

10/24/91

IN RE: N/S FRANKLIN SQUARE DRIVE, \* BEFORE THE  
 840' SW OF KING AVENUE \* DEPUTY ZONING COMMISSIONER  
 "PROPERTY OF FRANKLIN \*  
 SQUARE HOSPITAL" \* OF BALTIMORE COUNTY  
 14TH ELECTION DISTRICT, \*  
 6TH COUNCILMANIC DISTRICT \* CASE NO. 92-93-SPHA  
 HELIX HEALTH SYSTEM, INC. \*  
 PARENT OF FRANKLIN SQUARE \*  
 HOSPITAL \*  
 PETITIONER \* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW AND ORDER

The Petitioner, Helix Health System, Inc., parent of Franklin Square Hospital Center, filed request for a Special Hearing for an extension and modification of the Special Exception for an elderly housing facility granted in case no. 89-26-X and a Petition for a Variance for a sign for the elderly housing project. The Petition for Special Exception asked for the following relief: (i) extend the period for use of the Special Exception to October 2, 1993; (ii) permit phased construction beginning with a 120 bed nursing home; (iii) permit substitution of new plans for buildings and site; and (iv) clarify the vesting of the Special Exception for the phased construction. The Petitioner was represented by Robert J. Ryan, Esquire. Also appearing in support of the Petition were Gregory D. Bellware, Vice President of Helix Health System, Inc.; David Unger-Smith, Vice President of Franklin Square Hospital Center; and Mr. David Carliner and Mr. James Pope, representatives of Meridian Health Care, Inc., the joint venturer in the elderly housing facility project. The Petition was supported by the

ORDER RECEIVED FOR FILING  
Date 10/24/91  
By [Signature]

testimony of George E. Gavrelis, professional planner with Daft-McCune-Walker, Inc. There were no protestants.

Testimony indicated that the elderly housing facility presented as part of case no. 89-26-X was determined by the Petitioners to be financially infeasible because of financial conditions in the real estate market. While the decision was being made to defer the elderly housing facility project, the Petitioners got the opportunity to obtain a Certificate of Need for a 102 bed nursing home facility from the Maryland Health Resources Planning Commission. This Certificate of Need allowed the Petitioners to re-evaluate the phased-in construction of the elderly housing facility and create a financially feasible opportunity for the commencement of the elderly housing facility project.

The Petitioner presented a plat entitled "Class B' Elderly Housing Facility at Franklin Square Hospital Center, Plan and Plat to Accompany Zoning Petitions", dated August 20, 1991. This plat and plan was marked as Petitioner's Exhibit 1. The Petitioner noted, however, that the site plan, foot print, and plan for the property were subject to modification as the project goes through the county review process. The Petitioner was advised that copies of revisions to the site plan and the development plans were to be filed with the zoning office for association with the zoning file in this case after the plans had been approved through the county review process.

ORDER RECEIVED FOR FILING  
Date 10/24/91  
By [Signature]

The Petitioners described the phased construction for the first three phases which are shown on the plan. These include nursing home facilities and administrative facilities in phases 1 and 2, and assisted living and independent living units in the proposed phase 3. The remaining portions of the land are reserved for future use, subject to further Petition and Order of the Zoning Commissioner. Phases 1, 2 and 3 are currently being submitted for review by the County as refinements in the CRG approval which had previously been given for the project.

The design and configuration of the sign for which the variance was to be granted were described. The Petitioners noted that this one sign was designed to announce the presence of the entire housing facility and the various units which would make up that facility.

Mr. Gavrelis reviewed the provisions of Section 502.1 of the B.C.Z.R. and noted that the proposed use met the prescribed standards and requirements as set forth in that Section. The proposed project would be conducted without a real detriment to the neighborhood and would not adversely affect the public interest. The proposed use would not have any adverse impact above and beyond that inherently associated with a special exception use, irrespective of its location within the zone. He also noted that the proposed use would not be detrimental to the health, safety, or general welfare of the surrounding community.

