

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John R. Rose, Zoning Commissioner Date: February 21, 1963

FROM: Mr. George M. Carvelis, Deputy Director

SUBJECT: 5791-X, Special Exception for a Nursing Home, Northwest side of Valley and Stevenson Roads, Being property of William Eppler

3rd District

HEARING: Wednesday, March 6, 1963 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for a Nursing Home and has the following advisory comments to make with respect to pertinent planning factors:

1. The Planning staff is in receipt of correspondence from the State and Local Health Departments with reference to the feasibility of private, subsurface sewage disposal for a 120 bed Nursing Home on the subject property. The essence of the Health Department comment is that under ground treatment would not be feasible and that a publicly owned, ground treatment plant would be required to service this facility. It is to be noted that a subject property is situated in the western half of Green Spring Valley and that the nearest public sewer line is between four and five miles away.

The Planning staff is of the opinion that provision of public sewerage for any portion of Green Spring Valley should be in accordance with an overall plan for sewerage the entire Jones Falls watershed. The watershed sewerage plan should be based on an overall plan for the area which projects future land use, population densities, and sewage contributions. Such a plan should go beyond the statements on lot size and density which the current Master Plan makes. The Planning staff would not recommend to the Planning Board that public sewerage be provided in Green Spring Valley, before thorough study and evaluation is given to the future of Green Spring Valley.

2. Inasmuch as the subject property apparently cannot provide acceptable private sewage disposal facility, it would seem that judgments concerning the appropriateness of a Nursing Home here should be deferred until a plan for public sewerage in the Valley is available and provision thereof is assured.

020:bm

BERNARD V. SCHLOSS and
DOROTHY S. SCHLOSS, his wife,
CLARENCE E. ELDERKIN and
HELEN C. ELDERKIN, his wife, and
STEVENSON IMPROVEMENT
ASSOCIATION, INC.

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

vs.
AT LAW
WILLIAM S. BALDWIN,
W. GILES PARKER and
R. BRUCE ALDERMAN
constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Misc. Docket No. 7
File No. 532
File No. 3311

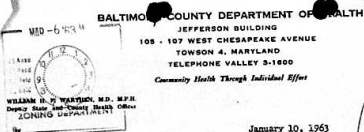
AMENDED

ANSWER TO ORDER OF APPEAL TO CIRCUIT
COURT FOR BALTIMORE COUNTY

MR. CLERK:

Please file 5 & c.

Edith T. Elshank, Secretary
County Board of Appeals of Baltimore County



January 10, 1963

Mr. John Rose
Baltimore County Zoning Commissioner
County Office Building
Towson 4, Maryland

Dear Mr. Rose:

Reference is made to the application for a special exception for a nursing home proposed on the William Eppler property, Valley and Stevens Road, Election District 3.

For your information, I am enclosing a copy of a letter under date of August 16, 1962 signed by Mr. W. M. Bingley, Public Health Engineer, Division of Sanitary Engineering, Maryland State Department of Health that makes reference to this situation. In this connection, you will also find attached, Standards and Procedure of the State Department of Health, Bureau of Environmental Hygiene, Governing Issuance of Permits for Point of Discharge of Treated Sewage.

If you will study paragraph 3 on page one, you will note that such installations must be operated and maintained by the Department of Public Works of Baltimore County. To date, Baltimore County has refused to accept this responsibility.

You may also be interested to know that soil tests have not been conducted on this property and that the Baltimore County Department of Health would find it difficult to devise ways and means of disposing of approximately 10,000 gallons of sewage effluent by subsurface methods. Consideration must also be given to the fact that the domestic water supply would be obtained from a private well.

Very truly yours,

Thos. W. Margerum
Thos. W. Margerum
Public Health Engineer
Section of Environmental Health

TWM:bmh

INTER-OFFICE CORRESPONDENCE
DEPARTMENT OF PUBLIC SAFETY
FIRE BUREAU
Towson 4, Maryland

TO: Mr. John Rose, Zoning Commissioner
FROM: Edwin A. Quinn, Captain
SUBJECT: Proposed Nursing Home

Date: February 14, 1963

RE: Property located
West Side of Valley Road
and Stevenson Road
Owned by: Mr. William Eppler

This property is proposed for siting of a nursing home. The requirements of this department and Maryland State Department of Health for a licensed nursing home, are that all frame buildings over one (1) story, must be sprinklered.

At this time, there is no Metropolitan water available at this location. Owner would have to supply sufficient private water system.

One story, fire resistant material constructed building is not required to be sprinklered.

