

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for Convalescent Home

Domiciliary Care Home

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

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

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this petition.

Contract Purchaser: Dennis R. Melchor (Type or Print Name)

Signature: [Signature]

12020 Reisterstown Road

Address: Reisterstown, MD 21136

City and State

Attorney for Petitioner: 9000 Philadelphia Road (301) 686-0439

(Type or Print Name)

Address: Balto., MD 21237

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Dennis R. Melchor

Name 12020 Reisterstown Road

Reisterstown, MD 21136 (301) 833-3141

City and State

Attorney's Telephone No.: 3141

Address: 3141

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day

of November, 1985, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out Baltimore County, that property be posted, and that the public hearing be had before the Zoning

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

County, on the 9th day of December, 1985, at 1:30 o'clock

[Signature]

Zoning Commissioner of Baltimore County.

(over)

Case No. 86-237-X

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building

111 W. Chesapeake Avenue

Towson, Maryland 21204

Your petition has been received and accepted for filing this

5th day of November, 1985.

ARNOLD JABLON

Zoning Commissioner

Petitioner: Melvin Mohr, et al

Petitioner's

Attorney: [Signature]

Received by: [Signature]

Chairman, Zoning Plans

Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 18, 1985

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

Mr. Melvin Mohr, et al
9000 Philadelphia Road
Baltimore, Maryland 21237

RE: Item No. 131 - Case No. 86-237-X
Petitioners - Melvin Mohr, et al
Special Exception Petition

Dear Mr. Mohr:

The Zoning Plans Advisory Committee and the County Review Group (CRG) have both reviewed the plans submitted with the above-referenced petition. The comments from the CRG have been added to those of the Zoning Plans Advisory Committee and are part of this case file. They 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 suitability of the requested zoning.

This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

[Signature]
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:rr

Enclosures

cc: Mr. Dennis R. Melchor
12020 Reisterstown Road
Reisterstown, Maryland 21136

Kennedy, Porter & Associates, Inc.
2319 Maryland Avenue
Baltimore, Maryland 21218

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
494-3550

MR. ARNOLD JABLON
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

NOVEMBER 15, 1985

RE: Zoning Advisory Meeting of OCTOBER 15, 1985
Item # 131
Property Owner: MELVIN MOHR, et al
Location: S/E CORNER LENNINGS LANE AND LENNINGS AVENUE

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group Meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on 10/15/85.
- ☒ Landscaping: Just comply with Baltimore County Landscape Manual. The property is located in a deficient service area as defined by B111 178-79. No building permit may be issued until a Reverse Capacity Use Certificate has been issued. The deficient service is 1.
- ☒ If the property is located in a traffic area controlled by a "T" level intersection as defined by B111 178-79, the site conditions change traffic capacity may become more limited. The site Services Areas are re-evaluated annually by the County Council.
- ☐ Additional comments:

cc: James Howell

Eugene A. Boser
Chief, Current Planning and Development

Zoning Item # 131 Zoning Advisory Committee Meeting of OCT 15, 1985

Page 2

- () Prior to razing of existing structure/s, petitioner must contact the Division of Water Quality and Waste Management at 494-3768, regarding removal and/or disposal of potentially hazardous materials and solid wastes.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and either be removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Water Quality and Waste Management at 494-3768.
- () Soil percolation tests (have been/must be) conducted.
- () The results are valid until .
- () Soil percolation test results have expired. Petitioner should contact the Division of Environmental Support Services to determine whether additional tests are required.
- () Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- () In accordance with Section 13-117 of the Baltimore County Code, the water well yield test shall be valid until is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- () Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- () If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted.
- () Others

[Signature]
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

SS 20 1283 (2) R

BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

November 18, 1985

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. -ZAC-
Property Owner: 131
Melvin Mohr, et al
Location: S/E Corner Lennings Lane and Lennings Avenue
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Exceptions of a convalescent Home

Acres: 2.5
District: 14th

Dear Mr. Jablon:

The proposed special exceptions for a Convalescent Home is not expected to be a major traffic generator.

[Signature]
Michael S. Flanigan
Traffic Engineer Associate II

MSF/bld

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

October 14, 1985

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Conodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Melvin Mohr, et al

Location: S/E corner Lennings Lane and Lennings Avenue

Item No.: 131 Zoning Agenda: Meeting of October 15, 1985

Gentlemen:

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.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- (X) 2. A second means of vehicle access is required for the site. Fire Department apparatus access road shall be provided alongside of proposed building.
- () 3. The vehicle dead end condition shown at EXCEEDS 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 operation.
- (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", 1976 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comment at this time.

