

|                                             |   |                                |
|---------------------------------------------|---|--------------------------------|
| <b>IN RE: PETITIONS FOR SPECIAL HEARING</b> | * | BEFORE THE                     |
| <b>AND VARIANCE</b>                         |   |                                |
| W side Woodholme Avenue; 1100 feet W        | * | DEPUTY ZONING                  |
| of the c/l of Old Court Road                |   |                                |
| 3 <sup>rd</sup> Election District           | * | COMMISSIONER                   |
| 2 <sup>nd</sup> Councilmanic District       |   |                                |
| (1700 Woodholme Avenue)                     | * | FOR BALTIMORE COUNTY           |
| <br><b>Pikesville Real Estate, LLC</b>      |   |                                |
| <i>Petitioner</i>                           | * | <b>Case No. 2010-0222-SPHA</b> |

\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by Gerald W. Farrell, Vice President and Secretary of Pikesville Holdings, LLC, the sole member of Pikesville Real Estate, LLC, c/o Capital Health Group, LLC. Petitioner is requesting Special Hearing relief in accordance with Section 500.7 and pursuant to Section 450.7.E.2 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to approve a commercial special event banner sign to be displayed for 90 days in lieu of the permitted 30 days.<sup>1</sup> Petitioner is also requesting Variance relief from Section 450.4.E.17 of the B.C.Z.R. to permit a commercial special event banner sign of 280 square feet in lieu of the permitted 8 square feet. The subject property and requested relief are more fully described on the site plan and signage details that was marked and accepted into evidence as Petitioner's Exhibits 1 and 3, respectively.

Appearing at the requisite public hearing in support of the requested relief were Stanley S. Fine, Esquire, and Caroline L. Hecker, Esquire, attorneys for Petitioner; Stephen Bowman of

<sup>1</sup> The Petition for Special Hearing as filed originally requested permission to display the proposed banner sign for 180 days. At the commencement of the hearing, however, Petitioner indicated its desire to amend the request to seek permission to display the sign for 90 days. As this amendment requested less relief than what was requested in the original Petition, and with no objection, the amendment was granted.

**ORDER RECEIVED FOR FILING**

Date 4.21.10

By pm

PHMC of Pikesville, LLC, the entity that will be responsible for the operation of Woodholme Gardens Assisted Living and Memory Care ("Woodholme Gardens"); Myra Taliaferro, who will be responsible for the day-to-day management of Woodholme Gardens; and Patrick Richardson, of Richardson Engineering, LLC, the engineer who prepared the site plan for this property. In addition, Diana Itter of the Baltimore County Office of Planning appeared at the hearing. There were no Protestants or other interested persons in attendance.

Testimony and evidence offered revealed that the subject property is irregular in shape and contains just over seven acres, zoned D.R.5.5. The property is located on the west side of Woodholme Avenue at its terminus, situated adjacent to the Interstate 695 Beltway, in the Pikesville area of Baltimore County. The property is improved with a four-story structure, currently under construction, that will be used as an assisted living and memory care facility known as Woodholme Gardens.<sup>2</sup> Petitioner Pikesville Real Estate, LLC purchased the subject property in August, 2009 at a foreclosure sale. The prior owner had begun construction of an assisted living facility on this site, but had encountered economic difficulties and defaulted on its financing. At the time of the foreclosure, the assisted living facility was approximately 70% complete. Petitioner is in the process of completing construction of the facility and plans to open Woodholme Gardens in mid-September 2010. Woodholme Gardens will be an assisted living facility for the elderly, offering congregate meals, medication management, and activities for its residents. There will also be a designated space for persons with memory disorders. The facility will house 56 residents and be managed by PHMC of Pikesville, LLC.

As part of its marketing campaign, Petitioner desires to display a 280 square foot banner sign on the northwest side of the building facing Interstate 695. The sign, described in detail on

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<sup>2</sup> The assisted living facility at 1700 Woodholme Avenue was originally approved by the Zoning Commissioner in Case No. 04-399-XA. This authorization was extended in Case No. 06-420-SPH.

ORDER RECEIVED FOR FILING

Date 4.21.10 2

By pb

Petitioner's Exhibit 3, will advertise the grand opening of the facility and will be visible to southbound motorists on the Baltimore Beltway. The Owner desires to display the banner for 90 days, beginning 45 days before the opening of the facility and concluding 45 days after the opening of the facility. Assuming a September 15, 2010 opening date, the banner would be displayed from August 1, 2010 until October 31, 2010.

Mr. Richardson was accepted as an expert in site engineering and testified that the subject property is irregularly shaped and has significant grade changes. In addition, the majority of the property is located within the 100-year floodplain and forest buffer area and is therefore not buildable. Photographs of the property, which were marked and accepted into evidence as Petitioner's Exhibits 2A through 2N, demonstrate that the site is heavily wooded and that the view of the building from Woodholme Avenue is obstructed. Mr. Richardson testified that the only "frontage" the building has on a public road is the northwest face, which is visible to southbound traffic on Interstate 695. These unique conditions of the property dictated the original location of the building on the lot and would create an unreasonable hardship by preventing the effective advertisement of this facility if the requirements of the B.C.Z.R. were strictly applied with respect to the proposed banner sign.

Petitioner seeks a variance from Section 450.4.E.17 of the B.C.Z.R. to permit a banner sign of 280 square feet in lieu of the permitted 8 square feet, as well as a special hearing to permit the banner sign to be displayed for 90 days in lieu of the 30 days that would be permitted under Section 450.7.E.2 of the B.C.Z.R. In light of the limited visibility of the building due to its location on the site, the proposed 280 square foot banner sign provides an appropriate and reasonable amount of signage to identify Woodholme Gardens to passing motorists on I-695, without becoming a safety hazard or distraction. In addition, the display of the banner sign for

ORDER RECEIVED FOR FILING

Date 4-21-10 3

By [Signature]



90 days in lieu of the permitted 30 days is an appropriate and reasonable period of time to advertise the opening of the facility. Petitioner submitted letters in support of its requests from the Baltimore County Department of Economic Development, the Pine Ridge Community Association, and the Woodholme Green Homeowners Association, which were accepted into evidence as Petitioners Exhibits 4, 5, and 6, respectively.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Office of Planning dated April 9, 2010 which indicates they do not oppose the requested relief due to the unique circumstances involving the subject property and its limited visibility from Woodholme Avenue. If the special hearing and variance are granted, this case should not be considered as a precedent for any other zoning hearing. The comments also indicate that Petitioner's attorney agreed by way of email to amend the request to display the banner sign from the original 180 days to 90 days in order to address concerns raised by the Office of Planning.

After due consideration of the testimony and evidence presented, I am persuaded to grant the relief requested. The property is unique due to its irregular shape, topographic conditions, and location within the 100-year floodplain and forest buffer area, which characteristics dictated the original location of the existing structure and obscure its visibility to passing motorists. These different features of the property drive the need for variance relief, and I find that Petitioner has satisfied its burden at law. The constraints imposed by these features would create a practical difficulty for Petitioner if strict compliance with the B.C.Z.R. were required. I find that the variance relief can be granted in strict harmony with the spirit and intent of said regulations, and in such manner as to grant relief without injury to the public health, safety, and general welfare. Thus, I find that the variance request can be granted in such a manner as to

ORDER RECEIVED FOR FILING

Date 4.21.10 4  
By [Signature]

meet the requirements of Section 307.1 of the B.C.Z.R., as interpreted in *Cromwell v. Ward*, 102 Md.App. 691 (1995). In addition, I find that the request for special hearing to permit the banner to be displayed for 90 days is appropriate and reasonable and shall also be granted. The length of time the sign is displayed will allow a "window of opportunity" for the 45 days preceding the grand opening of the facility, as well as an additional 45 days after opening, for Petitioner to showcase the facility and attract potential residents.

Pursuant to the advertisement, posting of the property and public hearing held, and after considering the testimony and evidence offered, I find that Petitioner's special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21<sup>st</sup> day of April, 2010 that Petitioner's Special Hearing request in accordance with Section 500.7 and pursuant to Section 450.7.E.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) to approve a commercial special event banner sign to be displayed for 90 days in lieu of the permitted 30 days be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED that Petitioner's Variance request from Section 450.4.E.17 of the B.C.Z.R. to permit a commercial special event banner sign of 280 square feet in lieu of the permitted 8 square feet be and is hereby **GRANTED**.

The relief granted herein is subject to the following conditions:

1. Petitioner is advised that it may apply for any required building permits and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until the 30-day appeal period from the date of this Order has expired. If for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

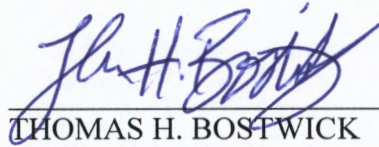
ORDER RECEIVED FOR FILING

Date 4.21.10

By [Signature] 5

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

Order.



THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

THB:pz

ORDER RECEIVED FOR FILING

Date 4.21.10

By pz



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

THOMAS H. BOSTWICK  
*Deputy Zoning Commissioner*

April 21, 2010

STANLEY S. FINE, ESQUIRE  
CAROLINE L. HECKER, ESQUIRE  
ROSENBERG MARTIN GREENBERG LLP  
25 SOUTH CHARLES STREET, SUITE 2115  
BALTIMORE MD 21201

Re: Petition for Special Hearing and Variance  
Case No. 2010-0222-SPHA  
Property: 1700 Woodholme Avenue

Dear Mr. Fine and Ms. Hecker:

Enclosed please find the decision rendered in the above-captioned case.

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

Very truly yours,

A handwritten signature in dark ink, appearing to read "John H. Bostwick", written over a horizontal line.

THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

Enclosure

c: Gerard Farrell, Pikesville Real Estate LLC, c/o Capital Health Group LLC, 25 West Baltimore Avenue, Suite 350, Media PA 19063  
Stephen Bowman, President, Peregrine Health Management Company, 217 Montgomery Street, Syracuse NY 13202  
Patrick Richardson, Richardson Engineering LLC, 30 East Padonia Road, Suite 500, Timonium MD 21030  
Myra Taliaferro, 2605 Cox Neck Road, Chester MD 21619  
Pierce Macgill, Baltimore County Economic Development





# Petition for Special Hearing

## to the Zoning Commissioner of Baltimore County

for the property located at 1700 1400 Woodholme Avenue (Tax Acct. No. 2400012870)  
which is presently zoned DR 5.5

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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  
(This box to be completed by planner)

A commercial special event banner sign to be displayed for 180 days in lieu of the permitted 30 days (BCZR Section 450.7.E.2).

