

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Empire Enterprises, Inc. legal owner... 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

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

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

THE EMPIRE ENTERPRISES, INC.
INCORPORATED IN MARYLAND
BY: Leroy O. Dyett, President
Address: 304 N. North Avenue
Baltimore, Maryland 21216

Protestant's Attorney

Address: 1300 First National Bank Bldg.
Baltimore, Maryland 21202

ORDERED BY The Zoning Commissioner of Baltimore County, this... day of January, 1975.

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 106, County Office Building in Towson, Baltimore County, on the... day of February, 1975, at 1:00 o'clock.

By: Franklin T. Hogans, Jr.
Zoning Commissioner of Baltimore County.

1:00 P.M.
9/24/75

(over)

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Item 121
Irvin L. Fishbein, Esq.
1300 First National Bank Building
Baltimore, Maryland 21202
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 24th day of January 1975

S. Eric DiNenna,
Zoning Commissioner

Petitioner: Empire Enterprises, Inc.

Petitioner's Attorney: Irvin L. Fishbein
cc: Chas & Associates
8484 Linwood Avenue
Baltimore City, Md. 21043

Reviewed by: Franklin T. Hogans, Jr.
Chairman,
Zoning Advisory
Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

January 4, 1975

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

Franklin T. Hogans, Jr.

Irvin L. Fishbein, Esq.
1300 First National Bank Building
Baltimore, Maryland 21202

RE: Special Exception Petition
Item 121
Empire Enterprises, Inc., -
Petitioner

Dear Mr. Fishbein:

The Zoning Plans 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.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The petitioner is requesting a Special Exception for a nursing and convalescent home to be located on the southwest corner of Chicory Hill Road and the proposed Scott's Level Road. This property is currently wooded and abuts along its rear boundary single family development along Chicory Hill Road and an existing garden apartment development along its southern boundary.

The comments of the Board of Education indicate a proposal for improvement for Chicory Hill Road, including a widening of this right of way to a 50 foot width. In keeping with the policies and precedent of this office, the required corner side street setback of 35 feet must be held from the proposed right of way line of Chicory Hill Road.

Irvin L. Fishbein, Esq.
Re: Item 121
January 4, 1975

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It is apparent that the location of the building as shown on the submitted site plan necessitates either a Variance request to permit a side yard setback less than that required, or a relocation of this structure to accommodate the required setback.

Please note further, the additional comments of Bureau of Engineering, and most especially the comments of the Project and Development Planning Division.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Franklin T. Hogans, Jr.
Chairman,
Zoning Plans Advisory Committee

FTH:JD

Enclosure

cc: Chas & Associates
8484 Linwood Avenue
Baltimore City, Maryland 21043

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH H. DYER, P. E., CHIEF

January 10, 1975

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #121 (1975-1075)
Property Owner: Empire Enterprises, Inc.
S/W cor. of Chicory Hill Rd. & Proposed Scotts Level Rd.
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for a convalescent & nursing home (non-profit)
No. of Acres: 3.27 District: 2nd

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Chicory Hill Road, an existing public road, is proposed to be improved in the future as a 30-foot closed section on a 50-foot right-of-way.

Scotts Level Road, an existing County road, is proposed to be realigned in this vicinity and improved in the future as a 60-foot closed section roadway on a 60-foot right-of-way.

Highway improvements and highway right-of-way widening, including a filllet area for sight distance at the intersection and any necessary reversible easements for slopes, will be required for these roads in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering and shall be constructed in accordance with Baltimore County Design Standards.

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.

Drainage studies, storm water management drawings and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

Item #121 (1975-1075)
Property Owner: Empire Enterprises, Inc.
Page 2
January 10, 1975

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

The Petitioner 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. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Water:

A 12-inch public water main exists in Scotts Level Road, see Drawing #70-0039, File 3.

Sanitary Sewer:

Public sanitary sewerage exists in Scotts Level Road, see Drawing #68-0091, File 1. This property is tributary to the Owyman Falls Sewerage System, subject to State Health Department imposed moratorium restrictions.

Very truly yours,

Ellsworth H. Dyer, P.E.
Chief, Bureau of Engineering

END:RAM:FW:iss

cc: John Somers

P-SE Key Sheet
25 NW 25 Pos. Sheet
NW 7 0 Topo
77 Tax Map

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

December 19, 1974

DONALD J. ROOM, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item 121, Zoning Advisory Committee Meeting, December 24, 1974 are as follows:

Property Owner: Empire Enterprises, Inc.
Location: SW/C of Chicory Hill Rd. & proposed Scott's Level Rd.

Existing Zoning: DR 5.5
Proposed Zoning: Special Exception for a convalescent & nursing home (non-profit)
No. of Acres: 3.27
District: 2nd

Metropolitan water and sewer must be extended to site.

Health Care Facilities Comments: State laws and regulations require submission of plans and specifications for any new or renovated health care facility.

Food Protection Comments: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and all fuel burning and processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

Owyman Falls Moratorium: A moratorium was placed on new sewer connections in the Owyman Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on May 14, 1974; therefore approval may be withheld for this connection.

Very truly yours,

Thomas R. Devin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB/acr
CC--L.L. Snyder
L.A. Schuppert
W.L. Phillips

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of _____

the above Reclassification should be had; and it further appearing that by reason of _____

a Special Exception for a _____ should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 197 _____ that the herein described property or area should be and the same is hereby reclassified; from a _____ zone to a _____ zone, and/or a Special Exception for a _____ should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of _____

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 197 _____ that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a _____ zone; and/or the Special Exception for _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

WILLIAM D. FROMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



January 13, 1975

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #121, Zoning Advisory Committee Meeting, December 24, 1974, are as follows:

Property Owner: Empire Enterprises, Inc.
Location: SW/C of Chicory Hill Road and proposed Scott's Level Road
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Exception for a convalescent and nursing home (non-profit)
No. of Acres: 3.27
District: 2nd

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The site plan should be revised to show the following:

The existing and proposed rights of way and paving widths for both Chicory Hill Road and Scott's Level Road as required by the Bureau of Engineering.

The driveways must be a minimum of 24 feet wide including the service drive with proper turn arounds at the ends. All parking spaces must be a minimum of 9 feet by 20 feet.

The parking calculations must be clearly shown. The parking and service areas must be properly screened from the adjacent residential premises.

All building areas must be clarified along with building dimensions and setbacks from property lines.

