

IN RE: PETITION FOR VARIANCE

S side of Eastern Avenue, 369'
W of c/line of Selig Road
15th Election District
7th Council District
(1031 Old Eastern Avenue)

Glen Manor, LLC
Petitioner

BEFORE THE
OFFICE OF
ADMINISTRATIVE HEARINGS
FOR BALTIMORE COUNTY
CASE NO. 2012-0283-A

* * * * *

OPINION AND ORDER

This matter comes before the Office of Administrative Hearings (OAH) for Baltimore County for consideration of a Petition for Variance filed by Christopher D. Mudd, Esquire, on behalf of the legal owner, Glen Manor, LLC. The Petitioner is requesting Variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.), as follows:

- Section 1B01.1.B.1, to permit 0' Residential Transition Buffer (RTA) buffer in lieu of the required 50' buffer and to permit an RTA building setback a minimum of 4' in lieu of the required 75' setback;
- Section 1B01.2.C.1, to permit a minimum rear yard setback of 4' in lieu of the required 30' and a minimum side yard setback of 8' in lieu of the required 20' for a storage shed;
- Section 1B01.2.C.1.a, to permit a minimum front yard setback to an interior lot line of 3' in lieu of the required 40', and a minimum side yard setback to an interior lot line of 8' in lieu of the required 20' for a clubhouse building, and
- Sections 1B01.2.C.1.a and 102.2, to permit a setback between buildings a minimum of 30' in lieu of the required 70'.

ORDER RECEIVED FOR FILING

Date 6-22-12

By pm

The subject property and requested relief is more fully depicted on the two sheet site plan that was marked and accepted into evidence as Petitioner's Exhibit 1A and 1B.

Appearing at the public hearing in support of the variance request was Nelson Leenhouts, Chairman and CEO, and Bill Struzzi, Project Manager with Home Leasing, the company managing the complex, and Steve Warfield with Matis Warfield, who prepared the site plan. Christopher Mudd, Esquire appeared as attorney for the Petitioner. The file reveals that the Petition was properly advertised and the site was properly posted as required by the B.C.Z.R.

Zoning Advisory Committee (ZAC) comments were received and are made a part of the record of this case. A ZAC comment was received from the Department of Planning on May 31, 2012, indicating the following:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning supports the petitioner's variance request. Currently the subject property is overgrown with brush and is bordered by a deteriorating fence. The proposed improvements include a clubhouse, tot lot and garden plots as well as replacement of the existing fencing and upgrades to the landscaping. A landscape plan is in the process of being prepared. These improvements are being made as part of property wide improvements, which will upgrade all 252 apartments to include new kitchens and bathrooms, refinished/replaced flooring, new entry doors and other improvements.

Residents adjacent to the subject property are in favor of the project and there appears to be no negative impacts to the surrounding community.

Testimony and evidence revealed that the subject property is 15.0577 acres and is zoned DR 16, DR 5.5, BL and BM. The property is improved by an existing apartment complex, and the Petitioner purchased the property in January, 2012. The Petitioner is a family owned business, and it owns and operates several apartment complexes in the area. It is planning to undertake major renovations to the complex (estimated at over \$12 million dollars) including the construction of a community center with modern amenities for the tenants of the complex. To do so requires variance relief from several setback requirements imposed by the B.C.Z.R.

ORDER RECEIVED FOR FILING

Date 6-22-12 2

By [Signature]

Based upon the testimony and evidence presented, I am persuaded to grant the request for variance relief. Under *Cromwell* and its progeny, to obtain variance relief requires a showing that:

- (1) The property is unique; and
- (2) If variance relief is denied, Petitioner will experience a practical difficulty or hardship.

Trinity Assembly of God v. People's Counsel, 407 Md 53, 80 (2008).

Petitioner has met this test.

The subject property is irregularly shaped, and as seen on Exhibit 1B, a portion of the property (where the community center is proposed) juts from the southern boundary like an appendage. The complex was constructed in the 1940s, and long predates the B.C.Z.R., which also renders the property "unique" in a zoning sense.

If relief were denied, the Petitioner would be unable to construct the improvements, which would more than qualify as a practical difficulty. As noted, the apartments are antiquated and lack the amenities found in modern units. In addition, the Petitioner will be unable to secure appropriate financing unless these improvements are undertaken.

Finally, the neighborhood strongly supports the project, and the Department of Planning has opined that the community would not be negatively impacted. I concur, and to the contrary, believe the project will provide a much-needed face lift for the complex, and with respect to the community building, the Petitioner has planned an attractive structure for that location (Exhibit 7) that will be constructed in an area that now essentially functions as an open dump. See Exhibit 4A-4I (color photos).

Near the close of the hearing, Counsel for the Petitioner questioned whether B.C.Z.R. § 1B01.1.A.1.c was applicable in this setting. Having reviewed that regulation, I do not believe that it is, given that it concerns construction of "group houses" and "multifamily buildings" in DR 5.5

ORDER RECEIVED FOR FILING

Date 6-22-12

By [Signature]

zones. In this case, the multifamily apartment buildings have existed for over 70 years. The proposed community building is not a dwelling at all, but is an accessory structure to the apartment complex. Of course, even if that regulation were applicable, I believe the proposed community center building looks residential (both in appearance and scale; see Exhibit 7) and would therefore satisfy the compatibility requirement found in that regulation.

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

THEREFORE, IT IS ORDERED, this 22 day of June, 2012, by this Administrative Law Judge, that Petitioner's Variance request from the Baltimore County Zoning Regulations (B.C.Z.R.), as follows:

- Section 1B01.1.B.1, to permit 0' Residential Transition Buffer (RTA) buffer in lieu of the required 50' buffer and to permit an RTA building setback a minimum of 4' in lieu of the required 75' setback;
- Section 1B01.2.C.1, to permit a minimum rear yard setback of 4' in lieu of the required 30' and a minimum side yard setback of 8' in lieu of the required 20' for a storage shed;
- Section 1B01.2.C.1.a, to permit a minimum front yard setback to an interior lot line of 3' in lieu of the required 40', and a minimum side yard setback to an interior lot line of 8' in lieu of the required 20' for a clubhouse building, and
- Sections 1B01.2.C.1.a and 102.2, to permit a setback between buildings a minimum of 30' in lieu of the required 70',

ORDER RECEIVED FOR FILING

Date 6-22-12

4

By [Signature]

be and is hereby GRANTED.

The relief granted herein shall be subject to the following:

1. The Petitioner may apply for the appropriate permits and may be granted same upon receipt of this Order, however the Petitioner is hereby made aware that proceeding at this time is at their own risk until such time as the thirty (30) day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioner will be required to return and be responsible for returning said property to its original condition.

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



JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

ORDER RECEIVED FOR FILING

Date 6-22-12

By pm



KEVIN KAMENETZ
County Executive

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

June 22, 2012

CHRISTOPHER MUDD, ESQUIRE
VENABLE, LLP
210 WEST PENNSYLVANIA AVENUE
SUITE 500
TOWSON, MD 21204

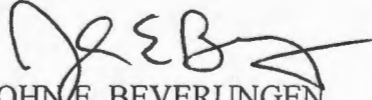
RE: Petition for Variance
Case No.: 2012-0283-A
Property: 1031 Old Eastern Avenue

Dear Mr. Mudd:

Enclosed please find a copy of the decision rendered in the above-captioned matter.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Office of Administrative Hearings at 410-887-3868.

Sincerely,


JOHN E. BEVERUNGEN
Administrative Law Judge
for Baltimore County

JEB:pz

Enclosure



PETITION FOR ZONING HEARING(S)

To be filed with the Department of Permits, Approvals and Inspections

To the Office of Administrative Law of Baltimore County for the property located at:

Address s/s Old Eastern Avenue, E of Eastern Boulevard which is presently zoned BM, BL, DR 16 & DR 5.5

Deed References: 31639/310 10 Digit Tax Account # 1 5 0 7 4 1 0 3 1 0

Property Owner(s) Printed Name(s) Glen Manor LLC 1 5 0 7 4 1 0 3 1 1

(SELECT THE HEARING(S) BY MARKING X AT THE APPROPRIATE SELECTION AND PRINT OR TYPE THE PETITION REQUEST)

The undersigned legal owner(s) of the property situate in Baltimore County and which is described in the description and plan attached hereto and made a part hereof, hereby petition for:

1. a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

2. a Special Exception under the Zoning Regulations of Baltimore County to use the herein described property for

3. X a Variance from Section(s)

SEE ATTACHED SHEET

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons:
(Indicate below your hardship or practical difficulty or indicate below "TO BE PRESENTED AT HEARING". If you need additional space, you may add an attachment to this petition)

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above petition(s), 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.

Legal Owner(s) Affirmation: I / we do so 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 / these Petition(s).

Contract Purchaser/Lessee:

Name- Type or Print

Signature

Mailing Address City State

Zip Code / Telephone # / Email Address

Attorney for Petitioner:

Christopher D. Mudd

Name- Type or Print

Signature

210 W. Pennsylvania Ave. Towson MD
Mailing Address City State

21204 / 410-494-6365 / cdmudd@venable.com
Zip Code Telephone # Email Address

Legal Owners (Petitioners):

SEE ATTACHED SHEET

Name #1 - Type or Print

Name #2 - Type or Print

Signature #1

Signature #2

Mailing Address City State

Zip Code / Telephone # / Email Address

Representative to be contacted:

Christopher D. Mudd

Name - Type or Print

Signature

210 W. Pennsylvania Ave. Towson MD
Mailing Address City State

21204 / 410-494-6365 / cdmudd@venable.com
Zip Code Telephone # Email Address

CASE NUMBER 2012-0283-A Filing Date 5.7.12 Do Not Schedule Dates: _____

Reviewer JS/AT

ORDER RECEIVED FOR FILING

REV. 10/4/11

Date 6-22-12

ATTACHED SHEET FOR PETITION FOR VARIANCE
s/s Old Eastern Avenue, E of Eastern Boulevard

- 1) Variance from Baltimore County Zoning Regulations ("BCZR") Section 1B01.1.B.1 to permit a 0 foot residential transition area buffer in lieu of the required 50 foot buffer and to permit a residential transition area building setback a minimum of 4 feet in lieu of the required 75 foot setback.
- 2) Variance from BCZR Section 1B01.2.C.1.a to permit a minimum rear yard setback of 4 feet in lieu of the required 30 feet and a minimum side yard setback of 8 feet in lieu of the required 20 feet for a storage shed.
- 3) Variance from BCZR Section 1B01.2.C.1.a to permit a minimum front yard setback to an interior lot line of 3 feet in lieu of the required 40 feet and a minimum side yard setback to an interior lot line of 8 feet in lieu of the required 20 feet for a clubhouse building.
- 4) Variance from BCZR Sections 1B01.2.C.1.a and 102.2 to permit a setback between buildings a minimum of 30 feet in lieu of the required 70 feet.

