



May 12, 2016

Mr. Arnold Jablon, Director
Baltimore County Permits, Approvals and Inspections (PAI)
C/O The Zoning Review Office
111 West Chesapeake Avenue, Room 111
Towson, MD 21204

Re: Zoning Spirit and Intent Request - Charlestown Retirement Community
PAI Number 01-225
715 Maiden Choice Lane, Catonsville, MD
Election District 1, Councilman District 1
Project No. 82028.RP

Dear Mr. Jablon:

Daft-McCune-Walker, Inc. (DMW) represents the owners of the above, referenced property and we are responsible for the development-processing, engineering, and planning of their project.

DMW, on behalf on the Charlestown Retirement Community, is requesting a "spirit and intent" letter to allow for an adjustment of the approved beds to the assisted living and nursing components. Specifically, we are asking that the adjustment of assisted beds from 100 to 116 and nursing beds from 221 to 207 is within the scope of Zoning Case 2014-0250-SPH. We have enclosed a copy of the Zoning Order for your information. This modification is a 2-bed addition which equals .50 of a density unit increase. The changes are internal to the building only and the .50 density increase is below the approved allowable density (1,436 density units are allowed and 1,378.75 density units are proposed). This modification is also still below the proposed 1,397 density units which accompanied the site plan approved in Zoning Case 2011-0255-SPH.

We feel that this slight modification is within the scope of the last approved zoning case, and we hope that you consider the same. If you concur with our opinion, please sign in the allotted space below.

Thank you for your attention to this matter.

Very truly yours,

Daft-McCune-Walker, Inc.


Mitchell J. Kellman
Director of Zoning Services


W. Carl Richards, Zoning Supervisor

5/25/16

Date

I agree that the slight density change as described in this request is within the spirit and intent of Zoning Case 2014-0250-SPH, PROVIDED THAT HEARING PLAN & CAG PLANS ARE REFINED

IN RE: PETITION FOR SPECIAL HEARING *

NE side Maiden Choice Lane, 770 feet
NW of c/l Wilkens Avenue *
1st Election District
1st Councilmanic District *
(703 Maiden Choice Lane) *

Charlestown Community, Inc.
Beneficial Owner *
Maryland Health and Higher Education
Facilities Authority
Owner of Record *

BEFORE THE
OFFICE OF ADMINISTRATIVE
HEARINGS FOR
BALTIMORE COUNTY

CASE NO. 2011-0255-SPH

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings for Baltimore County for consideration of a Petition for Special Hearing filed by Patricia A. Malone, Esquire with Venable LLP, on behalf of Charlestown Community, Inc., the beneficial owner of the subject property. Petitioner requests Special Hearing relief to approve proposed campus improvements including an expansion of Building 3 and Charlestown Square and elevator additions to Buildings 8/9, Brookside, Herbert's Run and Park View Terrace, as an amendment to the Special Exception and site plans approved in Case Nos. 91-351-SPHXA (amending prior relief granted Case Nos. 85-152X, 88-120-SPHXA, and 91-85-SPHA) and the site plan subsequently approved in Case 98-71-SPHXA. The subject property and requested relief are more fully depicted on the site plan that was marked and accepted into evidence as Petitioner's Exhibit 4.

Appearing at the public hearing in support of the special hearing request were Garrett Falcone, Executive Director of Charlestown Community, Inc. and Mitchell Kellman with Draft McCune and Walter, Inc., the professional engineer who prepared the site plan, and Patricia A. Malone, Esquire, Kedrick Whitmore, Esquire representing the Petitioners. Peter Max Zimmerman appeared on behalf of the Office of Peoples Counsel of Baltimore County as did a number of

residents of the adjacent Kensington Community, whose names appear on the Citizen's Sign-In Sheet which is made part of the hearing file.

The Zoning Advisory Committee (ZAC) comments were received and are made part of the record of this case. Comments were received from the Fire Marshal's Office dated March 8, 2011, which indicate that the proposed building changes and additions shall comply with the provisions of the Baltimore County Fire Prevention Code, County Bill No. 48-10 dated July 19, 2011.

Magda C. Westerhout, AIA with Marks Thomas Architects, was called to testify by the Petitioner. She was accepted as an expert witness in the field of architecture. She noted that she was the "architect of record" for Charlestown since 1988. She described, through the use of aerial photo exhibits, the general layout of the Charlestown Retirement Community, including the outline of the site, its two looped roads, one entrance and numerous buildings.

She related that she had been asked to assess the current needs of the community from an architectural point of view. She presented the results of her assessment and those additions and improvements that are being requested at this time by the Petitioner. She testified that the population of the community, whose average age is now more than 10 years older than at its inception, utilize the elevators available to them many times per day. Noting that there is only one elevator in many of the buildings, Petitioner is proposing an 8 feet "pull out" to allow a total of four elevators to be added to already existing structures. She described the expansion of the aquatic center and dining facilities in the Charlestown Square building. She explained that the need for exercise in a senior population as well as appropriate dining facilities to keep pace with residents' needs, necessitated the requested improvements. Likewise, a reconfiguration of the entrance of the building, including the construction of a canopy, would also provide better access for ambulances and other emergency related vehicles.

Turning her attention to "building 3" Westerhout explained that this was the only building in Petitioner's request that would actually affect residential units. They propose to add to the building, including the enclosing of porches, while at the same time reconfiguring the apartments themselves. She noted that the requested reconfiguration, including the development of a number of new two bedroom apartments, will actually reduce the number of apartments in the building, with the result that the density of the development as a whole will still be below that authorized in the 1991 Order.

In addition to her summary of the description of the requested additions and improvements, she stated that it was her belief that these alterations would result in a more welcoming, responsive and effective facility for the senior population of Charlestown.

Finally, she addressed the affect, if any of the Petitioner's requests in the larger context of the surrounding community. She believes that the proposed improvements are in the spirit and intent of the zoning regulations as well as the original approval of the development itself. She noted the forestation buffers surrounding Charlestown and observed that they grow thicker as time goes on.

She addressed the inquiries and requirements contained in Section 502.1 of the B.C.Z.R. She did not believe that the limited additions proposed would adversely affect density or be detrimental to the health, safety or general welfare of the locality involved, as all work would be done according to Code requirements; nor would they tend to create congestion in roads, streets, or alleys therein. Moreover, the addition of four more elevators and a better entrance to the Charlestown Square building would not create a potential hazard from fire, panic or other danger. The requests would not tend to overcrowd land and/or cause undue concentration of population as fewer apartments and no additional density would result from Petitioner's request. The internal

improvements to the buildings themselves would not interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements; nor interfere with adequate light and air. She believed that the proposed additions to the services for and the lives of the residents was eminently consistent with the purposes of the property's zoning classification nor was in any other way inconsistent with the spirit and intent of the zoning regulations of Baltimore County; neither would they be inconsistent with the impermeable surface and vegetative retention provisions of these zoning regulations. She concluded by stating that the Petitioner proposes no alteration to the existing forest buffer or other environmental bodies, and that therefore the Petitioner's request would not be detrimental to the environmental and natural resources of the site and vicinity including forests, streams, wetlands, aquifers, and floodplains in an RC 2, RC 4, RC 5 or RC 7 zone. In fact, the property includes none of those aforementioned zones.

On cross examination the witness acknowledged that each new elevator would require a shaft approximately 4 feet higher than the existing roofline and in answer to inquiries as to the square footage of the proposed additions, responded that the "footprint" of the buildings affected would change slightly or not at all, that Building 3 would go from 61 to 55 units, some of which would change from one bedroom to two bedroom apartments, and density would be maintained below the previously approved levels.

Mitchell Kellman was called by the Petitioner and accepted as an expert in land planning and the Baltimore County Zoning Regulations ("B.C.Z.R."). He recounted the zoning history of the Charlestown Retirement property. Although the instant case is a special hearing request to amend the previously granted special exception, he briefly described the property as it related to the now generally supplanted CRG (County Review Group) process. The witness then presented a

chart (Petitioner's Exhibit 11) titled "Summary of Residential Density for Charlestown Retirement Community." He explained how the density of the project was determined in this type of matter. He noted that in prior plans for the site, nursing beds were given a density value. He pointed out that this was usually done but, for the sake of consistency, was still being used. Referring to the summary chart, he testified that 1436 density units were the maximum permitted under Case No. 91-351-SPHXA. At that time, utilizing the appropriate calculations, only 1409 density units were utilized, leaving 27 units available. He compared this result with the same calculations utilized in assessing the density in the instant proposal, in which only 1370.5 density units are utilized. As a result, 65.25 density units now remain available of the 1436 units permitted under 91-351-SPHXA; or an increase in still available density units of 38.25 density units as a result of the present proposal. He also drew attention to the third page of Petitioner's Exhibit 2, in which the density calculations are broken by each building in the development, resulting in the same density numbers.

Turning his attention to the requirements of the special hearing amendment to the already existing special exception, he was also questioned regarding the "conditions determining granting of special exceptions" which is set forth in Section 502.1 of the B.C.Z.R. He testified that the proposed amendments would not:

- A. Be detrimental to the health, safety or general welfare of the locality involved, as the density would remain the same and that all additions would be built up to present Code standards;
- B. Tend to create congestion in roads, streets or alleys therein, as residents would likely be more self-contained and no road changes were contemplated;

- C. Create a potential hazard from fire, panic or other danger, given that all new construction would be completed pursuant to Code;
- D. Tend to overcrowd land and cause undue concentration of population, as no additional buildings or units would be constructed. The number of density units utilized would be actually reduced, and less traffic would be generated;
- E. Interfere with adequate provisions for schools, parks, water, sewage, transportation, or other public improvements, conveniences or improvements, as the decrease in density and units would result in no adverse impact as to these items whatsoever;
- F. Interfere with adequate light and air, as the property is some 95 acres and meets all applicable open space requirements;
- G. Be inconsistent with the purposes of the property's zoning classification, nor in any other way inconsistent with the spirit and intent of these zoning regulations, as no significant change would occur to the already approved and long standing purposes of the site, as well as the already existing special exception;
- H. Be inconsistent with the impermeable surface and vegetative retention provisions of these zoning regulations, as no vegetation would be removed and the site would continue to meet all stormwater management standards of the Department of Environmental Protection and Sustainability (DEPS);
- I. Be detrimental to the environmental and natural resources of the site and vicinity in including forests, streams, wetlands, aquifers and floodplains in an RC 2, RC 4, RC 5 or RC 7 zone as no environmental changes or activities would be affected by the improvements requested by Petitioner and none of the stated RC zones were present on the site.

Jared Barnhart was the final witness called on behalf of the Petitioner and was granted expert witness status in the fields of professional engineering and the Baltimore County Development Regulations. He related that he prepared and sealed the plat to accompany the instant Petition as well as the red line version, Petitioner's Exhibits 1 and 2, respectively. He explained that the only difference in the two versions was the inclusion of the chart on page 3 of Exhibit 2 concerning existing and requested density broken down by building. He stated that both were accurate as to site conditions that all improvements requested appeared on both.

He testified that the proposed plan is compatible with the special exception relief granted in 91-351-SPHXA. Turning his attention to the requirements of subsection of 502.1 of the B.C.Z.R he concurred with and adopted the testimony of witnesses Westerhout and Kellman. The witness described the forest buffers of the site and discussed a question regarding a so-called "finger road" that apparently extends into the forest buffer between the Charlestown community and the adjacent Kensington community; referred to also during the hearing as an "edge of the forest canopy" and "edge of the forest". It appears to be an unimproved road which adjacent neighbors believe is used to support vehicles and machinery used in landscaping activities for the Charlestown community. It extends roughly 650 feet into the forest buffer and ends approximately 85 feet from Warwick Road, the border of the Kensington community. The road appears slightly different on several aerial photographs which the witness opined probably reflecting the changing seasonal growth of the trees. It does not appear on the 1991 plan and the witness offered that he has never seen trucks or other machinery actually using it, but noted that all use, in any event, stopped as of December 2010 when the new ownership of the Charlestown Retirement Community became aware of the complaint of the citizens in the Kensington community about this use located so deeply in the forest buffer. He noted that, in any event,

Petitioner was in the process of reiterating and completing the proper conveyancing of all forest buffers of the Charlestown Community to Baltimore County, and was specifically requesting the County to include the so-called "finger" into the forest buffer.

Gregory Fenlon was the first witness called by Peoples Counsel. A long time resident of Kensington and a previous vice president of the community association, he attends UMBC. He stated that he was familiar with the history of the site as well as the latest proposals of Petitioner and voiced his concern regarding historical doubts that the ownership of Charlestown was "community friendly". He acknowledges the very recent exit of the previous ownership group and the assumption by a new group of owners of the senior community. He offered his hope that, as a result of this change, relations between Charlestown and the Kensington community would improve.

Beverly Sanderson, a resident of Warwick Road, whose backyard borders on the aforesaid forest buffer since 1986, was called to testify. Noting that she has participated in previous proceedings concerning requests by the Charlestown community, she opposes as a principle, any expansion of the footprints of any of the Charlestown buildings. She referred to the ongoing requests as a "creeping process" of expansion and fears the setting of precedent allowing any future expansion. She believes there is a point you must simply say "stop" to any further expansion. She stated that she has visited people residing in the Charlestown community over these many years, but is concerned about traffic issues on the two lane road of the campus. She recognizes the trends as our population gets older, admitted that she had no visceral objection with the proposed items in Petitioner's instant request, and acknowledged that Petitioner could in fact do what was legally permitted.

Edith Robinson, a neighbor who, along with her husband Walton, has lived in the Kensington community for 49 years, was the final witness called by Peoples Counsel. She is concerned that the proposed elevator shafts, which are a slight increase in the height of each building affected, will adversely affect the "view" of the adjacent neighborhood. Although she acknowledges the need to modernize, she believes that the site is as large and high as it should be, and that if granted, construction noise would be burden to the community. Finally, she testified that she had in the past heard noise from trucks and other equipment emanating from the "finger road". She stated that it is wide enough for a truck to turn around and in any event should be done away with and included in the forest buffer.

The Petitioner is faced with the need to upgrade and improve the facilities that are home to their many residents. At the same time, one cannot deny that the population of Baltimore County includes more and more senior citizens. The need by service providers to remain competitive in the provision of senior living environments cannot be ignored if that ever increasing senior population is to enjoy readily available safe and modern living alternatives.

The Charlestown Retirement Community has for years provided quality residential facilities for seniors. Now, under new ownership, it is seeking to modernize its facilities in order to provide a better and more responsive environment for its residents.

Specifically, Petitioner wishes to add four elevators to four already existing buildings, expand its aquatic center and dining facilities, reconfigure the entrance to its Charlestown Square Building and expand and expand and redive "Building 3", an already existing residential structure.

Witness Westerhout provided a clear picture of the improvements and reasons they were necessary and appropriate. The movement of residents in and out of their building is as much a

matter of providing increased convenience and ease of use for the citizens of Charlestown as it is of safety in emergency situations. Moreover, it is undisputed that in senior communities such as this one, a readily available and accommodating elevator system is essential. The construction needed to add the additional four elevators is minimal, as is the effect that construction will have on the silhouette or view of the building by those outside of the community.

A necessary foundation of any senior community is the ability to provide quality facilities for exercise and the nutrition of its residents. The additions to the aquatic and dining facilities of the Charlestown Square Building, a non-density addition, is well sited and wholly appropriate. Likewise, the proposed new covered entrance to that building will improve access in all weather for individuals, those using wheelchairs and walkers, as well as for emergency vehicles.

The improvements requested for "Building 3" reflect and are responsive to the reality of present day senior living needs. Petitioner plans to enclose and add space, while reconfiguring the apartments within to include more two bedroom units. The number of apartments in the building will decrease, and the number of total density units utilized will be likewise decreased.

The sum total of the requested improvements will, I believe, result in a more useful and effective senior living facility. At the same time, I am satisfied that, as stated in the uncontroverted testimony of witnesses Westerhout, Kellman and Barnhart, the inquiries set forth in subsection 502.1 of the B.C.Z.R. have been clearly met and satisfied. Moreover, I am convinced by their testimony that the proposed additions included in this special hearing request are in agreement with the spirit and intent of the applicable County zoning regulations, as well as with the original approval and subsequent amendments to the Development Plan of Charlestown Village.

Having so stated, I am mindful of the testimony of members of the surrounding Kensington community as regard the need to maintain all existing forest buffers, and particularly to remedy the situation concerning the so-called "finger road" intruding into the forest buffer between the Charlestown and Kensington communities. All necessary steps must be taken immediately by Petitioner to formally convey and insure that the existing forest buffers remain undisturbed. The area encompassing the "finger road" must be returned to its previous state as part of the forest buffer, so as to render it indistinguishable from any other part of the surrounding buffer. It is essential, in my opinion, that while the senior population of the Charlestown community be enabled to benefit from their surroundings and facilities, the residents of the Kensington community and other surrounding neighbors must likewise be allowed to enjoy their privacy and joy of home ownership.

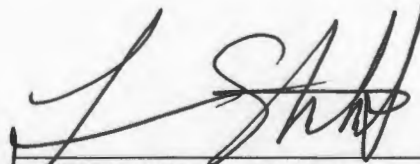
Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by Petitioner, I find that Petitioner's request for special hearing should be granted.

THEREFORE, IT IS ORDERED this 29th day of April, 2011 by this Administrative Law Judge that Petitioner's Special Hearing request to approve proposed campus improvements including an expansion of Building 3 and Charlestown Square and elevator additions to Buildings 8/9, Brookside, Herbert's Run and Park View Terrace, as an amendment to the Special Exception and site plans approved in Case Nos. 91-351-SPHXA (amending prior relief granted Case Nos. 85-152X, 88-120-SPHXA, and 91-85-SPHA) and the site plan subsequently approved in Case 98-71-SPHXA be and is hereby **GRANTED**.

The relief granted herein shall be subject to the following:

1. Petitioner may apply for 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 such time as the 30-day appellate process from 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. The proposed building changes and additions shall comply with the provisions of the Baltimore County Fire Prevention Code, County Bill No. 48-10 dated July 19, 2011.
3. The area encompassing the "finger road" shall be returned by Petitioner to its previous state as part of the forest buffer, so as to render it indistinguishable from any other part of the surrounding buffer. The said replanting and reforestation shall be subject to the approval of Avery Harden, Landscape Architect for Baltimore County.
4. That the forest buffers approved by Baltimore County and as set forth in the Plan to Accompany Petition for Special Hearing in this instant case shall be conveyed to Baltimore County by Petitioner in a timely manner with the inclusion of the area of the "finger road."

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



LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS:pz



KEVIN KAMENETZ
County Executive

LAWRENCE M. STAHL
Managing Administrative Law Judge
JOHN E. BEVERUNGEN
TIMOTHY M. KOTROCO
Administrative Law Judges

April 29, 2011

PATRICIA A. MALONE, ESQUIRE
KEDRICK WHITMORE, ESQUIRE
VENABLE, LLP
210 WEST PENNSYLVANIA AVENUE
SUITE 500
TOWSON, MD 21204

Re: Petition for Special Hearing
Case No. 2011-0255-SPH
Property: 703 Maiden Choice Lane

Dear Ms. Malone and Mr. Whitmore:

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 with the Department of Permits, Applications and Inspections an appeal within thirty (30) days from the date of this Order. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Stahl", is written over the typed name.

LAWRENCE M. STAHL
Managing Administrative Law Judge
for Baltimore County

LMS/pz

Enclosure

c: Beverly Sanderson, 732 Warwick Road, Baltimore MD 21229
Pocco Rice, 702 South Beechfield Avenue, Baltimore MD 21229
Marilyn Maitland, 4311 Fordham Road, Baltimore MD 21229
Walton and Edith Robinson, 706 Dorchester, Baltimore MD 21229
Gregory Fenlon, 4306 Fordham Road, Baltimore MD 21229
Janet Ruehl, 812 Warwick Road, Baltimore MD 21229



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at North Side of Maiden Choice Lane
which is presently zoned DR 5.5, DR 10.5, DR 16, OR-2

(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.