Very truly yours,
John L. Wimbley, Planning Specialist II
Office of Planning and Zoning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 484-3811 ZONING 484-3815

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: January 2, 1975

Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Z.A.C. Meeting of: December 24, 1974

Re: Item 121

Property Owner: Empire Enterprises, Inc.

Location: SW/C of Chicory Hill Road & proposed Scott's Level Road

Present Zoning: D.R. 5.5

Proposed Zoning: Special Exception for a convalescent & nursing home (non-profit)

District: 2nd

No. Acres: 3.27

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours,
W. Nick Petrovich,
Field Representative.

WNP/sl

W. NICK PETROVICH, FIELD REPRESENTATIVE
EUGENE G. HESS, JR., PRESIDENT
MR. ROBERT L. BERNY

MARCUS M. GOTTSCHALK
JOSEPH W. MCDONALD
ALVIN LOSCEK
JOSHUA W. WHEELER, SUPERINTENDENT

T. DAYTON WILLIAMS, JR.
RICHARD W. TRACY, VAND
MR. RICHARD A. WILSON

MSF/lb

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Wm. T. MELLEN
DIRECTOR DEPUTY TRAFFIC ENGINEER

February 5, 1975

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item 121 - ZAC - December 24, 1974
Property Owner: Empire Enterprises, Inc.
Location: SW/C of Chicory Hill Rd. & proposed Scott's Level Rd.
Existing Zoning: DR 5.5
Proposed Zoning: Special Exception for a convalescent and nursing home (non-profit)
No. of Acres: 3.27
District: 2nd

Dear Mr. DiNenna:

The requested special exception for a convalescent and nursing home can be expected to generate approximately 480 trips per day. The present zoning would generate approximately 200 trips per day.

Very truly yours,

Michael S. Flanagan
Traffic Engineering Assoc.

BEGINNING for the same at a stone found at the end of the 63 perch line of David Jeans whole tract said stone being approximately 1,056.0 feet southerly from Old Court Road and approximately 2,375.0 feet northerly from Milford Mill Road, thence running and binding on said line reversed as now surveyed S 61° 57' 40" W 198.15 feet to a pipe now set thence leaving said outline and running with the Easterly line of the Silvine A. Thompson lot S 24° 42' 50" E 478.39 feet to a pipe now set on the 142 perch line of the whole tract, thence running with said outline as now surveyed the following courses and distances, viz: N 72° 02' 10" E 322.25 feet to a P.K. nail set in the Scotts Level Road, said line passing over a pipe now set 50.00 feet from the end thereof, thence continuing N 30° 57' 50" W 264.00 feet to a pipe now set, N 35° 57' 50" W 250.80 feet to a P.K. nail set in said road, thence S 88° 01' 40" W 45.03 feet to the place of beginning.

Containing within the outlines 3.27 acres ±.

Being that parcel of land conveyed by William and Minnie Breckenridge to Mary Breckenridge by deed dated November 18, 1953, and recorded among the Land Records of Baltimore County, Maryland, in Liber G.L.S. No. 2394, Folio 85.

Saving and reserving, however, out of the above described parcel a road, 10 feet wide running parallel to the first and last line herein described, said road for the use of ingress and egress of owner or owners of Lots 2 and 3.



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3351
S. ERIC DINENNA
ZONING COMMISSIONER

February 27, 1976

Irvin L. Fishbein, Esquire
Suite 1300, First National Bank Building
Light & Redwood Streets
Baltimore, Maryland 21202

RE: Petition for Special Exception
W/S of Proposed Scotts Level
Road, 1056' S of Old Court
Road - 2nd Election District
Empire Enterprises, Inc. -
Petitioner
NO. 75-182-X (Item No. 121)

Dear Mr. Fishbein:

I am in receipt of your letter of February 18, 1976, in which you request information concerning the above referenced Case.

After review of my Opinion and Order, as well as the submitted site plans and the Zoning Plans Advisory Committee Comments, I have determined that a typographical error was made in the first paragraph of the Opinion, in that the facilities for 100 beds should have read 150 beds.

As the Order granting the request for a nursing home does not restrict the number of beds and as the site plan and other supporting materials in the case file do indicate that a 150 bed nursing home was petitioned for, this office will process a building application for a 150 bed nursing home.

Irvin L. Fishbein, Esquire
Page 2
February 27, 1976

If you have any further questions regarding this matter, please feel free to contact this office.

Very truly yours,
James E. Dyer
Zoning Supervisor

JED/scw

cc: Mr. S. Eric DiNenna
Zoning Commissioner

Mr. George J. Martinak
Deputy Zoning Commissioner

Board of Appeals
County Court House
Towson, Maryland 21204

Re: Appeal No. 75-182X
Petitioner: Empire Enterprises, Inc.

Gentlemen:

Please enter my appearance as counsel for the Petitioner, Empire Enterprises, Inc. in the above captioned matter. It is my understanding that the case has been set for hearing on March 11, 1976.

Very truly yours,

G. Warren Mix

GWM/jj

cc: Edward C. Covahey, Jr., Esquire
614 Bosley Avenue
Towson, Maryland 21204

Rec'd 2/24/76
10 am

EMPIRE ENTERPRISES, INC. * IN THE
VS. * CIRCUIT COURT
ST. CHARLES AT OLDE COURT * FOR
* BALTIMORE COUNTY
* MISC. 5955

MEMORANDUM OPINION & ORDER

St. Charles at Olde Court, a Partnership, has appealed from a decision of the Board of Appeals for Baltimore County dated May 20, 1976, granting the request by Empire Enterprises, Inc. for a special exception for the construction of a convalescent home. The subject property is located on the west side of Scotts Level Road, 1,056 ft. south of Old Court Road in the Second Election District of Baltimore County. The contract purchaser, Jewish Convalescent and Nursing Home Society, Inc., proposes to construct a 150-bed facility which will employ approximately 85 to 90 persons.

The parties agree that the Baltimore County Zoning Regulation I-B-01.1 G (5) provides that a convalescent home is a use permitted by special exception in all DR zones. The subject property is at the present time zoned DR 5.5. Zoning Regulation 502.1, Special Exceptions, provides that before any special exception shall be granted it must appear that the use for which the special exception is requested will not produce any of six prohibited results. The Appellant argues that granting the special exception will produce the following results:

(a) Be detrimental to the health, safety, or general welfare of the locality involved.

(b) Tend to create congestion in roads, streets or alleys therein.

