

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Nellie V. Hood, 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 reclassified, 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, Community Care Center.

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

I, or we, agree to pay expenses of above re-classification 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 of Baltimore County.

Hood Convalescent Home, Inc.

Terence F. Waters, President

5313 Edmondson Avenue

Baltimore, Maryland 21229

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5313 Edmondson Avenue

Baltimore, Maryland 21229

Terence F. Waters, President

5313 Edmondson Avenue

STATEMENT IN SUPPORT OF PETITION FOR SPECIAL EXCEPTION

The parcel of property known as 5313 Edmondson Avenue, as more particularly set forth in the description and plat attached hereto, is currently zoned BL. The improvements located thereon are currently used as a nursing home. The purpose of this petition is to obtain a Special Exception which would allow the aforesaid parcel to be used as a Community Care Center (i.e., an alcoholism treatment center).

Title to the aforesaid parcel was conveyed from H. Paul Rome to Nellie V. Carmel, Mary Ann Butler, and James Thomas Hood by Deed dated August 29, 1952, and recorded among the Land Records of Baltimore County. Nellie V. Carmel (now Nellie V. Hood) possesses a life estate in the said parcel and is therefore, for the purposes of this petition, the owner of said parcel. Mary Ann Butler and James Thomas Hood are merely the owners of the remainder therein.

The property is currently leased from Nellie V. Hood to Hood Convalescent Home, Inc., a Maryland corporation, which is the true party in interest for the purpose of this petition. The President and sole stockholder of Hood Convalescent Home, Inc., is Teresa F. Waters, 12320 Belair Road, Kingsville, Maryland 21087 (592-9412). As noted above, Hood Convalescent Home, Inc., currently operates a nursing home on the property.

Hood Convalescent Home, Inc., respectfully requests that a Special Exception for a Community Care Center

be granted for the property for the purpose of allowing an alcoholism treatment center to be operated thereon. The proposed alcoholism treatment center may be described as follows:

The basic purpose of the proposed alcoholism treatment center is to provide rehabilitative care for persons suffering from the abuse of, or the disease of, Alcoholism, but who have not yet suffered job loss, home separation or have not reached the so-called "derelict" state. Accordingly, the program will be directed toward working persons who are experiencing difficulty in performing their jobs because of an excessive use of alcohol. Also, however, it is anticipated that some aged or retired persons may be included in the program although the exact extent of their participation is still somewhat unclear. The participants in the program will be referred from private sources, hospitals, business and industry.

Participants in the program will be allowed to stay in the facility for a maximum period of thirty (30) days, although there may be some isolated instances when a longer period will be suggested. In all cases participants will be asked to remain for the maximum period of time, since it is most often difficult to have the individual understand and confront his or her drinking problem in a shorter time.

It is anticipated that the facility will be able to comfortably house forty (40) individuals at any given time.

The treatment at this facility will fall into several areas. Perhaps the most important therapy will be individual counseling, conducted by certified Alcoholism Counselors from the Baltimore City Health Department training school for such counselors. Plans have been made for at least one full-time accredited counselor for each five (5) individuals housed within the facility. Thus, operating at its maximum level, there would be eight (8) full-time accredited Alcoholism Counselors. In addition to the individual counseling services, there will be a regular daily program featuring speakers, movies pertinent to the problem of alcohol abuse or addiction, and group therapy conducted by and with leading alcoholism educators, and the in-house counselors.

The above program will, if conducted in an overall atmosphere that encourages the individual to confront and resolve his or her problem with alcohol, in most cases provide the rehabilitation necessary to enable the individuals in the program to return to their jobs and continue to be productive members of our society. Once a person has left the facility however, he or she will still be an integral part of the program. Each person will be encouraged to make and keep appointments at the center (which will be scheduled only at times which are convenient for said person) for the purpose of hearing speakers discuss the psychological and physiological aspects

of Alcohol abuse. Said speakers will include doctors, members of the clergy, members of Alcoholics Anonymous and other educators of quality. Thus, an important function of the facility will be to help each individual maintain his or her sobriety, and every effort possible in this regard will be made.

At the present time, it is expected that the individual participants in the rehabilitation program will pay for their own treatment.

It is respectfully submitted that a Special Exception for a Community Care Center, as described above, should be granted in this case. Said community care center will not (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, (c) create a potential hazard from fire, panic or other dangers, (d) tend to overcrowd land and cause undue concentration of population, (e) interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences, or improvements, or (f) interfere with adequate light and air. On the contrary, an alcoholism treatment center is badly needed in the community, and the improvements currently located on the property are ideally suited for such a facility.

Finally, it should be noted that the proposal to convert the existing facility at 5313 Edmondson Avenue to an alcoholism treatment center has been endorsed by the Division of Alcoholism Control of the Department of Health and Hygiene of the State of Maryland in a letter dated January 27, 1976, from Maxwell N. Weisman, M.D., Director of the Division of Alcoholism Control, to Ms. Teresa Waters. A copy of the aforesaid letter is attached hereto.

Respectfully submitted,

HOOD CONVALESCENT HOME, INC.

