IN RE: PETITION FOR SPECIAL HEARING

S/S of Pot Spring Road,

2,895 ft. S of Old Bosley Road

8th Election District

3rd Councilmanic District

(2600 Pot Spring Road)

Associated Catholic Charities, Inc. By: Harold Smith, Executive Director

Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 04-507-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a Petition for Special Hearing filed by the legal owner of the subject property, Associated Catholic Charities, Inc., by Harold Smith, Executive Director. The Petitioner is requesting special hearing relief for property located at 2600 Pot Spring Road in the Timonium area of Baltimore County. The special hearing request is to extend the utilization period of the special exception approved in Case No. 03-204 SPHXA pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.).

The property was posted with Notice of Hearing on June 22, 2004, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on June 22, 2004 to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 500.7 of the B.C.Z.R. Special Hearings

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

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Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) comments are made part of the record of this case and contain the following highlights: None.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing relief were Mitch Kellman and David Locke, from Daft McCune and Walker, Inc, the firm that prepared the Plan to Accompany, Christopher Dawson, architect and Mary Rode and Nicholas Pubs, representing the Petitioner. David Karceski and Arnold Jablon, Esquire, represented the Petitioner. No protestants or citizens attended the hearing. Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

S. FLILA

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This case arises because the special exception that was granted in Case No. 03-204 for a multipurpose building (community building) on January 17, 2003 must be utilized under Section 502.3 within two years from the date of the final order or January 17, 2005.

However, the Petitioners have run into financing difficulties that have delayed the overall project. As important, by design the new multipurpose building is physically to be placed at a location which is presently occupied by a residential building. Since this building houses children using the center's facilities, the new residential unit has to be built and ready for occupancy before the old residential building is razed. Consequently, there is a phasing problem which requires a longer path than presently allowed under the existing case. As a result, the Petitioners request that I extend the special exception expiration date to January 17, 2008.

Mr. Karceski proffered that St. Vincent's Home for Children has occupied the site since 64. The site is surrounded by institutional uses belonging to the Archdiocese of Baltimore.

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ON 2/3/3/4

Mr. Karceski noted that the Greater Timonium Community Council supported the original petition and did not object to this extension. The site plan, Petitioner's Exhibit No. 1, shows a slightly smaller building than originally approved. Consequently, Mr. Karceski proffered that the extension of the time to implement the plan would have no adverse impact on the surrounding communities. He further proffered that in considering each of the criteria from Section 502.1, the extension of time to utilize the special exception does not pose a threat to the health, safety, or welfare of the community and is not inconsistent with the purposes of the DR 2 and RC 4 zoning.

Findings of Fact and Conclusions of Law

I find that the requested extension of time to utilize the special exception for a new multipurpose center at the St. Vincent's Home is most reasonable under the circumstances. Fund raising difficulties are not unknown in the world of charitable contributions. The phasing problem makes perfect sense given the complexity of building a new residential building before the multipurpose building can be accomplished. The site is surrounded by similar institutional uses. Therefore, I will approve the extension of time to utilize the special exception to January 17, 2008.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and for the reasons given above, the special hearing request shall be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this 13 day of July, 2004 that the Special Hearing Request to extend the utilization period of the special exception approved in Case No. 03-204-SPHXA to January 17, 2008 pursuant to Section 500.7 of the Baltimore County Zoning Regulations, be and is hereby GRANTED.

Any appeal of this decision must be made within thirty (30) days of the date of this Order.

OWN V. MURPHY

DEPUTY ZONING COMMISSIONER

FOR BALTIMORE COUNTY

JVM:raj

Zoning Commissioner

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



Baltimore County

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

July 13, 2004

David Karceski, Esquire Arnold Jablon, Esquire Venable, Baetjer & Howard, LLP 210 Allegheny Avenue Towson, Maryland 21204

Re: Petition for Special Hearing
Case No. 04-507-SPH
Property: 2600 Pot Spring Road

Dear Messrs. Karceski & Jablon:

Enclosed please find the decision rendered in the above-captioned case. The petition for special hearing has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

John V. Murphy

Deputy Zoning Commissioner

John V. Murphy

JVM:raj Enclosure

Mitch Kellman & David Locke, Daft McCune & Walker, 200 E. Pennsylvania Ave. Towson, MD 21286 Christopher Dawson, 226 W. Market Street, York, PA 17401 Mary Rode, St. Vincent's Center, 2600 Pot Spring Road, Timonium, MD 21093 Nicholas Pubs, Catholic Charities, 320 Cathedral St., Baltimore, MD 21201



