



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 8, 1999

GMAC Commercial Mortgage Corporation
650 Drasher Road
P.O. Box 1015
Horsham, Pennsylvania 19044-8015

To Whom It May Concern:

RE: Zoning Verification, 711 Academy Road, Parcel B, 3.7 acres +/-,
Convalescent (Nursing) Home, (the "Project"), Case #'s 70-54-RX,
96-133-SPHA, 1st Election District

This zoning verification responds to your letter and plan received on
6/25/99. The responses are based on your information and a review of the
zoning records.

1. Current Zoning: The land on which the Project is constructed is zoned
D.R.5.5 (Density Residential, 5.5 dwelling units per acre) with a small
R.O. (Residential-Office, 5.5 dwelling units per acre) zoned strip of area
along the northern-most boundary and is subject only to the use
restrictions generally applicable to that classification which are
contained in the Baltimore County Zoning Ordinance.
2. Conformance with Current Zoning Requirements: Based on the materials
available from our records, we have no reason to believe that either the
use of the Property or the improvements thereon are nonconforming.
3. Right to Rebuild Following Casualty: In the event of casualty, the Project
may be rebuilt substantially in its current form (i.e., no loss of square
footage, same building footprint) upon satisfaction of the following
conditions and or limitations:

As approved in zoning case #70-54-RX or if the choice is made to go
forward with the development as approved in zoning case #96-133-SPHA,
then pursuant to that site plan and Order.

4. No Further Approvals or Licenses Required: The current use of the
Project by its present owners for a 125 bed convalescent (nursing) home as
approved in cases #70-54-RX and 96-133-SPHA is a permitted use under the
Zoning Ordinance without the necessity of any rezoning, special
exceptions, use permit, variance or other approval, other than those
previously referenced. We are not aware of any other permit or license
required by this jurisdiction that a purchaser must obtain before it may
acquire the Project or before the Project may continue to be used in the

GMAC Commercial Mortgage Corporation
July 8 1999
Page 2

manner in which it is presently being used. This is with the
understanding that should case #96-133-SPHA approval be utilized (for up
to 244 beds), new construction will require other county (etc.) reviews
and permitting approvals.

5. Parking: The required number of parking spaces for this Property is per
case #70-54-RX, which is 1 space per 10 beds. Once case #96-133-SPHA is
utilized, 176 parking spaces are required pursuant to the approved plan.
6. No Applications Pending: To the best of my knowledge, no application for
rezoning of the Project, or for a special or conditional use permit or
variance in connection with the Project, is now pending. No proceeding to
challenge the zoning, or other governmental approval or use of the Project
is pending, or, to the best of our knowledge, overtly threatened.
7. Certificates of Occupancy Issued: We are unable to locate a certificate
of occupancy for the Project from our records. We have no reason to
believe, however, that one was not properly issued and the absence of a
certificate of occupancy under such circumstances would not give rise to
any enforcement action affecting the Project.
8. No Violations; All Development-Related Fees Paid: We are unaware of (i)
the existence of any violations or alleged violations of any zoning,
subdivision, building or similar ordinances or regulations applicable to
the Project within the past three years, or (ii) any enforcement
proceedings against the Project that are pending or contemplated. Due to
the age of the Project (from the 1970's), we feel assured that all fees
required have been paid in connection with the development and use of the
Project, including any impact-related fees, have been paid, and no such
fees which would have applicability to the Project are otherwise pending
or contemplated.

I trust that the information set forth in this letter is sufficiently
detailed and responsive to the request. If you need further information or
have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

John L. Lewis
Planner II
Zoning Review

JLL:ggs

Enclosure

c: Case Numbers: 70-54-RX and 96-133-SPHA

Come visit the County's Website at www.co.ba.md.us



May 17, 1976

Joseph S. Kaufman, Esq.
10 Light Street, Twelfth Floor
Baltimore, Maryland 21202

RE: Petition for Reclassification and
Special Exception for a Professional
Office Building and Convalescent Home
NE/S of Academy Lane, 300' from the
S/S of Old Frederick Road, 682' SE
of St. Agnes Lane - 1st Election
District
RAD, Inc. - Petitioner
No. 70-54-RX (Item No. 287) ✓

Dear Mr. Kaufman:

I am in receipt of your letter of May 5, 1976, in which you request confirmation of our telephone conversation of that date concerning the necessity for a formal subdivision plat approval in conjunction with the above referenced matter. I have reviewed the Baltimore County Zoning Regulations, and it is my interpretation that in this case no subdivision approval is necessary for the subject proposal.

If you have any further need of assistance, please contact this office.

Very truly yours,

S. ERIC DiNENNA, Zoning Commissioner

SED:PTH:JD

cc: George J. Martinak, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
Franklin T. Hogans, Jr., Zoning Technician III

LAW OFFICES OF
MELNICOVE, GREENBERG, KAUFMAN & WEINER, P. A.

10 LIGHT STREET
TWELFTH FLOOR

BALTIMORE, MARYLAND 21202

(301) 727-2800

CABLE ADDRESS MAGKA

BERNARD S. MELNICOVE
(1911-1971)
MANNES F. GREENBERG
JOSEPH S. KAUFMAN
ARNOLD M. WEINER
ROBERT E. CAHILL
FRANKLIN GOLDSTEIN
LOUIS B. PRICE
ISAAC M. NEUBERGER

M. ALBERT FIGINSKI
FRANCIS S. BROCATO
DAVID L. SNYDER
ROBERT D. WALDMAN
*GARY I. STRAUSBERG
D. CHRISTOPHER OHLY

*D. C. BAR ONLY

May 5, 1976

Honorable S. Eric Di Nenna
Zoning Commissioner
Baltimore County
Office of Planning and Zoning
Towson, Maryland 21204

RE: Petition for Reclassification and
Special Exception for a Professional
Office Building and Convalescent Home
NE/S of Academy Lane, 300' from the
S/S of Old Frederick Road, 682' SE
of St. Agnes Lane - 1st Election
District
RAD, Inc. - Petitioner
No. 70-54-RX (Item No. 287)

Dear Commissioner Di Nenna:

This will confirm our telephone conversation of this afternoon, wherein I notified you that the construction mortgage lender, Union Trust Company, for the above-captioned project, had inquired as to the necessity of obtaining subdivision plat approval. Based upon the facts set forth in my letter to you of February 12, 1976, I would appreciate your written acknowledgement that no subdivision approval is necessary for this project.