2012-0283-A

SIGNATURE PAGE

s/s Old Eastern Avenue, E of Eastern Boulevard

Legal Owner/Petitioner:

**Glen Manor LLC
180 Clinton Square
Rochester, NY 14604
(585) 262-6210**

By: Catherine Sperry
Name: Catherine Sperry
Title: President/COO

2012-0283-A

MATISWARFIELD

Consulting Engineers

May 7, 2012

Description to Accompany Zoning Petition For Variance Glen Manor Apartments – Old Eastern Avenue

Beginning at a point on the South side of Old Eastern Avenue 369 feet west of the centerline of Selig Avenue, running thence and binding on the South side of Old Eastern Avenue:

1. North 77° 27' 29" East 999.98 feet to a point, thence leaving said south side of Old Eastern Avenue and running thence:
2. South 12° 32' 31" East 650.00 feet
3. North 77° 27' 29" East 15.81 feet
4. a Curve having a radius of 280.30 feet for an arc distance of 190.98 feet
5. North 73° 55' 39" West 288.51 feet
6. South 42° 42' 03" West 273.35 feet
7. North 47° 25' 42" West 150.07 feet
8. North 42° 42' 03" East 198.44 feet
9. North 73° 55' 39" West 672.54 feet
10. North 13° 05' 06" West 295.37 feet to the place of beginning.

Containing 12.4638-acres± known as Glen Manor Apartments, and located in the 15th Election District.

THIS DESCRIPTION COMPILED FOR ZONING PURPOSES ONLY AND IS NOT
INTENDED TO BE USED FOR CONVEYANCES OR AGREEMENTS



Matis Warfield, Inc.
10540 York Road, Suite M
Hunt Valley, MD 21030

410.683.7004
410.683.1798 FAX
www.matiswarfield.com

2012-0283-A

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

No. **83449**
 Date: **5/7/12**

PAID RECEIPT

BUSINESS ACTUAL TIME INM
 5/07/2012 5/07/2012 10:29:39 8
 RIG US04 WALKIN SHIL SAH
 RECEIPT # 528922 5/07/2012 OFLN
 Dept 5 528 ZODING VERIFICATION
 CR NO: 003449
 Recpt Tot 4385.00
 4385.00 OK 8.00 CA
 Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Sub Obj	Dept Obj	BS Acct	Amount
001	806	0000		6150				\$385

Total: **\$385**

Rec From:

For: **S/S OLD EASTERN AVE, E OF EASTERN AVE**
2012-0283-A

DISTRIBUTION

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

**CASHIER'S
 VALIDATION**

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: 2012-0283-A

Petitioner: GLEN MANOR LLC

Address or Location: S/S OLD EASTERN AVE, E OF EASTERN AVE.

PLEASE FORWARD ADVERTISING BILL TO:

Name: BARB LUKASEVICH

Address: 210 W. PENNSYLVANIA AVE. STE 500
TOWSON, MD 21204

Telephone Number: 410-494-6365

TO: PATUXENT PUBLISHING COMPANY
Thursday, May 31, 2012 Issue - Jeffersonian

Please forward billing to:

Barb Lukasevich
Venable, LLP
210 W. Pennsylvania Avenue
Towson, MD 21204

410-494-6365

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: 2012-0283-A

Old Eastern Avenue

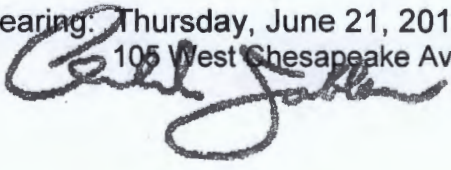
S/s of Old Eastern Avenue, 369 feet w/of centerline of Selig Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Glen Manor, LLC

Variance to permit a 0 foot residential transition area buffer in lieu of the required 50 ft. buffer and to permit a residential transition area building setback a minimum of 4 feet in lieu of the required 75 foot setback. Variance to permit a minimum rear yard setback of 4 feet in lieu of the required 30 feet a minimum side yard setback of 8 ft. in lieu of the required 20 feet for a storage shed. Variance to permit a minimum front yard setback to an interior lot line of 3 ft. in lieu of the required 40 ft. and a minimum side yard setback to an interior lot line of 8 ft. in lieu of the required 20 ft. for a clubhouse building. Variance to permit a setback between building a minimum of 30 ft. in lieu of the required 70 ft.

Hearing: Thursday, June 21, 2012 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204



Arnold Jablon

Director of Permits, Approvals and Inspections for Baltimore County

- 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

May 23, 2012

NOTICE OF ZONING HEARING

The Administrative Law Judges 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: 2012-0283-A

Old Eastern Avenue

S/s of Old Eastern Avenue, 369 feet w/of centerline of Selig Avenue

15th Election District – 7th Councilmanic District

Legal Owners: Glen Manor, LLC

Variance to permit a 0 foot residential transition area buffer in lieu of the required 50 ft. buffer and to permit a residential transition area building setback a minimum of 4 feet in lieu of the required 75 foot setback. Variance to permit a minimum rear yard setback of 4 feet in lieu of the required 30 feet a minimum side yard setback of 8 ft. in lieu of the required 20 feet for a storage shed. Variance to permit a minimum front yard setback to an interior lot line of 3 ft. in lieu of the required 40 ft. and a minimum side yard setback to an interior lot line of 8 ft. in lieu of the required 20 ft. for a clubhouse building. Variance to permit a setback between building a minimum of 30 ft. in lieu of the required 70 ft.

Hearing: Thursday, June 21, 2012 at 1:30 p.m. in Room 205, Jefferson Building,
105 West Chesapeake Avenue, Towson 21204

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

Arnold Jablon
Director

AJ:kl

C: Christopher Mudd, 210 W. Pennsylvania Ave., Towson 21204
Catherine Sperrick, Glen Manor, LLC, 180 Clinton Sq., Rochester NY 14604

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY FRIDAY, JUNE 1, 2012.**
- (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.

CERTIFICATE OF POSTING

2012-0283-A

RE: Case No.: _____

Petitioner/Developer: _____

Glen Manor, LLC

June 21, 2012

Date of Hearing/Closing: _____

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

Attn: Kristen Lewis:

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: _____

Old Eastern Ave

June 1, 2012

The sign(s) were posted on _____

(Month, Day, Year)

Sincerely,

Jun 1, 2012

(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)



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: # 2012-0283-A

Old Eastern Avenue

S/S of Old Eastern Avenue, 369 feet w/of centerline of Selig Avenue

15th Election District — 7th Councilmanic District

Legal Owner(s): Glen Manor, LLC

Variance: to permit a 0 foot residential transition area buffer in lieu of the required 50 ft. buffer and to permit a residential transition area building setback a minimum of 4 feet in lieu of the required 75 foot setback. **Variance:** to permit a minimum rear yard setback of 4 feet in lieu of the required 30 feet a minimum side yard setback of 8 ft. in lieu of the required 20 feet for a storage shed. **Variance:** to permit a minimum front yard setback to an interior lot line of 3 ft. in lieu of the required 40 ft. and a minimum side yard setback to an interior lot line of 8 ft. in lieu of the required 20 ft. for a clubhouse building. **Variance:** to permit a setback between building a minimum of 30 ft. in lieu of the required 70 ft.

Hearing: Thursday, June 21, 2012 at 1:30 p.m. in Room 205, Jefferson Building, 105 West Chesapeake Avenue, Towson 21204.

ARNOLD JABLON, DIRECTOR OF PERMITS, APPROVALS AND INSPECTIONS FOR BALTIMORE COUNTY

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations 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.

5/4/99 May 31

303837

CERTIFICATE OF PUBLICATION

5/31/ 2012

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 5/31/ 2012.

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

S. Wilkinson

LEGAL ADVERTISING

RE: PETITION FOR VARIANCE
180 Clinton Square; S/S of Eastern Avenue,
369' W of Selig Avenue
15th Election & 7th Councilmanic Districts
Legal Owner(s): Glen Manor LLC
Petitioner(s)

* BEFORE THE OFFICE
* OF ADMINISTRATIVE
* HEARINGS FOR
* BALTIMORE COUNTY
* 2012-283-A

* * * * *

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.

RECEIVED

MAY 21 2012

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 21st day of May, 2012, a copy of the foregoing Entry of Appearance was mailed to Christopher D. Mudd, Esquire, 210 West Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

M E M O R A N D U M

DATE: July 25, 2012
TO: Zoning Review Office
FROM: Office of Administrative Hearings
RE: Case No. 2012-0283-A - Appeal Period Expired

The appeal period for the above-referenced case expired on July 23, 2012. There being no appeal filed, the subject file is ready for return to the Zoning Review Office and is placed in the 'pick up box.'

c: ✓ Case File
Office of Administrative Hearings

[Home](#) [About Us](#) [Find Your Home](#) [Development](#) [Construction](#) [News](#) [Contact Us](#)



There's No Place Like Home

Our mission is to improve the lives of those who live in

Senior Communities

Apartment Homes

Eastgate - Elmira, NY

Frederick Douglass -

Rochester, NY

Voters Block - Rochester, NY

Glen Manor - Baltimore, MD



You are here : [Find Your Home](#) [Apartment Homes](#) [Glen Manor - Baltimore, MD](#)

Glen Manor Apartments

Apartments Available Now!