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:

Stanley S. Fine, Esquire  
Name - Type or Print \_\_\_\_\_  
Signature Stanley S. Fine/Esq \_\_\_\_\_  
Company Rosenberg Martin Greenberg, LLP \_\_\_\_\_  
Address 25 S. Charles St., Suite 2115 410-727-6600 Telephone No. \_\_\_\_\_  
City Baltimore MD 21201 Zip Code \_\_\_\_\_

### Legal Owner(s):

Pikesville Real Estate, LLC c/o Capital Health  
Name - Type or Print \_\_\_\_\_ Group, LLC  
Signature Gerard W. Farrell \_\_\_\_\_  
Gerard W. Farrell, V.P. of Sales Member  
Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
Address 2 W. Baltimore Ave., Suite 350 610-565-7821 Telephone No. \_\_\_\_\_  
Media \_\_\_\_\_ PA \_\_\_\_\_ 19063  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

### Representative to be Contacted:

Gerard W. Farrell  
Name \_\_\_\_\_  
Address 2 W. Baltimore Ave., Suite 350 610-565-7821 Telephone No. \_\_\_\_\_  
Media \_\_\_\_\_ PA \_\_\_\_\_ 19063  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Date 4-21-10

### OFFICE USE ONLY

By \_\_\_\_\_

ESTIMATED LENGTH OF HEARING \_\_\_\_\_

Case No. 2010-0222-SPHA

UNAVAILABLE FOR HEARING

REV 9/15/98

Reviewed By [Signature]

Date 2/22/10





# Petition for Variance

to the Zoning Commissioner of Baltimore County for the property  
located at 1700 1400 Woodholme Avenue  
which is presently zoned DR 5.5

Deed Reference: 28 535 / 130 Tax Account # 2400012830 \_ \_ \_

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

450.4.E.17 to permit a commercial special event banner sign of 280 square feet in lieu of the permitted 8 square feet.

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.)

This commercial special event sign will advertise the opening of Woodholme Gardens Assisted Living and Memory Care facility. Because the facility is not visible from the street on which it is located, the only feasible location to hang such a sign is on the north side of the facility facing I-695. The size and location of the proposed sign are the minimum necessary to afford relief and will not create a distraction to passing motorists.

Property is to be posted and advertised as prescribed by the zoning regulations. I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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:

Stanley S. Fine, Esquire  
Name - Type or Print \_\_\_\_\_  
Signature Stanley S. Fine  
Rosenberg Martin Greenberg, LLP  
Company \_\_\_\_\_  
25 S. Charles St., Suite 2115 410-727-6600  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Baltimore MD 21201  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

## Legal Owner(s):

Pikesville Real Estate, LLC c/o Capital Health  
Name - Type or Print \_\_\_\_\_ Group, LLC  
Signature Gerard W. Farrell  
Gerard W. Farrell, V.I. of Sdc Member  
Name - Type or Print \_\_\_\_\_  
Signature \_\_\_\_\_  
2 W. Baltimore Ave., Suite 350 610-565-7821  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Media PA 19063  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

## Representative to be Contacted:

Gerard W. Farrell  
Name \_\_\_\_\_  
2 W. Baltimore Ave., Suite 350 610-565-7821  
Address \_\_\_\_\_ Telephone No. \_\_\_\_\_  
Media PA 19063  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Case No. 2010-0222-SPHA

## Office Use Only

Estimated Length of Hearing \_\_\_\_\_  
Unavailable For Hearing \_\_\_\_\_  
Reviewed by [Signature] Date 2/22/10

**ZONING DESCRIPTION FOR  
ROSLYN STATION II  
LOCATED ON WOODHOLME AVENUE  
3<sup>RD</sup> ELECTION DISTRICT  
2<sup>ND</sup> COUNCILMANIC District  
BALTIMORE COUNTY, MARYLAND**

BEGINNING FOR THE SAME at a point where the northerly right-of-way of the Western Maryland Railroad intersects the westerly right-of-way of Woodholme Avenue (30 feet in width), thence binding on the Western Maryland Railroad right-of-way; (1) North 56 degrees 01 minutes 27 seconds west 558.33 feet to a point on the easterly side of the Baltimore Beltway (I-695), thence binding on the easterly side of the Baltimore Beltway for the following courses and distances; (2) North 23 degrees 07 minutes 54 seconds East 199.72 feet, (3) North 12 degrees 46 minutes 57 seconds East 288.65 feet, (4) North 24 degrees 17 minutes 14 seconds East 135.84 feet, (5) North 43 degrees 28 minutes 57 seconds East 384.76 feet, thence leaving the easterly side of the Baltimore Beltway the following courses and distances; (6) South 04 degrees 52 minutes 13 seconds West 72.26 feet, (7) South 81 degrees 34 minutes 12 seconds West 24.93 feet, (8) South 03 degrees 56 minutes 52 seconds West 264.00 feet, (9) South 06 degrees 31 minutes 53 seconds West 108.81 feet, (10) South 14 degrees 32 minutes 36 seconds ~~West~~ <sup>East</sup> 27.53 feet, (11) South 61 degrees 06 minutes 46 seconds East 60.19 feet, (12) South 32 degrees 36 minutes 06 seconds East 40.87 feet, (13) North 61 degrees 06 minutes 39 seconds West 77.64 feet, (14) South 07 degrees 58 minutes 57 seconds West 189.59 feet, (15) South 07 degrees 02 minutes 03 seconds East 98.87 feet, (16) South 86 degrees 01 minutes 36 seconds East 153.66 feet to a point on the northerly right-of-way of Woodholme Avenue, (17) thence by a 334.50 foot curve to the right, having a radius of 590.30 feet and a chord of South 13 degrees 39 minutes 25 seconds West 330.04 feet, (18) thence by a 65.62 foot curve to the left, having a radius of 105.00 feet and a chord of South 11 degrees 59 minutes 10 seconds West 64.56 feet to the point of beginning as recorded in Deed Liber 28535, Folio 130;

Containing a net area of 308,404.8 square feet, or 7.08 acres of land, more or less.



2/19/10

Item #0222

**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.**

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**For Newspaper Advertising:**

Item Number or Case Number: 2010-0222-SPHA  
Petitioner: CAPITAL HEALTH GROUP  
Address or Location: 1400 WOODHOLME AVE

PLEASE FORWARD ADVERTISING BILL TO:

Name: GERARD FARRELL  
Address: CAPITAL HEALTH GROUP  
2 W BALTIMORE AVE SUITE 350  
MEDIA, PA 19063  
Telephone Number: 610-565-7821

Revised 7/11/05 - SCJ



**BALTIMORE COUNTY, MARYLAND**  
**OFFICE OF BUDGET AND FINANCE**  
**MISCELLANEOUS CASH RECEIPT**

No. \_\_\_\_\_

Date: \_\_\_\_\_

Rev Sub  
Source/ Rev/

| Fund | Dept | Unit | Sub Unit | Obj | Sub Obj | Dept Obj | BS Acct | Amount |
|------|------|------|----------|-----|---------|----------|---------|--------|
|      |      |      |          |     |         |          |         |        |
|      |      |      |          |     |         |          |         |        |
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|      |      |      |          |     |         |          |         |        |
|      |      |      |          |     |         |          |         |        |
|      |      |      |          |     |         |          |         |        |

Total: \_\_\_\_\_

Rec

From: \_\_\_\_\_

For: \_\_\_\_\_

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S  
VALIDATION**

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: 2010-0222-SPHA

1700 Woodholme Avenue

W/side of Woodholme Avenue, 1100 feet +/- west of centerline of Old Court Road

3rd Election District — 2nd Councilmanic District

Legal Owner(s): Pikesville Real Estate, LLC

**Special Hearing:** for a commercial special even banner sign to be displayed for 180 days in lieu of the permitted 30 days. **Variance:** to permit a commercial special even banner sign of 280 square feet in lieu of the permitted 8 square feet.

**Hearing:** Monday, April 12, 2010 at 10:00 a.m. in Room 104, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III

Zoning Commissioner for Baltimore County

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

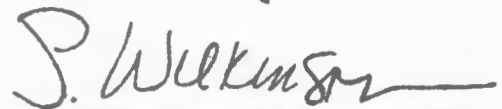
(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.  
03/398 March 25 233656

## CERTIFICATE OF PUBLICATION

3/25/, 2010

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/25/, 2010.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News



LEGAL ADVERTISING

# Certificate of Posting

RE: Case NO. 2010-0222-SPHA

Gerald Farrell c/o Stanley Fine

Date of Hearing/Closing 4/12/10

Baltimore County  
Department of Permits and Development Managements  
County Office Building – Room 111  
111 W. Chesapeake Ave.  
Towson, Md. 21204

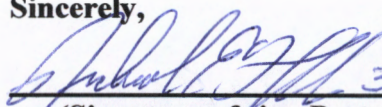
**Attention:**

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

1700 Woodholme Ave.

The sign(s) were posted on 3/27/10  
(Month, Day, Year)

Sincerely,

 3/27/10  
(Signature of sign Poster and date)

Richard E. Hoffman  
(Printed Name)

904 Dellwood Drive  
(Address)

Fallston, Md. 21047  
(City, State, Zip Code)

410-879-3122  
(Telephone Number)

See Attached  
Photograph



*Michael J. H. 3/27/10*  
(Signature and date of sign poster)



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
County Executive

TIMOTHY M. KOTROCO, *Director*  
*Department of Permits and*  
*Development Management*

March 15, 2010

**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: 2010-0222-SPHA**

1700 Woodholme Avenue

W/side of Woodholme Avenue, 1100 feet +/- west of centerline of Old Court Road

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

Legal Owners: Pikesville Real Estate, LLC

Special Hearing for a commercial special even banner sign to be displayed for 180 days in lieu of the permitted 30 days. Variance to permit a commercial special even banner sign of 280 square feet in lieu of the permitted 8 square feet.

Hearing: Monday, April 12, 2010 at 10:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink that reads "Timothy Kotroco".

Timothy Kotroco  
Director

TK:klm

C: Stanley Fine, 25 S. Charles Street, Ste. 2115, Baltimore 21201  
Gerard Farrell, Pikesville Real Estate, LLC, 2 W. Baltimore Ave., Ste. 350, Media PA 19063

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, MARCH 27, 2010.**
- (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  
Thursday, March 25, 2010 Issue - Jeffersonian

Please forward billing to:

Gerard Farrell  
Capital Health Group  
2 W. Baltimore Avenue, Ste. 350  
Media, PA 19063

610-565-7821

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## NOTICE OF ZONING HEARING

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

**CASE NUMBER: 2010-0222-SPHA**

1700 Woodholme Avenue

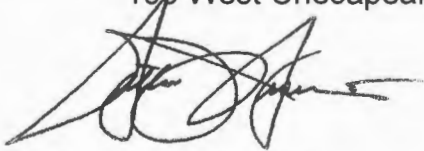
W/side of Woodholme Avenue, 1100 feet +/- west of centerline of Old Court Road

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

Legal Owners: Pikesville Real Estate, LLC

Special Hearing for a commercial special even banner sign to be displayed for 180 days in lieu of the permitted 30 days. Variance to permit a commercial special even banner sign of 280 square feet in lieu of the permitted 8 square feet.