REVIEWED: [Signature] Noted and Approved: [Signature]
Fire Prevention Bureau
Special Inspection Division

/mb

AUG 27 1985

'AUG 27 1986

1. (A) [Buyer] agrees to warrant that the Property shall be free of all liens, encumbrances, taxes, and other claims of any kind, and that the Seller shall not be liable to the Buyer nor provide for hearing; provided, however, that if the Seller's sole option to the Buyer is to accept the Property following a casualty of loss, in which event the Seller shall be entitled to receive all insurance, condemnation or other proceeds arising from or as a result of such loss, then the Seller shall be relieved of the obligation to warrant the Property against all subsequent loss in purchase price.

2. (B) [Buyer] may assign this agreement to any person or entity, and such assignment shall be relieved of all of its obligations to [Seller] if the Property is sold to a third party.

3. 12. SPECIFIC PERFORMANCE

3.1. Except as otherwise specifically provided in this agreement, the parties hereto agree that a breach of any of the

[illegible]

STATE of California) COUNTY of Orange) s- will:
I, HENRY CATHART, the undersigned, Mayor of the City of Orange, 1989,
do hereby certify that the foregoing is a true and correct copy of the State
of California, personally suggested HENRY CATHART, known to me or notifi-
catorily proven to be the person, whose name is authorized
for the foregoing suggestion; and that the said HENRY CATHART has executed the same for the purposes therein set forth; and that the said ex-
ecution of the same is in accordance with the laws of the State of
California, and the laws of the County of Orange.
IN WITNESS WHEREOF, I have set my hand and Notarial Seal, the
day and year first above written.
HENRY CATHART, Mayor of the City of Orange, California.
Notary Public
My Commission Expires: July 2, 1995

[illegible]

STATE OF Virginia, COUNTY OF Calverton ss: WE
 I HEREBY CERTIFY that on this 2nd day of May, 1955, before me, the subscriber, a Notary Public in and for the State of Virginia, personally appeared James H. Hines, known to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged that he executed the same for the purposes therein set forth, and that the same is his act and deed.

I WITNESS WHEREOF, I have set my hand and Notarial Seal, this day and year first above written.

NOTARY PUBLIC
 My Commission Expires July 2, 1956

STATE OF Virginia, COUNTY OF Calverton ss: WE
 I HEREBY CERTIFY that on this 2nd day of May, 1955, before me, the subscriber, a Notary Public in and for the State of Virginia, personally appeared James H. Hines, known to me to be the person whose name is subscribed to the foregoing instrument, who acknowledged that he executed the same for the purposes therein set forth, and that the same is his act and deed.

I WITNESS WHEREOF, I have set my hand and Notarial Seal, this day and year first above written.

NOTARY PUBLIC
My Commission Expires: Feb 28 1988

STATE OF California COUNTY OF Alameda I do HERE:
I HEREBY CERTIFY that on this 10th day of February, 1988,
before me, the undersigned, a Notary Public in and for the State
aforesaid, personally appeared CONSTANCE MORRIS, known to me or satis-
factorily proven to me to be the person whose name is subscribed to
the foregoing instrument, who acknowledged that she has executed
the same for the purposes therein set forth, and that the same is
his and hers.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal

[illegible]

day and year first above written.

NOTARY PUBLIC
My Commission Expires: July 1985

STATE OF MISSISSIPPI COUNTY OF CLAY to wit:

I, NOTARY CLAYTON of the 2nd day of May, 1985,
before me, the undersigned, a Notary Public in and for the State
aforesaid, personally appeared BARBARA ANN, known to me as
satisfactorily proven to be the person whose name is subscribed
the foregoing instrument, who acknowledged that she has executed
her act and deed.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal
this day and year first above written.

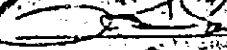
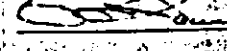
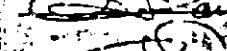
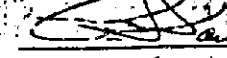
NOTARY PUBLIC
My Commission Expires: July 1985

STATE OF California)
 I, ROBERT CHAFFIN, being of the County of San Diego and of the State of California, the undersigned, do hereby Publicly and in full view of the State, place, personally appeared KENNETH MCCLIN, known to me of my own knowledge, to be the person whose name is subscribed to the foregoing instrument, who acknowledged that he has executed the same for the purposes therein set forth, and that the same is his act and deed.

IN WITNESS WHEREOF, I have set my hand and Material Seal, this 1 day and year first above written.


