

# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 701 Maiden Choice	Lane		
	DR		

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

Please see attached document.

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

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

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

#### Contract Purchaser/Lessee:

#### Legal Owner(s):

Name - Type or Print		Nam	e - Type or Print		,
Signature		,	Signature		
		•	Wayne M, Rush, P	E, St. Charles Assoc	ciates, Ltd.
Address .	-	Telephone No.	Name Type or Print	10- 0	LUP
City	State	. Zip Code	Signature Wayne M. Rus	b	
Attorney For Petitions	or.		701 Maiden Choic	e Lane	
Attorney For Fethion	-		Address		Telephone No.
Lawrence E. Schmidt			Baltimore	MD	21228
Name - Type or Print	n - Prost	City		State	Zip Code
TMMM 5	SUMIX		<u>Representative</u>	<u>e to be Contacte</u>	<u>d:</u>
Signature Lawrence E. Schmidt					1
Gildea & Schmidt, LLC	,		Lawrence E. Schm	idt	
Company			Name		•
300 East Lombard Street, Su	ite 1440	410-234-0070	300 East Lombard	Street Suite 1440	. 410-234-0070
Address		Telephone No.	Address		Telephone No.
Baltimore	MD	21202	Baltimore	MD	21202
City	State	Zip Code	City	State	e Zip Code
	•		2	FFICE USE ONLY	
,			ESTIMATED LENGTH	OF HEARING	
Case No. 05-6:	X492-05	<b>~</b> ,	UNAVAILABLE FOR I	HEARING	
					211 01
		Revie	wed By JF	Date <u>5 -</u>	24-05
REV 9/15/98					

#### **ATTACHMENT TO PETITION FOR SPECIAL HEARING**

- 1. The 9th Amended Final Development Plan to modify the previously approved 7th and 8th Amended Final Development Plan.
- 2. An amendment of previous special exception approvals in zoning cases 98-71-SPHXA, 91-351-SPHXA, 91-85-SPHA and 88-120-XSPHA.
- 3. Per BCZR Section 1B01.B.1. (f), to confirm application of special exception standards for waiver of Residential Transition Area restrictions through Bill No. 36-88 (See attached at pg 5, Sec. 432.1.A.4) in effect at the time of approval of Case No. 88-120-XSPHA.
- 4. For such further and other zoning relief as the Commissioner may determine.



herein described property for

# **Petition for Special Exception**

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 Exception under the Zoning Regulations of Baltimore County, to use the

1. To grant a waiver of Residential Transition Area restrictions previously codfied in BCZR Section 1B01.B.(1984) (see attached), permitting relief from Section 1B01.1.(b)(2)(1984) for a building length of 240' in lieu of the maximum permitted 130' and from section

and butten

1B01.B.1.(b)(3a)(1984) to allow a building setback of 68' in lieu of the minimum permitted 150' + 75 Tee+

2. For such further and other zoning relief as the Zoning Commissioner may determine.

to the Zoning Commissioner of Baltimore County

for the property located at 701 Maiden Choice Lane

which is presently zoned DR 5.5

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 the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County. I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser/Lessee: Legal Owner(s): Name - Type or Print Name - Type or Print Signature Signature Wayne M. Rush, PE, St. Charles Associates, Ltd. Address Telephone No. City State Zip Code Signature Wayne M. Rush 701 Maiden Choice Lane Attorney For Petitioner: Address Telephone No. Lawrence E. Schmidt Name - Type or Print Baltimore MD 21228 State Zip Code Representative to be Contacted: Gildea & Schmidt, LLC Lawrence E. Schmidt Company Name 300 East Lombard Street, Suite 1440 410-234-0070 300 East Lombard Street - Suite 1440 410-234-0070 Address Telephone No. Address Telephone No. Baltimore MD 21202 21202 Baltimore MD City State Zip Code City Zip Code , OFFICE USE ONLY ESTIMATED LENGTH OF HEARING Case No. 05 -620 - 3PHX UNAVAILABLE FOR HEARING 5-24-05 Reviewed By REV 09/15/98



# **Petition for Special Exception**

to the Zoning Commissioner of Baltimore County

for the property located at 701 Maiden Choice Lane

which is presently zoned DR 5.5.

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

1. To grant a waiver of Residential Transition Area restrictions previously codfied in BCZR Section 1B01.B.(1984) (see attached), permitting relief from Section 1B01.1 (b)(2)(1984) for a building length of 240' in lieu of the maximum permitted 130' and from section 1B01.B.1.(b)(3a)(1984) to allow a building setback of 68' in lieu of the minimum permitted 150' + 75 feet respectively.

2. For such further and other zoning relief as the Zoning Commissioner may determine.

and butten 465

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 the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

#### Contract Purchaser/Lessee:

#### Legal Owner(s):

Name - Type or Print		. Na	ame - Type or Print
Signature	······································	•	Signature
			Wayne M. Rush, PE, St. Charles Associates, Ltd.
Address	-	Telephone No.	Name - Type or Print  A DUM - P V P
City	State	Zip Code	Signature Wayne M Rush
Attorney For Petitione	r:	,	701 Maiden Choice Lane
	<del></del>		Address Telephone No
Lawrence E. Schmidt			Baltimore MD 21228
Name - Type or Print	11 (-16)	City	ty State Zip Code
MAMMAN S			Representative to be Contacted:
Signature Lawrence E. Schmidt		<del></del>	reproductive to be contacted.
Gildea & Schmidt, LLC			Lawrence E. Schmidt
Company			Name
300 East Lombard Street, Su	ite 1440	410-234-0070	300 East Lombard Street Suite 1440 410-234-0070
Address	,	Telephone No.	Address Telephone No.
Baltimore	MD	21202	Baltimore MD 21202
City	State	Zip Code	City State Zip Code
			OFFICE USE ONLY
•		•	
A	20 - 50:	1.	ESTIMATED LENGTH OF HEARING
Case No. 05-63	<u> </u>	<b></b>	UNAVAILABLE FOR HEARING
		•	JF 5-24-05
DE1/00/16/00		4	Reviewed By Date Date

#### Description

To Accompany Zoning Petition

For an Area of Special Hearing and Special Exception Hearing Maryland Health and Higher Educational Facilities Authority

Northeast Side of Maiden Choice Lane

Northwest of Wilkens Avenue

First Election District, Baltimore County, Maryland

Ward 25, Section 1, Baltimore City, Maryland

DMW

aft McCune Walker, Inc.

200 East Pennsylvania Avenue Towson, Maryland 21286 hstp://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 at the end of the second of the two following courses and distances measured from the point formed by the intersection of the centerline of Wilkens Avenue with the centerline of Maiden Choice Lane, (1) Northwesterly along the centerline of Maiden Choice Lane 1065 feet, more or less, and thence leaving said Maiden Choice Lane, (2) Northeasterly 35 feet, more or less, to the point of beginning, said point being on the northeast side of Maiden Choice Lane (70 feet wide) as laid out and shown on Baltimore County Department of Public Works, Bureau of Land Acquisition Drawing Nos. RW-85-334-1 through RW-85-334-4, as recorded among the Land Records of Baltimore County, Maryland, in Liber E.H.K., Jr. 7151, Folio 112, said point also being designated LC 1 as shown on the plat entitled "Plat of Lot 1, St. Charles Associates, LTD., Property," dated November 10, 1995, which plat is recorded among the Land Records of Baltimore County, Maryland, in Plat Book S.M. 68, Folio 28, thence leaving said point of beginning and binding on said Maiden Choice Lane, referring all courses of this

description to the Grid Meridian established in the Baltimore County Metropolitan District, the two following courses and distances: (1) North 46 degrees 41 minutes 21 seconds West 69.88 feet, and thence (2) Northwesterly by a line curving to the left, having a radius of 12035.00 feet, for a distance of 244.74 feet (the arc of said curve being subtended by a chord bearing North 47 degrees 16 minutes 18 seconds West 244.73 feet) to a point designated LD164, as shown on the plat entitled "1st Amended Plat of Lot 2, St. Charles Associates, Ltd.," which plat is recorded among the Land Records of Baltimore County, Maryland, in Plat Book S.M. 70, Folio 21, thence running reversely with and binding on the second hereinmentioned plat the ten following courses and distances: (3) North 41 degrees 49 minutes 19 seconds East 13.88 feet, thence (4) North 20 degrees 40 minutes 10 seconds East 43.61 feet, thence (5) Northeasterly by a line curving to the left, having a radius of 110.00 feet, for a distance of 74.02 feet (the arc of said curve being subtended by a chord bearing North 01 degree 23 minutes 32 seconds East 72.63 feet), thence (6) Northwesterly by a line curving to the right, having a radius of 216.03 feet, for a distance of 169.68 feet (the arc of said curve being subtended by a chord bearing North 28 degrees 53 minutes 21 seconds West 165.35 feet), thence (7) North 06 degrees 23 minutes 18 seconds West 138.00 feet, thence (8) Northwesterly by a line curving to the left, having a radius of 167.78 feet, for a distance of 273.94 feet (the arc of said curve being subtended by a chord bearing North 53 degrees 09 minutes 41 seconds West 244.51 feet), thence (9) South 40 degrees 05 minutes 40 seconds West 161.91 feet, thence (10) North 49 degrees 52 minutes 33 seconds West 40.18 feet, thence (11) Southwesterly by a line curving to the left, having a radius of 38.00 feet, for a distance of 58.72 feet (the arc of said curve being subtended by a chord bearing

South 85 degrees 51 minutes 20 seconds West 53.05 feet), and thence (12) South 41 degrees 35 minutes 13 seconds West 31.79 feet to intersect the northeast side of the hereinmentioned Maiden Choice Lane, thence binding thereon (13) North 47 degrees 58 minutes 51 seconds West 434.31 feet, to a point formed by the intersection of the northeast side of the hereinmentioned Maiden Choice Lane with the first or North 40 degrees 07 minutes 00 seconds East 330.00 foot line of the land which, by deed dated October 13, 1983, and recorded among the Land Records of Baltimore County, Maryland, in Liber E.H.K., Jr. 6643, Folio 132, was conveyed by The Most Reverend Michael J. Dudick, Bishop of the Eparchy of Passaic, New Jersey, to St. Charles Associates, LTD., thence, in part, binding on and running with a portion of said line, (14) North 40 degrees 07 minutes 00 seconds East 464.71 feet, thence running reversely with and binding on the fourth or North 49 degrees 53 minutes 00 seconds West 250.00 foot line of the land which, by deed dated January 1972, and recorded among the aforesaid Land Records in Liber O.T.G. 5245, Folio 503, was conveyed by The Trustees of St. Charles College to The Little Sisters of the Poor, thence running reversely with all of the third and second lines the nineteen following courses and distances: (15) South 49 degrees 53 minutes 00 seconds East 250.00 feet, thence (16) North 40 degrees 07 minutes 00 seconds East 300.00 feet, and thence (17) North 49 degrees 53 minutes 00 seconds West 250.00 feet, thence (18) North 40 degrees 07 minutes 00 seconds East 712.79 feet, thence (19) North 73 degrees 17 minutes 00 seconds East 313.67 feet, thence (20) North 48 degrees 54 minutes 00 seconds West 73.75 feet, thence (21) North 79 degrees 12 minutes 28 seconds East 47.64 feet, thence (22) North 80 degrees 59 minutes 18 seconds East 17.15 feet, thence (23) North 80 degrees 54 minutes 02 seconds East

