

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Mr. Ross Burkoff, a General Partner of Multi-Medical Convalescent and 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 for a Special Hearing Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve under Section 499.4 of said Zoning Regulations, a permit to permit the Petitioner to use adjoining land for an accessory parking area for a convalescent and nursing home located in an existing DR-16 Zone.

* and Nursing Center of Towson, a Maryland limited partnership,

See attached description

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

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

By Mr. Ross Burkoff, Contract Purchaser and Legal Owner

Address: 1300 Mercantile Bank and Trust Bldg.

2 Hopkins Plaza, Baltimore, MD 21201

Witnessed by Mr. Fred Wolf, III, Protestant's Attorney

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RE: PETITION FOR SPECIAL HEARING
W/S of York Road, 52' N of St. Joseph's
Hospital Drive - 9th Election District
Multi-Medical Convalescent & Nursing
Center of Towson - Petitioners
NO. 77-12-SPI (Item No. 227)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This matter comes before the Deputy Zoning Commissioner as a result of a Petition for a Special Hearing to determine whether or not land, in a D.R.16 Zone, adjoining the Multi-Medical Convalescent and Nursing Center of Towson, may be used for a parking area for that facility.

Testimony on behalf of the Petitioners indicated that the proposed facility would provide an additional 56 parking spaces.

A nearby resident, in protest, voiced apprehension concerning other possible use for the area in question and was assured that none were being contemplated at this time.

Further testimony was proffered by Ronald L. Maher, Sr., Esquire, counsel for adjoining property owners, by letter of July 2, 1976, and by oral testimony. He indicated that his clients had no objection to the parking area provided that it conformed to the submitted site plan.

Without reviewing the evidence further, but based upon all of the evidence presented at the hearing, in the judgement of the Deputy Zoning Commissioner, the Petitioners' plans meet the requirements set forth in Section 409.4 of the Baltimore County Zoning Regulations, and that the health, safety and general welfare of the locality involved not being adversely affected, the Special Hearing for off-street parking in a residential zone, in accordance with the plat dated April 23, 1976, revised July 2, 1976, and approved July 16, 1976, by John L. Wirsbly, Planner III, Project and Development Planning Division.

Office of Planning and Zoning for Baltimore County, said plat having been filed as Exhibit "A" in this proceeding and which is incorporated by reference hereto as a part of this Order, should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 27th day of July, 1976, that the herein Petition for Special Hearing for off-street parking in a residential zone should be and the same is GRANTED, from and after the date of this Order, subject to compliance with the aforementioned approved site plan, which includes installation and maintenance of dense arborvitae screening, a minimum of six feet high.

Signature
Deputy Zoning Commissioner of
Baltimore County

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
W/S of York Road 52 feet N of : OF BALTIMORE COUNTY
St. Joseph's Hospital Drive, 9th District :
MULTI-MEDICAL CONVALESCENT AND : Case No. 77-12-SPI
NURSING CENTER OF TOWSON, Petitioners :

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County 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 therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Kautz, Jr.,
Deputy People's Counsel

John W. Hession, III
People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 2nd day of July, 1976, a copy of the foregoing Order was mailed to Fred Wolf, III, Esquire, 1300 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Maryland 21201, Attorney for Petitioners.

John W. Hession, III

FROM THE OFFICE OF
GEORGE WILLIAM STEVENS, JR. AND ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6826, TOWSON, MARYLAND 21204

Description to accompany Zoning Petition
to Permit Parking in an Existing DR-16 Zone
Multi-Medical Convalescent & Nursing Home
of Towson

April 23, 1976

Beginning for the same at a point on the west side of York Road 66 feet wide, said point being 52 feet more or less northeasterly along said west side of York Road from the center line of St. Joseph's Hospital Drive, running thence the seven following courses, viz: (1) North 78° 22' 32" East 330.38 feet, (2) North 51° 13' 15" West 7.46 feet, (3) North 17° 35' 17" East 173.93 feet to the center of Alta Via's Avenue (a private road), thence in the center of said Avenue (4° South 41° 33' 52" East 38.03 feet, (5) South 54° 00' 52" East 50.00 feet and (6) South 65° 23' 15" East 252.20 feet to the heretofore mentioned west side of York Road, thence along said west side (7) South 12° 29' 27" West 76.00 feet to the place of beginning.