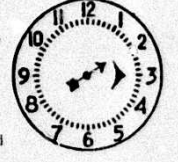
Very truly yours,

JOSEPH S. KAUFMAN

JSK:mpf

CC: William T. Define, Esquire
Attorney for Union Trust Company

MMV 6:76 PM

☐ Ang	
☐ Rec	
☐ Dis	
☐ Ent	
☐ Chkd	
ZONING	
By	

cc: Jesse Spector, Esquire
612 Court Square Building
Baltimore, Maryland 21201

—

JAMES J. DOHERTY
ATTORNEY AT LAW
THE LAW BUILDING
R.R. CENTER ST. PAUL AND FRANKLIN
BALTIMORE, MARYLAND 21204
727-3137

July 13, 1970

County Board of Appeals
Room 301
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 70-54-RX, R.A.D., Inc.

Gentlemen:

Please dismiss the Petition for Appeal filed in the above entitled case on behalf of R.A.D., Inc., the Petitioner in the above said action. Thanking you for your cooperation, I am

Very truly yours,

James J. Doherty
James J. Doherty

JJD:jm

cc: Mr. Frank E. Ciccone, Esquire
Mr. Jesse Spector, Esquire

SPECTOR AND FRENKIL
ATTORNEYS AT LAW
818 COURT SQUARE BUILDING
LEWISTON & CALVERT STREETS
BALTIMORE, MARYLAND 21202
December 19, 1969

JESSE SPECTOR
EDWARD B. FRENKIL
JOHN H. SPECTOR

Hon. Edward D. Hardesty
Deputy Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Petition No. 70-54-RX

Dear Mr. Hardesty:

I wrote to you on October 13, 1969, concerning the above Petition for a reclassification from R-6 to B.L., including a Special Exception for a convalescent home.

Mr. Rose, the Zoning Commissioner, had heard this case on September 10, 1969, prior to his sudden illness. In my letter of October 13, I inquired as to whether the additional information and memorandum requested by Mr. Rose at the time of the hearing, should be directed to your attention or to the attention of Mr. Rose. I had previously called the office of the Zoning Commissioner, and I was directed to write the letter which I did on October 13.

Please let me know whether you will be making the determination in this case, or whether it will be made by Mr. Rose, so that I can furnish whatever information I feel is appropriate on behalf of the Improvement Association which I represent.

Very truly yours,

Jesse Spector
Jesse Spector

JS:prs

SPECTOR AND FRENKIL
ATTORNEYS AT LAW
818 COURT SQUARE BUILDING
LEWISTON & CALVERT STREETS
BALTIMORE, MARYLAND 21202
October 13, 1969

JESSE SPECTOR
EDWARD B. FRENKIL
JOHN H. SPECTOR

Hon. Edward D. Hardesty
Deputy Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Petition No. 70-54-RX

Dear Mr. Hardesty:

The above Zoning Petition, for a reclassification from R-6 to B.L., including a special exception for a convalescent home, was heard by Mr. Rose, the Zoning Commissioner, on September 10, 1969. As you know, this was prior to his sudden illness, and I further understand that Mr. Rose has not rendered any decision in this matter.

I represent an improvement association which is interested in this matter, and I intended to write a follow-up letter to Mr. Rose, setting forth the position of our Association in regard to this Zoning Petition. I understand that you have assumed the duties of the Zoning Commissioner, at least on a temporary basis, and I was wondering whether I should direct this letter concerning the above matter to your attention or to the attention of Mr. Rose.

I also would like to know whether any additional hearing might be required or requested in this particular matter so that you could take action on this Petition, or whether it is intended to wait until Mr. Rose is sufficiently recovered to render his own decision. I would like to know what is intended in this particular matter at this time, or whether the matter will be permitted to wait for a while before any determination is made. Thanking you for your cooperation in furnishing me this information, and with best regards, I remain

Very truly yours,

Jesse Spector
Jesse Spector

JS:prs

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: August 29, 1969

FROM: Mr. George E. Goveally, Director of Planning

SUBJECT: Petition #70-54-RX. Reclassification from R-6 to B.L. Special Exception for Convalescent Home. Northwest side of Academy Lane 300 feet from the Northwest side of Mt. DeSales Road and the south side of Old Frederick Road. 682 feet southeast of St. Agnes Lane. R.A.D., Inc., Petitioners.

1st District

HEARING: Wednesday, September 10, 1969 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to B.L. zoning together with Special Exception for a Convalescent Home. It has the following advisory comments to make with respect to pertinent planning factors:

1. The Planning staff is in accord with the Special Exception for a Convalescent Home on Parcel B. If granted, the granting should be conditioned upon compliance with a plan approved by the appropriate agencies.
2. The Planning staff is not in accord with the concept of commercial zoning along the frontage of Old Frederick Road. Present studies by the Planning staff aimed at a new comprehensive zoning map for this area do not validate the concept of extending commercial zoning to the south side of Old Frederick Road.

GEG:bms

- Page 2 -

Frank E. Ciccone, Esq.,
First National Bank
Towson, Maryland 21204

James J. Doherty, Esq.,
425 St. Paul Place
Baltimore, Maryland 21202
Item 287

Highways: (Continued)

Academy Lane is an existing County road which is currently being improved with a 30-foot partial section of the proposed 40-foot closed section with flexible paving on a 60-foot right-of-way. No further highway improvements are required at this time; however, the proposed entrance should be constructed based on a 40-foot closed section. The Applicant shall dedicate the necessary highway widening at no cost to the County and as shown on Baltimore County Bureau of Land Acquisition drawing BR/W 65-417-4, Job Order 5-2-153.

The entrance locations are subject to approval by the Department of Traffic Engineering.

Storm Drains:

No provisions for accommodating storm water or drainage have been indicated on the subject plan; however, a drainage study and plans will be required prior to approval of any subsequent building permit applications.