ORDER RECEIVED FOR FILING  
Date 10/24/91  
By [Signature]

After due consideration of the testimony and evidence presented, it is clear that the relief requested in this Special Hearing should be granted. The previous findings of the Deputy Zoning Commissioner that the use of this property under a Special Exception for the development of an elderly housing facility was appropriate has been confirmed by the issuance of a Certificate of Need by the Maryland Health Resources Planning Commission for the construction of a 102 bed nursing home, which will become part of the proposed elderly housing facility. The revision of the phased construction and the re-design of the buildings does not change the earlier findings that this project will not be detrimental to the public health, safety, or general welfare of the community, and that it is within the spirit of intent of the B.C.Z.R. In addition, the sign for which a variance has been requested is appropriate for a development of this nature on a site of this size.

In regard to the Petition for Variance, it is clear that strict compliance with the Baltimore County sign standards would create practical difficulty and would be unnecessarily burdensome. Consequently, the variance should be approved as requested.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition, the relief requested by the Special Hearing and the Petition for Zoning Variance should be granted.

THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County this \_\_\_\_\_ day of October, 1991, that the

ORDER RECEIVED FOR FILING  
Date 10/24/91  
By [Signature]

following relief is granted in connection with the Petition for Special Hearing and the Petition for a Variance, subject, however, to the restrictions and conditions indicated below:

- The time for the commencement of the use of the Special Exception granted by Order of the Deputy Zoning Commissioner in case no. 89-26-X is extended through October 2, 1993.
- The provisions of the Special Exception granted in case no. 89-26-X are modified by eliminating the previously submitted plans for the development of the elderly housing facility, and the Petitioner is allowed to submit new plans for the construction in phases as outlined in the Petition, commencing with a 120 bed nursing home unit for nursing care and domiciliary beds, with additional nursing home beds, assisted living units, and independent living units, to be added in subsequent phases; provided, however, that (i) the Petitioner shall submit copies of approved plans for the site and the project to the zoning office for association with this case upon approval of those plans by the various county offices involved in the plan approval process; and (ii) the density, building height and building elevations shall not exceed those specified in the Order in case no. 89-26-X without further Order of the Zoning Commissioner.
- That the Special Exception Order is modified to clarify that the commencement of construction of phase 1 as outlined in the Petition prior to October 2, 1993, utilizes the Special Exception for development of an elderly housing facility on

ORDER RECEIVED FOR FILING  
Date 10/24/91  
By [Signature]

all of the property covered by the Special Exception, even though the construction of one or more phases may be commenced after October 2, 1993; provided, however, that (i) the additional phases are part of an elderly housing facility within the scope of the Order in case no. 89-26-X; (ii) the proposed plans for the property not shown on the plat submitted as Exhibit 1 as phase 1, 2 and 3, shall be submitted to the Zoning Commissioner for further hearing in regard to the use of this property; and (iii) any changes or alterations in the Special Exception or in the use of the property shall be submitted to the Zoning Commissioner for further hearing and order.

- To the extent not modified by this Order, the provisions and conditions of the Order in case no. 89-26-X are extended as part of this Order.
- The variance for the sign is GRANTED as requested to permit a community identification sign illuminated by external lights to have a background pier area of 57 square feet and a sign plaque area of 17.5 square feet per face in lieu of the permitted sign area of 15 square feet per face with no illumination.
- The Petitioner may apply for its building permit and be granted it upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the thirty day appellate process from this Order has expired. If, for whatever reason, this Order

ORDER RECEIVED FOR FILING  
Date 10/24/91  
By [Signature]

is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.

- Prior to the issuance of any permits, Petitioner must provide all details required by all county agencies as a result of the modification to the originally approved site plan, including, but not limited to, all applicable zoning data.

