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November 13, 2025

Ms. Sterling Seay  
Anne Arundel County  
Office of Planning and Zoning  
2664 Riva Road, 3rd Floor  
Annapolis, MD 21401

Re: Modification of Special Exception and Variance Application for Assisted Living Facility, Mountain Road and Edwin Raynor Boulevard, Pasadena, Maryland, Tax Map 17, Block 21, Reserved Parcel 656 (the "Property")  
Tax ID: 03-226-90047351 / Letter of Explanation

Dear Ms. Seay:

We represent Brightview Senior Living (the "Applicant" or "Brightview") regarding the enclosed special exception and variance application. The Applicant proposes to modify an existing special exception approval on the Property, and requests a variance to provide less open space/area than required.

### **Description of the Property**

The Applicant is the contract purchaser of the Property, which comprises approximately 4.84 acres fronting the south side of Mountain Road in Pasadena, Maryland. The Property is currently owned by Monarch Development Company JV, LLC ("Current Owner"). The Property is zoned R5 - Residential District and was previously included in the Deerfield Planned Unit Development ("PUD") (Case No. 1985-0394-S). Pursuant to the Administrative Hearing Officer's ("AHO") decision in Case Nos. 2021-0094-S, 2021-0095-S, and 2021-0096-V dated November 9, 2021, the Property was removed from the previously approved PUD, and the AHO granted special exception approval pursuant to §18-11-104 for an assisted living facility, as well as a variance from the five acre minimum lot area requirement under that section (a reduction of 0.11 acres). A copy of the AHO's 2021 decision is attached hereto as **Exhibit A** ("2021 Decision").

The Property is currently unimproved. An aerial photograph showing existing conditions of the Property is attached as **Exhibit B** and shown below. The Property is surrounded by roads on three sides: Edwin Raynor Boulevard to the west, Deering Road on the south, and Mountain Road to the north. The Property is accessed via an ingress/egress driveway on the south side of the lot along Deering Road, a local road. The Property does not have vehicular access along Mountain Road or Edwin Raynor Boulevard. The east side of the Property is the only side not abutting a public road; like the north side of the Property, it is encumbered by permanent forest conservation easement.



As shown on the Zoning Map attached as **Exhibit C** and depicted below, the Property is classified in the R5 – Residential District. Pursuant to § 18-4-106 of the Anne Arundel County Code, assisted living facilities are permitted as a special exception use in the R5 District. The Property is not located within the Chesapeake Bay Critical Area or a bog protection area.



The surrounding neighborhood is characterized by commercial office, retail, and residential uses. There is a small commercial office building on the northern side of Mountain Road, as well as a Walgreens, Taco Bell, and an automobile gasoline station. The surrounding neighborhood is classified with a mixture of C3, C4, R2, and R5 zoning. To the east of the Property, the neighborhood is residential in character and comprised of single family dwellings. Across Deering Road to the south, there is a small multifamily development.

### **Development Proposal**

The Applicant seeks a modification of the prior approval to accommodate a change in the building layout, parking, and number of Assisted Care Units within the facility. The modified plan proposes an increase from 140 units to 175 units, which allows a full continuum of care in a monthly rental model and will support the amenities necessary to provide the level of service Brightview is known for. Brightview operates on a monthly/rental model, as opposed to a “buy-in” or Continuing Care Retirement Community Model. Full continuum of care communities give residents the security and peace of mind they are looking for when they move to assisted living. All units are classified as Assisted Care Units, with housekeeping, dining, emergency assistance, transportation, and access to all amenities within the facility included within the monthly rental structure. Brightview provides customized assisted living services and a secured memory care unit as well.

Brightview’s facilities are designed with multiple venues for dining, various program offerings and fitness classes along with a beauty salon, stocked library, movie theater, pub, and outdoor gardens and courtyards. The integrated memory care unit includes its own dining room and additional common spaces for those residents.

Altogether, Brightview’s typical continuum of care communities require approximately 175 units. This size provides the minimum necessary number of residents to deliver the variety of programming and opportunities to continue to live vibrantly. Although Brightview used to develop standalone communities consisting of only Assisted Living and Memory Care neighborhoods, it shifted to exclusively developing continuum of care communities around 2018 because it found that it was able to better serve the senior community with this model. Representative photographs of various Brightview facilities are shown in **Exhibit D**, attached.

### **Request for Approval of Modification of Special Exception Approval for an Assisted Living Facility**

Pursuant to § 18-16-304 of the Code, an applicant must demonstrate that an application for special exception meets all of the general criteria for special exception uses contained therein. The Applicant posits that the proposed special exception meets the criteria in the following manner:

- (1) *The use will not be detrimental to the public health, safety, or welfare;*

The proposed modification to the previously approved special exception application for an assisted living facility will pose no threat to the public health, safety, or welfare. The facility is of similar size, will serve the same population, and provide services that will benefit the community. The facility will be a benefit to the public health, safety, and welfare by providing quality assisted care for the Pasadena community.

- (2) *The location, nature, and height of each building, wall, and fence, the nature and extent of landscaping on the site, and the location, size, nature, and intensity of each phase of the use and its access roads will be compatible with the appropriate and orderly development of the district in which it is located;*

The proposed development meets the bulk regulations applicable to the R5 District, with the exception of open area, as described in the variance request below. There is no significant change to the proposed use under the existing special exception approval.

- (3) *Operations related to the use will be no more objectionable with regard to noise, fumes, vibration, or light to nearby properties than operations in other uses allowed under this article;*

The Applicant does not believe there will be any more objectionable impacts from operations on the Property than other uses allowed in the R5 Zone. The prior special exception approval found as such; this requested modification will not create any additional objectionable noise, fumes, vibration, or light.

- (4) *The use at the location proposed will not have any adverse effects above and beyond those inherently associated with the use irrespective of its location within the zoning district;*

The facility will not have any significant, non-inherent adverse effects. Non-inherent adverse effects are adverse effects that are not typical of the proposed use in any location in Anne Arundel County. No adverse impacts are expected at all, however, any such impacts would be no greater than those created by the same use located elsewhere.

- (5) *The proposed use will not conflict with an existing or programmed public facility, public service, school, or road;*

The Applicant is not aware of any existing or programmed public facility, public service, school, or road impacts that would be created by the proposed use. Jacobsville Elementary School is located just to the east of the Property, but is accessed from Mountain Road.

- (6) *The proposed use has the written recommendations and comments of the Health Department and the Office of Planning and Zoning;*

The Applicant anticipates that this application will receive a favorable written recommendation from both the Health department and the Office of Planning and Zoning.

(7) *The proposed use is consistent with the County General Development Plan;*

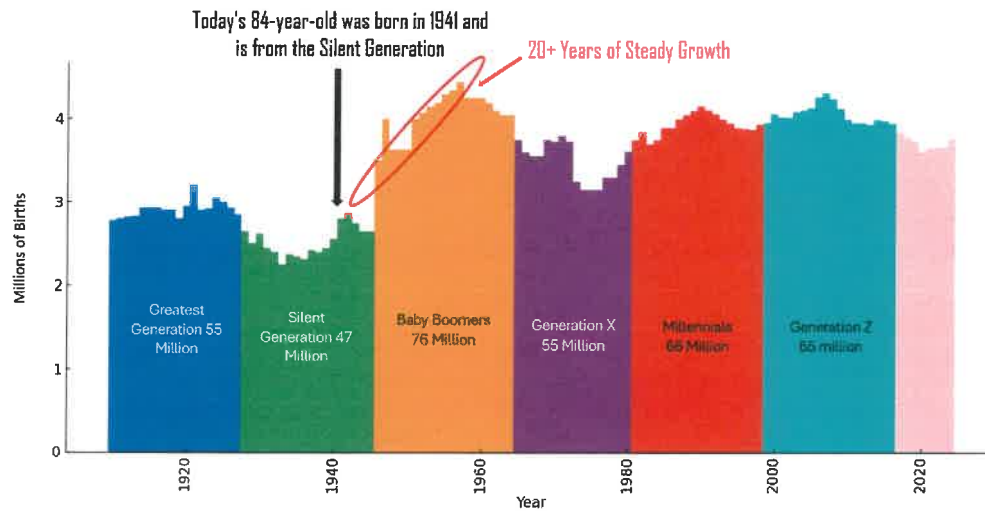
The Planned Land Use Map of the General Development Plan classifies the Property as low-medium residential density. This is consistent with the existing R5 Zoning. An assisted living facility is permitted as a special exception use in the R5 Zone because the County Council has legislatively pre-determined that this use is compatible with the R5 Zone, so long as there are no non-inherent adverse impacts created in locating the proposed use on the Property. *People's Counsel for Balt. Cty. v. Loyola College in MD*, 406 Md. 54 (Md. 2008). The Property is also located within a Priority Funding Area. The proposed assisted living facility is consistent with Plan2040 goals and policies.

The Property is adjacent to an intersection and is suitably placed between the commercial uses and the residential uses to the east. The assisted living facility provides a gradual transition between the more intensive commercial uses and the residential neighborhoods leading to Jacobsville Elementary School. The assisted living facility will be well separated and buffered by the existing 65-foot-wide permanent forest conservation easement. The Property's access drive off Deering Road will also be adequately buffered by the Deerfield community open space parcels. Additionally, this request is simply a modification of the previously approved special exception, wherein the Office of Planning and Zoning, Department of Health, and ultimately the AHO, found that both the specific and general criteria for the special exception had been met. There are no significant changes to the proposed use in the instant application.

(8) *The applicant has presented sufficient evidence of public need for the use;*

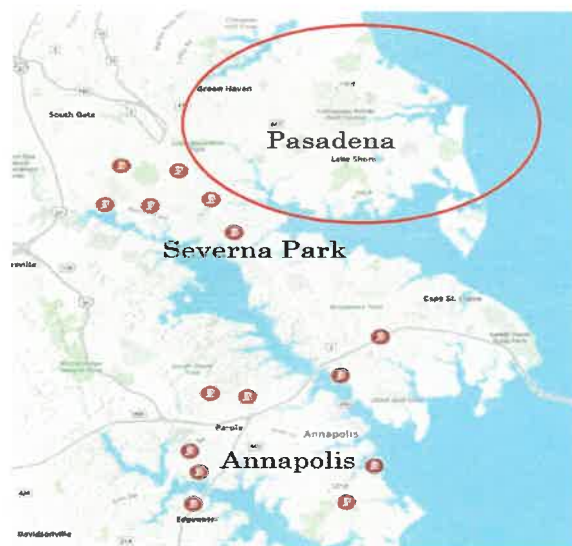
As will be shown by evidence at the hearing, there is a public need for the facility. Public need has been interpreted by the Maryland Courts for decades to mean that the facility will be "expedient, reasonably convenient and useful to the public". *Lucky Stores, Inc. v. Board of Appeals of Montgomery County*, 270 Md. 513 (1973). One of the predominant demographic trends occurring in the U.S. is the increasing number of senior citizens. It is no secret that the Baby Boomers are the largest generation in history and are beginning to age, but the rapid increase that will be seen in seniors is often talked about but not accurately depicted.

The following chart illustrates each generation and the number of people born in each year from 1900 to the present. This chart shows the rapid increase that will be seen from the Silent Generation to the Baby Boomer Generation. The oldest Baby Boomers are currently around 79 years old, and the average age of entry to a Brightview community is between 82-84 years old, so we anticipate a rapid rise in demand for senior housing facilities in just a few years. One of the main ways to accommodate the increasing number of seniors is the increased development of senior housing.



Anne Arundel County is not exempt from this effect. Based on forecasting, Anne Arundel County is expected to see a 3.91% growth rate in Senior (75+) Households per year over the next five years. Certain areas in the County have a healthy amount of senior housing available to position the area to accommodate the influx of seniors that will be seen in the future. Among these are Severna Park and Annapolis with 634 and 1,087 senior housing units, respectively. However, this accounts for approximately 75% of all of the senior housing units in Anne Arundel County.

This results in other areas in Anne Arundel County being less prepared for this large influx of seniors, which can be easily seen on the map below (senior housing communities indicated in red dots). One of these areas is Pasadena. Pasadena has a larger number of Senior (75+) Households than Severna Park and has no senior housing communities. Along with this, Pasadena has a 3.97% growth rate in Senior (75+) Households per year, while the increases seen in Severna Park and Annapolis are slightly lower at 3.20% and 3.21%.



Anne Arundel County as a whole is encouraging the development of senior housing and is positioning itself well to accommodate incoming seniors, but facilities are not evenly distributed across the County. Pasadena is a large area with a considerable number of seniors who do not have the same access to senior housing as areas such as Severna Park and Annapolis.

- (9) *The applicant has presented sufficient evidence that the use will meet and be able to maintain adherence to the criteria for the specific use;*

As discussed further *infra*, the facility will comply with the specific special exception criteria for the proposed use.

- (10) *The application will conform to the critical area criteria for sites located in the critical area; and*

This criterion does not apply as the Property is not located within the critical area.

- (11) *The administrative site plan demonstrates the applicant's ability to comply with the requirements of the Landscape Manual.*

The Administrative Site Plan demonstrates that there is sufficient area on the Property to provide landscaping in compliance with the Landscape Manual for the majority of the site.

### **Specific Special Exception Criteria**

In addition to the general criteria listed above, the Application conforms to the specific criteria for the proposed use. Section 18-11-104 of the Code states that “an assisted living facility shall comply with all of the following requirements:

- (1) *In RLD Districts, the facility shall be located on a lot of at least 10 acres. In R1 and R2 Districts, the facility shall be located on a lot of at least 10 acres, except that a facility that abuts a collector or higher classification road may be located on a lot of at least five acres. In other districts, the facility shall be located on a lot of at least five acres. In all districts, if the facility abuts a nursing home or adult independent dwelling units, whether or not owned by the same entity, the minimum lot size may be reduced by 50%.*

As further described below, and as previously approved, the Applicant respectfully requests a variance to the 5 acre lot minimum requirement. At the time of the underlying approval, the Property comprised 4.89 acres, a deviation of .11 acres from the requirement. After completion of the Deerfield PUD, an additional right of way was dedicated along Edwin Raynor Boulevard as shown on the Plat attached as **Exhibit E**. As a result of this dedication, the Property now consists of approximately 4.848 acres, a further reduction of .042 acres (1,829 square feet) and .152 acres

(6,621.12 square feet) below the minimum requirement of 5 acres. As explained below, the Applicant will demonstrate that it meets the criteria for a variance from this Code requirement.

*(2) For an assisted living facility in an RLD District:*

- (i) the property in the RLD District shall abut property that is zoned C2 or C3 and that will be part of the assisted living facility; and*
- (ii) the C2 or C3 property comprising part of the facility shall be served by public water and sewer.*

The Property is zoned R5, therefore this requirement is not applicable.

*(3) For an assisted living facility that consists of land located outside the critical area in more than one zoning district:*

- (i) provisions concerning the number of adult independent dwelling units allowed in a given area of land shall be applied in the aggregate rather than separately to the individual zoning districts, lots or sites;*
- (ii) provisions concerning public improvements, such as public sewer and water connections, roads, and sidewalks, shall be applied to the assisted living facility in its entirety;*
- (iii) provisions concerning public improvements, such as public sewer and water connections, roads, and sidewalks, shall be applied to the assisted living facility in its entirety; and*
- (iv) open space requirements shall be calculated for the entire area of the assisted living facility;*

The entire Property is zoned R5, therefore this requirement is not applicable.

*(4) The developer shall demonstrate unified control of the entire assisted living facility and the capability to provide for completion and continuous operation and maintenance of the facility.*

As described herein, Brightview is the contract purchaser of the Property and seeks to own and operate a 175-unit assisted living facility similar to other Brightview facilities in the area. Brightview currently owns and operates 4 facilities in Anne Arundel County.<sup>1</sup>

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<sup>1</sup> Brightview Annapolis, Brightview Crofton Riverwalk, Brightview Severna Park, and Brightview South River, <https://www.brightviewseniorliving.com/types-of-living/anne-arundel-county-retirement-communities#:~:text=With%20four%20locations%20in%20Anne.us%20handle%20the%20outdoor%20landscaping>



- (5) *An assisted living facility may be operated in conjunction with a nursing home or with adult independent dwelling units or both, whether or not owned by the same entity. The nursing home or adult independent dwelling units may be located on the same lot as the assisted living facility or on one or more abutting lots. If located on one or more abutting lots, the provisions of subsection (11) relating to setbacks do not apply to the lot lines that are shared by such abutting lots.*

This requirement is not applicable, as the assisted living facility will not be operated with a nursing home or with adult independent dwelling units. The entire facility will be comprised of Assisted Care Units.

- (6) *Assisted care units shall be provided in a multifamily structure and may be provided in semi-detached dwelling units and townhouse dwelling units, whether or not allowed in the zoning district in which the facility is located. All assisted care units shall be located on the same lot. A multifamily structure shall contain a centrally located group dining facility.*

The development will consist of a multifamily structure, and all units will be located on the same lot. There will be one or more centrally-located group dining facilities included in the building.

- (7) *Comprehensive care units may be provided.*

No comprehensive care units are proposed.

- (8) *No more than two dwelling units for every 100 dwelling units may be devoted to temporary use for guests or family members of residents.*

This criterion does not apply as there are no such units proposed.

- (9) *The permitted uses in a C1 District are allowed in the facility if:*
- (i) *the uses are centrally located for the use and benefit of the residents and their guests in structures that are architecturally compatible with the residential portion of the assisted living facility; and*
  - (ii) *the floor area of the uses does not exceed 10% of the floor area of the units.*

The Property is zoned R5, therefore this requirement is not applicable.

- (10) *A pedestrian circulation system interconnecting all parts of the facility shall be provided.*

The facility includes a pedestrian walkway encircling the building and numerous interior connection points.

(11) *The bulk regulations contained in the following chart shall be met and are the only bulk regulations applicable to an assisted living facility:*

<i>Minimum setbacks from all lot lines</i>	<i>50 feet</i>
<i>Maximum height limitations for principal structures</i>	<i>The height allowed in the zoning district in which the facility is located, except that (1) the facility may exceed that height by 10 feet if all setbacks are increased by two feet for each foot of excess height, and (2) semi-detached and townhouse dwellings are limited to one story</i>
<i>Open area</i>	<i>60% in RLD, R1, R2, and R5 Districts and 50% in R10, R15, and R22 Districts, with all front yards being open area and with at least 10% of the open area devoted to recreational area</i>
<i>Maximum net density for independent dwelling units</i>	<i>One unit per net acre in an RLD District; 3 units per net acre in an R1 District; 6 units per net acre in an R2 District; 8 units per net acre in an R5 District; and in all other districts in accordance with the density allowed in the district in which the facility is located</i>
<i>Maximum net density for all dwelling units other than multifamily dwellings and adult independent dwelling units</i>	<i>No increase in the net density allowed in the RLD District; 6 units per net acre in the R1 and R2 Districts; 8 units per net acre in an R5 District; and in all other districts in accordance with the density allowed in the district in which the facility is located</i>
<i>Maximum square footage for duplex, semi-detached, and townhouse dwellings</i>	<i>1,250 square feet</i>
<i>Public sewer</i>	<i>Required</i>

The proposed maximum height of 60 feet will not exceed the height allowed in the R5 District. The maximum height allowed in the R5 district is 50 feet, however per § 18-11-401 the height may exceed 50 feet by 10 feet if all setbacks are increased by two feet for each foot of excess height. The facility will be set back 70 feet instead of the required 50 feet. As described below, a variance is requested to the requirements for minimum open area. The entire facility will be comprised of Assisted Care Units in a multifamily structure, so the maximum net density and square footage provisions in the table above are not applicable. The Property is served by public sewer as required.

**Request for Variance Relief**

The Applicant respectfully requests variance relief from the requirements of § 18-11-104(1), minimum lot size; and § 18-11-104(11), -open area.

Section 18-16-305 of the Code sets for the requirements for granting a zoning variance. Variances may be granted when an Administrative Hearing Officer finds “that practical difficulties or unnecessary hardships prevent conformance with the strict letter of this article, provided the spirit of law is observed, public safety secured, and substantial justice done.” A variance may only be granted if the Administrative Hearing Officer affirmatively finds the following:

- (1) Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or
- (2) Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

Code § 18-16-305(a)(1) & (2). Additionally, an Administrative Hearing Officer must also find that:

- (1) the variance is the minimum variance necessary to afford relief; and
- (2) the granting of the variance will not:
  - (i) alter the essential character of the neighborhood or district in which the lot is located;
  - (ii) substantially impair the appropriate use or development of adjacent property;
  - (iii) reduce forest cover in the limited development and resource conservation areas of the critical area;
  - (iv) be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area; nor
  - (v) be detrimental to the public welfare.

Code, § 18-16-305(c).

**Request for Variance to §18-11-104(1) Minimum Lot Size Requirement**

The Applicant respectfully requests variance relief pursuant to § 18-11-104(1) of 0.154 acres to 5 acre minimum lot size requirement. In the 2021 Decision, the AHO, with County support, granted a variance of 0.11 acres to the minimum lot area requirements of 5.0 acres to allow an assisted living facility on a lot of 4.89 acres. Pursuant to the attached Site Plan and Plat, additional right of way has been dedicated along Edwin Raynor Boulevard, reducing the total acreage of the site by 0.044 acres is proposed, resulting in a total gross site acreage of 4.848 acres. The Applicant

requests a variance of 0.154 acres, a combination of the prior approved variance amount of 0.11 acres and the 0.044 right of way dedication acreage.

### **Compliance with the County's Variance Requirements**

- (1) *Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or*
- (2) *Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.*

The Property was originally platted as 5.0 acres in 1986 but was reduced in size in 2002 due to a State roadway widening project on Edwin Raynor Boulevard. The attached Site Plan and Plat shows that an additional .044 acres of right of way was dedicated in the extreme southwest corner of the Property along Edwin Raynor Blvd. When first included in the Deerfield PUD, this site was 5.0 acres. It is only through compliance with other development conditions relating to the PUD that the site area has been reduced. This represents an exceptional circumstance creating a practical difficulty in complying with the Code.

- (3) *The variance is the minimum variance necessary to afford relief. Code, § 18-16-305(c)(1).*

The Applicant's plans minimize interference to the open space area. Due to the conceptual design requirements, and because of the Applicant's particular needs as an assisted living facility, the Applicant requires a large primary structure. Pursuant to spatial limitations and the previously approved special exception, Applicant has attempted to minimize its variance request.

- (4) *The variance will not alter the essential character of the neighborhood or district in which the lot is located. Code, § 18-16-305(c)(2)(i).*

The variance will not alter the essential character of the neighborhood or district in which it is located. The assisted living facility use was previously approved in the 2021 Decision, the Applicant seeks to reasonably modify the prior approval in order to provide its successful continuum of care model. Multiple parcels directly across Mountain Road from the Property are zoned C3 and consist of a mix of uses including office, fast food, gas, and convenience retail. The corner of Mountain Road and Edwin Raynor Boulevard consists of a majority of retail uses on the North side. To the west of the Property, across Edwin Raynor Boulevard, is a currently unimproved site that is zoned C4 which allows the most intense commercial uses. The facility will be screened from the adjacent residential neighborhood as a result of the existing permanent forest conservation easement areas to the north and east.