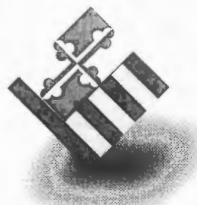
Hearing: Monday, April 12, 2010 at 10:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



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.





**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

TIMOTHY M. KOTROCO, *Director*  
*Department of Permits and*  
*Development Management*

April 6, 2010

Stanley Fine  
Rosenberg Martin Greenberg, LLP  
25 S. Charles St. Ste. 2115  
Baltimore, MD 21201

Dear: Stanley Fine

RE: Case Number 2010-0222-SPHA, 1700 Woodholme Ave.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 22, 2010. 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.

Very truly yours,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." with a stylized flourish at the end.

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel  
Gerard Farrell, Pikesville Real Estate, LLC; 2 W. Baltimore Ave, Ste. 350; Media, PA 19063



TB  
4-12-10

**BALTIMORE COUNTY, MARYLAND**

**Inter-Office Correspondence**



**RECEIVED**

**APR 12 2010**

**ZONING COMMISSIONER**

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: April 12, 2010

SUBJECT: Zoning Item # 10-222-SPHA  
Address 1700 Woodholme Avenue  
(Pikesville Real Estate, LLC Property)

Zoning Advisory Committee Meeting of March 1, 2010.

  X   The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

Reviewer: JWL

Date: 4/12/2010

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

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

**DATE:** April 9, 2010

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

**RECEIVED**

**SUBJECT:** 1700 Woodholme Avenue

**APR 09 2010**

**INFORMATION:**

**ZONING COMMISSIONER**

**Item Number:** 10-222

**Petitioner:** Pikesville Real Estate LLC

**Zoning:** DR 5.5

**Requested Action:** Special Hearing and Variance

The property in question is known as 1700 Woodholme Avenue, located at the wooded terminus of Woodholme Avenue and backing onto I-695. A special exception for a 100 bed Assisted living facility was granted in Case No. 04-399xa and extended in Case No. 06-420sph. The Woodholme Gardens Assisted living facility is currently under construction with a projected opening date of September 15, 2010.

The petitioner requests a special hearing and variance to permit a 280 square foot commercial special event banner to be displayed 180 days in lieu of the permitted 30 days on the north side building wall. The Woodholme Gardens Opening Soon sign would be visible from the westbound lanes of I-695.

The petitioner's attorney has agreed by way of e-mail to amend the request to 90 days to address concerns raised by the Office of Planning.

**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning does not oppose the requested relief due to the unique circumstances involving the subject property and its limited visibility from Woodholme Avenue.

If the special hearing and variance are granted, this case should not be considered as a precedent for any other zoning hearing.

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

**Prepared by:**

**Division Chief:**  
AFK/LL: CM



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

JOHN J. HOHMAN, *Chief*  
*Fire Department*

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

March 8, 2010

ATTENTION: Zoning Review Planners

Distribution Meeting Of: March 1, 2010

Item Numbers: 0219, 0220, 0221, 0222, 0223, 0224 and 0225

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 Roland P Bosley Jr.  
Fire Marshal's Office  
410-887-4881 (C) 443-829-2946  
MS-1102F

cc: File

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**FROM:** Dennis A. Kennedy, Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For March 15, 2010  
Item Nos. 2010-220, 221, 222, 223,  
224 and 225

**DATE:** March 3, 2010

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

DAK:CEN:cab

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-03152010 -NO COMMENTS.doc





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

State Highway  
Administration

Beverley K. Swaim-Staley, Secretary  
Neil J. Pedersen, Administrator

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: MARCH 4, 2010

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

RE: Baltimore County  
Item No. 2010-0222-SPHA  
1700 WOODHOLME AVE.  
PIKESVILLE REAL ESTATE, LLC  
VARIANCE -  
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. 2010-0222-SPHA.

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

Very truly yours,

For<sup>1</sup> Steven D. Foster, Chief  
Engineering Access Permits  
Division

SDF/mb

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

Maryland Relay Service for Impaired Hearing or Speech 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street • Baltimore, Maryland 21202 • Phone 410.545.0300 • [www.sha.maryland.gov](http://www.sha.maryland.gov)

TB  
4-12-10

**Baltimore County Government  
Department of Economic Development**



**BALTIMORE COUNTY**  
MARYLAND

400 Washington Avenue  
Towson, MD 21204

(410) 887-8000  
Fax (410) 887-8017

**MEMORANDUM**

To: Zoning Commissioner  
Zoning Commissioner's Office

**RECEIVED**

**APR 12 2010**

From: Peirce Macgill *PM*  
Commercial Revitalization Specialist

**ZONING COMMISSIONER**

Date: April 9, 2010

Re: Variance – Pikesville Real Estate LLC (Case Number: 2010-0222-SPHA)

The Department of Economic Development supports the requested variances submitted by Pikesville Real Estate, LLC. Pikesville Real Estate, LLC, is requesting a commercial banner sign be advertised for 180 days in lieu of the allowed 30 days, as well as a variance to permit a commercial banner sign of 280 square feet in lieu of the permitted 8 square feet. The signs would be advertising an assisted living facility located at 1700 Woodholme Avenue.

Typically, the Department of Economic Development would be against temporary signs of this size, but in this case there are special circumstances. First, the banners would not be visible along a commercial corridor and, thus, would not create the visual clutter that temporary signs often do. As the assisted living facility is tucked back off the main road system, the banners would be visible only to the beltway and not to the neighborhood. Second, the assisted living facility in question has had a difficult time getting off the ground and occupied. A key reason for this is a lack of visibility for the facility. The banners would be of great assistance in making the public aware of their opening. This kind of temporary advertising is critical for any new business. Finally, the success of the facility would be beneficial to downtown Pikesville as more potential customers for the businesses would be located in close proximity to the downtown area.

Again, the Department of Economic Development supports the proposed project and encourages the approval of the requested variances. Thank you for your time and attention to this matter. If you have any questions, please feel free to contact me at extension 2589.

cc: Ms. Caroline L. Hecker

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
AND VARIANCE \*  
1700 Woodholme Avenue; W/S Woodholme \* ZONING COMMISSIONER  
Avenue, 1100' W c/line of Old Court Road \*  
3<sup>rd</sup> Election & 2<sup>nd</sup> Councilmanic Districts \* FOR  
Legal Owner(s): Pikesville Real Estate, LLC \*  
Petitioner(s) \* BALTIMORE COUNTY  
\* 10-222-SPHA

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all 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  
Jefferson Building, Room 204  
105 West Chesapeake Avenue  
Towson, MD 21204  
(410) 887-2188

RECEIVED

MAR 04 2010

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 4<sup>th</sup> day of March, 2010, a copy of the foregoing Entry of Appearance was mailed to Gerard Farrell, 2 W. Baltimore Avenue, Suite 350, Media, PA 19063 and Stanley Fine, Esquire, Rosenberg Martin Greenberg, LLP, 25 S. Charles Street, Suite 2115, Baltimore, MD 21201, Attorney for Petitioner(s).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County



CASE NAME 1700 WOODHOLME AVE  
CASE NUMBER 210 222 SP4A  
DATE 4/12/10

[illegible]



Case No.: 2010-0277-SPHA

Exhibit Sheet

Petitioner/Developer

Protestant

|              |                                                                  |  |
|--------------|------------------------------------------------------------------|--|
| No. 1        | site plan                                                        |  |
| No. 2        | photographs of site<br>and from Beltway                          |  |
| No. 3        | elevation drawings and<br>signage details                        |  |
| No. 4        | Memo of support dated<br>4-9-10 from Dept. of Ec. Dev.           |  |
| No. 5        | letter of support dated<br>4-6-10 from Pine Ridge Comm Assn      |  |
| No. 6        | email string indicating no<br>objection from Woodholme Green HOB |  |
| No. 7<br>A+B | Written Witness testimony                                        |  |
| No. 8        |                                                                  |  |
| No. 9        |                                                                  |  |
| No. 10       |                                                                  |  |
| No. 11       |                                                                  |  |
| No. 12       |                                                                  |  |



PETITIONER'S

EXHIBIT NO.

2A-N

















E













H





I













K













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**Baltimore County Government  
Department of Economic Development**



**BALTIMORE COUNTY**  
MARYLAND

400 Washington Avenue  
Towson, MD 21204

(410) 887-8000  
Fax (410) 887-8017

**MEMORANDUM**

To: Zoning Commissioner  
Zoning Commissioner's Office

From: Peirce Macgill  
Commercial Revitalization Specialist

Date: April 9, 2010

Re: Variance – Pikesville Real Estate LLC (Case Number: 2010-0222-SPHA)

The Department of Economic Development supports the requested variances submitted by Pikesville Real Estate, LLC. Pikesville Real Estate, LLC, is requesting a commercial banner sign be advertised for 180 days in lieu of the allowed 30 days, as well as a variance to permit a commercial banner sign of 280 square feet in lieu of the permitted 8 square feet. The signs would be advertising an assisted living facility located at 1700 Woodholme Avenue.

Typically, the Department of Economic Development would be against temporary signs of this size, but in this case there are special circumstances. First, the banners would not be visible along a commercial corridor and, thus, would not create the visual clutter that temporary signs often do. As the assisted living facility is tucked back off the main road system, the banners would be visible only to the beltway and not to the neighborhood. Second, the assisted living facility in question has had a difficult time getting off the ground and occupied. A key reason for this is a lack of visibility for the facility. The banners would be of great assistance in making the public aware of their opening. This kind of temporary advertising is critical for any new business. Finally, the success of the facility would be beneficial to downtown Pikesville as more potential customers for the businesses would be located in close proximity to the downtown area.

Again, the Department of Economic Development supports the proposed project and encourages the approval of the requested variances. Thank you for your time and attention to this matter. If you have any questions, please feel free to contact me at extension 2589.

cc: Ms. Caroline L. Hecker

**PETITIONER'S**

**EXHIBIT NO.**

4



PINE RIDGE COMMUNITY ASSOCIATION

1321 Harden Lane  
Baltimore, Maryland 21208

Tel: (410) 484-8701  
Fax: (410) 484-8703  
E-mail: HJNeedle@comcast.net

April 6, 2010

Mr. Thomas H. Bostwick  
Deputy Zoning Commissioner  
105 W. Chesapeake Ave., Suite 103  
Towson, MD 21204

Re: Case No.: 2010-0222-SPHA  
1700 Woodholme Avenue  
Legal Owners: Pikesville Real Estate, LLC  
Hearing: April 12, 2010

Dear Mr. Bostwick

Please be advised that the Pine Ridge Community Association, the boundaries of which embrace the subject property, **does not object to, and in fact supports**, the request of the owners of the property located at 1700 Woodholme Avenue in Pikesville for a variance to permit a commercial special event banner to be displayed on its property for 180 days in lieu of the permitted 30 days and for that banner to be 280 square feet in lieu of the permitted 8 square feet. It is in the best interests of the residents of the Pine Ridge Community Association for the Woodholme Gardens Assisted Living and Memory Care facility to be successful at this location.

