IN RE: PETITION FOR SPECIAL HEARING W/Side of Chestnut Avenue, 54' S of	*	BEFORE THE
c/line of Picadilly Road (518 Chestnut Avenue)	*	ZONING COMMISSIONER
9 <sup>th</sup> Election District 5 <sup>th</sup> Council District	*	FOR
	*	BALTIMORE COUNTY
Loyola Blakefield aka Loyola High School, <i>Legal Owners</i>	*	Case No. 08-005-SPH
Corporation of the Roman Catholic Clergymen, Contract Purchaser	*	

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter came before this Zoning Commissioner for a special hearing pursuant to Section 500.7 of the Baltimore County Zoning Regulations (B.C.Z.R.). Pursuant to Section 500.7, the Corporation of the Roman Catholic Clergymen, aka the Maryland Province of the Society of Jesus, (the Petitioners), seeks to confirm that the proposed use is that of a rectory and is permitted by right within the D.R.2 zone.

The subject property is located at 518 Chestnut Avenue, as shown on Tax Map 69, Grid 12, Parcel 570, (the Property). It is zoned D.R.2 and consists of approximately 0.94 acres. It is described in more detail in a Deed dated October 9, 2000 and recorded among the Land Records of Baltimore County in Liber 14790, folio 29.

Due to the location of the Property in the Ruxton/Riderwood/Lake Roland Design Review Panel Area, the Petitioners filed an application with the Design Review Panel (DRP) seeking approval of the proposed use of the Property. On July 11, 2007, the Petitioners presented their proposal to the DRP and on August 13, 2007, the DRP granted approval of the same.

By By S-27-07 PLIN

By Sylved FOR FILING

٦,

Appearing at the hearing on behalf of the Petitioners were G. Scott Barhight, Esquire and Adam D. Baker, Esquire, of Whiteford, Taylor & Preston, LLP. Don Mitten, of Richardson Engineering, appeared and testified on behalf of the Petitioners, in his capacity as their engineer. Father Joseph Michini, the Superior for the Jesuit Community at Loyola Blakefield appeared and offered testimony regarding the current living situation for the Jesuits residing on the campus of Loyola Blakefield, and the proposed Rectory. Father Michini is also the Chaplain at Loyola Blakefield, and the Superior for the Maryland Province of the Society of Jesus. There was no one in opposition present at the hearing, although Betsy Sexton, a neighbor two lots to the north of the Property, raised a concern regarding the location and design of the HVAC system inside of the proposed rectory. This concern was addressed and resolved at the hearing.

Mr. Michini testified that the Property is approximately 0.94 acres, zoned D.R.2. It is currently owned by Loyola Blakefield and is improved with a single-family dwelling. The Petitioners propose to construct a rectory on the Property, which will serve as the new residence for the Jesuit Community at Loyola Blakefield.

The Petitioners' intentions for the Property are set forth in detail on the plan that accompanied the Petition for the Special Hearing for a Rectory (the Plan). The Plan details the proposed improvements and highlights their location in proximity to the neighboring residential properties and Loyola Blakefield. The Plan was marked as Petitioners' Exhibit 1 and admitted into evidence at the hearing.

At the hearing, Fr. Michini described the Jesuit Community's current living arrangements at Loyola Blakefield. The Jesuits currently reside in Xavier Hall on the campus of Loyola Blakefield. Xavier Hall has served as the residence for the Jesuits since the 1930s and currently houses a variety of administrative offices as well. Due to the lack of privacy and the outdated

conditions of Xavier Hall, the Jesuits are seeking to move into the proposed rectory. Fr. Michini testified that the proposed rectory will include inter alia, twelve (12) bedrooms and two (2) guest bedrooms, as well as a common eating area and a chapel for daily mass.

Don Mitten, who was sworn in as an expert in zoning, testified that the use proposed on the Property was most properly classified as a Rectory. Pursuant to Section 1B01.1.A.3 of the B.C.Z.R., rectories are permitted as a matter of right within the D.R. zones. In addition to being permitted by right, the Property, as set forth on the Plan, meets all applicable bulk and area regulations, and all other pertinent regulations of the B.C.Z.R.

Mr. Mitten further testified regarding the Residential Transition Area (RTA) design standards and their applicability to the Property. Under certain circumstances, the RTA applies to development within the D.R. zone or areas adjacent thereto. Nevertheless, rectories and dwellings are excepted from these regulations pursuant to B.C.Z.R. Section 1B01.1.B.1.g. Although the Property is located within the D.R.2 zone, the B.C.Z.R. provides that the buildings for religious worship and dwellings, such as the proposed rectory, are exempt from the restrictions imposed on development within the RTA.