Stop by or call for more information today!

Our welcoming family apartment community located in Baltimore, Maryland is situated in a beautiful park-like setting with many mature trees. One of our greatest assets is our location! Glen Manor is:

- On MTA bus lines: 23, 40, 55 & 4
- Minutes from Highway 695, 95 and 40
- Minutes from downtown Inner Harbor
- Minutes from major grocery stores and banks
- Walking distance to medical, vision and dental health care offices
- Walking distance to the Middlesex Shopping Center, beauty salons and drug stores

If you enjoy keeping active, we have over one mile of sidewalks for your walking pleasure along our well maintained and landscaped property. There are also great resident social activities for you to participate in.

Information

Community Lead

Assistant Commu

Leasing Assistan

Office Hours:

Monday: 9:00AM to
Tuesday: 9:00AM to
Wednesday: 9:00AM to
Thursday: 9:00AM to
Friday: 9:00AM to
Saturday 9:00AM to

Contact Information

Phone Number: 410.410.4100
Fax Number: 410.410.4101

Email: glenmanor@homeleasing.net

[Link to Application](#)

[Home](#) [About Us](#) [Find Your Home](#) [Development](#) [Construction](#) [News](#) [Contact Us](#)[Login](#)

Our mission is to improve the lives of those who live in our communities.

Home Leasing, LLC
180 Clinton Square
Rochester, NY 14604

Phone: 585.262.6210
Fax: 585.232-3135

info@homeleasing.net



You are here: : Home

Recent News

Democrat & Chronicle article regarding the revitalization of the Susan B. Anthony neighborhood
Posted on: Wednesday, January 18, 2012

Farmington Gardens awarded "New Business of the Year"
Posted on: Thursday, October 06, 2011

Frederick Douglass Apartments Ground Breaking Event
Posted on: Thursday, October 06, 2011

Welcome to Home Leasing

Home Leasing, LLC is a privately owned and experienced real estate company focused on the development and management of affordable residential communities.

We offer a variety of services designed to maximize investment and provide an excellent living environment. These services include Site Selection, Development, Construction and Property Management. Our experienced, accredited team will aggressively continue to meet and exceed our residents' needs while providing a fair return to our partners and investors.



CHECKLIST

Support/Oppose/
Conditions/
Comments/
No Comment

Comments of
6/13/12

Comment
Received

Department

5-17

DEVELOPMENT PLANS REVIEW
(if not received, date e-mail sent _____)

DEPS
(if not received, date e-mail sent _____)

FIRE DEPARTMENT

5-31

PLANNING
(if not received, date e-mail sent _____)

Supports

5-12

STATE HIGHWAY ADMINISTRATION

No objection

TRAFFIC ENGINEERING

COMMUNITY ASSOCIATION

ADJACENT PROPERTY OWNERS

ZONING VIOLATION (Case No. _____)

PRIOR ZONING (Case No. _____)

NEWSPAPER ADVERTISEMENT Date: 5-31-12

SIGN POSTING Date: 6-1-12 by Black

PEOPLE'S COUNSEL APPEARANCE Yes ☒ No ☐

PEOPLE'S COUNSEL COMMENT LETTER Yes ☐ No ☐

Comments, if any: _____

6/21/12

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 11, 2012
Item No. 2012-0283-A

DATE: June 13, 2012

RECEIVED
JUN 14 2012
OFFICE OF ADMINISTRATIVE HEARINGS

Please disregard our previous comment of 'No Comment' dated May 17, 2012 and substitute the following:

The Glen Manor apartment complex was constructed in the 1940s on a 15+/- acre tract of land that is located southeast of the intersection of Eastern Boulevard and Old Eastern Boulevard in Dundalk. Glen Manor is comprised of 13 apartment buildings, containing 252 individual units. The owner and manager of the complex is undertaking a multi-million dollar renovation of the property, including upgrades to the apartment buildings, as well as the construction of a new clubhouse building, tot lot, garden plots, and related improvements to be situated on a small portion of the overall tract that was once improved with a swimming pool and pool house that served the complex. Due to the subject property's location adjacent to other DR zoned properties, the Residential Transition Area (RTA) regulations contained in Section 1B01.1.B of the Baltimore County Zoning Regulations (BCZR) apply to the newly proposed improvements. Because the site is built out and little space remains for the much-needed clubhouse building and related amenities, the proposed improvements cannot meet the RTA requirements. Thus, the property owner has petitioned for variances from the RTA regulations.

According to BCZR Section 1B01.1.B.1.c.(1), in lieu of satisfying the variance standard contained in BCZR Section 307, the Administrative Law Judge, upon recommendation of various County agencies, including the Department of Public Works, "may determine the amount of RTA in cases where a single tract is more than two acres...."

The Department of Public works hereby recommends that the Administrative Law Judge determine that the amount of the RTA provided for on the site plan is appropriate, given the circumstances of this case, including the facts that: the subject tract is 15+/- acres; the existing apartment complex was designed for and constructed on the tract in the 1940s, long before the RTA regulations were established; the area on which the clubhouse building and related improvements are proposed was previously improved

with a swimming pool and pool house for use by the apartment complex; and although technically dissimilar from the surrounding single family residential uses, the proposed clubhouse building and related improvements are of a residential design, scale, and character, and, therefore, do not warrant the significant buffers and setbacks required by the RTA regulations.

DAK

cc: File

ZAC-ITEM NO 12-0300-06112012.doc

6-21 1:30

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: May 25, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 1031 Old Eastern Avenue

INFORMATION:

Item Number: 12-283

Petitioner: Glen Manor, LLC

Zoning: DR 5.5

Requested Action: Variance

RECEIVED

MAY 31 2012

OFFICE OF ADMINISTRATIVE HEARINGS

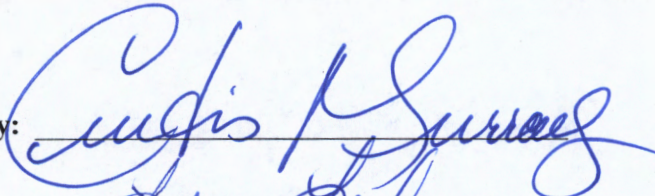
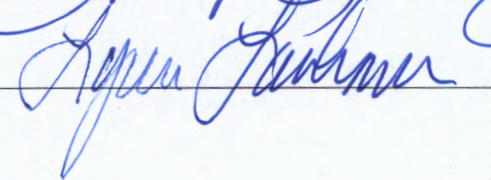
SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning supports the petitioner's variance request. Currently the subject property is overgrown with brush and is bordered by a deteriorating fence. The proposed improvements include a clubhouse, tot lot and garden plots as well as replacement of the existing fencing and upgrades to the landscaping. A landscape plan is in the process of being prepared. These improvements are being made as part of property wide improvements, which will upgrade all 252 apartments to include new kitchens and bathrooms, refinished/replaced flooring, new entry doors and other improvements.

Residents adjacent to the subject property are in favor of the project and there appears to be no negative impacts to the surrounding community.

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

Prepared by:

Division Chief:
AVA/LL: CM

Debra Wiley - ZAC Comments - Distribution Mtg. of May 14th

From: Debra Wiley
To: Kennedy, Dennis; Lanham, Lynn; Livingston, Jeffrey; Lykens, David; M...
Date: 5/21/2012 12:56 PM
Subject: ZAC Comments - Distribution Mtg. of May 14th

Good Afternoon,

Please see the cases listed below and the hearing date, if assigned. If you wish to submit a ZAC comment, please be advised that you must do so before the hearing date. If it's not received by the hearing date, it will not be considered in our decision.

2012-0243-A - 6600 Baltimore National Pike
Hearing Date: 6/14 @ 10 AM

2012-0278-A - 60/58 Bond Avenue
No hearing date assigned in data base as of today

2012-0279-A - 3732 Parkfield Road
Administrative Variance - Closing Date: 5/28

2012-0280-A - 1703 Middleborough Rd.
No hearing date assigned in data base as of today

2012-0281-A - 5325 Campbell Blvd.
No hearing date assigned in data base as of today

2012-0282-A - 4105 Pine Hill Rd.
Administrative Variance - Closing Date: No date in data base

2012-0283-A - 180 Clinton Sq.
No hearing date assigned in data base as of today

2012-0287-A - 3822 New Section Rd.
Administrative Variance - Closing Date: 6/4

2012-0288-A - 5600, 5601, 5603 & 5605 Country Farm Rd.
No hearing date assigned in data base as of today

Thanks.

Debbie Wiley
Legal Administrative Secretary
Office of Administrative Hearings
105 West Chesapeake Avenue, Suite 103
Towson, Md. 21204
410-887-3868
410-887-3468 (fax)
dwiley@baltimorecountymd.gov



KEVIN KAMENETZ
County Executive

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

June 13, 2012

Glen Manor LLC
Catherine Sperrick, President
180 Clinton Square
Rochester, NY 14604

RE: Case Number: 2012-0283-A, Address: S/S Old Eastern Avenue, E of Eastern Blvd

Dear Ms. Sperrick:

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits, Approvals, and Inspection (PAI) on May 7, 2012. This letter is not an approval, but only a **NOTIFICATION**.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR: jaf

Enclosures

c: People's Counsel
Christopher Mudd, Esq., 210 Pennsylvania Avenue, Towson MD 21204

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



Beverley K. Swaim-Staley, Secretary
Melinda B. Peters, Administrator

Date: 5-15-12

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

RE: Baltimore County
Item No 2012-0283-A
Variance
Glent Manor LLC
180 Clinton Square

Dear Ms. Lewis:

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. 2012-0283-A.