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

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

Contract Purchaser/Lessee:

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

Attorney For Petitioner:

Patricia A. Malone
Name - Type or Print _____
Signature _____
Venable LLP
Company _____
210 W. Pennsylvania Ave. Suite 500 410-494-6206
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

Legal Owner(s):

See Attached

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

Representative to be Contacted:

Patricia A. Malone
Name _____
210 W. Pennsylvania Ave, Suite 500 410-494-6206
Address _____ Telephone No. _____
Towson MD 21204
City _____ State _____ Zip Code _____

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

Case No. 2011-0255-SPH
REV 9/15/98

UNAVAILABLE FOR HEARING
Reviewed By RID Date 2/25/11

**Attachment for
Petition for Special Hearing**

**Charlestown Retirement Community
Maiden Choice Lane**

Special Hearing to approve proposed campus improvements, including an expansion of Building 3 and Charlestown Square and elevator additions to Buildings 8/9, Brookside, Herbert's Run, and Park View Terrace, as an amendment to the special exception and site plans approved in Case No. 91-351-SPHXA (amending prior relief granted Case Nos. 85-152-X, 88-120-SPHXA, and 91-85-SPHA) and the site plan subsequently approved in Case No. 98-71-SPHXA.

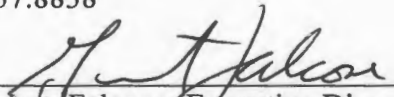
Item # 0255

**Attachment for
Petition for Special Hearing**

**Charlestown Retirement Community
Maiden Choice Lane**

Beneficial Owner:

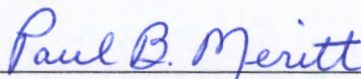
Charlestown Community, Inc.
719 Maiden Choice Lane
Baltimore, Maryland 21228
410.737.8838

By: 
Garret Falcone, Executive Director

Owner of Record:

Maryland Health and Higher Educational
Facilities Authority
401 E. Pratt Street
Suite 1224
Baltimore, Maryland 21202
410.837.6220

Maryland Health and Higher Educational Facilities Authority, a body corporate and politic and an instrumentality of the State of Maryland (the "Authority"), is executing this Petition for Special Hearing at the request of Charlestown Community, Inc. ("Charlestown") solely to permit Charlestown to file said Petition. By its execution and delivery hereof, the Authority makes no representations, other than the representation that it is the record owner of the property, and undertakes no obligations for the payment of costs or otherwise.

By: 
Paul B. Meritt, Vice-Chairman

Item #0255



Description
To Accompany Petition
For a Special Exception, Special Hearing and/or Variance
Charlestown Retirement Community
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 Wilkens Avenue with the centerline of Maiden Choice Lane, northwesterly with the centerline of said Maiden Choice Lane 770 feet, more or less, thence northeasterly 34.66 feet to the point of beginning; thence leaving said point of beginning and running (1) North 46 degrees 55 minutes 37 seconds West 296.89 feet, thence (2) northwesterly by a line curving to the left having a radius of 12035.00 feet, for a distance of 271.31 feet, (the arc of said curve being subtended by a chord bearing North 47 degrees 34 minutes 22 seconds West 271.31 feet), thence (3) North 48 degrees 13 minutes 07 seconds West 1045.13 feet; thence (4) North 39 degrees 52 minutes 44 seconds East 464.71 feet; thence (5) South 50 degrees 07 minutes 16 seconds East 250.00 feet; thence (6) North 39 degrees 52 minutes 44 seconds East 300.00 feet; thence (7) North 50 degrees 07 minutes 16 seconds West 86.30 feet; thence (8) North 39 degrees 52 minutes 44 seconds East 30.00 feet; (9) thence North 50 degrees 07 minutes 16 seconds West 82.20 feet; (10) thence South 39 degrees 52 minutes 44 seconds West 30.00 feet; (11) thence North 50 degrees 07 minutes 16 seconds West 81.50 feet; (12) thence North 39 degrees 52 minutes 44 seconds East 712.79 feet; (13)

Item #0255

thence North 73 degrees 02 minutes 44 seconds East 313.67 feet; (14) thence North 49 degrees 08 minutes 16 seconds West 73.75 feet; (15) thence North 78 degrees 58 minutes 12 seconds East 47.64 feet; thence (16) North 80 degrees 45 minutes 02 seconds East 17.15 feet; thence (17) North 80 degrees 39 minutes 45 seconds East 96.20 feet; thence (18) North 81 degrees 37 minutes 15 seconds East 51.76 feet; thence (19) North 73 degrees 46 minutes 46 seconds East 25.66 feet; (20) thence North 75 degrees 26 minutes 46 seconds East 25.66 feet; thence (21) North 64 degrees 52 minutes 10 seconds East 53.02 feet; thence (22) North 57 degrees 25 minutes 54 seconds East 56.66 feet; thence (23) North 64 degrees 57 minutes 21 seconds East 17.59 feet; thence (24) South 79 degrees 13 minutes 11 seconds East 91.74 feet; thence (25) South 86 degrees 53 minutes 24 seconds East 103.66 feet; thence (26) North 87 degrees 47 minutes 14 seconds East 103.24 feet; thence (27) South 83 degrees 10 minutes 44 seconds East 14.60 feet to intersect the common jurisdictional boundary line between Baltimore County and Baltimore City, thence leaving Baltimore County and running through a portion of Baltimore City the following 18 courses and distances: (28) South 83 degrees 10 minutes 44 seconds East 88.60 feet; thence (29) South 78 degrees 14 minutes 41 seconds East 51.59 feet; thence (30) South 74 degrees 41 minutes 30 seconds East 51.56 feet; thence (31) South 79 degrees 56 minutes 13 seconds East 51.37 feet; thence (32) N 87 degrees 05 minutes 09 seconds East 54.10 feet; thence (33) South 49 degrees 52 minutes 36 seconds East 12.53 feet; thence (34) South 57 degrees 03 minutes 28 seconds East 26.93 feet; thence (35) South 68 degrees 55 minutes 21 seconds East 50.89 feet; thence (36) South 77 degrees 51 minutes 17 seconds East 44.90 feet; thence (37) South 65 degrees 10 minutes 12 seconds East 70.39 feet; thence (38) South 77 degrees 41 minutes 15 seconds East 22.14 feet; thence (39) North 87 degrees 52 minutes 53 seconds East 29.97 feet; thence (40) South 83 degrees 36 minutes 43 seconds East 51.20 feet; thence (41) South 78 degrees 02 minutes 50 seconds East 25.18 feet; thence (42) South 65 degrees 38

minutes 43 seconds East 75.35 feet; thence (43) South 66 degrees 34 minutes 25 seconds East 100.33 feet; thence (44) South 66 degrees 04 minutes 31 seconds East 17.17 feet; thence (45) South 16 degrees 06 minutes 13 seconds East 112.17 feet to intersect the aforementioned jurisdictional line between Baltimore County and Baltimore City, thence continuing the same course (46) South 16 degrees 06 minutes 13 seconds East 1228.85 feet; thence (47) South 66 degrees 37 minutes 54 seconds West 772.11 feet; thence (48) South 23 degrees 22 minutes 06 seconds East 661.40 feet; thence (49) South 88 degrees 05 minutes 11 seconds West 213.64 feet; thence (50) South 22 degrees 41 minutes 16 seconds West 69.62 feet; thence (51) southwesterly by a line curving to the left having a radius of 170.00 feet, for a distance of 49.94 feet, (the arc of said curve being subtended by a chord bearing South 14 degrees 16 minutes 22 seconds West, 49.76 feet); thence (52) North 23 degrees 47 minutes 24 seconds West 515.35 feet; thence (53) South 67 degrees 38 minutes 00 seconds West 1001.49 feet; to the point of beginning containing 478,3755 square feet or 109.820 acres of land, more or less, as now surveyed by Daft-McCune-Walker, Inc. in February 2011.

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

February 15, 2011

Project No. 82028 (L82028)



Item #0255

**DEPARTMENT OF PERMITS, APPROVALS AND INSPECTIONS
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: 2011-0255-SPH
Petitioner: Charlestown Community, Inc.
Address or Location: ~~703~~ Maiden Choice Lane
703

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kedrick Whitmore
Address: Venable LLP
210 W. Pennsylvania Avenue, Suite 500
Towson MD 21204
Telephone Number: (410) 494-6204

Revised 2/17/11 DT

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

No. **64727**

Date: **2/25/11**

PAID RECEIPT

BUSINESS ACTUAL TIME DRW
 2/25/2011 2/25/2011 19:16:21 5
 REC 9303 WALKIN ROOS LRP
 >>RECEIPT N 507524 2/25/2011 OFLN

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount	Dept
001	806	0000		6150				8385	

Total: **8385.00**

Rec From:

For: **zoning hearing - case # 2011-0255-SPH**

5 528 ZONING VERIFICATION
 064727
 Recpt Tot 8385.00
 \$385.00 CR 1.00 CA
 Baltimore County, Maryland

**CASHIER'S
 VALIDATION**

DISTRIBUTION
 WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

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: # 2011-0255-SPH

703 Maiden Choice Lane

NE/s of Maiden Choice Lane, 770 ft. NW of centerline Wilkens Avenue

1st Election District-1st Councilmanic District

Legal Owner(s): Charlestown Community Inc.

Special Hearing to approve proposed campus improvements, including an expansion of building #3 and Charlestown Square and elevator additions to buildings 8/9, Brookside, Herbert's Run and Park View Terrace, as amendment to the special exception and site plan approved in case 91-351-SPHXA (amending prior relief granted case #85-152-X, 88-120-SPHXA and 91-85-SPHA) and the site plan subsequently approved in case 98-711-SPHXA.

Hearing: Friday, April 8, 2011 at 10:00 a.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

Arnold Jablon, Director, PAI

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

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

03/21/11 March 24

270249

CERTIFICATE OF PUBLICATION

3/24, 20 11

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3/24, 20 11.

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

J. Wilkins

LEGAL ADVERTISING

CERTIFICATE OF POSTING

2011-0255-SPH

RE: Case No.: _____

Petitioner/Developer: _____

Charlestown Community Inc

April 8, 2011

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: Kristen 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: _____

703 Maiden Choice Lane

March 24, 2011

The sign(s) were posted on _____
(Month, Day, Year)

Sincerely,

March 28, 2011

(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)

ZONING NOTICE

CASE # 2011-0255-SPH

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

Room 205 JEFFERSON BUILDING
105 WEST CHESAPEAKE AVE TOWSON 21204

PLACE:

DATE AND TIME FRIDAY, APRIL 8, 2011 AT 10:00 AM.

REQUEST: SPECIAL HEARING TO APPROVE PROPOSED CAMPUS

IMPROVEMENTS, INCLUDING AN EXPANSION OF BUILDING #3 AND
CHIMBLESTOWN SQUARE AND ELEVATOR ADDITIONS TO BUILDINGS 8/9
BROOKSIDE, HERBERT'S RUN AND PARK VIEW TERRACE, AS
ADJUNCT TO THE SPECIAL EXCEPTION AND SITE PLAN APPROVED
IN CASE 91-351-SPHX (AMENDING PRIOR RELIEF GRANTED CASE
85-152-X, 88-120-SPHX AND 91-85-SPHA) AND THE SITE
PLAN SUBSEQUENTLY APPROVED IN CASE 98-71-SPHX.

IF IMPROVEMENTS DUE TO MAINTENANCE OR OTHER CONDITIONS ARE SOME TIMES NECESSARY,
TO CONFIRM HEARING, CALL 887-3391

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

TO: PATUXENT PUBLISHING COMPANY
Thursday, March 24, 2011 Issue - Jeffersonian

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

410-494-6204

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2011-0255-SPH

703 Maiden Choice Lane
NE/s of Maiden Choice Lane, 770 ft. NW of centerline Wilkens Avenue
1st Election District – 1st Councilmanic District
Legal Owners: Charlestown Community Inc.

Special Hearing to approve proposed campus improvements, including an expansion of building #3 and Charlestown Square and elevator additions to buildings 8/9, Brookside, Herbert's Run and Park View Terrace, as amendment to the special exception and site plan approved in case 91-351-SPHXA (amending prior relief granted case #85-152-X, 88-120-SPHXA and 91-85-SPHA) and the site plan subsequently approved in case 98-71-SPHXA.

Hearing: Friday, April 8, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon
Director, PAI

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



KEVIN KAMENETZ
County Executive

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

March 14, 2011

NOTICE OF ZONING HEARING

The Administrative Law Judge 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: 2011-0255-SPH

703 Maiden Choice Lane

NE/s of Maiden Choice Lane, 770 ft. NW of centerline Wilkens Avenue

1st Election District – 1st Councilmanic District

Legal Owners: Charlestown Community Inc.

Special Hearing to approve proposed campus improvements, including an expansion of building #3 and Charlestown Square and elevator additions to buildings 8/9, Brookside, Herbert's Run and Park View Terrace, as amendment to the special exception and site plan approved in case 91-351-SPHXA (amending prior relief granted case #85-152-X, 88-120-SPHXA and 91-85-SPHA) and the site plan subsequently approved in case 98-71-SPHXA.

Hearing: Friday, April 8, 2011 at 10:00 a.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

A handwritten signature in black ink, appearing to read "Arnold Jablon", is written over the printed name and title.

Arnold Jablon
Director

AJ:kl

C: Patricia Malone, 210 W. Pennsylvania Ave., Ste. 500, Towson 21204
Charlestown Community, 719 Maiden Choice Lane, Baltimore 21228

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, MARCH 24, 2011.**
- (2) **HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ADMINISTRATIVE HEARINGS OFFICE AT 410-887-3868.**
- (3) **FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.**

Zoning Review | County Office Building

111 West Chesapeake Avenue, Room 111 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048

www.baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

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

March 30, 2011

Garret Falcone, Executive Director
Charlestown Community
719 Maiden Choice Lane
Catonsville, MD 21228

RE: Case Number 2011-0255-SPH, 703 Maiden Choice Lane, Catonsville, MD 21228

Dear Mr. Falcone

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on February 25, 2011. 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:mcn

Enclosures

c: People's Counsel
Ms. Patricia Malone/Venable LLP, 210 W. Pennsylvania Avenue, Towson, MD 21204



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

State Highway
Administration

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

Maryland Department of Transportation

Date: 3-8-2011

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

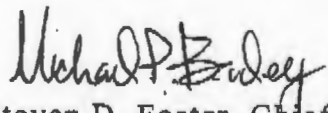
RE: Baltimore County
Item No 2011-0255-SPH
703 MAIDEN CHOICE LN
CHARLESTOWN RETIREMENT COMM, INC.
SPECIAL HEARING

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2011-0255-SPH.

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

Very truly yours,


For Steven D. Foster, Chief
Access Management 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.marylandroads.com

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits, Approvals
And Inspections

FROM: Dennis A. Kennedy^{DAK}, Supervisor
Bureau of Development Plans
Review

SUBJECT: Zoning Advisory Committee Meeting
For March 14, 2011
Item Nos. 2011- 251, 252, 253, 254,
255, 256 and 258

DATE: March 8, 2011

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-03142011 -NO COMMENTS.doc



KEVIN KAMENETZ
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

March 8, 2011

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

ATTENTION: Zoning Review

Distribution Meeting of: **March 7, 2011**

Item No.:

Special Hearing: 2011-0255-SPH, 2011-0258-SPHXA (Buildings on the property)

Comments:

The proposed building changes and additions shall comply with the provisions of the Baltimore County Fire Prevention Code, County Bill No. 48-10 dated July 19, 2011.

Special Hearing: 2011-0258-SPHXA (Setbacks)

Comments:

The Baltimore County Fire Marshal's Office has no comments on the above case numbers at this time.

Don W. Muddiman, Inspector
Baltimore County Fire Marshal's Office
700 E. Joppa Road, 3RD Floor
Towson, Maryland 21286
Office: 410-887-4880
dmuddiman@baltimorecountymd.gov
cc: File

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



TO: Lawrence M. Stahl; Managing Administrative Law Judge
Office of Administrative Hearings

FROM: David Lykens, Department of Environmental Protection and Sustainability
(DEPS) - Development Coordination

DATE: March 17, 2011

SUBJECT: DEPS Comment for Zoning Item # 11-255-SPH
Address 703 Maiden Choice Lane
(Charelstown Retirement Community, Inc. Property)

Zoning Advisory Committee Meeting of March 7, 2011.

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

Reviewer: JWL

RECEIVED

MAR 18 2011

OFFICE OF ADMINISTRATIVE HEARINGS

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
703 Maiden Choice Lane; NE/side of * ZONING COMMISSIONER
Maiden Choice Lane, 770 ft. NW of *
Center Line Wilkens Avenue * FOR
1st Election & 1st Councilmanic Districts * BALTIMORE COUNTY
Legal Owner(s): Charlestown Retirement *
Community, Inc. *
Petitioner(s) * 2011-0255-SPH

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent and all documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 4th day of March, 2011 a copy of the foregoing Entry of Appearance was mailed to Patricia A. Malone, Venable LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Lawrence Stahl - Case 2011-0255-SPH on Friday, 4/8/2011, 10:00:00 AM

From: Patricia Zook
To: Beverungen, John; Kotroco, Timothy; Stahl, Lawrence
Date: 4/1/2011 11:13 AM
Subject: Case 2011-0255-SPH on Friday, 4/8/2011, 10:00:00 AM
CC: Wiley, Debra

FYI - Pete will review this file in the next couple of days and he advised that he will attend the hearing.

CASE NUMBER: 2011-0255-SPH

703 MAIDEN CHOICE LANE

Location: NE side Maiden Choice Lane, 770 feet NW of c/l Wilkens Avenue.

1st Election District, 1st Council District

Legal owner: Charlestown Retirement Community, Inc.

SPECIAL HEARING To approve proposed campus improvements including an expansion of building #3 and Charlestown Square and elevator additions to buildings 8/9, Brookside, Herbert's Run and Park View Terrace, as an amendment to the special exception and site plans approved in case #91-351-SPHXA (amending prior relief granted case #85-152X, 88-120-SPHXA, and 91-85 SPHA) and the site plan subsequently approved in case 98-71-SPHXA.

Hearing: Friday, 4/8/2011, 10:00:00 AM Jefferson Building, 105 West Chesapeake Avenue, Room 205, Towson, MD 21204

Patti Zook
Baltimore County
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson MD 21204
410-887-3868
pzook@baltimorecountymd.gov

CONFIDENTIALITY NOTICE: The information contained in this ELECTRONIC MAIL transmission is legally privileged and confidential. It may also be subject to the attorney-client privilege or be privileged work product or proprietary information. This information is intended for the exclusive use of the addressee(s). If you are not the intended recipient, you are hereby notified that any use, disclosure, dissemination, distribution (other than to the addressee(s)), copying or taking of any action because of this information is strictly prohibited.

4/8
10am

Debra Wiley - Re: Charlestown - Case No. 2011-255-SPH

From: Lynn Lanham
To: Malone, Patricia A.
Date: 4/1/2011 9:31 AM
Subject: Re: Charlestown - Case No. 2011-255-SPH
CC: Wiley, Debra

Yes. That is a "no comment". Our office will not issue anything written.

Lynn Lanham
Chief, Development Review
mlanham@baltimorecountymd.gov
Phone: 410-887-3480
Fax: 410-887-5862
Baltimore County
Office of Planning
Jefferson Building
105 W. Chesapeake Avenue
Suite 101
Towson, MD 21204

>>> "Malone, Patricia A." <PAMalone@Venable.com> 4/1/2011 8:52 AM >>>

Lynn:

Can you check on Planning's comment on our special hearing for Charlestown?

