

# 72-101-4 PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, J.E. Gucka, & E.J. Rush, legal owner(s) 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 for a Variance from Section 209.1, 211.1, and 1802.2B for, Paradise Nursing Home and 211.1 with 1802.2B for Frontyard Setback requirements, to permit a driveway setback of 25' from side property line and 50' from centerline of street instead of 55' and 65' respectively to permit a frontyard setback of 25' from front property line and 55' from centerline of street instead of required 50' and 75' respectively, of the Zoning Regulations of Baltimore County, in the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

**HARDSHIP:** Pursuant to current Department of Health regulations relative to Nursing Homes, Paradise Nursing Home must be re-structured to conform with said regulations. Therefore, the above zoning variance request is tendered to allow appropriate re-structuring.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance 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.

By: Joseph J. Rush, Pres.  
Paradise Nursing Home, Inc.

Contract purchaser

Address: 19.2 Paradise Ave.

Catonsville, Maryland 21228

Proponent's Attorney

Address: 1806 Frederick Road, Balt., Md. 21228

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day

of August, 1971, 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 held before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 18th day of October, 1971, at 11:00 o'clock.

J.E. Gucka & E.J. Rush  
Zoning Commissioner of Baltimore County.

over

## Baltimore County Department Of Public Works

COUNTY OFFICE BUILDING  
TOWSON, MARYLAND 21204

April 20, 1971

Division of Public Service  
COUNCIL & SENATE, R.E.

Larner & Jenkel, Inc.  
706 Chapel Cross Road  
Baltimore, Maryland 21229

Re: Commercial Preliminary Plan  
Paradise Nursing Home (Add.)  
District 1

Centlemen:

The preliminary plan for the proposed nursing home has been reviewed, and the comments are as follows.

### REMARKS OF THE ZONING COMMISSIONER

#### Highway Comments:

Paradise Avenue is an existing road which is proposed for improvement as a major collector extending from the intersection of the road with the existing road to the intersection of the road with the existing road. This will result in a 16-foot curb and gutter cross-section with a 7-foot sidewalk area, 1-foot sidewalk adjacent to curb, based from the existing curb, gutter and sidewalk improvements on the east side of Paradise Avenue.

Altamont Avenue is an existing road which is to be improved ultimately as a minor road, with a 3-foot curb and gutter cross-section on a 30-foot right-of-way based on the centerline of the existing road.

The developer's responsibility with regard to these roads shall be as follows with the construction to be accomplished under a County contract:

- The submission of detailed construction drawings to extend a minimum distance of 100 feet beyond the limits of the site or as may be required to establish line and grade.
- The submission of cross-sections as derived necessary for design and construction purposes. The sections are to be taken at 50-foot intervals and are to be shown on standard cross-section paper at 1" = 5' horizontal, 1" = 5' vertical scale.
- The preparation of the right-of-way plat for, and the dedication of any widening and slope easements to no east to the County.
- The preparation of the right-of-way plat for any off-site road right-of-way required to make the necessary improvements. Baltimore County will attempt to acquire the right-of-way.

RECEIVED

APR 21 1971

ROBERT H. JENKEL, JR.  
Baltimore County Department of Public Works

Larner & Jenkel, Inc.

April 20, 1971

Re: Commercial Preliminary Plan  
Paradise Nursing Home (Add.)  
District 1

#### Highway Comments, Conds:

1. The grading of the widening of the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to those properties.

2. When Capital Improvement funds are available, Baltimore County, in consideration for the granting of the road right-of-way, will construct the curb and gutter and the required street paving along the affected widening, provided the value of the widening is equal to or exceeds the cost of road improvements.

3. The relocation of any utilities or poles as required by the road improvement.

4. Sidewalks are required on all public roads adjacent to this site. The width shall be 16 feet wide and shall be installed to conform with Baltimore County Standards (Table B-33 and B-34, 1968 Edition).

