



Petition for Special Hearing

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 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.

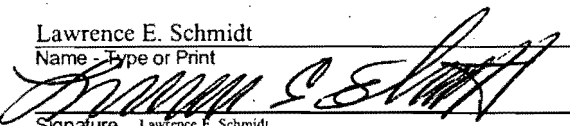
I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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.

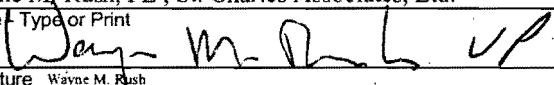
Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Lawrence E. Schmidt
Name - Type or Print _____ City _____
Signature  _____
Gildea & Schmidt, LLC
Company _____
300 East Lombard Street, Suite 1440 410-234-0070
Address Telephone No. _____
Baltimore MD 21202
City State Zip Code

Legal Owner(s):

Signature _____
Wayne M. Rush, PE, St. Charles Associates, Ltd.
Name - Type or Print _____
Signature  _____
701 Maiden Choice Lane
Address Telephone No. _____
Baltimore MD 21228
City State Zip Code

Representative to be Contacted:

Lawrence E. Schmidt
Name _____
300 East Lombard Street Suite 1440 410-234-0070
Address Telephone No. _____
Baltimore MD 21202
City State Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Case No. 05-620-SPHX

Reviewed By JF Date 5-24-05

REV 9/15/98

* Must be heard w/ 05-621-A

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.



Petition for Special Exception

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

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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Lawrence E. Schmidt

Name - Type or Print

Signature Lawrence E. Schmidt

Gildea & Schmidt, LLC

Company

300 East Lombard Street, Suite 1440

410-234-0070

Address

Telephone No.

Baltimore

MD

21202

City

State

Zip Code

Legal Owner(s):

Signature

Wayne M. Rush, PE, St. Charles Associates, Ltd.

Name - Type or Print

Signature Wayne M. Rush

701 Maiden Choice Lane

Address

Telephone No.

Baltimore

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Representative to be Contacted:

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ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

JF

Date

5-24-05

Case No. 05-620-JPHX

REV 09/15/98

* Must be heard w/ 05-621-A



Petition for Special Exception

to the Zoning Commissioner of Baltimore County

for the property located at 701 Maiden Choice Lane

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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 codified in BCZR Section 1B01.B.(1984) (see attached), permitting relief from Section 1B01.I.(b)(2)(1984) for a building length of 240' in lieu of the maximum permitted 130' and from section 1B01.B.I.(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 buffer
JES

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:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Lawrence E. Schmidt

Name - Type or Print

Signature Lawrence E. Schmidt

Gildea & Schmidt, LLC

Company

300 East Lombard Street, Suite 1440

410-234-0070

Address

Telephone No.

Baltimore

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Name - Type or Print

Signature

Wayne M. Rush, PE, St. Charles Associates, Ltd.

Name - Type or Print

Signature Wayne M. Rush

701 Maiden Choice Lane

Address

Telephone No.

Baltimore

MD

21228

City

State

Zip Code

Representative to be Contacted:

Lawrence E. Schmidt

Name

300 East Lombard Street Suite 1440

410-234-0070

Address

Telephone No.

Baltimore

MD

21202

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING

Reviewed By

JF

Date

5-24-05

Case No. 05-620-JPHX

REV 09/15/98

Due 6/10/05

* Must be heard w/ 05-621-A

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



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 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

620

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 24, 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

CERTIFICATE OF POSTING

RE: Case No. 05-620-SPHX

Petitioner/Developer: WAYNE M. RUSH

P.E. ST. CHARLES ASSOC. LTD

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 penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

701 MAIDEN CHOICE LANE

The sign(s) were posted on

7-6-05

(Month, Day, Year)

Sincerely,

Robert Black 7-6-05
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

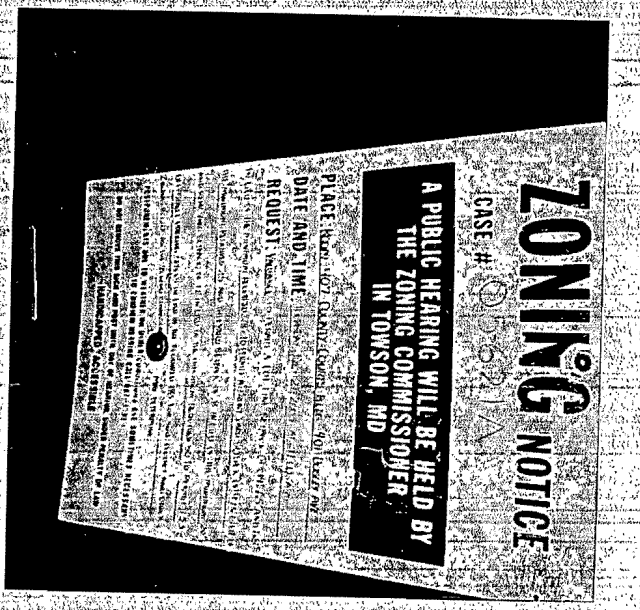
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



**Department of Permits and
Development Management**

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.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr.", written in a cursive style.

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. Kótroco, Director
Department of Permits & Development
Management

DATE: June 6, 2005

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*
Nell 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 JRF

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
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: Zoning Review planners

Distribution Meeting of: June 6, 2005

Item No.: 595, ~~600-632~~

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected 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) 443-829-1200
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: July 15, 2005

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

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

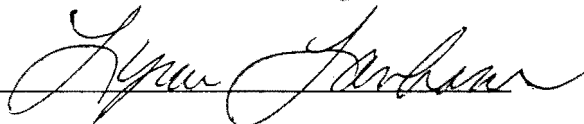
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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 *JD*

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

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

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: July 15, 2005

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

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

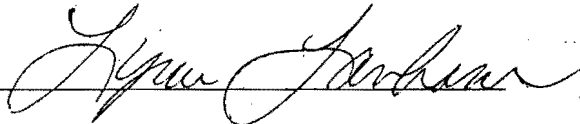
The Office of Planning has reviewed the above referenced case(s) and has no comments to offer.

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 * BEFORE THE
AND SPECIAL EXCEPTION *
701 Maiden Choice Lane; NE/side Maiden * ZONING COMMISSIONER
Choice Lane, 1,065' NW Wilkens Avenue *
1st Election & 1st Councilmanic Districts * FOR
Legal Owner(s): St. Charles Associates, Ltd *
by Wayne M Rush, PE * BALTIMORE COUNTY
Petitioner(s) *
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

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Old Courthouse, Room 47
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 2nd 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 2005

Per. *[Signature]*

Peter Max Zimmerman

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, Wayne M. Rush, P.E. St. Charles Associates, Ltd., 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 Wayne M. Rush, P.E., Senior Campus Living 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,

A handwritten signature in cursive script that reads "Peter Max Zimmerman".

