



KEVIN KAMENETZ  
County Executive

February 9, 2011

ARNOLD JABLON  
Deputy Administrative Officer  
Director, Department of Permits,  
Approvals & Inspections

DMW  
Daft McCune Walker Inc.  
200 East Pennsylvania Avenue  
Towson, Maryland 21286  
Attention: Mitchell Kellman  
Director of Zoning Services

Re: Zoning Verification Letter  
Spirit and Intent Letter  
301 West Chesapeake Avenue  
Towson, Maryland 21286  
Case #2011-0026-SPHX  
9<sup>th</sup> Election District

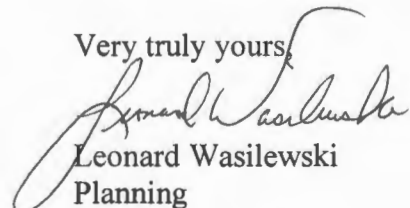
Dear Mr. Kellman,

Your spirit and intent letter sent to Arnold Jablon, Director of Permits, Approvals and Inspections has been referred to me for reply. Based upon the information provided therein, and our research of the zoning records, the following applies:

1. It has been determined that the proposed changes outlined in your letter and shown on your accompanied red lined site plan do meet the spirit and intent of the Baltimore County Zoning Regulations and the order in zoning Case 2011-0026-SPHX.
2. The lot with the unoccupied building at 303 West Chesapeake Avenue, may be used as temporary off street parking for the daycare building at 301 West Chesapeake Avenue until the new parking lot is constructed.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

  
Leonard Wasilewski  
Planning  
Zoning Review

11-33/lw



File

KEVIN KAMENETZ  
County Executive

JEFF MAYHEW, *Acting Director*  
*Office of Planning*

January 24, 2011

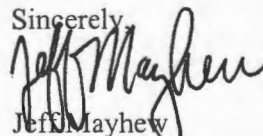
David Karceski  
Venable, LLP  
210 West Pennsylvania Ave  
Towson, Maryland 21204

Re: 303 West Chesapeake Ave  
YMCA  
Design Review Panel

Dear Mr. Karceski:

You have requested review of proposed architectural improvements to 303 West Chesapeake Avenue for the YMCA. This building is located within the Towson Design Review Panel area as determined by Section 32-4-204 of the Baltimore County Code (BCC). The Office of Planning has reviewed a preliminary site plan, photos, landscape plan, architectural elevations and zoning order for 301 Chesapeake Avenue (Case No. 2011-0026-SPHXA) and has determined that the small addition to the building is **not** substantial per Section 32-4-203 (a) (3) BCC. Therefore, the proposal is not required to be reviewed by the Design Review Panel.

The addition consists of a two-story in-fill addition of approximately 2200 square feet (sf) per floor on the east side of the building. The existing building is approximately 10,800sf. Therefore the addition is less than 50% of the existing square feet. The addition has a narrow frontage of approximately 22 feet facing Chesapeake Avenue. Adding this dimension to the existing building (50 feet wide) widens the building to 72 feet. The addition is of similar materials and architectural style as the existing structure: brick and EIFS. The windows are proposed to be commercial grade fixed windows. The flat roof will be replaced with a hip roof with asphalt shingles. Both the roofing color and the EIFS color will match the colors on 301 West Chesapeake, also part of the YMCA proposal. The Office of Planning recognizes that there will be a subsequent variance hearing. A condition of that review will be to require the submittal of final architectural elevations.

Sincerely,  
  
Jeff Mayhew  
Acting Director

JM:ll  
c: Arnold Jablon

**IN RE: PETITIONS FOR SPECIAL HEARING,  
SPECIAL EXCEPTION & VARIANCE**

SW corner of intersection of Chesapeake  
Avenue and Bosley Avenue  
9<sup>th</sup> Election District  
5<sup>th</sup> Councilmanic District  
(301 West Chesapeake Avenue)

**West Chesapeake, LLC**  
*Legal Owner*

\* BEFORE THE  
\* DEPUTY ZONING  
\* COMMISSIONER  
\* FOR BALTIMORE COUNTY  
\*  
\* **Case No. 2011-0026-SPHXA**  
\*

\* \* \* \* \*


**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before this Deputy Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception, and Variance, filed by the legal owner of the subject property, West Chesapeake, LLC. Special Hearing relief is requested pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") at the request of the Zoning Review Office to confirm that parking on the site is located on a single lot in accordance with Section 409.7.B.2 of the B.C.Z.R. The Special Exception is requested to approve the use of the property for a Class B Group Child Care Center with more than 40 children in the R.O. Zone pursuant to Section 424.5.B of the B.C.Z.R. In addition, Petitioners seek Variance relief as follows:

- From Section 424.7.A of the B.C.Z.R. to permit a lot size of 1.02 acres in lieu of the required 1.46 acres for a group child care center with a maximum of 80 children; and
- From Section 424.7.B of the B.C.Z.R. to permit side setbacks of 5 feet from the property line with a 0 foot buffer and 28 feet from the property line with a 0 foot buffer in lieu of the required 50 foot setback from the property line with a 20 foot buffer; and
- From Section 424.7.B of the B.C.Z.R. to permit a rear setback of 19 feet from the property line with a 19 foot buffer in lieu of the required 50 foot setback from the property line with a 20 foot buffer; and
- From Section 424.7.C of the B.C.Z.R. to permit a parking, drop-off and delivery area in the front yard in lieu of the side or rear yards; and

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- From Section 424.7.E of the B.C.Z.R. to permit a maximum impervious surface area of 52% of gross area in lieu of the permitted 25% of gross area; and
- From Section 409.8.A.4 of the B.C.Z.R. to permit parking spaces in a surface parking facility for a nonresidential use to be set back 8.5 feet from the right-of-way line of a public street in lieu of the required 10 feet.

The subject property and the requested relief are depicted on the redlined site plan that was marked and accepted into evidence as Petitioner's Exhibit 8.

At the requisite public hearing, David H. Karceski, Esquire with Venable LLP appeared as attorney for Petitioner. Also appearing in support of the requested relief were John Bremermann and Tom Obrecht on behalf of the legal owner of the property, West Chesapeake, LLC, Kristy Bischoff and Mitch Kellman with Daft McCune Walker, Inc., the professional engineering firm that prepared the site plan, Shannon Comer with Shannon Comer Architects, Inc., the project architect, and Gene Oaksmith, Vice President of Strategic Development for the Y of Central Maryland (hereinafter as the "Y"). Richard Reinhardt, owner of nearby 220 Bosley Avenue, which is improved with an office building and surface off-street parking, was also present as an interested citizen.

Petitioner identified the Y of Central Maryland as the contract lessee and intended operator for the proposed group child-care facility. Mr. Oaksmith explained that the Y's current facilities west of the subject property on Chesapeake Avenue, which include a fitness gym, tennis courts, an aquatic program and outdoor recreation areas known as the "Family Y," will be upgraded and, as part of that effort, the Y has no choice but to find another location for its child-care facility. Upon receipt of their resumes, which were marked and accepted into evidence as Petitioner's Exhibits 4, 5 and 6, Ms. Bischoff was offered and accepted as an expert in the field of professional engineering, Mr. Kellman as a zoning specialist with detailed knowledge of the B.C.Z.R. and Ms. Comer in the field of architecture.

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It is important to note that the subject property is within the boundaries of the Southland Hills Improvement Association ("S.H.I.A."). A letter of support authored by the President of S.H.I.A. was marked and accepted into evidence as Petitioner's Exhibit 2 and indicated that the Southland Hills Board supports the project and does not object to the requested zoning relief. The undersigned was also provided with a letter of support signed by the President of the West Towson Neighborhood Association ("W.T.N.A."), the southern boundary of which is immediately to the north of the subject property. W.T.N.A. by its letter also indicated its support for the project. As there were no Protestants in attendance and without objection, the public hearing proceeded on a proffer from Mr. Karceski in combination with testimony provided by Petitioner's witnesses.

At the outset of the hearing, Mr. Karceski submitted redlined amended zoning petitions that were marked and accepted into evidence as Petitioner's Exhibit 1A through 1C, which reflected that Petitioner West Chesapeake, LLC acquired the subject property prior to the public hearing in this case. Petitioner's Exhibit 1A (the amended Petition for Variance) reflected a reduction in the maximum number of children requested for the Y's group child-care facility down from 111 as originally filed to a total of 80 children. A redlined site plan was also submitted, which showed minor revisions to the plan as originally filed, including the following: (1) the addition of an on-site vehicular connection between two off-street parking areas; (2) related adjustments to the location and striping of off-street parking spaces; (3) a sidewalk connection and cross-walk from the street edge of Chesapeake Avenue leading to the front entrance of the existing building; and (4) the elimination of two proposed building additions. Mr. Karceski also indicated that the two building additions previously shown are not needed at this time for the Y's child-care program and, as such, were removed from the site plan. As explained below, with the exception

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of the plan change to eliminate building additions, these redlined revisions were made to accommodate requests made by the Office of Planning through its Zoning Advisory Committee ("ZAC") comments.

The testimony and evidence presented revealed that the subject property is comprised of approximately 1.02 acres of land situated at the southwest corner of the intersection of West Chesapeake and Bosley Avenues, in the Towson area of Baltimore County. The site is zoned R.O. as shown and indicated on the redlined site plan and the aerial photograph/zoning maps that were marked and accepted into evidence as Petitioner's Exhibits 7A and 7B. These exhibits also show the much larger area of R.O. zoned land within which 301 Chesapeake Avenue is located, that runs along the west side of Bosley Avenue and includes numerous properties utilized for general office purposes. On the opposite side of Bosley Avenue from this R.O. Zone is the western edge of the C.T. (Commercial, Town-Center Core) District of Towson. It is within this C.T. District that the County government buildings, Circuit Court building, numerous office buildings and other commercial uses and high-density residential apartment buildings are located. As explained by Mr. Karceski and Mr. Kellman, the site within this R.O. zoned area, is an "ideal" one for the relocation of the Y's group child-care facility. The R.O. Zone is a "transitional zone," and this particular swath of R.O. zoning and the commercial uses in it are situated between and act as a transition between the residential zoning to the west and south of the site and Towson's CT District to the east. As indicated by Mr. Oaksmith, the Y of Central Maryland now operates at its current location, and at the proposed site will continue to provide convenient child-care services to the residents of Towson's neighborhoods, including those within the W.T.N.A and S.H.I.A. community groups, as well as the government offices and other businesses in the C.T. District.

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By PJ 4

The aerial photographs and site plan also help demonstrate some of the unique aspects of the property. These include: (1) its frontage on three different public roadways, West Chesapeake Avenue, Bosley Avenue and Old Bosley Avenue; (2) its irregular shape, due in part to the alignment of these surrounding roadways; and (3) the proposed re-adaptive use of the site's existing improvements from its prior use as a school. Additionally, the site's location is unique in this "transitional" RO Zone located at the edge of Towson's C.T. District between it and the residential neighborhoods to the west. Again, as explained by Mr. Kellman and Mr. Oaksmith, this location is the perfect one for the relocation of the Y's child-care facility.

As alluded to above, Petitioner proposes a re-adaptive use of the property, which is presently improved with a two-story school building and off-street parking spaces located in the side yard. A single vehicular ingress and egress point now serves the site on its Bosley Avenue frontage. At this juncture, Petitioner proposes a number of site improvements for use of the property by the Y of Central Maryland, including the following: (1) installation of additional surface parking spaces and a drop-off / pick-up area in the front yard; (2) an internal vehicular connection between this new parking area and the parking located in the side yard; (3) reconfiguration of the parking spaces located in the side yard; (4) installation of two outdoor play areas, one in the rear yard and one in a side yard; (5) a pedestrian connection from West Chesapeake Avenue into the property; and (6) multiple sidewalk connections internal to the site. A color rendering with building elevations was marked and accepted into evidence as Petitioner's Exhibit 11 and offered for the limited purpose of identifying locations on the building where Petitioner may add to or change the arrangement of windows and doors on the building's exterior facades. This exhibit was offered for illustrative purposes only. A color landscape plan marked and accepted into evidence as Petitioner's Exhibit 9 was also offered for illustrative purposes, and

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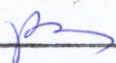
By [Signature]

shows approximate locations for supplemental landscaping on the property. A review of the landscape plan indicates that Petitioner intends to install supplemental landscaping along the site's northern, eastern, and southern property lines and near the front entrance for the building. It is important to note that Mr. Reinhardt's property, located immediately to the south of the subject site, stands to benefit from evergreen plantings to be installed along the shared property line with Petitioner. A preliminary floor plan marked and accepted into evidence as Petitioner's Exhibit 10 and also provided for illustrative purposes shows a possible interior layout for re-use of the school building by the Y.

With regard to Mr. Reinhardt's property at 220 Bosley Avenue, Mr. Karceski and Mr. Reinhardt explained that they had met prior to the public hearing in this case to discuss the Y's plans for the intended group child-care center. At the public hearing, Mr. Reinhardt indicated that he is not opposed to the requested zoning relief, provided certain conditions are made a part of this Commission's Order. First, Mr. Reinhardt requested that a fence be installed along the rear property line of 303 West Chesapeake Avenue, which is also owned by West Chesapeake, LLC, to discourage pedestrian travel from West Chesapeake Avenue through Mr. Reinhardt's property. Petitioner agreed to installation of a fence in this area, the length and approximate location of which is redlined on Petitioner's Exhibit 8 and labeled "FENCE LOCATION." Second, a request was made by Mr. Reinhardt to limit the total number of children at the group child-care facility at any one time to 80. He suggested that another public hearing be required before the Zoning Commissioner to increase the number of children to more than 80. Petitioner is also agreeable to this condition and amended the request for special exception accordingly. Third, Mr. Reinhardt was concerned that the Y of Central Maryland might lease parking spaces to the proposed Towson Swim Club for eventual use by the swim club. At the public hearing, the Y stated that it has no

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intention of entering into a lease or any other arrangement with the Towson Swim Club for the swim club's use of parking spaces on the subject property. Fourth, Mr. Reinhardt described a change in grade and retaining wall on his property near the rear property line of the subject property. His concern was that construction activity related to the Y's group child-care facility or installation of new plantings in accordance with Petitioner's Exhibit 9 would damage this retaining wall. Petitioner agreed to make any necessary repairs to the existing retaining wall caused by the installation of landscape plantings on the subject property or related to construction activities for the Y's use of the property.

The Zoning Advisory Committee ("ZAC") comments were received by this Commission and are made a part of the record in this case. Comments were received from the Department of Environmental Protection and Resource Management dated September 8, 2010, which indicate that development of the property must comply with the Forest Conservation Regulations. Comments from the Office of Planning dated September 15, 2010 indicated that Planning does not oppose the requested zoning relief. Planning did request that certain items be added to Petitioner's site plan and made comments related to the proposed use and its layout. Planning requested that two on-site parking areas be "joined" together by an internal access drive and that a sidewalk connection from the main building entrance to West Chesapeake Avenue be added to the plan. Petitioner revised the site plan to accommodate these requests. Planning also commented that it was concerned about the "intensity" of the proposed use due to the proposal to have as many as 111 children at the group child-care center at any one time. Subsequent to the issuance of Planning's comments, but prior to the public hearing in this case, Petitioner selected the Y to operate the proposed child-care facility, and also reduced the total number of children from a maximum 111 to 80. Mr. Oaksmith on behalf of the Y, as well as DMW's representatives,

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testified at the public hearing that the site layout, as shown and indicated on the redlined site plan, will safely accommodate the use and a maximum of 80 children as proposed.