By Teresa F. Waters, President

HOWARD D. TUSTIN, JR. REGISTERED

RICHARD P. TUSTIN

ESTABLISHED 1849

S. J. MARTENET & CO.

LAND SURVEYORS

9 E. LEXINGTON STREET

BALTIMORE, MD. 21202

PHONE: 538-4253

EDWIN J. MARTNET 1849-1881
 ALVIN D. JAMES 1881-1884
 S. J. MARTNET 1884-1887
 J. HOWARD TUSTIN 1887-1890
 WILLIAM G. ATWOOD 1890-1891
 SAMUEL A. THOMPSON 1891-1894
 GEORGE E. TUSTIN 1894-1897
 HOWARD D. TUSTIN 1897-1900
 HOWARD G. TUSTIN 1900-1909

Description of a Parcel of Land to Accompany Petition for Zoning Special Exception for a Community Care Center

All that parcel of land situate, lying and being in the First District of Baltimore County, State of Maryland bounded and described as follows, that is to say:

Beginning for the same at a point of intersection of the Northeast side of North Bend Road, as widened, with the Western Boundary line of Baltimore County and Baltimore City and running thence due North-bounding on the said Boundary line 184.73 feet to intersect the Northeast property line of the whole tract of land of Nellie V. Hood, et. al.; running thence bounding on said property line North 53° - 38' West 9.31 feet to the Right of Way line of the Metropolitan Transit Authority running thence bounding on said Division Line V. Hood, et. al.; running thence bounding on said property line North 53° - 38' West 150.07 feet to the Northeast side of North Bend Road hereinafter referred to and running thence bounding on the Northeast side of North Bend Road south 54° - 18' East 115.80 feet to the place of beginning containing 9,384 square feet of land, more or less.

Being a part of all that parcel of land described in a deed dated March 10, 1948 from Alvin D. Diamond to Nellie V. Mercier, sometimes called Nellie V. Hood and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1697 folio 355 etc. and also being all of the Parcel of Land described in a deed dated May 21, 1957 from the Baltimore Transit Company to Nellie V. Hood and recorded among said Land Records in Liber G.L.B.N. No. 3174 folio 337 etc.

July 13, 1976

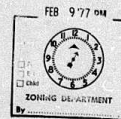
Howard D. Tustin, Jr.
Reg 15-3495

Zoning Commissioner
Baltimore, County

Subject: Petition for special exception for a community care center; Nellie V. Hood, petitioner; Case # 77-150-X; Item 127

Enclosed is a copy of a special fact finding report issued by a committee of concerned members of the Westgate Community. We have investigated the matter thoroughly, and we are unquestionably opposed to this move for rezoning. Every informed source we checked with advised us that the proposed program and facilities of the home are grossly inadequate. Regardless of how well-meaning proponents of the center may be, it is obvious that the outcome of such an ill-equipped plan could be disastrous, to the detriment of all concerned.

Again, we urgently and strongly request your support in RESISTING this proposed zoning change for Nellie V. Hood.



Spokesman,

Patricia E. Whitman
624-3365

CITY OF BALTIMORE
OFFICE OF THE ZONING COMMISSIONER

BOARD OF MUNICIPAL AND ZONING APPEALS
CLERK: V. J. JONES, Esquire
Room 1000, City Hall, Baltimore, Maryland 21201

January 29, 1977

The Honorable President and Members of the City Council
City Hall
Baltimore, Maryland 21201

Ladies and Gentlemen:

Bill No. 267 has been referred by your honorable body to this Board for study and report.

The Board has examined the petition and neighborhood and studied the petition and its relation to the general zoning plan of the City and of the neighborhood and finds that the proposal is to convert the existing facility at 5313 Edmondson Avenue to an alcoholism treatment center. The Board is in favor of the establishment, maintenance and operation of a non-profit home for the rehabilitation of non-bedridden alcoholic persons on the property known as 5313 Edmondson Avenue.

Bill No. 267 and 268 are companion ordinances that involve property 12320 Edmondson Avenue.

Bill No. 268 is a request to change the classification from the B-3 zoning district to the B-1 zoning district of the subject site, and Bill No. 267 is to grant permission to the Hood Convalescent Home for the establishment, maintenance and operation of a non-profit home for the rehabilitation of non-bedridden alcoholic persons, subsequent to the initial case change.

Bill No. 268 is required because an alcoholism treatment center is not permitted in the B-3 zoning district. Therefore, it is necessary to change the classification to an B-1 zoning district if an alcoholism treatment center is to be located thereon.

The Board has reviewed both of these bills and finds no justification for the introduction of the B-1 zoning classification nor does it feel that sufficient reason was shown to override the overwhelming opposition of the improvement associations to the establishment of the alcoholism center. The Board feels that these bills are not in the community interest.

In accordance with the above findings, the Board recommends that the Bill not be passed.

Respectfully submitted,

James V. Jones
JAMES V. JONES
CLERK

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 1977, that the herein described property or area should be and the same is hereby reclassified; from 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 failure to meet the requirements of Section 502.1 of the Baltimore County Zoning Regulations, the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of May, 1978, that the Special Exception for a Community Care Center be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION
NE/S of North Bond Rd. 120'
SE of Edmondson Ave., 1st District
NELLIE V. HOOD, Petitioner
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 77-150-X

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

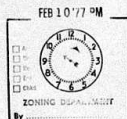
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

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

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

I HEREBY CERTIFY that on this 9th day of February, 1977, a copy of the foregoing Order was mailed to Terry F. Hall, Esquire, 1800 Mercantile Bank & Trust Building, 2 Hopkins Plaza, Baltimore, Maryland 21201, Attorney for Petitioner.

John W. Hession, III
John W. Hession, III



WESTGATE COMMUNITY ASSOCIATION, INC.