The Applicant must provide any necessary drainage facilities (temporary or otherwise) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or other drainage facilities, would be the full responsibility of the Applicant.

Sediment Control:

Development of this property through stripping, grading, and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Sanitary Sewer:

A 8-inch sanitary sewer exists in Old Frederick Road and is available to serve Parcel "A" of this property. Parcel "B" cannot be served by gravity unless the existing 8-inch sanitary sewer in Mt. DeSales Road (See Baltimore County Bureau of Engineering drawing #47-338, A-7-b) is extended through an easement between the lots fronting on Mt. DeSales Road. This possibility should be fully explored by the Applicant's engineer as the three lots, fronting on Academy Lane and immediately adjacent to this site, do not have public sewerage. Any front foot assessment available from these lots would help to defray some cost of constructing of the public sewer extension.

- Page 3 -

Frank E. Ciccone, Esq.,
First National Bank
Towson, Maryland 21204

James J. Doherty, Esq.,
425 St. Paul Place
Baltimore, Maryland 21202
Item 287

Sanitary Sewer: (Continued)

Use of a private sewage pumping system is subject to the approval of the Baltimore County Department of Health.

Water:

Public water supply is available to serve this property; however, for adequate pressure, the water main in Academy Lane which is supplied by the Catonsville fourth zone facilities.

PROJECT PLANNING DIVISION:

This plan has been reviewed and there are no site planning factors requiring comment.

BUREAU OF TRAFFIC ENGINEERING:

Parcel B of the subject petition is not requesting a change in zoning. Therefore, there should be no major increase in trips from this parcel. Parcel A, however, is requesting a change from R-6 to B.L. of 1100 trips per day. RA, with special exception for office building would only generate 160 trips per day. Therefore, it is requested that if an office building is contemplated, the zoning could be changed to RA, with special exception for office building.

BUILDING ENGINEER'S OFFICE:

Must meet all Baltimore County Building Code requirements.

FIRE DEPARTMENT:

Owner shall be required to comply with all Fire Department regulations in accordance with Life Safety Code, 1967 edition, Chapter 10, Institutional Occupancies, when construction plans are submitted for approval.

BOARD OF EDUCATION:

Would only result in a possible loss of students.

HEALTH DEPARTMENT:

Public water and sewers are available to the site, therefore, no health problems are anticipated.

Prior to approval of a building application complete plans and specifications

- Page 4 -

Frank E. Ciccone, Esq.,
First National Bank
Towson, Maryland 21204

James J. Doherty, Esq.,
425 St. Paul Place
Baltimore, Maryland 21202
Item 287

HEALTH DEPARTMENT: (Continued)

of the building and type of equipment to be used for the food service operation must be submitted to the Maryland State Department of Health, Division of Food Control, for review and approval.

The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

ZONING ADMINISTRATION DIVISION:

The means of severing the property must be indicated on revised plans prior to a hearing date being assigned. It is suggested that the petitioner's engineer and/or his attorney contact Mr. Robert J. Jans in the Development Design section of the Bureau of Engineering in regard to severing the property.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

OLM:JD
Enc.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 11, 1969

Frank E. Ciccone, Esq.,
First National Bank
Towson, Maryland 21204

James J. Doherty, Esq.,
425 St. Paul Place
Baltimore, Maryland 21202

RE: Type of Hearings Reclassification from an R-6 zone to an B.L. zone, and for Special Exception for Convalescent Home Location: NE/5 Academy Lane, 300' NW of Mt. DeSales Rd. 1st District Petitioner: R.A.D., Inc. Committee Meeting of June 3, 1969 Item 287

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently improved with a 2 story frame dilapidated dwelling which is presently vacant. It appears that several fires have been set in this building. The properties to the west are improved with dwellings. Some areas are unimproved. The properties to the east are improved with dwellings, as well as to the south. To the north of the subject site lies the E. J. Korvette Shopping Center. Old Frederick Road is improved as far as curb and gutter are concerned; however, Academy Lane is not improved with curb and gutter.

BUREAU OF ENGINEERING:

Highways:

Old Frederick Road is an existing County road which has been improved as a 40-foot closed section on a variable width right-of-way along the frontage of the subject property. No further highway improvements are required at this time. However, the Applicant shall be responsible for constructing a 4-foot wide public walk across the frontage of this site and shall dedicate the necessary highway widening, at no cost to the County, to establish a full 60-foot right-of-way.

70-54-R. 9

2 5 1603

CERTIFICATE OF POSTING
JONIAN DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District.....1st...... Date of Posting.....AUG. 23-69.

Posted for.....RECEIVED FROM R-6 TO R-1 FOR SPECIAL EXCISE TAX

Precincter.....R.D. Lark......1.

Location of property.....N.E. cor. ACADemy LAKE TRACT FOURTH BLK. 17. MC DONALD'S RD. N.W. cor. FREDERICK RD. GRANT ST. S.E. cor. ST. ANNE'S LAKE

Location of Signs.....@ S.W. cor. old FREDERICK RD. 700 FT. + - SE. cor. ST. ANNE'S LAKE. @ E. 1/4 cor. ST. ANNE'S LAKE 325 FT. + - NE cor. MC DONALD'S RD.

Remarks.....

Posted by.....Chas. H. Stender..... Date of return.....AUG. 29-69.

SIGNED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1ST Date of Posting: May 22, 1970

Posted for: APPEAL

Petitioner: RAD, INC.

Location of property: N.E. 1/4 of ACADEMY LANE 300 FT. FR. N.W. 1/4 of MT. DE SALES
Rd. 4 1/2 S. of Old FREDERICK Rd. 682 FT. S.E. of ST. AUGUS LANE

Location of Sign: 300 FT. FREDERICK Rd. 670 FT. E. of ST. AUGUS LANE

1/4 of ACADEMY LANE 320 FT. N. of MT. DE SALES Rd. SAME ONLY 370 FT.
2. 200 FT. THIS PROPERTY BEGINS at THE 3 1/4 of 1/2 W. 2

Remarks: SUBJ. REMARK. THE 1/4 of ACADEMY LANE THAT 2. 200 FT.