Thanks.

Patsy

Patricia A. Malone, Esq. | Venable LLP
t 410.494.6206 | f 410.821.0147
210 W. Pennsylvania Avenue, Towson, MD 21204
PAMalone@Venable.com | www.Venable.com

U.S. Treasury Circular 230 Notice: Any tax advice contained in this communication (including any attachments) was not intended or written to be used, and cannot be used, for the purpose of (a) avoiding penalties that may be imposed under the Internal Revenue Code or by any other applicable tax authority; or (b) promoting, marketing or recommending to another party any tax-related matter addressed herein. We provide this disclosure on all outbound e-mails to assure compliance with new standards of professional practice, pursuant to which certain tax advice must satisfy requirements as to form and substance.



Maryland Department of Assessments and Taxation
Real Property Data Search (vw5.1A)
BALTIMORE COUNTY

[Go Back](#)
[View Map](#)
[New Search](#)
[GroundRent Redemption](#)
[GroundRent Registration](#)

Account Identifier: District - 01 Account Number - 2200028450

Owner Information

Owner Name:	REDWOOD-ERC MANAGEMENT LLC	Use:	COMMERCIAL
Mailing Address:	C/O THE ALLEGIS GROUP INC 7301 PARKWAY DR HANOVER MD 21076-1159	Principal Residence:	NO
		Deed Reference:	1) /29460/ 00206 2)

Location & Structure Information

Premises Address	Legal Description
703 MAIDEN CHOICE LN 0-0000	2.721 AC 703&705 MAIDEN CHOICE LN ST CHARLES ASSOC LTD PRO

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
0101	0011	2147		0000			2	3	
									Plat Ref: 0070/ 0021

Special Tax Areas	Town	NONE
	Ad Valorem	
	Tax Class	

Primary Structure Built	Enclosed Area	Property Land Area	County Use
1870	11,612 SF	2.7200 AC	06

Stories	Basement	Type	Exterior
		OFFICE BUILDING	

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2009	07/01/2010	07/01/2011
Land	544,200	688,000		
Improvements:	1,080,900	963,600		
Total:	1,625,100	1,651,600	1,642,767	1,651,600
Preferential Land:	0			0

Transfer Information

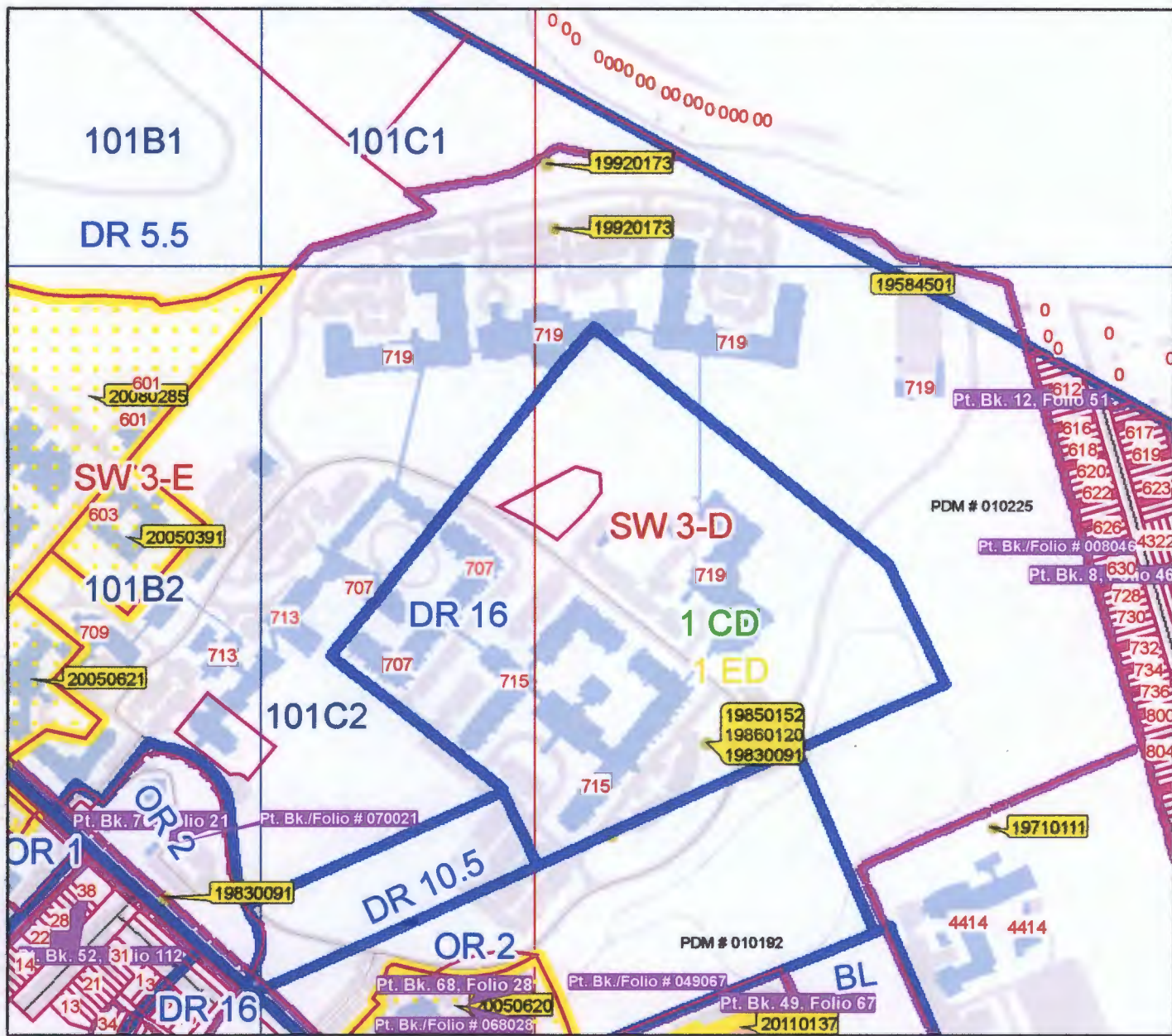
Seller:	SENIOR CAMPUS LIVING LLC	Date:	05/12/2010	Price:	\$4,000,000
Type:	ARMS LENGTH MULTIPLE	Deed1:	/29460/ 00206	Deed2:	
Seller:	ST CHARLES ASSOCIATES LTD	Date:	01/14/1998	Price:	\$2,500,000
Type:	NON-ARMS LENGTH OTHER	Deed1:	/12608/ 00397	Deed2:	
Seller:		Date:		Price:	
Type:		Deed1:		Deed2:	

Exemption Information

Partial Exempt Assessments	Class	07/01/2011	07/01/2012
County			0.00
State			0.00
Municipal			0.00

Tax Exempt:	Special Tax Recapture:
Exempt Class:	* NONE *

719 Maiden Chioce Lane



Publication Date: February 24, 2011
Publication Agency: Department of Permits & Development Management
Projection/Datum: Maryland State Plane,
FIPS 900, NAD 1983/91 HARN, US Foot



A horizontal scale bar with markings at 0, 400, and 800. The word "Feet" is written at the right end of the bar.

1 inch = 400 feet

Item #0255

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER _____
DATE _____

CITIZEN'S SIGN-IN SHEET

[illegible]

PLEASE PRINT CLEARLY

CASE NAME _____
CASE NUMBER _____
DATE 8 April 2011

PETITIONER'S SIGN-IN SHEET

[illegible]

Case No.:

2011-0255-SPH

Exhibit Sheet

PEOPLES COUNSEL

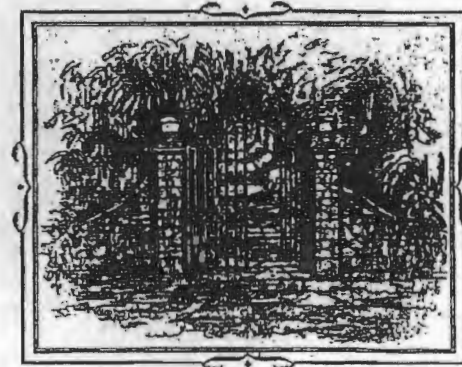
~~Petitioner/Developer~~~~Protestant~~

No. 1	KENSINGTON COMMUNITY 2006 BROCHURE	NO. 13	12-1-10 LETTER FROM PDM
No. 2	KENSINGTON COMMUNITY NEWSLETTER	NO. 14	BALTO. CO. DEVELOPMENT POLICY MANUAL
No. 3	A-D PICTURES	NO. 15	CT. OF SP. APP OPINION GREENSPRING et al v. FOXLEIGH ENT., INC.
No. 4	LETTER FROM EDITH ROBINSON, DATED 4-11-11		
No. 5	SEC 14-341 et. SEC. BUFFER ORDINANCE DEPRM BALTO. CO.		
No. 6	LETTER FROM DR. & MRS. MAZZONI DATED 4-8-11.		
No. 7	A & B AERIAL PHOTOS		
No. 8	BCCR SEC 432 et. SEC.		
No. 9	BCC ARTICLE II DEVEL. REGS		
No. 10	A & B PHOTOS		
No. 11	NOTICE OF APPEAL Bd of Appeals 11-22-10 PEOPLES COUNSEL		
No. 12	NOTICE OF APPEAL Bd. of APPEALS 11-23-10 KENSINGTON IMP. ASS		



Kensington Community

80TH ANNIVERSARY



The GATEWAY
TO
GLADNESS

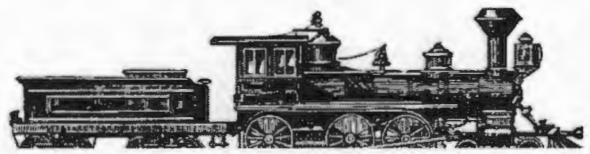
1926 - 2006

PEOPLE'S COUNSEL

EXHIBIT NO. 1

KENSINGTON NEWS

*Keeping you informed and
connected with your community*



PEOPLE'S COUNSEL

MARCH, 2011

EXHIBIT NO. 2

CREW SPRING CLEANING APRIL 9th MARK YOUR CALENDARS

Each spring CREW asks the community to join in cleaning up the greenway on South College Road. Our date this year is Saturday, April 9th.

CREW activities are based on the simple philosophy that ordinary people, acting together, can achieve extraordinary things. This earth will continue to regenerate life sources as long as we do our part to conserve our natural resources.



CREW will be on-site at 8:00 am to direct the roll-off provided by Baltimore City for this event. However, ANY time throughout the day that you are able to donate is appreciated.

Please save the date and join us in preserving this beautiful community greenway. We look forward to seeing you there!

Call to Action

The Kensington community needs YOUR help. Often people say "I want to help my neighborhood but I don't know what I can do." or "I only have a limited amount of time"...OR "No one ever asked me!" Consider yourself being asked!

Today a small group of involved people sustain the activities and interests of this community. These people, through their efforts, make this area a safer, more pleasant and livable environment.

There is a need for more individuals to step up and lend a hand. There are simple, time limited, activities you can do to help sustain the quality of life we enjoy.

Consider the following suggestions:

<u>Activity:</u>	<u>Commitment:</u>	<u>Contact:</u>
Contribute Community Dues ***	5 minutes and \$15	Diana Wheeler diandmel@gmail.com
Patrolling the Community	Walk, Bike, Drive/ Your Choice	Susan Mazzoni suemazzoni@mac.com
Yard Sale/Rummage Sale	Once/year June	Beth Scott bethyandbilly@msn.com
Write article for newsletter (Suggested topics available)	One hour/ Your Choice	Beth Silverman Kensingtonnewsletter@gmail.com
Become Board Member	One hour/month	Marilyn Maitland mam16@comcast.net
Help with Easter Egg Hunt	Once/year April	Angel Weiskopf mweiskopf@yahoo.com
Welcome New Neighbors	One hour/occasionally	Beth Scott bethyandbilly@msn.com
Sign up for email notices	5 minutes to send email address	Marilyn Maitland mam16@comcast.net

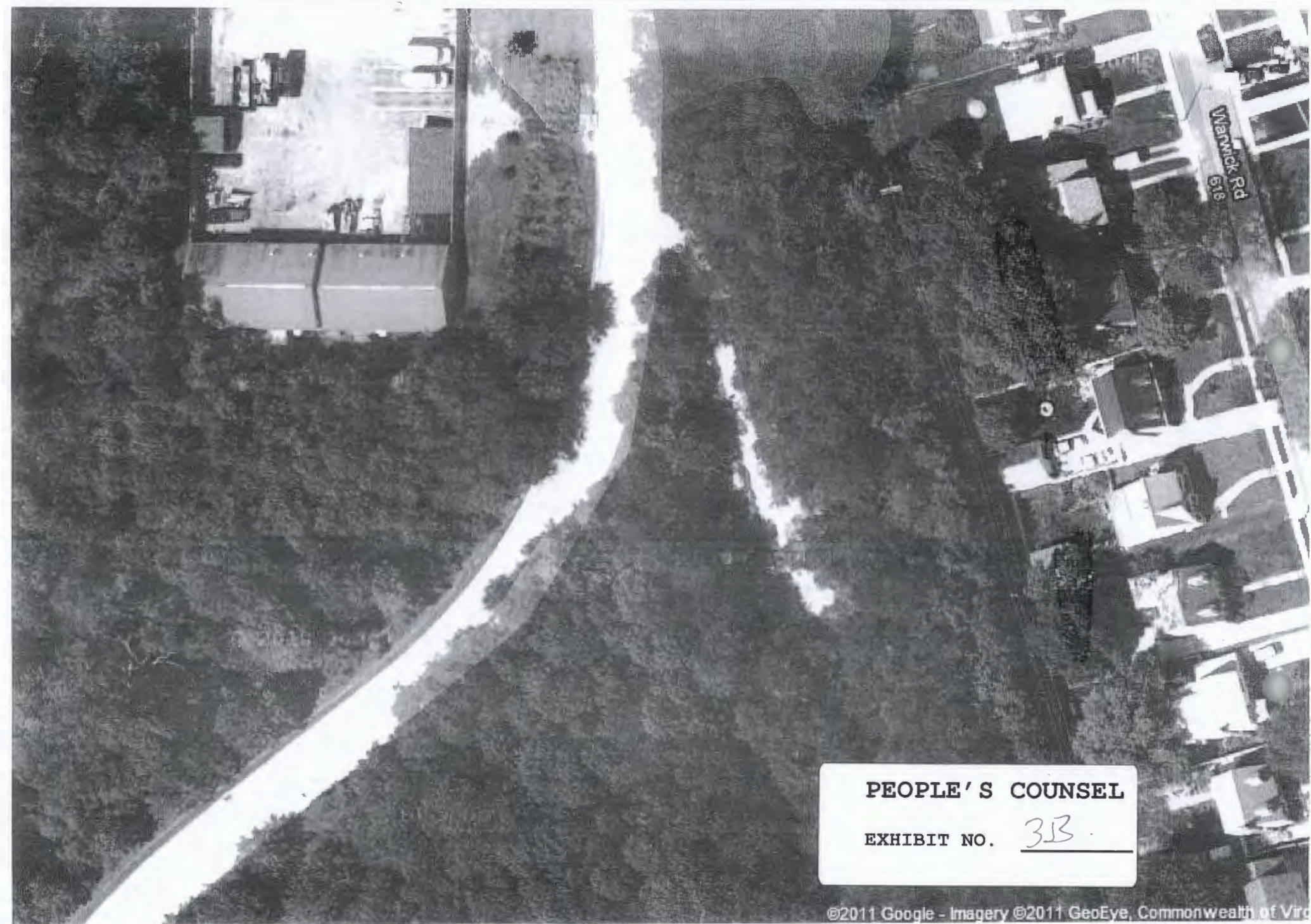
***Special Note: By contributing just \$15.00 for the year to KIA you will help keep events and programs ongoing in Kensington. Please do your part!

If you have questions, or suggestions, contact
Marilyn Maitland, 410.737.1415, mam16@comcast.net



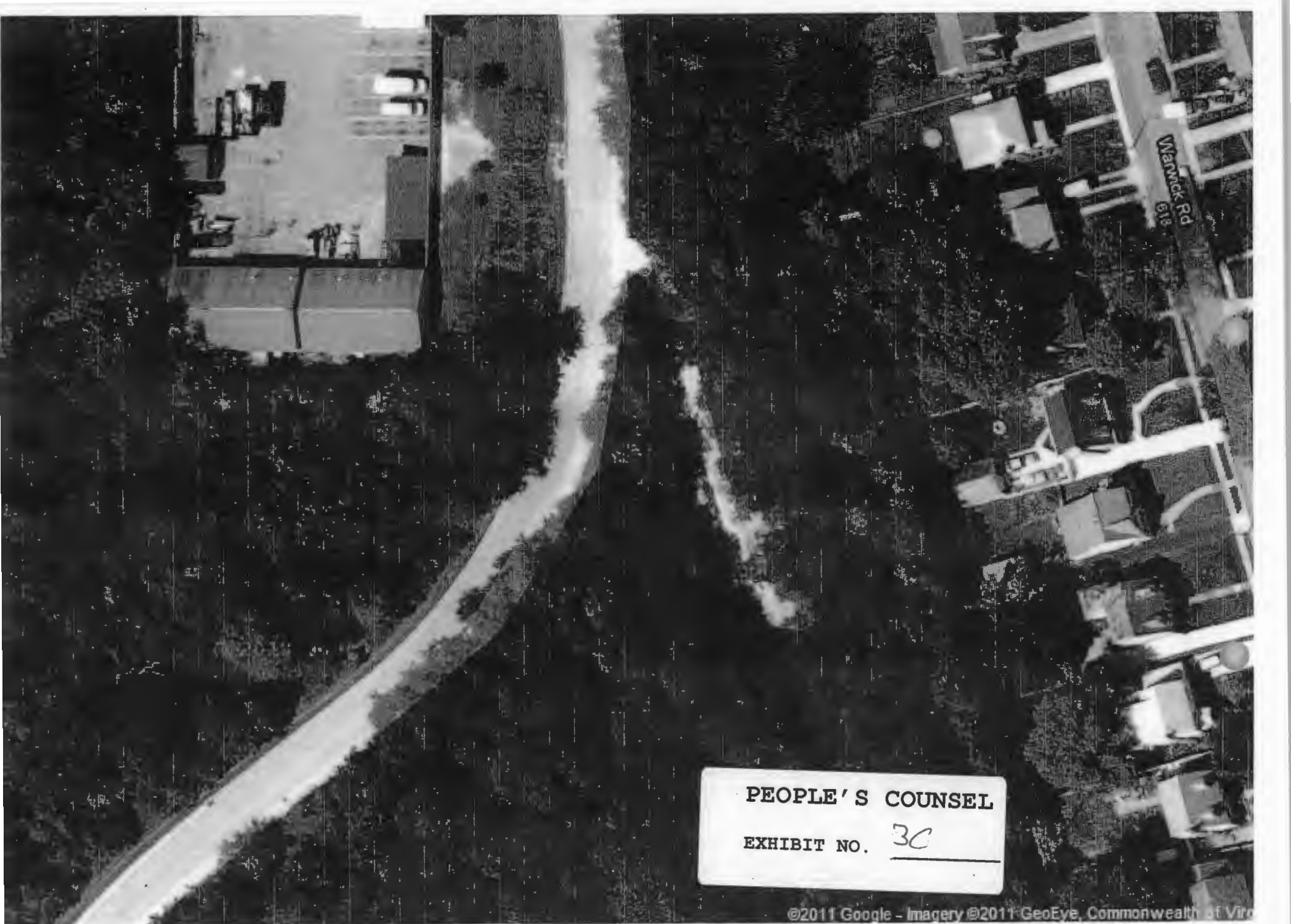
PEOPLE'S COUNSEL

EXHIBIT NO. 3A



PEOPLE'S COUNSEL

EXHIBIT NO. 313



PEOPLE'S COUNSEL
EXHIBIT NO. 3C



PEOPLE'S COUNSEL

EXHIBIT NO. 3D



PEOPLE'S COUNSEL

EXHIBIT NO. 3E

Kensington has always been vitally interested in the protection of the forest buffer area adjoining our community. We recently noticed on project #82028R1/ site plan that DEPRM had granted variances to the forest buffer. In particular, we are concerned about the "finger" area (7,915 sq) as an access road for internal use by the Charlestown maintenance department.