Timothy Kotroco  
Deputy Zoning Commissioner for  
Baltimore County

People's Counsel; File

cc: Robert J. Ryan, Esquire  
Helix Health System  
2330 W. Joppa Rd., Suite 301  
Lutherville, MD 21093

David Carliner  
Meridian Retirement  
515 Flarmount Avenue  
Towson, MD 21204

George Gavrelis  
Daft-McCune-Walker  
220 E. Pennsylvania Ave.  
Towson, MD 21204

ORDER RECEIVED FOR FILING  
Date 10/24/91  
By [Signature]

IN RE: PETITION FOR SPECIAL \* BEFORE THE  
 HEARING NW/S FRANKLIN \* DEPUTY ZONING COMMISSIONER  
 SQUARE DRIVE, 965' NE \*  
 OF LENNING AVENUE, \* OF BALTIMORE COUNTY  
 14TH ELECTION DISTRICT, \*  
 6TH COUNCILMANIC DISTRICT \* CASE NO. 92-93-SPHA  
 HELIX HEALTH SYSTEM, INC. \*  
 PETITIONER \*

MEMORANDUM IN SUPPORT OF PETITION FOR SPECIAL HEARING AND PROPOSED ORDER

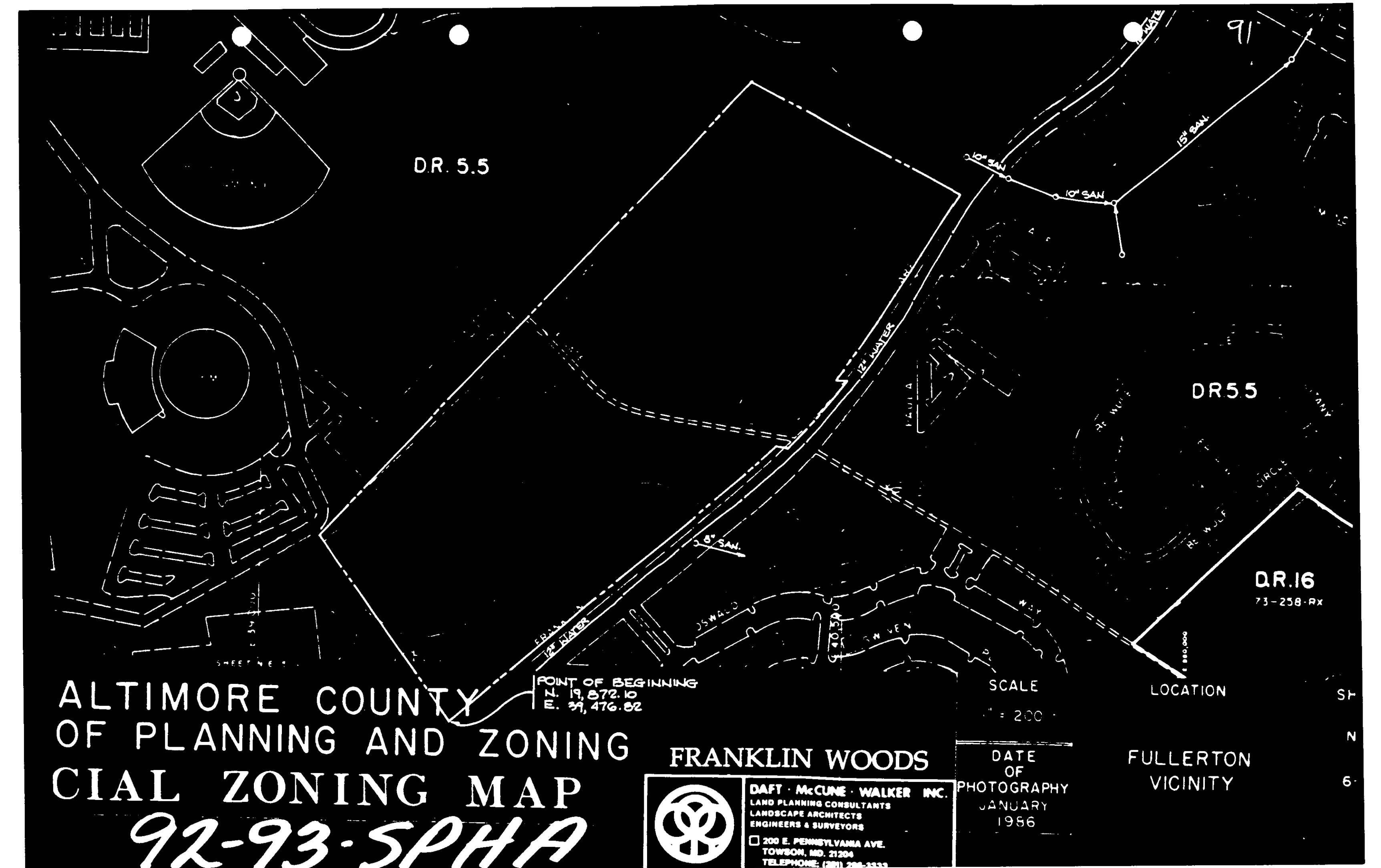
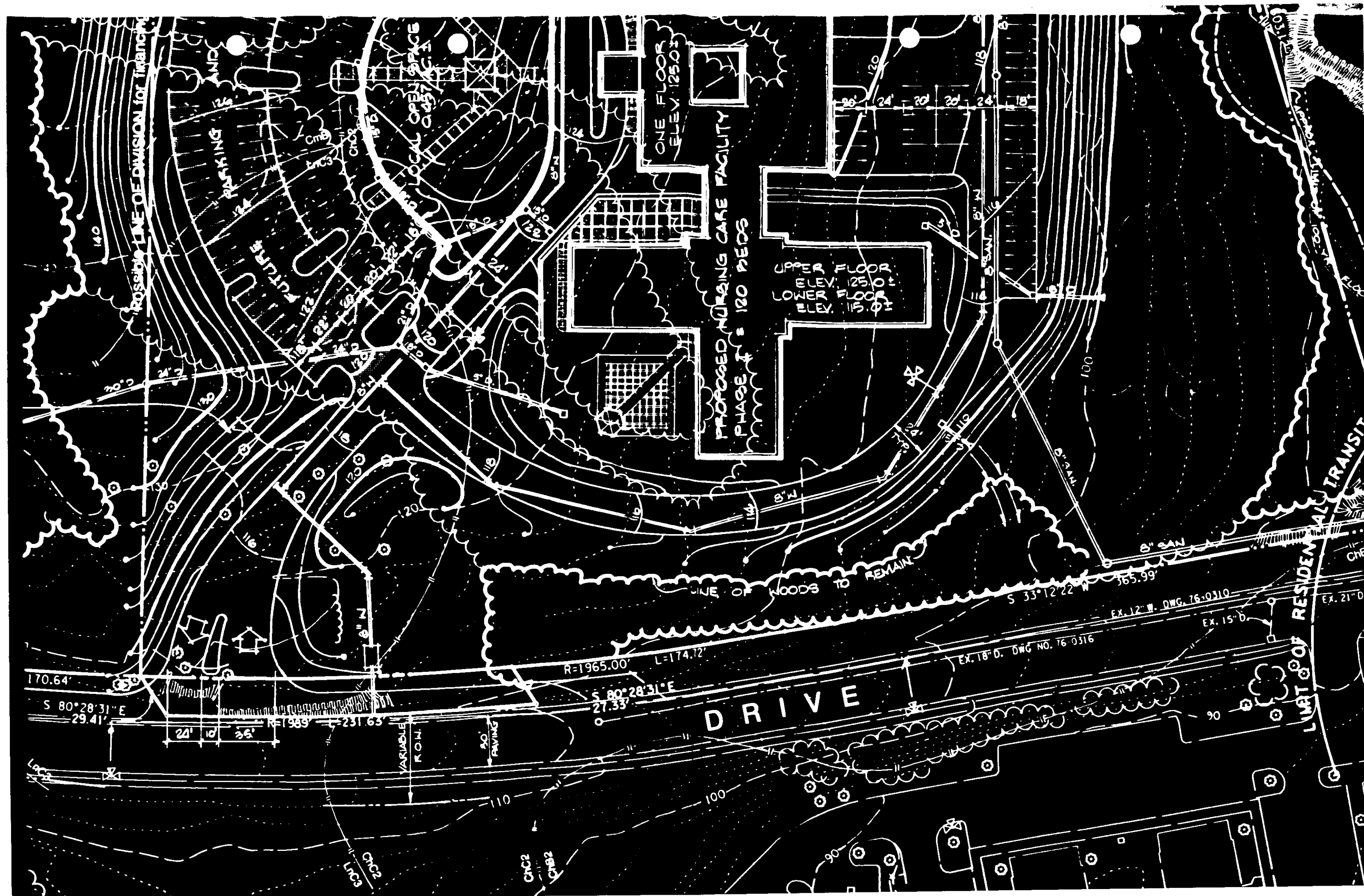
Helix Health System, Inc., corporate parent of Franklin Square Hospital Center, Inc., requests a special hearing for a modification and extension of the special exception for elderly housing facility granted by the Deputy Zoning Commissioner of Baltimore County in case no. 89-26-X and extended by order of the Deputy Zoning Commissioner of Baltimore County in case no. 91-95-SPH. In support of this request, the Petitioner provides the following information.