Planning also requested that a landscape plan be prepared to show locations for additional plantings on the site and for screening of the parking areas. As mentioned above, Petitioner met with W.T.N.A and S.H.I.A. and hired a landscape architect selected by those community associations to address landscaping for the use. The result of these efforts is the illustrative landscape plan, which shows that Petitioner has satisfied the requests made by Planning regarding site landscaping. With regard to fencing, Planning requested that a new fence be installed around the entire perimeter of the property. In lieu of installing a new fence around the entire site, Petitioner proposed installation of fences around the two proposed play areas that will better contain the children during outside play times. Mr. Reinhardt preferred these smaller fenced-in areas rather than a fence around the site's perimeter, and the undersigned agrees that such fencing is sufficient for the property's use by the Y. With regard to signage for the Y, Planning requested information on where the freestanding sign for the Y will be located on the property and a sign detail for this sign, prior to issuance of permits for the Y. The undersigned will make this request by Planning a condition in the Order. Finally, Planning also requested that a grading plan be provided to show the existing trees along Bosley and Chesapeake Avenues that will be retained. Petitioner's landscape architect designed the landscape plan to incorporate existing trees along these road frontages, and Petitioner explained that it will use its best efforts to retain trees in these areas. Although it cannot guarantee that all of the trees along these road frontages will be retained, Petitioner volunteered to provide a grading plan to Planning, as requested.

As to the requested special exception, Mr. Karceski went on to explain how the proposed use is permitted on the property. Section 424 of the B.C.Z.R. contains the Zoning Regulations

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specific to Group Child-Care Centers, and Section 424.5, entitled "Child-care centers as principal use," provides that a group child-care center *with more than 40 children* is permitted by special exception in the R.O. Zone. (emphasis added). Gene Oaksmith, Vice President of Strategic Development for the Y, is responsible for developing new opportunities for the Y to expand its presence in Central Maryland and is familiar with the day-to-day operations of the Y's existing facilities in Towson. It was Mr. Oaksmith's opinion that the subject site is ideal for the relocation of the Y in Towson and that its operation will not have any detrimental impact on the surrounding area. Additionally, Mr. Oaksmith provided Petitioner's Exhibit 12 to this Commission, which notes that the Y's Baltimore County "Head Start" program is one of only 10 "Centers of Excellence" in the United States, as acknowledged by the Secretary of Health and Human Services. In addition to the information provided by the Y, Petitioner through Mr. Kellman, DMW's zoning specialist, Ms. Bischoff, the project engineer, and Mr. Obrecht, provided persuasive testimony that the group child-care center proposed by the Y meets each of the criteria outlined in Section 502.1 of the B.C.Z.R. The landscape plan (Petitioner's Exhibit 9) shows that the site will be well landscaped along its property lines and that an effective screen will be provided between Mr. Reinhardt's property and the subject site. The letters of support provided by W.T.N.A and S.H.I.A. are a further indication that the proposed child-care facility will have no adverse impact on the surrounding area. Based on the testimony provided and on Petitioners' Exhibit 8, I find that the proposed group child-care center meets the criteria of B.C.Z.R. Section 502.1.A through 1.H, including the requirement that it will not be detrimental to the health, safety, and general welfare of the locality involved.

Mr. Karceski and Mr. Kellman then identified the individual variances necessary for the re-adaptive use of the property. Variance relief specific to group child-care centers only is

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requested from Section 424 of the B.C.Z.R and relates to the following: (1) the total acreage of the site; (2) side and rear yard setback and perimeter vegetative buffer requirements; (3) use of the site's front yard for parking spaces, a drop-off / pick-up area, and deliveries; and (4) the total amount of impervious surface area proposed on the site. Additionally, a parking variance is requested from Section 409 of the B.C.Z.R. for the distance of parking spaces to the right-of-way line of a public street.

The Zoning Commissioner is permitted to grant variances, pursuant to Section 307 of the B.C.Z.R., upon finding that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance requests and that requiring strict compliance with the Zoning Regulations would result in a practical difficulty for Petitioner. Having heard the testimony and considered the requests, I find that sufficient evidence and justification exists to grant the requested variances. I find that all of the requested variance relief is appropriate in this instance, given the property's unique characteristics, which include: (1) frontage on three public roadways; (2) the irregular configuration of the property dictated in part by these roads; (3) the site's existing improvements and prior use as a school in combination with the challenge of accomplishing a re-adaptive use for a group child-care facility; and (4) the site's unique location in a transitional R.O. Zone situated at the edge of Towson's only C.T. District. I also find that strict compliance with the applicable Zoning Regulations would result in a practical difficulty and unreasonable hardship for Petitioner and the Y and that the relief requested will not result in any adverse impact on the surrounding area. In fact, all of the testimony and evidence presented indicates that the proposed use at this particular location will provide a benefit to the surrounding residential communities. Thus, I find that all the variances can be granted in such a manner as to

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By [Signature]

meet the requirements of Section 307 of the B.C.Z.R., as interpreted in *Cromwell v. Ward*, 102 Md.App. 691 (1995).

Finally, by way of the requested special hearing, Petitioner asks for confirmation that the off-street parking spaces provided on the subject site are located on the same lot as the proposed use in accordance with Section 409.7.B.2 of the B.Z.C.R. The purpose of this section of the Zoning Regulations is to ensure that required parking spaces for a use are located on the same property as the land use those parking spaces will serve. In the instant case, a review of Petitioner's Exhibit 8 indicates that, while internal lot lines run through the property, the entire site will be utilized for a single use from a zoning perspective -- the Y's group child-care facility. Additionally, as shown on the redlined site plan, a total of 24 parking spaces are required by the Zoning Regulations for the proposed use and 28 parking spaces are proposed. The layout proposed for the Y is, therefore, sufficient for parking purposes. It is on this basis that I will grant the Petition for Special Hearing.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and after considering the testimony and evidence offered, I find that Petitioner's requests for special hearing, special exception and variance should be granted, though as explained above, the undersigned will impose conditions on the relief granted that relate to requests made by the Office of Planning and Mr. Reinhardt.

THEREFORE, IT IS ORDERED this 22nd day of December, 2010 by the Deputy Zoning Commissioner that Petitioner's request for Special Hearing relief pursuant to Section 500.7 of the Baltimore County Zoning Regulations ("B.C.Z.R.") to confirm that parking on the site is located on a single lot in accordance with Section 409.7.B of the B.C.Z.R., be and is hereby **GRANTED**; and

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By [Signature] 11

IT IS FURTHER ORDERED that Petitioner's request for Special Exception to approve the use of the property for a Class B Group Child Care Center with more than 40 children in the R.O. Zone pursuant to Section 424.5.B of the B.C.Z.R. be and is hereby **GRANTED**; and

IT IS FURTHER ORDERED that Petitioner's requests for Variance relief as follows:

- From Section 424.7.A of the B.C.Z.R. to permit a lot size of 1.02 acres in lieu of the required 1.46 acres for a group child care center with a maximum of 80 children; and
- From Section 424.7.B of the B.C.Z.R. to permit side setbacks of 5 feet from the property line with a 0 foot buffer and 28 feet from the property line with a 0 foot buffer in lieu of the required 50 foot setback from the property line with a 20 foot buffer; and
- From Section 424.7.B of the B.C.Z.R. to permit a rear setback of 19 feet from the property line with a 19 foot buffer in lieu of the required 50 foot setback from the property line with a 20 foot buffer; and
- From Section 424.7.C of the B.C.Z.R. to permit a parking, drop-off and delivery area in the front yard in lieu of the side or rear yards; and
- From Section 424.7.E of the B.C.Z.R. to permit a maximum impervious surface area of 52% of gross area in lieu of the permitted 25% of gross area; and
- From Section 409.8.A.4 of the B.C.Z.R. to permit parking spaces in a surface parking facility for a nonresidential use to be set back 8.5 feet from the right-of-way line of a public street in lieu of the required 10 feet,

be and are hereby **GRANTED**.

This Order is subject to the following restrictions which are conditions precedent to the relief granted herein:

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.
2. Development of this property must comply with the Forest Conservation Regulations (Sections 3-6-101 through 33-6-122 of the Baltimore County Code).

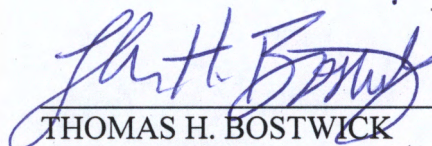
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3. Petitioner shall install a new fence on the adjacent property known as 303 West Chesapeake Avenue, along the rear property line of 303 West Chesapeake Avenue and in the approximate location shown and indicated in red and labeled "FENCE LOCATION" on Petitioner's Exhibit 8, provided Petitioner is able to obtain all necessary approvals and permits from Baltimore County. Installation of the fence shall be at Petitioner's expense.
4. The special exception use granted herein is for a Class B Group Child-Care Center with a maximum of 80 children on the subject property at any one time. In the event that the Y or another group child-care center operator desires to operate such a use with more than 80 children on the site at any one time, another public hearing before the Zoning Commissioner shall be required to amend the special exception approval granted in this case.
5. For the term of its lease, the Y shall install and maintain a sign on the subject property and a sign on the adjacent property, known as 303 West Chesapeake Avenue, with the following notice regarding on-site parking spaces: "This parking is for the exclusive use of Y employees, Y members and Y guests while using the Y facilities located at 301 West Chesapeake Avenue, 303 West Chesapeake Avenue and 600 West Chesapeake Avenue only."
6. In the event that the retaining wall located on 220 Bosley Avenue, in close proximity to the subject property, is damaged due to the installation of landscape plantings on the subject property or by construction activities related to the Y's use of the property, Petitioner shall make any necessary repairs to the retaining wall.
7. Prior to the issuance of a use and occupancy permit for the Y's group child-care center, a sign detail for the Y's freestanding sign shall be provided to the Office of Planning for review.

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

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Date 12-22-10

By [Signature]



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

JAMES T. SMITH, JR.  
*County Executive*

December 22, 2010

THOMAS H. BOSTWICK  
*Deputy Zoning Commissioner*

DAVID KARCESKI, ESQUIRE  
VENABLE, LLP  
210 WEST PENNSYLVANIA AVENUE  
SUITE 500  
TOWSON, MD 21204

Re: Petitions for Special Hearing, Special Exception & Variance  
Case No. 2011-0026-SPHXA  
Property: 301 West Chesapeake Avenue

Dear Mr. Karceski:

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.

Sincerely,

THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

Enclosure

- c: Thomas Obrecht, Chairman, Obrecht Properties LLC, 9475 Deerco Road, Suite 200, Timonium MD 21093  
H. John Bremermann, III, Vice President/General Counsel, Obrecht Properties LLC, 9475 Deerco Road, Suite 200, Timonium MD 21093  
Gene Oaksmith, Vice President of Strategic Development, Y of Central Maryland, 20 South Charles Street, Baltimore MD 21201  
Kristy Bischoff and Mitchell Kellman, Daft McCune Walker Inc., 200 East Pennsylvania Avenue, Towson MD 21286  
Shannon Comer, Shannon Comer Architects, Inc., 10404 Stevenson Road, Stevenson MD 21153  
Richard Reinhardt, 220 Bosley Avenue, Towson MD 21204  
Joshua Glikin, President, West Towson Neighborhood Association, Inc., PO Box 502, Riderwood MD 21139  
Patty Flynn, 306 Colonia Court, Towson MD 21204  
Deanna Bailey, 610 Woodbine Avenue, Towson MD 21204  
Molly McConnell, 200 Bosley Avenue, Towson MD 21204  
Nicole Nesbitt, President, Southland Hills Improvement Association, [southlandhillspresident@yahoo.com](mailto:southlandhillspresident@yahoo.com)





# Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 301 W. Chesapeake Avenue which is presently zoned RO

Deed Reference: 29629 / 198 Tax Account # 0902191162; 0902190744;  
21013 / 212 0907473072

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)

SEE ATTACHED SHEET

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

*to be discussed at hearing*

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:**

~~Obrecht Real Estate Group, LLC~~  
Name - Type or Print  
Signature  
9475 Deereco Road (410) 561-5858  
Address Telephone No.  
Timonium MD 21093  
City State Zip Code

**Legal Owner(s):**

~~The Jemicy School, Inc.~~ WEST CHESAPEAKE, LLC  
Name - Type or Print  
Signature  
Name - Type or Print  
Signature  
11 Celadon Road (410) 653-2700  
Address Telephone No.  
Owings Mills MD 21117  
City State Zip Code

**Attorney For Petitioner:**

Arnold Jablon/David H. Karceski  
Name - Type or Print  
Signature  
Venable LLP  
Company  
210 W. Pennsylvania Ave. (410) 494-6200  
Address Telephone No.  
Towson MD 21204  
City State Zip Code

**Representative to be Contacted:**

Arnold Jablon/David H. Karceski  
Name  
210 W. Pennsylvania Ave. (410) 494-6200  
Address Telephone No.  
Towson MD 21204  
City State Zip Code

Case No. 2011-0026-SPHXA

**Office Use Only**

Estimated Length of Hearing \_\_\_\_\_  
Unavailable For Hearing \_\_\_\_\_  
Reviewed by [Signature] Date 7/21/10

REV 8/20/07

PETITIONER'S

EXHIBIT NO. 1A

*\*As Amended*

REVISED VARIANCE PETITION

PETITION FOR VARIANCE  
ATTACHED SHEET

301 CHESAPEAKE AVENUE

Variance from Section 424.7.A of the Baltimore County Zoning Regulations (BCZR) to permit a lot size of 1.02 acres in lieu of the required ~~1.81~~ acres for a group child care center with a maximum of ~~111~~ children;

~~1.81~~  
1.46

Variance from BCZR Section 424.7.B to permit side setbacks of 5 feet from the property line with a 0 foot buffer and 28 feet from the property line with a 0 foot buffer, in lieu of the required 50 foot setback from the property line with a 20 foot buffer;

Variance from BCZR Section 424.7.B to permit a rear setback of 19 feet from the property line with a 19 foot buffer, in lieu of the required 50 foot setback from the property line with a 20 foot buffer;

Variance, if necessary, from BCZR Section 424.7.C to permit a parking, drop-off and delivery area in the front yard in lieu of the side or rear yards;

Variance from BCZR Section 424.7.E to permit a maximum impervious surface area of 52% of gross area, in lieu of the permitted 25% of gross area; and

Variance from BCZR Section 409.8.A.4 to permit parking spaces in a surface parking facility for a nonresidential use to be set back 8.5 feet from the right-of-way line of a public street in lieu of the required 10 feet.

\* Revised at  
public hearing.



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 301 W. Chesapeake Avenue  
which is presently zoned RO

(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)

SEE ATTACHED SHEET

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:**

~~Obrecht Real Estate Group, LLC~~  
Name - Type or Print  
Signature  
9475 Deere~~o~~ Road  
Address Telephone No.  
Timonium MD 21093  
City State Zip Code

**Attorney For Petitioner:**

Arnold Jablon/David H. Karceski  
Name - Type or Print  
Signature  
Venable LLP  
Company  
210 W. Pennsylvania Ave. (410) 494-6285  
Address Telephone No.  
Towson MD 21204  
City State Zip Code

**Legal Owner(s):**

~~The Jemicy School, Inc.~~ **WEST CHESAPEAKE, LLC**  
Name - Type or Print  
Signature  
Name - Type or Print  
Signature  
11 Celadon Road (410) 653-2700  
Address Telephone No.  
Owings Mills MD 21117  
City State Zip Code

**Representative to be Contacted:**

Arnold Jablon/David H. Karceski  
Name  
210 W. Pennsylvania Ave. (410) 494-6285  
Address Telephone No.  
Towson MD 21204  
City State Zip Code

**OFFICE USE ONLY**

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

Case No. 2011-0026-SPHXA  
REV 9/15/98

UNAVAILABLE FOR HEARING  
Reviewed By: [Signature] Date 7/21/10

Per 1B

**REVISED SPECIAL HEARING PETITION**

PETITION FOR SPECIAL HEARING  
ATTACHED SHEET

301 CHESAPEAKE AVENUE

Special Hearing to confirm that parking on the site is located on a single lot in accordance with Section 409.7.B.2 of the Baltimore County Zoning Regulations.