Posted by: John H. Hall Date of return: JUNE 5, 1970
70-54-RX

TELEPHONE
2-3000
AT 367

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 71228
DATE **May 15, 1970**

To: **James J. Deberry, Esq.,**
The Law Building
5 E. Cor. St. Paul & Franklin Sts.,
Baltimore, Md. 21201

21204
Zoning Dept. of Baltimore County

QUANTITY	REPORT TO ACCOUNT NO.	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT
	01-422	DETACH AND DISPERSE AND KEEP THIS PORTION FOR YOUR RECORDS	\$65.00
1	Cost of appeal - R A D Inc.,		\$70.00
	Mc. 70-54-22E	posting 5 signs	15.00
			\$85.00

4

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO: DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

TELEPHONE 823.9000 EXT. 387	INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE <i>Division of Collection and Receipts</i> COURT HOUSE TOWSON, MARYLAND 21204	No. 64708 DATE Sept. 27, 1969
To: RAE, Inc. 5320 Baltimore National Pike Baltimore, Md. 21208 ACCOUNT NO. 69-622		BILLED BY:
Being Dept. of Baltimore County		
RETURN THIS PORTION WITH YOUR REMITTANCE DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS		TOTAL AMOUNT \$91.50 COST
QUANTITY	Description and posting of property 978-9-4	\$91.50

TELEPHONE 523-3000 EXT. 387		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE <i>Division of Collection and Receipts</i> COURT HOUSE TOWSON, MARYLAND 21204		No. 64670 DA <u>August 26, 1969</u>	
To: Frank B. Glantz, Inc. 100 Memorial Park Building Towson, Md. 21204		BILLED BY:		Being Dep. of Baltimore County	
PAY TO ACCOUNT NO. 64-672		RETURN THIS PORTION WITH YOUR REMITTANCE		TOTAL DEDUCTION 50.00	
C. PARTY		DETACH ALONG - REPOSITION AND KEEP THIS PORTION FOR YOUR RECORDS		COST	
POSITION FOR Reclassification and Special Exception for S.A.S., Inc. 870-50-00		50.00		50.00	
4		IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND		DIVISION (IF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204)	

Frank B. Kennedy, Jr.
John E. Kennedy, Jr.
John E. Kennedy, Jr.
John E. Kennedy, Jr.
John E. Kennedy, Jr.

ALYMDOR TOWN OF BALTIMORE AND JARVIS
COUNTY OFFICE BUILDING
711 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this
_____ day of _____, 1962

John E. Kennedy, Jr.
JOHN E. KENNEDY, JR.
Zoning Commissioner

Petitioner: _____
Petitioner's Attorney: _____
Reviewed by: *John E. Kennedy, Jr.*
Chairman of
Advisory Committee

John E. Kennedy, Jr.
John E. Kennedy, Jr.

[illegible]

CERTIFICATE OF PUBLICATION

_____ AUG 21 1969 _____ 19____

TOWSON, MD. _____ 19____

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 in each of _____ times ~~successive weeks before~~ the _____ day of _____ September _____ 19____ the first publication appearing on the _____ 21st _____ day of _____ August _____ 19____.

19____

THE JEFFERSONIAN,

L. L. Smith
Manager.

Cost of Advertisement, \$ _____

CERTIFICATE OF PUBLICATION

TOWSON, MD. _____ February 19____, 19__.

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 in each of _____ consecutive weeks before the _____ day of _____, 19____, the first publication appearing on the _____ day of _____, 19____.

THE JEFFERSONIAN,
Manager.

Cost of Advertisement \$_____.

ORIGINAL

OFFICE OF

 THE
CATONSVILLE TIMES

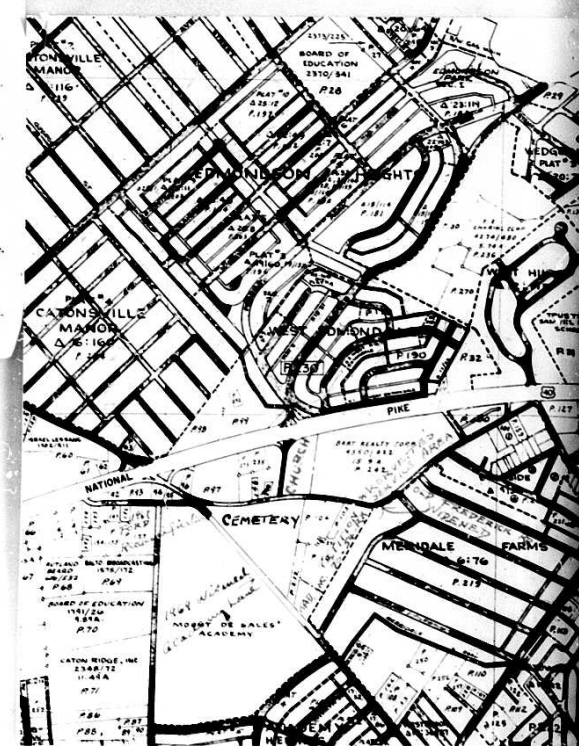
CATONSVILLE, MD. 21228 Feb. 11, 1970

THIS IS TO CERTIFY, that the annexed advertisement of
Edward D. Hardisty, Deputy Mining Commissioner
of Baltimore County

was printed in THE CATONSVILLE TIMES, a weekly newspaper pub-
lished in Baltimore County, Maryland, once a week for One
~~SEVENTEEN~~ weeks before the 11th day of Feb., 1970, that is to say
the same was inserted in the issue of February 11, 1970.

STROMBERG PUBLICATIONS, Inc.