- (5) *The variance will not substantially impair the appropriate use or development of adjacent property. Code, § 18-16-305(c)(2)(ii).*

The requested variance will not impair the use or development of adjacent properties. The Applicant has met or exceeded the setback requirements to adjacent properties and the proposed use will have no impact on the existing homes to the east. The Property is surrounded by roads on three sides and the residential development to the east is further buffered from the 65+ foot forest conservation easement, an additional 20 foot storm drain easement, and further 20 foot utility easement. The 65' forest conservation easement is 30' wider than the minimum 35' wide forest conservation easement requirements.

- (6) *The variances would not reduce forest cover in the limited development and resource conservation areas of the critical area. Code, § 18-16-305(c)(2)(iii).*

As there is no critical area on the Property, granting the variance requested herein will not run afoul of this requirement.

- (7) *The variances would not be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area. Code, § 18-16-305(c)(2)(iii).*

As there is no critical area or bog protection area on the Property, granting the variance requested herein will not run afoul of this requirement.

- (8) *The variances will not be detrimental to the public welfare. Code, § 18-16-305(c)(2)(v).*

The requested 0.154 acre variance to the 5 acre minimum lot size requirement would not negatively affect the public welfare. The site is properly screened and the 65 foot forest conservation easement further buffers the proposed facility from the residential. Moreover, the difference between the proposed reduction in site area in the instant application and the reduction in site area previously approved by the AHO is *de minimis*.

### **Request for Variance to §18-11-104(11) Open Area Requirement**

#### **Compliance with the County's Variance Requirements**

- (1) *Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there is no reasonable possibility of developing the lot in strict conformance with this article; or*
- (2) *Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.*

The Property is narrow and uniquely surrounded by existing common area for the adjacent PUD. The Property fronts Mountain Road, an SHA minor arterial road, Edwin Raynor Boulevard, an SHA minor arterial road, and Deering Road, a local road. This frontage is unique in and of itself, however, the Property is also adjacent to residentially zoned property to the east, and cannot be expanded due to the previously recorded forest conservation area to the east and north.

- (3) *The variance is the minimum variance necessary to afford relief. Code, § 18-16-305(c)(1).*

The Applicant's plans minimize interference to the open space area. Due to the conceptual design requirements, and because of the Applicant's particular needs as an assisted living facility, the Applicant requires a large primary structure. A similar structure was approved in the 2021 Decision, but despite actively marketing the site for several years, the applicant in that case has to date been unable to attract an assisted living provider that can execute that approved plan. The contract purchaser requires certain changes to the layout to create an assisted living facility that can meet all of the requirements for a special exception and, based on its extensive experience in this market, can also include the range of amenities and services necessary to create a successful and thriving community on the site.

Pursuant to spatial limitations and the previously approved special exception, Applicant has attempted to minimize its variance request. Brightview residents spend a vast majority of their time within the community grounds. With that in mind, one of the benefits Brightview's communities offer to residents is the SPICE (Spiritual, Physical, Intellectual, Cultural and Emotional) wellness philosophy. This permeates almost every purposeful activity Brightview does in its communities and requires significant and multiple common area spaces to execute it. From Brightview's SPICE-in-Motion classes which occur daily, to trivia, to debates, lectures, feature films, puzzles, religious services, and social events like music, dancing and other forms of entertainment. To accomplish this, Brightview's continuum of care communities typically include the following spaces:

- Courtyards and other outdoor spaces (typically one per neighborhood, including a fully enclosed/secure courtyard for memory care) – putting green, bocce ball, walking paths, benches, gardening, water features, lush landscaped grounds, outdoor dining and socializing spaces, fire pits, shade structures. The proposed facility includes a 3,094 square foot enclosed outdoor garden and a large unenclosed garden courtyard.<sup>2</sup>
- Dining room (one per neighborhood) – full-service restaurant-style dining, socializing
- Commercial kitchen plus two “serveries” – critical to community operations
- Café (one per neighborhood) – dining, exercise, social gatherings
- Multi-purpose room – exercises, social gatherings, lectures, religious gatherings
- Library (two) – reading, social gathering
- Private dining room – family gatherings

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<sup>2</sup> It should be noted that based on the proposed plans, the Applicant expects to seek a modification at the development stage to reduce the recreation area requirement due to the inclusion of significant indoor amenities. Recreation area is a requirement of Article 17, and deviation from that requirement does not require a variance. The Applicant is providing 10,771 square feet of 12,670 square feet required outdoor recreational area, which does not include the referenced courtyards, fitness center, and other interior amenities.

- Pub (two) – socializing, happy hours
- Game room – brain health, group social activities
- Art room (two) – brain health, creative and spiritual activities
- Lobby – socializing, small group gatherings, reading
- Theater – for art, entertainment, movies, lectures, debates, social events
- Fitness center – for physical well-being, Bayada-led fitness instruction

(4) *The variance will not alter the essential character of the neighborhood or district in which the lot is located. Code, § 18-16-305(c)(2)(i).*

The variance will not alter the essential character of the neighborhood or district in which it is located. The assisted living facility was previously approved in the 2021 Decision and will provide a transition between the commercial uses at the adjacent intersection and the residential.

(5) *The variance will not substantially impair the appropriate use or development of adjacent property. Code, § 18-16-305(c)(2)(ii).*

The requested variance will not impair the use or development of adjacent properties. The Applicant has met or exceeded the setback requirements to adjacent properties and the proposed use will have no impact on the existing homes to the east. The Property is surrounded by roads on three sides and the residential development to the east is further buffered from the 65+ foot forest conservation easement and the additional 20 foot storm drain easement and further 20 foot utility easement.

(6) *The variances would not reduce forest cover in the limited development and resource conservation areas of the critical area. Code, § 18-16-305(c)(2)(iii).*

As there is no critical area on the Property, granting the variance requested herein will not run afoul of this requirement.

(7) *The variances would not be contrary to acceptable clearing and replanting practices required for development in the critical area or a bog protection area. Code, § 18-16-305(c)(2)(iii).*

As there is no critical area or bog protection area on the Property, granting the variance requested herein will not run afoul of this requirement.

(8) *The variances will not be detrimental to the public welfare. Code, § 18-16-305(c)(2)(v).*

The requested variance to the 60% open area requirement would not negatively affect the public welfare. The open area requirements are implemented to prevent intrusion of the assisted living facility use on the adjacent residential development, and to ensure that there are adequate open areas on a particular piece of property so as to ensure light, air, and open space contribute to the wellbeing of residents. The intent of the 60% open space requirement is to provide buffers and a less intensive use directly adjacent to the residential development. The Applicant is proposing 51.9% of the site, or 2.52 acres, as open area, which is approximately 86.6% of what is required.

As shown on the Site Plan, the project provides an average 65' wide forest conservation easement to the east along the only adjoining residentially zoned property. 65' is 30' wider than the minimum 35' wide Forest Conservation Easement requirements, and 15' wider than the 50' building restriction line. There is no requirement to retain forest in this area; this could have been graded and landscaped, however, to be good neighbors and respect the Deerfield Community, the plan for this facility has included a 65' wide buffer retaining existing forest, was recorded, and provides the best screening and buffer possible between this large building and the existing residential community to the east.

The Deerfield PUD also retained a large amount of open space along the south side and east side of the Property, further enhancing the buffers between the Property and adjacent development. Open space areas 1 and 3 shown on the Plat entitled "Amended Plat Reserved Parcel Deerfield" recorded among the Plat Records of Anne Arundel County in Plat Book 388 at pages 1-2 and recorded in Plat Book 103, pages 39-42, attached as **Exhibit E**, equal a combined 1.69 acres. In essence, this open space provides more than 67% overall open space for the assisted living facility and limits its impact on the adjoining residential property. There are no intrusions onto neighboring parcels and the requested decrease in open area is reasonable given the commercial nature of the development and the unique lot. The lot borders roads on three sides and forest conservation on two sides. The requested variance seeks to have the open area reduced to 51.9% from a 60% requirement, but when these adjacent open space areas are included, the facility will be surrounded by 2.53 acres of permanently protected open and forest conservation areas.

### **Request for Variance to Extend the Time to Obtain a Building Permit**

In addition to the special exception modification and variance to open space, we are requesting that the Administrative Hearing Officer grant variance approval to extend the required 18-month period provided in Code § 18-16-405(a) for the Applicant to obtain a building permit. Designing and processing the new assisted living facility plans through the County plan review and permit process will require extensive agency coordination and responses from the Applicant's engineer, architect, and other consultants. Therefore, due to the character of the proposed project, we request a variance for an additional 18-month period to obtain a building permit. We believe this request meets the variance approval standards discussed above.

The Applicant also requests as a condition of the special exception approval that it be permitted to make modifications to the administrative site plan to address comments by County and State agencies during the plan and permit review process, so long as no greater variances are required for such modifications.

### **Conclusion**



For the foregoing reasons, and for good cause shown, the Applicant respectfully requests special exception approval to allow an assisted living facility with 175 units on the Property, variance relief to the minimum lot size requirement, variance approval to allow less open space area than required, and to allow for additional time to obtain a building permit.

Should you have any questions regarding the enclosed variance application, please contact me at [kbray@yvslaw.com](mailto:kbray@yvslaw.com). We look forward to your comments and appreciate your considered review of the proposed application.

Very truly yours,

YVS Law, LLC



Kinley R. Bray

cc: Client  
Attachments

# REEDER PROPERTY BRIGHTVIEW ASSISTED LIVING FACILITY SPECIAL EXCEPTION PLAN ANNE ARUNDEL COUNTY, MARYLAND

## GENERAL NOTES

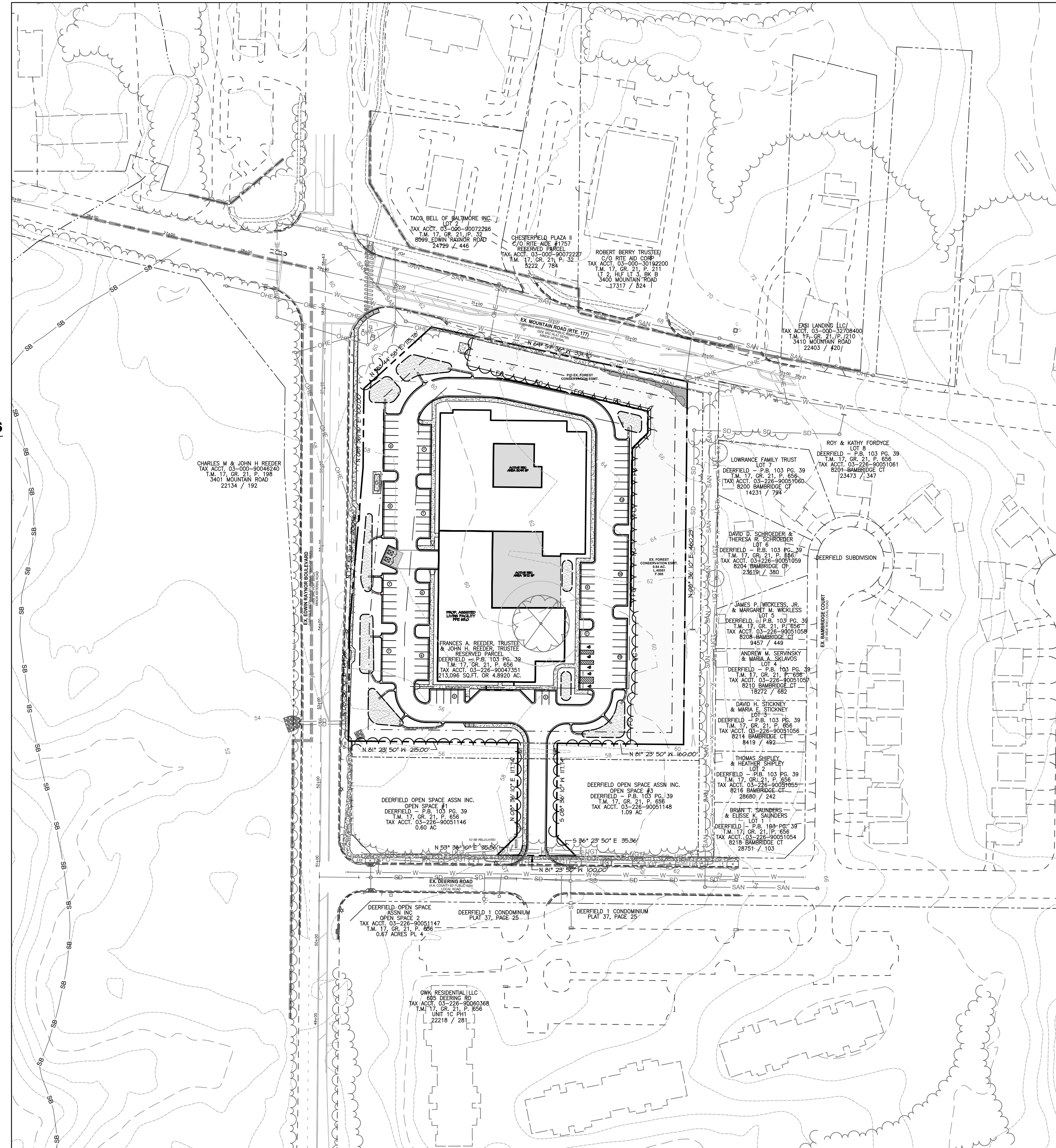
- BOUNDARY NOTE**  
THE PROPERTY OUTLINES SHOWN HEREON ARE BASED ON SURVEY PREPARED BY ATWELL IN AUGUST, 2016. ALL HORIZONTAL DATUM IS REFERENCED TO MARYLAND STATE PLANE COORDINATES (NAD83) DATUM.
- TOPOGRAPHY NOTE**  
EXISTING TOPOGRAPHY WAS TAKEN FROM A FIELD SURVEY PERFORMED BY BAY ENGINEERING, INC. IN AUGUST 2016 AND SUPPLEMENTED WITH ANNE ARUNDEL COUNTY TOPOGRAPHY. ALL VERTICAL DATUM IS REFERENCED TO NGVD 88.
- FLOOD PLAIN NOTE**  
THE PROPERTY DESCRIBED HEREON IS LOCATED IN THE FLOOD HAZARD ZONE 'X' (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN) AS DELINEATED ON THE FIRM FLOOD INSURANCE MAP# 2400300156F DATED FEBRUARY 18, 2015 AND MAP# 2400300157F DATED FEBRUARY 18, 2015 FOR ANNE ARUNDEL COUNTY AND DISTRIBUTED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- WATER & SEWER NOTE**  
THE PROPERTY IS LOCATED IN JESSUP WATER SERVICE AREA AS SHOWN ON MAP W2 AND IS IN A PLANNED SERVICE AREA. THE PROPERTY IS LOCATED IN BALTIMORE CITY SEWER SERVICE AREA AS SHOWN ON MAP S2 AND IS IN AN EXISTING SERVICE AREA. PROPOSED WATER AND SEWER ON SITE WILL BE PRIVATE, EXCEPT FOR THE WATER METER.
- EXISTING UTILITY NOTE**  
EXISTING UTILITIES SHOWN HEREON WERE PROVIDED BY ATWELL.

## SPECIAL EXCEPTION ZONING REQUIREMENTS & LANDSCAPE SETBACKS

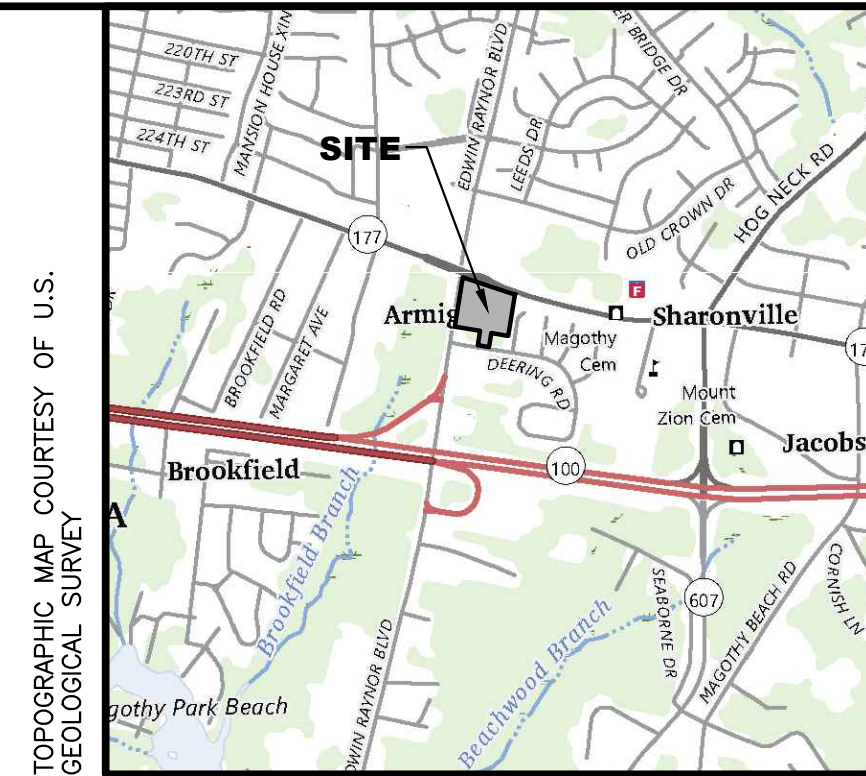
- EXISTING ZONING: R5
- MINIMUM LOT SIZE: 5 ACRES
- MIN. BUILDING SETBACK REQUIREMENTS - PRINCIPAL STRUCTURE:  
ALL LOT LINES: 50' MIN. (70' FOR 60' BLDG. HT.)
- MAX HEIGHT - PRINCIPAL STRUCTURE: 50'+10'=60'  
(IF ALL SETBACKS ARE INCREASED BY 2' FOR EACH 1' OF EXCESS HEIGHT)
- OPEN AREA REQ.: MIN. 60%
- PUBLIC SEWER: REQUIRED
- LANDSCAPE BUFFER REQUIREMENTS:
  - DEERING ROAD (R/W ≤ 60'): 15' MINIMUM
  - EDWIN RAYNOR BLVD. (R/W > 60'): 25' MINIMUM
  - MD 177 (R/W > 60'): 25' MINIMUM
  - ADJACENT RESIDENTIAL/OPEN SPACES: 15' MINIMUM

## FOREST CONSERVATION NOTE

- IN ACCORDANCE WITH SECTION 17-2-101.14(iii) OF THE ANNE ARUNDEL COUNTY CODE, THIS SITE IS NOT SUBJECT TO ADDITIONAL FOREST CONSERVATION REQUIREMENTS AS FOREST CONSERVATION WAS PREVIOUSLY ADDRESSED AND APPROVED UNDER A PRIOR FOREST CONSERVATION PLAN. REVISIONS TO THE PLAN DO NOT MATERIALLY ALTER THE LIMIT OF DISTURBANCE.



**LOCATION PLAN**  
SCALE: 1" = 80'



**VICINITY MAP**  
SCALE: 1" = 2000'

## SHEET INDEX

1	COVER SHEET
2	EXISTING CONDITION PLAN
3	ADMINISTRATIVE SITE PLAN

## SITE DATA


TAX MAP 17, BLOCK 21, P/O PARCEL 656, LOT A  
TAX ACCOUNT: #03-226-90047351  
ZONING: R5  
PRIORITY FUNDING AREA - LOCATED WITHIN  
GDP LAND USE AMENDED 9/2024: LOW-MEDIUM DENSITY RESIDENTIAL  
GDP DEVELOP. POLICY AREA AMENDED 9/2024: NEIGHBORHOOD PRESERVATION  
REGION PLAN #4

- GROSS SITE ACREAGE (PRIOR TO R/W DED): 4.892 AC / 213,096 SF
- RIGHT-OF-WAY DEDICATION: 0.044 AC / 1,925 SF
- NET SITE ACREAGE (BASIS OF CALCULATIONS): 4.848 AC / 211,171 SF
- EXISTING USE: VACANT
- PROPOSED USE: 175 ASSISTED CARE UNITS
- MAX. PERMITTED HEIGHT: 50 FT. (MAY BE INCREASED TO 60 WITH INCREASED SETBACKS)
- PROPOSED HEIGHT: 60 FT.
- OPEN AREA REQUIREMENT (60% OF 4.848 AC): 2.91 AC / 126,703 SF
- OPEN AREA PROVIDED: 2.52 AC / 109,593 SF (51.9%)
- RECREATION AREA REQUIRED: (10% OF OPEN AREA): 0.29 AC / 12,670 SF
- RECREATION AREA PROVIDED: 0.25 AC / 10,771 SF (MODIFICATION)
- PARKING REQUIRED:
  - 2 PS/10 ASSISTED CARE UNITS: 33 SPACES
  - 1 PS/EMPLOYEE (40 MAX PER SHIFT): 40 SPACES
- PARKING PROVIDED: 111 SPACES

**OWNER**  
REEDER TRUSTEE FRANCES A  
REEDER TRUSTEE JOHN H  
C/O JOHN REEDER,  
218 W BRANDON RD,  
COLOMBIA, MO 65203-3574

**APPLICANT**  
AUSTIN KOO  
BRIGHTVIEW SENIOR LIVING  
DEVELOPMENT DIRECTOR  
218 N. CHARLES ST. SUITE 220  
BALTIMORE, MD 21201  
TEL: (303) 819-8162  
EMAIL: AKOO@BVSL.NET