5. Entrances shall be a minimum of 24 feet and a maximum of 30 feet wide, shall have 5-foot minimum radii curb returns, shall be located a minimum of 75 feet from any property line, and shall be constructed in accordance with Baltimore County Standards (Table B-33 and B-34, 1968 Edition).

6. The service drive entrances should be a 24-foot minimum width with a 25-foot minimum inside turning radius to provide for corner service vehicle.

All entrance locations are subject to a review by the Department of Traffic Engineering.

7. The developer shall be responsible for construction stake-out of all highway improvements required in connection with this site and all stake-outs shall be in accordance with Baltimore County Standards.

#### Storm Drain Comments:

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

Larner & Jenkel, Inc.

April 20, 1971

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District 1

#### Storm Drain Comments, Conds:

1. The proposed improvements to this property will increase the storm drainage runoff-off from the property by more than a factor of two.

2. The closest suitable outfall for this drainage is on the south side of Paradise Avenue near Frequent Avenue.

In accordance with the drainage policy for this type development, the Developer is responsible for the total actual cost of drainage facilities required to carry the storm water runoff-off through the property to be developed to a suitable outfall. The Developer's cost responsibilities include the acquiring of easements and right-of-way, both on-site and off-site, including the design in fee to the County of the right-of-way. Preparation of all construction, maintenance and easement drawings including engineering and surveys, and payment of all actual construction costs including the County's overhead and outside the development, are also the responsibility of the Developer.

On-site drainage facilities serving only areas within the site do not require construction under a County contract. Such facilities are considered private. Therefore, construction and maintenance shall be the Developer's responsibility. However, a drainage area map, scale 1" = 200', including all facilities and drainage areas involved, shall be shown on the required construction plans.

Temporary construction easements of adequate width are necessary adjacent to all off-site right-of-way or easements where utility construction is planned. They should be indicated on the right-of-way plat and construction drawings.

#### Sediment Control Comments:

Development of this property through striping, grading and stable foundation could result in a sediment pollution problem. Grading private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of the road.

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

Larner & Jenkel, Inc.

April 20, 1971

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District 1

#### Water Comments:

There is an existing 12-inch water main in Paradise Avenue and an existing 14-inch water main in Altamont Avenue.

Paradise Avenue fire and domestic service is through a 2-inch Potable Check with a smaller meter for domestic use. This water is metered to be from the 14-inch main in Altamont Avenue 125 feet from Paradise Avenue.

The Developer's engineer will be responsible to submit a study of the adequacy of this installation relative to the fire and domestic demands to be added to the property. The Developer will be responsible for the cost of abandonment and re-rerouting service and obtaining such additional service. Permits for connections are to be obtained from the Department of Public Works and Licenses.

The 14-inch main in Altamont Avenue is to be replaced with an 8-inch main prior to the May improvements required at cost to Baltimore County. The Developer shall be responsible for the engineering design of this replacement in coordination with the Planning Division to be provided by an engineer. A fire hydrant is to be installed in the replacement design, located adjacent to the ambulance entrance, as an appurtenance to the replacement at County cost.

An additional fire hydrant is required along the Paradise Avenue frontage of this property on the north side of the main entrance. The design and construction of this hydrant will be the Developer's full responsibility.

This property is subject to a Water System Connection Charge based on the size of water meter utilized.

The total Water System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This charge is in addition to the normal front foot assessment and permit charges. Credit is to be made for the existing meter.

All water facilities construction within the required highway right-of-way is to be accomplished under County contract and inspection.

#### Sanitary Sewer Comments:

Public sanitary sewerage can be made available to serve this property by constructing a public sanitary sewer extension, approximately 550 feet in length, from the existing 4-inch public sanitary sewer in Paradise Avenue at Frequent Avenue, shown on Tracing 100-472 - 1.

Larner & Jenkel, Inc.