Containing 0.817 acres of land, more or less.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: June 24, 1976

FROM: William B. Fromm, Director of Planning

SUBJECT: Petition #77-12-SPI. Petition for a Special Hearing for Off-Street Parking in a Residential Zone

West Side of York Road 52 feet North of St. Joseph's Hospital Drive.
Petitioner - Multi-Medical Convalescent and Nursing Center of Towson

9th District

HEARING: Wednesday, July 7, 1976 (1100 P.M.)

If this request is granted it is suggested that it be conditioned by specific landscaping provisions to protect the adjacent dwellings.

Signature
William B. Fromm
Director of Planning

VDF:JGH:rw

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

August 16, 1976

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

Dear Mr. DiNenna:

Comments on Item #227, Zoning Advisory Committee Meeting, May 25, 1976, are as follows:

Property Owner: Multi-Medical Convalescent and Nursing Center of Towson
Location: W/S York Rd. 52' N of St. Joseph's Hospital Dr.
Existing Zoning: D.R. 16
Proposed Zoning: Special hearing to approve off-street parking in a D.R. 16 zone.

Acres: 0.887

District: 9th

Metropolitan water and sewer are available. Therefore, no health hazard is anticipated.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

EJH:mah

SEP 10 1976

June 23, 1976

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

Re: Item 227 - SAC - May 25, 1976
Property Owner: Multi-Medical Convalescent and Nursing Center of Towson
Location: W/York Road 52' NE St. Joseph's Hospital Drive
Relating Zoning: D.R. 16
Proposed Zoning: Special hearing to approve off-street parking in a D.R. 16 Zone
Acres: 0.887
District: 9th

Dear Mr. DiNenna:

No major increase in trip generation is anticipated by the requested special exception to permit parking in a residential zone.

Some congestion can be anticipated on Alta Vista Avenue due to the narrowness of the road and the perpendicular parking across the road from the entrance to the parking lot.

Alta Vista Road should be widened to 24 feet and have sidewalks on both sides of this road.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MEF/Dea

BALTIMORE COUNTY
ZONING PLANS
ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 23, 1976

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

Mr. S. Eric DiNenna, Jr.
Zoning Commissioner

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Mr. S. Eric DiNenna, Jr.
Zoning Commissioner

Fred Wolf, III, Esq.
1300 Morcantille Bank and
Trust Bldg.
2 Hopkins Plaza
Baltimore, Maryland 21201

RE: Special Hearing Petition
Item 227
Multi-Medical Convalescent
and Nursing Center

Dear Mr. Wolf:

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 on the west side of York Road, 52 feet northeast of St. Joseph's Hospital Drive, and is currently improved with a residence. The petitioner is requesting a Special Hearing to permit off street parking in a D.R. 16 zone to be used by the Multi-Medical Convalescent and Nursing Home of Towson, which lies across the street. The proposed parking lot has its access off Alta Vista Avenue (a private road).

The plan must be revised prior to the hearing to indicate the requirements of Section 409.4 of the Zoning Regulations, as well as the comments of the Project and Development Planning section and State Highway Administration.

Fred Wolf, III, Esq.
Re: Item 227
June 23, 1976
Page 2

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. Wood, Jr.
FRANKLIN T. WOOD, JR.,
Chairman, Zoning Plans
Advisory Committee

FTW:JD

Enclosure

cc: George William Stephens, Jr.
and Associates, Inc.
P.O. Box 6628
Towson, Md. 21204

June 23, 1976

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

Re: Item 227 - SAC - May 25, 1976
Property Owner: Multi-Medical Convalescent and Nursing Center of Towson
Location: W/York Road 52' NE St. Joseph's Hospital Drive
Relating Zoning: D.R. 16
Proposed Zoning: Special hearing to approve off-street parking in a D.R. 16 Zone
Acres: 0.887
District: 9th

Dear Mr. DiNenna:

No major increase in trip generation is anticipated by the requested special exception to permit parking in a residential zone.

