IN THE MATTER OF THE APPLICATION OF MILFORD MANOR PARTNERSHIP FOR A SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCES ON PROPERTY LOCATED ON THE NORTH SIDE OLD MILFORD MILL ROAD, 136' SOUTHWEST OF CENTERLINE COLBY ROAD 3RD ELECTION DISTRICT 2ND COUNCILMANIC DISTRICT

* BEFORE THE
* COUNTY BOARD OF APPEALS
* OF
* BALTIMORE COUNTY
* CASE NO. 91-237-SPHXA

* * * * * * * * *

OPINION

Milford Manor Partnership requested a special hearing to approve an amendment to the special exception and site plan previously approved by the Baltimore County Zoning Commissioner in Case No. 5095-X to permit a modification and reduction of the area required to expand an existing nursing home. The Partnership also requested a special hearing to amend restrictions 1 and 5 of Case No. 5095-X to permit a service driveway and turn-around for the nursing home within the yard area of the single-family dwelling. Petitioners requested a special exception to permit an assisted living facility containing a maximum of 16 beds and a waiver of the Residential Transition Area requirements in accordance with its site plan. Finally, the Petitioner requested zoning variances to permit an illuminated entrance sign and a side yard setback of 20 feet in lieu of the required 25 feet for the existing nursing home. The Deputy Zoning Commissioner granted said Petitions subject to restrictions which were enumerated in her Order in Case No. 91-237-SPHXA.

Scott and Geri Tucker of 4216 Old Milford Mill Road, Baltimore, Maryland, adjoining landowners to the property where the

Petitioners operate the nursing home for which it sought the various special exceptions and variances, filed an appeal noting that they sought an appeal only with respect to the special hearing portion of this case.

During argument, Counsel made the contention that the issue of the trash compactor about which the Board received testimony should not be the subject of the appeal inasmuch as the original case sought only to amend restrictions 1 and 5 of Case No. 5095-X. We disagree since the Opinion and Order of the Deputy Zoning Commissioner reiterated and conditioned the various approvals she gave on the entire list of restrictions set forth numbered 1 through 14 in her Order. Restriction #8 covered the trash compactor. Furthermore, the issue of the location and screening of the trash compactor should be viewed as ancillary to the service driveway issue inasmuch as the proposed service driveway will be utilized to empty the trash compactor which we gather is a change from the present circumstances. Although Mr. and Mrs. Tucker's notice of appeal does not limit their opposition to the issues of the service road and trash compactor, they stated on the record that they were not opposed to the expansion of the nursing home but only opposed to the service driveway and the location of the trash compactor. Our decision will address only those issues.

Mrs. Lorraine Raffel, of Milford Manor Partnership which operates the nursing home, testified regarding the corporation's desire to upgrade the existing nursing home facility and to create beds for an assisted living facility that would predominantly serve

the Jewish community, including keeping a Kosher kitchen and offering religious services.

Cass Gottlieb, a licensed architect, testified regarding the project and the proposed plans for expansion, including the design considerations encountered in trying to keep the assisted living section separate from the existing nursing home facility. She testified as to problems with the means of ingress and egress that in her opinion the proposed plan as shown on Petitioner's exhibits is the only appropriate plan to allow the functioning of the facility.

Aaron Shamburg, the project designer, who holds a Master's Degree in Landscape Architecture, testified as to various site considerations, including the slope and grading of the property, the location of possible storm drains, and other site considerations which required relocating the service driveway to a location on the side of the property which adjoins Protestants' property. He also testified as to planned screening along the service road, including an 8-foot high stockade fence. Furthermore, he testified as to the relocation of the trash compactor to an area at the end of the proposed service drive and the proposed screening around the trash compactor.

Wesley Guckert, an expert traffic engineer, testified that in his opinion there was no adverse impact from the relocation of the service driveway to the proposed site as would violate the provisions of Section 502.1 of the Baltimore County Zoning Regulations (BCZR).

Judith Raab, who holds a Master's Degree in Urban Planning, testified that in her opinion the requirements of Section 502.1 were met by the proposed project. Furthermore, she testified that the compactor as located poses no real health or safety problems.

Gary Raffel, the vice president of Milford Manor, testified that the nursing home would abide by the restrictions placed on the property by the plan and that a series of stipulations and agreements had been reached between the Milford Manor Partnership and the Colonial Village Community Association. Subsequent to the hearing, Counsel for the Association and the Petitioner submitted to the Board by letter the agreed to written stipulations and agreements as stated.

Scott Tucker, Appellant/Protestant, testified as to his concerns that about relocation of the service driveway to the rear of the nursing home's existing building which adjoins the rear side of Mr. Tucker's residential property. He testified that the trash compactor was presently located approximately 250-300 feet away from his home and that he has experienced a problem in his backyard with rats. He believes that bringing the dumpster closer to his property line will attract rats and thus pose a safety and health problem to his family. Furthermore, he testified that the use of heavy trucks and vehicles on the proposed service road may cause structural damage to his house from vibration and that in his opinion the value of his property would be lessened by having the service road located between his property and the existing nursing home building.

In rebuttal, Petitioner recalled Mr. Shamburg who testified that according to Baltimore County Code regulations, 35 feet of the building must be accessed by public roads, and that with the proposed expansion as designed the only way to meet that requirement involves relocating the service road to the present location.

After consideration of the testimony and exhibits, including the photographs submitted, the Board finds as a fact that the requirements of Section 502.1 have been met and that the proposed expansion of the nursing home 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 zoning's classification, nor in any other way be inconsistent with the spirit and intent of the BCZR. Additionally, the Board finds as a fact that a rational basis exists for imposing the restrictions and conditions precedent to the relief granted by the Deputy Zoning Commissioner and approves all restrictions numbered 1 through 14 as written, except as appears below. Regarding the service road, we find as a fact that the Petitioners met their burden with regard to the site for the relocation of the service road due to the problems encountered with ingress, egress, grade, slope and sewer drains.

The Board finds as a fact that one health and safety problem could be created by the proposed plan, namely the potential to attract rats and other rodents to the Tucker property should the trash compactor be located as proposed. Our review of Petitioner's

Exhibit No. 1 reveals that the trash compactor would be located approximately 30 feet from the Tucker property line at its closest point which would be approximately 50 feet from the outside border of Mr. and Mrs. Tucker's residence. The Board will modify restrictions 5 and 8 to allow the service driveway to be extended and the trash compactor to be relocated at a distance no closer than 150 feet from the closest point of the outside of the building of Mr. and Mrs. Tucker's residence with enclosure and screening in a manner similar to that shown on Petitioner's Exhibit No. 1.

ORDER

IT IS THEREFORE this 30th day of April, 1992 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Special Hearing be and is hereby GRANTED subject to the following restrictions which are conditions precedent to the relief granted:

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 30-day appellate process from this Order has expired. If, for whatever reasons, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Compliance with all Zoning Plans Advisory Committee comments.

3. Prior to the issuance of any building permits, Petitioners shall submit a landscaping plan for the entire site for approval by the Deputy Director of Planning. A copy of the approved plan shall be submitted to the Zoning Office for inclusion in the case file prior to the issuance of any permits.

4. CRG approval of the modified plans in accordance with all restrictions is required prior to the issuance of any permits.

5. The service driveway shall be no closer than as depicted on Petitioner's Exhibit No. 1 entered before this Board and may be extended to accommodate the relocation of the trash compactor as listed in restriction #8 below.

6. The Petitioners shall fence and shrub the service driveway at a minimum as shown on Petitioner's Exhibit No. 10 of the Zoning Commissioner's file, and Petitioner's Exhibit No. 1 entered before this Board.

7. All deliveries and trash removal using the service driveway shall be limited to use between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

8. The trash compactor shall be enclosed and screened in a manner similar to that shown on Petitioner's Exhibit No. 1 entered before this Board and shall be relocated at a distance no closer than 150 feet from the outside boundary of Mr. & Mrs. Tucker's residence.

9. The single family residence located on the west end of the subject property shall be used for residential purposes only.

10. The proposed entrance sign shall not be illuminated. Said sign shall be designed in accordance with that depicted on Petitioner's Exhibit No. 11 of the Zoning Commissioner's file and shall not exceed 63 sq. ft. in size, counting both sides. The letterin, for the sign shall not exceed 20 sq. ft. per side. Further, the location of the sign shall be in the area depicted on Petitioner's Exhibit No. 12 of the Zoning Commissioner's file.

11. Prior to the issuance of any permits, Petitioners shall submit a revised site plan depicting the RTA buffer areas provided to the maximum extent possible. Further, Petitioners shall clearly show the boundaries of the original special exception area granted in Case No. 5095-X. Said plan shall also identify and conspicuously label the remaining various locations available to be utilized for each assisted living density, single family dwelling, and nursing home. All notes shall be legible and of a size large enough and suitable for microfilming as determined by the Office of Zoning.

12. Prior to the issuance of any permits, Petitioners shall obtain written approval of the modified site plan by the Department of Traffic Engineering, including, but not limited to, the service drive and its access for a tractor trailer as permitted.

13.The proposed addition must be built in accordance with the design and specifications set forth on Petitioner's Exhibit No. 16 of the Zoning Commissioner's file.

14. When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

15. Compliance with the stipulations and agreements contained in the February 7, 1992 letter to the Board from Petitioner's Counsel which is part of the case file.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett, Chairman

C. William Clark

Michael B. Sauer

COLBY ROAD

EAST SUBBROOK PARK W.P.C. 3/152
DANIEL L. 3RD AND SARA W. HOLDEN

DANIEL L. 3RD AND SARA W. HOLDEN

N36°57'51"W 133.58'

EX. DIRT ROAD TO BE REMOVED AND REPLANTED

PUBLIC STORM DRAIN EASEMENT DWG # 42-1038

TOP ELEV. 79.05
EX. INLET INV. OUT 72.85

N57°11'09"E 247.07'

20' RTA Setback

DRIVEWAY TO BE REMOVED

EX. 6" T.L.E. TO BE REM.

EX. 6" SAN

EX. PAVING

EX. CONC. WELL TO BE FILLED

PROPOSED LIGHT (TYP.)

Zone Use Division Line S39°44'20"E 154.32'

PROPOSED CHECK DAMS (TYP.)

EX. POLE #340782

EX. BRICK BBQ

EX. 2 STY. BRICK AND WOOD FRAME STRUCTURE TO BE REMOVED

PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
F.F.E. 486.20

PROPOSED WALK

EX. CURB TO BE REMOVED

PROPOSED ENTRY

PROPOSED LAWN AREA

PROPOSED LAWN AREA

EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20
(AREA NOT INCLUDED IN DENSITY CALCULATIONS)

ZONING CASE NO. 3095-X

SHIPPING AND RECIEVING

DUMPSTER PAD TO BE REMOVED

PARKING LOT TO BE REMOVED AND

Zone Use Division Line

45' RTA Setback

20' RTA Setback

SERVICE DRIVE

N43°31'03"E 9.31'

S56°31'03"W

S39°47'51"E 20.26'

EX. NURSING HOME

Zone Use Division Line

S40°33'34"E
EX. INLET INV. OUT 71.44
TOP 75.

PROPOSED 150' LONG, 8' HIGH WOODGRAIN FENCE

EXISTING 6' HIGH STOCKADE FENCE

PUBLIC STORM DRAIN EASEMENT DWG # 42-1038

S39°44'34"E

MARTIN KANDALL AND WF 6638/154

ZONING: DR 5.5

SCOTT & GERI TUCKER 6332/130

4216 2 STORY FRAME DWG

4214 2 STORY BRICK AND FRAME DWG

.39 ACRES YARD AREA IN SUPPORT OF SINGLE FAMILY DWELLING USE.

Legend

RTA & R-A landscape buffers	
Prop Street Lights Std.	
Zone Use Division Line	
Zone Use Area For Nursing Home Special Exception Relief	.39 Ac
Zone Use Area For Assisted Living Special Exception Relief	1.97 Ac
Zone Use Area For Assisted Living Special Exception Relief	2.17 Ac

4112
4114
4116
4118
4120
4202

KENNETH W. FREELAND 5179/789

NEIL AND LACEY COHEN 5494/107

MILDRED LENTZ 5138/235

MARK A AND KATHLEEN BARIS 7382/819

LISA F. WITLIN 7762/639

340'x20' RTA LANDSCAPE BUFFER CLASS A SCREEN SEE LANDSCAPE PLAN

PROPOSED LANDSCAPE BUFFER PER BALTO COUNTY REGULATIONS

ZONE USE DIVISION LINE (BASIS OF BEARINGS)

N40°33'41"W 340'

S40°33'41"E 452.37'

P.O.B.

S 50°58'09" W 15'

S 40°33'41" E 30.26'

49 PROPOSED PARKING SPACES

TWO-WAY TRAFFIC

8'-0" (TYP.)

18' (TYP.)

Zone Use Division Line

S40°33'41"E 51.00'

S49°35'50"W 175.00'

SETBACK

EX. PAVING TO BE REM.

PARKING LOT TO BE REMOVED

EX. CONC. CURB

EX. CURB TO BE REMOVED

EX. 12" DRAIN TO BE MOVED

EX. 8" CONC.

EX. 8" TREE

EX. 6" TREE

EX. W. METER

EX. W. VALVE

EX. POLE #807845 & STREET LIGHT

CHANNELIZED COMMERCIAL ENTRANCE BALTO. CO. STD. PLATE R-31

SEE BALTIMORE COUNTY DWG FOR CONTRACT NO. B-5

PROPOSED BALTIMORE COUNTY HIGHWAY WIDENING SEE RW. 87-265-A ACQUISITION IN PROGRESS

HOWARD A. GRADET 567/762

EX. WATER METER

JOHN & SMITH DAENS 7677/136

EX. POLE #238453 & STREET LIGHT

OLD MILFORD MILL ROAD

S39°47'51"E 1475.00'

EX. CURB

EX. W. METER

ZONING DR 5.5

MARK W. AND SUSAN SAPP 6293/570

ULTIMATE PAVING

ULTIMATE 60' R/W

EX. POLE #807844 & STREET LIGHT
EX. F.H.

SINGLE COMMERCIAL ENTRANCE BALTO. CO. STD PLATE R-32

4207
4209
4211
4213
4205
4203

(1a) PROPOSED 7' HIGH EVERGREENS

(1b) PROPOSED 7' HIGH EVERGREENS

(2) PROPOSED 2" CAL. DECIDUOUS TREES

(3) PROPOSED HIGH EVER-GREENS

(4) PROPOSED 7' HIGH EVERGREENS

(5) PROPOSED 7' HIGH EVERGREENS

EX. CONC. TO BE SAVED

EX. 1 1/2 STY. ALUM. AND STONE DWLG. TO BE SAVED. VARIANCE CASE # 68-125-A

SEE SIDEYARD VARIANCE NO. SEE CASE NO. 68-125-A

PROPOSED PARKING SPACES

EX. TREES AND TOPSOIL TO BE REMOVED

EX. TREES TO BE SAVED

EX. GRADE

PROP. GRADE

Petitioner's Exhibit A

Vicinity Map

SCALE 1"=1000'

site

SITE ENTRANCE SIGN

BRICK PIER

BRUSHED-FACED WOOD SIGN

7'-0" BRICK BASE W/ SPOTLIGHTED TO ILLUMINATE WOOD SIGN

East Elevation

South Elevation

PLAN TO ACCOMPANY SPECIAL EXCEPTION, SPECIAL HEARING & VARIANCE

EXISTING NURSING HOME
PROPOSED NURSING HOME ADDITION
PROPOSED ASSISTED LIVING ADDITION
CLASS B HOUSING FOR THE ELDERLY

CRG. NO. 900'E
CRG. NO. 111.38'

CRG WAIVER # 90-116

MILFORD MANOR
OLD MILFORD MILL ROAD

3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

REVISIONS:	
8.23.90 AS	
9.13.90 AS	
1.21.91 AS	
12.19.90 AS	

SCALE:	1"=20'
DATE:	1/26/90
JOB NO.:	214/001
DESIGNED:	AS
DRAWN:	AS
CHECKED:	RSP/TMW
DRAWING NUMBER:	
SHEET	1 OF 3

Rosenfelt & Woolfolk, Inc.
engineers and planners
Suite Eight
Owings Mills Professional Center
10706 Reisterstown Road
Owings Mills, MD 21117
Telephone: (301) 356-4600
Facsimile: (301) 581-0657

Notes

1. Owner/Applicant:

MILFORD MANOR PARTNERSHIP
c/o Jeffrey A. Perlis & Associates
Attn: Jeff Perlis
Beltway West Corporate Center
5700 Executive Drive
Suite 112
Baltimore, Maryland 21228
Telephone: (301) 747-5700

2. Property deed references:

6156/721
7755/496 (3 parcels)

3. Tax account no.

0313360620
0302053650

4. SITE DATA:

Acreage	4.75 AC
Election District	3
Councilmanic District:	3
Census Tract:	4034.02
Watershed:	26
Subwatershed:	52
Proposed Footprint	9,750 sq.ft.
Proposed Building Height	35 ft.
Total Floor Area (Existing + Proposed)	59,530 sq.ft.
Total Site Area	206,900 sq.ft.
Floor Area ratio:	.27

5. DENSITY AND LOT:

Existing Nursing Home Beds:		99
Prop. Additional Nursing Home Beds:		20
Total Nursing Home Beds:		119
Existing Class B Assisted Living Beds:		16
Total Beds (Nurs.Home and Asst.Living):		135 beds
Zone Use Division Areas		
Existing Nursing Home and Proposed Addition:		1.97 AC
Existing Dwelling:	D.R. 16	0.39 AC
Prop.ed Assisted Living:	D.R. 5.5.	2.17 AC
		0.22 AC
Total		4.75 AC

Assisted Living Density Calculations

1 Assisted Living Unit = .25 density unit

D.R. 16 - 64 Assisted Living Units/ac. x 2.17 = 138.8 Asstd.Living Units
D.R. 5.5 - 22 Assisted Living Units/ac. x 0.22 = 4.8 Asstd.Living Units
Total Permitted Assisted Living Units 143.6

Total Permitted Assisted Living Units: 143
Total Proposed Assisted Living Units: 16

Existing Dwelling on Property to remain in Residential use.

Parking Calculations
119 Nursing Home Beds @ .333 = 40 Parking Spaces
16 Assisted Living Beds @.50 = 8 Parking Spaces
1 Detached Residence @ 2 = 2

Total Required 50 Parking Spaces
Total Proposed 51 Parking Spaces
2 Handicapped Spaces Proposed

6. ZONING: D.R.16 and D.R.5.5

A. Zoning of all adjoining property is D.R.5.5

B. This property was retained from D.R.5.5 and D.R.16 in the 1988 comprehensive rezoning by Baltimore County Council.

C. A Special Hearing will be held pursuant to sec. 500.6 for an Amendment to the Special Exception and Site Plan granted in Case No. 3095-X to permit modification and reduction of the Special Exception area to 4.75 acres for the existing nursing home and a proposed 20 bed addition thereto (for a total of 119 beds) and to amend the Site Plan accordingly and to amend restrictions 1 and 2 of the Order dated 5/18/90 to allow a service driveway and turnaround for the nursing home within the yard area of the single family dwelling as shown on hearing site plan.

D. A Special Exception Hearing will be held to allow an Assisted Living facility containing a maximum of 16 beds, pursuant to sec. 1801.1.C.25 and sec. 432.1.A.2 in conjunction with a nursing home and to permit an expansion of the existing nursing home to allow an additional 20 beds (total of 119) and pursuant to sec. 432.4, the waiver of the Residential Transition Requirements in Section 1801.1.B.2.b to provide for a modification of the RTA requirements which are provided to the extent possible as shown on the hearing site plan.

E. A Variance will be requested to Sect.on 413.1.a (B.C.Z.R.) to allow an illuminated entrance sign of 63 square feet in lieu of one (1) square foot, and from C.M.D.P.V.3.2 and Section 1802.2B and section and section 102.2 to permit a 20 foot side yard for an existing nursing home in lieu of required 25 feet as shown on the hearing site plan.

7. RESIDENTIAL TRANSITION AREA REQUIREMENTS:

A. The entire property is within an R.T.A. area.

B. The proposed development meets the following R.T.A. requirements:

Maximum height of buildings is 35 feet
Maximum height of lighting fixtures is 16 feet.
Lighting is designed and placed to prevent spillage into any adjoining dwelling or st.

8. ZONING HISTORY:

A. Case No. 3095-X - February 2, 1961 - Special Exception granted for Convalescent Home, with the following provisions:

1. The existing fence between the property and Colby Road shall be maintained and kept in proper repair, the property currently complies.
2. No flashing, blinding, pulsating or animated signs on the property. Motionless illuminated signs are permitted. The existing sign complies
3. Any structures constructed for the convalescent home shall be set back at least 100 feet from the present paved surface of Old Milford Mill Road. The existing building is 100 feet from the curb line of Old Milford Mill Road, and complies.
4. No structures shall be erected with a height greater than 35 feet above present ground level. The existing building is a maximum of 19 feet in height, and complies.
5. No more than 100 bedroom units shall be located on the subject property. No existing building has 48 bedroom units, and 99 beds, and complies.
6. All plans for construction of future buildings or alteration of the present dwelling must be submitted for approval to the Baltimore County Office of Planning and Zoning.

Boundaries of this Special Exception case are the property lines of the original parcel (Deed 615L/721).

B. Case No. 68-125-A - December 7, 1967 - Variance granted on the newly incorporated Parcel (Deed 7755/496) to permit front yard setback of Old Milford Mill Road. The existing building is 100 feet from the curb line of Old Milford Mill Road, and complies.

C. CRG No. 90019 was approved on 2/8/90, Rosenfeld and Woolfolk revised proposal and Red Line Refinement was approved on 9/24/90.

9. ONSITE IMPROVEMENTS

A. Stormwater Management waiver has been granted by Baltimore County dated September 26, 1990. Water Quality Management will be provided on site in accordance with Maryland State and Baltimore County regulations.

B. All driveways and parking lots to be standard non-porous bituminous paving. Parking areas will be permanently striped.

C. The property outline and topography shown hereon is taken from a survey prepared by VT Associates, dated 5/89. All existing dwellings, wells and septic systems within 200 ft. of property are shown hereon.

D. No critical areas, archaeological sites, endangered species habitat, hazardous materials areas, or slopes over 25% exist within this site.

E. Lots on this property are to be consolidated.

F. Residents will not have vehicles. Facility will have van services that address client transportation needs.

G. Parking spaces shall be a minimum of 8.5 ft. x 18 ft. 2 barrier free parking spaces shall be 12 ft. x 18 ft.

H. LANDSCAPE DATA

1 tree required for 40 Linear ft. of road frontage 396 ft/40 = 9.9 or 10 trees required.
1 tree required for 20 Linear ft. of interior road 300 ft/20 = 15 trees
1 tree required for every 12 parking spaces provided 51/12 = 4.25 or 5 trees required

Total proposed trees outside of buffer areas = 30 trees. Up to 1/2 of existing trees may be substituted for proposed.

Planting buffers proposed as shown on plan. All landscaping will be provided per Baltimore County requirements. Wooded areas along western and northern property lines to be preserved.

I. Clearing and grading is to be limited to the area for road construction, water quality management, and building site.

J. Onsite lighting shall be so arranged and shielded as to confine all direct light on the site and to prevent reflected light rays from shining or glaring onto any portion of any adjacent roadway or into the path of oncoming vehicles, and to prevent spillage onto any adjoining residential properties. 11 10-ft. high light standards are proposed for parking and driveway areas.

K. Although the Baltimore County Soil Survey shows part of the site as mapped in the Aldino Soil Series, it has been verified with Steven Shaffer of Baltimore County Department of Environmental Protection and Resource Management (DEPRM) that the site has been previously altered and that wetlands are delineated correctly on this Plan. A wetland report was submitted to Baltimore County DEPRM in April, 1989. Wetland limit was approved by Mr. Shaffer in April, 1989.

L. Site has two sanitary sewer services: by gravity at the rear to Morfoot Avenue and force main at the front to existing line in Old Milford Mill Road. Proposed uses will utilize the existing force main in the existing nursing home for the proposed addition.

M. Existing well on site is not in use. Well will be abandoned and backfilled by a licensed well driller in accordance with

N. Oil tank on site is not in use. Oil tank will be pumped out and removed by a licensed fuel oil handler. The excess oil will be disposed of in accordance with State and Baltimore County regulations. Baltimore County DEPRM will be notified prior to oil tank removal.

O. All signs will conform to applicable Baltimore County Zoning Regulations except as noted under Additional Zoning Issues.

P. Existing and proposed buildings will comply with all fire safety code requirements.

Q. Calculations regarding available water for fire flow and domestic demand will be submitted to Mr. John Brian, County Fire Prevention Engineer. Fire flow test performed in April, 1989 indicates a flow of 1687 gpm at required minimum residual pressure of 20 psi. System demand has been calculated at 33 gpm for domestic use and 594 gpm for fire demand. Sprinklers will be provided for existing nursing home and proposed construction.

10. OFFSITE IMPROVEMENTS:

A. Average daily trips: 135 beds x 3.3 ADT/bed = 445.5 or 446 ADT

B. Half-width dedication for 60-foot ultimate right of way for Old Milford Mill Road is shown as required by Baltimore County Department of Public Services.

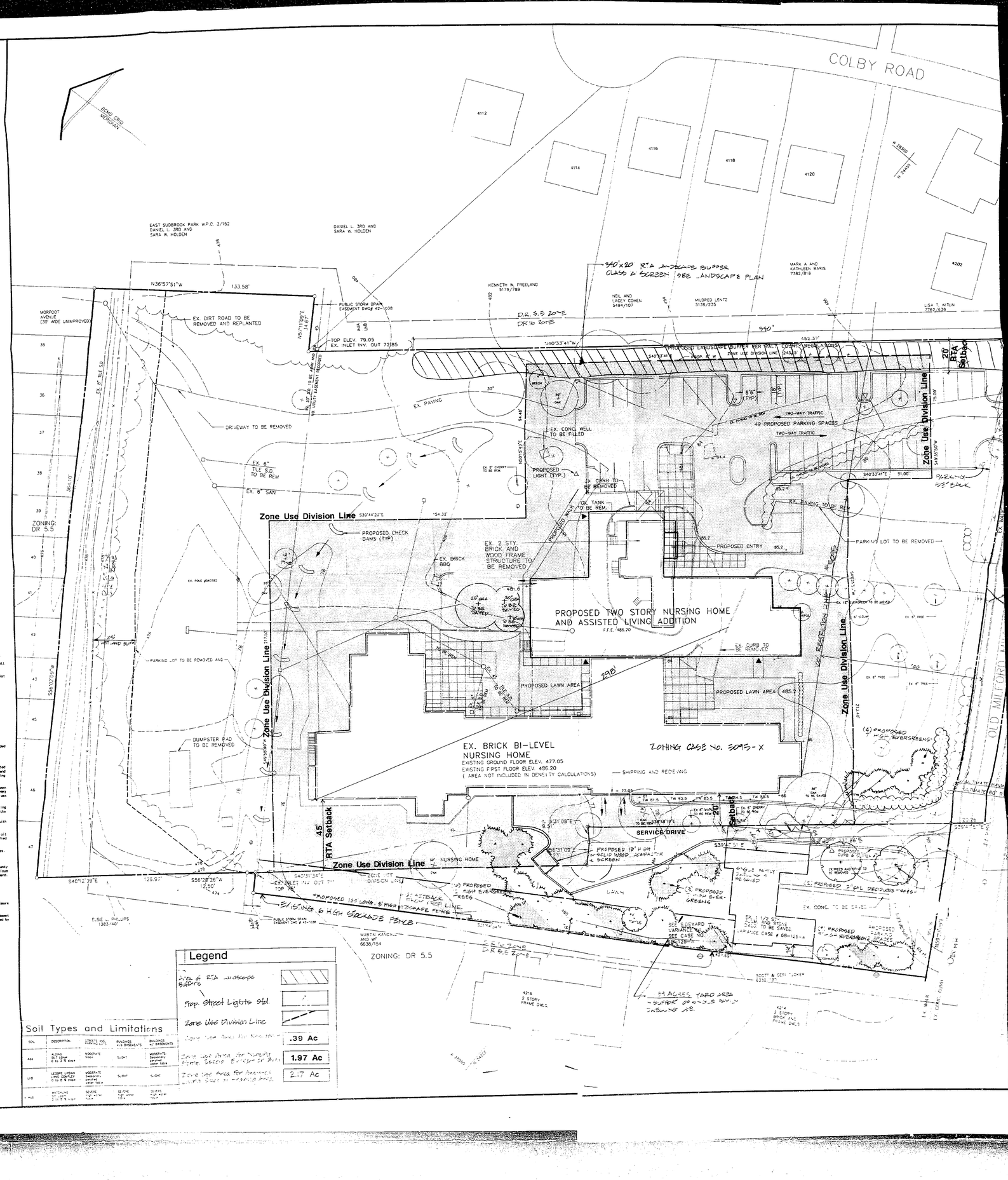
A waiver for public standard improvements along Old Milford Mill Road has been approved by Baltimore County Department of Public Services on March 6, 1990. Existing frontage improvements to Old Milford Mill Road recently completed by Baltimore County.

C. Proposed development is not within microwave path.

D. The property is not within an historic district.

ADDITIONAL NOTE: Use of Service Drive limited to tractor trailers whose trailers do not exceed 35 feet in length.

AS 9/11/90/ C:\ACAD\SITE\21401EXP.DAG



Legend

Limits of RTA Landscape Buffers	
Prop. Street Lights Std.	
Zone Use Division Line	
Zone Use Area for Nursing Home	.39 Ac
Zone Use Area for Dwelling to remain	1.97 Ac
Zone Use Area for Assisted Living Addition	2.17 Ac

Soil Types and Limitations

SOIL	DESCRIPTION	STREETS AND PARKING LOTS	BUILDINGS w/o BASEMENTS	BUILDINGS w/ BASEMENTS
Aso	ALDINO SILT LOAM 0 to 3 % slope	MODERATE Slope	SLIGHT	MODERATE Seasonally high water table
LnB	LEGORE URBAN LAND COMPLEX 0 to 8 % slope	MODERATE Seasonally perched water table	SLIGHT	SLIGHT
WuC	WATCHUNG SILT LOAM 3 to 8 % slope	SEVERE High water table	SEVERE High water table	SEVERE High water table

BALTIMORE COUNTY FINAL LANDSCAPE PLAN CALCULATIONS

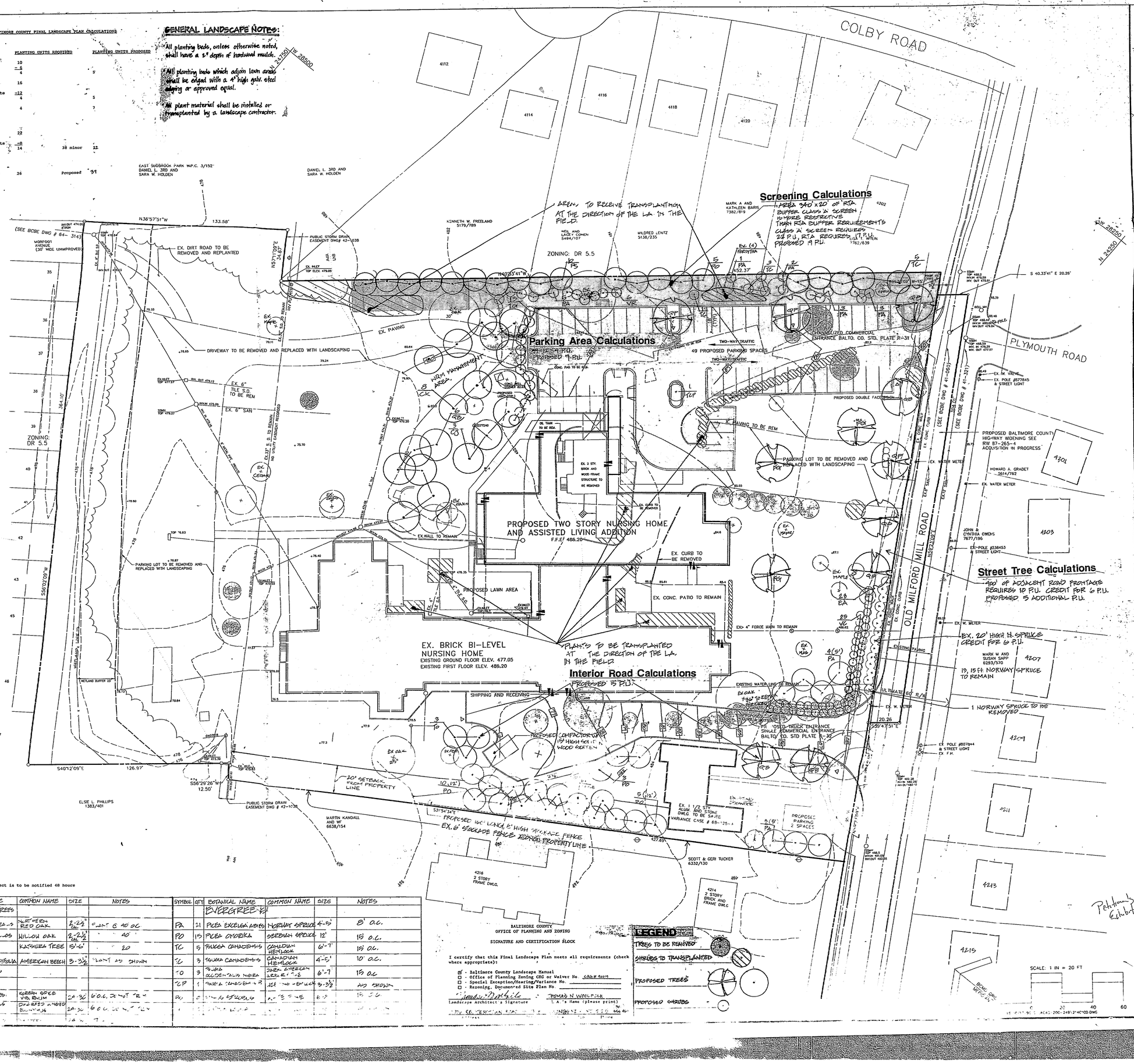
STREET TREE CALCULATIONS	PLANTING UNITS REQUIRED		PLANTING UNITS PROPOSED
Adjacent Road "A"	10		
existing tree credit	-6		5
sub total	4		
Interior Road	16		
existing tree credit			
35" dia. tree =12 P.U. credits	-12		5
sub total	4		
PARKING AREA:	4		7
SCREENING CALCULATIONS:			
Class A screen No. 1	22		
existing tree credit			
25" dia. tree =8 P.U. credits	-8	38 minor	22
sub total	14		
TOTAL QUANTITIES			
Required	26	Proposed	34

GENERAL LANDSCAPE NOTES:

All planting beds, onless otherwise noted, shall have a 3" depth of hardwood mulch.

All planting beds which adjoin lawn areas shall be edged with a 4" high galv. steel edging or approved equal.

All plant material shall be installed or transplanted by a landscape contractor.



Screening Calculations

AREA 340'x20' OF RTA BUFFER CLASS A SCREEN IS MORE RESTRICTIVE THAN RTA BUFFER REQUIREMENTS
CLASS A SCREEN REQUIRES 22 P.U. RTA REQUIRES 15 P.U. (7 P.U. MIN)
PROPOSED 9 P.U.

Parking Area Calculations

REQ'D 9 P.U.
PROPOSED 9 P.U.

Interior Road Calculations

REQ'D 15 P.U.
PROPOSED 15 P.U.

Street Tree Calculations

400' OF ADJACENT ROAD FRONTAGE REQUIRES 12 P.U. CREDIT FOR 6 P.U. PROPOSED 5 ADDITIONAL P.U.

PLANT LIST

Note: The Landscape Architect is to be notified 48 hours before planting begins.

SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
		DECIDUOUS TREES			
RB	10	QUERCUS BOREA-3	NORTHERN RED OAK	2-2½"	PLANT @ 40 OC
QI	5	QUERCUS PHELLOS	WILLOW OAK	2½-2½"	" 40 "
CJ	3	CERCIDIPHYLLUM JAPONICUM	KATSURA TREE	5'-6'	" 20 "
FG	8	FAGUS GRANDIFOLIA	AMERICAN BEECH	3-3½"	PLANT AS SHOWN
		SHRUBS			
IC	12	VIBURNUM CARLESI	KOREAN SPICE VIB. BLUM	24-30"	6 O.C. DO NOT TRIM
FA	12	FORSYTHIA ALBA-US	GREENSWORD	24-30"	6 O.C. DO NOT TRIM

SYMBOL	QTY	BOTANICAL NAME	COMMON NAME	SIZE	NOTES
		EVERGREENS			
PA	21	PICEA EXCELSA ADIES	NORWAY SPRUCE	4'-5'	8' O.C.
PO	15	PICEA OMORIKA	SERBIAN SPRUCE	12'	15 O.C.
TC	9	TAXUS CANADENSIS	CANADIAN HEMLOCK	6'-7'	15 O.C.
TC	3	TSUGA CANADENSIS	CANADIAN HEMLOCK	4'-5'	10' O.C.
TO	3	THUJA OCCIDENTALIS NIGER	DARK AMERICAN ARBORVITAE	6'-7'	15 O.C.
TCP	1	TAXUS CANADENSIS "PYRAMIDALIS"	UPRIGHT CANADIAN YEW	5'-5½"	AS SHOWN
PG	5	PINUS STROBUS	WHITE PINE	6'-7'	15' O.C.

LEGEND

- TREES TO BE REMOVED
- SHRUBS TO TRANSPLANTED
- PROPOSED TREES
- PROPOSED SHRUBS

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING

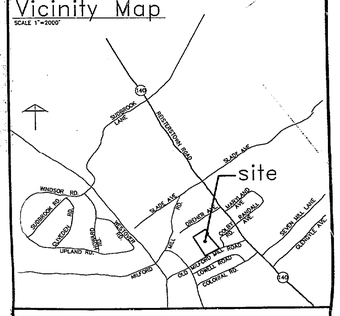
SIGNATURE AND CERTIFICATION BLOCK

I certify that this Final Landscape Plan meets all requirements (check where appropriate):

- ☒ - Baltimore County Landscape Manual
- ☐ - Office of Planning Zoning CRG or Waiver No. CRG # 90019
- ☐ - Special Exception/Hearing/Variance No. _____
- ☐ - Rezoning, Documented Site Plan No. _____

Landscape Architect's Signature — THOMAS N. WOOLFOLK, L.A.'s Name (please print)

Vicinity Map
SCALE 1"=2000'


site
GUILFORD RD
GUILFORD
MONTPELIER
MONTPELIER RACEWAY
MONTPELIER RACE ROAD
CONTEE ROAD
COLUMBIA PIKE
GUILFORD RD
UPLAND RD
DORSEY RUN RD
DORSEY RD
GUILFORD
WASHINGTON BLVD
WASHINGTON BLVD
GUILFORD RD
SNOWDEN RIVER PKWY
GUILFORD RD
GUILFORD
MONTPELIER
MONTPELIER
SCAGGSVILLE RD
SCAGGSVILLE
BLACK ISAAC RD
BLACK ISAAC RD
BRYANS RD
BRYANS RD
SCAGGSVILLE RD
SCAGGSVILLE
BLACK ISAAC RD
BLACK ISAAC RD
SCAGGSVILLE RD
SCAGGSVILLE

IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND VARIANCE - N/S Old Milford Mill Road, 136' SW of the c/l of Colby Road
3rd Election District
2nd Councilmanic District

Milford Manor Partnership
Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 91-237-SPHXA

* * * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve an amendment to the special exception and site plan previously approved in Case No. 5095-X to permit a modification and reduction of the area required to expand the existing nursing home containing 99 beds to provide 20 additional beds, or 119 beds total, and to amend the site plan accordingly. Petitioners also request a special hearing to amend Restrictions 1 and 5 of Case No. 5095-X and to permit a service driveway and turnaround for the nursing home within the yard area of the single family dwelling, in accordance with Petitioner's Exhibit 1. Petitioners also request a special exception to permit an Assisted Living Facility containing a maximum 16 beds, in conjunction with the existing nursing home, the expansion of the existing nursing home to allow an additional 20 beds for a total 119 beds, and a waiver of the Residential Transition Area requirements to allow a modification of said requirements, which are provided to the extent possible, in accordance with Petitioner's Exhibit 1. Petitioners also request a zoning variance to permit an illuminated entrance sign of 63 sq.ft. in lieu of the permitted 1 sq.ft. and to permit a side yard setback of 20 feet in lieu of the required 25 feet for the existing nursing home, all as more particularly described on Petitioner's Exhibit 1.

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Date 5/9/91
By [illegible]

The Petitioners, by Earl and Lorraine Raffel, appeared, testified and were represented by Charles B. Heyman, Esquire. Also appearing and testifying on behalf of the Petitions were Gary Raffel, Petitioners' son who assists in the operation of the Milford Manor Partnership; Judith Rabb, Planner, and Aaron Shamburg, Landscape Architect with Rosenfelt and Woolfolk, Inc.; Cass Gottlieb, Architect and President, G & F Architects; Evelyn Burns, Executive Director, Pikesville Community Growth Corporation; Dr. Barbara Cahn, Planning and Community Development expert with Wolpoff and Company; Patty Spigel, Real Estate Agent with Prudential Preferred Properties, and Jerome Wilen, Real Estate Appraiser with Philip E. Kline and Associates; and Wes Guckert, President, The Traffic Group, Inc. Numerous individuals appeared as Protestants. Steven Block, Esquire, appeared on behalf of the Colonial Village Community Association. Also appearing as Protestants were Scott and Geri Tucker, Steven Silver, Mark and Susan Sapp, Dan Kozlow, Marcia E. Neff, Allan Dale, III, Ruth Goldstein, Louis Feinglass, Harvey and Joan Levin, and Amy Tucker.

Testimony indicated that the subject property, known as 4204 and 4214 Old Milford Mill Road, consists of 4.75 acres split zoned D.R. 16 and D.R. 5.5 and is improved with an existing nursing home. Said property was the subject of Case No. 5095-X in which a special exception for a convalescent home was granted, subject to restrictions, on February 2, 1961. Petitioners are desirous of expanding the subject facility by constructing a two-story addition providing 20 additional nursing home beds and a maximum 16 assisted living beds, in accordance with Petitioner's Exhibit 1. Restriction No. 5 of the Order issued February 2, 1961 limited the subject nursing home to a total 100 bedroom units.

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Lorraine Raffel testified that she and her husband, proprietors of Milford Manor Partnership, purchased the subject property in 1980. She testified the existing facility provides skilled and intermediate nursing care 24-hours a day and currently has 48 bedroom units, with 99 licensed certified beds. Mrs. Raffel testified the building is in need of renovations to bring it to compliance with current building code requirements, including, but not limited to, providing a sprinkler system. In looking at renovation costs and market needs, Petitioners determined it was not economically feasible to renovate the subject property without providing additional beds. Petitioners are desirous of providing 119 nursing home beds in lieu of the originally approved 100 beds, along with 16 assisted living beds, which are permitted by special exception, pursuant to current zoning regulations. Testimony and calculations provided on Petitioner's site plan indicate that the zoning of the property and the remaining acreage outside the new nursing home special exception area would permit 143 assisted living units on the subject property; however, Petitioners are only requesting a maximum of 16 beds. Both Mrs. Raffel and Dr. Barbara Cahn testified in detail as to the need and desirability of assisted living facilities to provide more independent living arrangements for residents not needing the 24-hour care of a nursing home environment. Dr. Cahn, who has a doctorate in Planning and Community Development and extensive experience in health care facilities for the aged, discussed the market need in this locality and the national trend of individuals looking for such facilities in the area of their residence and in conjunction with facilities providing more extensive nursing facilities.

Judith Rabb, a Planner with Rosenfelt and Woolfolk, testified that her experience in Planning dates back to 1967. She testified that she

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By [illegible]

is familiar with the Baltimore County Zoning regulations (B.C.Z.R.) and addressed each of the requirements set forth in Section 502.1. In her opinion, the granting of the relief requested will not have any detriment on any of the requirements set forth therein. Ms. Rabb addressed and discussed the R.T.A. requirements and modifications to the Restrictions imposed in the original Case No. 5095-X. In her opinion, the granting of the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community. Ms. Rabb testified that the variance requested for the sign is necessary to provide adequate identification and visibility of the subject site from Milford Mill Road. Ms. Rabb concluded the relief requested will result in a sign that is more attractive and in keeping with the aesthetics of the neighborhood. Aaron Shamburg, Landscape Architect with Rosenfelt and Woolfolk, testified and also addressed in detail the R.T.A. requirements and concluded that, in his opinion, the relief requested will not result in any detriment to the public's health, safety or general welfare.

Cass Gottlieb, Architect, and President of G & F Architects, testified that she has been a licensed Architect in the State of Maryland since 1979. She indicated that she was first approached on this project in 1986 and has been involved since 1988. Ms. Gottlieb testified at great length to the different designs and modifications to the site plan, emphasizing the reduction of the overall project after numerous discussions with the community, and introduced the architectural rendering set forth in Petitioner's Exhibit 16.

Evelyn Burns, Executive Director of the Pikesville Community Growth Corporation, appeared and testified. Ms. Burns indicated that the Executive Committee had met and discussed the proposal. She indicated that

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the Executive Committee was in favor of the proposed project, provided there was a minimum landscaping of the property as set forth in Petitioner's Exhibit 8.

Patty Spigel, a Real Estate Agent with Prudential Preferred Properties, Inc. and Jerome Wilen, Real Estate Appraiser with Philip E. Kline and Associates, appeared and testified on behalf of the Petitioners. Ms. Spigel testified she has been a sales associate with Prudential Preferred Properties for five years. She indicated she is familiar with the area, having lived in Colonial Village for 3 years prior to September 1989. Ms. Spigel indicated she has sold approximately 12 homes in the area and that while none have been adjoining the subject property, it is her opinion that the relief requested will not have any detrimental effect on market values of surrounding properties. Mr. Wilen testified he is a qualified real estate appraiser with 35 years of experience. He testified he is familiar with the neighborhood and the subject property, both as existing and projected. Mr. Wilen testified that in his opinion, if the relief requested is granted, it will not have any detrimental effect on the economic value of residences in the neighborhood.

Petitioners called Wes Guckert, President of The Traffic Group, traffic engineering and consulting firm. Mr. Guckert testified his company was retained to determine whether or not the proposed expansion would have any detrimental effect on traffic in the neighborhood. He indicated that currently at Reisterstown and Old Milford Mill Roads, the level of service during morning and evening peak traffic hours is at "A" level. Mr. Guckert indicated that after studying existing traffic conditions in the area and the projected increase during morning and evening peak hours, it is his opinion there will be no adverse affect on traffic in the neighborhood.

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On behalf of the Colonial Village Community Association, Steven Block, Esquire appeared. Mr. Block and Mr. Heyman profferred that between the two hearings, the community association and Petitioner had come to an agreement. Counsel indicated that the following stipulations and agreements had been reached between the parties:

1) No tractor trailer vehicles with a trailer length greater than 35 feet would use the service driveway;

2) That there would be no more than one delivery per week to the site by any tractor/trailer;

3) That the service driveway would be no closer than a minimum of 20 feet from the west property line. (Under the original plan, the service driveway was located 8 feet from the west property line.)

4) The Petitioners shall fence and shrub the service driveway at a minimum as shown on Petitioner's Exhibit 10.

5) The compactor shall be enclosed and screened as shown on Petitioner's Exhibits 10 and 12.

6) The single family residence owned by Petitioners shall be used for residential purposes only;

7) The proposed sign shall be as depicted on Petitioner's Exhibit 11. At no time shall the lettering for the sign exceed 20 sq.ft. per side.

8) All deliveries and trash removal using the service driveway shall be limited to use between the hours of 7:00 AM and 5:00 PM, Monday through Friday.

Both Mr. Block and Mr. Heyman indicated the parties intended to reduce their agreement to writing, however, they asked that all of the stipulations be incorporated into this Order as restrictions. As explained at the hearing, not all private covenants are appropriate for inclusion as a restriction and/or enforceable by the County.

Mr. & Mrs. Tucker, residents of 4216 Old Milford Mill Road, appeared. Mr. Tucker testified on behalf of both and indicated that they are not opposed to the proposed expansion but to the location of the service

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vice driveway. Mr. Tucker testified that they have resided at 4216 Old Milford Mill Road for the past 2 years, and that prior to that, they resided at 4214 Old Milford Mill Road. Mr. Tucker argued that the location of the service driveway is detrimental to his property due to its close proximity. He further indicated he is concerned as to the odors eminating from the site and the noise generated by the use. Mr. Tucker's brother-in-law, Steven Silver, owner of 4214 Old Milford Mill Road, also appeared in opposition, not to the expansion to the nursing home, but to the location of the service drive.

Mr. Kozlow, Ms. Neff and Mr. & Mrs. Sapp, appeared and testified in opposition. All Protestants made clear that they were not opposed to the proposed expansion to the nursing home, but to the location of the service driveway. Said concerns dealt with the location of the service driveway and the additional congestion that will be created due to the increased traffic. The Protestants were also concerned as to the ability of tractor trailers to maneuver in the service driveway.

Subsequent to the hearing, Petitioners submitted a revised site plan and landscaping plan incorporating the modifications discussed at the hearing. The revised site plan has been incorporated into the case file and marked Petitioner's Exhibit A. The landscaping plan has been incorporated into the file and marked Petitioner's Exhibit B.

It is clear that the B.C.Z.R. permits the use proposed 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 if the conditions as delineated in Sections 432.4 and 502.1 are satisfied.

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Pursuant to Section 432.4 of the B.C.Z.R., the Zoning Commissioner may, by special exception, "modify or waive the residential transition area restrictions in cases where an elderly housing facility development would be severely or adversely affected by the restrictions set forth in Paragraph 1B01.1.B.1.b, if the Zoning Commissioner determines that:

A. Compliance with all or part of the residential transition area restrictions would cause unreasonable hardship on the development.

B. The quality of the site design and amenities provided would justify a modification or waiver of the residential transition area restrictions.

C. The development will not be detrimental to the use, peaceful enjoyment, economic value or development of surrounding properties and the general neighborhood."

In the opinion of the Deputy Zoning Commissioner, strict compliance with the R.T.A. restrictions would indeed cause unreasonable hardship on the Petitioners. Strict compliance with the R.T.A. restrictions would leave a mere vestige of the subject property for development. Further, the quality of the site design and the amenity open space provided in conjunction with the restrictions accompanying this Order, justify a modification of the R.T.A. restrictions. The development will not be detrimental to the use, peaceful enjoyment, economic value or development of the surrounding properties in the general neighborhood.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

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Date 5/9/91
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BALTIMORE COUNTY FINAL LANDSCAPE PLAN CALCULATIONS

STREET TREE CALCULATIONS	PLANTING UNITS REQUIRED	PLANTING UNITS PROVIDED
Adjacent Road "A"	10	
existing tree credit	-5	5
sub total	4	
Interior Road	16	
existing tree credit	-12	
25" dia. tree +8 P.U. credits	-1	1
sub total	3	

SCREENING CALCULATIONS:			
Class A screen No. 1	22		
existing tree credit			
25" dia. tree +8 P.U. credits	-8		
sub total	14	38 minor	12

TOTAL QUANTITIES			
Required	26	Proposed	31

GENERAL LANDSCAPE NOTES:

*All planting beds, unless otherwise noted, shall have a 3" dp. of hardwood mulch.

