

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Mr. Hoffman introduced as Petitioner's Exhibit 1 a plat showing a proposed 4,100-square-foot, two-story addition to the existing nursing home, which is located on the 3.8-acre site covered by the petition. He explained that the addition would add ten resident beds and one employee per shift at the nursing home. According to the plat and Mr. Hoffman's proffered testimony, the Petitioner is also proposing to add parking, so

Baltimore County Council Bill No. 37-88 amended the BCZR by repealing the former definition of "convalescent home" and replacing it with a new definition of the term "nursing home", which includes the explanatory parenthetical "(formerly convalescent home)". However, that bill did not change Section 1B01.1.C.5 of the BCZR, which includes "convalescent homes" among the uses permitted by special exception in all DR zones. Despite this omission, it is apparent that the County Council intended to continue permitting those facilities formerly known as "convalescent homes", and now known as "nursing homes", by special exception in a DR 16 zone. Thus, Petitioner's existing

The proposed expansion will not be detrimental to the health, safety, or general welfare of the locality; will not tend to create congestion in roads, streets, or alleys; will not create a potential hazard, tend to overcrowd land, or cause undue concentration of population; will not interfere with the adequate provision of public facilities or with adequate light and air; will not be inconsistent with the impermeable surface and vegetative retention provisions of the BCZR or with the purposes of the property's zoning classification; and will not in any other way be inconsistent with the spirit and intent of the BCZR.

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

J. Robert Haines
J. Robert Haines
Zoning Commissioner of
Baltimore County

ORDR0048.JAA

Z.C.O. - No. 1

ESTIMATED LENGTH OF HEARING - 1/2HR. (over)

AVAILABLE FOR HEARING

MON./TUES./WED. - NEXT TWO MONTHS

ALL OTHER

RELEASING OFF.

SAVING AND ACCEPTING THEREFROM HOWEVER, that portion of the aforesaid property containing C.211 acre more or less 9,194.40 square feet more or less), which was conveyed by Manor Farm of Rossville, Inc. and the Baltimore and Annapolis Savings and Loan Association to Baltimore County, Maryland in a deed dated April 12, 1978 and recorded among the Baltimore County Land Records.

J. Robert Haynes 2-9-89

AUTHORIZED SIGNATURE
J. Robert Haynes, Zoning Commissioner DATE

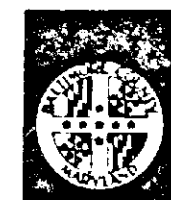
I HEREBY CERTIFY that on this 24th day of January, 1989, a copy of the foregoing Entry of Appearance was mailed to John B. Howard, Esquire, 210 Allegheny Ave., Towson, MD 21204, Attorney for Petitioner.

Peter Max Zimmerman
Peter Max Zimmerman

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

Date: 1/17/89



Dennis F. Rasmussen
County Executive

Manor Healthcare Corporation
10770 Columbia Pike
Silver Spring, Maryland 20901

Re: Petition for Special Hearing
CASE NUMBER: 89-294-SPH
US Ridge Road, 300' S Square Ridge Road
600 Ridge Road
14th Election District - 6th Councilmanic
Petitioner(s): Manor Healthcare Corporation
HEARING SCHEDULED: FRIDAY, JANUARY 27, 1989 at 11:00 a.m.

Gentlemen:

Please be advised that \$89.86 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

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

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204, 15 minutes before the hearing.

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

No. 065780

DATE 1-27-89 ACCOUNT 1-01-615-000

AMOUNT \$ 89.86

RECEIVED Manor Health Corp

FOR: 10770 Columbia Pike - (89-294-SPH)

VALIDATION OR SIGNATURE OF CASHIER

DATE: 1-27-89

Post set(s), there each set not

NOTICE OF HEARING

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property described herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 at 11:00 a.m. on:

Petition for Special Hearing
Case Number: 89-294-SPH
US Ridge Road, 300' S Square Ridge Road
600 Ridge Road
14th Election District - 6th Councilmanic
Petitioner(s): Manor Healthcare Corporation
Hearing Scheduled: Friday, January 27, 1989 at 11:00 a.m.

Special Hearing: An expansion of the existing nursing home and to amend zoning case #14-140.

J. ROBERT HAINES
Zoning Commissioner of Baltimore County
01004 Jan. 12

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 16, 1989

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 January 12, 1989.