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

300 EAST LOMBARD STREET

SUITE 1440

BALTIMORE, MARYLAND 21202

TELEPHONE 410-234-0070

FACSIMILE 410-234-0072

www.gildeallc.com

DAVID K. GILDEA
DAVIDGILDEA@GILDEALLC.COM

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SEBASTIAN A. CROSS
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JWOOLMAN@GILDEALLC.COM

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DHOLMAN@GILDEALLC.COM

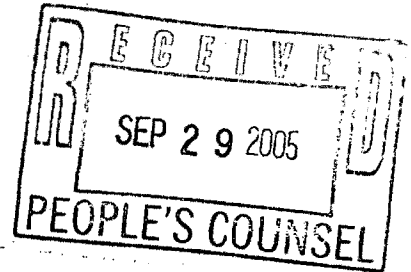
JASON T. VETTORI
JVETTORI@GILDEALLC.COM

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

September 26, 2005

W. P. M. Z.
TOWSON, MD OFFICE
220 BOSLEY AVENUE
TOWSON, MARYLAND 21204
TELEPHONE 410-337-7057



Re: Erickson Retirement Communities/Charlestown Retirement Facility
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: bbb

CC: Wayne M. Rush, P.E., Erickson Retirement Communities
Peter Max Zimmerman, Esquire, People's Counsel
Sally Fricke, Kensington Improvement Association
Sebastian A. Cross, Esquire

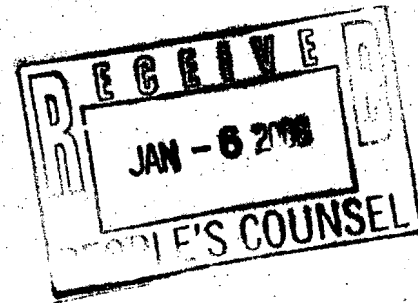


KENSINGTON IMPROVEMENT ASSOCIATION

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

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: NO
Mailing Address: 701 MAIDEN CHOICE LN
BALTIMORE MD 21228-5968
Deed Reference: 1) /12608/ 397
2)

Location & Structure Information

Premises Address
701 MAIDEN CHOICE LA

Legal Description
3.452 AC
701 MAIDEN CHOICE LA NE
ST CHAS ASSOC LTD PROP

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
101	17	2141					1	3	Plat Ref: 68/ 28

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built
1995

Enclosed Area
42,240 SF

Property Land Area
3.45 AC

County Use
06

Stories

Basement

Type

Exterior

Value Information

	Base Value	Value As Of 01/01/2003	Phase-in Assessments As Of 07/01/2005	As Of 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:
Type:

Date:
Deed1:

Price:
Deed2:

Seller:
Type:

Date:
Deed1:

Price:
Deed2:

Exemption Information

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.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:
1. 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 CORRESPONDENCE

RECEIVED

OCT 12 2005

✓ April 27, 1992

DEPARTMENT OF ENVIRONMENTAL PROTECTION
PLANNING COMMISSIONER

TO: The Hon. Berchie L. Manley
Councilwoman, First District

FROM: J. James Dieter

SUBJECT: Charlestown Stream Buffer Variance

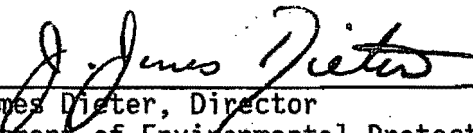
BUREAU OF WATER QUALITY
& RESOURCE MANAGEMENT

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

cc: The Hon. Roger B. Hayden
Mr. John C. Erickson
Mr. Donald C. Outen
Mr. Rocky O. Powell ✓

Note 9/18/05

CRG

I-225

This is 9th Amendment

— Invasion of area to protect
residences (Hensington)