*All planting beds which adjoin lawn areas shall be edged with a 4" high galvanized edging or approved equal.

* All plant material shall be installed or [illegible]

COLBY ROAD

PLYMOUTH ROAD

OLD MILFORD MILL ROAD

ZONING: DR 5.5

Screening Calculations

1. PROVIDE 340 x 20' OF RCA BUFFER CLASS A SCREEN WHERE RESTRICTIVE THAN RCA BUFFER REQUIREMENTS
CLASS A SCREEN = 220 LF
22 P.U. @ 2 P.U. PER 20 LF
PROVIDED 9 P.U.

Parking Area Calculations

PROPOSED 7 P.U.

49 PROPOSED PARKING SPACES

Street Tree Calculations

400 OF ROADWAY ROAD FRONTAGE REQUIRES 10 P.U. CREDIT FOR 6 P.U. PROPOSED 5 ADDITIONAL P.U.

Interior Road Calculations

PROPOSED 3 P.U.

PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
F.F.E. 486.20

EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20

PLANTS TO BE "UNPILED" AT THE DIRECTION OF THE L.A. IN THE FIELD

EX. DRIVE TO BE REMOVED

PROPOSED LAWN AREA

EX. CONC. PATIO TO REMAIN

PROPOSED COMPACTOR W/ 15' HIGH SOLID WOOD SCREEN

PROPOSED 60' LONG, 8' HIGH STOCKADE FENCE

EX. 6' STOCKADE FENCE ALONG PROPERTY LINE

~20' SETBACK FROM PROPERTY LINE

EX. 1 1/2 STY. BLDG. AND STONE DWLG. TO BE SAVED. VARIANCE CASE # 68-125-A

PROPOSED PARKING 2 SPACES

EXISTING DOGWOOD

EX. 2 STY BRICK AND HOOD FRAME STRUCTURE TO BE REMOVED

EX. SHED TO BE REMOVED

EX. GARAGE TO BE REMOVED

EX. 4 STY BRICK AND FRAME DWLG.

EX. 2 STY FRAME DWLG.

EX. 2 STY BRICK AND FRAME DWLG.

EX. 1 STY FRAME DWLG.

EX. 1 STY BRICK

ADDITIONAL ZONING NOTES

The following is from the Zoning Order issued by the Deputy Zoning Commissioner of Baltimore County on May 29, 1991. ZONING VARIANCE 90-278-A 9-357.

MAY 24 1991
BALTIMORE COUNTY
ZONING OFFICE

It appears from the testimony that if the variances are granted,

or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and [illegible] given above, the special hearing, special exception and variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 29th day of May, 1991 that the Petition for Special [illegible] approved in Case No. 5035-X [illegible] in accordance with Petitioner's Exhibit 1, and that the [illegible] be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit the existing nursing home containing 99 beds and 20 additional beds, or 119 beds total, and to [illegible] in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to amend Restrictions 1 and 5 of Case No. 5035-X and to permit [illegible] single family dwelling, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit an Assisted Living Facility containing a maximum 16 beds in conjunction with the existing nursing home and the expansion of the existing nursing home to provide 20 additional beds for a total 119 beds, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a waiver of the Residential Transition Area requirements to allow a modification of said requirements, which complies to the extent possible, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit an entrance sign of 63 sq.ft. (counting both sides) in lieu of the permitted 1 sq.ft., in accordance with the design set forth in Petitioner's Exhibit 11 and the location shown on Petitioner's Exhibit 12, and a side yard setback of 20 feet in lieu of the required 25 feet for the existing nursing home, in accordance with Petitioner's Exhibit A, except as herein modified, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioners may apply for their building permits 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 30-day 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.

2) Compliance with all Zoning Plans Advisory Committee comments.

3) Prior to the issuance of any building permits, Petitioners shall submit a landscaping plan for the [illegible] approval by the County Director of Planning. A copy of the approved plan shall be submitted to this Office for inclusion in the case file prior to the issuance of any permits.

4) CRG approval of modified plans in accordance with all restrictions required prior to the issuance of any permits.

5) The [illegible] shall be no closer than as depicted on Petitioner's Exhibit B.

6) The Petitioners shall fence and shrub the service [illegible] as shown on Petitioner's Exhibit [illegible].

7) [illegible] trash removal using the service [illegible] to use between the hours of [illegible] through Friday.

8) [illegible] be enclosed and screened as [illegible] Exhibit 12.

9) The single family residence located on the west [illegible]

[illegible] ed. Said sign shall be designed in accordance with that depicted on Petitioner's Exhibit 11 and shall not exceed 63 sq.ft. in size, counting both sides. The lettering for the sign shall not exceed 20 sq.ft. per side. Further, the location of the sign shall be in the area depicted on Petitioner's Exhibit 12.

11) Prior to the issuance of any permits, Petitioners shall submit a revised site plan depicting the RTA buffer areas provided to the maximum extent possible. Further, Petitioners shall clearly show the boundaries of the original special exception granted in Case No. 5035-X [illegible] plan shall also identify and [illegible] clearly label the remaining variance relief [illegible] be utilized for each assisted living [illegible] dwelling, and nursing [illegible] All [illegible] microfilming is determined by the Office of Zoning.

12) Prior to the issuance of any permits, Petitioners shall obtain written approval of the modified site plan by the Department of Traffic Engineering, including, but not limited to, the service drive and its access for a tractor trailer as permitted.

13) The proposed addition must be built in accordance with the design and specifications set forth on Petitioner's Exhibit 16.

14) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

BALTIMORE COUNTY MD
COUNTY REVIEW GROUP
This Plan Was Reviewed By The CRG
[illegible] With The Following Action Taken
PRELIMINARY PLAN APPROVED
Plan Approved DRC [illegible]
Plan Approved CRG [illegible]
Approval Expiration Date [illegible]
Plan Disapproved
Continued to/g Required
Plan Referred To Plan. Bd.

CLASS B HOUSING FOR THE ELDERLY,
EXISTING NURSING HOME,
PROPOSED ASSISTED LIVING
PROPOSED NURSING HOME ADDITION

REASON FOR AMENDMENT:
ZONING HEARING CHANGES

CRG NO. III-357
CRG NO. 90019

THIRD AMENDED CRG PLAN

MILFORD MANOR
OLD MILFORD MILL ROAD

3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

REVISIONS:
8/23/90 AS
9/26/90 AS
10/4/90 DSR

SCALE: 1"=20'
DATE: 1/24/90
JOB NO.: 214/001
DESIGNED: AS
DRAWN: JMH CAD
CHECKED: RSR/THW
DRAWING NUMBER: CRG-3
SHEET 1 OF 2

Rosenfelt & Woolfolk, Inc.
engineers and planners
Suite [illegible]
Owings [illegible] Professional Center
10706 Reisterstown Road
Owings [illegible] 21117
Telephone (301) 356-4600
Facsimile (301) 581-1087

NOTES

Owner/Applicant:

MILFORD MANOR PARTNERSHIP
c/o Raffel & Associates
Gary Raffel
Beltway West Corporate Center
5700 Executive Drive
Suite 120
Baltimore, Maryland 21228
Telephone: (301) 747-5700

Liber/folio of deed references: 6184/321
7755/494 (2 parcels)

Tax Account No. 0312060830
0303053650

Zoning: D.R.16 and D.R.5.5

Description of all adjoining property is D.R.5.5

This property was rezoned from D.R.5.5 to D.R.16 in the 1988 comprehensive zoning map by Baltimore County Council.

1) Amend the Special Exception and Site Plan granted in Case #3085-X to permit modification and reduction of the area necessary to allow the existing 99-bed nursing and proposed 20-bed addition and to allow a service driveway and turnaround within the yard area of the single family dwelling.
2) Allow construction of the Assisted Living Facility and modification of the RTA requirements to permit the Assisted Living Facility.
3) Grant a Variance for an illuminated entrance sign larger than one (1) square foot, with no overhang.

Following the Special Hearing, an Order was issued by the Deputy Zoning Commissioner, granting the requested items, with conditions. See Sheet 2 of this Plan for the Zoning Order.

PROPOSED USE:

Existing Nursing Home Beds: 99
Proposed Additional Nursing Home Beds: 20
Total Nursing Home Beds: 119
Proposed Assisted Living Beds: 16
Total (Nurs.Home and Asst.Living): 135 Beds

Zoning Use Division Areas — Assisted Living Units

Existing Nursing Home and Proposed Addition:		1.97 AC	
Existing Dwelling:		0.39 AC	
Proposed Assisted Living:	D.R. 16	2.17 AC	24/AC. = 156.0 units
	D.R. 5.5	0.22 AC	23/AC. = 4.0 units
		4.75 AC	160 units

143 Assisted Living units permitted
16 Assisted Living units proposed

Existing Dwelling on Property to remain in Residential use.

ZONING DATA:

Zone	
Election District:	4.75 AC
Councilmanic District:	3
Census Tract:	2
Watershed:	4034.02
Metes and Bounds:	Gwynnbrook
Floor Area	53
Site Area	36,850 sq.ft.
Floor Area Ratio:	206,910 sq.ft. 0.13

The property outline and topography shown hereon is taken from a survey prepared by VV Associates, dated 2/89. All existing dwellings, wells and septic systems within 200 ft. of property are shown hereon.

No critical areas, archaeological sites, endangered species habitat; hazardous materials areas, or slopes over 25% exist within this site.

Lots on this property are to be consolidated.

SITE IMPROVEMENTS:

Off-street Parking Data

119 Nursing Home Beds x 1 space per 3 beds = 40 spaces
16 Assisted Living Beds x 1 space per 2 beds = 8 spaces
Total Required Parking 48
Total Proposed Parking 49

Required Handicapped parking x 1 space/25 2
Proposed Handicapped Parking 2

Residential Dwelling
Total Required and Proposed Parking 2 Spaces

Parking spaces shall be a minimum of 8.5 ft. x 18 ft. 2 barrier free parking spaces shall be 12 ft. x 18 ft.

Landscape Data

Tree required for 40 linear ft of road frontage: 356 ft. / 40 = 9 or 10 trees required.
Trees required for 20 linear ft. of interior road: 100 ft / 20 = 5 trees required.
Tree required for every 12 parking spaces provided: 49 / 12 = 4.08 = 4 trees required.

All proposed trees outside of buffer areas = 20 trees. Up to 1/2 of existing trees may be substituted for proposed.

Existing buffers proposed as shown on plan.

Landscaping will be provided per Baltimore County requirements. Wooded areas along western and northern property lines to be preserved.

Clearing and grading is to be limited to the area for road construction and building site only.

Onsite lighting shall be so arranged and shielded as to confine all direct light of the site and to prevent reflected light rays from building or glaring onto any portion of any adjacent motorway or into the path of oncoming vehicles, and to prevent spillage onto any adjoining residential properties. 10 ft. high light standards are proposed for parking and driveway areas.

Stormwater Management waiver to be applied for. The outfall will be into the existing public storm drain system. Detailed hydrology and design with plans will be submitted after CMG approval.

Although the Baltimore County Soil Survey shows part of the site as mapped in the Aldino Soil Series, it has been verified with Glenn Shaffer of Baltimore County Department of Environmental Protection and Resource Management (DEPRM) that the site has been previously altered and that soils are delineated correctly on this Plan. A wetland report was submitted to Baltimore County DEPRM in April, 1989. Wetland limit was approved by Mr. Shaffer in April, 1989.

The site has two sanitary sewer services: by gravity at the rear to Morfoot Avenue and force main at the front to existing line in Old Milford Mill Road. Proposed uses will utilize existing force main.

Existing well on site is not in use. Well will be abandoned and backfilled by a licensed well driller in accordance with Baltimore County regulations.

Oil tank on site is not in use. Oil tank will be pumped out and removed by a licensed fuel oil handler. The excess oil will be disposed of in accordance with state and Baltimore County regulations. Baltimore County DEPRM will be notified prior to oil tank removal.

Bituminous paving to be used on parking areas and driveways. Parking areas will be permanently striped.

All signs will conform to applicable Baltimore County Zoning Regulations except as noted under Additional Zoning Issues.

Existing and proposed buildings will comply with all fire safety code requirements.

Calculations regarding available water for fire flow and domestic demand have been submitted to Mr. John Brian, County Fire Prevention Engineer. Fire flow test indicates a flow of 1687 gpm at required minimum residual pressure of 20 psi. System demand has been calculated at 31 gpm for domestic use and 875 gpm for fire demand. Sprinklers will be provided for existing nursing home and proposed construction.

SITE IMPROVEMENTS:

Average daily trips: 135 beds x 3.3 ADT/bed = 445.5 or 446 ADT

Half-width dedication for 60-foot ultimate right of way for Old Milford Mill Road is shown as required by Baltimore County Department of Public Services.

A waiver for public standard improvements along Old Milford Mill Road has been submitted to Baltimore County Department of Public Services on February 9, 1990. Existing frontage improvements to Old Milford Mill Road recently completed by Baltimore County. Proposed sidewalk and street lighting to be constructed if request of waiver from Public Works standards is denied.

The proposed development is not within microwave path.

ZONING HISTORY:

Case No. 5091-X - February 2, 1981 - Special Exception Granted for convalescent home, with the following provisions:
1. The existing fence between the property and Colby Road shall be maintained and kept in proper repair. The property currently complies.
2. No flashing, blinding, pulsating or animated signs on the property. Directional illuminated signs are permitted. The existing sign complies.
3. Any structures constructed for the convalescent home shall be set back at least 100 feet from the present paved surface of Old Milford Mill Rd. The existing building is 100 feet from the curb line of Old Milford Mill Road, and complies.
4. No structures shall be erected with a height greater than 35 feet above present ground level. The existing building is a maximum of 19 feet height, and complies.
5. No more than 100 bedroom units shall be located on the subject property. The existing building has 48 bedroom units, and 99 beds, and complies.
6. All plans for construction of future buildings or alteration of the present dwelling must be submitted for approval to the Baltimore County Office of Planning and Zoning.

The boundaries of this Special Exception case are the property lines of the original parcel (Deed 6184/721).

Case No. 68-135-A - December 7, 1967 - Variance granted on the newly incorporated Parcel (Deed 7755/494) to permit 20 foot side yards in places of public assembly, and to permit a side yard of 13 feet 2 inches for one side and 9 feet 2 inches for the other side, instead of the required 20 feet. The purpose of the variance was to use the existing structure on the site for religious purposes. Side yard variances granted under this case are noted on the Plan.

TRANSITIONAL TRANSITION AREA REQUIREMENTS:

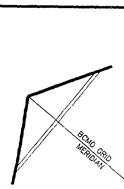
The entire property is within an R.T.A. area.

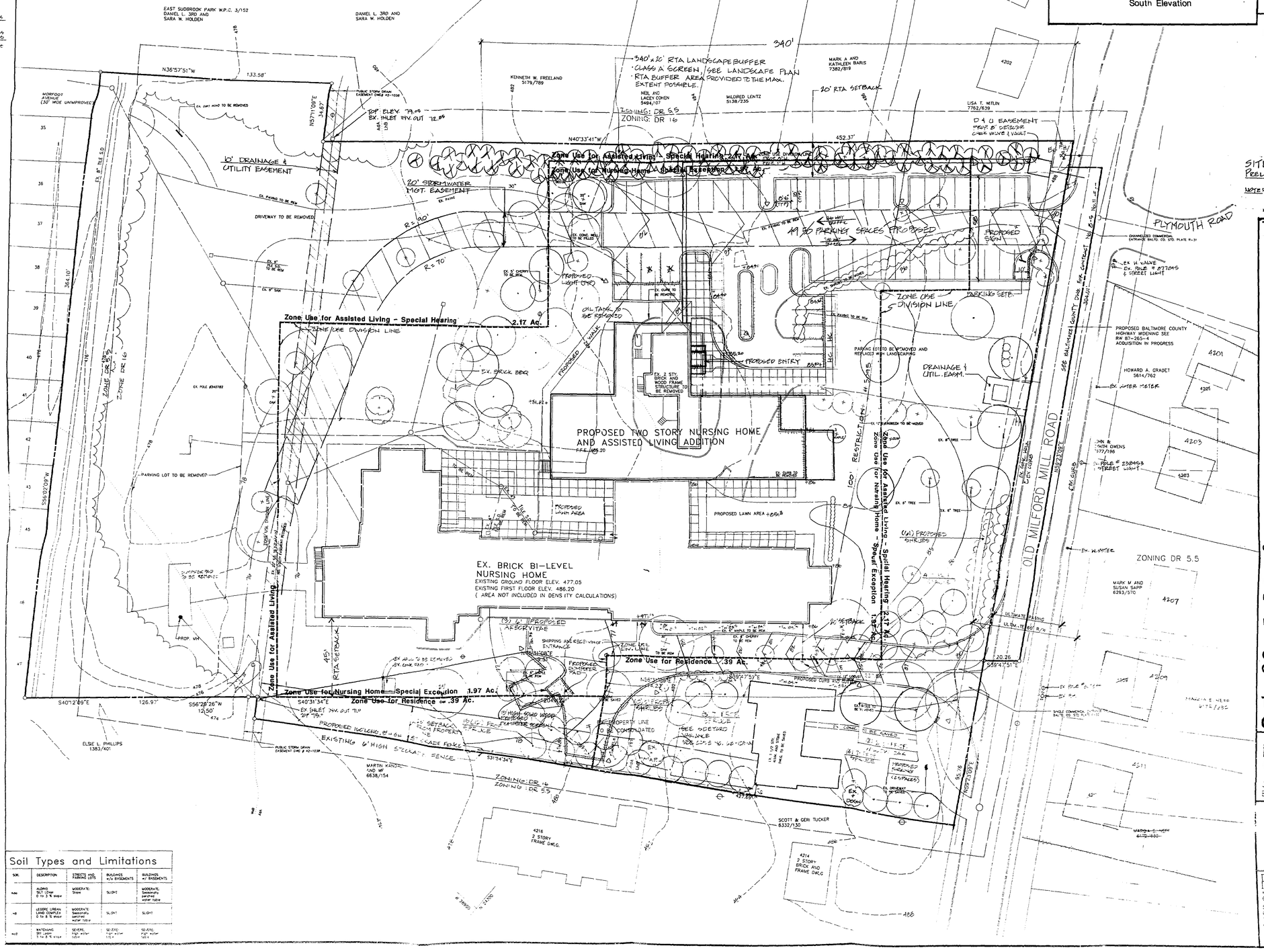
The proposed development meets the following R.T.A. requirements:

Maximum height of buildings is 35 feet.
Maximum height of lighting fixtures is 16 feet.
Lighting is designed and placed to prevent spillage into any adjoining dwelling or lot.

The following modifications to the R.T.A. Requirements will be requested:

1. Sideyard buffer to building of 6 ft. in lieu of the required 50 ft.
2. Sideyard buffer to parking of 20 ft. in lieu of the required 75 ft.




COLBY ROAD
EAST SUDBROOK PARK W.P.C. 3/152
DANIEL L. 3RD AND SARA W. HOLDEN
KENNETH W. FREELAND 3179/789
MARK A AND KATHLEEN BARIS 7382/819
NEIL AND LAUREN COHEN 5494/107
MILDRED LENTZ 5138/235
LISA T. WITLIN 7762/639
MORFOOT AVENUE (30' WIDE UNIMPROVED)
340'
N36°57'51"W
133.58'
N57°11'09"E
34.67'
N40°33'41"W
452.37'
340' x 20' RTA LANDSCAPE BUFFER
· CLASS A SCREEN, SEE LANDSCAPE PLAN
· RTA BUFFER AREA PROVIDED TO THE MAX. EXTENT POSSIBLE.
ZONING: DR 5.5
ZONING: DR 16
20' RTA SETBACK
D & U EASEMENT FOR B GEORGE CHECK VALVE & VAULT
10' DRAINAGE & UTILITY EASEMENT
20' STORMWATER MGT. EASEMENT
DRIVEWAY TO BE REMOVED
Zone Use for Assisted Living - Special Hearing 2.17 Ac.
Zone Use for Nursing Home - Special Exception 1.97 Ac.
44 TO PARKING SPACES PROPOSED
PROPOSED SIGN
PLYMOUTH ROAD
ZONE USE DIVISION LINE
PARKING SETB.
PROPOSED ENTRY
PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
F.F.E. 485.20
EX. BRICK BBQ
PROPOSED LAWN AREA
PARKING LOT TO BE REMOVED
PROPOSED LAWN AREA
EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20
(AREA NOT INCLUDED IN DENSITY CALCULATIONS)
OLD MILFORD MILL ROAD
PROPOSED BALTIMORE COUNTY HIGHWAY WIDENING SEE RW 87-265-A ACQUISITION IN PROGRESS
HOWARD A. GRADET 5614/762
EX. WATER METER
DRAINAGE & UTIL. EASM.
PARKING LOT TO BE REMOVED AND REPLACED WITH LANDSCAPING
ZONING DR 5.5
MARK M AND SUSAN SAPP 6283/370
4201
4203
4205
4207
4209
4211
4212
4214
4216
4202
ULTIMATE R/W
EX. R/W
EX. CURB
EX. EDGE OF PAVING
EX. 8" TREE
EX. 6" MAPLE TO BE REMOVED
EX. 8" CHERRY TO BE REMOVED
EX. 2 STY. BRICK AND WOOD FRAME STRUCTURE TO BE REMOVED
EX. 2 STY. BRICK AND FRAME STRUCTURE TO BE REMOVED
EX. UTILITY POLE TO BE REMOVED
EX. UTILITY POLE TO BE MOVED
EX. WATER
EX. GAS
EX. OVERHEAD WIRES
EX. STORM DRAIN
EX. SANITARY SEWER
EX. CONTOURS
PROPOSED CONTOURS
PROPOSED CURB AND GUTTER
PROPOSED ASPHALT
PROPOSED CONCRETE
PROPOSED LIGHT STANDARD
PROPOSED 6' HIGH WOOD STOCKADE FENCE
EX. 6' HIGH WOOD STOCKADE FENCE TO REMAIN
EX. 6' HIGH WOOD STOCKADE FENCE TO BE REMOVED
EX. 6' HIGH CHAIN LINK FENCE TO REMAIN
EX. 6' HIGH CHAIN LINK FENCE TO BE REMOVED
EX. 6' HIGH CHAIN LINK FENCE TO BE MOVED
EX. 4' HIGH WOOD FENCE TO REMAIN
EX. 4' HIGH WOOD FENCE TO BE REMOVED
EX. 4' HIGH WOOD FENCE TO BE MOVED
EX. 4' HIGH CHAIN LINK FENCE TO REMAIN
EX. 4' HIGH CHAIN LINK FENCE TO BE REMOVED
EX. 4' HIGH CHAIN LINK FENCE TO BE MOVED
EX. 3' HIGH WOOD FENCE TO REMAIN
EX. 3' HIGH WOOD FENCE TO BE REMOVED
EX. 3' HIGH WOOD FENCE TO BE MOVED
EX. 3' HIGH CHAIN LINK FENCE TO REMAIN
EX. 3' HIGH CHAIN LINK FENCE TO BE REMOVED
EX. 3' HIGH CHAIN LINK FENCE TO BE MOVED
EX. 2' HIGH WOOD FENCE TO REMAIN
EX. 2' HIGH WOOD FENCE TO BE REMOVED
EX. 2' HIGH WOOD FENCE TO BE MOVED
EX. 2' HIGH CHAIN LINK FENCE TO REMAIN
EX. 2' HIGH CHAIN LINK FENCE TO BE REMOVED
EX. 2' HIGH CHAIN LINK FENCE TO BE MOVED
EX. 1' HIGH WOOD FENCE TO REMAIN
EX. 1' HIGH WOOD FENCE TO BE REMOVED
EX. 1' HIGH WOOD FENCE TO BE MOVED
EX. 1' HIGH CHAIN LINK FENCE TO REMAIN
EX. 1' HIGH CHAIN LINK FENCE TO BE REMOVED
EX. 1

COLBY ROAD

PLYMOUTH ROAD

OLD MILFORD MILL ROAD

PROP. 49 SPACES

PROPOSED 40 UNIT ASSISTED LIVING

PROPOSED NURSING HOME & ASSISTED LIVING ADD.

PROPOSED 20 UNIT ADDITION TO NURSING HOME EX. INLET
PROP. GROUND FLOOR ELEV. 477.05
PROPOSED FIRST FLOOR ELEV. 486.20

EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20

PROPOSED BALTIMORE COUNTY HIGHWAY WIDENING SEE RW 87-265-4

ST SUDBROOK PARK W.P.C. 3/152
DANIEL L. 3RD AND SARA W. HOLDEN

KENNETH W. FREELAND 5179/789
NEIL AND LACEY COHEN 5494/107
MILDRED LENTZ 5138/235
MARK A AND KATHLEEN BARIS 7382/819
LISA T. WITLIN 7782/639
D.R. 5.5 ZONE
D.R. 16 ZONE

HOWARD A. GRADET 5614/762
JOHN B AND CYNTHIA OWENS 7677/196
MARK M AND SUSAN SAPP 6293/570
ELSE L. PHILLIPS 1383/401
MARTIN KANDALL AND WF 6838/154
SCOTT & DEB TUCKER 6332/130

D.R. 16 ZONE
D.R. 5.5 ZONE

2 STORY FRAME DWLG.
4214 2 STORY BRICK AND FRAME DWLG.

Legend

- RTA Setback & Buffer Line with Prop Planting/Lands in Buffer
- Prop. Street Lights Std.
- Zone Use Division Line

Vicinity Map
SCALE 1"=1000'

site

DETAILS

TYPICAL X-SECTION OF OLD MILFORD MILL ROAD

ROAD X-SECTION

SITE ENTRANCE SIGN

ELEVATIONS

CRG PLAN

CRG NO.90019
CRG NO.III 357

EXISTING NURSING HOME,
PROPOSED ASSISTED LIVING CLASS III HOUSING
FOR THE ELDERLY,
PROPOSED NURSING HOME ADDITION

MILFORD MANOR
OLD MILFORD MILL ROAD

3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BALTIMORE COUNTY MD.
COUNTY REVIEW GROUP
This Plan Was Reviewed By The CRG On 3-8-90
And Found Having Action Taken
REVISED PLAN APPROVED
Plan Approved 10/4-90
Appeal Period Expired 3-8-93
Plan Disapproved
Continued
Plan Returned To Applicant 8/15/93

PWA. PLAN L.C.S. 12/10/90 OK DAK 12/19/90

RECEIVED OCT 05 1990 OFFICE OF PLANNING AND ZONING

REVISIONS:	SCALE: 1"=30'
3/1/90 MS	DATE: 1/26/90
8/23/90	JOB NO.: 214/001
	DESIGNED: AS
	DRAWN: MW
	CHECKED: RSR/TMA

Rosenfelt & Woolfolk, Inc.
engineers and planners
6 Ice Court
Towson Mills Professional Center
1750 Regestertown Road
Baltimore, Maryland 21208
(301) 484-1440

DRAWING NUMBER: CRG-1
SHEET 1 OF 1

91-237-SPHXA

PETITIONER'S EXHIBIT #2

Sewer
Water
Drains
Roads
Street Lights

GENERAL NOTES

1. Owner/Applicant: MILFORD MANOR PARTNERSHIP
c/o Raffel & Associates
Gary Raffel
Beltway West Corporate Center
5700 Executive Drive
Suite 112
Baltimore, Maryland 21228
Telephone: (301) 747-5700

2. Property deed references: 6184/721
7755/494 (3 parcels)

3. Tax Account No. 03130610820
0303093650

4. ZONING: D.R.16 and D.R.5.5

Zoning of all adjoining property is D.R.5.5

A. This property was rezoned from D.R.5.5 to D.R.16 in the 1988 comprehensive rezoning by Baltimore County Council.
B. Variances from Residential Transition Area requirements are being sought to allow the addition to be located where shown on this plan.
C. A Special Hearing will be applied for to allow the proposed Nursing Home and Assisted Living additions within the D.R.16 Zone. Variances will be applied for from the parking, building elevation and sign requirements. See Additional Zoning Issues and Zoning History in these Notes.

5. DENSITY AND USE:

Existing Nursing Home Beds: 99
Prop. Additional Nursing Home Beds: 20
Total Nursing Home Beds: 119
Prop. Assisted Living Beds: 40 16
Total Beds (Nurs.Home and Asst.Living): 159 135 Beds

Zoning Use Division Areas
Existing Nursing Home and Proposed Addition: 2.17 1.97 AC
Existing Dwelling: 0.39 AC
Proposed Assisted Living: D.R. 16 2.17 1.97 AC
D.R. 5.5. 0.22 AC

120 40 Assisted Living units permitted 4.76 Ac.
16 40 Assisted Living units proposed

Existing Dwelling on Property to remain in Residential use.

6. SITE DATA:

Acreage: 3.75 AC
Election District: 3rd
Councilmanic District: 2
Census Tract: 4034.02
Watershed: 26
Subwatershed: 52
Total Floor Area: 206,910 sq.ft. 214850
Total Site Area: 206,910 sq.ft.
Floor Area Ratio: .55 .13

A. The property outline and topography shown hereon is taken from a survey prepared by VI Associates, dated 5/88. All existing dwellings, wells and septic systems within 200 ft. of property are shown hereon.

B. No critical areas, archaeological sites, endangered species habitat, hazardous materials areas, or slopes over 25% exist within this site.

C. Lots on this property are to be consolidated.

7. ONSITE IMPROVEMENTS:

A. Offstreet Parking Data

119 Nursing Home Beds x 1 space per 3 beds = 40 spaces
16 40 Assisted Living Beds x 1 space per 2 beds = 8 20 spaces
Total Required Parking 48 60
Total Proposed Parking 49 (Variance will be requested)

Required Handicapped parking x 1 space/25 2
Proposed Handicapped Parking 2

1 Residential Dwelling
Total Required and Proposed Parking 2 Spaces

B. Parking spaces shall be a minimum of 8.5 ft. x 18 ft. 9 barrier free parking spaces shall be 12 ft. x 18 ft. 12 Compact spaces will be 7.5 ft. x 16 ft. These spaces occupy 21% of the parking spaces on site. See Additional Zoning Issues.

C. Landscape Data

1 tree required for 40 linear ft of road frontage 398 ft. / 40 = 9.9 or 10 trees required. 10 trees
1 tree required for 20 linear ft. of interior road 330 ft / 20 = 16.5 or 17 trees. 17 trees
1 tree required for every 12 parking spaces provided 51 / 12 = 4.25 or 5 trees required. 5 trees

Total proposed trees outside of buffer areas = 22 trees. Up to 1/2 of existing trees may be substituted for proposed.

Planting beds are proposed as shown on plan. All landscaping will be provided per Baltimore County requirements. Wooded areas along western and northern property lines to be preserved.

D. Clearing and grading is to be limited to the area for road construction and building site only.

E. Onsite lighting shall be so arranged and shielded as to confine all direct light of the site and to prevent reflected light rays from shining or glaring onto any portion of any adjacent motorway or into the eyes of oncoming vehicles, and to prevent spillage onto any adjoining residential properties. 27, 10 ft. high light standards are proposed for parking and driveway areas.

F. Storm-water Management: Water Quality and Quantity management will be provided on site. The outfall will be into the presented public storm drain system. Detailed hydrology and design with plans will be submitted after CRG approval. Existing Drainage Conditions

G. Although the Baltimore County Soil Survey shows part of the site as mapped in the Aldino Soil Series, it has been verified with Glenn Shaffer of Baltimore County Department of Environmental Protection and Resource Management (DEPRM) that the site has been previously altered and that wetlands are delineated correctly on this Plan. A wetland report was submitted to Baltimore County DEPRM in April, 1989. Wetland limit was approved by Mr. Shaffer in April, 1989.

H. Site has two sanitary sewer services: by gravity at the rear to Morfoot Avenue and force main at the front to existing line in Old Milford Mill Road. Proposed uses will utilize existing building connection

I. Existing well on site is not in use. The well will be abandoned and backfilled by a licensed well driller in accordance with Baltimore County regulations.

J. Oil tank on site is not in use. Oil tank will be pumped out and removed by a licensed fuel oil handler. The excess oil will be disposed of in accordance with State and Baltimore County regulations. Baltimore County DEPRM will be notified prior to oil tank removal.

K. Bituminous paving to be used on parking areas and driveways. Parking areas will be permanently striped.

L. All signs will conform to applicable Baltimore County Zoning Regulations except as noted under Additional Zoning Issues.

M. Existing and proposed buildings will comply with all fire safety code requirements.

N. Calculations regarding available water for fire flow and domestic demand have been submitted to Mr. John Brian, County Fire Prevention Engineer. Fire flow test indicates a flow of 1687 gpm at required minimum residual pressure of 20 psi. System demand has been calculated at 33 gpm for domestic use and 1900 gpm for fire demand. Sprinklers will be provided for existing nursing home and proposed construction.

8. OFFSITE IMPROVEMENTS:

A. Average daily trips: 159 135 beds x 3.3 ADT/bed = 524 445 ADT

B. Half-width dedication for 60-foot ultimate right of way for Old Milford Mill Road is shown as required by Baltimore County Department of Public Services.

A waiver for public standard improvements along Old Milford Mill Road has been submitted to Baltimore County Department of Public Services on February 5, 1990. Existing frontage improvements to Old Milford Mill Road recently completed by Baltimore County. Proposed sidewalk and street widening to be constructed if request of waiver from Public Works standards is denied.

C. Proposed development is not within microwave path.

9. ZONING HISTORY:

A. Case No. 5095-X -February 2, 1961 - Special Exception granted for Convalescent Home, with the following provisions:
1. The existing fence between the property and Colby Road shall be maintained and kept in proper repair. The property currently complies.
2. No flashing, blinding, pulsating or animated signs on the property. Motionless illuminated signs are permitted. The existing sign complies.
3. Any structures constructed for the convalescent home shall be set back at least 100 feet from the present paved surface of Old Milford Mill Road. The existing building is 100 feet from the curb line of Old Milford Mill Road, and complies.
4. No structures shall be erected with a height greater than 35 feet above present ground level. The existing building is a maximum of 19 feet in height, and complies.
5. No more than 100 bedroom units shall be located on the subject property. The existing building has 48 bedroom units, and 99 beds, and complies.
6. All plans for construction of future buildings or alteration of the present dwelling must be submitted for approval to the Baltimore County Office of Planning and Zoning.

Boundaries of this Special Exception case are the property lines of the original parcel (Deed 6184/721).

B. Case No. 68-125-A - December 7, 1967 - Variance granted on the newly incorporated Parcel (Deed 7755/494) to permit 20 foot side yards in places of public assembly, and to permit a side yard of 13 feet 9 inches for one side and 7 feet 2 inches for the other side, instead of the required 20 feet. The purpose of the variance was to use the existing structure on the premises for religious purposes. Side yard variances granted under this case are noted on the Plan.

10. RESIDENTIAL TRANSITION AREA REQUIREMENTS:

A. The entire property is within an R.T.A. area.

B. The proposed development meets the following R.T.A. requirements:

Maximum height of buildings is 35 feet.
Maximum height of lighting fixtures is 16 feet.
Lighting is designed and placed to prevent spillage into any adjoining dwelling or lot.

C. The following Modifications to the R.T.A. Requirements will be requested:

1. Setback of 50 ft. in lieu of the required 75 ft.
2. Sideyard buffer to building of 25 ft. in lieu of the required 50 ft.
3. Sideyard buffer to parking of 50 ft. in lieu of the 75 ft. required.

11. ADDITIONAL ZONING ISSUES:

A. The following Variances and Adjustments will be requested from the requirements:

1. ~~15 Variances/Adjustments pertaining to the location of parking spaces, the width of parking spaces, the number of parking spaces, and the size of parking spaces.~~
2. ~~One parking space per 3 assisted living beds in non-profit elderly housing, or 0.75 per 2 assisted living beds in non-profit elderly housing for 2 beds. Residents will not have vehicles. Facility will have no services that address client transportation needs.~~

B. A Special Exception will be required for the proposed addition to have a building elevation width of 355 feet in lieu of the minimum permitted 300 feet.

C. A variance will be requested for an illuminated entrance sign larger than one (1) square foot, with advertising (see Detail on plan).

Soil Types and Limitations				
SOIL	DESCRIPTION	STREETS AND PARKING LOTS	BUILDINGS w/o BASEMENTS	BUILDINGS w/ BASEMENTS
AdB	ALDINO SILT LOAM 0 to 3 % slopes	MODERATE: Shrink	SLIGHT	MODERATE: Seasonally perched water table
LnB	LEDGITE URBAN LAND COMPLEX 0 to 8 % slopes	MODERATE: Seasonally perched water table	SLIGHT	SLIGHT
+ mxB	WATCHUNG SILT Loam 3 to 8 % slopes	SEVERE: high water table	SEVERE: high water table	SEVERE: high water table

Legend
- RTA Setback & Buffer Line with Prop. Planting/Lath in Buffer
- Prop. Street Lights 6ld
- Zone Use Division Line

MW 2/2/90 C:\ACAD\SITE\2140185.DWG

20

COLBY ROAD
EX. DWLG 4112
EX. DWLG 4114
EX. DWLG 4116
EX. DWLG 4118
EX. DWLG 5120
EX. DWLG 4032
W 28500
N 24400
EAST SUDBROOK PARK W.P.C. 3/152
DANIEL L. 3RD AND SARA W. HOLDEN
KENNETH W. FREELAND 5179/789
NEIL AND LACEY COHEN 5494/107
MILDRED LENTZ 5138/235
MARK A. AND KATHLEEN BARR 7382/819
LISA T. WITLIN 7762/639
D.R. 5.5 ZONE
D.R. 16 ZONE
N36°57'51"W 133.58'
N40°33'41"W 452.37'
MORFOOT AVENUE (30' WIDE UNIMPROVED)
SEE BALTO. CO. DWG# 934-2-2A
EAST SUDBROOK PARK W.P.C. 3/100 AND 4/100
S40°12'09"E
S56°28'26"W 12.50
S31°34'34"E
S09°47'51"E
ELSIE L. PHILLIPS 1383/401
MARTIN KANDALL AND TR 6838/754
SCOTT & DEBI TUCKER 8332/130
OLD MILFORD MILL ROAD
PROPOSED 40 UNIT ASSISTED LIVING ADDITION
PROPOSED GROUND FLOOR ELEVATION 477.05
PROPOSED FIRST FLOOR ELEVATION 486.20
PROPOSED 20 UNIT ADDITION TO NURSING HOME EX. MILFORD MANOR
PROP. GROUND FLOOR ELEV. 477.05
PROPOSED FIRST FLOOR ELEV. 486.20
EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20
PROP. 49 SPACES
PROPOSED NURSING HOME & ASSISTED LIVING ADD.
PROP. COURT YARD
PROP. PLANTING AND LATH IN BUFFER
PROP. 6" SAN. SEWER
PROP. 8" WATER
PROP. 8" STORM DRAIN
PROP. 6" WATER
PROP. 8" SAN. SEWER
EX. 8" SAN. SEWER (SEE NOTES)
EX. 10" SHRUB LINE
EX. 6" MAPLE TO BE REMOVED
EX. 30" OAK TO BE REMOVED
EX. 18" OAK TO BE SAVED
EX. 24" OAK TO BE SAVED
EX. 36" OAK TO BE SAVED
EX. 12" OAK TO BE SAVED
EX. 15" OAK TO BE SAVED
EX. 4" TREE
EX. 12" CRABAPPLE TO BE REMOVED
EX. EVERGREEN TREE
EX. 6" TREE
EX. 10" MAPLE TO BE REMOVED
EX. 8" MAPLE TO BE REMOVED
EX. 8" APPLE TO BE REMOVED
EX. 6" APPLE TO BE REMOVED
EX. 8" MAPLE TO BE REMOVED
EX. 10" MAPLE TO BE REMOVED
EX. 12" MAPLE TO BE REMOVED
EX. 24" MAPLE TO BE REMOVED
EX. 30" MAPLE TO BE REMOVED
EX. 36" MAPLE TO BE REMOVED
EX. 42" MAPLE TO BE REMOVED
EX. 48" MAPLE TO BE REMOVED
EX. 54" MAPLE TO BE REMOVED
EX.

ADDITIONAL ZONING NOTES

The following is from the Zoning Order issued by the Deputy Zoning Commissioner of Baltimore County on May 29, 1991. ZONING VARIANCE CASE # 91-332-A

2 1991

ZONING OFFICE

It is clear from the testimony that if the variances are granted,

or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing, special exception and variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 29th day of May, 1991 that the Petition for Special

support the existing nursing home containing 99 beds and 20 additional beds, or 119 beds total, and to amend the site plan to [illegible] the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to amend Restrictions 1 and 5 of [illegible] is hereby GRANTED, and

is hereby GRANTED, subject to the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit an Assisted Living Facility containing a maximum 16 beds in conjunction with the existing nursing home and the expansion of the existing nursing home to provide 20 additional beds for a total 119 beds, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a waiver of the Residential Transition Area requirements to allow a modification of said requirements which complies to the extent possible, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to [illegible]

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit an entrance sign of 63 sq.ft. (counting both sides) in lieu of the permitted 1 sq.ft., in accordance with the design set forth in Petitioner's Exhibit 11 and the location shown on Petitioner's Exhibit 12, and a side yard setback of 20 feet in lieu of the required 75 feet for the existing nursing home, in accordance with Petitioner's Exhibit A, except as herein modified, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

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 30-day 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.

2) Compliance with all Zoning Plans Advisory Committee comments.

3) Prior to the issuance of any building permits, Petitioners shall submit a landscaping plan for the entire site for approval by the Deputy Director of Planning. A copy of the approved plan shall be submitted to this office for inclusion in the case file prior to the issuance of any permits.

4) CRG approval of the [illegible] plans in accordance with all restrictions [illegible] required prior to the issuance of any permits.

5) The service drive [illegible] shall be no closer than as depicted on Petitioner's [illegible] Exhibit B.

6) The Petitioners [illegible] fence and shrub the service driveway at a minimum [illegible] shown on Petitioner's Exhibit [illegible]

7) All deliveries [illegible] removal using the service driveway shall be [illegible] between the hours of 8:00 AM and 5:00 PM, [illegible] through Friday.

8) The [illegible] be enclosed and screened as shown on Petitioner's [illegible] 12.

9) The single family residence shall [illegible] the west

[illegible] ed. Said sign shall be designed in accordance with that depicted on Petitioner's Exhibit 11 and shall not exceed 63 sq.ft. in size, counting both sides. The lettering for the sign shall not exceed 20 sq.ft. per side. Further, the [illegible] sign shall be in the area depicted on Petitioner's Exhibit 12.

11) Prior to the issuance of any permits, Petitioners shall submit a revised site plan depicting the RTA buffer areas provided to the maximum extent possible. Further, Petitioners shall clearly show the boundaries of the original special exception area granted in Case No. [illegible] [illegible] available for utilized for each assisted living density, single family dwelling, [illegible] All [illegible] shall be [illegible] determined by the Office of Zoning.

12) Prior to the issuance of any permits, Petitioners shall obtain written approval of the modified site plan by the Department of Traffic Engineering, including, but not limited to, the service drive and its access for a [illegible] trailer as [illegible] permitted.

13) The proposed addition must be built in accordance with the design and specifications set forth on Petitioner's Exhibit 16.

14) Upon applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

BALTIMORE COUNTY MD.
COUNTY REVIEW GROUP
This Plan Was Reviewed By The CRG On
5-6-92 With The Following Action Taken
APPROVED
Plan Approved By [illegible]
Plan Approved Date 5-7-92
Approval Expiration Date 11-7-93
Plan Disapproved
Continued to [illegible]
Plans Referred To Plan. Bd.

CLASS B HOUSING FOR THE ELDERLY,
EXISTING NURSING HOME,
PROPOSED ASSISTED LIVING
PROPOSED NURSING HOME ADDITION

REASON FOR AMENDMENT:
ZONING HEARING CHANGES

CRG NO. III-357
CRG NO. 90019

THIRD AMENDED CRG PLAN

MILFORD MANOR
OLD MILFORD MILL ROAD

3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

REVISIONS:
8/23/90 AS
9/18/90 AS
10/4/90 DSE

SCALE 1"=50'
DATE: 1/30/90
JOB NO.: 214/001
DESIGNED: AS
DRAWN: JMP CLB
CHECKED: RSR/TMW
DRAWING NUMBER
CRG-3
SHEET 1 OF 2

Rosenfelt & Woolfolk, Inc.
engineers and planners
Suite Eight
Owings Mills Professional Center
10706 Reisterstown Road
Owings Mills, MD 21117
Telephone: (301) 356-4000
Facsimile: (301) 581-9387

COMPREHENSIVE CARE FACILITIES:

MILFORD MANOR - Pikesville, MD - 66,000 SF renovation and expansion of existing nursing home, including addition of 24 comprehensive-care beds and support services, new assisted-living facility and administrative office wing, kitchen expansion, and redesign of existing common areas, nurses' stations and service infrastructure; full architectural services, needs assessment study and facilities programming, interior design, furniture selection and procurement. (construction document phase)

HARFORD GARDENS - Northeast, Baltimore - new 172-bed nursing home, with adult day-care facility for 25 clients; HUD financing; full architectural services. (under construction)

ANNAPOLIS CONVALESCENT CENTER - Annapolis, MD - renovation and expansion of reception and selected program spaces, for existing 99-bed nursing home; full architectural services, design/build. (design development phase)

NEWARK MANOR - Newark, DE - 36-bed addition to an existing nursing home; full architectural services. (schematic design phase)

BOWIE NURSING HOME - Bowie, MD - new 180-bed comprehensive care facility; full architectural services. (schematic design phase)

HILLHAVEN - Laurel, MD - 60-bed addition to double capacity of existing 60-bed nursing home; full architectural services. (schematic design phase)

HOLY CROSS EXTENDED CARE FACILITY - Montgomery County, MD - new comprehensive-care facility with 180 general nursing beds and a 15-bed AIDS Unit; schematic design, value engineering, critical path scheduling. (tasks complete)

FRANKLIN COURT - Baltimore, MD - site search and feasibility study for relocating a 180-bed nursing home; schematic design, value engineering. (current)

CHESAPEAKE MANOR - Arnold, MD - 8-bed addition to a 157-bed nursing home; full architectural services. (under construction)

CURTIS HALL - Glen Burnie, MD - 8-bed addition to a 120-bed nursing home, including kitchen facilities and activity space; design and construction documents. (construction to begin Fall 1991)**

SETON HILL MANOR - Baltimore, MD - partial renovation of 360-bed nursing home; renovated spaces include lobby and reception, administrative offices, crafts workshop, and snack bar/lounge; full architectural services, interior design, furniture selection and procurement. (project complete)*
Redesign of nurses' stations and support services; feasibility study. (current)

PARKSIDE NURSING HOME - Baltimore, MD - new 180-bed comprehensive care facility; schematic design, value engineering. (tasks complete)**

POINT PLEASANT CONVALESCENT CENTER - Glen Burnie, MD - new 87-bed nursing home; health code consult, value engineering, construction administration. (project complete)**

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

February 8, 1993

(410) 887-4386

Charles B. Heyman, Esquire
Kaplan, Heyman, Greenberg, Engelman and Belgrad, P.A.
Tenth floor, Sun Life Building
20 South Charles Street
Baltimore, Maryland 21201-3220

RE: Milford Manor Partnership, Petitioner
Case No. 91-237-SPHXA

Dear Mr. Heyman:

This is to acknowledge receipt of your letter dated January 19, 1993, regarding the above captioned matter.

In answer to the three questions raised by your letter, kindly note the following:

1. Although the point is certainly arguable, I believe that the two year period for utilization of the special exception would run from May 29, 1991, the date of Deputy Zoning Commissioner, Ann Nastarowicz's Order. Clearly, Section 502.3 of the B.C.Z.R. controls. That section provides that a special exception must be utilized within a period of two years "from the date of the final Order." In reviewing the case file, the Board of Appeals references, in its findings dated April 9, 1992, that an appeal was filed "only with respect to the special hearing portion of this case." Further, and most importantly, the Board's Order grants the special hearing only. There is nothing within the Board's Order referencing the special exception. Therefore, I would conclude that the final Order, as it relates to the special exception, would be that published by Deputy Zoning Commissioner Nastarowicz.

2. In answer to the second question, a Petition for Special Hearing must be filed in order to extend the period for utilization of the special exception. In this respect, I direct you to Section 502.5 of the B.C.Z.R.

LAW OFFICES
KAPLAN, HEYMAN, GREENBERG, ENGELMAN & BELGRAD, P.A.
TENTH FLOOR SUN LIFE BUILDING
20 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-3220
(410) 539-6967
FACSIMILE
(410) 752-0685

January 19, 1993

HAND DELIVERED

Lawrence E. Schmidt, Zoning Commissioner
Baltimore County
400 Washington Ave., 1st Floor
Towson, Maryland 21204

RE; Case No. 91-237-SPHXA
Milford Manor Partnership, Petitioner

RECEIVED
JAN 20 1993
ZONING COMMISSIONER

Dear Mr. Schmidt:

With reference to the above matter, I am enclosing the following two documents:

1. Findings of Fact and Conclusions of Law and Order of the Deputy Zoning Commissioner for Baltimore County, dated May 29, 1991.

2. Opinion and Order of County Board of Appeals of Baltimore County, dated April 9, 1992.

As you will note, this matter involved a Petition for a Special Hearing, a Petition for Special Exception and a Petition for Variances on the subject property. The Deputy Zoning Commissioner substantially granted the relief requested by the Petitioner and an appeal was taken by an adjoining neighbor, the Tuckers. In filing the appeal, the Tuckers noted that they sought an appeal only with respect to the Special Hearing portion of the case. Notwithstanding the noted limited purpose of the appeal, this case was, in fact, appealed and a hearing held before the County Board of Appeals. The decision of the County Board of Appeals was not rendered until April 9, 1992.

The purpose of my writing to you is to obtain a determination of the following:

Baltimore County Government
Department of Public Works
Bureau of Traffic Engineering

401 Bosley Avenue Suite 405
Towson, MD 21204

887-3554
Fax 887-5784

October 29, 1991

Mr. Dan Kozlow
7018 Plymouth Road
Pikesville, Maryland 21208 6022

Dear Mr. Kozlow:

During our last review of Milford Manor, we had indicated to the project traffic engineer that some turnaround modifications would be required at the end of the service driveway. It was shown by that engineer that a semi-tractor trailer, 44 feet in total length with a 35-foot trailer, could turn around with a modified terminus. However, the truck driver would be required to maneuver the truck excessively on site.

We have reviewed a second amended CRG plan that does show a modified terminus. However, a note we previously requested was not placed on the plan. After further review, we are requesting the developer to place the following two notes on the plan:

(1) "No trucks in excess of 44 feet total length and no trailers in excess of 35 feet in length are allowed to use the service entrance along the west side of the building."

(2) "The owner/operator of the home is responsible to ensure no trucks back into or out of the service driveway at Old Milford Mill Road."

Our feeling is that these notes more adequately reflect our safety concern with this site. While the current plan enables a 44-foot truck to turn around in the terminus, it is our opinion that it will be so difficult or time consuming to do so that truck drivers will simply back up. The current design meets absolute minimum standards but does not provide a reasonable turnaround for large trucks.