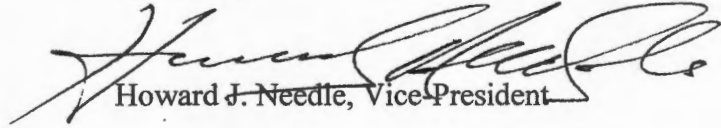
The structure that has been built has no access to any well-traveled street and therefore any sign on the front of its building would not be visible to the general public. In order to advertise the opening of the facility, it is necessary and appropriate for the owners to place a banner on the north side of the building which faces westbound traffic traveling on the outer loop of the Beltway. It is noteworthy that the sign will not face, and cannot be seen by, eastbound traffic on the inner loop of the Beltway where, at that location, there is a difficult and dangerous merge for such traffic with eastbound traffic coming off of I-795. This sign cannot adversely impact that traffic problem.

PETITIONER'S

EXHIBIT NO. 5

Please place this letter in the appropriate file, and call it to the attention of the Zoning Commissioner. Thank you for your compliance with this request.

Sincerely,



Howard J. Needle, Vice President

Cc: Stanley S. Fine, Esq.  
Hon. Nancy Paige, President



**Hecker, Caroline**

---

**From:** Fine, Stanley  
**Sent:** Wednesday, April 07, 2010 8:30 AM  
**To:** Hecker, Caroline  
**Subject:** FW: Woodholme Green HOA

For Woodholme case.

**Stanley S. Fine**  
**Rosenberg | Martin | Greenberg, LLP**  
25 South Charles Street, Suite 2115  
Baltimore, Maryland 21201  
410.727.6600 (p)  
410.727.1115 (f)  
[www.rosenbergmartin.com](http://www.rosenbergmartin.com)



**ROSENBERG | MARTIN | GREENBERG, LLP**

---

**From:** myra taliaferro [mailto:mtaliaferro@woodholmegardens.com]  
**Sent:** Tuesday, April 06, 2010 4:55 PM  
**To:** Fine, Stanley  
**Subject:** Fwd: Woodholme Green HOA

Hello Stanley,

Here is the letter from Linda Priebe.

Myra

Myra Taliaferro  
Executive Director  
Woodholme Gardens  
Assisted Living and Memory Care  
Phone: (410) 580-1400  
Cell: (240) 381-5577

-----Original Message-----

**From:** Priebelf@aol.com  
**To:** mtaliaferro@woodholmegardens.com  
**Date:** Mon, 5 Apr 2010 21:21:31 EDT  
**Subject:** Woodholme Green HOA

Hello Myra,

The Woodholme Green HOA understands and has no objection to your request to display a sign on the side of the building (Woodholme Gardens Assisted Living and Memory Care) facing the Baltimore beltway rather than on the front of the building as provided under MD law.

We look forward to enjoying a good neighbor relationship with you.

On behalf of Woodholme Green Homeowners Association  
Linda F Priebe

**PETITIONER' S**

**EXHIBIT NO.**

6

4/7/2010



# ROSENBERG | MARTIN | GREENBERG, LLP

25 South Charles Street, Suite 2115 Baltimore, Maryland 21201-3305 410-727-6600

## BALTIMORE COUNTY ZONING HEARING OUTLINE

**CAPITAL HEALTH GROUP  
1400 WOODHOLME AVENUE**

**April 12, 2010**

### **RICK RICHARDSON – TESTIMONY**

**Name:** Rick Richardson

**Address:**

**Employer, employer's address:** Richardson Engineering, LLC  
30 E. Padonia Road  
Suite 500  
Timonium, MD 21093

**What is your job title?**

**Please describe the nature of the services you provide.**

**Have you ever testified as an expert witness in the field of site engineering before the Zoning Commissioner of Baltimore County?**

Yes.

**Have you ever been accepted an approved as such an expert witness?**

Yes.

**I offer Mr. Richardson as an expert witness in site engineering.**

**Are you familiar with the petitions before the Zoning Commissioner? Yes.**

**What has been your involvement with this project?**

**As a result of the Petitioner's application, what variance is being requested?**

**PETITIONER' S**



A variance from Section 450.4.E.17 to permit a banner sign of 280 square feet in lieu of the permitted 8 square feet.

In addition, we have requested a Special Hearing to permit the banner sign to be displayed for 90 days in lieu of the permitted 30 days.

**Please identify the requested variance on the Plat to Accompany Zoning Petition.**

#### **EXHIBIT – PLAT TO ACCOMPANY ZONING PETITION**

**Is the subject property peculiar, unusual, or unique when compared to other properties in the neighborhood?**

**Are there certain characteristics of this property, such as “its shape, topography, sub-surface condition, environmental factors, historical significance, access or nonaccess to navigable waters, practical restrictions imposed by abutting properties (such as obstructions) or other similar restrictions” that make this property unique?**

Yes. The property is irregularly shaped and has significant grade changes, including low-lying drainage areas, which necessitated the construction of the building in its current location. The building could not have been located closer to Woodholme Avenue where it might have had some visibility to passing motorists. The existing structure was 70% constructed when Capital Health Group acquired the property and is set back significantly from Woodholme Avenue. As a result, the view of the building from Woodholme Avenue is obstructed by a wooded area in front of the building. The building therefore has no visible frontage on Woodholme Avenue where a sign would be visible to passing motorists. The rear of the property, facing I-695, is the only portion of the building that is visible to the public.

**Since you have indicated that the property is peculiar, unusual, or unique, would strict compliance with the Baltimore County Zoning Regulations result in a practical difficulty or unreasonable hardship to the Petitioner?**

Yes. A sign of 8 square feet, which would be permitted in this Zoning District, would not be large enough to be visible to passing motorists on the Beltway, and would likely create a distraction as motorists strained to read the sign.

**Would the granting of the variance be injurious to the use and enjoyment of the other property owners in the immediate vicinity, or substantially diminish and impair property values in the neighborhood?**

No. The granting of the variance would not be injurious to the use and enjoyment of other property owners in the immediate vicinity, as none of the neighboring property owners would be able to see the sign from their properties. It will therefore have no impact on property values in the neighborhood.

We have shared our plans for the proposed sign with the Pikesville Chamber of Commerce, the Woodholme Green Association and the Pine Ridge Association.

We have also shared our plans for the sign with the Baltimore County Office of Economic Development and have received a letter of support from them.

**EXHIBIT – LETTER OF SUPPORT – ECONOMIC DEVELOPMENT OFFICE**

**EXHIBIT – LETTER OF SUPPORT - PINE RIDGE COMMUNITY ASSN.**

**EXHIBIT – EMAIL FROM WOODHOLME GREEN HOMEOWNERS ASSN.**

**Would the granting of the variance impair an adequate supply of light and air to adjacent property, or overcrowd the land, or create an undue concentration of population, or substantially increase the congestion of the streets, or create hazardous traffic conditions, or increase the danger of fire, or otherwise endanger the public safety?**

No. The granting of the requested variance will have no effect on any of these factors. In fact, by permitting a larger sign than what would otherwise be permitted, the granting of the variance will likely create less hazardous traffic conditions by permitting a sign that is large enough to be viewed by passing motorists without creating a distraction.

**Would the granting of the variance adversely affect transportation or unduly burden water, sewers, school, park, or other public facilities?**

No. The granting of the variance will have no effect on any of these factors.

**Would the granting of the variance be in strict harmony with the spirit and intent of the BCZR?**

Yes.

**Would the granting of the variance cause any injury to the public health, safety, or general welfare?**

No.





# ROSENBERG | MARTIN | GREENBERG, LLP

25 South Charles Street, Suite 2115 Baltimore, Maryland 21201-3305 410-727-6600

## BALTIMORE COUNTY ZONING HEARING OUTLINE

CAPITAL HEALTH GROUP  
1400 WOODHOLME AVENUE

April 12, 2010

**\*\* AMEND PETITION FOR SPECIAL HEARING TO REQUEST PERMISSION  
FOR BANNER TO BE DISPLAYED FOR 90 DAYS IN LIEU OF 180 DAYS  
AS ORIGINALLY REQUESTED. \*\***

### STEPHEN BOWMAN – TESTIMONY

**Name:** Stephen Bowman - *President*  
**Address:** 217 Montgomery Street. 6<sup>th</sup>, Syracuse, NY 13202  
**Employer, employer's address:** Peregrine Health Management Company

#### **Your job title and responsibilities at Peregrine Health Management Company:**

Responsible for the operation and marketing of assisted living facilities

**Are you familiar with the petitions before the Zoning Commissioner?** Yes

**What is the location that is the subject of the petition?** 1700 Woodholme Avenue

**What is your interest in the property?** Capital Health Group owns the property, and  
Peregrine will operate and market the facility.

**What is at this location currently?**

Capital Health Group purchased the property at foreclosure last year from a prior owner who had completed approximately 70% of the construction of an assisted living facility. Capital Health is completing construction of the facility and plans to open Woodholme Gardens Assisted Living and Memory Care at this location in mid-September 2010.

**Describe the property.**

#### **EXHIBIT – PLAT TO ACCOMPANY ZONING PETITION**

(Explain access, parking, location of improvements, size and shape of property.)

**Identify photographs of property.**

**PETITIONER'S**

**EXHIBIT NO.**

*7B*

## **EXHIBIT – PHOTOS**

### **What is being proposed at this location?**

Woodholme Gardens Assisted Living and Memory Care Facility

### **Describe Woodholme Gardens Assisted Living and Memory Care Facility.**

**Concept:** Woodholme Gardens will be an assisted living community for the elderly, offering congregate meals, medication management, and activities. There will also be designated space for persons with memory disorders.

**Number of Residents:** 56

### **How many new jobs do you expect to create at this facility?**

Approximately 40 full-time jobs (or equivalent)

### **What is the amount of capital investment for this project?**

Approximately \$13,000,000, all privately financed.

### **What is the subject of these Petitions for Variance and Special Hearing?**

We have applied for a variance to hang a 280-square foot banner sign on the side of the building facing the Beltway.

We have also applied for a special hearing to permit this sign to be displayed for 90 days.

### **What is the special event that the banner will advertise?**

The grand opening of the Woodholme Gardens facility, which we hope will be a one-time event.

### **Describe the location of the proposed banner sign.**

The sign will be located on the north elevation of the building facing south-bound traffic on I-695.