There was no public hearing in 2010 by DEPRM for this access road.

The original idea behind the creation of the forest buffer was to keep large institutions at a comfortable distance from neighborhoods.

Certainly, the creation of one community should not mean death for its neighbor.

According to Buffer Protection and Management Ordinance of Baltimore County, the forest buffer shall be managed to enhance and maximize the unique value of the resources.

Management includes specific limitations on alteration of the natural conditions of these resources.

1- existing vegetation within the forest buffer shall not be disturbed including disturbance by tree removal, shrub removal, clearing or mowing.

2-no filling or dumping

3- motorized vehicles shall not be operated in area.

4- no materials stored in buffer

We now request that this finger area be placed back in the forest buffer boundary with all the forest buffer use and protection as provided.

Edith E. Robinson

Edith E. Robinson
706 Dorchester Road
Baltimore, Maryland
21229

PEOPLE'S COUNSEL

EXHIBIT NO. 4

BUFFER PROTECTION AND MANAGEMENT ORDINANCE

Baltimore County, MD

Environmental Protection and Resource Management

(410) 887 - 5683

PEOPLE'S COUNSEL

EXHIBIT NO. 5

Dr. and Mrs. David L. Mazzoni
4212 Kensington Road
Baltimore, MD 21229

April 8, 2011

RE: Special Hearing to approve proposed campus improvements, including an expansion of building 3 and Charlestown Square and elevator additions to buildings 8/9, Brookside, Herbert's Run and Park View Terrace, as an amendment to special exception and site plans approved in 91-351 SPHXA (amending prior relief granted case 85-152X, 88-120SPHXA, 91-85SPHA) and the site plan subsequently approved in case 98-71SPHXA. Forest buffer easement change as approved by DEPRM in 2010.

To whom it may concern:

My husband and I have lived in the Kensington community for the past 24 years. Kensington is a small, historical community occupied by residents who care deeply about preserving our charming, close-knit neighborhood. We also have a very active community association that works hard to preserve and enrich Kensington.

I am an active Kensington resident who regularly attends community association meetings, is a member of C.R.E.W.—the College Road Environmental Workers whose task is to take care of the four and one-half acre S. College Road greenway that borders our neighborhood, and participates regularly in numerous Kensington events (e.g., block party, Halloween parade, etc.). Furthermore, for the past eight years, I have managed our Kensington Security Patrol. Kensington has one of the most active security patrols in all of Baltimore County and City, with our residents averaging 40 to 50 patrols within our neighborhood each week. Our task is to provide eyes and ears for police in order to minimize crime in Kensington.

Kensington residents can see Charlestown buildings from our homes as the building portion of Charlestown sits atop of a large hill. Moreover, Charlestown Retirement Community's property borders the backyards of Kensington residents who live along Warwick Road. Forest buffers were established when Charlestown purchased the property; however, these buffers have been challenged and threatened over the years.

Unfortunately, we have had ongoing issues with respect to fast-track encroachment upon the Kensington community by Charlestown Retirement Community. If any of the following proposals had come to fruition, they would have had a devastating impact upon our small community. It is quite clear that we must be forever vigilant.

PEOPLE' S COUNSEL

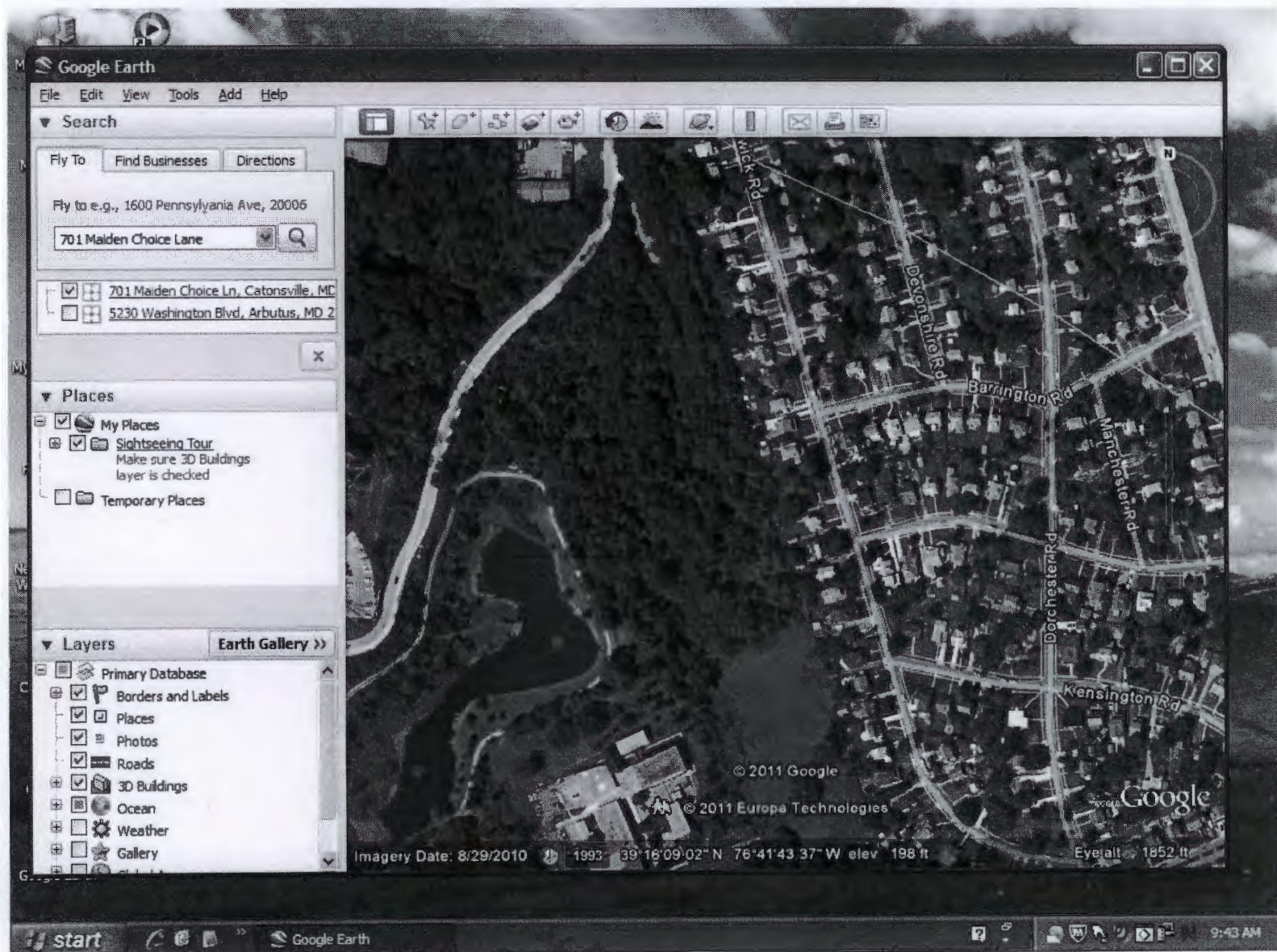
EXHIBIT NO. 6



PEOPLE'S COUNSEL

EXHIBIT NO.

7A



PEOPLE'S COUNSEL

EXHIBIT NO.

7B

BALTIMORE COUNTY ZONING REGULATIONS

1987 EDITION



BALTIMORE

COUNTY

CODE

1978

1988/89 CUMULATIVE SUPPLEMENT

Containing all additions and amendments to the Baltimore
County Code, 1978, through the 1989 Session of the
Baltimore County Council,
Bill No. 149-89



MUNICIPAL CODE CORPORATION

Tallahassee, Florida

1990



PEOPLE'S COUNSEL

EXHIBIT NO. 10A

PEOPLE'S COUNSEL

EXHIBIT NO. 10B



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

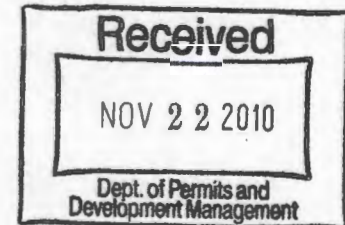
410-887-2188
Fax: 410-823-4236

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

November 22, 2010

VIA HAND DELIVERY
Timothy Kotroco, Director
Department of Permits and
Development Management
111 W. Chesapeake Avenue
Towson, MD 21204



Re: Notice of Appeal to the County Board of Appeals

Concerning (1) Refinement Approval by Director of Permits and Development Management, based upon recommendation by Development Review Committee;
(2) Agreement and Acceptance by Zoning Supervisor, on behalf of DPM Director, of "Spirit and Intent" Letter of Zoning Approval Prepared by Applicant's Attorney

Charlestown Retirement Community
1st Election District, 1st Councilmanic District
DRC No.: 102610A PDM No. I-225

Dear Mr. Kotroco:

Please enter an appeal by the People's Counsel for Baltimore County to the County Board of Appeals for Baltimore County from (1) the attached approval dated November 15, 2010 by Director of Permits and Development Management (PDM) of an Application for Refinement and Consolidation of CRG Plans, upon recommendation of the Development Review Committee (DRC) and (2) the attached Zoning Supervisor Carl Richards' October 25, 2010 agreement and acceptance by countersignature of Charlestown's attorney's letter that the refinement is within the spirit and intent of the earlier zoning cases, which agreement is on behalf of the Director of Permits and Development Management and thereby appears to be a decision of the Director.

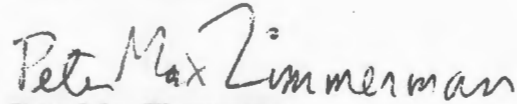
The reasons for appeal include, but are not limited to, the reasons expressed in the attached correspondence dated October 21, 2010 from our office to PDM Director Timothy Kotroco and DRC Supervisor Colleen Kelly and the October 29, 2010 e-mail from our office to Director Kotroco.

PEOPLE'S COUNSEL

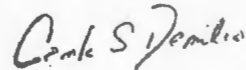
EXHIBIT NO. 11

Please forward copies of any papers pertinent to the appeal as necessary and appropriate.

Very truly yours,

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

Peter Max Zimmerman
People's Counsel for Baltimore County

A handwritten signature in cursive script that reads "Carole S. Demilio".

Carole S. Demilio
Deputy People's Counsel

PMZ/CSD/rmw
Enclosures

cc: Patricia Malone, Esquire
Mitchell Kellman, DMW
Susan Mazzoni, Kensington Improvement Association
Edith Robinson, Kensington Improvement Association

Patricia A. Malone
Of Counselt 410.494.6206
f 410.821.0147
pamalone@venable.com

October 25, 2010

W. Carl Richards, Zoning Supervisor
Baltimore County Department of
Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: REQUEST FOR SPIRIT AND INTENT CONFIRMATION
(Case No. 91-351-SPHXA and Case No. 98-71-SPHXA)
Charlestown Retirement Community
701 Maiden Choice Lane
DRC No. 102610A

Dear Mr. Richards:

The firm represents Charlestown Retirement Community with regard to a request pending before the Development Review Committee for approval of a refinement to the CRG Plans that govern development of the community. In particular, Charlestown is seeking to construct additions to several of its existing buildings, including minor increases in size of elevators in three of its buildings (Brookside, Herbert's Run, and the connection between Buildings #8 and #9), an 8,396± square foot addition to Building #3 to expand the size of its rooms, and an approximately 10,461± square foot expansion of Charlestown Square and the attached Aquatics Center to offer improved amenities and facilities for its residents. In total, these improvements equate to less than 20,000± square feet of additional footprint on this 107 acre property, which contains a total building footprint of 410,905± square feet. I have attached a copy of the DRC application for your review.

The use of the property for purposes of the retirement community is governed by relief granted in Case No. 91-351-SPHXA (as amended by Case No. 98-71-SPHXA, which revised the special exception area) in which a special exception and other zoning relief was granted to allow for an elderly housing facility (under former Baltimore County Zoning Regulation § 432) with a maximum of 1,437 density units. Although this property appears on paper to have an extensive zoning and development history, as indicated on the Plan to Accompany DRC Request, several of the zoning cases referenced were not pursued or were denied.

At this time, I am writing to seek written confirmation from you that the proposed building additions are within the spirit and intent of the prior granted zoning relief. None

W. Carl Richards, Zoning Supervisor
October 25, 2010
Page 2

of these additions result in an increase in the residential density for the project, nor will they create or allow for additional residential units. These improvements will simply allow for the creation of additional interior space within existing units, the expansion of elevators in certain buildings, and the improvement of the community's amenities and facilities. All of the improvements are interior to the campus and will have no impact on adjacent properties.

Please confirm by countersigning this letter below that the proposed plan refinements are, indeed, within the spirit and intent of the prior approved zoning relief granted for the property and that the proposed changes are permitted without any additional zoning relief being required. If you need any additional information in order to complete your review, please feel free to give me a call.

Very truly yours,



Patricia A. Malone

PAM/bl
Enclosures

AGREED AND ACCEPTED:



W. Carl Richards, Zoning Supervisor
Baltimore County Department of
Permits and Development Management



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Jefferson Building
105 West Chesapeake Avenue, Room 204
Towson, Maryland 21204

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

RECEIVED

OCT 27 2010

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

October 21, 2010

Timothy Kotroco, Director
Permits & Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Colleen Kelly, Supervisor
Permits & Development Management
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Charlestown Retirement Community Application for Refinement
PDM No. : 01-225
Development Review Committee (DRC) Meeting, October 26, 2010

Dear Mr. Kotroco and Ms. Kelly,

Upon inquiry from concerned citizens in Kensington, we reviewed the application for refinement filed October 5, 2010 by DMW on behalf of Charlestown Retirement Community. Their inquiry brought to mind our office's participation in the zoning history of this Maiden Choice Lane community, especially the County Board of Appeals (CBA) proceedings which concluded in 2007. Therefore, our office is particularly interested in this matter.

While the site plan is obscure, there are noted, without detail, a proposed expansion of 13,645 square feet to the aquatics center, expansions of 6530 and 1680 square feet to building 3, and a 271 square feet elevator addition to building 9. Even without detail, the combined expansion of 22,126 square feet plainly does not qualify as a refinement under County policy ("slight, minor, insignificant") or the English language ("a subtle point or distinction."... "a fine or delicate point, distinction or expression, a subtlety." Dictionary.com). Indeed, the expansion is much greater in magnitude than the great majority of zoning petitions. There are also variance and alternatives analysis notes on the site plan that in 2010, DEPRM granted variances to the forest buffer, including an access road. These apparently occurred without a public hearing.

The complicated and extensive zoning history for this site includes a special exception, variances, amendments, and conditions, reflected in many zoning orders. Some are listed on the site plan. Most recently, our office participated in the variance and refinement proceedings in Case Nos. 5-621-A and CBA-05-143. These involved amendments and "refinements" to previous zoning orders. In the enclosed April 6, 2007 opinion, the CBA denied the requested variances and also found on page 12 that the proposed Stone House office/garage expansion and data center construction were not refinements. Remarkably, so far as we can tell, the current DRC application omits this important CBA decision from the long list on the site plan.

In the past, when citizens have brought to our attention applications for DRC/PDM "refinements," we have often found they did not qualify. The problems increase where applications amend site plans attached to zoning orders. In such cases, applicants sometimes try to avoid a public hearing by claiming that the amendment is within the "spirit and intent of the zoning order." This often functions as a smokescreen for a significant change.

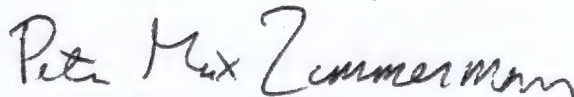
Another problem is that one refinement follows another. They accumulate over the years in a way that belies to a higher order of magnitude the real intent of the refinement process. Yet, this accumulation seems to escape notice as applicants initiate each refinement piecemeal. The history of the Charlestown plan reflects cumulative and repeated "refinements."

The proposed amendments here are subject to review in the zoning and development processes, with public hearings before the Zoning Commissioner and Hearing Officer. This should be done by proper petitions to amend the special exception, variances, conditions, and other relief approved in previous zoning and development plans. The review should also encompass the 2010 DEPRM forest buffer variance and alternatives analysis modifications.

Among other things, the Kensington citizens have been vitally interested in the forest buffer area adjoining their community. Their concerns also put into perspective the more general concern about proper implementation of the land use legal process.

In conclusion, we trust that the applicant and concerned departments will take this opportunity to recognize that Charlestown Retirement Community must file the appropriate zoning petitions, and go through the public hearing legal process. This accords with the law and is the right thing to do. We also hope that this case highlights the need to safeguard against misuse of the refinement process. Please notify our office of any decision in this case.

Sincerely,



Peter Max Zimmerman
People's Counsel for Baltimore County

PMZ/rmw

cc: Mitch Kellman, DMW, for the Applicant w/attachment
Carl Richards, Zoning Supervisor w/attachment
Arnold F. "Pat" Keller, Planning Director w/o attachment
Dennis Wertz, area planner w/o attachment
Jonas Jacobson, DEPRM Director w/o attachment
William Wiseman, Zoning Commissioner w/o attachment
Adam Rosenblatt, Assistant County Attorney w/o attachment
Susan Mazzoni, Kensington citizen w/o attachment
Edith Robinson, Kensington citizen w/o attachment



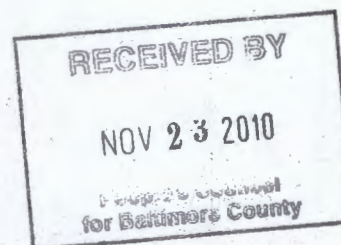
KENSINGTON IMPROVEMENT ASSOCIATION

Instituted June 26th, 1936

November 23, 2010

Mr. Timothy Kotroco
Director, Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: **Notice of Appeal**
Charlestown Retirement Community
PDM Number: 01-225
DRC Number: 102610A: Dist. 1C1



Pocco Rice, 702 S. Beechfield Avenue, Baltimore, MD 21229 (443-540-0883), **Marilyn A. Maitland**, 4311 Fordham Road, Baltimore, MD 21229 (410-737-1415), **Susan L. Mazzoni**, 4212 Kensington Road, Baltimore, MD 21229 (410-247-5259), **Edith E. Robinson**, 706 Dorchester Road, Baltimore, MD 21229 (410-646-5367), and **Kensington Improvement Association**, c/o Pocco Rice, 702 S. Beechfield Avenue, Baltimore, MD 21229 (443-540-0883) are aggrieved and feel aggrieved by the order and decision of the Director of Permits and Development Management dated November 15, 2010, and Zoning Supervisor W. Carl Richard's signing of Venable's "Request for Spirit and Intent Confirmation" dated October 25, 2010, copies of which are attached hereto and made a part hereof. Therefore, we file this appeal to the County Board of Appeals, and we hereby affirm and certify that a copy of this Notice of Appeal has been mailed to DMW, Inc., 200 East Pennsylvania Avenue, Towson, MD 21286, to Venable LLP, 210 W. Pennsylvania Avenue, Suite 500, Towson, MD 21204, to the County Board of Appeals and to the Office of People's Counsel.