 ROBERT CHAFFIN
 My Commission Expires: 12/1/86

STATE OF California) COUNTY OF California) EX WILLS

	George H. Ragsdale, Seller	150
	George H. Ragsdale, Seller	150
	George H. Ragsdale, Seller	150
	George H. Ragsdale, Seller	150
	George H. Ragsdale, Seller	150
	George H. Ragsdale, Seller	150
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	George H. Ragsdale, Seller	150
	George H. Ragsdale, Seller	150
	George H. Ragsdale, Seller	150
	George H. Ragsdale, Seller	150

STATE OF MISSISSIPPI COUNTY OF Polk vs. w/o:

I HEREBY CERTIFY that on this 17 day of May 1985, before me, the undersigned, a Notary Public in and for the State of Mississippi, personally appeared BARBARA MELCHOR, known to me and satisfactorily proven to be the person who appeared to the foregoing instrument, and acknowledged to me that she has executed the same for the purposes therein set forth, and that the same has been read over to her.

IN WITNESS WHEREOF, I have set my hand and Notarial Seal, day and year first above written.

Barbara Melchor
Notary Public
My Commission Expires: April 1987

STATE OF MISSISSIPPI COUNTY OF Polk vs. w/o:

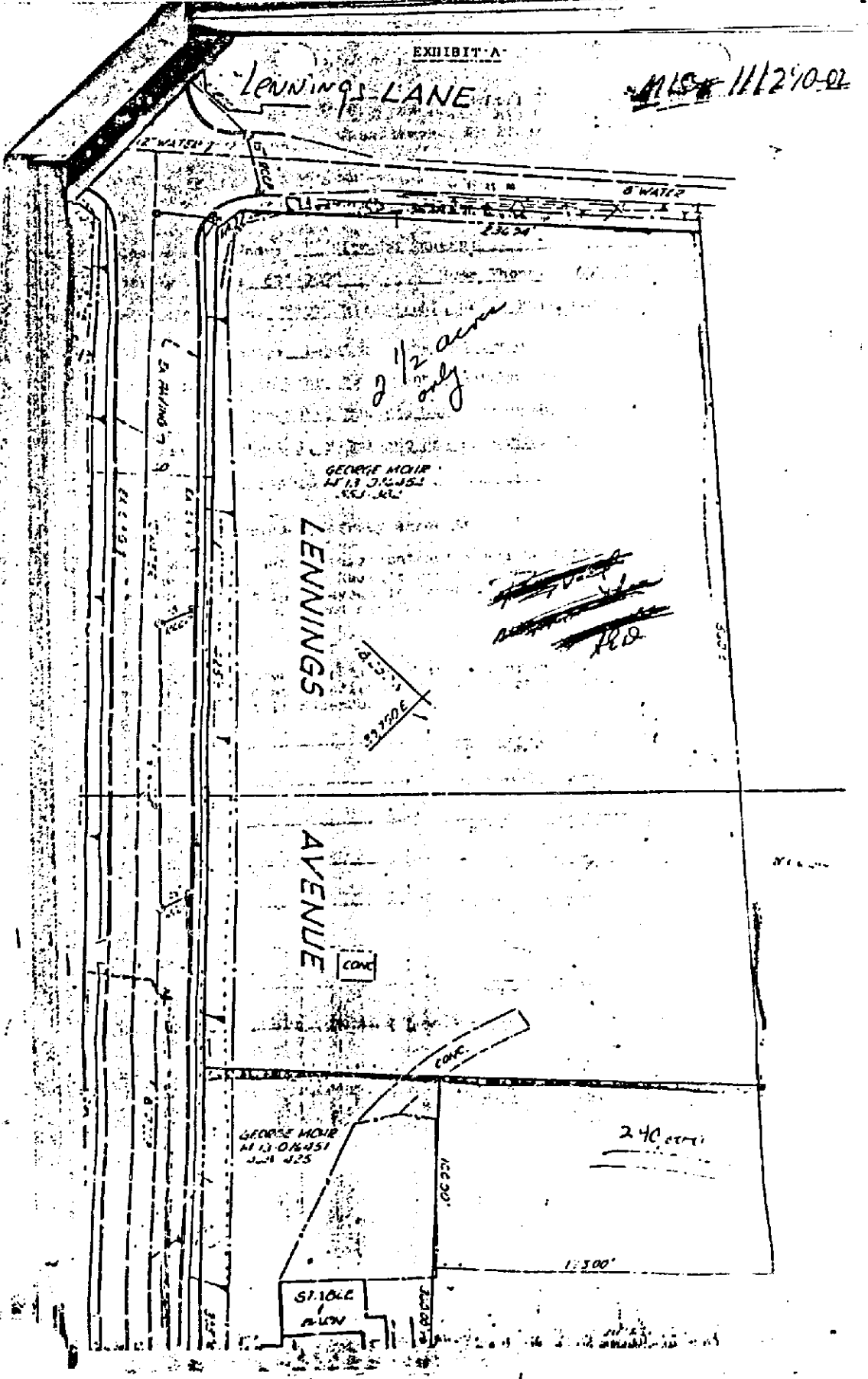
I HEREBY CERTIFY that on this 17 day of May 1985, before me, the undersigned, a Notary Public in and for the State of Mississippi, personally appeared BARBARA MELCHOR, known to me and satisfactorily proven to be the person whose name is entered

64-108

I, _____
do hereby certify that _____
is/was the subscriber to a History Public in and for the State
of _____ personally appeared JAMES LITTLE, known to me or another
personally known to me as _____ whose name is subscribed to the
forgoing instrument; he acknowledged that he had executed the
instrument for the purposes therein set forth, and that the same is
his act and deed.