EXHIBIT – SEE PLAT TO ACCOMPANY ZONING PETITION

### **Why are you proposing this sign?**

The building is set back significantly and has no visibility from Woodholme Avenue, which is a very lightly trafficked street even if the building were visible. The only other frontage the building has is along the Beltway. In order for a sign advertising the building to be effective, it must be visible to passing motorists – motorists would not be able to read an 8 sq. ft. sign that would be permitted. In addition, we would like to display the banner for 90 days in lieu of the permitted 30 days in order to maximize the visibility of the advertisement. In light of the fact



that the prior owner of the property was unable to profit from its investment and ended up in foreclosure, we believe that the assisted living facility needs as much advertisement exposure as possible to avoid another false start.

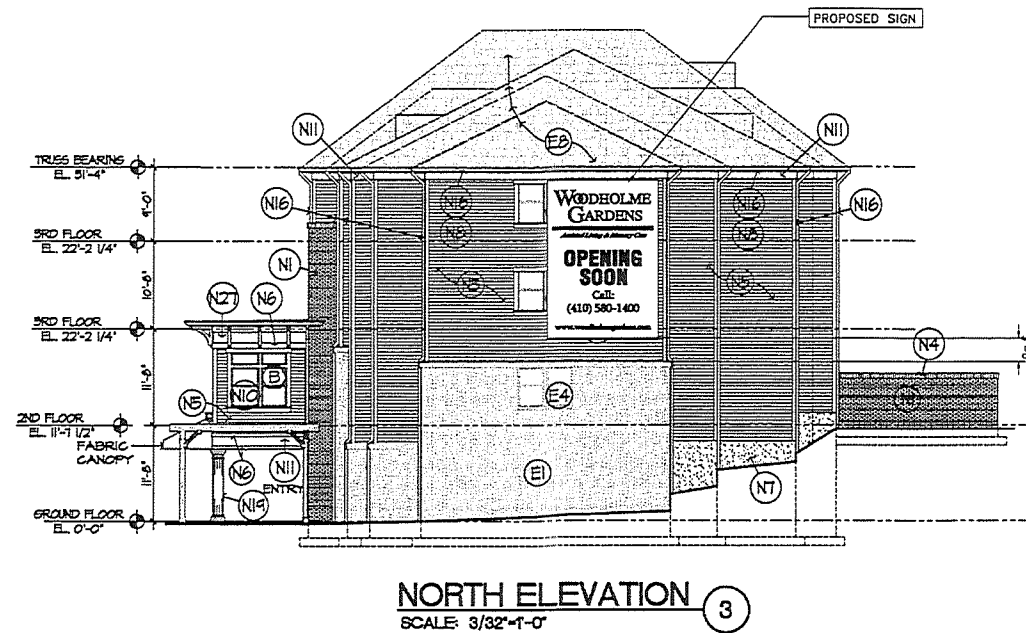
**If the petition is approved, what is the plan for implementation?**

If the petitions are approved, we would plan to display the banner sign from August 1, 2010 to October 31, 2010.

*plan to open 9-15-10*

*45 days before opening  
+ 45 days after*

G:\Jobs\2009\09050 Woodholme Road\Drawings\09050rpl.dwg, Layout 2 Sign Details, 3/4/2010 11:11:00 AM



#### EXISTING ZONING CASES:

1. WOODHOLME GREEN CRG PLAN APPROVED 05-28-1987
2. ROSLYN STATION REVISED CRG PLAN SIGNED 01-27-1989
3. ROSLYN STATION II CRG PLAN APPROVED 02-02-1989
  - CBA-89-108 APPROVED 08-03-1989 WITHOUT TRANSFER OF DENSITY FROM ROSLYN STATION SECTION I.
  - CASE 89-CG-3856 APPROVED 04-17-1990 CBA RULED IN ERROR AND REINSTATES ORIGINAL CRG.
  - No. 795 SEPT. TERM 1990 MD COURT OF SPECIAL APPEALS UPHOLDS COUNTY CIRCUIT COURT RULING (CASE 89-CG-3856) THIS DECISION DATED 03-01-1991.
  - No. 41 SEPT. TERM 1991 MD COURT OF APPEALS REVERSES COURT OF SPECIAL APPEALS AND CIRCUIT COURT RULINGS AND REINSTATES CBA DECISION (CBA-89-108) THIS DECISION DATED 10-27-1992.
  - AMENDED ROSLYN STATION II CRG APPROVED WITH 38 CONDOMINIUM UNITS ON 05-20-1993.
  - DRC-012004A REFINEMENT TO THE DEVELOPMENT PLAN TO ALLOW AN ASSISTED LIVING FACILITY APPROVED ON 01-29-2004.
4. ADDITION TO ROSLYN STATION CRG PLAN APPROVED 02-20-1992

PETITIONER'S

EXHIBIT NO. 3

#### Richardson Engineering, LLC

30 East Padonia Road, Suite 500  
Timonium, Maryland 21093  
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION  
FOR

ROSLYN STATION II  
WOODHOLME AVENUE

3RD ELECTION DISTRICT

BALTIMORE COUNTY, MARYLAND

| REVISIONS | DRAWN BY: | DESIGNED BY: | SCALE:     |
|-----------|-----------|--------------|------------|
|           | CND       | PCR          | AS SHOWN   |
|           | DATE:     | JOB NO.:     | SHEET NO.: |
|           | 02-17-09  | 09050        | 2 OF 2     |

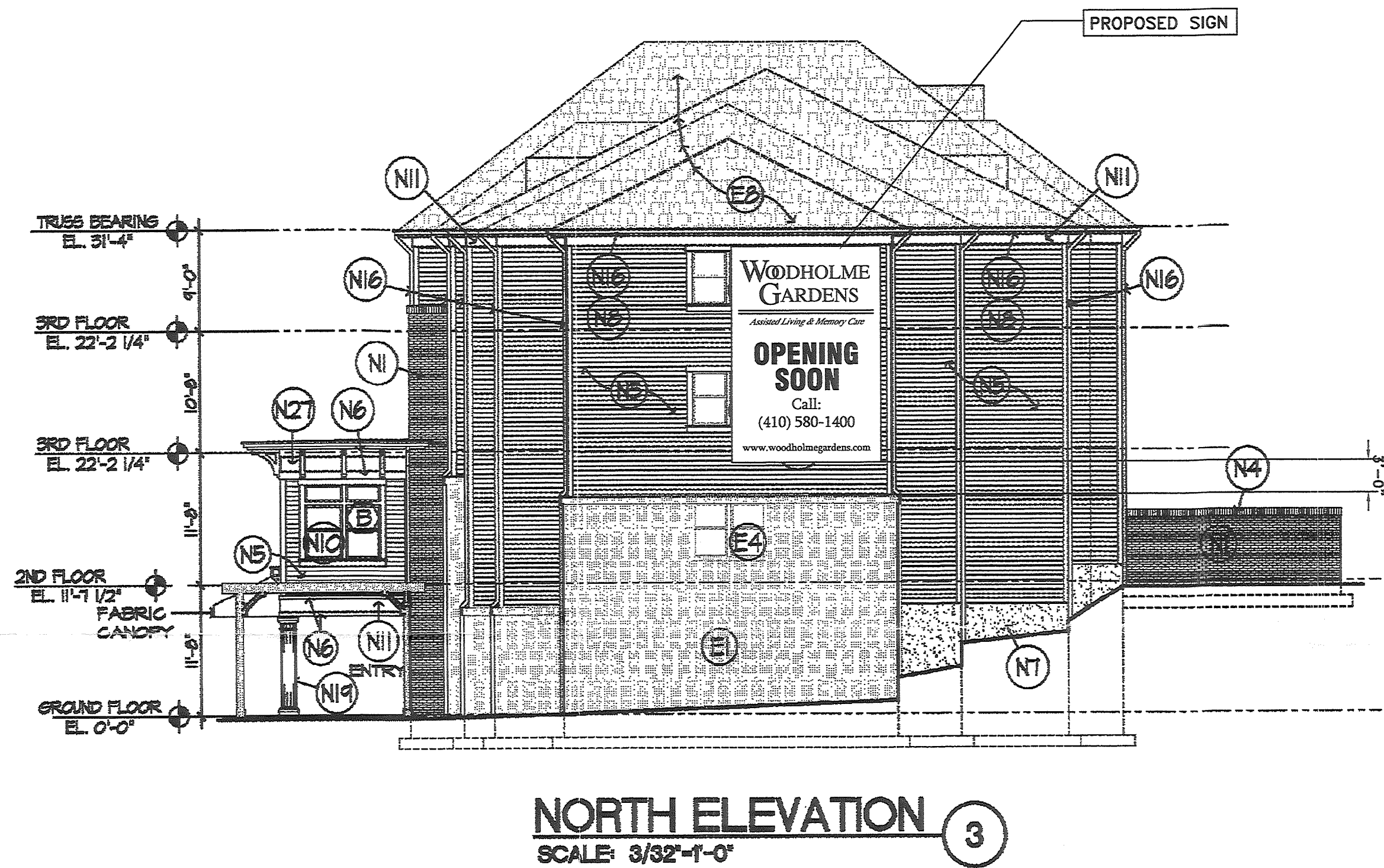


EXISTING ZONING CASES:

- 1. WOODHOLME GREEN CRG PLAN APPROVED 05-28-1987
- 2. ROSLYN STATION REVISED CRG PLAN SIGNED 01-27-1989
- 3. ROSLYN STATION II CRG PLAN APPROVED 02-02-1989
  - CBA-89-108 APPROVED 08-03-1989 WITHOUT TRANSFER OF DENSITY FROM ROSLYN STATION SECTION I.
  - CASE 89-CG-3856 APPROVED 04-17-1990 CBA RULED IN ERROR AND REINSTATES ORIGINAL CRG.
  - No. 795 SEPT. TERM 1990 MD COURT OF SPECIAL APPEALS UPHOLDS COUNTY CIRCUIT COURT RULING (CASE 89-CG-3856) THIS DECISION DATED 03-01-1991.
  - No. 41 SEPT. TERM 1991 MD COURT OF APPEALS REVERSES COURT OF SPECIAL APPEALS AND CIRCUIT COURT RULINGS AND REINSTATES CBA DECISION (CBA-89-108) THIS DECISION DATED 10-27-1992.
  - AMENDED ROSLYN STATION II CRG APPROVED WITH 38 CONDOMINIUM UNITS ON 05-20-1993.
  - DRC-012004A REFINEMENT TO THE DEVELOPMENT PLAN TO ALLOW AN ASSISTED LIVING FACILITY APPROVED ON 01-29-2004.
- 4. ADDITION TO ROSLYN STATION CRG PLAN APPROVED 02-20-1992

Prior Cases:

78-183-R  
04-399-XA  
06-420-SPH



SIGN DETAIL

SCALE: 1/4" = 1'

Richardson Engineering, LLC

30 East Padonia Road, Suite 500  
Timonium, Maryland 21093  
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION  
FOR