SHEET:  
**SE-1**



**MORRIS & RITCHIE ASSOCIATES, INC.**  
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

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**REEDER PROPERTY**

**SPECIAL EXCEPTION PLAN**

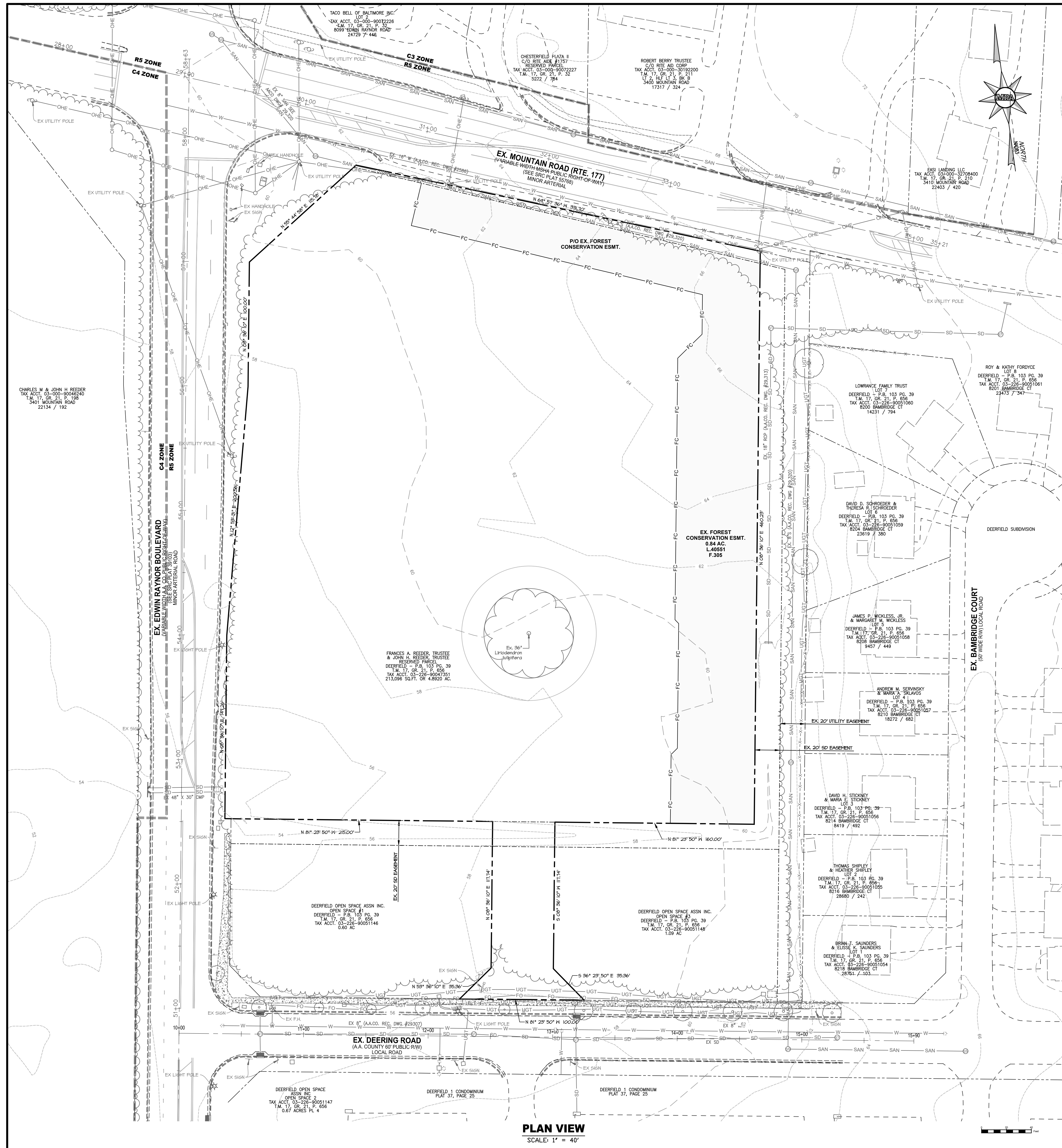
**BRIGHTVIEW ASSISTED LIVING FACILITY**

**COVER SHEET**

TAX ACCOUNT NUMBER #03-226-90047351, SUBDIVISION: S1985-204  
TAX MAP 17 ~ BLOCK 21 ~ PARCEL 656, LOT A  
ZONED: R5 ~ TAX ASSESSMENT DISTRICT 3 ~ COUNCIL DISTRICT 3  
600 DEERING ROAD, PASADENA, MARYLAND 21122 ~ ANNE ARUNDEL COUNTY

DATE	REVISIONS	JOB NO.:
		SCALE: 1" = 40'
		DATE: 10/31/2025
		DRAWN BY: KR
		DESIGN BY: MT
		REVIEW BY: CG
		SHEET: 1 OF 3

MARILEE TORTORELLI, RLA  
mtortorelli@mrakta.com



**LEGEND**

---	EX. PROPERTY LINE
---	EX. RIGHT-OF-WAY
---	EX. ADJACENT PROPERTY LINE
---	EX. EASEMENT
---	EX. BUILDING
---	EX. CURB
---	EX. PAVEMENT/EDGE OF GUTTER
---	EX. WALK
---	EX. METAL FENCE
---	EX. WOOD FENCE
---	EX. GUARDRAIL
---	EX. FOREST CONSERVATION EASEMENT
---	EX. TREELINE
○	EX. SPECIMEN TREE
○	EX. STORM DRAIN
○	EX. SANITARY LINE
○	EX. WATERLINE
○	EX. GAS LINE
○	EX. TELECOM
○	EX. OVERHEAD ELECTRIC
○	EX. OVERHEAD TELEPHONE
○	EX. FIRE HYDRANT
○	EX. WATER METER
○	EX. MANHOLE
○	EX. POWER POLE
○	EX. LIGHT POLE
---	EX. ZONING DIVIDE
---	EX. 2' CONTOUR
---	EX. 10' CONTOUR

**PLAN VIEW**  
SCALE: 1" = 40'

SHEET: **SE-2**

**MORRIS & RITCHIE ASSOCIATES, INC.**  
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

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**REEDER PROPERTY**

**SPECIAL EXCEPTION PLAN**  
BRIGHTVIEW ASSISTED LIVING FACILITY  
EXISTING CONDITIONS PLAN

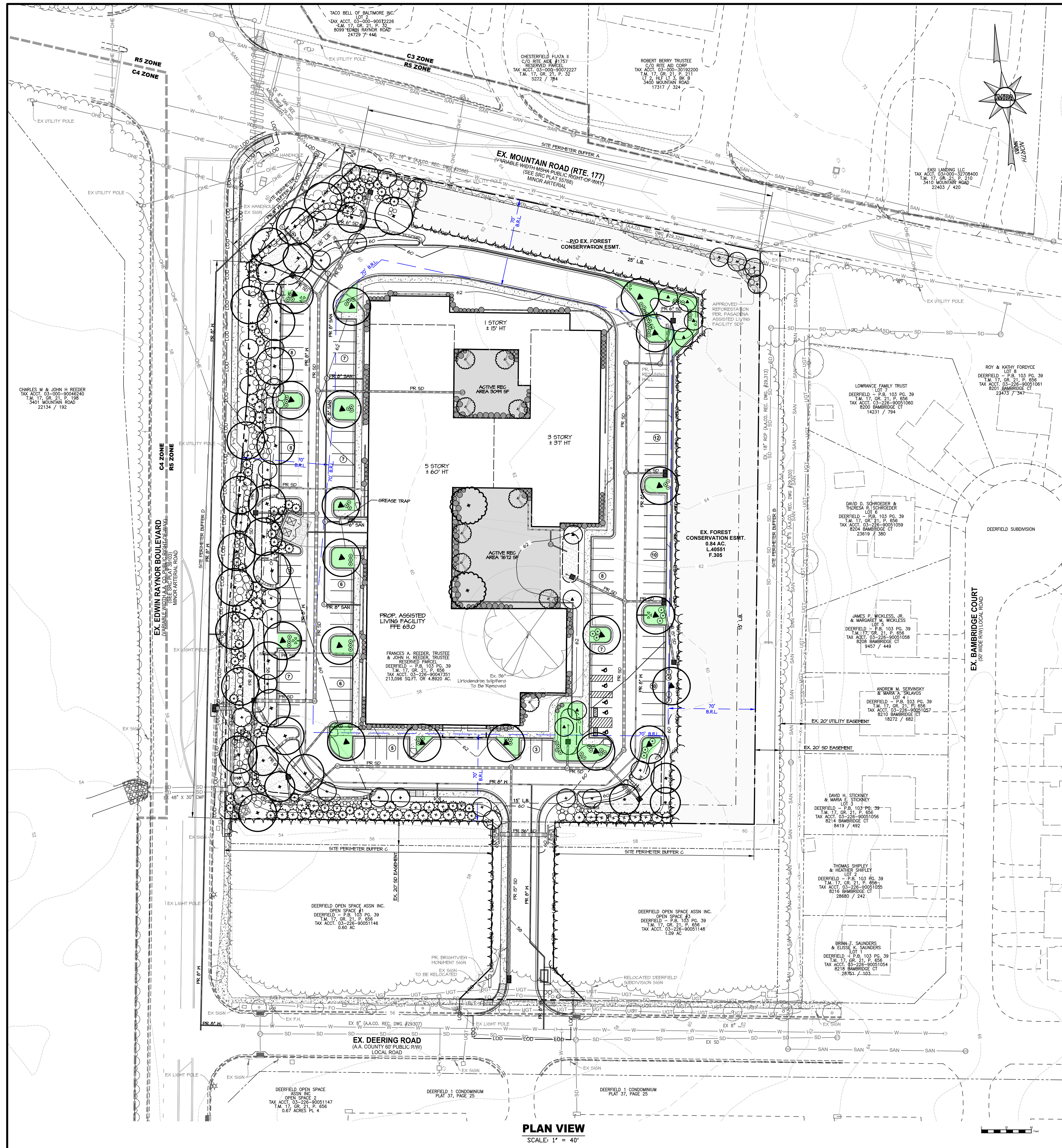
TAX ACCOUNT NUMBER #03-226-90047351, SUBDIVISION: S1985-204  
ACCOUNT NUMBER 17 ~ BLOCK 21 ~ PARCEL 656, LOT A  
ZONED: R5 ~ TAX ASSESSMENT DISTRICT 3 ~ COUNCIL DISTRICT 3  
600 DEERING ROAD, PASADENA, MARYLAND 21122 ~ ANNE ARUNDEL COUNTY

DATE	REVISIONS	JOB NO.:

SCALE: 1" = 40'	JOB NO.:
DATE: 10/31/2025	SCALE: 1" = 40'
DRAWN BY: KR	DATE: 10/31/2025
DESIGN BY: MT	DRAWN BY: KR
REVIEW BY: CG	DESIGN BY: MT
SHEET: 2 OF 3	REVIEW BY: CG

MARILEE TORTORELLI, RLA  
mtortorelli@mragna.com

P:\PROJ\99999\_Brightview\_Reeder\Plans\DE\Overall\Plan\_Sets\Special\_Exception\_Plan\99999-Brightview\_Reeder-SE-02-EXISTING CONDITIONS.dwg, 10/31/2025, 2:30:01 PM, KReebuck, 1:1, Copyright 2025 Morris & Ritchie Associates, Inc.



**BRIGHTVIEW REEDER - LANDSCAPE REQUIREMENTS**

**INTERIOR PARKING REQUIREMENTS (I.M. SECT. V.8)**  
 PROPOSED PARKING AREA: 57,302 SF  
 REQUIRED INTERIOR LANDSCAPE AREA: 57,302 X 0.10 = 5,730 SF  
 INTERIOR LANDSCAPE AREA PROVIDED: 5,840 SF  
 REQUIRED PLANTINGS: 5,840 SF/250 SF = 23 PLANTING UNITS  
 PLANTING UNITS PROVIDED: 23 PU (19 SHADE TREES / 8 MINOR TREES / 78 SHRUBS)

**NONRESIDENTIAL STRUCTURES PLANTING REQUIREMENT (I.M. SECT. V.D.)**  
 PERIMETER OF BUILDING FOUNDATION: 1,307 LF  
 1,307 X 0.5 = 653.5 LF OF FOUNDATION PLANTINGS REQUIRED  
 PLANTINGS PROVIDED: 714 LF

**PERIMETER OF COURTYARD: 233 LF**  
 233 X 50% = 116.5 LF OF FOUNDATION PLANTINGS REQUIRED  
 PLANTINGS PROVIDED: 142 LF

**DUMPSTER SCREENING (I.M. SECT. V.G.)**  
 CLASS A SCREENING REQUIRED: 10' WIDTH & 1 PLANTING UNIT/10 LF  
 TWO SIDES AND REAR PERIMETER: 40.7 LF/10 PU = 4 PU  
 PLANTINGS PROVIDED: 4 PU (12 EVERGREEN TREES)

**SITE PERIMETER BUFFER A - NORTH SIDE (RTE 177) - CLASS D BUFFER (I.M. SECT. IV.B.2)**  
 BUFFER WIDTH REQUIRED: 25' - ALL PROPOSED DEVELOPMENT TO ULTIMATE R/W > 60'  
 BUFFER LENGTH: 331 LF - 277 LF WOODED = 54 LF TO SCREEN  
 REQUIRED: 1 P.U. / 10 LF  
 54 LF / 10 = 5 P.U. REQUIRED  
 PLANTING UNITS PROVIDED: 5 PU (1 SHADE TREE / 6 MINOR TREES / 15 SHRUBS / 3 EVERGREEN TREES)

**SITE PERIMETER BUFFER B - SIDE (PRIV. PROP.) - CLASS A BUFFER (I.M. SECT. IV.B.2)**  
 BUFFER WIDTH REQUIRED: 15' - COMMERCIAL TO RESIDENTIAL/OPEN SPACE  
 BUFFER LENGTH: 460 LF  
 REQUIRED: 1 P.U. / 15 LF  
 460 LF / 15 = 31 P.U. REQUIRED  
 PROVIDED: 450 LF PRESERVED EXISTING WOODLAND (35' WIDE MIN.)

**SITE PERIMETER BUFFER C - SOUTH SIDE (PRIV. PROP.) - CLASS A BUFFER (I.M. SECT. IV.B.2)**  
 BUFFER WIDTH REQUIRED: 15' - COMMERCIAL TO OPEN SPACE  
 BUFFER LENGTH: 215 + 180 = 395 LF - 68 LF WOODED AREA = 307 LF TO SCREEN  
 REQUIRED: 1 P.U. / 15 LF = 21 PU  
 PLANTING UNITS PROVIDED: 21 PU (4 SHADE TREES / 8 MINOR TREES / 32 SHRUBS / 39 EVERGREEN TREES)

**SITE PERIMETER BUFFER D - (EDWIN RAYNOR BLVD) - CLASS D BUFFER (I.M. SECT. IV.B.2)**  
 BUFFER WIDTH REQUIRED: 25' - ALL PROPOSED DEVELOPMENT TO ULTIMATE R/W > 60'  
 BUFFER LENGTH: 448 LF  
 REQUIRED: 1 P.U. / 10 LF  
 448 LF / 10 = 45 P.U. REQUIRED  
 PLANTING UNITS PROVIDED: 45 PU (21 SHADE TREES / 16 MINOR TREES / 103 SHRUBS / 48 EVERGREEN TREES)

**SITE PERIMETER BUFFER E - NORTHWEST SIDE - CLASS D BUFFER (I.M. SECT. IV.B.2)**  
 BUFFER WIDTH REQUIRED: 25' - ALL PROPOSED DEVELOPMENT TO ULTIMATE R/W > 60'  
 BUFFER LENGTH: 116 LF  
 REQUIRED: 1 P.U. / 10 LF  
 116 LF / 10 = 12 P.U. REQUIRED  
 PLANTING UNITS PROVIDED: 12 PU (5 SHADE TREES / 8 MINOR TREES / 35 SHRUBS / 9 EVERGREEN TREES)

**LEGEND**

- EX. PROPERTY LINE
- EX. RIGHT-OF-WAY
- EX. ADJACENT PROPERTY LINE
- EX. EASEMENT
- EX. BUILDING
- EX. CURB
- EX. PAVEMENT/EDGE OF GUTTER
- EX. WALK
- EX. METAL FENCE
- EX. WOOD FENCE
- EX. GUARDRAIL
- EX. TREELINE
- EX. SPECIMEN TREE TO BE REMOVED
- EX. STORM DRAIN
- EX. SANITARY LINE
- EX. WATERLINE
- EX. GAS LINE
- EX. TELECOM
- EX. OVERHEAD ELECTRIC
- EX. OVERHEAD TELEPHONE
- EX. FIRE HYDRANT
- EX. WATER METER
- EX. MANHOLE
- EX. POWER POLE
- EX. LIGHT POLE
- EX. ZONING DIVIDE
- EX. 2' CONTOUR
- EX. 10' CONTOUR
- EX. 10' CONTOUR
- PR. BUILDING
- PR. CURB & GUTTER
- PR. RETAINING WALL
- PR. CONC SIDEWALK
- PR. REFORESTATION AREA
- PR. TREE LINE
- PR. HANDICAP PARKING
- PR. PARKING SPACE COUNT
- PR. 2' CONTOUR
- PR. 10' CONTOUR
- PR. SPOT ELEVATION
- PR. SANITARY LINE
- PR. STORM DRAIN
- PR. WATER LINE
- PR. FDC
- PR. LIMIT OF DISTURBANCE
- PR. TREE PROTECTION FENCE
- PR. GENERATOR
- PR. DUMPSTERS
- BUILDING RESTRICTION LINES

**LANDSCAPE LEGEND**

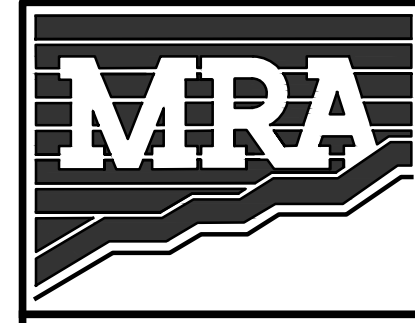
- PR. PARKING SHADE TREE
- PR. PARKING MINOR DECIDUOUS TREE
- PR. PARKING SHRUB
- PR. PARKING INTERIOR LANDSCAPE AREA
- PR. BUFFER SHADE TREE
- PR. BUFFER EVERGREEN TREE
- PR. BUFFER MINOR DECIDUOUS TREE
- PR. BUFFER SHRUB
- PR. FOUNDATION SHADE TREE
- PR. FOUNDATION MINOR DECIDUOUS TREE
- PR. FOUNDATION SHRUB

**MODIFICATION**

MODIFICATION #17408 TO ARTICLE 17-6-303(B)(5) TO REMOVE ONE SPECIMEN TREE WAS APPROVED 4/17/24.

**PLAN VIEW**  
 SCALE: 1" = 40'

SHEET: **SE-3**



**MORRIS & RITCHIE ASSOCIATES, INC.**  
 ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS

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**REEDER PROPERTY**

**SPECIAL EXCEPTION PLAN**  
**BRIGHTVIEW ASSISTED LIVING FACILITY**  
**ADMINISTRATIVE SITE PLAN**

TAX ACCOUNT NUMBER #03-226-90047351, SUBDIVISION: S1985-204  
 ZONED: R5 ~ TAX ASSESSMENT DISTRICT 3 ~ COUNCIL DISTRICT 3  
 600 DEERING ROAD, PASADENA, MARYLAND 21122 ~ ANNE ARUNDEL COUNTY

DATE	REVISIONS	JOB NO.:
11/20/2025	REVISED PER HEARING EXAMINER COMMENTS	SCALE: 1" = 40'
		DATE: 10/31/2025
		DRAWN BY: KR
		DESIGN BY: MT
		REVIEW BY: CG
		SHEET: 3 OF 3

MARILEE TORTORELLI, RLA  
 mtortorelli@mrakta.com

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

**CASE NUMBER 2021-0094-S, 2021-0095-S, AND 2021-0096-V**

---

**MONARCH DEVELOPMENT COMPANY JV, LLC**

THIRD ASSESSMENT DISTRICT

DATE HEARD: NOVEMBER 9, 2021

---

ORDERED BY:

**DOUGLAS CLARK HOLLMANN**  
ADMINISTRATIVE HEARING OFFICER

PLANNER: **ROBERT KONOWAL**

---

DATE FILED: **NOVEMBER 30, 2021**

## **PLEADINGS**

Monarch Development Company JV, LLC (hereinafter the applicant), seeks a special exception (2021-0094-S) to allow the modification of a previously approved special exception to remove 4.89 acres from a Planned Unit Development, a special exception (2021-0095-S) to allow an assisted living facility (140 assisted care units) in a R5 – Residential District, and a variance (2021-0096-V) to allow an assisted living facility with less lot area than required on property with 329 feet of frontage on the south side of Mountain Road, east of Edwin Raynor Boulevard, Pasadena, MD 21122.

## **PUBLIC NOTIFICATION**

The hearing notice was posted on the County's website in accordance with the County Code. The file contains the certification of mailing to community associations and interested persons. Each person designated in the application as owning land that is located within 300 feet of the property was notified by mail, sent to the address furnished with the application. Terry Schuman testified that the property was posted for more than 14 days prior to the hearing. Therefore, I find and conclude that the requirements of public notice have been satisfied.

## **THE HEARING**

A hearing was held on November 9, 2021, in which the witnesses were sworn and the following was presented with regard to the proposed relief requested by the applicant.

### **THE PROPERTY**

The applicant owns the subject property with 329 feet of frontage on the south side of Mountain Road, east of Edwin Raynor Boulevard, Pasadena. It is identified as Reserved Parcel 656 in Block 21 on Tax Map 17 and is zoned R5-Residential District. The property comprises of 4.89 acres and is currently a vacant, forested lot.

### **THE PROPOSAL**

The applicant proposes to remove Parcel 656 from the previously approved Deerfield Planned Unit Development (PUD) and construct a four-story assisted living facility having 140 assisted care units with 112 surface parking spaces provided around the perimeter of the building. Parcel 656 is 4.89 acres in size.

### **THE ANNE ARUNDEL COUNTY CODE**

The specific criteria by which a special exception for a PUD may be granted as well as the request to modify the special exception granted in Case No. 1985-0394-S are set forth in § 18-11-104. Additionally, all special exceptions are subject to the general standards contained in § 18-16-304.

§ 18-11-104 requires that an assisted living facility in an R5 district shall be located on a lot of at least 5.0 acres.

### **The Evidence Submitted At The Hearing**

Robert Konowal, a zoning analyst with the Office of Planning and Zoning (OPZ), presented the following findings:

- *Background.* The 60.2 acre Deerfield PUD was originally approved in 1985 (Case No. 1985-0394-S). The approved development contains 276 dwelling units of various dwelling types that includes 82 single-family dwellings, 108 garden apartments, and 86 townhouse units. Also included in the then approved PUD was the subject property, a “reserved parcel” of 5.0 acres<sup>1</sup> for future unspecified development. The PUD, not including the subject property, provided for development at 5.0 dwellings per acre in accordance with the density provisions of the underlying R5 district.
- *Special Exception to Modify the Deerfield PUD.* § 18-12-202 of the Code specifies the uses allowed in a PUD. An assisted living facility is only permitted in a PUD of 500 or more dwelling units which is not the case for the 276 dwelling unit Deerfield PUD. The proposed special exception modification will remove the subject lands from the Deerfield PUD so that it is not subject to the PUD requirement of 500 or more dwelling units for an assisted living facility.
- § 18-12-203 of the Code states a PUD may not exceed the density allowed by the zoning district in which the development is located. The subject property was not included in the density calculations of the Deerfield PUD. An assisted

---

<sup>1</sup> 0.11 acres of the reserved parcel is now owned by State Highway Administration.



living facility comprised of assisted care units is however not subject to the maximum density provisions of the Code. The removal of the subject property from the Deerfield PUD will not jeopardize any approved density for that project.