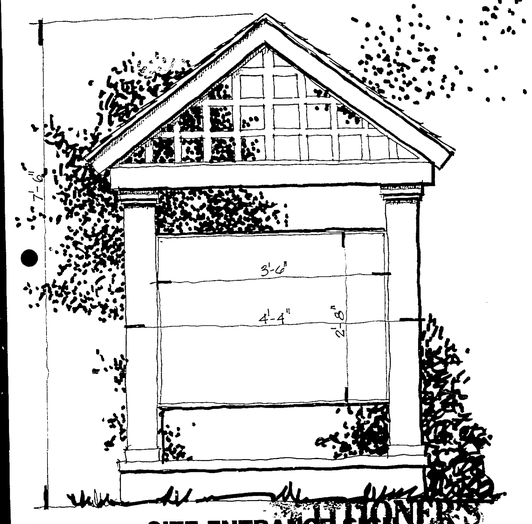
By copy of this letter, we are notifying the project engineer of our request for the additional notes on the plan. We feel that the community's and our traffic safety concerns regarding this project will be adequately addressed provided the owner/operator of the nursing home complies with these two requirements. I hope this covers your concerns. Enclosed is a copy of the second amended plan for your use. If you have any questions, please give me a call.

Very truly yours,

Stephen E. Weber, P.E.
Assistant Traffic Engineer

SEW/lvd

MILFORD MANOR NURSING HOME



SITE ENTRANCE SIGN
Scale: 1"

PETITIONER'S EXHIBIT 11

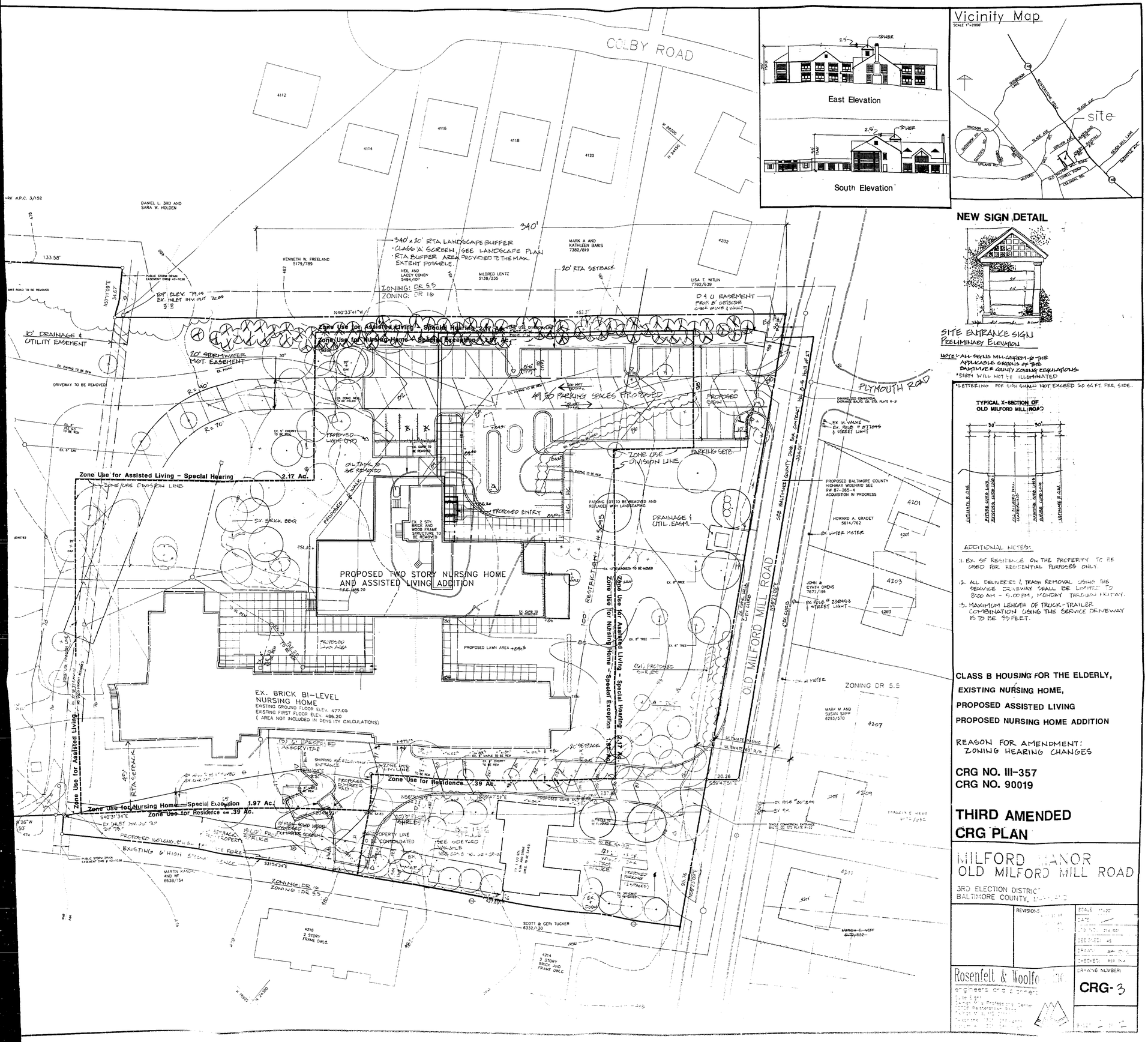
G + F ARCHITECTS INC. **4/17/91**

MILFORD MANOR NURSING HOME
DELIVERY LOG
WEEK OF 3/18/91 - 3/22/91

DATE	TIME	DEPARTMENT	VENDOR	LENGTH OF TRUCK
03-18-91	8:45 A.M.	Dietary	Olewine's	42 feet
	9:30 A.M.	Housekeeping	Nu-Dy-Per	8 feet
	1:30 P.M.	"	Nu-Dy-Per	8 feet
	4:45 P.M.	"	Nu-Dy-Per	10 feet
03-19-91	9:30 A.M.	Housekeeping	Nu-Dy-Per	8 feet
	10:45 A.M.	Dietary	S. Freedman & Son	22 feet
	1:45 P.M.	Housekeeping	Nu-Dy-Per	8 feet
	1:30 P.M.	"	Broadway Services	10 feet
	2:10 P.M.	Dietary	Carroll County Foods	22 feet
03-20-91	11:15 A.M.	Dietary	Wagner & Sons	14 feet
	9:50 A.M.	Housekeeping	Nu-Dy-Per	8 feet
	2:30 P.M.	"	Nu-Dy-Per	8 feet
03-21-91	8:30 A.M.	Dietary	Cloverland Dairy	21 feet
	10:00 A.M.	Housekeeping	Nu-Dy-Per	8 feet
	1:30 P.M.	"	Nu-Dy-Per	8 feet
	1:30 P.M.	"	Broadway Services	10 feet
	1:55 P.M.	Dietary	7 Mile Market	20 feet
03-22-91	11:50 A.M.	Housekeeping	Nu-Dy-Per	8 feet

Olewines will deliver in a 35 foot truck upon request.

PETITIONER'S EXHIBIT 13


COLBY ROAD
OLD MILFORD MILL ROAD
PLYMOUTH ROAD
340'
340'x20' RTA LANDSCAPE BUFFER
· CLASS 'A' SCREEN, SEE LANDSCAPE PLAN
· RTA BUFFER AREA PROVIDED TO THE MAX. EXTENT POSSIBLE.
20' RTA SETBACK
ZONING: DR 5.5
ZONING: DR 16
D & U EASEMENT
FOR 8" DISCHARGE CHECK VALVE & VAULT
10' DRAINAGE & UTILITY EASEMENT
20' STORMWATER MGT. EASEMENT
Zone Use for Assisted Living - Special Hearing 2.17 Ac.
Zone Use for Nursing Home - Special Exception 1.97 Ac.
Zone Use for Residence .39 Ac.
ZONE USE DIVISION LINE
PARKING SETB.
49 PARKING SPACES PROPOSED
PROPOSED SIGN
PROPOSED LIGHT (TYP.)
OIL TANK TO BE REMOVED
PROPOSED 6' WALK
EX. BRICK BBQ
PROPOSED ENTRY
EX. 2 STY. BRICK AND WOOD FRAME STRUCTURE TO BE REMOVED
PARKING LOT TO BE REMOVED AND REPLACED WITH LANDSCAPING
DRAINAGE & UTIL. EASM.
PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
PROPOSED LAWN AREA +65%
EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20
(AREA NOT INCLUDED IN DENSITY CALCULATIONS)
(9) 14' PROPOSED ARBORVITAE
SHIPPING & RECEIVING ENTRANCE
PROPOSED DUMPSTER PAD
PROPOSED CURB RUN
PROPERTY LINE TO BE CONSOLIDATED
SEE INDENTURE LIBER 5205 FOLIO 215
EX. WELL
EX. SEPTIC
EX. LEACH PITS
EX. SEPTIC TO BE REMOVED
EX. WELL TO BE REMOVED
EX. 6' HIGH WOOD STOCKADE FENCE TO BE REMOVED
(6) 16'-18' PROPOSED EVERGREEN TREES
PROPOSED 160'LONG, 8' HIGH BOARD ON BOARD FENCE
EX. 6' HIGH STOCKADE FENCE TO BE REMOVED
EXISTING 6' HIGH STOCKADE FENCE
EX. 12" BROKEN TO BE MOVED
EX. 8" TREE
EX. 6" TREE
EX. 6" MAPLE TO BE REM.
EX. 6" CHERRY TO BE REM.
EX. 8" OAK TO BE REMOVED
EX. 8" SAN
EX. 6" WATER TO BE REM.
EX. 8" WATER TO BE REM.
EX. PARKING TO BE REM.
EX. CURB TO BE REMOVED
EX. CURBS
EX. 4" WATER
EX. 8" WATER
EX. 12" WATER
EX. WATER METER
EX. H. VALVE
EX. GAS & TELEPHONE & STREET LIGHT
EX. POLE #277645
EX. POLE # 228493 & STREET LIGHT
PROPOSED BALTIMORE COUNTY HIGHWAY WIDENING SEE RW 87-285-4 ACQUISITION IN PROGRESS
HOWARD A. GRADET 5614/762
JOHN & CYNTH OWENS 7677/198
MARK M AND SUSAN SAPP 6293/570
MARTIN KANOY AND WF 6638/154
SCOTT & GERI TUCKER 6332/130
MARCIA E. NERF 6130/632
ZONING DR 5.5
ZONING DR 16
ZONING: DR 5.5
ULTIMATE R/W
ULTIMATE 60' R/W
SINGLE COMMERCIAL ENTRANCE BALTO. CO. STD PLATE R-32
CHANNELIZED COMMERCIAL ENTRANCE BALTO. CO. STD. PLATE R-31
SEE BALTIMORE COUNTY DWG FOR CONTRACT NO. P.I.S. NO. 11 WE 37
4201
4203
4205
4207
4209
4211
4213
4215
4216
4217
4218
4220
4112
4114
4116
4118
4120
4202
KENNETH W. FREELAND 5179/789
NEIL AND LACEY COHEN 5494/107
MILDRED LENTZ 5138/235
LISA T. WITLIN 7782/639
DANIEL L. 3RD AND SARA W. HOLDEN
PUBLIC STORM DRAIN EASEMENT DWG # 43-1038
TOP ELEV. 79.49
EX. INLET INV. OUT 72.89
DIRT ROAD TO BE REMOVED
DRIVEWAY TO BE REMOVED
133.58'
N57°11'09"E 34.67'
N40°33'41"W 451.37'
S40°31'34"E 340.31'
S31°54'34"E 531.54'
S49°47'51"E 20.26'
S49°47'51"E 20.26'
N50°13'09"E 20.00'
N50°13'09"E 20.00'
N 28300
N 24450
EX. 2" WATER
EX. 12" WATER
EX. 8" WATER
EX. 4" WATER
EX. 8" SAN
EX. 6" SAN
EX. 8" STORM
EX. 12" STORM
EX. 15" STORM
EX. 18" STORM
EX. 24" STORM
EX. 30" STORM
EX. 36" STORM
EX. 42" STORM
EX. 48" STORM
EX. 54" STORM
EX. 60" STORM
EX. 66" STORM
EX. 72" STORM
EX. 78" STORM
EX. 84" STORM
EX. 90" STORM
EX.

NOTES

1. Owner/Applicant: MILFORD MANOR PARTNERSHIP
c/o Raffal & Associates
Gary Raffal
Beltway West Corporate Center
5700 Executive Drive
Suite 112
Baltimore, Maryland 21228
Telephone: (301) 747-9700

2. Property deed references: 4184/721
7755/494 (3 parcels)

3. Tax Account No. 0313060830
0303053650

4. ZONING: D.R.16 and D.R.5.5

Zoning of all adjoining property is D.R.5.5

A. This property was rezoned from D.R.5.5 to D.R.16 in the 1988 comprehensive rezoning by Baltimore County Council.

B. A Special Hearing was held to:
1) Amend the Special Exception and Site Plan granted in Case #3085-X to permit modification and relocation of the area necessary to allow the existing 99-bed nursing and proposed 20-bed addition and to allow a service driveway and turnaround within the yard area of the single family dwelling.
2) Allow conversion of the Assisted Living Facility and modification of the RTA requirements to permit the Assisted Living Facility.
3) Grant a Variance for an illuminated entrance sign larger than one (1) square foot, with advertising.

C. Following the Special Hearing, an Order was issued by the Deputy Zoning Commissioner, granting the requested items, with conditions. See Sheet 2 of this Plan for the Zoning Order.

5. DENSITY TABULATIONS:

Existing Nursing Home Beds: 99
Prop. Additional Nursing Home Beds: 20
Total Nursing Home Beds: 119
Prop. Assisted Living Beds: 16
Total Beds (Nurs.Home and Asst.Living): 135 Beds

Senior Use Division Areas — Assisted Living Units
Existing Nursing Home and Proposed Addition: 1.97 AC
Existing Dwelling: 0.39 AC
Proposed Assisted Living: D.R. 16 2.17 AC — 34 AC. @ 16 D.U./AC. = 544 D.U.
D.R. 5.5 0.32 AC — 3.3 AC. @ 5.5 D.U./AC. = 18 D.U.
4.75 AC — 562 D.U.

~~142~~ 135 Assisted Living units permitted
16 Assisted Living units proposed

Existing Dwelling on Property to remain in Residential use.

6. SITE DATA:

Acreage	4.75 AC
Election District	3
Councilmanic District:	5
Census Tract:	4034.03
Watershed:	82
Subwatershed:	82
Total Floor Area	26,850 sq.ft.
Total Site Area	356,910 sq.ft.
Floor Area Ratio:	0.13

A. The property outline and topography shown hereon is taken from a survey prepared by VT Associates, dated 3/89. All existing dwellings, wells and septic systems within 200 ft. of property are shown hereon.

B. No critical areas, archaeological sites, endangered species habitat, hazardous materials areas, or slopes over 25% exist within this site.

C. Lots on this property are to be consolidated.

7. ONSITE IMPROVEMENTS:

A. Offstreet Parking Data

119 Nursing Home Beds x 1 space per 3 beds = 40 spaces
16 Assisted Living Beds x 1 space per 2 beds = 8 spaces
Total Required Parking 48
Total Proposed Parking 49

Required Handicapped parking x 1 space/25 2
Proposed Handicapped Parking 2

1 Residential Dwelling
Total Required and Proposed Parking 2 Spaces

B. Parking spaces shall be a minimum of 8.5 ft. x 18 ft. 2 barrier free parking spaces shall be 12 ft. x 18 ft.

C. Landscape Data

1 tree required for 40 linear ft of road frontage: 396 ft. / 40 = 9.9 or 10 trees required.
1 tree required for 20 linear ft. of interior road: 100 ft / 20 = 5 trees required.
1 tree required for every 12 parking spaces provided: 49 / 12 = 4.08 or 5 trees required.

Total proposed trees outside of buffer areas = 20 trees. Up to 1/2 of existing trees may be substituted for proposed.

Planting buffers proposed as shown on plan.

All landscaping will be provided per Baltimore County requirements. Wooded areas along western and northern property lines to be preserved.

D. Clearing and grading is to be limited to the area for road construction and building site only.

E. Onsite lighting shall be so arranged and shielded as to confine all direct light of the site and to prevent reflected light rays from shining or glaring onto any portion of any adjacent motorway or into the path of oncoming vehicles, and to prevent spillage onto any adjoining residential properties. 30 ft. high light standards are proposed for parking and driveway areas.

F. Stormwater Management waiver to be applied for. The outfall will be into the existing public storm drain system. Detailed hydrology and design with plans will be submitted after CRG approval.

G. Although the Baltimore County Soil Survey shows part of the site as mapped in the Aldino Soil Series, it has been verified with Glenn Shaffer of Baltimore County Department of Environmental Protection and Resource Management (DEPRM) that the site has been previously altered and that wetlands are delineated correctly on this Plan. A wetland report was submitted to Baltimore County DEPRM in April, 1989. Wetland limit was approved by Mr. Shaffer in April, 1989.

H. Site has two sanitary sewer services: by gravity at the rear to Morfoot Avenue and force main at the front to existing line in Old Milford Mill Road. Proposed uses will utilize existing force main.

I. Existing well on site is not in use. Well will be abandoned and backfilled by a licensed well driller in accordance with Baltimore County regulations.

J. Oil tank on site is not in use. Oil tank will be pumped out and removed by a licensed fuel oil hauler. The excess oil will be disposed of in accordance with State and Baltimore County regulations. Baltimore County DEPRM will be notified prior to oil tank removal.

K. Bituminous paving to be used on parking areas and driveways. Parking areas will be permanently striped.

L. All signs will conform to applicable Baltimore County Zoning Regulations except as noted under Additional Zoning Issues.

M. Existing and proposed buildings will comply with all fire safety code requirements.

N. Calculations regarding available water for fire flow and domestic demand have been submitted to Mr. John Brian, County Fire Prevention Engineer. Fire flow test indicates a flow of 1687 gpm at required minimum residual pressure of 20 psi. System demand has been calculated at 31 gpm for domestic use and 875 gpm for fire demand. Sprinklers will be provided for existing nursing home and proposed construction.

8. OFFSITE IMPROVEMENTS:

A. Average daily trips: 135 beds x 3.3 ADT/bed = 445.5 or 446 ADT

B. Half-width dedication for 40-foot ultimate right of way for Old Milford Mill Road is shown as required by Baltimore County Department of Public Services.

A waiver for public standard improvements along Old Milford Mill Road has been submitted to Baltimore County Department of Public Services on February 5, 1990. Existing frontage improvements to Old Milford Mill Road recently completed by Baltimore County. Proposed sidewalk and street widening to be constructed if request of waiver from Public Works standards is denied.

C. Proposed development is not within microwave path.

9. ZONING HISTORY:

A. Case No. 3085-X - February 2, 1961 - Special Exception Granted for Convalescent Home, with the following provisions:
1. The existing fence between the property and Colby Road shall be maintained and kept in proper repair. The property currently complies.
2. No flashing, blinding, pulsating or animated signs on the property. Non-illuminated signs are permitted. The existing sign complies.
3. Any structures constructed for the convalescent home shall be set back at least 100 feet from the present paved surface of Old Milford Mill Road. The existing building is 100 feet from the curb line of Old Milford Mill Road, and complies.
4. No structures shall be erected with a height greater than 35 feet above present ground level. The existing building is a maximum of 35 feet in height, and complies.
5. No more than 100 bedroom units shall be located on the subject property. The existing building has 66 bedrooms units, and 99 beds, and complies.
6. All plans for construction of future buildings or alteration of the present dwelling must be submitted for approval to the Baltimore County Office of Planning and Zoning.

Boundaries of this Special Exception case are the property lines of the original parcel (Deed 5184/721).

B. Case No. 68-121-A - December 7, 1967 - Variance granted on the newly incorporated Parcel (Deed 7755/494) to permit 20 foot side yards in place of public assembly, and to permit a side yard of 13 feet 8 inches for one side and 7 feet 2 inches for the other side, instead of the required 20 feet. The purpose of the variance was to use the existing structure on the premises for religious purposes. Side yard variances granted under this case are noted on the Plan.

10. RESIDENTIAL TRANSITION AREA REQUIREMENTS:

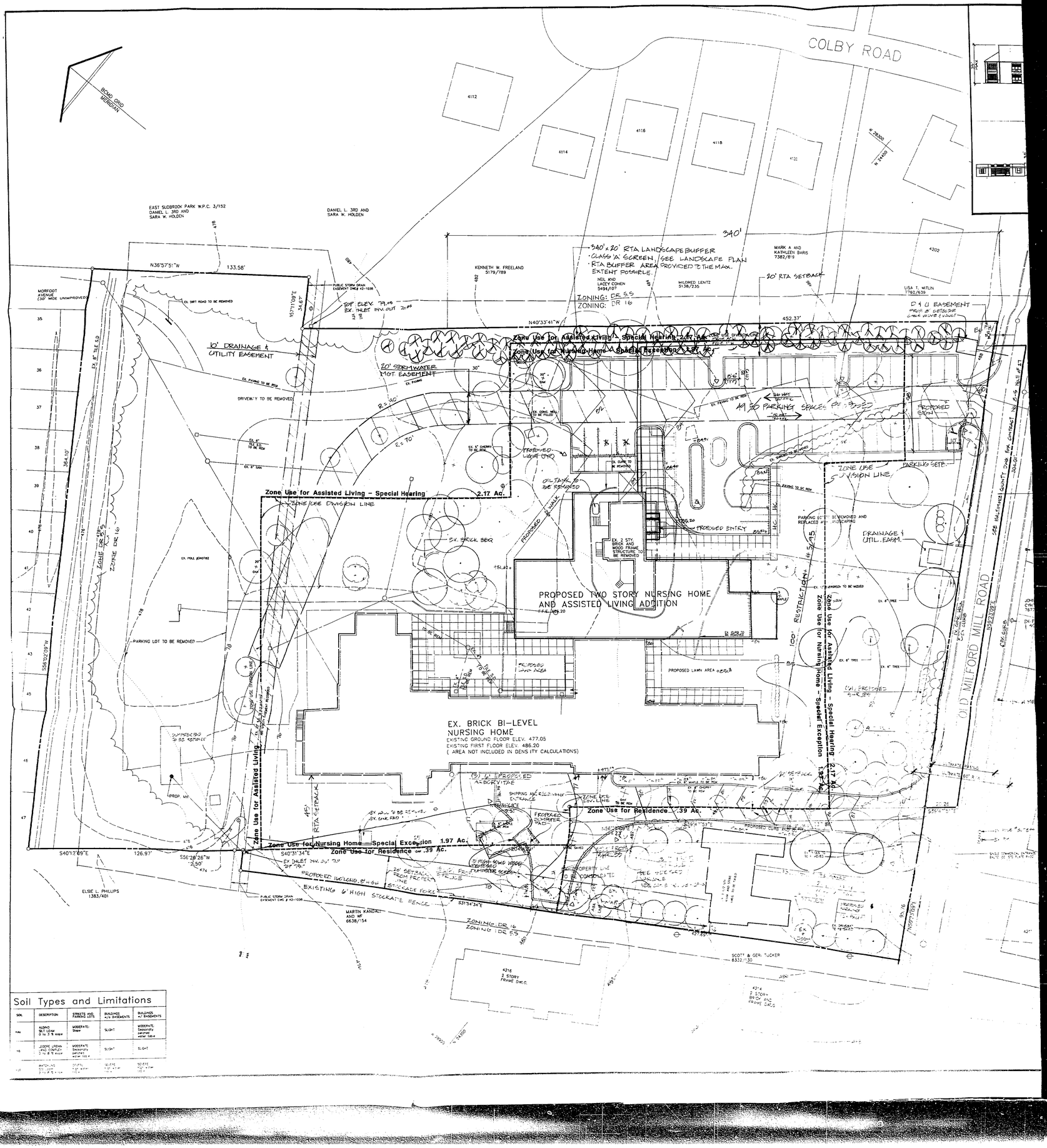
A. The entire property is within an R.T.A. area.

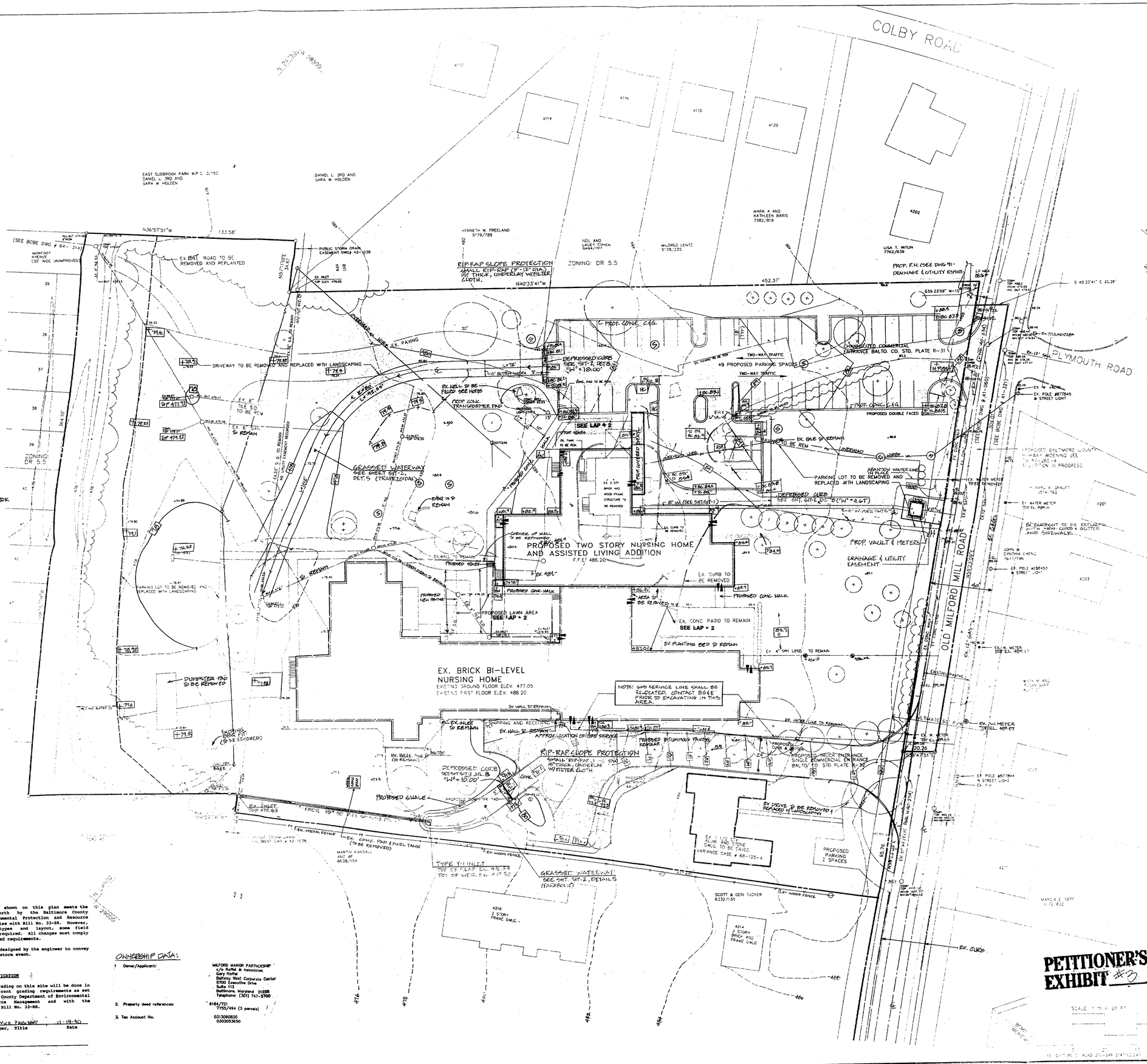
B. The proposed development meets the following R.T.A. requirements:

Maximum height of buildings is 35 feet.
Maximum height of lighting fixtures is 16 feet.
Lighting is designed and placed to prevent spillage into any adjoining dwelling or lot.

C. The following Modifications to the R.T.A. Requirements will be requested:

1. Sideyard buffer to building of 6 ft. in lieu of the required 50 ft.
2. Sideyard buffer to parking of 20 ft. in lieu of the required 75 ft.


COLBY ROAD
BOMD. GRID MERIDIAN
EAST SUBROOK PARK W.P.C. 3/152
DANIEL L. 3RD AND SARA W. HOLDEN
DANIEL L. 3RD AND SARA W. HOLDEN
4112
4114
4116
4118
4120
4202
N36°57'51"W 133.58'
N57°11'09"E 34.87'
MORFOOT AVENUE (30' WIDE UNIMPROVED)
EX. 8" TILE S.D.
EX. DIRT ROAD TO BE REMOVED
PUBLIC STORM DRAIN EASEMENT DWCE 42-1038
TOP. ELEV. 79.05
EX. INLET INV. OUT 70.05
10' DRAINAGE & UTILITY EASEMENT
20' STORMWATER MGT EASEMENT
EX. PAVING TO BE REM.
DRIVEWAY TO BE REMOVED
R=90'
R=70'
EX. 8" SAN.
364.10'
S56°03'08"W
KENNETH W. FREELAND 5179/789
340'
340' x 20' RTA LANDSCAPE BUFFER
· CLASS 'A' SCREEN, SEE LANDSCAPE PLAN
· RTA BUFFER AREA PROVIDED TO THE MAX. EXTENT POSSIBLE.
NEIL AND LACEY COHEN 5484/107
MILDRED LENTZ 5138/735
MARK A. AND KATHLEEN BARIS 7382/819
USA T. WATLIN 7762/639
ZONING: DR 5.5
ZONING: DR 16
20' RTA SETBACK
N40°33'41"W 452.37'
D & U EASEMENT
Zone Use for Assisted Living - Special Hearing 2.17 Ac.
Zone Use for Nursing Home - Special Exception 1.97 Ac.
EX. CONC. WALL TO BE FILLED
EX. CHERRY TO BE REM.
PROPOSED LIGHT TYP.
EX. CURB TO BE REMOVED
OIL TANK TO BE REMOVED
40 PARKING SPACES PROPOSED
PROPOSED SIGN
Zone Use for Assisted Living - Special Hearing 2.17 Ac.
ZONE USE DIVISION LINE
EX. BRICK BBQ
EX. POLE #340782
EX. 2 STY. BRICK AND WOOD FRAME STRUCTURE TO BE REMOVED
PROPOSED ENTRY
PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
F.F.E. 491.20
PARKING LOT TO BE REMOVED
PROPOSED LAWN AREA
EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20
(AREA NOT INCLUDED IN DENSITY CALCULATIONS)
PARKING LOT TO BE REMOVED AND REPLACED
DRAINAGE & UTIL. EASM.
PARKING SETB.
SEE MULTIPLE COUNTY DWGS FOR CONTINUATION
Zone Use for Assisted Living - Special Hearing 2.17 Ac.
Zone Use for Nursing Home - Special Exception 1.97 Ac.
OLD MILFORD MILL ROAD
S52°23'09"E
RESTRICTION
EX. 6" TREE
EX. FENCES
EX. BRICK
PROPOSED LAWN AREA
PROPOSED CURB INLET
PROPOSED 6" WATER
PROPOSED 8" SEWER
PROPERTY LINE TO BE CONSOLIDATED
SEE MULTIPLE COUNTY DWGS FOR CONTINUATION
SHIPPING AND RECEIVING VEHICLE ENTRANCE
ZONE USE DIVISION LINE
PROPOSED DUMPSTER PAD
PROPOSED 20' SETBACK FROM PROPERTY LINE
6' HIGH WOOD WHITE PICKET FENCE
EX. 6" WATER
EX. 8" SEWER
EX. 6" GAS
EX. 8" WATER
EX. 12" WATER
EX. 10" SEWER
EX. 6" SEWER
EX. 4" GAS
EX. 8" GAS
EX. 12" GAS
EX. 6" WATER
EX. 8" WATER
EX. 10" WATER
EX. 4" WATER
EX. 6" SEWER
EX. 8" SEWER
EX. 12" SEWER
EX. 4" SEWER
EX. 6" GAS
EX. 8" GAS
EX. 12" GAS
EX. 4" GAS
EX. 6" WATER
EX. 8" WATER
EX. 12


COLBY ROAD
PLYMOUTH ROAD
OLD MILFORD MILL ROAD
EAST SUBROOK PARK W.P.C. 3/152
DANIEL L. 3RD AND SARA W. HOLDEN
KENNETH W. FREELAND 5779/789
NEIL AND LACEY COHEN 5498/107
MILDRED LENTZ 5758/235
MARK A AND KATHLEEN BARIS 7382/819
LISA T. WITLIN 7782/639
4112
4114
4116
4118
4120
4202
4203
4216
4214
EX. BIT ROAD TO BE REMOVED AND REPLANTED
RIP-RAP SLOPE PROTECTION SMALL RIP-RAP (9"-12" DIA.) 18" THICK, UNDERLAY W/FILTER CLOTH.
ZONING: DR 5.5
PROP. F.H. (SEE DWG 9)
DRAINAGE & UTILITY ESMNT.
DRIVEWAY TO BE REMOVED AND REPLACED WITH LANDSCAPING
EX. 6" TILE S.D. TO BE REM
EX. 6" S.D. TO REMAIN
EX. WELL TO BE FILLED SEE NOTES
PROP. ROCK TRANSFORMER PAD
DEPRESSED CURB SEE SHT. 2, DETS. "W" = 10.00'
C PROF. CONC. C&G
49 PROPOSED PARKING SPACES
TWO-WAY TRAFFIC
CHANNELIZED COMMERCIAL ENTRANCE BALTO. CO. STD. PLATE R-31
PROPOSED DOUBLE FACED
EX. BALE TO REMAIN
PARKING LOT TO BE REMOVED AND REPLACED WITH LANDSCAPING
GRASSED WATERWAY SEE SHEET SHT-2, DET.5 (PARABOLIC)
SEE LAP # 2
EX. 2 STY BRICK AND WOOD FRAME STRUCTURE TO BE REMOVED
EX. W. (SEE SHT. SHT-2)
DEPRESSED CURB SEE SHT. SHT-2 "W" = 4.67'
PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
F.F.E. 486.20
EX. 42"W
EX. CURB TO BE REMOVED
PROPOSED CONC. WALK
PROPOSED LAWN AREA SEE LAP # 2
EX. CONC. PATIO TO REMAIN SEE LAP # 2
EX. PLANTING BED TO REMAIN
EX. 4" SAN LINE TO REMAIN
PROP. VAULT & METERS
DRAINAGE & UTILITY EASEMENT
EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20
NOTE: GAS SERVICE LINE SHALL BE RELOCATED. CONTACT BG&E PRIOR TO EXCAVATING IN THIS AREA
EX. INLET TO REMAIN
EX. WALL TO REMAIN
SHIPPING AND RECEIVING
APPROX. LOCATION OF GAS SERVICE
EX. WATER LINE TO REMAIN
PROPOSED BITUMINOUS PAVING
PROPOSED REGULAR
PROPOSED CURB & GUTTER
PROPOSED TRUCK ENTRANCE SINGLE COMMERCIAL ENTRANCE BALTO. CO. STD PLATE R-30
EX. DRIVE TO BE REMOVED & REPLACED W/ LANDSCAPING
RIP-RAP SLOPE PROTECTION SMALL RIP-RAP 6" THICK, UNDERLAIN W/FILTER CLOTH.
PROPOSED SWALE
EX. INLET TOP 475.63
FROM 15" CMP SEE SHT. SHT-2
EX. METAL FENCE
EX. CONC. PAD & FUEL TANK (TO BE REMOVED)
EX. WOOD FENCE
TYPE Y-I INLET TOP CF "LAP" EL. 476.33 TOP OF WEIR FL. AT 475.0
GRASSED WATERWAY SEE SHT. SHT-2, DETAIL 5 (PARABOLIC)
EX. CURB
EX. 12" CMP
EX. 8" SAN
EX. 12" SAN
EX. 8" W
EX. POLE #877845 & STREET LIGHT
EX. POLE #288453 & STREET LIGHT
EX. POLE #877844 & STREET LIGHT
EX. FH
EX. W METER TOP EL. 484.15
EX. GAS METER TOP EL. 484.15
EX. W METER TOP EL. 484.15
EX. GAS METER TOP EL. 484.15
EX. W METER TOP EL. 481.67
EX. W METER TOP EL. 480.26
EX. GAS METER TOP EL. 480.26
EX. GAS METER TOP EL. 479.67
EX. GAS METER TOP EL. 479.67
EX. GAS METER TOP EL. 479.67

BALTIMORE COUNTY FINAL LANDSCAPE PLAN CALCULATIONS

STREET TREE CALCULATIONS	PLANTING UNITS REQUIRED		PLANTING UNITS PROPOSED
Adjacent Road "A"	10		
existing tree credit	- 6		5
sub total	4		
Interior Road	16		
existing tree credit			
25" dia.tree =12 P.U. credits	-12		
	4		5
PARKING AREA:	4		7
SCREENING CALCULATIONS:			
Class A screen No. 1	22		
existing tree credit			
25" dia. tree =8 P.U. credits	-8		
sub total	14	38 minor	22
TOTAL QUANTITIES			
Required	26	Proposed	34

GENERAL LANDSCAPE NOTES:

- All planting beds, unless otherwise noted, shall have a 3" depth of hardwood mulch.
- All planting beds which adjoin lawn areas shall be edged with a 4" high galv. steel edging or approved equal.
- All plant material shall be installed or transplanted by a landscape contractor.

Screening Calculations

AREA 340' x 20' of RDA.
BUFFER CLASS 'A' SCREEN IS MORE RESTRICTIVE THAN RDA BUFFER REQUIREMENTS
CLASS 'A' SCREEN REQUIRES 22 P.U., RDA REQUIRES 17 P.U.
PROVIDED 14 P.U.

Parking Area Calculations

49 PROPOSED PARKING SPACES

Interior Road Calculations

PROPOSED 5 P.U.

Street Tree Calculations

400' OF ROADWAY FRONTAGE REQUIRES 10 P.U. CREDIT FOR 6 P.U.
PROPOSED 5 ADDITIONAL P.U.

AREAS TO RECEIVE TRANSPLANTING AT THE DIRECTION OF THE L.A. IN THE FIELD.

PLANTS TO BE TRANSPLANTED AT THE DIRECTION OF THE L.A. IN THE FIELD

COLBY ROAD

OLD MILFORD MILL ROAD

PLYMOUTH ROAD

PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
F.F.E. 486.20

EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20

PROPOSED LAWN AREA

PROPOSED DUMPSTER PAD

SHIPPING AND RECEIVING

PROPOSED TRUCK ENTRANCE
SINGLE COMMERCIAL ENTRANCE
BALTO. CO. STD. PLATE R-38

PROPOSED DOUBLE FACE SIGN

PROPOSED BALTIMORE COUNTY HIGHWAY WIDENING SEE RW 87-265-4 ACQUISITION IN PROGRESS

EX. 6' STOCKADE FENCE ALONG PROPERTY LINE

EX. 1 1/2 STY. ALUM. AND STONE DWLG. TO BE SAVED. VARIANCE CASE # 68-125-A

PROPOSED PARKING 2 SPACES

EX. 2 STY. BRICK AND WOOD FRAME STRUCTURE TO BE REMOVED

EX. 6" TILE S.D. TO BE REM

EX. 6" SAN

EX. PAVING TO BE REM

PARKING LOT TO BE REMOVED AND REPLACED WITH LANDSCAPING

EX. CONC. PATIO TO REMAIN

EX. 4" FORCE MAIN TO REMAIN

EX. WALL TO REMAIN

EX. CURB TO BE REMOVED

EX. WATER METER

EX. W. METER

EX. POLE #238453 & STREET LIGHT

EX. POLE #277845 & STREET LIGHT

EX. POLE #307844 & STREET LIGHT

EX. F.H.

EX. 20' HIGH N. SPRUCE. I CREDIT FOR 6 P.U.

19, 15 FT NORWAY SPRUCE TO REMAIN

1 NORWAY SPRUCE TO BE REMOVED

EXISTING PAVING

ULTIMATE 60' R/W

EXISTING WATER LINE TO REMAIN

EX. OAK 25"

EX. MAPLE 27"

EX. 2" WATER SERVICE

EX. 8" SAN MH

EX. 10" SAN MH

EX. 8" SAN MH

EX. 8" SAN MH

EX. 8

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Sections 432.4 and 502.1 of the B.C.Z.R. The Petitioner has 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 Petitioner's Exhibit 12 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 B.C.Z.R.

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.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;

2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and

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By [illegible]

3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing, special exception and variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 21st day of May, 1991 that the Petition for Special Hearing to approve an amendment to the special exception and site plan previously approved in Case No. 5095-X to permit a modification, expansion, and overall reduction of the original special exception area required to support the existing nursing home containing 99 beds and 20 additional beds, or 119 beds total, and to amend the site plan accordingly, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the Petition for Special Hearing to amend Restrictions 1 and 5 of Case No. 5095-X and to permit a service driveway and turnaround for the nursing home within the yard area of the single family dwelling, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit an Assisted Living Facility containing a maximum 16 beds in conjunction with the existing nursing home and the expansion of the existing nursing home to provide 20 additional beds for a total 119 beds, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a waiver of the Residential Transition Area requirements to allow a modification of said requirements, which complies to the extent possible, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit an entrance sign of 63 sq.ft. (counting both sides) in lieu of the permitted 1 sq.ft., in accordance with the design set forth in Petitioner's Exhibit 11 and the location shown on Petitioner's Exhibit 12, and a side yard setback of 20 feet in lieu of the required 25 feet for the existing nursing home, in accordance with Petitioner's Exhibit A, except as herein modified, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

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 30-day 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.

2) Compliance with all Zoning Plans Advisory Committee comments.

3) Prior to the issuance of any building permits, Petitioners shall submit a landscaping plan for the entire site for approval by the Deputy Director of Planning. A copy of the approved plan shall be submitted to this Office for inclusion in the case file prior to the issuance of any permits.

4) CRG approval of the modified plans in accordance with all restrictions is required prior to the issuance of any permits.

5) The service driveway shall be no closer than as depicted on Petitioner's Exhibit B.

6) The Petitioners shall fence and shrub the service driveway at a minimum as shown on Petitioner's Exhibits 10 and B.

7) All deliveries and trash removal using the service driveway shall be limited to use between the hours of 8:00 AM and 5:00 PM, Monday through Friday.

8) The compactor shall be enclosed and screened as shown on Petitioner's Exhibit 12.

9) The single family residence located on the west end of the subject property shall be used for residential purposes only.

10) The proposed entrance sign shall not be illuminated. Said sign shall be designed in accordance with that depicted on Petitioner's Exhibit 11 and shall not exceed 63 sq.ft. in size, counting both sides. The lettering for the sign shall not exceed 20 sq.ft. per side. Further, the location of the sign shall be in the area depicted on Petitioner's Exhibit 12.

11) Prior to the issuance of any permits, Petitioners shall submit a revised site plan depicting the RTA buffer areas provided to the maximum extent possible. Further, Petitioners shall clearly show the boundaries of the original special exception area granted in Case No. 5095-X. Said plan shall also identify and conspicuously label the remaining various locations available to be utilized for each assisted living density, single family dwelling, and nursing home. All notes shall be legible and of a size large enough and suitable for microfilming as determined by the Office of Zoning.

12) Prior to the issuance of any permits, Petitioners shall obtain written approval of the modified site plan by the Department of Traffic Engineering, including, but not limited to, the service drive and its access for a tractor trailer as permitted.

13) The proposed addition must be built in accordance with the design and specifications set forth on Petitioner's Exhibit 16.

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14) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

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Date 5/9/91
By [illegible]

248

PETITION FOR SPECIAL EXCEPTION 91-237-SPHXA

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 an Assisted Living Facility containing a maximum of 16 beds, pursuant to Sec. 1B01.1.C.23 and Sec. 432.1.A.2 in conjunction with a nursing home and to permit an expansion of the existing nursing home to allow an additional 20 beds (total of 119 beds) and pursuant to Sec. 432.4, the waiver of the Residential ~~Transition Requirements in Sec. 1B01.1.B.1.b~~ to provide for a modification of the RTA requirements which are provided to the extent possible as shown on the hearing site plan.

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:	Legal Owner(s):
(Type or Print Name)	MILFORD MANOR PARTNERSHIP (Type or Print Name)
Signature	Lorraine Rappel PARTNER (Signature)
Address	LORRAINE RAPPEL (Type or Print Name)
City and State	Signature
Attorney for Petitioner:	
CHARLES B. HEYMAN (Type or Print Name)	5700 Executive Dr., Suite 112 Address Phone No. 301-
Signature SUN LIFE BUILDING	Baltimore, Maryland 21228 747-5700 City and State
20 South Charles Street, 10th Floor Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Baltimore, Maryland 21201 City and State	Name
Attorney's Telephone No.: 301-539-6967	Address Phone No.

MAP NW 7E
E.C.
S.D.
DATE 12-10-91
ZONING 6F
NO.
OFF G

ORDERED By The Zoning Commissioner of Baltimore County, this 3 day of Jan, 19 91, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout 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 28 day of Feb, 19 91, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

Z.C.O.—No. 1 (over)

ORDER RECEIVED FOR FILING
Date 5/9/91
By [illegible]

248
91-237-SPHXA

PETITION FOR SPECIAL HEARING

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 Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve pursuant to Sec. 500.6 an Amendment to the Special Exception and Site Plan granted in Case #5095-X to ~~permit modification and reduction of the area necessary to allow the existing 99-bed~~ nursing home and a proposed 20 bed addition thereto (total of 119 beds) and to amend the ~~Site Plan accordingly and to amend Restrictions #1 and #5 in Case #5095-X and to allow~~ a service driveway and turnaround for the nursing home within the yard area of the single family dwelling as shown on the hearing site plan.

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

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

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:	Legal Owner(s):
(Type or Print Name)	MILFORD MANOR PARTNERSHIP (Type or Print Name)
Signature	Lorraine Rappel PARTNER (Signature)
Address	LORRAINE RAPPEL (Type or Print Name)
City and State	Signature
Attorney for Petitioner:	
CHARLES B. HEYMAN (Type or Print Name)	5700 Executive Dr., Suite 112 Address Phone No. 301-
Signature Sun Life Bldg. - 10th Floor	Baltimore, Maryland 21228 747-5700 City and State
~~20 S. Charles Street~~ Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Baltimore, Maryland 21201 City and State	Name
Attorney's Telephone No.: 301-539-6967	Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 3 day of Jan, 19 91, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout 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 29 day of Jan, 19 91, at 2 o'clock P.M.