Item #0026



# Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property located at 301 W. Chesapeake Avenue

which is presently zoned RO

Deed Reference: 29629 / 198 Tax Account # 0902191162; 0902190744; 21013 / 212 0907473072

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

SEE ATTACHED SHEET

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

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

**Contract Purchaser/Lessee:**

~~Obrecht Real Estate Group, LLC~~  
Name - Type or Print  
Signature  
9475 Deereco Road (410) 561-5858  
Address Telephone No.  
Timonium MD 21093  
City State Zip Code

**Legal Owner(s):**

~~The Jemioy School, Inc.~~ WEST CHESAPEAKE, LLC  
Name - Type or Print  
Signature  
Name - Type or Print  
Signature  
11 Celadon Road (410) 653-2700  
Address Telephone No.  
Owings Mills MD 21117  
City State Zip Code

**Attorney For Petitioner:**

Arnold Jablon/David H. Karceski  
Name - Type or Print  
Signature  
Venable LLP  
Company  
210 W. Pennsylvania Ave. (410) 494-6200  
Address Telephone No.  
Towson MD 21204  
City State Zip Code

**Representative to be Contacted:**

Arnold Jablon/David H. Karceski  
Name  
210 W. Pennsylvania Ave. (410) 494-6200  
Address Telephone No.  
Towson MD 21204  
City State Zip Code

Case No. 2011-0026-SPHXA

REV 07/27/2007

OFFICE USE ONLY  
ESTIMATED LENGTH OF HEARING \_\_\_\_\_  
UNAVAILABLE FOR HEARING \_\_\_\_\_

Reviewed By [Signature] Date 7/21/10

Pet 1C

REVISED SPECIAL EXCEPTION PETITION

PETITION FOR SPECIAL EXCEPTION  
ATTACHED SHEET

301 CHESAPEAKE AVENUE

Special Exception for a Group Child Care Center, Class B, with more than 40 children in the R-O Zone, pursuant to Section 424.5.B of the Baltimore County Zoning Regulations.

*Item #0026*



# Petition for Variance

to the Zoning Commissioner of Baltimore County for the property located at 301 W. Chesapeake Avenue which is presently zoned RO

Deed Reference: 29629 / 198 Tax Account # 0902191162; 0902190744; 21013 / 212 0907473072

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)

SEE ATTACHED SHEET

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

*to be discussed at hearing*

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:**

Obrecht Real Estate Group, LLC  
Name - Type or Print  
[Signature]  
Signature  
9475 Deereco Road (410) 561-5858  
Address Telephone No.  
Timonium MD 21093  
City State Zip Code

**Legal Owner(s):**

The Jemicy School, Inc.  
Name - Type or Print  
[Signature]  
Signature  
Name - Type or Print  
[Signature]  
Signature

**Attorney For Petitioner:**

Arnold Jablon/David H. Karceski  
Name - Type or Print  
[Signature]  
Signature  
Venable LLP  
Company  
210 W. Pennsylvania Ave. (410) 494-6200  
Address Telephone No.  
Towson MD 21204  
City State Zip Code

11 Celadon Road (410) 653-2700  
Address Telephone No.  
Owings Mills MD 21117  
City State Zip Code

**Representative to be Contacted:**

Arnold Jablon/David H. Karceski  
Name  
210 W. Pennsylvania Ave. (410) 494-6200  
Address Telephone No.  
Towson MD 21204  
City State Zip Code

Case No. 2011-0026-SPHXA

**Office Use Only**

Estimated Length of Hearing \_\_\_\_\_  
Unavailable For Hearing \_\_\_\_\_

ORDER RECEIVED FOR FILING

Reviewed by [Signature] Date 7/21/10

REV 8/20/07

Date 12-22-10

By [Signature]

**OLD VARIANCE PETITION (DO NOT USE)**

PETITION FOR VARIANCE  
ATTACHED SHEET

301 CHESAPEAKE AVENUE

Variance from Section 424.7.A of the Baltimore County Zoning Regulations (BCZR) to permit a lot size of 1.02 acres in lieu of the required 1.81 acres for a group child care center with a maximum of 111 children;

Variance from BCZR Section 424.7.B to permit side setbacks of 5 feet from the property line with a 0 foot buffer and 28 feet from the property line with a 0 foot buffer, in lieu of the required 50 foot setback from the property line with a 20 foot buffer;

Variance from BCZR Section 424.7.B to permit a rear setback of 19 feet from the property line with a 19 foot buffer, in lieu of the required 50 foot setback from the property line with a 20 foot buffer;

Variance, if necessary, from BCZR Section 424.7.C to permit a parking, drop-off and delivery area in the front yard in lieu of the side or rear yards;

Variance from BCZR Section 424.7.E to permit a maximum impervious surface area of 52% of gross area, in lieu of the permitted 25% of gross area; and

Variance from BCZR Section 409.8.A.4 to permit parking spaces in a surface parking facility for a nonresidential use to be set back 8.5 feet from the right-of-way line of a public street in lieu of the required 10 feet.

**REVISED VARIANCE PETITION ATTACHMENT (DO NOT USE)**

Item #0026 - Revised



PETITION FOR VARIANCE  
ATTACHED SHEET

301 CHESAPEAKE AVENUE

Variance from Section 424.7.A of the Baltimore County Zoning Regulations (BCZR) to permit a lot size of 1.018 acres in lieu of the required 1.81 acres for a group child care center with a maximum of 111 children;

Variance from BCZR Section 424.7.B to permit side setbacks of 5 feet from the property line with a 0 foot buffer and 28 feet from the property line with a 0 foot buffer, in lieu of the required 50 foot setback from the property line with a 20 foot buffer;

Variance from BCZR Section 424.7.B to permit a rear setback of 19 feet from the property line with a 19 foot buffer, in lieu of the required 50 foot setback from the property line with a 20 foot buffer;

Variance, if necessary, from BCZR Section 424.7.C to permit a parking, drop-off and delivery area in the front yard in lieu of the side or rear yards;

Variance from BCZR Section 424.7.E to permit an existing impervious surface area of 45% of gross area, in lieu of the permitted 25% of gross area; and

Variance from BCZR Section 409.8.A.4 to permit parking spaces in a surface parking facility for a nonresidential use to be set back 8.5 feet from the right-of-way line of a public street in lieu of the required 10 feet.

**OLD VARIANCE PETITION ATTACHMENT (DO NOT USE)**

*Item #0026*



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 301 W. Chesapeake Avenue  
which is presently zoned RO

(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)**

SEE ATTACHED SHEET

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:**

Obrecht Real Estate Group, LLC  
Name - Type or Print  
[Signature]  
Signature  
9475 Deereco Road  
Address  
Timonium MD 21093  
City State Zip Code

**Attorney For Petitioner:**

Arnold Jablon/David H. Karceski  
Name - Type or Print  
[Signature]  
Signature  
Venable LLP  
Company  
210 W. Pennsylvania Ave. (410) 494-6285  
Address Telephone No.  
Towson MD 21204  
City State Zip Code

**Legal Owner(s):**

The Jemicy School, Inc. \*  
Name - Type or Print  
[Signature]  
Signature  
[Signature]  
Name - Type or Print  
[Signature]  
Signature  
11 Celadon Road (410) 653-2700  
Address Telephone No.  
Owings Mills MD 21117  
City State Zip Code

**Representative to be Contacted:**

Arnold Jablon/David H. Karceski  
Name  
210 W. Pennsylvania Ave. (410) 494-6285  
Address Telephone No.  
Towson MD 21204  
City State Zip Code

ORDER RECEIVED FOR FILING

Date 12-22-10

By [Signature]  
Case No. 201-0026-SPHXA  
REV 9/15/98

**OFFICE USE ONLY**

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

UNAVAILABLE FOR HEARING \_\_\_\_\_

Reviewed By [Signature] Date 7/21/10

\* See amended

**OLD SPECIAL HEARING PETITION (DO NOT USE)**

PETITION FOR SPECIAL HEARING  
ATTACHED SHEET 1

301 CHESAPEAKE AVENUE

Special Hearing to confirm that parking on the site is located on a single lot in accordance with Section 409.7.B.2 of the Baltimore County Zoning Regulations.

Item # 0026



# Petition for Special Exception

to the Zoning Commissioner of Baltimore County for the property located at 301 W. Chesapeake Avenue

which is presently zoned RO

Deed Reference: 29629 / 198 Tax Account # 0902191162; 0902190744; 21013 / 212 0907473072

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

SEE ATTACHED SHEET

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

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

**Contract Purchaser/Lessee:**

Obrecht Real Estate Group, LLC  
Name - Type or Print  
Signature  
9475 Deereco Road (410) 561-5858  
Address Telephone No.  
Timonium MD 21093  
City State Zip Code

**Legal Owner(s):**

The Jemicy School, Inc.  
Name - Type or Print  
Signature  
Name - Type or Print  
Signature  
11 Celadon Road (410) 653-2700  
Address Telephone No.  
Owings Mills MD 21117  
City State Zip Code

**Attorney For Petitioner:**

Arnold Jablon/David H. Karceski  
Name - Type or Print  
Signature  
Venable LLP  
Company  
210 W. Pennsylvania Ave. (410) 494-6200  
Address Telephone No.  
Towson MD 21204  
City State Zip Code

**Representative to be Contacted:**

Arnold Jablon/David H. Karceski  
Name  
210 W. Pennsylvania Ave. (410) 494-6200  
Address Telephone No.  
Towson MD 21204  
City State Zip Code

Case No. 2011-0026-SPHXA

REV 07/27/2007

ORDER RECEIVED FOR FILING

Date 12-22-10

By [Signature]

OFFICE USE ONLY  
ESTIMATED LENGTH OF HEARING \_\_\_\_\_  
UNAVAILABLE FOR HEARING \_\_\_\_\_

Reviewed By [Signature] Date 1/21/10

**OLD SPECIAL EXCEPTION PETITION (DO NOT USE)**

PETITION FOR SPECIAL EXCEPTION  
ATTACHED SHEET 1

301 CHESAPEAKE AVENUE

Special Exception for a Group Child Care Center, Class B, with more than 40 children in the R-O Zone, pursuant to Section 424.5.B of the Baltimore County Zoning Regulations.

*Item #0026*

Zoning Office  
Department of Permits and Development Management  
111 West Chesapeake Ave  
Towson, Maryland 21204

Zoning Office:

Please be advised that we, the undersigned, have authorized Arnold Jablon, Esq., Venable, LLP, 210 West Pennsylvania Ave., Towson, Maryland 21204, to be our attorney-in-fact and attorney-at-law and on our behalf file the attached petitions for zoning relief. We hereby understand that the relief requested is for property we propose to buy and we hereby and herewith acknowledge our express permission for said petitions to be filed on our behalf. The petition(s) filed are for property located at 301 W. Chesapeake Ave., Towson, property of which we are the contract purchaser.

Obrecht Real Estate Group, LLC (contract purchaser)

By: TFW  
Thomas F. Obrecht  
Title: Manager

7/19/10 (Date)

9475 Deereco Road, Timonium, Maryland 21093  
address

Item # 6026



DAFT MCCUNE WALKER INC

Description

To Accompany Petition

For A Special Exception, Special Hearing and/or Variance

Chesapeake Avenue

Baltimore County, Maryland

Beginning for the same at the end of the second of the following two courses and distances measured from the point formed by the intersection of the centerline of Chesapeake Avenue with the centerline of Bosley Avenue, southwesterly along the centerline of Bosley Avenue, 30 feet, more or less, thence northwesterly 55 feet, more or less, to the point of beginning, thence leaving point of beginning and running with and binding on a portion of Bosley Avenue, referring all courses of this description to the Maryland Coordinate System (NAD 83), (1) South 06 degrees 17 minutes 38 seconds West 80.63 feet, thence (2) Southeasterly by a line curving to the left, having a radius of 1016.20 feet, for a distance of 170.06 feet (the arc of said curve being subtended by a chord bearing South 11 degrees 49 minutes 44 seconds East 169.86 feet), thence (3) South 34 degrees 31 minutes 35 seconds West 19.43 feet, thence (4) South 71 degrees 35 minutes 18 seconds West 9.83 feet, thence (5) Southwesterly by a line curving to the left, having a radius of 95.00 feet, for a distance of 44.54 feet (the arc of said curve being subtended by a chord bearing South 58 degrees 09 minutes 29 seconds West 44.14 feet), thence (6) South 06 degrees 17 minutes 38 seconds West 36.00 feet, thence (7) North 82 degrees 57 minutes 22 seconds West 120.01 feet, thence (8) North 06 degrees 17

Item #0026

minutes 38 seconds East 324.98 feet to intersect the southern right-of-way line of  
Chesapeake Avenue, thence running with and binding on said right-of-way, (9) South 83  
degrees 42 minutes 22 seconds East 120.00 feet to the point of beginning; containing 1.018  
acres of land, more or less.

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

July 20, 2010

Project No. 10020.S (L10020.S-1)

9th Election District  
5th Councilmanic District



*Michael D. Martin*  
7.20.10



**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: 2011-0026 - SPHXA  
Petitioner: The Jemicy School, Inc.  
Address or Location: 301 W. Chesapeake Avenue

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: Kedrick Whitmore  
Address: 210 W. Pennsylvania Avenue  
Towson, MD 21204  
Telephone Number: (410) 494-6204

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

No. 56854

Date: 7/21/10

**PAID RECEIPT**

BUSINESS ACTIVITY TIME DATE  
 7/21/2010 7/21/2010 11:25:07  
 REC NO: 001 MONTH: JRTC FOR  
 RECEIPT # 46462 7/21/2010 OCTA  
 5 526 ZONING VERIFICATION  
 TR NO. 054254  
 Recpt Tot 4900.00  
 4900.00 CR 5.00 CR  
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					5900

Total: 5900.00

Rec From: The Verity School inc  
 For: Zoning hearing case # 2011-0026-SPHX

**CASHIER'S  
 VALIDATION**

**DISTRIBUTION**

WHITE - CASHIER    PINK - AGENCY    YELLOW - CUSTOMER    GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

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

No. 1000

Date: 9/29/10

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	95	0000		650				200

Total: 200

Rec

From:

For:

REVISION - CASE # SUP-0036-SPHXA

**DISTRIBUTION**

WHITE - CASHIER    PINK - AGENCY    YELLOW - CUSTOMER    GOLD - ACCOUNTING

PLEASE PRESS HARD!!!!

**CASH RECEIPT**  
 RECEIVED OF THE BALTIMORE COUNTY OFFICE OF BUDGET AND FINANCE  
 THE SUM OF TWO HUNDRED DOLLARS (\$200.00)  
 IN FULL PAYMENT OF THE ABOVE ACCOUNT  
 RECEIVED BY: [Signature]  
 DATE: 9/29/10

**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: #2011-0026-SPHX

301 West Chesapeake Avenue

Bosley Avenue, S/W corner of Intersection of Chesapeake and Bosley Avenues

9th Election District — 5th Councilmanic District

Legal Owner(s): The Jemicy School, Inc.

Contract Purchaser: Obrecht Real Estate Group, LLC

**Special Hearing:** to confirm that parking on the site is located on a single lot in accordance with section 409.7B of the BCZR **Special Exception** for a group child care center, class B, with more than 40 children in the R.O. zone. **Variance** to permit a lot size of 1.02 acres in lieu of the required 1.81 acres for a group child care center with a maximum of 111 children; to permit side setbacks of 5 ft from the property line with a 0 ft buffer and 28 ft from the property line with a 0 ft buffer, in lieu of the required 50 ft setback from the property line with a 20 ft buffer; to permit a rear setback of 19 ft from the property line with a 19 ft buffer, in lieu of the required 50 ft setback from the property line with a 20 ft buffer; to permit a parking, drop-off and delivery area in the front yard in lieu of the side or rear yards; to permit a maximum impervious surface area of 52% of gross area in lieu of the allowed 25%; and to permit parking spaces in a surface parking facility for a nonresidential use to be set back 8.5 ft from the right-of-way line of a public street in lieu of the required 10 ft.

**Hearing: Monday, September 20, 2010 at 11:00 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.

09/048 September 2

253013

# CERTIFICATE OF PUBLICATION

9/21, 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 9/21, 2010.