Should you have any questions regarding this matter, please contact Richard Zeller at 410-545-5598 or 1-800-876-4742 extension 5598. Also, you may E-mail him at (rzeller@sha.state.md.us).

Sincerely,

A handwritten signature in blue ink, appearing to read "Steven D. Foster".
Steven D. Foster, Chief
Access Management Division

SDF/raz

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.roads.maryland.gov

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: May 17, 2012

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

SUBJECT: Zoning Advisory Committee Meeting
For May 28, 2012
Item Nos. 2012-0243, 0278, 0279, 0280, 0281, 0282, 0283
And 0288

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

*disregard
per Dennis Kennedy -
see their comments
dated 6/13/12*

DAK:CEN

cc: File

G:\DevPlanRev\ZAC -No Comments\ZAC-05282012-NO COMMENTS.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Deputy Administrative Officer and
Director of Permits, Approvals and Inspections

DATE: May 25, 2012

FROM: Andrea Van Arsdale
Director, Department of Planning

SUBJECT: 1031 Old Eastern Avenue

INFORMATION:

Item Number: 12-283

Petitioner: Glen Manor, LLC

Zoning: DR 5.5

Requested Action: Variance

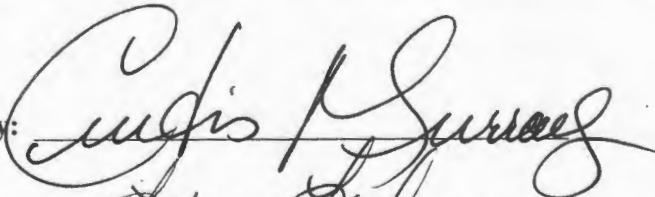
SUMMARY OF RECOMMENDATIONS:

The Department of Planning has reviewed the petitioner's request and accompanying site plan. The Department of Planning supports the petitioner's variance request. Currently the subject property is overgrown with brush and is bordered by a deteriorating fence. The proposed improvements include a clubhouse, tot lot and garden plots as well as replacement of the existing fencing and upgrades to the landscaping. A landscape plan is in the process of being prepared. These improvements are being made as part of property wide improvements, which will upgrade all 252 apartments to include new kitchens and bathrooms, refinished/replaced flooring, new entry doors and other improvements.

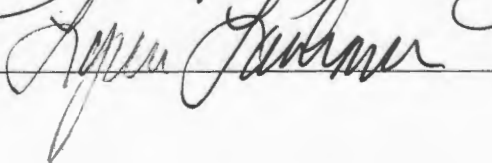
Residents adjacent to the subject property are in favor of the project and there appears to be no negative impacts to the surrounding community.

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

Prepared by:



Division Chief:
AVA/LL: CM



Case No.:

2012-283-A

1927/25/12

Exhibit Sheet

6/22/12
P3

Petitioner/Developer

Protestant

No. 1 1A 1B	Site Plan two sheets	
No. 2	My Neighborhood Map	
No. 3	3A-3C Photos Existing Apts.	
No. 4	Photos of former Pool 4A-I Area	
No. 5	Color "mock up" proposed Apts.	
No. 6	rendering proposed maintenance Bldg.	
No. 7	rendering proposed community ctr.	
No. 8	Proposed gardens photo	
No. 9	Warfield CV	
No. 10	County Agency comments and e-mails	
No. 11	Landscape Plan	
No. 12	Letter - Church of True Light	

Stephen A. Warfield, P.E.

10540 York Road, Suite M
Hunt Valley, Maryland 21030
(410) 683-7004

Professional Registration

Registered Professional Engineer - Civil Engineering 1995 - Maryland P.E. # 21162

Education

Master of Environmental Engineering - 1994- Johns Hopkins University
B.S. Civil Engineering - 1990 - University of Maryland, College Park

Professional Experience

- 12/94-Present Matis Warfield, Inc.; 10540 York Road, Suite M; Hunt Valley, Maryland 21030:
Currently employed as a principal at Matis Warfield, Inc. Responsible for civil engineering services for the development community. Responsibilities include; design, development, and permitting for site development projects. Responsibilities include; concept plans, development plans, zoning plans, floodplain studies, open channels, stormwater management facilities, storm drain systems, erosion and sediment control plans, highways, pumping stations, utilities, specification development, cost estimating, grading, alternatives analysis, critical area analysis, project management, computer programming, marketing, administration, client relations, etc.
- 5/91-12/94 Gannett Fleming, Inc.; Suite 200; East Quadrangle; The Village of Cross Keys; Baltimore, Maryland 21210: Supervisors: Fred Wagner-Project Manager, and Dave Ross-Office Manager
Employed as a project engineer by Gannett Fleming, Inc., Baltimore Maryland. Responsible for design and specification development for water treatment plant process design, wastewater treatment plant process and site design, pumping station design, open channel design, stormwater management design, erosion and sediment control design, drainage studies, alternatives analysis, and highway designs.
- 6/90-5/91 George William Stephens, & Associates, Inc.; 658 Kenilworth Drive; Towson, Maryland 21204: Supervisor: Tapobrata Chakrabarti, Partner
Employed as a design engineer by George William Stephens Jr. & Associates, Inc., Towson, Maryland. Performed floodplain studies, designed stormwater management facilities, and designed open channel flow systems for residential, commercial, and industrial development projects. Responsibilities also included development of computer programs to aid stormwater management design.

Professional Affiliations

Baltimore County Engineers Association
Maryland Association of Home Builders

PETITIONER' S

EXHIBIT NO.

9

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

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

SUBJECT: Zoning Advisory Committee Meeting
For June 11, 2012
Item No. 2012-0283-A

DATE: June 13, 2012

Please disregard our previous comment of 'No Comment' dated May 17, 2012 and substitute the following:

The Glen Manor apartment complex was constructed in the 1940s on a 15+/- acre tract of land that is located southeast of the intersection of Eastern Boulevard and Old Eastern Boulevard in Dundalk. Glen Manor is comprised of 13 apartment buildings, containing 252 individual units. The owner and manager of the complex is undertaking a multi-million dollar renovation of the property, including upgrades to the apartment buildings, as well as the construction of a new clubhouse building, tot lot, garden plots, and related improvements to be situated on a small portion of the overall tract that was once improved with a swimming pool and pool house that served the complex. Due to the subject property's location adjacent to other DR zoned properties, the Residential Transition Area (RTA) regulations contained in Section 1B01.1.B of the Baltimore County Zoning Regulations (BCZR) apply to the newly proposed improvements. Because the site is built out and little space remains for the much-needed clubhouse building and related amenities, the proposed improvements cannot meet the RTA requirements. Thus, the property owner has petitioned for variances from the RTA regulations.

According to BCZR Section 1B01.1.B.1.c.(1), in lieu of satisfying the variance standard contained in BCZR Section 307, the Administrative Law Judge, upon recommendation of various County agencies, including the Department of Public Works, "may determine the amount of RTA in cases where a single tract is more than two acres...."

The Department of Public works hereby recommends that the Administrative Law Judge determine that the amount of the RTA provided for on the site plan is appropriate, given the circumstances of this case, including the facts that: the subject tract is 15+/- acres; the existing apartment complex was designed for and constructed on the tract in the 1940s, long before the RTA regulations were established; the area on which the clubhouse building and related improvements are proposed was previously improved

PETITIONER' S

with a swimming pool and pool house for use by the apartment complex; and although technically dissimilar from the surrounding single family residential uses, the proposed clubhouse building and related improvements are of a residential design, scale, and character, and, therefore, do not warrant the significant buffers and setbacks required by the RTA regulations.

DAK

cc: File

ZAC-ITEM NO 12-0300-06112012.doc

Mudd, Christopher D.

From: David Lykens <dlykens@baltimorecountymd.gov>
Sent: Friday, June 15, 2012 3:52 PM
To: Mudd, Christopher D.
Subject: Re: Glen Manor - 2012-0283-A

Chris,

The Glen Manor apartment complex was constructed in the 1940s on a 15+/- acre tract of land that is located southeast of the intersection of Eastern Boulevard and Old Eastern Boulevard in Dundalk. Glen Manor is comprised of 13 apartment buildings, containing 252 individual units. The owner and manager of the complex is undertaking a multi-million dollar renovation of the property, including upgrades to the apartment buildings, as well as the construction of a new clubhouse building, tot lot, garden plots, and related improvements to be situated on a small portion of the overall tract that was once improved with a swimming pool and pool house that served the complex. Due to the subject property's location adjacent to other DR zoned properties, the Residential Transition Area (RTA) regulations contained in Section 1B01.1.B of the Baltimore County Zoning Regulations (BCZR) apply to the newly proposed improvements. Because the site is built out and little space remains for the much needed clubhouse building and related amenities, the proposed improvements cannot meet the RTA requirements. Thus, the property owner has petitioned for variances from the RTA regulations.

According to BCZR Section 1B01.1.B.1.c.(1), in lieu of satisfying the variance standard contained in BCZR Section 307, the Administrative Law Judge, upon recommendation of various County agencies, including the Department of Environmental Protection and Sustainability (EPS), "may determine the amount of RTA in cases where a single tract is more than two acres."

EPS has other regulatory authority over RTA's and therefore, leaves the determination as to the size of the RTA to the Administrative Law Judge.

David Lykens, Manager
Development Coordination
Baltimore County, DEPS
105 W. Chesapeake Ave.
Towson, Maryland 21204
Phone 410-887-5859
Fax 410-887-4804

Mudd, Christopher D.