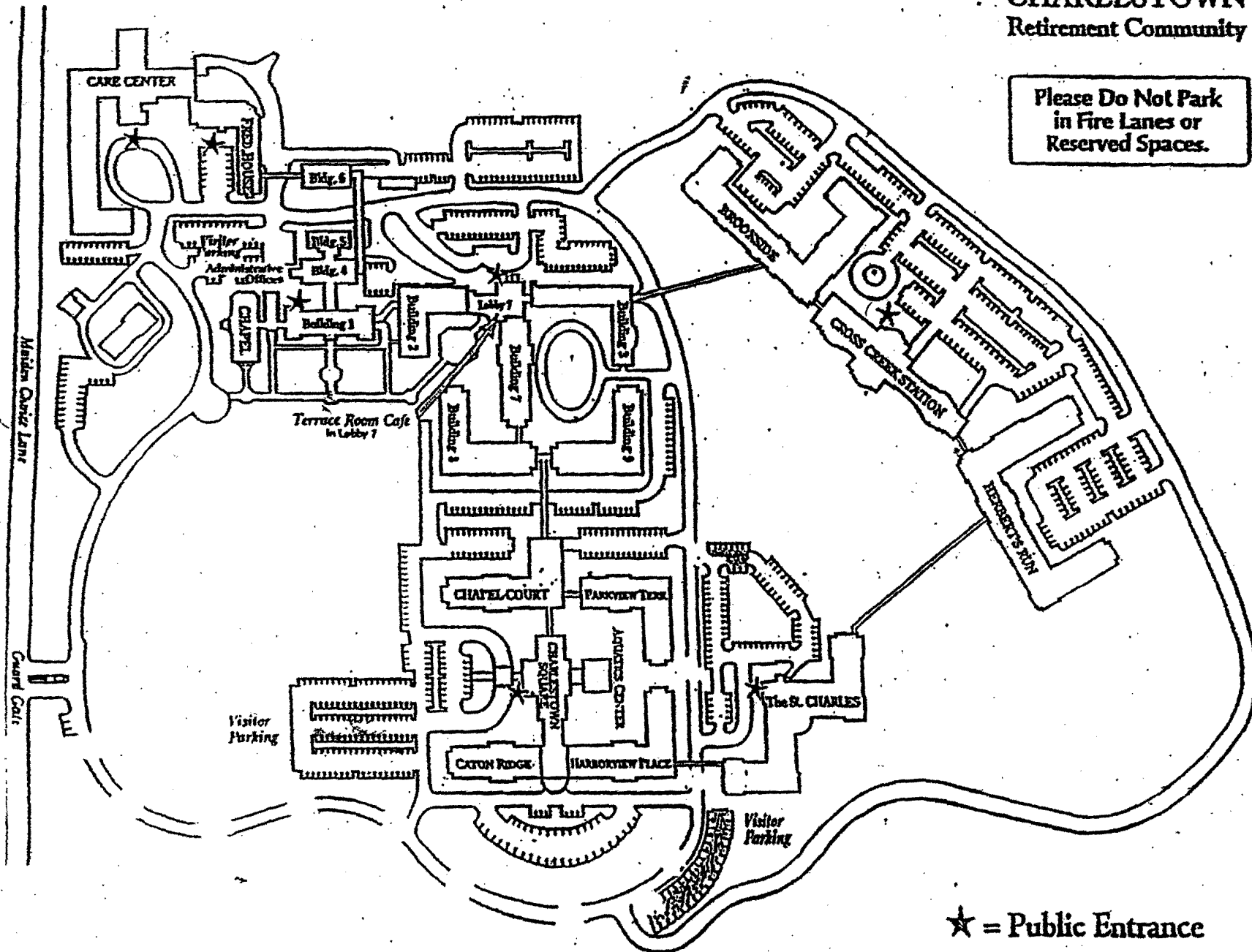
— Invasion of forest buffer
case -

Date Center / justification

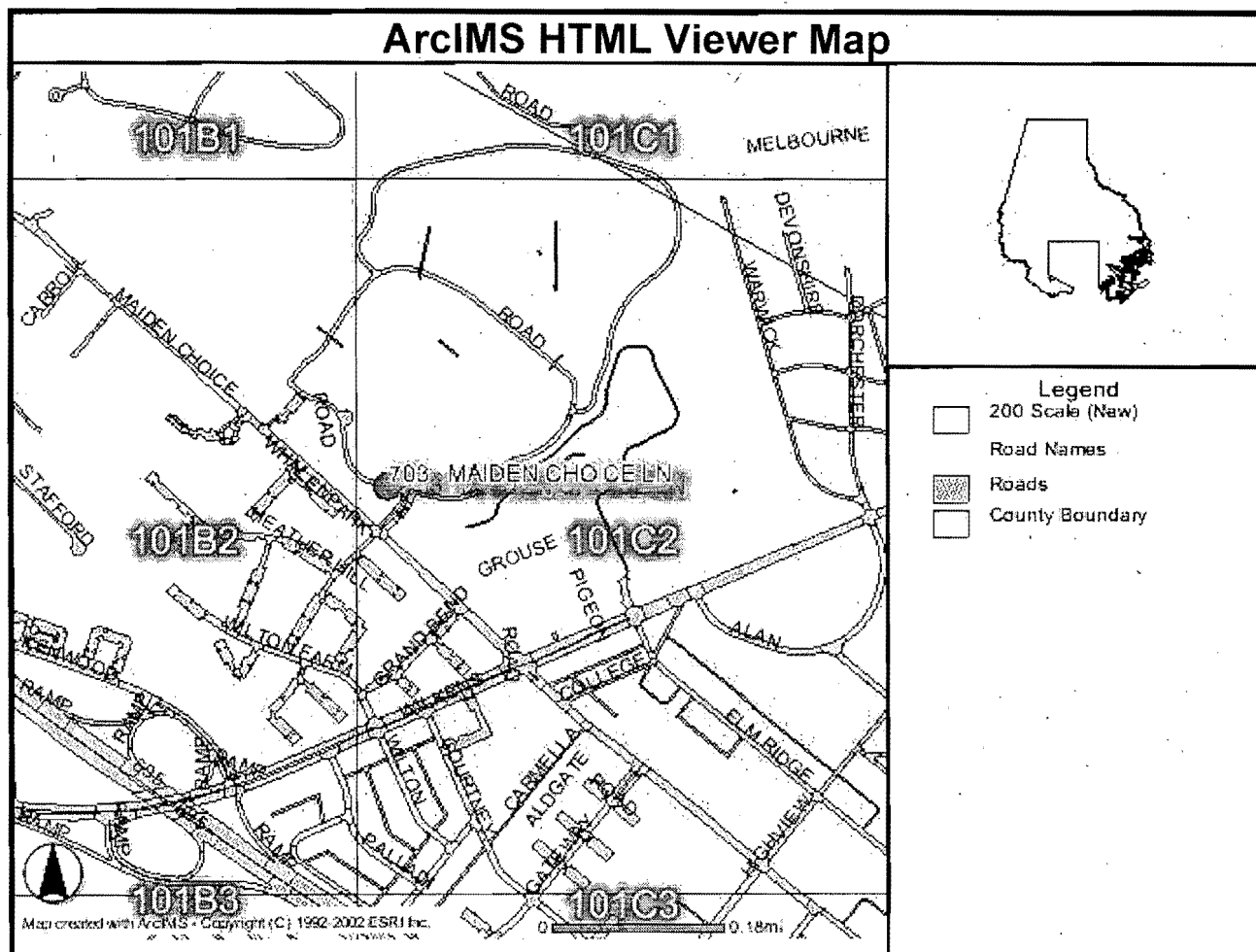
Welcome to Charlestown!



Please Do Not Park
in Fire Lanes or
Reserved Spaces.



★ = Public Entrance



CASE NAME 05-620-SPHX
CASE NUMBER Charleston
DATE 7/21/05
LET 05-621-A

05-621-A

hweschke@co.ba.md.us
phone 410.887.8028
fax 410.887.8017
www.baltimorecountyonline.info

CASE NAME _____
CASE NUMBER 05-620 SPNY
DATE _____

[illegible]

CHARLES TOWN Community INC.

Case No.:

05-620-SPHX

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	1A- SITE PLAN 1B- EXISTING CONDITIONS (16' PROPOSED DATA CENTER)	PHOTO - FROM TRISHA CHASON'S PROPERTY @ 628 WARWICK RD FROM HER PROPERTY LINE
No. 2	ARTISTS VIEW BLDG ELEVATIONS	PHOTO - FROM FENCE LINE FACING TOWARDS LOCATION OF NE CORNER PROPOSED BLDG
No. 3	SCHEMATIC SITE PLAN (BLDG LOCATION PLAT)	PHOTO - FACING NORTH TOWARDS CHASON PROPERTY FROM LOCATION OF NE CORNER OF BLDG
No. 4	4A- 1B01.1 (B)2 - 1984 BCCR 4B 1B01.1 - Regulations DR ZONES 4C BACHUR BILL	COMMUNITY WRITTEN CONCERNS
No. 5		
No. 6		
No. 7		
No. 8		
No. 9		
No. 10		
No. 11		
No. 12		

ment Plan to modify the previously
final development plan.