The Appellant also argues that the Board improperly admitted into evidence, over its objection, a plat of the proposed site, Petitioner's Exhibit No. 2. Appellant complains because the plat had not been reviewed by the Baltimore County

Zoning Planning Advisory Committee as required by the Zoning Regulation 500.8 (C). The Appellant further complains that the present sewer moratorium in effect in the area was not considered by the Board of Appeals. Finally, the Appellant argues that there was a serious question of title to the land immediately in front of the subject property by which access was necessary. The Appellee contends, to the contrary, that the record before the Board and the expert testimony contained therein strongly support the granting of the special exception for a convalescent home.

The parties agree that the determination made by the Zoning authorities on Appeal, is presumptively correct, if there was legally sufficient evidence to make the question fairly debatable. The Appellant carries the burden to show that the decision was arbitrary or capricious.

The Court has carefully reviewed the transcript of testimony made before the Board of Appeals, as well as all exhibits. The Court concludes that the findings of the Board of Appeals were fully supported and that all requirements relative to Section 502.1 have been met.

The Appellant relies upon the case of Bonhage vs. Cruse, 233 Md. 10 (1963). As in the case at bar, a special exception was granted by the Board of Appeals for a convalescent home in a residential area. Unlike the case at bar, the testimony before the Board demonstrated that the use of the property as a convalescent home would seriously depreciate the value of the neighboring property. In addition, the Board of Appeals did not discuss the problem of traffic congestion. The plans for the proposed nursing home were indefinite with the number of beds ranging from 50 to possibly 100. The Court of Appeals pointed out that this tended to render uncertain the number of persons who might be required to staff and created uncertainties as to the number of passenger cars and delivery trucks which would have occasion to leave and enter the premises. In addition, the Court of Appeals held that the Board of Appeals could not properly attach as a

condition to its ruling that the property owner widen the street adjacent to the subject property. The Court of Appeals pointed out that the Board of Appeals had no authority to order the widening of streets.

To the contrary, in the case at bar, there was at least fairly debatable evidence before the Board to show that the special exception would not have a severe effect upon the present traffic conditions.

The Appellants contention that it was error to submit a substitute plat is without substance. A hearing before the Board of Appeals is de novo. The Board may consider any legally admissible evidence presented that will be of assistance in reaching a proper decision.

The Appellants contention that a sewer moratorium imposed by the Department of Health prohibits the Board from granting the special exception is equally without substance. A temporary delay in obtaining a Health Department Permit to construct the premises will not in any way prohibit the Board from proceeding with granting the special exception.

In summary, there was sufficient evidence before the Board upon which it could base its decision that the granting of the special exception would not produce any result that would be in any way detrimental and in violation of Zoning Regulation 502.1. As the Board pointed out in its Opinion:

"The Board finds it highly inconsistent that a neighboring property owner with 612 planned apartments would object to the potential traffic which would be generated from a property use requiring only 15 parking spaces."

It is obvious that the testimony of the Appellant was self-serving at best.

Since the Court finds that the evidence before the Board was fairly debatable and was not in any way arbitrary or capricious, the Order of the Board of Appeals is hereby this 10th day of December, 1976, affirmed with costs to be paid by the Appellants.

Merwin J. Lofel

Empire Enterprises, Inc. - #75-182-X

2.

were required. He also noted that adequate sight clearance for the entrance was provided, and that sewer and water mains were available to the site. He also stated that the proposed plans clearly showed that the trees on the east side were to remain to screen the building, and that these trees were higher than the proposed building. On cross-examination, the witness stated he had no knowledge about a strip of land partially abutting the subject property along Scotts Level Road, supposedly owned by a Mr. Joseph Atkinson and purported to be purchased by Baltimore County for the widening of Scotts Level Road.

Mr. Alex Whitney, 1800 North Charles Street, a traffic engineer for Ewell, Bonhardt and Associates, testified as to traffic conditions at the subject site. His testimony covered the accidents in the past year on Scotts Level Road in this area, three in number and relatively minor, and concluded that this was not a dangerous roadway. He presented his traffic counts and stated that traffic levels at all hours on Scotts Level Road fell within acceptable limits. He also presented the public bus schedules for Old Court Road and Milford Mill Road for both morning and evening hours which, in his opinion, seemed more than adequate. This concluded Petitioner's case.

The Protestant then presented his case. He first recalled Mr. Harans and questioned him about the strip of land along the front of the subject property supposedly owned by Joseph Atkinson. Mr. Harans admitted no knowledge of this strip of land.

Mr. Howard Brown, 101 East Mt. Royal Avenue, took the stand and identified himself as a representative of St. Charles at Olde Court Partnership, the owners of the adjacent site. He stated that they control 38-1/2 acres which now contains 312 luxury type apartments, and that permits have been obtained to erect 300 additional units. He stated there are tennis courts, a swimming pool, playground, etc. available for use by his tenants. He also stated that he visits this site regularly and finds traffic at Milford Mill Road and Scotts Level Road already very congested. This is one reason he is objecting to the proposed use of the subject site. He is also fearful of the increased pedestrian traffic past his apartment complex, and the potential increase in area

Empire Enterprises, Inc. - #75-182-X

3.

crime. He also stated that, in his opinion, the requirements of Section 502.1 for the issuance of a special exception have not been met and, therefore, this request should be denied. This concluded the Protestant's case.

After consideration of all the testimony presented in this case, the Board feels that all requirements relative to Section 502.1 for the granting of special exceptions have in fact been met. As a matter of fact, the Board finds it highly inconsistent that a neighboring property owner with 612 planned apartments would object to the potential traffic which would be generated from a property use requiring only 15 parking spaces. Since no apparent violation of any part of Section 502.1 seems, from the testimony, to exist, it is the Order of this Board that the Deputy Zoning Commissioner's decision be upheld and this special exception for a Convalescent Home, as proposed, be granted, subject to the issuance of all necessary and proper County approvals and permits.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 20th day of May, 1976, by the County Board of Appeals, ORDERED that the special exception for a Convalescent Home petitioned for, be and the same is hereby GRANTED, subject to the following restrictions:

1. That the construction of the subject proposal shall be restricted to the dimensions and layout as indicated on the plat, Petitioner's Exhibit #2, filed in this case.
2. That the Petitioners shall not remove or alter the wooded area as designated along the southerly boundary line of the subject property.
3. That it shall be subject to the issuance of all necessary and proper County approvals and permits.

#75-182-X - Empire Enterprises, Inc.

4.