NORTHEAST TIMES
THE JEFFERSONIAN

S. Zabe Orlean
Publisher

PO 08954
reg 1125163
case 89-294-SPH
price \$74.86 + N+J

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

89-294-SPH

District: 14TH Date of Posting: 1/17/89

Posted for: Special Hearing

Petitioner: Manor Healthcare Corp

Location of property: 111 W. Chesapeake Ave. 300' S Square Ridge Rd.

Location of Sign: Facing Ridge Rd. across 2nd Fr. on way to property of M.H. Corp.

Remarks:

Posted by: Anthony

Number of Signs: 1

Date of return: 1/18/89

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3333

J. Robert Haines
Zoning Commissioner

December 21, 1989

NOTICE OF HEARING

Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

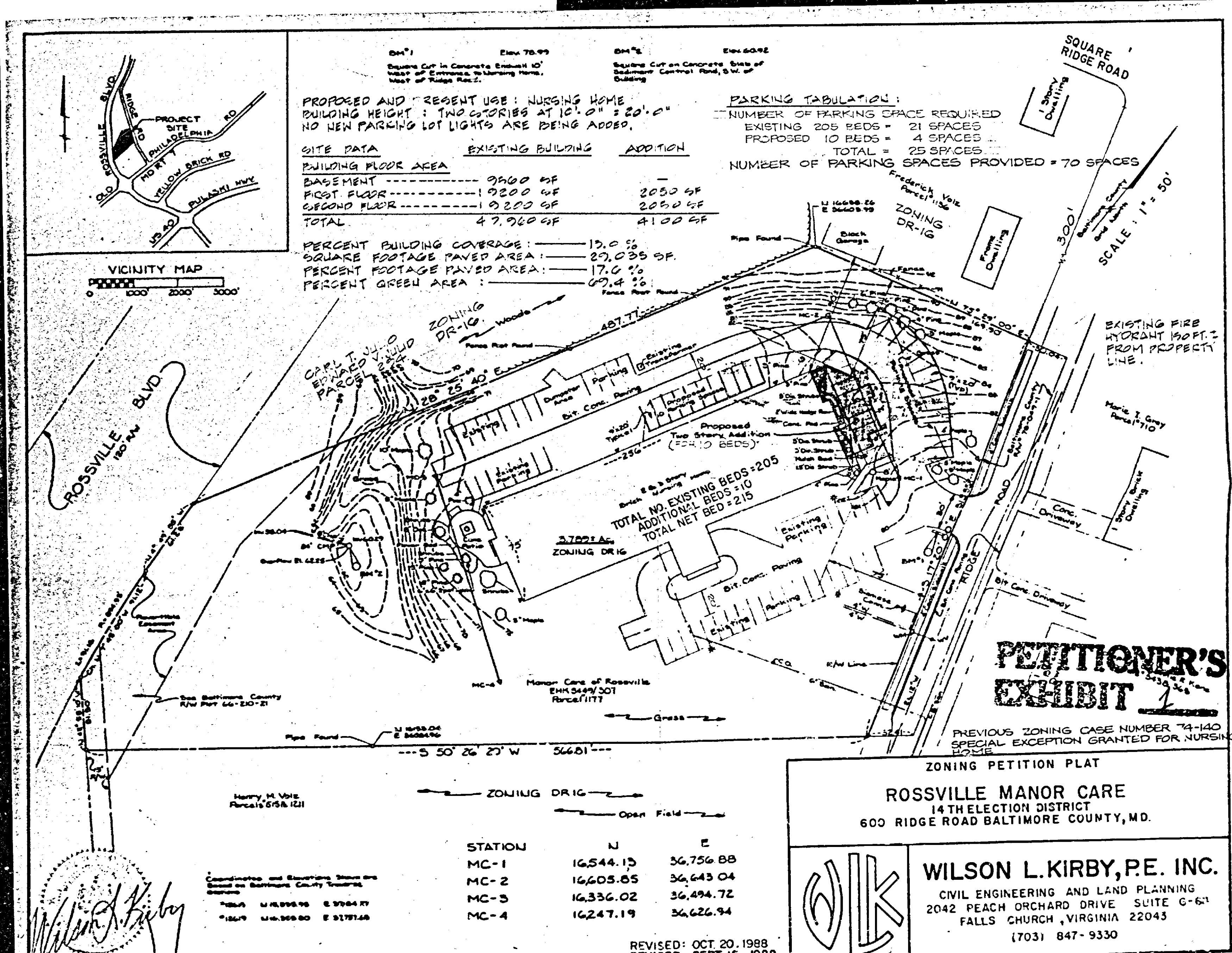
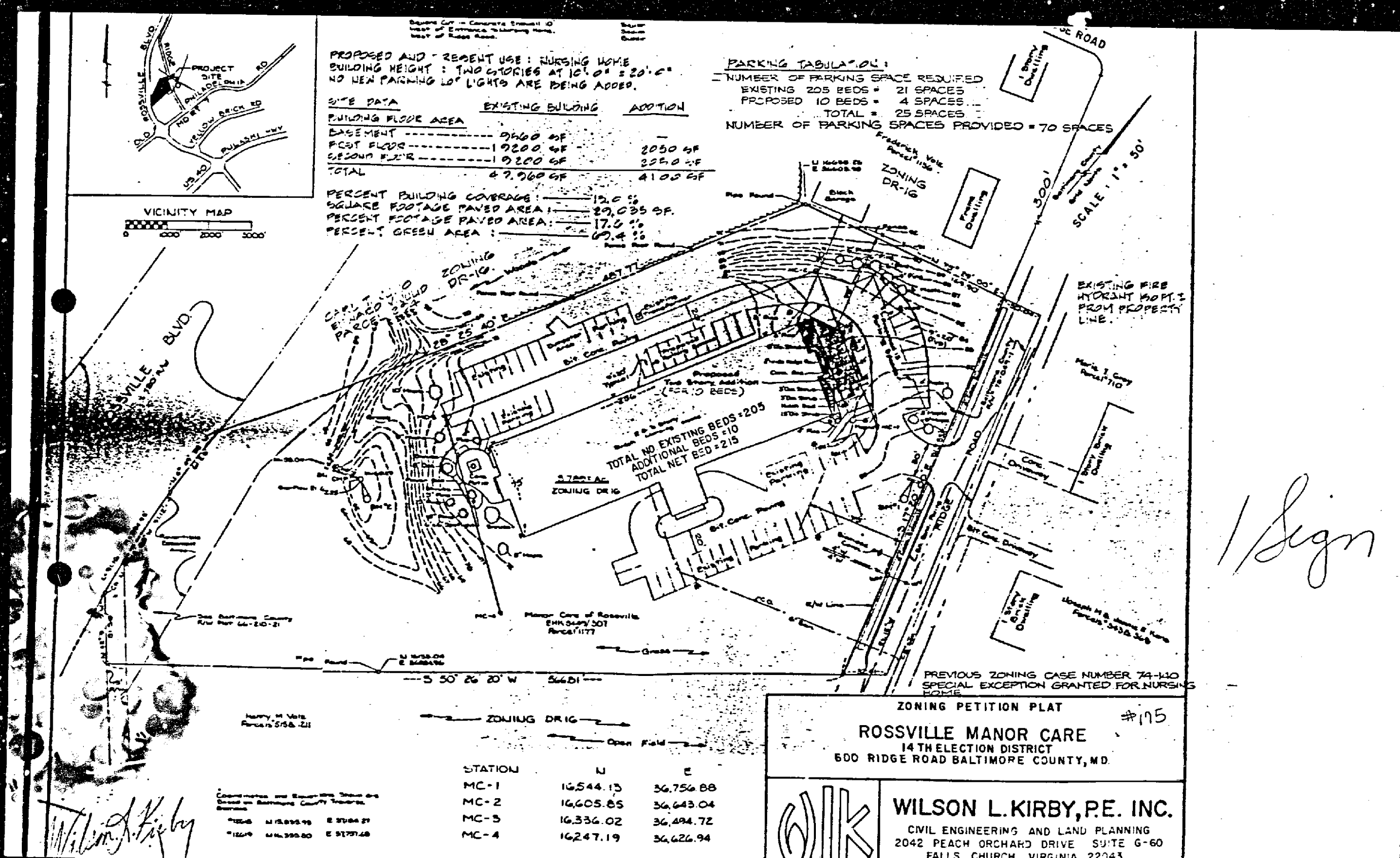
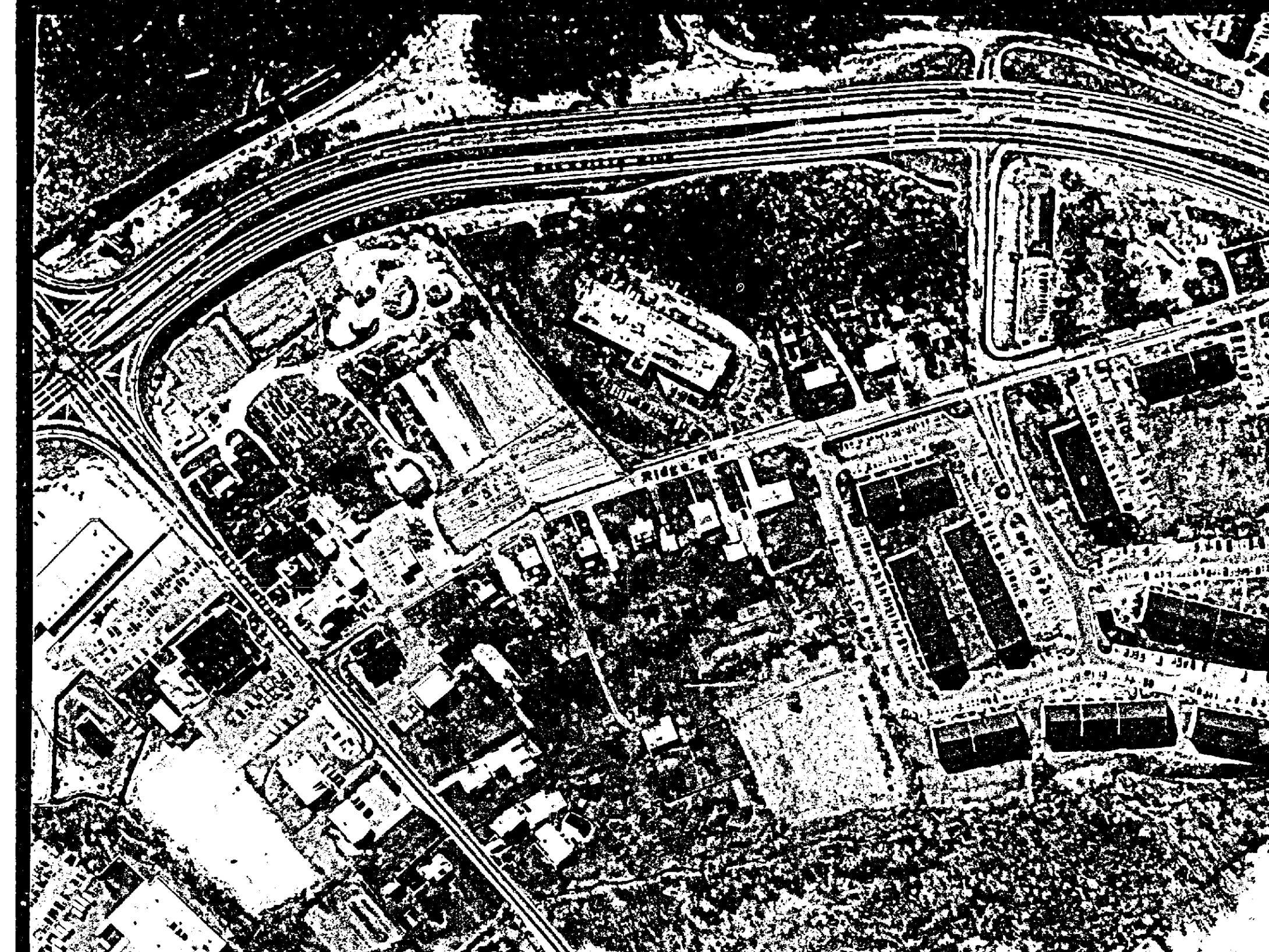
Petition for Special Hearing
CASE NUMBER: 89-294-SPH
US Ridge Road, 300' S Square Ridge Road
600 Ridge Road
14th Election District - 6th Councilmanic
Petitioner(s): Manor Healthcare Corporation
HEARING SCHEDULED: FRIDAY, JANUARY 27, 1989 at 11:00 a.m.