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



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 2600 Pot Spring Road

which is presently zoned D.R.2 and R.C.4

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

SEE ATTACHED

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

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

$\sqrt{1}$	ESTIMATED LENGTH OF HEARING UNAVAILABLE FOR HEARING	
	OFFICE USE ONLY	
City State Zip Code	City State Zip Code	
Towson, Maryland 21204	Towson, Maryland 21204	
Address Telephone No.	210 Allegheny Avenue (410) 494-620 Address Telephone No.	
210 Allegheny Avenue (410)494-6200	Name 210 2110 chops: 2::0=:0 (410) 404 (20)	
Venable LLP Company	Robert A. Hoffman	
Signature		
Ment of Homen Suc	City State Zip Code Representative to be Contacted:	
Name - Type or Print / //	Timonium, Maryland 21093	
Robert A. Hoffman	Address Telephone No	
Attorney For Petitioner:	2300 Dulaney Valley Road (410) 252-4700	
City State Zip Code	Signature	
Address Telephone No.	Harold Smith, Executive Director Name - Type or Print	
Signature	Signature	
	Haward a Swith	
Name - Type or Print	Associated Catholic Charities, Inc	
Contract Purchaser/Lessee:	Legal Owner(s):	

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Petition for Special Hearing 2600 Pot Spring Road

Special Hearing to extend the special exception approved in Case No. 03-204-SPHXA.

TO1DOCS1/DHK01/#181126v1

507



Description

To Accompany Petition for Special Hearing

1.98 Acre Parcel

Southwest Side of Pot Spring Road

South of Old Bosley Road

Eighth Election District, Baltimore County, Maryland

Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
http://www.dmw.com
410 296 3333
Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Golf Course Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same on the south side of Pot Spring Road, at the end of the second of the two following courses and distances, as measured from the intersection of the centerline of Pot Spring Road with the centerline of Old Bosley Road, (1) Southeasterly, along the centerline of Pot Spring Road, 2895 feet, more or less, and thence (2) Southwesterly, 30 feet, more or less, to the point of beginning, thence leaving said point of beginning and binding on said southeast side of Pot Spring Road, (1) South 20 degrees 17 minutes 03 seconds East 49.11 feet, thence leaving said Pot Spring Road and running for the four following courses and distances, viz: (2) South 00 degrees 28 minutes 00 seconds East 280.74 feet, thence (3) South 89 degrees 32 minutes 00 seconds West 265.24 feet, thence (4) North 00 degrees 28 minutes 00 seconds West 326.94 feet, and thence (5) North 89 degrees 32 minutes 00 seconds East 248.59 feet to the point of beginning; containing 1.98 acres, more or less.

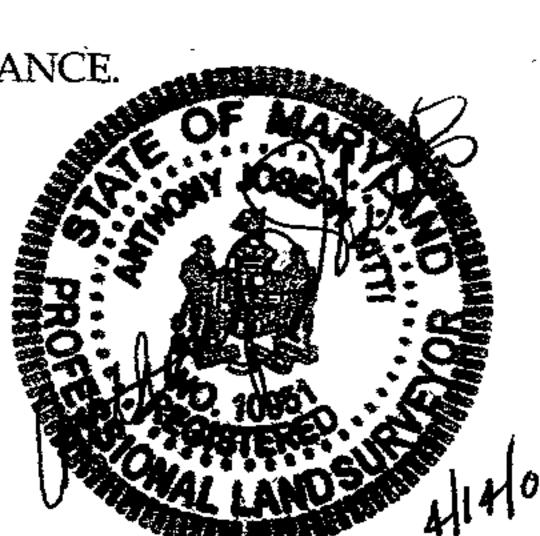
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THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES

ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

April 10, 2004

Project No. 90052.Z1 (L90052.Z1)



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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: #04-507-SPH
2600 Pot Spring Road
S/side of Pot Spring Road,
2,895 feet south of Old
Bosley Road
8th Election District
3rd Councilmanic District
Legal Owner(s): Associated
Catholic Charities, Inc.,
Harold Smith

Special Hearing: to extend utilization period of the special exception approved in Case Number 03-204-SPHXA

Hearing: Thursday, July 8, 2004 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue.