Zoning Commissioner of Baltimore County

Z.C.O.—No. 1 (over)

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Date 5/9/91
By [illegible]

248
91-237-SPHXA

PETITION FOR ZONING VARIANCE 91-237-SPHXA

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 Variance from Section 413.1.a to allow an illuminated entrance sign of 63 square feet in lieu of one square foot and from C M D P V.B.2 and Section 1B02.2B and Section 102.2 to permit a 20 foot side yard setback for an existing nursing home in lieu of the required 25 feet as shown on the hearing site plan.
of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)
To be established at Hearing

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

I, or we, agree to pay expenses of above Variance 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:	Legal Owner(s):
(Type or Print Name)	MILFORD MANOR PARTNERSHIP (Type or Print Name)
Signature	Lorraine Rappel PARTNER (Signature)
Address	LORRAINE RAPPEL (Type or Print Name)
City and State	Signature
Attorney for Petitioner:	
CHARLES B. HEYMAN (Type or Print Name)	5700 Executive Drive, Suite 112 Address Phone No. 301-
Signature SUN LIFE BUILDING	Baltimore, Maryland 21228 747-5700 City and State
20 South Charles Street, 10th Floor Address	Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Baltimore, Maryland 21201 City and State	Name
Attorney's Telephone No.: 301-539-6967	Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 5 day of Jan, 19 91, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout 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 28 day of Feb, 19 91, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

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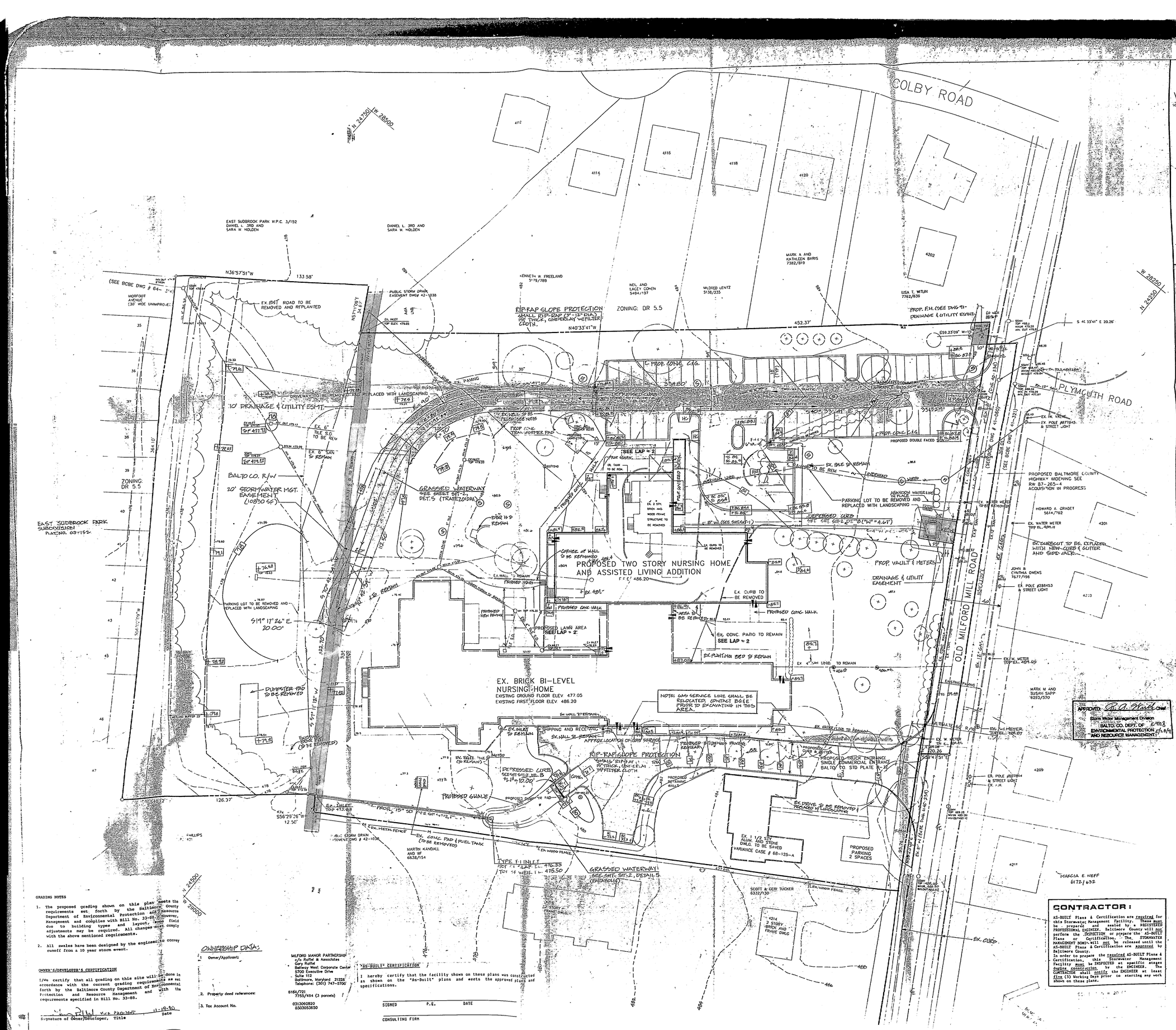
By [illegible]


COLBY ROAD
PLYMOUTH ROAD
OLD MILFORD MILL ROAD
EAST SUDBROOK PARK SUBDIVISION PLAT NO. 03-152
EAST SUDBROOK PARK W.P.C. 3/152
DANIEL L. 3RD AND SARA W. HOLDEN
KENNETH W. FREELAND 3179/789
NEIL AND LACEY COHEN 5494/107
MILDRED LENTZ 3138/235
MARK A AND KATHLEEN BARIS 7382/819
LISA T. WITLIN 7782/639
MARCIA E HEFF 6172/632
SCOTT & GERI TUCKER 6332/130
MARTIN KANDALL AND WF 6638/154
PHILLIPS P. 421
MORFOOT AVENUE (30' WIDE UNIMPROVED)
ZONING: DR 5.5
EX. BIT ROAD TO BE REMOVED AND REPLANTED
PUBLIC STORM DRAIN EASEMENT DWG # 2-1038
RIPRAP SLOPE PROTECTION SMALL RIP-RAP (3"-12" DIA.) 18" THICK, UNDERLAY WEBSTER CLOTH.
10' DRAINAGE & UTILITY ESMT.
DRIVEWAY TO BE REMOVED AND REPLACED WITH LANDSCAPING
EX. 6" TILE S.D. TO BE REM
EX. 6" SAN TO REMAIN
BALTO CO. R/W
20' STORMWATER MGT. EASEMENT (10850 SF)
GRASSED WATERWAY SEE SHEET SHT-2, DET. 5 (TRAPEZOIDAL)
EX. 2 STY. BRICK AND WOOD FRAME STRUCTURE TO BE REMOVED
EX. 8" W. (SEE SHT SHT-1)
EX. CURB TO BE REMOVED
CORNER OF WALL TO BE REMAINED
PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
F.F.E. 486.20
EX. 481
PROPOSED CONC. WALK
PROPOSED LAWN AREA SEE LAP = 2
EX. CONC. PATIO TO REMAIN SEE LAP = 2
EX. PLANTING BED TO REMAIN
EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20
NOTE: GAS SERVICE LINE SHALL BE RELOCATED. CONTACT BG&E PRIOR TO EXCAVATING IN THIS AREA.
EX. WALL TO REMAIN
EX. INLET TO REMAIN
SHIPPING AND RECEIVING
APPROX. LOCATION OF GAS SERVICE
RIP-RAP SLOPE PROTECTION SMALL RIP-RAP 18" THICK, UNDERLAY WITH FILTER CLOTH
DEPRESSED CURB SEE SHT SHT-2 DET. 3 1"=10.00'
PROPOSED SWALE
PROPOSED RETAINING WALL
EX. INLET TO BE REMOVED
EX. METAL FENCE
EX. CONC. PAD & FUEL TANK (TO BE REMOVED)
EX. WOOD FENCE
TYPE 1 INLET TOP EL. 476.83 INV. EL. 475.50
GRASSED WATERWAY SEE SHT. SHT-2 DETAIL 5 (TRAPEZOIDAL)
EX. 1 1/2 STY. BRICK AND STONE DWLG. TO BE SAVED VARIANCE CASE # 68-125-A
PROPOSED PARKING 2 SPACES
EX. 1 STORY BRICK AND FRAME DWLG.
EX. 2 1/2 STORY FRAME DWLG.
EX. CURB
PROPOSED DOUBLE FACED
PROPOSED BALTIMORE COUNTY HIGHWAY WIDENING SEE RW 87-265-4 ACQUISITION IN PROGRESS
PARKING LOT TO BE REMOVED AND REPLACED WITH LANDSCAPING
ABANDON WATERLINE IN PLACE
EX. WATER METER TO BE REMOVED
EX. POLE #877545 & STREET LIGHT
EX. POLE #858453 & STREET LIGHT
EX. POLE #857844 & STREET LIGHT
EX. W. METER TOP EL. 484.11
EX. W. METER TOP EL. 484.05
EX. W. METER TOP EL. 480.07
EX. W. METER EL. 479.28
HOWARD A. GRADET 5614/762
JOHN & CYNTHIA OWENS 7677/786
MARK M. AND SUSAN SAPP 6293/570
4201
4203
4209
4211
4213
4215
4217
4223
PROPOSED VAULT & METERS
DRAINAGE & UTILITY EASEMENT
PROPOSED CURB & GUTTER
PROPOSED TRUCK ENTRANCE SINGLE COMMERCIAL ENTRANCE BALTO. CO. STD PLATE R-15
EX. DRIVE TO BE REMOVED & REPLACED W/ LANDSCAPING
EX. WATER LINE TO REMAIN
EX. 4" SAN LINE TO REMAIN
EX. 8" SAN LINE TO REMAIN
EX. 6" SAN LINE TO REMAIN
EX. CURB TO BE REMOVED
EX. CURB TO REMAIN
EX. GRADE TO REMAIN
EX. CONTOUR TO REMAIN
EX. SPOT ELEV. TO REMAIN
PROPOSED CONTOUR
PROPOSED SPOT ELEV.
PROPOSED SWALE
PROPOSED PAVING
PROPOSED CONC. WALK
PROPOSED CONC. CURB
PROPOSED CONC. APRON
PROPOSED CONC. PAD
PROPOSED HANDICAP RAMP
PROPOSED DOUBLE FACED
PROPOSED SINGLE FACED
PROPOSED DOUBLE FACED
PROPOSED SINGLE FACED

...TES

...Applicant:
MILFORD MANOR PARTNERSHIP
c/o Raffel & Associates
Gary Raffel
Baltimore West Corporate Center
5700 Executive Drive
Suite 210
Baltimore, Maryland 21228
Telephone: (301) 747-5700

...Deed references:
6184/721
7755/494 (2 parcels)

...Tax Map No.
0313060820
0303063650

...D.R.16 and D.R.5.5

...all adjoining property is D.R.5.5

...property was rezoned from D.R.5.5 to D.R.16 in the 1988 ...Comprehensive rezoning by Baltimore County Council.
...Special Hearing has been applied for to amend the Special Exception and ...Variance granted in Case #1095-X to permit modification and extension of the ...Addition and to allow a service driveway and turnaround within the yard area ...of the single family dwelling.
...Special Exception has been applied for to allow construction of the ...Assisted Living facility and modification of the RTA requirements. and ...Variance has been applied for, for an illuminated entrance sign larger than ...(1) square foot, with advertising (see Detail on plan).

...TY AND USE:

...ting Nursing Home Beds: 99
...Additional Nursing Home Beds: 70
...Nursing Home Beds: 169
...Assisted Living Beds: 139
...Beds (Nurs.Home and Asst.Living): 335 Beds

...ng Use Division Areas
...ting Nursing Home and Proposed Addition: 1.97 AC
...ting Dwelling: 0.29 AC
...osed Assisted Living: D.R. 16 2.17 AC
D.R. 5.5. 0.32 AC
4.75 AC

139 Assisted Living units permitted
16 Assisted Living units proposed

...ting Dwelling on Property to remain in Residential use.

...DATA:

...ea 4.75 AC
...mmanic District: 3
...ct Tract: 2
...Used: 4024.02
...Overhead: 26
...Floor Area 52
...Site Area: 26,650 sq.ft.
...Area Ratio: 106,930 sq.ft.
0.12

...The property outline and topography shown hereon is taken from a survey ...prepared by VT Associates, dated 3/89. All existing dwellings, wells and ...septic systems within 200 ft. of property are shown hereon.

...No critical areas, archaeological sites, endangered species habitat, ...hazardous materials areas, or slopes over 25% exist within this site.

...ots on this property are to be consolidated.

...TE IMPROVEMENTS:

...Offstreet Parking Data

...119 Nursing Home Beds x 1 space per 3 beds = 40 spaces
16 Assisted Living Beds x 1 space per 2 beds = 8 spaces
...Total Required Parking 48
...Total Proposed Parking 49

...Required Handicapped parking x 1 space/25 2
...Proposed Handicapped Parking 2

...Residential Dwelling
...tal Required and Proposed Parking 2 Spaces

...Parking spaces shall be a minimum of 8.5 ft. x 18 ft. 2 barrier free ...parking spaces shall be 12 ft. x 18 ft.

...ndscape Data

...ees required for 40 linear ft of road frontage: 396 ft. / 40 ...9.9 or 10 trees required.
...ees required for 20 linear ft. of interior road: 100 ft / 20 ...5 trees required.
...ees required for every 12 parking spaces provided: 49 / 12 = 4.08 ...4 trees required.

...14 proposed trees outside of buffer areas = 20 trees. Up to 1/2 of ...existing trees may be substituted for proposed.

...oning buffers proposed as shown on plan.

...Landscaping will be provided per Baltimore County requirements. Wooded ...area along western and northern property lines to be preserved.

...Clearing and grading is to be limited to the area for road construction and ...building site only.

...Onsite lighting shall be so arranged and shielded as to confine all ...direct light of the site and to prevent reflected light rays from ...shining or glaring onto any portion of any adjacent motorway or into ...the path of oncoming vehicles, and to prevent spillage onto any adjoining ...residential properties. 10 ft. high light standards are proposed ...for parking and driveway areas.

...Stormwater Management waiver to be applied for. The outfall will be into ...the existing public storm drain system. Detailed hydrology and design with ...plans will be submitted after CRG approval.

...Although the Baltimore County Soil Survey shows part of the site as ...mapped in the Aldino Soil Series, it has been verified with Glenn ...Shaffer of Baltimore County Department of Environmental Protection ...and Resource Management (DEPRM) that the site has been previously altered ...and that wetlands are delineated correctly on this Plan. A wetland report ...was submitted to Baltimore County DEPRM in April, 1989. Wetland limit was ...approved by Mr. Shaffer in April, 1989.

...The site has two outfalls: Stormwater by gravity at the rear to Horchot ...Avenue and force main at the front to existing line in Old Milford Mill ...Road. Proposed uses will utilize existing force main.

...Existing well on site is in use. Well to be abandoned and backfilled ...by a licensed well driller in accordance with Baltimore County regulations.

...Oil tank on site is not in use. Oil tank will be pumped out and removed by ...a licensed fuel oil hauler. The wastes oil will be disposed of in ...accordance with State and Baltimore County regulations. Baltimore County ...Bureau will be notified prior to oil tank removal.

...Bituminous paving to be used on parking areas and driveways. Parking areas ...will be permanently striped.

...All signs will conform to applicable Baltimore County Zoning Regulations ...except as noted under Additional Zoning Issues.

...Existing and proposed buildings will comply with all fire safety code ...requirements.

...Calculations regarding available water for fire flow and domestic demand ...have been submitted to Mr. John Brian, County Fire Prevention Engineer. ...Fire flow test indicates a flow of 1687 gpm at required minimum residual ...pressure of 20 psi. System demand has been calculated at 33 gpm for ...domestic use and 875 gpm for fire demand. Sprinklers will be provided for ...existing nursing home and proposed construction.

...TE IMPROVEMENTS:

...Average daily trips: 135 beds x 3.3 ADT/bed = 445.5 or 446 ADT

...Half-width dedication for 80-foot ultimate right of way for Old Milford ...Mill Road is shown as required by Baltimore County Department of Public ...Services.

...A waiver for public standard improvements along Old Milford Mill Road has ...been submitted to Baltimore County Department of Public Services on ...February 9, 1990. Existing frontage improvements to Old Milford Mill Road ...were reviewed by Baltimore County. Proposed sidewalk and street ...widening to be constructed at request of waiver from Public Works standards ...is denied.

...Proposed development is not within wilderness path.

...ANCE HISTORY:

Case No. 1095-X - February 2, 1961 - Special Exception granted for Convalescent Home, with the following provisions:
1. The existing fence between the property and Colby Road shall be maintained and kept in proper repair. The property currently complies.
2. No flashing, blinking, pulsating or animated signs on the property. Noticeless illuminated signs are permitted. The existing sign complies.
3. Any ambulances constructed for the convalescent home shall be set back at least 100 feet from the present paved surface of Old Milford Mill Road. The existing building is 100 feet from the back line of Old Milford Mill Road, and complies.
4. No structures shall be erected with a height greater than 20 feet above present ground level. The existing building is a maximum of 19 feet in height, and complies.
5. No more than 200 bedroom units shall be located on the subject property. The existing building has 68 bedroom units, and 99 beds, and complies.
6. All plans for construction of future buildings or alteration of the present dwelling must be submitted for approval to the Baltimore County Office of Planning and Zoning.

...Boundaries of this Special Exception case are the property lines of the original parcel (Deed 6184/721).

Case No. 88-115-A - December 7, 1987 - Variance granted on the newly incorporated Parcel (Deed 7755/494) to permit 20 foot side yards in places of 20 feet; assembly, and to permit a side yard of 13 feet 9 inches for one side and 9 feet 2 inches for the other side, instead of the required 20 feet. The purpose of the variance was to use the existing structure on the premises for religious purposes. Side yard variances granted under this case are noted on the plan.

...DENTIAL TRANSITION AREA REQUIREMENTS:

The entire property is within an R.T.A. area.

The proposed development meets the following R.T.A. requirements:

Maximum height of buildings is 35 feet.
Maximum height of lighting fixtures is 16 feet.
Lighting is designed and placed to prevent spillage into any adjoining dwelling or lot.

The following modifications to the R.T.A. Requirements will be requested:

1. Sidyard buffer to building of 6 ft. in lieu of the required 50 ft.
2. Sidyard buffer to parking of 20 ft. in lieu of the required 35 ft.

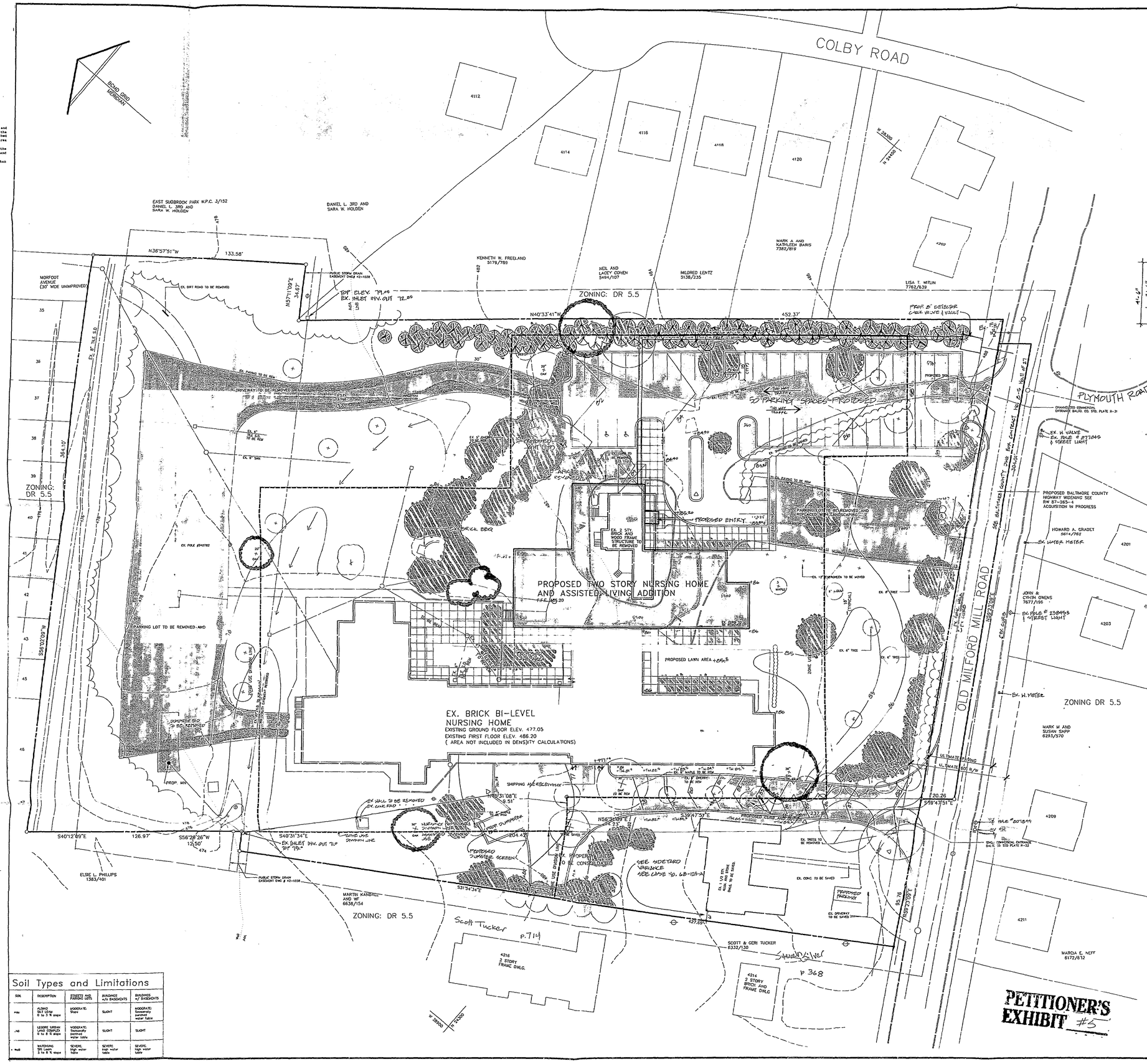
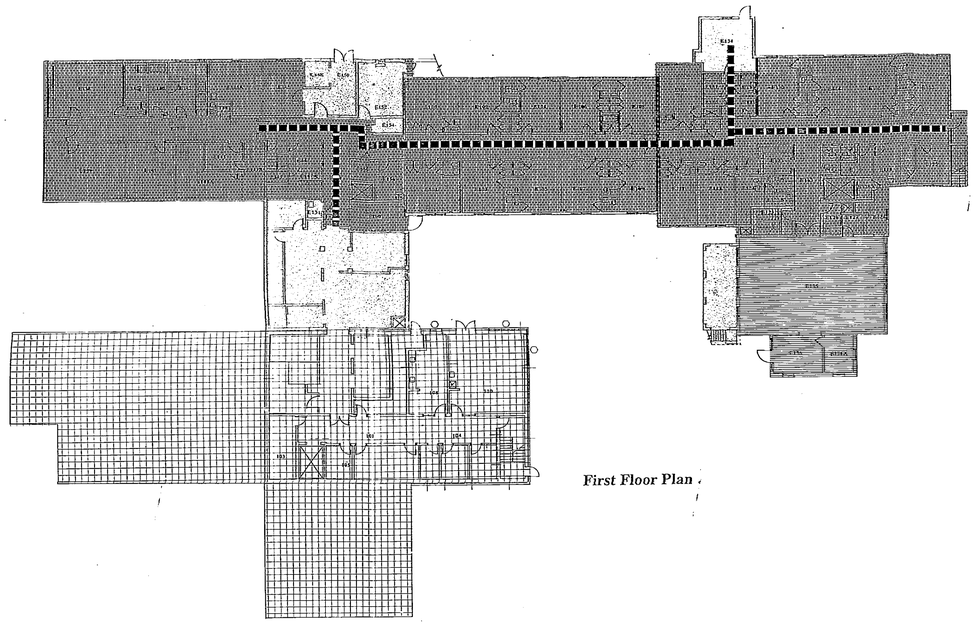
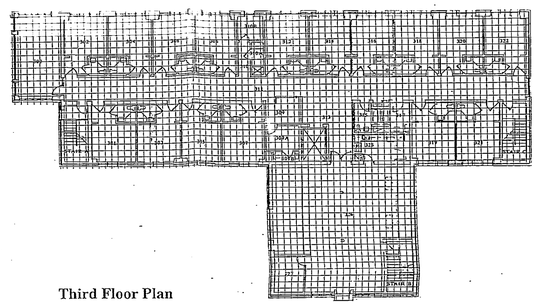

BOARD ORDD MERIDIAN
COLBY ROAD
4112
4114
4116
4118
4120
4202
W 29300
N 24400
EAST SUBBROOK PARK W.P.C. J/152
DANIEL L. 3RD AND SARA W. HOLDEN
DANIEL L. 3RD AND SARA W. HOLDEN
N36°57'51"W
133.58'
MORFOOT AVENUE (30' WIDE UNIMPROVED)
EX. DIRT ROAD TO BE REMOVED
N57°11'09"E
34.67'
PUBLIC STORM DRAIN EASEMENT DWE # 42-1038
TOP ELEV. 79.05
EX. INLET INV. OUT 72.85
KENNETH W. FREELAND 5179/759
NEIL AND LACEY COHEN 5494/107
MILORED LENTZ 5138/235
MARK A AND KATHLEEN BARIS 7382/819
LISA T. WITLIN 7762/639
ZONING: DR 5.5
N40°33'41"W
452.37'
PROP 8" DEBLOR CASE VALVE & VAULT
PLYMOUTH ROAD
EX. DRIVEWAY TO BE REMOVED
PROPOSED ENTRY
53 PARKING SPACES PROPOSED
TWO WAY TRAFFIC
DEPRESSED CURB
EX. 8" SAN.
364.10'
ZONING: DR 5.5
EX. POLE #340782
PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
F.F.E. 485.20
PARKING LOT TO BE REMOVED AND LANDSCAPED
EX. 2 STY. BRICK AND WOOD FRAME STRUCTURE TO BE REMOVED
PROPOSED LAWN AREA +25,000 S.F.
EX. 6" TREE
EX. 12" EVERGREEN TO BE MOVED
EX. 8" TREE
EX. 6" TREE
EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20
(AREA NOT INCLUDED IN DENSITY CALCULATIONS)
DUMPSTER PAD TO BE RELOCATED
PROP. MH
SHIPPING AND RECEIVING
EX WALL TO BE REMOVED
EX. CURB RAD.
S40°12'09"E
126.97'
S56°28'26"W
12.50'
S40°31'34"E
EX. INLET INV. OUT 71.9
OF 19.0
ELSIE L. PHILLIPS 1383/401
PUBLIC STORM DRAIN EASEMENT DWE # 42-1038
MARTIN KANDALL AND WF 6638/154
ZONING: DR 5.5
S31°54'34"E
S56°31'08"E
9.51'
N56°31'08"E
23.00'
S39°47'51"E
237.84'
PROPOSED CURB RETURN
EX. TREES TO BE REMOVED
EX. TREES TO BE SAVED
PROPOSED DUMPSTER SCREEN
204.42'
PROPERTY LINES TO BE CONSOLIDATED
SEE VARIANCE FOR USE DIVISION LINE
SEE SIDEYARD VARIANCE SEE CASE NO. 88-115-A
EX. 1 1/2" STEEL PIPE AND STONE MARK TO BE SAVED
EX. CONC. TO BE SAVED
PROPOSED DRIVEWAY
EX. DRIVEWAY TO BE SAVED
S39°47'51"E
120.26'
S59°23'09"E
99.76'
SCOTT & GERI TUCKER 6332/130
4216 2 STORY FRAME DWLG.
4214 2 STORY BRICK AND FRAME DWLG
Scott Tucker p.714
Sanders Inc p.368
W 38000
N 24400
OLD MILFORD MILL ROAD
EX. W. METER
EX. H. VALVE
EX. POLE # 877645 & STREET LIGHT
PROPOSED BALTIMORE COUNTY HIGHWAY WIDENING SEE RW 87-065-A ACQUISITION IN PROGRESS
HOWARD A. GRADET 9614/782
JOHN & CYNTH OWENS 7677/198
MARK M AND SUSAN SAPP 6293/570
ZONING DR 5.5
4201
4203
4209
4211
ULTIMATE R/W
ULTIMATE 60' R/W
EX. 8" WATER
EX. 12" WATER
EX. 8" SAN.
EX. 6" SAN.
EX. 8" STORM
EX. 15" STORM
EX. INLET
EX. MH
EX. 1" WATER
EX. 2" WATER
EX. 4" WATER
EX. 6" WATER
EX. 8" WATER
EX. 12" WATER
EX. 16" WATER
EX. 20" WATER
EX. 24" WATER
EX. 30" WATER
EX. 36" WATER
EX. 42" WATER
EX. 48" WATER
EX. 54" WATER
EX. 60" WATER
EX. 66" WATER
EX. 72" WATER
EX. 78" WATER
EX. 84" WATER
EX. 90" WATER
EX. 96" WATER
EX.

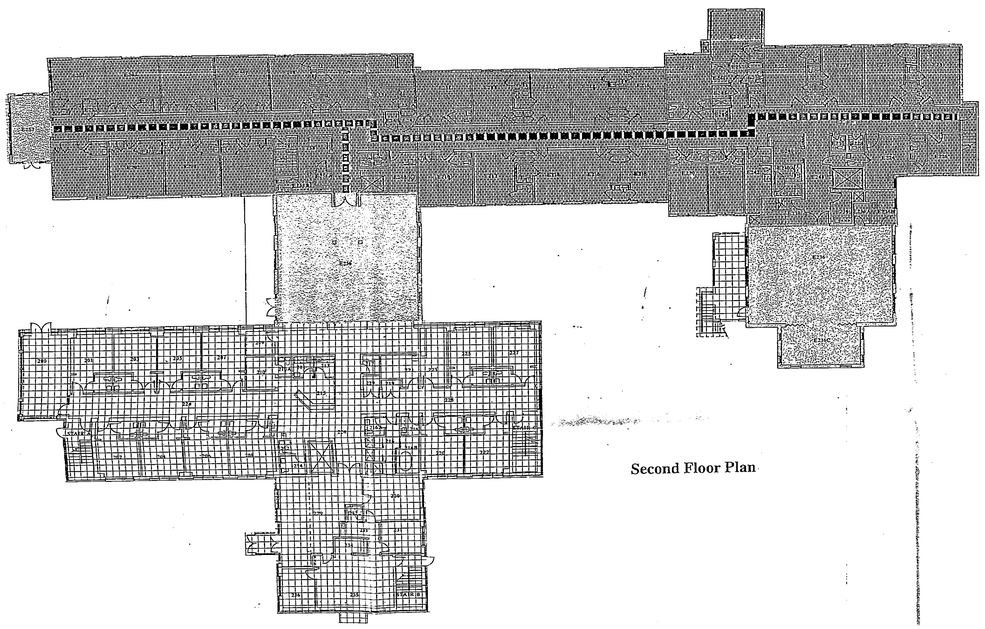
Exhibit 14



First Floor Plan



Third Floor Plan



Second Floor Plan

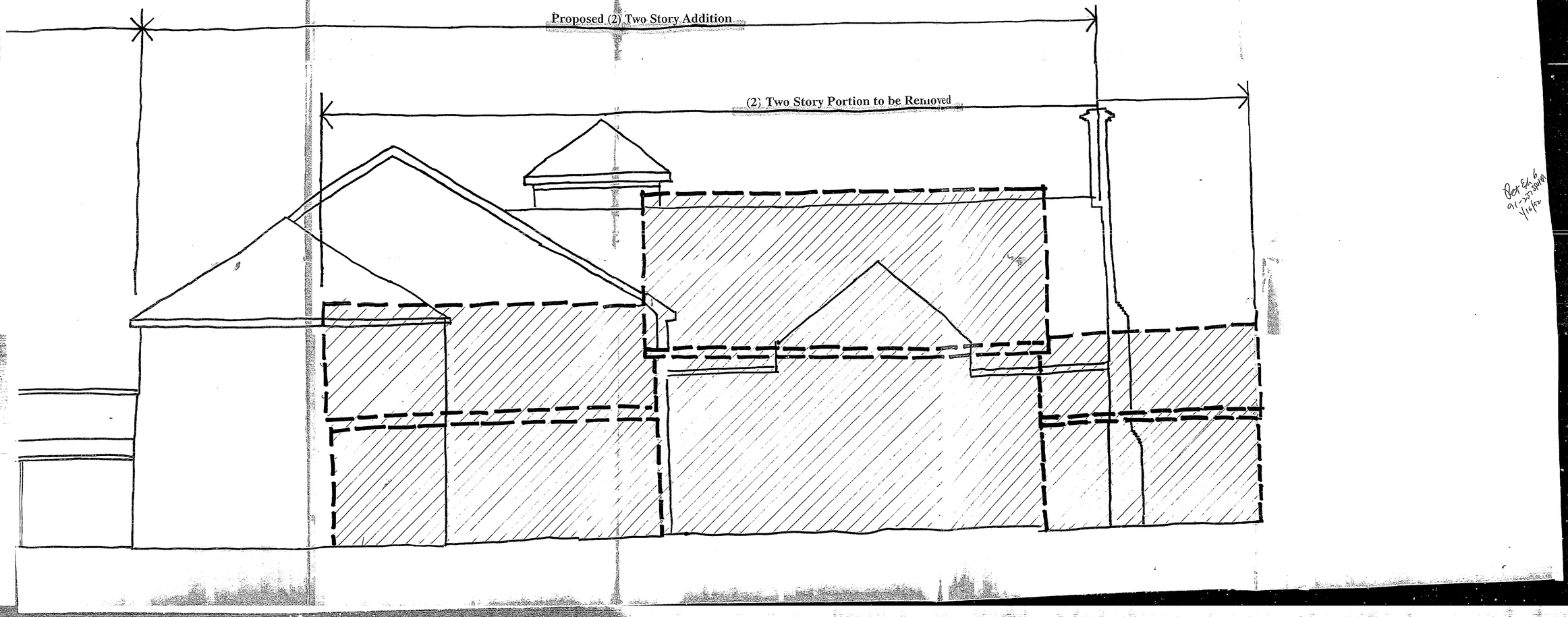
PRINTED NOV 27 1990

REVISIONS:

g ÷ f architects INC ▪ 415 north charles street ▪ baltimore, maryland 21201 ▪ 301-234-2911	MECHANICAL/ELECTRICAL: Siegel & Rutherford, Inc. 2125 Maryland Avenue Baltimore, Maryland 21218 STRUCTURAL: Allison McCormac & Nickolaus, P.A. 7165 Columbia Gateway Drive Columbia, Maryland 21046	CIVIL/LANDSCAPE: Rosenfelt & Woolfolk, Inc. 10706 Resterstown Road - Suite 8 Owings Mills, Maryland 21117 KITCHEN CONSULTANT: Herb Littman Associates 4921 Wyaconda Road Rockville, Maryland 20852	FIRE PROTECTION: Ferguson Engineering 14315 Sugar Loaf Vista Drive Clarksburg, Maryland 20871	MILFORD MANOR NURSING HOME 4204 OLD MILFORD MILL ROAD PIKESVILLE, MD 21208	PHASING PLAN	SCALE: 1/8" = 1'-0" PROJ. NO.: 90MM01 DATE:	SEAL:	SEAL:	DRAWING NO.: A-3

MASS STUDY OF PROPOSED BUILDING ADDITION

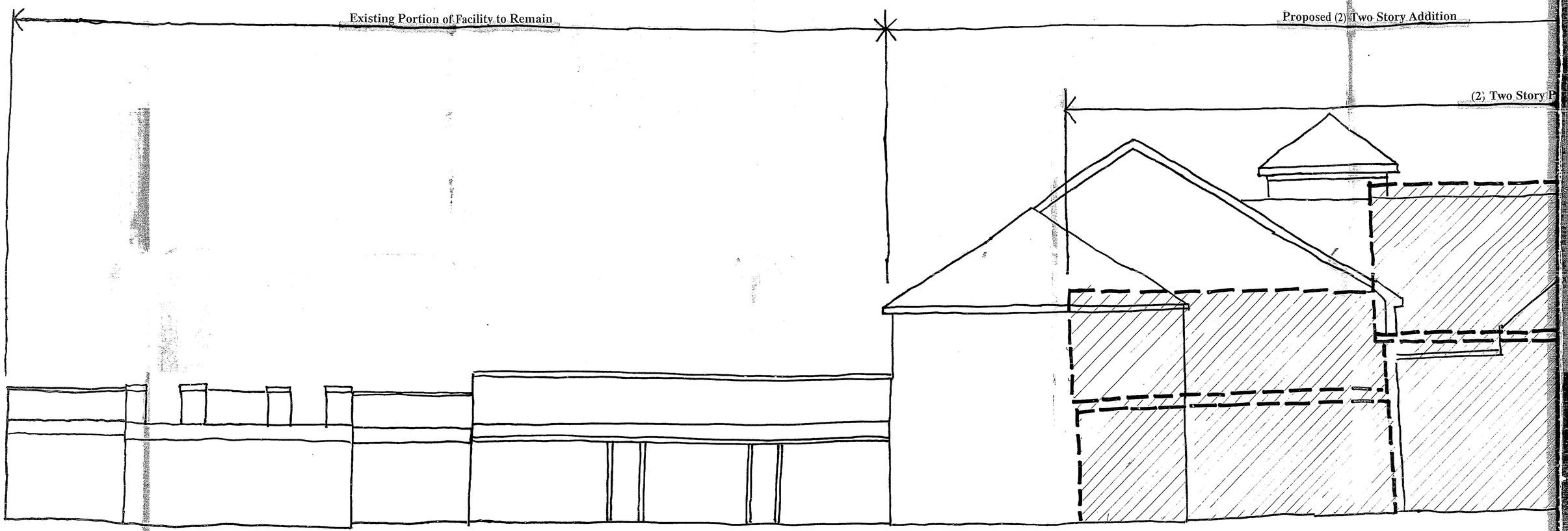
Exhibit 15



MILFORD MANOR NURSING HOME:
G+F ARCHITECTS, INC.

PROPOSED ADDITION
FEBRUARY 28, 1991

MASS STUDY OF PROPOSED BUILDING ADDITION



PETITIONER'S EXHIBIT 6

PIKESVILLE COMMUNITY GROWTH CORPORATION
Minutes - February 6, 1991

The Board of Directors of the Pikesville Community Growth Corporation met on February 6, 1991, at the PCGC headquarters, 3655-A Old Court Road. The meeting was called to order at 7:35 p.m. by President Paul Umansky. Board members and guests introduced themselves.

Minutes of the January 9, 1991 board meeting were approved as written.

Financial/Fundraising Report - Evelyn Burns gave her report. We are fairly solvent and we're waiting to hear about a grant request. We are planning an upcoming fundraiser at Jilly's.

OLD BUSINESS
Murray Wolman Resignation - Due to Murray Wolman's resignation from the Executive Committee, Gabe Rosenbush was nominated to replace him. The vote was unanimous and, he will now serve as Vice President.

Streetscaping - Evelyn stated that we met with property owners, and so far, no one is saying "no." We should know about the park area (property between Tobacco Pouch and Chinese Laundry) in 4-5 weeks. It's being held up, because the owner of Eastern Savings is waiting for an appraisal from Baltimore County. Paul Umansky stated that we are very optimistic, and image is very important. We hope people will not be inconvenienced. Mr. Umansky sent a letter to the County asking that work be done primarily at night, and we are waiting to hear a response.

District Court - Evelyn reported that Senator Hollinger said that things are moving along and negotiations are continuing.

Summerfest - Summerfest will be replaced this year with Pikesville on Parade (June 9-14). Downtown Dollars will be introduced to bring business to Pikesville. If we do not get enough of a response by the next Executive Committee meeting, we'll have to make a decision whether it will take place or not.

Newsletter - Hot off the presses, "On the Road" is geared to the business district as a marketing tool. For our next newsletter, we'd like to do an upbeat column on communities in Pikesville. Jay Bernhardt suggested distributing the newsletter in area banks and the library. Everyone thought this to be a great idea. Mr. Umansky congratulated Evelyn on a very good job.

PIKESVILLE Community Growth corp

3655-A
Old Court Road
Suite 15
Pikesville, MD 21208

Telephone
(301) 484-2310

February 21, 1991

Mrs. Lorraine Raffel
President
Raffel Health Care Group, Inc.
Beltway West Corporate Center
5700 Executive Drive
Suite 112
Baltimore, MD 21228

Dear Mrs. Raffel,

Thank you very much for appearing before our Executive Committee and showing us the plans for the expansion of the Milford Manor. At its meeting on February 6, 1991, our Board of Directors gave full authority to the Executive Committee to act on behalf of the entire Board in this matter due to time constraints.

After a very lengthy discussion and consideration for all concerned, including reviewing letters and pictures from Colonial Village residents, the following motion was made, and the motion was unanimously passed: "We take the position, provided that Milford Manor, Inc. legally bind itself to put in appropriate screening the entire length of the west side of their property (the side of the access road) which we define at its minimum to be: A heavy duty fence such as those on route #795, which is solid wood, slatted fence of sufficient height to screen the property, and adequately landscape the property on both sides of the fence, and to put adequate screening and planting around the Compactor, and use the Compactor at restricted hours, P.C.G.C. will not oppose this project."

If you agree to these requirements, I will need an adequate legal document from you before the zoning hearing on February 28, 1991 in order to support your expansion project. If I do not have adequate assurance from you, I have been instructed by the Board of Directors to oppose the project.

You have indicated your willingness to work with the community; so, I assume this will not present a problem for you. If you would like to further discuss this issue, please call me at 484-2310.

PETITIONER'S EXHIBIT 7

Robert B. Kroopnick, M.D., Edward N. Sherman, M.D., David R. Roggen, M.D.

INTERNAL MEDICINE

8620 Liberty Plaza Mall
Randallstown, MD 21133
(301) 655-7888
FAX 655-0785

95 Aquahart Road
Suite 203
Glen Burnie, MD 21061
(301) 760-0098
FAX 761-9131

February 21, 1991

PETITIONER'S EXHIBIT 94

Mr. Earl Rafell
Administrator
Milford Manor Nursing Home
4204 Old Milford Mill Road
Pikesville, MD 21208

Dear Mr. Rafell:

I was pleased to hear about the addional nursing home beds and assisted living at Milford Manor Nursing Home. I have been frustrated about not being able to place a patient in a protected environment, especially those not needing nursing care. This does help families develop an alternative plan for their parents. It would also benefit the elderly couple, one of whom is in a nursing home and the other who wants to live nearby, to share their days and acitivites.

Milford Manor is an excellent nursing home which provides kosher food, activities, religious services and daycare.

Sincerly,

Robert B. Kroopnick, M.D.

RBK/tb

91-237-SPHXA

Drs. Kroopnick & Sherman, P.A.

DIPLOMATES, AMERICAN BOARD OF INTERNAL MEDICINE
*DIPLOMATE, GERIATRIC MEDICINE

Phone 358-2411

INTERNAL MEDICINE

MARVIN GOLDSTEIN, M. D.
6001 Park Heights Avenue
Baltimore, Md. 21215

Feb. 22, 1991

Mr. Earl Raffel
Administrator
Milford Manor Nursing Home
4204 Old Milford Mill Rd.
Pikesville, MD 21208

Dear Mr. Raffel:

I am in favor of your plan to add 20 new nursing home beds and 16 assisted living beds.

Yours truly,
M. Goldstein
Marvin Goldstein,M.D.

MG:eg

PETITIONER'S EXHIBIT 93

91-237-SPHXA

Harold Levin, M. D.
10 London House
6101 Park Heights Avenue
Baltimore, Maryland 21215
Telephone 358-0008

February 22, 1991

Mr. Earl Raffel
Administrator
Milford Manor Nursing Home
4204 Old Milford Mill Road
Pikesville, Maryland 21208

Dear Mr. Raffel:

I was extremely pleased on hearing of your proposal to add more beds to your Nursing Home, but especially of the idea of beds for assisted living patients.

I recently had two sisters in their late 80's, one who became quite ill and needed nursing home care, leaving the other to fend for herself and creating a depressive condition for both of them, since they had lived together for over 25 years.

There is certainly an urgent need in this community for such beds as you propose to provide and I am hopeful you will be granted permission to proceed as planned.

Sincerely yours,
Harold Levin M.D

ML/ee

PETITIONER'S EXHIBIT 9C

91-237-SPHXA

DRS. MATCHAR, DECKELBAUM, OSTER & MALINOW, P.A.
Union Trust Building
5635 Old Court Road Suite 610
Baltimore, Maryland 21208-3976

Joseph C. Matchar, M.D.F.A.C.P.
Joseph Deckelbaum, M.D.
H. Gerald Oster, M.D.
Stanford H. Malinow, M.D.

TELEPHONE
484-4000

February 25, 1991

Earl Raffel, Administrator
Milford Manor Nursing Home
4204 Old Milford Mill Rd.
Pikesville, MD 21208

Dear Mr. Raffel:

It has come to my attention that you are planning an addition to the nursing facility of 20 nursing home beds and 16 assisted living beds for people not needing nursing care, but needing the security of supervised or group living.

I am wholly in favor of your planned addition because we are obviously in dire need of more nursing home beds as well as the beds giving non-nursing home care people a protected environment. There are many elderly people who are capable of attendant care who need a protected, supervised type of environment, which has been very difficult to come by.

Very sincerely yours,
Joseph Deckelbaum, M.D.

JD/ahm

PETITIONER'S EXHIBIT 9D

91-237-SPHXA

BERNARD F. KOZLOVSKY, M.D.
Internal Medicine
6204 Park Heights Avenue
Baltimore, Maryland 21215
Telephone 358-4243

Earl Raffel, Administrator
Milford Manor Nursing Home
4204 Old Milford Mill Road
Pikesville, Maryland 21208

Dear Mr. Raffel:

I was pleased to learn about Milford Manor expansion plans and the addition of new nursing home beds and assisted living beds. I have had a number of patients who did not need nursing home placement but in situations requiring a protected environment. Your new assisted living beds may be the answer.

I wish you success in your new endeavor and again express my opinion that the additional beds are needed expecially in a facility that can provide for the religious aspects of its clientele, including Kosher foods. Please contact me if I can be of any assistance.

Sincerely,

Bernard F. Kozlovsky, M.D.

BFK/am

PETITIONER'S EXHIBIT 9E

91-237-SPHXA

Telephone 764-6764
764-6768

INTERNIST

HOWARD B. COHEN, M.D.
6717 Park Heights Avenue
Baltimore, Maryland 21215

February 22, 1991

Mr. Earl Raffel
Administrator
Milford Manor Nursing Home
4204 Old Milford Mill Road
Pikesville, Maryland 21208

Dear Mr. Raffel:

I was delighted to hear about your coming expansion project.

There is a great need in the community for a project such as you are planning, It is important for a physician to be able to place people in a protected environment, even if they do not need nursing care. Many people have family in the nursing home, and would like very much to be close by so as to visit with them often.

I do feel that with all your other provisions, such as the activities, kosher food and religious services, and your new project, you fill the need in the community.

Sincerely,
Howard B. Cohen, M.D.
Howard B. Cohen, M.D.

PETITIONER'S EXHIBIT 9F

91-237-SPHXA

COLBY ROAD

Assisted Living Density Area

340'x20' RTA LANDSCAPE BUFFER
· CLASS 'A' SCREEN (SEE LANDSCAPE PLAN
· RTA BUFFER AREA PROVIDED TO THE MAX. EXTENT POSSIBLE.

EAST SUDBROOK PARK W.P.C. 3/152
DANIEL L. 3RD AND SARA W. HOLDEN

DANIEL L. 3RD AND SARA W. HOLDEN

KENNETH W. FREELAND 5179/789

NEIL AND LACEY COHEN 5494/107

MILDRED LENTZ 5138/235

MARK A. AND KATHLEEN BARIS 7359/819

USA T. WITLIN 7767/639

EX. DIRT ROAD TO BE REMOVED AND REPLANTED

PUBLIC STORM DRAIN EASEMENT DWG# 42-1038

TOP ELEV. 79.05
EX. INLET INV. OUT 72.85

D.R. 5.5 ZONE
DR 16 ZONE

PROPOSED LANDSCAPE BUFFER PER BALT. COUNTY REGULATIONS

Zone Use Division Line

20' RTA Setback

EX. PAVING

DRIVEWAY TO BE REMOVED

EX. CONC. WELL TO BE FILLED

49 PROPOSED PARKING SPACES

TWO-WAY TRAFFIC

EX. 6" TILE S.D. TO BE REM

EX. 8" SAN

PROPOSED LIGHT (TYP.)

EX. CURB TO BE REMOVED

OIL TANK TO BE REM.

EX. PAVING TO BE REM

PARKING SETBACK

CHANNELIZED COMMERCIAL ENTRANCE BALTO. CO. STD. PLATE R-31

EX. INL. VALVE

EX. POLE #877845 & STREET LIGHT

SEE BALTIMORE COUNTY DWG FOR CONTRACT NO. B-4

EX. 12" SAN

PROPOSED BALTIMORE COUNTY HIGHWAY WIDENING SEE RW 87-265-4 ACQUISITION IN PROGRESS

HOWARD A. GRADET 5614/762

EX. WATER METER

EX. POLE #340782

EX. BRICK BBQ

EX. 2 STY. BRICK AND WOOD FRAME STRUCTURE TO BE REMOVED

PROPOSED ENTRY

PARKING LOT TO BE REMOVED

PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
F.F.E. 486.20

EX. CURB TO BE REMOVED

PROPOSED LAWN AREA

PARKING LOT TO BE REMOVED AND

DUMPSTER PAD TO BE REMOVED

EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20
(AREA NOT INCLUDED IN DENSITY CALCULATIONS)

ZONING CASE No. 3095-X

SHIPPING AND RECIEVING

SERVICE DRIVE

PROPOSED 15' HIGH for SOLID WOOD COMPACTOR & SCREEN

RTA Setback

Zone Use Division Line

EX. NURSING HOME

ZONE USE DIVISION LINE

(14) PROPOSED 12' HIGH EVERGREEN TREES

20' SETBACK FROM PROP. LINE

PROPOSED 160' LONG 6' HIGH STOCKADE FENCE

EX. MAPLE

LAWN

(3) PROPOSED 7' HIGH EVERGREEN

SEE SIDEYARD VARIANCE SEE CASE NO. 68-125-A

EX. 1½ STY. ALUM. SID. & STONE DWLG. TO BE SAVED. VARIANCE CASE # 68-125-A

(2) PROPOSED 2½" CAL. DECIDUOUS TREES

EX. COND. TO BE SAVED

(5) PROPOSED 7' HIGH EVERGREEN

PROPOSED PARKING SPACES

EX. WALK

EX. CONC. CURB

EX. MH

OLD MILFORD MILL ROAD

EX. W. METER

(4) PROPOSED HIGH EVERGREENS

ZONING DR 5.5

MARK M. AND SUSAN SAPP 6293/370

ULTIMATE R/W

ULTIMATE R/W

EX. POLE #807844 & STREET LIGHT

EX. F.H.

SINGLE COMMERCIAL ENTRANCE BALTO. CO. STD PLATE R-32

MARTIN KANDALL AND WF 6838/154

ZONING: DR 5.5

DR 16 Zone
DR 5.5 ZONE

SCOTT & GERI TUCKER 6332/130

4216 2 STORY FRAME DWLG.

4214 2 STORY BRICK AND FRAME DWLG

39 ACRES YARD AREA IN SUPPORT OF SINGLE FAMILY DWELLING USE.

PUBLIC STORM DRAIN EASEMENT DWG# 42-1038

6' HIGH STOCKADE FENCE

Legend

Area of R.A. landscape Buffers	
Prop. Street Lights Std	
Zone Use Division Line	
Zone Use Area For Residence	.39 Ac
Zone Use Area For Nursing Home, Special Exception Area	1.97 Ac
Zone Use Area For Assisted Living Special Hearing Area	- Ac

tions

BUILDING w/ BASEMENTS
MODERATE Seasonally perched water table
SLIGHT
SEVERE High water table

Vicinity Map

SCALE 1"=1000'

site

SITE ENTRANCE SIGN
Preliminary Elevation

East Elevation

South Elevation

Boundary of Original Exception
· CASE NO. 5095-X PROVIDED

Assisted Living Density Area (includes rear of site)
· 143 UNITS PERMITTED
· 16 UNITS PROPOSED

Nursing Home Area
· 119 BEDS PERMITTED

Single Family Residential Area

PLAN TO ACCOMPANY SPECIAL EXCEPTION, SPECIAL HEARING & VARIANCE

EXISTING NURSING HOME
PROPOSED NURSING HOME ADDITION
PROPOSED ASSISTED LIVING ADDITION
CLASS B HOUSING FOR THE ELDERLY

CRG. NO. 90019
CRG. NO. 111 357
CRG WAIVER # 90-116

MILFORD MANOR
OLD MILFORD MILL ROAD

3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

REVISIONS:
6/23/90 AS
9/23/90 AS
5/13/91 AS
9/[illegible] AS

SCALE: 1"=20'
DATE: 1/26/90
JOB NO.: 714/001
DESIGNED: AS
DRAWN: AS
CHECKED: RSR/TNW
DRAWING NUMBER:

Rosenfelt & Woolfolk, Inc.
engineers and planners
Suite Eight
Dunges Mills Professional Center
10706 Reisterstown Road
Dunges Mills, MD 21117
Telephone (301) 356-4600
Facsimile (301) 581-1910

SHEET 1 of 3

Ref. Grid 5
#1, 2, 3, 5, 6 & 7
1/16/92

Notes

1 Owner/Applicant:

MILFORD MANOR PARTNERSHIP
c/o Ratfel & Associates
Gary Ratfel
Baltimore West Corporate Center
5700 Executive Drive
Suite 110
Baltimore, Maryland 21228
Telephone: (301) 747-5700

2. Property deed references: 6184/721
7755/494 (3 parcels)

3. Tax Account No. 0311060020
0310013030

4. SITE DATA:

Acreage	4.75 AC
Election District	1
Councilmanic District:	3
Census Tract:	4034.02
Watershed:	36
Subwatershed:	52
Proposed Footprint	9,750 sq.ft.
Proposed Building Height	30 ft.
Total Floor Area (Existing + Proposed)	55,530 sq.ft.
Total Site Area	206,900 sq.ft.
Floor Area Ratio:	.27

5. DENSITY AND USE:

Existing Nursing Home Beds:	99
Prop. Additional Nursing Home Beds:	20
Total Nursing Home Beds:	119
Prop. Class B Assisted Living Beds:	16
Total Beds (Nurs.Home and Asst.Living):	135 Beds

Zone Use Division Areas

Existing Nursing Home and Proposed Addition:		1.97 AC
Existing Dwelling:		0.39 AC
Proposed Assisted Living:	D.R. 16	2.17 AC
	D.R. 5.5	0.22 AC
Total		4.75 AC

Assisted Living Density Calculations

1 Assisted Living Unit = .25 density unit

D.R. 16 - 64 Assisted Living Units/ac. x 2.17 = 138.8 Asstd.Living Units
D.R. 5.5 - 22 Assisted Living Units/ac. x 0.22 = 4.8 Asstd.Living Units
Total Permitted Assisted Living Units 143.6

Total Permitted Assisted Living Units:	143
Total Proposed Assisted Living Units:	16

Existing Dwelling on Property to remain in Residential use.

Parking Calculations
119 Nursing Home Beds 2.333 = 40 Parking Spaces
16 Assisted Living Beds 0.50 = 8 Parking Spaces
1 Detached Residence 2 x = 2

Total Required	50 Parking Spaces
Total Proposed	51 Parking Spaces
2 Handicapped Spaces Proposed	

6. ZONING: D.R.16 and D.R.5.5

A. Zoning of all adjoining property is D.R.5.5

B. This property was rezoned from D.R.5.5 to D.R.16 in the 1988 comprehensive rezoning by the Baltimore County Council.

C. A Special Hearing will be held pursuant to sec. 500.6 for an Amendment to the Site Plan for Exception and Site Plan granted in Case No. 5095-X to permit modification and reduction of the area necessary to allow the existing 99 bed nursing home and a proposed 20 bed addition thereto (total of 119 beds) and to amend the Site Plan accordingly and to amend restrictions #1 and #5 in Case #5095-X and to allow a service driveway and courtyard for the nursing home within the yard area of the single family dwelling as shown on hearing site plan.