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

*J. Wilkinson*

LEGAL ADVERTISING

**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: # 2011-0126-SPHA**

7920 Bel Air Road

W/side of Bel Air Road, 331 feet south of the centerline of Rossville Blvd.

14th Election District - 6th Councilmanic District

Legal Owner(s): Putty Hill Associates, LLC

Contract Purchaser: Giant of Maryland, LLC

**Special Hearing:** to confirm that the existing Putty Hill Plaza shopping center and the stand alone Dunkin Donuts retail store are not both within the same premises; to confirm that it is permitted to retain a freestanding enterprise sign for a stand alone PAD site, for such other and further relief as may be required by the Zoning Commissioner. **Variance:** to permit 10 wall-mounted enterprise signs for the existing Giant Supermarket in lieu of the permitted one; to permit retention of the existing freestanding joint identification sign of 192 sq. ft. in lieu of the permitted 165 sq. ft.; to permit retention of the existing freestanding joint identification sign that includes 6 lines in lieu of the permitted 5; for such other further relief as may be required by the Zoning Commissioner.

**Hearing:** Friday, December 3, 2010 at 9:00 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.

11/149 Nov. 18

260977

# CERTIFICATE OF PUBLICATION

11/18/2010

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 11/18/2010.

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

J. Wilkinson

LEGAL ADVERTISING

# CERTIFICATE OF POSTING

2011-0026-SPHXA

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_  
Obrecht Real Estate Group, LLC

\_\_\_\_\_ September 20, 2010  
Date of Hearing/Closing: \_\_\_\_\_

**Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204**

**Attn: Kristin Matthews**

**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: \_\_\_\_\_**

**301 West Chesapeake Avenue**

\_\_\_\_\_ **September 4, 2010**  
The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)

Sincerely,

  
\_\_\_\_\_  
(Signature of Sign Poster ) **September 4, 2010**  
(Date)

**SSG Robert Black**

\_\_\_\_\_  
(Print Name)

**1508 Leslie Road**

\_\_\_\_\_  
(Address)

**Dundalk, Maryland 21222**

\_\_\_\_\_  
(City, State, Zip Code)

**(410) 282-7940**

\_\_\_\_\_  
(Telephone Number)

# ZONING NOTICE

1

CASE # 2011-0026-SPHXA

**A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD**

PLACE: Room 104, JEFFERSON BUILDING  
105 WEST CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: MONDAY, SEPTEMBER 20, 2010 AT 11:00 A.M.

REQUEST: SPECIAL HEARING TO CONFIRM THAT PARKING ON THE SITE IS LOCATED ON A SINGLE LOT IN ACCORDANCE WITH SECTION 409.1B OF THE BCZR. SPECIAL EXCEPTION FOR A GROUP CHILD CARE CENTER CLASS B, WITH MORE THAN 40 CHILDREN IN THE R.D. ZONE. VARIANCE TO PERMIT A LOT SIZE OF 1.02 ACRES IN LIEU OF THE REQUIRED 1.81 ACRES FOR A GROUP CHILD CARE CENTER WITH A MAXIMUM OF 111 CHILDREN TO PERMIT SIDE SETBACKS OF 5 FT. FROM THE PROPERTY LINE WITH A 0 FT. BUFFER AND 20 FT. FROM THE PROPERTY LINE WITH A 0 FT. BUFFER IN LIEU OF THE REQUIRED 50 FT. SETBACK FROM THE PROPERTY LINE WITH A 20 FT. BUFFER TO PERMIT A REAR SETBACK OF 19 FT. FROM THE PROPERTY LINE WITH A 19 FT. BUFFER. IN LIEU OF THE REQUIRED 50 FT. SETBACK FROM THE PROPERTY LINE WITH A 20 FT. BUFFER TO PERMIT A PARKING DROPP-OFF AND DELIVERY AREA IN THE FRONT YARD IN LIEU OF THE SIDE OR REAR YARDS TO PERMIT

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

PLACE:

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# ZONING NOTICE <sup>2</sup>

CASE # 2011-0026.SPHXA

**A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD**

PLACE: Room 104, JEFFERSON BUILDING  
105 WEST CHESAPEAKE AVE. TOWSON 21204

DATE AND TIME: MONDAY SEPTEMBER 20, 2010 AT 11:00 A.M.

REQUEST CONTINUED . . . A MAXIMUM IMPERVIOUS SURFACE AREA  
OF 52% OF GROSS AREA IN LIEU OF THE ALLOWED 25% AND TO PERMIT  
PARKING SPACES IN A SURFACE PARKING FACILITY FOR A NON-RESIDENTIAL USE  
TO BE SET BACK 8.5 FT FROM THE RIGHT-OF-WAY LINE OF A  
PUBLIC STREET IN LIEU OF THE REQUIRED 10 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW  
HANDICAPPED ACCESSIBLE

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10.2010 AT 11:00

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# CERTIFICATE OF POSTING

2011-0026-SPHXA

RE: Case No.: \_\_\_\_\_

Petitioner/Developer: \_\_\_\_\_

Obrecht Real Estate Group, LLC

Oct 1, 2010

Date of Hearing/Closing: \_\_\_\_\_

Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

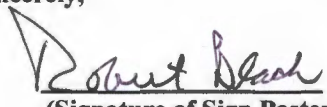
Attn: Kristin Matthews:

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: \_\_\_\_\_  
301 West Chesapeake Avenue, changed hearing date to October 1, 2010 and place to room 106 county office building 111 west Chesapeake avenue 21204

\_\_\_\_\_ September 21, 2010  
The sign(s) were posted on \_\_\_\_\_  
(Month, Day, Year)

Sincerely,

 September 23, 2010  
(Signature of Sign Poster) (Date)

SSG Robert Black

\_\_\_\_\_  
(Print Name)

1508 Leslie Road

\_\_\_\_\_  
(Address)

Dundalk, Maryland 21222

\_\_\_\_\_  
(City, State, Zip Code)

(410) 282-7940

\_\_\_\_\_  
(Telephone Number)

1-5568

recht.com

# ZONING NOTICE

1

CASE # 2011-0026-SPHXA

**A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD**

Room 106, County Office Building  
111 West Chesapeake Ave. Towson 21204

DATE AND TIME: Friday, October 1, 2010 at 10:00 a.m.

**REQUEST:** SPECIAL HEARING TO CONFIRM THAT PARKING ON THE SITE SECTION 409.7B OF THE BCZR. SPECIAL EXCEPTION FOR A GROUP CHILD CARE CENTER CLASS B, WITH MORE THAN 40 CHILDREN IN THE R.D. ZONE. VARIANCES TO PERMIT A LOT SIZE OF 1.02 ACRES IN LIEU OF THE REQUIRED 1.81 ACRES FOR A GROUP CHILD CARE CENTER WITH A MAXIMUM OF 111 CHILDREN TO WITHOUT SIDE SETBACKS OF 5 FT FROM THE PROPERTY LINE WITH A 0 FT BUFFER AND 20 FT FROM THE PROPERTY LINE WITH A 0 FT BUFFER IN LIEU OF THE REQUIRED 50 FT SETBACK FROM THE PROPERTY LINE WITH A 19 FT BUFFER. IN LIEU OF THE REQUIRED 50 FT SETBACK FROM THE PROPERTY LINE WITH A 20 FT BUFFER TO PERMIT A PARKING DROP-OFF AND DELIVERY AREA IN THE FRONT YARD IN LIEU OF THE SIDE OR REAR YARDS TO PERMIT

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY TO CONFIRM HEARING CALL 887-3391  
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW  
HANDICAPPED ACCESSIBLE

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SOMETIMES NECESSARY.

UNDER PENALTY OF LAW



# ZONING NOTICE

2.

CASE # 2011-0026-SPHXA

**A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD**

Room 106, County Office Building  
111 West Chesapeake Ave. Towson 21204

DATE AND TIME: Friday, October 1, 2010 at 10:00 a.m.

**REQUEST:** CONTINUED... A MAXIMUM IMPERVIOUS SURFACE AREA OF 52% OF GROSS AREA IN LIEU OF THE ALLOWED 25% AND TO PERMIT PARKING SPACES IN A SURFACE PARKING FACILITY FOR A NON-RESIDENTIAL USE TO BE SET BACK 8.5 FT FROM THE RIGHT-OF-WAY LINE OF A PUBLIC STREET IN LIEU OF THE REQUIRED 10 FT.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY TO CONFIRM HEARING CALL 887-3391

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW  
HANDICAPPED ACCESSIBLE

**ZONING NOTICE**  
 CASE # 2011-0026-SPHXA

**A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD**

Room 104, Jefferson Building  
 105 West Chesapeake Avenue, Towson 21284

**DATE AND TIME:** Friday, December 3, 2010 at 2:00 P.M.

**REQUEST:** Continued Area of 52% of Gross Area in Lieu of the allowed 25% and to permit parking spaces in a surface parking facility for a non-residential use to be set back 8.5 ft. from the front of lot line as a public street in lieu of the required 10 ft.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391  
 DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW  
 HANDICAPPED ACCESSIBLE

**ZONING NOTICE**  
 CASE # 2011-0026-SPHXA

**A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD**

Room 104, Jefferson Building  
 105 West Chesapeake Avenue, Towson

**DATE AND TIME:** Friday, December 3, 2010 at 2:00 P.M.

**REQUEST:** Continued Area of 52% of Gross Area in Lieu of the allowed 25% and to permit parking spaces in a surface parking facility for a non-residential use to be set back 8.5 ft. from the front of lot line as a public street in lieu of the required 10 ft.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391  
 DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW  
 HANDICAPPED ACCESSIBLE

**ZONING NOTICE**  
 CASE # 2011-0026-SPHXA

**A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER IN TOWSON, MD**

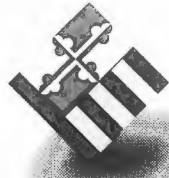
Room 104, Jefferson Building  
 105 West Chesapeake Avenue, Towson

**DATE AND TIME:** Friday, December 3, 2010 at 2:00 P.M.

**REQUEST:** Continued Area of 52% of Gross Area in Lieu of the allowed 25% and to permit parking spaces in a surface parking facility for a non-residential use to be set back 8.5 ft. from the front of lot line as a public street in lieu of the required 10 ft.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391  
 DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING, UNDER PENALTY OF LAW  
 HANDICAPPED ACCESSIBLE

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## BALTIMORE COUNTY

M A R Y L A N D

JAMES T. SMITH, JR.  
County Executive

TIMOTHY M. KOTROCO, Director  
Department of Permits and  
Zoning Management  
August 24, 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: 2011-0026-SPHXA**

301 West Chesapeake Avenue

Bosley Avenue, S/w corner of intersection of Chesapeake and Bosley Avenues

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

Legal Owners: The Jemicy School, Inc.

Contract Purchaser: Obrecht Real Estate Group, LLC

Special Hearing to confirm that parking on the site is located on a single lot in accordance with section 409.7B of the BCZR. Special Exception for a group child care center, class B, with more than 40 children in the R.O. zone. Variance to permit a lot size of 1.018 acres in lieu of the required 1.81 acres for a group child care center with a maximum of 111 children; to permit side setbacks of 5 ft from the property line with a 0 ft buffer and 28 ft from the property line with a 0 ft buffer, in lieu of the required 50 ft setback from the property line with a 20 ft buffer; to permit a rear setback of 19 ft from the property line with a 19 ft buffer, in lieu of the required 50 ft setback from the property line with a 20 ft buffer; to permit a parking, drop-off and delivery area in the front yard in lieu of the side or rear yards; to permit an existing impervious surface area of 45% of gross area in lieu of the allowed 25%; and to permit parking spaces in a surface parking facility for a nonresidential use to be set back 8.5 ft from the right-of-way line of a public street in lieu of the required 10 ft.

Hearing: Monday, September 20, 2010 at 11:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco  
Director

TK:kll

C: Arnold Jablon, 210 W. Pennsylvania Avenue, Towson 21204  
Jemicy School, Inc., 11 Celadon Rd., Owings Mills 21117  
Obrecht Real Estate Group, 9745 Deereco Road, Timonium 21093

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY SATURDAY, SEPTEMBER 4, 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, September 2, 2010 Issue - Jeffersonian

Please forward billing to:  
Kedrick Whitmore  
210 W. Pennsylvania Avenue  
Towson, MD 21204

410-494-6204

---

## **CORRECTED 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: 2011-0026-SPHXA**

301 West Chesapeake Avenue

Bosley Avenue, S/w corner of intersection of Chesapeake and Bosley Avenues  
9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: The Jemicy School, Inc.

Contract Purchaser: Obrecht Real Estate Group, LLC

Special Hearing to confirm that parking on the site is located on a single lot in accordance with section 409.7B of the BCZR. Special Exception for a group child care center, class B, with more than 40 children in the R.O. zone. Variance to permit a lot size of 1.02 acres in lieu of the required 1.81 acres for a group child care center with a maximum of 111 children; to permit side setbacks of 5 ft from the property line with a 0 ft buffer and 28 ft from the property line with a 0 ft buffer, in lieu of the required 50 ft setback from the property line with a 20 ft buffer; to permit a rear setback of 19 ft from the property line with a 19 ft buffer, in lieu of the required 50 ft setback from the property line with a 20 ft buffer; to permit a parking, drop-off and delivery area in the front yard in lieu of the side or rear yards; to permit a maximum impervious surface area of 52% of gross area in lieu of the allowed 25%; and to permit parking spaces in a surface parking facility for a nonresidential use to be set back 8.5 ft from the right-of-way line of a public street in lieu of the required 10 ft.

Hearing: Monday, September 20, 2010 at 11:00 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.

TO: PATUXENT PUBLISHING COMPANY  
Thursday, September 2, 2010 Issue - Jeffersonian

Please forward billing to:  
Kedrick Whitmore  
210 W. Pennsylvania Avenue  
Towson, MD 21204

410-494-6204

---

## 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: 2011-0026-SPHXA**

301 West Chesapeake Avenue

Bosley Avenue, S/w corner of intersection of Chesapeake and Bosley Avenues

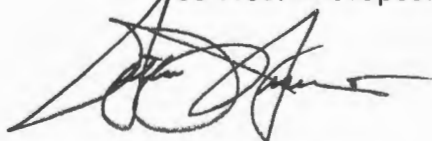
9<sup>th</sup> Election District – 5<sup>th</sup> Councilmanic District

Legal Owners: The Jemicy School, Inc.

Contract Purchaser: Obrecht Real Estate Group, LLC

Special Hearing to confirm that parking on the site is located on a single lot in accordance with section 409.7B of the BCZR. Special Exception for a group child care center, class B, with more than 40 children in the R.O. zone. Variance to permit a lot size of 1.018 acres in lieu of the required 1.81 acres for a group child care center with a maximum of 111 children; to permit side setbacks of 5 ft from the property line with a 0 ft buffer and 28 ft from the property line with a 0 ft buffer, in lieu of the required 50 ft setback from the property line with a 20 ft buffer; to permit a rear setback of 19 ft from the property line with a 19 ft buffer, in lieu of the required 50 ft setback from the property line with a 20 ft buffer; to permit a parking, drop-off and delivery area in the front yard in lieu of the side or rear yards; to permit an existing impervious surface area of 45% of gross area in lieu of the allowed 25%; and to permit parking spaces in a surface parking facility for a nonresidential use to be set back 8.5 ft from the right-of-way line of a public street in lieu of the required 10 ft.

Hearing: Monday, September 20, 2010 at 11:00 a.m. in Room 104, Jefferson Building,  
705 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.

**Patricia Zook - Case 2011-0026-SPHXA - comments needed - hearing is Monday Sept 20**

---

**From:** Patricia Zook  
**To:** Murray, Curtis  
**Date:** 9/17/2010 10:59 AM  
**Subject:** Case 2011-0026-SPHXA - comments needed - hearing is Monday Sept 20  
**CC:** Bostwick, Thomas

---

Curtis -

The below-described case is scheduled for a hearing on Monday and we need Planning comments:

**CASE NUMBER: 2011-0026-SPHXA**

301 West Chesapeake Avenue

Location: SW corner of intersection of Chesapeake Avenue and Bosley Avenue.