Sincerely yours,

Edwin A. Quinn
Edwin A. Quinn, Captain
BALTIMORE COUNTY FIRE BUREAU
Fire Prevention Division

cc: Mr. James Dyer

ELQ:am



BERNARD V. SCHLOSS and
DOROTHY S. SCHLOSS, his wife,
CLARENCE E. ELDERKIN and
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TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William S. Baldwin, W. Giles Parker and R. Bruce Alderman, constituting the County Board of Appeals of Baltimore County, and in answer to this Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING
COMMISSIONER OF BALTIMORE COUNTY

No. 5791-X

Dec. 17, 1962 Petition of William B. and Katherine G. Eppler for special exception for a nursing home on property located on the northwest side of Valley and North Roads, 3rd District - filed

Feb. 15, 1963 Certificate of Publication in newspaper - filed

Mar. 21 Certificate of Posting of property - filed

Mar. 27 At 2:00 p.m., hearing held on petition by Zoning Commissioner - case held sub cur

Apr. 4 Order of Zoning Commissioner denying special exception - filed

Apr. 4 Order of Appeal to County Board of Appeals from Order of Zoning Commissioner - filed

June 9, 1963 Letter of Dismissal (dated 6/8/63) filed

June 11 Order of Dismissal issued by the County Board of Appeals - filed

June 16 Letter (dated 6/16/63) from J. Nicholas Shriver, Jr., Esq. - filed

June 16 Letter from William S. Baldwin, Chairman, County Board of Appeals to Thomas N. Evans, Assistant County Solicitor

June 21, 1965 Letter from Thomas N. Evans, Jr., Assistant County Solicitor to William S. Baldwin, Chairman, County Board of Appeals

June 23 Letter from William S. Baldwin, Chairman, County Board of Appeals to J. Nicholas Shriver, Jr., Esq.

July 9 Motion by Appellants for Re-hearing filed

July 14 Letter from William S. Baldwin, Chairman, County Board of Appeals to J. Nicholas Shriver, Jr., Esq., in answer to Motion

July 14 Notice of Appeal filed in the Circuit Court for Baltimore County

July 12 Certificate of Notice sent to all interested parties

July 16 Petition filed in the Circuit Court for Baltimore County

Aug. 9 Record of proceedings filed in the Circuit Court for Baltimore County

Aug. 11 Amended Answer to Order of Appeal filed in the Circuit Court for Baltimore County

Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County as are also the use district maps and your respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your respondents will produce any and all such rules and regulations together with the zoning use district maps at the hearing on this petition or whenever directed to do so by this Court.

Respectfully submitted

Edith T. Elshank, Secretary
County Board of Appeals of Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION
for a Nursing Home
Valley Road and North Road
3rd District
William B. Eppler, et al,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY

No. 5791-X

ORDER OF DISMISSAL

Petition of William B. Eppler, et al, for special exception for a Nursing Home on property located at Valley Road and North Road in the Third District of Baltimore County.

Whereas the County Board of Appeals is in receipt of a letter dated June 8, 1965 from the attorney representing the petitioners-appellants in the above entitled matter:

Whereas the said attorney for the said petitioners requests that the appeal filed on behalf of said petitioners, be dismissed and withdrawn as of June 8, 1965.

It is thereby ORDERED this 11th day of June, 1965 that said appeal be dismissed without prejudice as of the aforementioned date.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Giles Parker

R. Bruce Alderman

MR. CLERK:

Please file 5 & c.

Edith T. Elshank, Secretary
County Board of Appeals of Baltimore County

State of Maryland

Department of Health

Form 7 (Revised M.D. Commissioner)

301 W. WESTLAWN STREET, BALTIMORE 12, MARYLAND
Area Code 301
Telephone: ARY 7000

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RECEIVED
JUN 16 1962

ZONING DEPARTMENT
By

Mr. Richard W. Carlin
Attorney and Counselor at Law
Suite 1504
Fidelity Building
Baltimore 1, Maryland

Subject: Ryplar Property

Dear Mr. Carlin:

Since receiving your letter of July 26 concerning the proposed construction of a nursing home on this property, we have inspected the area and Mr. Iselin has discussed the situation with you on the telephone.

We are of the opinion that favorable consideration could be given to constructing a sewage treatment plant to serve this nursing home with a maximum bed capacity of 120. We suggest you proceed to have carry out the requirements of the attached orders dated January 19, 1962 governing the issuance of a permit for a point of sewage discharge. We particularly call your attention to the sewerage announcement discussed under paragraph 6 on page 3 and to the need for obtaining a comment from the Baltimore County Department of Public Works under paragraph 2 of page 1.