Serving Our Community Since 1931
October 28, 1976

COMMITTEE REPORT ON THE PROPOSED HOOD ALCOHOLIC REHABILITATION CENTER

The special fact finding committee met with Mrs. Teresa Waters on October 14, 1976 at the Hood Convalescent Home. The proposed facility will house forty alcoholic patients, male and female, who have committed themselves on a voluntary basis. These people are employed (Lever Brothers, Bethlehem Steel, Post Office, Baltimore Gas & Electric) and are seeking help rather than suffer a job loss. The patients will have a structured, daily program and will have this care for about thirty days. The patients will be strongly urged to participate in the AA program. There will be two doctors on call (Dr. Artiss and Dr. Luan), a psychiatrist, a psychologist, nurses, and certified alcoholic counselors. There will be one counselor for every five patients. Mrs. Waters is hoping to get a contract with Lutheran Hospital to handle any medical emergencies. Visiting privileges will be available to the patients. Recreation facilities will be limited to gym equipment and pool tables in the basement. Mrs. Waters plans to phase in the alcoholic patients and to phase out the convalescent patients so at some point both types of patients will be together in the same building.

There are four IOP (Intermediate Care Facilities) Type D homes in the state: Seneca in Prince George's County, Mountain Manor in Emmitsburg, Melwood in Olney, and Hidden Brook in Bel Air.

The committee received a general report on the facilities at Hidden Brook and we used these facts to compare the two facilities.

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Page 2 - Committee report on the proposed Hood Alcoholic Rehabilitation Center - 10/28/76

Hidden Brook is a thirty-nine bed facility on 260 plus acres in Bel Air. The charge is \$65. to \$75. per day minimum. A beauty shop and a barber shop are on the premises and the facilities of nearby Harford County Community College are also utilized.

Some control problems have occurred at Hidden Brook and it is reasonable to expect similar control problems to occur at Hood. Housing both male and female patients poses sexual behavior problems both on and off the premises. Patients could be subject to convulsions and could suffer from secondary DT's that may require hospitalization. Patients may or may not be completely detoxified upon admittance which poses additional control problems. There is no assurance that only one age group would be admitted. Intermingled age groups, including teenagers, could cause further difficulties. Seventy to eighty visitors can be expected at Hidden Brook on a given weekend - a similar situation could create a parking problem in our neighborhood. The parking could be further aggravated by the possible holding of A.A. meetings at Hood. The low fee schedule raises some question about the quality of care and facilities that would be available.

The most significant difference between Hood and Seneca, Mt. Manor, Melwood and Hidden Brook is that these four facilities are not in urban residential areas.

Mrs. Water's lawyer originally proposed a zoning change to O-R (Office-Residential). According to the most recent edition of the Zoning Ordinance of Baltimore City, the following uses are

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permitted as a matter of right in O-R Zones, but are not permitted at all in R-3 Zones: 1 - Apartment hotels; 2 - Business Colleges; 3 - Foreign consulates; 4 - Offices -- professional, business, governmental - but not including sales and bulk storage of merchandise on the premises; 5 - Rooming and boarding houses.

In addition, the following uses are permitted as "conditional uses" in O-R Zones: 1 - Off campus fraternity and sorority houses; 2 - Housing for the elderly; 3 - Non-profit homes for the rehabilitation of non-bedridden alcoholic persons and for the care and custody of homeless persons.

Mrs. Water's lawyer is now proposing a zoning change to R-7, and the following uses are permitted as a matter of right in R-7 Zones: 1 - Rowhouses; 2 - Duplexes; 3 - Single family dwellings; 4 - Non-profit homes for the rehabilitation of non-bedridden alcoholic persons and for the care and custody of homeless persons.

When considering the above proposed changes, it is important that the following facts of political and economic reality be considered: (1) - Once the zoning is changed, it does not necessarily revert back to the original ordinance. (2) - In 1970 the Community Renewal Program of the Department of Planning of Baltimore City designated our area, including Hood, as a low intensity residential area. "This housing area refers to those parts of the City in which a very low level of interaction between neighboring residents is possible, and in which strong emphasis is placed upon maximizing the visual and aural privacy between individual units and upon the

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self sufficiency of each unit in satisfying a wide range of residential functions." "These are either areas of recent development or older areas, with relatively clear boundaries that were well designed and constructed, and have been well maintained by their occupants." "Low Intensity Residential Areas should be the most restrictive of all area types toward non-residential uses." (1970, "Baltimore: the Comprehensive Plan for Housing and Residential Areas; Dept. of Planning - 22, 76-77) (3) - "The neighborhood is part of the package that an individual acquires when renting or purchasing a home or any other establishment within a metropolitan area. The price of rental or purchase includes neighborhood effects. Because this implies that market value will be affected by neighborhood changes, it is reasonable to assume that residents would prefer at least to maintain, and possibly improve, the external environment that lies beyond their own immediate territory or property rights." (Wolpert, J., A. Kumphrey, J. Seley - 1971; "Community Discretion over Neighborhood Change"; Geographical Perspective & Urban Problems, National Academy of Sciences, 41.) (4) - "Any change in a neighborhood can have a radical effect on property values, whether that change comes from developments outside the area, from a new government approach to zoning ordinances or building codes, or from new residents. It is not important whether the change is an asset or a liability when considered objectively; what is important is the attitude of property owners toward the potential or actual set of new conditions."

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(1971 - Lending Principles & Practices; American Savings & Loan Institute, 96).

Respectfully Submitted - October 28, 1976

Pat Whitman, Chairperson
Sally Gallagher
Sue Bents
Alice Rose
Dave Wallace
Tom Duperek
Marianne Draper
Lee Rose

COPIES 2/8/77

WESTGATE COMMUNITY ASSOCIATION, INC.

