RE: PETITION FOR SPECIAL EXCEPTION for Nursing Home - S. Side Seminary Ave., 390' W. Francke Ave., 8th District, W. Giles Parker and Marion M. Parker, Petitioners - Suburban Nursing Home, Contract Purchaser

BEFORE ZONING COMMISSIONER OF BALTIMORE COUNTY

No. 5927-X

W. GILES PARKER #5927-X-63-44
S/S Seminary Ave. 390' W. of Francke Ave. 8th

The petitioners have requested a special exception for a Nursing Home on the south side of Seminary Avenue, 390 feet west of Francke Avenue, in the Eighth District of Baltimore County.

First: Seminary Avenue is the only means of access to York Road, for Lutherville and the large developments on the other side of the Baltimore-Harrisburg Expressway. This road is narrow and was not built to carry such a large flow of traffic.

Second: There was no positive testimony of adequate water pressure to handle the requirements for fire protection in regard to the proposed Nursing Home.

Third: Mr. Ernest C. Hatch, who has lived in the 112 year old community for 82 years, said "it (Lutherville) has now and always has been, since its founding 112 years ago, a village of lovely residences with the houses set back from the road and lovely lawns in front, surrounding the former Maryland College for Women that operated 99 years, and is now known as College Manor, a Home for the Aged and Convalescents".

The community of Lutherville as now exists is a fairly small community of residential type that Baltimore County is desirous of having. The present Nursing Home, formerly known as the Maryland College for Women, acts as a center around which have been constructed the many homes mentioned by Mr. Hatch. This community could be destroyed by bringing in uses, which though permitted zoning-wise, would be detrimental to the welfare and maintenance of the Lutherville as it existed for 112 years. Such facilities should not be placed in areas not able to absorb them.

Fourth: There is reasonable doubt that there is adequate sewerage to handle a change in Lutherville such as the proposed Nursing Home would bring about. There are other large lots which will succumb to a desire for other special exceptions which in turn would again tax the sewerage facilities.

5927-X
63-44

For the above reasons the special exception should be denied.

It is this 5th day of February, 1964, by the Zoning Commissioner of Baltimore County, ORDERED that the special exception for a Nursing Home be and the same is hereby DENIED.

John G. Rose
Zoning Commissioner of Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

#5927X
63-44

MAP ✓ #9 SEC. 3-C "X" 8/6/63

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, W. Giles Parker and Marion M. Parker, his wife legal owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition ~~(1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an ______ zone to an ______ zone; for the following reasons:~~

See Attached Description

(2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for Nursing Home

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Suburban Nursing Home, Inc.
Larry S. Best
President Contract purchaser
Address

W. Giles Parker
W. Giles Parker
Marion M. Parker
Marion M. Parker Legal Owner
Address 311 W. Seminary
Lutherville, Md
828-6460

Gerard Wm. Wittstadt
Gerard Wm. Wittstadt
Petitioner's Attorney
Address 7 Center Place Dundalk 22 Md.
ATwater 2-1800

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 8th day of May, 1963, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 26th day of August, 1963, at 1:00 o'clock P. M.

MAY 8-'63
OFFICE OF PLANNING & ZONING

John G. Rose
Zoning Commissioner of Baltimore County.

(over)

LOOP 8/24/63 1 sign

L. ALAN EVANS SURVEYORS AND CIVIL ENGINEERS
State Registration
...UE · BALTIMORE 14, MARYLAND · HAmilton 6-2144
· 8 POPLAR STREET · CAMBRIDGE, MARYLAND ·

#5927-X
63-44
MAP #9 SEC. 3-C

STATE OF MARYLAND LOUIS ALAN EVANS REGISTERED LAND SURVEYOR

March 25 1963

DESCRIPTION FOR SPECIAL EXCEPTION TO PRESENT R-10 ZONING OF THE SEMINARY AVENUE PROPERTY

BEGINNING for the same at a point on the South side of Seminary Avenue, 60 feet wide, said point being situate, referring all courses to the true meridian as established by the Baltimore County Metropolitan District, North 72 degrees 03 minutes 50 seconds West 390 feet, more or less, measured along said South side of Seminary Avenue from its intersection with the center line of Francke Avenue, thence leaving said place of beginning and running and binding on said South side of Seminary Avenue North 72 degrees 03 minutes 50 seconds West 255.92 feet to intersect the third or North 31 degrees 56 minutes East 718 foot 4 inch line of the land which by deed dated May 9, 1940 and recorded among the Land Records of Baltimore County in Liber C.W.B.Jr. No. 1101 Folio 556 was conveyed by G. Milton Brooks et al to W. Giles Parker and wife, thence leaving said South side of Seminary Avenue and running and binding reversely on part of said third line South 25 degrees 09 minutes 36 seconds West 447.67 feet to the Northernmost outline of the land shown on the Plat of Lincoln recorded among the Land Records of Baltimore County in Plat Book G.L.B. No. 17 folio 25, thence running and binding on part of said Northernmost outline of the aforementioned plat South 69 degrees 33 minutes East 155.77 feet, thence leaving said Northernmost outline of the aforementioned plat and running for new lines of division through the land described in the aforementioned deed of which the parcel now being described is a part the three following courses and distances, viz: North 17 degrees 56 minutes 10 seconds East 185.17 feet, South 72 degrees 03 minutes 50 seconds East 156.59 feet and North 17 degrees 56 minutes 10 seconds East 265.78 feet to the place of beginning