96.20 feet, thence (24) North 81 degrees 51 minutes 31 seconds East 51.76 feet, thence (25) North 74 degrees 01 minute 02 seconds East 25.66 feet, thence (26) North 75 degrees 41 minutes 02 seconds East 25.66 feet, thence (27) North 65 degrees 06 minutes 26 seconds East 53.02 feet, thence (28) North 57 degrees 40 minutes 10 seconds East 56.66 feet, thence (29) North 65 degrees 11 minutes 38 seconds East 17.59 feet, thence (30) South 78 degrees 58 minutes 55 seconds East 91.74 feet, thence (31) South 86 degrees 39 minutes 07 seconds East 103.66 feet, thence (32) North 88 degrees 01 minute 30 seconds East 103.24 feet, and thence (33) South 82 degrees 56 minutes 27 seconds East 14.60 feet to intersect the division line between Baltimore City and Baltimore County, Maryland, said point being situate South 60 degrees 39 minutes 34 seconds East 3145.88 feet from Baltimore City Boundary Stone No. 9445 found, thence binding thereon (34) South 60 degrees 39 minutes 34 seconds East 318.52 feet, to a point being situate North 60 degrees 39 minutes 34 seconds West 6935.72 feet from Baltimore City Boundary Stone No. 9519 found, thence (35) South 78 degrees 40 minutes 13 seconds East 18.36 feet, thence (36) South 83 degrees 48 minutes 23 seconds East 48.67 feet, thence (37) South 68 degrees 08 minutes 34 seconds East 44.65 feet, thence (38) South 79 degrees 53 minutes 50 seconds East 70.86 feet, thence (39) South 83 degrees 01 minute 33 seconds East 22.50 feet, thence (40) South 48 degrees 38 minutes 17 seconds East 30.27 feet, thence (41) South 48 degrees 58 minutes 05 seconds East 53.93 feet, thence (42) South 68 degrees 26 minutes 50 seconds East 25.02 feet, thence (43) South 78 degrees 47 minutes 11 seconds East 75.70 feet, thence (44) South 74 degrees 44 minutes 34 seconds East 100.22 feet, thence (45) South 74 degrees 29 minutes 53 seconds East 71.44 feet, and thence (46) South 72 degrees 30 minutes 29 seconds East 9.98 feet, thence running

with and binding on part of the westernmost or South 15 degrees 51 minutes East outline of the plat entitled "Kensington," which plat is recorded among the Land Records of Baltimore County, Maryland, in Plat Book W.P.C. 8, Folio 46 (47) South 15 degrees 51 minutes 57 seconds East 1228.85 feet, passing over the division line between Baltimore City and Baltimore County, Maryland, at the end of 164.31 feet, thence running with and binding on part of the second line of the land which, by deed dated December 6, 1954, and recorded among the Land Records of Baltimore County, Maryland, in Liber G.L.B. 2608, Folio 286, was conveyed by Associated Professors of St. Mary's Seminary in Baltimore City to The Most Reverend Francis P. Keough, Roman Catholic Archbishop of Baltimore, for the time being, and his Successors in the Archiepiscopal See of Baltimore according to the Disciple and Government of the Roman Catholic Church the two following courses and distances: (48) South 66 degrees 52 minutes 10 seconds West 772.11 feet, and thence (49) South 23 degrees 07 minutes 50 seconds East 661.40 feet to the northernmost end of the North 88 degrees 19 minutes 27 seconds East 213.64 foot line of Parcel B as laid out and shown on the plat entitled "Resubdivision Plat of Wilkens Beltway Plaza Shopping Center," which plat is recorded among the Land Records of Baltimore County, Maryland, in Plat Book E.H.K., Jr. 49, Folio 67, thence binding on and running reversely with the northernmost outlines of said Parcel B, the three following courses and distances: (50) South 88 degrees 19 minutes 27 seconds West 213.64 feet, thence (51) South 22 degrees 55 minutes 32 seconds West 69.62 feet, and thence (52) Southwesterly by a line curving to the left with a radius of 170.00 feet for a distance of 49.94 feet (the arc of said curve being subtended by a chord bearing South 14 degrees 30 minutes 38 seconds West 49.76 feet), thence binding on and

running reversely with the easternmost or South 23 degrees 33 minutes 08 seconds East 515.34 foot line of Parcel A as laid out and shown on the third hereinmentioned plat, (53) North 23 degrees 33 minutes 08 seconds West 515.34 feet to the northernmost corner of said Parcel A, thence binding on the outlines of the third hereinmentioned plat, (54) South 67 degrees 52 minutes 16 seconds West 551.40 feet to a point designated LC15 as shown on the first hereinmentioned plat, thence running reversely with and binding on the outlines of said plat, the thirteen following courses and distances: (55) North 18 degrees 38 minutes 35 seconds West 79.30 feet, thence (56) North 21 degrees 50 minutes 53 seconds West 74.05 feet, thence (57) North 25 degrees 36 minutes 20 seconds West 110.48 feet, thence (58) Southwesterly by a line curving to the left with a radius of 321.00 feet for a distance of 266.04 feet (the arc of said curve being subtended by a chord bearing South 79 degrees 46 minutes 03 seconds West 258.49), thence (59) North 76 degrees 29 minutes 21 seconds West 99.09 feet, thence (60) Southwesterly by a line curving to the left with a radius of 18.00 feet for a distance of 26.65 feet (the arc of said curve being subtended by a chord bearing South 61 degrees 05 minutes 39 seconds West 24.28 feet), thence (61) South 18 degrees 40 minutes 39 seconds West 32.98 feet, thence (62) Southwesterly by a line curving to the left with a radius of 120.00 feet for a distance of 41.34 feet (the arc of said curve being subtended by a chord bearing South 28 degrees 32 minutes 45 seconds West 41.13), thence (63) South 38 degrees 24 minutes 51 seconds West 10.45 feet, thence (64) South 47 degrees 07 minutes 20 seconds East 18.56 feet, thence (65) South 42 degrees 52 minutes 40 seconds West 120.62 feet, thence (66) South 03 degrees 50 minutes 21 seconds East 39.07 feet, and thence (67) South 43 degrees 36 minutes 50 seconds West 10.02 feet to the point of

beginning; containing 102.083 acres of land, more or less, as surveyed by Daft-McCune-Walker, Inc., in January 1998.

Saving and excepting two parcels of land having a combined area of 1.183 acres of land as described by Deed dated January 15, 1998, and recorded among the Land Records of Baltimore County, Maryland, in Liber S.M. 12614, Folio 001, was granted and conveyed by St. Charles Associates, Ltd., a Florida Limited Partnership, to The Maryland Health and Higher Educational Facilities Authority, a body politic and corporate and a public instrumentality of the State of Maryland.

The net area of land being described herein is 100.900 acres of land, more or less.

Being and comprising all of the land which, by deed dated January 15, 1998, and recorded among the Land Records of Baltimore County, Maryland, in Liber S.M. 12614, Folio 001, was conveyed by St. Charles Associates, Ltd., a Florida Limited Partnership, to The Maryland Health and Higher Educational Facilities Authority, a body politic and corporate and a public instrumentality of the State of Maryland.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

April 22, 2005

Project No. 82028.SQ (L82028.SQ-1)



# CERTIFICATE OF POSTING

RE: Case No.: 05-620-5PHX

Petitioner/Developer: WAYNE M. TUSA

P.E. ST. Charles assoc. UTD

Date of Hearing/Closing: 7-21-05

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 pr	ne penalties of perjury that the ne operty located at:	cessary sigm(s) requ	iired by law were
	MAIDEN Choice	LANE	
			***************************************
The sign(s) were posted on	7-6-05		
	(Month, Day, Y	(ear)	
•	Sincerely	•	

Udert Black 7-6-05

(Dismainte of Dism Lester)

SSG Robert Black

(Print Name)

1508 Leslie Road

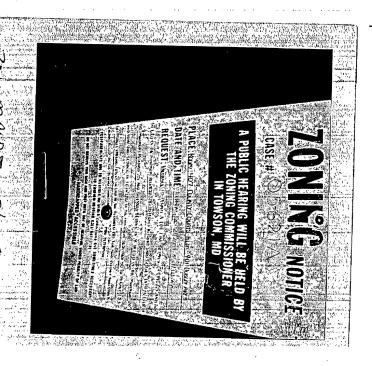
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



#### Department of Permits and Development Management

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



#### **Baltimore County**

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

July 11, 2005

Lawrence E. Schmidt Gildea & Schmidt, LLC. 300 E. Lombard Street, Ste. 1440 Baltimore, Maryland 21202

Dear Mr. Schmidt:

RE: Case Number: 05-620-SPHX, 701 Maiden Choice Lane

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on May 24, 2005.

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.

U. Call Richall D

W. Carl Richards, Jr. Supervisor, Zoning Review

WCR: clb

**Enclosures** 

c: People's Counsel
Wayne M. Rush, P.E. St. Charles Associates Ltd. 701 Maiden Choice Lane Baltimore 21228

#### **BALTIMORE COUNTY, MARYLAND**

#### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** June 6, 2005

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Acting Supervisor

Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For June 13, 2005

Item No. 607, 610, 614, 615, 616, 618, 620, 621, 623, 625, 628, 630, 631, 632

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

DAK:CEN:clw cc: File

ZAC-NO COMMENTS-06062005.doc



Robert L. Ehrlich, Jr., Governor Michael S. Steele, Lt. Governor Robert L. Flanagan, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date:

6.3-05

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

Baltimore County
Item No. 620

124

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,

Steven D. Foster, Chief

1. J. Gall

Engineering Access Permits Division

#### · Fire Department

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 June 2, 2005

ATTENTION: Zoring Review planners

Distribution Meeting of: June 6, 2005

Item No.: 595, 608 632

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to recorrected or incorporated into the final plans for the property.