In efforts to address the concern of Betsy Sexton regarding the design and location of the HVAC system for the proposed rectory, Mr. Barhight stated for the record that, by agreement of the Petitioners and Ms. Sexton, the rectory's HVAC system would be designed in a manner so as to shield it from view and lessen the noise it produces. Mr. Barhight introduced a drawing into evidence depicting the agreed upon design and location of the HVAC system. The drawing was prepared by Brian Minnich, of Rubeling and Associates, the Petitioners' architect, and was admitted into evidence as Petitioners' Exhibit 2. Specifically, the drawing depicts a cross section of the roof of the proposed rectory showing the HVAC system located in the roof well, below the

Date 8-21-07 FILING

roof line of the structure. The design not only hides the HVAC system from view, but shields the noise emanating therefrom on all sides. Due to the agreement between Ms. Sexton and the Petitioner regarding the design and location of the HVAC system, I will add as a condition to my approval that the HVAC system be designed and installed in a manner consistent with that to which the parties agreed.

Pursuant to the zoning regulations of Baltimore County, appropriate posting and notice having been provided, the Petitioners' proposed use of the property for a rectory shall be approved.

IT IS ALSO ORDERED that pursuant to Section 1B01.A of the Baltimore County Zoning Regulations, rectories are permitted by right within the D.R. 2 zone, and

IT IS FURTHER ORDERED that the Petitioners may proceed with the construction of the proposed rectory, subject to the following conditions:

- 1) That the HVAC system be constructed in a manner consistent with Petitioners' Exhibit 2.
- The Petitioner is permitted to proceed; however, the Petitioner is hereby made aware that doing so shall be at their own risk until the thirty (30) day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief herein could be rescinded.

Any appeal of this Order shall be taken in accordance with Baltimore County Code

Sections 32-3-401.

WILLIAM J. WISEMAN, III Zoning Commissioner for Baltimore County



JAMES T. SMITH, JR. County Executive

August 27, 2007

WILLIAM J. WISEMAN III

Zoning Commissioner

G. Scott Barhight, Esquire Adam D. Baker, Esquire Whiteford, Taylor & Preston, LLP 210 West Pennsylvania Avenue Towson, Maryland 21204

### RE: PETITION FOR SPECIAL HEARING

W/Side of Chestnut Avenue, 54' S of c/line of Picadilly Road
(518 Chestnut Avenue)

9<sup>th</sup> Election District - 5<sup>th</sup> Council District
Loyola Blakefield aka Loyola High School, Legal Owners;
Corporation of the Roman Catholic Clergymen, Contract Purchaser
Case No. 08-005-SPH

Dear Messrs. Barhight and Baker:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted with conditions, in accordance with the attached Order.

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

WILLIAM J. VISHMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

c: Rev. Joseph Michini, Superior for Jesuit Community & Chaplain, Loyola Blakefield aka Loyola High School of Baltimore, Inc., 500 Chestnut Avenue, Towson, Md. 21204 Rev. Thomas A. Pesci, S.J., President, Loyola Blakefield aka Loyola High School of Baltimore, Inc., 500 Chestnut Avenue, Towson, Md. 21204

Rev. Leonard A. Martin, Loyola Blakefield aka Loyola High School of Baltimore, Inc., 500 Chestnut Avenue, Towson, Md. 21204

William Ryan, Treasurer, Corporation of the Roman Catholic Clergymen, 5704 Roland Avenue, Baltimore, Md. 21210

Don Mitten, Richardson Engineering, LLC, 30 East Padonia Road, Suite 500, Timonium, Md. 21093

Brian Minnich, Rubeling & Associates, 1104 Kenilworth Avenue, Towson, Md. 21204 Betsy Sexton, 600 Chestnut Avenue, Towson, Md. 21204

People's Counsel; Case File

RE: PETITION FOR SPECIAL HEARING

518 Chestnut Avenue; W/S Chestnut Avenue,

54' S c/line Piccadilly Road

9<sup>th</sup> Election & 5<sup>th</sup> Councilmanic Districts Legal Owner(s): Loyola Blakefield aka

Loyola High School of Baltimore, Inc

Contract Purchaser(s): Corporation of the

Roman Catholic Clergymen

Petitioner(s) \*

BEFORE THE

ZONING COMMISSIONER

**FOR** 

BALTIMORE COUNTY

08-005-SPH

### ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing date, or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all 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 26<sup>th</sup> day of July, 2007, a copy of the foregoing Entry of Appearance was mailed to, G. Scott Barhight, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

JUL 2 6 2007

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Per....







### Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

		sently zoned D.R. 2			<u> </u>
(This petition		person, in the zoni		ate, with original a	signatures.)
owner(s) of the prop and made a part her County, to determine	perty situate in Baltin reof. hereby petition	partment of Permits more County and whit for a Special Hearing Zoning Commissioner	ch is described in the under Section 500.7	e desemption and pla of the Zoning Regula	at attached hereto
					,
<b>,</b>	_				•
}					; ;
ļ					
Property is to be post.  I. or we, agree to propounded by the zon. County.	sted and advertised a ay expenses of above ing regulations and s	penalti	dvertising, posting, e re County adopted put do solemnly declare a es of perjury, that I/w	and s:firm, under the e are the legal	
	า	this Pet	<ul> <li>of the property which ition.</li> </ul>	on his time subject of	
Contract Surebuce	ell access		Local Ownorfes		
Contract Purchase		, alia Olazan aman	Legal Owner(s):		
	the Koman Catr	nolic Clergymen		ka Layola Hìgh Scho	ool of Baltishore.inc.
Name - Lype or Print Signature	Repar ()	TREDUCER	Name - Type or Print	de de	ور کی
5704 Roland Av	/enue	410.532.1417	Rev. THOMA	A PERRIS	J. PRESIDENT
Address	······································	Telephone No.	Name - Type or Prin		The state of the s
Baltimore City	MD	21210 Zip Code	Signature		<del></del>
•		Lip Cous	500 Chestnu	t Avenue	410.823.0601
Attorney For Petitic			Address	C PAR CITUE	Telephone No.
G. Soott Bart	light	· · · · · · · · · · · · · · · · · · ·	Towson	MD	21204
Name V Type of Print	<b>,</b>		City	State	Zip Code
Signature	, , , , , , , , , , , , , , , , , , ,	<del></del>	Representative to	be Contacted:	
Whiteford, Taylo	r & Preston, LLF	•	G. Scott	Barhight	
Company	<del></del>		Name		
210 W. Pennsylva Address	inia Avenue	410.832.2000 Telephone No.	210 W. Pe	nnsylvania	· - • - · · · - · · · · · · · · · · · ·
Towson	MD	21204			ephone No.
City	State	Zip Code	City	MD State	21204 Zp Code
			<u>O</u> 1	FICE USE ONLY	·
		ESTI	MATED LENGTH O	F HEARING	
Case No. 08-00	5-SPA	UNIAN	AILABLE POR HEA	<b>RMG</b>	
REV 9/15/98		Reviewed By	<i>(1)</i> .	ate 7/2/07	<del></del>
	•			• /	
		. 4- ديمسته سامت پنسي ندوان موراون	المناف المنافض	###### + 4 + 4 * * * * * * * * * * * * * * * *	
		URUEH H	ECEIVED FOR		
		Data	8-27-07		





30 East Padonia Road, Suite 500 Timonium, Maryland 21093

410-560-1502, fax 443-901-1208

### ZONING DESCRIPTION 518 CHESTNUT AVENUE 9TH ELECTION DISTRICT 5TH COUNCILMANIC DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning at a point on the west side of Chestnut Avenue, 50 feet wide; at a distance of 54 feet more or less, from the centerline intersection of Chestnut Avenue and Piccadilly Road, 50 feet wide; and running thence from said place of beginning, binding on the said West side of Chestnut Avenue, (1) South 29 degrees 25 minutes 08 seconds West 77.07 feet; thence leaving the said southeast side of said Chestnut Avenue and running (2) North 65 degrees 16 minutes West 350.68 feet, (3) North 37 degrees 43 minutes East 155.05 feet, (4) South 52 degrees 17 minutes East 330.59 to the point of beginning.

Containing a net area of  $0.898\pm$  acres or 39,098 square feet and a gross area of  $0.942\pm$  acres or 41,025 square feet of land, more or less.



NOTICE OF ZONING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows: HEARING

Case: # 08-005-SPH
518 Chestnut Avenue
W/side of Chestnut Avenue,
54 feet south of centerline
of Piccadilly Road
9th Election District
5th Councilmanic District
Legal Owner(s): Loyola Blakefield aka Loyola High

Contract Purchaser: Corporation of the Roman Catholic Clergymen

Special Hearing: to ap-

prove a rectory.
Hearing: Thursday, Aupust 23, 2007 at 9:60
a.m. In Room 407, County
Courts Building, 401
Bosley Avenue, Towson

Bosley Avenue, Towson 21204. WILLIAM J. WISEMAN, III Zoning Commissioner for

for special accommoda-tions Please Contact the Zoning Commissioner's Of-fice at (410) 887-3868.