I IN WITNESS WHEREOF, I have put my hand and Notarial Seal,
this _____ day of _____, 19____, above written.

[Signature]
NOTARY PUBLIC
My Commission Expires _____



SAUBERS BROS. REALTY CO.
600 Phillips Ave.
Chicago, Mo. 21433

RECEIVED

Counselor's Name: Richard Saunders

Office Phone: 682-9590 Ext. 21433 Home Phone: 682-2716

Office Address: 600 Phillips Ave., Phillips, Mo. 21437

Subject Property: Landings Lane and Landings Avenue - 24 acres

Buyers: Walter Mohr, Maria Mohr, Raymond Hess, Thelma Mohr Hess,
Gordon Mohr, Roberta Mohr, Kenneth McMyn & Janet McMyn

Buyers: Michael J. Palamino and J. Randolph Seichor

Sales Price: \$65,000.00

We, the undersigned hereby agree to and warrant that the above is a true and correct copy of the contract shall be forfeited to Sellers, a lump sum fee for Realtor services shall be 50% of the amount forfeited, but in no event shall amount equal to the full brokerage fee specified herein.

All other terms and conditions to remain in effect.

Therefore, in consideration of the sum of One dollar and other good and valuable consideration, all parties above mentioned join in the execution of this agreement.

Witness	Walter Mohr - Seller	Date
Witness	Raymond Hess - Seller	Date
Witness	Thelma Mohr Hess - Seller	Date
Witness	Gordon Mohr - Seller	Date
Witness	Roberta Mohr - Seller	Date
Witness	Kenneth McMyn - Seller	Date
Witness	Janet McMyn - Seller	Date
Witness	Michael J. Palamino - Buyer	Date
Witness	J. Randolph Seichor - Buyer	Date

[illegible]

kennedy, porter & associates, inc.
consulting engineers

Beginning at a point on the third or South 41° East 663.00 foot line of a deed to Melvin Mohr Et. Al. dated December 2, 1966 and recorded in the Land Records of Baltimore County, Maryland in Liber 4702 at Folio 455 a distant of 30.00 feet; and being further described as a point on the south side of Lennings Lane approximately 225.00' from the intersection of Lennings Avenue and Lennings Lane as shown on Baltimore County Bureau of Land Acquisition Right-of-Way Plats No. 67-325-3A and 67-325-27 and recorded February 27, 1968; thence running with the third or South 41° East 663.00 foot line.

South 47° 47' 55" East, 430.91 feet to a point; thence running through the aforesaid property as recorded in Liber 4702 at Folio 455

South 46° 49' 40" West, 282.25 feet to a point on the north right-of-way line of Lennings Avenue as shown on the aforesaid Land Acquisition Plats; thence running with the right-of-way line of Lennings Avenue and Lennings Lane the following courses and distances

North 42° 55' 40" West, 353.00 feet to a point; thence

A curve to the left having a radius of 1,430.00 feet and a width of 67.29 feet with a chord bearing and distance of North 44° 16' 33" West, 67.28 feet to a point; thence

North 01° 57' 10" East, 14.77 feet to a point; thence

North 44° 32' 10" East 236.94 feet to the point of beginning; containing 108,900 square feet or 2.50 acres of land.

charles r. kennedy, p.e./raughley l. porter,

ning; containing

STATE OF MARYLAND
JAMES P. BEVIN
PROFESSIONAL ENGINEER
NO. 9354
REGISTERED

7954
9-09-8

'AUG 27 1968

PETITION FOR SPECIAL EXCEPTION
14th Election District

LOCATION: Southeast corner Lennings Lane and Lennings Avenue

DATE AND TIME: Monday, December 9, 1985 at 1:30 p.m.

PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Special Exception for Convalescent Home

Being the property of Melvin Mohr, et al as shown on the plat filed with the Zoning Office.

In the event that this Petition is granted, a building permit will be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
SE/corner Lennings Lane & Lennings Ave., 14th District : OF BALTIMORE COUNTY

MELVIN MOHR, et al., Petitioners: Case No. 86-237-X

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 19th day of November, 1985, a copy of the foregoing Entry of Appearance was mailed to Melvin & Marie Mohr, Raymond & Thelma Hess, Hugh & Hilda McGlynn, and Gordon & Roberta Mohr, 9000 Philadelphia Rd., Baltimore, MD 21237, Petitioners; and Dennis R. Melchor, 12020 Reisterstown Rd., Reisterstown, MD 21136, Contract Purchaser.