Background

In 1988, Franklin Square Hospital Center, Inc. ("Franklin Square"), a Maryland corporation which is licensed to operate a Hospital in Baltimore County, Maryland, petitioned for a special exception for an elderly housing facility with increased density and waiver of building height and width. That case was filed as case no. 89-26-X. After the hearing on the Petition, the special exception was granted by Order of the Deputy Zoning Commissioner of Baltimore County dated October 3, 1988. This Order permitted the development of an elderly housing facility on the property adjacent to Franklin Square Hospital under the provisions of Bill No. 36-88

91

ORDER RECEIVED FOR FILING  
Date 10/24/91  
By [Signature]





**COORDINATES**

Pt.	North	East
7	21486.17	40241.37
109	20459.75	40178.72
110	20574.89	40304.70
111	20570.03	40333.71
112	20748.58	40458.81
113	20744.08	40486.37
114	20890.30	40581.44
115	21219.13	40777.08
116	21198.53	40761.88
320	18972.10	39476.82
565	20340.19	39134.27

**100 YEAR FLOODPLAIN  
DRAINAGE AND UTILITY EASEMENT  
LINE TABLE**

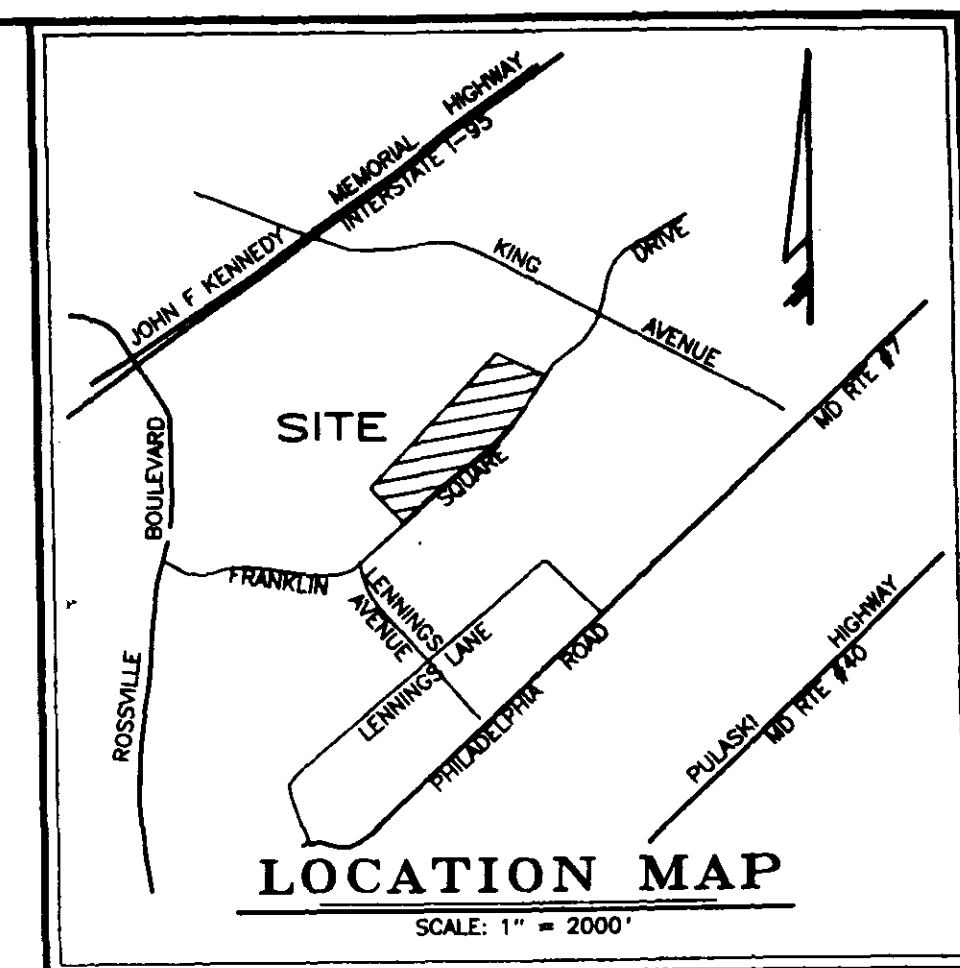
From-To	Bearing	Distance
FP1-FP3	N 33°20'33" W	17.08'
FP3-FP4	N 11°07'00" E	33.00'
FP4-FP5	N 54°09'40" W	123.00'
FP5-FP6	N 67°32'30" W	58.00'
FP6-FP7	N 46°28'20" W	47.00'
FP7-FP8	N 72°33'10" W	71.00'
FP8-FP9	N 34°42'30" W	71.00'
FP9-FP2	N 48°15'15" W	49.22'
FP13-FP14	N 66°49'48" W	73.20'
FP14-FP15	S 61°45'00" W	121.00'
FP15-FP16	S 82°00'00" W	32.00'
FP16-FP17	S 58°50'00" W	53.00'
FP17-FP10	N 60°15'13" W	92.72'
FP11-FP18	N 70°28'49" E	86.24'
FP18-FP19	N 74°00'00" E	87.00'
FP19-FP20	N 64°45'00" E	81.00'
FP20-FP21	N 83°45'00" E	112.00'
FP21-FP22	S 79°00'31" E	82.01'
FP22-FP23	N 74°00'00" E	95.00'
FP23-FP24	N 34°05'00" W	61.00'
FP24-FP25	N 41°05'00" W	30.00'
FP25-FP26	N 66°35'00" E	57.00'
FP26-FP27	N 37°25'00" W	59.00'
FP27-FP28	S 77°10'00" E	30.00'
FP28-FP29	S 41°20'00" W	38.00'
FP29-FP30	S 80°10'00" W	33.00'
FP30-FP12	S 56°43'23" E	58.90'