- There is no evidence that removal of the subject lands would undermine the original development concept of the Deerfield PUD as the specific use of these lands was not specified at the time of approval of the Deerfield PUD. Since the lands are a reserve parcel they will be subject to the subdivision approval process.
- *Special Exception - Proposed assisted living facility.* The specific special exception standards for an assisted living facility require that the use be located on a lot of at least 5.0 acres when located in a R5 district. In this case, the subject property at 4.89 acres does not meet the minimum lot size requirement of the Code. The applicant is requesting a variance to this standard and OPZ is recommending approval. The applicant is proposing 140 assisted care units in a multifamily structure with a central located group dining facility as required by the Code. No comprehensive care units are provided nor are they required by the specific special exception criteria. No more than two dwelling units for every 100 dwelling units are to be devoted to temporary use for guests or family members of residents. A pedestrian circulation system interconnecting all parts of the facility has been provided. The bulk regulations have been or

are capable of being met. Public sewer service is available to the site in accordance with the Code requirement for the use.

- In accordance with the general standards for granting a special exception, OPZ finds that the proposed use of the subject property for an assisted living facility will not be detrimental to the public health, safety, or welfare. The Fire Department and Health Department have indicated no objection to the application.
- The use will be compatible with the appropriate and orderly development of the district in which it is located. The proposed use is suitably located at the periphery of a residential area and adjacent lands used for low density residential purposes are to be well separated and buffered by a forest conservation easement and lands dedicated for open space purposes. The use of the subject property for an assisted living facility will be no more objectionable with regard to noise, fumes, vibration, or light to nearby properties than operations in other uses allowed under this article. The activity associated with the use will not have any adverse effects above and beyond those inherently associated with the use irrespective of its location within the zoning district. As stated earlier, the use is appropriately located at the periphery of a residential area. Adjacent residential uses will be separated by a forested buffer and a public roadway to the south.
- There is no evidence that the proposed use will conflict with an existing or programmed public facility, public service, school, or road. The administrative

site plan demonstrates the applicant's ability to comply with the requirements of the Landscape Manual.

- The applicant is to present sufficient evidence of public need for the use.
- *Variance.* OPZ finds the subject property which was originally platted as 5.0 acres in 1986 was reduced in size in 2002 due to a State roadway widening project on Edwin Raynor Boulevard. This road dedication is an exceptional circumstance which creates a practical difficulty in complying with the Code. There is no opportunity to provide additional lands and as such the requested variance to the minimum lot area for the assisted living facility is the minimum necessary to afford relief. There is no evidence that the variance for reduced lot area will alter the essential character of the neighborhood, impair the appropriate use or development of adjacent lands or be detrimental to the public welfare.
- The Department of Health advised the property is served by public water and sewer facilities and the Department has no objection to the request.
- The Long Range Planning Division of OPZ advised the Plan 2040 General Development Plan Land Use Map designates the site as Residential Low-Medium Density. The surrounding properties are designated as Commercial along Mountain Road and Residential Low and Residential Low-Medium in the surrounding neighborhoods. The site is within the Neighborhood Preservation Development Policy Area and is also located within the Priority Funding Area. The Plan2040 GDP does not have recommendations that are

specific to this site, and this proposal is generally consistent with the Plan2040 GDP goals, policies and recommendations.

- The site is in the Existing Sewer Service category in the Cox Creek Sewer Service Area and the Existing Water Service category in the Glen Burnie Low 220 Water Pressure Zone. The proposal is consistent with the 2017 Water and Sewer Master Plan.
- The Development Division of OPZ did not object to the applications but did advise that the property is a platted “Reserve Parcel” shown on the Deerfield Plat and must go through the subdivision process to become a lot. The Division also indicated that the project is subject to addressing the forest conservation requirements. The proposed development is not providing reforestation onsite as required. The proposed Forest Conservation Area located inside the drive aisle and parking area does not meet the minimum requirements. The development will be subject to addressing the requirements for Preliminary Plan and Site Development process. The Administrative Site Plan does demonstrate that the landscape requirements can be met.
- The Engineering Division of the Department of Inspection and Permits had no objection to the application provided their comments on the Preliminary Site Development Plan are appropriately addressed.
- The State Highway Administration (SHA) had no objection to the Preliminary Site Development Plan.

- The Department of Recreation and Parks advised that the proposed development will not impact any Anne Arundel County greenways, parks, and trails.
- With regard to the standards by which a variance and special exception may be granted as set forth under the County Zoning Ordinance in § 18-16-304. and § 18-16-305, OPZ recommends that the special exceptions and variance applications be approved, subject to the applicant providing satisfactory evidence of need for the use.

#### **Testimony and Exhibits**

The applicant was represented at the hearing by David A. Katz, Esquire, of the law firm of Katz Day, LLC. Evidence was presented by way of testimony and exhibits from Terry Schuman of Bay Engineering, Inc., the applicant's engineer, that the proposed use met the requirements for an assisted living facility in an R5 district and the general conditions for the granting of a special exception, except for the 5.0 acre requirement for an assisted living facility. The subject property, Parcel 656, was created as a separate lot in 1995 as 5.0 acres. However, the State Highway Administration took 0.11 acres for a road widening project, leaving Parcel 656 with only 4.89 acres in area. The requested variance meets the requirements for the granting of a variance to the 5.0 acre requirement for a special exception for an assisted living facility in an R5 district.

Mr. Schuman also testified that Parcel 656 was not considered as part of the density requirements for the Deerfield PUD. Therefore, removing the subject

property from the Deerfield PUD would not have an adverse impact on the Deerfield PUD.

Philip R. Hager was accepted as an expert in, among other things, land planning and development. Mr. Hager testified that the application met the requirements of the Code for an assisted living facility as well as a variance to the 5-acre minimum area requirement for an assisted living facility. The application also satisfies the general requirements for a special exception found in § 18-16-305 as there is a need for assisted living facilities based on population and other factors. The proposed assisted living facility will allow nearby residents to remain in their community as they age. The proposed use is consistent with the Land Development Plan. It will not generate excess traffic or have an adverse impact on schools and other public resources. In addition, the proposed assisted living facility would be compatible with the adjacent Deerfield PUD.

Andrew Teeters testified that he has been involved in the development and operation of assisted living facilities for the past fifteen years. Many projects were in Maryland and Anne Arundel County. The applicant has done extensive research to show that there is considerable need for the proposed assisted living facility in this area of the County.

Suzanne Wenger and Stephanie Melchor testified that they live in the neighborhood. They are concerned about the effect the proposed facility will have on traffic and bringing outside residents into their community.

There was no other testimony taken or exhibits received in the matter. The Hearing Officer did not visit the property.

## **DECISION**

### **Special Exception**

A special exception use is a use that the legislative body recognizes as compatible with permitted uses, subject to a public hearing to show compliance with the underlying standards. Schultz v. Pritts, 291 Md. 1, 432 A.2d 1319 (1981); Peoples Council for Baltimore County, et al v. Loyola College in Maryland, 406 Md. 54, 956 A. 2d 166 (2008). “A permitted use in a given [zoning] zone is permitted as of right within the zone, without regard to any potential or actual adverse effect that the use will have on neighboring properties. A special exception, by contrast, is merely deemed *prima facie* compatible in a given zone. The special exception requires a case-by-case evaluation by an administrative zoning body or officer according to legislatively-defined standards.

Based upon the evidence, I find that the applicant has complied with each of the specific criteria set forth in § 18-11-104, with the exception of the 5-acre minimum area requirement. However, the requested variance will be granted for reasons set forth below.

The applicant has also presented evidence that the special exception granted in Case No. 1985-0394-S, which created the adjoining PUD known as Deerfield, can be modified to eliminate the subject property from that PUD. Parcel 656 was

created by separate deed in 1995 and its density was not included in the density requirements for the Deerfield PUD. It is undeveloped.

In addition, § 18-16-304 requires that the Hearing Officer make findings as to the following factors. These findings apply to both the special exception to modify the Deerfield PUD granted in Case No. 1985-0394-S and the application to grant the special exception to allow an assisted living facility to be constructed on the subject property.

*(1) Public Health, Safety, and Welfare*

I find that the proposed use will not be detrimental to the public health, safety, and welfare. The testimony and evidence shows that the facility has been designed and will be operated in a manner that will protect the public health, safety and welfare.

*(2) Compatibility with Development of the Surrounding District*

The facility and the nature of the use are compatible with the appropriate and orderly development of the district in which it is located.

*(3) Noise, Fumes, Vibration and Light*

The proposed use will be no more objectionable with regard to noise, fumes, vibration or light to nearby properties than operations in permitted uses in this district.



*(4) Adverse Effects*

The use at the location proposed will not have any adverse effects above and beyond those inherently associated with the use irrespective of its location within the zoning district.

*(5) Conflict with Public Facilities and Roads*

The proposed use will not conflict with any existing or programmed public facility, public service or road.

*(6) Health Department and Planning & Zoning Recommendations*

The Department of Health and the Office of Planning and Zoning has no objection to the application.

*(7) The General Development Plan*

The proposed use is consistent with the County General Development Plan.

*(8) Public Need*

The applicant presented detailed evidence of the need for the proposed services through the testimony and exhibits presented by Philip Hager and Andrew Teeters. This constitutes sufficient evidence of public need.

*(9) Adherence To The Criteria For The Specific Use*

The applicant has presented sufficient evidence that the use will meet and be able to maintain adherence to the criteria for the specific use.

*(10) Critical Area Compliance*

The facility is not in the critical area.

*(11) Compliance with the Landscape Manual*

The applicant will have to comply with the Landscape Manual during the permitting phase. The applicant asserts that it can comply with the Landscape Manual. As a builder and operator of assisted living facilities, the applicant has shown that it will comply with this requirement.

I conclude that the applicant is entitled to the requested special exception to modify the special exception granted in Case No. 1985-0394-S to remove Parcel 656 from the Deerfield PUD and to allow the construction and operation of the proposed assisted living facility on Parcel 656.

**The Variance**

**Requirements for Zoning Variance**

§ 18-16-305 sets forth the requirements for granting a zoning variance. Subsection (a) reads, in part, as follows: a variance may be granted if the Administrative Hearing Officer finds that practical difficulties or unnecessary hardships prevent conformance with the strict letter of this article, provided the spirit of law is observed, public safety secured, and substantial justice done. A variance may be granted only if the Administrative Hearing Officer makes the following affirmative findings:

- (1) Because of certain unique physical conditions, such as irregularity, narrowness or shallowness of lot size and shape or exceptional topographical conditions peculiar to and inherent in the particular lot, there

is no reasonable possibility of developing the lot in strict conformance with this article; or

- (2) Because of exceptional circumstances other than financial considerations, the grant of a variance is necessary to avoid practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

The variance process for subsection (1) above is a two-step process. The first step requires a finding that special conditions or circumstances exist that are peculiar to the land or structure at issue which requires a finding that the property whereupon the structures are to be placed or use conducted is unique and unusual in a manner different from the nature of the surrounding properties. The second part of the test is whether the uniqueness and peculiarity of the property causes the zoning provisions to have a disproportionate impact upon the subject property causing the owner a practical difficulty or unnecessary hardship. "Uniqueness" requires that the subject property have an inherent characteristic not shared by other properties in the area. *Trinity Assembly of God of Baltimore City, Inc. v. People's Counsel for Baltimore County*, 178 Md. App. 232, 941 A.2d 560 (2008); *Umerley v. People's Counsel for Baltimore County*, 108 Md. App. 497, 672 A.2d 173 (1996); *North v. St. Mary's County*, 99 Md. App. 502, 638 A.2d 1175 (1994), cert. denied, 336 Md. 224, 647 A.2d 444 (1994).

The variance process for subsection (2) - practical difficulties or unnecessary hardship - is simpler. A determination must be made that, because of exceptional circumstances other than financial considerations, the grant of a

variance is necessary to avoid practical difficulties or unnecessary hardship, and to enable the applicant to develop the lot.

Furthermore, whether a finding is made pursuant to subsection (1) or (2) above, a variance may not be granted unless the hearing officer also finds that: (1) the variance is the minimum variance necessary to afford relief; (2) the granting of the variance will not alter the essential character of the neighborhood or district in which the lot is located, (3) substantially impair the appropriate use or development of adjacent property, (4) reduce forest cover in the limited development and resource conservation areas of the critical area, (5) be contrary to acceptable clearing and replanting practices required for development in the critical area, or (6) be detrimental to the public welfare.

#### **Findings - Zoning Variance**

I find, based upon the evidence, that because of the unique physical conditions peculiar to and inherent in the subject property, i.e., that Parcel 656 contains 4.89 acres as a result of the State Highway Administration taking 0.11 acres to widen Edward Raynor Boulevard, there is no reasonable possibility of developing the lot in strict conformance with the Code. Furthermore, the evidence shows that to deny the application based on the absence of 0.11 acres on these facts would cause the applicant practical difficulties or unnecessary hardship and to enable the applicant to develop the lot.

I further find that the requested variance is the minimum variance necessary to afford relief, that the granting of the variance will not alter the essential

character of the neighborhood or district in which the lot is located, will not substantially impair the appropriate use or development of adjacent property, will not reduce forest cover in the limited development and resource conservation areas of the critical area, will not be contrary to acceptable clearing and replanting practices required for development in the critical area, or be detrimental to the public welfare.

### **ORDER**

PURSUANT to the application Monarch Development Company JV, LLC, petitioning for a special exception to allow the modification of a previously approved special exception to remove 4.89 acres from a Planned Unit Development, a special exception to allow an assisted living facility (140 assisted care units) in a R5 – Residential District, and a variance to allow an assisted living facility with less lot area than required on property with 329 feet of frontage on the south side of Mountain Road, east of Edwin Raynor Boulevard, Pasadena; and

PURSUANT to the notice, posting of the property, and public hearing and in accordance with the provisions of law, it is this **30<sup>th</sup> day of November, 2021**;

**ORDERED**, by the Administrative Hearing Officer of Anne Arundel County, that the applicant is hereby **granted**:

1. A special exception to remove Parcel 656 from the previously approved Deerfield Planned Unit Development (PUD) granted in Case No. 1985-0394-S; and

2. A special exception pursuant to § 18-11-104 to allow the applicant to construct a four-story assisted living facility containing 140 assisted care units and 112 surface parking spaces around the perimeter of the building, as shown on County Exhibit 2; and
3. A variance of 0.11 acres to the 5-acre minimum lot area requirement of § 18-11-104 to allow the applicant to construct a four-story assisted living facility containing 140 assisted care units and 112 surface parking spaces around the perimeter of the building on Parcel 656, as shown on County Exhibit 2.

The foregoing special exceptions and variance are subject to the applicant complying with any instructions and necessary approvals from the Office of Planning and Zoning, the Department of Inspections and Permits, the Department of Health, and/or the Critical Area Commission.

This Order does not constitute a building permit. In order for the applicant to construct the structures permitted in this decision, they must apply for and obtain the necessary building permits, along with any other approvals required to perform the work described herein.

Furthermore, County Exhibit 2, referenced in this decision, is incorporated herein as if fully set forth and made a part of this Order. The proposed improvements shown on County Exhibit 2 shall be constructed on the subject property in the locations shown therein. This decision and order shall not prohibit the applicant from making minor changes to the facilities as presently shown on

County Exhibit 2 to adjust for changes made necessary by comments or requirements that arise during plan review or construction, provided those minor changes do not exceed the special exceptions and variance granted herein. The reasonableness of any such change shall be determined by the Office of Planning and Zoning.



Douglas Clark Hollmann  
Administrative Hearing Officer

### **NOTICE TO APPLICANT**

**This Order does not constitute a building permit. In order for the applicant to perform the work permitted in this decision, the applicant must apply for and obtain the necessary building permits, along with any other approvals required to perform the work described herein.**

Any person, firm, corporation, or governmental agency having an interest in this Decision and aggrieved thereby may file a Notice of Appeal with the County Board of Appeals within thirty (30) days from the date of this Decision. **If the variance or variances granted in this case relate to work in the critical area, a permit for the activity that was the subject of this variance application will not be issued until the appeal period has elapsed.**

Further, § 18-16-405(a) provides that a variance or special exception that is not extended or tolled **expires by operation of law unless the applicant within 18 months** of the granting of the variance or special exception (1) obtains a building permit or (2) files an application for subdivision. Thereafter, the variance or special exception shall not expire so long as (1) construction proceeds in accordance with the permit or (2) a record plat is recorded among the land records pursuant to the application for subdivision, the applicant obtains a building permit within one year after recordation of the plat, and construction proceeds in accordance with the permit.

If this case is not appealed, exhibits must be claimed within 60 days of the date of this Order, or they may be discarded.

**FINDINGS AND RECOMMENDATIONS  
OFFICE OF PLANNING AND ZONING  
ANNE ARUNDEL COUNTY, MARYLAND**

**CO. EXHIBIT#:** 1  
**CASE:** 2021-045, 955, 96V  
**DATE:** 11/19/21

**APPLICANT:** Monarch Development Company JV LLC    **ASSESSMENT DISTRICT:** 3

**CASE NUMBER:** 2021-0094-S, 0095-S, and 0096-V    **COUNCILMANIC DISTRICT:** 3

**HEARING DATE:** November 9, 2021

**PREPARED BY:** Robert Konowal  
Planner

**REQUEST**

The applicant is requesting approval of special exceptions to allow the modification of a previously approved special exception to remove 4.89 acres from a Planned Unit Development, to allow an Assisted Living Facility in a R5 Residential District and a variance to allow an Assisted Living Facility with less lot area than required on property located at the southeast corner of Mountain Road and Edwin Raynor Boulevard in Pasadena.

**LOCATION AND DESCRIPTION OF SITE**

The subject property has 329 feet of frontage on the south side of Mountain Road, 0 feet east of Edwin Raynor Boulevard and is 4.89 acres in area. The property is shown on Tax Map 17, Block 21 as Reserved Parcel 656 and is currently zoned "R5-Residential District". This zoning was implemented by the comprehensive rezoning for the Third Council District on January 29, 2012.

The property is a currently vacant forested lot.

**APPLICANT'S PROPOSAL**

The applicant is proposing to remove the subject lands from the previously approved Deerfield Planned Unit Development (PUD) and construct a four-story Assisted Living Facility having 140 assisted care units. 112 surface parking spaces will be provided around the perimeter of the building.

**SPECIAL EXCEPTION STANDARDS**

A PUD is a special exception use in a R5 District and the specific criteria for a PUD are set forth under Title 12 of the Code. The specific criteria by which a special exception for an Assisted Living Facility may be granted are set forth under Section 18-11-104. of the Zoning Code. Additionally, all special exceptions are subject to the general standards contained in Section 18-16-304.



## **REQUESTED VARIANCE**

Section 18-11-104. of the Code requires that an Assisted Living Facility in a R5 Residential District be located on a lot of at least 5.0 acres. The subject property is 4.89 acres in size. A variance of 0.11 acres is required.

## **FINDINGS**

### *Background*

The 60.2 acre Deerfield Planned Unit Development was originally approved in 1985 (Case 1985-0394-S). The approved development contains 276 dwelling units of various dwelling types that includes 82 single family dwellings, 108 garden apartments, and 86 townhouse units. Also included in the then approved PUD was the subject property, a “reserved parcel” of 5.0 acres<sup>1</sup> for future unspecified development. The PUD, not including the subject property, provided for development at 5.0 dwellings per acre in accordance with the density provisions of the underlying R5 District.

### *1. Special Exception to Modify the Deerfield PUD*

Section 18-12-202 of the Code specifies the uses allowed in a PUD. An Assisted Living Facility is only permitted in a PUD of 500 or more dwelling units which is not the case for the 276 dwelling unit Deerfield PUD. The proposed special exception modification will remove the subject lands from the Deerfield PUD so that it is not subject to the PUD requirement of 500 or more dwelling units for an Assisted Living Facility.

Section 18-12-203 of the Code states a PUD may not exceed the density allowed by the zoning district in which the development is located. The subject property was not included in the density calculations of the Deerfield PUD. An Assisted Living Facility comprised of assisted care units is however not subject to the maximum density provisions of the Code. The removal of the subject property from the Deerfield PUD will not jeopardize any approved density for that project.

There is no evidence that removal of the subject lands would undermine the original development concept of the Deerfield PUD as the specific use of these lands was not specified at the time of approval of the Deerfield PUD. Since the lands are a reserve parcel they will be subject to the subdivision approval process.

### *2. Special Exception - Proposed Assisted Living Facility*

The specific special exception standards for an Assisted Living Facility require that the use be located on a lot of at least 5.0 acres when located in a R5 Residential District. In this case, the subject property at 4.89 acres does not meet the minimum lot size requirement of the Code. The applicant is requesting a variance to this standard and this Office is recommending approval.

---

<sup>1</sup> 0.11 acres of the reserved parcel is now owned by State Highway Administration.

The applicant is proposing 140 assisted care units in a multifamily structure with a central located group dining facility as required by the Code. No comprehensive care units are provided nor are they required by the specific special exception criteria. No more than two dwelling units for every 100 dwelling units are to be devoted to temporary use for guests or family members of residents. A pedestrian circulation system interconnecting all parts of the facility has been provided. The bulk regulations have been or are capable of being met. Public sewer service is available to the site in accordance with the Code requirement for the use.

In accordance with the general standards for granting a special exception, the Office of Planning and Zoning finds that the proposed use of the subject property for an Assisted Living Facility will not be detrimental to the public health, safety, or welfare. The Fire Department and Health Department have indicated no objection to the application.

The use will be compatible with the appropriate and orderly development of the district in which it is located. The proposed use is suitably located at the periphery of a residential area and adjacent lands used for low density residential purposes are to be well separated and buffered by a forest conservation easement and lands dedicated for open space purposes. The use of the subject property for an Assisted Living Facility will be no more objectionable with regard to noise, fumes, vibration, or light to nearby properties than operations in other uses allowed under this article. The activity associated with the use will not have any adverse effects above and beyond those inherently associated with the use irrespective of its location within the zoning district. As stated earlier, the use is appropriately located at the periphery of a residential area. Adjacent residential uses will be separated by a forested buffer and a public roadway to the south.

There is no evidence that the proposed use will conflict with an existing or programmed public facility, public service, school, or road. The administrative site plan demonstrates the applicant's ability to comply with the requirements of the Landscape Manual.

The applicant is to present sufficient evidence of public need for the use.