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

Legal owner: The Jemicy School, Inc.

Contract purchaser: Obrecht Real Estate Group, LLC

**SPECIAL HEARING** To confirm that parking on the site is located on a single lot in accordance with Section 409.7.B of the B.C.Z.R.

**SPECIAL EXCEPTION** For a Class B Group Child Care Center with more than 40 children in the RO zone.

**VARIANCE** as follows:

- 1) To permit a lot size of 1.02 acres in lieu of the required 1.81 acres for a group child care center with a maximum of 111 children; and
- 2) To permit side setbacks of 5 feet from the property line with a 0 foot buffer and 28 feet from the property line with a 0 foot buffer in lieu of the required 50 feet setback from the property line with a 20 feet buffer; and
- 3) To permit a rear setback of 19 feet from the property line with a 19 feet buffer in lieu of the required 50 feet setback from the property line with a 20 feet buffer; and
- 4) To permit a parking drop-off and delivery area in the front yard in lieu of the side or rear yards; and
- 5) To permit a maximum impervious surface area of 52% of gross area in lieu of the permitted 25% of gross area; and
- 6) To permit parking spaces in a surface parking facility for a non-residential use to be set back 8.5 feet from the right-of-way line of a public street in lieu of the required 10 feet.

**Hearing: Monday, 09/20/2010 at 11:00 AM** Jefferson Building, 105 West Chesapeake Avenue, Room 104, Towson, MD 21204

Thank you.

Patti Zook  
Baltimore County  
Office of the Zoning Commissioner  
105 West Chesapeake Avenue, Suite 103  
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

**Thomas Bostwick - Case 2011-0026-SPHXA on Monday Sept. 20 Jessimy School**

---

**From:** Patricia Zook  
**To:** Bostwick, Thomas; Wiley, Debra  
**Date:** 9/17/2010 11:46 AM  
**Subject:** Case 2011-0026-SPHXA on Monday Sept. 20 Jessimy School

---

Arnold just called regarding this case. He said they are going to postpone this case until October 1 at 10 am. The case is being postponed at the request of West Towson.

Their office will make the phone calls.

Patti Zook  
Baltimore County  
Office of the Zoning Commissioner  
105 West Chesapeake Avenue, Suite 103  
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

10-1-10

~

@ 10:00AM

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**Patricia Zook - Case 2011-0026-SPHXA on Monday Sept. 20 Jessimy School**

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**From:** Patricia Zook  
**To:** Bostwick, Thomas; Wiley, Debra  
**Date:** 9/17/2010 11:46 AM  
**Subject:** Case 2011-0026-SPHXA on Monday Sept. 20 Jessimy School

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Arnold just called regarding this case. He said they are going to postpone this case until October 1 at 10 am. The case is being postponed at the request of West Towson.

Their office will make the phone calls.

Patti Zook  
Baltimore County  
Office of the Zoning Commissioner  
105 West Chesapeake Avenue, Suite 103  
Towson MD 21204

410-887-3868

pzook@baltimorecountymd.gov

*GTCCA*

*Southtown Hills  
Com. Assn.*

*West Towson Com.  
Assn.*

**From:** Patricia Zook  
**To:** Lewis, Kristen  
**Date:** 9/20/2010 2:59 PM  
**Subject:** 11-0026-SPHXA - postponed from 9-20-10 to October.doc  
**Attachments:** 11-0026-SPHXA - postponed from 9-20-10 to October.doc

Hello Kristen -

Please see Tom's memo to the file regarding this case. The file will be placed in the pick-up box.

Patti Zook  
Baltimore County  
Office of the Zoning Commissioner  
105 West Chesapeake Avenue, Suite 103  
Towson MD 21204

410-887-3868

[pzook@baltimorecountymd.gov](mailto:pzook@baltimorecountymd.gov)



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

JAMES T. SMITH, JR.  
*County Executive*

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

November 29, 2010

Venable LLP  
Arnold Jablon/David H. Karceski  
210 W. Pennsylvania Ave.  
Towson, MD 21204

Dear Mr. Jablon & Mr. Karceski:

RE: 2011-0026-SPHXA 301 W. Chesapeake 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 2, 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,

W. Carl Richards, Jr.  
Supervisor, Zoning Review

WCR:rjc

Enclosures

c: People's Counsel  
The Jemicy School, 11 Celadon Rd. Owings, MD 21117  
Obrecht Real Estate Group, LLC 9475 Deerco Rd. Timonuim, MD 21093

BKS  
TIB 9/20  
11:00

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

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

**DATE:** September 15, 2010

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

RECEIVED

**SUBJECT:** 301 West Chesapeake Avenue

SEP 17 2010

**INFORMATION:**

ZONING COMMISSIONER

**Item Number:** 11-026

**Petitioner:** 301 West Chesapeake Avenue

**Zoning:** RO

**Requested Action:** Special Exception, Special Hearing and Variances

The Petitioner is seeking a Special Exception for a Group B Child Care center with more than 40 children in a RO zone and associated variances and special hearing.

**SUMMARY OF RECOMMENDATIONS:**

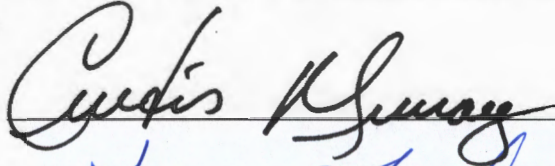
The Office of Planning has the following comments:

1. Parking, drop-off and delivery areas shall be located in the side or rear yards, unless the Zoning Commissioner, upon the recommendation of the Director of Planning, determines that there will be no adverse impact by using the front yard for parking, drop off or delivery purposes. In all cases these areas shall be located outside of the required buffer area. (Section 424.7.C. of the Baltimore County Zoning Regulations).
  - Planning recommends joining the two parking lots by a driveway that would give parents dropping off children multiple ingresses and egresses and improve upon circulation at the site.
2. The Office of Planning does not oppose the proposed Group B Child Care center use however, staff is concerned about the intensity of the use. The petitioner should demonstrate that 111 children can be safely accommodated by the site and circulation: how the drop-off and car-pool lane normally required for younger and older children would function and not conflict with employee parking at this site and/or movements onto the adjacent roadways.
3. Provide a sidewalk connection from the main building entrance to the sidewalk in the public right-of-way.
4. The petitioner shall submit a grading plan to demonstrate how they will preserve existing Oak trees along Bosley Avenue and Chesapeake Avenue.

5. Provide a landscape plan that shows buffer planting and screening of the parking lot.
6. Remove the chain link fence and continue the black ornamental metal fencing along the property perimeter.
7. Show the proposed sign location and a sign detail prior to permit.
8. The Office of Planning has reviewed architectural elevations and finds that they are consistent with the existing building.

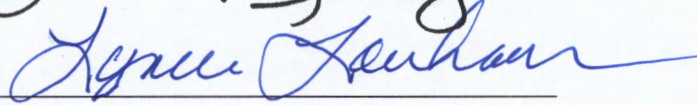
For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Prepared by:

  
\_\_\_\_\_

Division Chief:

AFK/LL: CM

  
\_\_\_\_\_



State Highway Administration

MARYLAND DEPARTMENT OF TRANSPORTATION

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

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

Date: August 18, 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. 2011-0026-SPHX  
301 W. CHESAPEAKE AVE.  
JEMICY SCHOOL, INC. PROPERTY  
SPECIAL HEARING -  
SPECIAL EXCEPTION -

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. 2011-0026-SPHX.

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,

Foster Steven D. Foster, Chief  
Engineering Access Permits  
Division

SDF/mb



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

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

MARYLAND DEPARTMENT OF TRANSPORTATION

Date: SEPT. 8, 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. 2011-0026-SPHXAK  
301 W. CHESAPEAKE AVE.  
THE JEMICY SCHOOL, INC.  
SPECIAL HEARING -  
SPECIAL EXCEPTION -

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. 2011-0026-SPHXAK.

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,

*Michael P. Bailey*  
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



**BALTIMORE COUNTY**  
MARYLAND

JAMES T. SMITH, JR.  
*County Executive*

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

August 12, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 9, 2010

Item No.: **Variance:** 2011-0028SPHA, 2011-0032A, 2011-0047A – 0049A, 2011-0026SPHXA

**Administrative Variance:** 2011- 0050A, 2011-0052 - 0053A, 2011-0055A – 0056A.

**Special Hearing:** 2011-0028SPHA, 2011-0051SPH, 2011-0057SPH, 2011-026SPHXA

**Special Exception:** 2011-0026SPHXA

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable for the above listed properties.

**Comments:**

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

Don W. Muddiman, Acting Lieutenant  
Baltimore County Fire Marshal's Office  
700 E. Joppa Road, 3<sup>RD</sup> Floor  
Towson, Maryland 21286  
410-887-4880  
Mail Stop: 1102

cc: File





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

JAMES T. SMITH, JR.  
*County Executive*

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

September 1, 2010

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

ATTENTION: Zoning Review

Distribution Meeting of: August 30, 2010

Item No.:

**Administrative Variance:** 2011-0073A

**Variance:** 2011-0026SPHXA, 2011-0074A – 0078A, 2011-0079SPHA, 2011-0081SPHA,  
2011-0082A

**Special Exception:** 2011-0026SPHXA

**Special Hearing:** 2011-0026SPHXA, 2011-0079SPHA, 2011-0080SPH,, 2011-0081SPHA

Pursuant to your request, the referenced plans have been reviewed by the **Baltimore County Fire Marshal's Office** and the comment below is applicable for the above listed properties.

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

Don W. Muddiman, Acting Lieutenant  
Baltimore County Fire Marshal's Office  
700 E. Joppa Road, 3<sup>RD</sup> Floor  
Towson, Maryland 21286  
Office: 410-887-4880  
Mail Stop 1102

**cc: File**

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

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

**DATE:** August 10, 2010

**FROM:** Dennis A. Kennedy, <sup>DAK</sup> Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For August 23, 2010  
Item Nos. 2011- 026, 028, 032, 047,  
048, 049, 050, 051, 052, 053, 054,  
055, 056 and 057

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-08232010 -NO COMMENTS.doc

TB 9-20  
11am

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

SEP 08 2010

ZONING COMMISSIONER

TO: Timothy M. Kotroco

FROM: Dave Lykens, DEPRM - Development Coordination

DATE: September 8, 2010

SUBJECT: Zoning Item # 11-026-SPHXA  
Address 301 West Chesapeake Avenue  
(The Jemicy School, Inc.)

Zoning Advisory Committee Meeting of August 9, 2010

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

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

Additional Comments:

Afforestation must be provided prior to issuance of any grading or building permit.

Reviewer: Glenn Shaffer Date: August 20, 2010

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

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

**DATE:** September 7, 2010

**FROM:** Dennis A. Kennedy, <sup>DAK</sup>Supervisor  
Bureau of Development Plans  
Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For September 13, 2010  
Item Nos. 2011- 026, 073, 076, 077,  
078, 079, 081 and 082

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-09132010 -NO COMMENTS.doc

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
 301 West Chesapeake Avenue; SW \* ZONING COMMISSIONER  
 corner of Bosley & Chesapeake Avenue \*  
 9<sup>th</sup> Election & 5<sup>th</sup> Councilmanic Districts \*  
 Legal Owner(s): Jemicy School, Inc \* FOR  
 Contract Purchaser(s): Obrecht Real Estate \*  
 Group, LLC \* BALTIMORE COUNTY  
 Petitioner(s) \*  
 2011-026-SPHXA \*

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of People’s Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People’s Counsel on all correspondence 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

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 23<sup>rd</sup> day of Augsut, 2010, a copy of the foregoing Entry of Appearance was mailed to, Arnold Jablon, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204 , Attorney for Petitioner(s).

*Peter Max Zimmerman*  
 \_\_\_\_\_  
 PETER MAX ZIMMERMAN  
 People’s Counsel for Baltimore County

RECEIVED  
 AUG 23 2010  
 \_\_\_\_\_

M E M O R A N D U M

DATE: / October 1, 2010  
TO: To The File  
FROM: Thomas H. Bostwick  
Deputy Zoning Commissioner for Baltimore County  
SUBJECT: Case No. 2011-0026-SPHXA – The Jemicy School, Inc.

---

The above-referenced case came before the undersigned on October 1, 2010 at 10:00 AM in Room 106 of the County Office Building. It had been properly posted and advertised prior to the hearing. On Thursday, September 30, 2010, David Karceski, one of Petitioner's attorneys, called the Office and indicated the case was again to be postponed at the behest of community groups that included Greater Towson Council of Community Associations, Southland Hills Community Association, and West Towson Community Association. He indicated he would contact as many persons as possible from the communities to let them know that the case would be postponed.

On the hearing date and time, Mr. Karceski, appeared. Also appearing were interested citizens Patty Flynn of 306 Colonial Court, Deanna Bailey of 610 Woodbine Avenue, and Molly McConnell of 200 Bosley Avenue. Mr. Karceski confirmed that the postponement request was being made so that the proposed plans for the subject property could be provided in more detail to the community prior to the zoning hearing and that efforts to educate the community about the proposed project could continue. He indicated a new hearing date would be set with Kristen Lewis in the Zoning Review Office. Mr. Karceski also indicated that when the new hearing date is scheduled, he would notify via letter the three persons who appeared for the hearing on this date.

**The case was then postponed -- to be re-scheduled and re-posted and re-advertised.**

c: Kristen Lewis, Zoning Review Office

**M E M O R A N D U M**

DATE: September 20, 2010  
TO: To The File  
FROM: Thomas H. Bostwick  
Deputy Zoning Commissioner for Baltimore County  
SUBJECT: Case No. 2011-0026-SPHXA  
Postponed from September 20, 2010

---

The above-referenced case came before the undersigned on September 20, 2010 at 11:00 AM in Room 104 of the Jefferson Building. It had been properly posted and advertised prior to the hearing. On Friday September 17, 2010, Arnold Jablon, Petitioner's attorney, called the Office and indicated the case was to be postponed mainly at the request of community groups that included Greater Towson Council of Community Associations, Southland Hills Community Association, and West Towson Community Association.

On the hearing date and time, Petitioner's attorney, David Karceski, appeared, as did Richard Reinhardt who owns nearby property at 220 Bosley Avenue. Also appearing were interested citizens Lenore Koehler of 400 West Chesapeake Avenue (Towson Presbyterian School) and John Fisher of 218 Bosley Avenue. Mr. Karceski confirmed that the postponement request was being made as did Mr. Reinhardt so that the proposed plans for the subject property could be provided in more detail to the community prior to the zoning hearing. He indicated a new tentative hearing date had been procured for Friday, October 1, 2010 at 10:00 AM.

The case was then postponed.

c: Kristen Lewis, Zoning Review Office













Case No.: 2011-0076-SPHXA

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1 A-C	redlined amended petitions	
No. 2	letter of support 11-29-10 from SHIA	
No. 3	letter of support 11-26-10 from WTNA	
No. 4	Kirsty Bischoff resume	
No. 5	Shannon Comer resume	
No. 6	Mitch Kellman resume	
No. 7 A+B	aerial photographs	
No. 8	redlined site plan	
No. 9	illustrative landscape plan	
No. 10	illustrative floor plan	
No. 11	illustrative elevation drawings	
No. 12	"y" advertisement	

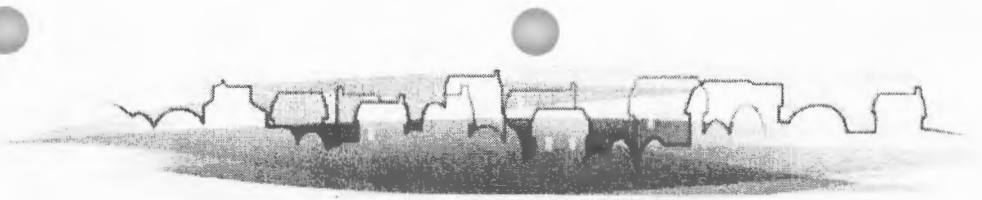
Case No.: 2011-0026-SPHXA

Exhibit Sheet - Continued

Petitioner/Developer

Protestant

	Petitioner/Developer	Protestant
No. 13 A-C	"y" program brochures	
No. 14		
No. 15		
No. 16		
No. 17		
No. 18		
No. 19		
No. 20		
No. 21		
No. 22		
No. 23		
No. 24		



November 29, 2010

Mr. Thomas F. Obrecht  
Principal  
Obrecht Properties, LLC  
9475 Deereco Road, Suite 200  
Timonium, MD 21093

VIA: Electronic Delivery

Dear Tommy,

Thank you again for recently taking the time to show Josh Glikin and me the site plans that included a landscape design. I appreciate very much that Obrecht Properties is engaging the surrounding communities with regard to the project at 301 W, Chesapeake and that in fact our recommendations were adopted. I also want to thank your firm for soliciting designs from a landscape architect with ties to the community. This demonstrates how dedicated your firm is to developing a project that not only meets the needs of Towson, but also supports local businesses.