D. A Special Exception Hearing will be held to allow an Assisted Living Facility containing a maximum of 16 beds, pursuant to sec. 1801.1.C.25 and sec. 432.1.A.2 in conjunction with a nursing home and to permit an expansion of the existing nursing home to allow an additional 20 beds (total of 119) and pursuant to sec. 432.4, the waiver of the Residential Transition Requirements in Section 1801.1.B2.b to provide for a modification of the RTA requirements which are provided to the extent possible as shown on the hearing site plan.

E. A Variance will be requested to Section 413.1.a (B.C.Z.R.) to allow an illuminated entrance sign of 63 square feet in lieu of one (1) square foot, and from C.R.D.P.V.2 and section 1802.2B and section 1802.3 to permit a 20 foot side yard for an existing nursing home in lieu of required 25 feet as shown on the hearing site plan.

7. RESIDENTIAL TRANSITION AREA REQUIREMENTS:

A. The entire property is within an R.T.A. area.

B. The proposed development meets the following R.T.A. requirements:

Maxiun height of buildings is 35 feet
Maximum height of lighting fixtures is 16 feet.
Lighting is designed and placed to prevent spillage into any adjoining dwelling or st.

8. ZONING HISTORY:

A. Case No. 5095-X - February 2, 1961 - Special Exception granted for Convalescent Home, with the following provisions:

1. The existing fence between the property and Colby Road shall be maintained and kept in proper repair. The property currently complies.
2. No flashing, blinding, pulsating or animated signs on the property. Nonetheless illuminated signs are permitted. The existing sign complies.
3. Any structures constructed for the convalescent home shall be set back at least 100 feet from the present paved surface of Old Milford Mill Road. The existing building is 100 feet from the curb line of Old Milford Mill Road, and complies.
4. No structures shall be erected with a height greater than 35 feet above present ground level. The existing building is a maximum of 19 feet in height, and complies.
5. No more than 100 bedroom units shall be located on the subject property. The existing building has 48 bedroom units, and 99 beds, and complies.
6. All plans for construction of future buildings or alteration of the present dwelling must be submitted for approval to the Baltimore County Office of Planning and Zoning.

Boundaries of this Special Exception case are the property lines of the original parcel (deed 6184/721).

B. Case No. 68-125-A - December 7, 1967 - Variance granted on the newly incorporated Parcel (deed 7755/494) to permit 20 foot side yards in place of 25 feet for interiors and 35 ft/30 = 1.2 trees
1 tree required for every 12 parking spaces provided 50/12 = 4.25 or 5 trees required.
Total proposed trees outside of buffer areas = 34 trees/lot to 1/2 of existing trees may be substituted for proposed trees.
Planting buffers proposed as shown on plan. All landscaping will be provided per Baltimore County requirements. Wooded area along western and northern property lines to be preserved.

I. Clearing and grading is to be limited to the area for road construction, water quality management, and building site.

J. Onsite lighting shall be so arranged and shielded as to confine all direct light on the site and to prevent reflected light rays from shining or glaring onto any portion of any adjacent roadway or into the path of oncoming vehicles, and to prevent spillage onto any adjoining residential properties. IT shall high light standards are proposed only for parking and driveway areas.

K. Although the Baltimore County Soil Survey shows part of the site as mapped for the Aldino Soil Series, it has been verified with Glenn Shaffer of Baltimore County Department of Environmental Protection and Resource Management (DEPRM) that the site has been previously altered and that wetlands are delineated correctly on this Plan. A wetland report was submitted to Baltimore County DEPRM in April, 1989. Wetland limit was approved by Mr. Shaffer in April, 1989.

L. Site has two sanitary sewer services: by gravity at the rear to Norfoot Avenue and force main at the front to existing line in Old Milford Mill Road. Proposed uses will utilize the existing force main in the existing nursing home for the proposed addition.

M. Existing well on site is not in use. Well will be abandoned and backfilled by a licensed well driller in accordance with Baltimore County regulations.

N. Oil tank on site is not in use. Oil tank will be pumped out and removed by a licensed fuel oil handler. The excess oil will be disposed of in accordance with State and Baltimore County regulations. Baltimore County DEPRM will be notified prior to oil tank removal.

O. All signs will conform to applicable Baltimore County Zoning Regulations except as noted under Additional Zoning Issues.

P. Existing and proposed buildings will comply with all fire safety code requirements.

Q. Calculations regarding available water for fire flow and domestic demand will be submitted to Mr. John Brian, County Fire Prevention Engineer. A fire flow test performed in April, 1989 indicates a flow of 1607 gpm at required minimum residual pressure of 20 psi. System demand has been calculated at 35 gpm for domestic use and 594 gpm for fire demand. Sprinklers will be provided for existing nursing home and proposed construction.

10. OFFSITE IMPROVEMENTS:

A. Average daily trips: 135 beds x 3.3 ADT/bed = 445.5 or 446 ADT

B. Half-width dedication for 60-foot wideness right of way for Old Milford Mill Road is shown as required by Baltimore County Department of Public Services.

A waiver for public standard improvements along Old Milford Mill Road has been approved by Baltimore County Department of Public Services on March 8, 1990. Existing frontage improvements to Old Milford Mill Road recently completed by Baltimore County.

C. Proposed development is not within aircraft path.

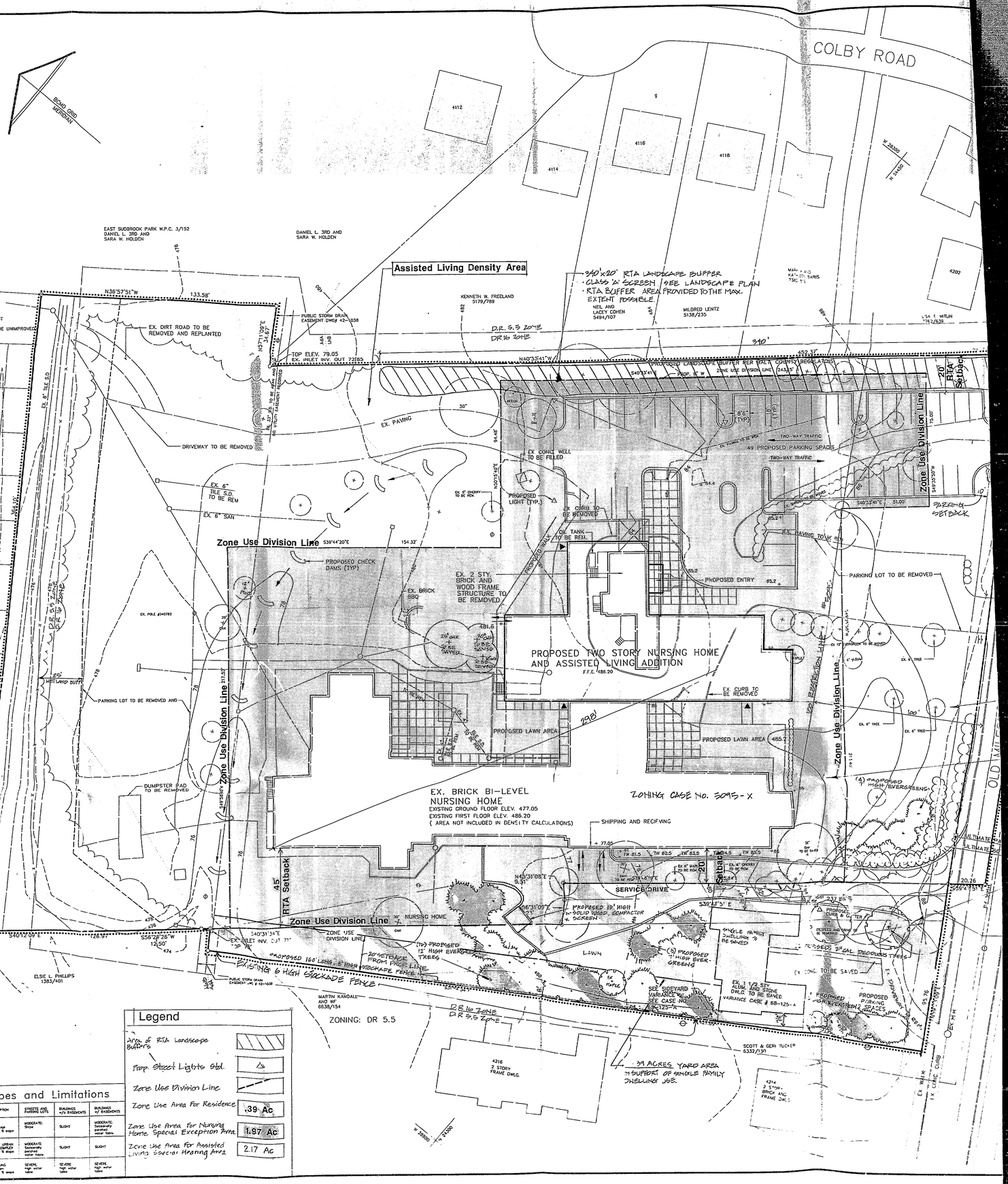
D. The property is not within an Historic district.

SIGNAGE NOTES:

A. All signs will conform to the applicable sections of the Baltimore County Zoning Regulations.
B. Signs will not be illuminated.
C. Lettering for signs will not exceed 20 sq. ft. per side.

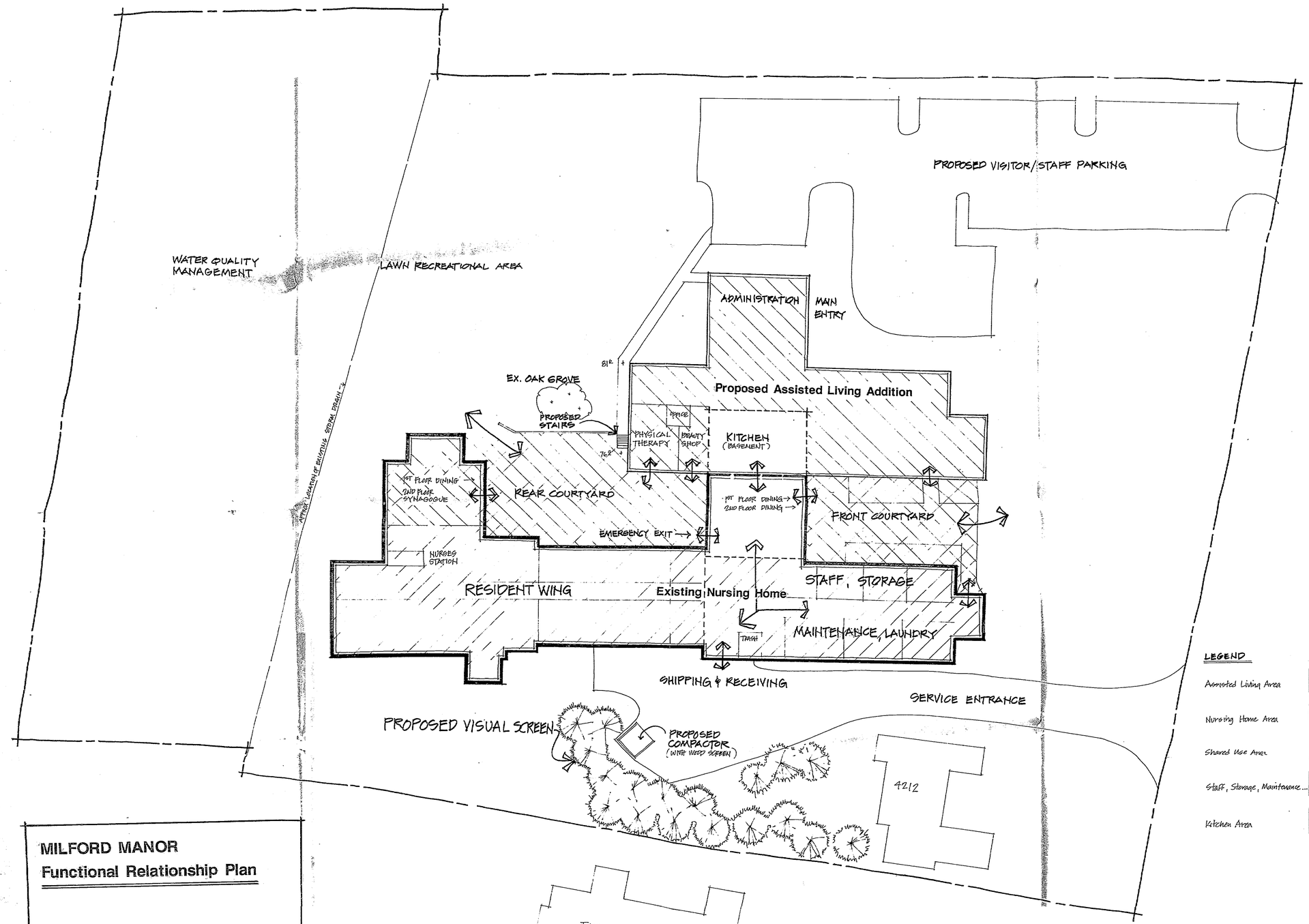
ADDITIONAL NOTES:

A. Existing SF residence on the property to be used for residential purposes only.
B. All deliveries and trash removal using the service driveway will be limited to 8:00 AM to 5:00 PM, Monday through Friday.
C. Maximum length of truck-trailer combination using the service driveway to be 44 feet.



Soil Types and Limitations

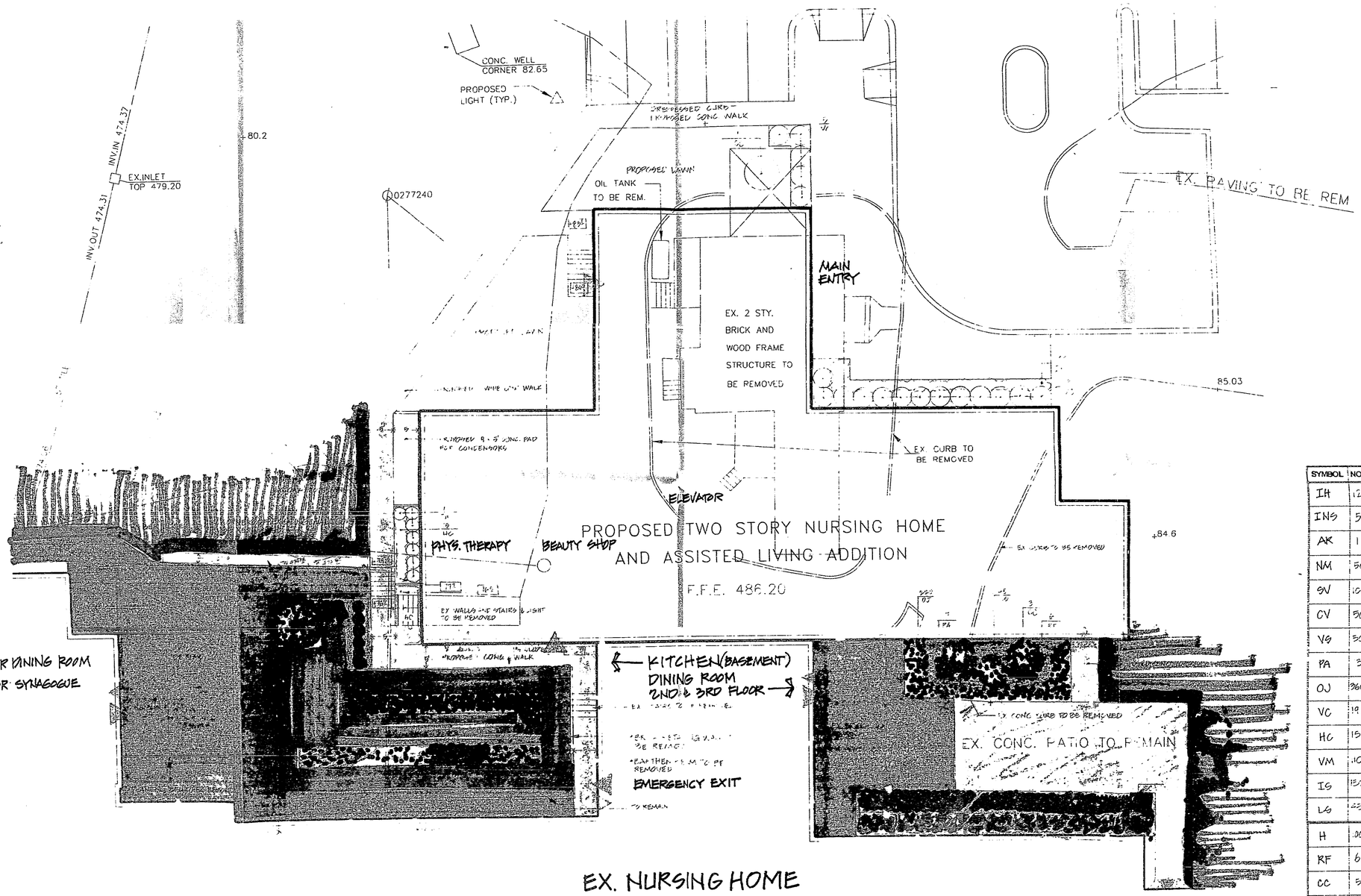
SOIL	DESCRIPTION	STREETS AND PARKING LOTS	BASEMENTS w/o BASEMENTS	BUILDINGS w/ BASEMENTS
AaB	ALDINO SILT LOAM 0 to 5 % slope	MODERATE: Slope	SLIGHT	MODERATE: Seasonally perched water table
LnB	LEGORE URBAN LAND COMPLEX 0 to 8 % slope	MODERATE: Seasonally perched water table	SLIGHT	SLIGHT
WaB	WOODLEIGH SILT LOAM 3 to 8 % slope	SEVERE: high water table	SEVERE: high water table	SEVERE: high water table



MILFORD MANOR
Functional Relationship Plan

ROSENFELT & WOOLFOLK
INCORPORATED
civil engineers • site designers • land planners
water quality and stormwater management consultants
Suite Eight
Owings Mills Professional Center
10706 Reisterstown Road
Owings Mills, MD 21117
Telephone: (301) 356-4000

2/4/92
Scale 1/16TH
Date 3 92



SYMBOL	NO.	BOTANICAL NAME
IH	12	Ilex helleri
INS	5	Ilex nellie stevens
AK	1	Amelanchier legent
NM	50	Nepeta mussinii
SV	100	Santolina virens
CV	50	Coreopsis verticillata 'Golden Showere'
VS	50	Veronica spicata
PA	3	Pennisetum alopecuroides
OJ	360	Ophiopogon japonicus nana
VC	19	Viburnam carlesi
HC	15	Hypericum calycinum
VM	10	Vinca minor
IS	15	Iberis sempervirens
LS	25	Liriope spicata
H	10	Hemerocallis 'Aztec Gold'
RF	6	Rudebekia Fulgida 'Goldstrum'
CC	5	Crataegus crusgalli inermis
EF	25	Euonymus fortunei 'Silver Queen'

MILFORD MANOR
Courtyard Plan

Scale: 1"=10' Date: 1/13/92
Job # 219001/16

Ref Exh 9
91-337 SPHPA
1/16/92

COLBY ROAD

EAST SUBBROOK PARK W.P.C. 3/152
DANIEL L. 3RD AND SARA A. HOLDEN

KENNETH W. FREELAND 5179/789

MARK A. AND KATHLEEN BARIS 7382/819

USA T. WITLIN 7782/639

4112 4114 4116 4118 4120 4202

340'x20' R/A LANDSCAPE BUFFER CLASS A SCREEN

DR 5.5 ZONE

DR 16 ZONE

EX. DIRT ROAD TO BE REMOVED AND REPLANTED

PUBLIC STORM DRAIN EASEMENT DWG 42-1038

TOP ELEV. 79.05
EX. INLET INV. OUT 72.85

PROPOSED LANDSCAPE BUFFER PER BAL. COUNTY REGULATIONS

ZONE USE DIVISION LINE

20' R/A Setback

PROP. 6' HT. WOOD PRIVACY FENCE

DRIVEWAY TO BE REMOVED

EX. PAVING

EX. 6" TILE S.D. TO BE REM.

EX. 6" SAN

EX. CONC. WELL TO BE FILLED

49 PROPOSED PARKING SPACES

TWO-WAY TRAFFIC

PROPOSED LIGHT (TYP.)

EX. CONC. TO BE REMOVED

OIL TANK TO BE REM.

EX. PAVING TO BE REM.

Zone Use Division Line

PROPOSED CHECK DAMS (TYP.)

EX. 2 STY. BRICK AND WOOD FRAME STRUCTURE TO BE REMOVED

EX. BRICK BBQ

PROPOSED ENTRY

PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
F.F.E. 486.20

EX. CURB TO BE REMOVED

PROPOSED LAWN AREA

PARKING LOT TO BE REMOVED AND

DUMPSTER PAD TO BE REMOVED

EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20
(AREA NOT INCLUDED IN DENSITY CALCULATIONS)

ZONING CASE No. 3095-X

SHIPPING AND RECIEVING

45' RTA Setback

20' Setback

EX. PROPERTY LINE TO BE CONSOLIDATED

SEE SIDEYARD VARIANCE SEE CASE NO. 88-125-A

EX. 1 1/2 STY. BLDG. AND STONE DWLG. TO BE SAVED. VARIANCE CASE # 88-125-A

PROPOSED PARKING 2 SPACES

EX. DRIVEWAY TO BE SAVED

EX. CONC. TO BE SAVED

EXISTING 6' HIGH STOCKADE FENCE

MARTIN KANDALL AND WF 6638/154

ZONING: DR 5.5

SCOTT & GERI TUCKER 6332/130

4216 2 STORY FRAME DWLG.

4214 2 STORY BRICK AND FRAME DWLG.

.39 ACRES YARD AREA - SUPPORT OF SINGLE FAMILY DWELLING USE

OLD MILFORD MILL ROAD

CHANNELIZED COMMERCIAL ENTRANCE BALTO. CO. STD. PLATE R-31

EX. W. VALVE

EX. POLE #877845 & STREET LIGHT

PROPOSED BALTIMORE COUNTY HIGHWAY WIDENING SEE RW. 87-253-A ACQUISITION IN PROGRESS

HOWARD A. GRADET 5614/760

EX. WATER METER

JOHN & GWEN OWENS 2677/196

EX. POLE #228453 & STREET LIGHT

4203

ZONING DR 5.5

MARK M AND SUSIN SAPP 6293/570

EX. POLE #807044 & STREET LIGHT

4209

SINGLE COMMERCIAL ENTRANCE BALTIMORE CO. STD. PLATE R-31

4211

MARK E. NEFF 6732/632

ULTIMATE PAVING

ULTIMATE 60' R/W

EX. CURB

EX. METER

EX. 8" TREE

EX. 12" WATER TO BE MOVED

EX. 8" SCRUB

EX. 8" OAK

EX. 8" CHERRY TO BE REM.

EX. 8" MAPLE TO BE REM.

EX. 8" GUM

EX. 8" PINE

EX. 8" SPRUCE

EX. 8" HOLLY

EX. 8" DOGWOOD

EX. 8" CRABAPPLE

EX. 8" MAGNOLIA

EX. 8" CEDAR

EX. 8" HEMLOCK

EX. 8" BIRCH

EX. 8" LOCUST

EX. 8" ASH

EX. 8" BEECH

EX. 8" HICKORY

EX. 8" WALNUT

EX. 8" OAK

EX. 8" MAPLE

248

91-237-SPHXA

ROSENFELT & WOOLFOLK
INCORPORATED

civil engineers • site designers • land planners
water quality and stormwater management consultants

MILFORD MANOR ZONING DESCRIPTION FOR OVERALL SITE INCLUDING SINGLE FAMILY DWELLING, NURSING HOME, AND ASSISTED LIVING ZONE USE DIVISION AREAS

AREA OF DESCRIPTION 4.75 AC.

Beginning at a point on the north side of Old Milford Mill Road which is 34 feet wide at the approximate distance of 136 feet southwest of the centerline of Colby Road which is 30 feet wide thus following courses and distances.

1. S 59° 23' 09" W-15 ft;
2. S 40° 33' 41" E-20.26 ft;
3. S 59° 23' 09" W-304.01 ft;
4. N 39° 47' 51" W-20.26 ft;
5. S 59° 23' 09" W-95.76 ft;
6. N 31° 54' 34" W-427.69 ft;
7. N 56° 29' 26" E-12.5 ft;
8. N 40° 12' 09" W-126.97 ft;
9. N 56° 02' 09" E-364.10 ft;
10. S 36° 57' 51" E-133.58 ft;
11. S 57° 11' 09" W-34.67 ft;
12. S 40° 33' 41" E-452.37 ft; to the place of beginning as recorded in deeds 6184/721 and 7755/494 (3 parcels). Containing 4.75 acres of land more of less.

Also known as 4204 and 4214 Old Milford Mill Road and located in the Third Election District of Baltimore County, Maryland.

STATE OF MARYLAND — ROBERT S. ROSENFELT — No. 12311 — REGISTERED PROFESSIONAL ENGINEER

F:\Jobs\200-224\214\21401doc.12

Suite Eight Owings Mills Professional Center 10706 Reisterstown Road Owings Mills, MD 21117
Telephone: (301) 356-4600

91-237-SPHXA

ROSENFELT & WOOLFOLK
INCORPORATED

civil engineers • site designers • land planners
water quality and stormwater management consultants

MILFORD MANOR ZONING
USE DESCRIPTION FOR NURSING HOME SPECIAL EXCEPTION
(FOR ZONING USE ONLY)

AREA OF DESCRIPTION 1.97 AC.

Beginning at a point on the north side of Old Milford Mill Road which is 34 feet wide at the approximate distance of 136 feet southwest of the centerline of Colby Road which is 30 feet wide thus following courses and distances.

1. S 59° 23' 09" W-15 ft;
2. S 40° 33' 41" E-20.26 ft;
3. S 59° 23' 09" W-304.01 ft;
4. N 39° 47' 51" W-20.26 ft;
5. N 39° 48' 19" W-58.5 ft; TO P.O.B. FOR DESCRIPTION
6. N 39° 48' 19" W-138.84 ft.
7. S 45° 31' 08" W-9.51 ft;
8. S 56° 31' 09" W-14.23 ft;
9. N 40° 31' 34" W-204.42 ft;
10. N 49° 58' 40" E-217.52 ft;
11. S 39° 44' 20" E-154.32 ft;
12. N 50° 15' 40" E-94.48 ft;
13. S 40° 33' 41" E-243.15 ft;
14. S 49° 35' 50" W-75.00 ft;
15. N 40° 33' 41" W-51.00 ft;
16. S 49° 35' 50" W-213.40 ft;

Also known as 4204 Old Milford Mill Road and located in the Third Election District of Baltimore County, Maryland. Beginning at this point is the description for the area of the ammended special exception for the existing Nursing Home.

STATE OF MARYLAND — ROBERT S. ROSENFELT — No. 12311 — REGISTERED PROFESSIONAL ENGINEER

F:\jobs\200-224\214\21401doc.p14

Suite Eight Owings Mills Professional Center 10706 Reisterstown Road Owings Mills, MD 21117
Telephone: (301) 356-4600

91-237-SPHXA

ROSENFELT & WOOLFOLK
INCORPORATED

civil engineers • site designers • land planners
water quality and stormwater management consultants

MILFORD MANOR ZONING USE DESCRIPTION
OF AREA FOR ASSISTED LIVING SPECIAL EXCEPTION
(FOR ZONING USE ONLY)

NG
AREA OF DESCRIPTION 2.7 AC.

Beginning at a point on the north side of Old Milford Mill Road which is 34 feet wide at the approximate distance of 136 feet southwest of the centerline of Colby Road which is 30 feet wide thus following courses and distances.

1. S 59° 23' 09" W-15 ft;
2. S 40° 33' 41" E-20.26 ft;
3. S 59° 23' 09" W-304.01 ft;
4. N 39° 47' 51" W-20.26 ft;
5. N 39° 48' 19" W-58.5 ft;
6. N 49° 35' 50" E-213.40 ft;
7. S 40° 33' 41" E-51.00 ft;
8. N 49° 35' 50" E-75.00 ft;
9. N 40° 33' 41" W-243.15 ft;
10. S 50° 15' 40" W-94.48 ft;
11. N 39° 44' 20" E-154.32 ft;
12. S 49° 58' 40" W-217.52 ft;
13. S 40° 12' 09" W-138.47 ft;
14. N 56° 02' 09" E-364.10 ft;
15. S 36° 57' 51" E-133.58 ft;
16. S 57° 11' 09" W-34.67 ft;
17. S 40° 33' 41" E-452.37 ft; to the place of beginning.

Also known as 4204 Old Milford Mill Road and located in the Third Election District of Baltimore County, Maryland.

STATE OF MARYLAND — ROBERT S. ROSENFELT — No. 12311 — REGISTERED PROFESSIONAL ENGINEER

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Suite Eight Owings Mills Professional Center 10706 Reisterstown Road Owings Mills, MD 21117
Telephone: (301) 356-4600

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

91-237-SPHXA

District 3rd. Date of Posting February 5, 1991
Posted for: Special Exception, Special Hearing, Variance
Petitioner: Milford Manor Partnership
Location of property: N/S Old Milford Mill Road, 136' S/W of C/L Colby Road, Milford Manor, Old Milford Mill Road
Location of Signs: Northwest side of Old Milford Mill Road, in front of subject property
Remarks:
Posted by R. J. Gluntz Signature Date of return: February 8, 1991
Number of Signs: 3

NOTICE OF HEARING

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 21204 as follows:

Case No.: 91-237-SPHXA
N/S Old Milford Mill Road, 136' SW c/l Colby Road
"Milford Manor" -- Old Milford Mill Road
3rd Election District
2nd Councilmanic
Petitioner(s):
Milford Manor Partnership
Hearing Date: Thursday, Feb. 28, 1991 at 2:00 p.m.

Special Exception: for an Assisted Living Facility containing a maximum of 18 beds in conjunction with a nursing home, to permit an expansion of the existing nursing home to allow an additional 20 beds (total of 118 beds); and the waiver of the Residential Transition Requirements to provide for a modification of the R.T.A. requirements which are provided to the extent possible.
Special Hearing to approve an amendment to the special exception and site plan granted in Case No. 0000-X to permit modification and reduction of the area necessary to allow the existing 89 bed nursing home and a proposed 20 bed addition thereto (total of 118 beds); to amend the site plan accordingly and to amend Restrictions #1 and #5 in Case No. 0000-X and to allow a service driveway and turnaround for the nursing home within the yard area of the single family dwelling.
Variance to allow an illuminated entrance sign of 63 square feet in lieu of 1 square foot; and to permit a 20 foot side yard setback for an existing nursing home in lieu of the required 25 feet.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

1/650 Jan. 31.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 2-6, 19 91

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 1-31, 19 91

THE JEFFERSONIAN,

S. Zahe Orlan
Publisher

$ 63.32

CERTIFICATE OF PUBLICATION

Pikesville, Md., 1/30 19 91

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 31ST day of Jan 19 91 the first publication appearing on the 30th day of Jan 19 91 the second publication appearing on the _____ day of _____ 19 ___ the third publication appearing on the _____ day of _____ 19 ___

THE NORTHWEST STAR

Jon Buck
Manager

Cost of Advertisement $ 36 —

PERSONAL SERVICE

OFFICE CLEANING
Carpets, Floors Buffed and Waxed
24 hr. Service • Low Prices
Contracts Wanted
744-6945

"DRIVING MISS DAISY"
Pikesville—Randallstown Area
Grocery, Doctor's, Beauty Shop, Errands, etc.
10 YEARS EXPERIENCE
On-time, safe, reasonable
486-8270

REAL ESTATE

REPOSSESSED VA & HUD HOMES
Available from government from $1. Yes repair. No credit check. Also drug seizures and IRS foreclosures sold for back taxes.
Call 1-805-682-7555, ext. H-2092
for repo list your area. (call 7 days a week)

AUTOMOTIVE

WE BUY most junk cars and trucks. 876-7224.

PERSONALS

JEWISH INTRODUCTIONS INTERNATIONAL - Baltimore's only personalized Jewish introduction service, ages 21-121. Call 1-800-642-9950.

LEGAL NOTICE

BALTIMORE COUNTY GOVERNMENT
ZONING COMMISSIONER
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204

NOTICE OF HEARING

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 21204 as follows:
Case Number: 91-237-SPHXA
N/S Old Milford Mill Road, 136' SW c/l Colby Road
"Milford Manor"—Old Milford Mill Road
3rd Election District—2nd Councilmanic
Petitioner(s): Milford Manor Partnership
Hearing: Tuesday, February 26, 1991 at 2:00 p.m.
SPECIAL EXCEPTION for an Assisted Living Facility containing a maximum of 18 beds in conjunction with a nursing home, to permit an expansion of the existing nursing home to allow an additional 20 beds (total of 118 beds); and the waiver of the Residential Transition Requirements to provide for a modification of the R.T.A. requirements which are provided to the extent possible. SPECIAL HEARING to approve an amendment to the special exception land site plan granted in Case No. 0000-X to permit modification and reduction of the area necessary to allow the existing 89 bed nursing home and a proposed 20 bed addition thereto (total of 118 beds); and to amend the site plan accordingly and to amend Restrictions #1 and #5 in Case No. 0000-X; and to allow a service driveway and turnaround for the nursing home within the yard area of the single family dwelling. VARIANCE to allow an illuminated entrance sign of 63 square feet in lieu of 1 square foot; and to permit a 20 foot side yard setback for an existing nursing home in lieu of the required 25 feet.

J. Robert Haines
Zoning Commissioner of
Baltimore County

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number 91-237-SPHXA

Date

04A04#0101MICHRC $150.00
Please Make Checks Payable To: Baltimore County 11:02AM07-15-91

Cashier Validation

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date

04A04#0096MICHRC $30.00
BA C010:51AM08-01-91
Please Make Checks Payable To: Baltimore County

Cashier Validation

receipt

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number 91-237

Date

PUBLIC HEARING FEES
POSTING SIGNS / ADVERTISING
LAST NAME OF OWNER: MILFORD MANOR

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

DATE: 2/11/91

Milford Manor Partnership
5700 Executive Drive, Suite 112
Baltimore, Maryland 21228

RE:
Case Number: 91-237-SPHXA
N/S Old Milford Mill Road, 136' SW c/l Colby Road
"Milford Manor" - Old Milford Mill Road
3rd Election District - 2nd Councilmanic
Petitioner(s): Milford Manor Partnership
HEARING: THURSDAY, FEBRUARY 28, 1991 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that $ 174.32 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Charles B. Heyuno, Esq.

Notes

1. Owner/Applicant: MILFORD MANOR PARTNERSHIP
c/o Raffel & Associates
Gary Raffel
Beltway West Corporate Center
5700 Executive Drive
Suite 112
Baltimore, Maryland 21225
Telephone: (301) 747-5700

2. Property deed references: 6186/721
7755/496 (3 parcels)

3. Tax Account No. 03130660
03130953650

4. SITE Data:

Acreage	4.75 AC
Election District	3
Councilmanic District:	5
Census Tract:	4054.02
Watersheds:	24
Subwatershed:	52
Proposed Footprint	9,750 sq.ft.
Proposed Building Height	35 ft.
Total Floor Area (Existing + Proposed)	55,550 sq.ft.
Total Site Area	206,900 sq.ft.
Floor Area Ratio:	.27

5. DENSITY AND USE:

Existing Nursing Home Beds:	99
Prop. Additional Nursing Home Beds:	20
Total Nursing Home Beds:	119
Prop. Class B Assisted Living Beds:	16
Total Beds (Nurs.Home and Asst.Living):	135 Beds

Zone Use Division Acres

Existing Nursing Home and Proposed Addition:		1.97 AC
Proposed Nursing Home:		0.39 AC
Proposed Assisted Living:	D.R. 16	2.17 AC
	D.R. 5.5	0.22 AC
Total		4.75 AC

Assisted Living Density Calculations

1 Assisted Living Unit = .25 density unit

D.R. 16 - 66 Assisted Living Units/ac. x 2.17 = 136.8 Assisted Living Units
D.R. 5.5 - 22 Assisted Living Units/ac. x 0.22 = 5.5 Assisted Living Units
Total Permitted Assisted Living Units 163.5

Total Permitted Assisted Living Units: 163
Total Proposed Assisted Living Units: 16

Existing Dwelling on Property to remain in Residential use.

Parking Calculations
119 Nursing Home Beds @ .333 = 40 Parking Spaces
16 Assisted Living Beds @ .50 = 8 Parking Spaces
1 Detached Residence @ 2 x 2

Total Required 50 Parking Spaces
Total Proposed 51 Parking Spaces
2 Handicapped Spaces Proposed

6. ZONING: D.R.16 and D.R.5.5

A. Zoning of all adjoining property is D.R.5.5

B. This property was rezoned from D.R.5.5 to D.R.16 in the 1988 comprehensive rezoning by Baltimore County Council.

C. A Special Hearing will be held pursuant to sec. 500.6 for an Amendment to the Special Exception and Site Plan granted in Case No. 5095-X to permit modification and reduction of the area necessary to allow the existing 99 bed nursing home and a proposed 20 bed addition thereto (total of 119 beds) and to amend the Site Plan accordingly and to amend restrictions #1 and #5 in Case #5095-X and to allow a service driveway and turnaround for the nursing home within the yard area of the single family dwelling as shown on hearing site plan.

D. A Special Exception Hearing will be held to allow an Assisted Living Facility containing a maximum of 16 beds, pursuant to sec. 1801.1.C.23 and sec. 432.1.A.2 in conjunction with a nursing home and to permit an expansion of the existing nursing home to allow an additional 20 beds (total of 119) and pursuant to sec. 432.4, the waiver of the Residential Transition Requirements in Section 1801.1.B.2.b to provide for a modification of the RTA requirements which are provided to the extent possible as shown on the hearing site plan.

E. A Variance will be requested to Sect.or 413.1.a (B.C.Z.R.) to allow an illuminated entrance sign of 63 square feet in lieu of one (1) square foot, and from (N.D.P.V.R.2 and section 1802.2B and section and section 102.2 to permit a 20 foot side yard for an existing nursing home in lieu of required 25 feet as shown on the hearing site plan.

7. RESIDENTIAL TRANSITION AREA REQUIREMENTS:

A. The entire property is within an R.T.A. area.

B. The proposed development meets the following R.T.A. requirements:

Maximum height of buildings is 35 feet
Maximum height of lighting fixtures is 16 feet.
Lighting is designed and placed to prevent spillage into any adjoining dwelling or lot.

9. ZONING HISTORY:

A. Case No. 5095-X - February 2, 1961 - Special Exception granted for Convalescent Home, with the following provisions:

1. The existing fence between the property and Colby Road shall be maintained and kept in proper repair. The property currently complies.
2. No flashing, blinding, pulsating or animated signs on the property. Motionless illuminated signs are permitted. The existing sign complies.
3. Any structures constructed for the convalescent home shall be set back at least 100 feet from the present paved surface of Old Milford Mill Road. The existing building is 100 feet from the curb line of Old Milford Mill Road, and complies.
4. No structures shall be erected with a height greater than 35 feet above present ground level. The existing building is a maximum of 19 feet in height, and complies.
5. No more than 100 bedroom units shall be located on the subject property. The existing building has 48 bedroom units, and 99 beds, and complies.
6. All plans for construction of future buildings or alteration of the present dwelling must be submitted for approval to the Baltimore County Office of Planning and Zoning.

Boundaries of this Special Exception case are the property lines of the original parcel (Deed 6186/721).

B. Case No. 68-129-A - December 7, 1967 - Variance granted on the newly incorporated Parcel (Deed 7755/496) to permit 20 foot side yards in places of public assembly, and to permit a side yard of 13 feet 9 inches for one side and 7 feet 2 inches for the other side, instead of the required 25 feet. The purpose of the variance was to use the existing structure on the premises for religious purposes. Side yard variances granted under this case are noted on the Plan.

C. CRG No. 90019 was approved on 2/8/90. Rosenfelt and Woolfolk revised proposal and Red Line Refinement was approved on 9/04/90.

10. ONSITE IMPROVEMENTS

A. Stormwater Management waiver has been granted by Baltimore County dated September 26, 1990. Water Quality Management will be provided on site in accordance with Maryland State and Baltimore County regulations.

B. All driveways and parking lots to be standard non-porous bituminous paving. Parking areas will be permanently striped.

C. The property outline and topography shown hereon is taken from a survey prepared by VI Associates, dated 5/89. All existing dwellings, wells and septic systems within 200 Ft. of property are shown hereon.

D. No critical areas, archaeological sites, endangered species habitat, hazardous materials areas, or slopes over 25% exist within this site.

E. Lots on this property are to be consolidated.

F. Residents will not have vehicles. Facility will have van services that address clients transportation needs.

G. Parking spaces shall be a minimum of 8.5 ft. x 18 ft. 2 barrier free parking spaces shall be 12 ft. x 18 ft.

H. Landscape Data

1 tree required for 40 linear ft., of road frontage 356 ft/40 = 9.0 or 10 trees required.
1 tree required for 20 linear ft. of interior road 300 ft/20 = 15 trees
1 tree required for every 12 parking spaces provided 51/12 = 4.25 or 5 trees required.

Total proposed trees outside of buffer areas = 30 trees. up to 1/2 of existing trees may be substituted for proposed.

Planting buffers proposed as shown on plan. All landscaping will be provided per Baltimore County requirements. Wooded areas along western and northern property lines to be preserved.

I. Clearing and grading is to be limited to the area for road construction, water quality management, and building site.

J. Onsite Lighting shall be so arranged and shielded as to confine all direct light on the site and to prevent reflected light rays from shining or glaring onto any portion of any adjacent motorway or into the path of oncoming vehicles, and to prevent spillage onto any adjoining residential properties. 11 10-Ft. high Light standards are proposed for parking and driveway areas.

K. Although the Baltimore County Soil Survey shows part of the site as mapped in the Aldino Soil Series, it has been verified with Glenn Shaffer of Baltimore County Department of Environmental Protection and Resource Management (DEPRM) that the site has been previously altered and that wetlands are delineated correctly on this Plan. A wetland report was submitted to Baltimore County DEPRM in April, 1989. Wetland limit was approved by Mr. Shaffer in April, 1989.

L. Site has two sanitary sewer services: by gravity at the rear to Morfoot Avenue and force main at the front to existing line on Old Milford Mill Road. Proposed uses will utilize the existing force main in the existing nursing home for the proposed addition.

M. Existing well on site is not in use. Well will be abandoned and backfilled by a licensed well driller in accordance with Baltimore County regulations.

N. Oil tank on site is not in use. Oil tank will be pumped out and removed by a licensed fuel oil handler. The excess oil will be disposed of in accordance with State and Baltimore County regulations. Baltimore County DEPRM will be notified prior to oil tank removal.

O. All signs will conform to applicable Baltimore County Zoning Regulations except as noted under Additional Zoning Issues.

P. Existing and proposed buildings will comply with all fire safety code requirements.

Q. Calculations regarding available water for fire flow and domestic demand will be submitted to Mr. John Seibel, County Fire Protection Engineer. Fire flow test performed on April 5, 1989 indicates a flow of 1547 gpm at 20 psi residual pressure with a residual pressure of 20 psi. System demand has been calculated at 751 gpm for domestic use and 500 gpm for fire demand. Sprinklers will be provided for existing nursing home and proposed construction.

10. OFFSITE IMPROVEMENTS:

A. Average daily trips: 135 beds x 3.3 ADT/bed = 445.5 or 446 ADT

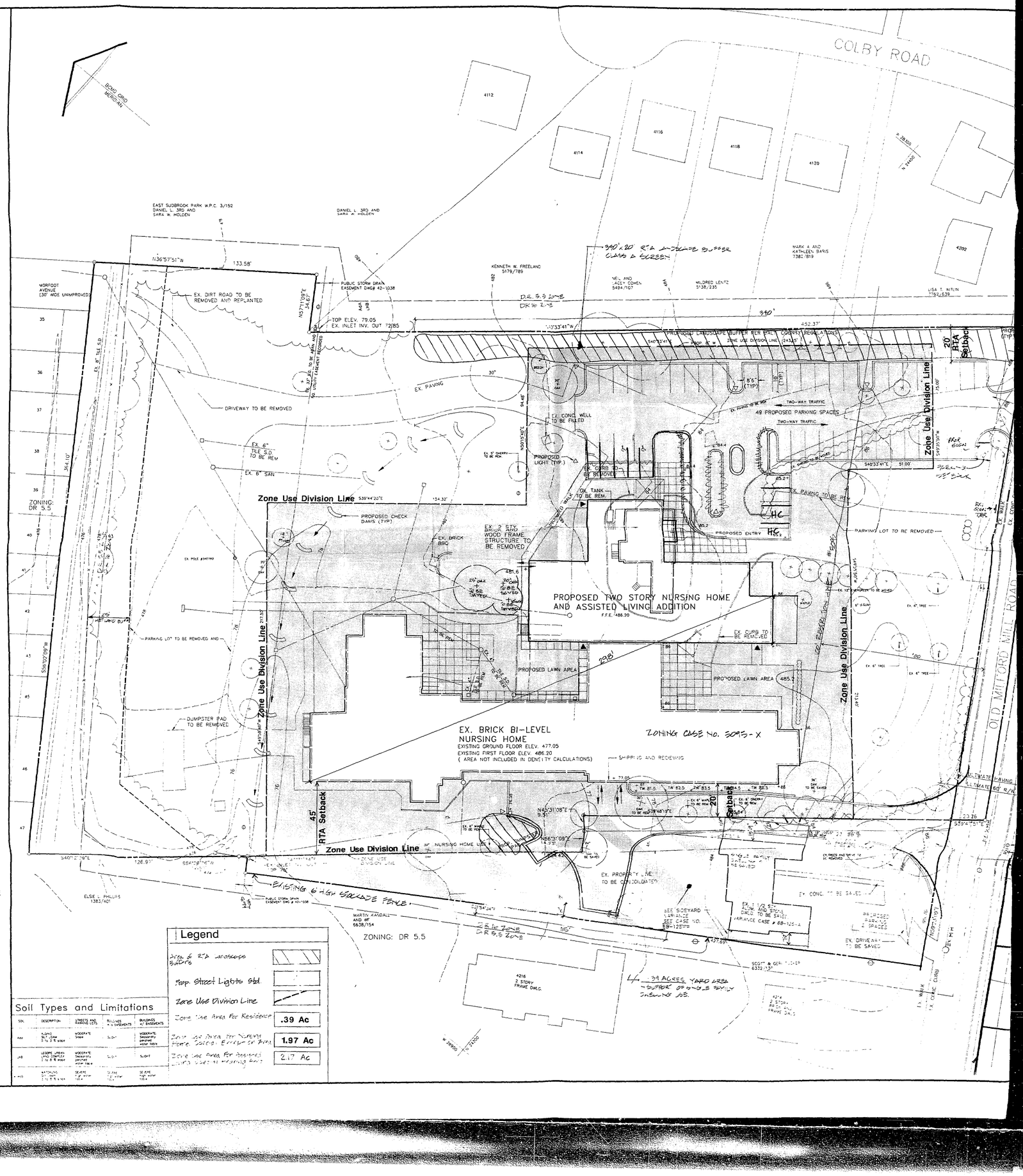
B. Half-width dedication for 60-foot ultimate right of way for Old Milford Mill Road is shown as required by Baltimore County Department of Public Services.

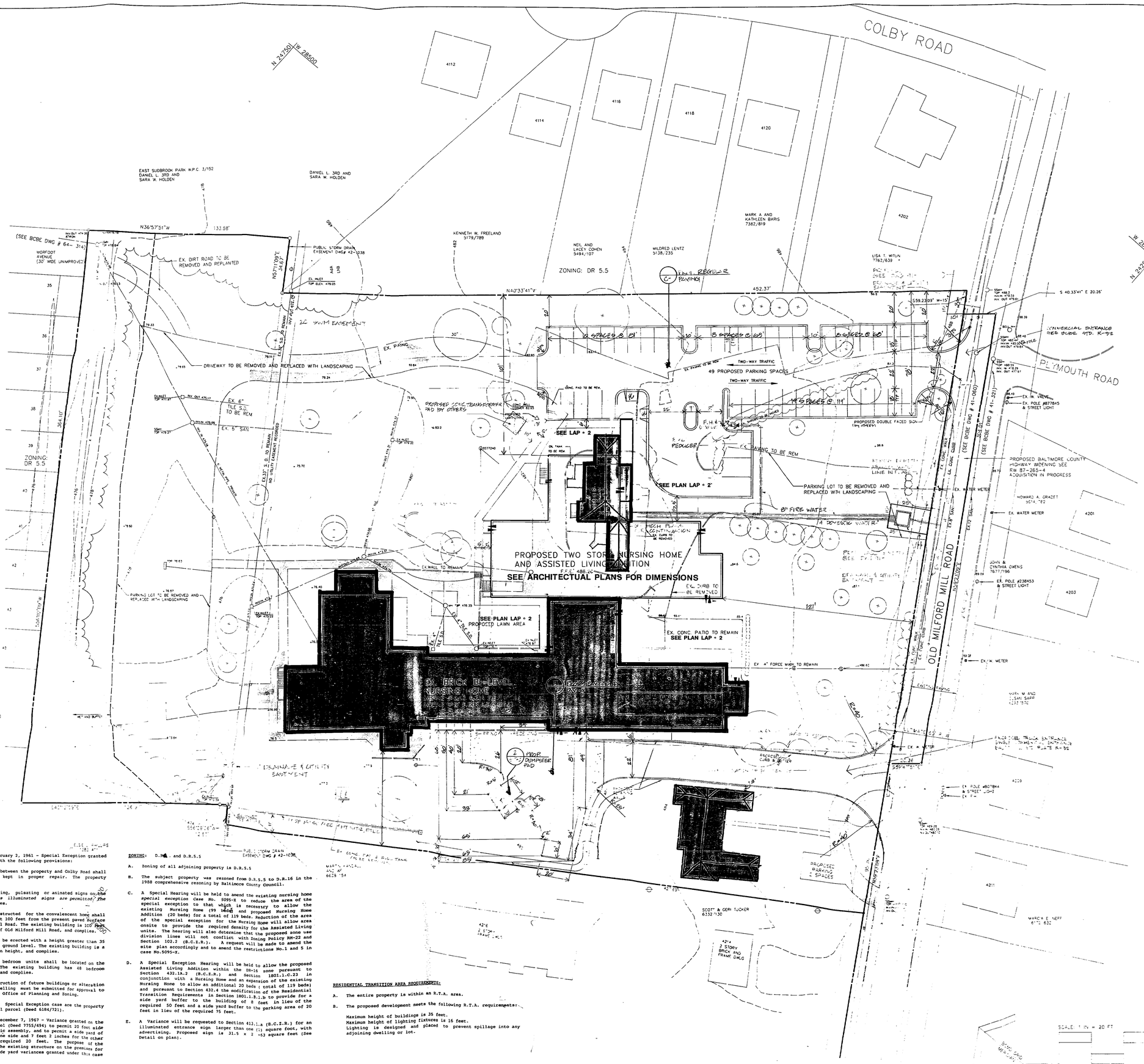
A waiver for public standard improvements along Old Milford Mill Road has been approved by Baltimore County Department of Public Services on March 6, 1990. Existing frontage improvements to Old Milford Mill Road recently completed by Baltimore County.