LAWRENCE E. SCHMIDT Zoning Commissioner for Baltimore County

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

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

JT/6/764 June 22 9948

CERTIFICATE OF PUBLICATION

625[,2004]	
THIS IS TO CERTIFY, that the annexed advertisement was publis	shed
in the following weekly newspaper published in Baltimore County, M	ld.,
once in each ofsuccessive weeks, the first publication appears	ing
The Jeffersonian Arbutus Times	
☐ Catonsville Times ☐ Towson Times	
Owings Mills TimesNE Booster/Reporter	
☐ North County News	

LEGAL ADVERTISING



RE: Case No.: 04-507-5PH

Petitioner/Developer: ASSOC. C. ATHOCIC

Charities, HAROLD Smith

Date of Hearing/Closing: 502 8, 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 penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:				
ADT SPRING RD				
6/22/04				
(Month, Day, Year)				

Sincerely,



Robert Black 6/23/00
(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)

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:
Petitioner: Associated Catholic Chanter, Fre.
Address or Location: 2600 Pot Spany Roa 2
PLEASE FORWARD ADVERTISING BILL TO: Name:
Address: 20 Alleghern Hrenne Towson, Manylos 2 21204
Telephone Number: 410 494-6244 Revised 2/20/98 - SCJ

Department of Permits and Development Management

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



Baltimore County

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

May 17, 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: 04-507-SPH

2600 Pot Spring Road

S/side of Pot Spring Road, 2,895 feet south of Old Bosley Road

8th Election District – 3rd Councilmanic District

Legal Owner: Associated Catholic Charities, Inc., Harold Smith

Special Hearing to extend utilization period of the special exception approved in Case Number 33-204-SPHXA.

Hearing: Thursday, July 8, 2004 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Timothy Kotroco Director

C: Robert Hoffman, Venable, 210 Allegheny Avenue, Towson 21204 Harold Smith, 2300 Dulaney Valley Road, Timonium 21093

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, JUNE 23, 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.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, June 22, 2004 Issue - Jeffersonian

Please forward billing to:

Amy Dontell 210 Allegheny Avenue Towson, MD 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: 04-507-SPH

2600 Pot Spring-Road ----

S/side of Pot Spring Road, 2,895 feet south of Old Bosley Road

8th Election District = 3rd Councilmanic District

Legal Owner: Associated Catholic Charities, Inc., Harold Smith

Special Hearing to extend utilization period of the special exception approved in Case Number 03-204-SPHXA.

Hearing: Thursday, July 8, 2004 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue

Short

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 Development Management

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





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

June 28, 2004

Robert Hoffman Venable LLP 210 Allegheny Avenue Towson, Maryland 21204

Dear Mr. Hoffman:

RE: Case Number:04-507-SPH, 2600 Pot Spring Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 4, 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 Rillall

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

Enclosures

People's Counsel C: Associated Catholic Charities Harold Smith 2300 Dulaney Valley Road Timonium 21093



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



Baltimore County

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

May 18, 2004

ATTENTION: Kristen Mathews

Distribution Meeting of: May 18, 2004

Item No.: 495, 502-511, 513-515, 517

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.

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

Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor



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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date:

5.17.04

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

RE:

Baltimore County

Item No.

507

216

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

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr

JOW

DATE:

May 24, 2004

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of May 17, 2004

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

04-495

04-502

04-503

04-506

04-507

04-508

04-509

04-512

04-513

04-514

04-517

Reviewers:

Sue Farinetti, Dave Lykens

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director RECEIVEDATE: May 20, 2004

Department of Permits and

Development Management

JUN - I 2004

FROM:

Arnold F. 'Pat' Keller, IIIZONNG COMMSSIONER

Director, Office of Planning

SUBJECT:

Zoning Advisory Petition(s): Case 4-493, 4-507, and 4-510

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

MAC/LL

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: June 2, 2004

Department of Permits & Development Management

FROM:

Robert W. Bowling, Supervisor

Bureau of Development Plans

Review

SUBJECT:

Zoning Advisory Committee Meeting

For May 24, 2004

Item Nos. 502, 503, 507, 508, 509, 512, 513, 514, 515, and 517

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

RWB:CEN:jrb

cc: File

PETITION FOR SPECIAL HEARING RE:

2600 Pot Spring Road; S/side Pot Spring Rd,

2,895' S of Old Bosley Road

8th Election & 3rd Councilmanic Districts

Legal Owner(s) Associated Catholic Charities* Harold Smith, Executive Director

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

FOR

BALTIMORE COUNTY

04-507-SPH

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 and 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 17th day of May, 2004, a copy of the foregoing Entry of Appearance was mailed to Robert A Hoffman, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

MAY 1 9 2004

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per.....

Petition for Special Hearing 2600 Pot Spring Road

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Special Hearing to extend the special exception approved in Case No. 03-204-SPHXA.

