

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

February 22, 2000

Mr Winfield T Willis Creative Living, Inc 2816 Hillsdale Road Baltimore, Maryland 21207

Dear Mr Willis

# RE Zening Interpretation, 7600 Clays Lane, Special Exception 76-52-RX

Thank you for your letter of February 3, 2000 to Arnold Jablon, Director of Permits and Development Management This correspondence has been referred to me for reply

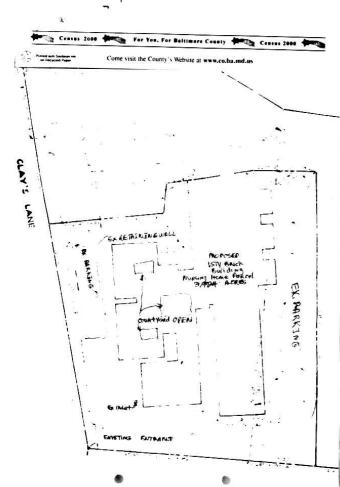
Please be advised that the Baltimore County Zoning Office will permit the building and improvements to be utilized as an assisted living home (facility) only, with multiple level of care provided that a density-site plan is submitted which indicates that the land area approved in the Special Exception of Zoning Case #76-52-RX can support the density of the assisted living facility. Please refer to John Lewis' letter of December 6, 1999 to determine the method if calculating the density of

You may submit said site plan to my attention and if you need further assistance, please contact me at 410-887-3391

Sincerel

Mitchell J Kellman
Planner II
Zoning Review

MJK kew



CREATIVE LIVING, INC. 2816 HILLSDALE ROAD BALTIMORE, MD 21207 (410) 448-1603 Tol. (410) 448-1609 Fee.

February 3, 2000

Mr Amold Jablon Director of P D M 111 W Chesapeake Ave Towson, MD 21204

RE Request for Zoning Review - 7600 Clays Lane, Baltimore, MD 21244 Special Exception Case # 76-52-RX

Dear Director Jablon

The property address cited above has been operating as a convalencent home for over 20 years under a zoning special exception case # 76-52-RX

The convalescent home previously included assistant living clients and nursing home clients. We intend to utilize the facility as an assistant living home only with multiple levels of care, but not as critical of a care as a nursing home.

Therefore, since the purpose of a convalencent home is simply assisting residents with improving there health and well being, it appears that the spirit and intent of apecial exception case # 76-52.RX allows both uses under the convalencent home zoning. The special exception zoning recognizes assisted living facilities developed in conjunction with nursing homes, and it appears this facility has always been used for both types of care.

When the original application was made in 1975, it specifically stated the proposed facility was for a "convalencent home care of its members and friends" in connection with the ministry of the church for care of its members and friends. It did not state the level of care, therefore, it could be utilized for both assistant living and mursing which is exactly what has occurred

We have included a copy of page 6 from a March 31, 1998 Restricted Use Appraisal Report which was a State of Maryland regulatory requirement per COMAR 10.09 10.10 by the Medical Care Finance Administration for the reimburasman of capital expenses under the Nursing Home Reimburasment System. The appraisal specifically states that 21 existing domiciliary care beds have been transferred to use as comprehensive care beds.

### Page 2 - Creative Living

resulting in a use of 102 comprehensive beds and 18 domiciliary beds at the time of the report. Therefore, we can assume that the facility had 39 domiciliary beds at some point prior to this report. In addition, orally it has been indicated that the facility had a majority of domiciliary beds when it was built in 1980 and slowly transferred beds to comprehensive use over its 19 year operating this story.

Therefore, we are requesting you to complete a detailed analysis of the special exception case if 76-52-8X to inform us if assisted living is allowed under this current zoning case when allowed the control of the facilities is spout, and records obtained from your office such as the site plan, the original special exception application, and a letter written to an attorney from your office on December 4, 1999

Please contact me at (410) 448-1603 if you have any questions

incerely

Winfed Swillis

Winfield T Willis

15 townsel this with John Lewis

theuse rall me for pickup. I will puy \$44,00 when I pickup answer.

## DESCRIPTION OF IMPROVEMENTS - CONTINUED

REMARKS Since the time of the last inspection, normal on-going maintenance has occurred. In addition, 21 existing domiciliary care beds have been transferred to use as comprehensive care beds, bringing the totals to 102 comp beds and 18 dom beds. No major capital improvements have been reported for the years covering this report period.

Baltimore County Development Processing
County Office Building
Department of Permits and
111 West Chespeake Avenue
Development Management
Revoon, Maryland 21204
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November 12, 1966

Dominick A. Gercia, Esquire Frischman, Gercia and Friedma Dunkirk Building 2 Dunmanwey Dundalk, MD 21222

Dear Mr. Gercia

RE: 7800 Clays Lane, Zoning Case 78-52-RX, 2<sup>rd</sup> Election District

This is a response to your request for a zoning position letter concerning the 3.97-acre site. According to your provided information, the D.R.10.5 zoned, 3.97-acre site is currently used as a nursing (convestscent) home, pursuant to special exception case number 76-52-RX.

A review of the zoning case indicates that the original approved special exception area use 20.602 scree of D.R.5.5 zoned land. Part of this area (4.9 +- acres) uses designated for a running home and 9.7 +- acres for proposed elderly apartments. The remainder uses for the church/school use. Certain densities and uses were assigned on the site plan and approved by the zoning commissioner.

Both an seeleted living facility (by special exception) and senior independent living aperiments (by right) are permitted (subject to regulatory compliance) in the D.R.10.5 zone; hoseiver, please be server that any clurge from the approved plan or order in the above netwerned zoning case would also require a special hearing to approve the revisions. Another point of concern is one of there being sufficient deneity available to support the proposed uses.

Regretfully, I am unable to state more than the vary general comments that you see here without a detailed redfined alle plan from the zoning hearing showing all proposed changes, buildings, uses and denaities.

I trust that the information set forth in this latter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not healitate to contact me at 410-87-3391.

Very truly yours,

John L. Lewis
Planner II

Zoning Review

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

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November 4, 199

Amold Jabion
Director of Department of
Perm. Development and Management
1117 West Chesapeake Avenue
Room 111
Towson, Maryland 21204

RE: Request for Position Letter Location: 7600 Clays Lane

Dear Mr. Jabi

MYLES F FRIEDMAN (618) 204 8000 DOMMICK A GARCIA (410) 205 8000

Please find attached hereto a site plan concerning the property known as 7600 Clays Lane thich consists of 3.97 acres plus improvements and which is currently zoned under DR 10.5.

Please also find enclosed a check in the amount of Forty Dollars (\$40.00) made payable to Baltimore County.

It is my understanding that we could request a position letter from your office as to how we may use the property going forward.

In 1976, purtuent to case # 76-52-RX the property was granted a special exception to operate as a nursing home. It operated in that fashion until the early part of 1999. We now intend to operate an assisted living facility or a sensor apartment complex on the property.