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

Lieutenant J.D.Mezick Fire Marshal's Office (O)410-887-4881 (C)443-829-1966 MS-1102F

cc: File

## BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** July 15, 2005

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-620- Special Exception

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 Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By

Division Chief:

CM/LL

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

TO:

Tim Kotroco

FROM:

John D. Oltman, Jr

DATE:

June 28, 2005

SUBJECT:

Zoning Items # See List Below

Zoning Advisory Committee Meeting of June 6, 2005

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

05-611

05-613

05-615

05-617

05-618

05-619

05-620

05-621

05-622

05-624

05-628

05-629

05-631

Reviewers: Sue Farinetti, Dave Lykens

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

#### **BALTIMORE COUNTY, MARYLAND**

#### **Inter-Office Correspondence**



TO:

Timothy M. Kotroco

FROM:

R. Bruce Seeley

DATE:

July 28, 2005

SUBJECT:

Zoning Item

# 05-620 and 05-621

Address

701 Maiden Choice Lane

Charlestown Retirement Community

X The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

X Development of the property must comply with Article 33, Title 3, the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Baltimore County Code).

#### Additional Comments:

The proposed building adjacent to Warwick Road is located in a Forest Buffer Easement. Therefore, this Department cannot recommend approval unless a variance to the aforementioned regulations is received and approved. As of this date, no variance request has been received.

Reviewer:

David Lykens

Date: July 28, 2005

S:\Devcoord\ZAC-05-620&621.doc

## BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** July 15, 2005

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT: Zoning Advisory Petition(s): Case(s) 5-620- Special Exception

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 Dennis Wertz in the Office of Planning at 410-887-3480.

Prepared By:

Division Chief:

CM/LL

RE: PETITION FOR SPECIAL HEARING

AND SPECIAL EXCEPTION

701 Maiden Choice Lane; NE/side Maiden \*

Choice Lane, 1,065' NW Wilkens Avenue

1<sup>st</sup> Election & 1<sup>st</sup> Councilmanic Districts \*

Legal Owner(s): St. Charles Associates, Ltd

by Wayne M Rush, PE

Petitioner(s)

BEFORE THE

ZONING COMMISSIONER

**FOR** 

BALTIMORE COUNTY

05-620-SPHX

#### **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 2<sup>nd</sup> day of June, 2005, a copy of the foregoing Entry of Appearance was mailed to Lawrence E. Schmidt, Esquire, Gildea & Schmidt LLC, 300 E. Lombard Street, Suite 1440, Baltimore, MD 21202, Attorney for Petitioner(s).

RECEIVED

JUN - 2 2713

Per Kly

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

### Baltimore County, Maryland



OFFICE OF PEOPLE'S COUNSEL

Room 47, Old CourtHouse 400 Washington Ave. Towson, MD 21204

> 410-887-2188 Fax: 410-823-4236

PETER MAX ZIMMERMAN People's Counsel CAROLE S. DEMILIO Deputy People's Counsel

September 19, 2005

SENT VIA HAND DELIVERY
Mr. Donald Rascoe, Deputy Director
Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, MD 21204

Re: Charlestown Retirement Community, PDM #1-225

Dear Mr. Rascoe,

It has just come to our attention today that there is a proposal on the Development Review Committee (DRC) agenda this afternoon for a DRC approval of a "Refinement to an Existing Building" relating to the Charlestown community.

Our office is involved in two pending zoning cases relating to the Charlestown Retirement Community. The first, entitled, <u>Wayne M. Rush, P.E. St. Charles Associates, Ltd.</u>, Case No. 05-620-SPHX, involves a proposed data center on the side of the property near the Kensington community. The Zoning Commissioner has heard it, but it is still to be decided. The second, entitled <u>Wayne M. Rush, P.E., Senior Campus Living</u> Case No. 05-621-A, involves office building expansion, parking garages, and historic preservation issues in the St. Charles College National Register Historic District (NRHD) area adjoining Maiden Choice Lane. It was conditionally approved by the Zoning Commissioner on August 12, 2005, but is pending review of a Motion for Reconsideration filed by our office on September 1 and further clarified and detailed by letter dated September 16. See Opinion, Motion, and correspondence enclosed herewith.

The proposed DRC approval appears to involve and parallel the uses, buildings, and/or other facilities involved both of these zoning cases. The DRC plan identifies the purposes as to "to add accessory use data center for Charlestown Village" and "to expand the current office complex in Lot 2." It would appear that DRC consideration should be deferred until the zoning cases are concluded. The zoning approvals clearly are prerequisite to development approval. Moreover, if the Petitioner voluntarily defers any part of the proposal, it does not affect the point that any part of the proposal involving directly or indirectly the proposals at issue in the pending zoning cases should be deferred.

Mr. Donald Rascoe, Deputy Director September 19, 2005 Page 2

Please advise this office of the DRC's action or recommendation on this matter, and any ensuing action by the Director of Permits and Development Management.

Sincerely,

Peter Max Zimmerman

People's Counsel for Baltimore County

. PMZ/rmw Enclosures

cc: Lawrence Schmidt, Esq. sent via fax and first class mail

#### GILDEA & SCHMIDT, LLC

DAVID K. GILDEA DAVIDGILDEA@GILDEALLC.COM

LAWRENCE E. SCHMIDT LSCHMIDT@GILDEALLC.COM

SEBASTIAN A. CROSS SCROSS@GILDEALLC.COM

JOSEPH R. WOOLMAN, III JWOOLMAN@GILDEALLC.COM

D. DUSKY HOLMAN DHOLMAN@GILDEALLC.COM

JASON T. VETTORI JVETTORI@GILDEALLC.COM

Sent Via Facsimile & Regular Mail

William J. Wiseman, III Zoning Commissioner for Baltimore County Office of the Zoning Commissioner 401 Bosley Avenue, Suite 405 **County Courts Building** Towson MD 21204

300 EAST LOMBARD STREET

**SUITE 1440** 

BALTIMORE, MARYLAND 21202

TELEPHONE 410-234-0070 FACSIMILE 410-234-0072 www.gildeallc.com

September 26, 2005

220 BOSLEY AVENUE TOWSON, MARYLAND 21204 **TELEPHONE 410-337-7057** 



Erickson Retirement Communities/Charlestown Retirement Facility Re:

Case No.: 05-620-SPHX

Dear Commissioner Wiseman:

This is in response to the letter to you dated September 21, 2005 from Sally Fricke, President, Kensington Improvement Association.

On behalf of my client, Erickson Retirement Communities, I respectfully request that you disregard this letter. As you recall, residents of Kensington appeared at the hearing held for the proposed data center building on the Erickson property on July 21, 2005 at 9:00 a.m. From the bench, you stated (and I confirmed in open hearing) that there was a second and separate hearing involving the proposed office building addition scheduled for 11:00 a.m. When the 9:00 a.m. hearing concluded (shortly before 11:00 a.m.), all of the residents of Kensington left the hearing room. Several openly indicated that they had "no interest" in the office building, given the fact that it was on "the other side" of the Erickson property and did not impact the Kensington community.

We believe that it is inappropriate, some two months after the hearing and six weeks after the Order, for Kensington to now attempt to intervene. With kind regards, I am

Very truly yours.

Lawrence E. Schmidt

LES: bhb

Wayne M. Rush, P.E., Erickson Retirement Communities

Peter Max Zimmerman, Esquire, People's Counsel Sally Fricke, Kensington Improvement Association

Sebastian A. Cross, Esquire





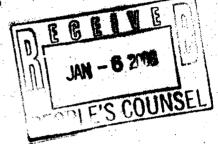
# KENSINGTON IMPROVEMENT ASSOCIATION

Instituted June 26th, 1936

January 4, 2006

Lawrence E. Schmidt, Esq. Gildea & Schmidt, LLC 300 East Lombard Street Suite 1440 Baltimore, MD 21202

Dear Mr. Schmidt:



On Monday, January 2, 2006, the Kensington Improvement Association officers and board members voted unanimously not to agree to your proposal outlined in your letter dated December 7, 2005.

We await rulings from Mr. Wiseman on Case #05-621-A (appealed) and #05-620-SPHX.

Sincerely,

Wayne Schaefer

President

Kensington Improvement Association

Enc: Your letter dated 12/7/05

Letter from Kensington dated 12/11/05

Your letter dated 12/16/05

cc: Wayne M. Rush, P.E., Erickson Retirement Communities

✓Peter Max Zimmerman, Esq., Office of Peoples' Counsel

William J. Wiseman, III, Zoning Commissioner for Baltimore County



Maryland Department of Assessments and Taxation BALTIMORE COUNTY Real Property Data Search

Go Back View Map **New Search Ground Rent** 

**Account Identifier:** 

District - 01 Account Number - 2200025394

**Owner Information** 

Owner Name:

SENIOR CAMPUS LIVING LLC

C/O DANNY O'BRIEN

Use:

COMMERCIAL

Principal Residence:

Mailing Address:

701 MAIDEN CHOICE LN

**BALTIMORE MD 21228-5968** 

**Deed Reference:** 

1) /12608/ 397

2)

NO

#### **Location & Structure Information**

**Premises Address** 

701 MAIDEN CHOICE LA

**Legal Description** 

3.452 AC

701 MAIDEN CHOICE LA NE ST CHAS ASSOC LTD PROP

**Parcel** Subdivision **Sub District** Section **Block Lot** Map Grid 101 2141 1

**Basement** 

**Assessment Area** Plat No: Plat Ref:

68/28

**Special Tax Areas** 

Town **Ad Valorem** Tax Class

**Primary Structure Built** 

**Enclosed Area** 

**Property Land Area** 

**County Use** 

1995

42,240 SF

3.45 AC

06

**Stories** 

Type

**Exterior** 

#### Value Information

	Base	Value	Phase-in Assessments	
	Value	As Of	As Of	As Of
		01/01/2003	07/01/2005	07/01/2006
Land:	708,900	708,900	•	
Improvements:	4,387,400	4,387,400	•	
Total:	5,096,300	5,096,300	5,096,300	NOT AVAIL
Preferential Land:	0	0	0	NOT AVAIL

#### Transfer Information

Seller: ST CHARLES ASSOCIATES LTD Type: NOT ARMS-LENGTH	Date: 01/14/1998 Deed1: /12608/ 397	Price: \$2,500,000 Deed2:
Seller:	Date:	Price:
Type:	Deed1: Date:	Deed2: Price:
Seller: Type:	Date: Deed1:	Deed2:
•		

#### **Exemption Information**

#620

Section 1B01-REGULATIONS WITH RESPECT TO D.R. ZONES IN GENERAL.
[Bill No. 100, 1970.]