April 20, 1971

Re: Commercial Preliminary Plan  
Paradise Nursing Home (Add.)  
District 1

#### Sanitary Sewer Comments, Conds:

1. The Developer is responsible for any deficit to be incurred by the construction, under County contract and inspection, of the public sanitary sewerage required to serve this property. He is responsible for the preparation and cost of construction drawings and right-of-way plat required. He is also responsible for all accompanying right-of-way acquisition costs.

2. The Developer is entirely responsible for the construction, and the cost of the construction and maintenance, of his own private sanitary sewerage, which must conform with the Baltimore County Plumbing Code.

This property is subject to a Sanitary Sewer System Connection Charge based on the size of water meter used.

The total Sanitary Sewer System Connection Charge is determined, and payable, upon receipt of bids for the utility construction contract. This charge is in addition to the normal front foot assessment and permit charges.

#### Fire Protection Comments:

Hydrants shall be located in accordance with the Baltimore County Standard Design Manual spaced at intervals of 300 feet.

Hydrants should be located at or near proposed main entrance and one at the proposed ambulance drive off of Altamont Avenue.

The owner shall be required to comply to all applicable requirements of the 101 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

#### REMARKS OF THE ZONING COMMISSIONER

The proposed 10-foot service drive is not adequate and must be at least 24 feet wide. Since it is serving two-way traffic, the proposed entrance in the front of the building must be 24 feet instead of the indicated 20 feet.

#### OFFICE OF PLANNING COMMENTS:

This office has reviewed the subject plan and will meet with the architect prior to making detailed comments.

Larner & Jenkel, Inc.

April 20, 1971

Re: Commercial Preliminary Plan  
Paradise Nursing Home (Add.)  
District 1

A Public Works Agreement must be executed by the owner and Baltimore County for the above-mentioned improvements. A building permit cannot be approved prior to acquisition of off-site right-of-way, award of utility contracts, and approval of the Developer's sediment control plans.

Truly yours,  
George C. Jones  
George C. Jones, Jr., C.E.  
Bureau of Public Service

DATE: 4/20/71

cc: Edward A. Velumovich  
Water Cross  
Baltimore  
Public File  
Title File

JAMES S. SPANER & ASSOCIATES  
PROFESSIONAL ENGINEERS & LAND SURVEYORS  
301 YORK ROAD - TOWSON, MD. 21204

BY: M.O.L.  
DATE: 6-1-71 Description for Zoning Purposes  
Paradise Nursing Home

Sheet 1 of 1  
FILE 1 11252

Beginning for the same at the corner formed by the intersection of the southeast side of Altamont Avenue with the southwest side of Paradise Avenue, and running thence, binding on the southwest side of Paradise Avenue, (1) South 23° 22' 10" East 307.50 feet to the end of the third line of the parcel of land which by a deed dated May 25, 1961 and recorded among the Land Records of Baltimore County in Liber M.L.R. No. 3850, folio 507 was conveyed by Carolyn B. Wheeler to Patrick A. O'Doherty and wife, thence reverting said third line and reversely on the fifth line of the parcel of land which by a deed dated July 1, 1959 and recorded among said land records in Liber O.L.R. No. 3337, folio 17 was conveyed by Carolyn B. Wheeler to Patrick A. O'Doherty and wife, (2) South 66° 52' 50" West 200.00 feet to intersect the last line of the whole parcel of land which by a deed dated April 10, 1958 and recorded among said land records in Liber O.L.R. No. 3332, folio 373 was conveyed by Margaret C. Sharrett to James M. Lopez, et al., thence binding on a part of said line, (3) North 23° 22' 10" West 308.10 feet to the southeast side of Altamont Avenue, thence binding thenceon (4) North 67° 03' 10" East 300.00 feet to the place of beginning.

Containing 92,385 square feet of land.