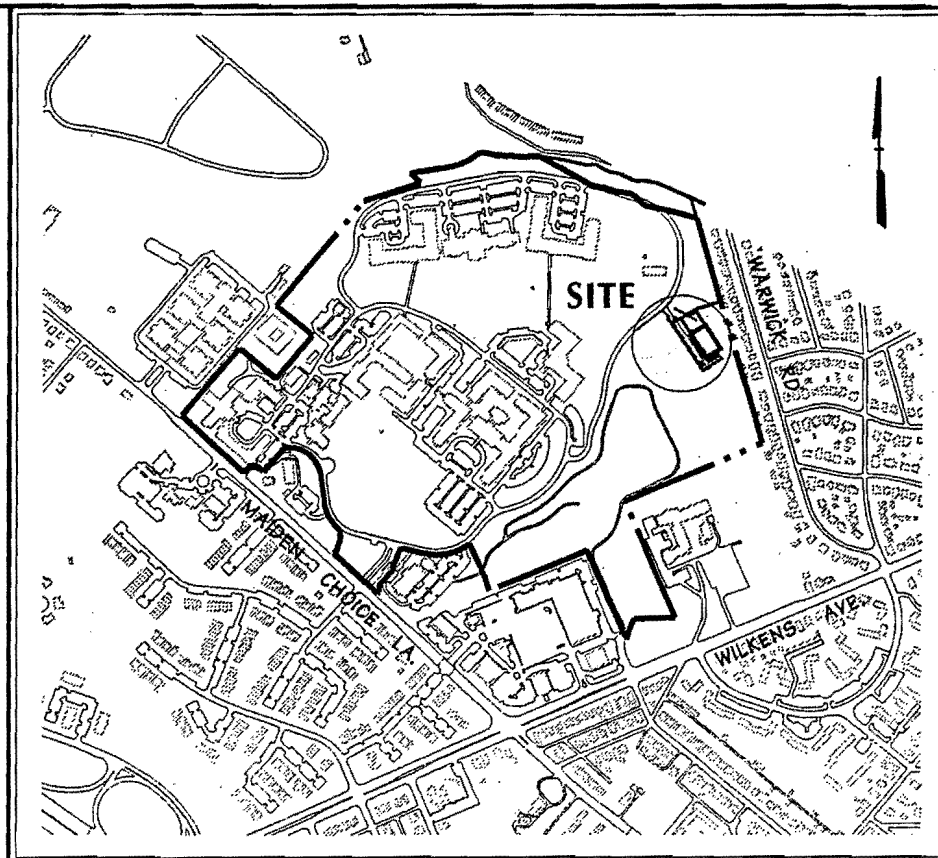
special exception approvals in
51-SPHXA, 91-85-SPHA and

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

zoning relief as the Commissioner

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

ning relief as the Commissioner



VICINITY MAP

SCALE: 1"=1000'

GENERAL NOTES

PETITIONER'S

EXHIBIT NO.

1A

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 acreage = 100.900 Ac.±

Gross site acreage = 101.404 Ac.±

Building Data:

Level One Office	3,600 S.F.
Level One Mechanical/Maintenance	9,900 S.F.
Future Mechanical/Maintenance	1,800 S.F.
Total	15,300 S.F.

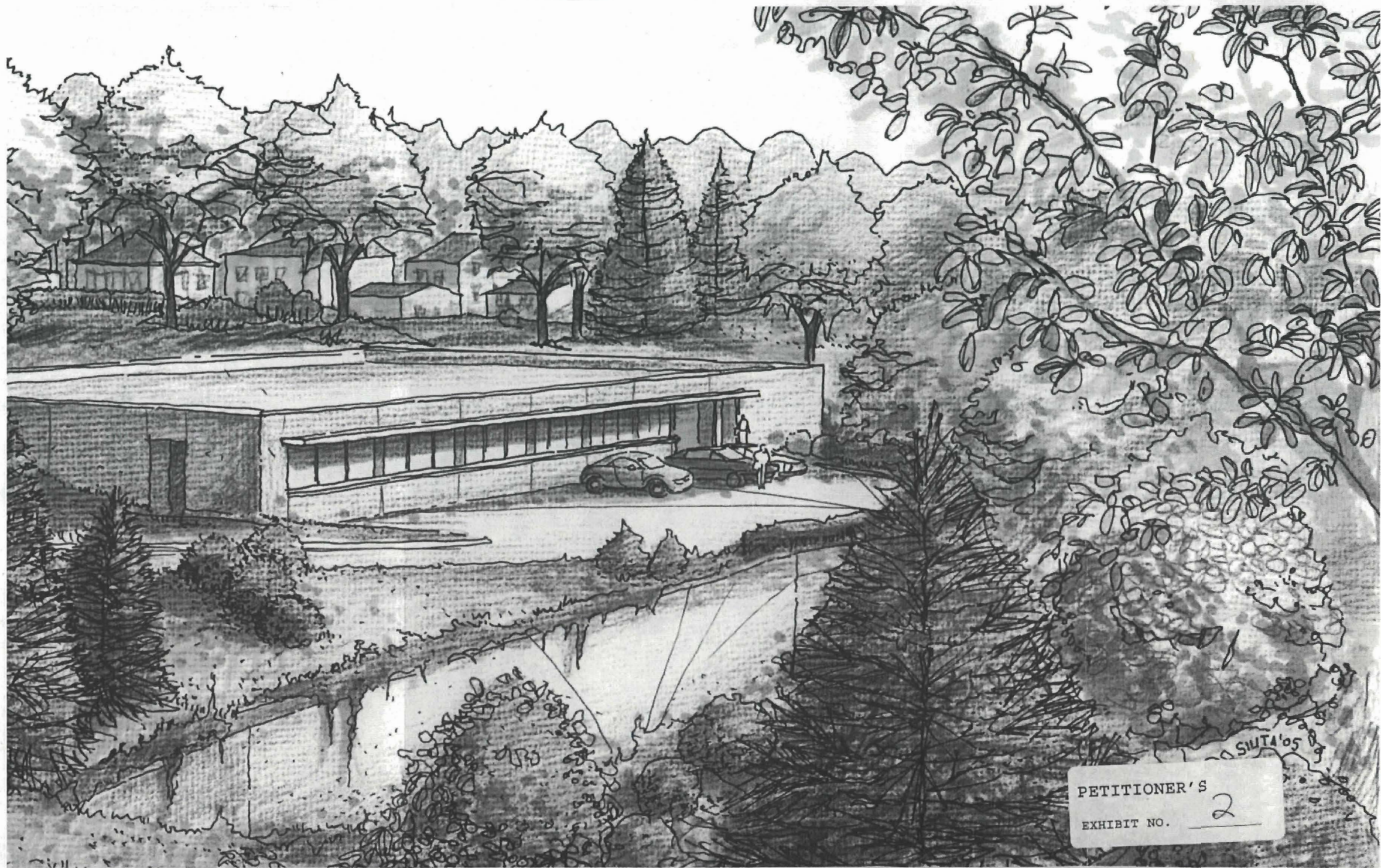
Parking Required

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	1 Space
Total Parking Required	13 Spaces