(2) For information con-cerning the File and/or Baltimore County
NOTES: (1) Hearings are
Handicapped Accessible;

cerning the File and/or Hearing, Contact the Zon-ing Review Office at (410) 887-3391.
JT 8/606 Aug. 7 144487

### OF PUBLICATION M

لم%′۔

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

The Jeffersonian

Catonsville Times

Arbutus Times

- Towson Times
- NE Booster/Reporter ls Times

Owings Mill

North County News

1 Julius

LEGAL ADVERTISING

### DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

### ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:									
Item Number or Case Number: 08-05-574									
Petitioner: Corronation of the Roman Commonic Congumen									
Address or Location: 518 CHESTAUT AVE, TOWN, MD 21204									
PLEASE FORWARD ADVERTISING BILL TO:  Name: ADAM D. BAKER									
Address: Whiteford Talum + trester LLP									
210 W. PERMONINA AVE, DUITE 400									
TOWN, MD 21204									
Telephone Number: (4to) 832: 2052									

BALTIMORE COUNT

	r		Γ_	7		Γ	Ţ		Ì	
	1	<b>!</b>	, ঃ			•	ļ	100	Fur	
•	L		_		•		1		Fund	,
			κ- <sub>-</sub> -			-		0 % 6	Agcy	
٠.	<u>`</u>	-	_		_		1	$\blacksquare$	,	,
,			i,		-			,	Orgn	-
· .	L	4	· • ·	L	1	<u>.</u>	Ļ	4	<b>⊅</b>	
<u> </u>	-				١	₹ ,			ð	dus
		<u>'</u>	,	<u> </u>		<u>:</u> -			Orgn :	Ö
		-		k .	Ī		2	×	တွ	<b></b>
				e e e e e e		<b>u</b> ′	c		ource	Rev
· · ·	Ť	†		,	t	-1 -	-	7		
	Ŀ		•	-		:	-		₽ ev•	Sub
긁		Ī			Ī	,	,	:10		<b>7</b> 0
otal			1				*	k		ep T
;	,	1			Ì		ž	1		
	ŀ			,		* -		3	Acct	BS
	-	t	-	_	-		, ,	ľ	• 1	رد. المراجعة . المراجعة .
	*			, , , , , , , , , , , , , , , , , , ,		_	*.		* ;	•
Ç			1	ا آ اد)ج	) , 			12	<b>&gt;</b> .	آمه هو.
							ن		2	, ,
		<u> </u>			-					
	-		=	.,	*			X	5	×
					-		· •		<u></u>	
in the second		النيسة النيسة	- 6		~		ar			***
ن رژن در خو در در در در		ry —   -   -   -   -   -   -   -   -			3					
	_	P		# A	Ť.	ደ. '	-	•	<b>311</b>	
			er, Am					_	1	A THE STATE OF THE
٠,	c	;	1.4	7 		2		÷.,	#10	
· -	- 1	Ť.,	×		,			, ,	1710	
					•	•			<del></del>	

DISTRIBUTION

CASHIER

· 通信

### WHITEFORD, TAYLOR & PRESTON L.L.P.

400 Court Towers 210 W. Pennsylvania Ave Towson, Maryland 21204 (410) 832-2000 Fax - (410) 832-2015

### FACSIMILE TRANSMITTAL COVER SHEET

TOTAL PAGES (including cover sheet): 2	Date (18/16/07							
	File No.: 9's							
SENT TO: Debbie	FAX #: 410 887-3468							
FROM: G. Scott Barhight (410) 832- 2050								
RE: Hearing for 8/23								
SPECIAL INSTRUCTIONS: Certificate of Posting								
PRIVILEGED AND CONFIDENTIAL: All information transmitted hereby is intended only for the use of the addressee(s) named above. If the tender of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who receives this communication in error should notify as immediately by telephone and return the original message to us at the above address via the U.S. mail.								

### CERTIFICATE OF POSTING

RE: Case No.: 08-005-SPH

Petitioner/Developer: CORP. OF THE

ROMAN CATRIOLIC CLERGYMEN

Date of Hearing/Closing: 8-23-07

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:

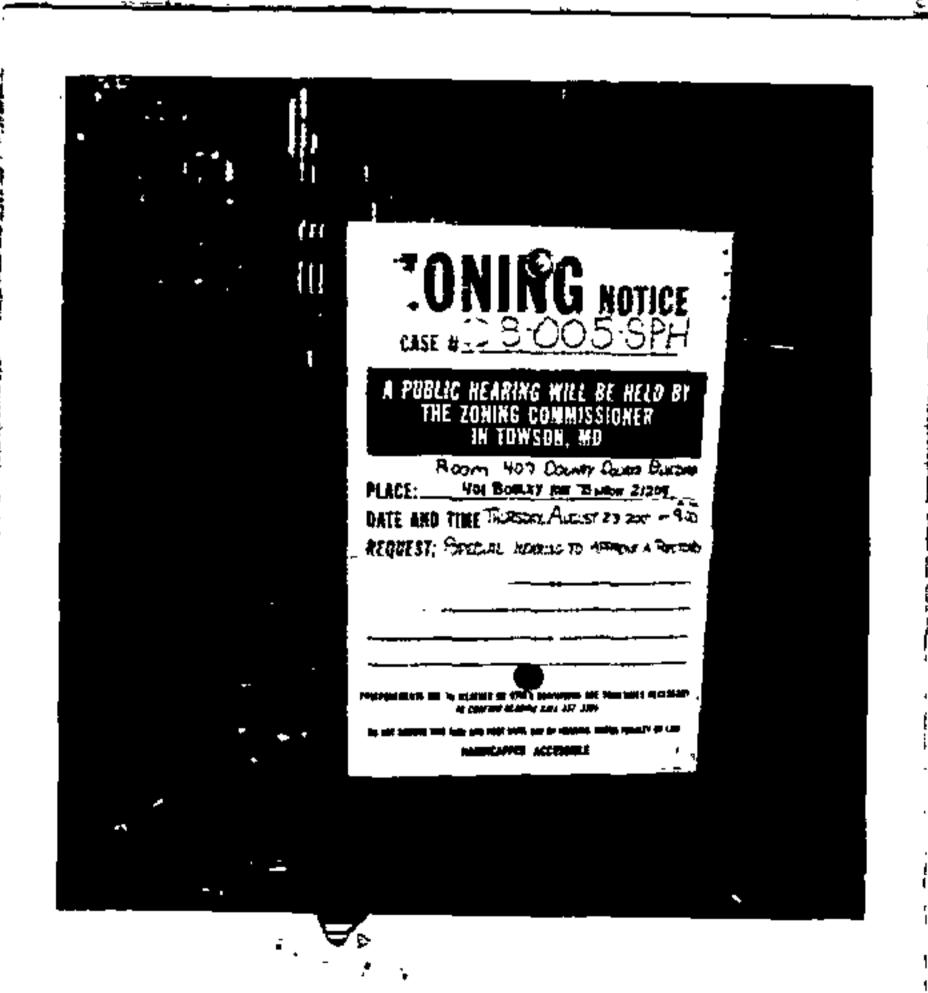
This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at:

518 CHETIUT AVE

The sign(s) were posted on 8-7-07

(Month, Day, Year)

Sincerely,



Robert Rose	8-8-0
(Signature of Sign Poster)	(Date)
SSG Robert Black	
(Print Name)	
1508 Leslie Road	;
(Address)	
Dundalk, Maryland 2122	22
(City, State, Zip Code	)
(410) 282-7940	· · ·
(Telephone Number)	, , , , , , , , , , , , , , , , , , ,
_	ž



JAMES T. SMITH, JR. County Executive

July 23, 2007
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

### **NOTICE OF ZONING HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 08-005-SPH

518 Chestnut Avenue

W/side of Chestnut Avenue, 54 feet south of centerline of Piccadilly Road

9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: Loyola Blakefield aka Loyola High School

Contract Purchaser: Corporation of the Roman Catholic Clergymen

Special Hearing to approve a rectory.

Hearing: Thursday, August 23, 2007 at 9:00 a.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Timothy Kotroco

Director

TK:klm

C: G. Scott Barhight, 210 W. Pennsylvania Avenue, Towson 21204 Rev. Thomas Pesci, S.J. Pres., 500 Chestnut Avenue, Towson 21204 William Ryan, Treasurer, 5704 Roland Avenue, Baltimore 21210

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY WEDNESDAY, AUGUST 8, 2007.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

TO: PATUXENT PUBLISHING COMPANY

Tuesday, August 7, 2007 Issue - Jeffersonian

Please forward billing to:

Adam Baker Whiteford, Taylor & Preston 210 W. Pennsylvania Avenue, Ste. 400 Towson, MD 21204

410-832-2052

### NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 08-005-SPH

518 Chestnut Avenue

W/side of Chestnut Avenue, 54 feet south of centerline of Piccadilly Road

9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: Loyola Blakefield aka Loyola High School

Contract Purchaser: Corporation of the Roman Catholic Clergymen

Special Hearing to approve a rectory.

Hearing: Thursday, August 23, 2007 at 9:00 a.m. in Room 407, County Courts Building,

Bosley Avenue, Towson 21204

WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

August 15, 2007

G. Scott Barhight Whiteford, Taylor & Preston, LLP 210 W. Pennsylvania Avenue Towson, MD 21204

Dear Mr. Barhight:

RE: Case Number: 08-005-SPH, 518 Chestnut Avenue

The above referenced petition was accepted for processing ONLY by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on July 3, 2007. This letter is not an approval, but only a NOTIFICATION.