Some congestion can be anticipated on Alta Vista Avenue due to the narrowness of the road and the perpendicular parking across the road from the entrance to the parking lot.

Alta Vista Road should be widened to 24 feet and have sidewalks on both sides of this road.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MEF/Dea

June 1, 1976

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204

Dear Mr. DiNenna:

Re: Z.A.C. Meeting, May 25, 1976
ITEM: 227
Property Owner: Multi-Medical Convalescent and Nursing Center of Towson
Location: W/S York Rd. (Route 45) 52' NE St. Joseph's Hospital Dr.
Existing Zoning: D.R. 16
Proposed Zoning: Special hearing to approve off-street parking in a D.R. 16 zone.
Acres: 0.887
District: 9th

The curb at the south side of the intersection of Alta Vista Avenue with York Road is sub-standard. In order to provide for easier ingress, the radius of the curb return should be increased to match the radius on the north side.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permit

By: John E. Meyers

CLJEM:vrtd

P.O. Box 717, 300 West Preston Street, Baltimore, Maryland 21203

June 23, 1976

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

Re: Item 227 - SAC - May 25, 1976
Property Owner: Multi-Medical Convalescent and Nursing Center of Towson
Location: W/York Road 52' NE St. Joseph's Hospital Drive
Relating Zoning: D.R. 16
Proposed Zoning: Special hearing to approve off-street parking in a D.R. 16 Zone
Acres: 0.887
District: 9th

Dear Mr. DiNenna:

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Some congestion can be anticipated on Alta Vista Avenue due to the narrowness of the road and the perpendicular parking across the road from the entrance to the parking lot.

Alta Vista Road should be widened to 24 feet and have sidewalks on both sides of this road.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate

MEF/Dea

June 11, 1976

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 #227, Zoning Advisory Committee Meeting, May 25, 1976, are as follows:

Property Owner: Multi-Medical Convalescent and Nursing Center of Towson
Location: W/S York Road 52' NE St. Joseph's Hospital Drive
Existing Zoning: D.R. 16
Proposed Zoning: Special hearing to approve off-street parking in a D.R. 16 zone
Acres: 0.887
District: 9th

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.

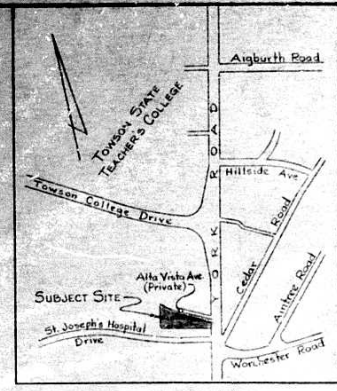
All 409.4 notes must be answered on the site plan. Screening should be a minimum of 6 feet high and around the entire parking area.

The paving width of the private road must be dimensioned and the access to York Road must meet State Highways Administration requirements.