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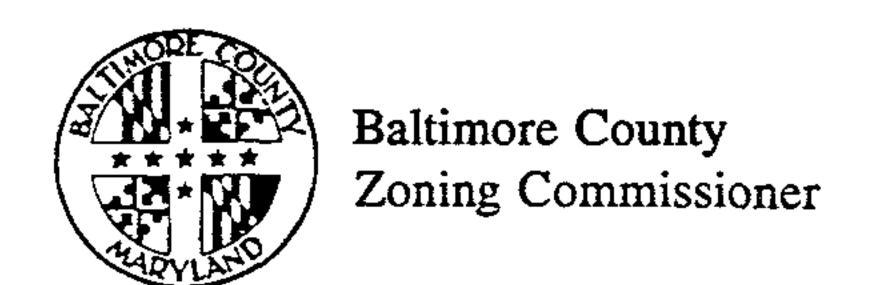
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CASE NAME
CASE NUMBER OF -SO 1-3
DATE

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PETITIONER'S SIGN-IN SHEET

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

Fax: 410-887-3468

January 21, 2003

Robert A. Hoffman, Esquire David Karceski, Esquire Venable, Baetjer & Howard 210 Allegheny Avenue

210 Allegheny Avenue Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE W/S Pot Spring Road, S of Collinsway Road

(2600 Pot Spring Road)

8th Election District — 4th Council District

Associated Catholic Charities, Inc. - Petitioners

Case No. 03-204-SPHXA

Dear Messrs. Hoffman & Karceski:

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

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the 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. Harold A. Smith, Exec. Dir. & Ms. Mary Rode, Associated Catholic Charities, Inc. 2300 Dulaney Valley Road, Timonium, Md. 21093

Mr. Nicholas Pulos, Associated Catholic Charities, 320 Cathedral St., Baltimore, Md. 21201 Messrs. David Locke & Mitch Kellman, Daft-McCune-Walker, Inc.

200 E. Pennsylvania Avenue, Towson, Md. 21218

Michael Murphy, Esquire, 800 N. Charles Street, Baltimore, Md. 21201

Mr. Larry Townsend, 1111 Longbrook Road, Lutherville, Md. 21093

Office of Planning; DEPRM; People's Counsel; Case File



IN RE: PETITIONS FOR SPECIAL HEARING

AND VARIANCE – S/S Pot Spring Road,

2,895' S of Old Bosley Road

(2600 Pot Spring Road) 8th Election District

4th Council District

Associated Catholic Charities, Inc. Petitioners

BEFORE THE

ZONING COMMISSIONER

* OF BALTIMORE COUNTY

Case No. 03-204-SPHXA

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owners of the subject property, Associated Catholic Charities, Inc., by Harold Smith, Executive Director, through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special hearing to allow a proposed building to straddle the zone line, pursuant to the Zoning Commissioner's Policy Manual. In addition, a special exception is requested to permit a community building in the D.R.2 and R.C.4 zones, pursuant to Sections 1A03.3.B.3 and 1B01.1.C.4 of the Baltimore County Zoning Regulations (B.C.Z.R.). Finally, the Petitioners request variance relief from Sections 1B01.2.B.2 and 504 of the B.C.Z.R. and Division II, Section A (p.29) of the Comprehensive Manual of Development Policies (C.M.D.P.) to permit total building lengths of 600 feet and 440 feet in lieu of the maximum allowed 200 feet in D.R.2 zone. The subject property and requested relief are more particularly described on the site plan(s) submitted which were accepted into evidence and marked as Petitioner's Exhibits 1A & 1B.

Appearing at the requisite public hearing in support of the request were Mary Rode and Nicholas Pulos, representatives of Associated Catholic Charities, Inc., property owners, and David Karceski, Esquire, attorney for the Petitioners. Also appearing on behalf of the Petitioners David Locke and Mitch Kellman, representatives of Daft-McCune-Walker, Inc., the consultants who prepared the site plan for this property; Larry Townsend on behalf of the Greater Timonium