C. Proposed development is not within microwave path.

D. The property is not within an historic district.

AL 9/11/90/C:\ACAD\SITE\1400SITE.LAG


COLBY ROAD
BOARD GRID MERIDIAN
4112
4114
4116
4118
4120
4202
EAST SUBBROOK PARK W.P.C. 3/152
DANIEL L. 3RD AND SARA W. HOLDEN
N36°57'51"W 133.58'
MORFOOT AVENUE (30' WIDE UNIMPROVED)
EX. DIRT ROAD TO BE REMOVED AND REPLANTED
PUBLIC STORM DRAIN EASEMENT DWG# 42-1038
TOP ELEV. 79.05
EX. INLET INV. OUT 72.85
KENNETH W. FREELAND 5179/789
MEL AND JACEY COHEN 5494/107
MILDRED LENTZ 5138/235
MARK A AND KATHLEEN BARIS 7382/819
LISA T. WITLIN 7742/639
D.R. 5.5 ZONE
D.R. 16 ZONE
940'
S40°33'41"E 452.37'
PROPOSED LANDSCAPE BUFFER PER BALTIMORE COUNTY REGULATIONS
ZONE USE DIVISION LINE
20' RTA Setback
EX. 8" TILE S.D.
EX. PAVING
DRIVEWAY TO BE REMOVED
EX. CONC. WELL TO BE FILLED
49 PROPOSED PARKING SPACES
TWO-WAY TRAFFIC
EX. 6" TILE S.D. TO BE REM.
EX. 6" SAN
Zone Use Division Line S39°44'20"E 154.32'
PROPOSED CHECK DAMS (TYP.)
PROPOSED LIGHT (TYP.)
EX. CURB TO BE REMOVED
EX. TANK TO BE REM.
EX. PAVING TO BE REM.
EX. BRICK BBQ
EX. 2 STY. BRICK AND WOOD FRAME STRUCTURE TO BE REMOVED
PROPOSED ENTRY
PARKING LOT TO BE REMOVED
PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
F.F.E. 486.20
EX. CURB TO BE REMOVED
PROPOSED LAWN AREA
EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20
(AREA NOT INCLUDED IN DENSITY CALCULATIONS)
ZONING CASE NO. 5095-X
SHIPPING AND RECEIVING
45' RTA Setback
20' RTA Setback
Zone Use Division Line
EX. PROPERTY LINE TO BE CONSOLIDATED
EX. 6' WOOD FENCE TO BE REMOVED
EX. CONC. TO BE SAVED
EX. TREES AND SHRUB TO BE REMOVED
EX. 1 1/2 GAL. ALUM. AND STEEL SHED TO BE SAVED
VARIANCE CASE # 68-129-A
SEE SIDEYARD VARIANCE SEE CASE NO. 68-129-A
RELOCATED 8 PARKING SPACES
EX. DRIVEWAY TO BE SAVED
EX. 6" TREE
EX. 8" WATER
EX. 8" SAN
EX. CURB INLET
EX. POLE #340789
EX. GAS LINE
EX. GAS VALVE
EX. GAS METER
EX. ELECTRIC BOX
EX. TELEPHONE PEDESTAL
EX. CABLE BOX
EX. GUY WIRE
EX. SIGN
EX. MAILBOX
EX. LIGHT POLE
EX. WATER VALVE
EX. WATER METER
EX. FIRE HYDRANT
EX. SEWER MANHOLE
EX. STORM DRAIN MANHOLE
EX. CONTOUR
EX. SPOT ELEVATION
EX. CONC. CURB
EX. ASPHALT
EX. GRAVEL
EX. BRICK
EX. WOOD FENCE
EX. CHAIN LINK FENCE
EX. WOOD RETAINING WALL
EX. CONC. RETAINING WALL
EX. STONE RETAINING WALL
EX. BUILDING
EX. SHED
EX. GARAGE
EX. CONC. PAD
EX. WOOD DECK
EX. CONC. STEPS
EX. WOOD STEPS
EX. STONE STEPS
EX. BRICK STEPS
EX. WOOD RAMP
EX. CONC. RAMP
EX. BRICK RAMP
EX. STONE RAMP
EX. WOOD PORCH
EX. CONC. PORCH
EX. BRICK PORCH
EX. STONE PORCH
EX. WOOD PATIO
EX. CONC. PATIO
EX. BRICK PATIO
EX. STONE PATIO
EX. WOOD DECK
EX. CONC. DECK
EX. BRICK DECK
EX. STONE DEC


COLBY ROAD
OLD MILFORD MILL ROAD
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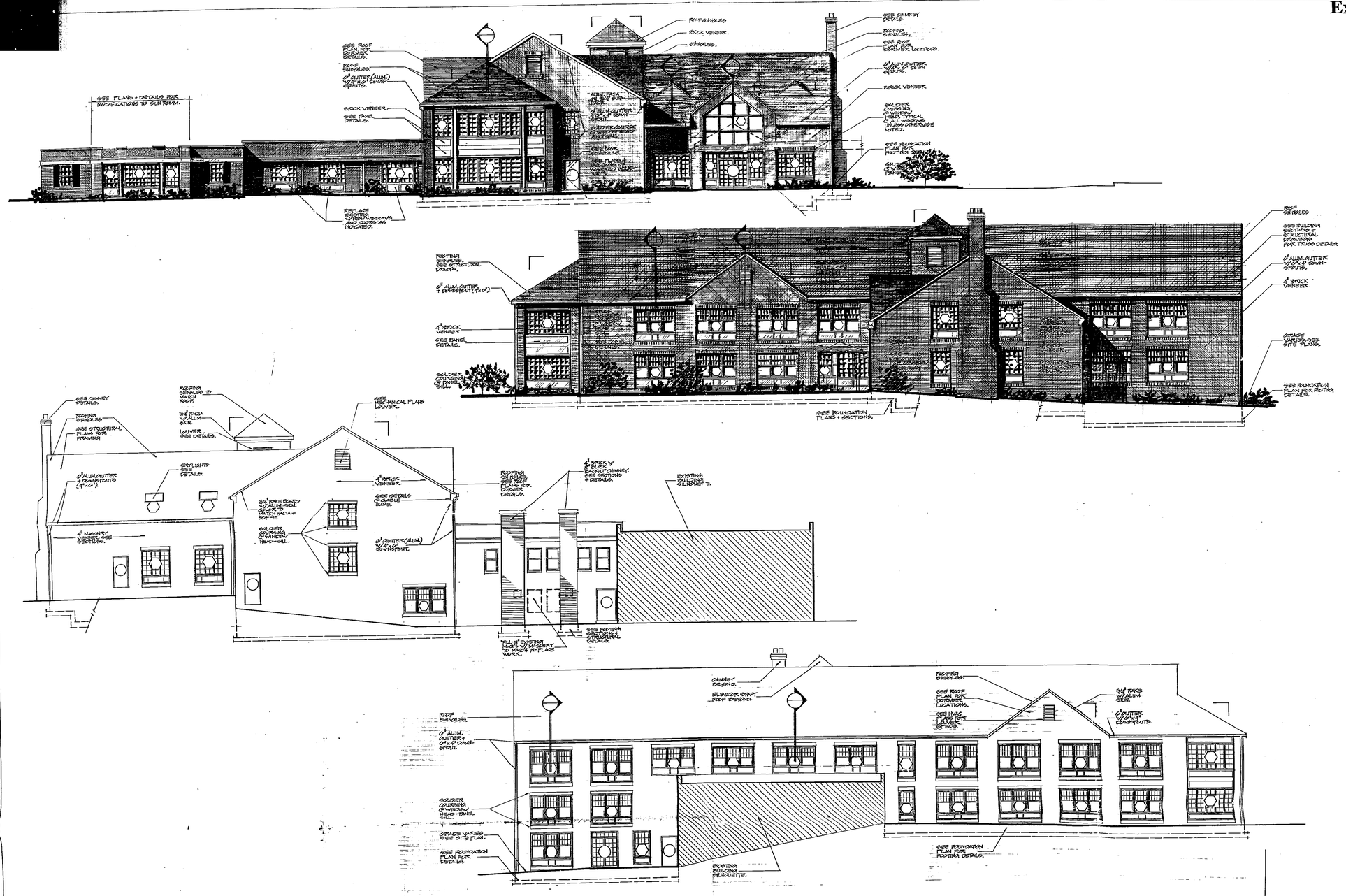
MILDRED LENTZ 5138, 235
MARK A AND KATHLEEN BARIS 7382/819
LISA T. WITUN 7762/639
JOHN & CYNTHIA OWENS 7877/186
HOWARD A. GRACEY 5614/162
MARK M AND JEAN SARR 4225/570
SCOTT & GERI TUCKER 6332/430
MARCIA E. HOFF 6770/632
MORFOOT AVENUE (30' WIDE UNIMPROVED)
EX. DIRT ROAD TO BE REMOVED AND REPLANTED
PUBLIC STORM DRAIN EASEMENT DWG# 42-1038
ZONING: DR 5.5
N36°57'51"W 133.58'
N57°11'09"E 34.83'
N40°33'41"W 452.37'
S 40.33'41" E 20.26'
559.23'09" W=15'
2C SWM EASEMENT
EX. PAVING
DRIVEWAY TO BE REMOVED AND REPLACED WITH LANDSCAPING
EX. 6" TILE S.D. TO BE REM
EX. 6" SAN
EX. 5.0 TO REMAIN
10' UTILITY EASEMENT RECORDED
PROPOSED CONC. TRANSFORMER PAD BY OTHERS
CONC. PAD TO BE REM
SEE LAP = 2
SEE PLAN LAP = 2'
49 PROPOSED PARKING SPACES
TWO-WAY TRAFFIC
16 SPACES @ 9'
8 SPACES @ 18'
8 SPACES @ 18'
14 SPACES @ 19'
PROPOSED DOUBLE FACED SIGN
F.H. & W.H.
PEDDLER
EX. PAVING TO BE REM
PARKING LOT TO BE REMOVED AND REPLACED WITH LANDSCAPING
PROPOSED BALTIMORE COUNTY HIGHWAY WIDENING SEE R/W 87-265-A ACQUISITION IN PROGRESS
EX. WATER METER
8" FIRE WATER
8" DOMESTIC WATER
EX. 8" SAN
EX. 10" SAN
EX. POLE #237845 & STREET LIGHT
EX. POLE #238453 & STREET LIGHT
EX. POLE #807844 & STREET LIGHT
EX. W. METER
EX. FIRE HYD.
EX. GAS METER
EX. GAS VALVE
EX. GAS LINE
EX. TELE. MANHOLE
EX. TELE. PEDESTAL
EX. TELE. RISER
EX. TELE. MARKER
EX. TELE. BOX
EX. TELE. LINE
EX. CONC. CURB
EX. CONC. WALK
EX. CONC. APRON
EX. CONC. PAD
EX. CONC. STEPS
EX. CONC. RAMP
EX. CONC. PATIO
EX. CURB TO BE REMOVED
EX. CURB TO REMAIN
EX. WALL TO REMAIN
EX. 4" FORCE MAIN TO REMAIN
EX. 8" SAN TO REMAIN
EX. 6" WATER TO REMAIN
EX. 8" WATER TO REMAIN
EX. 12" WATER TO REMAIN
EX. 16" WATER TO REMAIN
EX. 20" WATER TO REMAIN
EX. 24" WATER TO REMAIN
EX. 30" WATER TO REMAIN
EX. 36" WATER TO REMAIN
EX. 42" WATER TO REMAIN
EX. 48" WATER TO REMAIN
EX. 54" WATER TO REMAIN
EX. 60" WATER TO REMAIN
EX. 66" WATER TO REMAIN
EX.

Exhibit 16



g ◇ f architects INC. ▪ 415 north charles street ▪ baltimore, maryland 21201 ▪ 301·234·2911	Siegel & Rutherford, Inc. 2125 Maryland Avenue Baltimore, Maryland 21218 Allison McCormac & Nickolaus, P.A. 7163 Columbia Gateway Drive Columbia, Maryland 21046	Rosenfelt & Woolfolk, Inc. 10706 Reisterstown Road - Suite S Owings Mills, Maryland 21117 Herb Littman Associates 4921 Wyaconda Road Rockville, Maryland 20852	Ferguson Engineering 14315 Sugar Loaf Vista Drive Clarksburg, Maryland 20871	MILFORD MANOR NURSING HOME 4204 OLD MILFORD MILL ROAD PIKESVILLE, MD 21208		SCALE: PROJ. NO.: 90MM01 DATE: 10-26-90	SEAL:	REVISIONS SEAL:	DRAWING NO.: 8

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

January 18, 1991

NOTICE OF HEARING

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 21204 as follows:

Case Number: 91-237-SPHXA
N/S Old Milford Mill Road, 136' SW c/l Colby Road
"Milford Manor" - Old Milford Mill Road
3rd Election District - 2nd Councilmanic
Petitioner(s): Milford Manor Partnership
HEARING: THURSDAY, FEBRUARY 28, 1991 at 2:00 p.m.

Special Exception for an Assisted Living Facility containing a maximum of 16 beds in conjunction with a nursing home; to permit an expansion of the existing nursing home to allow an additional 20 beds (total of 119 beds); and the waiver of the Residential Transition Requirements to provide for a modification of the R.T.A. requirements which are provided to the extent possible. Special Hearing to approve an amendment to the special exception and site plan granted in Case No. 5095-X to permit modification and reduction of the area necessary to allow the existing 99 bed nursing home and a proposed 20 bed addition thereto (total of 119 beds); to amend the site plan accordingly and to amend Restrictions #1 and #5 in Case No. 5095-X; and to allow a service driveway and turnaround for the nursing home within the yard area of the single family dwelling. Variance to allow an illuminated entrance sign of 63 square feet in lieu of 1 square foot; and to permit a 20 foot side yard setback for an existing nursing home in lieu of the required 25 feet.

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

cc: Milford Manor Partnership
Charles B. Heyman, Esq.

Appeal Cover Letter - Case No. 91-237-SPHXA (Special Hearing only)
RE: MILFORD MANOR PARTNERSHIP
July 15, 1991
Page 2

Protestant's Exhibits: 1. Photograph of curbside parking

2. - 7. Fifteen (15) Photographs

9. Eleven (11) 6" x 8" Photographs

8, 10 & 12 - Extra Photographs

11. (No item in file marked Exhibit #11)

Deputy Zoning Commissioner's Order dated May 29, 1991 (Granted w/ restrictions)

Notice of Appeal received June 26, 1991 from Scott Tucker, Protestant

cc: Lorraine Raffel - Milford Manor Partnership
5700 Executive Drive, Suite 112, Baltimore, MD 21228

Charles B. Heyman, Esquire
20 S. Charles Street, 10th Floor, Baltimore, MD 21201

Robert Rosenfelt - Rosenfelt & Woolfolk, Inc.
10706 Reisterstown Road, Owings Mills, MD 21208

Barbara Ramsey - Owings Mills Times
409 Washington Boulevard, Towson, MD 21204

Wes Guckert - The Traffic Group, Inc.
Suite 600, 40 W. Chesapeake Ave., Towson, MD 21204

Steven H. Block, Esquire - Manelli & Block
501 York Road, Towson, MD 21204

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
J. Robert Haines, Zoning Commissioner
Ann M. Nastarowicz, Deputy Zoning Commissioner
James E. Dyer, Zoning Supervisor
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Chief Deputy County Attorney
Public Services

---

file

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

July 15, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for *Special Hearing, Special Exception & Variance
N/S Old Milford Mill Road, 136' SW of the c/l of Colby Road
3rd Election District, 2nd Councilmanic District
MILFORD MANOR PARTNERSHIP - Petitioner
Case No. 91-237-SPHXA (Special Hearing portion appealed only)

Dear Board:

Please be advised that an appeal of the above-referenced case (Special Hearing portion appealed only) was filed in this office on June 26, 1991 by Scott Tucker, Protestant. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Lorraine Raffel - Milford Manor Partnership
5700 Executive Drive, Suite 112, Baltimore, MD 21228

Charles B. Heyman, Esquire
20 S. Charles Street, 10th Floor, Baltimore, MD 21201

Robert Rosenfelt - Rosenfelt & Woolfolk, Inc.
10706 Reisterstown Road, Owings Mills, MD 21208

Appeal Cover Letter - Case No. 91-237-SPHXA (Special Hearing only)
RE: MILFORD MANOR PARTNERSHIP
July 15, 1991
Page 2

Barbara Ramsey - Owings Mills Times
409 Washington Boulevard, Towson, MD 21204

Wes Guckert - The Traffic Group, Inc.
Suite 600, 40 W. Chesapeake Ave., Towson, MD 21204

Steven H. Block, Esquire - Manelli & Block
501 York Road, Towson, MD 21204

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

APPEAL

Petition for Special Hearing, Special Exception and Variance
N/S Old Milford Mill Road, 136' SW of the c/l of Colby Road
3rd Election District - 2nd Councilmanic District
MILFORD MANOR PARTNERSHIP - Petitioner
Case No. 91-237-SPHXA

Petition for *Special Hearing, Special Exception and Variance
(*Special Hearing Appealed only)

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel (None submitted)

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments

Petitioner's Exhibits: A. Plan to accompany petition

B. Final Landscape Plan

2. CRG Plan

3. Site Grading Plan

4. Final Landscape Plan

5. First Amended CRG Plan

6. Minutes of February 6, 1991 meeting

7. Copy of letter from E. Burns

8. & 10. Landscape Data Drawings

9A. - 9F. - Letters of support.

11. Site Entrance Sign

12. Red-lined Plan to accompany petition

13. Delivery Log

14. Floor Plans

15. Proposed Additions

16. Elevation Drawing (Building Material)

17A. & 17B. - Letters dated 3/27/91 & 4/2/91

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

May 29, 1991

Charles B. Heyman, Esquire
Sun Life Building, 10th Floor
20 S. Charles Street
Baltimore, Maryland 21201

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION AND ZONING VARIANCE
N/S Old Milford Mill Road, 136' SW of the c/l of Colby Road
(4204 and 4214 Old Milford Mill Road)
3rd Election District - 2nd Councilmanic District
Milford Manor Partnership - Petitioners
Case No. 91-237-SPHXA

Dear Mr. Heyman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

Ann M Nastarowicz

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: Steven H. Block, Esquire
501 York Road, Towson, Md. 21204

Mr. Daniel S. Kozlow
7018 Plymouth Road, Baltimore, Md. 21208

Mr. & Mrs. Mark M. Sapp
4207 Old Milford Mill Road, Baltimore, Md. 21208

Mr. & Mrs. Scott Tucker
4216 Old Milford Mill Road, Baltimore, Md. 21208

Ms. Marcia E. Neff
4209 Old Milford Mill Road, Baltimore, Md. 21208

People's Counsel; File

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

February 19, 1991

Charles B. Heyman, Esquire
Sun Life Building - 10th Floor
20 S. Charles Stret
Baltimore, MD 21201

RE: Item No. 248, Case No. 91-237-SPHXA
Petitioner: Milford Manor Partnership
Petition for Special Hearing, Special Exception
and Zoning Variance

Dear Mr. Heyman:

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.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

James E. Dyer

JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Ms. Lorraine Raffel
Milford Manor Partnership
5700 Executive Drive, Suite 112
Baltimore, MD 21228

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

Your petition has been received and accepted for filing this

3rd day of January, 1990.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer

Chairman,
Zoning Plans Advisory Committee

Petitioner: Milford Manor Prtshp, et al

Petitioner's Attorney: Charles B. Heyman

PIKESVILLE Community Growth

3655-A
Old Court Road
Suite 15
Pikesville, MD 21208

Telephone
(301) 484-2310

January 9, 1992

Mr. William T. Hackett
Chairman
Baltimore County Board of Appeals
Old Court House - Rm. 48
400 Washington Avenue
Towson, MD 21204

Re: Case # 91-237 SPHXA
Milford Manor Partnership

Dear Mr. Hackett,

The Pikesville Community Growth Corporation is comprised of twelve community organizations, the Pikesville Chamber of Commerce and the Pikesville Senior Center.

We carefully considered the issue relating to the expansion of the Milford Manor Nursing Home. In fact, one of our communities is Colonial Village where Milford Manor is located.

The P.C.G.C. Board of Directors feels very strongly that this project should be allowed to move forward. The owners and their attorney have resolved the issues we felt were problematic and we see no reason the zoning decision should be overturned.

I urge you to allow Milford Manor to proceed with their plans which will help the employment base in Pikesville without creating problems within the community. It will also bring much needed additional facilities for the elderly population in our area.

Thank you for your consideration.

Sincerely,

Evelyn Burns
Executive Director

EB/ss

Petitioner's Exhibit 11
91-237-SPHXA
1/16/92

TRUCK DELIVERIES TO MILFORD MANOR

DATE OF DELIVERY	COMPANY NAME	TIME OF DELIVERY	SIZE OF TRUCK
Monday			
1-6-92	Elite Linen	11:00 a.m.	Van
1-6-92	H & S Bakery	1:00 p.m.	5 ton, Single body
1-6-92	Elite Linen	2:30 p.m.	Van
1-6-92	Ram Chemicals	2:30 p.m.	Van
1-6-92	Daycon	3:00 p.m.	Van
Tuesday			
1-7-92	Carroll County Foods	7:30 a.m.	10 ton, Single body
1-7-92	La Touraine Coffee	8:20 a.m.	5 ton, Single body
1-7-92	Elite Linen	11:00 a.m.	Van
1-7-92	Elite Linen	2:00 p.m.	Van
1-7-92	Clinatron	4:15 p.m.	10 ton, Single body
1-7-92	Wagners Groceries	12:00 p.m	10 ton, Single body
Wednesday			
1-8-92	Elite Linen	10:30 a.m.	Van
1-8-92	Elite Linen	2:00 p.m.	Van
Thursday			
1-9-92	Elite Linen	10:00 a.m.	Van
1-9-92	Cloverland Dairy	10:15 a.m.	10 ton, Single body
1-9-92	Elite Linen	1:30 p.m.	Van
1-9-92	Olewines Food	4:30 p.m.	38' Tractor-trailer
1-9-92	Jack & Jill-Ice Cream	1:45 p.m.	10 ton, Single body
Friday			
1-10-92	H & S Bakery	8:10 a.m.	5 ton, Single body
1-10-92	Cloverland Dairy	10:00 a.m.	10 ton, Single body
1-10-92	Elite Linen	11:00 a.m.	Van
1-10-92	Acme Paper	11:10 a.m.	5 ton, Single body
1-10-92	Monumental Paper	1:30 p.m.	Van
1-10-92	Elite Linen	2:30 p.m.	Van

Petitioner's Exhibit 15
91-237-SPHXA
1/16/92

The Traffic Group

PROJECTED NEW TRIPS

FOR

MILFORD MANOR NURSING HOME

	Morning Peak Hour			Evening Peak Hour		
	In	Out	Total	In	Out	Total
Trips/Bed	.07	.03	.10	.11	.19	.30
Trips/36 Beds	3	1	4	4	7	11

(wp\nj\pro)

The Traffic Group, Inc.
Suite 600
40 W. Chesapeake Avenue
Towson, Maryland 21204
301-583-8005
Fax 301-321-8458

Petitioner's Exhibit 15
91-237-SPHXA
1/16/92

Raffel and Associates
Health Care Group Inc

March 27, 1991

Mr. Dean Romberger
Transportation Manager
Olewine's - Sysco Food Services Co.
P.O. Box 3641
Harrisburg, PA 17105-3641

RE: Milford Manor

Dear Dean:

I am sorry to trouble you again regarding the driveway at Milford Manor, but in an effort to satisfy our neighborhood association who currently opposes our zoning, I am submitting a revised driveway proposal to you. Please note, this proposal differs from the previous one I sent you, in that the turn-around area near the trees has been shortened by approximately twenty feet. Would you please tell me whether the proposed driveway and turn-around area can be used by your thirty five-foot trailer?

Because of our upcoming zoning hearing, I would appreciate it if you could give me a letter on this as soon as possible, assuming that a thirty five-foot unit is useable, as soon as possible. Thank you for your patience and consideration.

Sincerely yours,

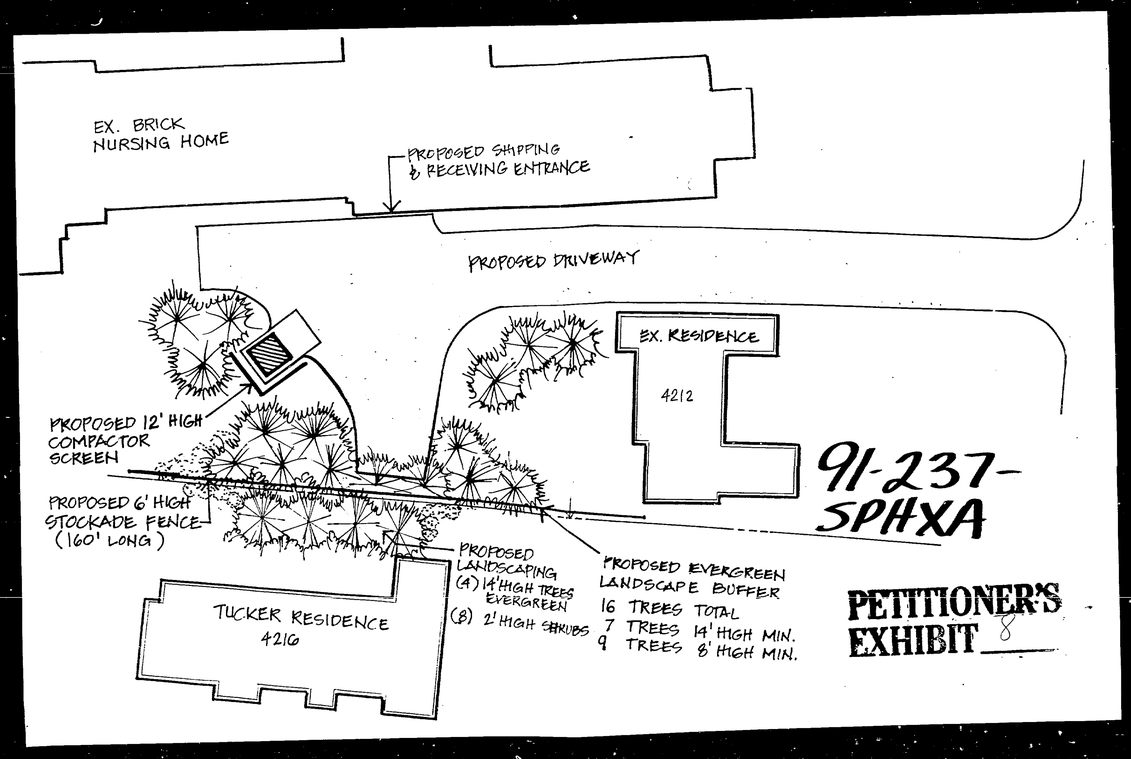
Gary D. Raffel
General Counsel

Enclosure
cc: Charles Heyman, Esq.

538.gdr

Petitioner's Exhibit 17

Beltway West Corporate Center 5700 Executive Drive Suite 112 Baltimore, Maryland 21228
(301) 747-5700



SYSCO FOOD SERVICES

America's Leading Marketer of Quality Assured Foodservice Products

April 2, 1991

Beltway West Corporate Center
Attn: Mr. Gary D. Raffel
General Counsel
5700 Executive Drive
Suite 112
Baltimore, MD 21228

Dear Gary:

In response to your letter dated March 27, 1991, this is to let you know that we are again in agreement as far as using a thirty-five foot trailer for the delivery at Milford Manor Nursing Home. I have reviewed the revised plans and find the proposed driveway and shortened turn-around areas to be satisfactory.

I feel that the above information should be adequate for the upcoming zoning hearing. If you should have any further questions, please feel free to contact me.

Sincerely Yours,

OLEWINE'S-SYSCO FOOD SERVICES

Dean Romberger
Transportation Manager

DR:bjw

Enclosure

Petitioner's Exhibit 17B

OLEWINE'S – SYSCO FOOD SERVICES CO.
P. O. Box 3641 • Harrisburg, PA 17105-3641
(717) 238-1976 • FAX (717) 236-1351

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines — DATE: February 8, 1991
Zoning Commissioner

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

SUBJECT: Milford Manor Partnership, Item No. 248

The petitioner requests a Special Hearing to amend the Special Exception granted in Case No. 5095X; to permit modification and reduction of the area necessary to allow the existing 99-bed nursing home and a proposed 20-bed addition; and to amend Restrictions No. 1 and 5; and to allow a service driveway and turnaround for the nursing home within the yard area of the single-family dwelling as shown on the hearing site plan.

In reference to the applicant's request, staff offers the following comments:

- This project received CRG approval on March 8, 1990.
- The petitioner shall submit a landscape plan to the deputy director of the Office of Planning and Zoning prior to the issuance of any permits. Said plan shall include landscaping to the west of the site on the interior portion of the 6 ft. stockade fence.
- Site plan shall be amended to indicate the location of the proposed sign. Staff recommends that the sign not be illuminated due to the proximity of adjacent residential properties.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

ITEM248/ZAC1

received 2/8

Baltimore County Government
Department of Public Works
Bureau of Traffic Engineering

401 Bosley Avenue Suite 405
Towson, MD 21204

887-3554
Fax 887-5784

January 11, 1991

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

RE: Item No. 248 — Z.A.C. January 2, 1991

Dear Mr. Haines:

Pleae see C.R.G. comments for this site.

Very truly yours,

Rahee J. Famili
Traffic Engineer II

RJF/lvd

received 1/14/91

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500

Paul H. Reincke
Chief

Dennis F. Rasmussen
County Executive

DECEMBER 26, 1990

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: MILFORD MANOR PARTNERSHIP

Location: "MILFORD MANOR", OLD MILFORD MILL ROAD

Item No.: 248 Zoning Agenda: JANUARY 2, 1991

Gentlemen:

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

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", 1988 edition prior to occupancy.

REVIEWER: Capt Joseph Kelly 12-27-90 — Noted and Approved — Fire Prevention Bureau
Planning Group
Special Inspection Division

JK/KEK

received 12/28/90

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee — DATE: December 31, 1990

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting for January 2, 1991

The Developers Engineering Division has reviewed the subject zoning items and have no comments for Items 229 (val), 230, 231, 232, 233, 234, 237, 238, 239, 240, 241 and 242.

For Items 243 and 248, the previous County Review Group comments are applicable.

Robert W. Bowling, P.E., Chief
Developers Engineering Division

RWB:s

received 1/8/91

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

July 15, 1991

Baltimore County Board of Appeals
County Office Building, Room 315
Towson, Maryland 21204

RE: Petition for *Special Hearing, Special Exception & Variance
N/S Old Milford Mill Road, 136' SW of the c/l of Colby Road
3rd Election District, 2nd Councilmanic District
MILFORD MANOR PARTNERSHIP - Petitioner
Case No. 91-237-SPHXA (Special Hearing portion appealed only)

Dear Board:

Please be advised that an appeal of the above-referenced case (Special Hearing portion appealed only) was filed in this office on June 26, 1991 by Scott Tucker, Protestant. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

J. ROBERT HAINES
Zoning Commissioner

JRH:cer

Enclosures

cc: Lorraine Raffel - Milford Manor Partnership
5700 Executive Drive, Suite 112, Baltimore, MD 21228

Charles B. Heyman, Esquire
20 S. Charles Street, 10th Floor, Baltimore, MD 21201

Robert Rosenfelt - Rosenfelt & Woolfolk, Inc.
10706 Reisterstown Road, Owings Mills, MD 21208

Appeal Cover Letter - Case No. 91-237-SPHXA (Special Hearing only)
RE: MILFORD MANOR PARTNERSHIP
July 15, 1991
Page 2

Barbara Ramsey - Owings Mills Times
409 Washington Boulevard, Towson, MD 21204

Wes Guckert - The Traffic Group, Inc.
Suite 600, 40 W. Chesapeake Ave., Towson, MD 21204

Steven H. Block, Esquire - Manelli & Block
501 York Road, Towson, MD 21204

People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

File

ITEM # 248
91-237-SPHXA

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Wirth / SWM
Mr. Powell / EIRD
Mr. Pilson / W&S
Mr. Flowers / CBCA
Mr. Fisher / Planning
Mr. Richards / Zoning
Mr. Bowling / DED
Mr. Famili / Traffic
Mr. Weiss / Sanitation
Mr. Beaumont / Land Acq.
Ms. Lutz / House Nos.
Capt. Kelly / Fire Dept.
Mr. Kincer / Rec.&Parks
Mr. Brocato / SHA
Mr. Butcher / C&P

DATE: February 11, 1991
DESK 2/13/91

To: John L. 2/11/91 mcr

FROM: Susan Wimbley
Bureau of Public Services

SUBJECT: District: 3C2
Project Name: Milford Manor
Project No. : 90019
Engineer : Rosenfelt and Woolfolk
Phone No.: 356-4600

ACTION REQUESTED:
CRG Plan Review (Meeting Waived) :
CRG Plan Refinement Review :XX
CRG Non-Material Amendment Review :
CRG Plan Approval Extension Review:
Panhandle Minor CRG Plan Review :
Minor Subdivision Review :

Please review the attached plan for compliance with current regulations and return comments to our office by 3/4/91. If you have no comments or do not need to review this plan, please indicate by placing your initials here _____ .

Thank you for your attention to our request.

SDW:mmm
cc: File

MILFORD MANOR

C.R.G. Plan Refinement
Project #90019

Comments Due: 3/4/91
Comments Date: 3/28/91

Zoning requires a revised C.R.G. plan which matches the revised zoning public hearing plan dated 12/13/90. This information was requested from the developer's engineer by telephone on 3/13/91.

No revised plans received as of this date (3/28/91).

Any requests for further information from the Zoning Office must include a reference to the refinement project #90019 and written correspondence or revised plans must be accompanied by a copy of these comments.

JOHN L. LEWIS
PLANNER II

JLL:scj

cc: Current Planning
Zoning File - #91-237-SPHXA
Waiver File

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

March 8, 1991

NOTICE OF CONTINUANCE

CASE NUMBER: 91-237-SPHXA

LEGAL OWNER: Milford Manor Partnership

LOCATION: 4202 and 4214 Old Milford Mill Road

HEARING OF THE ABOVE MATTER, WHICH BEGAN ON February 28, 1991, WILL CONTINUE ON THURSDAY, MAY 2, 1991 at 9:30 a.m.

THIS CONTINUANCE WILL TAKE PLACE IN ROOM 106 OF THE COUNTY

OFFICE BUILDING , 111 W. Chesapeake Avenue, Towson, Maryland 21204.

/s/

J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY

cc: Milford Manor Partnership
Charles B. Heyman, Esq.
Steven H. Block, Esq
Barbara Ramsey

File Copy

Copies of March 8, 1991 Notice also mailed to this listing

Dan S. Kozlow
7018 Plymouth Road
Pikesville, MD 21208

Steven Block
7005 Alden Road
Baltimore, MD 21208

Scott and Geri Tucker
4216 Old Milford Mill Road
Baltimore, MD 21208

Allan Dale, III
4224 Old Milford Mill Road
Baltimore, MD 21208

Mark Sapp
4207 Old Milford Mill Road
Baltimore, MD 21208

Ruth Goldstein
4112 Lowell Drive
Baltimore, MD 21208

Louis Feinglass
4222 Old Milford Mill Road
Baltimore, MD 21208

Joan and Harvey Levin
2213 Shefflin Court
Baltimore, MD 21208

Amy Tucker
3715 Courtleigh Drive
Baltimore, MD 21208

Steven Silver
4214 Old Milford Mill
Baltimore, MD 21208

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

111 West Chesapeake Avenue
Towson, MD 21204

887-3353

June 18, 1991

Steven H. Block, Esquire
501 York Road
Towson, Maryland 21204

RE: Petitions for Special Hearing, Special Exception and Variance
N/S Old Milford Mill Road, 136' SW of the c/l of Colby Road
3rd Election District - 2nd Councilmanic District
Milford Manor Partnership - Petitioners
Case No. 91-237-SPHXA

Dear Mr. Block:

In response to your letter dated June 13, 1991 regarding the above-captioned matter, the following comments are offered.

I have reviewed the Order issued on May 29, 1991 by the then Deputy Zoning Commissioner, Ann M. Nastarowicz, and I quote the following from Page -6-, Paragraph 2 of her decision:

"As explained at the hearing, not all private covenants are appropriate for inclusion as a restriction and/or enforceable by the County."

It is clear from the language set forth above that it was not Ms. Nastarowicz' intention to include the agreement enumerated in your letter as part of the conditions of her Order. In my opinion, the Order issued is appropriate in this instance and should not be amended.

In the event you wish to pursue this matter further, it is suggested you contact Ms. Charlotte Radcliffe, Appeals Clerk, at 887-3391, for information concerning the appeals process.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: Case File

Charles B. Heyman, Esquire
20 S. Charles Street, 10th Floor, Baltimore, Md. 21201

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

Hearing Room -
Room 301, County Office Bldg. September 5, 1991

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-237-SPHXA — MILFORD MANOR PARTNERSHIP
N/s Old Milford Mill Rd., 136' SW of c/l of Colby Rd.
3rd Election District
2nd Councilmanic District

SPH-Amend SE 5095-X;
SPH-Amend Restrictions 1 & 5 in 5095-X;
SE-Assisted Living Facility
VAR-Sign and setback

5/29/91 - D.Z.C.'s Order GRANTING Petitions with restrictions.

ASSIGNED FOR: THURSDAY, JANUARY 16, 1992 at 10:00 a.m.

cc: Mr. Scott Tucker - Protestant/Appellant

Ms. Lorraine Raffel - Milford Manor Partnership/Petitioner

Charles B. Heyman, Esquire - Counsel for Petitioner
Mr. Robert Rosenfelt
Ms. Barbara Ramsey
Mr. Wes Guckert
Steven H. Block, Esquire
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon-Director of Zoning Administration

LindaLee M. Kuszmaul
Legal Secretary

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

Hearing Room -
Room 301, County Office Bldg. September 10, 1991

** REVISED NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH RULE 2(b). NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE UNLESS IN FULL COMPLIANCE WITH RULE 2(c), COUNTY COUNCIL BILL NO. 59-79.

CASE NO. 91-237-SPHXA — MILFORD MANOR PARTNERSHIP
N/s Old Milford Mill Rd., 136' SW of c/l of Colby Rd.
3rd Election District
2nd Councilmanic District

SPH-Amend SE 5095-X;
SPH-Amend Restrictions 1 & 5 in 5095-X;
SE-Assisted Living Facility
VAR-Sign and setback

5/29/91 - D.Z.C.'s Order GRANTING Petitions with restrictions.

** Appeal taken from Special Hearing portion only.

ASSIGNED FOR: THURSDAY, JANUARY 16, 1992 at 10:00 a.m.

cc: Mr. Scott Tucker - Protestant/Appellant
Ms. Lorraine Raffel - Milford Manor Partnership/Petitioner
Charles B. Heyman, Esquire - Counsel for Petitioner
Mr. Robert Rosenfelt
Ms. Barbara Ramsey
Mr. Wes Guckert
Steven H. Block, Esquire
~~People's Counsel for Baltimore County~~ out per Shirley Hess 10/2/91
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon-Director of Zoning Administration

LindaLee M. Kuszmaul
Legal Secretary

County Board of Appeals of Baltimore County
OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

April 9, 1992

Mr. & Mrs. Scott Tucker
4216 Old Milford Mill Road
Baltimore, MD 21208-6031

RE: Case No. 91-237-SPHXA
Milford Manor Partnership

Dear Mr. & Mrs. Tucker:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Charles B. Heyman, Esquire
Ms. Lorraine Raffel
Steven H. Block, Esquire
Mr. Robert Rosenfelt
Ms. Barbara Ramsey
Mr. Wes Guckert
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning Administration
Public Services

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Office of the Zoning Director DATE: May 12, 1992

FROM: LindaLee M. Kuszmaul
County Board of Appeals

SUBJECT: Closed File
Case No. 91-237-SPHXA (Milford Manor Partnership)

As no further appeals have been taken regarding the subject case, we have closed the file and are returning same to you herewith.

Linda

Attachment

9/5/91 - Following parties notified of hearing set for January 16, 1992 at 10:00 a.m.:

Mr. Scott Tucker
Ms. Lorraine Raffel
Charles B. Heyman, Esquire
Mr. Robert Rosenfelt
Ms. Barbara Ramsey
Mr. Wes Guckert
Steven H. Block, Esquire
People's Counsel for Baltimore County
P. David Fields
Pat Keller
Public Services
J. Robert Haines
Timothy M. Kotroco
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon-Director of Zoning Administration

Given - See me

LAW OFFICES

KAPLAN, HEYMAN, GREENBERG, ENGELMAN & BELGRAD, P.A.

TENTH FLOOR SUN LIFE BUILDING

20 SOUTH CHARLES STREET

BALTIMORE, MARYLAND 21201

(301) 539-6967

TELECOPIER

(301) 752-0685

SOLOMON KAPLAN

1918-1988

JERAL A. MILTON
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WILLIAM D. SHAUGHNESSY, JR.
DANIEL S. KATZ
MICHAEL D. BERMAN
THOMAS D. WOLFE
STEVEN H. FREEMAN
BARRY WEISKOPF

January 10, 1991

HAND DELIVERED

Honorable J. Robert Haines
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: No. 248- Milford Manor Partnership - Zoning Variance, Special Hearing and Special Exception

Dear Mr. Haines:

With reference to the above matter, it is requested that this matter be granted an expedited Hearing. This matter involves an existing nursing home with the request that there be a limited expansion and an assisted living facility in connection with said nursing home, with various requested variances.

Because of the uniqueness of this matter, a substantial period of time elapsed between the initial pre-filing meeting and the ultimate filing of this matter due to a number of required meetings with zoning personnel and requested revisions from time to time to the Plat filed in this matter. Due to the delay in filing, unless an expedited Hearing occurs, this matter will not be determined before the scheduled date for bids on the project and the planned start date for construction.

Under these circumstances, your consideration to granting an expedited Hearing is requested.

Thank you for your kind attention to this matter.

Sincerely,

Charles B. Heyman

Charles B. Heyman

CBH:rb

LAW OFFICES

KAPLAN, HEYMAN, GREENBERG, ENGELMAN & BELGRAD, P.A.

TENTH FLOOR SUN LIFE BUILDING

20 SOUTH CHARLES STREET

BALTIMORE, MARYLAND 21201-3220

(410) 539-6967

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(410) 752-0685

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AMY J. SEIFERT
ELISA J. WHITMAN
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DANIEL S. KATZ
MICHAEL D. BERMAN
THOMAS D. WOLFE
STEVEN H. FREEMAN
BARRY WEISKOPF

February 7, 1992

The Honorable William T. Hackett, Chairman
Board of Appeals, Baltimore County
Room 48, Court House
400 Washington Avenue
Towson, Maryland 21204

RE: Case No. 91-237 - Milford Manor Partnership Petition for Hearing

Dear Chairman Hackett:

At the time of the Hearing of the above matter, you requested that the stipulations and agreements reached between Milford Manor Partnership, Petitioner, and The Colonial Village Community Association ("Colonial Village") be submitted in writing for the record in this case. I have now been advised by Steven Block, Esquire, attorney for Colonial Village that the stipulations and agreements orally presented at the time of Hearing, have been approved, in the written form hereinafter set forth. Mr. Block also has advised that if the Board of Appeals ("Board") needs written evidence of such approval by Colonial Village, that he will provide the same to the Board. The agreed written stipulations and agreements between Petitioner and Colonial Village, are as follows:

1. After construction of the service driveway, west of the nursing home ("Service Drivway").

(a) no tractor-trailer vehicle greater than 35 feet in length will use the Service Driveway and

(b) no more than one delivery per week will be made by any tractor-trailer via the Service Driveway.

2. The Service Driveway will be no closer than a minimum of 20 feet from the west property line.

LAW OFFICES

KAPLAN, HEYMAN, GREENBERG, ENGELMAN & BELGRAD, P.A.

TENTH FLOOR SUN LIFE BUILDING

20 SOUTH CHARLES STREET

BALTIMORE, MARYLAND 21201

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WILLIAM D. SHAUGHNESSY, JR.
DANIEL S. KATZ
MICHAEL D. BERMAN
THOMAS D. WOLFE
STEVEN H. FREEMAN
BARRY WEISKOPF

March 13, 1991

Mr. J. Robert Haines
Zoning Commissioner, Baltimore County
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. 91-237-SPHXA - Milford Manor Partnership

Dear Mr. Haines:

Enclosed please find our check in the amount of $15.00 to cover the cost of a copy of the tape recording of the February 28, 1991 Hearing on the above matter.

Please call the undersigned to advise when the tape will be available for pick up.

Thank you.

Sincerely,

Charles B. Heyman

CBH:rb

Enclosure

LAW OFFICES

KAPLAN, HEYMAN, GREENBERG, ENGELMAN & BELGRAD, P.A.

TENTH FLOOR SUN LIFE BUILDING

20 SOUTH CHARLES STREET

BALTIMORE, MARYLAND 21201

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DANIEL S. KATZ
MICHAEL D. BERMAN
THOMAS D. WOLFE
STEVEN H. FREEMAN
BARRY WEISKOPF

May 17, 1991

RECEIVED
MAY 20 1991
ZONING OFFICE

HAND DELIVER

Ann Nastarowicz, Deputy
Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue, Room 113
Towson, Maryland 21204

RE: Case No. 91-237-SPHXA N/S Old Milford Mill Road, 136 feet SW C/L Colby Road

Dear Ms. Nastarowicz:

As requested by you at the conclusion of the Hearing in the above matter, a revised Plan to accompany Special Exception, Special Hearing and Variance and revised grading plan has been prepared and is being transmitted to you. These updated revised Plans incorporate the Exhibits and testimony presented at the time of Hearing, except for one modification, which is a slight change in the service drive and turn around (labeled service drive on the Plan). The slight modification results in the drive and turn around being even a greater distance from the Tucker property line. This modification resulted from meetings between Wes Guckert and the Baltimore County Department of Engineering and the Baltimore County Department of Traffic Engineering, following the close of testimony. These Departments are satisfied that the modified design as shown on the enclosed Plan is capable for use by a 35-foot trailer.

Also, please note that on the Plan to accompany Special Exception, Special Hearing and Variance, there has been an additional note added which limits the use of the service drive to trailer size of 35 feet or less.

Copies of these two Plans were delivered to Steven H. Block, the attorney for the Community Association, on May 15, 1991. Mr. Block has confirmed to me that the enclosed Plans, with the slight modification, are acceptable to the Community Association.

LAW OFFICES

KAPLAN, HEYMAN, GREENBERG, ENGELMAN & BELGRAD, P.A.

TENTH FLOOR SUN LIFE BUILDING

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BALTIMORE, MARYLAND 21201

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(301) 752-0685

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DANIEL S. KATZ
MICHAEL D. BERMAN
THOMAS D. WOLFE
STEVEN H. FREEMAN
BARRY WEISKOPF

7/30/91 S

Jun 4/7/92

LAW OFFICES

KAPLAN, HEYMAN, GREENBERG, ENGELMAN & BELGRAD, P.A.

TENTH FLOOR SUN LIFE BUILDING

20 SOUTH CHARLES STREET

BALTIMORE, MARYLAND 21201

(301) 539-6967

TELECOPIER

(301) 752-0685

SOLOMON KAPLAN

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WILLIAM D. SHAUGHNESSY, JR.
DANIEL S. KATZ
MICHAEL D. BERMAN
THOMAS D. WOLFE
STEVEN H. FREEMAN
BARRY WEISKOPF

July 29, 1991

Baltimore County Zoning Office
Attention: Jun Fernando
111 West Chesapeake Avenue
Towsn, Maryland 21204

RE: Case No. 91-237-SPHXA - Milford Manor Partnership

Dear Mr. Fernando:

Enclosed please find our check in the amount of $30.00 to cover the cost of copying two tapes of the May 2, 1991 Hearing in the above matter.

Please call the undersigned to advise when the tape will be available and we will arrange to have it picked up.

Thank you for your cooperation in this matter.

Sincerely,

Charles B. Heyman

Charles B. Heyman

CBH:rb

Enclosure

RECEIVED
JUL [illegible] 1991

ZONING OFFICE

The Traffic Group

PROJECTED NEW TRIPS

FOR

MILFORD MANOR NURSING HOME

	Morning Peak Hour			Evening Peak Hour		
	In	Out	Total	In	Out	Total
Trips/Bed	.07	.03	.10	.11	.19	.30
Trips/36 Beds	3	1	4	4	7	11

(wp\nj\pro)

The Traffic Group, Inc.
Suite 800
40 W. Chesapeake Avenue
Towson, Maryland 21204
301-583-8405
Fax 301-321-8458

6/11/91 S

LAW OFFICES

MANELLI & BLOCK

501 YORK ROAD

TOWSON, MARYLAND 21204

STEVEN H. BLOCK
JULIAN R. MANELLI

(301) 296-8822
TeleFax (301) 321-7340

June 13, 1991

J. Robert Haines
Zoning Commissioner of Baltimore County
Office of Planning & Zoning
111 W. Chesapeake Avenue
Towson, MD 21204

RE: 91-237SPHXA
Milford Manor

Dear Mr. Haines,

I understand Ms. Nastorowicz has left your office so I direct this letter to you.

I am the vice-president of Colonial Village Neighborhood Improvement Association (CVNIA) and have read Ms. Nastorowicz's decision in this case. I wish to make clear that CVNIA and Milford Manor Partnership have entered into an agreement concerning the special exception being sought. These agreements were put on the record at the hearing on May 2, 1991 and were to be part of any exception. As I do not see them specifically set out on the decision, I write to you to ensure that they are part of the decision.

They are as follows:

1. No vehicle with a trailer portion greater than 35' long shall use the service driveway to the west of the nursing home and that only on e vehicle with a trailer of 35' can use the driveway per week.

2.. The service driveway noted above may not be located at any point closer than 20' from the adjoining property line.

3. The adjoining properties shall be screened in conformance with the landscaping plan agreed to by Milford Manor and CVNIA.

4. The proposed dumpster/compactor shall be entirely enclosed in fencing at least 15' high.

5. 4212 Old Milford Mill Road shall be used solely for residential purposes and the lawn area may not be paved nor graveled and shall not be used for a parking area.

ZONING OFFICE

SCOTT AND GERI E. TUCKER
4216 Old Milford Mill Road
Baltimore, Maryland 21208-6031
(301) 486-4146

June 25, 1991

J. Robert Haines
Zoning Commissioner
Baltimore County Office of
Zoning and Planning
111 West Chesapeake Avenue
Towson, Maryland 21204

91-237-SPHXA

RE: Decision Concerning Petition for Special Hearing in Case No. 5095-X, Service Driveway for Milford Manor Nursing Home

Dear Mr. Haines:

In reference to the above mentioned decision, please find $150.00 enclosed as required for appeal. I spoke with Ms. Charlotte Radcliffe on Monday, June 24th, who enlightened me regarding the required funds and procedures.

If there is anything else we can assist with, or additional information required, please do not hesitate to call either my wife or myself.

