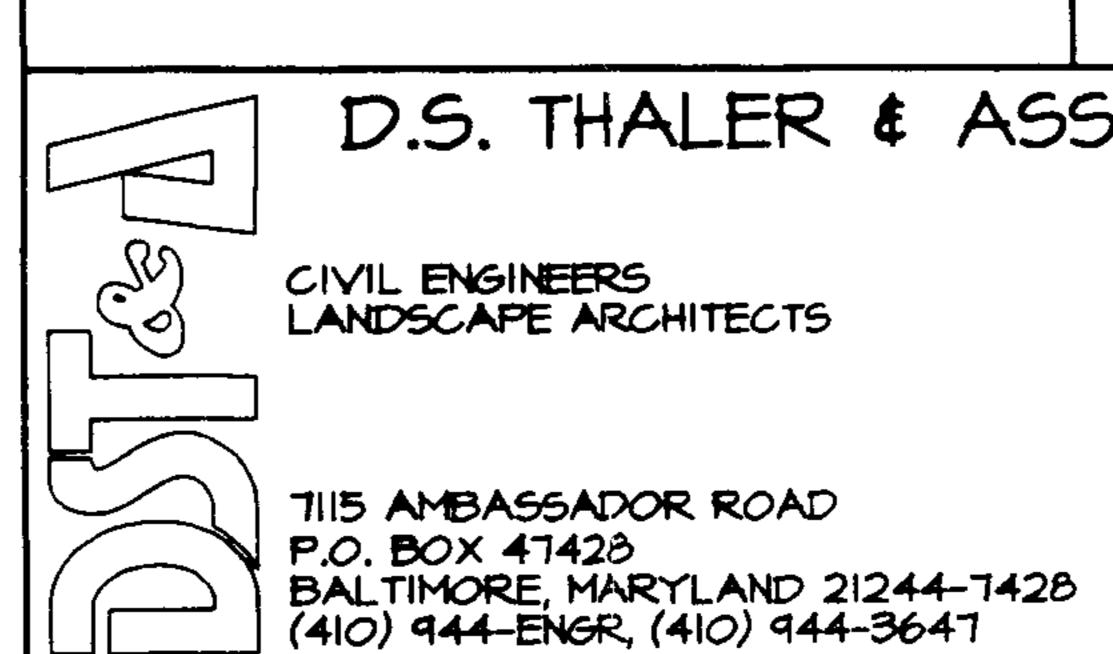
DISTRICT

VENUE



SCALE: 1"=50'