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. Callaball

W. Carl Richards, Jr.

Supervisor, Zoning Review

WCR:amf Enclosures

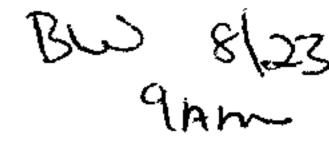
c: People's Counsel

Loyola High School of Baltimore, Inc. Rev. Thomas Pesci, S.J., President 500 Chestnut Avenue Towson 21204

Corporation of the Roman Catholic Clergymen William Ryan, Treasurer 5704 Roland Avenue Baltimore 21210



**DATE:** August 10, 2007



### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

518 Chestnut Avenue

**INFORMATION:** 

Item Number:

8-005

Petitioner:

Thomas A. Pesci

Zoning:

DR 5.5

Requested Action: Special Hearing

### SUMMARY OF RECOMMENDATIONS:

The Design Review Panel reviewed and approved the project on July 11, 2007 subject to the following conditions:

- 1. Submit final building material samples.
- 2. No on grade mechanical systems are used.
- 3. Revise plans to show windows in stairwells at both ends of building.
- 4. Increase shade trees and define driveway with a hedge.
- 5. Provide evergreen screening between retaining wall and rectory adjacent to the Boulay property.
- 6. Show the walkway from the rectory to school on plans.

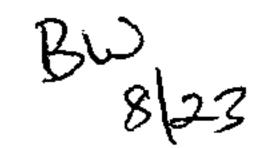
On August 9, 2007 the Office of Planning reviewed the revised plans and materials for the project that address the comments of the DRP. The Office of Planning recommends approval.

For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Division Chief: AFK/LL: CM

W:\DEVREV\ZAC\8-005amended.doc





### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

Department of Permits and Development Management **DATE:** July 25, 2007

ICEIVE JUL 27 2007

BY:

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

518 Chestnut Avenue

INFORMATION:

Item Number:

8-005

Petitioner:

Thomas A. Pesci

Zoning:

DR 5.5

Requested Action:

**Special Hearing** 

### **SUMMARY OF RECOMMENDATIONS:**

The Office of Planning does not oppose the petitioner's request provided the conditions set forth in the decision of the Design Review Panel are met. The aforementioned conditions are as follows:

- 1. Submit final building material samples.
- 2. No on grade mechanical systems are used.
- 3. Revise plans to show windows in stairwells at both ends of building.
- 4. Increase shade trees and define driveway with a hedge.
- 5. Provide evergreen screening between retaining wall and rectory adjacent to the Boulay property.
- 6. Show the walkway from the rectory to school on plans.

For further information concerning the matters stated here in, please contact Donnell Zeigler at

410-887-3480.

Reviewed by:

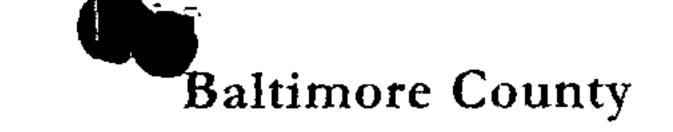
Division Chief: AFK/LL: CM

W:\DEVREV\ZAC\8-005.doc

### Design Review Panel

401 Bosley Avenue, Suite 406 Towson, Maryland 21204 Tel: 410-887-3480 • Fax: 410-887-5862





**DATE:** August 13, 2007

08-005 SPH

James T. Smith, Jr., County Executive Arnold F. 'Pat' Keller III, Director

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

### **DESIGN REVIEW COMMENTS**

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

FROM:

Lynn Lanham

Design Review Panel

SUBJECT:

Design Review Panel Meeting (July 11, 2007)

**Approval Letter** 

PROJECT NAME: Jesuit Rectory House/Enten Property - 518 Chestnut Avenue

PROJECT: DRP # 483

PROJECT TYPE: Residential, West Towson

### **DESIGN REVIEW PANEL MEMBERS IN ATTENDANCE:**

Geoffrey Glazer, Thomas Repsher, Scott Rykiel, Jack Dillon (Resident Member - West Towson)

### PROJECT DESCRIPTION:

Scott Barhight along with Al Rubeling presented the project to the panel on behalf of the applicant, The Corporation of the Roman Catholic Clergymen. The proposed project consists of a rectory to house Jesuit priests who currently reside on the Loyola Blakefield campus. The building will have approximately 16,888 square feet with two main floors and a half basement. There are twelve suites and two guest rooms. All residents will share one common kitchen and all common living spaces. The center of the building will have a chapel for regular worship services. The design intent is for this building to have a residential feel coordinated with the Loyola Blakefield architectural context of Knott Hall. There will be no site lighting or signage.

The Enten house currently exists on the property, which is directly adjacent from Hardigan Field. The Enten house will be razed to allow for the new proposal. The architectural elements of the Jesuit rectory will coordinate with the elements used on Knott Hall, which is part of the Loyola Campus. The materials for the project consist of primarily masonry elements including stucco and citadel building stone which simulates butler stone along with an asphalt shingle roof. The windows for the rectory will be operable, residential style windows.



Visit the County's Website at www.baltimorecountymd.gov

Subject: Minutes (Design Review Panel Meeting)

Project Name: Jesuit Rectory House Project #: DRP 483

### **DISPOSITION:**

A motion was made by Mr. Dillon to approve the project subject to the following conditions:

1. Submit final building material samples.

- 2. No on grade mechanical systems are used.
- 3. Revise plans to show windows in stairwells at both ends of building.
- 4. Increase shade trees and define driveway with a hedge.
- Provide evergreen screening between retaining wall and rectory adjacent to the Boulay property.
- 6. Show the walkway from the rectory to school on plans.