SPECIAL HEARING: An expansion of the existing nursing home and to amend zoning case #14-140.

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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
Zoning Commissioner of Baltimore County

cc: John B. Howard, Esq.
Manor Healthcare Corporation
File



89-294-SPH

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
10th day of November, 1988.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner: Manor Healthcare Corp.
Petitioner's Attorney: J. Robert Haines
Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

December 29, 1988

J. Robert Haines, Zoning Commissioner
Office of Planning & Zoning
Baltimore County Office Building
Towson, Maryland 21204

Re: Property Owner: Manor Healthcare Corporation

Location: W/S Ridge Road, 300' S Sq. Ridge Road
600 Ridge Road

Item No.: 175 Zoning Agenda: Meeting of 11/9/88

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 100 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. Fire hydrant required at Entrance Drive.

() 2. A second means of vehicle access is required for the site.

() 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.

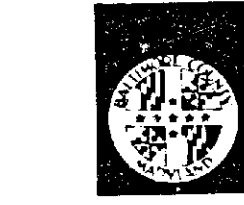
() 6. Site plans are approved, as drawn.

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

REVIEWER: *Carl J. Kelly* 12-07-88
Planning Group
Special Inspection Division

NOTED & APPROVED: *James E. Dyer*
Fire Prevention Bureau

/s/



Dennis F. Rasmussen
County Executive

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

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

cc:

January 19, 1989

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: Item No. 175, Case No. 89-294-SPH
Petitioner: Manor Healthcare Corp.
Petition for Special Hearing

Dear Mr. Howard:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

James E. Dyer
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:dt

Enclosures

cc: Wilson L. Kirby, P.E. Inc.
2042 Peach Orchard Drive, Suite G-60
Falls Church, Virginia 22043

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

November 25, 1988



Dennis F. Rasmussen
County Executive

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, Maryland 21204

ZAC - Meeting of November 9, 1988
Item Nos. 172, 173, 176, 177, 178, 179, 180, 181, and 182.

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for item numbers 172, 173, 176, 177, 178, 179, 180, 181, and 182.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Associate II

MSP/lvw

NOV 29 1988
ZONING OFFICE

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL
PROTECTION AND RESOURCE MANAGEMENT

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

Zoning Item # 175, Zoning Advisory Committee Meeting of November 9, 1988

Property Owner: Manor Healthcare Corporation

Location: 600 Ridge Road District 14

Water Supply: Metro Sewage Disposal: Metro

COMMENTS ARE AS FOLLOWS:

- () Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- () Prior to new installation of food service equipment, the owner shall contact the Bureau of Air Quality Management, 494-3775, to obtain requirements for such installation before work begins.
- () A permit to construct from the Bureau of Air Quality Management is required for such items as spray paint processes, underground gasoline storage tanks (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- () A permit to construct from the Bureau of Air Quality Management is required for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.
- (X) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- () Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other amusements pertaining to health and safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Recreational Hygiene Section, Bureau of Regional Community Services, 494-3811.
- () Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Natural and Child Health.
- () If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with the State Department of the Environment.
- () Prior to razing of existing structure/s, petitioner must contact the Division of Waste Management at 494-3765, regarding removal and/or disposal of potentially hazardous materials and solid wastes. Petitioner must contact the Bureau of Air Quality Management regarding removal of asbestos, 494-3775.
- () Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 494-3765.
- () 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 Water and Sewer 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 _____

Karen M. Cherry
KAREN M. CHERRY

BUREAU OF WATER QUALITY AND RESOURCE
MANAGEMENT

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

J. Robert Haines
TO: Zoning Commissioner

Date: January 23, 1989

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Zoning Petition Nos. 89-292-A (Tripe Assoc.); 89-293-1A (Brune);
89-294-A (Manor Health); 89-296-A (Chasarell); 89-297-A (Alderman);
89-298-A (Gibsonville Baptist); 89-300-A (Hall); 89-301-A (Boegner)

The Office of Planning and Zoning has no comment on the above petitions.