Containing 2.27 Acres of land, more or less.

L. Alan Evans

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date August 16, 1963

FROM Mr. George E. Gavrelis, Deputy Director

SUBJECT #5927-X. Special Exception for a Nursing Home. South side of Seminary Avenue 390 feet West of Francke Avenue. Being property of W. Giles Parker.

8th District

HEARING: Monday, August 26, 1963 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for Special Exception for a Nursing Home. If granted, the granting should be conditioned upon approval of final site plans by the appropriate County and State agencies.

GEG:bms

Baltimore County, Maryland
Department Of Public Works
COUNTY OFFICE BUILDING
Towson 4, Maryland

Bureau of Engineering
ELLSWORTH N. DIVER, CHIEF

December 5, 1963

Mr. Gerard William Wittstadt
Attorney at Law
7 Center Place
Dundalk, Maryland - 21222

Reference: Suburban Nursing Home
Seminary Avenue

Dear Mr. Wittstadt:

Reference is made to your request for a review of the Suburban Nursing Home, Inc. site, located on Seminary Avenue, approximately 400 feet west of Francke Avenue for the availability of sanitary sewers and water mains.

Based on the anticipated flow of 75 gallons per bed per day, which was the information received by telephone, and an anticipated 100 beds in the nursing home, it appears that the load on the sewerage system will be approximately 3.5 times the amount anticipated should the property develop as presently zoned. The sewer in Seminary Avenue has sufficient capacity to accommodate the flows, but the Lutherville sewer which crosses under and parallels the Beltway is presently overloaded. The criteria used for the sewage load determination did not include employees required or other services such as a laundry which at times is included in this type of operation. It is pointed out that the sewer will be overloaded under any condition, including development in accordance with present zoning.

We are not able to furnish comments relative to the availability of water as we have not been furnished the fire flow requirements which usually is the governing factor in the determination of water availability.

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, Chief
Bureau of Engineering

END:SAB:hmd

cc: J. F. Loos
S. A. Bellestri

#5927-X-63-44

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 8th Date of Posting August 10, 1963

Posted for: Petition for Special Exception for Nursing Home

Petitioner: W. Giles Parker

Location of property: S/S of Seminary Ave. 390' W of Francke Ave.

Location of Signs: 1. Intersection two private roads on subject property 15' from N/E corner of house.
2. S/S of Seminary Ave. 519' W of Francke Ave. on curb line.

Remarks:

Posted by Julius S. Bosse (Signature) Date of return: August 15, 1963

2 signs

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

TELEPHONE VALLEY 3-3000

No. 17764
DATE 5/8/63

To: Gerard Wm. Wittstadt, Esq.
7 Center Place
Baltimore 22, Md.

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. 01622

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT $50.00 / COST
	Petition for Special Exception for W. Giles Parker	50.00
	PAID — Baltimore County, Md. — Office of Finance	
	5-863 6078 * * * TIL-	50.00
3		

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

TELEPHONE VALLEY 3-3000

No. 19273
DATE 8/26/63

To: Cash

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. 01622

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT $50.00 / COST
	Advertising and posting of property for W. Giles Parker	50.00
	PAID — Baltimore County, Md. — Office of Finance	
	8-2663 2920 * * * TIL-	50.00
3		

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

PETITION FOR ZONING
SPECIAL EXCEPTION
8th District

ZONING: Petition for Special Exception for a Nursing Home

LOCATION: South side of Seminary Avenue 390 feet West of Fraucke Avenue

DATE & TIME: MONDAY, AUGUST 26, 1963 at 1:00 P.M.

PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Concerning all that parcel of land in the Eighth District of Baltimore County,

BEGINNING for the same at a point on the South side of Seminary Avenue, 60 feet wide, said point being situate, referring all courses to the true meridian as established by the Baltimore County Metropolitan District, North 72 degrees 03 minutes 50 seconds West 390 feet, more or less, measured along said South side of Seminary Avenue from its intersection with the center line of Fraucke Avenue, thence leaving said place of beginning and running and binding on said South side of Seminary Avenue North 72 degrees 03 minutes 50 seconds West 255.92 feet to intersect the third or North 31 degrees 56 minutes East 718 foot 4 inch line of the land which by deed dated May 9, 1940 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 1101 Folio 556 was conveyed by G. Milton Brooks et al to W. Giles Parker and wife, thence leaving said South side of Seminary Avenue and running and binding reversely on part of said third line South 25 degrees 09 minutes 36 seconds West 447.67 feet to the Northernmost outline of the land shown on the Plat of Lincoln recorded among the Land Records of Baltimore County in Plat Book G.L.B. No. 17 folio 25, thence running and binding on part of said Northernmost outline of the aforementioned plat South 69 degrees 33 minutes East 155.77 feet, thence leaving said Northernmost outline of the aforementioned plat and running for new lines of division through the land described in the aforementioned deed of which the parcel now being described is a part the three following courses and distances, viz: North 17 degrees 56 minutes 10 seconds East 185.17 feet, South 72 degrees 03 minutes 50 seconds East 156.59 feet and North 17 degrees 56 minutes 10 seconds East 265.78 feet to the place of beginning.

Containing 2.27 Acres of land, more or less. Being the property of W. Giles Parker and Marion M. Parker, as shown on plat plan filed with the Zoning Department.

BY ORDER OF
JOHN G. ROSE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Aug. 9

ORIGINAL

5927

OFFICE OF
THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS
Reisterstown, Md

~~THE COMMUNITY PRESS~~
~~Dundalk, Md.~~

THE HERALD - ARGUS
Catonsville, Md.

No. 1 Newburg Avenue CATONSVILLE, MD.

August 12, 1963.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for One Week ~~successive weeks~~ before the 12th day of August, 1963, that is to say the same was inserted in the issues of August 9, 1963.

THE BALTIMORE COUNTIAN

By Paul J. Morgan
~~Editor and~~ Manager.KB

PETITION FOR ZONING SPECIAL EXCEPTION
8TH DISTRICT

ZONING: Petition for Special Exception for a Nursing Home.

LOCATION: South side of Seminary Avenue 390 feet West of Fraucke Avenue.

DATE & TIME: Monday, August 26, 1963 at 1:00 P.M.

PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Concerning all that parcel of land in the Eighth District of Baltimore County,

Beginning for the same at a point on the South side of Seminary Avenue, 60 feet wide, said point being situate, referring all courses to the true meridian as established by the Baltimore County Metropolitan District, North 72 degrees 03 minutes 50 seconds West 390 feet, more or less, measured along said South side of Seminary Avenue from its intersection with the center line of Fraucke Avenue, thence leaving said place of beginning and running and binding on said South side of Seminary Avenue North 72 degrees 03 minutes 50 seconds West 255.92 feet to intersect the third or North 31 degrees 56 minutes East 718 foot 4 inch line of the land which by deed dated May 9, 1940 and recorded among the Land Records of Baltimore County in Liber C.W.B. Jr. No. 1101, folio 556 was conveyed by G. Milton Brooks et al to W. Giles Parker and wife, thence leaving said South side of Seminary Avenue and running and binding reversely on part of said third line South 25 degrees 09 minutes 36 seconds West 447.67 feet to the Northernmost outline of the land shown on the Plat of Lincoln recorded among the Land Records of Baltimore County in Plat Book G.L.B. No. 17 folio 25, thence running and binding on part of said Northernmost outline of the aforementioned plat South 69 degrees 33 minutes East 155.77 feet, thence leaving said Northernmost outline of the aforementioned plat and running for new lines of division through the land described in the aforementioned deed of which the parcel now being described is a part the three following courses and distances, viz: North 17 degrees 56 minutes 10 seconds East 185.17 feet, South 72 degrees 03 minutes 50 seconds East 156.59 feet and North 17 degrees 56 minutes 10 seconds East 265.78 feet to the place of beginning.

Containing 2.27 Acres of land, more or less.

Being the property of W. Giles Parker and Marion M. Parker, as shown on plat plan filed with the Zoning Department.

By Order of
JOHN G. ROSE
Zoning Commissioner of
Baltimore County

Aug. 9.