Serving Our Community Since 1931

December 6, 1976

616 Aldershot Road
Baltimore, Md. 21229
Tel. No. 747-5888

Mr. Larry Reich
Director of the
Department of Planning
222 E. Saratoga Street
Baltimore, Md. 21202

Dear Mr. Reich:

We are writing to you as a follow-up to our letter dated November 15, 1976, regarding Bill No. 866 and 867 introduced in the City Council. At our General Meeting held on November 30th, the total membership voted overwhelmingly to oppose the two bills, and we hope you will take this fact into consideration when you present your report to the City Council.

Yours very truly,
WESTGATE COMMUNITY ASSOCIATION, INC.

(Mrs.) Ann Minton
Co-Chairperson
Zoning & Planning Committee

AM/1P

ORDER RECEIVED FOR FILING

DATE May 16 1978
FILED

WESTGATE COMMUNITY ASSOCIATION, INC.

Serving Our Community Since 1931

November 15, 1976

616 Aldershot Road
Baltimore, Md. 21229
Tel. No. 747-5985Mr. Larry Reich
Director of the
Department of Planning
228 E. Saratoga Street
Baltimore, Md. 21202

Dear Mr. Reich:

We are writing to you regarding two bills which were introduced in the City Council on November 8, 1976, namely: Bill No. 566 requesting a change in zoning from R-3 to R-2, and Bill No. 567 requesting that a Conalescent Home on the property located at 5313 Edmondson Avenue, Baltimore, Md., 21229, be changed to an Alcoholic Rehabilitation Center, because we want you to know that the Officers and Board of Governors of the Westgate Community Association have voted to vigorously oppose both bills.

Our Association has been in existence since 1931, and we have been very active in opposing any zoning changes in this residential neighborhood. The change in zoning as requested, and the purpose for which the Facility will be used, is certainly not in conformity with the surrounding neighborhood. Therefore, we earnestly request that your Planners give this matter very special attention, and please contact our Association if there are any questions concerning the property in question.

Enclosed is a copy of the report presented by our fact-finding committee, and we ask that you read it carefully, as a great deal of research, time, and effort went into this report.

Yours very truly,

WESTGATE COMMUNITY ASSOCIATION, INC.

Anthony Russo
President

Please send any correspondence concerning this property to:
Co-Chairperson of the Zoning & Planning Committee of the
Westgate Community Association - Mrs. Ann Minton

616 Aldershot Road
Baltimore, Md. 21229
Tel. No. 747-5985

AM/1r

NEIL J. LEWIS
ATTORNEY AT LAW

Suite 253 Equitable Building, Baltimore, Maryland 21202

February 22, 1977

The Honorable Eric S. DiMenna
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204RE: N. Gable's Rehabilitation Facilities
5313 Edmondson Avenue

Dear Mr. DiMenna:

Enclosed you will find ten copies each of an Area Plat of the property and a Plat indicating the available parking on the premises.

It is my client's intention to create a non-profit corporation to provide the services at this location and in furtherance of that end we will apply for the appropriate charter with the Maryland State Department of Assessments and Taxation and will in addition thereto, obtain the approval of the Internal Revenue Service.

You may be aware that the approval of the Internal Revenue Service takes some period of time, but is normally granted in situations such as this where a legitimate charitable purpose will be met.

We request an immediate hearing in this matter so that a determination can be made as to whether my clients will be granted the zoning necessary to open this facility.

As you are aware, my clients have put a great deal of time and planning into opening this facility and they have received considerable support from various officials having knowledge of the need for alcoholic rehabilitation facilities in Baltimore County.

NEIL J. LEWIS
ATTORNEY AT LAW

Suite 253 Equitable Building, Baltimore, Maryland 21202

-2-

Kindly advise us of the new hearing date in this matter.

Very truly yours,

Neil J. Lewis

NJL/ld

Enclosure

cc Mrs. Theresa Waters
c/o Hood Convalescent Home
5313 Edmondson Avenue
Baltimore, Maryland 21229

*Sorry for the typing
I didn't even
my secretary to take
the time to correct.*

FEB 23 1977 PM

2009 Edmondson Ave.
Baltimore, Md. 21229
Feb. 21, 1977

Dear Mr. DiMenna:

After attending the Hood Convalescent Home Hearing, I decided to take your advice and visit Hidden Brook. I was privileged to spend several hours with the patients and staff. So say I was impressed would greatly understate my feelings.

Having talked to Mrs. Waters in October prior to writing the Westgate Committee report, I can honestly say, after visiting Hidden Brook, that I have grave doubts about her endeavors. The patients I spoke with could not impress upon me enough how Hidden Brook is giving them the cornerstone of AA, a philosophy which will govern the rest of their lives. The patients attend two to three AA meetings per week. Mrs. Waters will have her patients attend two to three AA meetings per month. The nursing staff at Hidden Brook has an RN plus several aides around the clock. The patients at Hidden Brook live in semi-private rooms - a criteria advertised in the Blue Cross plan. Hidden Brook is accredited by the Joint Commission on Accreditation of Hospitals. The Director of Hidden Brook, all the counselors and staff, other than medical, are recovered alcoholics.

You mentioned that an alcoholic will seek help anywhere - when that person really wants it. That does not give us the right to offer the alcoholic less than the best care.