Any appeal from this decision must be in accordance with Rules 8-1 thru 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Robert L. Gifford, Vice Chairman

Herbert A. Davis

William T. Hackett

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE
for a Convalescent Home :
W/S of proposed Scotts Level Road : COUNTY BOARD OF APPEALS
1056' S. of Old Court Road :
2nd District : OF
Empire Enterprises, Inc., Petitioner :
The Jewish Convalescent and : BALTIMORE COUNTY
Nursing Home Society, Inc., :
Contract Purchaser : No. 75-182-X

OPINION

This matter comes before the Board of Appeals from the decision of the Deputy Zoning Commissioner, dated March 6, 1975, granting the request for a special exception for a non-profit convalescent home. The appeal is noted on behalf of St. Charles at Olde Court Partnership, the owner of residential apartments situated immediately adjacent to the subject site. The property in question is wooded and is located on the southwest corner of Chicory Hill Road and the proposed Scotts Level Road, approximately 1050 feet south of Old Court Road in the Second Election District of Baltimore County, and contains about 3.27 acres.

Petitioners were represented by counsel and presented four expert witnesses on their behalf. Mr. David Harans of 8120 Streamwood Drive, a nursing home administrator, testified at length on the need for this type home, the different types of convalescent homes, and the numbers of people coming and going from this type home, both employees and visitors. He also testified that an adequate grant available to non-profit homes was approved, pending proper zoning. He also noted public transportation was available at this location, and briefly described the proposed building as being a two-story elevator building capable of handling 150 patients.

Mr. Gus Lambros, a real estate broker, then testified for the Petitioners. It was his opinion that this use of the subject property would have no detrimental effect on any nearby properties.

Mr. David Dallas, 8713 Old Harford Road, a civil engineer, then testified as the engineer who prepared the proposed plans. He noted that D.R. 16 zoning existed to the east and south at present, and that property on the south now contains apartments. He noted that thirty-three parking spaces would be provided where actually only fifteen

IRVIN L. FISHBEIN
ATTORNEY AT LAW

April 10, 1975

Baltimore County Board of Appeals
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Special Exception
W/S of Proposed Scotts Level Rd.
1,056' S. of Old Court Road
2nd Election District
Empire Enterprises, Inc.,
Petitioner: No. 75-182-X (Item No. 121)

Gentlemen:

Please enter my appearance on behalf of the Petitioners, Empire Enterprises, Inc. and The Jewish Convalescent and Nursing Home Society, Inc. in connection with the above captioned matter.

Very truly yours,

Irvin L. Fishbein

ILF/kmb
cc: Edward C. Covahey, Jr., Esq.

Rec'd 4-11-75
9:50 AM

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
W/S of proposed Scotts Level Road, :
1056' S. of Old Court Road - 2nd District : DEPUTY ZONING
Empire Enterprises, Inc. - Petitioner : COMMISSIONER
NO. 75-182-X (Item No. 121) :
OF
: BALTIMORE COUNTY

This Petition represents a request for a Special Exception for a non-profit convalescent home. The property in question is situated on the south-west corner of Chicory Hill Road and the proposed Scotts Level Road, in the Second Election District of Baltimore County. The subject property is proposed to be improved with a two story split level nursing home with facilities for one hundred beds requiring approximately eighty employees.

Testimony by a qualified nursing home administrator-consultant and a real estate expert established that the proposed use would be of a benefit to the area in question. Their testimony was, more or less, verified by the appearance of approximately fifty persons, including area residents, in favor of the Petitioner's request. Testimony of the consultant together with written comments from an independent and qualified traffic expert, satisfactorily established that the proposed use would not interfere with the free flow of traffic on surrounding roads.

Without reviewing all evidence in detail but based on all evidence presented, it is the opinion of the Deputy Zoning Commissioner that the proposed use will satisfy all requirements of Section 502.1 and, as such, should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 6th day of March, 1975, that the Special Exception for a convalescent home should be and the same is GRANTED from

and after the date of this Order, subject to the approval of a site plan by the Department of Public Works, Health Department and the Office of Planning and Zoning.

James E. Dyer
Deputy Zoning Commissioner of
Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION : IN THE
for a Convalescent Home : CIRCUIT COURT
W/S of proposed Scotts Level Road :
1056' S. of Old Court Road : FOR
2nd District : BALTIMORE COUNTY
Empire Enterprises, Inc. :
Petitioner : AT LAW
The Jewish Convalescent and :
Nursing Home Society, Inc. : Misc. Docket No. 10
Contract Purchaser : Folio No. 229
Zoning File No. 75-182-X : File No. 5955
St. Charles at Old Court Partnership, Appellants :

CERTIFIED COPIES OF PROCEEDINGS BEFORE
THE ZONING COMMISSIONER AND BOARD
OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come Robert L. Gilland, Herbert A. Davis and William T. Hackett, constituting the County Board of Appeals of Baltimore County, and in answer to the 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. 75-182-X
Jan. 4, 1975 Comments of Baltimore County Zoning Advisory Committee
" 20 Petition of Empire Enterprises, Inc. (The Jewish Convalescent and Nursing Home Society, Inc., Contract Purchaser) for a special exception for a Convalescent and Nursing Home (non-profit) on property located on the west side of proposed Scotts Level Road, 1056 feet south of Old Court Road, 2nd District - filed
" 20 Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for February 24, 1975 at 1:00 p.m.
Feb. 6 Certificate of Publication in newspaper filed
" 8 Certificate of Posting of property filed
" 19 Comment of Director of Planning filed
" 24 At 1:00 p.m., hearing held on petition by Deputy Zoning Commissioner - case held sub curia

Empire Enterprises, Inc. - 10/229/5955

Mar. 6, 1975 Order of Deputy Zoning Commissioner granting special exception
" 17 Order of Appeal to County Board of Appeals from Order of Deputy Zoning Commissioner filed
" 11, 1976 Hearing on appeal before County Board of Appeals - case held sub curia
May 20 Order of County Board of Appeals granting special exception, subject to restrictions
June 16 Order for Appeal filed in the Circuit Court for Baltimore County
" 16 Petition to Accompany Order for Appeal filed in the Circuit Court for Baltimore County
" 17 Certificate of Notice sent to all interested parties
" 24 Transcript of testimony filed - 1 volume
Petitioner's Exhibit No. 1 - Certificate of Performance to Comprehensive Health Plan
" " " 2 - Revised plot for Convalescent Home
" " " 3 - Traffic count
" " " 4 - Comparison chart for trip generation
" " " 5 - a. Picture of Scotts Level Road looking north toward Old Court Road
b. Picture of apartments on curve of Scotts Level Road
" " " 6 - Petition showing names of persons in favor of petition present at hearing
Protestants' Exhibit A - Copy of survey sketch of subject property
" " B - Picture of Scotts Level Road at Chicory Hill Lane
" " C - Picture of Scotts Level Road south of Chicory Hill Lane
" " D - Picture of Old Court Road showing traffic signal
" " E - Picture - Scotts Level Road and Chicory Hill Lane from Chicory Hill
" " F - Contract of Bill of Sale for property
June 28 Record of proceedings filed in the Circuit Court for Baltimore County