*Variance*

This Office finds the subject property which was originally platted as 5.0 acres in 1986 was reduced in size in 2002 due to a State roadway widening project on Edwin Raynor Boulevard. This road dedication is an exceptional circumstance which creates a practical difficulty in complying with the Code. There is no opportunity to provide additional lands and as such the requested variance to the minimum lot area for the Assisted Living Facility is the minimum necessary to afford relief. There is no evidence that the variance for reduced lot area will alter the essential character of the neighborhood, impair the appropriate use or development of adjacent lands or be detrimental to the public welfare.

**Agency Comments:**

The **Department of Health** advised the property is served by public water and sewer facilities and the Department has no objection to the request.

The **Long Range Planning Division** of the Office of Planning and Zoning advised the Plan2040 General Development Plan Land Use Map designates the site as Residential Low-Medium Density. The surrounding properties are designated as Commercial along Mountain Road and Residential Low and Residential Low-Medium in the surrounding neighborhoods. The site is within the Neighborhood Preservation Development Policy Area and is also located within the Priority Funding Area. The Plan2040 GDP does not have recommendations that are specific to this site, and this proposal is generally consistent with the Plan2040 GDP goals, policies and recommendations.

The site is in the Existing Sewer Service category in the Cox Creek Sewer Service Area and the Existing Water Service category in the Glen Burnie Low 220 Water Pressure Zone. The proposal is consistent with the 2017 Water and Sewer Master Plan.

The **Development Division** of the Office of Planning and Zoning did not object to the applications but did advise that the property is a platted "Reserve Parcel" shown on the Deerfield Plat and must go through the subdivision process to become a lot. The Division also indicated that the project is subject to addressing the Forest Conservation requirements. The proposed development is not providing reforestation onsite as required. The proposed Forest Conservation Area located inside the drive aisle and parking area does not meet the minimum requirements. The development will be subject to addressing the requirements for Preliminary Plan and Site Development process. The Administrative Site Plan does demonstrate that the landscape requirements can be met.

The **Engineering Division** of the Department of Inspection and Permits had no objection to the application provided their comments on the Preliminary Site Development Plan are appropriately addressed.

The **Maryland State Highway Administration (SHA)** had no objection to the Preliminary Site Development Plan.

The **Department of Recreation and Parks** advised that the proposed development will not impact any Anne Arundel County greenways, parks, and trails.

### **RECOMMENDATION**

With regard to the standards by which a variance and special exception may be granted as set forth under the County Zoning Ordinance in Sections 18-16-304. and 18-16-305., the Office of Planning and Zoning recommends the following apply to the subject property:

- 1) That a variance of .11 acres to the minimum lot area requirement of 5.0 acres to allow an Assisted Living Facility on a lot of 4.89 acres be **approved**,
- 2) That a special exception to modify the Planned Unit Development known as Deerfield by removing Reserve Parcel 656 from the approved plan be **approved** and,
- 3) That a special exception to allow an Assisted Living Facility with 140 assisted care units

be ***approved*** as generally shown on the attached site plan subject to the applicant providing satisfactory evidence of need for the use.

DISCLAIMER: This recommendation does not constitute a building permit. In order for the applicant(s) to construct the structure(s) as proposed, the applicant(s) shall apply for and obtain the necessary building permits, and obtain any other approvals required to perform the work described herein. This includes but is not limited to verifying the legal status of the lot, resolving adequacy of public facilities, and demonstrating compliance with environmental site design criteria.

For Office Use Only

CASE # 2021-0094-S  
FEE PAID 1305.00  
DATE 05 13 2021



For Office Use Only

ZONE R5  
CRITICAL AREA: IDA    LDA    RCA     
BMA: Yes    No     
NO. OF SIGNS 3

**SPECIAL EXCEPTION APPLICATION**

NOTE: This form can be downloaded to your computer and filled out utilizing Adobe Reader (or similar product). It can also be printed and filled out by hand.

Applicant(s): Monarch Development Company JV LLC

(Applicant must have a financial, contractual, or proprietary interest in the property)

Property Address: Mountain Road, Pasadena, MD 21122

Property Location: 329+/- feet of frontage on the ( S ) side of Mountain Road ;  
(Enter Street Name)

0 feet ( E ) of (Nearest intersecting street) Edwin Raynor Boulevard ;  
(Enter Street Name)

12-digit Tax Account Number 03-226-90047351 Tax District ( 3 ) Council District ( 3 )

Waterfront Lot: Y  N  Corner Lot: Y  N  Deed Title Reference 7079/609

Zoning District R5 Lot #    Tax Map 17 Block/Grid 21 Parcel 656 Reserve

Area 4.89 ( Acres ) Subdivision Name Deerfield

Description of Special Exception Requested (Brief, detail fully in letter of explanation)

Removal of Reserved Parcel 656 from the Deerfield PUD

The applicant hereby certifies that he or she has a financial, contractual, or proprietary interest equal to or in excess of 10 percent of the property; that he or she is authorized to make this application; that the information shown on this application is correct; and that he or she will comply with all applicable regulations of Anne Arundel County, Maryland.

Applicant's Signature [Signature] Owner's Signature   

Charles M. Reeder, Trustee and Individually,

Print Name Monarch Development Company JV LLC Print Name John H. Reeder, Co-Trustee and Individually

Mailing Address 1359 Hooksett Rd Mailing Address 4701 Latona Avenue (Charles M. Reeder)

City, State, Zip Hooksett, NH 03106 City, State, Zip North East Seattle, WA 98105

216 W. Brandon Rd. (John H. Reeder)  
Columbia, MO 65203

Work Phone 301-803-0618

Home Phone    Home Phone 573-442-6086

Cell Phone Andrew Teeters Cell Phone   

Email Address ateeters@monarchcommunities.com Email Address mreeder@centurylink.net

\*\*\* Below For Office Use Only \*\*\*

Application accepted by Anne Arundel County Office of Planning and Zoning: [Signature] 05 13 2021

Initials Date

Special Exception to request allow modification of a previously approved  
special exception to remove approx. 4.89 acres from a PUD.  
Planned Unit Development.

For Office Use Only

CASE # 2021-0095-S  
FEE PAID \$1305.00  
DATE 05 13 2021



For Office Use Only

ZONE R5  
CRITICAL AREA: IDA    LDA    RCA     
BMA: Yes    No     
NO. OF SIGNS 3

**SPECIAL EXCEPTION APPLICATION**

NOTE: This form can be downloaded to your computer and filled out utilizing Adobe Reader (or similar product). It can also be printed and filled out by hand.

Applicant(s): Monarch Development Company JV LLC

(Applicant must have a financial, contractual, or proprietary interest in the property)

Property Address: Mountain Road, Pasadena, MD 21122

Property Location: 329+/- feet of frontage on the ( S ) side of Mountain Road ;  
(Enter Street Name)  
0 feet ( E ) of (Nearest intersecting street) Edwin Raynor Boulevard ;  
(Enter Street Name)

12-digit Tax Account Number 03-226-90047351 Tax District ( 3 ) Council District ( 3 )

Waterfront Lot: Y  N  Corner Lot: Y  N  Deed Title Reference 7079/609

Zoning District R5 Lot #    Tax Map 17 Block/Grid 21 Parcel 656 Reserve

Area 4.89 ( Acres ) Subdivision Name Deerfield

Description of Special Exception Requested (Brief, detail fully in letter of explanation)

Allow an Assisted Living Facility in the R5 zone.

The applicant hereby certifies that he or she has a financial, contractual, or proprietary interest equal to or in excess of 10 percent of the property; that he or she is authorized to make this application; that the information shown on this application is correct; and that he or she will comply with all applicable regulations of Anne Arundel County, Maryland.

Applicant's Signature [Signature] Owner's Signature     
Charles M. Reeder, Trustee and Individually,

Print Name Monarch Development Company JV LLC Print Name John H. Reeder, Co-Trustee and Individually

Mailing Address 1359 Hooksett Rd Mailing Address 4701 Latona Avenue (Charles M. Reeder)

City, State, Zip Hooksett, NH 03106 City, State, Zip North East Seattle, WA 98105  
216 W. Brandon Rd. (John H. Reeder)  
Columbia, MO 65203

Work Phone 301-803-0618 Home Phone 573-442-6086

Home Phone    Cell Phone   

Cell Phone Andrew Teeters Email Address ateeters@monarchcommunities.com Email Address mreeder@centurylink.net

\*\*\* Below For Office Use Only \*\*\*

Application accepted by Anne Arundel County Office of Planning and Zoning:    JK 05 13 2021  
Initials Date

Special Exception to allow an Assisted Living Facility  
(140 assisted care units) in a R5-Residential  
District

For Office Use Only

CASE # 2021-0096-V  
FEE PAID \$ 585.00  
DATE 05 13 2021



For Office Use Only

ZONE RS  
CRITICAL AREA: IDA      LDA      RCA       
BMA: Yes      No       
NO. OF SIGNS 3

VARIANCE APPLICATION

NOTE: This form can be downloaded to your computer and filled out utilizing Adobe Reader (or similar product). It can also be printed and filled out by hand.

Applicant(s): Monarch Development Company JV LLC  
(Applicant must have a financial, contractual, or proprietary interest in the property)

Property Address: Mountain Road, Pasadena, MD 21122

Property Location: 329+/- feet of frontage on the ( S ) side of Mountain Road ;  
(Enter Street Name)  
0 feet ( E ) of (Nearest intersecting street) Edwin Raynor Boulevard ;  
(Enter Street Name)

12-digit Tax Account Number 03-226-90047351 Tax District ( 3 ) Council District ( 3 )

Waterfront Lot: Y  N  Corner Lot: Y  N  Deed Title Reference 7079/609

Zoning District R5 Lot #      Tax Map 17 Block/Grid 21 Parcel 656 Reserve

Area 4.89 ( Acres ) Subdivision Name Deerfield

Description of Proposed Project and Variance Requested (Brief, detail fully in letter of explanation)

Variance to the required lot size for a proposed Assisted Living Facility.

The applicant hereby certifies that he or she has a financial, contractual, or proprietary interest in the property; that he or she is authorized to make this application; that the information shown on this application is correct; and that he or she will comply with all applicable regulations of Anne Arundel County, Maryland.

Applicant's Signature [Signature] Owner's Signature Charles M. Reeder, Trustee and Individually

Print Name Monarch Development Company JV LLC Print Name John H. Reeder, Co-Trustee and Individually

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Work Phone 301-803-0618 Work Phone 216 W. Brandon Rd. (John H. Reeder) Columbia, MO 65203

Home Phone      Home Phone 573-442-6086

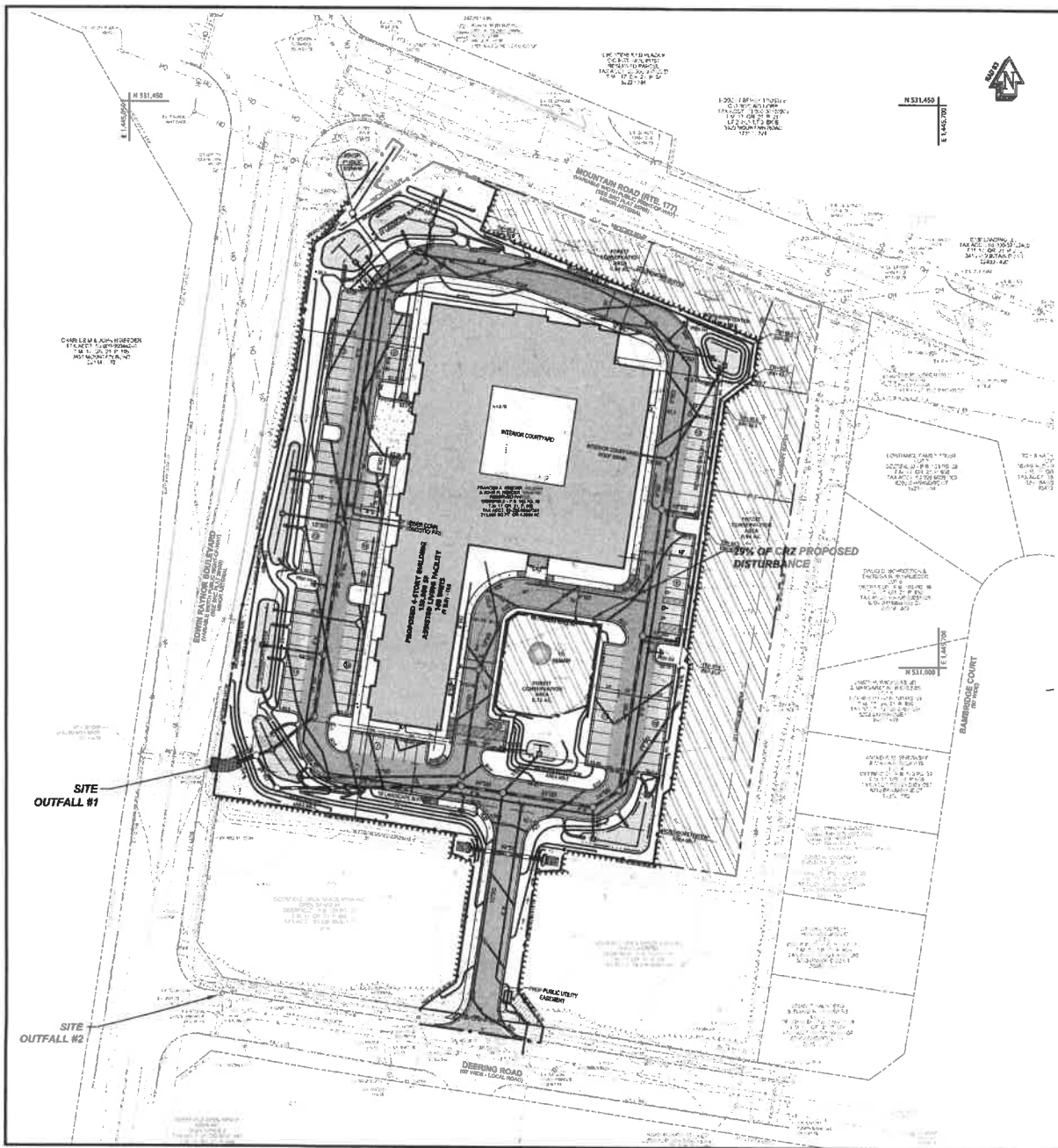
Cell Phone Andrew Teeters Cell Phone     

Email Address ateeters@monarchcommunities.com Email Address mreeder@centurylink.net

\*\*\* Below For Office Use Only \*\*\*

Application accepted by Anne Arundel County Office of Planning and Zoning: [Signature] 05 13 2021  
Initials Date

Variance to allow an assisted living facility (140 assisted care units) with less lot area than required



### PROJECT ZONING SUMMARY

PROPOSED USE: ASSISTED LIVING  
 BASED ON RS ZONING (18-4-701) & FOR SPECIAL EXCEPTION USES (18-11-104)

DESCRIPTION	REQUIRED	PROPOSED
LOT SIZE ...	5 ACRES MIN	213,006 S.F. OR 4.882 ACRES
OPEN AREA ...	65% (127,858 S.F.)	63.9% (136,841 S.F. (RSDV) (PARK))
RECREATIONAL AREA ...	10% OF OPEN AREA (12,786 S.F.)	>10%
MINIMUM BUILDING SETBACKS ALL LOT LINES ...	7' (30' = 2'10" EXCESS HEIGHT ABOVE 38')	>7'
MAXIMUM NET DENSITY FOR INDEPENDENT DWELLING UNITS	8 DU/NET ACRE = 47	N/A
SITE PERIMETER BUFFERS EDWIN RAYNOR BLVD (RWY #42) ...	25'	25'
W/17 (RWY #45) ...	25'	25'
EAST BOUNDARY ...	15'	>15'
SOUTH BOUNDARY ...	15'	>15'
MAXIMUM HEIGHT	45' (30' = 10' IF ALL SETBACKS ARE INCREASED BY TWO FEET FOR EACH FOOT OF EXCESS HEIGHT)	45'
PUBLIC BEVER	YES	PROVIDED
PARKING (SEE TABULATIONS BELOW)		
STANDARD PARKING ...	68	113 SPACES (106 STD & 6 HD) (2 VAN ACCESSIBLE)
HANDICAP PARKING ...	6 (1 VAN ACCESSIBLE)	

\* VARIANCE REQUIRED TO LOT SIZE PER 18-11-104(1)

### PARKING TABULATION

ASSISTED LIVING FACILITY (140 ASSISTED CARE UNITS)

REQUIRED PARKING =	(1 SPACE + NO. OF ADULT INDEPENDENT DWELLING UNITS) + (1 SPACE + NO. OF EMPLOYEES PER MAJOR SHIFT) + (2 SPACES + NO. OF ADULT DWELLING UNITS / 15 UNITS FOR VISITOR PARKING) (1 SP + 1 ADULT INDEPENDENT) + (1 SP + 140 UNITS / 10 UNITS) = 68 SPACES
PROVIDED PARKING =	113 SPACES (106 REGULAR, 6 HANDICAP (2 VAN))

### IMPERVIOUS AREA BREAKDOWN

EXISTING IMPERVIOUS	PROPOSED IMPERVIOUS
EX. PAVING: 0 S.F.	PROP. BUILDINGS: 37,850 S.F.
	PROP. PAVING: 63,243 S.F.
	PROP. SIDEWALKS: 15,685 S.F.
TOTAL EX. IMPERVIOUS: 0 S.F.	TOTAL PROP. IMPERVIOUS: 116,778 S.F.

### IMPERVIOUS COVERAGE NOTE

TOTAL SITE AREA = 213,006 SQ. FT. OR 4.882 ACRES ±  
 TOTAL ON SITE ACREAGE HYDROLOGIC SOIL GROUP 'A' = 40,458 SQ. FT. OR 0.93 ACRES ±  
 TOTAL ON SITE ACREAGE HYDROLOGIC SOIL GROUP 'C' = 172,858 SQ. FT. OR 3.96 ACRES ±  
 LIMIT OF DISTURBANCE = 177,585 SQ. FT. OR 4.07 ACRES ±  
 EXISTING IMPERVIOUS AREA (WITHIN SITE AREA) = 0 SQ. FT. OR 0.00 ACRES ±  
 EXISTING IMPERVIOUS AREA RATIO = 0.0%  
 PROPOSED IMPERVIOUS AREA (WITHIN SITE AREA) = 100,973 SQ. FT. OR 2.32 ACRES ±  
 PROPOSED IMPERVIOUS AREA RATIO = 39.4%  
 NOTE: ALL ON-SITE SOILS ARE OF H5G 'A' AND 'C' SOILS. NO SOILS OF H5G 'B' OR 'D' EXIST ON-SITE

### STORMWATER MANAGEMENT NOTE

STORMWATER MANAGEMENT IS TO BE PROVIDED FOR THE MONARCH PASADENA DEVELOPMENT IN ACCORDANCE WITH STATE AND COUNTY STORMWATER MANAGEMENT REGULATIONS AS FOLLOWS:

ESD VOLUME REQUIREMENTS ARE BASED ON THE SITE AREA, PROPOSED IMPERVIOUS AREA, AND H5G CLASSIFICATION AT THE SITE. THESE REQUIREMENTS ARE MET THROUGH THE USE OF MICRO-BIORETENTION AREAS AND ENHANCED FILTERS LOCATED THROUGHOUT THE SITE. PRELIMINARY ESD VOLUME COMPUTATIONS ARE SHOWN BELOW.

TOTAL SITE AREA =	4.88 ACRES
EXISTING IMPERVIOUS AREA WITHIN LOD =	0.00 ACRES
POST-DEVELOPMENT IMPERVIOUS AREA WITHIN LOD =	2.32 ACRES
TARGET P <sub>10</sub> FOR DEVELOPMENT =	1.26 INCHES
ESDV REQUIRED =	15,241 CF
TOTAL ESDV PROVIDED =	15,860 CF
P <sub>10</sub> TO BE TREATED =	10.950 CF

CHANNEL PROTECTION VOLUME REQUIREMENTS ARE SATISFIED GIVEN THAT ALL ESD VOLUME REQUIREMENTS ARE ADDRESSED THROUGH THE USE OF ESD PRACTICES.

OVERBANK FLOOD PROTECTION VOLUME OVERBANK FLOOD PROTECTION MUST BE ADDRESSED FOR BOTH SITE OUTFALLS. SITE OUTFALL #1 IS THE PRIMARY OUTFALL FOR THE DEVELOPMENT. OVERBANK FLOOD PROTECTION WILL BE PROVIDED THROUGH INCREASED STORAGE VOLUME PROVIDED IN PROPOSED ESD PRACTICES TO REDUCE THE POST-DEVELOPMENT 10-YEAR FLOW RATE. AN ANALYSIS ON THE RECEIVING CULVERT WILL ALSO BE PERFORMED TO SHOW ADEQUATE CAPACITY.

AT SITE OUTFALL #2, OVERBANK FLOOD PROTECTION IS NOT REQUIRED. THE POST-DEVELOPMENT 10-YEAR FLOW RATE IS LESS THAN EXISTING AS A RESULT OF THE REDUCTION IN THE OVERALL DRAINAGE AREA TO THIS SITE OUTFALL.

### PLAN NOTES

- ALL DIMENSIONS ARE TO FACE OF CURB.
- ALL CURB RADI ARE # UNLESS OTHERWISE NOTED.
- SEE SHEET 1 FOR SITE LEGEND.
- SPOT ELEVATIONS ARE PAVEMENT ELEVATIONS UNLESS OTHERWISE NOTED.