Parking Provided

Minimum Parking Space

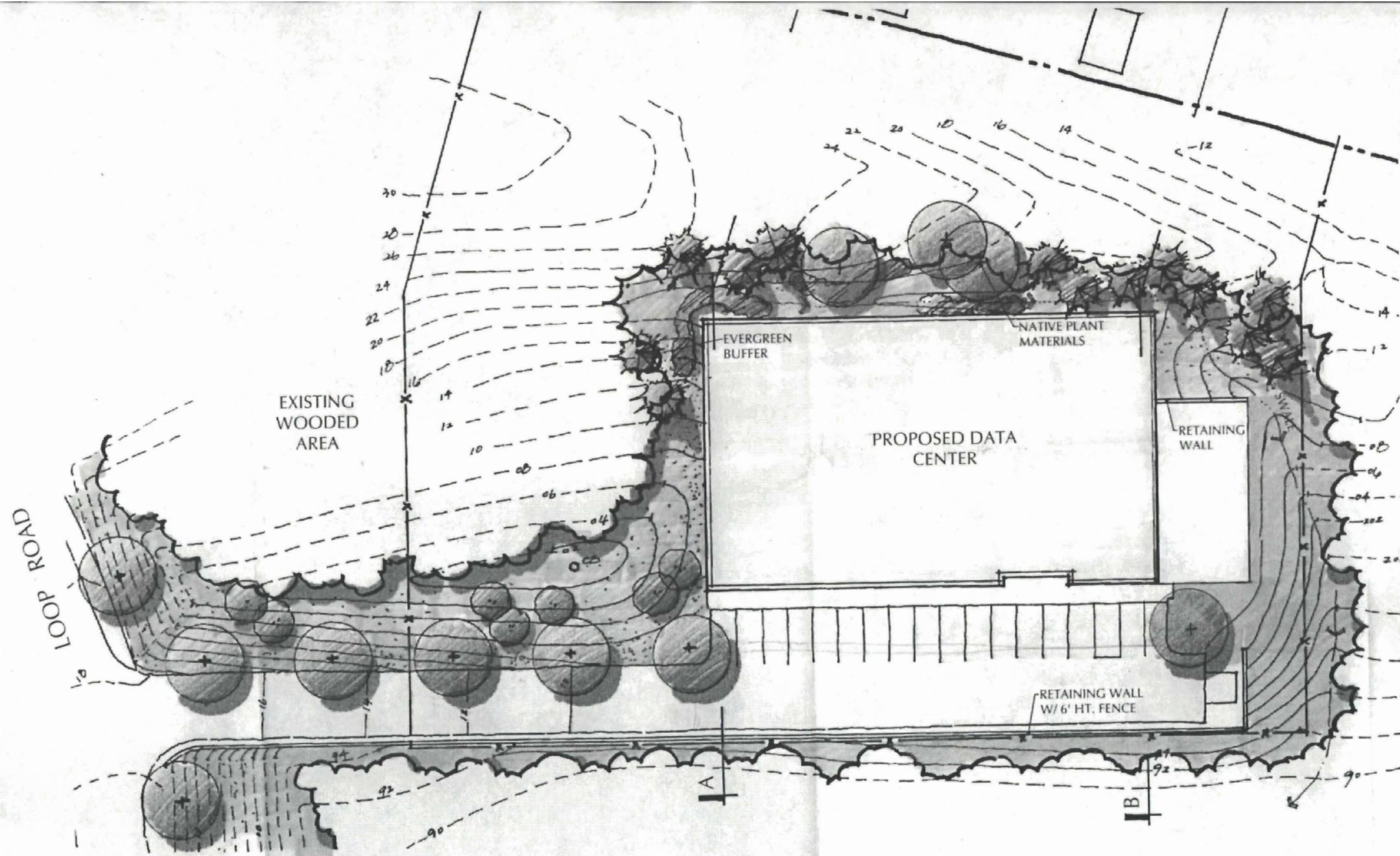
Parking will be durable and dustless.



PETITIONER'S

EXHIBIT NO.

2



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 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.]

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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)
 7. Farms or limited-acreage wholesale flower farms (see Section 404)
 8. Garages, community
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 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

PAZ 4-B

COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND
LEGISLATIVE SESSION 1988, LEGISLATIVE DAY NO. 6
BILL NO. 36-88

EXHIBIT
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

Baltimore County Zoning Regulations, as amended

PETITIONER'S

EXHIBIT NO. 4C

BY repealing, and re-enacting, with amendments

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter stricken from existing law.
~~Strike-out~~ indicates matter stricken from bill.
Underlining indicates amendments to bill.