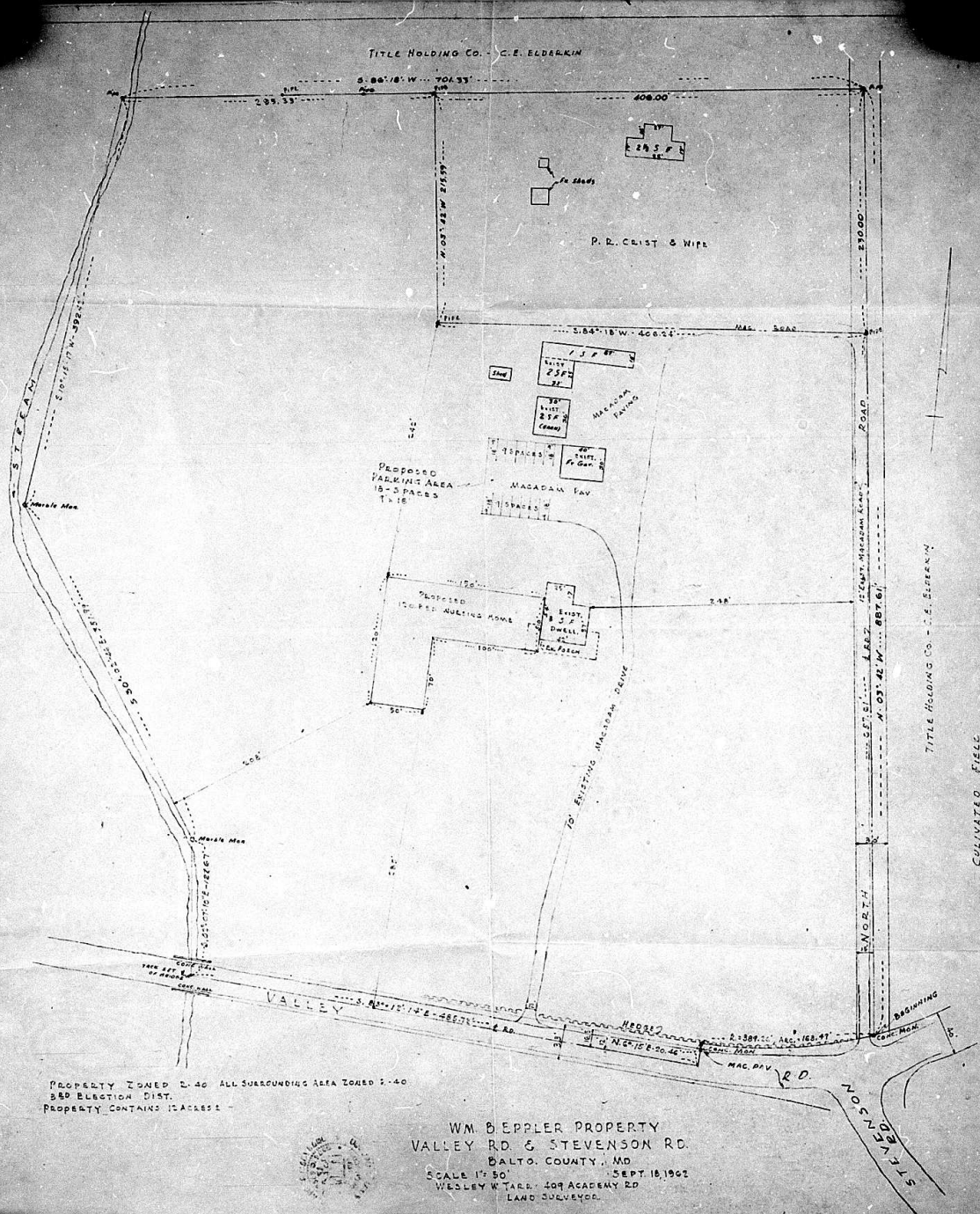
We shall look forward to hearing from you or the engineer suggested to review the proposal so that we will be in a position to issue the point of treated sewage discharge permit, and a construction permit based on contract plans and specifications in sufficient time to cause no delay in the development of this nursing home.

Very truly yours,
Wm. K. Hingley
W. K. Hingley
Public Health Engineer
Division of Sanitary Engineering

WidW:W
Enclosure 1

1

TITLE HOLDING CO. - C.E. ELDERKIN



PROPERTY ZONED R-40 ALL SURROUNDING AREA ZONED R-40
S&D ELECTION DIST.
PROPERTY CONTAINS 12 ACRES -



WM. BEPLER PROPERTY
VALLEY RD. & STEVENSON RD.
BALTO. COUNTY, MD.
SCALE 1" = 50' SEPT. 18, 1962
WEDLEY W. TALL, 409 ACADEMY RD.
LAND SURVEYOR