1B01.1-General Use Regulations in D.R. Zones. [Bill No. 100, 1970.]

- A. Uses Permitted as of Right. The following uses, only, are permitted as of right in D.R. zones of all classifications, subject to the restrictions hereinafter prescribed:
  - Dwellings, including, but not limited to, one-family detached houses, one-family semi-detached houses, one-family group houses, patio houses, side-and-back-attached houses, two-family houses, town-house apartment buildings (including group-house apartment buildings), garden apartment buildings, and other apartment buildings
  - 2. Trailers (see Section 415)
  - 3. Churches, other buildings for religious worship, or other religious institutions.
  - 4. Above-ground electrical-power, telephone, or telegraph lines, except above-ground electrical-power lines having a capacity of 35 kilovolts or more; pole-mounted transformers or transformer banks
  - 5. Other cables; conduits; gas, water, or sewer mains; or storm-drain systems: all underground
  - 6. Excavations, uncontrolled (as defined in Section 101)
  - 7. Farms or limited-acreage wholesale flower farms (see Section 404)
  - 8. Garages, community
  - 9. Hospitals (see Section 407)
  - 10. Local open space tracts or other common amenity open space
  - 10A.Privately sponsored day care and nursery programs, as an ancillary use, within housing for the elderly projects, as defined in Section 101 of these regulations. [Bill No. 47, 1982.]
  - 11. Research institutes, provided that no such use permitted hereunder (as of right) shall be established on any site less than 15 acres in net area, and that any such use shall be established in accordance with the provisions of Subsection 418.2
  - 12. Schools, except business or trade schools or such schools as are permitted by special exception (see Paragraph C, below), but including schools for agricultural training; and privately sponsored day care and nursery programs for children before, during, and after regular school hours as an ancillary use in a school building. [Bill No. 63, 1980; No. 47, 1982.]
  - 13. Signs, non-accessory, to the extent permitted under Section 413

#### BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPOND

April 27, 1992

T0:

The Hon. Berchie L. Manley Councilwoman, First District

FROM:

J. James Dieter

SUBJECT: Charlestown Stream Buffer Variance

I can appreciate the issues raised by the Kensington Community Association. Their awareness of environmental impacts and community concern is to be commended. Open and honest communication is necessary to respond to the issues which surround the Cross Creek development.

The development proceeded with required approvals from Baltimore County (DEPRM), State (MDE) and the U.S. Army Corps of Engineers. This Department did grant certain variances to accommodate the particular site design. It is the operating procedure of the Department to require mitigation which improves environmental conditions in other areas as a trade-off to environmental impacts from variances. It is important to remember that variances still maintain a high degree of environmental protection. They are not waivers or exemptions to standards (see attached correspondence).

Certain mitigation practices are a condition of development approval in this case. They involve all the agencies previously mentioned. It would be beneficial to meet and discuss some of the ideas which DEPRM personnel have promoted to restore sections of Herbert's Run.

Please be assured that this Department implements County stream buffer legislation on a very conservative basis. Departmental staff will be made available at your convenience to explain our procedures for development review. Contact me to make arrangements to meet.

J. James Dieter, Director Department of Environmental Protection

and Resource Management

JJD:pmf Attachment

The Hon. Roger B. Hayden

Mr. John C. Erickson

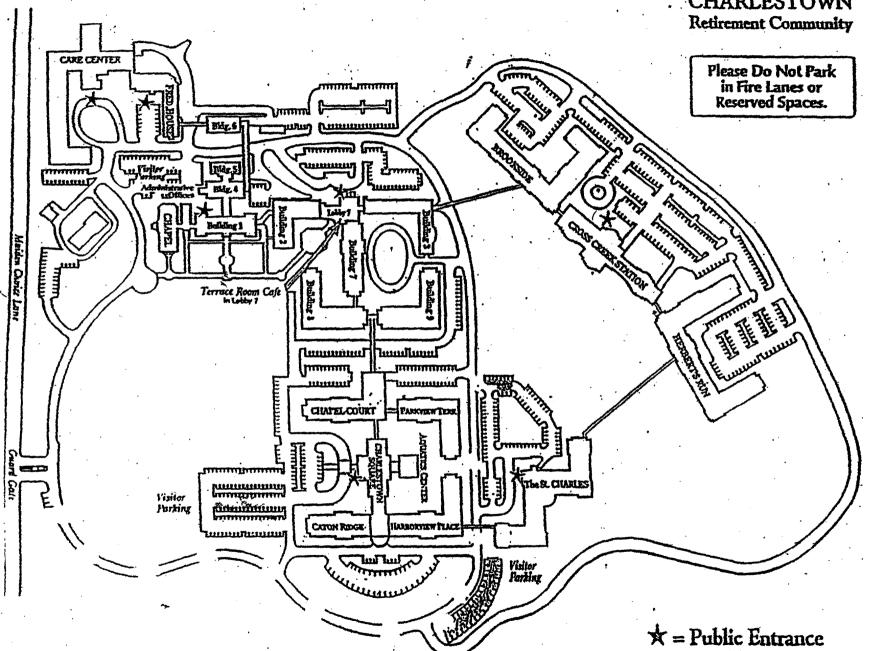
Mr. Donald C. Outen

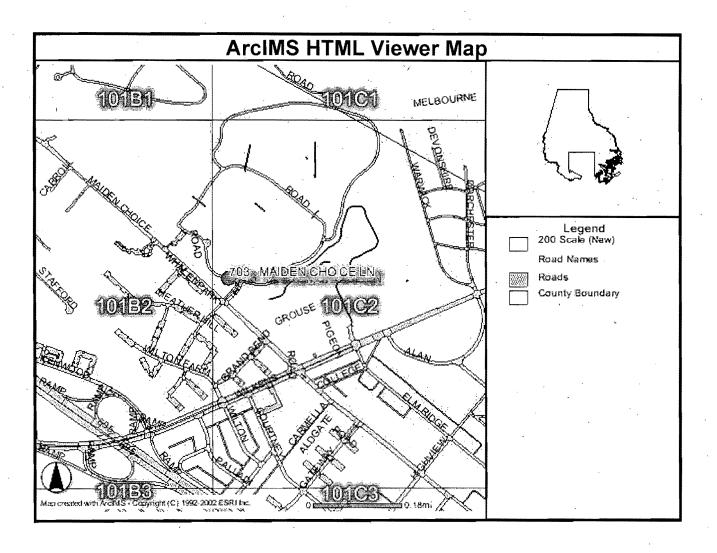
Mr. Rocky O. Powell

Note 9.18/05 CRG This is 9th Amendment

# Welcome to Charlestown!







CASE NAME 05-620-SPHX CASE NUMBER Charles tour DATE 7/21/05

## PETITIONER'S SIGN-IN SHEET

05-621-A

NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
MICKEY CORNELIUS	9900 FRANKLIN SR DR. SUITEH	BALTO MD 21236	mEornelius@traffiegroup, com
Mitch Kellman	200 East Pennsylvania Acc	Touson, MD 21286	mkallman 2 Diyu. com
GREG REED	200 EAST PENNSY CVANIA AVE	TOWSON MD ZIZ86	GREED & DMW.COM
Sebastian Cross	300 E. Lambard St. 1940	Balt Md 21202	Scross & gildealle com
LAWRENCE & Schmis		(1	CSchmIDTOg, Idea 1/c.com
Wayne Rush	Evidoson Refivement Comm. 703 M	giden Choice Lu, Balt. MD, 21778	wrush Devickson retirement. con
Hola Weschke	400 Wash Auglon Ave	TOWDONMD 21204	hweschle Dco.ba.mql.us
Robert Moore	626 WARWICK Rd	Balli. Indi 2129	Robert . S. More Overizon . NET
FAITH NEVINS AIA	1410 Ken Hyhway	Batto. Md. 21230	Faith & Marks-Thomas . Com
Marks, Thomas architecs			
,		,	
	Z.		
	BALTIMORE COUNT	<b>Y</b>	
	MARYLAND		
-			
	HELGA T. WESCHKE Business Development		
	Department of Economic Development		<u> </u>
·	400 Washington Avenue		
	Towson, Maryland 21 204-4665 hweschke@co.ba.md.us		
	phone 410.887.8028 fax 410.887.8017		
	www.baltimorecountyonline.info	0	

PLEASE PRINT CLEAF	$\prec L Y$	
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CASE	NAME			
CASE	NUMBER	05-620	SPHY	
DATE	_	•		

# CITIZEN'S SIGN-IN SHEET

ADDRESS	CITY, STATE, ZIP	E- MAIL
4212 Kensington Rd.	Balt., MD 21229	suemazzonia macieon
821 WARWICK ROAD	BAUD, MD 21229	bethany 21229 Cymrus
706 DORCHESTER Rd.	Ballo. Md. 2/229	Con
628 Warnick Road	Baltimore, MD 21229	rchason@ieee.org
618 WARWICKTEAD	BACTO MD ZIZZ9	<u> </u>
717 Warden Choice Ln	Backs - 21228	
7,7 Maiks choice by #44		·
717 MAIDEN CHOICE LN.	CATENSVILLE, 21228	
626 WARWICK Rob	Balti md 2029	Robert J. Woone Chenous
717 MAIDEN CANCE LN	CATONSVILLE, MO 2/218	bob@bobanne.com
720-6 MAIDEN CHOICE LN	Catonalille Md 21228	I-machinan Qyahoo, Com
(G)		
		·
	4212 Kensington Rd. 821 WARWICK ROAD 706 DORCHESTER Rd. 628 Warwick Road 618 WARWICK ROAD 717 Neiden Choice Ln 717 Maiden Choice Ln 717 Maiden Choice Ln 717 Maiden Choice Ln. 626 WARWICK Rd.	4212 Kensington Rd. Balt., MD 21229 821 WARWICK ROAD BAUD., MD 21229 706 DORCHESTER Rd. Balfon MD 21229 628 Warwick Road Balfimore, MD 21229 618 WARWICK ROAD BACTO MD ZIZZ9 717 Maiden Choice Ln #444 Catonswille 3,338-6,70 717 Maiden Choice Ln. Catonswille 3,338-6,70

# CHARLES TOWN COMMUNITY INC.

05-620-SPH	X	$\mathcal{H}$	P,	S	٠.,	20	6	5 -	0	
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Case No.: \_