The revised plans are to be submitted to the Office of Planning for final approval.

Mr. Repsher seconded the motion and it was passed by acclamation at 6:30 p.m.

### **APPROVAL UPDATE:**

On August 9, 2007, a revised package was submitted to the Planning Office for final approval. Revised elevations and landscape plans were submitted to address the conditions stated by the Design Review Panel. All conditions of the Design Review Panel approval were met by the applicant and the project is now hereby granted final approval.

KP:File

CC: DRP members in attendance
Corporation of The Roman Catholic Clergymen, Applicant
Scott Barhight, Whiteford Taylor Preston LLP
Adam Baker, Whiteford Taylor Preston LLP
Brian Minnich, Rubeling & Associates
Albert Rubeling, Rubeling & Associates
Peggy Squitieri, RRLRAIA
Betsy Sexton, Chestnut Avenue

William Control

For complete Design Review Panel minutes visit
http://www.baltimorecountymd.gov/Agencies/planning/DRP/meetings.html.

AUG 14 2007

O 7-803

DEPT. OF PERMITS AND DEVELOPMENT MANAGEMENT

### 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

July 17, 2007

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

ATTENTION: Zoning Review planners

Distribution Meeting of:

July 16, 2007

Item No.: 002, 005, 006, 004

The site shall be made to comply with all applicable parts of the Baltimore County Fire Prevention Code prior to occupancy or beginning of operation.

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.

Acting Lieutenant William F. Connolly Jr. Fire Marshal's Office (O)410-887-4881 MS-1102F

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** July 25, 2007

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

518 Chestnut Avenue

**INFORMATION:** 

Item Number:

8-005

Petitioner:

Thomas A. Pesci

Zoning:

DR 5.5

Requested Action: Special Hearing

### SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided the conditions set forth in the decision of the Design Review Panel are met. The aforementioned conditions are as follows:

- 1. Submit final building material samples.
- 2. No on grade mechanical systems are used.
- 3. Revise plans to show windows in stairwells at both ends of building.
- 4. Increase shade trees and define driveway with a hedge.
- 5. Provide evergreen screening between retaining wall and rectory adjacent to the Boulay property.
- 6. Show the walkway from the rectory to school on plans.

For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

**Division Chief:** 

AFK/LL: CM

### BALTIMORE COUNTY, MARYLAND

### INTEROFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

**DATE:** July 18, 2007

Department of Permits & Development

Management

FROM:

Dennis A. Kennedy, Supervisor White Bureau of Development Plans Review

SUBJECT:

Zoning Advisory Committee Meeting

For July 20, 2007

Item Nos. 07-470, 08-001, 002, 003, 004, 005, 006, 007, 008, 009, 011, 012, 013, 014,

015, 016, 017, 018 and 019

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

DAK:CEN:cab

cc: File

ZAC-NO COMMENTS-07202007.doc



Martin O'Malley, Governor Anthony G. Brown, Lt. Governor

John D. Porcari, Secretary Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: JULY 16,2007

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

RE: Baltimore County

Item No. 08-5-3PH

518 CHEGINAL AVENUE

LOYOLA BLAKEFIELD PROPERTY

SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 78-5-54.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md:us).