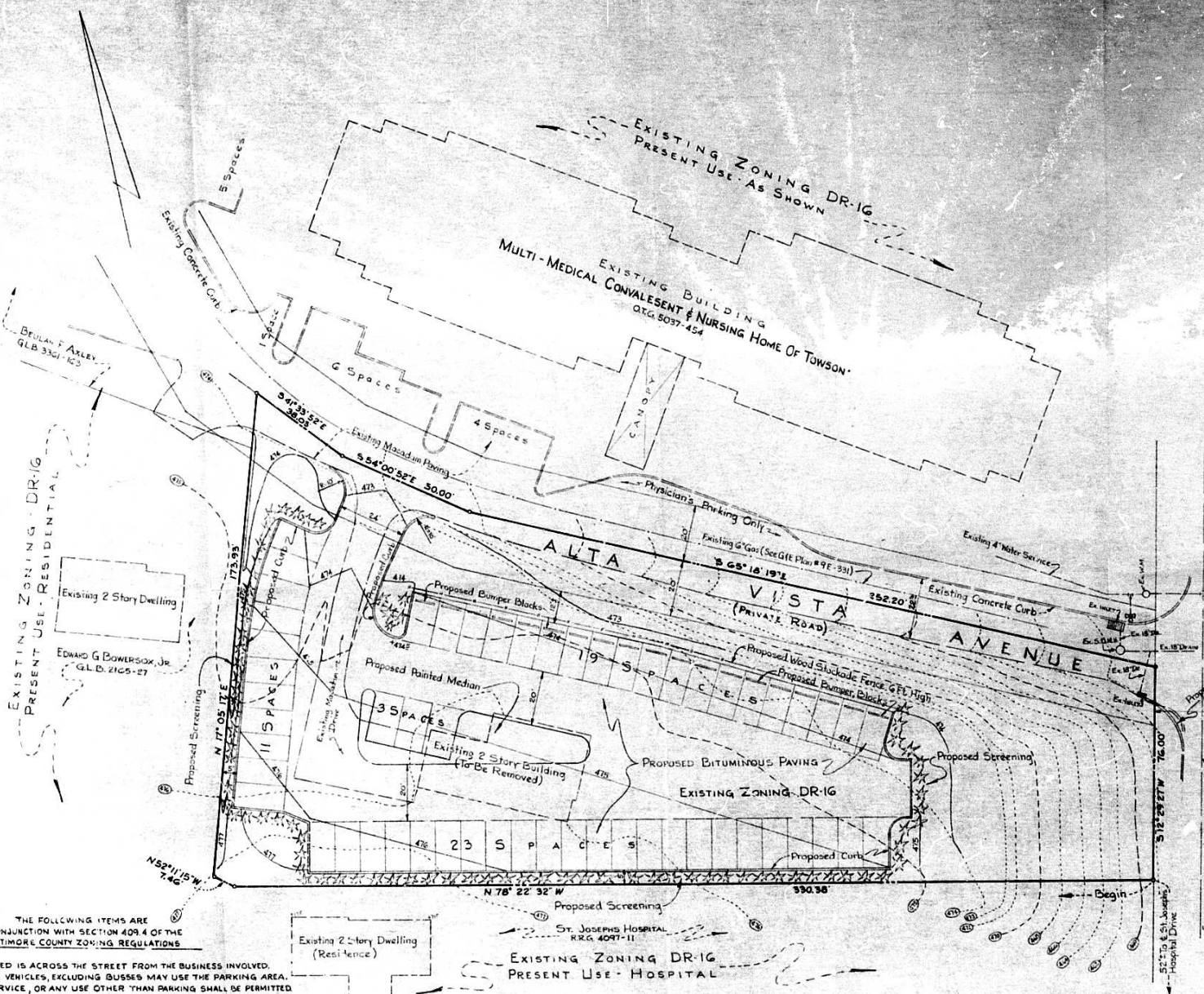
All lighting must be clearly shown on the site plan and limited to 3 feet in height.

Very truly yours,

John L. Wimbly
John L. Wimbly
Planning Specialist II
Project and Development Planning



LOCATION MAP
Scale: 1" = 500'



THE FOLLOWING ITEMS ARE
IN CONJUNCTION WITH SECTION 409.4 OF THE
BALTIMORE COUNTY ZONING REGULATIONS

- (A) THE LAND SO USED IS ACROSS THE STREET FROM THE BUSINESS INVOLVED.
- (B) ONLY PASSENGER VEHICLES, EXCLUDING BUSES MAY USE THE PARKING AREA.
- (C) NO LOADING, SERVICE, OR ANY USE OTHER THAN PARKING SHALL BE PERMITTED
- (D) THERE IS NO ADDITIONAL LIGHTING PROPOSED
- (E) SCREENING SHALL BE DENSE ARBORVITAE AND/OR WOOD STOCKADE FENCE, MINIMUM HEIGHTS 6 FEET
- (F) PROPOSED PAVING SHALL BE BITUMINOUS WITH CRUSHER RUN BASE, AND SHALL BE PROPERLY DRAINED.
- (G) PARKING ARRANGEMENT AND VEHICULAR ACCESS ARE AS SHOWN HEREON.
- (H) VISITING HOURS ARE FROM 12 NOON TO 9 PM, STAFF EMPLOYEES AND DOCTORS WILL UTILIZE PARKING LOT ALL HOURS.