Empire Enterprises, Inc. - 10/229/5955

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 proceedings, 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. Elenhart, Administrative Secretary
County Board of Appeals of Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION : IN THE
for a Convalescent Home : CIRCUIT COURT
W/S of proposed Scotts Level Road :
1056' S. of Old Court Road : FOR
2nd District : BALTIMORE COUNTY
Empire Enterprises, Inc. :
Petitioner : AT LAW
The Jewish Convalescent and :
Nursing Home Society, Inc. : Misc. Docket No. 10
Contract Purchaser : Folio No. 229
Zoning File No. 75-182-X : File No. 5955
St. Charles at Old Court Partnership :
Appellants :

CERTIFICATE OF NOTICE

Mr. Clerk

Pursuant to the provisions of Rule B-24(4) of the Maryland Rules of Procedure,

Robert L. Gilland, Herbert A. Davis and William T. Hackett, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, Irvin L. Fishbein, Esq., 1300 First National Bank Building, Baltimore, Maryland, 21202, and G. Warren Mix, Esq., Loyola Federal Building, Towson, Maryland, 21204, attorneys for the Petitioner; Edward C. Covahay, Esq., 614 Bosley Avenue, Towson, Maryland, 21204, attorney for the Protestants; John W. Hession, III, Esq., County Office Building, 111 Chesapeake Avenue, Towson, Maryland, 21204, People's Counsel; Mr. Gus Lambros, P.O. Box 236, Cockeysville, Maryland, 21030, and Mr. Bruce C. Dunham, Chief, Health Facilities Development, State of Maryland, Department of Health and Mental Hygiene, 301 W. Preston Street, Baltimore, Maryland, 21201, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County
Room 219 Court House
Towson, Maryland 21204
Telephone: 494-3180

Empire Enterprises, Inc.

2.

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Irvin L. Fishbein, Esq., 1300 First National Bank Building, Baltimore, Maryland, 21202, and G. Warren Mix, Esq., Loyola Federal Building, Towson, Maryland, 21204, attorneys for the Petitioner; Edward C. Covahay, Esq., 614 Bosley Avenue, Towson, Maryland, 21204, attorney for the Protestants; John W. Hession, III, Esq., County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, 21204, People's Counsel; and Mr. Gus Lambros, P.O. Box 236, Cockeysville, Maryland, 21030, and Mr. Bruce C. Dunham, Chief, Health Facilities Development, State of Maryland, Department of Health and Mental Hygiene, 301 W. Preston Street, Baltimore, Maryland, 21201, on this 17th day of June, 1975.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

cc: I. L. Fishbein, Esq.
G. W. Mix, Esq.
Edw. Covahay, Esq.
J. W. Hession, III, Esq.
Mr. G. Lambros
Mr. B. C. Dunham
Mr. S. Anderson, Zoning
Mr. J. Howell, Plg.

March 6, 1975

Irvin L. Fishbein, Esquire
1300 First National Bank Building
Baltimore, Maryland 21202

RE: Petition for Special Exception
W/S of proposed Scotts Level Road,
1056' S. of Old Court Road -
2nd District
Empire Enterprises, Inc. -
Petitioner
NO. 75-182-X (Item No. 121)

Dear Mr. Fishbein:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/me

Attachments

cc: Mr. Edward Brown
101 Mt. Mount Royal Avenue
Baltimore, Maryland 21202

Mr. Gus Lambros
P.O. Box 236
Cockeysville, Maryland 21030

representative for Barry G. Dyer

ORDER RECEIVED FOR FILING

DATE March 6, 1975
BY Edith T. Elenhart
County Board of Appeals

ORDER RECEIVED FOR FILING

DATE March 6, 1975
BY Edith T. Elenhart
County Board of Appeals

- 2 -

cc: Irvin L. Fishbein, Esquire
G. Warren Mix, Esquire
Edward C. Covahay, Esquire
XEROX CC: JOHN W. HESSIAN, ESQ.

EMPIRE ENTERPRISES, INC. * IN THE
Applicants * CIRCUIT COURT
vs. * FOR
ST. CHARLES AT OLDE COURT * BALTIMORE COUNTY
PARTNERSHIP *
Appellants *

PETITION IN SUPPORT OF APPEAL

The Appellant, St. Charles at Olde Court Partnership, by Edward C. Covahey, Jr., its attorney, appeals from the decision of the County Board of Appeals dated May 20, 1976 and in support of said Appeal says:

1. That the Appellant is an adjacent property owner and is an aggrieved person within the context of Article 66B Section 4.08 of the Annotated Code of the Public General Laws of Maryland and Section 604 of the Baltimore County Charter.

2. This Appeal is from the action of Robert L. Gilland, Herbert A. Davis and William T. Hackett, sitting as the County Board of Appeals of Baltimore County in granting the request for a special exception of a convalescent home to be situated on Scotts Level Road in the Second Election District of Baltimore County.

3. That the County Board of Appeals erred in granting the special exception for the following reasons:

A. The uncontradicted evidence of David W. Dallas, a licensed civil engineer and a witness for the Applicants conclusively established that in fact the plat submitted by the Applicants in support of their application established that the Applicants do not in fact have frontage on Scotts Level Road, nor are they vested with legal title in any land which would allow them direct access to Scotts Level Road.

B. That the evidence established that there is an intervening ownership of land between the land of the Applicants and Scotts Level Road and that the Applicants have neither acquired same in fee, or an easement with respect thereto and that the Applicants are, as a matter of law, barred from obtaining ingress and egress to the subject property as set forth on their plat and as testified to by the various expert witnesses called by the Applicants in support of their application.

C. That the testimony adduced at the hearing established that granting of the special exception would in fact tend to create congestion in roads, streets or alleys therein in that all of the Applicants' plot plans with respect to said property showed means of ingress and egress over lands not in fact owned by the Applicants.

D. That the surveyor's plat as attached to the application and the surveyor's plat as introduced into evidence before the County Board of Appeals did not in fact comply with the requirements of Rule 2B Appendix E Rules of Practice and Procedure of the Zoning Commissioner of Baltimore County.