Very truly yours,

Steven D. Foster, Chief

Engineering Access Permits

Division

SDF/MB

### PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

# PETITIONER'S SIGN-IN SHEET

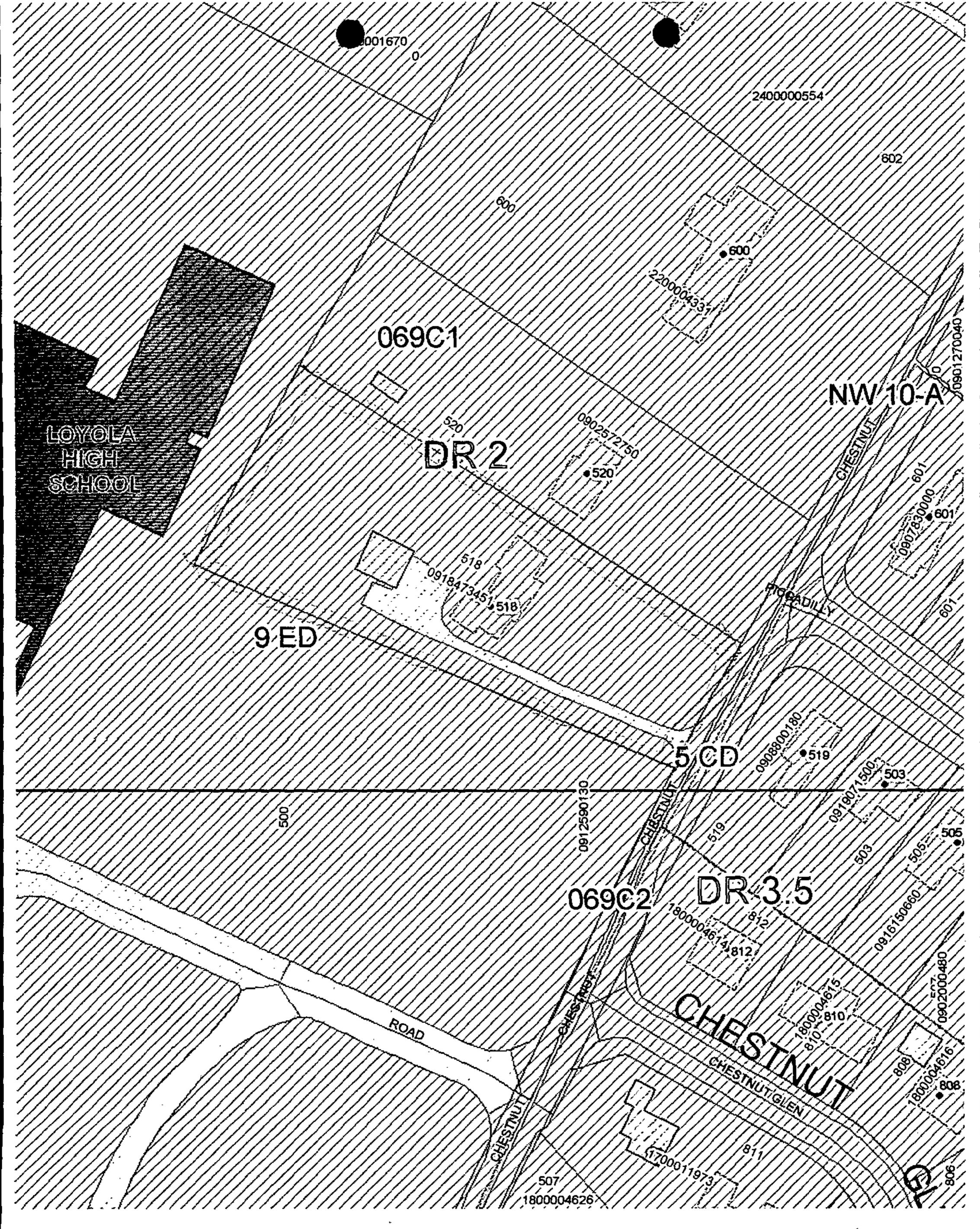
NAME	ADDRESS	CITY, STATE, ZIP	E- MAIL
DON MITTEN	RICHARDSSON ENGINEEUNG	v 31	Destantion in in in
Apm Boxun	210 il Pennsywante Ave, Sumato	TOWN, MO 22204	abaker Out Plan. unt
G. S. H. Buhusts Brian Minnich	Hoy keulusth the Tourson	Town us why	transache rubeling. Com
Rev. Sourch. Munn By. Se. 56	500 Checkent Ave.	Mb 217	MICHING Bakefield.
		407 10 111 WOSMO!	HEVIEUNATO WENTINS ! COM hother! . com

## PLEASE PRINT CLEARLY

)     1	3ER	
E NAME	IUMBER	
Ž	<	
1SE	CASE	1TE
Ö	Ö	DATE

## CITIZEN'S SIGN-IN SHEET

E- MAIL	Betsysexton a comaga.ne										
CITY, STATE, ZIP	MD2/										
ADDRESS	600 Chestout A ve										
NAME	ELizabeth Soztan										



Case No.: 08-005- SPH 518 CHESTNUT AVE

### **Exhibit Sheet**

### Petitioner/Developer

### Protestant

### BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

**DATE:** August 10, 2007

TO:

Timothy M. Kotroco, Director

Department of Permits and

Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

**SUBJECT:** 

518 Chestnut Avenue

INFORMATION:

Item Number:

8-005

Petitioner:

Thomas A. Pesci

Zoning:

DR 5.5

Requested Action: Special Hearing

### SUMMARY OF RECOMMENDATIONS:

The Design Review Panel reviewed and approved the project on July 11, 2007 subject to the following conditions:

- 1. Submit final building material samples.
- 2. No on grade mechanical systems are used.
- 3. Revise plans to show windows in stairwells at both ends of building.
- 4. Increase shade trees and define driveway with a hedge.
- 5. Provide evergreen screening between retaining wall and rectory adjacent to the Boulay property.
- 6. Show the walkway from the rectory to school on plans.

On August 9, 2007 the Office of Planning reviewed the revised plans and materials for the project that address the comments of the DRP. The Office of Planning recommends approval.

For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Reviewed by:

**Division Chief:** 

AFK/LL: CM