From: Bruce Gill <bgill@baltimorecountymd.gov>
Sent: Friday, June 15, 2012 12:40 PM
To: Mudd, Christopher D.
Subject: Glen Manor Apartment Complex, Case Number: 2012-0283-A

RE: Glen Manor Apartment Complex, Case Number: 2012-0283-A

The Glen Manor apartment complex was constructed in the 1940s on a 15+/- acre tract of land that is located southeast of the intersection of Eastern Boulevard and Old Eastern Boulevard in Dundalk. Glen Manor is comprised of 13 apartment buildings, containing 252 individual units. The owner and manager of the complex is undertaking a multi-million dollar renovation of the property, including upgrades to the apartment buildings, as well as the construction of a new clubhouse building, tot lot, garden plots, and related improvements to be situated on a small portion of the overall tract that was once improved with a swimming pool and pool house that served the complex. Due to the subject property's location adjacent to other DR zoned properties, the Residential Transition Area (RTA) regulations contained in Section 1B01.1.B of the Baltimore County Zoning Regulations (BCZR) apply to the newly proposed improvements. Because the site is built out and little space remains for the much needed clubhouse building and related amenities, the proposed improvements cannot meet the RTA requirements. Thus, the property owner has petitioned for variances from the RTA regulations.

According to BCZR Section 1B01.1.B.1.c.(1), in lieu of satisfying the variance standard contained in BCZR Section 307, the Administrative Law Judge, upon recommendation of various County agencies, including the Department of Recreation and Parks, "may determine the amount of RTA in cases where a single tract is more than two acres...."

The Department of Recreation and Parks hereby recommends that the Administrative Law Judge determine that the amount of the RTA provided for on the site plan is appropriate, given the circumstances of this case, including the facts that: the subject tract is 15+/- acres; the existing apartment complex was designed for and constructed on the tract in the 1940s, long before the RTA regulations were established; the area on which the clubhouse building and related improvements are proposed was previously improved with a swimming pool and pool house for use by the apartment complex; and although technically dissimilar from the surrounding single family residential uses, the proposed clubhouse building and related improvements are of a residential design, scale, and character, and, therefore, do not warrant the significant buffers and setbacks required by the RTA regulations.

Bruce Gill
Local Open Space Coordinator
Baltimore County Government
Development Plans Review
111 West Chesapeake Avenue, Room 119
Towson, MD 21204
410-887-3751
bgill@baltimorecountymd.gov

Mudd, Christopher D.

From: Lynn Lanham <mlanham@baltimorecountymd.gov>
Sent: Monday, June 11, 2012 2:12 PM
To: Mudd, Christopher D.
Cc: Curtis Murray
Subject: ZAC 12-283 Glen Manor
Attachments: 12-283.doc; 12-283 supplemental information.doc

Chris,

Please see attached ZAC comments and our thoughts concerning compatibility and residential transition areas. If you have any further questions please contact me.

Lynn

Lynn Lanham
Chief, Development Review
mlanham@baltimorecountymd.gov
410-887-3480
410-887-5862 Fax
Baltimore County Department of Planning
105 W. Chesapeake Ave.
Suite 101
Towson, MD 21204

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF PLANNING
Memorandum

TO: Christopher Mudd

DATE: June 11, 2012

FROM: Lynn Lanham

SUBJECT: Glen Manor, LLC.
ZAC 12-283

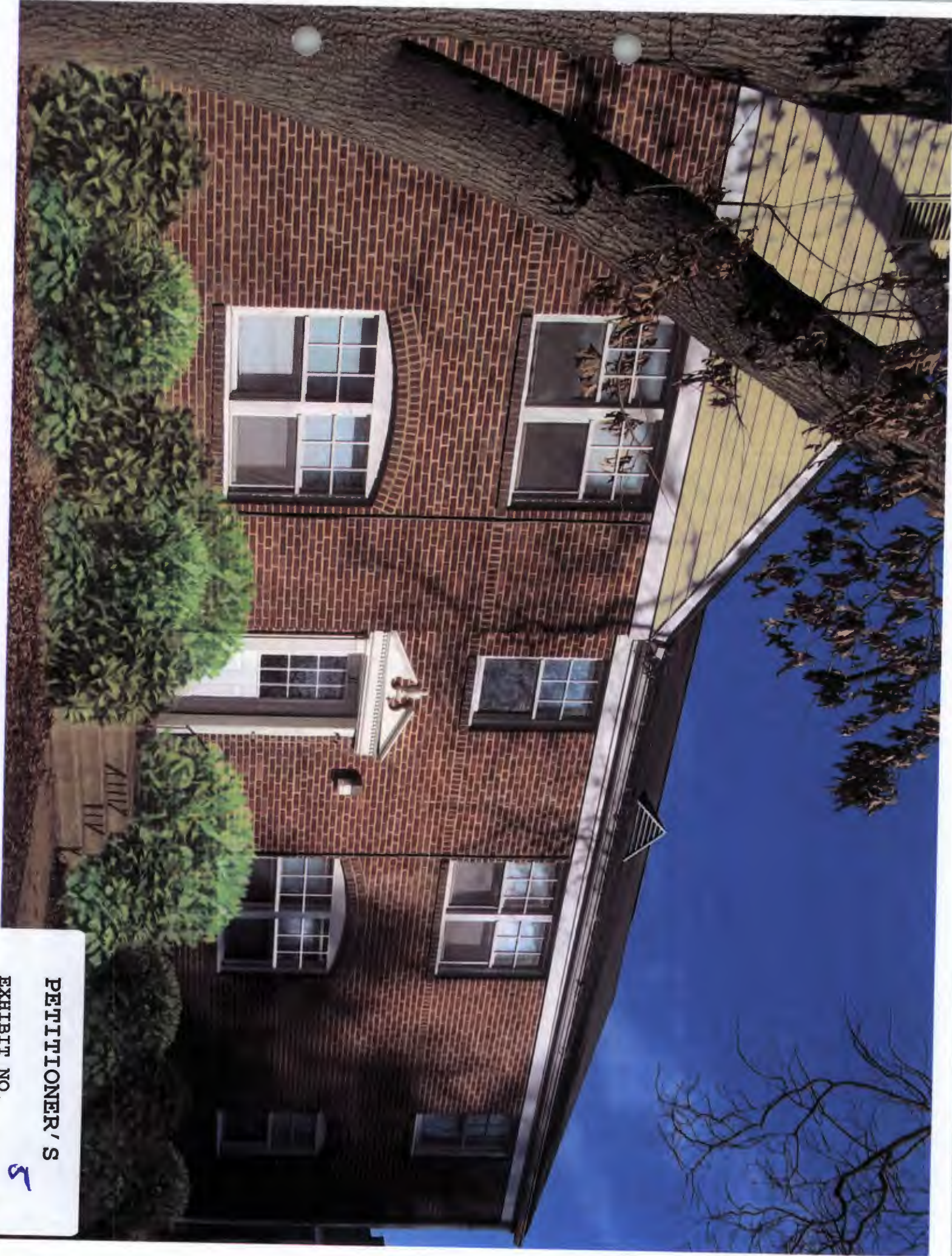
RTA comment:

The Glen Manor apartment complex was constructed in the 1940s on a 15+/- acre tract of land that is located southeast of the intersection of Eastern Boulevard and Old Eastern Boulevard in Dundalk. Glen Manor is comprised of 13 apartment buildings, containing 252 individual units. The owner and manager of the complex is undertaking a multi-million dollar renovation of the property, including upgrades to the apartment buildings, as well as the construction of a new clubhouse building, tot lot, garden plots, and related improvements to be situated on a small portion of the overall tract that was once improved with a swimming pool and pool house that served the complex. Due to the subject property's location adjacent to other DR zoned properties, the Residential Transition Area (RTA) regulations contained in Section 1B01.1.B of the Baltimore County Zoning Regulations (BCZR) apply to the newly proposed improvements. Because the site is built out and little space remains for the much needed clubhouse building and related amenities, the proposed improvements cannot meet the RTA requirements. Thus, the property owner has petitioned for variances from the RTA regulations.

According to BCZR Section 1B01.1.B.1.c.(1), in lieu of satisfying the variance standard contained in BCZR Section 307, the Administrative Law Judge, upon recommendation of various County agencies, including the Department of Planning, "may determine the amount of RTA in cases where a single tract is more than two acres...."

The Department of Planning hereby recommends that the Administrative Law Judge determine that the amount of the RTA provided for on the site plan is appropriate, given the circumstances of this case, including the facts that: the subject tract is 15+/- acres; the existing apartment complex was designed for and constructed on the tract in the 1940s, long before the RTA regulations were established; the area on which the clubhouse building and related improvements are proposed was previously improved with a swimming pool and pool house for use by the apartment complex; and although technically dissimilar from the surrounding single family residential uses, the proposed clubhouse building and related improvements are of a residential design, scale, and character, and, therefore, do not warrant the significant buffers and setbacks required by the RTA regulations.