E. That the testimony of the Applicants' own witnesses established that in fact granting of the special exception will tend to create traffic congestion on Scotts Level Road and further the testimony of the Applicants' own witness conclusively established that contrary to the statement in the Opinion of the County Board of Appeals that the intersection of Scotts Level Road with Old Court Road and Milford Mill Road is at the present time during peak morning and evening hours congested and that granting the subject special exception would in fact add to the congestion.

F. That the testimony established that granting the special exception would be detrimental to the health, safety and general welfare of the community under Section 502, 1 of the Baltimore County Zoning Regulations,

because of the nature of the use plan for subject tract.

4. That the action of the County Board of Appeals in granting the special exception was arbitrary, capricious and not supported by any substantial evidence of record and in fact all of the evidence established that the Applicants do not in fact have access to the subject property.

WHEREFORE, the Appellants, St. Charles at Olde Court Partnership, respectfully request that this Honorable Court:

1. Reverse the decision of the County Board of Appeals granting a special exception in the subject case.
2. Grant unto the Appellants such other and further relief as may be requisite.

Edward C. Covahey, Jr.,
Atty. for Appellants
614 Bosley Ave.
Towson, Md. 21204
828-9441

I HEREBY CERTIFY that on this 15 day of June, 1976, a copy of the foregoing Petition was mailed to Irvin L. Fishbein, Esquire, 1300 First National Bank Building, Baltimore, Md. 21202, G. Warren Mix, Esquire, Loyola Federal Building, Towson, Md. 21204 and the County Board of Appeals for Baltimore County, Court House, Towson, Md. 21204.

Edward C. Covahey, Jr.

RE: PETITION FOR SPECIAL EXCEPTION * BEFORE THE
W/S of proposed Scotts Level Road * ZONING COMMISSIONER
1056' S of Old Court Road - 2nd District *
Empire Enterprises, Inc. - Petitioner *
NO. 75-182-X (Item No. 121) * FOR
* BALTIMORE COUNTY

APPEAL

Mr. Clerk:

Please enter an appeal from the decision of the Deputy Zoning Commissioner dated March 6, 1975 granting the request for a Special Exception for a non-profit convalescent home. This Appeal is noted on behalf of St. Charles at Olde Court Partnership, the owner of residential apartments situated immediately adjacent to the subject site.

ST. CHARLES AT OLDE COURT
PARTNERSHIP

By: *Howard Brown*
Howard Brown,
General Partner

Edward C. Covahey, Jr.,
Atty. for Appellants
614 Bosley Ave.
Towson, Md. 21204
828-9441

I HEREBY CERTIFY that on this 17 day of March, 1975, a copy of the foregoing Appeal was mailed to Irvin L. Fishbein, Esquire, 1300 First National Bank Building, Baltimore, Md. 21202.

Edward C. Covahey, Jr.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: February 19, 1975
FROM: William D. Fromm, Director of Planning
SUBJECT: Petition #75-182-X, West side of Proposed Scotts Level Road 1056 feet South of Old Court Road
Petition for Special Exception for a Convalescent Home.
Petitioners - Empire Enterprises, Inc.

2nd District

HEARING: Monday, February 24, 1975 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comment to offer.
The concept of a nursing home at this location may not be inconsistent with the 1980 Guideline if the parking areas are properly screened.

William D. Fromm
William D. Fromm
Director of Planning

WDF:MEG:rw

EWELL, BOMHARDT & ASSOCIATES

CONSULTING ENGINEERS

1800 NORTH CHARLES STREET BALTIMORE, MARYLAND 21201 301-539-1600

W. WORTHINGTON EWELL, M.A.S.E.
HENRY C. BOMHARDT, S.E.
HOWARD C. BAILEY, S.E.
ALEXANDER WHITNEY, JR., S.E.
ASSOCIATES
LOUIS H. BEATTY, S.E.
GORDON L. WOELFER, S.E.
HECTOR J. VIVAS, S.E.
PAUL EUGENE COX, S.E.
RICHARD W. MAGNANI, S.E.

APPLICANTS
GEORGE C. BOMHARDT
DAVID V. HUTT
MURRAY A. BAUER
WILLIAM A. COFFEE
LEONA ASTRI
JAMES P. BEAHM

February 24, 1975

Mr. Irvin L. Fishbein
1300 First National Bank Building
Baltimore, Maryland 21202

Re: Item 121 - ZAC - December
Property Owner: Empire Enterprises
Location: SW/C of Chicory Hill Road and proposed Scotts Level Road
Existing Zoning: DR 5.5
Proposed Zoning: Special Exception for a Convalescent and Nursing Home (non-profit)

Dear Mr. Fishbein:

We have reviewed the general site plan for the Jewish Convalescent and Nursing Home proposed for construction on the southwest corner of Scotts Level Road and Chicory Hill Road. We also have reviewed a letter from the Department of Traffic Engineering to the Zoning Commissioner indicating that approximately 400 vehicle trips per day would be generated by the proposed zoning.

After visiting the proposed site and observing traffic flow along Scotts Level Road, we are of the opinion that the entire traffic load of 400 trips per day, as predicted by the Department of Traffic, will not have a significant impact upon the capacity of this road. Moreover, the traffic generated from this facility will be distributed throughout a 12 to 15 hour period of the day, thus further reducing the impact upon Scotts Level Road.

Very truly yours,

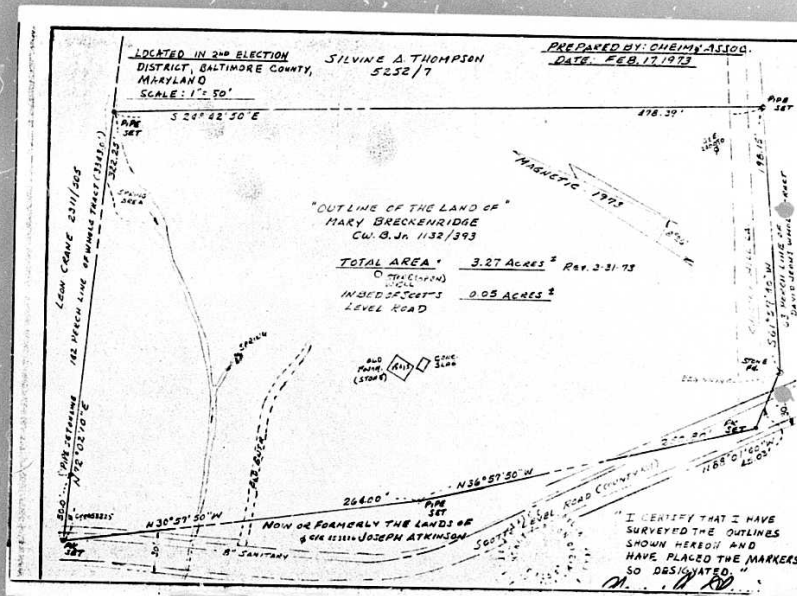
EWELL, BOMHARDT & ASSOCIATES

W. Worthington Ewell

W. Worthington Ewell, Dr. Eng.
President

WDF/c:

ESTABLISHED 1952



XP. O. 7440 D 9064

Dikensville, Md. Feb. 6, 1975

Arnold Landon

Cost of advertisement, 20.25

BY ORDER OF
S. ERIC DINENNO
ZONING COMMISSIONER OF
BALTIMORE COUNTY

1-SIGON 75-182-X
Empire = ENTp

District: 2nd Date of Posting: OCT 23, 1975
 Posted for: Appeal
 Petitioner: JEWISH CONValescent & NURSING HOME SOCIETY, INC. - S.P.
 Location of property: W/S of PROPOSED SCOTT'S LEVEL ROAD 1086
S. of OLD COURT ROAD
 Location of Signs: W/S of SCOTT'S LEVEL RD 7879 - S of
CHICORY HILL RD
 Remarks: FIRST POSTED APRIL 12, 1975
 Posted by: James E. Robard Date of return: OCT. 24, 1975

District 2nd
 Posted for: Asst
 Date of Posting: April 12, 1925
 Petitioner: EMPIRE ENTERPRISES, INC.
 Location of property: W/S of PROPERTY 8000 KENT BEND 1056' S.
of Old Kent Bend
 Location of Sign: W/S of KENT BEND RD. 75' +/- S of
CHICORY HILL Rd
 Remarks:
 Posted by: Thomas B. Holman
 Signature _____ Date of return April 18, 1925

District: 2 Date of Posting: Feb 8, 1975
 Posted for: Herman Felt Special Executive
 Petitioner: EMPIRE ENTERPRISES, INC.
 Location of property: W/S of Thompson Seattle (Long Rd) 1635
S.E. Oak Court Rd
 Location of Sign: S/S of Chisney Hill Rd. (Section 1) - W of
Scenic Lake Rd. (2 W/S of Scenic Lake Rd) 7500
 Remarks: S of Chisney Hill Rd.
 Posted by: Thomas E. Holland
Signature Date of return: Feb 14, 1975

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 10 day of

Dec. 1977 Item # _____

Eric DiNenna
S. ERIC DiNenna,
Zoning Commissioner

Petitioner Empire Enterprises
Leah C. Hesse Submitted by Dave

Petitioner's Attorney Fishbein Reviewed by CTH

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

TOWSON, MD., February 6, 1975

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 _____ successive weeks before the _____ day of _____, 19____, the _____ publication appearing on the _____ day of _____, 19____.

THE JEFFERSONIAN,

Manager

Cost of Advertisement, \$.....

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 17493

DATE Feb. 13, 1975 ACCOUNT 01-662

AMOUNT \$59.25

WHITE	CASHIER	DISTRIBUTION FIRM AGENCY	YELLOW	CUSTOMER
		Jewish HomeSocment & Nursing Home Society, Inc. 4601 Pall Hall Road Baltimore, Md. 21215		21215
		Advertising and printing of property for Empire Enterprses, Inc.-----		775-108-X
				5925

BALTIMORE COUNTY, MARYLAND

No. 15358

OFFICE OF FINANCE & REVENUE DIVISION

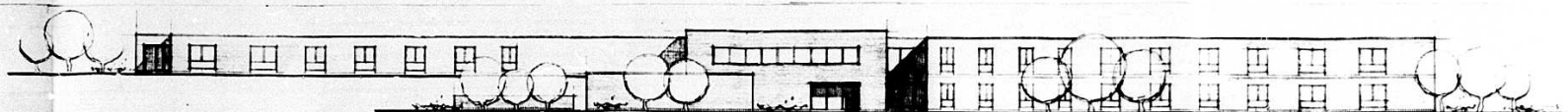
MISCELLANEOUS CASH RECEIPT

DATE 6/24/76 ACCOUNT 01.712

AMOUNT \$ 20.00

DISTRIBUTION

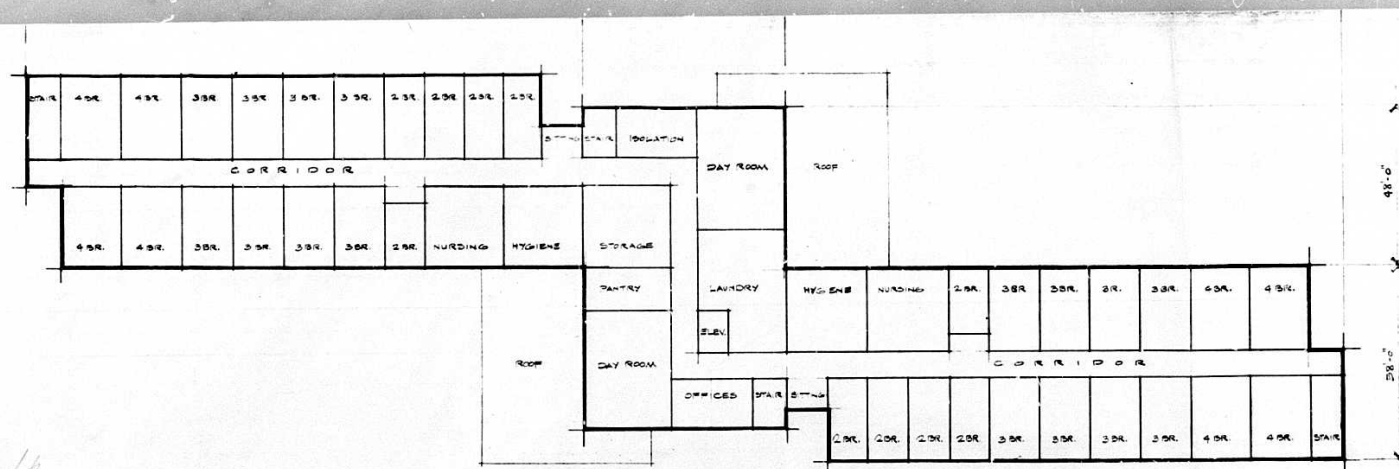
FOR: AGENT	YELLOW: CUSTOMER
Edward C. Covahay, Esq. 614 Solay Avenue Towson, Md. 21204	Cost of certified documents is Case #75-182-A Empire Enterprises, Inc.