Sincerely,

Dorinda E. Whitman

DEPARTMENT OF HEALTH AND MENTAL HYGIENE
MENTAL HEALTH ADMINISTRATION
DIVISION OF ALCOHOLISM CONTROL

201 W. Preston St. - BALTIMORE, MARYLAND 21201 - AREA CODE 301 - 382-0701-0726

NEIL EDMONSON, M.D., F.D.
DIRECTOR

27 January 1976

Mrs. Theresa Waters
Hood Convalescent Home, Inc.
5313 Edmondson Avenue
Baltimore, Maryland 21229

Dear Mrs. Waters:

Acting on the recommendation of my staff, it is my pleasure as Director of the Division of Alcoholism Control to endorse your current efforts to change the status of your Facility from ICP-A to ICP-B (alcoholic), although several ICP-C (alcoholic) facilities exist in Baltimore City as Quarterway Houses, we have no facilities at present which provide long-term residential care at a more sophisticated level than that provided by halfway houses and shelters. In addition, we find that such a facility would be most welcome in the Western end of Baltimore City.

I am sure that you are aware that were endorsement by this Division is not sufficient to guarantee the success of your application through the various levels of the Comprehensive Health Planning Agency; in addition, I am sure that you are aware of the requirement that any proposed change in licensure such as you suggest will also have to meet the approval of the Baltimore City Council and the Baltimore City Zoning Commission.

Please continue to remain in contact with Mrs. Gladys Augustus, the Baltimore City Alcoholism Coordinator and with Mr. William Perry, the Program Advisor for Baltimore City; if I can be of any assistance to you, please feel free to call upon me at any time.

Sincerely yours,

Maxwell A. Weissman
Maxwell A. Weissman, M.D., Director
Division of Alcoholism Control

MMW/VSL

cc: Mr. Charles Shepherd
Mrs. Elizabeth Holstie
Mrs. Gladys Augustus
Mr. John Hlad
Mr. William Perry

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiMenna, Zoning Commissioner Date: February 9, 1977

FROM: Norman E. Gerber, Acting Director of Planning

SUBJECT: Petition #77-150-X, Petition for Special Exception for a Community Care Center
Northeast side of North Bend Road 120 feet Southeast of Edmondson Avenue
Petitioner - Nellie V. Hood

1st District

HEARING: Monday, February 14, 1977 (1:30 P.M.)

The proposed use would be an appropriate one at this location.

Norman E. Gerber
Norman E. Gerber
Acting Director of Planning

NEG:JH:rw

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Garry F. Hall, Esq.
1940 Chesapeake Beach & Junior Bldg.
1 Hopkins Place
Baltimore, Md. 21201

Form 127

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204Your Petition has been received and accepted for filing
this 20th day of February 1976.

S. Eric DiMenna
S. Eric DiMenna
Zoning Commissioner

Petitioner Nellie V. Hood

Garry F. Hall
1940 Chesapeake Beach & Junior Bldg.
1 Hopkins Place
Baltimore, Md. 21201

Nicholas H. Combs
Reviewed by Nicholas H. Combs
Planning & Zoning
Associate III

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

February 7, 1977

COUNTY OFFICE BLDG.
111 W. Chesaapeake St.
TOWSON, MARYLAND 21204

Nicholas B. Commodari,
Acting Chairman

MEMBERS

BUREAU OF
ENGINEERING

DEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF
FREE FREIGHT

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENT

Terry F. Hall, Esq.
1800 Mercantile Bank & Trust Bldg.
2 Hopkins Plaza
Baltimore, Maryland 21201

RE: Special Exception Petition
Item 127
Nellie V. Hood - Petitioner

Dear Mr. Hall:

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.

This site, traversed by the City-County line, is located on the northeast side of North Bend Road, southeast of Edmondson Avenue, and improved with the Hood Convalescent Home. A funeral home exists to the north. A gasoline station to the west, and retail stores to the southwest.

This Special Exception is necessitated as a result of your client's proposal to convert the existing three story frame building (in the County) to a community care center. As indicated in Section 101 of the Zoning Regulations, community care centers are sponsored and operated by private charitable organizations or public agencies as licensed and

Terry F. Hall, Esq.
Re: Item 127
February 7, 1977
Page 2

and approved by the Maryland State Department of Health and Mental Hygiene. Verification of this must be presented at the time of the scheduled hearing, as well as an indication of the type of people who (that is, alcoholics, or physically or mentally handicapped) will be cared for at this center.

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,

Nicholas B. Commodari
NICHOLAS B. COMMODARI,
Acting Chairman, Zoning
Plans Advisory Committee

ENCLOSURE

cc: E. J. Hartnett & Co.
9 E. Lexington St.
Baltimore, Md. 21202

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: December 16, 1976

January 14, 1977

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item 127 - ZAC - December 20, 1976
Property Owner: Nellie V. Hood
Location: NE/S North Bend Rd. W. of Balto. City Line
Existing Zoning: B.L. - C.N.S.
Proposed Zoning: Special Exception for a community care center
Acres: 9.384 sq. ft.
District: 1st

Dear Mr. DiNenna:

No major increase in trip generation is anticipated by the requested special exception for a community care center.

Very truly yours,

Michael S. Planting
Michael S. Planting
Traffic Engineer Associate

MSF:dc

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

Z.A.C. Meeting of: December 20, 1976

Re: Item 127
Property Owner: Nellie V. Hood
Location: NE/S North Bend Road W. of Balto. City Line
Present Zoning: B.L.-C.N.S.
Proposed Zoning: Special exception for a community care center

District: 1st
No. Acres: 9.384 sq. ft.

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

Wick Petrovich
Wick Petrovich,
Field Representative.