Concurrent with this Notice of Appeal, a check from Kensington Improvement Association made payable to Baltimore County has been filed to cover the cost of this appeal.

Sincerely,

Pocco Rice
Individually and as President of
Kensington Improvement Association

Marilyn A. Maitland
Individually and as President-Elect
of Kensington Improvement Association
(term begins 1/1/2011)

Susan L. Mazzoni
Individually

Edith E. Robinson
Individually

PEOPLE'S COUNSEL

EXHIBIT NO. 12

Baltimore County Government
Department of Permits and Development Management



111 West Chesapeake Avenue
Towson MD 21204

(410) 887-3321
(410) 887-2877 (fax)

December 1, 2010

Peter Max Zimmerman
The Peoples Counsel
105 W. Chesapeake Avenue, Rm. 204
Towson, Maryland 21204

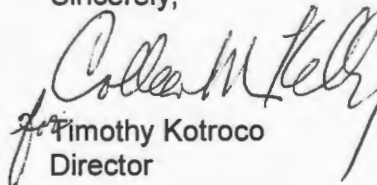
RE: Appeal of Development Review Committee
decision (DRC No. 102610A) – Approval of
Refinement to Charlestown Retirement
Community CRG Plan
701 Maiden Choice Lane
District 1c1

Dear Mr. Zimmerman:

Please be advised that we have received your Petition for Appeal on November 22, 2010 for the above-referenced case. All materials relative to the case have been forwarded to the Baltimore County Board of Appeals.

If you would like to inquire about the date of the hearing, please contact Theresa Shelton of the Board of Appeals. Her telephone number is 410-887-3180.

Sincerely,


for Timothy Kotroco
Director

DDP:ddp
c:

See notification list
Baltimore County Board of Appeals
File

PEOPLE'S COUNSEL

EXHIBIT NO.

13

BALTIMORE COUNTY

DEPARTMENT OF PERMITS AND
DEVELOPMENT MANAGEMENT



DEVELOPMENT MANAGEMENT POLICY MANUAL

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 2170

September Term, 2003

MEADOWS OF GREENSPRING HOMEOWNERS
ASSOCIATION, INC., et al.

v.

FOXLEIGH ENTERPRISES, INC.

Murphy, C.J.,
Barbera,
Meredith,
JJ.

Opinion by Meredith, J.

Filed: October 22, 2004

3C00011312

4-1022-10(19)

PEOPLE'S COUNSEL

EXHIBIT NO. 15

Case No.:

2011-0255-SPN

Exhibit Sheet

Petitioner/Developer

~~Protestant~~

No. 1	PLAT (3 pages) to Accompany Petition	NO. 13	CHARLESTON RESIDENT PETITIONS
No. 2	PLAT IN #1 REDLINED	NO. 14	OUR LADY OF VICTORY LETTER 4-6-11
No. 3	C.V. MAGDA WESTERHAUT	NO. 15	LITTLE SISTERS OF THE POOR LETTER 4-4-11
No. 4	ARIAL PLAT CHARLESTOWN Community		
No. 5	ARCHITECTS EXHIBIT INCL. PHOTOS		
No. 6	A+B ARTIST'S RENDERINGS OF PROPOSED IMPROVEMENTS C-ELEVATION DRAWINGS		
No. 7	C.V. MITCHELL KOLMAN		
No. 8	CHARLESTOWN PLAT		
No. 9	91-351 SPHXA 13 of App Decision + PLAT		
No. 10	98-71 SPHXA Bd. of Appeals Decision + PLAT		
No. 11	DENSITY SUMMARY CHART		
No. 12	C.V. JARED BARNHART		

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.

1



MARKS, THOMAS ARCHITECTS



MAGDA C. WESTERHOUT, AIA
PRINCIPAL

PROFESSIONAL EXPERIENCE

Ms. Westerhout joined Marks, Thomas Architects in 1987 and has served as Project Manager and Principal in Charge for many of the firm's largest and most successful projects. Projects she has directed include numerous Erickson Retirement Communities; ten affordable senior housing projects for Catholic Charities; Morgan View, student housing for Morgan State University in Baltimore; The Zenith, a 21-story apartment building in Baltimore, and Stadium Place, affordable elderly housing at the site of the former Memorial Stadium. She is currently the Principal in Charge for the Barclay/ Old Goucher redevelopment in Baltimore.

EDUCATION

Bachelor of Architecture, University of Maryland, 1979

AWARDS

Department of Housing and Community Development, Honorable Mention for Stadium Place, 2005
Governor's Smart Growth Award for Heritage Crossing: 2003
Masonry Institute Award for Morgan State University Student Housing: 2003
American Planning Association, Maryland Chapter Award for Stadium Place, 2001
National Council on Senior Housing Design Award for Stadium Place, 2000
AIA Baltimore Distinguished Service Award: 1994 and 1999
Neighborhood Design Center Volunteer Hall of Fame: 1998
Board Member of the Year, Neighborhood Design Center: 1990
Cross Creek at Charlestown: NCOSH Honorable Mention: 1990

PROFESSIONAL AFFILIATIONS

Maryland State Board of Architects 2010- Present
Baltimore County Design Review Panel 2005-Present
Associated Builders and Contractors/AIA Advisory Board
AIA/ABC Value Engineering Task Force 2005
Live Baltimore, Board of Directors, 2004 - 2007
Greater Baltimore Committee Leadership Class of 2004
Downtown Partnership of Baltimore Membership Committee 2002-2004
National Convention of Concrete Block Manufacturers, Lecturer, 2001
Collington Square Urban Design Committee, 2000
Morgan State University Architecture Program Advisory Board, 1999
American Institute of Architects, Baltimore Chapter, President, 1998
American Institute of Architects, Baltimore Chapter, Board of Directors, 1997 & 1999
Maryland Historic Trust, Lecturer, 1997
Maryland Historic District Commission Annual Convention Speaker, 1996
Charles Village Design Charette, 1995
American Institute of Architects, Baltimore Chapter, Treasurer, 1995-1996
American Institute of Architects, Baltimore Chapter, Design Awards Committee Chair, 1994-1995
Southeast Development Board of Directors, 1992-1995
American Institute of Architects, Baltimore Chapter, Kids in Design, 1989-1994
Maryland Institute of Art Continuing Studies Program, Instructor, 1992-1998
Rotterdam/Baltimore Sister City Organization, Executive Committee, 1987-1994
Neighborhood Design Center, Board of Directors and Executive Committee, 1988-1991
Coil Community Economic Development Corporation, Board of Directors, 1987-1988
Charles Street Corridor Design Competition, 1988
Maryland Academy of Sciences, Lecturer, 1982-1986

ARCHITECTURAL REGISTRATION

Maryland (#6342)

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
 SPECIAL EXCEPTION AND VARIANCE - * ZONING COMMISSIONER
 NE/S Maiden Choice Lane, 2,385' * OF BALTIMORE COUNTY
 NW of the c/l of Wilkens Lane * Case No. 91-351-SPHXA
 (711 Maiden Choice Lane)
 1st Election District
 1st Councilmanic District
 St. Charles Associates, Inc.
 Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an amendment to the previously approved site plan and Order issued in Case No. 91-85-SPHA; a special exception to permit Class A or Class B elderly housing facilities on the subject property and to permit an increase of residential density units to 1,437 total (16 density units per acre), including a proposed 140-unit assisted living facility, pursuant to Section 432.3 of the Baltimore County Zoning Regulations (B.C.Z.R.); and variances from Section 1B02.2.A to permit a maximum height of 80 feet in lieu of the permitted 50 feet for a six-story building, from Section 1B01.2.B.2 to permit a maximum building width and length of 1525 feet and 2000 feet, more or less, in lieu of the 1525 feet and 1600 feet granted in Case No. 91-85-SPHA, and from Section 409.6 to permit 1,340 parking spaces in lieu of those required by the B.C.Z.R., all as more particularly described on Petitioner's Exhibit 13.

The Petitioners, by John Erickson, appeared, testified and were represented by J. Carroll Holzer, Esquire. Also appearing on behalf of the Petitioners were Paul Marks, Architect, George Frizzell, Real Estate Appraiser, Jeffrey Frank, Land Planner, Andrew Solberg, Health Care Planning Consultant, Michael Martin, Traffic Consultant, Kevin Glover, Wayne Rush and Paul Erickson. The Broadfield Homeowners' Association, Inc. en-

PETITIONER'S

EXHIBIT NO. 9

RECORDED

*Case
 being
 amended (CMS)*

NOTED RECEIVED FOR FILING
 6/18/91
 Date 6/18/91
 By [Signature]

IN RE: PETITIONS FOR SPECIAL HEARING, * BEFORE THE
 SPECIAL EXCEPTION & VARIANCE - *
 N/S Maiden Choice Lane, 1300'NW * DEPUTY ZONING COMMISSIONER
 of the c/l Wilkens Avenue *
 (701 Maiden Choice Lane) * OF BALTIMORE COUNTY
 1st Election District *
 1st Councilmanic District * Case No. 98-71-SPHXA
 St. Charles Assoc., Ltd., by *
 Senior Campus Living, LLC *
 * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner for consideration of Petitions for Special Hearing, Special Exception and Variance filed by the owners of the subject property, St. Charles Associates, LTD, by Brian Froelich, President, Senior Campus Living, LLC, a General Partner, through their attorney, Stephen J. Nolan, Esquire. The Petitioners seek approval of an amendment to the previously approved special exception granted in prior Case No. 91-351-SPHXA to permit the removal of 3.16 acres (Lot 2) from the subject property, and the addition of 3.16 acres to the special exception area, pursuant to Section 432 of the Baltimore County Zoning Regulations (B.C.Z.R.). In addition, variance relief from Section 206.4.C.1 of the B.C.Z.R. is sought to permit a western lot line setback of 38 feet and a northern lot line setback of 62 feet in lieu of the required 80 feet for each for the Administration Building. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 4.

Appearing at the hearing on behalf of the Petitions were Richard A. Baummer, Director of Civil Engineering for Senior Campus Living, Ed Haile and Melanie Moser, representatives of Daft-McCune-Walker, Inc., who prepared the site plan for this property, and Stephen J. Nolan, Esquire,

PETITIONER'S

EXHIBIT NO. 10

ORDER RECEIVED FOR FILING

Date

By

Summary of Residential Density for Charlestown Retirement Community:

Residential Density Calculations per Case No. 91-351-SPHXA:

1612 independent living units
140 skilled nursing beds
255 assisted living beds
2007 total units

1436 density units* - maximum density allowed
1409 density units utilized
27 density units available

*Density Unit Calculation

.25 per assisted/nursing bed
.50 per studio
.75 per 1 bedroom
1.00 per 1 bedroom w/den, 2 bedroom
1.50 per 3 bedroom

Proposed Residential Density Calculations per Case No. 2011-255-SPH:

1511 independent living units
206 skilled nursing beds
164 assisted living beds
1881 total units

1436 density units* - maximum density allowed
1370.75 density units utilized
65.25 density units available

PETITIONER' S

EXHIBIT NO.

11



JARED L. BARNHART, P.E., LEED AP
PROJECT MANAGER

Education

Kansas State University, BS, Civil Engineering, 2003

Licensure and Accreditation

Maryland Professional Engineer, No. 36725

LEED® Accredited Professional

Professional Summary

Jared Barnhart oversees the design and processing of grading, sediment and erosion control, stormwater management, road, storm drain, and water and sewer for land development projects. Jared will oversee the design and production and process projects through the Baltimore County Development and Zoning process through approval. Projects include small commercial renovations, as well as extensive commercial shopping centers and corporate office parks.

Partial List of Projects

Palisades of Towson
1209 York Road, Baltimore County, MD
Baltimore Crossroads @ 95, Baltimore County, MD
Camden Auto Body and Fender, Baltimore County, MD
Greenspring Quarry, Baltimore County, MD
Hunt Valley Towne Centre, Baltimore County, MD
Sparks Corporate Center, Sparks, Baltimore County, MD
Towson Town Center Mall Expansion, Baltimore County, MD
Devonport Community, Baltimore County, MD
Global View, Baltimore County, MD

Memberships and Awards

Chi Epsilon
American Society of Civil Engineers (ASCE)
Engineers Without Borders

Professional Experience

Daft-McCune-Walker, Inc., Towson, Maryland, 2004 - Present
Kirkham Michael Consulting Engineers, Omaha, NE, Summer 2001

PETITIONER'S

EXHIBIT NO. 12



RESIDENTS' COUNCIL

711 Maiden Choice Lane Catonsville, Maryland 21228 410/247-3400

March 28, 2011

The Honorable Lawrence M. Stahl
Managing Administrative Law Judge
Baltimore County Office of
Administrative Hearings
The Jefferson Building, Suite 103
105 W. Chesapeake Avenue
Towson, MD 21204

RECEIVED

APR 05 2011

OFFICE OF ADMINISTRATIVE HEARINGS

Re: Case No. 2011-0255-SPH

Dear Judge Stahl,

On behalf of the Charlestown Residents' Association, the elected Officers and Members of the Residents' Council support the efforts of Charlestown to renovate the community with the proposed construction projects. As leaders in the community, we continuously receive feedback on the desire to maintain the benefits that brought our nearly 2000 Residents to Charlestown. It is a well-planned and- managed retirement community that meets the needs of its residents and fosters their involvement with, and their support of, the surrounding Catonsville and Arbutus communities.

We feel that the proposed project will add to the success of Charlestown and will benefit not only the residents but the neighborhood in general.

Sincerely,

Charles I. Denton, President
Charlestown Residents' Council

PETITIONER'S

EXHIBIT NO.

13

March 31, 2011

The Honorable Lawrence M. Stahl
Managing Administrative Law Judge
Baltimore County Office of
Administrative Hearings
The Jefferson Building, Suite 103
105 W. Chesapeake Avenue
Towson, MD 21204

Re: Case No. 2011-0255-SPH

Dear Judge Stahl,

We the undersigned residents of Charlestown would like you to know that Charlestown is a vibrant, successful neighborhood in the Catonsville area where many of us have lived for the past two decades. We have enjoyed the benefits of this beautiful 110 acre campus and its lovely atmosphere for successful living. We understand the ongoing need to renovate and upgrade the campus and, therefore, we support the proposed construction projects in order to maintain the quality of life at Charlestown.

Sincerely,

Mary H. Leder

Patricia Shuman

Mary G. Wallenbaugh

Mary M. Klein

Carl L Hoffman

Albert J. Liss

Robert M. Losker

Sally R. Pound

John L. Chasse

George Goetz

Gisela Goetz

Madeline C. Timmer

Re: Case No. 2011-0255-SPH

Letter of Support Signatures (Continued)

Betty Holman

Echel Luchs

Jessie Cook

Madeline Reese

John Reese

Patricia Vidmar

Mary Lee Huthert

Patricia Green

Anne C. Langley

Eleanor V. Lewis

F.H. Greenwald

Pat Mc Donough

Carol Refford

Mercedes Bartma

Mary M. Earl

Shirley W. Parker

Virginia^{M.} Fitzgerald

Elizabeth Brickley CARROLL

Mersey Carroll

Doris F. Morgan

Betty Lyn Buel

Robert D. White

Ronald W. Griswold, Jr.



March 31, 2011

The Honorable Lawrence M. Stahl
Managing Administrative Law Judge
Baltimore County Office of
Administrative Hearings
The Jefferson Building, Suite 103
105 W. Chesapeake Avenue
Towson, MD 21204

Re: Case No. 2011-0255-SPH

Dear Judge Stahl,

We the undersigned residents of Charlestown would like you to know that Charlestown is a vibrant, successful neighborhood in the Catonsville area where many of us have lived for the past two decades. We have enjoyed the benefits of this beautiful 110 acre campus and its lovely atmosphere for successful living. We understand the ongoing need to renovate and upgrade the campus and, therefore, we support the proposed construction projects in order to maintain the quality of life at Charlestown.

Sincerely,

John Wayne Jones

Lyle McCullough

Ruth Titus

Barbara Cooke

Charlotte B. Harlan

Nancy Schack

Gloria Pallodi

Walter Timpanella

Ernestine M. Munroe

Maris Davis

Josephine P. Marzetti

Dorcas Nilsson



LS
4-8-11

Our Lady of Victory Parish

The Honorable Lawrence M. Stahl
Managing Administrative Law Judge
Baltimore County Office of
Administrative Hearings
The Jefferson Building, Suite 103
105 W. Chesapeake Avenue
Towson, Maryland 21204

RECEIVED

APR 06 2011

OFFICE OF ADMINISTRATIVE HEARINGS

Re: Case No. 2011-0255-SPH

Dear Judge Stahl:

I am writing on behalf of Our Lady of Victory Church, Baltimore located directly adjacent to Charlestown Retirement Community in Catonsville. I understand that Charlestown is seeking to expand some of its buildings and has submitted its request to a public hearing, which will be conducted by your office.

As one of the facility's closest neighbors, I would like to express our support for Charlestown's efforts to improve and enhance its campus. Charlestown has been and continues to be a stable force in our neighborhood. The Charlestown campus is an asset to the area; all of Charlestown's neighbors benefit from this beautifully maintained campus. Allowing the facility to make necessary upgrades, so that it remains competitive in today's market, is of critical importance, not only for Charlestown, but the entire community.

Thank you.

Sincerely,

Rev. Timothy B. Klunk
Rev. Timothy B. Klunk

PETITIONER'S

EXHIBIT NO. 14

4414 Wilkens Avenue - Baltimore, Maryland 21229-4798
Telephone: 410-242-0131 - Fax: 410-242-6963



Little Sisters of the Poor

Caring for the Elderly Poor throughout the World
www.littlesistersofthepoor.org

LS
4-8-11

St. Martin's Home
601 Maiden Choice Lane
Baltimore, Maryland 21228-3698
Phone: 410/744-9367
Fax: 410/747-0835

The Honorable Lawrence M. Stahl
Managing Administrative Law Judge
Baltimore County Office of
Administrative Hearings
The Jefferson Building, Suite 103
105 W. Chesapeake Avenue
Towson, Maryland 21204

April 4, 2011

Re: Case No. 2011-0255-SPH

Dear Judge Stahl:

I am writing on behalf of the Little Sisters of the Poor who operate St. Martin's Home for the Aged, a long term care Home located directly adjacent to Charlestown Retirement Community in Catonsville. I understand that Charlestown is seeking to expand some of its buildings and has submitted its request to a public hearing, which will be conducted by your office.

As one of the facility's closest neighbors, I would like to express our support for Charlestown's efforts to improve and enhance its campus. Charlestown has been and continues to be a stable force in our neighborhood. The Charlestown campus is an asset to the area; all of Charlestown's neighbors benefit from this beautifully maintained campus. Allowing the facility to make necessary upgrades, so that it remains competitive in today's market, is of critical importance, not only for Charlestown, but the entire community.

Thank you and God bless you.
Sincerely

Sister Joseph Grenon
Assistant Administrator
Little Sisters of the Poor

PETITIONER'S

EXHIBIT NO.

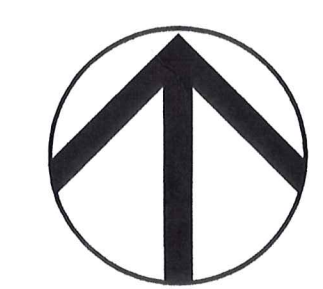
15



DATA SOURCES:
AERIAL IMAGERY SHOWN HEREON PROVIDED BY BALTIMORE COUNTY GIT GIS, DATED 2008.