I was fortunate enough to hold a Southland Hills Board meeting directly after our most recent gathering. Both the site plans and landscape designs were met with very positive responses from the Southland Hills Board. I am happy to represent to you, as President, that the Southland Hills Board supports your project as it has been presented to us and does not object to the related variances and special exceptions

I wish Obrecht Properties much luck with this project and look forward to the addition to our community.

Sincerely,



Nicole Nesbitt  
President, SHIA

Cc: H. John Bremermann, III, General Counsel, Obrecht Properties, LLC  
Therese McAllister, VP, SHIA

**PETITIONER' S**

EXHIBIT NO. 2



WEST TOWSON NEIGHBORHOOD ASSOCIATION, INC.

November 26, 2010

Thomas F. Obrecht  
Managing Member  
West Chesapeake, LLC  
c/o Obrecht Properties, LLC  
9475 Deereco Road, Suite 200  
Timonium, Maryland 21093

**Re: 301 W. Chesapeake Avenue**

Dear Mr. Obrecht,

As President of the West Towson Neighborhood Association, Inc. ("WTNA"), I am pleased to report that the WTNA fully supports the project plans that you have presented to the WTNA with respect to 301 W. Chesapeake Avenue (the "Property"). To that end, the WTNA has no objection to the granting of the zoning variances for which you have previously applied with respect to the Property. We do not intend to send a representative to the December 3, 2010, zoning variance hearing, so please feel free to read and present this letter at that hearing as evidence of the WTNA's support.

We appreciate your willingness to delay the variance hearing until you had an opportunity to engage a landscape architect to design a comprehensive plan for the Property. We were impressed with the architect's design and look forward to seeing a rejuvenated, well-landscaped corner at Chesapeake and Bosley Avenues. We also look forward to meeting with you in the near future to review the plans to renovate the 3-story office building that is immediately adjacent to the Property.

Sincerely,

A handwritten signature in black ink, appearing to read "Joshua Glikin".

Joshua Glikin  
President, WTNA

P.O. Box 502  
Riderwood, Maryland 21139

**PETITIONER'S**

EXHIBIT NO. 3





**KRISTY BISCHOFF, PE**  
VICE PRESIDENT AND DIRECTOR OF ENGINEERING

**LICENSURE AND ACCREDITATION**

Maryland Professional Engineer, No. 28823

**EDUCATION**

University of Maryland, BS, Civil Engineering, 2002

**PROFESSIONAL SUMMARY**

Kristy Bischoff manages the design and processing of plans for DMW's many land development projects including grading, sediment and erosion control, stormwater management, road, storm drain, water, and sewer plans. Mrs. Bischoff oversees design, production, and process and has become expert in the area of satisfying technical requirements associated with these many disciplines.

For the past two years she has received the "Engineer of the Year" award from the Baltimore County Soil Conservation District for her excellence in technical areas of expertise, her understanding of local laws and regulations, and her ability to present information that conforms with State and Local laws. Because of her technical direction and teaming with other owners and senior managers in the firm to achieve this level of excellence throughout DMW's operations, DMW was awarded Baltimore County's "Consultant of the Year" for 2008.

Kristy's special area of expertise is in stormwater design where she has cutting edge knowledge of new environmental approaches being fostered by MDE through new guidelines and updating of the NOI process. She is also expert in the area of hydraulic computations, flood studies, various HEC-RAS and similar models, grading, storm drainage, water and sewer design, and road design.

**PARTIAL LIST OF PROJECTS**

- GBMC Medical Office Building, Garage and OB/Acute Care Expansion**, Baltimore County, MD
- Howard County Office Complex**, Ellicott City, Maryland
- Columbia Town Center Conceptual SWM design**, Howard County, MD
- Delight Quarry**, Baltimore County, MD
- Bonnie View Estates**, 275 Lot Residential Subdivision, Baltimore County, MD
- Cowenton North**, 48 Lot Subdivision, Baltimore County, MD
- Cowenton South**, 373 Unit Condominium Project, Baltimore County, MD
- Cromwell Woods Extension**, 20 Lot Extension of Subdivision, Baltimore County, MD
- Grantleigh Station**, 60 Lot Subdivision, Baltimore County, MD
- Hillcrest Reserve**, 19 Lot Subdivision, Baltimore County, MD
- Sterling Reserve**, 15 Lot Subdivision, Baltimore County, MD

**MEMBERSHIPS AND AWARDS**

- National Society of Professional Engineers
- American Society of Civil Engineers, Maryland Chapter
- Baltimore County Soil Conservation District Consultant of the Year (2007, 2008)

**PROFESSIONAL EXPERIENCE**

Daft McCune Walker, Inc., Towson, MD: 1997-Present

**PETITIONER'S**

4

**EXHIBIT NO.**



**Shannon Margaret Comer**

49 Gilland Court  
Nottingham, Maryland 21236

**Professional Experience:**

<b>Shannon Comer Architects, Inc.</b> President 10404 Stevenson Road Stevenson, MD 21153	July, 2009 to Present
<b>Donald B. Ratcliffe, AIA &amp; Assoc. Architects</b> Vice President 10404 Stevenson Road Stevenson, MD 21153	May, 1997 to July, 2009
<b>Boudreau Interiors, Inc.</b> Design Assistant Towson, MD 21286	June, 1994 to October, 1996

**Professional Affiliations/Memberships:**

American Institute of Architects  
National Council of Architectural Registration Boards  
Homebuilders Association of Maryland  
Professionally Registered Architect in Maryland  
Professionally Registered Architect in Pennsylvania  
Board Member of Genesee Valley Learning Center

**Abbreviated Client and Project List:**

Baltimore Leadership School for Young Women  
The Mark Building Company  
The Associated Jewish Charities  
Obrecht Properties, LLC  
The Keelty Company  
David S. Brown, Enterprises

**Education:**

<b>Morgan State University, Baltimore, MD</b> Masters of Architecture Graduated with 4.0 GPA, Medal of Honor and Final Thesis Award	May, 2004
<b>University of Virginia, Charlottesville, VA</b> Bachelor's of Science in Architecture	May, 1994

**PETITIONER' S**

# DMW

DAFT MCCUNE WALKER INC

MITCHELL J. KELLMAN  
DIRECTOR OF ZONING SERVICES

## Education

Towson University, BA, Geography and Environmental Planning, Urban Planning  
Towson University, Masters, Geography and Environmental Planning, Urban Planning

## Professional Summary

Mr. Kellman has over 11 years of experience working in zoning administration and subdivision regulation for the public sector; 9 of those years were with the Baltimore County Office of Planning and Zoning. His responsibilities included review, approval and signatory powers on behalf of the Director of Final Development Plans and Record Plats. He represented the Zoning Office on the County Development Review Committee, a body reviewing the procedural compliance of all development submissions. Review of petitions and site plans filed for zoning hearing approvals were within his authority. Additionally, he supervised county review staff, met with professionals and public on development project matters, and made determinations regarding developments and their compliance with county regulations. In working for DMW, he has extensive experience in testifying before the Baltimore County Zoning Commissioner, Hearing Officer, and Board of Appeals. He also regularly represents the company at the Baltimore County Development Review Committee meetings.

## Partial List of Projects

Charlestown Retirement Community, Baltimore County, MD  
GBMC, Baltimore County, MD  
Goucher College, Baltimore County, MD  
Hopewell Point, Baltimore County, MD  
Notre Dame Preparatory School, Baltimore County, MD  
Oakcrest Village Retirement Community, Baltimore County, MD  
Sheppard and Enoch Pratt Hospital, Baltimore County, MD  
Waterview, Baltimore County, MD

## Professional Experience

Daft-McCune-Walker, Inc., Towson, MD: 2000-Present  
Baltimore County Office of Permits and Development Management - Development Control,  
1988-2000

**PETITIONER' S**

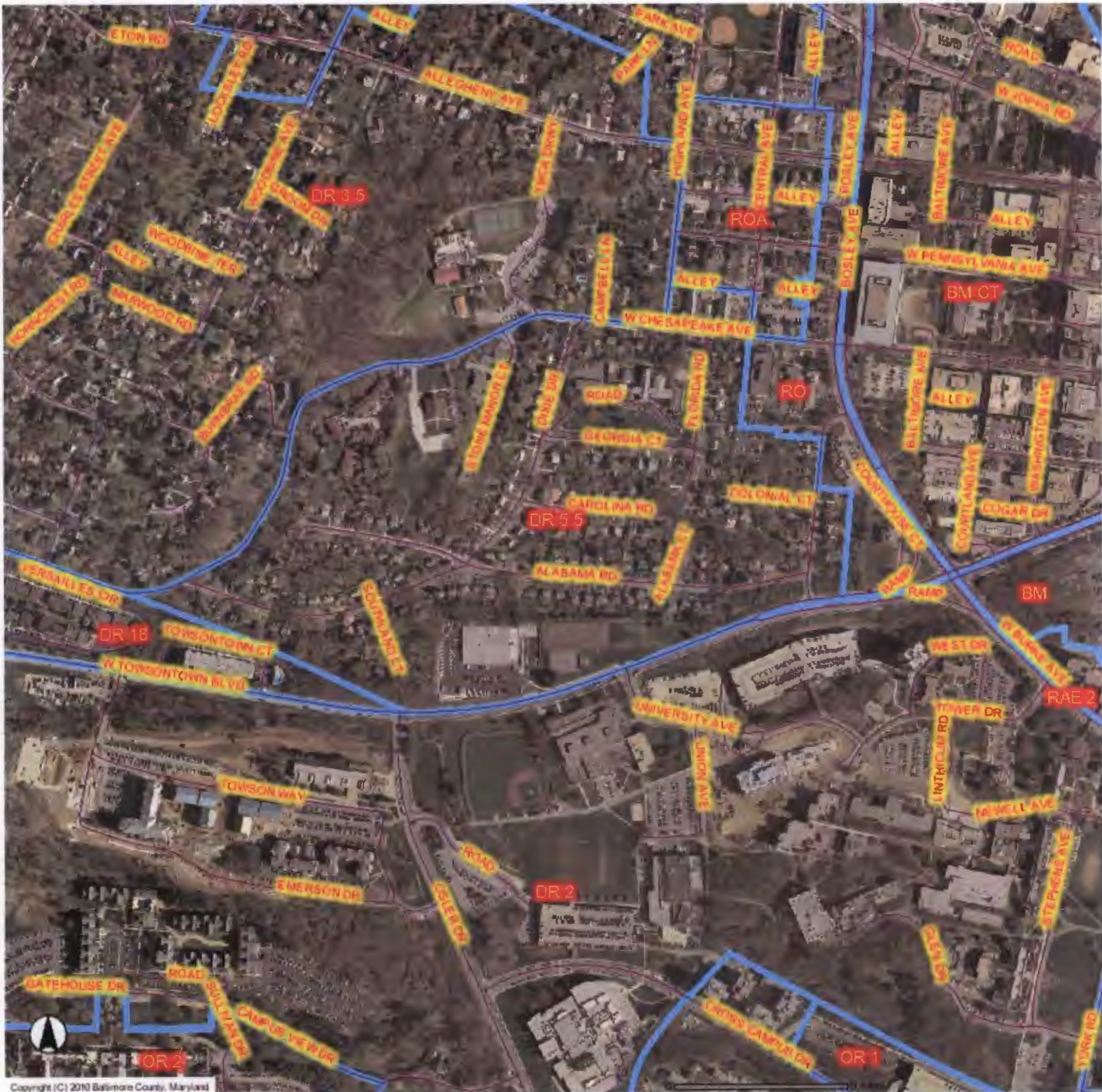
**EXHIBIT NO.** 6



PETITIONER'S

EXHIBIT NO. 7A

7



PETITIONER'S

EXHIBIT NO.

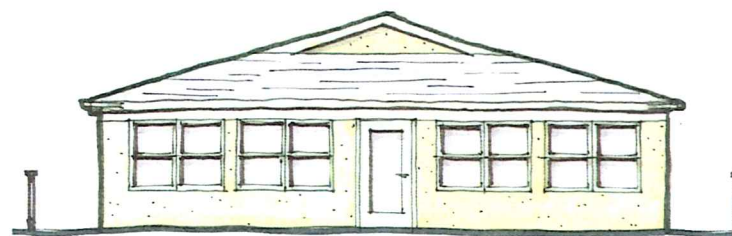
7B



EAST ELEVATION



WEST ELEVATION



SOUTH ELEVATION

PETITIONER'S

EXHIBIT NO. 11

*FOR ILLUSTRATIVE PURPOSES*

# YMCA DAY CARE CENTER

301 W. CHESAPEAKE AVENUE TOWSON, MARYLAND

SCALE: 3/16" = 1'-0"

DATE: 12.3.10

ALL DESIGNS, IDEAS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY AND THE PROPERTY OF SHANNON COMER ARCHITECTS, INC. AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON AND IN CONNECTION WITH THE SPECIFIC PROJECT. NONE OF SUCH DESIGN, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR ORGANIZATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF SHANNON COMER ARCHITECTS, INC.  
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comerarchitects.com



10404 Stevenson Road  
Stevenson, Maryland 21155  
410.484.7010 Phone / 410.484.3819 Fax



**Of the 1,591 Head Start programs in the U.S.,  
only 10 have just been named a Center of Excellence.**

**We are proud that the Y's Baltimore County Head Start  
program is one of them.**

Congratulations to our Baltimore County Head Start team for being honored as among the ten most exceptional Head Start programs in the U.S! The 652 at-risk children we serve are among the lucky ones. For them, economic poverty does not equate to a poverty of opportunity. These beautiful children will start school rich in confidence, ability and knowledge. Indeed, our Baltimore County Head Start school readiness scores consistently lead the state among all other large Head Starts. No wonder the Department of Health & Human Services chose the Y as a model Head Start provider in the U.S!

Fortunately, these 652 young children are not alone. Every day, at sites throughout Baltimore City, the Y serves as a safe haven for over 7,000 at-risk children and youth—some of whom are homeless. In our pre-school, after school, camp and sports programs, we are the role models these young people can “come home to” when no else is there. We are the teachers who give the most disadvantaged children a solid head start. We are the coaches, counselors, mentors and role models who help form a foundation from which strong confidence is built and values are formed.

For over 100 years, we have been providing at-risk youth from the city and communities across Maryland intelligently developed, asset-rich programming that reminds each child they are loved, cared for, capable and strong.

**We invite you to get involved. To volunteer or donate, go to [ymaryland.org](http://ymaryland.org) or contact  
Jeff Sprinkle at 410-837-9622 ext 244.**



**It's deeper here:**

**PETITIONER'S**

**EXHIBIT NO.**

12

## Our Mission

The Y of Central Maryland is a charitable organization dedicated to developing the full potential of every individual through programs that build healthy spirit, mind and body for all.

## Our Commitment

We are committed to providing family oriented, affordable, high quality programs that lead to :

- An enhanced quality of life in the communities in which we operate
- Every family building stronger bonds, achieving greater work/life balance and becoming more engaged with their communities
- Every child and youth deepening positive values, their commitment to service and their motivation to learn.