PK/sf

RECEIVED
JAN 25 1989
ZONING OFFICE

Mr. Have changes made

LAW OFFICES

COOK, HOWARD, DOWNES & TRACY

210 ALLEGHENY AVENUE
P.O. BOX 5517

TOWSON, MARYLAND 21204

TELEPHONE (301) 823-4111

TELETYPE (301) 823-0147

205 EAST BROADWAY

P.O. BOX 8

BEL AIR, MARYLAND 21014

REL. (301) 838-8664

BALTIMORE (301) 879-1851

DIRECT DIAL NUMBER:

REPLY TO: TOWSON

March 9, 1989

Hand Delivery

J. Robert Haines,
Zoning Commissioner
Baltimore County Zoning Office
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Manor Health Care Corporation
Case No.: 89-294-SPH

Dear Mr. Haines:

Enclosed please find the Findings of Fact and Conclusions of Law drafted by this office for your signature in connection with the above referenced case. Please call Rob Hoffman if there are any requested changes to the Order.

Thank you.

Very truly yours,

Alice A. Malinowski
Alice A. Malinowski
Legal Assistant

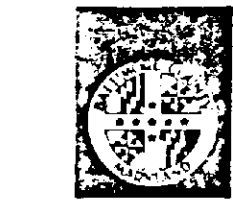
ARM:bw
Enclosure
cc: Robert A. Hoffman, Esquire

RECEIVED
MAR 10 1989
ZONING OFFICE

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3553

J. Robert Haines
Zoning Commissioner

March 15, 1989



Dennis F. Rasmussen
County Executive

Robert A. Hoffman, Esquire
Cook, Howard, Downes and Tracy
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21204

RE: Petition for Special Hearing
Case #89-294 SPH
Manor Health Care Corp.

Dear Mr. Hoffman:

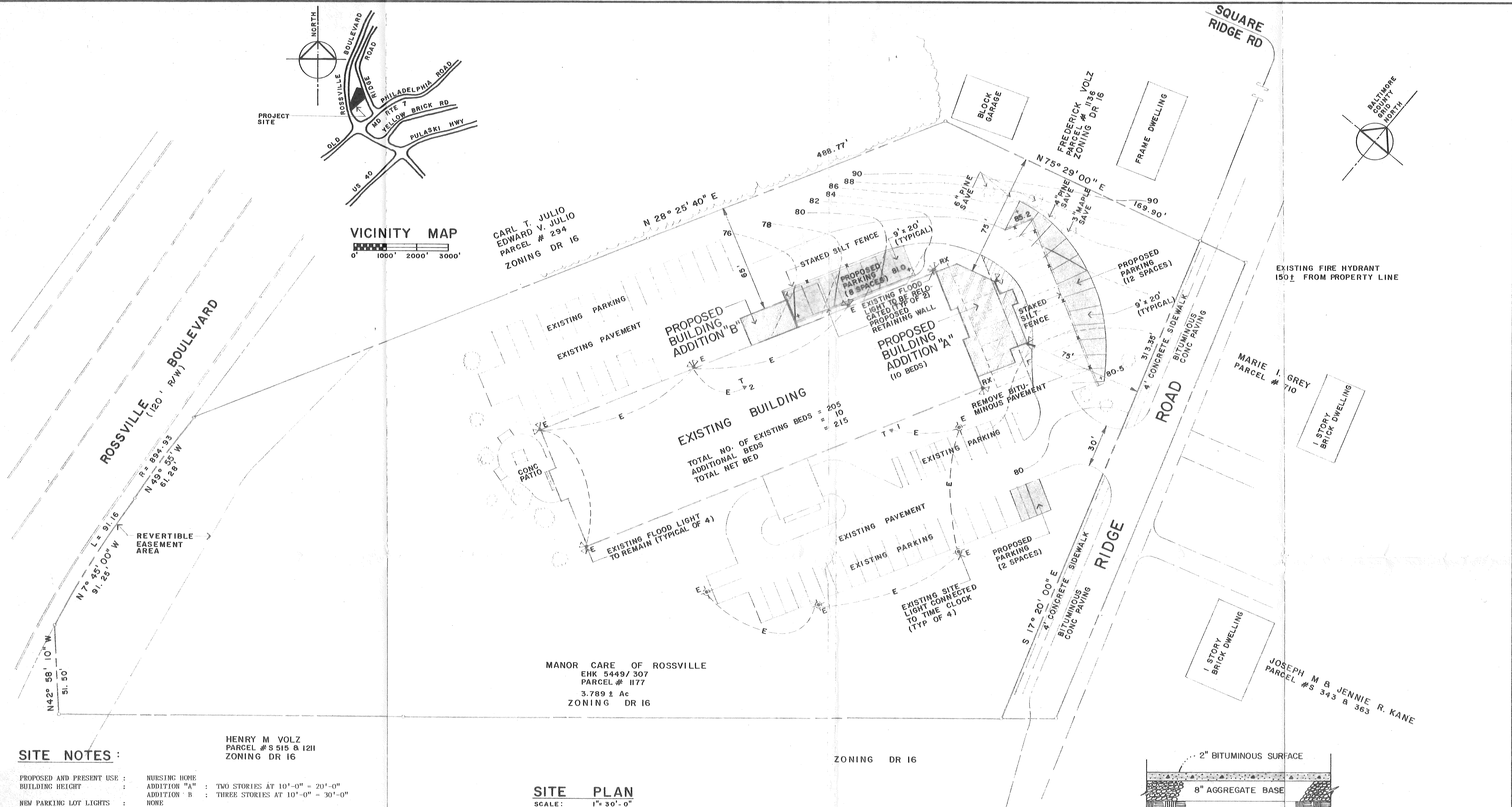
Enclosed please find the decision rendered on the above captioned case. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmm
att.
cc: Peoples Counsel