## Exhibit Sheet

## Petitioner/Developer

## Protestant

No. 1	1B-EXISTING GNDITIONS	PHOTO-FROM TRISHA CHASONS PROPERTY@ 628 WARWICK RD b) FROM HER PROPERTY LINE
No. 2	ARTISTS VIEW BLDG EEVATIONS	PHOTO - FROM FENSE LINE FACING YOWARDS LOCATION OF NE CORNER BORDSED BLOW
No. 3	SCHEMATIC SITE PLAN (BLDG LOCATION PLAT)	PHOTO - FACING NORTH TOWARDS CHASON PROPERTY FROM LOCATION OF NE CORNEROF BLOG
No. 4	4A. 1BOLI (B)Z - 1984 BCZ 4B (BOLI - Regulations DRZONE 4C BACHUR BILL	R COMMUNITY WRITTEN S CONCERNS
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

pment Plan to modify the previously final development plan.

special exception approvals in 51-SPHXA, 91-85-SPHA and

f), to confirm application of vaiver of Residential Transition o. 36-88 (See attached at pg 5, time of approval of Case No

zoning relief as the Commissioner

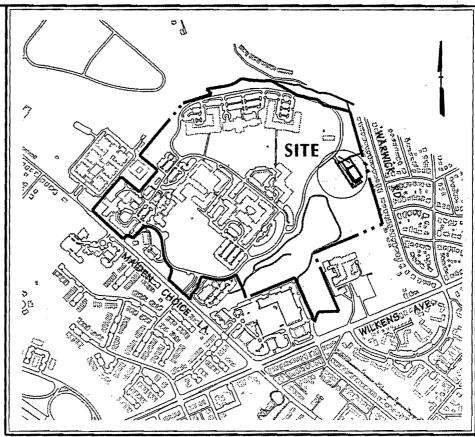
ntial Transition Area restrictions ion 1BO.B.(1984)(see attached), O1.1.(b)(2)(1984) for a building mum permitted 130' 984) to allow a building setback inimum permitted 150' and 75',

ning relief as the Commissioner

?ETITIONER'S

EXHIBIT NO.

1A



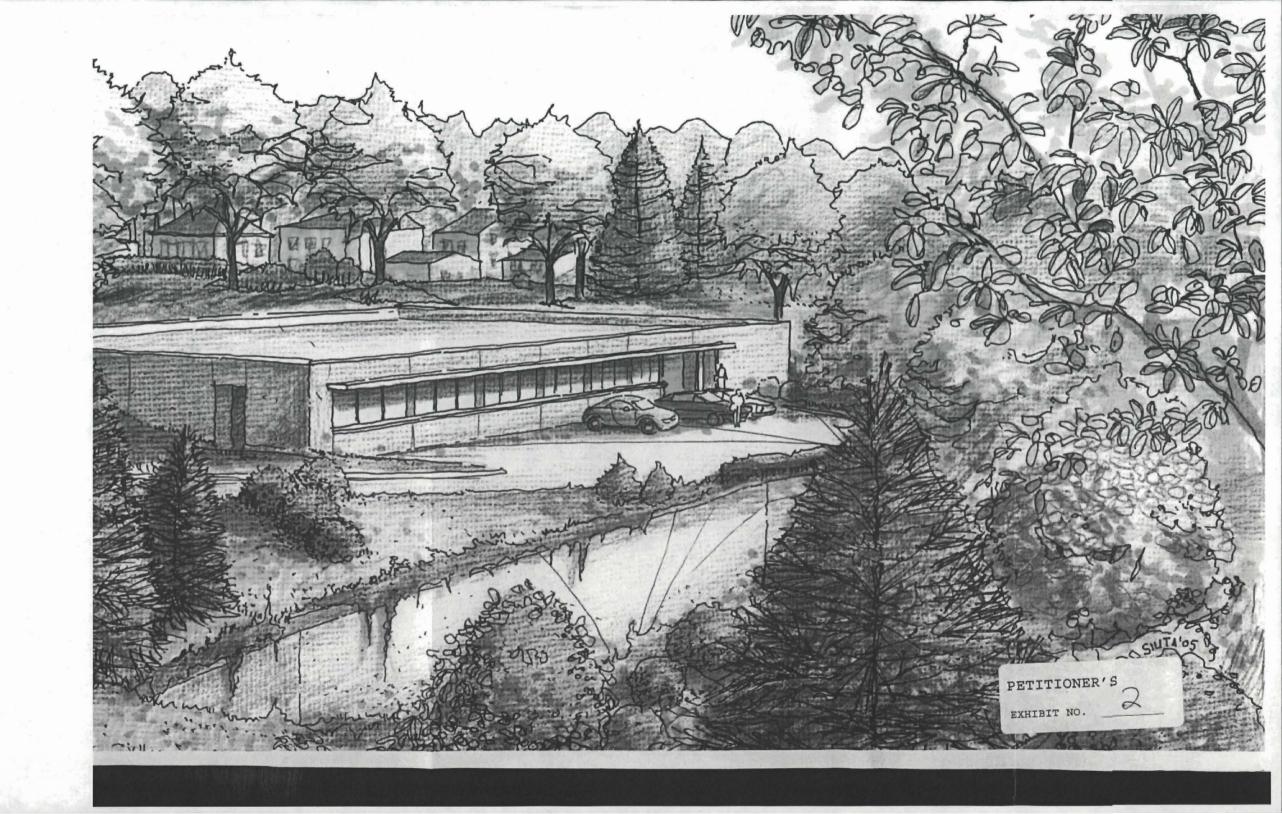
# VICINITY MAP

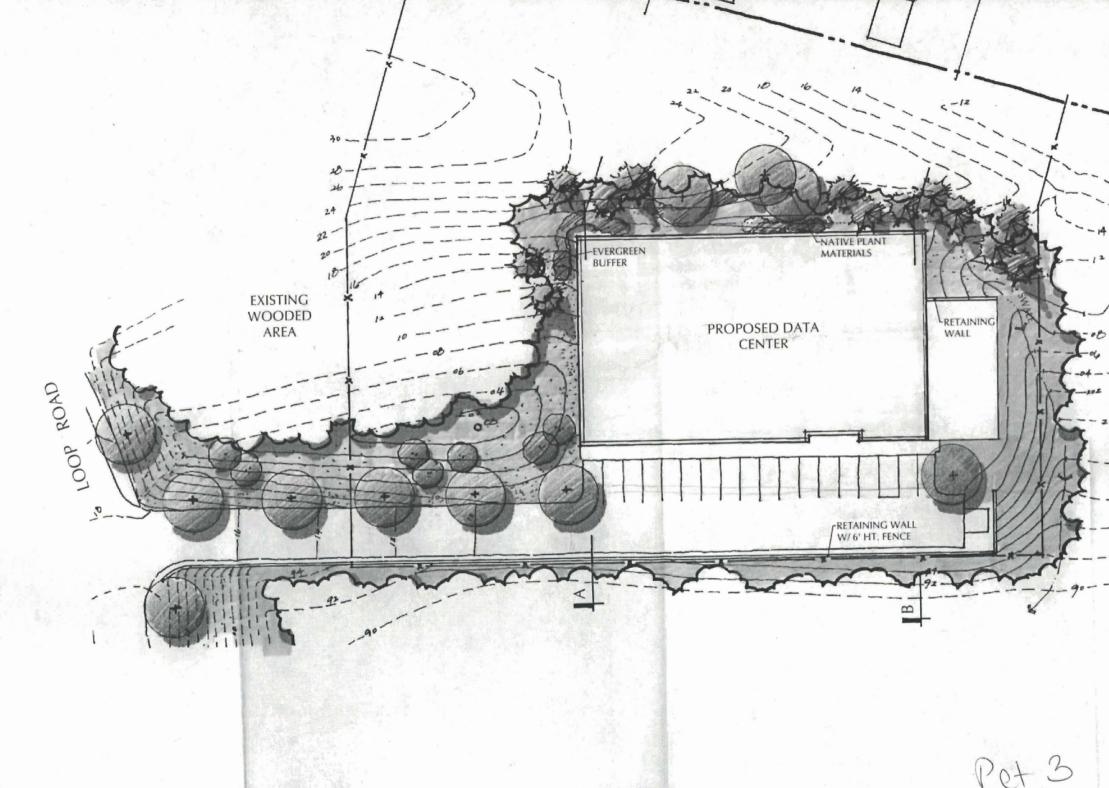
SCALE: 1"=1000'

## GENERAL NOTES

GENERAL NOTES
Owner Address: St. Charles Associates, Ltd. 701 Maiden Choice Lane Baltimore, Maryland 21228
Election District 1 Councilmanic District 1 Zoning Map # SW 3E, SW 3D Zoning Classifications: DR 5.5, Dr 10.5, DR 16, OR-2
Zoning for Accessory Structure: DR 5.5
Site Data:  Net site acerage = 100.900 Ac.±  Gross site acrerage = 101.404 Ac.±
Building Data: Level One Office
3,600 S.F. Office at 3.3 Spaces/1000sf 12 Spaces 9:900 S.F. Mechanical/Maintenance at 1 Space/Person During Largest Shift

Parking will be durable and dustless.





#### **ARTICLE 1B**

#### DENSITY RESIDENTIAL (D.R.) ZONES [Bill No. 100-1970]

#### Section 1B00

#### Legislative Statement of Findings; Policy With Respect to D.R. Zones in General

1B00.1 Declaration of findings. The Baltimore County Council finds:

- A. That residential zoning regulations heretofore in effect have not been conducive to the creation of housing diversity in Baltimore County subdivisions;
- B. That minimum standards for individual lots, having been derived from maximum overall density standards, have resulted in an excessive spreading of residential development over subdivision tracts; such spreading of development has led to removal or undesirable transformation of natural vegetation and other features more properly left in their natural or previous states, and has led to visual monotony;
- C. That zoning reclassifications based on lot sizes and types of housing have, in some situations, prevented the construction of the maximum numbers of housing units intended to be permitted on development tracts, especially in cases of severe topographical variation, or have induced "cramped" layout or other undesirable subdivision design characteristics as accommodation of maximum density is achieved;
- D. That evolving markets for types of housing units not permitted in lower-density zones have created pressures leading to frequent rezoning, ultimately resulting in vastly greater population levels than have been planned for, tending to nullify planning efforts and to overload and overcrowd public facilities;
- E. That, as a result of such rezoning, residential zoning classifications at the various density levels have not been applied to a satisfactory degree in proper relation or with sufficient regard to: location or size of commercial or industrial areas or uses; utilities, motorways, schools or other public facilities; timeliness of development; conservation and allocation of land resources; and other factors which should be considered in planning for the development of the county on the basis of a comprehensive rationale;
- F. That, in light of the above findings, it is in the interest of the general welfare that new zoning classifications, formulated so as to avoid such effects in future residential development, be established as hereinafter provided;
- G. That the ability to distribute density across different zone boundaries, as provided for in Bill 100-1970, has resulted in density patterns often unintended by the county during the comprehensive zoning map process; and [Bill No. 2-1992]

# Section 1801-REGULATIONS WITH RESPECT TO D.R. ZONES IN GENERAL. [Bill No. 100, 1970.]

1B01.1-General Use Regulations in D.R. Zones. [Bill No. 100, 1970.]