DMW
DAVE MCCUNE WALKER INC

Aerial Exhibit
Charlestown Retirement
Community



		REVIEWS		DESIGNED: _____
DATE	BY			CHECKED BY: _____
				DATE CHECKED: _____
				SCALE: _____ <u>1"=100'</u>
		PETITIONER'S		PROJECT NO.: <u>8202B.R1</u>
		EXHIBIT NO. <u>4</u>		DRAWING: <u>1 of 1</u>



1



2



3



4

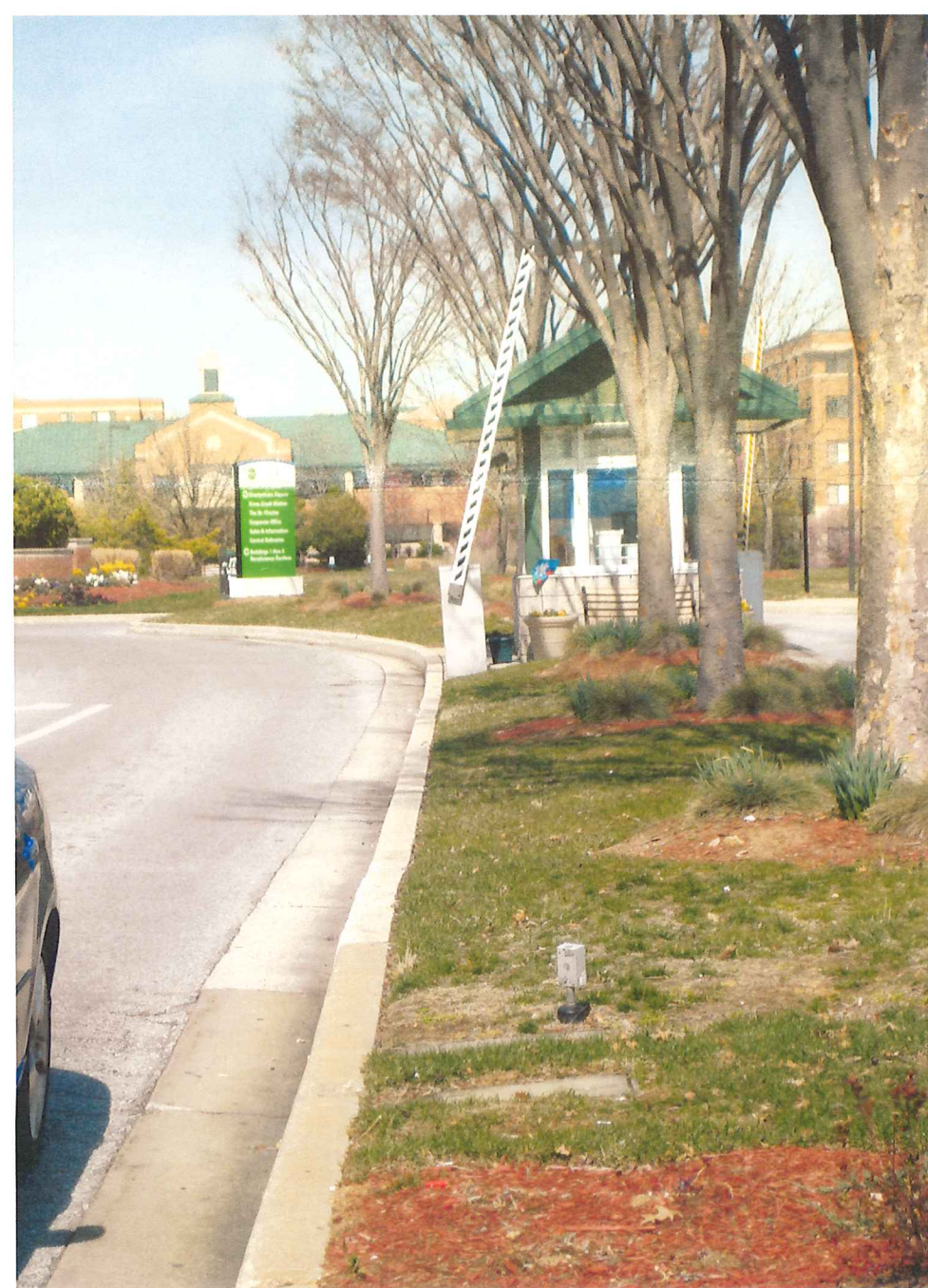


5



6

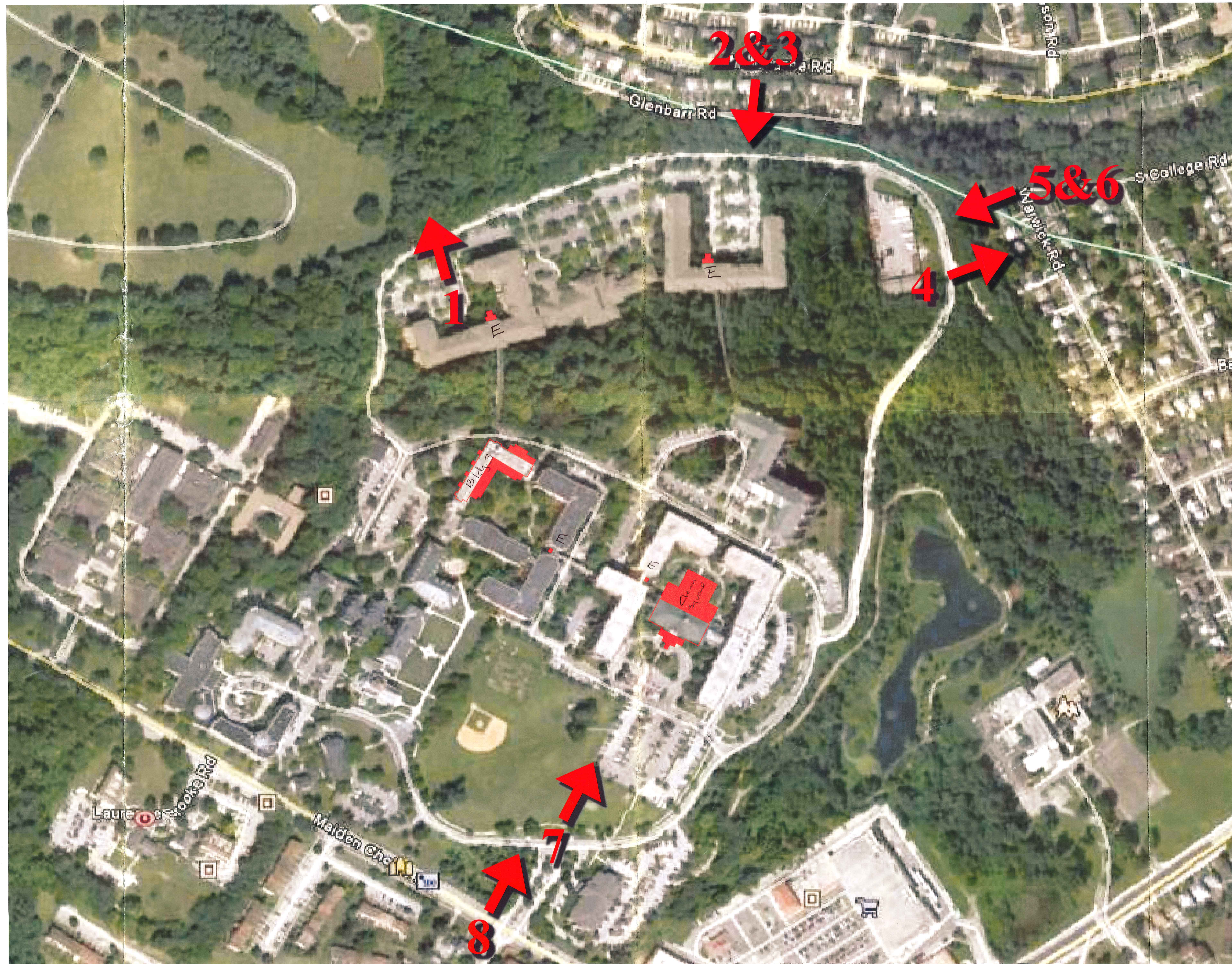
E - ELEVATOR



8



7



AERIAL VIEW SHOWING PROPOSED ADDITIONS & VIEWS

APRIL 8, 2011

PETITIONER'S
EXHIBIT NO. 5

MARKS, THOMAS ARCHITECTS



**CHARLESTOWN BUILDING 3
VIEW FROM COURTYARD**

MARCH 28, 2011



MARKS, THOMAS ARCHITECTS

PETITIONER'S

EXHIBIT NO. 6A



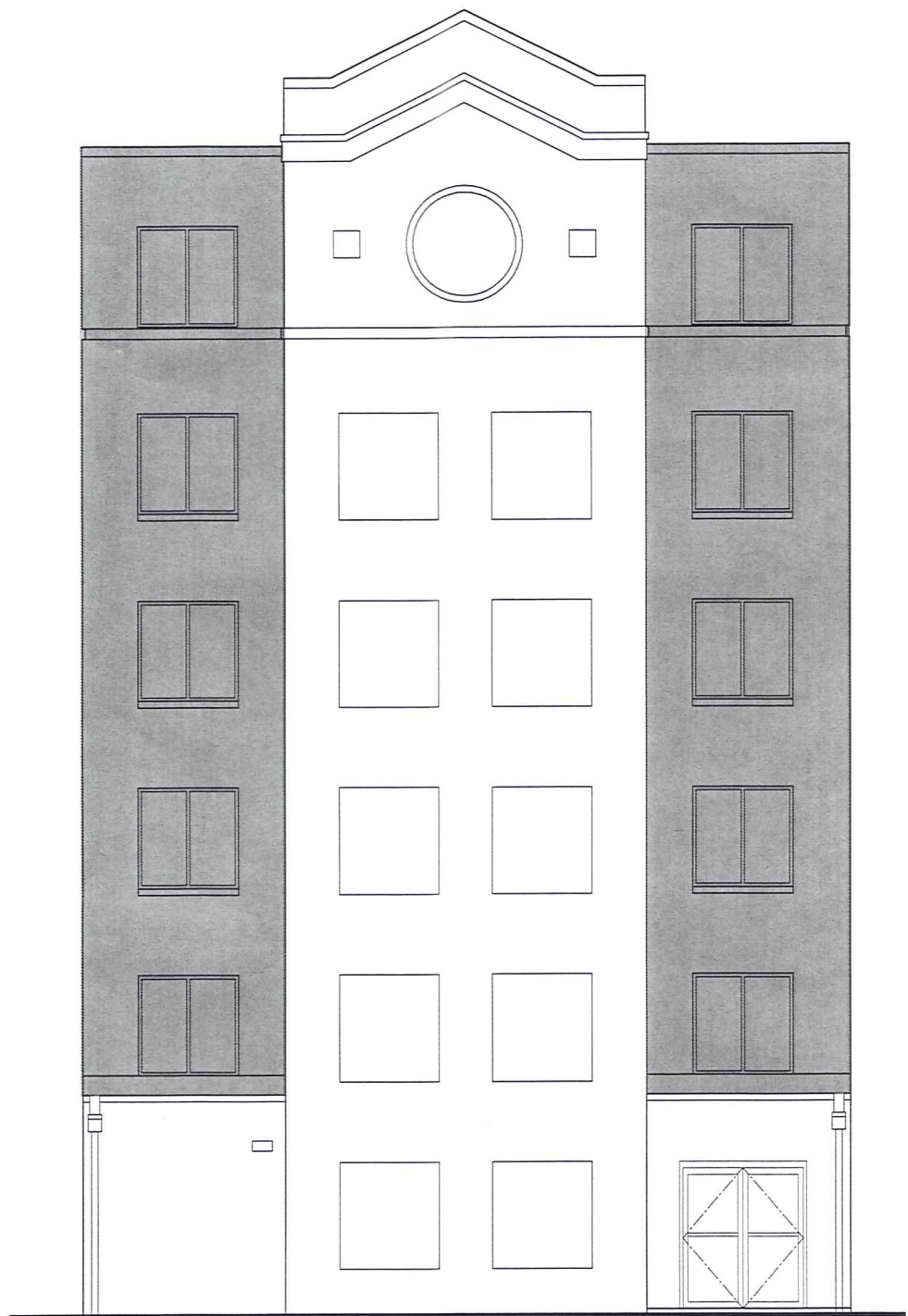
PETITIONER' S
EXHIBIT NO. 6B

CHARLESTOWN SQUARE COMMUNITY BUILDING
FRONT GROUND VIEW

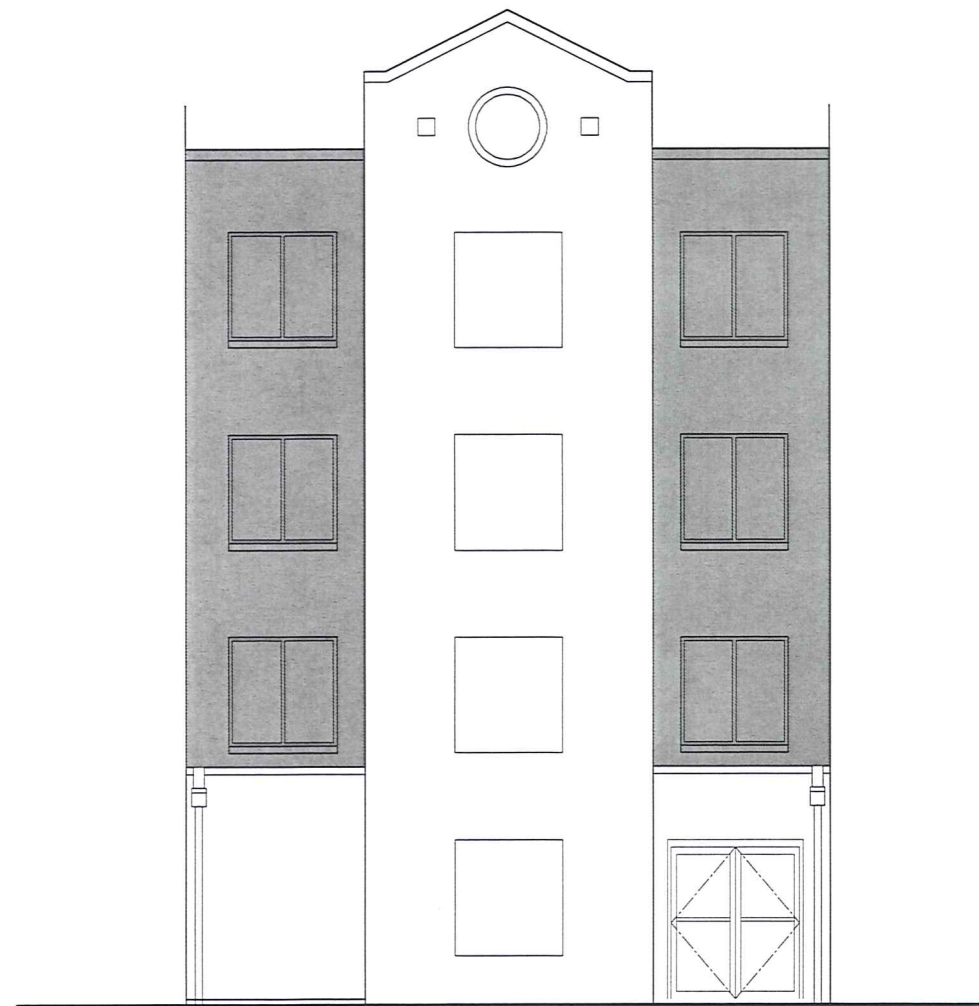
MARCH 28, 2011



MARKS, THOMAS ARCHITECTS



⊙ CHAPEL COURT / PARKVIEW LINK- PROPOSED COURTYARD ELEVATION
SCALE: 1/4" = 1'-0"



⊙ BUILDING 8/9 LINK- PROPOSED COURTYARD ELEVATION
SCALE: 1/4" = 1'-0"




BROOKSIDE- PROPOSED ELEVATION
 SCALE: 1/4" = 1'-0"




HERBERT'S RUN- PROPOSED ELEVATION
 SCALE: 1/4" = 1'-0"



MARKS, THOMAS ARCHITECTS

1410 KEY HIGHWAY, BALTIMORE, MD 21230 PHONE: 410 539 4300 FAX: 410 539 0550

Elevations of Elevator Additions
CHARLESTOWN RENOVATIONS
 Retirement Community
 Catonsville, Maryland

PETITIONER'S

EXHIBIT NO. 60

247'66" MAXIMUM WIDTH OF BUILDING ELEVATION

LEGEND

- PROPERTY BOUNDARY
- ADJACENT PROPERTY LINE
- EXISTING CONTOURS
- EASEMENT LINE
- TREE LINE
- EXISTING CURB & GUTTER
- EXISTING BUILDING
- ZONING LINE
- FOREST BUFFER
- CALCULATED 100-YR FLOODPLAIN

THIS CRG PLAN COMBINES AND AMENDS THE 3rd AMENDED CRG PLAN OF CROSS CREEK AT CHARLESTOWN AND PREVIOUS CRG PLANS FOR "CHARLESTOWN", PHASES I, II, III & IV.
THIS CRG SHALL GOVERN ANY FUTURE DEVELOPMENT ON THE SITE PER DRC No. 102610A

DATA SOURCES:
1. TOPOGRAPHY INFORMATION SHOWN HEREON IS BASED ON AERIAL MAPPING PERFORMED BY VIRGINIA RESOURCE MAPPING, INC. (PULCELLVILLE, VA) DATED DECEMBER 10, 2007.
2. BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A BOUNDARY SURVEY PERFORMED BY DAFT MCCUNE WALKER, INC. DATED JANUARY, 1999.
3. ZONING INFORMATION SHOWN HEREON PROVIDED BY BALTIMORE COUNTY OFFICE OF PLANNING GIS OFFICE. SECTION 303-222 (D) OF THE BALTIMORE COUNTY 2003 CODE ESTABLISHES THE ZONING GEODATABASE. THIS MAP REPRESENTS THE ACTIONS OF THE BALTIMORE COUNTY COUNCIL ON AUGUST 4, 2006 (BILLS 85-06, 86-06, 87-06, 88-06, 89-06, 90-06, 91-06) EFFECTIVE SEPTEMBER 8, 2006.
4. FLOODPLAIN SHOWN HEREON PROVIDED BY BALTIMORE COUNTY DPW AND REFLECT FEMA FLOODPLAIN INFORMATION FROM THE SEPTEMBER 30, 2009 PRELIMINARY DFIRM DATABASE.