Peter Max Zimmerman
Peter Max Zimmerman

BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

ARNOLD JABLON
ZONING COMMISSIONER

December 4, 1985

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

Mr. & Mrs. Melvin Mohr
9000 Philadelphia Road
Baltimore, Maryland 21237

RE: Petition for Special Exception
SE/ cor. Lennings Lane & Lennings Ave.
14th Election District
Melvin Mohr, et al
Case No. 86-237-X

Dear Mr. & Mrs. Mohr:

This is to advise you that \$ 47.84 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to the Building, Towson, Maryland

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

DATE 12-4-85 ACCOUNT 016154

AMOUNT \$ 47.84

RECEIVED FROM [Signature]

FOR [Signature]

VALIDATION OR SIGNATURE OF CARRIER

November 8, 1985
Mr. & Mrs. Melvin Mohr
9000 Philadelphia Rd.
Baltimore, Md. 21237

NOTICE OF HEARING

Re: Petition for Special Exception
SE/cor. Lennings Lane & Lennings Ave.
14th Election District
Melvin Mohr, et al
Case No. 86-237-X

TIME: 1:30 p.m.

DATE: Monday, December 9, 1985

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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

DATE 12-4-85 ACCOUNT 016154

AMOUNT \$ 47.84

RECEIVED FROM [Signature]

FOR [Signature]

VALIDATION OR SIGNATURE OF CARRIER

IN RE: PETITION SPECIAL EXCEPTION * BEFORE THE
SE/corner of Lennings Lane * ZONING COMMISSIONER
and Lennings Avenue - *
14th Election District * OF BALTIMORE COUNTY
Melvin Mohr, et al, * Case No. 86-237-X
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners request a special exception for a convalescent home, as more particularly described on Petitioners' Exhibit 1.

The Petitioners, by their Contract Purchaser, Dennis R. Melchor, appeared and testified and were represented by Counsel. James B. Beahn, a registered civil engineer, also testified on behalf of the Petitioner. Additionally, four neighbors appeared in support of the request. Another neighbor, Frank Wagner, appeared, not in opposition but as an interested party who wanted clarification of some aspects of the proposal.

Testimony indicated that the subject property, zoned D.R.3.5 and containing 2 1/2 acres, is located at the corner of Lennings Lane and Lennings Avenue, off Philadelphia Road. It is presently vacant except for a concrete slab. The Contract Purchaser proposes to construct a 113' x 155' two-story building to be used as a 132-bed convalescent home, with access onto Lennings Lane. The use would be approved by the State as a residential care facility and they would supervise the daily living activities of the residents. There would be no nursing care provided.

The proposed facility, situated approximately 1,500 feet from Franklin Square Hospital, would employ approximately 34 employees, of which approximately 20 employees would be full-time and the remainder would be part-time.

There would be three shifts; the full-time employees would work the day shift, ten of the part-time employees would work the evening shift, and four of the part-time employees would work the night shift.

Lennings Avenue has already been expanded, and the Contract Purchaser intends to expand Lennings Lane the length of its property. There is no indication that there would be any traffic congestion caused by the proposed facility. To the contrary, expert testimony indicated that the proposed use would satisfy all of the conditions precedent as delineated in Section 502.1, Baltimore County Zoning Regulations (BCZR).

Although a letter was received from another neighbor, Donald Pittman, expressing opposition, there was no evidence presented that supported his contention that property values would be adversely impacted if the use were granted.

The Petitioners seek relief from Section 1801.1.C.5, pursuant to Section 502.1, BCZR.

It is clear that the BCZR permits the use requested by the Petitioners in a D.R.3.5 Zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined whether the conditions as delineated by Section 502.1 are satisfied by the Petitioners.

After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions, as more fully described below.

The Petitioners had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioners have shown that the proposed use would be conducted without real detriment to the

neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioners' Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the BCZR.

Pursuant to the advertisement, posting of property, and public hearing held, and it appearing that by reason of the requirements of Section 502.1 having been met and the health, safety, and general welfare of the community not being adversely affected, the special exception should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, 13th day of December, 1985, that the Petition for Special Exception for a convalescent home be and is hereby GRANTED, from and after the date of this Order, subject to the following restriction:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

[Signature]
Zoning Commissioner of
Baltimore County

cc: Howard Klein, Esquire
Mr. Frank Wagner
People's Counsel

ORDER RECEIVED FOR FILING
DATE December 12, 1985
BY [Signature]

ORDER RECEIVED FOR FILING
DATE December 12, 1985
BY [Signature]

86-237-X
C-112

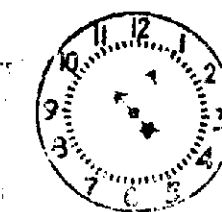
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Zoning Commissioner Date: November 26, 1985

FROM: Councilman Eugene W. Gallagher

SUBJECT: Zoning Hearing December 9



I am forwarding the attached letter for your review and consideration.