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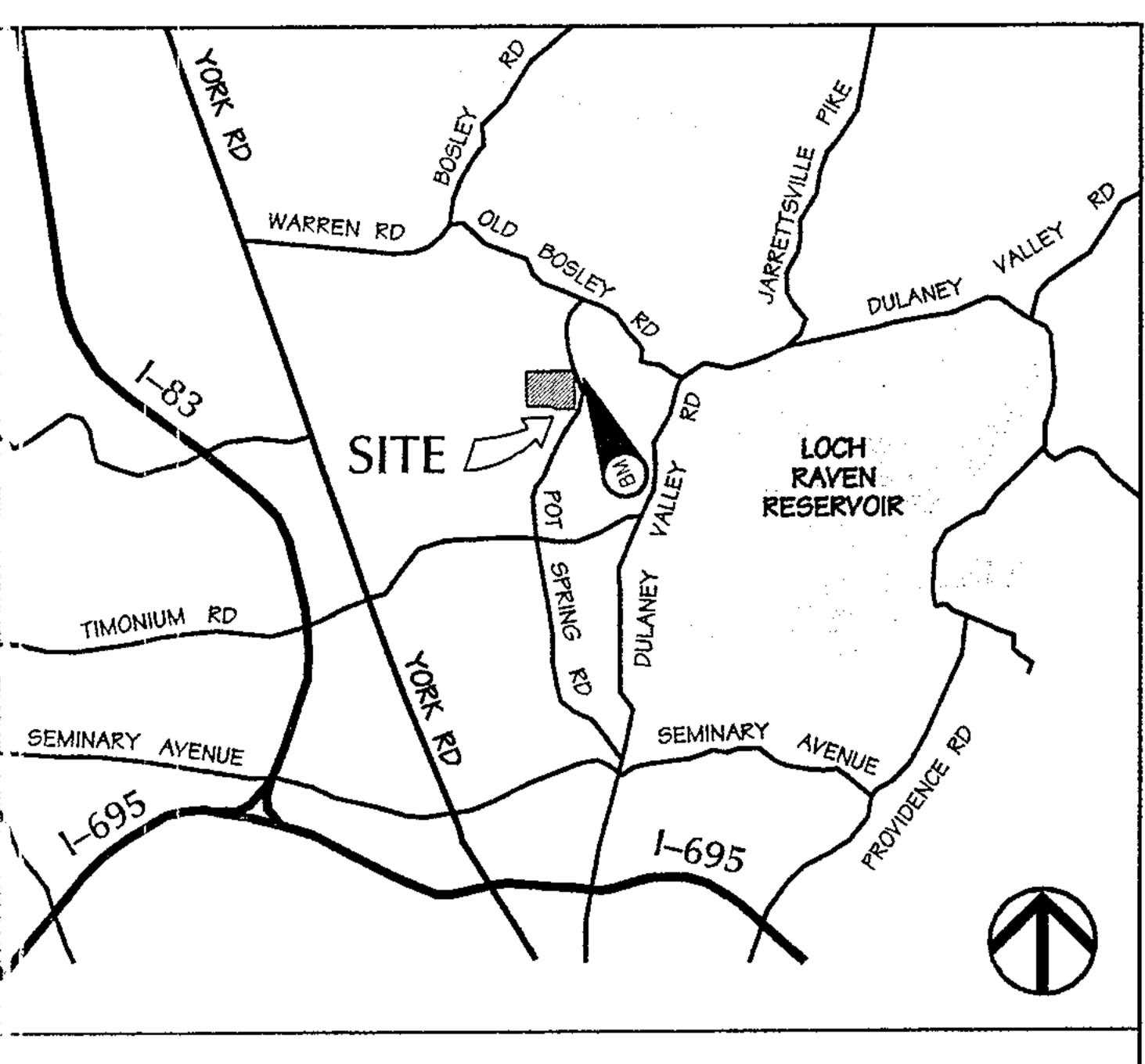
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
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2600 POT SPRING ROAD TMONUNI, NID 21093

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GENERAL NOTES:

1. BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING OFFICIAL ZONING MAPS: NE 15-A AND NE 16-A ADOPTED BY THE BALTIMORE COUNTY COUNCIL OCTOBER 10, 2000.



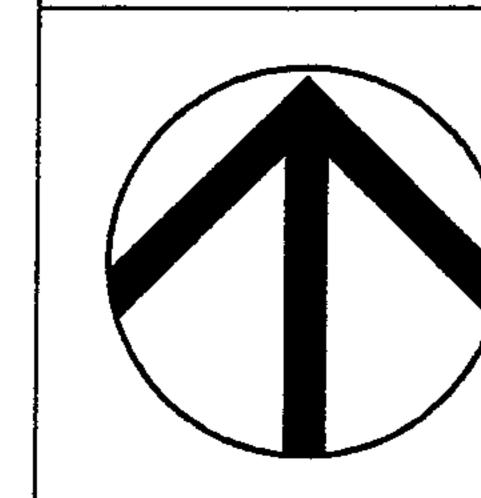
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FOR
SPECIAL HEARING

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