## Our Values

- Caring
- Honesty
- Respect
- Responsibility

## Give

Every dollar you contribute goes towards giving Y experiences to those who couldn't otherwise afford them. Give if you can. Ask for help if you need it. Y scholarships are one reason

**It's deeper here.™**

To give, go to [ymaryland.org](http://ymaryland.org).



**It's deeper here.™**  
[ymaryland.org](http://ymaryland.org)

Serving Baltimore City and Anne Arundel, Baltimore, Carroll, Harford and Howard Counties

# ENRICHMENT BEFORE AND AFTER SCHOOL



**J**urneys™  
in Enrichment Before & After School

PETITIONER'S

EXHIBIT NO. 13A



## Our Mission

The Y of Central Maryland is a charitable organization dedicated to developing the full potential of every individual through programs that build healthy spirit, mind and body for all.

## Our Commitment

We are committed to providing family oriented, affordable, high quality programs that lead to :

- An enhanced quality of life in the communities in which we operate
- Every family building stronger bonds, achieving greater work/life balance and becoming more engaged with their communities
- Every child and youth deepening positive values, their commitment to service and their motivation to learn.

## Our Values

Caring  
Honesty  
Respect  
Responsibility

## Give

Every dollar you contribute goes towards giving Y experiences to those who couldn't otherwise afford them. Give if you can. Ask for help if you

need it. Y scholarships are one reason

**It's deeper here.™**

To give, go to [ymaryland.org](http://ymaryland.org).



**It's deeper here.™**  
[ymaryland.org](http://ymaryland.org)

Serving Baltimore City and Anne Arundel, Baltimore, Carroll, Harford and Howard Counties

# EARLY CHILDHOOD DEVELOPMENT

PETITIONER'S

13B

EXHIBIT NO.



 **Journeys™**  
in Early Childhood Development

### Our Mission

The Y of Central Maryland is a charitable organization dedicated to developing the full potential of every individual through programs that build healthy spirit, mind and body for all.

### Our Commitment

We are committed to providing family oriented, affordable, high quality programs that lead to :

- An enhanced quality of life in the communities in which we operate
- Every family building stronger bonds, achieving greater work/life balance and becoming more engaged with their communities
- Every child and youth deepening positive values, their commitment to service and their motivation to learn.

### Our Values

Caring  
Honesty  
Respect  
Responsibility

### Give

Every dollar you contribute goes towards giving Y experiences to those who couldn't otherwise afford them. Give if you can. Ask for help if you need it. Y scholarships are one reason

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[ymaryland.org](http://ymaryland.org)

Serving Baltimore City and Anne Arundel, Baltimore, Carroll, Harford and Howard Counties

# FIT KIDS

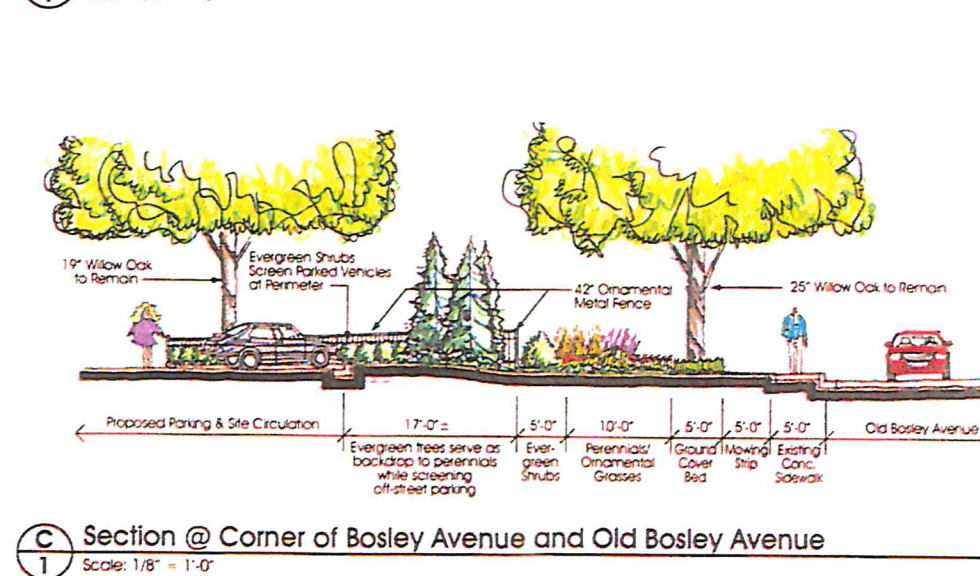
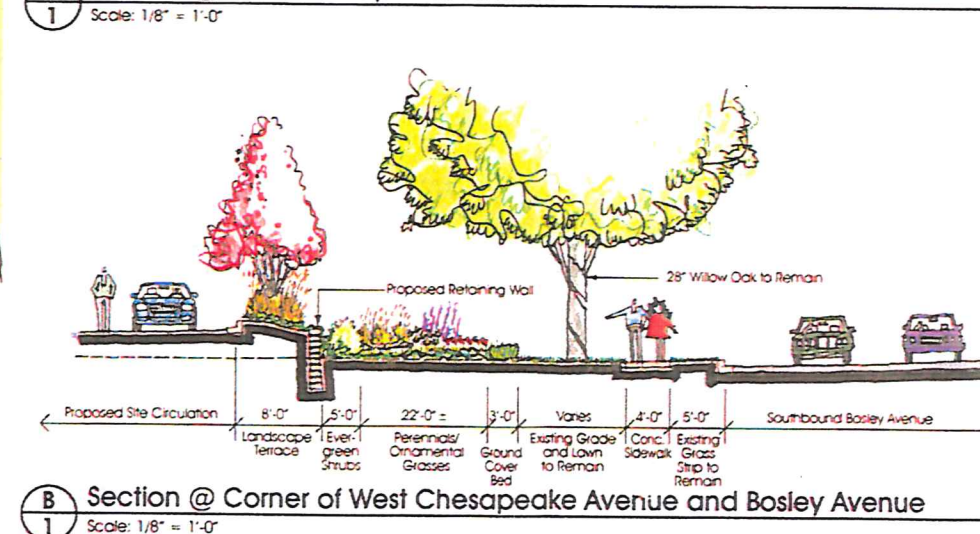
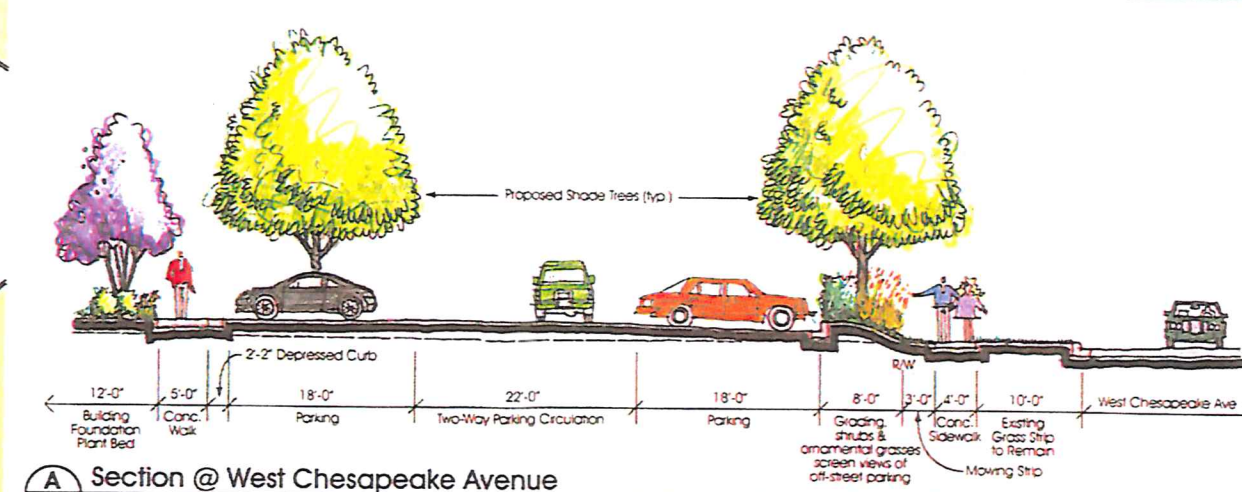
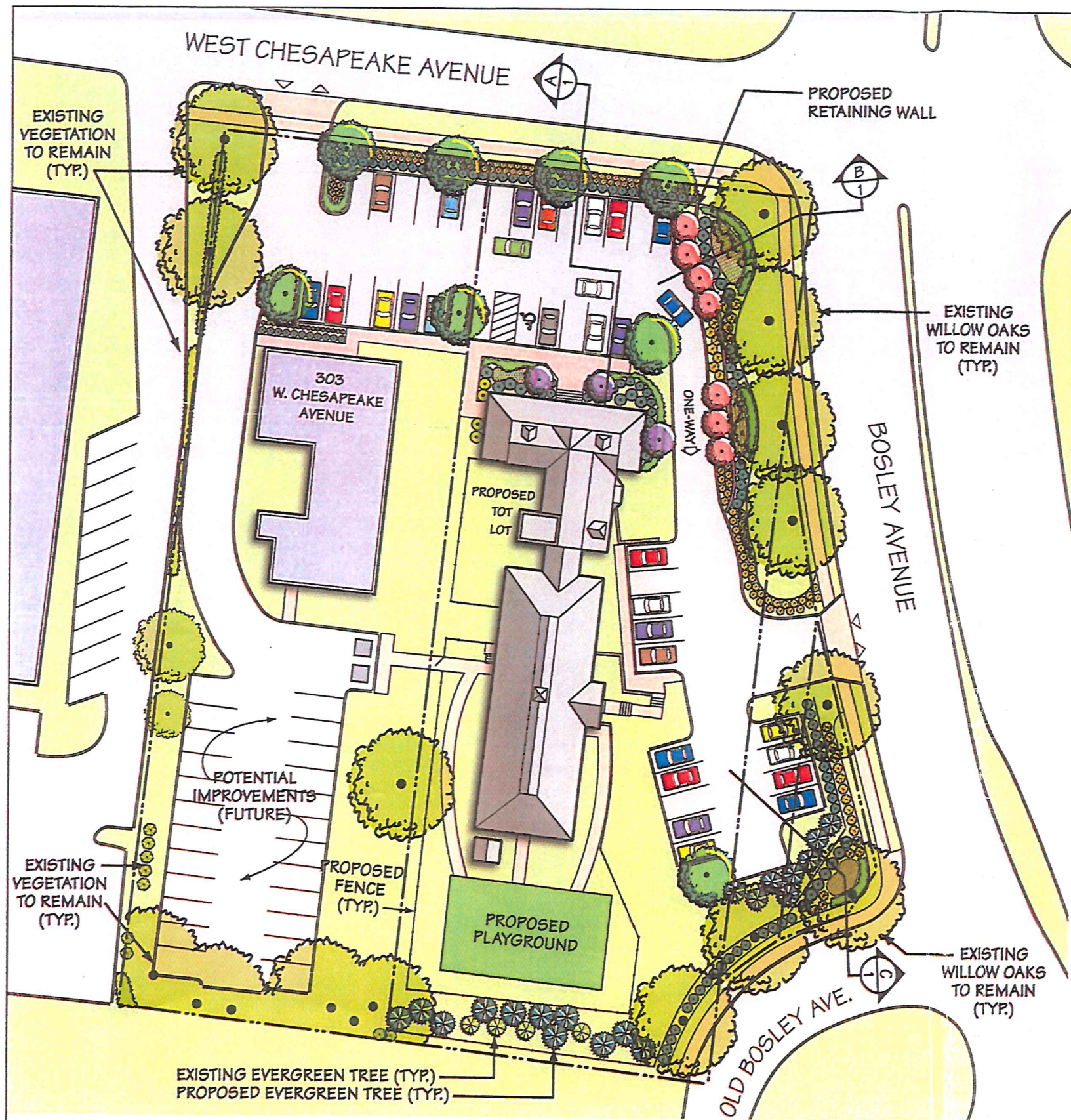


PETITIONER'S

13C

EXHIBIT NO.





# 301 and 303 Chesapeake Avenue

Towson, Maryland

Prepared for Obrecht Properties, LLC

PETITIONER'S 9

EXHIBIT NO.

FOR ILLUSTRATIVE PURPOSES

Scale: 0' 10' 20' 40' 80'

Illustrative Master Plan and Cross-Sections

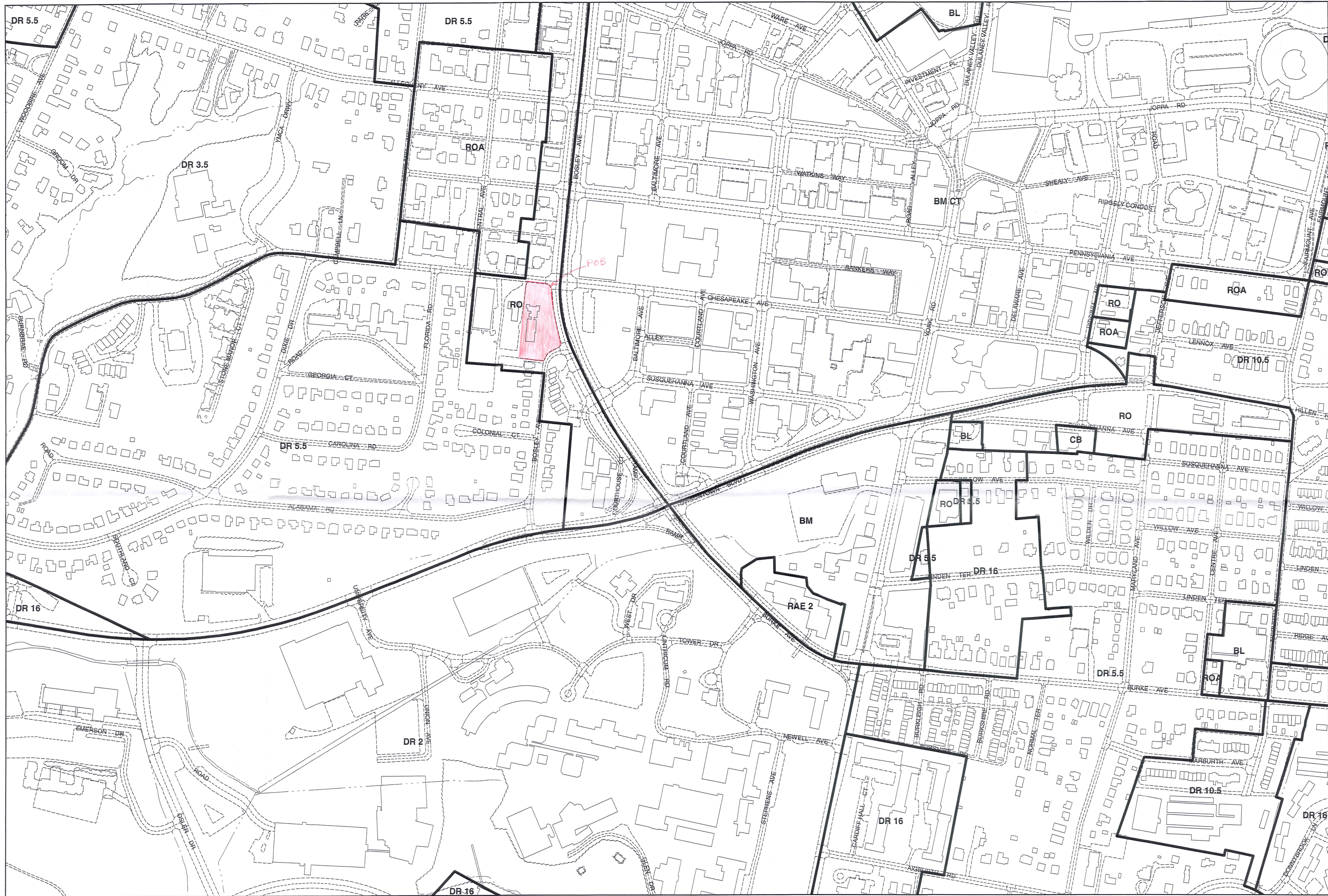
Rec'd MUS 11/3/10

DMW  
DAVEY HUGHES WALKER INC.