Please notify Mr. Pittman regarding his post script request for results of that hearing.

Thanks very much!

EWG:mtf
Attach.

cc: Donald M. Pittman

MARTIN MARIETTA

PROJECT	MARTIN MARIETTA AEROSPACE BALTIMORE DIVISION	TITLE	PAGE
ITEM			

Dear E. W. Gallagher, MELVIN MOHR, et al

Let me open by thanking you for sending me the excerpt of zoning hearings, containing case no. 86-237-X; item no. 131. Councilman, the letter is to voice my opposition to the special exception for the construction of a Convalescent Home on the southeast corner of Lennings Lane & Lennings Ave..

On Monday, December 9, at 1:30 PM, the case is scheduled for hearing. As I will not be able to attend the meeting, it is the intent of this letter to voice my opinion in opposition to the above mentioned request.

As a resident @ 9018 Lennings Lane, it is my belief that a Convalescent Home would be detrimental to my property value and the neighborhood "country" atmosphere.

Please consider what I have stated and give this matter proper action. Thank you for your attention and concern.

Donald M. Pittman
9018 Lennings Ln
BART, MD 21213

PS: If possible, please notify me as to the result of the Dec. 9 hearing. Thank you

PREPARED BY	DATE	CHECKED BY	DATE	REVISED BY	DATE

VLS-1007

86-237-X
CERTIFICATE OF PUBLICATION

TOWSON, MD., November 21, 1985

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on November 21, 1985

THE JEFFERSONIAN,

18 Kenton
Publisher
Cost of Advertising

22.00

Petition For
Special Exception
14th Election District
LOCATION: Southeast corner Lennings Lane and Lennings Avenue.
DATE & TIME: Monday, December 9, 1985 at 1:30 p.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Petition for Special Exception for Convalescent Home.
Being the property of Melvin Mohr, et al as shown on the plat filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order Of
Arnold Jablon
Zoning Commissioner
of Baltimore County

86-237-X
The Times

Middle River, Md., Nov. 20, 1985

This is to Certify, That the annexed
Petition - Mohr
Reg L 84027

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 20th day of Nov., 1985

Jane Brown Publisher

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th Date of Posting: 11/19/85

Posted for: Special Exception

Petitioner: Melvin Mohr, et al

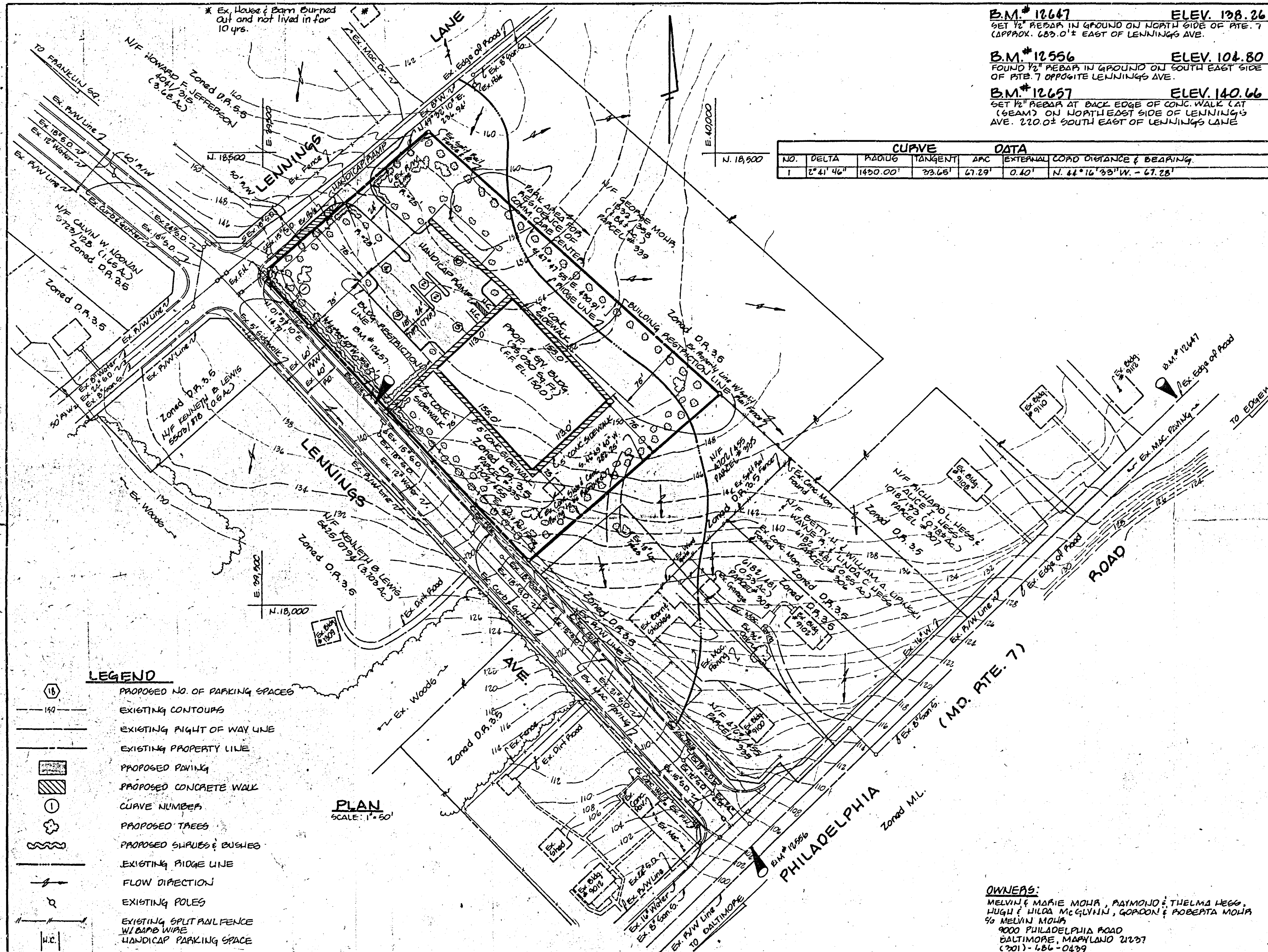
Location of property: SE corner Lennings Lane & Lennings Ave.