By Barth Morgan



ACADEMY LANE

ROBERT MORRIS
3554/271
4408/250
Ex. Zoning R-6

PARCEL "A"

Existing Zoning.....R-G
Existing Use.....Residence
Proposed Zoning.....B-1
Proposed Use.....Medical Office Bldg.
Area of Building.....15,120 sq. feet
Parking Spaces required.....31
Parking Spaces Proposed.....62
Area of Property.....1.60 Ac.
Public Water and Sewer Available
Existing Structures to be razed
Minimum Screening to consist of
Compact Evergreens 4' high

CARROLL STEPHENSON
2008/418
Ex. Zoning 7-C

DARC 1.1.B

Existing Zoning	R-G
Existing Use	R-G
Proposed Zoning....	R-G with Special
Exception for Convalescent Home	
Proposed Use... Convalescent Home	
Number of Beds	120
Parking Spaces required	12
Parking Spaces Proposed	33
Area of Parcel 2'	3,703 sq.
Public Water and Sewer Available*	
Minimum Screening to consist of	
Compact Evergreens 4' high	

* Extension of a gravity sewer from the existing sewer in Mt. De Sales Road is planned. The indicated sewage pumping system is an alternative plan

M E R I D A L E

F A R M S

PL. Bk. C

J. STRONG SMITH & ASSOCIATES
MUSIC FAIR ROAD
OWINGS MILLS, MARYLAND
PHONE: 363-2100 2117

MT DESALES ROAD

PLAN.
SCALE 1"=30'



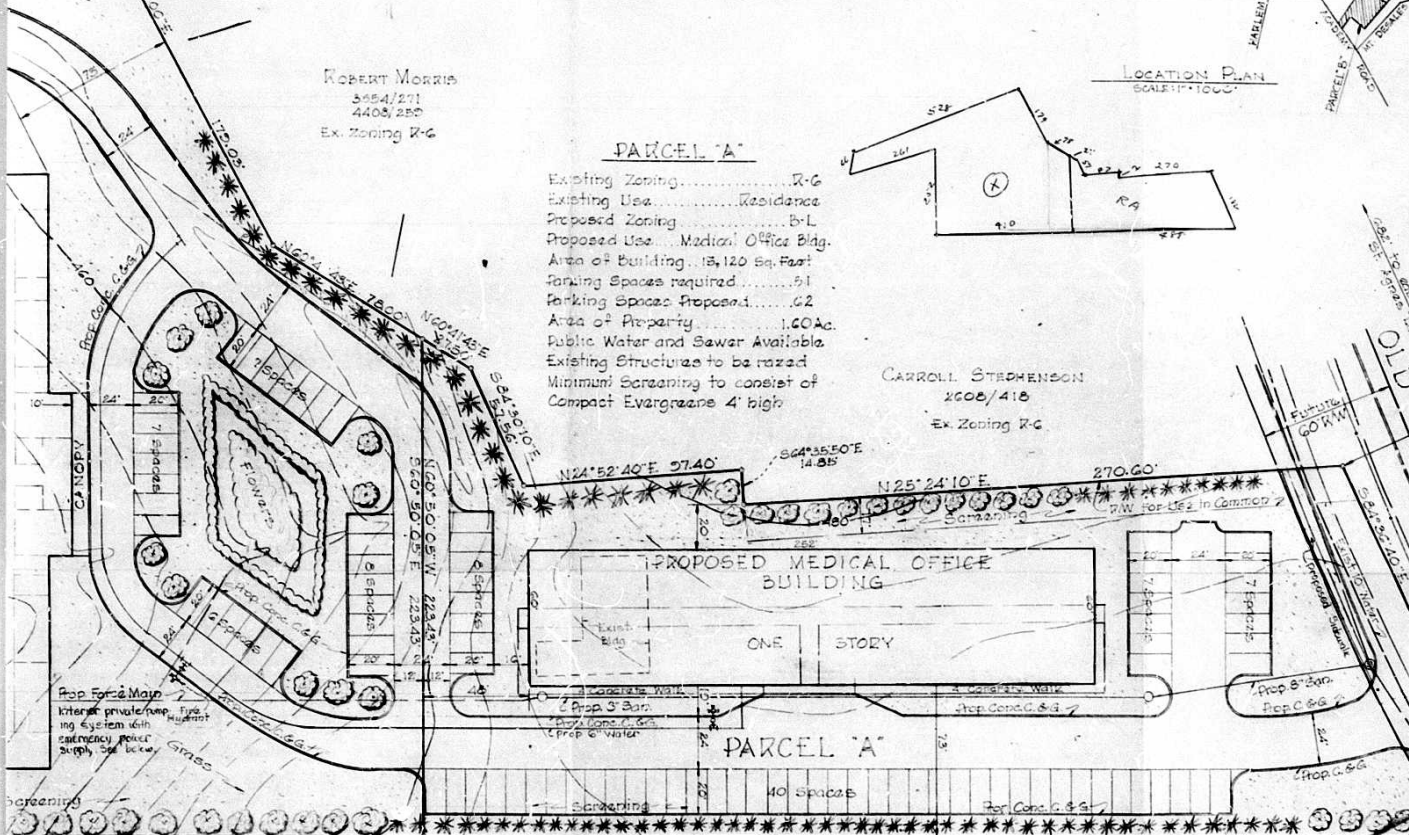
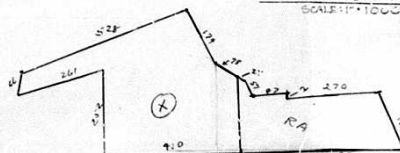
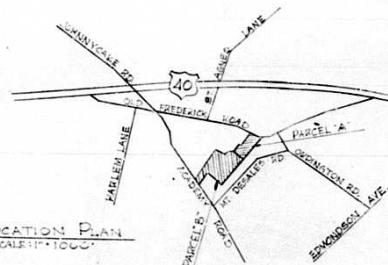
ROBERT MORRIS
3584/271
4408/280
Ex. Zoning R-6

PARCEL "A"

Existing Zoning.....R-6
Existing Use.....Residence
Proposed Zoning.....B-1
Proposed Use.....Medical Office Bldg.
Area of Building.....13,120 Sq. Feet
Parking Spaces required.....51
Parking Spaces Proposed.....62
Area of Property.....1.60Ac.
Public Water and Sewer Available
Existing Structures to be razed
Minimum Screening to consist of
Compact Evergreens 4' high

CARROLL STEPHENSON
2608/418
Ex. Zoning R-6

LOCATION PLAN
SCALE 1"=100'



PARCEL "A"

FOLIO 76

OFFICE COPY

FRANK WALL
3515/170

JOSEPH BROENING
3406/156

JOHN WISNIEWSKI
2048/354

ROBERT FISHER
2277/470

MAX HORDOCK
3122/484

JOHN DOKERTY

2332/156

MAP #1
SEC. 2-A
SW-1-E
SW-2-E
2L



HAN D. ACCOMPANY ZONING PETITION
MEDICAL OFFICE BUILDING • OLD FREDERICK ROAD
& CONVALESCENT HOME • ACADEMY LANE

SCALE AS SHOWN

REVISIONS JULY 9, 1969

PLAN.
SCALE: 1"=30'

F-2

ORDER RECEIVED FOR

DATE 4/20/72

BY J. C. Harris clk

ADMINISTRATIVE ASSISTANT

Zoning Commissioner of
Baltimore County

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of April, 1972, that the Special Exception for a professional office building on Parcel A and a convalescent home on Parcel B, granted April 20, 1970, should be and the same is hereby extended for a period of three (3) years, beginning April 20, 1972, and ending April 20, 1975.