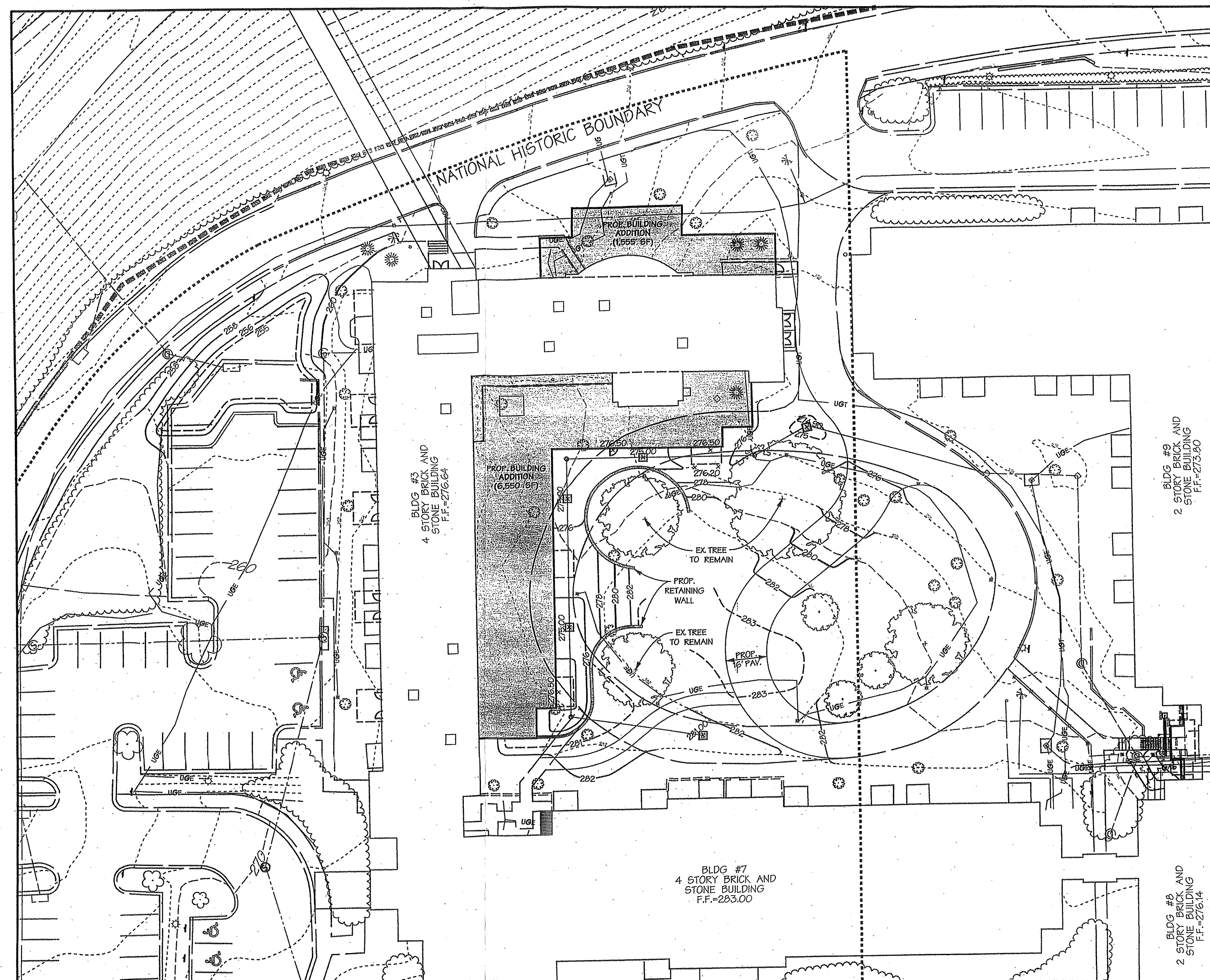
DMW
Daft McCune Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21206
(410) 296-3333
Fax 296-4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

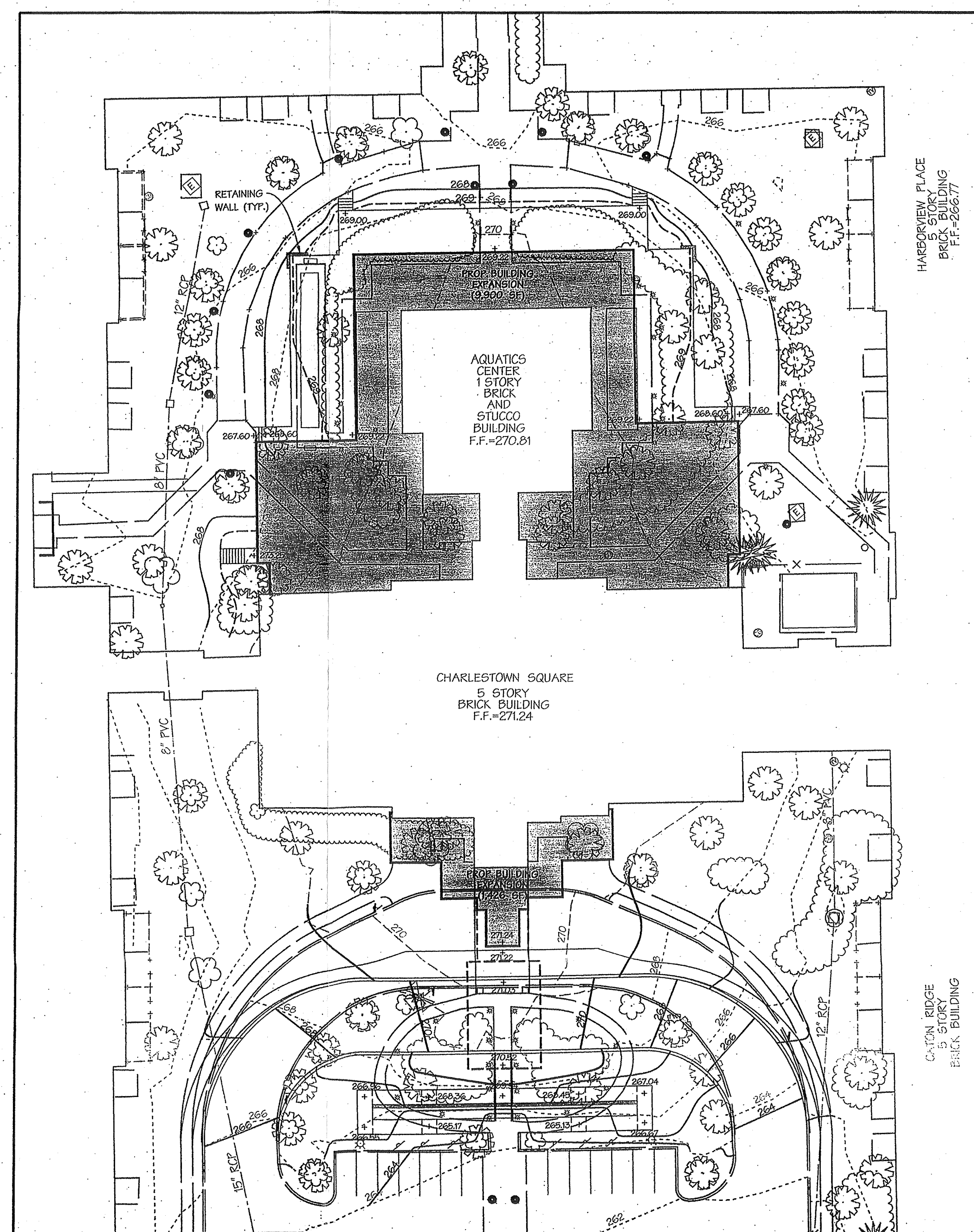
Plan to Accompany Petition for Special Hearing
Charlestown Retirement Community
(Including Cross Creek at Charlestown and all Phases of Charlestown)

1st: ELECTION DISTRICT 1st: COUNCILMANIC DISTRICT		BALTIMORE COUNTY, MARYLAND	
ISSUE DATES		REVISIONS	
REVIEW: 25FEB11		DATE: 01/11/11	
BID: _____		BY: DMW	
PERMIT: _____		PER: DRC No. 102610A	
CONSTRUCTION: _____		DATE CHECKED: _____	
BASE: EDW		SCALE: 1"=100'	
DRAWN: EDW		PROJECT NO.: 82028.R1	
DESIGNED: JLB		DRAWING: 2 of 3	
CHECKED BY: _____		11/15/25 16:29:29 2011	

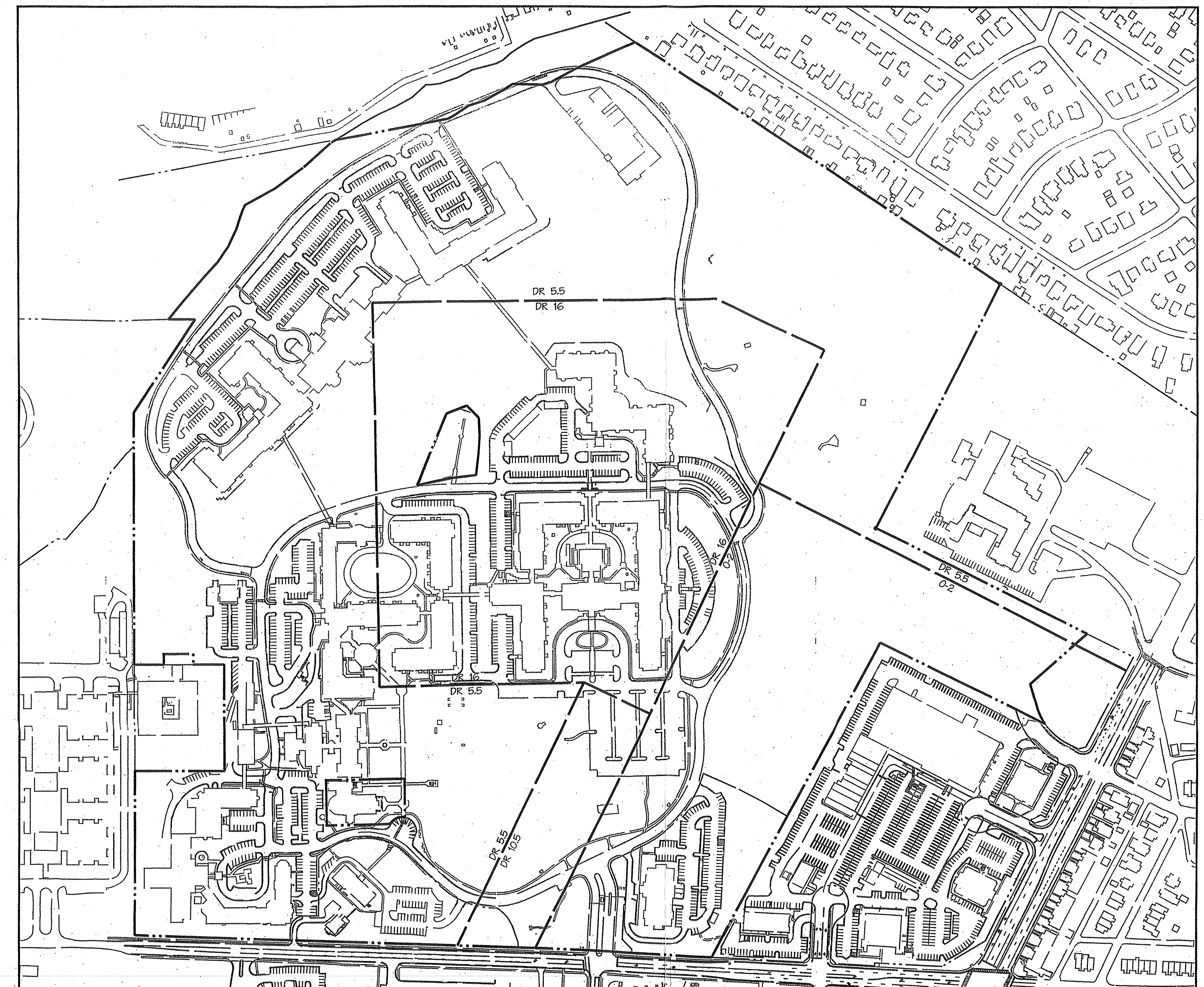
PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE PREPARED OR APPROVED BY ME AND THAT I AM A DAILY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MARYLAND, LICENSE NO. 36725, EXPIRATION DATE: 02/26/2013



BUILDING 3 ADDITIONS



CHARLESTOWN SQUARE EXPANSION



ZONING IN PLACE AT TIME OF ORIGINAL APPROVAL

THIS CRG PLAN COMBINES AND AMENDS THE 3rd AMENDED CRG PLAN OF CROSS CREEK AT CHARLESTOWN AND PREVIOUS CRG PLANS FOR "CHARLESTOWN", PHASES I, II, III & IV.

THIS CRG SHALL GOVERN ANY FUTURE DEVELOPMENT ON THE SITE

PER DRC No. 102610A

DATA SOURCES:

1. TOPOGRAPHY INFORMATION SHOWN HEREON IS BASED ON AERIAL MAPPIING PERFORMED BY VIRGINIA RESOURCE MAPPING, INC. PURCELLVILLE, VA. DATED DECEMBER 19, 2007.
2. BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A BOUNDARY SURVEY PERFORMED BY DAFT MOORE WALKER, INC. DATED JANUARY, 1993.
3. ZONING INFORMATION SHOWN HEREON PROVIDED BY BALTIMORE COUNTY OFFICE OF PLANNING GIS. OFFICE 32-3-202 (D) OF THE BALTIMORE COUNTY ZONING CODE ESTABLISHES THE ZONING DESIGNATION. THE ZONING REPORTS THE ACTING OF THE BALTIMORE COUNTY COUNCIL ON AUGUST 4, 2009. (BILLS 05-08, 06-05, 07-08, 08-08, 09-08, 20-09 AND 30-01) EFFECTIVE SEPTEMBER 8, 2009.
4. FLOODPLAIN SHOWN HEREON PROVIDED BY BALTIMORE COUNTY, PA AND REFLECT FEMA FLOODPLAIN INFORMATION FROM THE SEPTEMBER 30, 2009 PRELIMINARY DFRM DATASET.

DMW
Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

*A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals*

Plan to Accompany Petition for Special Hearing

Charlestown Retirement Community

(Including Cross Creek at Charlestown and
all Phases of Charlestown)

1st ELECTION DISTRICT
1st COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND

ISSUE DATES

REVIEW: 25FEB11

REVIEW: CONFIDENTIAL

RID: _____

PERMIT:

CONSTRUCTION: _____

CONSTRUCTION: _____

BASE: _____

DRAWN: RDW

DESIGNED: JLB

CHECKED BY: _____

DATE CHECKED: _____

12. SHOW

SCALE: AS SHOWN

NO.: 82028.R

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. 36725, EXPIRATION DATE: 02/26/2013.



LEGEND

- PROPERTY BOUNDARY
- ADJACENT PROPERTY LINE
- EXISTING CONTOURS
- EASEMENT LINE
- TREE LINE
- EXISTING CURB & GUTTER
- EXISTING BUILDING
- ZONING LINE
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- CALCULATED 100-YR. FLOODPLAIN

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THIS CRG SHALL GOVERN ANY FUTURE DEVELOPMENT ON THE SITE

PER DRC No. 102610A

- DATA SOURCES:
1. TOPOGRAPHY INFORMATION SHOWN HEREON IS BASED ON AERIAL MAPPING PERFORMED BY VIRGINIA RESOURCE MAPPING, INC. (FOLIO 100), DATED DECEMBER 15, 2007.
 2. BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A BOUNDARY SURVEY PERFORMED BY DAFT MCCUNE WALKER, INC. DATED JANUARY 1995.
 3. ZONING INFORMATION SHOWN HEREON PROVIDED BY BALTIMORE COUNTY OFFICE OF PLANNING & GIS OFFICE, SECTION 22-2-202 (D) OF THE BALTIMORE COUNTY, 2003 CODE ESTABLISHES THE ZONING: GED040404E. THIS MAP REPRESENTS THE ACTIONS OF THE BALTIMORE COUNTY COUNCIL ON AUGUST 4, 2009 (BILLS 65-03, 65-05, 67-03, 69-01, 69-02, 69-03, 69-04, AND 78-03) EFFECTIVE SEPTEMBER 6, 2009.
 4. FLOODPLAIN SHOWN HEREON PROVIDED BY BALTIMORE COUNTY, DPM AND REFLECT FEMA FLOODPLAIN INFORMATION FROM THE SEPTEMBER 30, 2009 PRELIMINARY DATA.

DMW
Daft-McCune-Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax: 296-4705

A Team of Land Planners,
Landscape Architects,
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Environmental Professionals