Very truly yours,

Scott Tucker

Enclosure

ST/get

[illegible] 26 91 am

We're only appealing the special hearing portion of this case.

MILFORD MANOR
Old Milford Mill Road

3rd Amended CRG Plan
Planning No. III-357
CRG No. 90019
Plan Date: 9/20/90
Plan Received: 9/4/91
Comments Date: 9/5/91
Comments Completed: 9/10/91

Several previous comments from 6/27/91 have not been addressed, also some additional comments on plan changes are as follows.

This site was the subject of zoning hearing #91-237-SPHXA since the last amendment. Include a complete zoning history on the plan to include the case number, what was granted or denied, listing and clearly showing compliance with all restrictions of the Order.

Accurately show compliance with the following Petitioner's Exhibit "A" plan information on this red-lined plan. Correct the note concerning the maximum 44 foot length for tractor trailers, which on the Petitioner's Exhibit "A", only permits a 35 foot maximum. Where planting heights are shown on the exhibit, they must be shown on the C.R.G. plan.

This case is now on appeal. Final zoning approval is contingent first, upon all plan comments being addressed on the C.R.G. plan; and secondly, upon the final resolution of all comments, the outcome of any requested zoning hearings and finally, the inclusion of the blue commercial checklist information being included on the building permit site plans.

Any requests for further information from the Zoning Office must include a reference to the 3rd amended C.R.G. plan and written correspondence or revised plans must be accompanied by a copy of these comments.

JOHN L. LEWIS
PLANNER II

JLL:scj

cc: Current Planning
Zoning File - #91-237-SPHXA
Waiver File

ROSENFELT & WOOLFOLK
INCORPORATED
civil engineers • site designers • land planners
water quality and stormwater management consultants

February 25, 1993

Mr. John Lewis
Baltimore County Office of Zoning
111 W. Chesapeake Avenue
Towson, Md. 21204

Re: Milford Manor Nursing Home
Case No. 91-237-SPHXA
Job No. 214/001

Dear Mr. Lewis,

As we discussed the other day, we are submitting a revised Zoning Plat in fulfillment of the requirement in the Board of Appeals Order in the above-referenced case.

The revisions are to meet the restrictions in the Order which require the trash compactor to be relocated at least 150 feet from the adjoining residence, which in turn required extending the service driveway and adding a maneuvering area in front of the compactor pad.

We need to obtain a grading permit by March 8, 1993, when the original CRG approval expires. Please let me know if we need approval of this plat for the Grading Permit.

Thank you,

Judith Rabb
Project Planner

Called J.L. 3/1
received fax letter + revised plan to file on 3/2/93
Advised Ron granted filing for grading permit

F:\jobs\200-224\214\214001a.wpf

Suite Eight Owings Mills Professional Center 10706 Reisterstown Road Owings Mills, MD 21117
Telephone: (410) 356-4600

KEEP IN ZONING FILE
SEE ANN DEED 2823/73
SEE LTR OF 2/25/93

ROSENFELT & WOOLFOLK
INCORPORATED
civil engineers • site designers • land planners
water quality and stormwater management consultants

March 16, 1993

Mr. John Lewis
Baltimore County Office of Zoning
111 W. Chesapeake Avenue
Towson, Md. 21204

Re: Milford Manor Nursing Home
Case No. 91-237-SPHXA
Job No. 214/001

Dear Mr. Lewis,

Please include this revised plan in the file, per the Board of Appeals Order as the approved Plan in Case No. 91-237-SPHXA.

This plan complies with all Board of Appeals requirements in the above-referenced Case.

Yours truly,

Judith Rabb

cc: Gary Raffel
Charles Heyman, Esq.

F:\jobs\200-224\214\214001a.wpf

Suite Eight Owings Mills Professional Center 10706 Reisterstown Road Owings Mills, MD 21117
Telephone: (410) 356-4600

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
DAN S. KAZLOW	7018 PLYMOUTH ROAD Pikesville, MD 21208
Steven Block	7005 Alden Rd. Balto 21208
Scott Tucker	4216 Old Milford Mill Rd
Alcan Dale III	4224 Old Milford Mill Rd 21208
Mark Sapp	4207 Old Milford Mill Rd 21208
Ruth Goldstein	4112 Lowell Dr. 21208
Geri E. Tucker	4216 Old Milford Mill Road 21208
Louis Feinglass	4222 Old Milford Mill Rd 21208
Joann Sapp	4213 Stafford Ct.
Nancy Sapp	4213 Stafford Ct.
Amy Tucker	4715 Southview Dr. 600 Milford Mill
Steven H. Silver	4214 Old Milford Mill Rd 21208
William Klein	Shopper

Baltimore County
Department of Permits and
Development Management

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

January 8, 1998

SouthTrust Bank
P.O. Box
Birmingham, Alabama 35290

Commonwealth Land Title Insurance Company
31 Light Street, Suite 500
Baltimore, MD 21202

RE: Zoning Verification
Milford Manor Nursing Home
2nd Election District

To Whom It May Concern:

The undersigned hereby certifies with respect to the property legally described in Exhibit "A" attached hereto known as 4204-4210 Milford Mill Road, sometimes known or formerly known as 4212 Old Milford Mill Road ("Premises") as follows:

1. The zoning classification of the Premises is D.R.-16 and D.R.-5.5 per the 1 inch = 200 feet scale 1996 zoning map #NW-7E, and copies of the most recent applicable zoning special hearing, special exception, and variance orders are attached hereto.

2. The Premises and its use as a Nursing Home, as shown on the provided plan, complies with the applicable zoning ordinances as compared to the approved site plan in zoning case #93-318-SPH except as stated below. Since this building exists as shown, it is apparent that all other building permit requirements were met (for general construction) prior to final occupancy approval.

   Comments: Prior zoning history: Case #93-318-SPH and #91-237-SPHXA are on record with this office as the most recent cases applied to this site. There are two plan conflicts with Petitioners' exhibit #1 and #12 as listed in the Board of Appeals order in zoning case #91-237-SPHA. The building is forward of the 100-foot restriction line on exhibit #1 and the sign is in the right-of-way, which conflicts with Petitioners' exhibit #12 and the Baltimore County Zoning Regulations.

3. To the best of our knowledge, the Premises complies with the subdivision ordinances affecting it and can be conveyed without the filing of a new plat or resubdivision of the Premises.

   Comments: Subject to continued compliance with the approved zoning hearing site plans and orders.

Printed with Soybean Ink on Recycled Paper

4. The Premises, as currently existing, complies with most (see comment) setback and parking laws and regulations and all floor space and height requirements.

   Comments: Subject to compliance with approved plans and permits and prior comment #2, which indicates two plan conflicts.

5. To the best of our knowledge, all appropriate Permits and Development Management approved permits, licenses, and approvals have been provided for the intended use of the Premises.

6. Our office is not aware of any current or outstanding violations of the zoning ordinance, permitted uses or building codes.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

John L. Lewis
Planner II
Zoning Review

JLL:rye

Enclosure

Baltimore County
Department of Permits and
Development Management

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

April 5, 1996

Mr. Gary D. Raffel
Chief Executive Officer
Raffel Healthcare Group, Inc.
5750 Executive Drive, Suite 200
Baltimore, Maryland 21228-1768

RE: Zoning Verification
4204 Old Milford Mill Rd.
Milford Manor Partnership
3rd Election District

Dear Mr. Raffel:

Your letter of April 1, 1996 has been referred to me for reply. Based upon the information provided therein and our research of the zoning records, the following has been determined.

The property known as 4204 Old Milford Mill Road is currently zoned D.R.-16 (Density Residential, 16-0 density units per acre). Further, the use as a nursing home is permitted in the D.R.-16 zone, per hearing case #91-237-SPHXA.

Enclosed, please find a copy of the Baltimore County zoning map #NW-7E, and a copy of the order from the Board of Appeals for hearing case #91-237-SPHXA pertaining to the subject property.

I trust that the information set forth in this letter is sufficiently detailed and responsive to your request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391 (FAX - 887-5708).

Sincerely,

Jun R. Fernando
Planning & Zoning Associate III
Zoning Review

JRF/jnw

Enclosure

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PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING

O R D E R

IT IS THEREFORE this 7th day of April, 1992 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Special Hearing be and is hereby GRANTED subject to the following restrictions which are conditions precedent to the relief granted:

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 30-day 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.

2. Compliance with all Zoning Plans Advisory Committee comments.

3. Prior to the issuance of any building permits, Petitioners shall submit a landscaping plan for the entire site for approval by the Deputy Director of Planning. A copy of the approved plan shall be submitted to the Zoning Office for inclusion in the case file prior to the issuance of any permits.

4. CMG approval of the modified plans in accordance with all restrictions is required prior to the issuance of any permits.

Case No. 91-237-SPHXA Milford Manor Partnership

5. The service driveway shall be no closer than as depicted on Petitioner's Exhibit No. 1 entered before this Board and may be extended to accommodate the relocation of the trash compactor as listed in restriction #8 below.

6. The Petitioners shall locate and install the service driveway at a minimum as shown on Petitioner's Exhibit No. 10 of the Zoning Commissioner's file, and Petitioner's Exhibit No. 1 entered before this Board.

7. All deliveries and trash removal using the service driveway shall be limited to one between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

8. The trash compactor shall be enclosed and accessed in a manner similar to that shown on Petitioner's Exhibit No. 1 entered before this Board and shall be relocated at a distance no closer than 150 feet from the outside boundary of Mrs. Turner's residence.

9. The single family residence located on the west end of the subject property shall be used for residential purposes only.

10. The proposed entrance sign shall not be illuminated. Said sign shall be designed in accordance with that depicted on Petitioner's Exhibit No. 1 of the Zoning Commissioner's file and shall not exceed 63 sq. ft. in size, counting both sides. The lettering for the sign shall not exceed 75 sq. ft. per side. Further, the location of the sign shall be in the area depicted on Petitioner's Exhibit No. 10 of the Zoning Commissioner's file.

11. Prior to the issuance of any permits, Petitioners shall submit a revised site plan depicting the RTA buffer areas proposed to the maximum extent possible. Further, said plan shall clearly show the boundaries of the original, special exception, single family dwelling, and existing home. All notes, locations available on an affidavit for each easement, i.e., ingress, egress, single family dwelling, and existing home. All notes shall be legible and of a size large enough and valuable for examination as determined by the Office of Zoning.

12. Prior to the issuance of any permits, Petitioners shall obtain written approval of the modified site plan by the Department of Traffic Engineering, including, but not limited to, the service drive and its access for a trailer trailer as permitted.

13. The permanent addition must be built in a manner and shall be used only as a single family dwelling as permitted by Section 1A00.3.A.1 of the Zoning Regulations of Baltimore County.

Case No. 91-237-SPHXA Milford Manor Partnership

14. When applying for a building permit, the site plan and landscape plan filed must reference this case and set forth and address the restrictions of this Order.

15. Failure to comply with the Order, its conditions or agreements contained in the Petitioners' letter dated February 7, 1992 (which is a part of the case file) may result in a petition for revocation.

Any appeal from this decision must be made in accordance with Rules B-1 through B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett, Chairman

Robert O. Schuetz

Harvey R. Wolfe

N 24750' W 28500'

4112

4114

4116

4118

EAST SUBBROOK PARK W.P.C. 3/152
DANIEL L. 3RD AND
SARA W. HOLDEN

DANIEL L. 3RD AND
SARA W. HOLDEN

KENNETH W. FREELAND
5179/59

N40°33'41"W 133.58'

SEE BASE DWG #62.DWG

MORFOOT AVENUE
50' WIDE UNIMPROVED

EX. DIRT ROAD TO BE REMOVED AND REPLANTED

PUBLIC STORM DRAIN EASEMENT DWG# 42-1038

EX. INLET
TOP ELEV. +79.05

NEIL AND LACEY COHEN
5494/107

WILDFIELD CENTO
4138/235

ZONING DR 5.5

EX. PAVING

20' DRAINAGE EASEMENT

DRIVEWAY TO BE REMOVED AND REPLACED WITH LANDSCAPING

EX. 8" TILE S.D. TO BE REM.

EX. 8" SAN.

PROPOSED CONC. TRANSFORMER PAD BY OTHERS

3 SPACES @ 20'

SEE LAP # 2

SEE PLAN LAP # 1

ZEGUL'S PAVING

S 57°55'58" E 62'

S 57°55'58" E 62'

10'

20'

101'

H

X

ADDITIONAL ZONING NOTES

The following is from the Zoning Order issued by the Deputy Zoning Commissioner of Baltimore County on May 29, 1991. ZONING CASE NO. SPHXA 91-237

The following is from the zoning order issued by the Baltimore County Zoning Board of Appeals Case No. 91-237-SPHXA, April 9, 1992.

It is clear from the testimony that if the variances are granted, such use as proposed would not be contrary to the spirit of the B.C.Z.R. and would not result in substantial detriment to the public health, safety, or general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing, special exception and variances should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 29th day of May, 1991 that the Petition for Special Hearing to approve an amendment to the special exception and site plan previously approved in Case No. 5095-X to permit a modification, expansion, and overall reduction of the original special exception area required to support the existing nursing home containing 99 beds and 20 additional beds, or 119 beds total, and to amend the site plan accordingly, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the *Petition for Special Hearing* to amend Restrictions 1 and 5 of Case No. 5095-X and to permit a service driveway and turnaround for the nursing home within the yard area of the single family dwelling, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit an Assisted Living Facility containing a maximum 16 beds in conjunction with the existing nursing home and the expansion of the existing nursing home to provide 20 additional beds for a total 119 beds, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a waiver of the Residential Transition Area requirements to allow a modification of said requirements, which complies to the extent possible, in accordance with Petitioner's Exhibit A, be and is hereby GRANTED, subject to the restrictions hereinafter set forth; and

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit an entrance sign of 63 sq.ft. (counting both sides) in lieu of the permitted 1 sq.ft., in accordance with the design set forth in Petitioner's Exhibit 11 and the location shown on Petitioner's Exhibit 12, and a side yard setback of 20 feet in lieu of the required 25 feet for the existing nursing home, in accordance with Petitioner's Exhibit A, except as herein modified, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

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 30-day 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.

2) Compliance with all Zoning Plans Advisory Committee comments.

3) Prior to the issuance of any building permits, Petitioners shall submit a landscaping plan for the entire site for approval by the Deputy Director of Planning. A copy of the approved plan shall be submitted to this Office for inclusion in the case file prior to the issuance of any permits.

4) CRG approval of the modified plans in accordance with all restrictions is required prior to the issuance of any permits.

5) The service driveway shall be no closer than as *depicted on Petitioner's Exhibit* B.

6) The Petitioners shall fence and shrub the service driveway at a minimum as shown on Petitioner's Exhibits 10 and B.

7) All deliveries and trash removal using the service driveway shall be limited to use between the hours of 8:00 AM and 5:00 PM, Monday through Friday.

8) The compactor shall be enclosed and screened as shown on Petitioner's Exhibit 12.

9) The single family residence located on the west end of the subject property shall be used for residential purposes only.

10) The proposed entrance sign shall not be illuminated. Said sign shall be designed in accordance with that depicted on Petitioner's Exhibit 11 and shall not exceed 63 sq.ft. in size, counting both sides. The lettering for the sign shall not exceed 20 sq.ft. per side. Further, the location of the sign shall be in the area depicted on Petitioner's Exhibit 12.

11) Prior to the issuance of any permits, Petitioners shall submit a revised site plan depicting the RTA buffer areas provided to the maximum extent possible. Further, Petitioners shall clearly show the boundaries of the original special exception area granted in Case No. 5095-X. Said plan shall also identify and conspicuously label the remaining various locations available to be utilized for each assisted living density, single family dwelling, and nursing home. All notes shall be legible and of a size large enough and suitable for microfilming as determined by the Office of Zoning.

12) Prior to the issuance of any permits, Petitioners shall obtain written approval of the modified site plan by the Department of Traffic Engineering, including, but not limited to, the service drive and its access for a tractor trailer as permitted.

13) The proposed addition must be built in accordance with the design and specifications set forth on Petitioner's Exhibit 16.

14) When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

Exhibit No. 1 reveals that the trash compactor would be located approximately 30 feet from the Tucker property line at its closest point which would be approximately 50 feet from the outside border of Mr. and Mrs. Tucker's residence. The Board will modify restrictions 5 and 8 to allow the service driveway to be extended and the trash compactor to be relocated at a distance no closer than 150 feet from the closest point of the outside of the building of Mr. and Mrs. Tucker's residence with enclosure and screening in a manner similar to that shown on Petitioner's Exhibit No. 1.

ORDER

IT IS THEREFORE this 9th day of April, 1992 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Special Hearing be and is hereby GRANTED subject to the following restrictions which are conditions precedent to the relief granted:

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 30-day appellate process from this Order has expired. If, for whatever reasons, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. Compliance with all Zoning Plans Advisory Committee comments.

3. Prior to the issuance of any building permits, Petitioners shall submit a landscaping plan for the entire site for approval by the Deputy Director of Planning. A copy of the approved plan shall be submitted to the Zoning Office for inclusion in the case file prior to the issuance of any permits.

4. CRG approval of the modified plans in accordance with all restrictions is required prior to the issuance of any permits.

5. The service driveway shall be no closer than as depicted on Petitioner's Exhibit No. 1 entered before this Board and may be extended to accommodate the relocation of the trash compactor as listed in restriction #8 below.

6. The Petitioners shall fence and shrub the service driveway at a minimum as shown on Petitioner's Exhibit No. 10 of the Zoning Commissioner's file, and Petitioner's Exhibit No. 1 entered before this Board.

7. All deliveries and trash removal using the service driveway shall be limited to use between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

8. The trash compactor shall be enclosed and screened in a manner similar to that shown on Petitioner's Exhibit No. 1 entered before this Board and shall be relocated at a distance no closer than 150 feet from the outside boundary of Mr. & Mrs. Tucker's residence.

9. The single family residence located on the west end of the subject property shall be used for residential purposes only.

10. The proposed entrance sign shall not be illuminated. Said sign shall be designed in accordance with that depicted on Petitioner's Exhibit No. 11 of the Zoning Commissioner's file and shall not exceed 63 sq. ft. in size, counting both sides. The lettering for the sign shall not exceed 20 sq. ft. per side. Further, the location of the sign shall be in the area depicted on Petitioner's Exhibit No. 12 of the Zoning Commissioner's file.

12. Prior to the issuance of any permits, Petitioners shall submit a revised site plan depicting the RTA buffer areas provided to the maximum extent possible. Further, Petitioners shall clearly show the boundaries of the original special exception area granted in Case No. 5095-X. Said plan shall also identify and conspicuously label the remaining various locations available to be utilized for each assisted living density, single family dwelling, and nursing home. All notes shall be legible and of a size large enough and suitable for microfilming as determined by the Office of Zoning.

12. Prior to the issuance of any permits, Petitioners shall obtain written approval of the modified site plan by the Department of Traffic Engineering, including, but not limited to, the service drive and its access for a tractor trailer as permitted.

13. The proposed addition must be built in accordance with the design and specifications set forth on Petitioner's Exhibit No. 16 of the Zoning Commissioner's file.

14. When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

15. Compliance with the stipulations and agreements contained in the February 7, 1992 letter to the Board from Petitioner's Counsel which is part of the case file.

Any appeal from this decision must be made in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett, Chairman

C. William Clark

Richard K. Walker

CLASS B HOUSING FOR THE ELDERLY,
EXISTING NURSING HOME,
PROPOSED ASSISTED LIVING
PROPOSED NURSING HOME ADDITION

REASON FOR AMENDMENT:
ZONING HEARING CHANGES

CRG NO. III-357
CRG NO. 90019

FOURTH ~~THIRD~~ AMENDED
CRG PLAN

MAR 16 1993

MILFORD MANOR
OLD MILFORD MILL ROAD

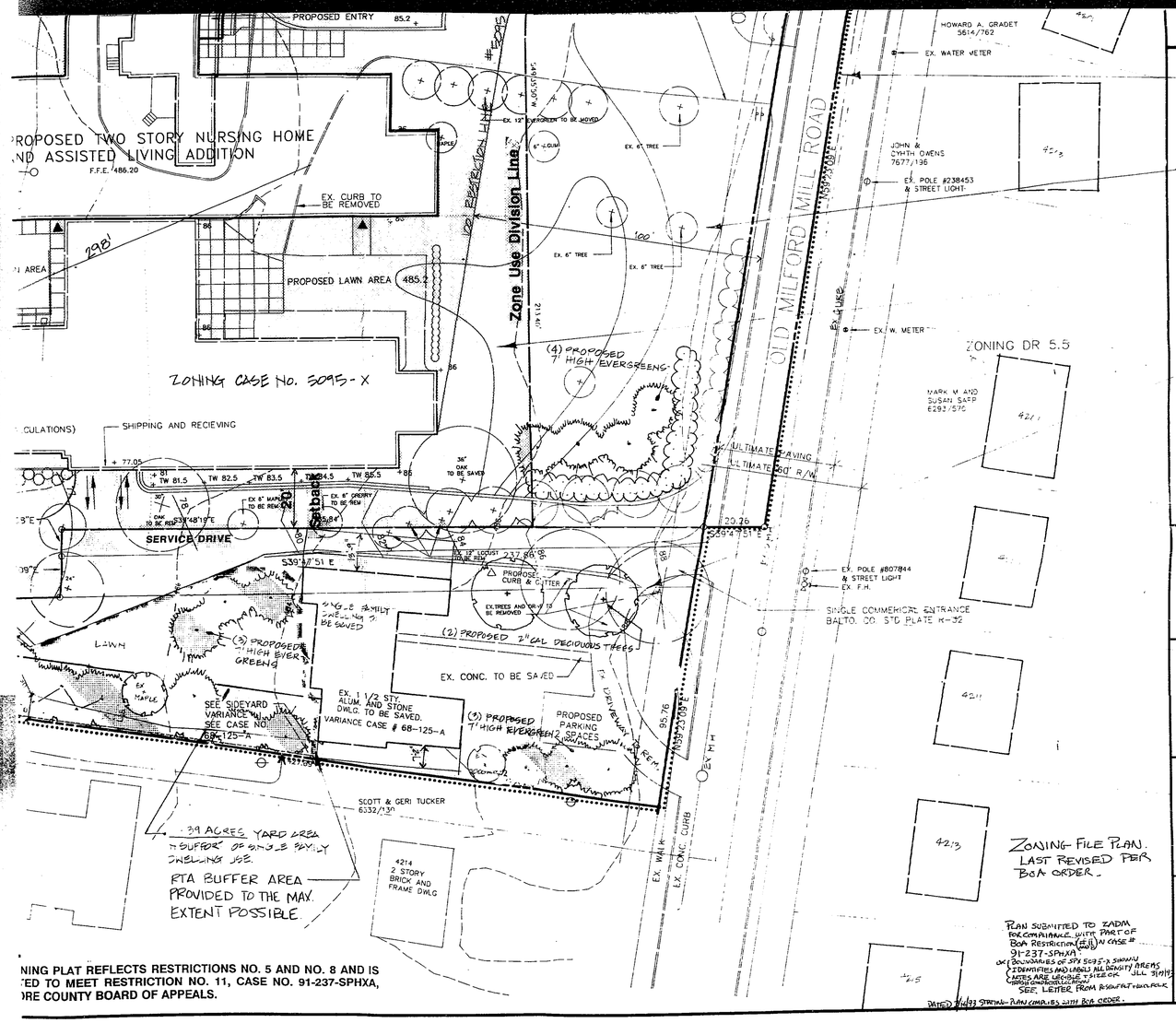
3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

REVISIONS:	SCALE: 1"=20'
8/23/90 AS	DATE: 1/20/90
9/20/90 AS	JOB NO.: 214/001
10/4/91 RSR	DESIGNED: AS
2/16/93 NH	DRAWN: MW DLB
	CHECKED: RSR/TNW

DRAWING NUMBER: CRG-3

Rosenfelt & Woolfolk, Inc.
engineers and planners
Suite Eight
Owings Mills Professional Center
10706 Reisterstown Road
Owings Mills, MD 21117
Telephone: (301) 356-4600
Facsimile: (301) 581-1087

SHEET 1 OF 2



NING PLAT REFLECTS RESTRICTIONS NO. 5 AND NO. 8 AND IS ED TO MEET RESTRICTION NO. 11, CASE NO. 91-237-SPHXA, RE COUNTY BOARD OF APPEALS.

South Elevation

Boundary of Original Exception
- CASE NO. 5095-X PROVIDED

AS DELINEATED BY .....

Assisted Living Density Area
- 143 UNITS PERMITTED
- 16 UNITS PROPOSED

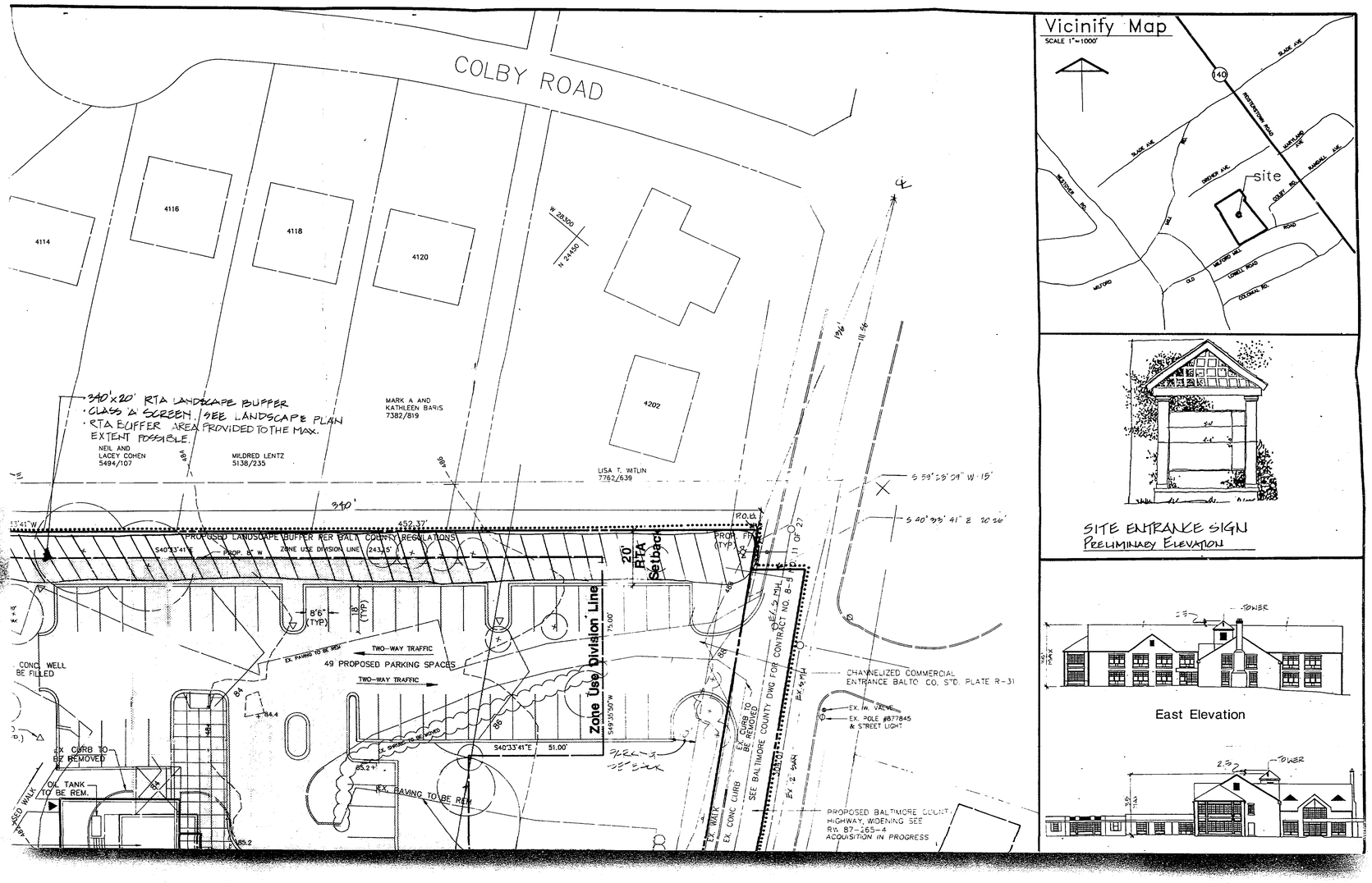
Nursing Home Area
- 119 BEDS PERMITTED

Single Family Residential Area

PLAN TO ACCOMPANY SPECIAL EXCEPTION, SPECIAL HEARING & VARIANCE

EXISTING NURSING HOME
PROPOSED NURSING HOME ADDITION
PROPOSED ASSISTED LIVING ADDITION
CLASS B HOUSING FOR THE ELDERLY

ZONING: DR 5.5
TAX MAP 42 GRID 9 PARCEL 275
PROPOSED USE: NURSING HOME
ZONING: DR 5.5
TAX MAP 42 GRID 9 PARCEL 275
PROPOSED USE: ASSISTED LIVING
ZONING: DR 5.5
TAX MAP 42 GRID 9 PARCEL 275
PROPOSED USE: SINGLE FAMILY DWELLING



SITE ENTRANCE SIGN
PRELIMINARY ELEVATION

East Elevation

4. No structures shall be erected with a height greater than 35 feet above present ground level. The existing building is a maximum of 19 feet in height, and complies.

5. No more than 100 bedroom units shall be located on the subject property. The existing building has 48 bedroom units, and 99 beds, and complies.

6. All plans for construction of future buildings or alteration of the present dwelling must be submitted for approval to the Baltimore County Office of Planning and Zoning.

Boundaries of this Special Exception case are the property lines of the original parcel (Deed 6186/721).

B. Case No. 68-125-A - December 7, 1967 - Variance granted on the newly incorporated Parcel (Deed 7755/496) to permit 20 foot side yards in places of public assembly, and to permit a side yard of 13 feet 9 inches for one side and 7 feet 2 inches for the other side, instead of the required 20 feet. The purpose of the variance was to use the existing structure on the premises for religious purposes. Side yard variances granted under this case are noted on the Plan.

C. CRG No. 90019 was approved on 2/8/90. Rosenfelt and Woolfolk revised proposal and Red line Refinement was approved on 9/04/90.

9. ONSITE IMPROVEMENTS

A. Stormwater Management waiver has been granted by Baltimore County dated September 26, 1990. Water Quality Management will be provided on site in accordance with Maryland State and Baltimore County regulations.

B. All driveways and parking lots to be standard non-porous bituminous paving. Parking areas will be permanently striped.

C. The property outline and topography shown hereon is taken from a survey prepared by VT Associates, dated 5/89. All existing dwellings, wells and septic systems within 200 ft. of property are shown hereon.

D. No critical areas, archaeological sites, endangered species habitat, hazardous materials areas, or slopes over 25% exist within this site.

E. Lots on this property are to be consolidated.

F. Residents will not have vehicles. Facility will have van services that address client transportation needs.

G. Parking spaces shall be a minimum of 8.5 ft. x 18 ft. 2 barrier free parking spaces shall be 12 ft. x 18 ft.

H. Landscape Data

1 tree required for 40 linear ft. of road frontage 396 ft/40 = 9.9 or 10 trees required.
1 tree required for 20 linear ft. of interior road 300 ft/20 = 15 trees
1 tree required for every 12 parking spaces provided 51/12 = 4.25 or 5 trees required.

Total proposed trees outside of buffer areas = 30 trees. Up to 1/2 of existing trees may be substituted for proposed.

Planting buffers proposed as shown on plan. All landscaping will be provided per Baltimore County requirements. Wooded areas along western and northern property lines to be preserved.

I. Clearing and grading is to be limited to the area for road construction, water quality management, and building site.

J. Onsite lighting shall be so arranged and shielded as to confine all direct light on the site and to prevent reflected light rays from shining or glaring onto any portion of any adjacent motorway or into the path of oncoming vehicles, and to prevent spillage onto any adjoining residential properties. 11 10-ft. high light standards are proposed for parking and driveway areas.

K. Although the Baltimore County Soil Survey shows part of the site as mapped in the Aldino Soil Series, it has been verified with Glenn Shaffer of Baltimore County Department of Environmental Protection and Resource Management (DEPRM) that the site has been previously altered and that wetlands are delineated correctly on this Plan. A wetland report was submitted to Baltimore County DEPRM in April, 1989. Wetland limit was approved by Mr. Shaffer in April, 1989.

L. Site has two sanitary sewer services: by gravity at the rear to Norfoot Avenue and force main at the front to existing line in Old Milford Mill Road. Proposed uses will utilize the existing force main in the existing nursing home for the proposed addition.

M. Existing well on site is not in use. Well will be abandoned and backfilled by a licensed well driller in accordance with Baltimore County regulations.

N. Oil tank on site is not in use. Oil tank will be pumped out and removed by a licensed fuel oil handler. The excess oil will be disposed of in accordance with State and Baltimore County regulations. Baltimore County DEPRM will be notified prior to oil tank removal.

O. All signs will conform to applicable Baltimore County Zoning Regulations except as noted under Additional Zoning Issues.

P. Existing and proposed buildings will comply with all fire safety code requirements.

Q. Calculations regarding available water for fire flow and domestic demand will be submitted to Mr. John Brian, County Fire Prevention Engineer. Fire flow test performed in April, 1989 indicates a flow of 1687 gpm at required minimum residual pressure of 20 psi. System demand has been calculated at 33 gpm for domestic use and 594 gpm for fire demand. Sprinklers will be provided for existing nursing home and proposed construction.

10. OFFSITE IMPROVEMENTS:

A. Average daily trips: 135 beds x 3.3 ADT/bed = 445.5 or 446 ADT

B. Half-width dedication for 60-foot ultimate right of way for Old Milford Mill Road is shown as required by Baltimore County Department of Public Services.

A waiver for public standard improvements along Old Milford Mill Road has been approved by Baltimore County Department of Public Services on March 6, 1990. Existing frontage improvements to Old Milford Mill Road recently completed by Baltimore County.

C. Proposed development is not within microwave path.

D. The property is not within an historic district.

SIGNAGE NOTES:

A. All signs will conform to the applicable sections of the Baltimore County Zoning Regulations.
B. Signs will not be illuminated.
C. Lettering for signs will not exceed 20 sq. ft. per side.

ADDITIONAL NOTES:

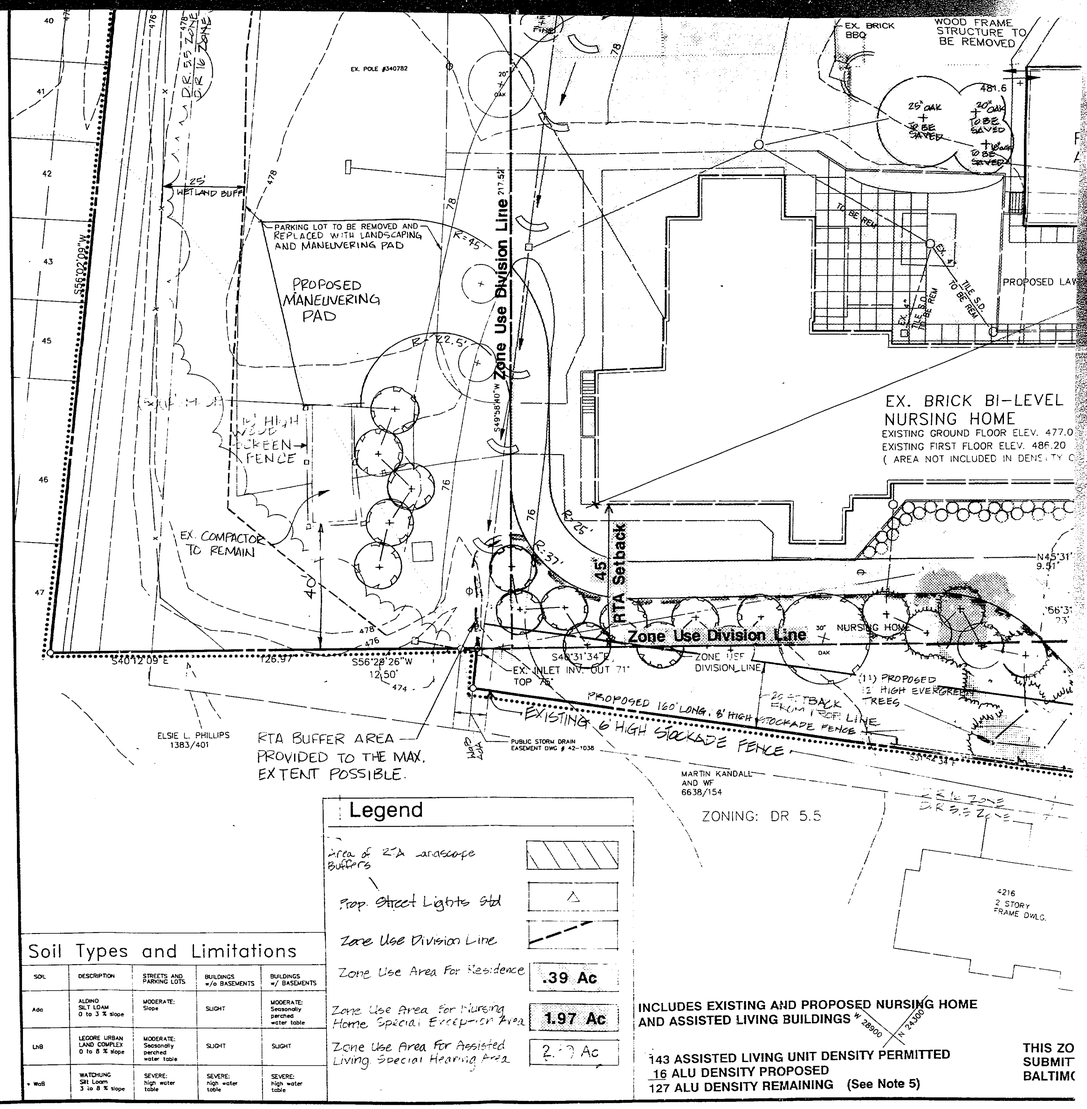
A. Existing SF residence on the property to be used for residential purposes only.
B. All deliveries and trash removal using the service driveway will be limited to 8:00 AM to 5:00 PM, Monday through Friday
C. Maximum length of truck-trailor combination using the service driveway to be 35 feet.

Additional Zoning History

A. Case No. 91-237-SPHXA: The Deputy Zoning Commissioner granted the Petition for Special Exception, Special Hearing and Variances, as specified in Notes 6C, 6D and 6F.

B. On April 4, 1992, the Board of Appeals upheld the Special Hearing with additional requirements that the trash compactor be relocated at a distance no closer than 150 feet from the outside boundary of the adjoining residence, that the compactor be enclosed and screened and that the service drive may be extended to accommodate this relocation, as per Petitioner's Exhibit 1, which is not closer than 20 feet from the adjoining property line.

AS 9/11/90? C:\ACAD\SITE\21401EXP.DWG



Soil Types and Limitations

SOIL	DESCRIPTION	STREETS AND PARKING LOTS	BUILDINGS w/o BASEMENTS	BUILDINGS w/ BASEMENTS
Ado	ALDINO SILT LOAM 0 to 3 % slope	MODERATE: Slope	SLIGHT	MODERATE: Seasonally perched water table
LnB	LEGORE URBAN LAND COMPLEX 0 to 8 % slope	MODERATE: Seasonally perched water table	SLIGHT	SLIGHT
WaB	WATCHUNG SILT Loam 3 to 8 % slope	SEVERE: high water table	SEVERE: high water table	SEVERE: high water table

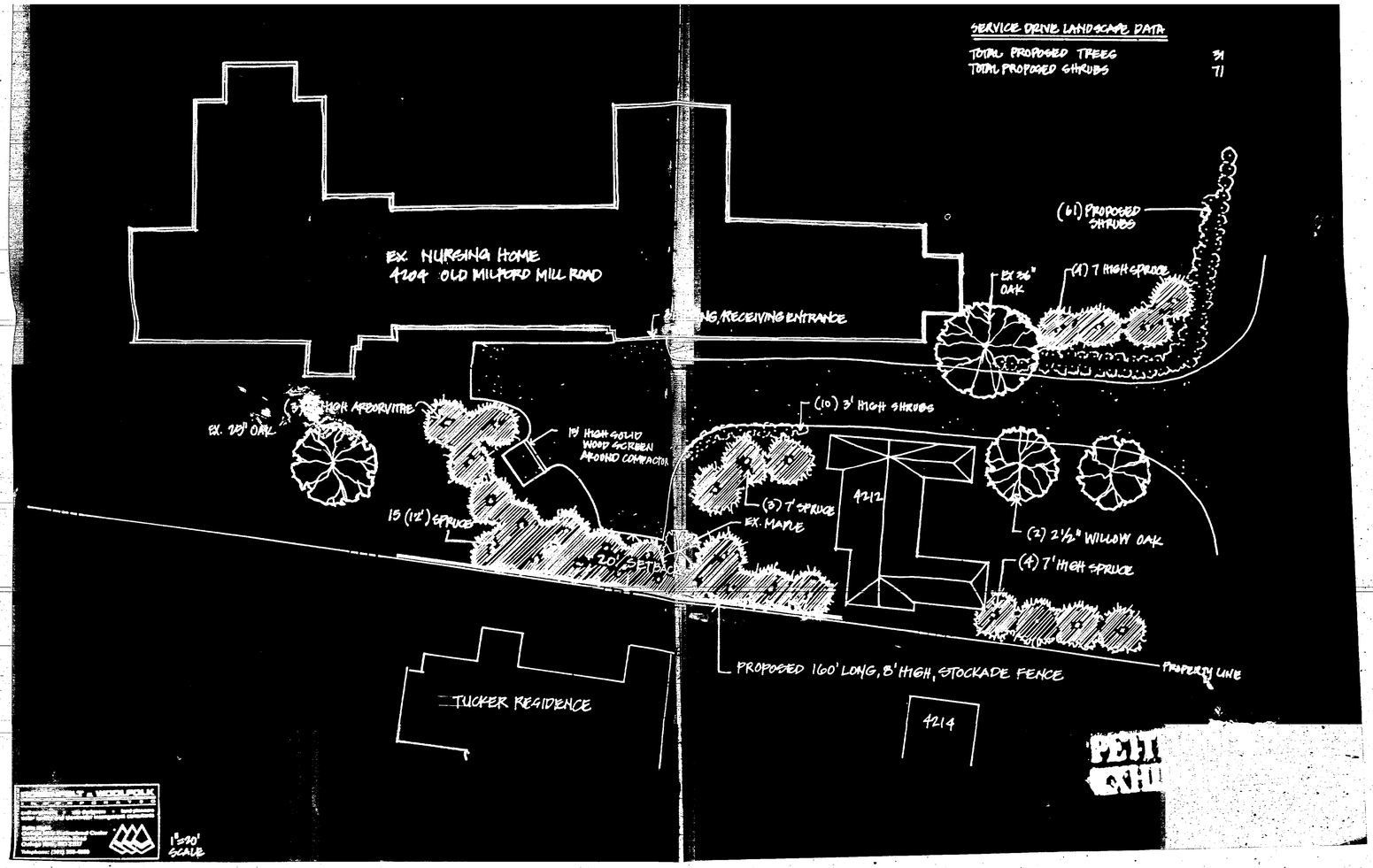
Legend

Area of 25' Landscape Buffers
Prop. Street Lights Std
Zone Use Division Line
Zone Use Area For Residence — .39 Ac
Zone Use Area For Nursing Home Special Exception Area — 1.97 Ac
Zone Use Area For Assisted Living Special Hearing Area — 2.?? Ac

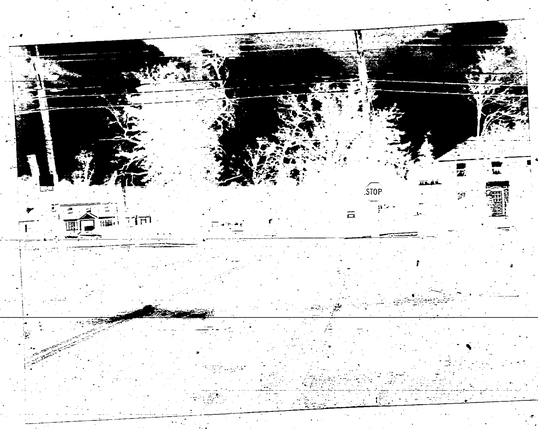
INCLUDES EXISTING AND PROPOSED NURSING HOME AND ASSISTED LIVING BUILDINGS # 38800 / # 24,000

143 ASSISTED LIVING UNIT DENSITY PERMITTED
16 ALU DENSITY PROPOSED
127 ALU DENSITY REMAINING (See Note 5)

THIS ZO
SUBMIT
BALTIMO



Prokseths
Exhibit 9



Notes

1 Owner/Applicant:

HILFORD MANOR PARTNERSHIP
c/o Raffel & Associates
Gary Raffel
Beltway West Corporate Center
5700 Executive Drive
Suite 112
Baltimore, Maryland 21228
Telephone: (301) 747-5700

2. Property deed references:

6184/721
7755/494 (3 parcels)

3. Tax Account No.

0313060820
0305053650

4. SITE DATA:

Acreage	4.75 AC
Election District	3
Councilmanic District:	2
Census Tract:	4034.02
Watershed:	26
Subwatershed:	52
Proposed Footprint	9,750 sq.ft.
Proposed Building Height	35 Ft.
Total Floor Area (Existing + Proposed)	55,550 sq.ft.
Total Site Area	206,900 sq.ft.
Floor Area Ratio:	0.27

5. DENSITY AND USE:

Existing Nursing Home Beds:	99
Prop. Additional Nursing Home Beds:	20
Total Nursing Home Beds:	119
Prop. Class B Assisted Living Beds:	16
Total Beds (Nurs.Home and Asst.Living):	135 Beds

Zone Use Division Areas

Existing Nursing Home and Proposed Addition:		1.97 AC
Existing Dwelling:		0.39 AC
Proposed Assisted Living:	D.R. 16	2.17 AC
	D.R. 5.5.	0.22 AC
Total		4.75 AC

Assisted Living Density Calculations

1 Assisted Living Unit = .25 density unit

D.R. 16 - 64 Assisted Living Units/ac. x 2.17 = 138.8 Assted.Living Units
D.R. 5.5 - 22 Assisted Living Units/ac. x 0.22 = 4.8 Assted.Living Units
Total Permitted Assisted Living Units 143.0

Total Permitted Assisted Living Units: 143
Total Proposed Assisted Living Units: 16

Existing Dwelling on Property to remain in Residential use.

Parking Calculations
119 Nursing Home Beds 0.333 = 40 Parking Spaces
16 Assisted Living Beds 0.50 = 8 Parking Spaces
1 Detached Residence @ 2 = 2

Total Required 50 Parking Spaces
Total Proposed 51 Parking Spaces
2 Handicapped Spaces Proposed

6. ZONING: D.R.16 and D.R.5.5

A. Zoning of all adjoining property is D.R.5.5

B. This property was rezoned from D.R.5.5 to D.R.16 in the 1988 comprehensive rezoning by Baltimore County Council.

C. A Special Hearing will be held persuant to sec. 500.6 for an Amendment to the Special Exception and Site Plan granted in Case No. 5095-X to permit modification and reduction of the area neccessary to allow the existing 99 bed nursing home and a proposed 20 bed addition thereto (total of 119 beds) and to amend the Site Plan accordingly and to amend Restrictions #1 and #5 in Case #5095-X and to allow a service driveway and turnaround for the nursing home within the yard area of the single family dwelling as shown on hearing site plan.

D. A Special Exception Hearing will be held to allow an Assisted Living facility containing a maximum of 16 beds, persuant to sec. 1801.1.C.23 and sec. 432.1.A.2 in conjunction with a nursing home and to permit an expansion of the existing nursing home to allow an additional 20 beds (total of 119) and persuant to sec. 432.4, the waiver of the Residential Transition Requirements in Section 1801.1.B.1.b to provide for a modification of the RTA requirements which are provided to the extent possible as shown on the hearing site plan.

E. A Variance will be requested to Section 413.1.a (B.C.Z.R.) to allow an illuminated entrance sign of 65 square feet in lieu of one (1) square foot, and from C M D P V.B.2 and section 1802.2B and section and section 102.2 to permit a 20 foot side yard for an existing nursing home in lieu of required 25 feet as shown on the hearing site plan.

7. RESIDENTIAL TRANSITION AREA REQUIREMENTS:

A. The entire property is within an R.T.A. area.

B. The proposed development meets the following R.T.A. requirements:

Maximum height of buildings is 35 feet
Maximum height of lighting fixtures is 16 feet.
Lighting is designed and placed to prevent spillage into any adjoining dwelling or lot.