# SITE PLAN LEGEND

- EXISTING BUILDING TO BE RAZED
- EXISTING BUILDINGS TO REMAIN
- PROPOSED NEW BUILDINGS
- EXISTING GRADES
- PROPOSED GRADES
- EXISTING TREES & SHRUBS TO REMAIN
- PARKING SPACES
- CODE REQUIREMENTS ONE (1) SPACE FOR EACH 10 BEDS
- PAGES 224-13
- PAGES 224-14

ROOM TABULATION OF PATIENTS

| NO. OF PATIENTS PER ROOM | NO. OF | TOTAL NO. OF PATIENTS |
|--------------------------|--------|-----------------------|
| SINGLE PATIENT PER ROOM  | 2      | 2                     |
| TWO PATIENTS PER ROOM    | 4-5    | 20                    |
| THREE PATIENTS PER ROOM  | 1      | 3                     |
| FOUR PATIENTS PER ROOM   | 5      | 20                    |
| EXIST. BLDG. TO REMAIN   | 2      | 8                     |
| PROJ. PATIENTS PER ROOM  | 2      | 8                     |
| TOTAL                    | 123    | PATIENTS              |

FLOOR PLAN ROOM LEGEND

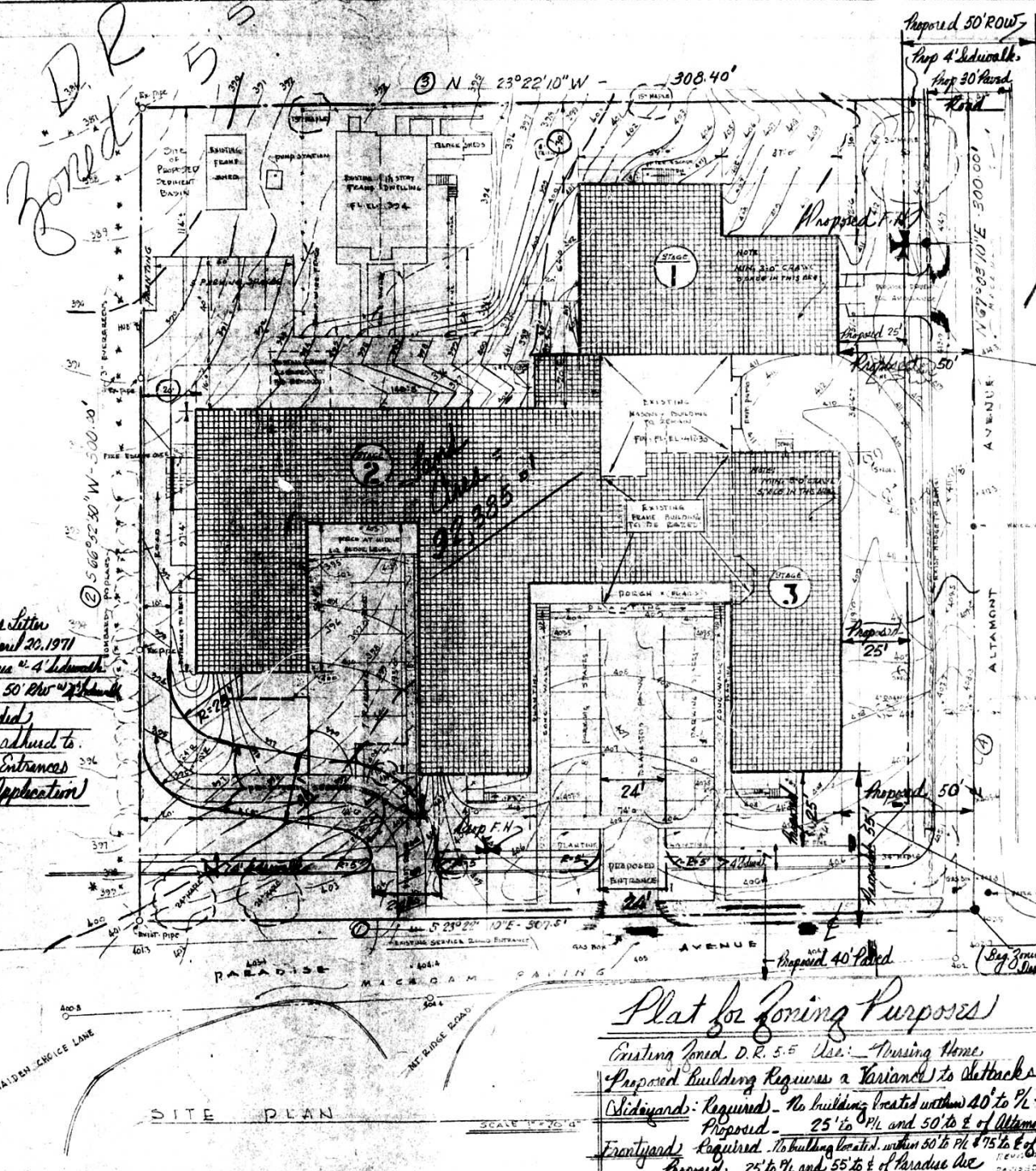
| NO. | DESCRIPTION    | ROOM SIZE     | SQ. FT.     |
|-----|----------------|---------------|-------------|
| 1   | ONE PATIENT    | 13' x 12'0"   | 156 SQ. FT. |
| 2   | TWO PATIENTS   | 12'0" x 15'0" | 180 SQ. FT. |
| 3   | THREE PATIENTS | 15'0" x 18'0" | 270 SQ. FT. |
| 4   | FOUR PATIENTS  | 25'0" x 15'0" | 375 SQ. FT. |
| 5   | FOUR PATIENTS  | 24'0" x 16'0" | 384 SQ. FT. |