WNP/sd

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MCKEUNG, P.E.
DIRECTOR

January 27, 1977

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

Re: Item 127 (1976-1977)
Property Owner: Nellie V. Hood
N/S North Bend Rd. W. of Balto. City Line
Existing Zoning: B.L.-C.N.S.
Proposed Zoning: Special Exception for a community care center
Acres: 9.384 sq. ft. District: 1st

Dear Mr. DiNenna:

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

General:

The submitted plan does not indicate the entire site of the Petitioner's community care center including its supportive parking area and such improvements and structures, etc., to exist on the adjacent properties, particularly in regard to the "M.T.A." and "Shell" properties in relation to the indicated sanitary sewer service connection. The present means of connection to public sanitary sewerage in Edmondson Avenue for this property, as indicated, traverses offsite properties, i.e., Maryland Transit Authority right-of-way and Shell gasoline station (Phillip land, et al), which requires offsite rights-of-way. It is the responsibility of the Petitioner to ascertain and clarify such rights-of-way as exist for this private sanitary sewer connection.

There is an 8-inch public sanitary sewer in Westmore Road southwest of North Bend Road intersection.

This zoning petition, as with other zoning items adjacent to or near the Baltimore City - County boundary should also be referred to the Baltimore City Planning Department for study and an advisory report.

Very truly yours,

Ellsworth H. Diver, P.E.
ELLSWORTH H. DIVER, P.E.
Chief, Bureau of Engineering

END: EAM: PWR: ss

G-W Key Sheet
5 SW 18 & 19 Pos. Sheets
SW 2E Topo
95 Tax Map

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 424-3211

February 7, 1977

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 #127, Zoning Advisory Committee Meeting, December 20, 1976, are as follows:

Property Owner: Nellie V. Hood
Location: NE/S North Bend Road W. of Baltimore City Line
Existing Zoning: B.L.-C.N.S.
Proposed Zoning: Special Exception for a community care center
Acres: 9.384 square feet
District:

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.

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

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Project and Development Planning

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

January 10, 1977

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

Dear Mr. DiNenna:

Comments on Item 127, Zoning Advisory Committee Meeting, December 20, 1976, are as follows:

Property Owner: Nellie V. Hood
Location: NE/S North Bend Rd. W of Balto. City Line
Existing Zoning: B.L.-C.N.S.
Special Zoning: Special Exception for a community care center
Acres: 9.384 sq. ft.
District: 1st

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. Metropolitan water and sewer exist.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD:BNW/rbh

cc: L. A. Schuppert

M. L. Yegorovich, M.D.

Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 424-3050

STEPHEN E. COLLINS
DIRECTOR

Mr. Eric S. DiNenna
Zoning Commissioner
2nd Floor, Courthouse
Towson, Maryland 21204

Re: Item 127 - ZAC - December 20, 1976
Property Owner: Nellie V. Hood
Location: NE/S North Bend Rd. W. of Balto. City Line
Existing Zoning: B.L. - C.N.S.
Proposed Zoning: Special Exception for a community care center
Acres: 9.384 sq. ft.
District: 1st

Dear Mr. DiNenna:

No major increase in trip generation is anticipated by the requested special exception for a community care center.

Very truly yours,

Michael S. Planting
Michael S. Planting
Traffic Engineer Associate

MSF:dc

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

Z.A.C. Meeting of: December 20, 1976

Re: Item 127
Property Owner: Nellie V. Hood
Location: NE/S North Bend Road W. of Balto. City Line
Present Zoning: B.L.-C.N.S.
Proposed Zoning: Special exception for a community care center

District: 1st
No. Acres: 9.384 sq. ft.

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

Wick Petrovich
Wick Petrovich,
Field Representative.

WNP/sd

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 424-3211

February 7, 1977

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 #127, Zoning Advisory Committee Meeting, December 20, 1976, are as follows:

Property Owner: Nellie V. Hood
Location: NE/S North Bend Road W. of Baltimore City Line
Existing Zoning: B.L.-C.N.S.
Proposed Zoning: Special Exception for a community care center
Acres: 9.384 square feet
District:

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.

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

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Project and Development Planning

Baltimore County
Fire Department
TOWSON, MARYLAND 21204
(301) 425-7210

Paul H. Heinke
L.H.F.

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nicholas B. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Nellie V. Hood

Location: NE/S North Bend Rd. W. of Balto. City Line

Item No. 127

Zoning Agenda December 20, 1976

Comments:

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.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at _____ EXCEEDED the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *John J. Kelly*
Planning Group
Special Inspection Division

Noted and
Approved: *George M. McManis*
Battalion Chief
Fire Prevention Bureau

 VERIFICATION OR SIGNATURE OF CASHIER



baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 494-3610

December 29, 1976

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

Dear Mr. DiNenna:

Comments on Item #/27 Zoning Advisory Committee Meeting, December 20, 1976
are as follows:

Property Owner: Nellie V. Hood
Location: N.E.S. North Bend Road W. of Baltimore City Line
Existing Zoning: BL - C.N.S.
Proposed Zoning: Special exception for a community care center.

Acres: 9,384 sq. ft.
District: 1

The items checked below are applicable:

- ☒ A. Structure shall conform to Baltimore County Building Code (B.C.C.) 1970 Edition and the 1971 Amendments and other applicable codes.
- ☐ B. A Building permit shall be required before construction can begin.
- ☐ C. Three sets of construction drawings will be required to file an application for a building permit.
- ☐ D. Three sets of construction drawings with a registered Maryland architect or Engineer's original seal will be required to file an application for a building permit.
- ☐ E. Wood frame walls are required within 30" of a property line. Contact Building Department if distance is between 30" and 60" of property line.
- ☐ F. No comment.
- ☐ G. Requested setback variance conflicts with the Baltimore County Building Code. Use Section

Very truly yours,

Chas E. Lumbum

Charles E. Purnham
Plans Review Chief
CEB:rrj

December 29, 1976

Comments on Item #127 - December 20, 1976

This proposed change creates a problem in that the existing use does not conform to the present building code. As an institutional use, classified as H-2, which covers buildings used for housing people suffering from physical limitations; including among others, day nurseries, hospitals, sanitariums, clinics, infirmaries, orphanages, homes for the aged and infirm, etc., etc., cannot under Table 6 be of more than one story if of "4A wood frame" protected construction.