LL



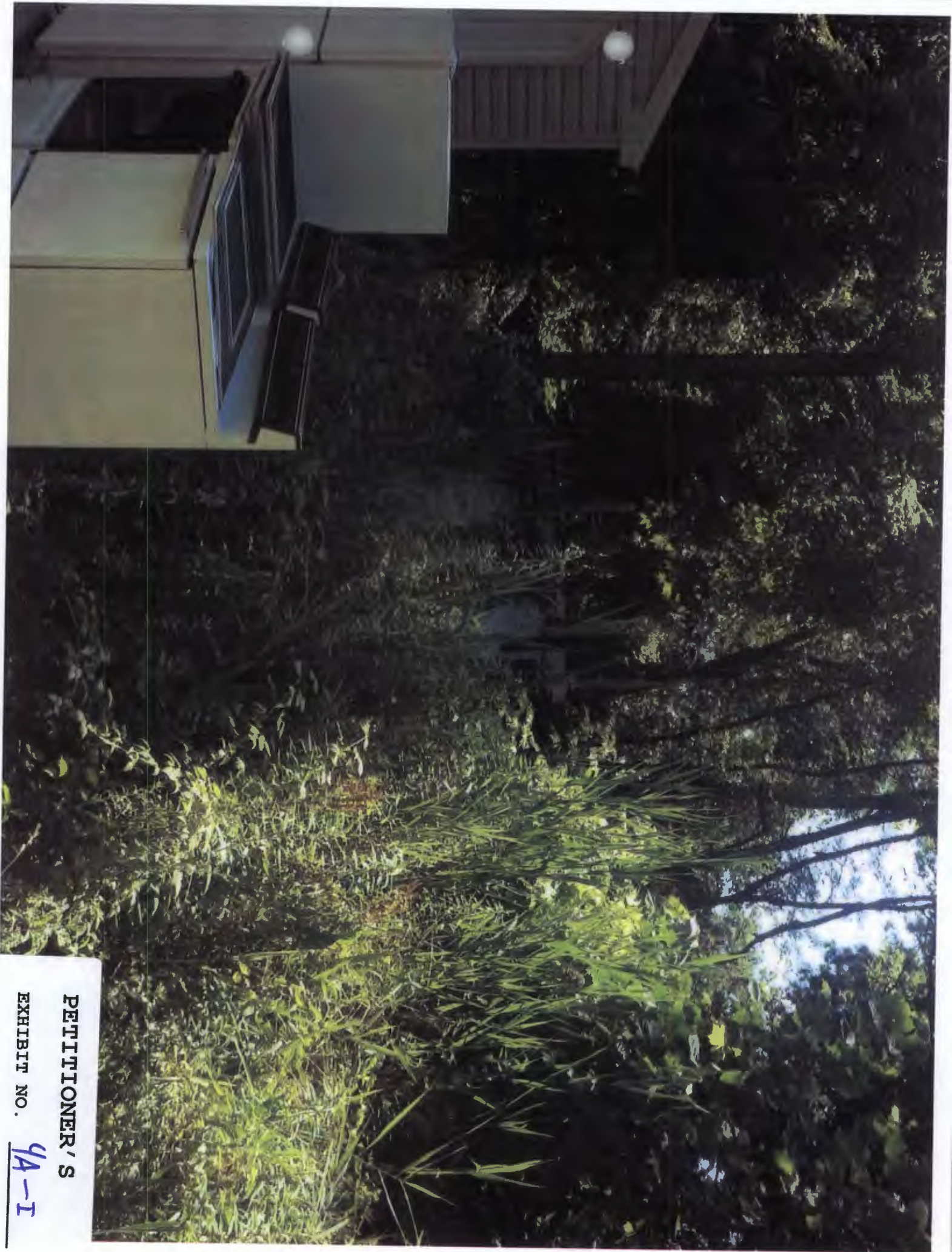
PETITIONER'S
EXHIBIT NO. 5



PETITIONER'S
EXHIBIT NO. 3A-C







PETITIONER'S

EXHIBIT NO.

4A-I

















CHURCH TRUE LIGHT
1016 NORTH AVE.
ESSEX, MD. 21221
Pastors Dany & Maria Castrejon
(410)369-8080/81 (410)917-1972

June 05, 2012

Dear Cheryl Stulpin, (HOME LEASING/GLEN MANOR)

We, at Church True Light want to thank you, your staff and especially Bill Struzzi for giving us the great privilege of getting to meet you. We had a wonderful talk of all the plans for this community especially Glen Manor.

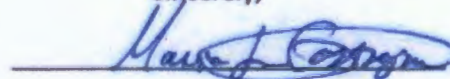
We warmly welcome you to our community of Essex. We are excited to hear of all of the improvements to our community, to Glen Manor which is in great need of renovation as well as its fences.

It is a great pleasure having you as our neighbors and I am sure with you guys next door the community will be a better place. I have seen Glen Manor and I am excited to see how it will turn out.

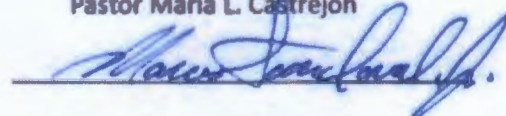
You have all of our full support from this local community church as well as all of its members. Each and everyone of them has a great joy to know that Glen Manor Apartments are in great hands.

If you need anything don't hesitate in reaching out to us. You can also call Pastor Marcos A. Sandoval, Jr. (410)917-1972 for further assistance in making your transition to our community a smoother one. Once again thank you for all that you are doing for our community and may God bless all of you.

Sincerely,



Pastor Maria L. Castrejon

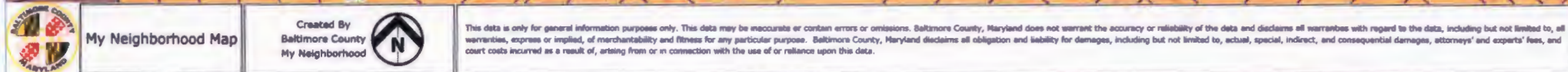


Pastor Marcos Sandoval, Jr.

PETITIONER' S

EXHIBIT NO.

12



2012-0283-A

Bldg. No.	# of Studio	# of 1-BR	# of 2-BR	Total S.F.	Bldg. No.	# of Studio	# of 1-BR	# of 2-BR	Total S.F.
1	0	2	2	2286	33	2	0	2	1916
2	0	0	4	2544	34	0	4	0	2028
3	0	2	2	2286	35	1	2	1	1912
4	0	2	2	2286	36	0	4	0	2028
5	1	2	1	1912	37	2	0	2	1916
6	0	4	0	2028	38	0	0	4	2544
7	0	2	2	2286	39	0	0	4	2544
8	0	4	0	2028	41	0	0	4	2544
9	0	2	2	2286	43	2	0	2	1916
10	0	4	0	2028	45	0	0	4	2544
11	0	2	2	2286	1021	0	2	2	2286
12	0	2	2	2286	1023	0	0	4	2544
13	0	4	0	2028	1025	0	4	0	2028
14	0	2	2	2286	1027	0	4	0	2028
15	0	2	2	2286	1029	0	0	4	2544
16	0	2	2	2286	1031	0	2	2	2286
17	0	2	2	2286	1101	0	0	4	2544
18	0	4	0	2028	1103	2	0	2	1916
19	0	2	2	2286	1105	0	0	4	2544
20	0	4	0	2028	1107	0	2	2	2286
21	0	2	2	2286	1109	0	2	2	2286
22	0	4	0	2028	1111	2	0	2	1916
23	0	0	4	2544	1113	2	0	2	1916
24	0	4	0	2028	1115	2	0	2	1916
25	2	0	2	1916	1117	2	0	2	1916
26	0	4	0	2028	1119	0	0	4	2544
27	2	0	2	1916	1121	0	2	2	2286
28	0	2	2	2286	1123	2	0	2	1916
29	0	2	2	2286	1125	2	0	2	1916
30	0	0	4	2544	1127	2	0	2	1916
31	0	0	4	2544	1129	0	0	4	2544
32	0	4	0	2028	TOTAL	28	100	124	138580

NOTES:

Gross Site Area: 655,912 sf +/- = 15.0577 ac +/-
Net Site Area: 604,493 sf +/- = 13.8772 ac +/- (Glenwood Road R/W-1.4135 ac +/-)
Previous Commercial Permits: None Known
Zoning Hearings, CRG, DRC, Waivers: None Known
Zoning: DR-16 = 11,4205 ac +/-
DR-5.5 = 0.9683 ac +/-
BL = 1.4399 ac +/-
BM = 0.0485 ac +/-
Zoning Map Number 097B1
Existing Use: Rental Apartments
Proposed Use: Same with proposed 1-story Clubhouse and Maintenance Shed.
Building Height shall not exceed 40'.
Existing Utilities:
Existing 8" Water and 8" Sewer in Glenwood Road are shown on the plan. Existing storm drains with sizes are shown on the plan.
Street Setbacks:
Setbacks are Shown on the Plan.
Signs:
No Signs proposed at this time; however, any future signs to comply with Section 450 BCZR and all Zoning Sign Policies.
Floor Area Ratio: 252 units = 138,580 sf +/-
Common Area = 4,158 sf +/-
Total = 142,738 sf +/- / 604,493 = 0.24
Amenity Open Space: N/A
Fire Hydrants: There is an existing fire hydrant (shown on the plan) on Glenwood Road, within the cul-de-sac, across from the prop. community center. Distance from prop. community center to fire hydrant: 215 +/-'.
Basic Services Maps: The site is not located in a deficient area as shown on any of the basic service maps.
Landscaping will be provided in accordance with the landscape manual.
Lighting: Any fixture used to illuminate an off-street parking area shall be so arranged as to reflect light away from adjacent residential sites and public streets.
This site does not lie within the 100-Yr Floodplain.
Parking Required/Provided: 157 spaces existing; 12 additional spaces proposed*.

* Apartment complex developed prior to adoption of Baltimore County Zoning Regulations.