SITE NOTES :

PROPOSED AND PRESENT USE : NURSING HOME
BUILDING HEIGHT : ADDITION "A" : TWO STORIES AT 10'-0" = 20'-0"
NEW PARKING LOT LIGHTS : ADDITION "B" : THREE STORIES AT 10'-0" = 30'-0"
NONE

SITE DATA : EXISTING BUILDING : ADDITION "A" ADDITION "B"

BUILDING FLOOR AREA :			
BASEMENT	9560 SF	-	525 SF
FIRST FLOOR	19200 SF	2050 SF	525 SF
SECOND FLOOR	19200 SF	2050 SF	525 SF
TOTAL	47960 SF	4100 SF	1575 SF

PERCENT BUILDING COVERAGE : 13.2%
PERCENT FOOTAGE PAVED AREA : 28510 SF
PERCENT FOOTAGE PAVED AREA : 17.3%
PERCENT GREEN AREA : 69.5%

PARKING TABULATION :

NO. OF PARKING SPACES REQUIRED : 22 SPACES (1 SPACE PER 10 BEDS)
NO. OF PARKING SPACES PROVIDED : 70 SPACES

ZONING HEARINGS : FOR BUILDING ADDITION "A"

PETITION FOR SPECIAL HEARING : CASE NO. 89-294 SPH

APPROVAL GRANTED FOR THE EXPANSION AS SHOWN IN ZONING PETITION PLAT(DATED SEPTEMBER 15,1988 AND SUBMITTED AS EXHIBIT 1 IN HEARING), AND AMENDMENT OF THE SPECIAL EXCEPTION GRANTED IN CASE NO. 74-140-X IN ACCORDANCE WITH EXHIBIT 1 (ZONING PETITION PLAT). SPECIAL EXCEPTION ALLOWED ESTABLISHMENT OF A NURSING HOME IN A RESIDENTIAL (DR-16) ZONE.

DATE OF ORDER BY THE ZONING COMMISSIONER OF BALTIMORE COUNTY : MARCH 16, 1989

SITE PLAN
SCALE: 1"= 30'-0"