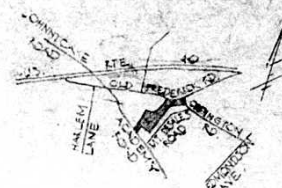
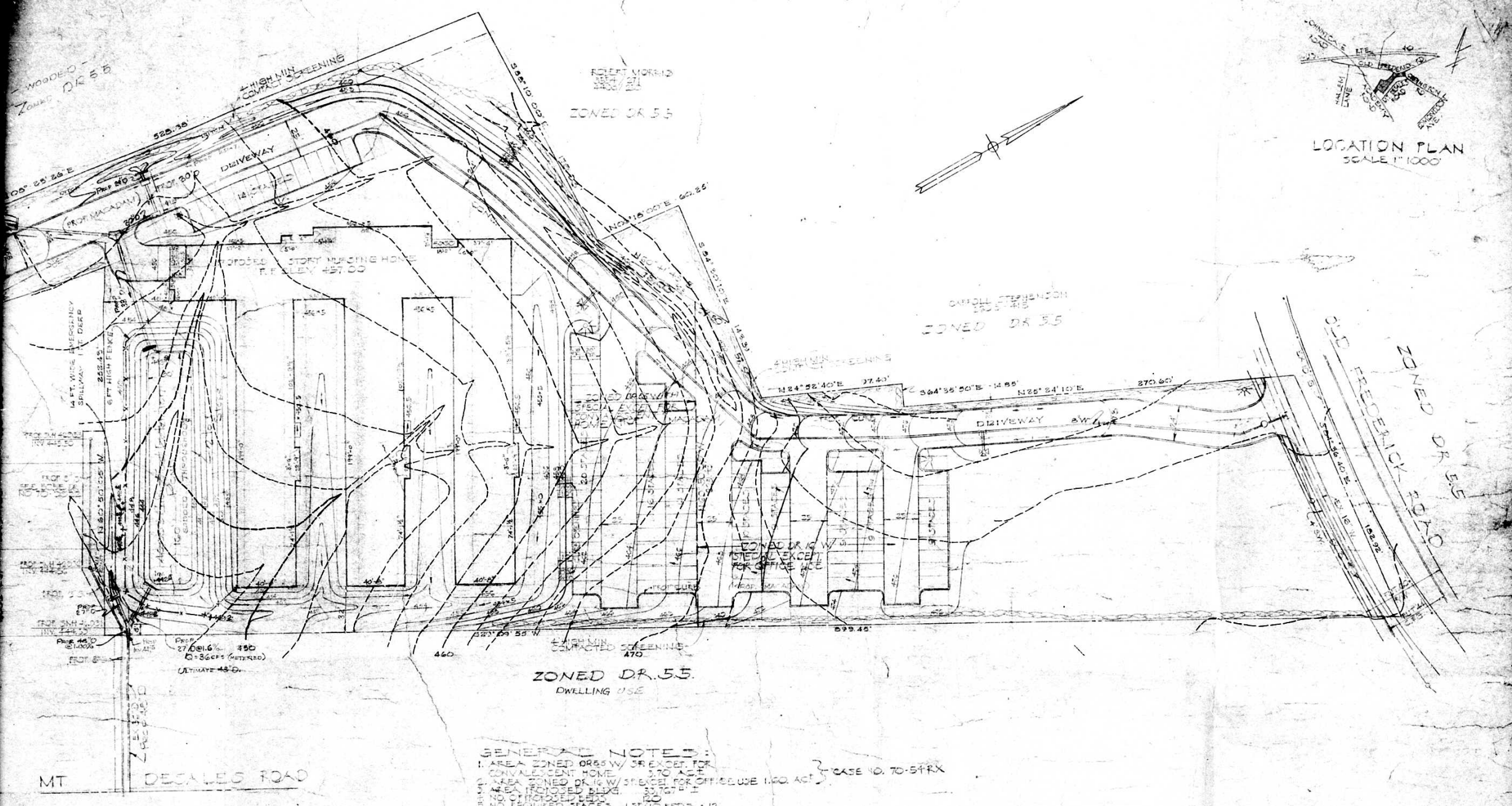
ORDER RECEIVED FOR FILING

DATE April 17, 1972

BY Susan R. Lavery clk
ADMINISTRATIVE ASSISTANT


Zoning Commissioner of
Baltimore County

MICROFILMED



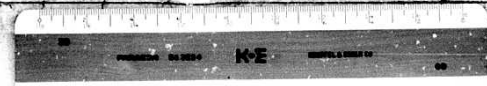
LOCATION PLAN
SCALE 1"=1000'