#3



↑
Charlestown
fence

22' between
Charlestown fence
& residential fence

residential
↓ Property Line Fence

PROTESTANT'S

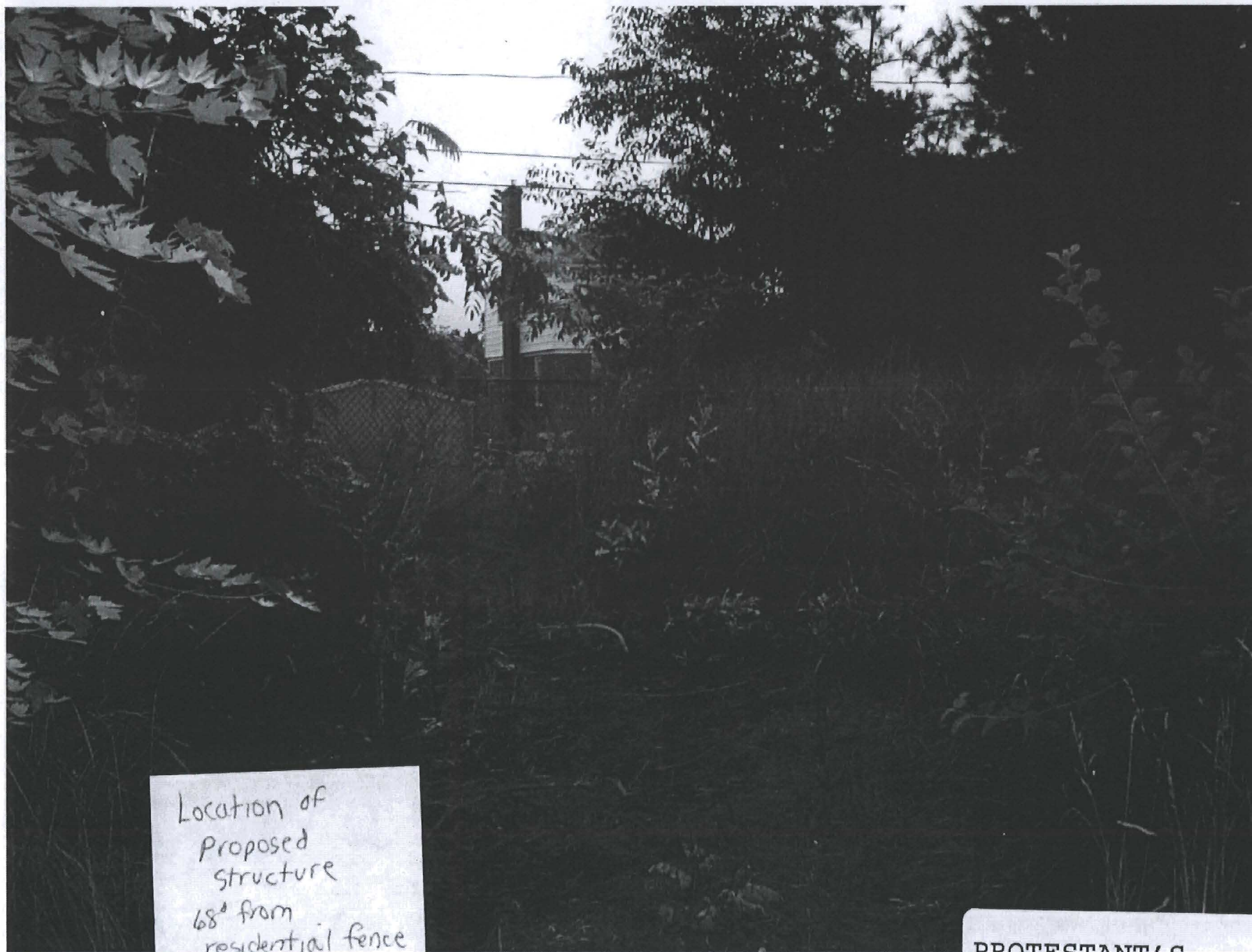
EXHIBIT NO. 1



Location of
Proposed
Structure
68' from
residential fence
5' person at location of wall

PROTESTANT'S

EXHIBIT NO. 2



Location of
Proposed
structure
68' from
residential fence

PROTESTANT'S

EXHIBIT NO. 3

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

EXHIBIT NO. 4

LINE TABLE

NO.	BEARING	DISTANCE	NO.	BEARING	DISTANCE
1	N 79°12'28" E	47.64'	36	S 77°26'59" E	22.14'
2	N 80°59'18" E	17.15'	37	N 89°07'10" E	29.97'
3	N 80°54'02" E	96.20'	38	S 83°22'27" E	51.20'
4	N 81°51'31" E	51.76'	39	S 77°48'34" E	25.18'
5	N 74°01'02" E	25.66'	40	S 65°24'27" E	75.35'
6	N 75°41'02" E	25.66'	41	S 66°20'09" E	100.33'
7	N 65°06'26" E	53.02'	42	S 65°50'15" E	17.17'
8	N 57°40'10" E	56.66'	43	S 15°51'57" E	112.17'
9	N 65°11'38" E	17.59'	44	S 62°12'08" E	218.29'
10	S 78°58'55" E	91.74'	45	S 72°02'22" E	61.13'
11	S 86°39'07" E	103.66'	46	S 03°29'04" E	49.54'
12	N 88°01'30" E	103.24'	47	S 37°05'53" E	51.15'
13	S 82°56'27" E	14.60'	48	S 43°29'33" W	51.07'
14	S 78°40'13" E	19.36'	49	S 46°45'22" W	60.00'
15	S 83°48'23" E	48.67'	50	N 56°20'18" W	67.57'
16	S 68°08'34" E	44.65'	51	N 61°57'40" W	99.99'
17	S 79°53'50" E	70.86'	52	N 38°59'53" E	128.08'
18	S 83°01'33" E	22.50'	53	S 50°44'32" E	219.60'
19	S 48°58'17" E	30.27'	54	S 39°15'17" W	107.96'
20	S 48°58'09" E	53.93'	55	N 51°14'48" W	176.37'
21	S 68°26'50" E	25.02'	57	S 41°35'13" W	31.73'
22	S 78°47'11" E	75.70'	58	N 49°52'33" W	40.18'
23	S 74°44'34" E	100.22'	59	S 40°05'40" W	161.91'
24	S 74°29'53" E	71.44'	62	N 06°23'18" W	138.00'
25	S 72°30'29" E	9.98'	65	N 41°49'19" E	13.89'
26	S 82°56'27" E	88.61'	66	S 43°36'50" W	10.02'
27	S 78°00'25" E	51.59'	67	S 03°50'21" E	39.07'
28	S 74°27'53" E	51.56'	68	S 42°52'40" W	120.62'
29	S 73°43'36" E	51.37'	69	S 47°07'20" E	18.56'
30	N 87°19'26" E	54.01'	70	S 38°24'51" W	10.45'
31	N 49°38'20" W	12.53'	72	S 18°40'39" W	32.98'
32	S 56°49'11" E	26.93'	74	N 76°29'21" W	99.09'
33	S 68°41'04" E	50.89'	76	N 25°36'20" W	110.48'
34	S 77°37'01" E	44.90'	77	N 21°50'53" W	74.04'
35	S 64°55'56" E	70.39'	78	N 18°38'35" W	79.30'

CURVE TABLE

NO.	RADIUS	LENGTH
55	40.00'	48.58'
56	38.00'	58.72'
57	167.78'	273.84'
61	216.03'	169.68'
64	110.00'	74.02'
71	120.00'	41.34'
73	18.00'	26.65'
75	321.00'	266.04'