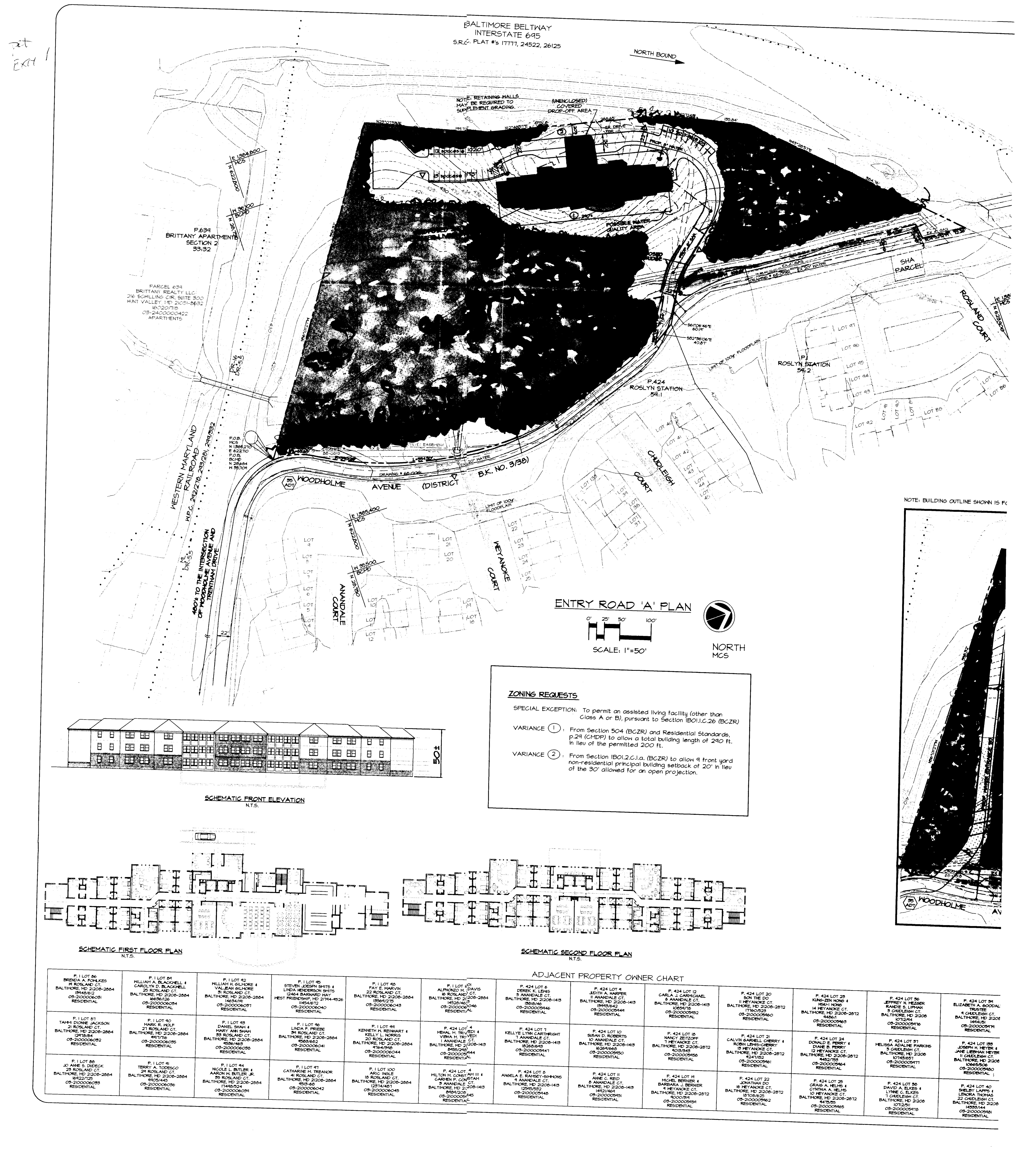
532°36'06'E

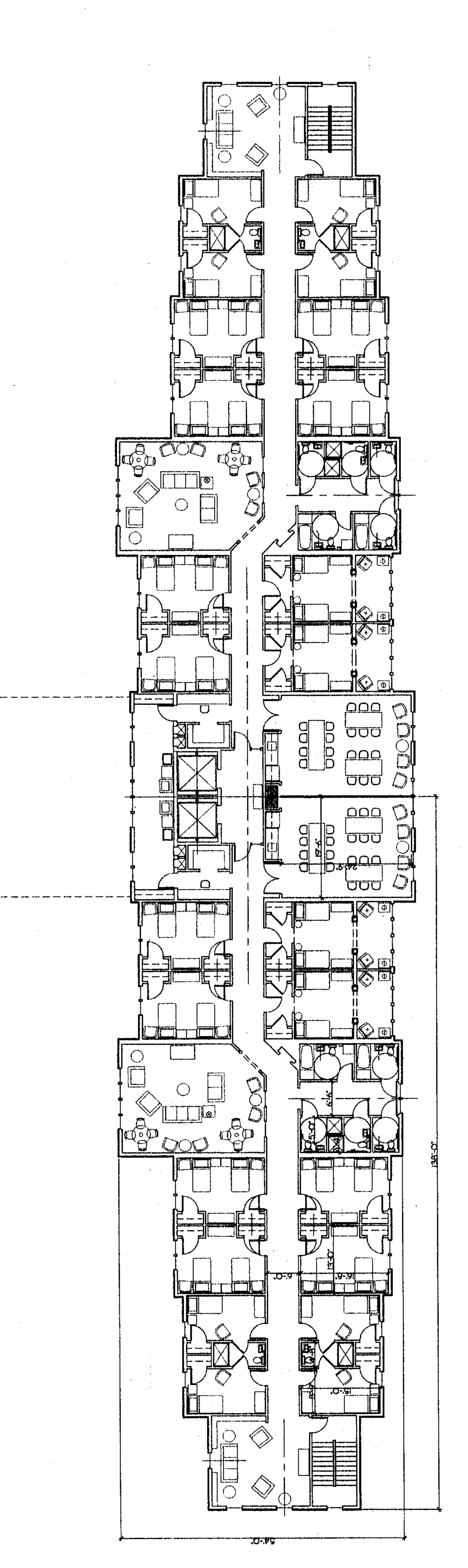


CIVIL ENGINEERS LANDSCAPE ARCHITECTS SURVEYORS LAND PLANNERS

DATE: 2.24.04 SCALE: 1"=50" PROJ. NO.: 02720 SHEET I OF I

D.S. THALER & ASSOC., INC.





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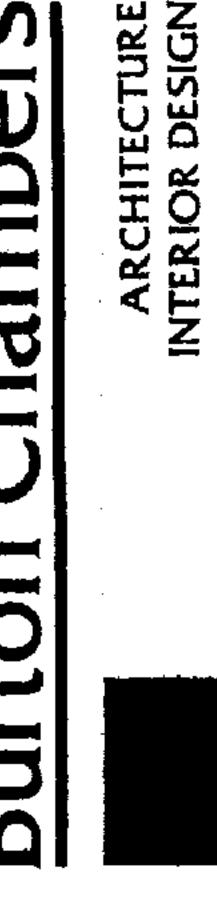
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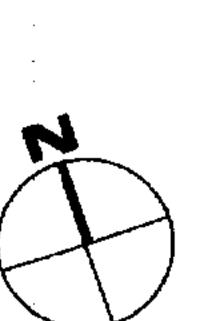
2ND AND 3RD FLOOR PLAN

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# ASSISTED LIVING CENTERS WOODHOLMERESIDENCE

3/32 = 1-0







3/32



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