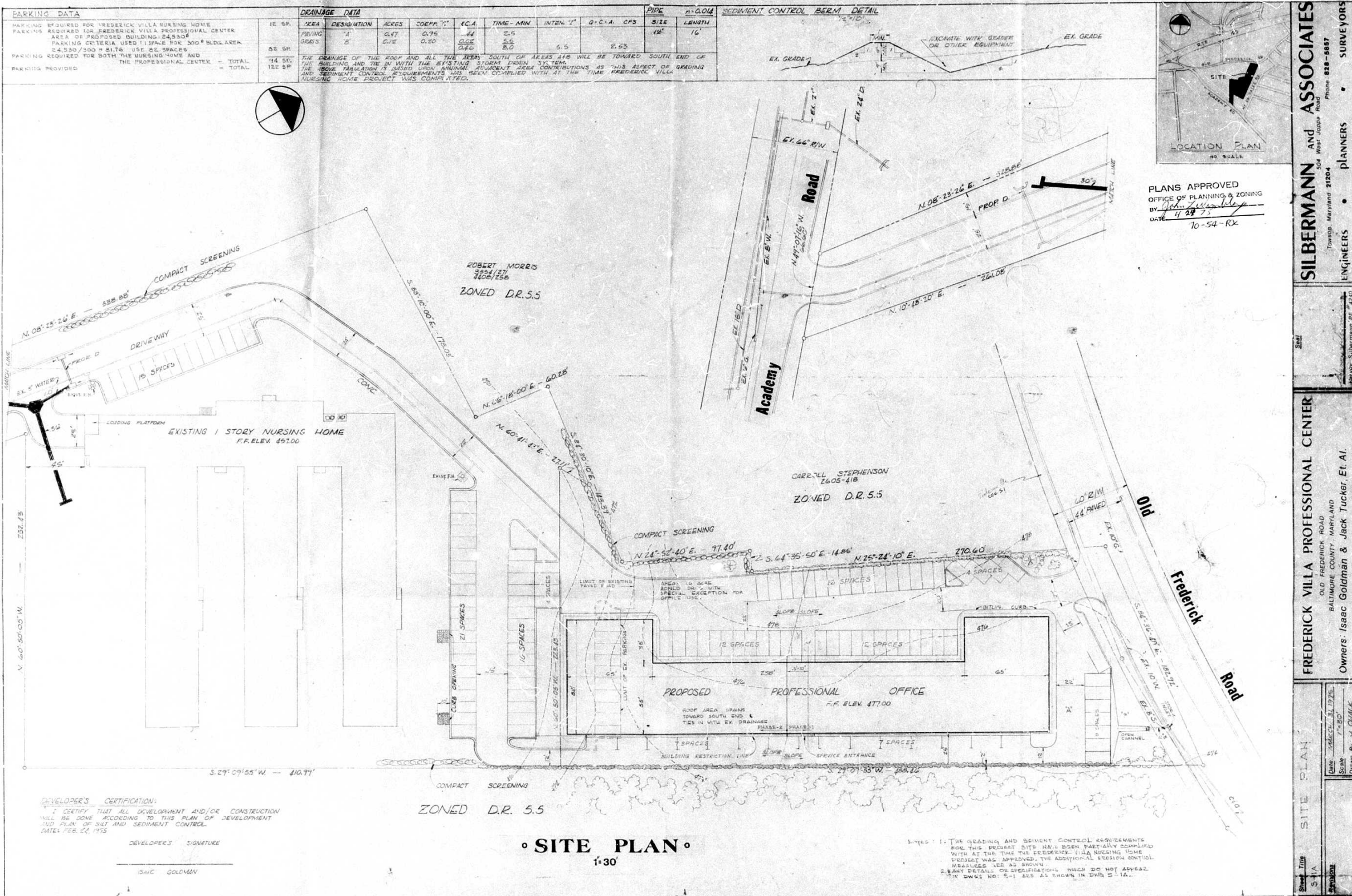
GENERAL NOTES:
 1. AREA ZONED OR 5.5 W/ SPECIAL EXCPT. FOR CONVALESCENT HOME 570 AC.
 2. AREA ZONED DR. 16 W/ SPECIAL EXCPT. FOR OFFICE USE 1500 AC. CASE NO. 70-54 RX
 3. AREA PROPOSED BLDG. 57071 ± 1
 4. NO. OF PROPOSED BLDG. 20
 5. NO. OF REQUIRED SPACES 137/1000 ± 12
 6. NO. OF SPACES PROVIDED 110
 7. INDICATES LIGHT STANDARD.
 8. ALL THAT AREA PROPOSED BELOW ELEV. 448.2 TO BE RESERVED FOR STORM WATER MANAGEMENT.

PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY: *John H. Mumby*
 DATE: *7/6/73*
 70-54-RX

GRADING PLAN
 FREDERICK VILLA NURSING HOME
 ELECTION DISTRICT ONE
 BALTIMORE COUNTY, MD.
 SCALE 1"=50'
 MAY 11, 1973
 REVISED MAY 27, 1973
 JULY 3, 1973
 AUGUST 17, 1973
 SEPT. 11, 1973

Walter E. Mumby





SILBERMANN and ASSOCIATES
304 West Johns Road
Towson, Maryland 21204
Phone 838-8887

ENGINEERS
Planners

FREDERICK VILLA PROFESSIONAL CENTER
OLD FREDERICK ROAD
BALTIMORE COUNTY MARYLAND
Owners: Isaac Goldman & Jack Tucker, Et. Al.

DATE: 4-29-75
SCALE: 1" = 50'
DRAWN BY: J. CHALK

Sheet Title
S-1A
SITE PLAN

Joseph S. Kaufman, Esquire
Twelfth Floor, 10 Light Street
Baltimore, Maryland 21202

February 25, 1976

RE: Petition for Reclassification and
Special Exception for a Profes-
sional Office Building and Con-
valescent Home
NE/S of Academy Lane, 304' from
the NW/S of Mt. DuSable Road and
the S/S of Old Frederick Road, 682'
SE of St. Agnes Lane - 1st Election
District
RAD, Inc. - Petitioner
NO. 70-54-RX (Item No. 287)

Dear Mr. Kaufman:

I am in receipt of your letter of February 12, 1976, in which you
present additional information with regard to the above referenced Special
Exception.

After reviewing your letter setting forth the history and conditions
of development, I feel that my original letter of February 5, 1976, addressed
to Mr. Al Erdi, was in error. The site of the convalescent home and office
building should be considered as one overall tract. The Special Exception
has been utilized and remains in effect for both the existing and proposed
buildings.

If I can be of any further assistance, please do not hesitate to call
upon me.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/JED/scw

Joseph S. Kaufman, Esquire
Page 2
February 25, 1976

cc: Mr. George J. Martinak
Deputy Zoning Commissioner

Mr. James E. Dyer
Zoning Supervisor

Mr. Franklin T. Hogans, Jr., Chief
Processing and Records Section

LAW OFFICES OF
MELNICOVE, GREENBERG, KAUFMAN & WEINER, P.A.