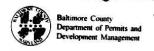
Therefore, I am herest requesting an interpretation, opinion regarding whether such a use is emissible on the property

If you have any questions or wish to discuss any aspect of this matter please do not hesitate to fact me

Your courtesy and cooperation are greatly appreciated. With kind regards, I remain,

Very truly yours,

DAGNI



Development Processing County Office Building 111 West Chesapeake Towson, Maryland 21204

February 22, 2000

Mr Winfield T Willis Creative Living, Inc. 2816 Hillsdale Road Bakimore, Maryland 21207

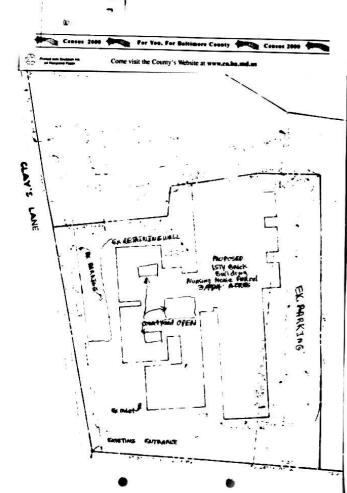
RE Zoning Interpretation, 7600 Clays Lane, Special Exception 76-52-RX

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Please be advised that the Bahimore County Zoning Office will permit the building and improvements to be utilized as an assisted living home (facility) only, with multiple level of care provided that a density-site plan is submitted which indicates that he land area approved in the Special Exception of Zoning Case #76-52-BX can support the density of the assisted living facility. Please refer to John Lowis' latter of December 6, 1999 to determine the method if calculating the density

You may submit said site plan to my attention and if you need further assistance please contact me at 410-887-3391.

Mitchell J. Kellme



CREATIVE LIVING, INC. 3014 SELLSBALE ROAD BALTINGRE, NO 31307 (110) 405-1400 Tel.

14/2

February 3, 2000

Mr Arnold Jobion Director of P.D.M. III W Chesspeake Ave. Towson, MD 21204

RE. Request for Zoning Review - 7600 Clays Lane, Bultimore, 14D 21244 Special Exception Case # 76-52-RX.

The property address cited above has been operating as a convoluncent home for over 20 years under a soning special execution case # 76-52-83;

The convoluceant home provincely included essistant living clients and surring home clients. We intend to utilize the facility or an assistant living home only with multiple levels of care, but not an critical of a care as a surring home.

improving there hashe and well being, it appears that the spirit and intent of special encaption case of 76-52-8X allows both uses under the convolutions beater assing. The special encaption assing recognition assing to encaptions assing to the spirit and the spirit and in conjunction with marriag beater, and it appears this facility has always bean used for both types of care.

When the original application was made in 1975, it specifically stated the proposed facility 

We have included a copy of page 6 from a March 31, 1998 Restricted Use Apprecial Report which was a State of Maryland regulatory requirement per COMAR 10.09.10.10 by the Medical Care Finance Administration for the equinterrogant of emission approximate the Newton Statement and System. The approximate Administration System. The approximate Administration of the Newton Statement 21 emissing demicillary care both love been transferred to use as comprehensive care both.

Page 2 - Creative Living

rending in a use of 102 comprehensive bads and 18 domiciliary bads at the time of the report. Therefore, we can assume that the facility had 19 domiciliary bads at some point prior to this report. In addition, orally it has been indicated that the facility had a majority of domiciliary bads when it was balls in 1900 and slowly transferred bads to ensive use over its 19 year operating history

Therefore, we are requesting you to complete a detailed analysis of the special exception case # 76-52-8X to inform us if assisted living is allowed under this current assing case. We also have included a copy of the facilities byout, and records obtained from your office such as the site plan, the original special enception application, and a letter written to an attorney from your office on December 4, 1999

Please contact me at (410) 446-1603 if you have any questions

Winfield Swillis

Winfeld T. Willia

15 - discussed this with John Lewis

Please rall me For pickup, I will pay \$46,00 when I pickup answer.

### **DESCRIPTION OF IMPROVEMENTS - CONTINUED**

REMARKS: Since the time of the last inspection, normal on-going maintenance has occurred. In addition, 21 existing domiciliary care bads have been transferred to use as comprehensive care bads, bringing the totals to 102 comp bads and 18 dom bads. No major capital improvements have been reported for the years



RE: 7000 Clays Lane, Zoning Case 76-63-751, 2" Bleeten District

This is a response to your request for a pasting position latter concerning the above referenced elib. According to your provided information, the D.P. 10.5 about, 3.87-come with is currently used as a marking (consultaneous) huma, purposed to opening compliant come number 76.24.05.

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of an ambited being builty by special computers) and earlier independent being subs. By sight, are paralleled (indired to regulatory complicator) in the D.P. W.S. occurry, placets he camer that any change from the approved plan of order to the strength and strength cases would also explain a goodly handing to approve the angle of the strength of community case of these being authorised change contains as

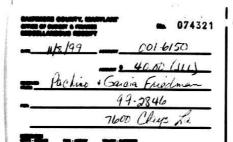
Regardely, I also unable to obtain more than the very general communits that you see have without a district colleged allow from the garding housing allowing all proposed changes, buildings, uses and describes.

I that that the information set facts in this latter in sufficiently detailed and responsive to the request. If you need factor information or have any questions, placed do not handsto to contact my of 110-007-2001.



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Please find attached haveto a site plus concerning the property known as 7600 Clays Late totalists of 3.97 acres plus improvements and which is currently arend under DR, 10.5.

Please size find exclosed a check in the amount of Forty Dollars (\$40.00) made payable to

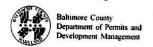
It is my understanding that we could request a position latter from your office as to how we may use the property going forward.

In 1976, pursuant to case # 76-52-825 the property was granted a special enception to operate as a nursing huma. It operated in that fashion until the early part of 1999. We now intend to operate an assisted living facility or a senior apartment complex on the property.

Therefore, I am herein requesting an interpretation, opinion regarding whether such a use is

If you have any questions or wish to discuss any aspect of this matter please do not besitate to

Your courtery and cooperation are greatly appreciated. With kind regards, I remain



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

February 22, 2000

Mr Winfield T Willia Creative Living, Inc. 2816 Hillsdale Road Baltimore Maryland 21207

Dear Mr Willie

RE Zening Interpretation, 7600 Clays Lane, Special Exception 76-52-RX

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You may submit said site plan to my attention and if you need further assistance, please contact me at 410-887-3391.

- mOke Mitchell J. Kellman

MJK kew

Centus 2000 For You, For Baltimore County Centus 2000 Come visit the County's Website at www.co.ba.md.us

Printed with September on EX RETAINING WALL MOPOSED Nursing Home Percel 1.1 6 ENTRANT

CREATIVE LIVING, INC. 2014 HILL SDALF BOAR BALTIMORE, MD 21207 (410) 448-1669 Fax

February 3 2000

Mr Arnold Jablon III W Chesapeake Ave Towson, MD 21204

RE: Request for Zoning Review - 7600 Clays Lane, Baltimore, MD 21244 Special Exception Case # 76-52-RX

Dear Director Jablon.

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Page 2 - Creative Living

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Winfed Swillis Windald T Willia

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Please rall me For pickup, I will pay \$40,00 when I pickup answer.

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**DESCRIPTION OF IMPROVEMENTS - CONTINUED** 

L- 04-4 FRIEDMAN, GARCIA & FRIEDMAN

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Fo. 71-11/5/49

RE: Request for Position Letter Location: 7600 Clars Lane

Please find attached hereto a site plan concerning the property known as 7600 Clays Lame consists of 3.97 acres plus improvements and which is currently zoned under DR 10.5.