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON 4, MARYLAND

GENERAL NOTES

- (1) AREA OF TRACT - 0.887 ACRES ±
- (2) EXISTING GROUND CONTOURS SHOWN THUS: (46)
- (3) PROPOSED FINISHED GRADE CONTOURS SHOWN THUS: (47)

PARKING TABULATION

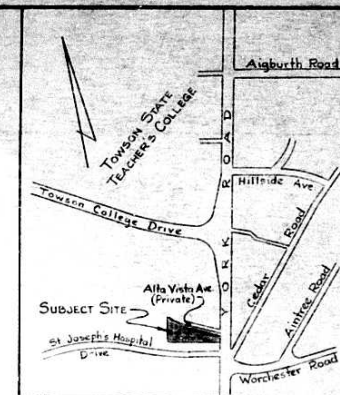
PARKING REQUIRED @ 1 SPACE PER 10 BEDS
(103 BEDS) = 11 SPACES

EXISTING PARKING = 12 SPACES
PROPOSED PARKING = 56 SPACES

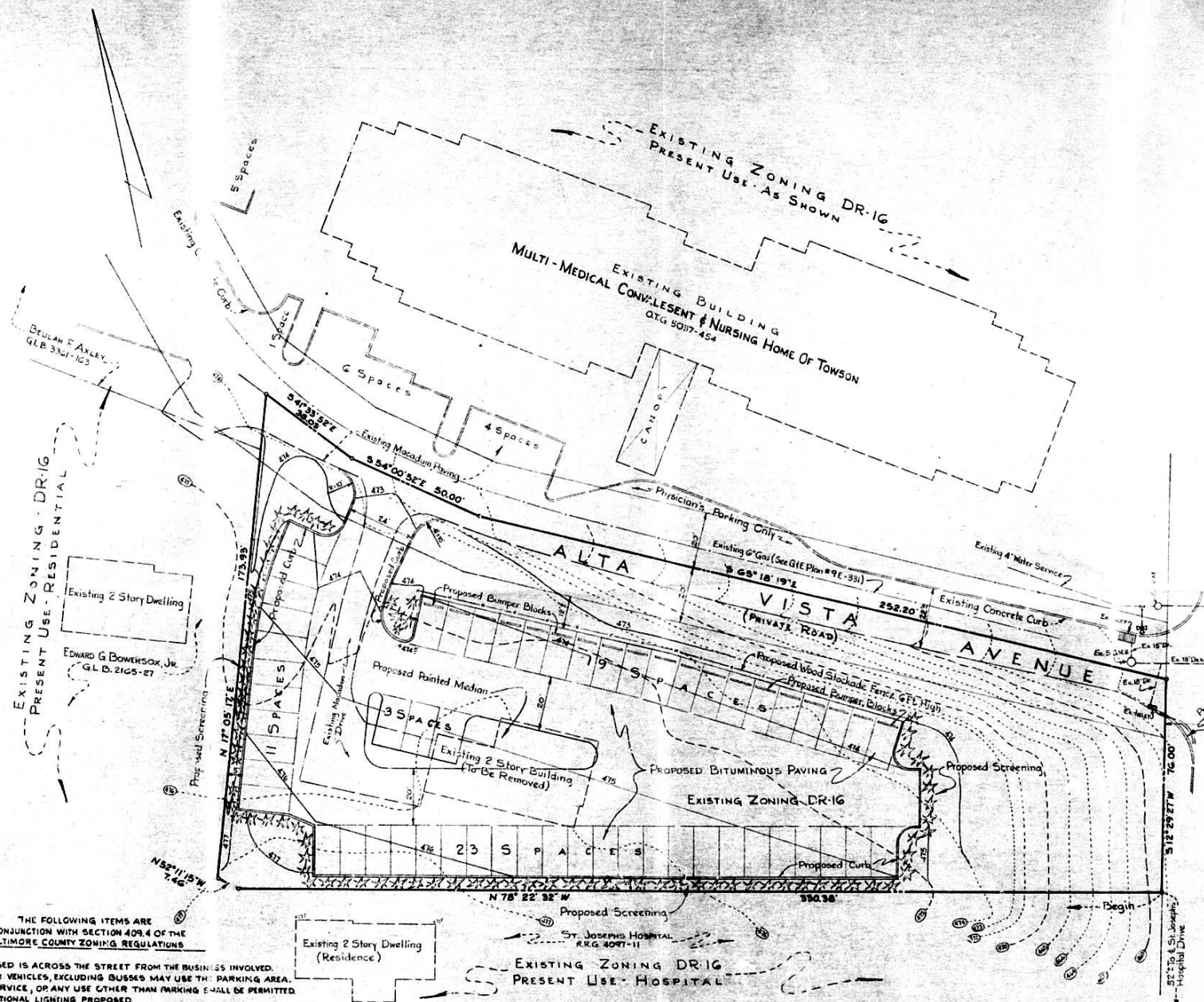
TOTAL PARKING = 72 SPACES

**PLAT TO ACCOMPANY ZONING PETITION
TO PERMIT PARKING IN AN
EXISTING DR-1G ZONE
FOR
MULTI-MEDICAL CONVALESCENT & NURSING HOME
OF TOWSON**

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *[Signature]*
DATE: 7/28/76
Exhibit A
77-125p
9th Dist
177 ST Parking



LOCATION MAP
Scale: 1" = 500'



THE FOLLOWING ITEMS ARE
IN CONJUNCTION WITH SECTION 409.4 OF THE
BALTIMORE COUNTY ZONING REGULATIONS

- (A) THE LAND SO USED IS ACROSS THE STREET FROM THE BUSINESS INVOLVED.
- (B) ONLY PASSENGER VEHICLES, INCLUDING BUSES, MAY USE THE PARKING AREA.
- (C) NO LOADING, SERVICE, OR ANY USE OTHER THAN PARKING SHALL BE PERMITTED.