- A. 1 Uses Permitted as of Right. The following uses, only, are permitted as of right in D.R. zones of all classifications, subject to the restrictions hereinafter prescribed:
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  - 5. Other cables; conduits; gas, water, or sewer mains; or storm-drain systems: all underground
  - 6. Excavations, uncontrolled (as defined in Section 101)
  - Farms or limited-acreage wholesale flower farms (see Section 404)
  - 8. Garages, community
  - 9. Hospitals (see Section 407)
  - 10. Local open space tracts or other common amenity open space
  - 10A.Privately sponsored day care and nursery programs, as an ancillary use, within housing for the elderly projects, as defined in Section 101 of these regulations. [Bill No. 47, 1982.]
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  - 13. Signs, non-accessory, to the extent permitted under Section 413

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND

LEGISLATIVE SESSION 1988, LEGISLATIVE DAY NO. 6

BILL NO. 36-88

CXHIBIT TO FILE

#### MS. BARBARA F. BACHUR, COUNCILWOMAN

#### BY THE COUNTY COUNCIL, MARCH 21, 1988

#### A BILL ENTITLED

AN ACT concerning

Elderly Housing Facilities

FOR the purpose of amending the Baltimore County Zoning Regulations in order to define certain types of facilities for the housing of the elderly; permitting these facilities in certain residential zones of the County, either by right or by special exception; providing for such facilities established in connection with a hospital; permitting certain of these facilities to be developed under certain conditions on a property which contains institutional or historic buildings; authorizing the modification or waiver of certain of the Zoning Regulations when applied to such facilities; providing for parking requirements; and generally relating to elderly housing facilities in Baltimore County.

#### BY repealing

Section 101 - Definitions, the definition of Housing for the Elderly and Life Care Facility or Continuing Care Facility, Baltimore County Zoning Regulations, as amended.

BY repealing and re-enacting, with amendments,

Section 101-Definitions, by adding the definitions of Assisted Living Facility, Continuing Care Facility, Housing for the Elderly, and Elderly Housing Facility,

Baltimore County Zoning Regulations, as amended

#### BY adding

Section 432

PETITIONER'S

Baltimore County Zoning Regulations, as amended BY repealing, and re-enacting, with amendments

EXHIBIT NO.

Sections 1A04.4, 1B01.1.A.1, 1B01.1.C., 1B01.2.C.1., 1B02.2.A.,

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW. EXPLANATION:

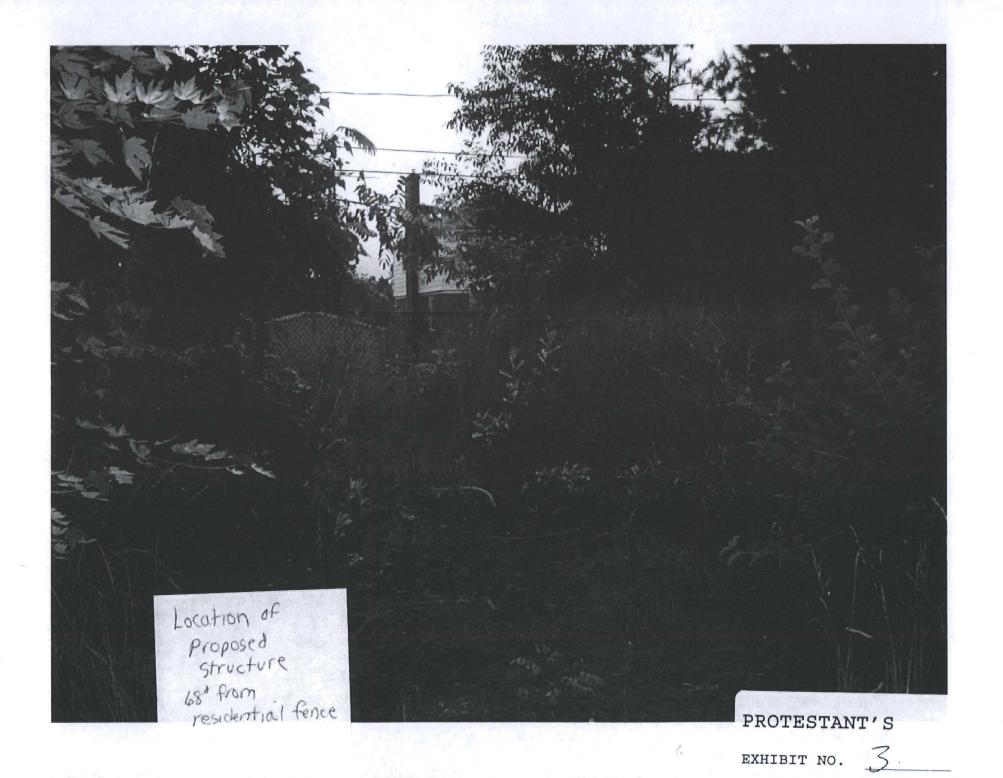
[Brackets] indicate matter stricken from existing law.

Strike-out indicates matter stricken from bill.

Underlining indicates amendments to bill.







We are residents of the Kensington Community, which borders the Charlestown Retirement Community. Established in 1929, our neighborhood of 220 well-kept, single-dwelling homes continues to be viable and inviting--and we work hard to keep it that way. A large contingency of the homes along Warwick Road in Kensington are situated along the Kensington/Charlestown property line.

Charlestown is currently proposing to build a Data Center, 240 feet in length, across the backyard properties of Warwick Road residents. In particular, we have been told that this commercial building will span across the backyard properties of five homes, from 620 Warwick Road to 628 Warwick Road.

We object to the building of this property for the following reasons:

Charlestown has requested that this 240' commercial structure be located only 68' from homeowners' backyard property lines, which is just under half of what is currently permitted. Our concern is that this building will be located too close to residential properties.

Having a commercial building so close to residential properties is not consistent with Charlestown's original boundary agreement. And this original agreement was reached so that there would be compatibility between Kensington, an older established community, and Charlestown, a newer, commercial development. The buffer zone, as it currently stands, allows an appropriate separation of commercial enterprise from our residential community. The proposed buffer zone change to only 68' violates this agreement. Trees and fences are not adequate protection from security lights, noise, and vehicles coming and going. The original agreement recognized this.

PROTESTANT'S

CONDITIONS FOR CRG APPROVAL

Standard notes regarding non-disturbance of the Forest Buffer and protective covenants must be shown on all development 3. A mitigation plan must be presented and approved. This plan

The required Forest Buffer and Afforestation Area must be

- an afforestation component, including location of sites to be afforested, species, density, documentation that acreage acreage has been provided and time frame for completion; - a stream restoration component, including identification of the stream reaches to be restored, the restoration pproach, and time frame for completion; and - a water quality component, including water quality regional facility location and size; information about the contributing drainage area, and demonstration that the facility will manage stormwater runoff for water quality

The following additional notes must be shown on all .\*A variance was granted by the Baltimore County Departmen of Environmental Protection and Resource Management (DEPRM) from Regulations for the Protection of Water Quality. Streams. Wetlands and Floodplains which became effective January 1, 1991. The Forest Buffer shown hereon is reflective of the fact that this variance was granted. Conditions were placed on the variance to reduce water quality impacts. plan, is intended to satisfy the requirement of Baltimore County DEPRM in granting a variance for this project; The

or different mitigation for the project, which shall not replac

or supersede the mitigation requirements of Baltimore County

DEPRM. If a detailed analysis of the conceptual mitigation

AMENDED FINAL DEVELOPMENT PLAN

CROSS CREEK AT CHARLESTOWN

plan shows that any component of the plan is infeasible, the COUNCILMANIC DISTRICT 1 REGIONAL PLANNING DISTRICT 324A ELECTION DISTRICT 1 WATERSHED 29 SUBSEVERSHED 74 CENSUS TRACT 4001 BALTIMORE COUNTY, MARYLAND

SITE TABULATION

CRG plan shall be nullified."

GENERAL NOTES

SHEET INDEX

The provisory section of this partial development plan is not intended nor

applications may be approved or issued. Its purpose is to provide those who

burchase homes within 300 feet thereof with a reasonable understanding as to

how the developer will improve all adjoining vacant land that lies within 300

The dimensioned boundaries of the "Provisory Section" as indicated hereon

are not intended to separate it from the overall approval of this partial

development plan including the "Provisory Section" must be approved in accordance with Section 1801.3.A.7. Baltimore County Zoning Regulations.

Approval of the "Provisory Section" is not based on final engineered p lowever, it is intended to establish: the final location, height, use and densit

of buildings or their envelopes to within 25 feet of their engineered location he location and type of existing major vegetation that is to be retained;

At the time of building permit applications the "Provisory Section" of this

22. This development plan is approved by the DIRECTOR OF ZAOM based on his

development plan must be up-dated to comply in all respects to the form and

interpretation of the Zoning Regulations, that it complies with present policy,

of parcel of this tract that has been utilized for density to support dwelling

shown thereon shall not be further divided, subdivided or developed for additional dwellings or any purpose other than that indicated presently on said plan. Utilization will have occurred when a dwelling is constructed and

Accessory structures, fences and projections into yards may be constructed

outside the envelope, but must comply with Sections 400 and 301 of the

Reason for Second Amendment May 8, 1989 (minor amendment) due to

Minor amendment) due to building shape change. No hearing required.

(Minor amendment) due to addition of three carports over parking spaces at Buildings No. 14 (Carports to remain open)

Reason for Fifth Amendment December 6, 1991. Addition of Buildings Nos. 15

7年48州AMENDMENT

REVISIONS BY

GEORGE WILLIAM STEPHENS, JR.

AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

NOTE: The O-2 zoned office building is not within the area, as described in

Zoning Case 91-351-SPHXA, now before the Board of Appeals (BOA).