Please also find enclosed a check in the amount of Forty Dollars (\$40.00) made payable to

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Therefore, I am herein requesting an interpretation, opinion regarding whether such a use is

If you have any questions or wish to discuss any aspect of this matter please do not hesitate to

Your courtesy and cooperation are greatly appreciated. With kind regards, I remain,

Very truly yours,

DAGINE



County Office Buildi 111 West Chemorake & Rosson, Maryland 21204

November 12, 1986

MD 21222

Dear Mr. Gercia:

RE: 7800 Clays Lane, Zoning Case 76-52-RX, 2<sup>rd</sup> Election District

This is a response to your request for a zoning position letter concerning the above referenced eite. According to your provided information, the D.R.10.5 zoned, 3.97-ecre eite is currently used as a natiling (convalencent) home, pursuant to apocial exception case number 76-62-RX.

A review of the zoning case indicates that the original approved special exception area was 20,802 acres of D.R.5.5 zoned land. Part of this area (4.5 ++ acres) was designated for a numbing home and 5.7 ++ acres for proposed elderly apartments. The numbinder was for the churchlachool use. Certain denafties and uses were seeigned on the site plan and approved by the zoning commissioner.

Both an assisted fiving facility (by special exception) and senior independent tiving apertments (by right) are psimilated (subject to regulatory compliance) in the D.R. 10.5 zonic, incestore, please be asset that any change from the approved plan or order in the above referenced zoning case would sho require a special hearing to approve the revisions. Another point of concern is one of there being sufficient density available to

Regretfully, I am unable to elate more than the very general comments that you see here without a detailed redired sits plan from the zoning hearing showing all proposed changes, buildings, uses and danelies.

I trust that the information set forth in this latter is sufficiently detailed and order to the request. If you need further information or have any questions, please at healtate to contact me at 410-887-339.



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Come visit the County's Website at www.co.be.and.us

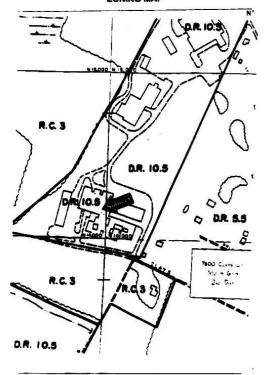
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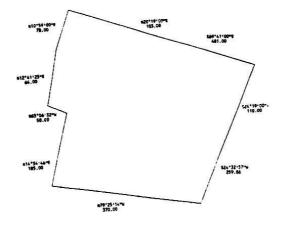
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Baltimore County Department of Pennus and Development Management

Development Processing County Office Building 111 West Chesapeare Avenue Towson Marylanc 21204 pdmlandace2-co.ba.md.us

December n 1994

Friedman, Gazeta & Friedman 2 Dunimanwa) Dundulk, Maryland 21222

Zoning Verafication, Total Classifier, F. Electrica District

In your latest correspondence of November 27, 1999, you requested confirmation of details calculations for eather elderly assisted living or independent elderly apartment at the above location.

Based on the provided information, it appears that after a special hearing do amend the previous of order and plan (in case \$70.52 RK) to allow any use and area changes) the density for elder samp would be extended as follows:

- Accusted living facility 10:553-97= 41:6354= 166-74 assisted living beas total = 166.74 (special exception learning required)
- 2 Independent serior apartment approved under ciderly liousing zoung regulations are calculated by bedroom count as follows:

- 2 bedroom apartments = 1 density unit or 1×41/685 = 41/685 or 41 two bedroom apartments

I truss that the information set forth in this letter is sufficiently detailed and responsive to the request. If on need further information or have any questions, please do not bestrate to contact me at 4 [0-887-339].

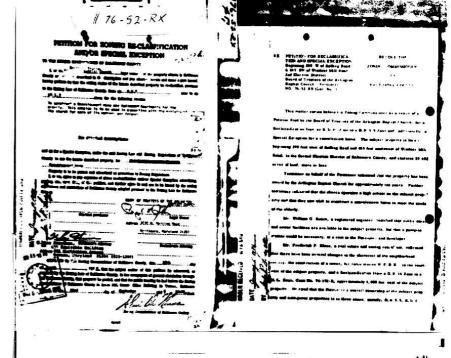


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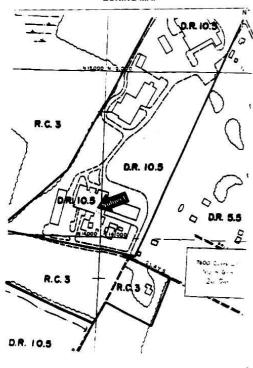
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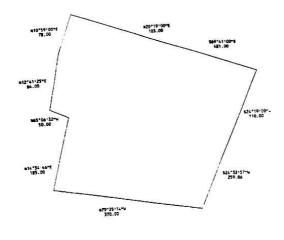
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Tellatin, Louis, Andreas & Short, Inc.



Battir ne County Department of Permits and Development Management

Description Processing County Office Building 111 West Chesapeake Avenue Towson Maryland 21204 pdmlandacq@eo.ba md us

December n. 1994

Friedman, Garcia de Friedman 2 Duninanway Dunduk, Maryland 21222

Dear Ar Garcia

RE Zoning Verification, Total Classica, P. Efection Dien et

In your latest contespondence of November 27, 1999, you requested confirmation of density abons for citize riderly assured living or independent additing apartments at the above lectation

Based on the provided information is appears that after a special hearing to kinend the previously approved order and plan in case #56-55 RNA to their aim use and area changes; the density for eldern housing would be achiested as follows:

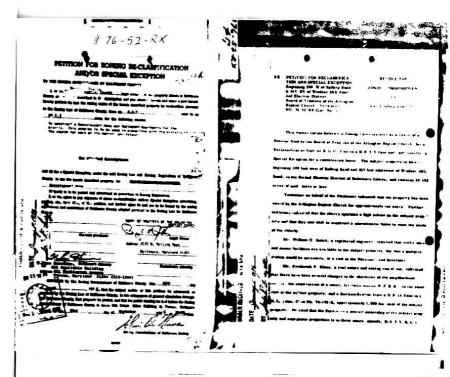
- Assisted living facility 10.5×3 v7= 31.635×4= 166.74 assisted fiving beds total = 166.74 (special exception licating required)
- 2 Independent serior apartine of approved under elderly liousing zorung regulations are calculated by bedroom count as follows:
- 5 ! bedroom apartments = 2 density unit, 16 5X3 97 = 41 685.
  3 4x = 11 685 X = 41 685 (4) = 166 74 = 55 58 or 55 one bedroom apartments
- c 2 bedroom apartments = 1 demails unit or 1x41 685 = 41 685 or 41 two bedroom apartments

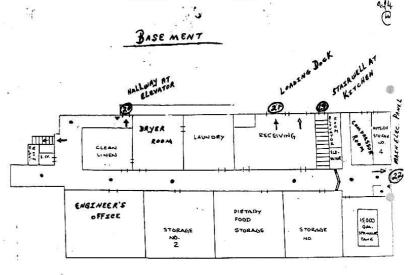
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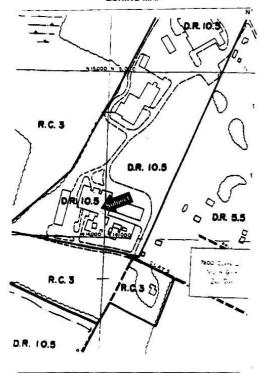


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Tellatin, Louis, Andreas & Short, Inc.