- (D) THERE IS NO ADDITIONAL LIGHTING PROPOSED.
- (E) SCREENING SHALL BE DENSE ARBORVITAE AND OR WOOD STOC CADE FENCE, MINIMUM HEIGHTS 6 FEET.
- (F) PROPOSED PAVING SHALL BE BITUMINOUS WITH CRUSHER RUN BASE AND SHALL BE PROPERLY DRAINED.
- (G) PARKING ARRANGEMENT AND VEHICULAR ACCESS ARE AS SHOWN HEREON.
- (H) VISITING HOURS ARE FROM 12 NOON TO 5 PM, STAFF EMPLOYEES AND DOCTORS WILL UTILIZE PARKING LOT ALL HOURS.

GENERAL NOTES

- (1) AREA OF TRACT = 0.837 ACRES ±
(2) EXISTING GROUND CONTOURS SHOWN
THUS : ----- (462) -----
(3) PROPOSED FINISHED GRADE CONTOURS SHOWN
THUS : ----- 474 -----

PARKING TABULATION

PARKING REQUIRED @ 1 SPACE PER 10 BEDS
(105 BEDS) = 11 SPACES

EXISTING PARKING = 16 SPACES

PROPOSED PARKING = 56 SPACES

TOTAL PARKING = 72 SPACES

PLAT TO ACCOMPANY ZONING PETITION
TO PERMIT PARKING IN AN
EXISTING DR-1G ZONE
FOR
MULTI-MEDICAL CONVALESCENT & NURSING HOME
OF TOWSON

**GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON 4, MARYLAND**



BALTO. CO., MD.
SCALE: 1" = 20'

REVISED JULY 2, 1976 - PER BALTO Co. COMMENTS

ELECT. DIST. N29
APRIL 23, 1976

PN12266