**FOREST BUFFER EASEMENT  
LINE TABLE**

Line	Bearing	Distance
FB1	N 66°49'48" W	23.14'
FB2	S 73°30'00" W	27.38'
FB3	S 77°30'00" W	52.43'
FB4	S 61°45'00" W	51.96'
FB5	S 78°55'08" W	58.81'
FB6	S 58°50'00" W	49.18'
FB7	N 83°53'52" E	71.85'
FB8	N 50°57'57" E	49.25'
FB9	N 69°45'00" E	38.00'
FB10	N 67°50'00" E	72.00'
FB11	N 56°05'00" E	58.00'
FB12	S 77°50'00" E	22.49'
FB13	N 64°45'00" E	37.04'
FB14	S 53°45'00" E	84.00'
FB15	N 72°15'00" E	59.18'
FB16	N 47°15'00" E	46.00'
FB17	S 85°35'00" E	24.00'
FB18	N 67°25'00" E	52.88'
FB19	N 41°05'00" E	21.38'
FB20	N 86°35'00" E	56.15'
FB21	N 37°28'00" E	68.51'
FB22	S 77°10'00" E	54.14'
FB23	S 41°20'00" E	37.27'
FB24	S 80°10'00" E	29.38'
FB25	S 56°43'23" E	71.63'
FB26	N 33°20'33" W	38.14'
FB27	N 11°07'00" E	27.21'
FB28	N 54°09'40" W	104.08'
FB29	N 67°32'30" W	59.72'
FB30	N 46°28'20" W	18.70'
FB31	S 72°40'00" W	11.99'
FB32	N 76°45'00" W	56.00'
FB33	N 51°05'00" W	54.00'
FB34	N 38°10'00" W	28.00'
FB35	N 48°30'00" W	40.00'
FB36	N 20°20'00" W	82.39'
FB37	S 81°42'29" W	15.11'
FB38	N 51°34'53" W	24.43'
FB39	S 38°07'19" W	38.94'
FB40	N 89°48'45" W	57.62'
FB41	S 42°11'00" W	88.97'
FB42	S 61°43'13" W	81.01'
FB43	S 40°35'03" W	91.75'
FB44	S 54°14'55" W	47.25'

**CURVE TABLE**

From-To	Delta	Radius	Length	Chd Bearing	Length	Tangent
109-114	18°51'27"	1985.00'	578.14'	N 41°38'04" E	576.08'	291.17'
111-113	6°40'21"	1989.00'	231.63'	N 41°15'22" E	231.50'	115.95'
114-112	5°05'36"	1985.00'	174.68'	S 35°45'08" W	174.82'	87.40'
112-110	6°47'10"	1985.00'	232.74'	S 41°41'31" W	232.80'	116.50'
110-09	+58°41"	1985.00'	170.72'	S 47°34'22" W	170.87'	85.42'
115-116	1°30'30"	1035.00'	27.25'	S 33°56'17" W	27.25'	13.63'



**DENSITY CALCULATIONS**

OVERALL SITE DATA

- AREA NET AREA = 25,558 AC. GROSS AREA = 26,838 AC.
- ZONING (GROSS) DR 3.5 = 26,838 AC.
- DWELLING UNITS PERMITTED DR 3.5 26,838 X 3.5 = 148
- DENSITY UNITS PERMITTED

Pursuant to Zoning Case 89-28-X, approved by the Deputy Zoning Commissioner on October 3, 1988, a maximum of 275 density units are allowed on the site.

PROPOSED SITE DATA	PARCEL "A"	LOT ONE	TOTAL
5. NET GROSS ACRES	10,989 AC.	14,889 AC.	25,878 AC.
6. DENSITY UNITS ALLOCATED	32.5	242.5	275
7. LOCAL OPEN SPACE REQUIRED	0	0	0