BERNARD S. MELNICOVE
80-87
MANNES F. GREENBERG
JOSEPH S. KAUFMAN
ARNOLD M. WEINER
ROBERT E. GALLI
FRANKLIN GOLDSTEIN
LOUIS B. PRICE
ISAAC M. NEUBERGER

BALTIMORE, MARYLAND 21202



February 12, 1976

M. ALBERT FISCHER
FRANCIS S. BUGGATO
DAVID L. SHYDER
ROBERT D. WALDMAN
GARY I. STRAUSSBERG
D. CHRISTOPHER GILLY

10:10 AM ONLY

S. Eric Di Nenna, Esq.
Zoning Commissioner
Baltimore County
County Office Building
Towson, Maryland 21204

RE: Proposed Office Building
S/S of Old Frederick Road,
400' E of St. Agnes Lane -
1st Election District

Dear Mr. Di Nenna:

Reference is made to your letter of February 5, 1976
addressed to Mr. Al Erdi, in the above-captioned matter and
the conference held in our office on Wednesday, February 11,
1976.

I pointed out that the property contains a total of
5.30 acres which was considered for zoning in its entirety
upon one application, one advertisement, one posting and one
hearing. As pointed out in the Opinion by the then Zoning
Commissioner, Honorable Edward D. Hardesty, "For the purpose
of this hearing, the Petitioner has divided the property into
two parcels. . . ." The Opinion further recognizes that the
entire tract was considered as a comprehensive plan by the
combining of two related uses, namely a nursing home and
adjoining medical office building, as will be seen by the use
of the phrases "overall parcel," "overall tract," "subject
property" and the references that "both proposed buildings will
be one story in height and both will have red brick and
aluminum siding so as to blend with each other." It is clear
to the writer, therefore, that the two buildings were not
independent but rather interdependent.

MELNICOVE, GREENBERG, KAUFMAN & WEINER, P.A.

S. Eric Di Nenna, Esq.
February 12, 1976
Page 2

The nursing home construction was first commenced and
was completed within the time allowed by the provisions of
Section 502.3 of the Baltimore County Zoning Regulations.
While the nursing home portion was being readied for actual
construction, substantial site improvements were being made
for the entire 5.30 acre tract including sediment control,
certain grading, road work, sanitary sewer, and the creation
of a large pond necessary to allow drainage from the entire
tract as well as neighboring tracts.

Because of delays caused by the State Department of
Health final approval and licensure for the entire 120 bed
nursing home facility was not granted until April 15, 1975.

It is my belief that there was construction for the
utilization of the Special Exception well within the time
limit set forth in Section 502.3, supra. Nowhere did
Mr. Hardesty's Order require that construction of both facili-
ties proceed at the same time but contemplated a continuity
of combined use. It was, I respectfully submit, always under-
stood that construction of the medical office building would
follow the opening of the nursing home operation since the
medical office facility would supplement and complement the
nursing home facility.

In March, 1975, the owners, Isaac Goldman, et al., filed
for a building permit for the medical office building.
According to County records a field inspection was made on
March 19, 1975, but the Department of Permits and Licensing
requested an extensive review of the grading and drainage plan
of the site by the Department of Engineering. A permit was
issued on May 29, 1975 (Building Permit No. 67601). In the
intervening time my clients have spent in excess of \$35,000 for
installing the road, additional grading, staking the building
and storm drains. Additionally, arrangements for the obtaining
of a partial release of a mortgage on the entire tract were
made upon payment of \$30,000.00.

My clients were also faced with extreme difficulty in
obtaining the necessary financing to begin construction.
Although a commitment for interim financing was given, a perma-
nent lender had not been found. My clients now advise that
they have secured a permanent lender. In the unlikely event
that the financing cannot be completed, a prospective purchaser
has stated that he will proceed with the construction of the
medical office building.

MELNICOVE, GREENBERG, KAUFMAN & WEINER, P.A.

S. Eric Di Nenna, Esq.
February 12, 1976
Page 3

In conclusion, I respectfully submit that there has been
"construction for . . . utilization" of the Special Exception
and that the owner has pursued the matter with reasonable
diligence. Accordingly, I urge that you conclude and deter-
mine that the Special Exception is valid and substantive and
that the owner may continue to proceed with the construction
of the medical office building.

Very truly yours,

Joseph S. Kaufman

JSK:dm

#70-54RX

April 17, 1972

Mr. Raymond J. Donovan, Jr.
President
RAD, Incorporated
5202 Baltimore National Pike
Baltimore, Maryland 21229

RE: Petition for Reclassification
and Special Exceptions
NE/S of Academy Lane, 300' from
the NW/S of Mt. DeSales Road
and the S/S of Old Frederick
Road, 682' SE of St. Agnes
Lane - 1st District
RAD, Incorporated - Petitioner
NO. 70-54-RX (Item No. 287)

Dear Mr. Donovan:

As per your request, I have extended the Special Exceptions for a professional office building on Parcel A and a convalescent home on Parcel B for a period of three (3) years, beginning April 20, 1972, and ending April 20, 1975. A copy of the Order and extension are attached.

Very truly yours,

S. ERIC DI NENNA
Zoning Commissioner

SED/srl

Attachments

5202 Baltimore National Pike
Baltimore, Maryland 21229
April 14, 1972

Mr. Eric DiNina
Zoning Commissioner
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Reclassification
and Special Exception
NE/S of Academy Lane, 300' from the
NW/S of Mt. DeSales Road and the S/S
of Old Frederick Road, 682' SE of
St. Agnes Lane - 1st District
R A D Incorporated - Petitioner

Dear Sir:

The above zoning request was granted to the Petitioner on
April 20, 1970.

The above property consists of two parcels of land, Parcel A
and Parcel B. Parcel A has RA zoning with a Special Exception for a
professional office building. Parcel B has a Special Exception for a
convalescent home.

We are hereby requesting an extension of the zoning on both
parcels for five years.

Very truly yours,

Raymond J. Donovan, Jr.
Raymond J. Donovan, Jr.
President
RAD Incorporated.