Cat. No. 76-52-RX

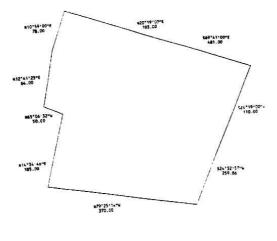
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Baltimore Coupts Department of Pennits and Development Management

Perceptue: Proceeding
County Office Building
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Friedman Gaveta & Friedman 2 Dunmanway Dund Ik, Maryland 21222

RE Zoning Verdication 2001 Classics J. Photoc. Sonton

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Based on the provided information is appears that after a special hearing its amend the previous percent order and glast in tase #76-62 BN/re other are use and treat thingess the density for elders would be calculated as follows:

- Assisted living facility 10 5x3 v7= 41 635x4= 166 74 assisted living beds total = 166 74 (special exception learning required)
- 2 Independent serior apartment approved under elderly liousing zorung regulations are calculated by bedroom count as follows:

  - Studio apartment \* 1. density umi per apartment 
    10.50.367\* 41.685.21 \* 53.73.888 audio apartments 
    10.50.367\* 41.685.21 \* 53.73.888 audio apartments 
    16.400.000 apartments \* 45.000.000, um. (10.57.6) \* 41.685. 
    1.40\* 12.085. X = 31.025.43 \* 2.06.74 \* 53.58 at 54.000 bedroom apartments.
  - 2 bedroom apartments = 1 density unit or 1×41 685 = 41 685 or 41 two bedroom apartments

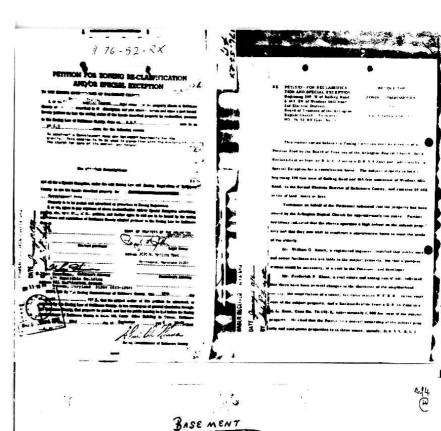
I truss that the information on forth in this letter is sufficiently idetailed and responsive to the request. If on need further information or have any questions, please do not hestiate to contact the at 4 (0-887-139).





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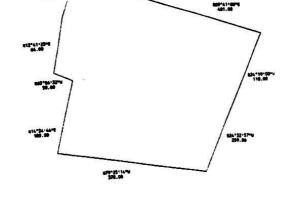
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Battimore County Department of Permits and Development Management Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204 pdmlandacq@co.ba.md.us

December 6, 1999

Friedman, Garcia & Friedman 2 Dunmanway Dundrilk, Maryland 21222

#10\*50\*00\*\*

Desi Mr Garan

RE. Zonung Verification, 7650 Clays La . J. Election District

In your latest correspondence of November 22, 1999, Not requested confirmation of density calculations for eather elderly assisted living or independent elderly apartment at the above location.

Based on L.: provided information, it appears that effer a special hearing (to assent the previously approved order and plan (in case #76-52 RX) to allow any use and area changes) the density for elderity housing would be calculated as follows:

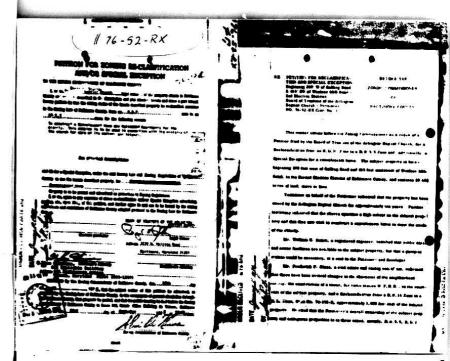
- Assisted living facility: 10.5x3.97= 41.685x4=166.74 assisted living bods total = 166.74 (special exception licering sequinal)
- 2 Independent serior apartment approved under ciderly housing zoning regulations are calculated by bedroom count as follows:
- studio aparoment = ½ density unit per apartment, 10.5x3.907= 41.685x271 = 83.37 or 83 studio apartments.
- b 1 bearsoon apartments = % (5.00 kg) = 1.05 kg = 1.05 k
- c 2 bedroom apartments = 1 denerty user or 1x41.685 = 41.685 or 41 two bedroom apartments

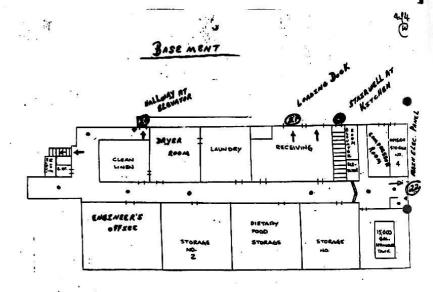
I truss that the information as forth in this letter is sufficiently detailed and responsive to the require. If you need further information or have any questions, please do not heritate to contact the at \$10-887-3391



ILL:kew







Tullette, Louis, Andrew & Short, Inc.

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The Address of Nation Principles of Party Case No. 76-53-RE

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10.00

SECTION STREET

Department of Permits and

Development Processing County Office Building 111 West Champelo Ave Rosson, Marylani 21284

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Scation, 7600 Clays La., 2" Election Minera

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For You, For Spitimere County Course 2000

Come visit the County's Website at trium.co.ba.md.ms

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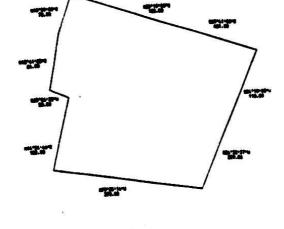
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## John Mr. Agetstein:

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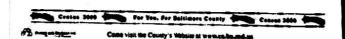
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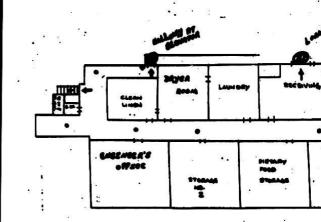
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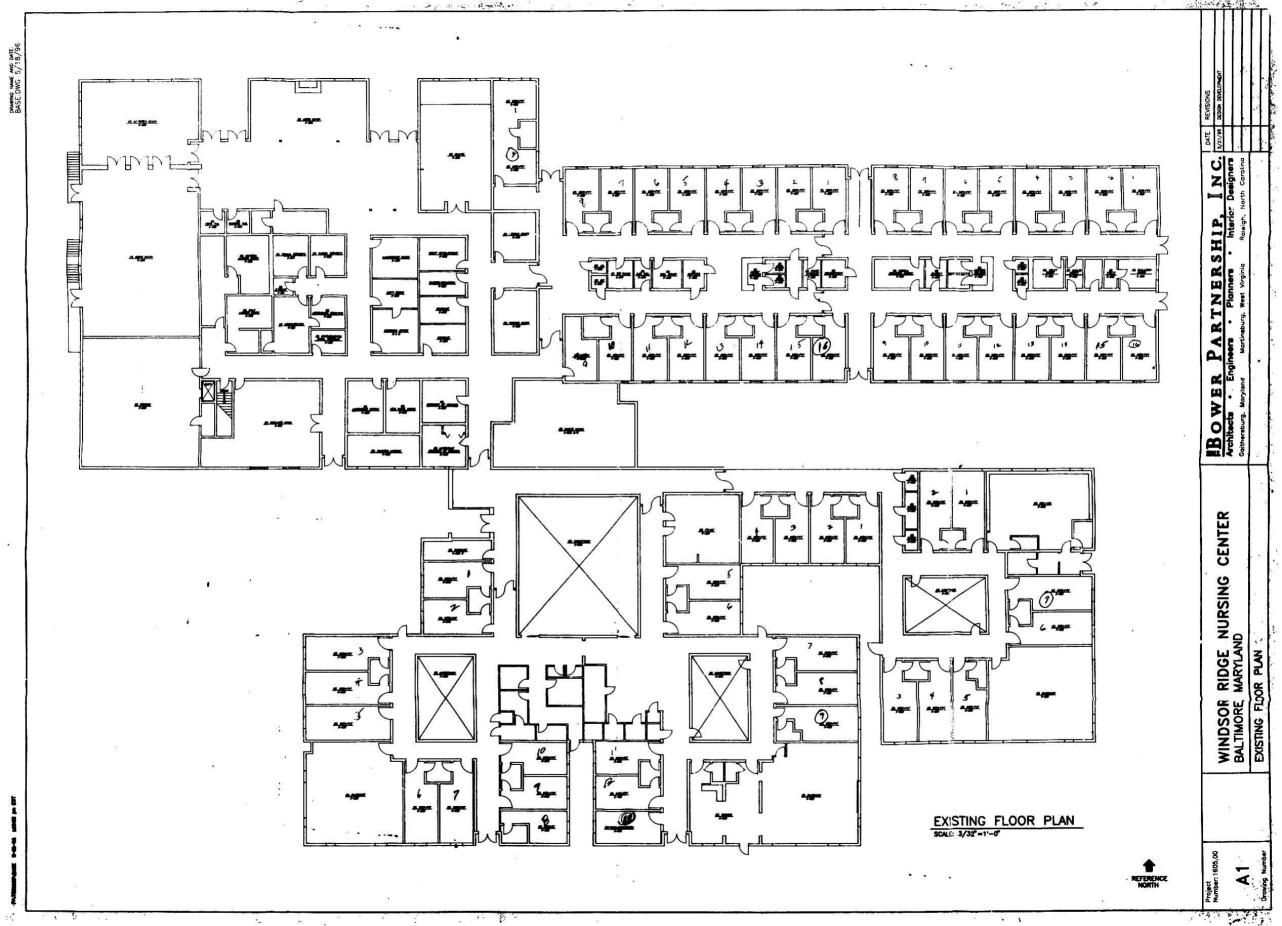


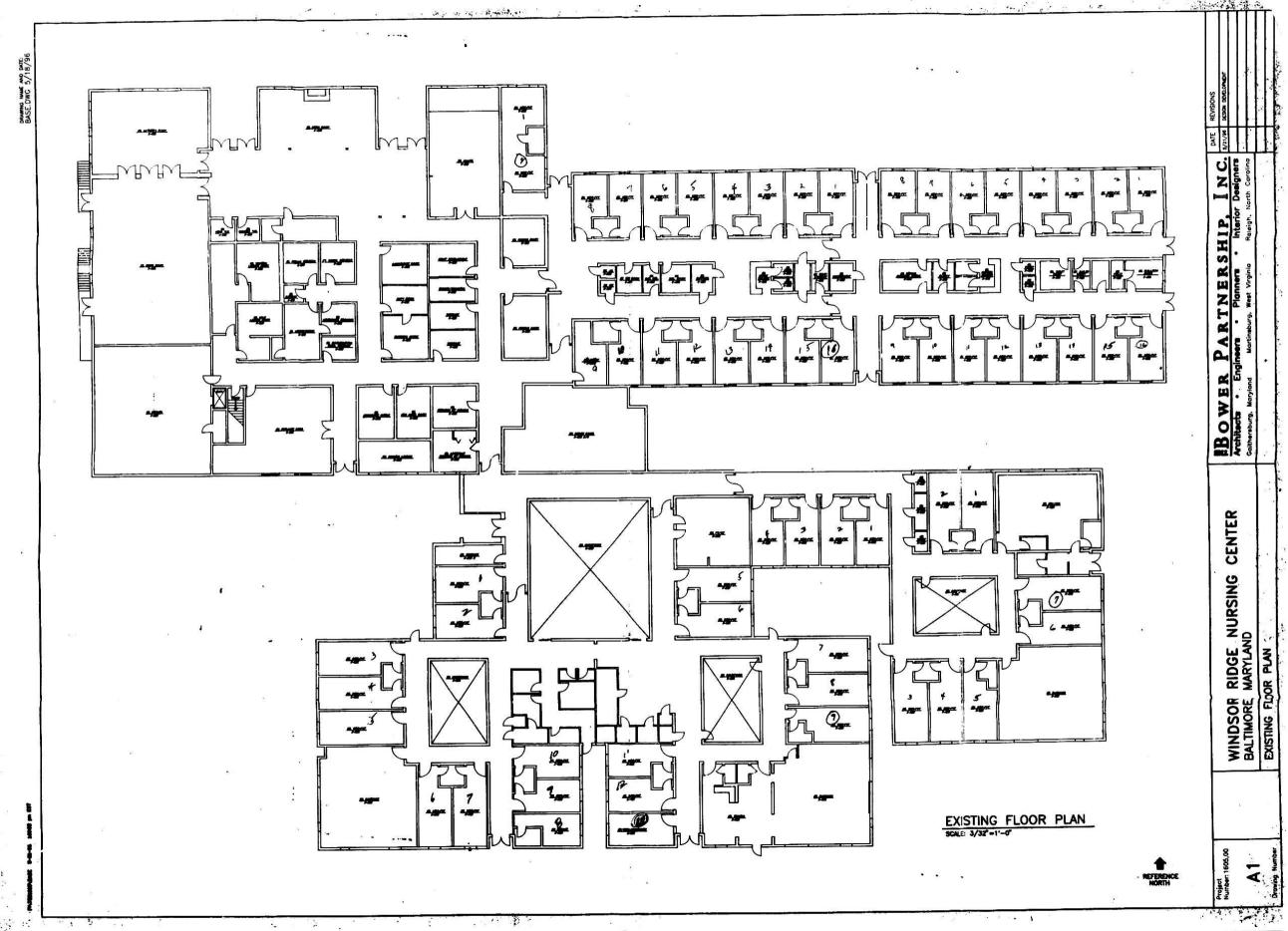


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# PETITION FOR ZONING RE-CLASSIFICATION 76.52.84 AND/OR SPECIAL EXCEPTION

WER OF BALTIMORE COUNTY:

Board of Trustees
L or we Arlington Bantist Church .....legal owner... of the property altaste in B mby and which is described in the description and plat attached hereto and made a part hereof, why publism (1) that the soning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an ... R.Q.P.

zone: for the following re-

To construct a Convalescent Home and Retirement Apartments for the elderly. This complex is to be used in connection with the ministry of the church for care of its members and felends.