Location of Signs: Facing intersection of Lennings Lane & Lennings Ave. 15' x 15' signs

Remarks: 11/19/85

Posted by: M. J. Healey Signature Date of return: 11/22/85

Number of Signs: 1

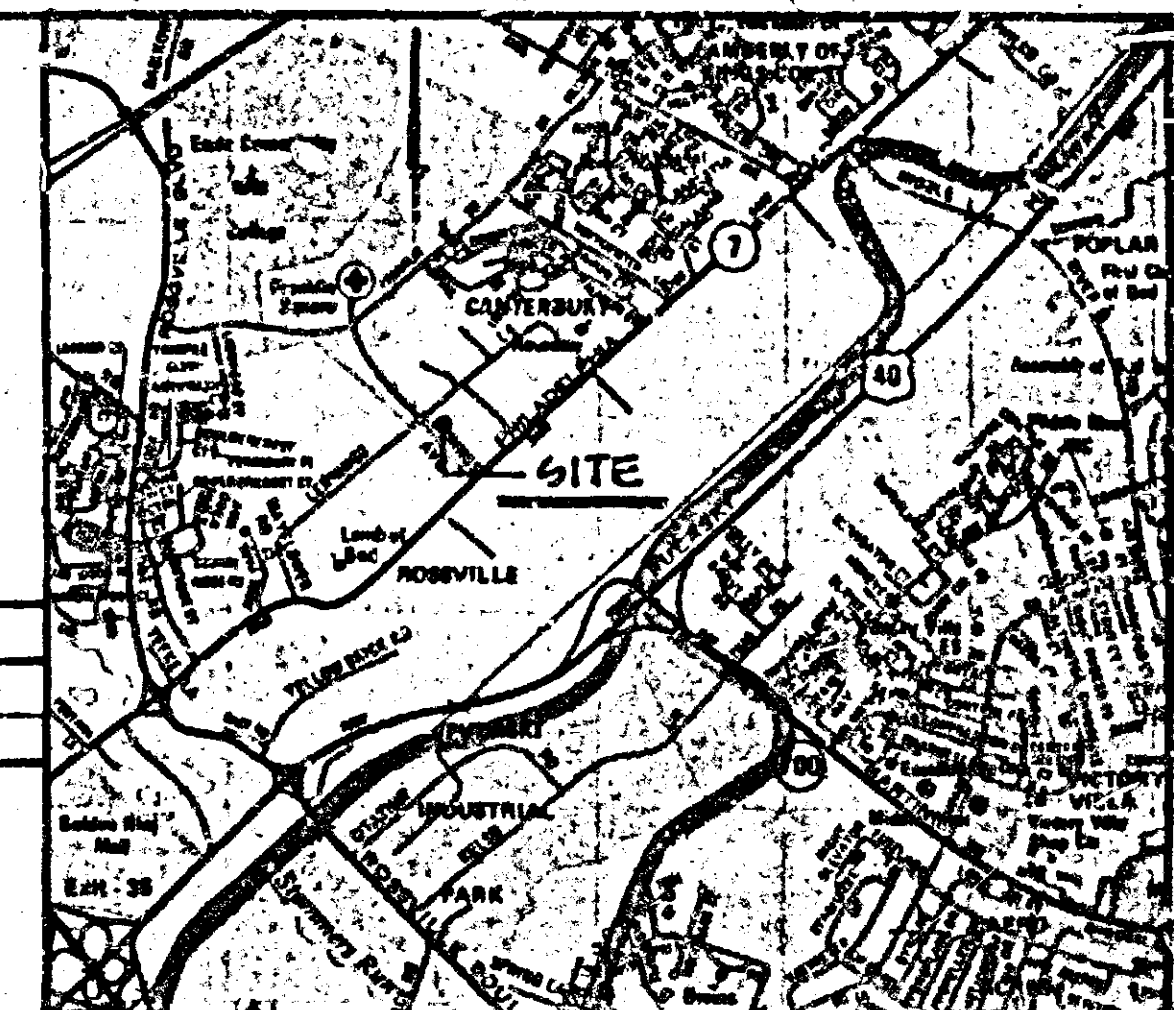


B.M. #12647 ELEV. 138.26
SET 1/2" REBAR IN GROUND ON NORTH SIDE OF RTE. 7
(APPROX. 685.0' ± EAST OF LENNINGS AVE.)

B.M. #12556 ELEV. 104.80
FOUND 1/2" REBAR IN GROUND ON SOUTH EAST SIDE
OF RTE. 7 OPPOSITE LENNINGS AVE.

B.M. #12657 ELEV. 140.66
SET 1/2" REBAR AT BACK EDGE OF CONC. WALK (AT
6' EASEMENT) ON NORTHEAST SIDE OF LENNINGS
AVE. 220.0' ± SOUTH EAST OF LENNINGS LANE

CURVE DATA					
NO.	DELTA	RADIUS	TANGENT	ARC	EXTERNAL CORD DISTANCE & BEARING
1	2° 41' 46"	1450.00'	23.65'	67.29'	0.40' N. 44° 16' 33" W. - 67.28'



VICINITY MAP
SCALE: 1"=1000'

GENERAL NOTES

- PROPERTY ZONED D.R. 3.5
- GROSS AREA: 106,900 Sq. Ft. ON 2.90 AC.
- PROPOSED BUILDING 132 BEDS IN A 2 STY. BUILDING, 17515.0 Sq. Ft. PER FLOOR = 35,030 Sq. Ft. Total.
- PARKING SPACES:
REQUIRED PARKING - 1.0 SPACES PER 10 BEDS = 14 SPACES
PROPOSED PARKING - NEED 14 SPACES
a) 32 PARKING SPACES (18'x9') PROVIDED