MISCELLANEOUS NOTES

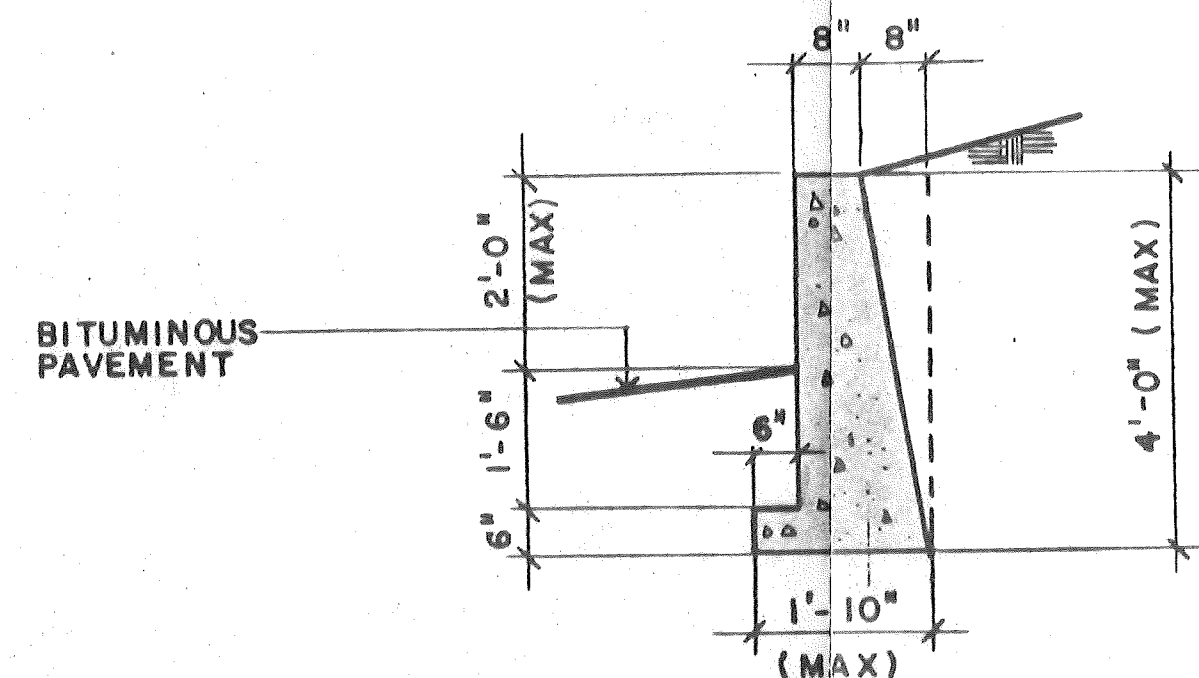
- All construction shall conform to Baltimore County construction standards and specifications.
- Parking tabulations:
Number of Parking Space Required
Existing 205 Beds = 21 spaces
Proposed 10 Beds = 1 space
Number of Parking Spaces Provided = 70 spaces
- Site area is 3.789 acres
- Contour interval = 2 feet
- Boundary and Topography by others.
- Existing Parking Spaces to be removed : 21
Proposed Parking Spaces : 22
- Paving Section for Proposed Parking Spaces shall equal that of existing spaces.

LAND CONSERVATION NOTES

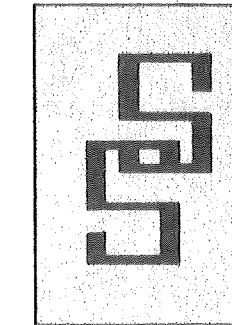
- No disturbed area will be denuded for more than 30 calendar days unless otherwise authorized by the Director or his agent.
- All erosion and siltation control measures are to be placed prior to or as the first step in grading. First areas to be cleared are to be those required for the perimeter controls.
- All storm and sanitary sewer lines not in streets are to be mulched and seeded within 15 days after backfill. No more than 500 feet are to be open at any one time.
- Electric power, telephone and gas supply trenches are to be compacted, seeded and mulched within 15 days after backfill.
- All temporary earth berms, diversions and silt dams are to be mulched and seeded for temporary vegetative cover immediately after grading. Straw or hay mulch is required. The same applies to all soil stockpiles.
- During construction, all storm sewer inlets will be protected by inlet protection devices, maintained and modified as required by construction progress.
- Any disturbed area not covered by note #1 above and not paved, sodded or built upon by November 1st, or disturbed after that date, is to be mulched with hay or straw mulch at the rate of two tons per acre and over-seeded no later than March 15th.
- At the completion of construction projects and prior to the release of the bond, all temporary siltation and erosion controls shall be removed and all disturbed areas shall be stabilized.

ON-SITE PAVING DETAIL

NOT TO SCALE



CONCRETE RETAINING WALL
SCALE: 1/2"=1'-0"



**SANCHEZ
AND
SANCHEZ**

200 PARK AVENUE
SUITE 105
FALLS CHURCH
VIRGINIA 22046

(703) 237-1668

**ADDITION AND ALTERATION
TO
MANOR CARE NURSING CENTER
"ROSSVILLE"**
6600 RIDGE ROAD
BALTIMORE, MARYLAND

No.	Description	Date
Revisions		

Sheet Title

SITE PLAN

Scale AS NOTED

Project Number	Date
SP- 25 / MC-1	SEPT 25, 1989
Sheet Number	

A - 1B

1989-0294-SPH