See attached descriptions

County, to use the herein described property, for...... Convalescent Home

Property is to be posted and advertised as prescribed by Zoning Regulat

I, or we, agree to pay expenses of above re-classification and/or Special Exception outing, etc., upon filing of this petition, and further agree to and are to be bound by the soning more County adopted pursuant to the Zoning Law for Baltimor

> BOARD OF TRUSTEES OF THE ARLINGTON BAPTIST CHURCH Address 3030 N, Polling Road

Baltimore, Maryland 21207

3-876

RED By The Zoning Commissioner of Baltimore County, this 15th

, 197 5., that the subject matter of this petition be adve required by the Zoning Law of Baltimore County, in two newspapers of general circulation through get Baltimore County, that property be posted, and that the public hearing be had before the Zoning Baltimore County in Room 106, County Office Building in Towson, Baltimore 197 5 at 10:00 clock

Seri le lanca

January 19, 1976

I have this date passed my Order in the above referenced matter. Copy of said Order is attached.

Very truly yours

S. ERIC DI NENNA

RE: Polition for Reclassification and Special Exception Beginning 200° W of Rolling Road 4 465° SW of Windoor Mill Road 2nd Election District

Beard of Trustops of the Arlin Baptist Church - Potitioner NO. 76-52-RX (Item No. 17)

W. Lee Harrison, Esquire Suite 601, Equitable Building 401 Washington Avenue Towson, Maryland 21204

cc: John W. Hessian, III, Esquire

RE: PETITION FOR RECLASSIFICA-TION AND SPECIAL EXCEPTION Beginning 200' W of Rolling Road & 465' SW of Windsor Mill Road tion District Board of Trustees of the Arlington Baptist Church - Petitioner NO, 76-52-RX (Item No. 17)

X.

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OF BALTIMORE COUNTY

BEFORE THE

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This matter comes before the Zoning Commissioner as a result of a Petition filed by the Board of Trustees of the Arlington Baptist Church, for a Reclassification from an R. D. P. Zone to a D. R. 5. 5 Zone and, additionally, Special Exception for a convalescent home. The subject property is located beginning 200 feet west of Rolling Road and 465 feet southwest of Windsor Mil Road, in the Second Election District of Baltimore County, and contains 20,607

owned by the Arlington Baptist Church for approximately ten years. Further ny indicated that the church operates a high school on the subject pro-

Mr. William G. Roach, a registered engineer, testified that public wat

Mr. Frederick P. Klaus, a real estate and zoning consultant, indicated st of the subject property, and a Reclassification from a D.R. 16 Zone to a L. Zone, Case No. 74-192-R. approximately 1,000 feet east of the subject erty and contiguous properties is in three zones, namely, D.R. 5.5. R.D.P.

and B. L. He also substantiated the availability of public water and sewer

Without reviewing the evidence further in detail but based on all the evi dence presented at the hearing, in the judgment of the Zoning Commissioner,

The burden of proving that there have been substantial changes in the character of the neighborhood and/or that the property, as presently classified, is in error, is borne by the Petitioner. In the instant case, this burden has seen met in that there has been a substantial change in the character of the neighborhood, i.e., the availability of public water and sewer facilities

Furthermore, as the prerequisites of Section 502. I have been met, the

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltim County, this \_\_\_\_\_\_day of January, 1976, that the herein described pro erty or area should be and the same is hereby reclassified from an R. D. P. Zone to a D. R. 5. 5 Zone and, further, a Special Exception for a c home should be and the same is hereby GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning

Charles E. Kountz, Jr.

I hereby certify that a copy of the foregoing Order was mailed this 18th day ember, 1975, to W. Lee Harrison, Esquire, 601 Equitable Building, 401 ngton Avenue, Towson, Maryland 21204, Attorney for the Petitioners.

Baltimore County Fire Department

6.0

Towson, Meryland 21204

026-7510

Location: 200' W of Rolling Rd. & 465' Sh of Windsor Mill Rd.

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property

(II) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved read in accordance with Battience County Standards as published by the Department of Public Works. On site fire hydrant shall be located.

RE: PETITION FOR RECLASSIFICATION and : BEFORE THE ZONING COMMISSIONER PETITION FOR SPECIAL EXCEPTION Baginning 200 feet West of Rolling Road and 465 feet Southwest of Windsor Mill Road, 2nd Initiates

......

ORDER TO ENTER APPEARANCE

nt to the authority contained in Section 524, I of the Baltimore County

BOARD OF TRUSTEES OF THE ARLINGTON : Case No. 76-52-RX

Charter, I hereby enter my appearance in this proceeding. You are requested to

notify me of any hearing date or dates which may be now or hereafter designated

, and of the passage of any preliminary or final Order in cor

famous



DESCRIPTION

TO ACCOMPANY APPLICATION FOR ZONING RECLASSIFICATION AND A SPECIAL USE EXCEPTION PROPERTY OF
BOARD C. TRUSTEES OF THE ARLINGTON BAPTIST CHURCH INC SECOND ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND



BEGINNING, S 58°21'00" West 200.00 feet from a point in the centerline of Rolling Road as laid out and now existing, said point being distant in a Southeasterly direction 465 feet more or less from the intersection of the centerline of Rolling Road with the centerline of Windsor Mill Road and running thence the four (4) following courses and distances viz:

- 1) South 31°39'50" East 511.42 feet,
- 2) South 24°01'40" West 1041.50 feet to a stone,
- 3) South 24\*19'00" West 256.63 feet to a stone, and
- 4) South 24\*43'11" West 259.50 feet

to a point on the northernmost side of Clav's Lane (15 feet wide), thence binding along the northernmost side of Clay's Lane North 79°25'14" West 835.50 feet, thence leaving Clay's Lane and running the four following courses and

- 1) North 50°49'34" East 530.20 feet to an iron nine.
- 2) North 27°27'40" East 1255.18 feet to an iron pipe,
- 3) South 32°56'00" East 25.80 feet to an iron pipe, and
- 4) North 58°21'00" East 104.00 feet to the point of beginning Containing 20,602 acres of land more or less.

1023 North Calvert Stores, Ballinger, Manuary 21202

BALTIMORE COUNTY, MARYLAND

S. Eric DiNenna, Zoning Commissioner Date

October 14, 1975

William D. Fromm, Director of Planning

Petition 76-52-RX. From R.D.P. to D.R. 5.5 Zone. Partition for Special Exception for Convolescent Home.

Beginning 200 feet West of Rolling Road and 465 feet Southwest of Windoor Mill Road.

Patitioner – Board of Trustees of the Arlington Baptist Church

2nd District

HEARING: Wednesday, October 15, 1975 at 10:00 A.M.

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments to offer.

This request was made in conjunction with a request for reclassification from R.D.P. to DR 5.5. This Special Exception as requested would be inconsistent with the policies of the Comprehensive Plan adapted by the Planning Board, October 13, 1975.

WDF:NEG:no

OCT 1475 ON 00

bullan theom

( ) 6. Site plans are approved as drawn.

Attention: Mr. Jack Dillon, Chairman Zoning Advisory C mmittee

Item No. 17

Property Owner: Arlington Baptist Church

( ) 7. The Fire Prevention Bureau has no comments at this time.