<b>Bay Engineering Inc.</b> Engineers, Architects and Surveyors 11000 RIVER ROAD, SUITE 210 ANNAPOLIS, MARYLAND 21403 TEL: 410.297.8900 WWW.BAYENGINEERING.COM	Date: 7/17/22 Drawn/Revised: [Blank] License No.: [Blank]
Date: MAY 2021 Job Number: 18-037 Scale: 1"=40' Drawn By: TLO Approved By: TLO Father Reference: READER TRACK	ADMINISTRATIVE SITE PLAN SPECIAL EXCEPTION / VARIANCE ADMINISTRATIVE PLAN FOR <b>MONARCH PASADENA</b> 2794-2806 RD MOUNTAIN ROAD (SITE 177) AND EDWIN RAYNOR BOULEVARD PLOT 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 THIRD DISTRICT ANNE ARMEL COUNTY RE ZONE
Sheet No.	3 OF 6

F:18-037 Royal Farms, Edwin Raynor and Mountain Road Pasadena Drawing Phase/Special Exception - Variance-03.dwg





# Existing Conditions



## Legend

- Foundation
- Parcels
  - Parcels
  - City of Annapolis Parcels

none



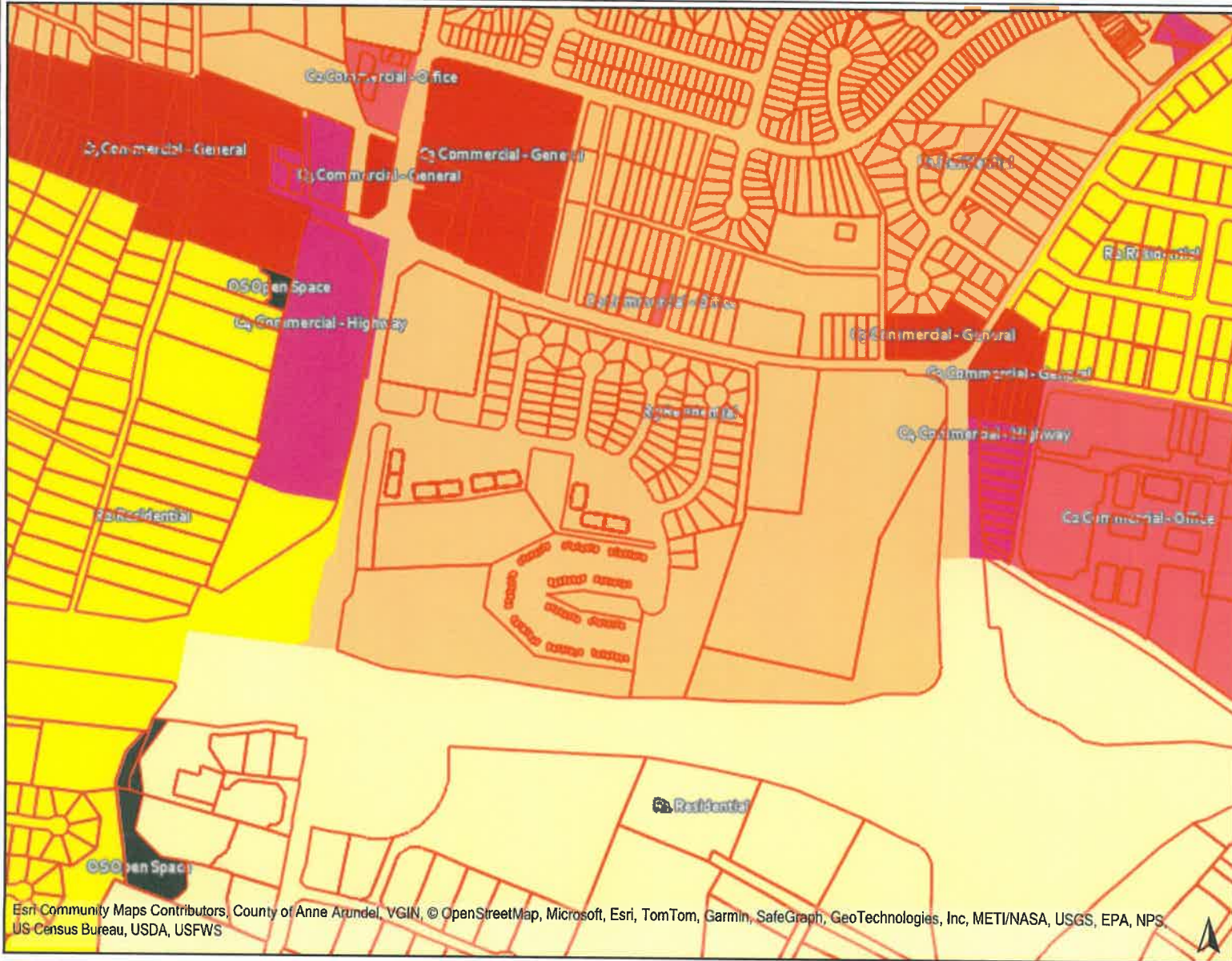
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Notes



# Zoning



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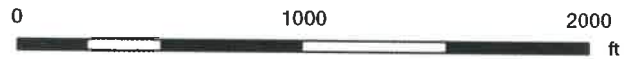
## Legend

- Foundation  
Parcels
- City of Annapolis Parcels
  - City of Annapolis
- Planning - Zoning
- C1 Commercial - Local
  - C2 Commercial - Office
  - C3 Commercial - General
  - C4 Commercial - Highway
  - City of Annapolis
  - MA1 Community Marina
  - MA1-B Neighborhood Marina
  - MA2 Light Commercial Marina
  - MA3 Yacht Club
  - MR General

## Notes

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



Mark J. Pardo, Surveyor
PROFESSIONAL LAND SURVEYOR #21959
EXPIRATION/RENEWAL DATE:
DECEMBER 17, 2025
ATWELL, LLC
2881 RIVA ROAD, BUILDING 600
ANNAPOLIS, MD 21401
PHONE: 410-897-8290



NOTICE TO TITLE EXAMINERS

THIS PLAT HAS BEEN APPROVED FOR RECORDING ONLY AND SHALL BECOME NULL AND VOID UNLESS A PUBLIC WORKS AGREEMENT HAS BEEN EXECUTED AND DELIVERED SIMULTANEOUSLY WITH THE APPROVAL OF THIS PLAT OR NO LATER THAN TWELVE MONTHS AFTER THE PLAT HAS BEEN RECORDED.

DEDICATION BY OWNERS

THE UNDERSIGNED, BEING ALL OWNERS OF THE PROPERTY SHOWN AND DESCRIBED ON THIS RECORD PLAT, WITH THE EXCEPTION OF LIENHOLDERS, ADOPTEE(S) THIS RECORD PLAT; ESTABLISH(ES) THE BUILDING RESTRICTION LINES AND DEDICATE(S) ALL PUBLIC ROADS, WIDENING STRIPS, FLOOD PLAINS, EASEMENTS, AND RIGHTS-OF-WAY TO PUBLIC USE, SUCH LANDS BEING DEEDED TO ANNE ARUNDEL COUNTY, MARYLAND OR TO THE STATE, AS MAY BE APPROPRIATE, PRIOR TO OR CONTEMPORANEOUS WITH THE RECORDATION OF THIS PLAT.

TO THE BEST OF MY/OUR KNOWLEDGE, INFORMATION, AND BELIEF, THE REQUIREMENTS OF THE REAL PROPERTY ARTICLE, § 3-108, OF THE STATE CODE, CONCERNING THE MAKING OF PLATS AND SETTING OF MARKERS, HAVE BEEN SATISFIED. THERE ARE NO SUITS, ACTIONS AT LAW, LEASES, LIENS, MORTGAGES, TRUSTS, EASEMENTS, OR RIGHTS-OF-WAY AFFECTING THE PROPERTY INCLUDED IN THIS RECORD PLAT OTHER THAN THE FOLLOWING: DEED OF EASEMENT DATED JUNE 26, 2024 at L. 40551, F. 505. RIGHT OF WAY EASEMENT # AAT, DATED JUNE 19, 1963 at L. 1605, F. 222.

ALL OWNERS OF THE PROPERTY, WITH THE EXCEPTION OF LIENHOLDERS, HAVE AFFIXED THEIR SIGNATURES AND SEALS ON THIS RECORD PLAT.

WE ASSENT TO AND DO HEREBY JOIN IN THIS RECORD PLAT.

PROPERTY OWNER:

Candace A. Davis 11/21/24 Charles M. Reeder 11/21/24
WITNESS DATE CHARLES M. REEDER

J. Maloy 11/20/24 John H. Reeder
WITNESS DATE JOHN H. REEDER

Candace A. Davis 11/21/24 Charles M. Reeder TTEE
WITNESS DATE CHARLES M. REEDER, CO-TRUSTEE OF THE CHARLES C. REEDER MARYLAND TRUST UNDER WILL FOR THE BENEFIT OF ANNE R. BARKER

J. Maloy 11/26/24 John H. Reeder, Co TTEE
WITNESS DATE JOHN H. REEDER, CO-TRUSTEE OF THE CHARLES C. REEDER MARYLAND TRUST UNDER WILL FOR THE BENEFIT OF ANNE R. BARKER

VARIANCE NOTE
A VARIANCE OF 0.11 ACRES TO THE 5-ACRE MINIMUM LOT AREA REQUIREMENT OF ARTICLE 18-11-104 TO ALLOW THE APPLICANT TO CONSTRUCT A FOUR-STORY ASSISTED LIVING FACILITY CONTAINING 140 ASSISTED CARE UNITS AND 112 SURFACE PARKING SPACES WAS GRANTED BY THE OFFICE OF ADMINISTRATIVE HEARINGS ON NOVEMBER 30, 2021 IN CASE NUMBER 2021-0026-V.

BICYCLE, PEDESTRIAN, AND TRANSIT ASSESSMENT (BPTA) NOTE
IN ACCORDANCE WITH ARTICLE 17, SECTION 6-113, A BPTA WAS APPROVED BY THE OFFICE OF PLANNING AND ZONING ON JANUARY 8, 2024 AND THE FOLLOWING IMPROVEMENTS SHOWN ON THE SITE DEVELOPMENT PLANS TO INCLUDE A 600 FOOT OF FIVE FOOT WIDE CONCRETE SIDEWALK FROM DEERING ROAD TO 177 AND (1) ADA COMPLIANT RAMP ARE INTENDED TO MEET THE REQUIREMENTS FOR A BPTA IMPROVEMENT ABOVE AND BEYOND ANY OTHER SITE DESIGN REQUIREMENTS OF THE CODE.

SPECIAL EXCEPTION NOTE
A SPECIAL EXCEPTION TO REMOVE PARCEL 658 FROM THE PREVIOUSLY APPROVED DEERFIELD GRANNED UNIT DEVELOPMENT (PUD) GRANTED IN CASE NO. 1965-0384-S WAS GRANTED BY THE OFFICE OF ADMINISTRATIVE HEARINGS ON NOVEMBER 30, 2021 IN CASE NUMBER 2021-0024-S.

A SPECIAL EXCEPTION PURSUANT TO ARTICLE 18-11-104 TO ALLOW THE APPLICANT TO CONSTRUCT A FOUR-STORY ASSISTED LIVING FACILITY CONTAINING 140 ASSISTED CARE UNITS AND 112 SURFACE PARKING SPACES AROUND THE PERIMETER OF THE BUILDING WAS GRANTED BY THE OFFICE OF ADMINISTRATIVE HEARINGS ON NOVEMBER 30, 2021 IN CASE NUMBER 2021-0026-S.

FOREST CONSERVATION EASEMENT
THE NEW FOREST CONSERVATION EASEMENT IS SHOWN THUSLY ON THESE PLATS, PER THE REQUIREMENTS OF THE COUNTY TREE BILT, ARTICLE 17, TITLE 3 OF THE ANNE ARUNDEL COUNTY CODE WITH A DEED OF EASEMENT AGREEMENT (NEW FOREST CONSERVATION EASEMENT) DATED 11/26/24 RECORDED AMONG THE RECORDS OF THE COUNTY OF MARYLAND IN LIBERTY, FOLIO 2024 THERE SHALL BE NO CLEARING, TRIMMING, DUMPING, STORAGE, OR STRUCTURE WITHIN THE NEW FOREST CONSERVATION EASEMENT AREA EXCEPT IN ACCORDANCE WITH THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS.

Table with 2 columns: ZONE, NET TRACT AREA, AFFORESTATION THRESHOLD, CONSERVATION THRESHOLD, EXISTING FOREST COVER, AREA ABOVE CONSERVATION THRESHOLD, TOTAL FOREST TO BE CLEARED, REFORESTATION REQUIRED, REFORESTATION PROVIDED, SPECIMEN TREE MITIGATION (REQUIRED), TOTAL PLANTING REQUIRED.

REFORESTATION IN THE AMOUNT OF 1.30 ACRES OR 82,272 SQUARE FEET TO MEET THE FOREST CONSERVATION REQUIREMENTS WILL BE MET AT THE TWO RIVERS FOREST BANK

MODIFICATION NOTES

- MODIFICATION #16316 - A REQUEST FOR A TIME EXTENSION PER ANNE ARUNDEL COUNTY CODE SECTION 17-2-109 WAS GRANTED BY THE ANNE ARUNDEL COUNTY PLANNING AND ZONING OFFICER IN A LETTER DATED AUGUST 25, 2022.
NEW PRELIMINARY PLAN RESUBMITTAL DEADLINE IS FEBRUARY 7, 2021
MODIFICATION #16481 - A REQUEST FOR A TIME EXTENSION PER ANNE ARUNDEL COUNTY CODE SECTION 17-2-109 WAS GRANTED BY THE ANNE ARUNDEL COUNTY PLANNING AND ZONING OFFICER IN A LETTER DATED MARCH 2, 2021
NEW PRELIMINARY PLAN RESUBMITTAL DEADLINE IS AUGUST 6, 2021
MODIFICATION #16612 - A REQUEST FOR A TIME EXTENSION PER ANNE ARUNDEL COUNTY CODE SECTION 17-2-109 WAS GRANTED BY THE ANNE ARUNDEL COUNTY PLANNING AND ZONING OFFICER IN A LETTER DATED SEPTEMBER 15, 2021
NEW SUBMITTAL DATE IS WITHIN 90 DAYS OF THE DECISION RENDERED IN THE SPECIAL EXCEPTION AND VARIANCE HEARINGS
MODIFICATION #16786 - A REQUEST FOR A TIME EXTENSION PER ANNE ARUNDEL COUNTY CODE SECTION 17-2-109 WAS GRANTED BY THE ANNE ARUNDEL COUNTY PLANNING AND ZONING OFFICER IN A LETTER DATED FEBRUARY 23, 2022
NEW PRELIMINARY PLAN RESUBMITTAL DEADLINE IS MAY 30, 2022
MODIFICATION #16995 - A REQUEST TO ALLOW AN AMENDED SUBDIVISION PLAT PROCESS TO CONVERT A RESERVE PARCEL TO A BUILDABLE LOT TO ANNE ARUNDEL COUNTY SECTION 17-3-01(A) WAS GRANTED BY THE ANNE ARUNDEL COUNTY PLANNING AND ZONING OFFICER IN A LETTER DATED JULY 8, 2022, SUBJECT TO THE FOLLOWING CONDITIONS:
THE SITE DEVELOPMENT PLAN APPLICATION (CURRENTLY MONARCH PASADENA C2019-0266-00-P) MUST BE APPROVED PRIOR TO RECORDATION OF THE PLAT. THE RECORD PLAT WILL BECOME NULL AND VOID SHOULD THE SITE DEVELOPMENT PLAN AND/OR GRADING APPLICATIONS BECOME VOID OR ARE WITHDRAWN.
MODIFICATION #17143 - A REQUEST TO MODIFY THE PROVISIONS OF THE LANDSCAPE MANUAL REQUIRING A 15' WIDE CLASS 'A' BUFFER TO BOTH SIDES OF THE ENTRANCE DRIVE PER ANNE ARUNDEL COUNTY CODE SECTION ARTICLE 17, SECTION 6-201 WAS GRANTED BY THE ANNE ARUNDEL COUNTY PLANNING AND ZONING OFFICER IN A LETTER DATED APRIL 3, 2024 SUBJECT TO THE FOLLOWING CONDITIONS:
1. PROVIDE THE REQUIRED PLANTINGS WITHIN THE CLASS 'A' REDUCED LANDSCAPE BUFFER WIDTH AREA, AND/OR
2. MITIGATION THAT IS APPROVABLE BY THE OFFICE OF PLANNING AND ZONING
MODIFICATION #17408 - A REQUEST FOR A MODIFICATION TO ARTICLE 17, SECTION 6-303 (b)(9) OF THE ANNE ARUNDEL COUNTY CODE TO ALLOW FOR THE REMOVAL OF ONE SPECIMEN TREE, APPROVED BY THE OFFICE OF PLANNING AND ZONING DIRECTOR IN A LETTER DATED APRIL 17, 2024, SUBJECT TO THE FOLLOWING CONDITIONS:
A. ONSITE REPLANTING SHALL BE COMPLETED CONSISTING OF NATIVE TREES EQUAL TO 27.2 SQUARE FEET FOR EACH INCH OF DIAMETER AT BREAST HEIGHT, (SPECIMEN TREE DBH REMOVED x 217.9 FEET/DIAM REMOVED)
B. OFFSITE REPLANTING SHALL BE COMPLETED CONSISTING OF NATIVE TREES EQUAL TO 436.8 SQUARE FEET FOR EACH INCH OF DIAMETER AT BREAST HEIGHT, (SPECIMEN TREE DBH REMOVED x 436.8 FEET/DIAM REMOVED), OR
C. ALTERNATIVE MITIGATION APPROVABLE BY THE OFFICE OF PLANNING AND ZONING.

ALLOCATION NOTE

THIS SUBDIVISION PLAT IS SUBJECT TO THE REQUIREMENTS OF ARTICLE 13, TITLE 5 OF THE ANNE ARUNDEL COUNTY CODE AS IT RELATES TO THE ALLOCATION OF WATER AND WASTEWATER CAPACITY. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS LAW MAY CAUSE THIS SUBDIVISION PLAT TO BECOME VOID OR CAUSE THE PROPERTIES SHOWN HEREON TO BE SUBJECT TO A LIEN FOR UNPAID CHARGES.

FIRE DEPARTMENT NOTE

A 'FIRE SAFETY EXHIBIT' SHALL BE SENT TO THE FIRE MARSHALS OFFICE FOR REVIEW. THE PLAN SHALL DELINEATE THE LOCATION OF ALL PROPOSED NO PARKING SIGNAGE AND ASPHALT PAVEMENT MARKINGS.

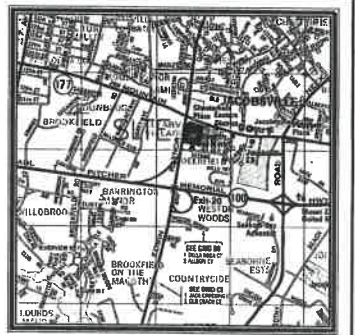
'NO PARKING' WILL BE REQUIRED BY THE FIRE DEPARTMENT AS DEEMED NECESSARY FOR ADEQUATE ACCESS AND OPERATIONAL REQUIREMENTS. ROADWAYS MUST PROVIDE 24 FEET AND FIRE LANES MUST PROVIDE 20 FEET OF WIDTH, FREE OF ANY OBSTRUCTIONS, INCLUDING PARKED VEHICLES. ALL CURBS NOT PLANNED AND PREVIOUSLY MARKED AS PARKING SPOTS MUST BE MARKED 'NO PARKING FIRE LANE' WITH THE CURB MARKINGS AND SIGNS SHOWN IN ACCORDANCE WITH THE FIRE MARSHAL DETAILS. THE DEVELOPER IS RESPONSIBLE TO ENSURE PROPER INSTALLATION. THESE NOTATIONS MUST BE MARKED ON ANY PERMIT PLAN. ONE SIDED PARKING IS ONLY PERMITTED IF THE ROADWAY IS AT LEAST 20' IN WIDTH.

STORMWATER MANAGEMENT NOTE

THE DEVELOPER AND/OR PERMIT APPLICANT SHALL BE RESPONSIBLE FOR THE FINAL STORMWATER MANAGEMENT DESIGN PER STORMWATER MANAGEMENT ARTICLE 18 AND THE EXECUTION OF A PRIVATE MAINTENANCE AGREEMENT PRIOR TO THE APPROVAL OF ANY GRADING OR BUILDING PERMITS FOR ANY PROPOSED CONSTRUCTION. THIS PLAT WAS REVIEWED UNDER THE 2010 REGULATIONS FOR STORMWATER MANAGEMENT. STORMWATER MANAGEMENT PRACTICES WILL BE PROVIDED FOR THIS SITE IN ACCORDANCE WITH ARTICLE 18, SECTION 4 AND THE FINAL PLAN ON FILE WITH THE OFFICE OF PLANNING AND ZONING. ESD TO THE MEP WAS ACHIEVED THROUGH THE USE OF EIGHT (8) MICRO-BIORETENTION FACILITIES WITH ENHANCED FILTERS.

DEVELOPMENT PLAN STATEMENT

DEVELOPMENT OF THIS SUBDIVISION SHALL BE UNDERTAKEN ONLY IN ACCORDANCE WITH THE APPROVED FINAL DEVELOPMENT PLAN ON FILE IN THE OFFICE OF PLANNING AND ZONING. ALL EXISTING FOREST, WOODS, AND TREES ARE TO BE RETAINED AS SHOWN ON THE FINAL DEVELOPMENT PLAN.



VICINITY MAP
SCALE: 1" = 200'
© ADD THE MAP PEOPLE PERMITTED USE NO. 03031203

GENERAL NOTES

- 1. THE PURPOSE OF THIS AMENDED PLAT IS AS FOLLOWS:
A. TO LEGALIZE A PLANNED RESERVE PARCEL.
B. CREATE A PUBLIC UTILITY EASEMENT.
C. RIGHT-OF-WAY DEDICATION ALONG EDWIN RAYNOR BOULEVARD.
D. CREATE A FOREST CONSERVATION EASEMENT AND LANDSCAPE EASEMENT.
2. THE PROPERTY SHOWN HEREON LIES IN FLOOD ZONE X, FLOOD ZONE X 0.2% FLOOD CHANGE AND FLOOD ZONE A, AS DELINEATED ON THE FIRM FLOOD INSURANCE MAP #24000010E DATED OCTOBER 18, 2012 FOR ANNE ARUNDEL COUNTY AND DISTRIBUTED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
3. STREET NAMES AND ADDRESSES NOTED ON THE PLAT REPRESENT OFFICIAL ADDRESS DATA AT THE TIME OF PLAT APPROVAL. THE PLANNING AND ZONING OFFICER MAY CHANGE STREET NAMES AND PROPERTY ADDRESSES TO ENSURE THE PUBLIC HEALTH, SAFETY AND WELFARE, WITHOUT THE NEED FOR AN AMENDED PLAT.
4. THE BOUNDARY LINES, BEARINGS AND DISTANCES AS SHOWN HEREON FOR ALL ADJACENT PARCELS, RIGHTS-OF-WAY, ETC. ARE TAKEN FROM DEED PLOTTING ONLY.
5. SURVEY CONTROL NOTE:
THE COORDINATES, BEARINGS AND ELEVATIONS SHOWN HEREON ARE BASED ON THE FOLLOWING BENCHMARKS AS ESTABLISHED BY REAL TIME KINEMATIC (RTK) OBSERVATIONS UTILIZING THE KEYNETICS NETWORK. THE HORIZONTAL DATUM IS REFERENCED TO MARYLAND STATE PLANE (NAD 83/2011) AND THE VERTICAL DATUM IS REFERENCED TO NAVD 83.

IRON BAR W/ CAP SET AT THE SOUTHEASTERN INTERSECTION OF EDWIN RAYNOR BOULEVARD AND MOUNTAIN ROAD:
N: 531414.1362, E: 1445204.1152, EL: 59.88;
IRON BAR W/ CAP SET ALONG CURB LINE EDWIN RAYNOR BOULEVARD:
N: 531092.4057, E: 1445060.6747, EL: 56.55

AREA TABULATION
LOT #1: 211,171 SQ. FT. OR 4.848 AC.
VARIABLE WIDTH RW DEDICATION: 1,825 SQ. FT. OR 0.044 AC.
GROSS AREA: 213,096 SQ. FT. OR 4.892 AC.
NET DENSITY: 5 DWELLING UNITS/AC.
TOTAL NUMBER OF LOTS: 1
ZONING: RS - RESIDENTIAL DISTRICT

NOTE: \*SETBACKS SHALL BE IN ACCORDANCE WITH THE ZONING CODE AT THE TIME OF BUILDING PERMIT.