ADJACENT PROPERTY TABLE

NO.	Owner	Ref. Deed #	Lot #	Subdivision
1	John F. Gilmeyer Jr.	SEB/171/160	54	Kensington
2	Francis W. Elskop	FMC/2026/76	53	Kensington
3	John J. Lang	6646/292	92, 93, 94	Kensington
4	Manjaly Jose	6744/636	88, 90, 91	Kensington
5	William H. Calk	1321/2108	87, 88	Kensington
6	Mercy J. Jantz	17176/308	86, 86, PT 84	Kensington
7	Raymond Gillespie	6110/761	82, 83, PT 84	Kensington
8	Rosemarie Virginia Eicker	8554/112	80, 81, PT 79	Kensington
9	Thomas S. Homans	17383/146	77, 78, PT 79	Kensington
10	James Edward Fagan, Jr.	6767/273	75, 76, PT 74	Kensington
11	Brent Long	17304/286	72, 73, PT 71, 74	Kensington
12	Lakesha Moore	15253/390	69, 70, PT 71	Kensington
13	Trista M. Chason	9882/521	66, 67, 68	Kensington
14	Herbert G. O'connor, ET AL.	3277/514	64, 65, PT 63	Kensington
15	William Branamen	621/21231	61, 32, PT 63	Kensington
16	Dwight Polk	15855/527	56-60, PT 55	Kensington
17	Beverly Sanderson, Trustee	14680/630	53, 54, PT 52, 55	Kensington
18	John Sinclair	20304/445	50, 51, PT 48, 52	Kensington
19	Susan Preece	14152/456	47, 48, PT 46, 49	Kensington
20	Elizabeth Devanny	4166/539	42, 43, PT 41	Kensington
21	Joana Slavikas	1761/31527	39, 40, PT 41	Kensington
22	William Sachs	1996/1161	37, 38, PT 36	Kensington
23	David Hughmanick	20454/611	34, 35, PT 36	Kensington
24	Steven Smith	6879/454	31, 32, 33	Kensington
25	Frank J. Rueli, III	8104/786	29, 30, PT 28	Kensington
26	Broadfield, Inc.	6269/591	—	Broadfield at Wilton Farms
27	Anna Bristow	19108/507	—	—
28	Jeane Gross	19754/482	—	—
29	Maiden Choice Associates	8756/713	—	Maiden Choice Condo
30	Wilton Springs Development	20454/155	2-5	Wilton Springs Condo
31	Catonsville Medical Ctr	8393/171	—	Catonsville Medical Ctr
32	Maiden Choice Associates	—	PAR 1	Maiden Choice Asso.
33	J. Vogl Volker	—	79	Beechfield
34	Lamont S. Williams	SEB/2307/336	78	Beechfield
35	Kysha Powell	FMC/3239/137	77	Beechfield
36	Gloria Cosby	SEB/2129/365	76	Beechfield
37	Dorothy McClinton	SEB/6164/451	75	Beechfield
38	Eddie Wayne Johnson	SEB/3359/436	74	Beechfield
39	Phillip Monetti	FMC/8366/75	73	Beechfield
40	James C. Shipley Jr.	SEB/1701/138	72	Beechfield
41	Susan Pearce	SEB/1387/436	71	Beechfield
42	Charles Samuel	FMC/8321/127	70	Beechfield
43	Carol D. Wilson	FMC/2468/239	69	Beechfield
44	David W. Farham Jr.	SEB/2244/424	68	Beechfield
45	Barbara Jean Gillard	SEB/3546/195	67	Beechfield
46	April Brown	FMC/3391/47	66	Beechfield
47	Barbara Brown	SEB/7661/350	65	Beechfield
48	Darrell Lea	SEB/4960/402	64	Beechfield
49	Nikisha Dickey	FMC/2280/372	63	Beechfield
50	Juan Diaz	—	62	Beechfield
51	Angela Porter	FMC/3452/242	61	Beechfield
52	Rev. Francis P. Keough	—	—	—
53	Kensington Associates	—	—	—
54	Senior Campus Living, LLC	12608/397	1	—
55	Senior Campus Living, LLC	12608/397	2	—
56	The Little Sisters of the Poor	5245/503	—	—
57	The Missiunary Soc. of St. Paul the Apostle	—	—	—
58	Baltimore County Maryland	6228/564	—	—

LEGEND

— · — · —	Property Line
— · — · —	Adjacent Property Line
— · — · —	Zoning Line
— · — · —	Stream

Zoning History:

Case No. 70-24-X (Order not available in county records.)
Special exception applied for convalescent home by St. Charles College.

Case No. 83-91A (Order dated 10-18-82)
Variances granted for building width of 842', passageway width of 0' and 74' in lieu of required 10' and building heights exceeding 50' for building No. 1 (61'), No. 2 (56.7') and No. 6 (71.8'). Buildings No. 1- No. 6 included in exhibits for petition for variance.

Case No. 85-69A (Order dated 10-22-84)
Variance for building width of 852'. Buildings No. 7 - No. 13 included in exhibits for petition for variance.

Case No. 85-152-X (Order dated 1-24-85)
Special Exception for a 120-bed nursing home, 30 unit assisted living facility and 20 unit dormitory care facility.

Granted with the following restrictions:
1) A revised site plan reflecting and 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 Zoning Commission.

2) 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 comprehensive zoning.

Case No. 88-120-XSPHA (Order dated 5-4-88)
Special Hearing to expand and amend Case No. 85-69A and Case No. 85-152-X to include a second assisted living facility and increase maximum building width and length to 1,500 feet and 1,450 feet, respectively. Includes buildings No. 1 - No. 14. Granted with the following restrictions:

1) In addition to the above approval, the petitioner shall screen and landscape the property as set forth in the Landscape Plan approved by Daft-McCune-Walker, Inc. revised April 13, 1988. Any landscaping

and/or 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 petitioner shall landscape its property only. All screening and landscaping shall be in accordance with the Baltimore County Landscape Manual and approved by the Office of Current Planning and Development and shall be maintained and replaced as required.

Case No. 91-85-SPHA (Order dated 10-23-90)
Special Hearing to further amend maximum building width and length to 1,525 feet and 1,600 feet and maximum building height to 72 feet for roofs and 85 feet for clock tower and amend previous zoning cases 83-91A, 85-69-A, 85-152-X and 88-120-XSPHA.