( ) 2. A second means of vehicle access is required for the site.
( ) 3. The vehicle dead-end condition shown at

Reviewer: HThamus The Approved:

Planning Group
Special Inspection Division

Loul H Binche Deputy Chief Fire Prevention Bureau

Zoning Agenda CYCLE #9
April 1975 - October 1975

January 22, 1975

PURDUM AND JESCHKE

RECLASSIFICATION AND SPECIAL EXCEPTION FROM A R.D.P. ZONE TO DR 5.5 ZONE AND A SPECIAL EXCEPTION FOR RETIREMENT APARTMENTS AND A CONVALESCENT HOME Second Election District
Baltimore County, Maryland
Petitioner, Board of Trustees
of the Arlington Baptist Church Rolling Road and Clays Lane

ZONING COMMISSIONER

BALTIMORE COUNTY

### MEMORANDUM

Now comes the Board of Trustees of the Arlington Baptist Church owner of the above property, by W. Lee Harrison, its Attorney, and in accordance with Bill 72, Section 22, 22(b) states that the reclassification and special exception requested should be granted and for reasons say:

- 1. Several changes in zoning have taken place in the immediate neighborhood.
- a. Case No. 72-184-XA, a Special Exception for
- b. Case No. 74-192-R, a Reclassification from
- 2. Several errors were committed in the adoption of the Comprehensive Zoning Map with respect to said property on March 28, 1971, including the following:
- a. The Council failed to recognize ownership and property lines on said property by making portions of said property DR 5.5, DR 16 and R.D.P.
- b. That the Council erred in drawing the urbanrural demarcation line through said property when the property was already served by public water and sewer.

c. That the Council failed to recognize that the institutional ownership and the proposed uses in this Petition are not inconsistent with the uses on the remaining portions of the tract and, in fact, complements the same.

W. Lee Harrison
601 Equitable Building
Towson, Maryland 21204
823-1200

BATTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE # : Franklin'T. Hogan

XXXXXXXXXXXXXXXX

REPORT BONIES ADMIN MEALTH Telephone NUKEA 1

DEPARTMENT OF STATE OF -AY SUPEAL OF PROJ.

1800 - N 0871 - N 00071

BUARD

W. Lee Harrison, Esq. 601 Equitable Building 401 Washington Avenue

on, Maryland 21204 PF. Reclassification and Special Exception Petition
Item 17 - Zoning Cycle 9
Board of Trustees - Arlington
Baptist Church - Petitioners

April 30, 1975

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 subject property is located 200 feet west of Bolling Boad, 465 feet southwest of Windsor Mill Soad, and is a part of an overall tract of land 22.636 acres in area currently zoned R.D.P., D.R. 5.5 and D.R. 16. 06 this overall property, 26.602 acres is zoned R.D.P., and it is this portion that petitioner is requesting to reclassify to D.R. 5.5 with Special Exception for a Convalescent Home. The northernmost end of this property along Bolli G Boad is currently improved with a church and associated buildings. associated buildings.

The petitioner is proposing to construct a school, a 180 bed convalescent home, and an apartment building for the elderly consisting of 39 units. W. Lee Harrison, Esq. Re: Item 17 - Zoning Cycle 9 April 30, 1975 Page 2

The subject site has frontage not only on Rolling Road but also on Clays Lane. Please note the comments of the Project and Development Planning section, as well as those of the Bureau of Engineering as they specifically concern themselves with access onto Clays Lane.

Adjacent properties are improved with single family dwellings along Rolling Road, and rural farm lands to the east, south and west.

It should be noted that the permitted density in relation to acreage for the apartments for the elderly is calculated in this case excluding those areas utilized for other purposes. More specifically, those areas proposed as school, church, and convalescent home, as well as their required yard areas and parking areas, are excluded from the area from which permitted density is calculated.

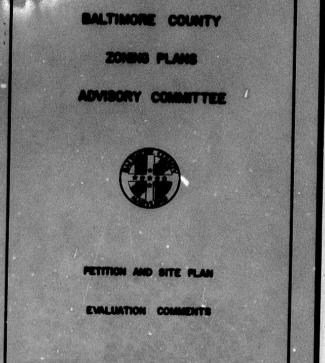
This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to Monday, June 2, 1975, in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between September 1, 1975 and October 15, 1975-will be forwarded to you well in advance of the date and time.

Very truly yours,

Franklin T. Hogonsh. FRANKLIN T. HOGANS, JR. Chairman, Zoning Plans Advisory Committee

FTH:JD Enclosure

cc: Purdum and Jeschke 1023 North Calvert Street (21202)



BALTIMORE COUNTY, MARYLAND AFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

WM. T. MELZER

April 28, 1975

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

Re: Cycle Zoning 9
Item 17 - ZAC - April, 1975 - October, 1975
Property Owner: Arlington Baptist Church
Location: 200' No f Rolling RA. & 465' SW of Windsor Mill Rd.
Existing Zoning: R. D. P.
Proposed Zoning: Re-class to D.R. 5.5 & Special Exception for convalencent home.
No. of Acres: 20.602
District: 2nd

Dear Mr. DiNenna

The subject petition is requesting a change from R.D.P. to D.R. 5.5.

This should increase the trip density from 200 to 1,000 trips per

With extreme capacity problems we have along Rolling Road, this increased trip density can only aggravate this problem and, therefore, the trip density increase is undesirable.

Very truly yours Koha M.

C. Richard Moore Assistant Traffic Enginee



May 2, 1975

Comments on Item # 17 , Zoning Cycle IX, April, 1975, are as follows:

Property Owner: Arlington Baptist Church Location: Beg. 200° W. of Rolling Road and 465° SW of Windsor Mill Road Existing Zoning: R.D.P. Proposed Zoning: Re-cals to D.R.5.5 and Special Exception for convalescent home. No. of Acres: 20.602 District: 201

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 owere of plans or problems with regard to development plans that may have a bearing on this petition.

The proposed apartments and convalescent home are served by Rolling Road, and a very narrow Clays Lane. This office would request, that if the petition is granted, no access other than emergency be permitted to this property by way of Clays Lane.

Very truly yours,

John Helinkley John L. Wimbley Planning Specialist II Project and Developme

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

LDING 105 WEST CHESAPEAKE AVENUE

COUNTY OFFICE OF PLANNI County Office Building 111 W. Chesapeake Avenu Towson, Maryland 21204 filing this 15

ney W. Les Marries

### Beltimore County, Maryland Bepurtment Of Jubite Marks

COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204 April 23, 1975

Bares of Engineering

Mr. S. Eric DiNenna Zoning Commissioner County Office Building Towson, Maryland 2120h

Re: Item #17 - Cycle #9 (April - October 1975) Item #17 - Oyale #9 (April - October 1975)
Property Owner: Arlington Saptist Church
200' W. of Rolling Ed. and 165' S/W of Windsor Mill Ed.
Rristing Zoning: R.D.P.
Proposed Zoning: Re-class to D.P. 5.5 and Special
Exception for convalescent home. No. of Acres: 20,602 District: 2nd

Dear Mr. DiNenna:

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

the proposed development of this site as indicated on the submitted plan should be subjected to a comprehensive review on the level of the Joint Subdivision Planning Committee to ascertain such public improvements as are required and the Petitioner's Cull responsibilities in connection therewith. Subdivision regulations may be applicable, and a Public Works Agreement may be required to be asserted.

Rolling Road, an existing County road in the vicinity of this property, is proposed to be improved in the future as a \$2-foot closed section roadway on a

Clays Lane, a 15-foot right-of-way maintained by Baltimore County, if improved in the future as a public road, would be as a 30-foot closed section roadway on a 50-foot right-of-way.