5927

CERTIFICATE OF PUBLICATION

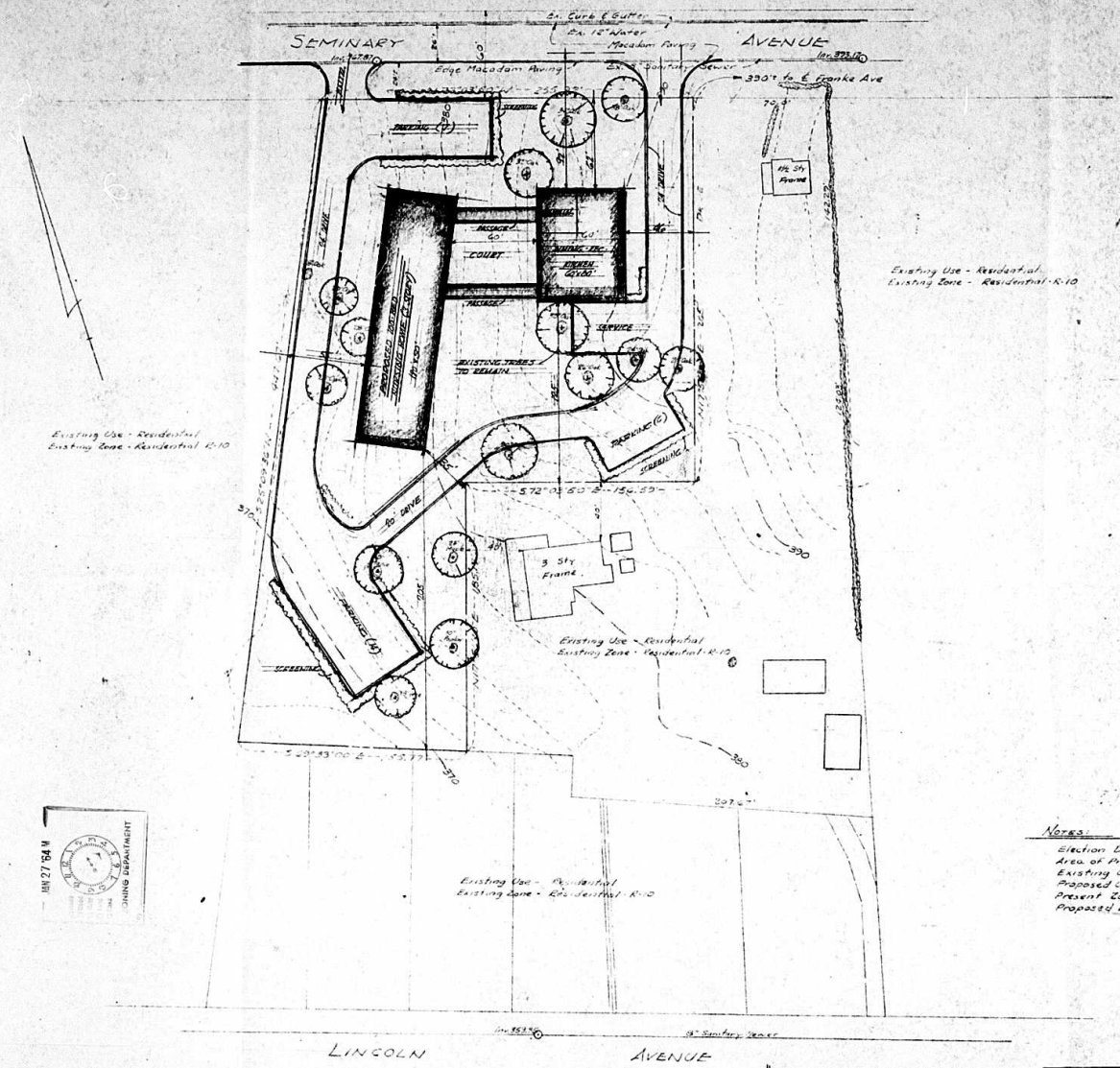
TOWSON, MD., August 9, 1963

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once a week~~ ~~for~~ 1 time ~~successive weeks~~ before the 26th day of August, 1963, the first publication appearing on the 9th day of August 1963.

THE JEFFERSONIAN,

Manager.

Cost of Advertisement, $



Notes:

Election District - 11-8
Area of Property - 2.27 Acres±
Existing Use of Property - Unimproved
Proposed Use of Property - Convalescent Home
Present Zoning - Residential - R-10
Proposed Zoning - Special Exception.

JAN 27 '64 M

ZONING DEPARTMENT

PROPOSED NURSING HOME
FOR SUBURBAN NURSING HOMES, INC.
Cohen Kern Kobe Architect

DATE	REVISION	BY

SURVEYED BY	DATE
COMPUTED BY	DATE
DRAWN BY	DATE
CHECKED BY	DATE

Dwg. No. 1370

STATE OF MARYLAND
L. ALAN EVANS
No. 3121
REGISTERED
CIVIL ENGINEER
LAND SURVEYOR

L. ALAN EVANS
SURVEYORS & CIVIL ENGINEERS
4200 ELSRODE AVE. - PHONE HA 6-2144
BALTIMORE 14, MARYLAND
— branch office —
8 POPLAR STREET - PHONE AC 9-5880
CAMBRIDGE, MARYLAND
STATE OF MARYLAND REG. No. 3121

DATE [illegible]