PREVIOUSLY RECORDED PLAT NOTE

THIS SITE WAS PREVIOUSLY RECORDED UNDER (SUB.) #1895-204, IN PLAT BOOK 103 PAGES 30-42, AND IS SUBJECT TO ALL PREVIOUS PLAT NOTES, UNLESS NOTED HEREON.

APPROVED: ANNE ARUNDEL COUNTY, MARYLAND
OFFICE OF PLANNING AND ZONING
[Signature] 11/21/25
DATE
PLANNING AND ZONING OFFICER, AND ALSO FOR
DIRECTOR, ENVIRONMENTAL HEALTH
ANNE ARUNDEL COUNTY DEPARTMENT OF HEALTH
(PUBLIC SYSTEMS AVAILABLE)

PLAT 1 OF 2
AMENDED PLAT
RECORDED PARCEL
"DEERFIELD"
PLAT BOOK 103, PAGE 39
SUB. #1895-204 - PROJECT #2022-0020-01-NC
TAX MAP 17 - GRID 21 - P/O PARCEL 658 -
AUGUST, 2024
ZIP CODE: 21122 - DATUM NAD83/2011
3RD ASSESSMENT DISTRICT - A.A. CO. MARYLAND

SURVEYOR'S CERTIFICATE
I CERTIFY THAT THIS RECORD PLAT IS CORRECT; THAT IT IS A SUBDIVISION OF PART OF THE LANDS CONVEYED BY:
FRANCES A. REEDER, JOHN H. REEDER AND BARNETT BANKS TRUST COMPANY, N.A., CO-PERSONAL REPRESENTATIVES OF THE ESTATE OF CHARLES C. REEDER TO FRANCES A. REEDER AND JOHN H. REEDER CO-TRUSTEES OF MARYLAND QTP TRUST A, UNDER THE LAST WILL AND TESTAMENT OF CHARLES C. REEDER MARYLAND QTP TRUST B, UNDER THE LAST WILL AND TESTAMENT OF CHARLES C. REEDER AND MARYLAND RESIDUARY TRUST, UNDER THE LAST WILL AND TESTAMENT OF CHARLES C. REEDER BY DEED DATED JULY 6, 1955 AND RECORDED AMONG THE LAND RECORDS OF ANNE ARUNDEL COUNTY, MARYLAND IN LIBER 7079, FOLIO 609 AND THAT THE REQUIREMENTS OF THE REAL PROPERTY ARTICLE, § 3-108 OF THE STATE CODE, CONCERNING THE MAKING OF PLATS AND SETTING OF MARKERS, HAVE BEEN SATISFIED.

Mark J. Pardo, Surveyor
PROFESSIONAL LAND SURVEYOR #21959
EXPIRATION/RENEWAL DATE: DECEMBER 17, 2025
ATWELL, LLC
2881 RIVA ROAD, BUILDING 600
ANNAPOLIS, MD 21401
PHONE: 410-897-8290



ATWELL
866.850.4200 www.atwell.com
2881 RIVA ROAD, BUILDING 600
ANNAPOLIS, MARYLAND 21401
410-897-8290
T8C@AMANDATWELL.COM

RECORDED IN BOOK PAGE PLAT NO.

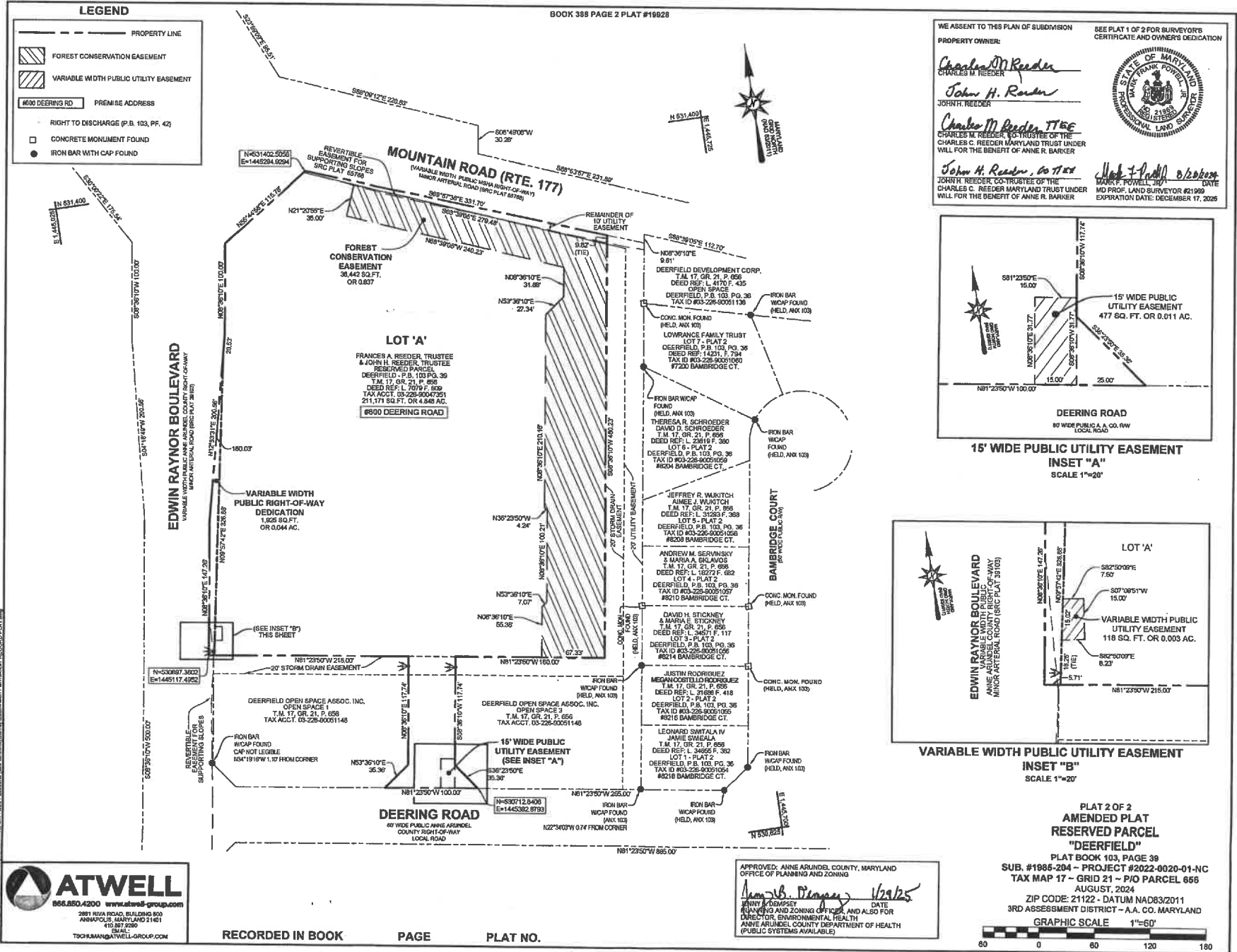
202413

MSA 51235 -10935 -1

ANNE ARUNDEL COUNTY CIRCUIT COURT (Subdivision Plats, AA) Plat: 19927-19928; Plat Book: 388; pp. 1-2; MSA\_51235\_10935; Date available: 2025/02/07; Printed: 11/13/2025.

MSA 51235 -1 P 1-55



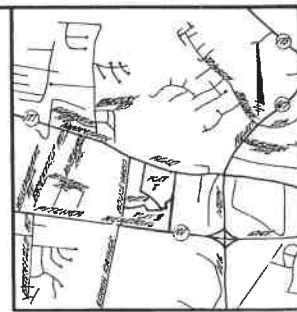


P201414

MSA 51235-10939-2

NOTICE TO TITLE EXAMINERS

1. THIS PLAT HAS BEEN APPROVED FOR RECORDING ONLY AND SHALL BE VOID UNLESS AN INSPECTION AGREEMENT OR A PUBLIC WORKS AGREEMENT HAS BEEN EXECUTED AND RECORDED WITHIN 2 YEARS AFTER THE DATE OF APPROVAL... 2. NO SALE OR CONTRACT OF SALE OF ANY LOT SHOWN HEREIN SHALL BE MADE UNTIL NECESSARY IMPROVEMENTS...



NOTE: THIS PLAT HAS BEEN APPROVED FOR RECORDING SUBJECT TO AGREEMENTS WITH THE BALTIMORE GAS & ELECTRIC CO. FOR INSTALLATION OF A GAS MAIN AND RECORDED UNDER THE LAND RECORDS OF ANNE ARUNDEL CO. NOT IN LIBER 312, FOLIOS 5504 and 603 RESPECTIVELY.

OWNERS DEDICATION: CHARLES C. REEDER, OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREIN, HEREBY DEDICATE TO THE PUBLIC THE RIGHTS OF THE WITHIN BUILDING RESTRICTION LINES, AND DEDICATE THE STREETS AND EASEMENTS AND WIDENING STRIPS TO PUBLIC USE...

Charles C. Reeder 6/27/12 DATE
FRANK J. SMITH, REG. LAND SURVEYOR 7/12/12 DATE
SURVEYORS CERTIFICATE

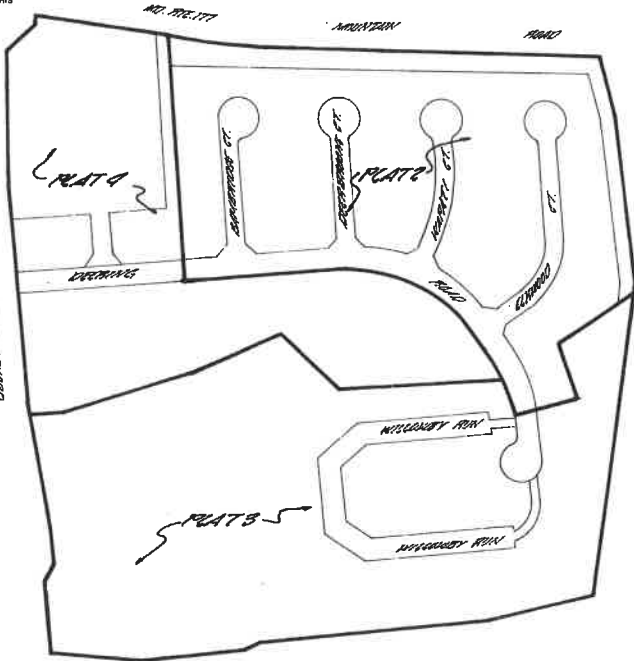
I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS CORRECT, THAT IT IS A SUBDIVISION OF PART OF THE LAND CONVEYED BY ANNE LEVINSON, ROBERT S. (DA) LEVINSON, ADA & HELENA COFF, BEST INTEREST GARDEN, AND MILTON B. CONSTANCE LEVINSON TO CHARLES C. REEDER BY DEEDS RECORDED IN THE LAND RECORDS OF ANNE ARUNDEL COUNTY MD. IN LIBERS 960, 1237, 1339, 1432 AT FOLIOS 479, 292, 361, 432 RESPECTIVELY.

CONCRETE MONUMENTS SHOWN THIS AND IRON PIPES SHOWN THIS WILL BE PLACED IN ACCORDANCE WITH ARTICLE 28 OF THE ANNE ARUNDEL COUNTY CODE. THE TOTAL AREA INCLUDED IN THIS PLAT IS 67.00 ACRES OF LAND. JOHN L. BUTSCHKY REG. LAND SURVEYOR 8/31/12 DATE

IN COMPLIANCE WITH THE PUBLIC SERVICE COMMISSION OF MARYLAND ORDER NUMBER 60368 DATED JUNE 20, 1973, OWNER DOES HEREBY GRANT AND CONVEY INTO THE CHESAPEAKE AND POTOMAC TELEPHONE CO. OF MD. A BODY CORPORATE HERINAFTER CALLED GRANTEE, ITS ASSOCIATED AND ALL RECORDS AND THEIR RESPECTIVE SUCCESSORS, ASSIGNS AND LICENSEES A R/W EASEMENT TO CONSTRUCT, OPERATE, MAINTAIN, ENLARGE, REPLACE AND REMOVE TELECOMMUNICATIONS, ELECTRIC, AND GAS SYSTEMS CONDUIT, PIPE, MANHOLES, CABLES, WIRE, AND FIXTURES UNDER AND OVER THE PROPERTY AS DESCRIBED AS FOLLOWS...

PLAT APPROVED IN ACCORDANCE WITH SPECIAL EXCEPTION CASE #9-304-88 TO PERMIT A PLANNED UNIT DEVELOPMENT IN AN R-5 ZONE... GRANTED 05/26/10

ANAREX, INC. ENGINEERS - SURVEYORS EXPEDIENTS - PLANNERS 503 RITCHIE HIGHWAY - IE SEVERNA PARK MARYLAND



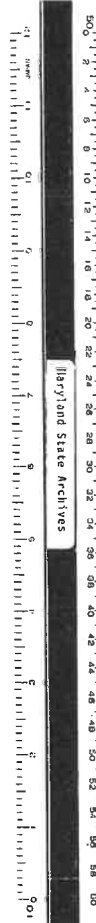
PRIVATE PARKING COURT STATEMENT: THE APARTMENT PARKING COURTS AND WILLOWBY RUN ARE PRIVATE USE-IN-COMMON PARKING COURTS AND PRIVATE RIGHTS-OF-WAY TO BE OWNED AND MAINTAINED BY THE ABUTTING UNIT OWNERS...

Table with 2 columns: Item and Area. Includes rows for 'TOTAL AREA', 'PAVED DRIVE', 'DRIVE', 'OPEN STREET', 'R/W WIDENING', 'TOTAL DRIVE AREA', 'TOTAL DRIVE AREA', 'TOTAL DRIVE AREA', 'TOTAL DRIVE AREA', 'TOTAL DRIVE AREA'.

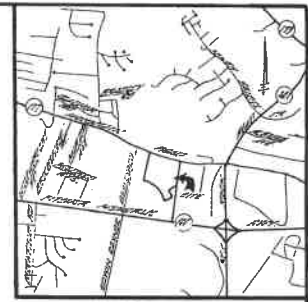
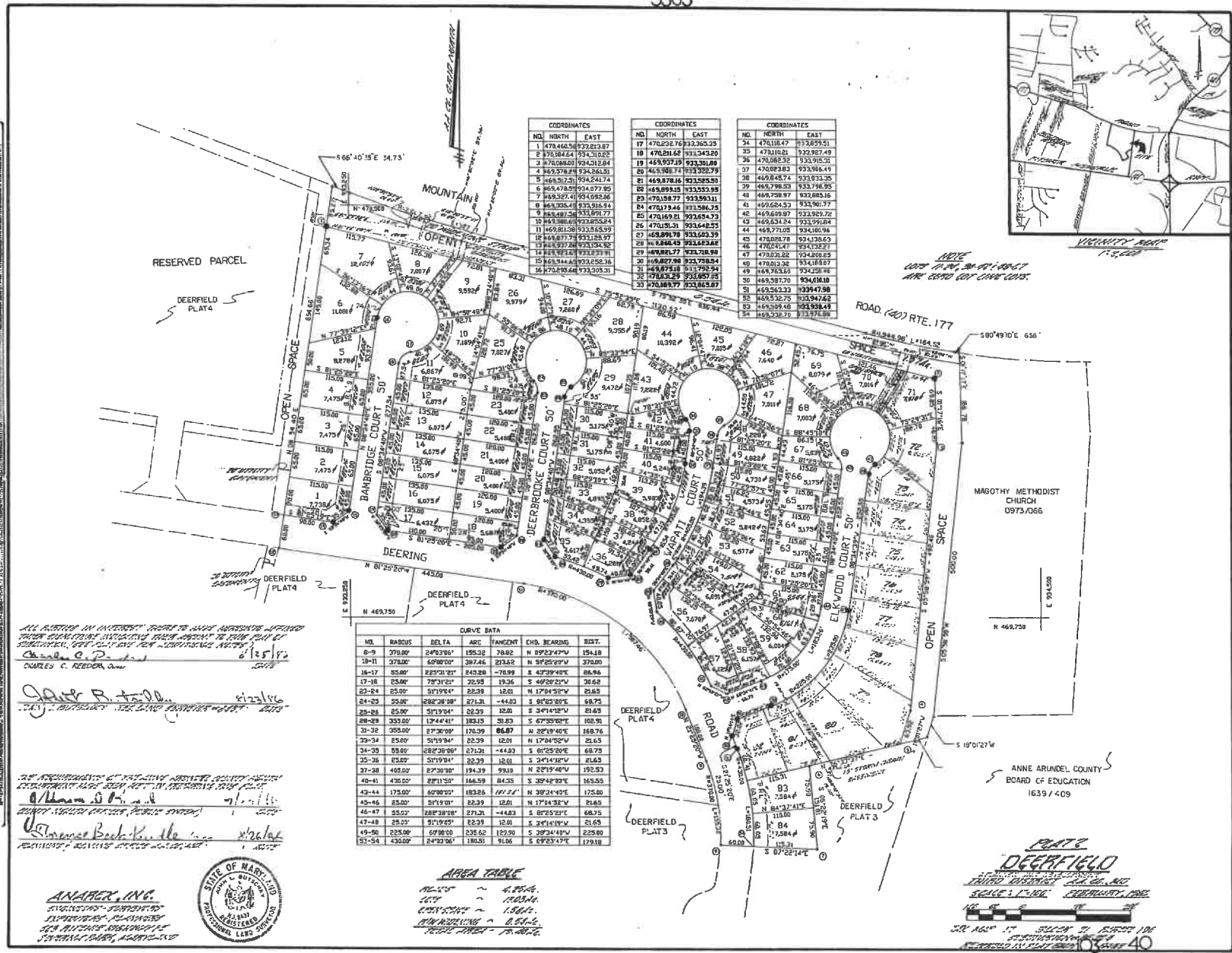
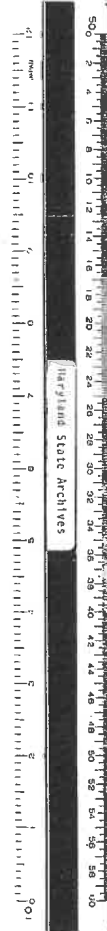
Table with 2 columns: Unit and Count. Includes rows for 'TOTAL UNITS', '23 SINGLE FAMILY UNITS', '24 TOWNHOUSE UNITS', '24 APARTMENT UNITS', '300 TOTAL UNITS'.

RECORDING INFORMATION: TRANSMIT TO BALTIMORE GAS & ELECTRIC CO. FOR RECORDING UNDER BALTIMORE GAS & ELECTRIC CO. RECORDS # 1237, 1339, 1432

PLAT 1 DEERFIELD: A PLANNED UNIT DEVELOPMENT ASSESSMENT DISTRICT ANNE ARUNDEL COUNTY, MD. SCALE 1"=200 FEBRUARY 1988. RECORDED IN PLAT BOOK 103 PAGE 39.



Maryland State Archives



COORDINATES			COORDINATES			COORDINATES		
NO.	NORTH	EAST	NO.	NORTH	EAST	NO.	NORTH	EAST
1	478402.56	932812.87	17	478202.19	932805.23	34	478118.41	932895.51
2	478384.64	934316.82	18	478216.62	931343.20	35	478110.81	932987.49
3	478088.00	934212.84	19	469927.19	933361.80	36	478082.92	933915.31
4	469378.78	934261.93	20	469380.74	933227.79	37	478082.83	933966.49
5	469372.21	934241.74	21	469378.16	933253.30	38	469384.74	933833.35
6	469478.51	934077.85	22	469389.15	933253.59	39	469378.53	933796.95
7	469327.41	934082.86	23	478158.77	933593.11	40	469378.97	933885.16
8	469325.11	933766.84	24	478169.78	932647.73	41	469364.53	933763.77
9	469487.51	933691.77	25	478131.31	932642.25	42	469369.97	933829.72
10	469388.63	933485.84	26	478131.31	932642.25	43	469354.74	933791.84
11	469388.63	933485.84	27	469391.78	933603.39	44	469370.28	934000.38
12	469677.71	933128.37	28	469391.78	933603.39	45	478024.78	934126.23
13	469397.28	933134.32	29	469391.78	933603.39	46	478024.78	934126.23
14	469397.28	933134.32	30	469391.78	933603.39	47	478024.78	934126.23
15	469397.28	933134.32	31	469391.78	933603.39	48	478024.78	934126.23
16	469397.28	933134.32	32	469391.78	933603.39	49	469354.74	934258.78
17	469397.28	933134.32	33	469391.78	933603.39	50	469354.74	934258.78
18	469397.28	933134.32	34	469391.78	933603.39	51	469354.74	934258.78
19	469397.28	933134.32	35	469391.78	933603.39	52	469354.74	934258.78
20	469397.28	933134.32	36	469391.78	933603.39	53	469354.74	934258.78
21	469397.28	933134.32	37	469391.78	933603.39	54	469354.74	934258.78

NO.	RADIUS	DELTA	ARC	TANGENT	CHD. BEARING	DIS.
0-9	378.00	240°30'	195.32	78.82	N 89°23'47"	154.18
10-11	378.00	60°00'	387.46	233.62	N 59°25'09"	378.00
12-17	55.00	89°31'21"	842.28	-78.99	S 42°39'49"	86.96
18-18	25.00	78°31'21"	20.59	19.26	N 48°29'29"	26.68
20-24	25.00	57°19'34"	20.59	12.01	N 17°04'52"	21.65
24-25	55.00	282°38'08"	271.21	-44.83	S 81°25'29"	68.75
26-26	25.00	57°19'34"	20.59	12.01	S 34°14'28"	21.65
28-29	333.00	17°44'41"	183.15	31.83	S 67°30'08"	108.91
30-32	25.00	87°30'00"	170.39	86.87	N 38°24'49"	168.76
33-34	25.00	57°19'34"	20.59	12.01	N 17°04'52"	21.65
34-35	55.00	282°38'08"	271.21	-44.83	S 81°25'29"	68.75
35-36	25.00	57°19'34"	20.59	12.01	S 34°14'28"	21.65
37-38	465.00	27°30'00"	194.39	99.19	N 22°19'48"	192.53
40-41	430.00	28°11'20"	166.59	84.35	S 39°42'09"	165.55
42-44	170.00	60°00'00"	183.86	117.74	N 39°24'49"	175.00
45-46	25.00	57°19'34"	20.59	12.01	N 17°04'52"	21.65
46-47	55.00	282°38'08"	271.21	-44.83	S 81°25'29"	68.75
47-48	25.00	57°19'34"	20.59	12.01	S 34°14'28"	21.65
49-50	225.00	60°00'00"	235.62	182.90	S 39°24'49"	225.00
51-54	430.00	24°30'00"	188.01	91.68	S 67°23'47"	179.18

**AREA TABLE**

PLAT 5365 ~ 4.8544  
 LOT 1 ~ 0.0054  
 LOT 2 ~ 1.8412  
 LOT 3 ~ 0.5142  
 TOTAL AREA ~ 7.2152

ALL RIGHTS IN INTEREST THEREIN ARE HEREBY AFFIRMED TO THE STATE OF MARYLAND UNDER THE PROVISIONS OF THE SUBDIVISION PLAT ACT AND THE SUBDIVISION ACT.