However, this overall 7th and 8th Amended Plan will be presented to

approved zoning plans will require the approval of the BOA. This plan is

approved based on its being within the spirit and intent of the approved

EAST RESIDENTA

BLOG-

BOA as the most recent revised plan. Any change from previous

building shape change. No hearing required. Change assisted living facility to

Baltimore County Zoning Regulations. (Subject to covenants and applicable

23. Envelopes shown hereon are for the location of all principal buildings only

24. Accessory structures, fences and projections into yard cannot be located in

25. A landscape plan must be approved by the Office of Planning prior to the

ransferred for the purpose of occupancy

CRG Plan refinement approved April 28, 1989 FDP approved June 16, 1989

Reason for Third Amendment June 28, 1990

Change Buildings 14 and 15 to one building.

UNDERGROUND STORAGE TANKS ON SITE

Reason for Fourth amendment November 25, 1991.

THERE ARE NO EXISTING WELLS, SEPTIC SYSTEMS OR

flood plain areas or hydric soils.

issuance of a building permit.

L-shaped instead of square shape.

and 16, community center, assisted livingsfacility and office building.

lensity and bulk controls as they are delineated in the Regulations. Any part

creening; parking areas and drive to the extent possible so as to coincide with

should it be utilized as a final development plan from which building

FDPA SITE LAYOUT

LIVING FACILITY)

FDPA (EAST PARKING)

FDPA (STREAM CROSSING

21. PROVISORY SECTION

FDPA (OFFICE BUILDING)

FDPA (EAST & WEST RESIDENTIAL BLDGS,

COMMUNITY CENTER, ASSISTED

SHEET 1 of 6

SHEET 2 of 6

SHEET 3 of 6

SHEET 4 of 6

SHEET 5 of 6

SHEET 6 of 6

1. Site Data =							9. Pr	oposed Únits
Total Site Acrea Area in Baltimor Net Area in 0-2 Net Area in Res. Grass Area in 0- Gross Area in Re	City Zone = Zones = Zone = s. Zones =	107.51 cc 0.91 cc 17.71 cc 68.99 cc 18.05 cc 89.75 cc	: : : :				BLDG 15 BLDG 16 RESIDENTI ASST'D LI FACILITY	STUDIO 31 AL SUBTOTAL VING
Total site acre parcels. Gross	age does no orea calculat	t include ions incl	ude 30-fo	nd cemet ot wide	ery street		TOTAL	40
2. Coloulation of li	ving units pe	rmitted u	inder curr	ent zani	ng:		DENSITY U	
Zoning Acr	eoge A1	lowable L Per Aore	Jnits	Maximu Permitte			TOTAL DEN UNITS C. Tot	SITY 20
DR 10.5	18 40	5.5 [ 10.5 [ 15 Dr permitted	U, UC	334.2 39.8 402.8 = 374.0 +402.8	O DU 8 DNU 9 DU	•		NURSING ASSISTE DVELLIN TOTAL U DENSITY
3. Calculation of constant on a constitues on a constitues on a constant of the constant of th	living unite	permitt. dining i	ed for eld estitution	erly hou alor hi	sing storic		5. Tobulo	tian of Offi
	imum permitte	dunits	= Gross Ar = 1.435.00	ea x 15 DNU	DNU	٠.		Gross f Adjuste storag F.A.R. (
4. Tabulation of liv	ing units:	1					6. Porkir	Existin - Exist - Exist - Propo - Total
STUDIO	1 BDRM	1 BDRM W/DEN	2 BDRM	3 BDRM	BEDS	TOTAL	Exist	ing condition Availab
BLDG 1 10 BLDG 2 20 BLDG 3 5 BLDG 4 12 BLDG 5 0	.22 18 43 0 4	0 0 0 0	18 12 0	0 0 0 0 1	0	46 56 61 12		Numering (1 Assiste (1) per Spoces
BLDG 6 BLDG 7 8 BLDG 8 28 BLDG 9 32 BLDG 10 12 BLDG 11 6	48 26 30 92	0 0 0 5	8 21 25 32 19	0 0 0 0	20 000000	20 64 75 88 336 926	Propos	Spaces re Porking sed Condition Availab Nansing ( Per
BLDG 12 18 BLDG 13 17 BLDG 14 0 RESIDENTIAL SUBTOTAL	59 70 23	10 10 8	29 26 127	0 0	0 0 0	125 123 158 10 <b>64</b>		Assiste UniPer C-2 Zon (No oco
NURSING HOME		• •			120	120 .		Staces Spaces Parking
ASST'D LIVING					115	115 🔏 💮	34	• includ:
TOTAL UNITS 169	506	34	334	1	255	1.299	Requi	+60,000 s.f. red <b>por</b> king r 1 space
	•		1.0	1.5	0.25			
DENSITY UNIT 0.5	` <b>0.</b> 75	1.0	7.0				Open	Space Tabulat

unit∰ past deve**lopm**ent NURSING HOME 2,018 DENSITY UNITS in of Office Space = 41,789 sf Gross floor area of office space. Adjusted gross floor orso, including storage and mechanical space F.A.R. (42,159 sf divided by 18.06 ac) = 42,159 sf Tabulation Existing porking spaces 256 272 - Existing spaces lost to development + Proposed parking spaces 1,651 = Total parking spaces condition: 935 Avoilable parking spaces Nursing home requirement (liper 3 beds) = 58 Assisted living requirement (1) per 2 beds) = 837 Spaces remaining for residential Spaces required for residential use, based on 0.5/DU Porking/DU Ratio = 837/1064 DU = 0.79 = 532 = 1,651 Available parking spaces = 40 Narsing home requirement ('Per 3 bess) = 132 Assisted living requirement (igPar 2 beds) 7-12 Zone requirement (41.789 x 3.3/1.000) (No occassory commercial uses) 134! Spaces remaining for residential use Paces required for residential use, based on 0.5/DU 818 #Porking/DU Rotio = 1267/1535 DU = 0.77 •Includes 5 handicap spaces +60,000 s.f. of office space. Does not include basement storage areas or mechanical rooms porking ratio for Class A elderly housing: (see item 5 above) ce Tabulation = 66.03 ac open space in residential zane Percent of gross residential acreage open space in 0-2 zane = 13.90 oc open space ratio (13.90 or divided by '42,159 sf) = 14.36 #OPEN SPACE TO BE MAINTAINED BY OWNER

LIVING FACILITY SCALE: 1" = 300

# ZONING & GENERAL CRG APPROVAL HISTORY

Refer to schematic drawing this sheet Building subscripts reference zoning cose

THE EXISTING TRAFFIC CONDITIONS.

WAS DETERMINED TO BE A PLAN REFINEMENT

A REASONS FOR THE 7th AMENDMENT:

Case No.83-91A - Variances granted for building width of 842', passageway width of 0' and 7.4' in lieu of required 10° and building heights exceeding 50° for building No. 1 (51.1°). No. 2 (56.7°) and No. 6 (71.8°). Buildings No. 1 -No. 6 included in exhibits for petition for

a TO RELOCATE THE ENTRANCE AND LOOP ROAD AND OFFICE BUILDING

THE PARKING IN THE RESIDENTIAL ZONE WAS ALLOWED BY PERMIT 92-1

THE REVISED AND APPROVED CRG THAT REPRESENTS THIS 7th AMENDMENT

PERMIT 92-1 HAS BEEN REVISED BY THIS REFINEMENT WHICH WAS

DETERMINED TO BE WITHIN THE SPIRIT AND INTENT OF 92-1.

ZONING

PHESE MODIFICATIONS WERE NECESSARY TO IMPROVE THE SAFETY OF

Case No.85-59A- Variance for building width of Buildings No.7 = No.13 included in exhibits for petition for vorionce. C. 1-24-85 Cose No.85-152-X Special Exception for a 120-bed nursing home. 30 units assisted living facility and 20 unit domiciliary care facility. Granted with the following restrictions:

1) A revised site plan reflecting the detailing the current zoning status and indicating that the zoning is sufficient to cover any and all development contemplated present or future shall be approved by the CRG. 21 the Special Exception must be utilized within five (5) years. Several site plans were included in the zoning file. the latest approved 9/5/85 by the Deputy Zoning Commissioner showed the 1984

facility and increase moximum building width and length to 1,500 feet + and 1,450 feet +. respectively. Includes buildings No.1 - No.14. Granted with the following restriction: 1) in addition to the above approval the petitioner shall screen and landscape the property as set forth in the Londscope Pion prepared by Doft-McCune-Wolker. Inc. revised April 13. 1988. Any landscoping and for screening of the adjacent property shall take place only if the petitioner obtains written permission from the Little Sisters of the Poor, if the Petitioner does not obtain authorization from them. the priitioner shall landscape its property only All factorning and landscaping shall be in propries with the Boltimore County Landscape Manual and approved by the Office shall be maintained and replaced as required. Case No. 9'-85-5PHA-Special Hearing to further omend maximum building width and length to 1.525 feet + and 1.600 feet + and maximum building height to 72 feet for roofs and 85

Cose No.88-120-XSPHA - Special Hearing to

expand Mond omend case No.85-69A and Case

No.65-152-X to include a second assisted living

changes in property zoning as follows: DR 10.5 reduced from 6.7 to 3.7 acres; DR 5.5 reduced comprehensive zoning. from 82.6 acres to 54.8 acres; 25.1 acres of DR REASONS FOR 7" & 8" AMENDMENTS

PATTON, HARRIS, RUST & ASSOCIATES, DO

50 VEST CORPORATE CENTER

3998 FAIR RIDGE DRIVE

(703) 273-<del>0</del>700

FAIRFAX, VIRGINIA 22033

F. 1-85

OF THE FOLLOWING: CONSOLIDATION OF HEALTH CARE FACILITIES MINIMIZATION OF ENVIRONMENTAL IMPACTS. SIGNIFICANT REDUCTION OF SITE CONSTRUCTION COSTS. MAXIMIZATION OF SITE AESTHETICS AND LESS IMPACTS TO ADJACENT PROPERTY OWNER.