ROSLYN STATION II  
WOODHOLME AVENUE

| 3RD ELECTION DISTRICT |                   | BALTIMORE COUNTY, MARYLAND |                      |
|-----------------------|-------------------|----------------------------|----------------------|
| REVISIONS             | DRAWN BY:<br>CND  | DESIGNED BY:<br>PCR        | SCALE:<br>AS SHOWN   |
|                       | DATE:<br>02-17-09 | JOB NO.:<br>09050          | SHEET NO.:<br>2 OF 2 |

Item # 0222



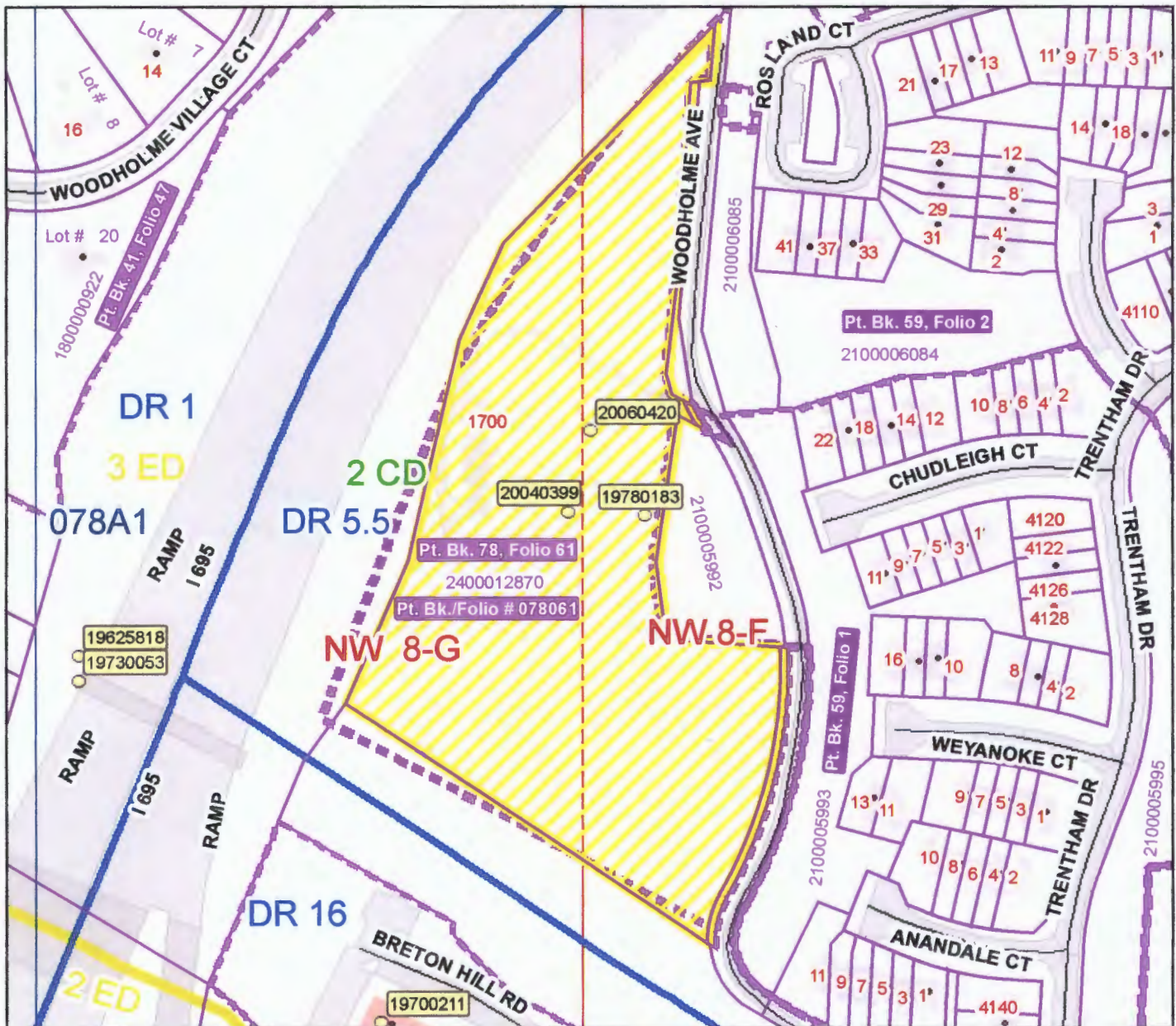


ZONING MAP #078A1  
SCALE: 1" = 200'

Item #0222



# Woodholme Avenue



Publication Date: February 22, 2010  
 Publication Agency: Department of Permits & Development Management  
 Projection/Datum: Maryland State Plane,  
 FIPS 1900, NAD 1983/91 HARN, US Foot



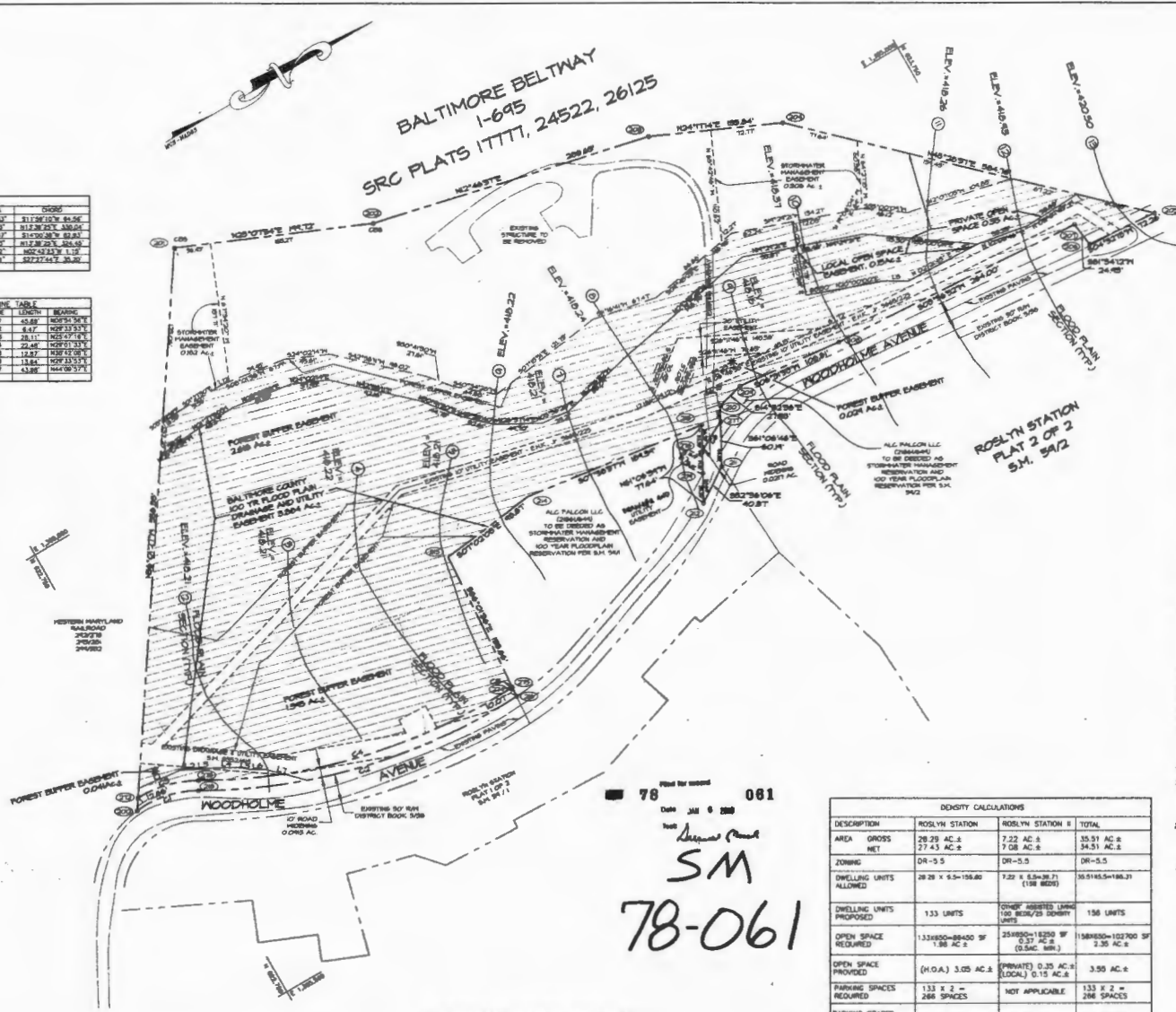
0 200 400  
 Feet

1 inch = 200 feet

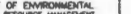
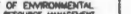
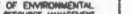
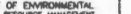
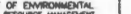
Item #0222