Plan to Accompany Petition for Special Hearing

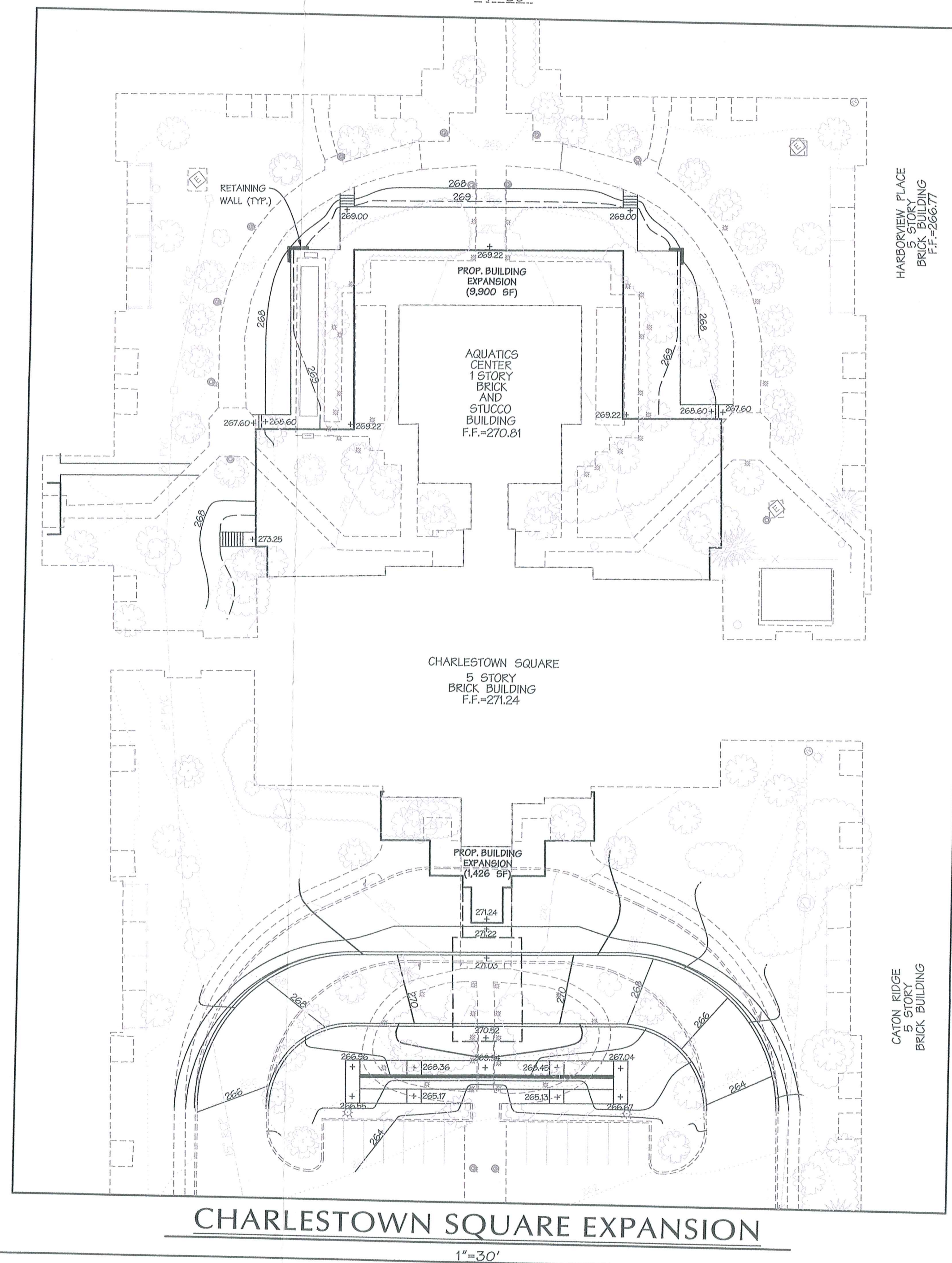
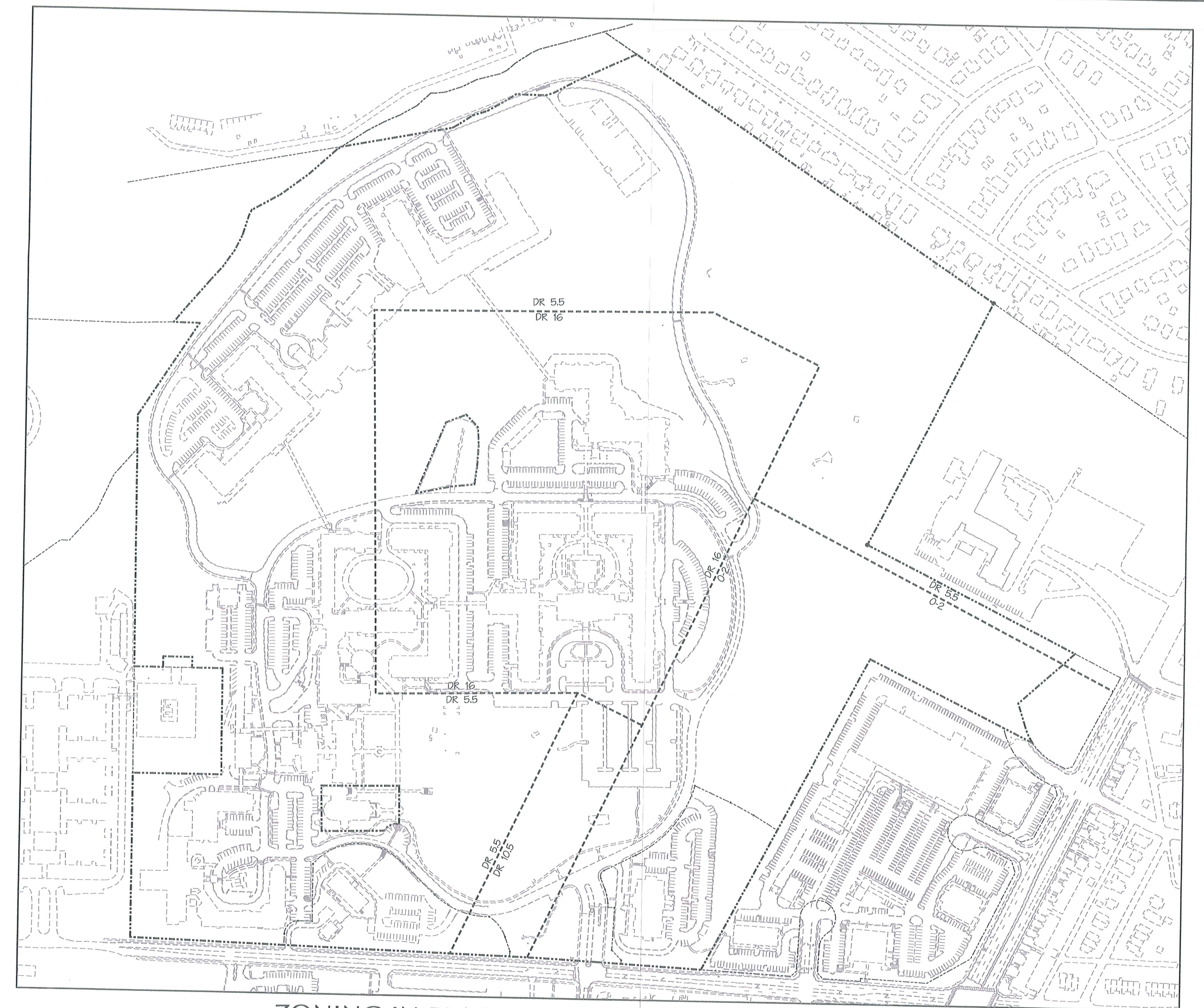
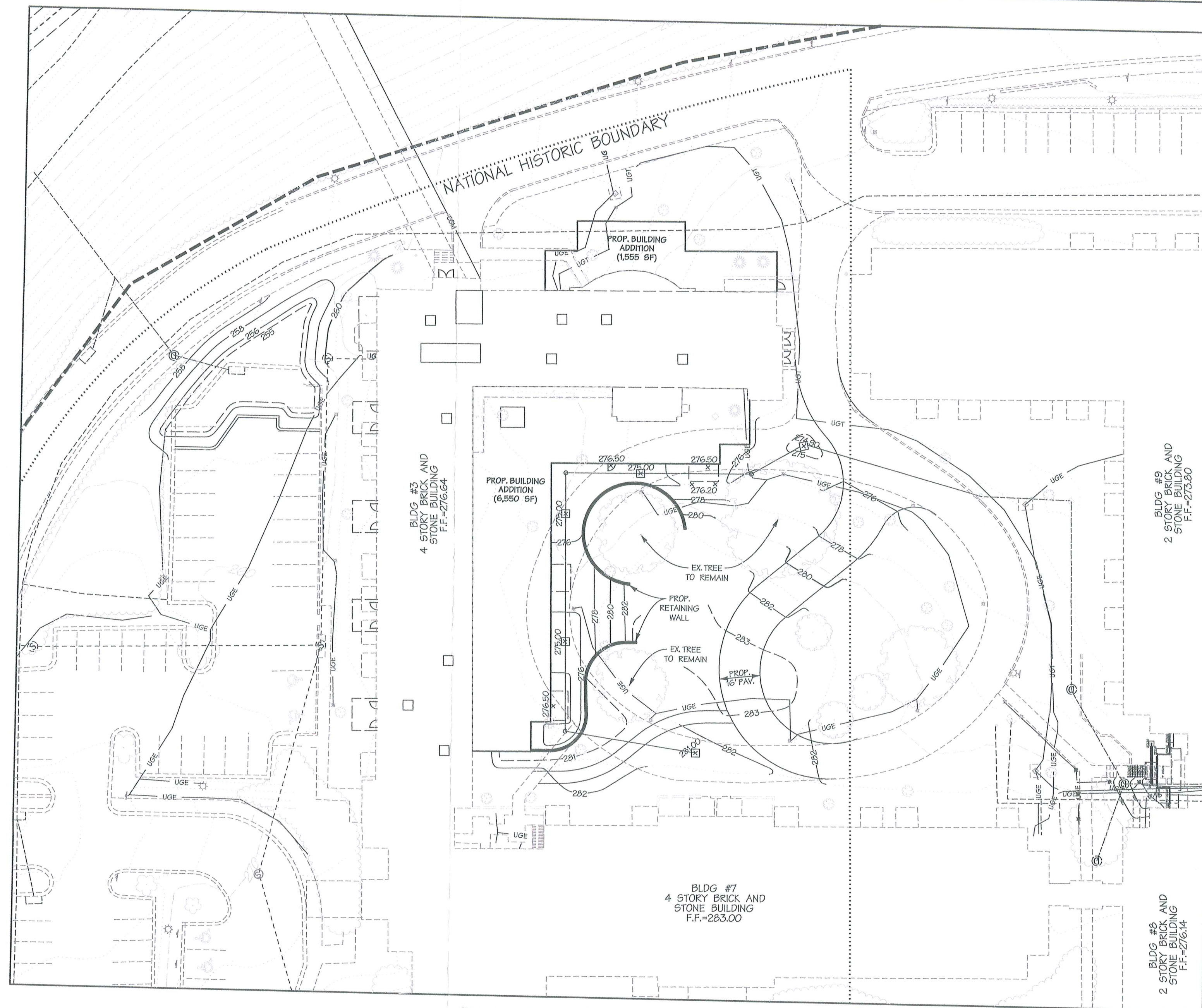
Charlestown Retirement Community

(Including Cross Creek at Charlestown and all Phases of Charlestown)

1st ELECTION DISTRICT		BALTIMORE COUNTY, MARYLAND	
1st COUNCILMANIC DISTRICT		ISSUE DATES	
		REVIEW:	25FEB11
		BID:	
		PERMIT:	
		CONSTRUCTION:	
		BASE:	RDW
DATE:	BY:	REVISIONS	
QUANTITY:	DMW	PER DRC No. 102610A	
DRAWN:		DESIGNED:	JLB
CHECKED BY:		DATE CHECKED:	
SCALE:		1"=100'	
PROJECT NO.:		82020.R1	
DRAWING:		2 of 3	

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. 36725, EXPIRATION DATE: 02/26/2015



EXISTING DENSITY UNITS CHART
TAKEN FROM THE PLAN TO ACCOMPANY CASE 91-351-SPHX,
(EXISTING AND PROPOSED UNITS COMBINED)

	STUDIO	1BRDM	1BRDM WIDEN	2BRDM	3BRDM	BEDS	TOTAL
BLDG 1	10	22	0	14	0	0	46
BLDG 2	20	18	0	18	0	0	56
BLDG 3	6	43	0	12	0	0	61
BLDG 4	12	0	0	0	0	0	12
BLDG 5	0	4	0	2	1	0	7
BLDG 6						20*	20
BLDG 7	8	48	0	8	0	0	64
BLDG 8	25	26	0	21	0	0	75
BLDG 9	32	30	0	26	0	0	88
BLDG 10 (CC)	12	92	0	32	0	0	136
BLDG 11 (CR)	6	61	6	19	0	0	92
BLDG 12 (PY)	18	69	10	29	0	0	126
BLDG 13 (HV)	17	70	10	26	0	0	123
BLDG 14 (ST)	0	23	8	127	0	0	158
BLDG 15 (BK)	18	132	24	94	0	0	268
BLDG 16 (HR)	30	146	24	100	0	0	300
NURSING BEDS						120	120
ASSISTED LIVING BEDS						255	255
TOTAL UNITS	217	784	82	528	1	395	2007
DENSITY UNIT EQUIVALENT	0.5	0.75	1.0	1.0	1.5	0.25	
TOTAL DENSITY UNITS (RES. SUBTOTAL)	109	589	82	528	2	99	1409

* SKILLED NURSING BEDS

PROPOSED DENSITY UNITS CHART

	STUDIO	1BRDM	1BRDM WIDEN	2BRDM	3BRDM	BEDS	TOTAL
BLDG 1	2	18	0	16	0	0	36
BLDG 2	7	11	0	23	0	0	41
BLDG 3	0	2	15	38	0	0	55
BLDG 4	0	0	0	2	0	0	2
BLDG 5	0	3	0	2	1	0	6
BLDG 6	5	41	2	11	0	0	59
BLDG 7	19	22	2	24	0	0	67
BLDG 8	22	24	2	31	0	0	79
BLDG 9	9	89	10	24	0	0	132
BLDG 10 (CC)	5	59	5	19	0	0	88
BLDG 11 (CR)	18	66	10	31	0	0	124
BLDG 12 (PY)	17	59	11	31	0	0	118
BLDG 13 (HV)	0	13	29	116	0	0	158
BLDG 14 (ST)	6	127	25	100	0	0	258
BLDG 15 (BK)	27	126	26	109	0	0	288
BLDG 16 (HR)							
NURSING BEDS						164	164
ASSISTED LIVING BEDS						206	206
TOTAL UNITS	137	659	137	577	1	370	1881
DENSITY UNIT EQUIVALENT	0.5	0.75	1	1	1.5	0.25	
TOTAL DENSITY UNITS (RES. SUBTOTAL)	68.5	494.25	137	577	1.5	92.5	1370.75

THIS CRG PLAN COMBINES AND AMENDS THE 3rd AMENDED CRG PLAN OF CROSS CREEK AT CHARLESTOWN AND PREVIOUS CRG PLANS FOR "CHARLESTOWN", PHASES I, II, III & IV.

THIS CRG SHALL GOVERN ANY FUTURE DEVELOPMENT ON THE SITE PER DRC No. 102610A

DATA SOURCES:
1. TOPOGRAPHY INFORMATION SHOWN HEREON IS BASED ON AERIAL MAPPING PERFORMED BY VIRGINIA RESOURCE MAPPING, INC. PURCELLVILLE, VA DATED DECEMBER 18, 2007.
2. BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A BOUNDARY SURVEY PERFORMED BY DAFT MACINE WALKER, INC. DATED JANUARY, 1998.
3. ZONING INFORMATION SHOWN HEREON PROVIDED BY BALTIMORE COUNTY OFFICE OF PLANNING GIS OFFICE SECTION 36-3022 (D) OF THE BALTIMORE COUNTY 2003 CODE ESTABLISHED THE ZONING GEODATABASE. THIS MAP REPRESENTS THE ACTIONS OF THE BALTIMORE COUNTY COUNCIL ON AUGUST 4, 2008 (RULLS 85-08, 86-08, 87-08, 88-08, 89-08, 90-08, AND 91-08) EFFECTIVE SEPTEMBER 8, 2008.
4. FLOODPLAIN SHOWN HEREON PROVIDED BY BALTIMORE COUNTY, DPM AND REFLECT FEMA FLOODPLAIN INFORMATION FROM THE SEPTEMBER 30, 2009 PRELIMINARY DPM DATA.

DMW
Daft-McCune-Walker, Inc.

200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax: 296-4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

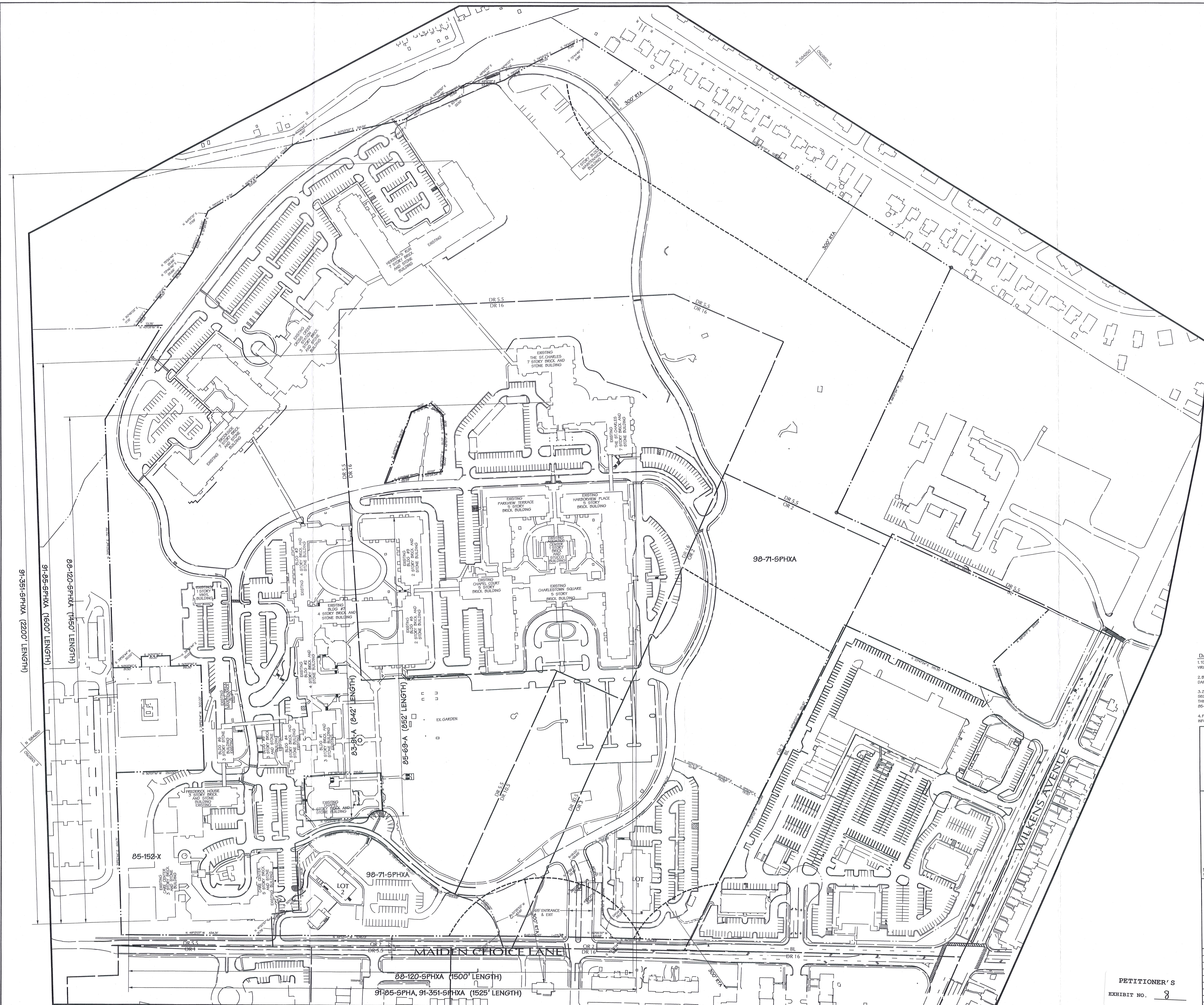
Plan to Accompany Petition for Special Hearing
Charlestown Retirement Community
(Including Cross Creek at Charlestown and all Phases of Charlestown)

1st ELECTION DISTRICT
1st COUNCILMANIC DISTRICT
BALTIMORE COUNTY, MARYLAND



DATE	BY	REVISIONS
02/26/2013	DMW	REVISED DENSITY CHARTS
REVIEW: 25FEB11		
BID: _____		
PERMIT: _____		
CONSTRUCTION: _____		
BASE: _____		
DRAWN: RDW		
DESIGNED: JLB		
CHECKED BY: _____		
DATE CHECKED: _____		
SCALE: AS SHOWN		
PROJECT NO.: 82028.R		
DRAWING: _____		

PROFESSIONAL CERTIFICATION
I HEREBY CERTIFY THAT THESE DOCUMENTS WERE
PREPARED OR APPROVED BY ME, AND THAT I AM
A DAILY LICENSED PROFESSIONAL ENGINEER UNDER
THE LAWS OF THE STATE OF MARYLAND.
LICENSE NO. 26725, EXPIRATION DATE: 02/26/2013



LEGEND

- | | |
|-------|------------------------|
| ===== | PROPERTY BOUNDARY |
| ----- | ADJACENT PROPERTY LINE |
| ===== | ZONING LINES |
| ===== | EXISTING CURB & GUTTER |
| [] | EXISTING BUILDING |

DATA SOURCES:

- DATA SOURCES:**
1. TOPOGRAPHY INFORMATION SHOWN HEREIN IS BASED ON AERIAL MAPPING PERFORMED BY VIRGINIA RESOURCE MAPPING, INC. FLORENCEVILLE, VA DATED DECEMBER 18, 2007.
 2. BOUNDARY INFORMATION SHOWN HEREIN IS BASED ON A BOUNDARY SURVEY PERFORMED BY DAFT McGUIN, WALKER, INC. DATED JANUARY, 1998.
 3. ZONING INFORMATION SHOWN HEREIN PROVIDED BY BALTIMORE COUNTY OFFICE OF PLANNING & OFFICE DESIGN 303-6222 (D) OF THE BALTIMORE COUNTY COUNCIL ON AUGUST 4, 2008 (BILLS 85-08, 86-08, 87-08, 88-08, 89-08, 90-08, AND 91-01) EFFECTIVE SEPTEMBER 8, 2008.
 4. FLOODPLAIN INFORMATION PROVIDED BY BALTIMORE COUNTY, DPM AND REFLECT FEMA FLOODPLAIN INFORMATION FROM THE SEPTEMBER 30, 2005 PRELIMINARY DATA DATABASE.

DMW
Daft·McCune·Walker, Inc.

A Team of Land Planners
Landscape Architects
Engineers, Surveyors &
Environmental Professionals

Zoning Case Exhibit

Charlestown Retirement
Community

(Including Cross Creek at Charlestown and
all Phases of Charlestown)

1st ELECTION DISTRICT
1st COUNCILMANIC DISTRICT

BALTIMORE COUNTY, MARYLAND



ISSUE DATES

REVIEW:	04APR11
BID:	
PERMIT:	
CONSTRUCTION:	
BASE:	RDW
DRAWN:	RDW
DESIGNED:	JLB

CHECKED BY: _____
DATE CHECKED: _____
SCALE: $1''=100'$
PROJECT NO.: 82028.R1
DRAWING: _____

PETITIONER'S
EXHIBIT NO. 8