TO RELOCATE 4-STORY CARE CENTER. THE RELOCATION IS BECAUSE

B. DUPDATE THE DENSITY AND PARKING ACCORDINGLY:

OWNER/DEVELOPER

CHARLESTOWN RETIREMENT AND HEALTH SERVICES CORPORATION 703 MAIDEN CHOICE LANE BALTIMORE MARYLAND 21228

THE SIXTH AMENDMENT, 1/7/93, ALONG WITH ZONING CASE 91-351-SPHXA IS PENDING THE OUTCOME OF THE BOARD OF APPEALS DECISION. APPROVAL IS CONTINGENT UPON THE BOARD'S FINAL ORDER. IF THIS ORDER IS REVERSED, THE PETITIONERS WOULD BE REQUIRED TO RETURN, AND BE RESPONSIBLE FOR RETURNING SAID PROPERTY TO ITS ORIGINAL CONDITION. PLANNING BOARD APPROVAL 11-20-92 FOR DETERMINATION THAT

REVISED CRG IS A NON-MATERIAL CHANGE. REVISED CRG THAT REPRESENTS 6TH AMENDMENT WAS SIGNED

1984 Comprehensive zoning map results in

FEBRUARY 24, 1993. THE BT" AMENDMENT TO REVISE ASSISTED LIVING COMPLEX & PROPOSED OFFICE BUILDING. TRAFFIC CONSULTANT ENVIRONMENTAL CONSULTANTS

> BIOHABITATS INCORPORATED 303 ALLEGHENY AVENUE TOVSON, MARYLAND 21204 (301) 337-3659

Cose No. 91-351-5PHXA - Ordered by Zoning Commissioner J. Robert Hoines the the petition for special hearing to approve an amendment to the order and site-plan in previous Case No. 91-65-SPHA. in accordance with petitioners exhibit 13, be and is hereby granted. It is further ordered, pursuant to the relief requeted in the petition for special exception. that petitioners may use the subject property for a Closs A elderly housing facility and may increase the number of residential density units to 1,437 total. including a proposed 140-unit assisted living facility (16 density units per ocre) pursuant to section 432.3 of the Boltimore County Zoning Regulations (B.C.Z.R.), in occordance with petitioner's exhibit 13, be and is hereby granted. It is further ordered that the petition for zoning variances to permit a variance from section 1802.2.A to permit a moximum height of 80 feet in lieu of the permitted 50 feet for a six story building and from section 1801.2.8.2 to permit a maximum building width and length of 1.525 feet, more or less. In lieu of the 1.525 feet and 1.600 feet granted in Case No. 91-85-SPHA, in accordance with petitioner's exhibit 13, be and are hereby granted, subject to the restrictions which are conditions precedent to the relef granted: 1) The petitioners may apply for their building permit and be granted same upon receipt of this order; however, petitioners are hereby made aware that praceeding at this time is at their own risk until such time as the 30-day appelate process from this order has expired. If, for whotever reason, this order is reversed, the petitioners would be required to return, and be responsible for returning, soid property to its original

6TH AMENDMENT REVISIONS BY: Harris, Smariga, Matz, Inc. Planners/Engineers/Surveyors 104 Church Lane, Suite 100/Baltimore, MD 21208 (410) 486-1511

condition.

ARCHITECT

MARKS, THOMAS & ASSOCIATES, INC. 2300 NORTH CHARLES STREET BALTIMORE, MARYLAND 21218 (301) 467-8600

2) Petitioners shall attempt to aquire permission from the appropriate agency (ies) to cross the subject stream indicated on petitioners exhibit 13. a second time to avoid accessing Warwick Avenue on the northeast side of the property as indicated. Petitioners may not extend the subject access road to Worwick Avenue until such time as petitioners receive, in writing, a denial of their request to cross sold stream a second time from the appropriate state or county agency (ies). 3) The subject maintenance facility shall be relocated to that area within the hatched line indicated on Zoning Commissioner's exhibit 1 attached hereto. Prior to the issuance of ony building permits for soid maintenance facility. petitioners shall submit for approval by: the Zoning Commissioner a revised site plan depicting the new location for said maintenance

H. 7-9-91 Cose No.91-351-SPHXA Appealed to the Boord of Appeals by Protestants. 1. 7-17-91 Case Na. 91-351-SPHXA Appealed to the Board of Appeals by Protestants. J. 7-18-91 Case No.91-351-SPHXA Appealed to the Board of Appeals by Patitioners.

CASE NO. 91-35/-SPHXA APPEALS CONTINUED WITH SETTLEMENT PENDING.

A. 5-24-84 - C.R.G. PLAN APPROVED FOR PHASES 1A. 11. 111 & 1V. B, 10-16-85- ZONING FINAL DEVELOPMENT PLAN APPROVED FOR PHASE II C. 5-17-87 - C.R.G. PLAN APPROVED FOR PHASE III. D. 6-27-88 - AMENDED ZONING FINAL DEVELOPMENT PLAN APPROVED FOR E. 6-16-89 - SECOND AMENDED ZONING FINAL DEVELOPMENT PLAN APPROVED

F. 7-18-91 - CASE NO.91-351-SPHXA APPEALED TO THE BOARD OF APPEALS BY PETTIONERS G. 10-17-91 CRG PLAN APPROVED (CROSS CREEK AT CHARLESTOWN, # 91-195) H. 1-21-92 CASE NO. 91-35 SPHXA APPEALS CONTINUED WITH SETTLEMENT PENDING. LUSE PERMIT GRANTED BY ZONING OFFICE FOR OFFICE PARKING IN A RESIDENTIAL ZONE.

PATTON, HARRIS, RUST & ASSOCIATES, pc 7609 STANDISH PLACE ROCKVILLE, MARYLAND 20855 [301] 792-7244

LANDSCAPE ARCHITECT

10. All trash facilities will be located within new buildings. No exterior dumpsters are proposed. 11. Boundary information shown herein has been compiled from plats and deeds of record and does not constitute an actual boundary survey. 12. One planting unit will be provided for every twenty feet of inchior road and forty feet of adjacent road. In the O-2 zone, 50-percent of the planting units shall be major trees. In the residential zones, 75-percent of these units shall be major trees. 13. Seven percent of all surface parking shall be reserved for landscaping at the rate of one planting unit per twelve parking spaces. Seventy-five percent of QTH AMENDMENT REVISIONS BY: 26. HISTORY OF FDP AMENDMENTS 14. The balance of the tract outside of the building envelopes will be used only for such open space and recreational uses as are permitted by right or by Daft·McCune·Walker, Inc. 15. All dwelling/density units will be sold. 200 East Pennsylvania Avenue 16. Length of parking bays shall not exceed 180 feet without a plan ing island. Towson, Maryland 21286 17. All driveways and parking areas shall be paved with a durable and stiless Fax 296-47050000 surface of binuminous concrete, Portland Cement concrete or news, 2011. 18. All proposed roadways are 24 feet wide and private. Existing road and right-of-way widths are as shown on the plan. 19. All off-site dwellings and small lots that crate a RTA on-site are morn with the required 300 feet and 250 feet arcs. Minimum setbacks in plan zoning meet requirements as follows:\* Out of Transition:

This development plan complies with the CRG plans and all CRC Comments In addition to the zoning history detailed on this sheet the Special Exception

was filed on March 5, 1991 under the provisions of Section 432 of the

bulk for elderly housing, and assisted living facilities in a DR one. The

Topography shown herein is based on a field survey by C.H. Miller &

Association, September 1984, as field verified and augmented by PHR&A.

The 100-year floodplain shown on these plans is based upon a floodplain study by Daft, McCune, & Walker, Inc. dated September 1987 with tapographic

Soils information shown herein is taken from the Soil Conservation Service

All existing vegetation shall remain in areas not subject to landscape planting

All improvements including water, sewer, storm drain, stromwater

management, landscaping, and open space will be privately sweet and

Average daily trips for combined residential and office uses = 5572, based on

construction or grading. Disturbed areas shall be revegetated or reforested as

Soil Survey for Baltimore County Maryland, issued March 197

8. Refuse collection shall be the responsibility of the owner/developer.

PHR&A's Traffic Impact Study, issued April, 1991.

information augmented by PHR&A in January 1991.

naintained by the owner/developer.

Baltimore County Zoning Regulations for increases in density to building

subject site meets the requirements of an elderly housing facilities as defined

Window to Window Window to Street R/W Window to Tract Boundary Window to Property Line Building to Ex. R/W Building to Ex. R/W C/L Building to Proposed R/W
Building to Tract Boundary Height to Height Requirements (Distances between facing elevation)

' Separation )' Separation Building height - by zone
Building length - 300' maximum Thee are no buildings proposes within residential transition areas.

75' BUFFER FOR PARKING IN R.T.A. 75' SETBACK FOR PARKING IN R.T.A.

\*EXCEPT AS GRANTED IN LATEST HEARING (91-351-SPHXA)

FOR THE OFFICE BUILDING ALONG MAIDEN CHOICE LANE. SEE CRG PLANS FOR DETAILED BUILDING ELEVATIONS CENCLOSED PEDESTRIAN ENCLOSED. CONNECTION COMMUNITY CENTER WEST RESIDENTIAL PEDESTRIAN CONNECTION

REASONS FOR 9th AMENDED FDF

1. TO MODIFY THE PREVIOUSLY APPROVED

2. TO ILLUSTRATE THE PREVIOUS SPECIAL

3. TO CONFIRM APPLICATION OF SPECIAL

EXCEPTION STANDARDS FOR WAINER OF

RESIDENTIAL TRANSITION AREA RESTRICTIONS

THEOUGH BILL NO. 36-88 IN EFFECT AT

TO REMOVE THE 2.721 ACRES APPROVED

THE TIME OF APPROVAL OF CASE NO.

EXCEPTION APPROVALS IN ZONING CASES

98-71-SPHXA, 91-351-SPHXA, 91-85-SPHA

7th AND 8th AMENDED FINAL

DEVELOPMENT PLAN.

AND 88-120-XSPHA.

08-120-XSPHA.

BLOG. HEIGHT DETAIL COMMUNITY CENTER AND RESIDENTIAL BUILDINGS 11 = 40

AMENDED FINAL DEVELOPMENT PLAN CROSS CREEK AT CHARLESTOWN COUNCILMANIC DISTRICT 1 REGIONAL PLANNING DISTRICT 324A

ELECTION DISTRICT 1 WATERSHED 29 SUBSEVERSHED 74 CENSUS TRACT 4001 BALTIMORE COUNTY, MARYLAND

6,1993

SITE PLAN TO ACCOMPANY SPECIAL HEARING AND SPECIAL APPROVED: EXCEPTION HEARING (9TH AMEND MENT)

MAN GNAME								
THIS PLAN IS BEING SUBMITTED FOR 9TH AMENDED DEVELOPMENT PLAN APPROVAL								
REVISION		DATE C						
	/							
DDED AMENDMENT NOTE		3/15/04						

OFFICE OF PLANNING AND ZONINE ECTOR OF Z.A.D.M.

DEC: 1991

Son 6th Amendment Only

ADDED PROP OFFICE BUILDING 12.693