Section 105.2 - Change in Use - also reads as follows:

"It shall be unlawful to make any change in the use or occupancy of any structure which would subject it to any special provision of the Basic Code without approval of the Building Official and his certification that such structure meets the intent of the law governing building construction for the proposed new use and occupancy and that such a change does not result in any greater hazard to public safety or welfare."

Section 120.3 Existing Buildings:

Upon written request from the owner of an existing building, the Building Official shall issue a certificate of use and occupancy, provided there are no violations of law or orders of the building official pending, and it is established after inspection and investigation that the alleged use of the building has heretofore existed. Nothing in the Basic Code shall require the removal, alteration or abandonment of, or prevent the continuance of the use and occupancy of a lawfully existing building, unless such use is deemed to endanger public safety and welfare.

Edmondson Ave

ected Per Deed Sh. 4013A
C. Sh. 4440-A
C. Sh. 4521
C. Sh. 4580.
Deed C. Sh. 8879.
Letter City Sol. C. Sh. 8879
Letter City Sol. C. Sh. 8892
Letter City Sol. C. Sh. 8892

PLAT FOR ZONING SPECIAL
EXCEPTION FOR COMMUNITY
CARE CENTER
1ST DISTRICT, BALTIMORE COUNTY
ZONE BL-CNS

NOTE: NO PROPOSED
BUILDING ALTERATIONS
OR ADDITIONS

VICINITY MAP
SCALE 1/4" = 1 MILE

MAY 28
 SW 26
 1
 1-3-7
 8
 46

SCALE 2.50 FEET TO ONE INCH
S.J. Martens & Co.-Land Surveyors
9 E. Lexington St.
Baltimore, Md. 21202
By: Howard D. Frost, Jr. Reg. L.S. 599
July 13, 1976

PLAT FOR ZONING SPECIAL
EXCEPTION FOR COMMUNITY
CARE CENTER
1ST DISTRICT BALTIMORE COUNTY

NOTE: NO PROPOSED
BUILDING ALTERATION
OR ADDITIONS
A PARKING SPACES

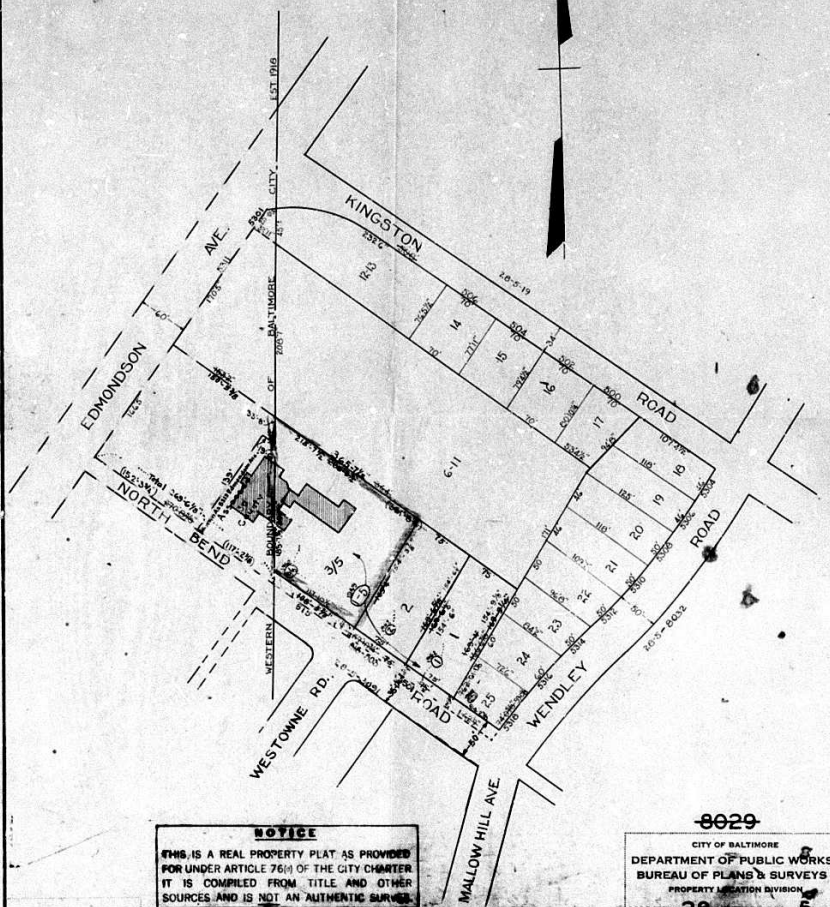
VICINITY MAP
SCALE 1"=1000'

The map shows a network of roads. Highway 10 runs diagonally from the top left to the bottom right. Highway 42 runs vertically on the right side. Other roads include: ALDERIDGE, GARDINER, HATH, NORTH ST, PULVERLY RD, CONVERSE RD, HERRING, and JENNIFER DR. A compass rose indicates North (N), South (S), East (E), and West (W). A scale bar shows 1 inch equals 1000 feet.