Fairbrook Road, a future County road, is proposed to be constructed as a 50-foot closed section roadway on a 70-foot right-of-way. The general alignment of this proposed road is projected along the eastermoot outline of this property.

Highway improvements including highway right-of-way widening and any necessary fillet areas for sight distance and revertible easements for slopes will be required in connection with any grading or building permit application. Further information may be obtained from the Baltimore County Bureau of Engineering; the submitted plan must be revised accordingly.

Item #17 - Cycle #9 (April - October 1975) Property Owner: Arlington Baptist Church Page 2 April 23, 1975

Highways: (Cont'd)

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 stabilisation could result in a sediment pollution problem, demaging private and public holdings down-stream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Drainage studies, storm water management drawing. 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.

All proposed subdivisions are subject to the requirements of the Storm Water Management Program. It shall be the responsibility of the Petitioner's engineer to obtain and familiaries indessel with the requirements and design criteria available from this office. The preliminary plan must indicate the required Storm Water Management features before tentative approval can be granted.

### Storm Drains:

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.

The Petitioner must provide mecessary drainage facilities (temporary or permanent) to prevent creating any muisances 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.

Drainage and utility easements are required through this property.

The church and school on this property are served by a connection from the 12-inch public water main which exists in Rolling Road along a portion of the frontage of this property (Drawing \$70-0205, File 3).

Public water main extensions will be required to serve the proposed development complex on this site in the vicinity of Clays Lame and to provide necessary fire hydrant protection.

Item #17 - Cvole #9 (April - October 1975) Property Owner: Arlington Baptist Church Page 3 April 23, 1975

### Samitary Sewer:

Public 8-inch sanitary sewerage also exists in Bolling Road along a portion of the frontage of this property (Drawing #70-0226, File 1). The church and school on this property are served by a connection of their privately owned ousite sewage ejector system to this sanitary sewer.

No approval is to be inferred or implied as to extension or expansion of the present private onsite sewage ejection system indicated on the submitted plan.

The Petitioner will be responsible for a sanitary sewerage study to determine the adequacy of existing sanitary sewerage and the additional private and public sanitary sewerage required to serve the proposed spartment-cursing home complex.

The Baltimore County Comprehensive Water and Sewerage Plan, amended July 1973, indicates "Planned Service" in the area in 6 to LC years.

This property, while connected to existing public sanitary sewerage in the vicinity, is tributary to the Gwynns Falls Sewerage System subject to State Health Department imposed corstorium restrictions.

Very truly yours.

Elevent or Diver ELISWORTH N. DIVER, P.E. Chief, Bureau of Engineering

cc: G. Reier (BLD. 277-65) J. Trenner S. Bellestri R. Downes (BID. 530-74)

L-NE Key Sheet 14, 15 & 16 NW 28 & 29 Pos. Sheets NW h 0 & H Topo 87 Tax Map

# -BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-

TOWSON MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.

April 3, 1975

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

Dear Mr. DiNenna:

Comments on Item #\_\_\_\_\_, Zoning Re-Classification

Property Owner: Arlington Baptist Church
Location: Seg. 200' w Of Rolling Rd. & 465'
SW of Windsor Mill Rd.
Existing Zoning: R.D.P.
Proposed Zoning: Re-class to D.R. 5.5 & Special
Exception for convalescent home.
No. of Acres: 20.60; No. of Acres: 20.602 District: 2nd

Proposed ejector system to existing sewer.

Food Protection Comments: Prior to construction, renovation and/or installation of equipment for this food service facility, 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 Care Facilities Comments: State laws and regulations require submission of plans and specifications for any new or renovated health care facility.

Zoning Re-Classification

Guynns Falls Moratorium: A moratorium was placed on new sever connections in the Guynns 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 H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

HVB:nc6

CC--L.A. Schuppert W.L. Phillips I. Snyder

# **BOARD OF EDUCATION** OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date April 21, 1975

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

Z.A.C. Meeting of April 1975-October 1975 Cycle #9

Re: Item 17
Proporty Owner: Arlington Baptist Church
Locatlon: 200' M. of Rolling Rd. & 465' S.W. of Windsor Mill Road
Present Zoning: R.D.P. Proposed Zoning: R.D.P.
Proposed Zoning:Re-class to D.R. 5.5 & Special Exception for convalescent home

District: No. Acres:

See attached sheet.

Very truly yours, W. Triel letroud

WNP/ml

W. Nick Petrovich.

H EMBLIE PARKS, PARE-DENT MRS. ROBERT L. BERNEY

ALVIN LORECK

"Arlington Baptist Church"

COMMENTS

Sept. 19, 1974

<u>Enrollment</u> Capacity

549 550
1240
27650 School Situation: Over/Under Featherbed Lane Elementary

Projections :

Sept. 19 75 School. Featherbed Lane Elem. 471 1341 Gradual declining enrollment Gradual rise then a decline St.ble enrollment 502 1338 Johnnycake Jr.

Budgeted Constructions

Estimated To Open Status

Programmed Construction: (Subject to availability of funds)

Estimated

Possible Student Yield: Junior High Senior High

11

Proposed Zoning:

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If this petition is granted and the petitioner decides that instead of developing this property as a convalescent complex, he would develop it as a residential area, the yield could ultimately be 60 elementary pupils, 30 junior high pupils, and 21

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	lished in Baltimore County, Maryland, once a week for one
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	the same was inserted in the issues of Sept. 25, 1975.
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E. P. Smisk

76-52-RX

LTIMORE COUNTY, MARYLAND	BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT
DATE April 21, 1975 ACCOUNT 01-662	DATE 400. 15, 1975 ACCOUNT 02-662
AMOUNT 850:00	AMOUNT 821,1.60
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Baltimore, Md. 21202 Petition for Reclassification and Special Emception for Boardef Trustees of The Arlington Daptist Church	1849 MEG. 15 241.60
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CCIFICATION (2) PETITION FOR SECOND EXCEPT
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Pd,
1 650 to -SW OF INTERSCOTION OF ROLL
CLAYS LANE 1500 ton - WOF
Date of return OST 2, 1975

4- SIGNS

CERTIFICATE OF POSTING

PETITION	M	APPI	NG	PRC	GRE	SS	SHEE	T			
		Wall Map C		inal	Dupl	Duplicate		Tracing		200 Sheet	
FUNCTION	date	by	date	by	date	Ьу	date	Ьу	date	by	
Descriptions checked and outline plotted on map											
Petition number added to outline											
Denied											
Granted by ZC, BA, CC, CA											
Reviewed by: F. T. A	¥				ed Pla e in ou		or des	cript		Yes	
Previous case:				Мар		1000					

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BALTIMORE	COUNTY OFFICE OF	PLANNING AND ZONIN	G
	County Office Bu 111 W. Chesapeal Towson, Maryland	ke Avenue	
Your Po	etition has been ;	received * this	day
MARCH 1975	Filing Fee \$_	50 . Recei	A STATE OF THE PARTY OF THE PAR
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		Eric DiNenna, ing Commissioner	
Petitioner Achie	Zant Clark Su	bmitted by Comme	Graha
Petitioner's Attorne		Reviewed by	77#
* This is not to be assignment of a h	interpreted as a	cceptance of the Po	tition f