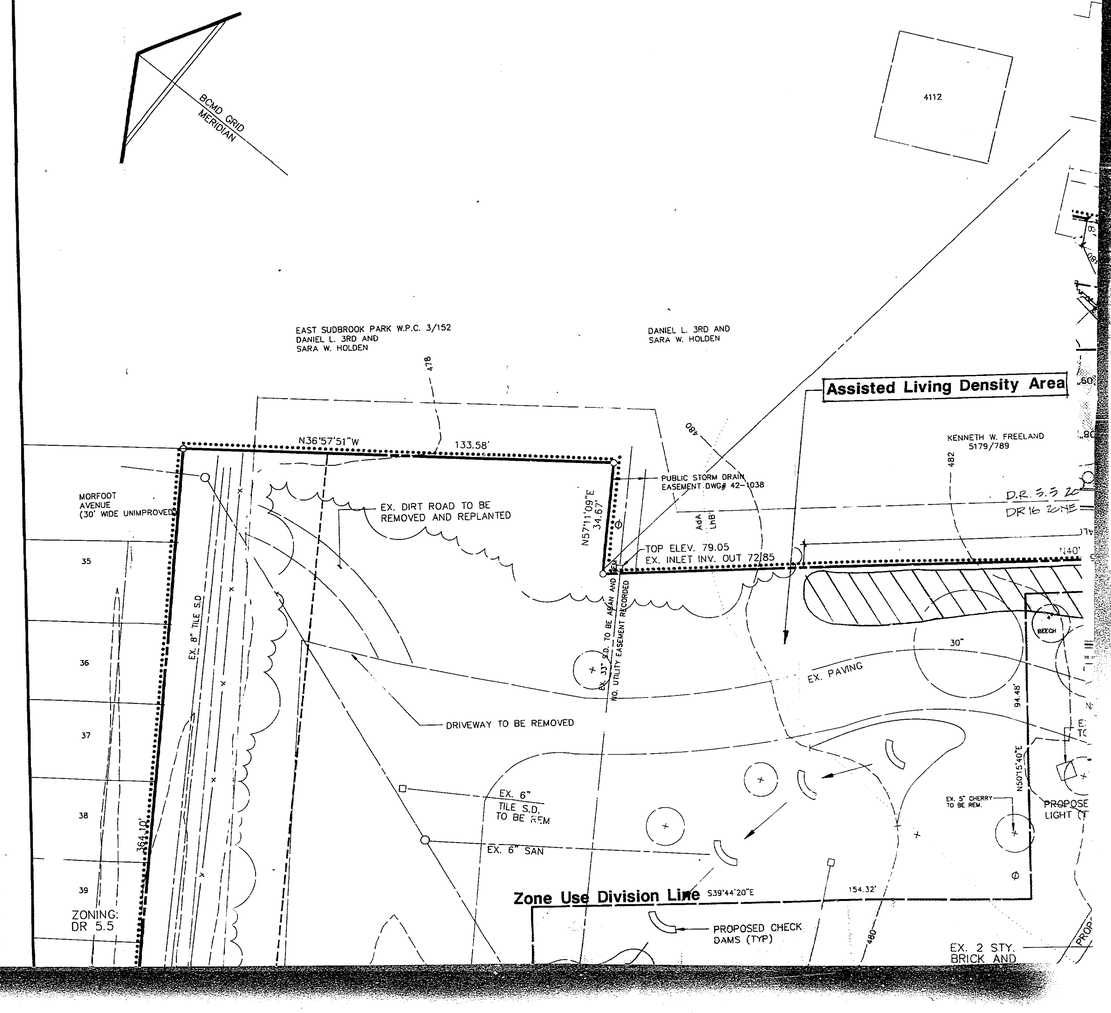
8. ZONING HISTORY:

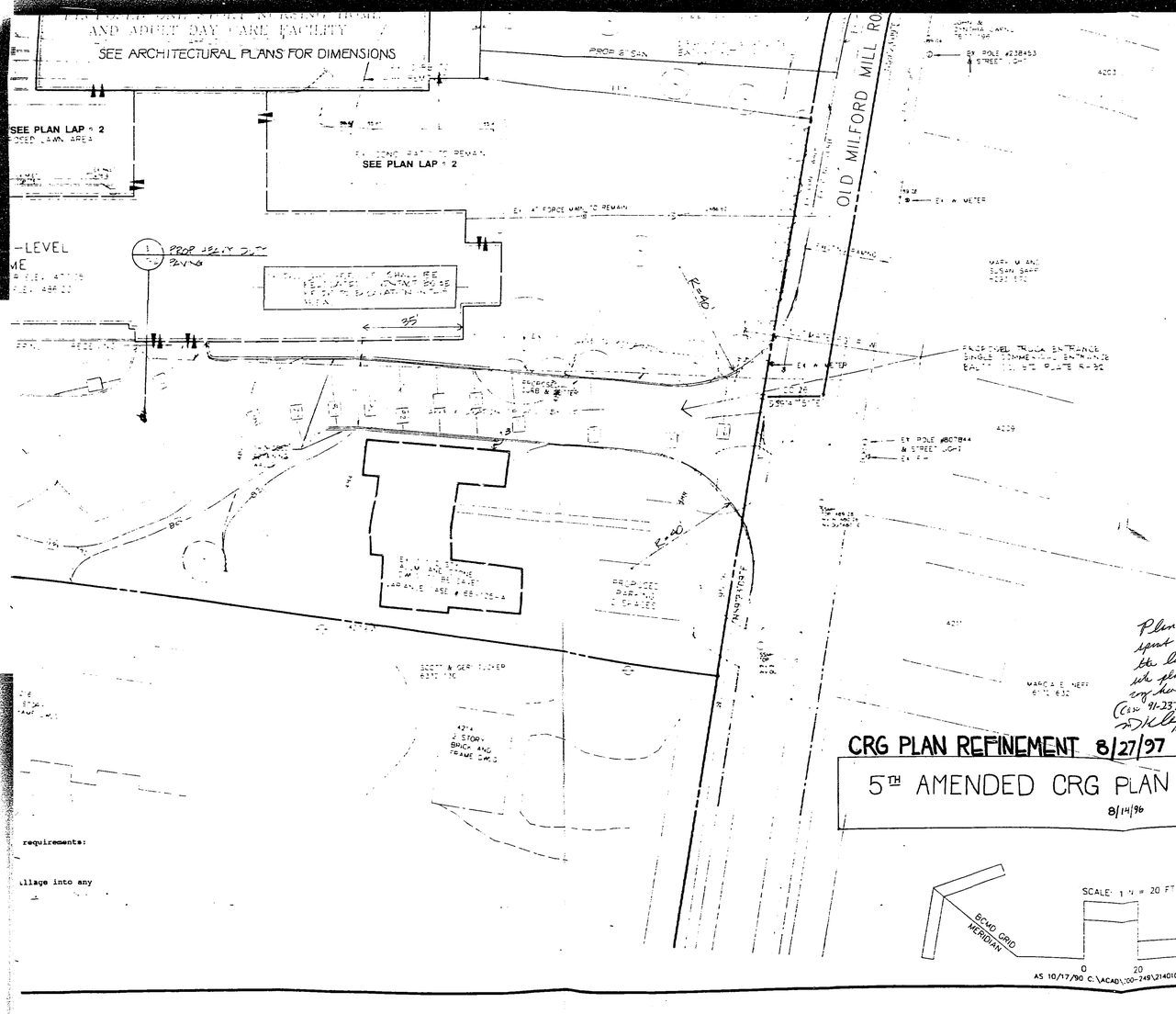
A. Case No. 5095-X - February 2, 1961 - Special Exception granted for a convalescent Home, with the following provisions:

1. The existing fence between the property and Colby Road shall be maintained and kept in proper repair. The property currently complies.

2. No flashing, blinding, pulsating or animated signs on the property. Motionless illuminated signs are permitted. The existing sign complies.

3. Any structures constructed for the convalescent home shall be set back at least 100 feet from the present paved surface of Old Milford Mill Road. The existing building is 100 feet from the curb line of Old Milford Mill Road, and complies.





requirements:

illage into any

Plan is within the spirit & intent of the last approved site plan within engineering file (Case 91-237-SPHXA) DKL 10/1/97

CRG PLAN REFINEMENT 8/27/97

5TH AMENDED CRG PLAN 8/14/96

AUG 27 1997

Disposal of tank in accordance with State and Baltimore County regulations. Baltimore County DEPRM shall be notified prior to oil tank removal.

9. All dimensions to curb are to face of curb unless otherwise noted.

10. Offstreet Parking Data

119 Nursing Home Beds @ 1 Space/3 Beds = 40 Spaces
Adult Day Care: Staff of 4 = 4 Spaces

Total Parking Required: 44 Spaces
Total Parking Proposed: 45 Spaces

Index of Drawings

1. Site Plan	SIT-1
2. Site Details	SIT-2
3. Site Grading Plan	GRD-1
4. Final Landscape Plan	LAP-1
5. Sediment and Erosion Sediment Control Plan	SED-1
6. Sediment and Erosion Control Details	SED-2
7. Demolition Plan	DEM-1
8. Water Meter Plan	91-0519

REFINEMENT TO 4TH AMENDED CRG PLAN AND SITE PLAN TO ACCOMPANY BUILDING PERMIT

MILFORD MANOR
OLD MILFORD MILL ROAD

3RD ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

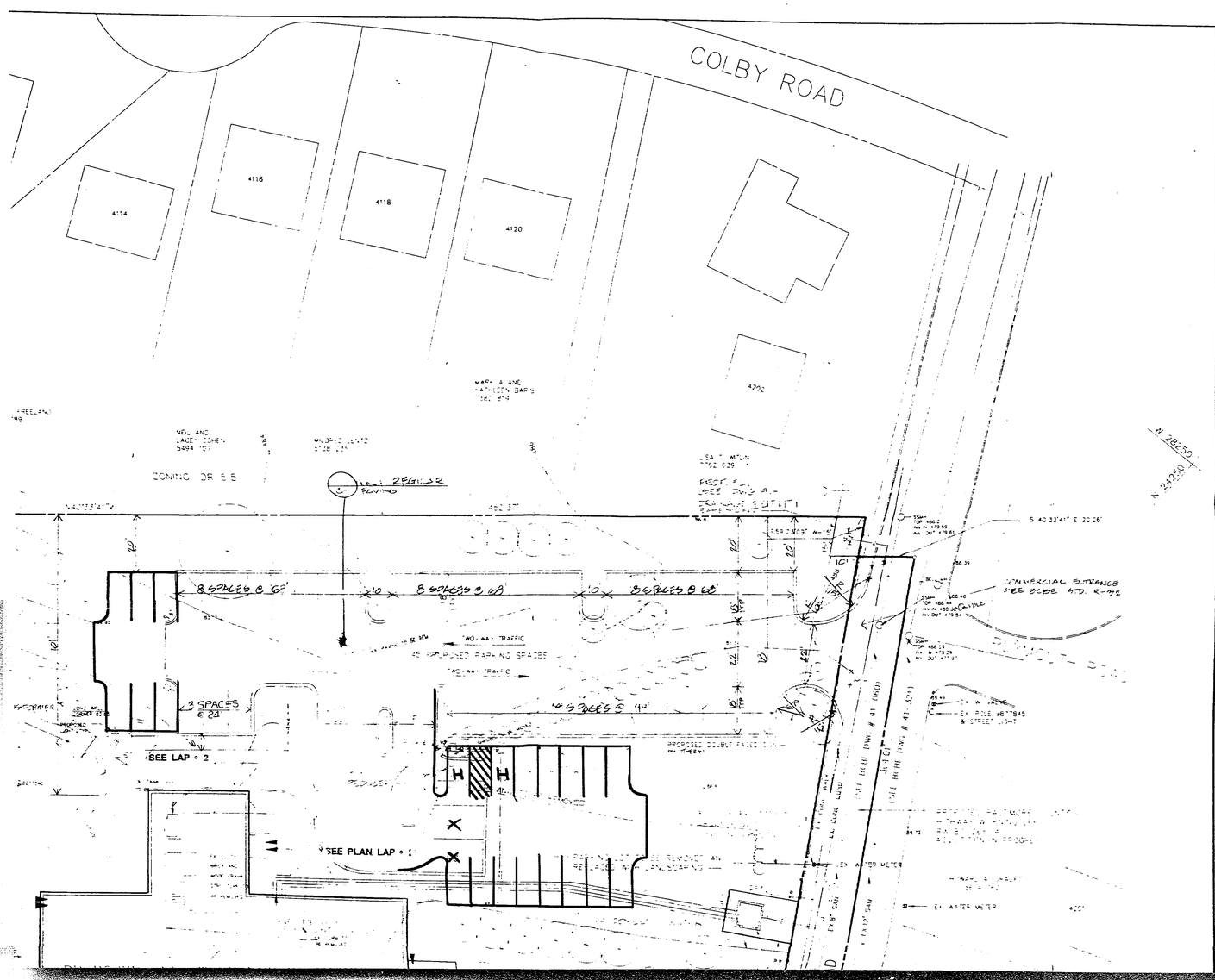
EXISTING NURSING HOME
PROPOSED NURSING HOME ADDITION
PROPOSED ASSISTED LIVING ADDITION
CLASS B HOUSING FOR THE ELDERLY

ZONING NO. 90019
TAX MAP NO. 111 35?

REVISIONS	
8/23/90 AS 9/23/90 AS 10/30/90 AS 4/21/11 AS	SCALE 1"=20' DATE 1/26/90 JOB NO. 214/601 DESIGNED AS DRAWN AS CHECKED RSP/TNW DRAWING NUMBER: SIT - 1

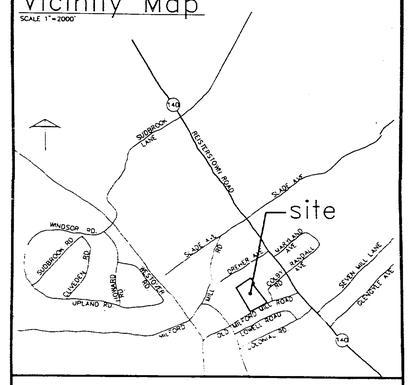
Colbert Matz Rosenfelt, Inc.
Engineers • Surveyors • Planners
3723 Old Court Road, Suite 206
Baltimore, Maryland 21208
Telephone: (410) 653-3838
Facsimile: (410) 653-7953

PLAN AS SUBMITTED FOR DRC APPROVAL



Vicinity Map

SCALE 1"=2000'



Notes

1. OWNER/APPLICANT:

   MILFORD MANOR PARTNERSHIP
   c/o Raffel & Associates
   Gary Raffel
   Beltway West Corporate Center
   5700 Executive Drive
   Suite 112
   Baltimore, Maryland 21228
   Telephone: (301) 747-5700

2. PROPERTY DEED REFERENCES: 6184/721
   7755/494 (3 parcels)

3. TAX ACCOUNT NO. 0313060820
   0303053650

4. SITE DATA:

Acreage	4.75 AC
Election District	3
Councilmanic District:	2
Census Tract:	4034.02
Watershed:	26
Subsewershed:	52
Proposed Footprint	9,750 sq.ft.
Proposed Building Height	35 Ft.
Total Floor Area (Existing & Proposed)	sq.ft.
Total Site Area	206,900 sq.ft.
Floor Area Ratio:	0.27

5. DENSITY AND USE:

Existing Nursing Home Beds:	99
Prop. Additional Nursing Home Beds:	20
Total Nursing Home Beds:	119

Adult Day Care Facility: 20 Adults, Staff of 4

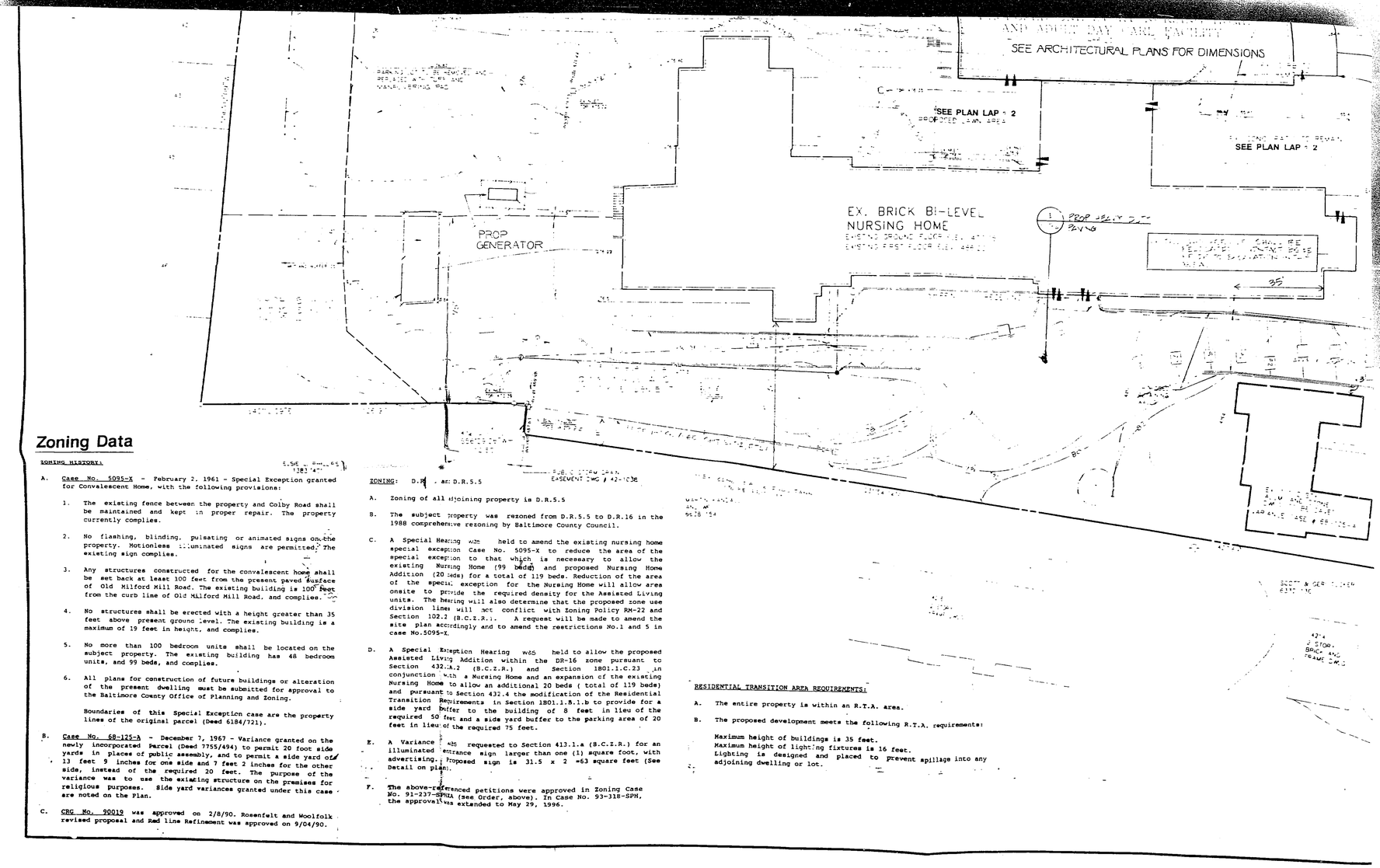
Zone Use Division Acreage

Existing Nursing Home and Proposed Addition:		1.97 AC
Existing Dwelling:		0.39 AC
Proposed Assisted Living:	D.R. 16	2.17 AC
	D.R. 5.5.	0.22 AC
	Total	4.75 AC

6. The property outline and topography shown on the plans hereon is taken from a survey prepared by VT Associates, dated 5/89.

7. Existing well on site is not in use. Well shall be abandoned and backfilled by a licensed well driller in accordance with Baltimore County regulations.

8. Oil tank on site is not in use. Oil tank shall be pumped out and removed by A licensed fuel oil handler. The excess oil shall be



Zoning Data

ZONING HISTORY:

A. Case No. 5095-X - February 2, 1961 - Special Exception granted for Convalescent Home, with the following provisions:

1. The existing fence between the property and Colby Road shall be maintained and kept in proper repair. The property currently complies.

2. No flashing, blinding, pulsating or animated signs on the property. Motionless illuminated signs are permitted. The existing sign complies.

3. Any structures constructed for the convalescent home shall be set back at least 100 feet from the present paved surface of Old Milford Mill Road. The existing building is 100 feet from the curb line of Old Milford Mill Road, and complies.

4. No structures shall be erected with a height greater than 35 feet above present ground level. The existing building is a maximum of 19 feet in height, and complies.

5. No more than 100 bedroom units shall be located on the subject property. The existing building has 48 bedroom units, and 99 beds, and complies.

6. All plans for construction of future buildings or alteration of the present dwelling must be submitted for approval to the Baltimore County Office of Planning and Zoning.

Boundaries of this Special Exception case are the property lines of the original parcel (Deed 6184/721).

B. Case No. 68-125-A - December 7, 1967 - Variance granted on the newly incorporated Parcel (Deed 7755/494) to permit 20 foot side yards in places of public assembly, and to permit a side yard of 13 feet 9 inches for one side and 7 feet 2 inches for the other side, instead of the required 20 feet. The purpose of the variance was to use the existing structure on the premises for religious purposes. Side yard variances granted under this case are noted on the Plan.

C. CRG No. 90019 was approved on 2/8/90. Rosenfelt and Woolfolk revised proposal and Red line Refinement was approved on 9/04/90.

ZONING: D.R. and D.R.5.5

A. Zoning of all adjoining property is D.R.5.5

B. The subject property was rezoned from D.R.5.5 to D.R.16 in the 1988 comprehensive rezoning by Baltimore County Council.

C. A Special Hearing was held to amend the existing nursing home special exception Case No. 5095-X to reduce the area of the special exception to that which is necessary to allow the existing Nursing Home (99 beds) and proposed Nursing Home Addition (20 beds) for a total of 119 beds. Reduction of the area of the special exception for the Nursing Home will allow area onsite to provide the required density for the Assisted Living units. The hearing will also determine that the proposed zone use division lines will not conflict with Zoning Policy RM-22 and Section 102.2 (B.C.Z.R.). A request will be made to amend the site plan accordingly and to amend the restrictions No.1 and 5 in case No.5095-X.

D. A Special Exception Hearing was held to allow the proposed Assisted Living Addition within the DR-16 zone pursuant to Section 432.A.2 (B.C.Z.R.) and Section 1B01.1.C.23 in conjunction with a Nursing Home and an expansion of the existing Nursing Home to allow an additional 20 beds (total of 119 beds) and pursuant to Section 432.4 the modification of the Residential Transition Requirements in Section 1B01.1.B.1.b to provide for a side yard buffer to the building of 8 feet in lieu of the required 50 feet and a side yard buffer to the parking area of 20 feet in lieu of the required 75 feet.

E. A Variance was requested to Section 413.1.a (B.C.Z.R.) for an illuminated entrance sign larger than one (1) square foot, with advertising. Proposed sign is 31.5 x 2 =63 square feet (See Detail on plan).

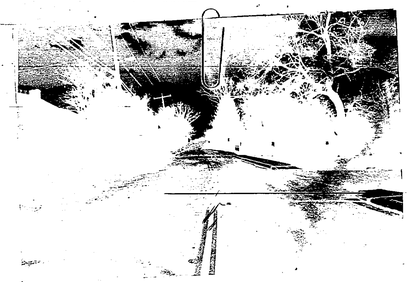
F. The above-referenced petitions were approved in Zoning Case No. 91-237-SPHA (see Order, above). In Case No. 93-318-SPH, the approval was extended to May 29, 1996.

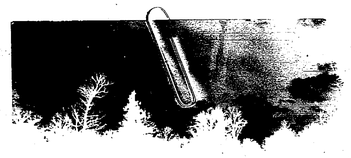
RESIDENTIAL TRANSITION AREA REQUIREMENTS:

A. The entire property is within an R.T.A. area.

B. The proposed development meets the following R.T.A. requirements:

Maximum height of buildings is 35 feet.
Maximum height of lighting fixtures is 16 feet.
Lighting is designed and placed to prevent spillage into any adjoining dwelling or lot.





PROTESTANT(S) EXHIBIT (1)

WEST SIDE OLD MILFORD MILL
ALLOWS PARKING AT CURBSIDE.

No more room to allow 18 Wheeler
or tru'ks to stay on west side of
lane.

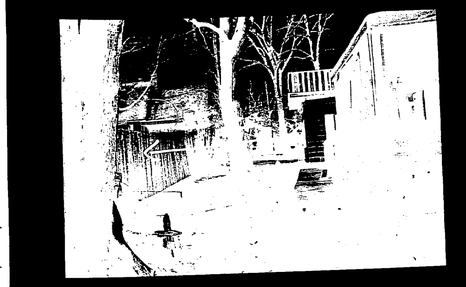
91-237-SPHXA

View of 4216 to fence & fence to cones is 5 ft. - -
not a pretty view from 4216!

Proposed
Enterance

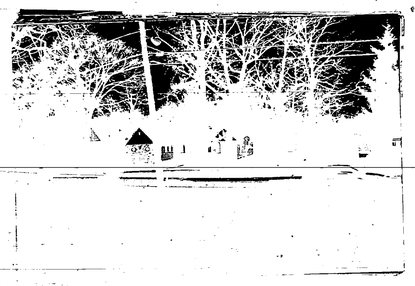
Space from home to fence - 15 ft. - &
road proposed to be 5 ft. from fence -
thus 20 ft. from house (with young
children)

PROTESTANTS' EXHIBIT #2



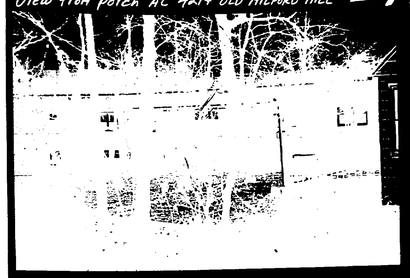
91-237-SPHXA

Protestants' Exhibit # 3



91-237-SPHXA

View from porch at 4214 OLD MILFORD MILL



Protesants' Exhibit #4

91-237-SPHXA

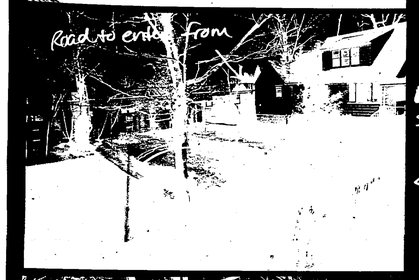
View from house (patio sliding doors) & owners' fence & Milford Manor Nursing Home - (picture taken by person very short - 4' 10½")

Entrance for proposed service drive.

Protesants' Exhibit #5

91-237-SPHXA

Another view from 2nd floor deck off bedroom at 4216 OLD MILFORD MILL



View from Second Floor Bedroom

View of areas for proposed service drive and loading Dock from 2nd floor bedroom.

Protesants' Exhibit #6

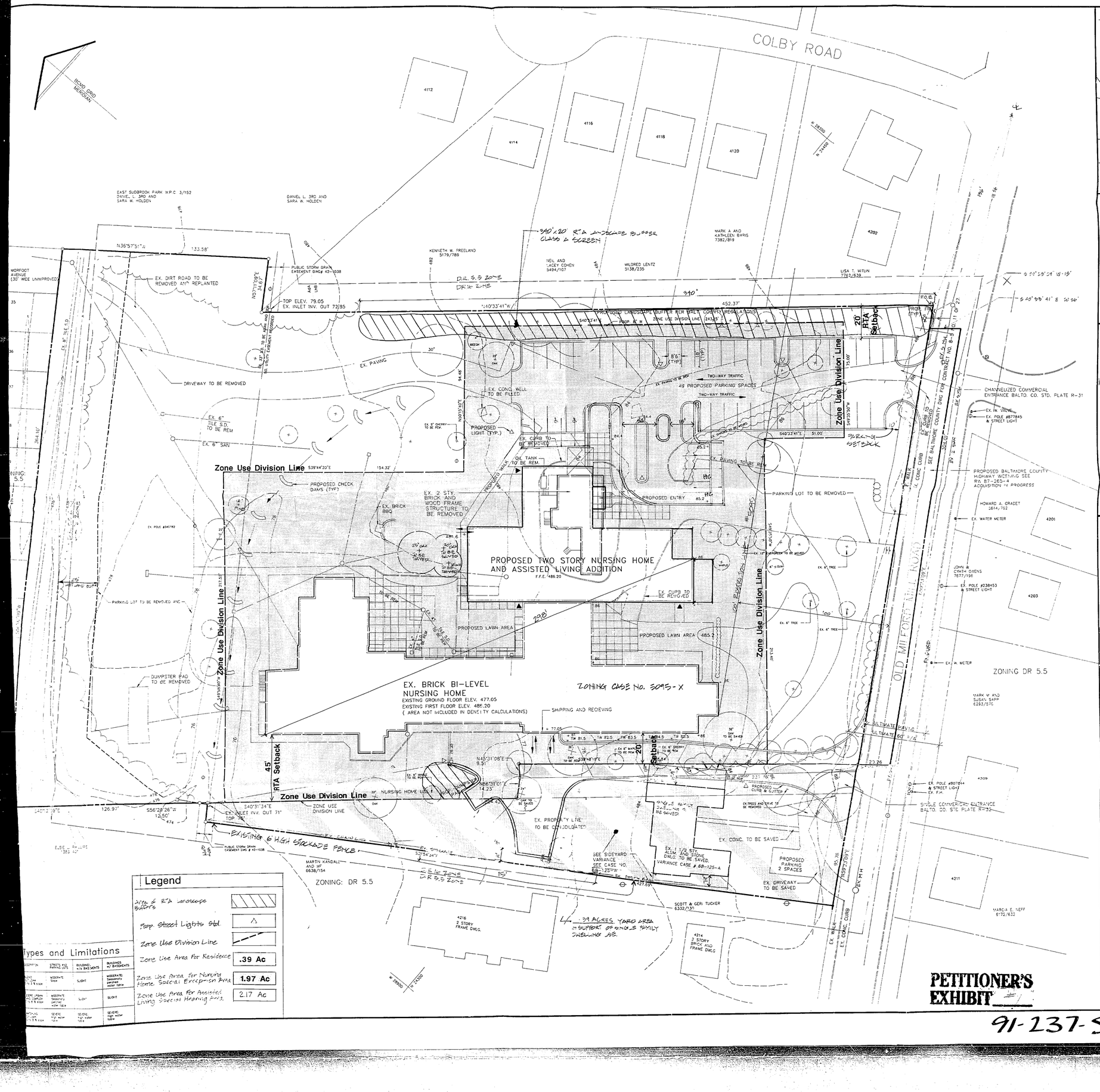
91-237-SPHXA

View along fence

View from back yard of 4212 OLD MILFORD MILL

View from corner of yard @ 4216 OLD MILFORD MILL where kids play.

PROTESANTS' EXHIBIT #7


COLBY ROAD
BOARD GRID MERIDIAN
EAST SUDBROOK PARK W.P.C 3/152
DANIEL L. 3RD AND SARA W. HOLDEN
DANIEL L. 3RD AND SARA W. HOLDEN
4112
4114
4116
4118
4120
4202
4201
4200
4203
4211
4209
4216 2 STORY FRAME DWG.
4214 2 STORY BRICK AND FRAME DWG
N36°57'51"W 133.58'
N57°11'09"E 24.07'
MORFOOT AVENUE (30' WIDE UNIMPROVED)
PUBLIC STORM DRAIN EASEMENT DWG # 42-1038
EX. DIRT ROAD TO BE REMOVED AND REPLANTED
TOP ELEV. 79.05
EX. INLET INV. OUT 72.85
10' WIDE BALTO. CO. UTILITY EASEMENT RECORDED
DRIVEWAY TO BE REMOVED
EX. PAVING
EX. 6" TILE S.D. TO BE REM
EX. 6" SAN
EX. 8" TILE S.D.
KENNETH W. FREELAND 5179/789
NEIL AND LACEY COHEN 5494/107
MILDRED LENTZ 5138/235
MARK A AND KATHLEEN BARIS 7382/819
LISA T. WITUN 7762/639
340' 20' R.T.A. LANDSCAPE BUFFER CLASS A SCREEN
D.R. 5.5 ZONE LINE
N40°33'41"W 452.37'
PROPOSED LANDSCAPE BUFFER PER BALT. COUNTY REGULATIONS
ZONE USE DIVISION LINE
S40°33'41"E 241.18'
PROP. R.W.
20' R.T.A. Setback
Zone Use Division Line
75.00'
TWO-WAY TRAFFIC
49 PROPOSED PARKING SPACES
TWO-WAY TRAFFIC
EX. CONC. WELL TO BE FILLED
PROPOSED LIGHT (TYP.)
EX. CURB TO BE REMOVED
OIL TANK TO BE REM.
EX. PAVING TO BE REM.
S40°33'41"E 51.00'
S49°35'50"W
Parking Setback
EX. CURB TO BE REMOVED
CHANNELIZED COMMERCIAL ENTRANCE BALTO. CO. STD. PLATE R-31
EX. IN VALVE
EX. POLE #877845 & STREET LIGHT
PROPOSED BALTIMORE COUNTY HIGHWAY WIDENING SEE BALTIMORE COUNTY DWG FOR CONTRACT NO. B-514
SEE BALTIMORE COUNTY DWG FOR CONTRACT NO. B-514
EX. WALK
EX. CONC. CURB
PROPOSED BALTIMORE COUNTY HIGHWAY WIDENING SEE R.P. 87-265-A ACQUISITION IN PROGRESS
HOWARD A. GRADET 3614/752
EX. WATER METER
Zone Use Division Line
S39°44'20"E 154.32'
PROPOSED CHECK DAMS (TYP.)
EX. BRICK BBQ
EX. 2 STY. BRICK AND WOOD FRAME STRUCTURE TO BE REMOVED
PROPOSED ENTRY
PARKING LOT TO BE REMOVED
PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
F.F.E.=486.20
EX. CURB TO BE REMOVED
PROPOSED LAWN AREA
PROPOSED LAWN AREA 485.2
EX. 8" TREE
EX. 6" TREE
EX. W. METER
JOHN M CYNTH OXENS 7677/136
EX. POLE #238453 & STREET LIGHT
ZONING DR 5.5
MARK M AND SUSAN SAPP 6283/376
EX. POLE #807844 & STREET LIGHT
EX. F.H.
SINGLE COMMERCIAL ENTRANCE BALTO. CO. STD. PLATE R-35
EX. CONC. TO BE SAVED
PROPOSED PARKING 2 SPACES
EX. DRIVEWAY TO BE SAVED
EX. 1 1/2 STY. ALUM. AND STONE DWLG. TO BE SAVED. VARIANCE CASE # 88-125-A
SCOTT & GERI TUCKER 6332/131
MARCIA E. NIEFF 6172/622
EX. WALK
EX. CONC. CURB
EX. MH
ULTIMATE GRADE
ULTIMATE 60' R/W
OLD MILFORD MILL ROAD
ZONING DR 5.5
ZONING CASE No. 3095-X
EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20
(AREA NOT INCLUDED IN DENSITY CALCULATIONS)
SHIPPING AND RECIEVING
45' R.T.A. Setback
20' R.T.A. Setback
Zone Use Division Line
NURSING HOME USE #
ZONE USE DIVISION LINE
N45°31'08"E 9.31'
N66°31'01"E 14.23'
S40°31'34"E
EX. INLET INV. OUT 71"
TOP 76'
S56°28'26"W 12.50'
126.97'
S40°12'19"E
EX. PROPERTY LINE TO BE EXTINGUISHED
SEE SIDEYARD VARIANCE SEE CASE NO. 88-125-A
EXISTING 6 HIGH STOCKADE FENCE
EX. CHAIN LINK
EX. SPRUCE
PUBLIC STORM DRAIN EASEMENT DWG # 42-1038
MARTIN KANDALL AND WF 6638/154
ZONING: DR 5.5
D.R. 3.5 ZONE
4.39 ACRES YARD AREA IN SUPPORT OF SINGLE FAMILY DWELLING USE.
EX. 15" VERIFIED TO BE MOVED
EX. 8" SHERRY TO BE REM.
EX. 5" CHERRY TO BE REM.
EX. 6" CHERRY TO BE REM.
EX. 8" MAPLE TO BE REM.
EX. 8" MAPLE TO BE SAVED
EX. 6" MAPLE TO BE REM.
EX. 8" MAPLE TO BE REM.
EX. 8" OAK TO BE REM.
EX. 8" OAK TO BE SAVED
EX. 6" OAK TO BE SAVED
EX. 30" OAK TO BE SAVED
EX. 36" OAK TO BE SAVED
EX. 24" OAK TO BE SAVED
EX. 25" OAK TO BE SAVED
EX. 30" OAK TO BE REM.
EX. 24" OAK TO BE REM.
EX. 30" OAK TO BE REM.
EX. 36" OAK TO BE REM.
EX. 6" MAPLE TO BE REM.
EX. 8" MAPLE TO BE REM.
EX. 8" OAK TO BE REM.
EX. 6" OAK TO BE REM.
EX. 8

Notes

1. Owner/Applicant: MILFORD MANOR PARTNERSHIP
c/o Raffel & Associates
Gary Raffel
Beltway West Corporate Center
5700 Executive Drive
Suite 312
Baltimore, Maryland 21228
Telephone: (301) 747-5700

2. Property deed references: 6184/721
7755/494 (3 parcels)

3. Tax Account No. 03133600201
03030353650

4. SITE DATA:

Acreage	4.75 AC
Election District	3
Councilmanic District:	2
Census Tract:	4034.02
Watershed:	26
Subwatershed:	52
Proposed Footprint	9,750 sq.ft.
Proposed Building Height	35 ft.
Total Floor Area (Existing + Proposed)	55,530 sq.ft.
Total Site Area	206,900 sq.ft.
Floor Area Ratio:	.27

5. DENSITY AND USE:

Existing Nursing Home Beds:		99
Prop. Additional Nursing Home Beds:		20
Total Nursing Home Beds:		119
Prop. Class B Assisted Living Beds:		16
Total Beds (Nurs.Home and Asst.Living):		135 Beds
Zone Use Division Areas		
Existing Nursing Home and Proposed Addition:		1.97 AC
Existing Dwelling:	D.R. 5.5	0.39 AC
Proposed Assisted Living:	D.R. 5.5.	2.17 AC
		0.22 AC
Total		4.75 AC

Assisted Living Density Calculations

1 Assisted Living Unit = .25 density unit

D.R. 5.5 - 22 Assisted Living Units/ac. x 0.22 = 4.8 Assisted Living Units
Total Permitted Assisted Living Units 153.6

Total Permitted Assisted Living Units:	143
Total Proposed Assisted Living Units:	16

Existing Dwelling on Property to remain in Residential use.

Parking Calculations
119 Nursing Home Beds @.333 = 40 Parking Spaces
16 Assisted Living Beds @.50 = 8 Parking Spaces
1 Detached Residence @ 2 = 2

Total Required	50 Parking Spaces
Total Proposed	51 Parking Spaces

2 Handicapped Spaces Proposed

6. ZONING: D.R.16 and D.R.5.5

A. Zoning of all adjoining property is D.R.5.5

B. This property was rezoned from D.R.5.5 to D.R.16 in the 1988 comprehensive rezoning by Baltimore County Council.

C. A Special Hearing will be held pursuant to sec. 500.6 for an Amendment to the Special Exception and Site Plan granted in Case No. 5095-X to permit modification and reduction of the area necessary to allow the existing 99 bed nursing home and a proposed 20 bed addition thereto (total of 119 beds) and to amend the Site Plan accordingly and to amend Restrictions #1 and #5 in Case #5095-X and to allow a service driveway and turnaround for the nursing home within the yard area of the single family dwelling as shown on hearing site plan.

D. A Special Exception Hearing will be held to allow an Assisted Living Facility containing a maximum of 16 beds, pursuant to sec. 1801.1.C.25 and sec. 432.1.A.2 in conjunction with a nursing home and to permit an expansion of the existing nursing home to allow an additional 20 beds (total of 119) and pursuant to sec. 432.4, the waiver of the Residential Transition Requirements in Section 1801.1.B2.b to provide for a modification of the RTA requirements which are provided to the extent possible as shown on the hearing site plan.

E. A Variance will be requested to Section 413.1.a (B.C.Z.R.) to allow an illuminated entrance sign of 65 square feet in lieu of one (1) square foot, and from C.M.D.P.V.B.2 and section 1802.2B and section and section 102.2 to permit a 20 foot side yard for an existing nursing home in lieu of required 25 feet as shown on the hearing site plan.

7. RESIDENTIAL TRANSITION AREA REQUIREMENTS:

A. The entire property is within an R.T.A. area.

B. The proposed development meets the following R.T.A. requirements:

Maximum height of buildings is 35 feet.
Maximum height of lighting fixtures is 16 feet.
Lighting is designed and placed to prevent spillage into any adjoining dwelling or lot.

8. ZONING HISTORY:

A. Case No. 5095-X - February 2, 1961 - Special Exception granted for Convalescent Home, with the following provisions:

1. The existing fence between the property and Colby Road shall be maintained and kept in proper repair. The property currently complies.
2. No flashing, blinding, pulsating or animated signs on the property. Motionless illuminated signs are permitted. The existing sign complies.
3. Any structures constructed for the convalescent home shall be set back at least 100 feet from the present paved surface of Old Milford Mill Road. The existing building is 100 feet from the curb line of Old Milford Mill Road, and complies.
4. Boundaries of this Special Exception case are the property lines of the original parcel (deed 6184/721).
5. No more than 100 bedroom units shall be located on the subject property. The existing building has 48 bedroom units, and 99 beds, and complies.
6. All plans for construction of future buildings or alteration of the present dwelling must be submitted for approval to the Baltimore County Office of Planning and Zoning.

B. Case No. 68-125-A - December 7, 1967 - Variance granted on the newly incorporated Parcel (Deed 7755/494) to permit a 20 foot side yard in places of public assembly, and to permit a side yard of 13 feet 9 inches for one side and 7 feet 2 inches for the other side, instead of the required 20 feet. The purpose of the variance was to use the existing structure on the premises for religious purposes. Side yard variances granted under this case are noted on the Plan.

C. CRG No. 90019 was approved on 2/8/90. Rosenfelt and Voolfolk revised proposal and Red Line Refinement was approved on 8/24/90.

9. ONSITE IMPROVEMENTS

A. Stormwater Management waiver has been granted by Baltimore County dated September 26, 1990. Water Quality Management will be provided on site in accordance with Maryland State and Baltimore County regulations.

B. All driveways and parking lots to be standard non-porous bituminous paving. Parking areas will be permanently striped.

C. The property outline and topography shown hereon is taken from a survey prepared by VT Associates, dated 5/89. All existing dwellings, wells and septic systems within 200 ft. of property are shown hereon.

D. No critical areas, archaeological sites, endangered species habitat, hazardous materials areas, or slopes over 25% exist within this site.

E. Lots on this property are to be consolidated.

F. Residents will not have vehicles. Facility will have van services that address client transportation needs.

G. Parking spaces shall be a minimum of 8.5 ft. x 18 ft. 2 barrier free parking spaces shall be 12 ft. x 18 ft.

H. Landscape Data

1 tree required for 40 linear ft. of road frontage 306 ft/40 = 9.9 or 10 trees required.
1 tree required for 20 linear ft. of interior road 300 ft/20 = 15 trees
1 tree required for every 12 parking spaces provided 51/12 = 4.25 or 5 trees required.

Total proposed trees outside of buffer areas = 30 trees. Up to 1/2 of existing trees may be substituted for proposed.

Planting buffers proposed as shown on plan. All landscaping will be provided per Baltimore County requirements. Wooded areas along western and northern property lines to be preserved.

I. Clearing and grading is to be limited to the area for road construction, water quality management, and building site.

J. Onsite lighting shall be so arranged and shielded as to confine all direct light on the site and to prevent reflected light rays from shining or glaring into any portion of any adjacent dwelleway or into the path of oncoming vehicles, and to prevent spillage onto any adjoining residential properties. 11 10-ft. high light standards are proposed for parking and driveway areas.

K. Although the Baltimore County Soil Survey shows part of the site as mapped in the Aldino Soil Series, it has been verified with Glenn Shaffer of Baltimore County Department of Environmental Protection and Resource Management (DEPRM) that the site has been previously altered and that wetlands are delineated correctly on this Plan. A wetland report was submitted to Baltimore County DEPRM in April, 1989. Wetland limit was approved by Mr. Shaffer in April, 1989.

L. Site has two sanitary sewer services: by gravity at the rear to Norfoot Avenue and force main at the front to existing line in Old Milford Mill Road. Proposed sewer will utilize the existing force main in the existing nursing home for the proposed addition.

M. Existing well on site is not in use. Well will be abandoned and backfilled by a licensed well driller in accordance with Baltimore County regulations.

N. Oil tank on site is not in use. Oil tank will be pumped out and removed by a licensed fuel oil handler. The excess oil will be disposed of in accordance with State and Baltimore County regulations. Baltimore County DEPRM will be notified prior to oil tank removal.

O. All signs will conform to applicable Baltimore County Zoning Regulations except as noted under Additional Zoning Issues.

P. Existing and proposed buildings will comply with all fire safety code requirements.

Q. Calculations regarding available water for fire flow and domestic demand will be submitted to Mr. John Brian, County Fire Prevention Engineer. Fire flow test performed in April, 1989 indicates a flow of 1687 gpm at required minimum residual pressure of 20 psi. System demand has been calculated at 33 gpm for domestic use and 594 gpm for fire demand. Sprinklers will be provided for existing nursing home and proposed construction.

10. OFFSITE IMPROVEMENTS:

A. Average daily trips: 135 beds x 3.3 ADT/bed = 445.5 or 446 ADT

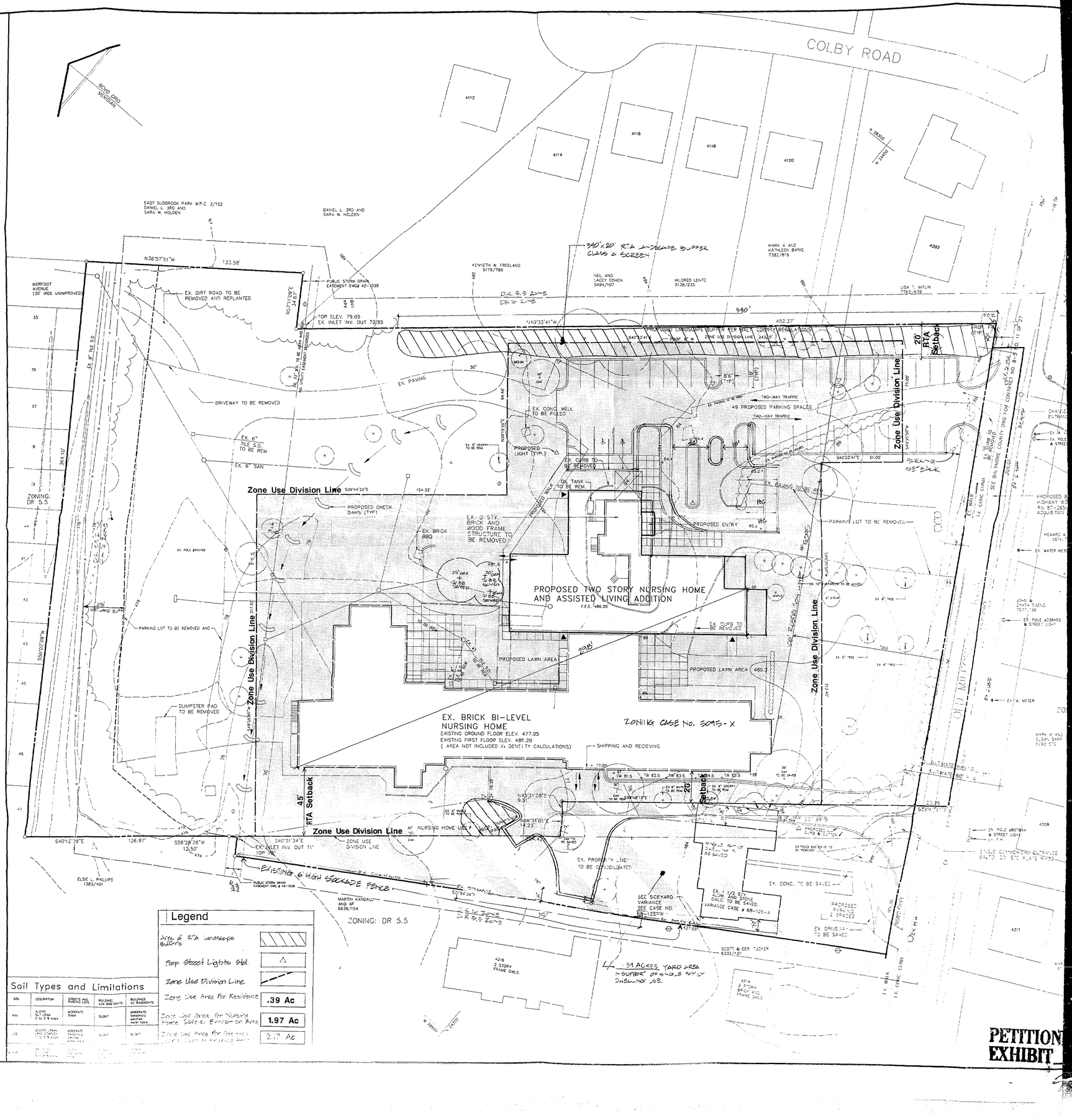
B. Half-width dedication for 60-foot ultimate right of way for Old Milford Mill Road is shown as required by Baltimore County Department of Public Services.

A waiver for public standard improvements along Old Milford Mill Road has been approved by Baltimore County Department of Public Services on March 6, 1990. Existing frontage improvements to Old Milford Mill Road recently completed by Baltimore County.

C. Proposed development is not within microwave path.

D. The property is not within an historic district.

45 9/11/90/ C:\ACAD\SITE 2140\T-1.DWG


COLBY ROAD
BOND GRD MERIDIAN
EAST SUBROOK PARK W.P.C. 3/152
DANIEL L. 3RD AND SARA W. HOLDEN
KENNETH W. FREELAND 5179/789
NEIL AND LACEY COHEN 5494/107
MILDRED LENTZ 5138/235
MARK A. AND KATHLEEN BARIS 7382/819
LISA T. WILIN 7762/639
MORFOOT AVENUE (30' WIDE UNIMPROVED)
N36°57'51"W 133.58'
N57°11'09"E 34.67'
EX. DIRT ROAD TO BE REMOVED AND REPLANTED
PUBLIC STORM DRAIN EASEMENT DWG# 42-1038
TOP ELEV. 79.05
EX. INLET INV. OUT 72.85
D.R. 5.5 ZONE
D.R. 16 ZONE
340'x20' RTA INCREASE BUFFER CLASS A SCREEN
N40°33'41"W 340'
PROPOSED LANDSCAPE BUFFER PER BALT. COUNTY REGULATIONS
S40°33'41"E PROP. R.T.A. ZONE USE DIVISION LINE 243.6'
452.37'
20' RTA Setback
PROP. FENCE (TYP.)
EX. 8" TILE E.D.
EX. 12" W.M. TO BE REM.
EX. 15" R.C.P. TO BE REM. AND REPLACED
NO UTILITY EASEMENT RECORDED
EX. PAVING
DRIVEWAY TO BE REMOVED
EX. 6" TILE S.D. TO BE REM.
EX. 6" SAN
EX. CONC. WELL TO BE FILLED
49 PROPOSED PARKING SPACES
TWO-WAY TRAFFIC
PROPOSED LIGHT (TYP.)
EX. CURB TO BE REMOVED
OIL TANK TO BE REM.
EX. PAVING TO BE REM.
Zone Use Division Line
Zone Use Division Line S39°44'20"E 154.32'
PROPOSED CHECK DAMS (TYP.)
EX. BRICK BBQ
EX. 2 STY. BRICK AND WOOD FRAME STRUCTURE TO BE REMOVED
PROPOSED ENTRY
PARKING LOT TO BE REMOVED
PROPOSED TWO STORY NURSING HOME AND ASSISTED LIVING ADDITION
F.F.E. 486.20
PROPOSED LAWN AREA
EX. CURB TO BE REMOVED
PROPOSED LAWN AREA 485.2
EX. BRICK BI-LEVEL NURSING HOME
EXISTING GROUND FLOOR ELEV. 477.05
EXISTING FIRST FLOOR ELEV. 486.20
(AREA NOT INCLUDED in DENSITY CALCULATIONS)
ZONING CASE NO. 5095-X
SHIPPING AND RECIEVING
DUMPSTER PAD TO BE REMOVED
PARKING LOT TO BE REMOVED AND
45' RTA Setback
20' RTA Setback
Zone Use Division Line
Zone Use Division Line
Zone Use Division Line
50' NURSING HOME USE
N43°31'08"E 9.51'
N56°31'05"E 14.23'
S40°12'39"E 126.97'
S56°28'26"W 12.50'
EX. INLET INV. OUT 71' TOP 78'
ZONE USE DIVISION LINE
EXISTING 6' HIGH STOCKADE FENCE
S39°34'34"E
EX. PROPERTY LINE TO BE CONSOLIDATED
SEE SIDEYARD VARIANCE SEE CASE NO. 68-125-A
EX. 1 1/2 STY. ALUM. AND STONE DWLG. TO BE SAVED. VARIANCE CASE # 68-125-A
EX. CONC. TO BE SAVED
PROPOSED R.T.A. 10 FT. HIGH LIGHTS
EX. DRIVEWAY TO BE SAVED
EX. TREES AND S.B.'S TO BE REMOVED
EX. 8" W.M.
EX. 8" SAN
EX. 8" CHORD TO BE REM.
EX. 8" CHORD TO BE REM.
EX. 6" TREE
EX. 12" W.M. TO BE REMOVED
EX. 8" W.M.
EX. 6" W.M.
EX. 6" SAN
EX. 8" SAN
EX. 8" CHORD TO BE REM.
EX. 8" CHORD TO BE REM.
EX. 8" SAN