CHARLES C. REEDER, JR. 8/25/12

DAVID R. TAYLOR 8/25/12

THE AFFIRMATIONS OF THE STATE OF MARYLAND UNDER THE PROVISIONS OF THE SUBDIVISION PLAT ACT AND THE SUBDIVISION ACT ARE HEREBY AFFIRMED TO THE STATE OF MARYLAND UNDER THE PROVISIONS OF THE SUBDIVISION PLAT ACT AND THE SUBDIVISION ACT.

WILLIAM J. BROWN 8/25/12

WILLIAM J. BROWN 8/25/12

**ANABER, INC.**  
 ENGINEERS - SURVEYORS  
 500 MILLERS ROAD  
 ANNAPOLIS, MARYLAND 21403-4500



**PLAT DEERFIELD**  
 1/10/12  
 SCALE: 1"=40'

ANNE ARUNDEL COUNTY BOARD OF EDUCATION 1639/409

DATE 8/25/12

**"SUBJECT TO DISPOSITION"**  
 THE ABOVE PROPERTY RIGHTS AND CLAIMS TO A.C. NO. 100 RESERVE RIGHT TO DISPOSITION THE FIRM OF STARK WATER FROM THE PROPERTY DISPOSITION RIGHTS AND INTERESTS TO ACQUISITORY OWNER THE INTERESTS ORIGINALLY ACQUIRED BY STARK WATER FROM THE DISPOSITION RIGHTS ORIGINALLY ACQUIRED BY THE COMPANY WILL BE TRANSFERRED TO THE FIRM AS STARK WATER ON THIS PLAN.

ALL PARTIES IN INTEREST THERE TO HAVE HERETOFORE ACCORDED THEIR SIGNATURE INDICATION THERE ASSET TO THIS PLAN OF SUBDIVISION (SEE PLAN FOR ADDITIONAL NOTES)  
 Charles C. Reeder 0125180  
 CHARLES C. REEDER, OWNER  
 DATE

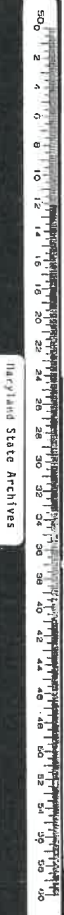
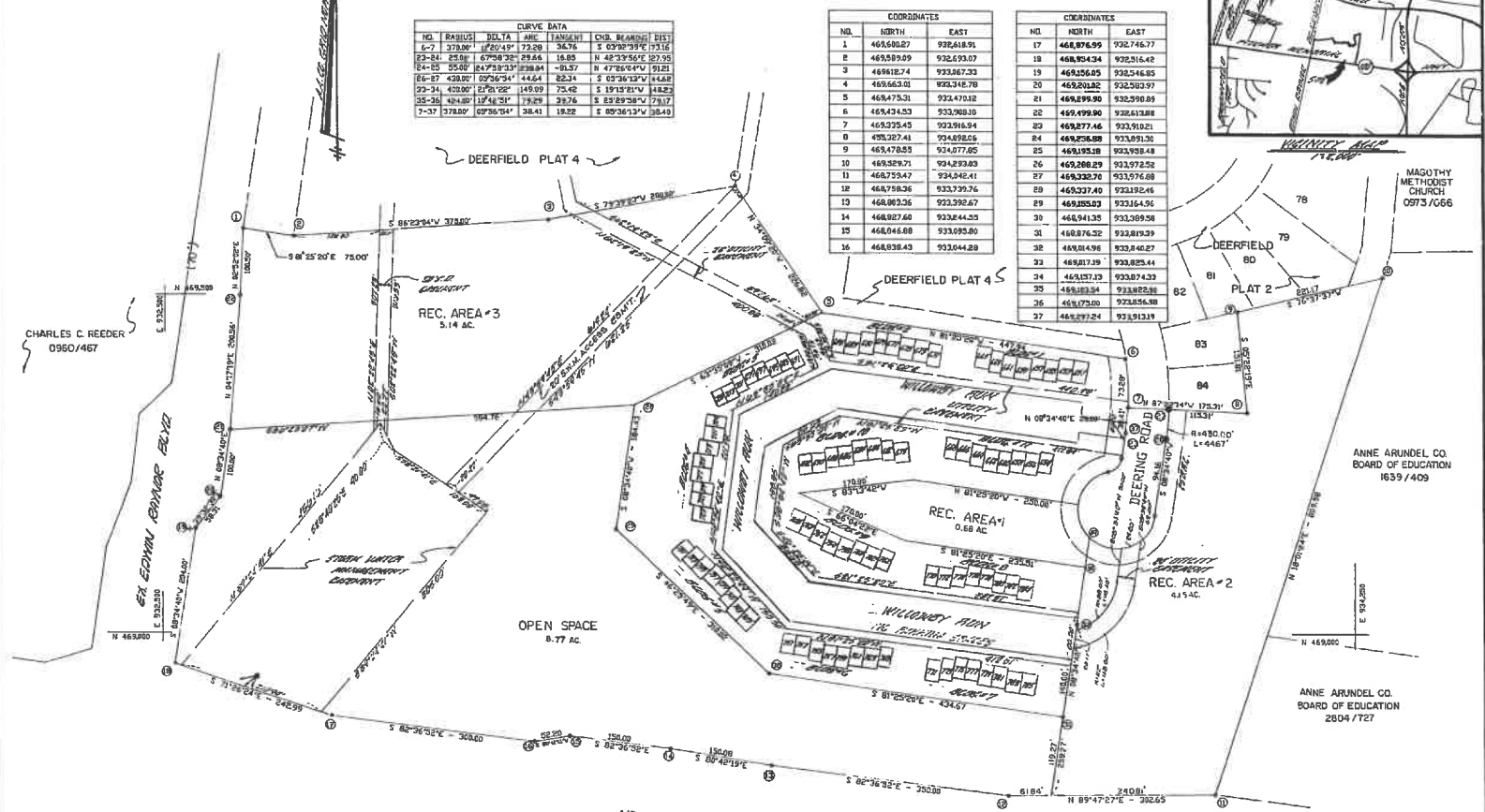
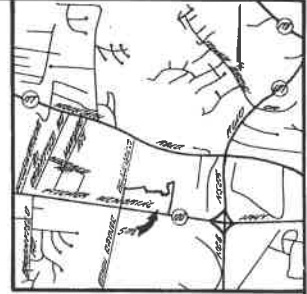
THE REQUIREMENTS OF THE ANNE ARUNDEL COUNTY HEALTH DEPARTMENT HAVE BEEN MET BY THE ABOVE PROPERTY RIGHTS  
 J. Howard Bond 7/17/84  
 COUNTY HEALTH DEPARTMENT (TRASH SYSTEM)  
 DATE  
 Florence Park-Norfolk Co. 2/10/84  
 FURNISHING SERVICES OFFICE 11/1/84

John R. Kelly 11/21/84  
 JOHN R. KELLY, THE LAND SURVEYOR'S OFFICE, DATE

NO.	RADIUS	DELTA	ARC	TANGENT	CHORD	BEARING	DIST.
6-7	378.00'	18°04'48"	73.28	36.76	S 03°30'39"E	73.16	
23-24	255.00'	67°50'36"	29.86	16.85	N 48°33'56"E	27.95	
24-25	255.00'	84°13'23"	38.84	-5.57	N 47°28'04"W	91.81	
25-26	438.00'	02°36'34"	44.64	82.31	S 03°36'13"W	44.68	
26-27	438.00'	27°01'28"	149.09	75.42	S 19°15'01"W	148.22	
27-28	438.00'	11°46'31"	78.89	29.76	S 82°23'34"W	78.17	
28-29	378.00'	02°36'34"	38.41	19.22	S 02°36'13"W	38.43	

COORDINATES		
NO.	NORTH	EAST
1	468,680.87	932,618.91
2	469,289.09	932,693.07
3	469,818.74	933,367.33
4	469,863.01	933,312.78
5	469,475.31	933,470.12
6	468,424.33	933,268.10
7	469,325.45	933,916.94
8	495,227.41	934,692.06
9	469,478.25	934,077.65
10	469,289.71	934,293.83
11	468,759.47	934,342.41
12	468,788.26	933,739.76
13	468,883.26	933,392.67
14	468,927.68	933,244.53
15	468,046.68	933,093.80
16	468,038.43	933,044.28

COORDINATES		
NO.	NORTH	EAST
17	468,976.99	932,746.77
18	468,934.34	932,516.42
19	469,126.05	932,546.85
20	469,289.09	932,362.97
21	468,899.80	932,298.89
22	469,499.80	932,613.88
23	469,277.46	933,918.21
24	469,236.88	933,991.30
25	469,193.18	933,958.48
26	469,288.29	933,972.52
27	469,238.70	933,976.88
28	469,217.40	933,992.46
29	469,285.03	933,642.06
30	468,941.35	933,289.58
31	468,076.32	933,219.29
32	469,014.96	933,242.27
33	469,217.29	933,225.44
34	469,137.13	933,074.23
35	469,182.34	933,222.31
36	469,173.00	933,256.88
37	469,277.24	933,913.19



STATE OF MARYLAND  
 DEPARTMENT OF GENERAL SERVICES  
 ENGINEERING DIVISION  
 ANNE ARUNDEL COUNTY  
 ENGINEERING DIVISION  
 200000  
 1" = 200'

**AREA TABLE**

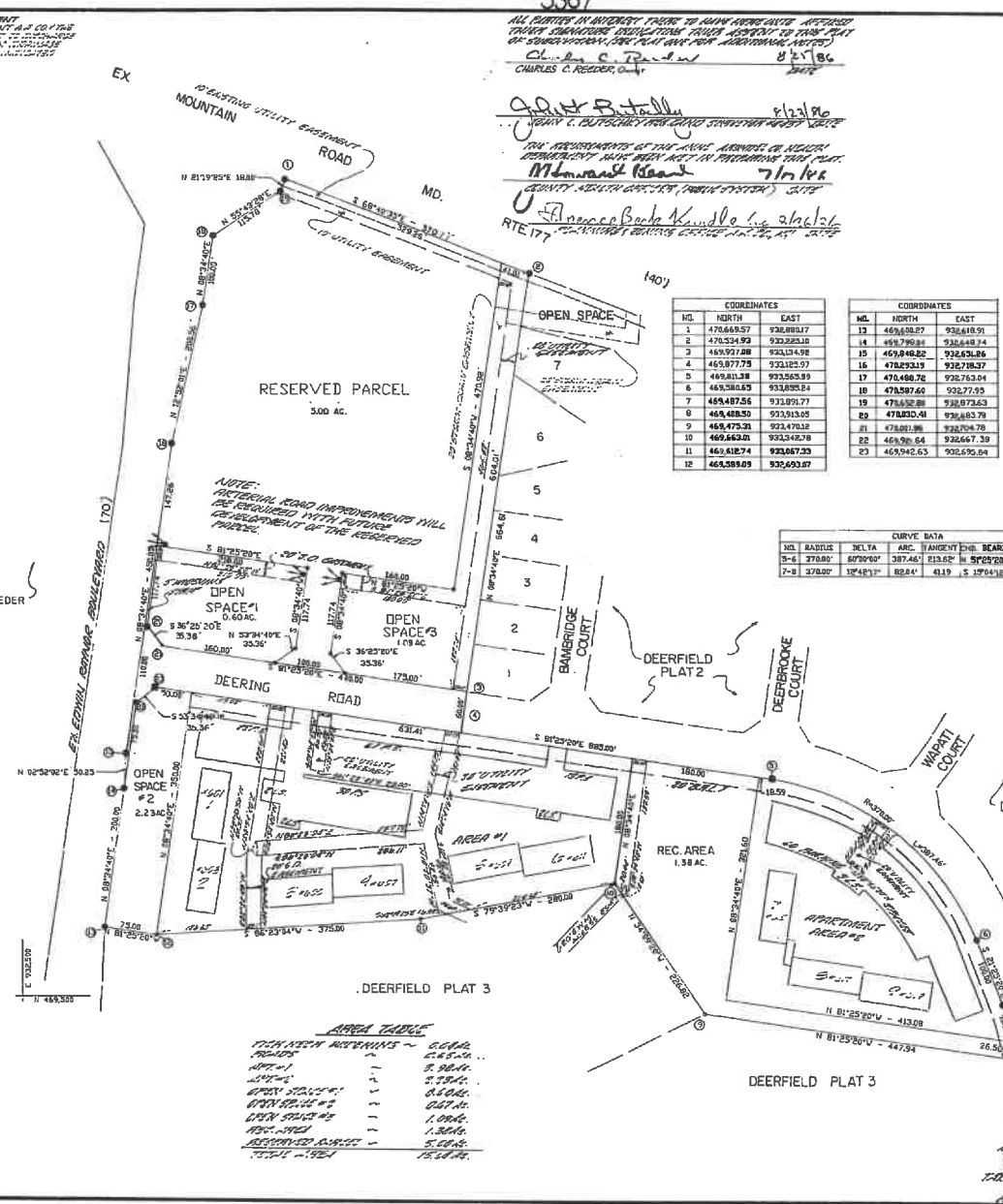
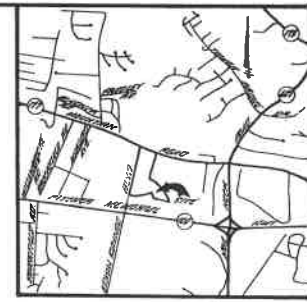
PLAT 4	8.56 AC.
PLAT 4S	6.87 AC.
PLAT 2	6.80 AC.
REC. AREA #1	6.80 AC.
REC. AREA #2	6.19 AC.
REC. AREA #3	5.14 AC.
OPEN SPACE	8.77 AC.
TOTAL AREA	78.95 AC.

PLATS  
**DEERFIELD**  
 DEERFIELD PLAT 4, PLAT 4S, PLAT 2  
 TRACTS CONTAINED HEREON ARE  
 SUBJECT TO THE REQUIREMENTS OF THE  
 HEALTH DEPARTMENT  
 FOR MAP 17, BLOCK 21, SHEET 104  
 SUBDIVISION MAP NO. 204  
 REGISTERED ON JULY 21, 1984

**RIGHT TO DISCHARGE STATEMENT**  
 - This plat is a discharge statement for the purpose of the Maryland Code, Title 86, Subtitle 10, Section 86-101. It is not intended to be a warranty of any kind, and it does not constitute an offer of insurance or any other financial product. It is provided for informational purposes only and should not be relied upon for any legal or financial decision.

5367  
 ALL PARTIES IN INTEREST THERE TO JOIN HEREONTO AFFIDAVIT  
 UNDER SUBDIVISION STATUTES PRIOR APPROVED TO THIS PLAT  
 BY ANNE ARUNDEL COUNTY, MARYLAND.  
 Charles C. Reeder, Clerk  
 CHARLES C. REEDER, Clerk

*JOHN C. BUTCHER* 8/23/86  
 JOHN C. BUTCHER, PROFESSIONAL SURVEYOR, PROFESSIONAL SEAL  
 THE MEASUREMENTS OF THIS PLAT WERE MADE BY ME OR UNDER MY SUPERVISION AND I AM AWARE OF THE ACCURACY OF THE MEASUREMENTS.  
*William H. Reed* 7/11/86  
 WILLIAM H. REED, PROFESSIONAL SURVEYOR, PROFESSIONAL SEAL  
 I AM AWARE OF THE ACCURACY OF THE MEASUREMENTS.  
 Annette Beck-Kundel, Inc. 8/11/86  
 ANNETTE BECK-KUNDEL, INC., PROFESSIONAL SURVEYORS, PROFESSIONAL SEALS



COORDINATES			COORDINATES		
NL	NORTH	EAST	NL	NORTH	EAST
1	470669.57	932888.17	13	469438.27	932648.91
2	470554.92	932920.10	14	469790.84	932648.74
3	469501.88	932131.98	15	469498.22	932652.84
4	469877.75	932182.97	16	478292.19	932718.37
5	469811.38	932583.99	17	478486.76	932763.04
6	469888.85	932892.84	18	478587.60	932777.95
7	469487.54	932897.71	19	478630.88	932873.83
8	469488.50	932913.65	20	478520.41	932883.78
9	469475.31	932478.12	21	478881.96	932904.78
10	469462.01	932482.78	22	469498.64	932667.39
11	469418.74	932887.23	23	469492.63	932695.84
12	469289.83	932493.87			

CURVE DATA					
NL	RADIUS	DELTA	ARC TANGENT DIST.	BEARING	CHORD DIST.
5-6	37880'	67°09'00"	387.46'	213.62'	S 56°27'20" W 37880'
7-8	37880'	104°41'15"	828.41'	4319'	S 17°04'15" W 8188'

**AREA TABLE**

RESERVED PARCELS	5.00 AC.
OPEN SPACE #1	0.50 AC.
OPEN SPACE #2	2.23 AC.
OPEN SPACE #3	1.09 AC.
REC. AREA #1	1.98 AC.
REC. AREA #2	1.98 AC.
APARTMENT AREAS	12.00 AC.
TOTAL	15.78 AC.



**ANALOGUE, INC.**  
 ENGINEERS - SURVEYORS  
 200 RIVERVIEW AVENUE, 14  
 SEVERNA PARK, MARYLAND

**PLAT 4 DEERFIELD**  
 ENGINEERED BY ANALOGUE, INC.  
 SURVEYED BY ANALOGUE, INC.  
 1986/09/03  
 TAX MAP 17 BLOCK 81 PARCEL 178  
 SUBDIVISION 5364-5367  
 RECORDED IN PLAT BOOK 103 PAGE 39-42

MSD 5584 1035-4086-4





## OFFICE OF PLANNING AND ZONING

### CONFIRMATION OF PRE-FILE (2025-0061-P)

DATE OF MEETING: 07/18/2025

P&Z STAFF: David Russell, Jessica Levy, Jean Janvier, Jeff Torney

APPLICANT/REPRESENTATIVE: Kinley R. Bray EMAIL: kbray@yvslaw.com

SITE LOCATION: 600 Deering Road, Pasadena LOT SIZE: 4.89 AC ZONING: R5

CA DESIGNATION: N/A BMA: N or BUFFER: N APPLICATION TYPE: Variance

The applicant wishes to modify a previously approved Special Exception and Variance (2021-0094-S, 2021-0095-S, and 2021-0096-V). The proposed special exception will change the building layout, parking and increase the approved Assisted Care Unit count from 140 units to 165 units.

Variances are sought to 18-11-104(1) minimum lot size and (11) open area requirement.

#### COMMENTS

##### **Long Range Planning:**

**Plan2040 General Development Plan:** Plan2040 does not have recommendations that are specific to this site and the proposal is generally consistent with the goals, policies and strategies of Plan2040 including Goal BE11: Provide for a variety of housing types and designs to allow all residents housing choices at different stages of life and at all income levels. This proposal is within Region Planning Area 4 and is generally consistent with the Region Plan goals and strategies.

**2022 Water and Sewer Master Plan:** The site is in the Existing Service category in the Cox Creek Sewer Service Area and the Existing Service category in the Glen Burnie Low Water Pressure Zone. The proposal is consistent with the 2022 Water and Sewer Master Plan.

##### **Inspections and Permits Engineering:**

1. Label each of the stormwater management (SWM) devices.
2. All SWM devices must be a minimum of 10 feet from the property line.
3. Label the storm drain pipes, water lines and sanitary sewer lines on the Site Plan as public or private.
4. Adjust the LOD to include the proposed water line located outside of the western property line.
5. Label the square with the "concrete sidewalk" hatching located directly west of the proposed forest conservation area on the northern portion of the site.
6. An 8" sewer will require manholes rather than a cleanout to change directions. A manhole will also be required 5' outside of the building, rather than a cleanout.
7. A public utility easement (20' by 20') will be needed for the oversized water meter and vault.
8. Prior to SDP approval, a sidewalk easement/pedestrian access easement will be required at the location where the proposed concrete sidewalk running parallel to Edwin Raynor Blvd crosses over the existing property line into the site.

### **Development Division:**

The Development Division defers to the Zoning Division on whether that applicant meets the Special Exception and Variance standards. Should the Special Exception be approved, the following comments are offered.

1. Per Article 17, Title 4, a Site Development Plan (SDP) application "Dash - 01" shall be submitted and approved for the increase to the total number of assisted living units.
2. Adequacy of public facilities must be addressed with the Site Development Plan application.

### **Zoning Administration Section:**

The application appears to meet the specific requirements for an assisted living facility except for the minimum lot size and open area requirements. A variance is being sought to these provisions. The Letter of Explanation appears to address each of the special exception standards and to provide adequate justification for the variances.

### **Site Plan:**

- The height of the principal structure must be noted in the location of the structure on the site plan
- Please provide building dimensions.

### **INFORMATION FOR THE APPLICANT**

Section 18-16-201 (b) Pre-filing meeting required. Before filing an application for a variance, special exception, or to change a zoning district, to change or remove a critical area classification, or for a variance in the critical area or bog protection area, an applicant shall meet with the Office of Planning and Zoning to review a pre-file concept plan or an administrative site plan. For single lot properties, the owner shall prepare a simple site plan as a basis for determining what can be done under the provisions of this Code to avoid the need for a variance.

\*\*\* A preliminary plan checklist is required for development impacting environmentally sensitive areas and for all new single-family dwellings. A stormwater management plan that satisfies the requirements of the County Procedures Manual is required for development impacting environmentally sensitive areas OR disturbing 5,000 square feet or more. State mandates require a developer of land provide SWM to control new development runoff from the start of the development process.

Section 18-16-301 (c ) Burden of Proof. The applicant has the burden of proof, including the burden of going forward with the production of evidence and the burden of persuasion, on all questions of fact. The burden of persuasion is by a preponderance of the evidence. A variance to the requirements of the County's Critical Area Program may only be granted if the Administrative Hearing Officer makes affirmative findings that the applicant has addressed all the requirements outlined in Article 18-16-305. Comments made on this form are intended to provide guidance and are not intended to represent support or approval of the variance request.