Case No. 91-351-SPHA (Order dated 6-18-91)
Special Hearing to approve amendment to the Order and site plan in previous Case No. 91-85-SPHA. In accordance with petitioner's exhibit 13, be and is hereby granted. It is further ordered, pursuant to the relief requested in the Petition for Special Exception, that petitioners may use the subject property for a Class 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 acre) pursuant to Section 432.3 of the Baltimore County Zoning Regulations (BCZR), in accordance with petitioner's exhibit 13, be and is hereby granted. It is further ordered that the petition for zoning variances to permit a maximum height of 80 feet in lieu of the permitted 50 feet for a six-story building and from Section 1501.2.2.2 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 is hereby granted, subject to the restrictions which are conditions precedent to the relief granted:

1) Petitioners shall attempt to acquire permission from the appropriate agency(ies) to cross the subject stream indicated on petitioner's 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 Warwick Avenue until such time as petitioners receive, in writing, a denial of their request to cross said stream a second time from the appropriate state or county agency(ies).

2) 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 any building permits for said

PLAN

1"=200'

RELIEF REQUESTED

1. The 9th Amended Final Development Plan to modify the previously approved 7th and 8th amended final development plan.

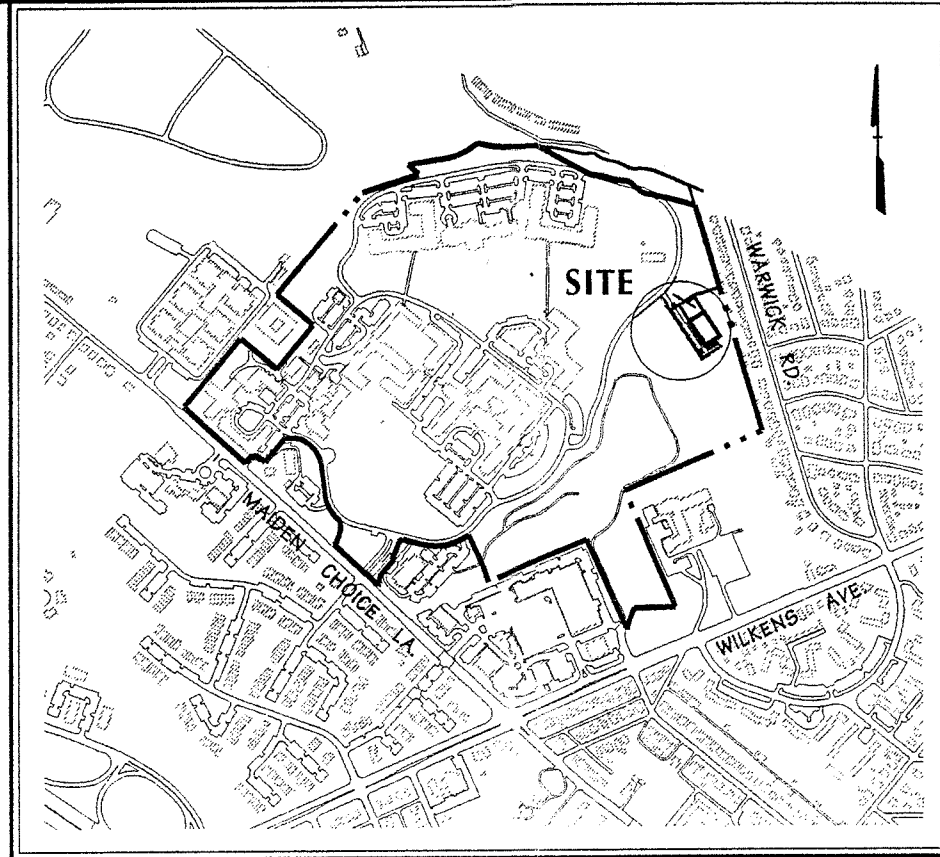
2. An amendment of previous special exception approvals in zoning cases 98-71-SPHA, 91-351-SPHA, 91-85-SPHA and 88-120-XSPHA.

3. Per BCZR Section 1501.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.

1. To grant a waiver of Residential Transition Area restrictions previously codified in BCZR Section 1501.B.(1984) (see attached), permitting relief from section 1501.B.(2)(1984) for a building length of 240' in lieu of the maximum permitted 130' and from section 1501.B.1.(b)(3a)(1984) to allow a building setback and buffer of 68' in lieu of the minimum permitted 150' and 75', respectively.

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



VICINITY MAP

SCALE: 1"=1000'

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 acreage = 100.900 Ac.±
Gross site acreage = 101.404 Ac.±

Building Data:

Level One Office 3,600 S.F.
Level One Mechanical/Maintenance 9,900 S.F.
Future Mechanical/Maintenance 1,800 S.F.
Total 15,300 S.F.

Parking Required:

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 1 Space
Total Parking Required 13 Spaces

Parking Provided 17 Spaces

Minimum Parking Space 6.5' x 18'

Parking will be durable and dustless.

This portion of the site is not historic.

Historic building exists as shown on this plan.

There is no change to that building.

There are no proposed well or septic areas on the site.

The proposed development does not fall within the

100 year floodplain, or the Chesapeake Bay Critical Area.

All existing and proposed signs shall conform to Section 450

of the Baltimore County Zoning Regulations (BCZR).

Public water is located in Maiden Choice Lane.

Public sewer is located on site within a public utility easement.

DATA SOURCES:

Existing topography and improvements shown hereon,

taken from Baltimore County GIS dated March 1996.

The courses and coordinates shown hereon are based

upon BCMD. The lines were then rotated to NAD83 to

overlay with the GIS.

Boundary survey was completed by DMW, Inc. January 9, 1998.

Flood plain shown taken from a plan prepared by PHR&A

dated January 1991.

Zoning lines from Baltimore County Office of Planning,

dated 2004.

DMW

Daft-McCune-Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21288

(410) 296-3333

Fax 296-4705

A Team of Land Planners,

Landscape Architects,

Engineers, Surveyors &

Environmental Professionals

Site Plan to Accompany

Special Hearing and Special Exception Hearing

Charlestown

Retirement Community

Tax Map 101, Parcel 2050

717 Maiden Choice Lane

1st Election District

Baltimore County, Maryland

1st Councilmanic District

1st Councilmanic District

1st Councilmanic District

1st Councilmanic District

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	REQUIRED	PROVIDED
FRONT YARD	40	NA
SIDE YARD	-	-
INTERIOR, ONE	20	NA
BOTH	40	NA
CORNER, STREET SIDE	35	NA
BOTH	55	NA
REAR YARD	30	68±

Flood plain shown taken from a plan prepared by PHR&A dated January 1991.

ISSUE DATES		BASE: _____	
REVIEW: _____		DRAWN: _____	MSB
BID: _____		DESIGNED: _____	JLB
PERMIT: _____		CHECKED BY: _____	JLB
CONSTRUCTION: _____		DATE CHECKED: 23MAR05	
SCALE: 1"=20'		DRAWING: 3 of 3	
PROJECT NO.: 82028Q			