## 30-FT AREA

ATTENTION: 1. 4' x 11' 50' FT.  
2. 15' x 15' 10' FT.  
3. 7' x 11' 10' FT.  
4. 24' 11' 4" x 16' 10' FT. TYPE 2 CONCRETE  
5. 17' 10' 10' FT.

VERIFY ALL DIMS. IN FIELD.  
IN ANY VARIATIONS OR DISCREPANCIES IN NON-RECORDS SHALL BE CORRECTED IN FIELD

For Public Works Comments see letter to Planning & Housing Div. Dated April 26, 1971  
Paradise Ave. shown 40' having 7' area 4' sidewalk  
Altamont Ave. shown 30' having on 50' R/W 4' sidewalk  
Storm Drainage Study to be provided  
Sewerage Control Comments to be added to  
Fire Hydrant shown near Main Entrances  
Water & Sewer source by Application



## LOCATION MAP

Sideyard Setback  
Variance Requested  
See 208-3 & 211-3  
Also 180-2-2B

Scale 1" = 20'

Frontyard Setback  
Variance Requested to  
211-2-2  
Also 180-2-2B

## Plat for Zoning Purposes

Existing Zoned D.R. 5-5 Use: Nursing Home  
Proposed Building Requires a Variance to Detachments  
Sideyard: Required - No building located within 40' to P.L. & 65' to E. of Road  
Proposed - 25' to P.L. and 50' to E. of Altamont Rd.  
Frontyard: Required - No building located within 50' to P.L. & 75' to E. of Road  
Proposed - 25' to P.L. and 55' to E. of Paradise Ave.

# THE PARADISE NURSING HOME INC.

18 PARADISE AVENUE - CATONSVILLE - MARYLAND - 21228  
District One

JAMES S. SPAMER & ASSOCIATES  
ENGINEERS & SURVEYORS  
8017 YORK ROAD  
TOWSON, MD. 21204



JOHN W. HILLMAN  
ARCHITECT  
22 1/2 N. CHARLES ST. BALD. MD.  
J. E. SKARDA, STRUCTURAL ENGINEER  
AVIA ASSOCIATES INC. BALTIMORE, MD.