SCALE = 50 FEET TO ONE INCH
S. J. Marten & Co. - Ind. Surveyors
9 E. Lexington St.
Baltimore, Md. 21202
By: Howard D. Totten, Jr. Reg. L.S. #3995
July 13, 1976
ADDITIONS: MARCH 9 1977

AUG 4 1978

"REVISIONS"
 Dim. Lot 1/5 Corrected Per Deed Sh. 440A
 No. 10 Lot 1/5 Per Deed C. Sh. 440-A
 Lot 1 Per Deed C. Sh. 4521
 Lot 2 Per App. 439 C. Sh. 4580
 Lot 1 divided Per Deed C. Sh. 4679
 Lot 2 divided Per Letter City Sol. C. Sh. 4679
 Lot 3 divided Per Letter City Sol. C. Sh. 4679
 Lot 4 divided Per Letter City Sol. C. Sh. 4679

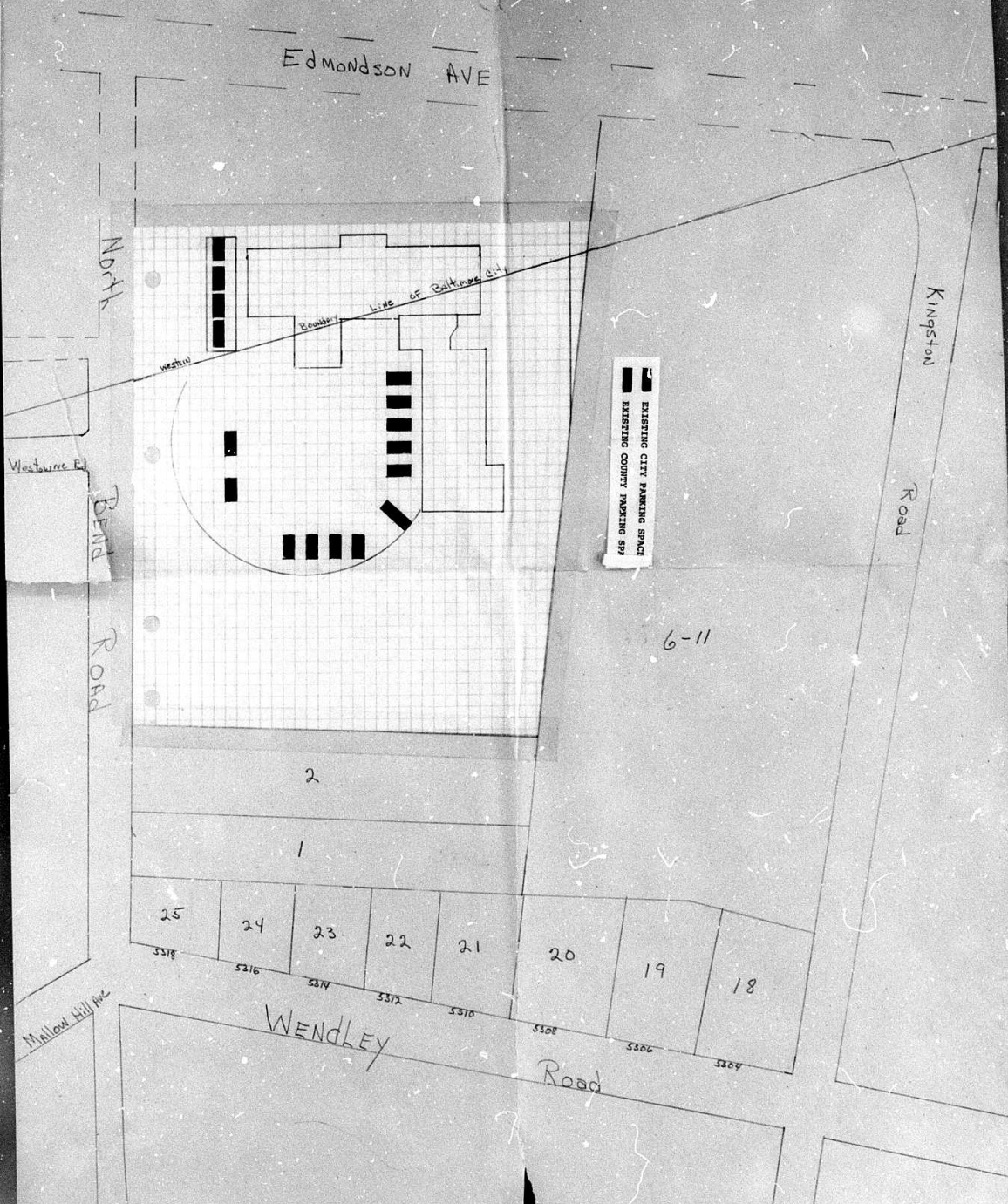


NOTICE
 THIS IS A REAL PROPERTY PLAT AS PROVIDED
 FOR UNDER ARTICLE 76 (M) OF THE CITY CHARTER.
 IT IS COMPILED FROM TITLE AND OTHER
 SOURCES AND IS NOT AN AUTHENTIC SURVEY.

NOTE - BLOCK 28-5-18 FOR 1941

8629
 CITY OF BALTIMORE
 DEPARTMENT OF PUBLIC WORKS
 BUREAU OF PLANS & SURVEYS
 PROPERTY LOCATION DIVISION
 WARD 28 SECTION 5
 BLOCK 8638
 SCALE 1 IN. = 60 FT. DATE JAN. 1952

TRACED BY: C. BAIN
 LETTERED BY: B. B. BAIN
 CHECKED BY:



EXISTING CITY PARKING SPAC
 EXISTING COUNTY PARKING SPAC