HLA  
HOPKIN

316 Adams Road  
Towson, MD 21284  
410.296.2494  
410.296.3262  
www.hla.com

HLA Project No. 10123.0  
Date: November 3, 2010



Plan Sheet: 070A2

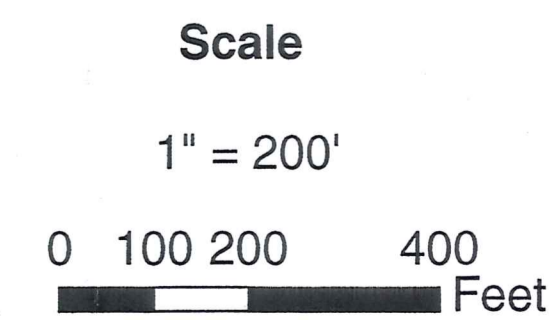
Note:  
The zoning depicted in this application incorporates the actions associated with 2006 Comprehensive Zoning Map Process, zoning changes associated with an adopted Community Plan and Baltimore County Board of Appeals actions through December 31, 2008.

**Legend**

- Buildings
- Streams
- Vegetation
- Zoning
- Roads
- Rail Lines

**Baltimore County  
Office of Planning and Zoning  
Official Zoning Map**

069B1	069C1	070A1	070B1	070C1
069B2	069C2	070A2	070B2	070C2
069B3	069C3	070A3	070B3	070C3

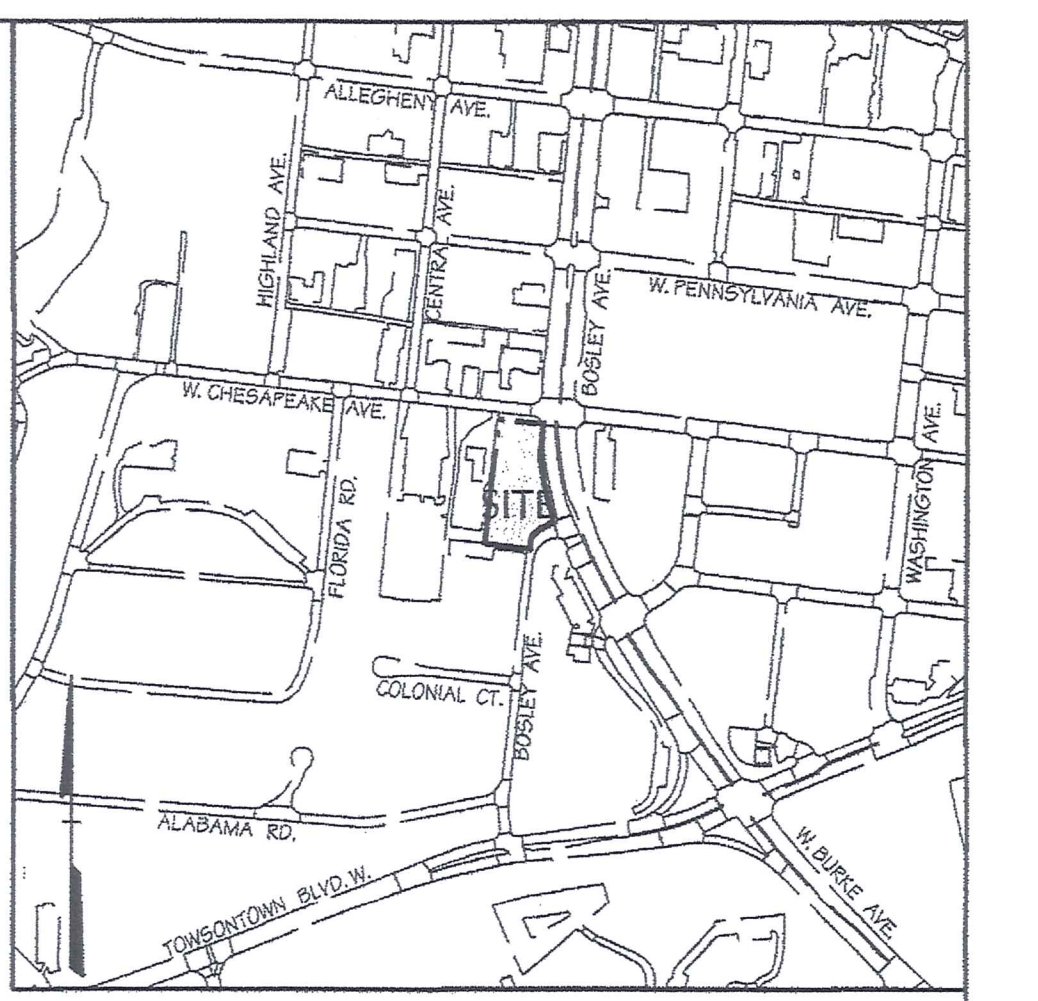
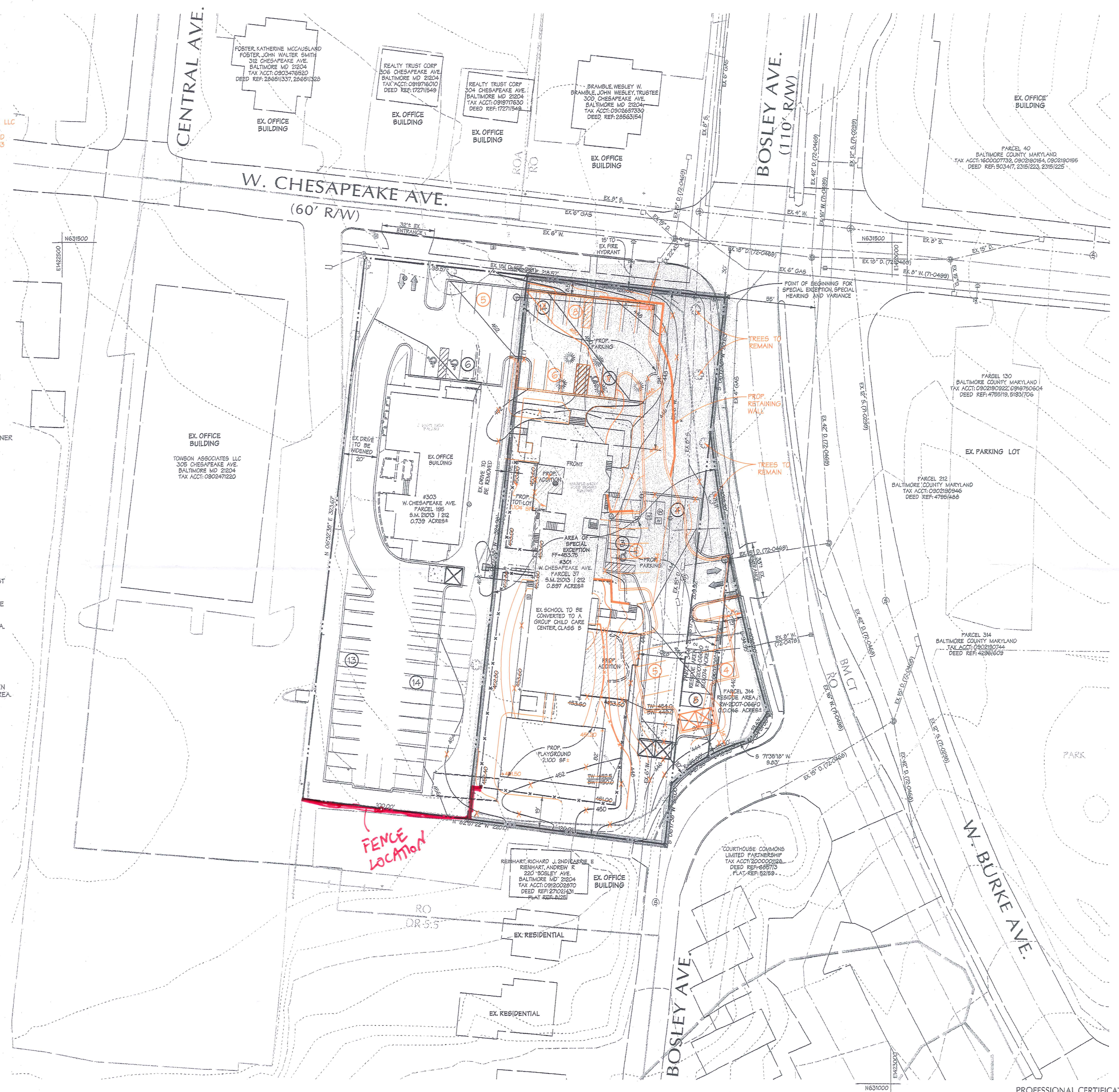


Data Sources:  
Planimetric Data - Baltimore County  
CIT/GIS Services Unit  
1:2400, from 1995/96 photography  
Zoning - Baltimore County Office of Planning  
1:2400, 2008

*Item #0026*

**GENERAL NOTES:**

1. SITE ADDRESS: 301 W. CHESAPEAKE AVENUE TOWSON, MD 21204
2. DEED REFERENCE: 210131212, 236229198, 30126/1
3. TAX MAP: 70A
4. GRID: 10
5. PARCELS: 37, 344, 314
6. CURRENT OWNER: JEMICY SCHOOL INC. WEST CHESAPEAKE LLC  
11 GELADON ROAD SUITE 200  
OWINGS MILLS, MD 21117 9475 DEERCO ROAD  
TIMONIUM, MD 21093
7. TAX ACCOUNT: 0907473072, 0902191162, 0902190744  
0907473072
8. ELECTION DISTRICT: 9
9. COUNCILMANIC DISTRICT: 5
10. LOT SIZE: (PARCEL 37) 0.897 AC.  
(PARCEL 344) 0.074 AC.  
(PARCEL 314) 0.046 AC.  
TOTAL 1.02 AC.±
11. CONTRACT PURCHASER: OBRECHT REAL ESTATE GROUP, LLC  
9475 DEERCO ROAD  
SUITE 200  
TIMONIUM, MD 21093  
(410) 561-5656
12. PROPERTY ZONING CLASSIFICATION: RO
13. FLOOR AREA RATIO: N/A
14. AMENITY OPEN SPACE (RATIO): N/A
15. ZONING HISTORY:  
ZONING CASE No. 90-329-8PHX  
REQUEST REMOVAL OF THE PREVIOUS SPECIAL EXCEPTION FOR A NURSING HOME AND DETERMINE THAT THE PROPOSED USE WOULD QUALIFY AS A COMMUNITY CARE CENTER, COMMUNITY BUILDING OR GROUP CHILD CARE CENTER, AND REQUEST A SPECIAL EXCEPTION FOR A COMMUNITY CARE CENTER, COMMUNITY BUILDING, OR GROUP CHILD CARE CENTER. THE ZONING COMMISSIONER DISMISSED THE PETITION WITHOUT PREJUDICE ON APRIL 16, 1990.  
THE BOARD OF APPEALS DISMISSED THE APPEAL ON SEPTEMBER 18, 1990.  
ZONING CASE No. 1125-5  
SPECIAL PERMIT FOR A CONValesCENT HOME GRANTED BY THE ZONING COMMISSIONER ON MARCH 3, 1948  
DEVELOPMENT PROCESS HISTORY  
BASED UPON THE FILES IN THE DEVELOPMENT MANAGEMENT OFFICE, THERE IS NO DEVELOPMENT HISTORY ON THE PROPERTY (CRG, JSPC, DEVELOPMENT PLAN)
16. PARKING BREAKDOWN:  
PROPOSED DAYCARE @ 15P 1 EMPLOYEE  
24 REQUIRED SPACES  
28 31 PROPOSED SPACES
17. ALL PROPOSED SIGNAGE WILL CONFORM TO SECTION 450 BCZR.
18. THE PROPOSED BUILDING HEIGHT WILL NOT EXCEED 35 FEET.
19. LANDSCAPING AND SCREENING WILL BE PROVIDED IN ACCORDANCE WITH THE LATEST BALTIMORE COUNTY LANDSCAPE MANUAL.
20. THE PROPERTY IS NOT IN A 100-YR FLOODPLAIN NOR IS IT WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
21. THE PROPOSED USE WILL NOT IMPACT ANY PUPIL YIELDS FOR SCHOOLS IN THE AREA.
22. THE SITE IS NOT WITHIN ANY DEFICIENT ZONES (TRAFFIC, WATER, SEWER) PURSUANT TO THE 2010 BASIC SERVICES MAPS.
23. PER A SEARCH OF THE MARYLAND HISTORICAL TRUST INVENTORY, THIS SITE DOES NOT CONTAIN A HISTORICAL STRUCTURE AND IS NOT WITHIN A HISTORICAL DISTRICT.
24. BASED ON RECORD IN PERMITS AND DEVELOPMENT MANAGEMENT, THERE HAVE BEEN NO BUILDING PERMITS GRANTED ON THE PROPERTY WITHIN THE SPECIAL EXCEPTION AREA.



**VICINITY MAP**

Scale: 1" = 500'

**LEGEND**

- Property Boundary
- Existing Curb & Gutter
- Existing Contours
- Existing Trees/Tree Line
- Limit of Special Exception
- Proposed Curb & Gutter

**DATA SOURCES:**

1. EXISTING TOPOGRAPHIC INFORMATION SHOWN HEREON IS FIELD RUN SURVEY PERFORMED BY DMW ON JUNE, 2010 AND SUPPLEMENTED WITH BALTIMORE COUNTY GIS DATED, 1996.
2. PROPERTY BOUNDARY SHOWN HEREON IS BASED ON FIELD RUN SURVEY PERFORMED BY DMW IN JUNE, 2010.
3. ZONING INFORMATION SHOWN HEREON PROVIDED BY BALTIMORE COUNTY OFFICE OF PLANNING GIS OFFICE, SECTION 32-3-202 (D) OF THE BALTIMORE COUNTY, 2003 CODE ESTABLISHES THE ZONING GEODATABASE. THIS MAP REPRESENTS THE ACTIONS OF THE BALTIMORE COUNTY COUNCIL ON AUGUST 4, 2008 (BILLS 85-08, 86-08, 87-08, 88-08, 89-08, 90-08, AND 91-08) EFFECTIVE SEPTEMBER 8, 2008.
4. PROPOSED FEATURES BASED ON ARCHITECTURE FROM SHANNON CONER ARCHITECTS DATED JUNE, 2010.

**DMW**

DAFT MCCUNE WALKER INC  
200 EAST PENNSYLVANIA AVENUE • TOWSON, MD 21286  
P: 410 296 3333 F: 410 296 4705 WWW.DMW.COM  
A TEAM OF LAND PLANNERS, LANDSCAPE ARCHITECTS,  
ENGINEERS, SURVEYORS & ENVIRONMENTAL PROFESSIONALS

Plan to Accompany Petition for  
Special Exception, Special Hearing and Variance

**301 W. Chesapeake Ave.**

ELECTION DISTRICT: 9  
COUNCILMANIC DISTRICT: 5  
BALTIMORE COUNTY, MARYLAND

SEAL

DATE	BY	REVISIONS

PETITIONER'S  
EXHIBIT NO. **8**

ISSUE DATES	BASE:
REVIEW: 20JUL10	CRH/RDW
BID: _____	DRAWN: RDW
PERMIT: _____	DESIGNED: JLB
CONSTRUCTION: _____	CHECKED BY: JLB
SCALE: 1"=30'	DATE CHECKED: 25AUG10
PROJ. NO.: 10020.A	DRAWING: 1 of 1

**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 NO. 26722, EXPIRATION DATE: 2-26-2011.

#303 IS UNDER COMMON OWNERSHIP WITH #301. IT IS NOT INCLUDED WITHIN THE HEARING REQUEST BUT IS SHOWN FOR ILLUSTRATIVE PURPOSES.