front elevation

SCALE : 1" = 20'-0"

Pt 50 1a
DZC



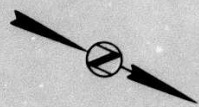
Pt 50 1b
DZC

second floor plan

75-182-K

8/21 OFFICE COPY
REVISED PLANS

FFR 21 75 AM

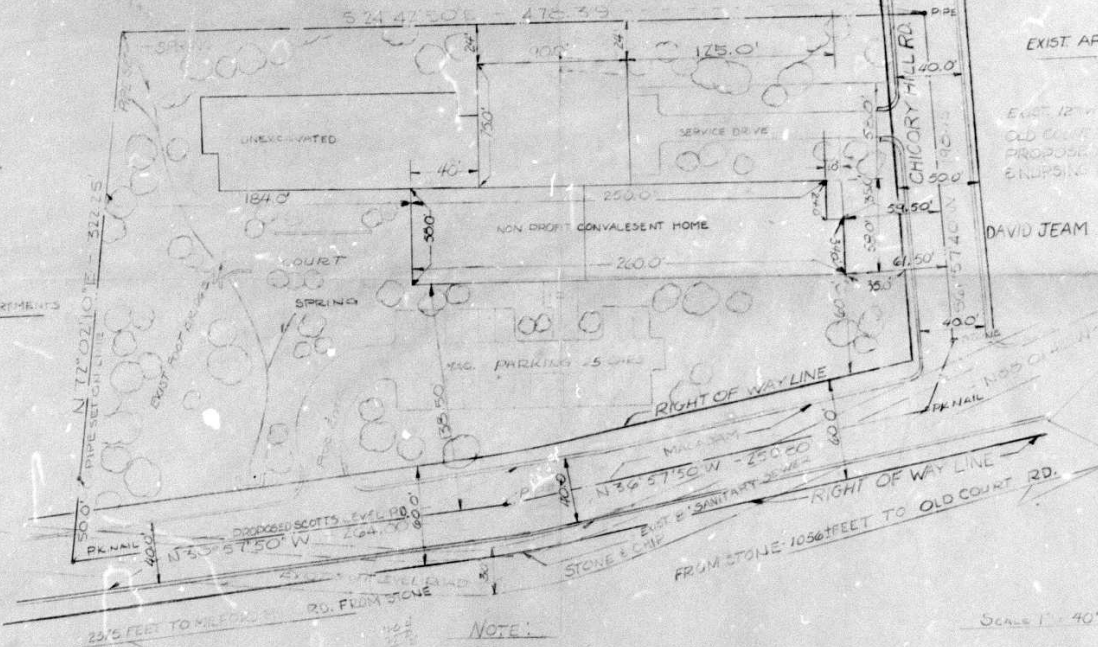


VICINITY MAP
SCALE: 1" = 1000'

SILVINEA THOMPSON
5252/7

LEON CRANE
231/505

EXIST. APARTMENTS



EXIST. APARTMENTS

EXIST. 12" W. SP. MAIN FROM
OLD COURT TO 10 FEET OF
PROPOSED 12" W. SP. AT
ENDING HOME

DAVID JEAM

FR. HED

NOTE:

- EXISTING 40' WIDE DR. 55
- PROPOSED 12" W. SP. - CHIL. EXEMPTION
- AREA - 3.5 ACRE
- NO. OF CHIL. REQUIRED - 15
- NO. OF CHIL. PROVIDED - 25
- W. OF CHIL. REQUIRED - NONE
- PROPOSED 12" W. SP. - CHIL. EXEMPTION
- TOTAL NO. CHIL. REQUIRED - 15
- TOTAL NO. CHIL. PROVIDED - 25

Scale 1" = 40'

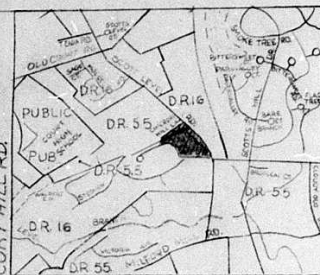
CHEIM & ASSOCIATES

PROFESSIONAL LAND SURVEYORS
ENGINEER 39
4484 LINWOOD AVENUE
BELLGROVE CITY, MD 21043
DATE Dec 9, 1976 DR BY N.M.D.

Henry K. Cheim
4156

SPACED 12" W. SP. MAIN FROM
HOME ENTER 12" W. SP. LINE AND THE
EXIST. CONVALESCENT HOME 12" W. SP. LINE
LOCATED IN THE 12" W. SP. LINE
DISTRICT, BALTIMORE COUNTY





VICINITY MAP
SCALE: 1" = 1000'

SILVINEA THOMPSON
5252/7

LEON CRANE
2311/505

EXIST. APARTMENTS

EXIST. 12" WATER MAIN FROM
OLD COURT TO 140 FEET OF
PROPOSED CONVALESCENT
NURSING HOME.

DAVID JEAM

~~FIRE HYD.~~

EXIST APARTMENTS

REVISÉ PLANS

REVISED PLANS
Empire Enterprises
DEC 20 '74 PM

DEC 20 '74 PM

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CHEIM & ASSOCIATES

PROFESSIONAL LAND SURVEYORS
ENGINEERS
8484 LINWOOD AVENUE
ELLCOTT CITY, MD 21043
DATE Dec. 5, 1974 DR BY N.E.H.

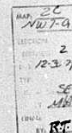
Henry F. Osmond
4156

NOTE:

EXISTING ZONING: SP55
PROPOSED ZONING: SPECIAL EXCEPTION
AREA: 3.27 ACRES
NO. OF SPACES REQUIRED: 15
NO. OF SPACES PROVIDED: 28
OFF-STREET PARKING: NONE
PROPOSED NURSING HOME
TOTAL NO. SPACES REQUIRED: 15
TOTAL NO. SPACES PROVIDED: 28

SCALE 1" = 40'

PROPOSED NURSING & CONVALESCENT HOME
EMPIRE ENTERPRISE, INC. AND THE JEWISH CONVALESCENT & NURSING HOME SOCIETY INC.
LOCATED IN THE 2ND ELECTION DISTRICT, BALTIMORE COUNTY



A circular postmark from Portland, Oregon, dated 1924. The text "PORTLAND OREGON" is curved along the top, and "1924" is in the center. There are stars on either side of the year.