b) 2 HANDICAP SPACES (18'x12') PROVIDED
- BUILDING USE:
a) FIRST FLOOR - OFFICE, KITCHEN, DINING ROOM AND LIVING UNITS
b) SECOND FLOOR - LIVING UNITS
- INTERIOR PAVING: 12,480 FT.
INTERIOR GREEN SPACE: 1212 Sq. Ft. (9.95% OF PAVING)
TOTAL GREEN SPACE: 75,132 Sq. Ft. (69.0% OF TOTAL PROPERTY)
- A VARIETY OF EVERGREEN AND ORNAMENTAL TREES WILL BE PLANTED AROUND PROPERTY LINE FOR SCREENING PURPOSES. VARIOUS SHRUBS WILL BE PLANTED AT THE INTERIOR GREEN AREAS PROVIDED
- IN ZONE C, (AREA OF MIN. FLOODING) AS SHOWN ON FLOOD INSURANCE MAP PANEL 430 OF 575

PETITIONER'S EXHIBIT 1

OWNERS:
MELVIN & MARIE MOHR, PAYMOND & THELMA HESS,
HUGH & HILDA McGLYNN, GORDON & ROBERTA MOHR
90 MELVIN MOHR
9000 PHILADELPHIA ROAD
BALTIMORE, MARYLAND 21237
(301)-486-0459

DEVELOPER:
COMMUNITY CARE SERVICES INC.
P.O. BOX 20037
BALTO. MD. 21204
PRESIDENT: MIKE PALMISANO
(301) 337-9344

drawn by	date	revisions
J.W.		
designed by		
checked by		

Kennedy, Porter & Associates
consulting engineers
Baltimore, Maryland



SCALE:
AS NOTED

COMMUNITY CARE
FRANKLIN SQUARE
ROSSVILLE, MARYLAND 21237

date
9-6-85
sheet
1 of 1