OWNER/DEVELOPER

Glen Manor, LLC c/o Home Leasing, LLC
118 Clinton Square
Rochester, N.Y. 14604
585-262-6210

Matis Warfield

consulting engineers

10540 york road suite m
hunt valley, maryland 21080
phone 410-683-7004
facsimile 410-683-1798
www.matiswarfield.com

2012-0283-A

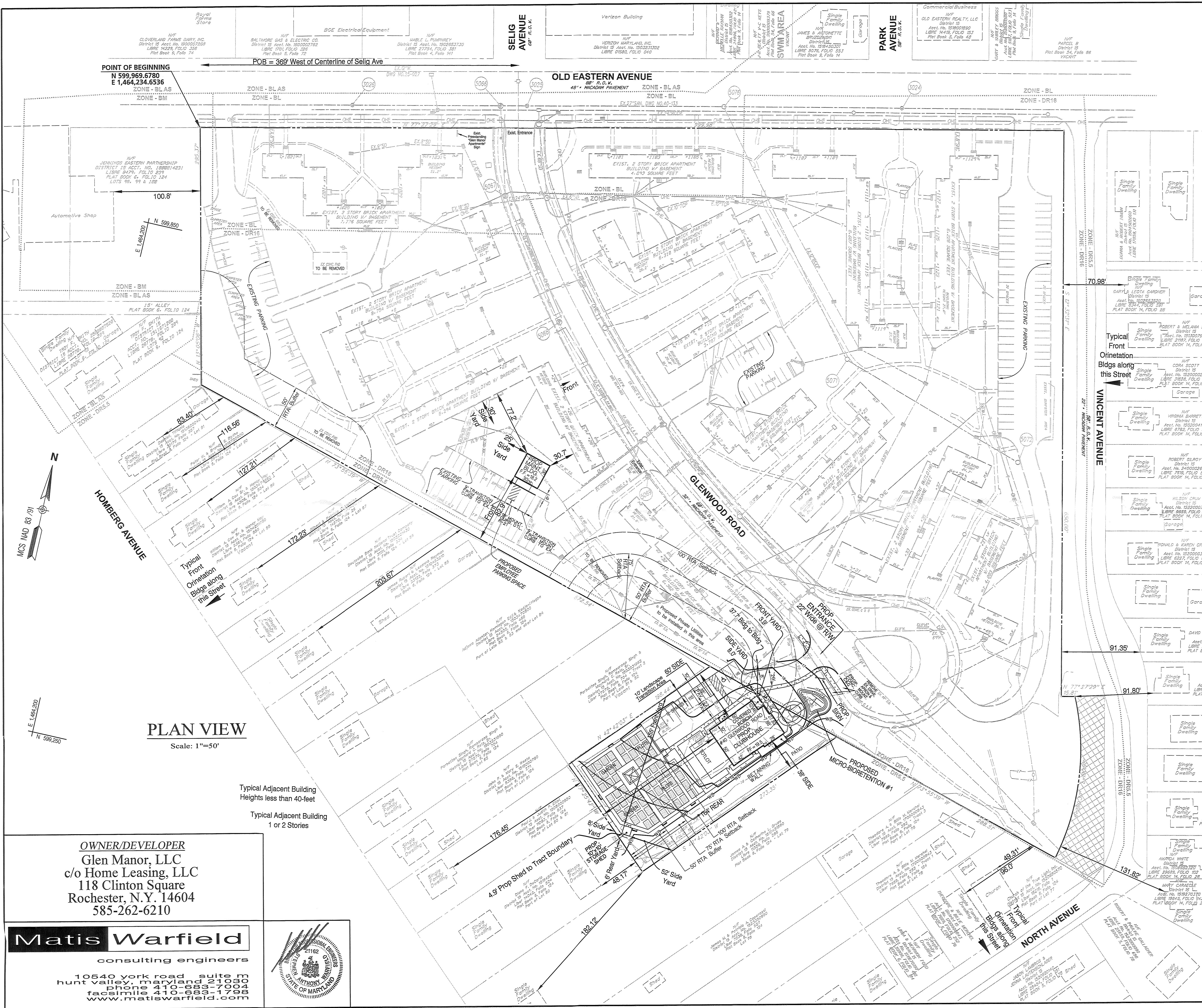
Plan to Accompany Zoning Variance
GLEN MANOR APARTMENTS

Old Eastern Avenue between Vincent Ave. and Homberg Ave.
Baltimore County, Maryland 21221

Election District 15
Councilmanic District 7
Scale: As Shown

EX. 1A

Tax Map 97 - Parcels 160 & 566
May 9, 2012
Sheet 1 of 2



VICINITY MAP
Scale: 1"=500'

Typical Adjacent Building
Heights less than 40-feet

LEGEND

Existing Contours	18
Spot Elevations	+17.5 +17.5
Proposed Contour	17
Existing Treeline	EX. 8" (DWG. 4.4-003)
Existing Water	PROP. WATER
Proposed Water	PROP. WATER
Existing Storm Drain	PROP. STORM DRAIN
Proposed Storm Drain	EX. 8" SAN. (DWG. 4.4-002)
Existing Sewer	PROP. 6" SEWER
Proposed Sewer	PROP. 6" SEWER
Existing Conc. C & G	
Prop. Conc. C & G	
Existing Overhead Lines	DR-5.5
Property Boundary	DR-16
Zoning Boundary	DR-5.5
Existing Wetlands	DR-16
25' Wetlands Buffer	WB
Proposed Concrete	WB
Residential Transition Area Line	100' RTA Line

Typical Adjacent Building
1 or 2 Stories

PLAN VIEW
Scale: 1"=50'

Typical Adjacent Building
Heights less than 40-feet

Typical Adjacent Building
1 or 2 Stories

OWNER/DEVELOPER
Glen Manor, LLC
c/o Home Leasing, LLC
118 Clinton Square
Rochester, N.Y. 14604
585-262-6210

Matis Warfield
consulting engineers
10540 York Road, Suite M
Hunt Valley, Maryland 21039
phone 410-683-7004
facsimile 410-683-1798
www.matiswarfield.com



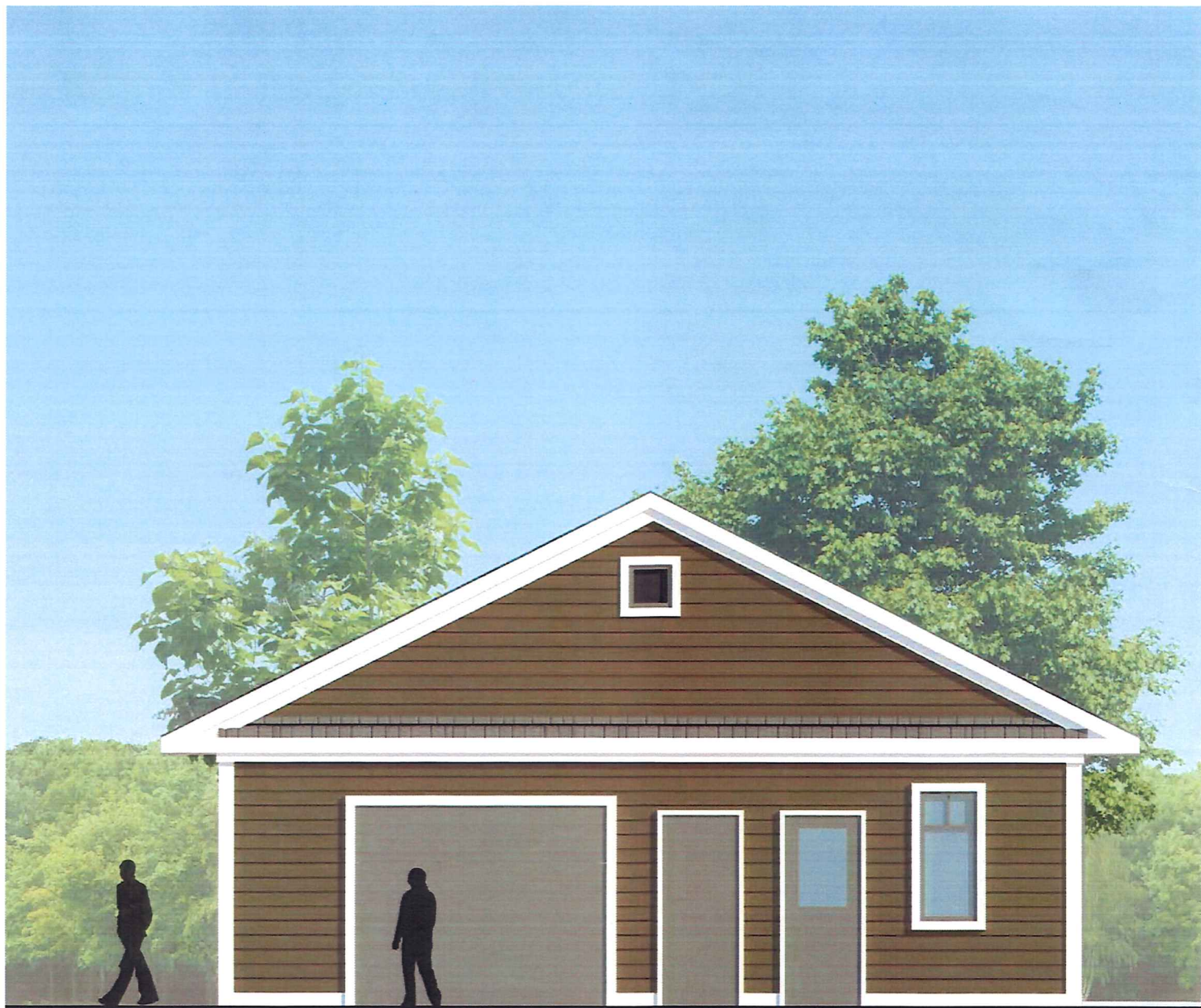
DATE	ITEM

Plan to Accompany Zoning Variance
GLEN MANOR APARTMENTS
Old Eastern Avenue between Vincent Ave. and Homberg Ave.
Baltimore County, Maryland 21221