| COORDINATE LIST |             |              | LINE TABLE |                    |
|-----------------|-------------|--------------|------------|--------------------|
| POINT           | NORTHING    | EAST         | LINE       | BEARING            |
| 250             | 623272.8141 | 1354067.8149 | L1         | 45.882 N095°30'44" |
| 251             | 623222.8303 | 1354067.8149 | L2         | 8.417 N095°30'44"  |
| 252             | 623222.8303 | 1354067.8149 | L3         | 28.111 N095°30'44" |
| 253             | 623149.8303 | 1354068.8149 | L4         | 22.482 N095°30'44" |
| 254             | 623149.8303 | 1354068.8149 | L5         | 11.827 N095°30'44" |
| 255             | 623149.8303 | 1354068.8149 | L6         | 14.464 N095°30'44" |
| 256             | 623189.0343 | 1354070.8149 | L7         | 43.888 N09°33'51"  |
| 257             | 623189.0343 | 1354133.8149 | L8         | 43.888 N09°33'51"  |
| 258             | 623189.0343 | 1354133.8149 | L9         | 43.888 N09°33'51"  |
| 259             | 623189.0343 | 1354133.8149 | L10        | 43.888 N09°33'51"  |
| 260             | 623189.0343 | 1354133.8149 | L11        | 43.888 N09°33'51"  |
| 261             | 623189.0343 | 1354133.8149 | L12        | 43.888 N09°33'51"  |
| 262             | 623189.0343 | 1354133.8149 | L13        | 43.888 N09°33'51"  |
| 263             | 623189.0343 | 1354133.8149 | L14        | 43.888 N09°33'51"  |
| 264             | 623189.0343 | 1354133.8149 | L15        | 43.888 N09°33'51"  |
| 265             | 623189.0343 | 1354133.8149 | L16        | 43.888 N09°33'51"  |
| 266             | 623189.0343 | 1354133.8149 | L17        | 43.888 N09°33'51"  |
| 267             | 623189.0343 | 1354133.8149 | L18        | 43.888 N09°33'51"  |
| 268             | 623189.0343 | 1354133.8149 | L19        | 43.888 N09°33'51"  |
| 269             | 623189.0343 | 1354133.8149 | L20        | 43.888 N09°33'51"  |
| 270             | 623189.0343 | 1354133.8149 | L21        | 43.888 N09°33'51"  |
| 271             | 623189.0343 | 1354133.8149 | L22        | 43.888 N09°33'51"  |
| 272             | 623189.0343 | 1354133.8149 | L23        | 43.888 N09°33'51"  |
| 273             | 623189.0343 | 1354133.8149 | L24        | 43.888 N09°33'51"  |
| 274             | 623189.0343 | 1354133.8149 | L25        | 43.888 N09°33'51"  |
| 275             | 623189.0343 | 1354133.8149 | L26        | 43.888 N09°33'51"  |
| 276             | 623189.0343 | 1354133.8149 | L27        | 43.888 N09°33'51"  |
| 277             | 623189.0343 | 1354133.8149 | L28        | 43.888 N09°33'51"  |
| 278             | 623189.0343 | 1354133.8149 | L29        | 43.888 N09°33'51"  |
| 279             | 623189.0343 | 1354133.8149 | L30        | 43.888 N09°33'51"  |
| 280             | 623189.0343 | 1354133.8149 | L31        | 43.888 N09°33'51"  |
| 281             | 623189.0343 | 1354133.8149 | L32        | 43.888 N09°33'51"  |
| 282             | 623189.0343 | 1354133.8149 | L33        | 43.888 N09°33'51"  |
| 283             | 623189.0343 | 1354133.8149 | L34        | 43.888 N09°33'51"  |
| 284             | 623189.0343 | 1354133.8149 | L35        | 43.888 N09°33'51"  |
| 285             | 623189.0343 | 1354133.8149 | L36        | 43.888 N09°33'51"  |
| 286             | 623189.0343 | 1354133.8149 | L37        | 43.888 N09°33'51"  |
| 287             | 623189.0343 | 1354133.8149 | L38        | 43.888 N09°33'51"  |
| 288             | 623189.0343 | 1354133.8149 | L39        | 43.888 N09°33'51"  |
| 289             | 623189.0343 | 1354133.8149 | L40        | 43.888 N09°33'51"  |
| 290             | 623189.0343 | 1354133.8149 | L41        | 43.888 N09°33'51"  |
| 291             | 623189.0343 | 1354133.8149 | L42        | 43.888 N09°33'51"  |
| 292             | 623189.0343 | 1354133.8149 | L43        | 43.888 N09°33'51"  |
| 293             | 623189.0343 | 1354133.8149 | L44        | 43.888 N09°33'51"  |
| 294             | 623189.0343 | 1354133.8149 | L45        | 43.888 N09°33'51"  |
| 295             | 623189.0343 | 1354133.8149 | L46        | 43.888 N09°33'51"  |
| 296             | 623189.0343 | 1354133.8149 | L47        | 43.888 N09°33'51"  |
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| 299             | 623189.0343 | 1354133.8149 | L50        | 43.888 N09°33'51"  |
| 300             | 623189.0343 | 1354133.8149 | L51        | 43.888 N09°33'51"  |
| 301             | 623189.0343 | 1354133.8149 | L52        | 43.888 N09°33'51"  |
| 302             | 623189.0343 | 1354133.8149 | L53        | 43.888 N09°33'51"  |
| 303             | 623189.0343 | 1354133.8149 | L54        | 43.888 N09°33'51"  |
| 304             | 623189.0343 | 1354133.8149 | L55        | 43.888 N09°33'51"  |
| 305             | 623189.0343 | 1354133.8149 | L56        | 43.888 N09°33'51"  |
| 306             | 623189.0343 | 1354133.8149 | L57        | 43.888 N09°33'51"  |
| 307             | 623189.0343 | 1354133.8149 | L58        | 43.888 N09°33'51"  |
| 308             | 623189.0343 | 1354133.8149 | L59        | 43.888 N09°33'51"  |
| 309             | 623189.0343 | 1354133.8149 | L60        | 43.888 N09°33'51"  |
| 310             | 623189.0343 | 1354133.8149 | L61        | 43.888 N09°33'51"  |
| 311             | 623189.0343 | 1354133.8149 | L62        | 43.888 N09°33'51"  |
| 312             | 623189.0343 | 1354133.8149 | L63        | 43.888 N09°33'51"  |
| 313             | 623189.0343 | 1354133.8149 | L64        | 43.888 N09°33'51"  |
| 314             | 623189.0343 | 1354133.8149 | L65        | 43.888 N09°33'51"  |
| 315             | 623189.0343 | 1354133.8149 | L66        | 43.888 N09°33'51"  |
| 316             | 623189.0343 | 1354133.8149 | L67        | 43.888 N09°33'51"  |
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| 319             | 623189.0343 | 1354133.8149 | L70        | 43.888 N09°33'51"  |
| 320             | 623189.0343 | 1354133.8149 | L71        | 43.888 N09°33'51"  |
| 321             | 623189.0343 | 1354133.8149 | L72        | 43.888 N09°33'51"  |
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| 323             | 623189.0343 | 1354133.8149 | L74        | 43.888 N09°33'51"  |
| 324             | 623189.0343 | 1354133.8149 | L75        | 43.888 N09°33'51"  |
| 325             | 623189.0343 | 1354133.8149 | L76        | 43.888 N09°33'51"  |
| 326             | 623189.0343 | 1354133.8149 | L77        | 43.888 N09°33'51"  |
| 327             | 623189.0343 | 1354133.8149 | L78        | 43.888 N09°33'51"  |
| 328             | 623189.0343 | 1354133.8149 | L79        | 43.888 N09°33'51"  |
| 329             | 623189.0343 | 1354133.8149 | L80        | 43.888 N09°33'51"  |
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| 333             | 623189.0343 | 1354133.8149 | L84        | 43.888 N09°33'51"  |
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| 350             | 623189.0343 | 1354133.8149 | L101       | 43.888 N09°33'51"  |
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| 369             | 623189.0343 | 1354133.8149 | L120       | 43.888 N09°33'51"  |
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| 371             | 623189.0343 | 1354133.8149 | L122       | 43.888 N09°33'51"  |
| 372             | 623189.0343 | 1354133.8149 | L123       | 43.888 N09°33'51"  |
| 373             | 623189.0343 | 1354133.8149 | L124       | 43.888 N09°33'51"  |
| 374             | 623189.0343 | 1354133.8149 | L125       | 43.888 N09°33'51"  |
| 375             | 623189.0343 | 1354133.8149 | L126       | 43.888 N09°33'51"  |
| 376             | 623189.0343 | 1354133.8149 | L127       | 43.888 N09°33'51"  |
| 377             | 623189.0343 | 1354133.8149 | L128       | 43.888 N09°33'51"  |
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| 379             | 623189.0343 | 1354133.8149 | L130       | 43.888 N09°33'51"  |
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| 381             | 623189.0343 | 1354133.8149 | L132       | 43.888 N09°33'51"  |
| 382             | 623189.0343 | 1354133.8149 | L133       | 43.888 N09°33'51"  |
| 383             | 623189.0343 | 1354133.8149 | L134       | 43.888 N09°33'51"  |
| 384             | 623189.0343 | 1354133.8149 | L135       | 43.888 N09°33'51"  |
| 385             | 623189.0343 | 1354133.8149 | L136       | 43.888 N09°33'51"  |
| 386             | 623189.0343 | 1354133.8149 | L137       | 43.888 N09°33'51"  |
| 387             | 623189.0343 | 1354133.8149 | L138       | 43.888 N09°33'51"  |
| 388             | 623189.0343 | 1354133.8149 | L139       | 43.888 N09°33'51"  |
| 389             | 623189.0343 | 1354133.8149 | L140       | 43.888 N09°33'51"  |
| 390             | 623189.0343 | 1354133.8149 | L141       | 43.888 N09°33'51"  |
| 391             | 623189.0343 | 1354133.8149 | L142       | 43.888 N09°33'51"  |
| 392             | 623189.0343 | 1354133.8149 | L143       | 43.888 N09°33'51"  |
| 393             | 623189.0343 | 1354133.8149 | L144       | 43.888 N09°33'51"  |
| 394             | 623189.0343 | 1354133.8149 | L145       | 43.888 N09°33'51"  |
| 395             | 623189.0343 | 1354133.8149 | L146       | 43.888 N09°33'51"  |
| 396             | 623189.0343 | 1354133.8149 | L147       | 43.888 N09°33'51"  |
| 397             | 623189.0343 | 1354133.8149 | L148       | 43.888 N09°33'51"  |
| 398             | 623189.0343 | 1354133.8149 | L149       | 43.888 N09°33'51"  |
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| 400             | 623189.0343 | 1354133.8149 | L151       | 43.888 N09°33'51"  |
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| 402             | 623189.0343 | 1354133.8149 | L153       | 43.888 N09°33'51"  |
| 403             | 623189.0343 | 1354133.8149 | L154       | 43.888 N09°33'51"  |
| 404             | 623189.0343 | 1354133.8149 | L155       | 43.888 N09°33'51"  |
| 405             | 623189.0343 | 1354133.8149 | L156       | 43.888 N09°33'51"  |
| 406             | 623189.0343 | 1354133.8149 | L157       | 43.888 N09°33'51"  |
| 407             | 623189.0343 | 1354133.8149 | L158       | 43.888 N09°33'51"  |
| 408             | 623189.0343 | 1354133.8149 | L159       | 43.888 N09°33'51"  |
| 409             | 623189.0343 | 1354133.8149 | L160       | 43.888 N09°33'51"  |
| 410             | 623189.0343 | 1354133.8149 | L161       | 43.888 N09°33'51"  |
| 411             | 623189.0343 | 1354133.8149 | L162       | 43.888 N09°33'51"  |
| 412             | 623189.0343 | 1354133.8149 | L163       | 43.888 N09°33'51"  |
| 413             | 623189.0343 | 1354133.8149 | L164       | 43.888 N09°33'51"  |
| 414             | 623189.0343 | 1354133.8149 | L165       | 43.888 N09°33'51"  |
| 415             | 623189.0343 | 1354133.8149 | L166       | 43.888 N09°33'51"  |
| 416             | 623189.0343 | 1354133.8149 | L167       | 43.888 N09°33'51"  |
| 417             | 623189.0343 | 1354133.8149 | L168       | 43.888 N09°33'51"  |
| 418             | 623189.0343 | 1354133.8149 | L169       | 43.888 N09°33'51"  |
| 419             | 623189.0343 | 1354133.8149 | L170       | 43.888 N09°33'51"  |
| 420             | 6           |              |            |                    |

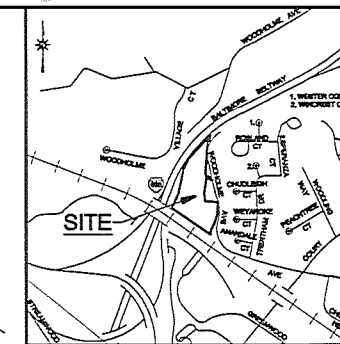
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| DENSITY CALCULATIONS    |                                   |                                                  |                                   |  |
|-------------------------|-----------------------------------|--------------------------------------------------|-----------------------------------|--|
| DESCRIPTION             | ROSLYN STATION                    | ROSLYN STATION B                                 | TOTAL                             |  |
| AREA GROSS NET          | 28.39 AC ±<br>27.43 AC ±          | 7.22 AC ±<br>7.08 AC ±                           | 35.61 AC ±<br>34.51 AC ±          |  |
| ZONING                  | DR-3.5                            | DR-5.5                                           | DR-5.5                            |  |
| DWELLING UNITS ALLOWED  | 28.28 x 5 = 156.40                | 7.22 x 5.5 = 39.71<br>(1.08 REB.)                | 35.61 x 5.5 = 195.81              |  |
| DWELLING UNITS PROPOSED | 133 UNITS                         | CON'D. ADJESTED UNITS<br>REB./RED. DENSITY UNITS | 158 UNITS                         |  |
| OPEN SPACE REQUIRED     | 133(800) = 80,040 SF<br>1.98 AC ± | 25(800) = 20,000 SF<br>(0.5AC. MIN.)             | 100,040 = 102,700 SF<br>2.35 AC ± |  |
| OPEN SPACE PROVIDED     | (H.O.A.) 3.05 AC ±                | (PRIVATE) 0.25 AC ±<br>(LOCAL) 1.15 AC ±         | 3.50 AC ±                         |  |
| PARKING SPACES REQUIRED | 133 x 2 =<br>266 SPACES           | NOT APPLICABLE                                   | 133 x 2 =<br>266 SPACES           |  |
| PARKING SPACES PROVIDED | 33.6 SPACES                       | 35 SPACES                                        | 34.3 SPACES                       |  |

|                                      |  |  |  |                                  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                                                                               |  |                                                                                                                            |  |
|--------------------------------------|--|--|--|----------------------------------|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|---------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------------------------|--|
| DESIGN AND DRAWING BASED ON STATIONS |  |  |  | DATE COMPLETED: <b>9-28-2005</b> |  | OWNERS' CERTIFICATE:                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |  | SURVEYORS' CERTIFICATE:                                                               |  | DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |  | OWNER                                                                                                         |  | ROSLYN STATION II                                                                                                          |  |
| STATION                              |  |  |  | FINAL PLAT P.D.M.                |  | THE UNDERSIGNED HAS REVIEWED THIS PLAT AND THE SURVEYONER'S REPORT HEREON, AND ON THIS DATE, I HAVE BEEN CONVINCED BY THE EVIDENCE OF THE REAL PROPERTY INTEREST OF THE ANNOTATED COPIES OF THE RECORDS OF THE DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT, THAT THE SURVEYONER HAS COMPLIED WITH THE REQUIREMENTS OF THE REAL PROPERTY ACT, AND THAT THE SURVEYONER'S REPORT IS CORRECT AND THAT THE SURVEYONER IS A LICENSED SURVEYOR.                                      |  |  |  | DIRECTOR: <u>E. J. [Signature]</u> DATE: <u>9/28/05</u><br>DEPUTY DIRECTOR: _____ DATE: _____<br>CHIEF OF BUREAU: _____ DATE: _____<br>CHIEF OF DIVISION: _____ DATE: _____<br>CHIEF OF SECTION: _____ DATE: _____<br>CHIEF OF OFFICE: _____ DATE: _____<br>CHIEF OF UNIT: _____ DATE: _____<br>CHIEF OF BRANCH: _____ DATE: _____<br>CHIEF OF DIVISION: _____ DATE: _____<br>CHIEF OF SECTION: _____ DATE: _____<br>CHIEF OF OFFICE: _____ DATE: _____<br>CHIEF OF UNIT: _____ DATE: _____<br>CHIEF OF BRANCH: _____ DATE: _____ |  | ALC FALCON LLC<br>10315 OLD COLUMBIAN BLVD. SUITE C230<br>COLLEGE PARK, MARYLAND 20740-1797<br>(410) 841-8888 |  | 3rd ELECTION DISTRICT    2nd COUNCILMANIC DISTRICT<br>BALTIMORE COUNTY, MARYLAND<br>SCALE: 1"=50'    DATE: SEPTEMBER, 2005 |  |
| EASTING                              |  |  |  | P.D.M. & PLANS:                  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                                                                               |  |                                                                                                                            |  |
| NORTHING                             |  |  |  | DEV. DESIGN:                     |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                                                                               |  |                                                                                                                            |  |
| VERTICAL                             |  |  |  | DEV. CHECKED:                    |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |  |                                                                                       |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |  |                                                                                                               |  |                                                                                                                            |  |
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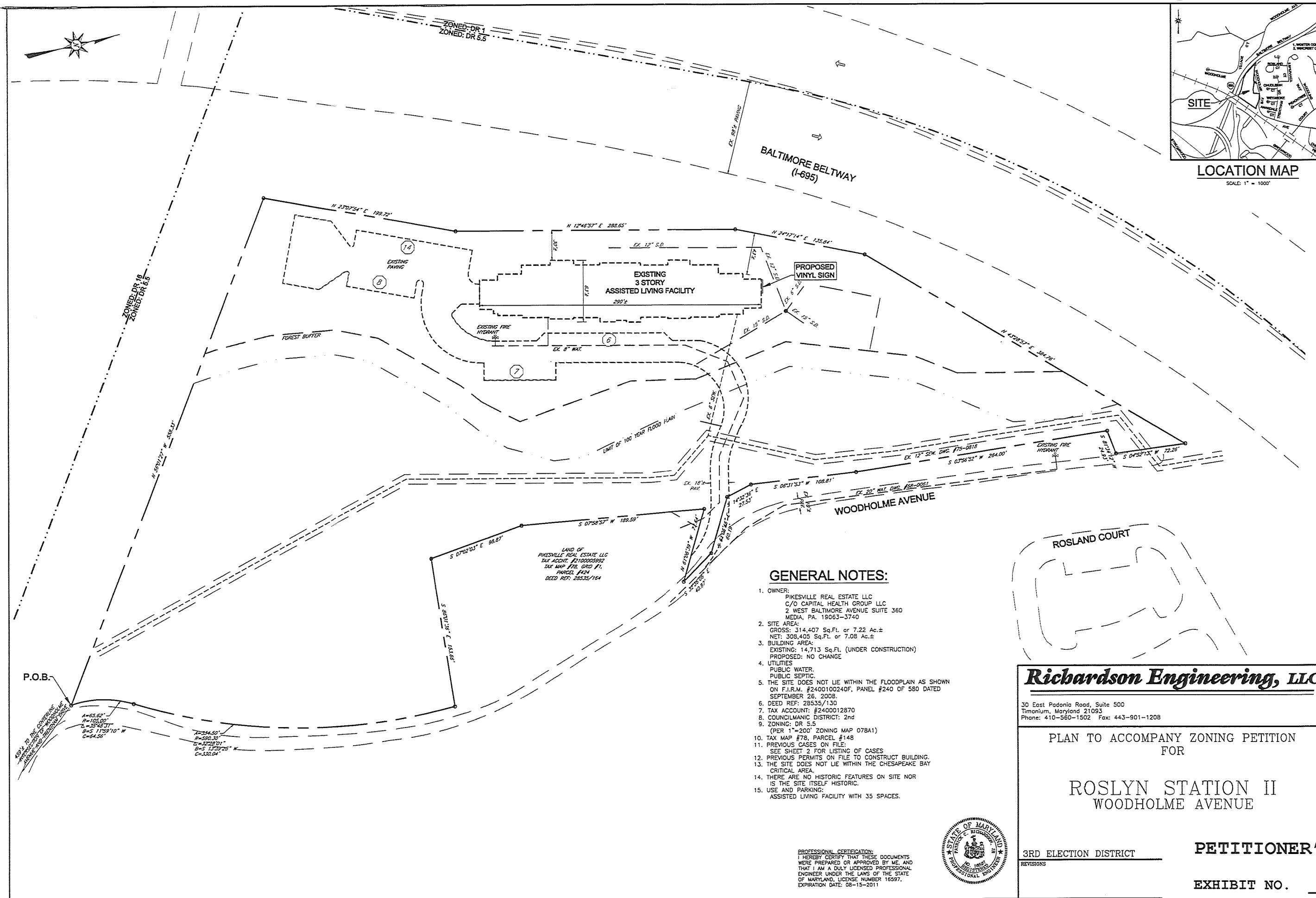
Item #0222





LOCATION MAP

SCALE: 1" = 1000'



GENERAL NOTES:

1. OWNER:  
PIKESVILLE REAL ESTATE LLC  
C/O CAPITAL HEALTH GROUP LLC  
2 WEST BALTIMORE AVENUE SUITE 360  
MEDIA, PA 19063-3740
2. SITE AREA:  
GROSS: 314,407 Sq.Ft. or 7.22 Ac.±  
NET: 308,405 Sq.Ft. or 7.08 Ac.±
3. BUILDING AREA:  
EXISTING: 14,713 Sq.Ft. (UNDER CONSTRUCTION)  
PROPOSED: NO CHANGE
4. UTILITIES  
PUBLIC WATER.
5. THE SITE DOES NOT LIE WITHIN THE FLOODPLAIN AS SHOWN  
ON U.S.R.M. #2400010240F, PANEL #240 OF 580 DATED  
SEPTEMBER 26, 2008.
6. DEED REF: 28535/130
7. TAX ACCOUNT: #2400012870
8. COUNCILMANIC DISTRICT: 2nd
9. ZONING: DR 5.5  
(PER 1"=200' ZONING MAP 078A1)
10. TAX MAP #78, PARCEL #148
11. PREVIOUS CASES ON FILE:  
SEE SHEET 2 FOR LISTING OF CASES
12. PREVIOUS PERMITS ON FILE TO CONSTRUCT BUILDING.
13. THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY  
CRITICAL AREA.
14. THERE ARE NO HISTORIC FEATURES ON SITE NOR  
IS THE SITE ITSELF HISTORIC.
15. USE AND PARKING:  
ASSISTED LIVING FACILITY WITH 35 SPACES.

PROFESSIONAL CERTIFICATION:  
I HEREBY CERTIFY THAT THESE DOCUMENTS  
WERE PREPARED OR APPROVED BY ME, AND  
THAT I AM A DULY LICENSED PROFESSIONAL  
ENGINEER UNDER THE LAWS OF THE STATE  
OF MARYLAND, LICENSE NUMBER 16597,  
EXPIRATION DATE: 08-15-2011



***Richardson Engineering, LLC***

30 East Padonia Road, Suite 500  
Timonium, Maryland 21093  
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION  
FOR

ROSLYN STATION II  
WOODHOLME AVENUE

PETITIONER'S

3RD ELECTION DISTRICT

EXHIBIT NO.