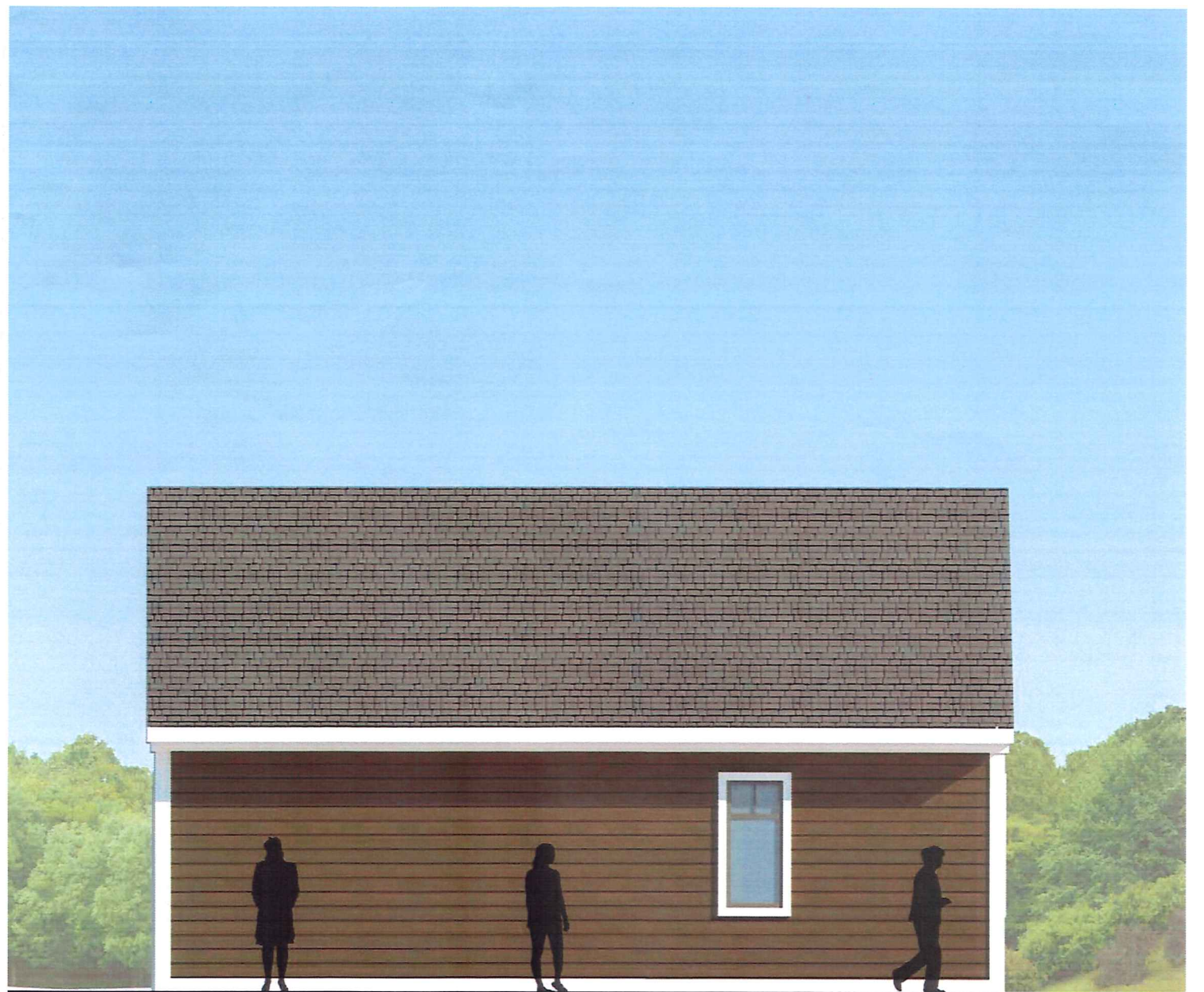
Election District 15
Councilmanic District 7
Scale: 1"=50'

EX 13

Tax Map 97 - Parcels 160 & 566
May 9, 2012
Sheet 2 of 2



Front Elevation



Side Elevation

Glen Manor
Essex, MD | 11161

PETITIONER'S

EXHIBIT NO.

6

Maintenance Building Elevations



June 18, 2012

DEVELOPER : Home Leasing

ARCHITECT : The Architectural Team

tat | the architectural team



Glen Manor
Essex, MD

PETITIONER'S

EXHIBIT NO.

7

Club House Perspectives

April 4, 2012

DEVELOPER : Home Leasing

ARCHITECT : The Architectural Team

tat | the architectural team



Glen Manor
Essex, MD | 11161

PETITIONER'S

EXHIBIT NO.

8

Garden Photos

June 18, 2012

DEVELOPER : Home Leasing

ARCHITECT : The Architectural Team

tat | the architectural team



STABILIZED CRUSHED STONE
SEE DETAIL
WOOD EDGE TYP.
SEE CONSTRUCTION NOTE ③

PROP.
10'x10'
STORAGE
SHED



VICINITY MAP
Scale: 1"=500'

PLANT LIST CLUB HOUSE AREA

KEY	QUANTITY	BOTANICAL NAME/ COMMON NAME	SIZE	CONDITION	REMARKS	
•	6	ACER RUBRUM 'RED SUNSET' 'RED SUNSET' RED MAPLE	2-2 1/2' CAL.	B & B	SPACE AS SHOWN	NATIVE
AGAB	2	AMELANCHIER GRANDIFLORA 'AUTUMN BRILLANCE' 'AUTUMN BRILLANCE' SERVICEBERRY	7'-8' HT.	B & B	SPACE AS SHOWN	NATIVE
LT	3	LAGERSTROEMIA 'TUSCARORA' 'TUSCARORA' CRAPEMYRTLE	7'-8' HT.	B & B	SPACE AS SHOWN	NON NATIVE
AG	19	ABELIA GRANDIFLORA 'EDWARD GOUCHER' 'EDWARD GOUCHER' ABELIA	18"-24"	#3	SPACE AS SHOWN	NON NATIVE
ICB	2	ILEX CORNUTA 'BURFORDII NANA' 'DWARF BURFORD HOLLY	18"-24"	#3	SPACE AS SHOWN	NON NATIVE
IG	5	ILEX GLABRA 'NIGRA' 'NIGRA' INKBERY HOLLY	24"-30"	#7	SPACE AS SHOWN	NATIVE
IVR	4	ILEX VERTICILLATA 'WINTER RED' 'WINTER RED' HOLLY	24"-30"	#3	SPACE 4' O.C. STAGGER	NATIVE
IVJ	2	ILEX VERTICILLATA 'JIM DANDY' 'JIM DANDY' WINTERBERRY HOLLY	24"-30"	#3	SPACE 4' O.C. STAGGER	NATIVE
IV	22	ITEA VIRGINICA 'LITTLE HENRY' 'LITTLE HENRY' SWEETSPICE	18"-24"	#3	SPACE 4' O.C. STAGGER	NATIVE
JC	26	JUNIPERUS CHINENSIS SARGENTII SARGENT JUNIPER	18"-24"	#3	SPACE 4' O.C. STAGGER	NON NATIVE
MP	25	MYRICA PENNSYLVANICA NORTHERN BAYBERRY	24"-30"	#5	SPACE AS SHOWN	NATIVE
VCB	28	VACCINIUM CORYMBOSUM 'BLUEBAY' 'BLUEBAY' HIGHBUSH BLUEBERRY	30"-36"	#7	SPACE 5' O.C.	NATIVE
VCBC	28	VACCINIUM CORYMBOSUM 'BLUE CROP' 'BLUE CROP' HIGHBUSH BLUEBERRY	30"-36"	#7	SPACE 5' O.C.	NATIVE
LM	140	LIRIOPE MUSCARI 'VARIEGATA' VARIEGATED LIRIOPE	#1	CONT.	SPACE 18" O.C.	NON NATIVE
EP	30	ECHINACEA PURPUREA CONE FLOWER	#1	CONT.	SPACE 18" O.C.	NATIVE
HF	9	HOSTA 'FRANCES WILLIAMS' 'FRANCES WILLIAMS' HOSTA	#1	CONT.	SPACE 2' O.C.	NON NATIVE
RF	60	RUDBECKIA FULGIDA 'GOLDSTURM' BLACK-EYED SUSAN	#1	CONT.	SPACE 18" O.C.	NATIVE
PA	24	PENNISETUM ALOPECUROIDES 'HAEMEL' 'HAEMEL' DWARF FOUNTAIN GRASS	#1	CONT.	SPACE 30" O.C.	NON NATIVE
PV	20	PANICUM VIRGATUM 'HEAVY METAL' 'HEAVY METAL' SWITCHGRASS	#1	CONT.	SPACE 3' O.C.	NATIVE

PLANTING CALCULATIONS

KEY	ELEMENT	RATE	LINEAR FEET	PLANTING UNITS (PU)
A	ADJACENT PUBLIC ROADWAY	1 PU / 40 LF	150 LF	3.8
B	PARKING LOT INTERIOR	1 PU / 12 SPACES	12 SPACES	1
C	SCREEN PARKING FROM ADJ. RESIDENTIAL	1 PU / 15 LF	95 LF	6.3
D	NON RESIDENTIAL USE ADJ. TO RESIDENTIAL	1 PU / 15 LF	534 LF	35.6
	EXISTING TREES TO REMAIN			
TOTAL REQUIRED / TOTAL PROPOSED			47 / 27 P.U.'S + EX. WOODED EDGE	

NOTE: CREDIT TAKEN FOR EX. TREES BEYOND LOD LINE TO THE EAST OF THE CLUB HOUSE SITE

HUMAN & ROHDE, INC.
LANDSCAPE ARCHITECTS
512 VIRGINIA AVENUE
TOWSON, MD 21286
410.825.3885 phone
410.825.3887 fax

Matis Warfield

consulting engineers

10540 York Road, Suite M
Hunt Valley, Maryland 21030
phone 410-883-7994
facsimile 410-883-1798
www.matiswarfield.com

OWNER/DEVELOPER
Glen Manor, LLC
c/o Home Leasing, LLC
118 Clinton Square
Rochester, N.Y. 14604
585-262-6210

DATE	ITEM

PETITIONER'S

EXHIBIT NO. 11

Landscape Plan

GLEN MANOR APARTMENTS

Old Eastern Avenue between Vincent Ave. and Homberg Ave.
Baltimore County, Maryland 21221

Election District 15
Councilmanic District 7
Scale: 1" = 20'

Tax Map 97 - Parcels 160 & 566
June 19, 2012
Sheet LA 01 of 01