- GENERAL NOTES**
- HIGHWAYS AND HIGHWAY WIDENINGS, SLOPE EASEMENTS, DRAINAGE AND UTILITY EASEMENTS, ACCESS EASEMENTS, FOREST BUFFER AREAS IN FEE OR EASEMENT, AND STORMWATER MANAGEMENT AREAS, NO MATTER HOW ENTITLED, SHOWN HEREON, ARE RESERVED UNTO THE OWNER AND, EXCEPT FOR THOSE INDICATED AS PRIVATE, ARE HEREBY OFFERED FOR DEDICATION TO BALTIMORE COUNTY, MARYLAND, THE OWNER, HIS PERSONAL REPRESENTATIVES AND ASSIGNS WILL CONVEY SAID AREAS BY DEED, TO BALTIMORE COUNTY, MARYLAND, AT NO COST.
  - STREETS AND/OR ROADS SHOWN HEREON AND THE MENTION THEREOF IN DEEDS ARE FOR PURPOSES OF DESCRIPTION ONLY, AND THE SAME ARE NOT INTENDED TO BE DEDICATED TO PUBLIC USE, THE FEE SIMPLE TITLE TO THE BEDS THEREOF IS EXPRESSLY RESERVED IN THE GRANTORS OF THE DEED TO WHICH THIS PLAN IS ATTACHED, THEIR HEIRS AND ASSIGNS.
  - THIS PLAN MAY EXPIRE IN ACCORDANCE WITH THE PROVISIONS OF THE BALTIMORE COUNTY CODE, SECTION 28-216.
  - THE RECORDING OF THIS PLAN DOES NOT GUARANTEE THE INSTALLATION OF STREETS OR UTILITIES BY BALTIMORE COUNTY.
  - THE INFORMATION SHOWN HEREON MAY BE SUPERSEDED BY A SUBSEQUENT OR AMENDED PLAN.
  - ADDITIONAL INFORMATION CONCERNING THIS PLAN MAY BE OBTAINED FROM THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING AND THE DEPARTMENT OF PUBLIC WORKS.
  - THE RECORDING OF THIS PLAN DOES NOT CONSTITUTE OR IMPLY ACCEPTANCE BY THE COUNTY OF ANY STREET, EASEMENT, PARK, OPEN SPACE OR OTHER PUBLIC AREA SHOWN ON THE PLAN.
  - THE OWNER/DEVELOPER WILL COMPLY WITH THE BEST MANAGEMENT PRACTICES ADOPTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
  - THE 1st REFINEMENT PLAN FOR THE PROPERTY SHOWN ON THIS PLAN WAS APPROVED ON MAY 8, 1992.
  - EXCEPT AS OTHERWISE INDICATED, ALL BUILDING RESTRICTION LINES SHOWN HEREON HAVE BEEN PLACED AS THE RESULT OF AN INTERPRETATION ONLY OF CURRENTLY APPLICABLE REGULATIONS AND POLICIES OF THE BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING. EXCEPTIONS TO THESE RESTRICTIONS MAY APPLY.
  - THE AREA DESIGNATED AS A FLOODPLAIN INCLUDES THE AREA INUNDED BY THE 100-YEAR FREQUENCY STORM AND A MINIMUM OF 1 FOOT VERTICAL FREEBOARD. THE ELEVATIONS SHOWN ON THE FLOODPLAIN SECTIONS ARE THE 100-YEAR DESIGN FREQUENCY SURFACE ELEVATIONS.
  - THIS SITE IS LOCATED IN THE WHITEMARSH SEWERSHED.
  - TOTAL AREA OF LOT & PARCEL = 25,558 AC. +/-.
  - TOTAL AREA OF PLAT = 25,866 AC. +/-.
  - THE APPROVAL OF THIS PLAT IS BASED UPON A REASONABLE EXPECTATION THAT THE WATER AND SEWER SERVICE WHICH IS PLANNED FOR THE DEVELOPMENT WILL BE AVAILABLE WHEN NEEDED. HOWEVER, BUILDING PERMITS MAY NOT BE ISSUED UNTIL THE PLANNED WATER AND SEWER FACILITIES ARE COMPLETED AND DETERMINED TO BE ADEQUATE TO SERVE THE PROPOSED DEVELOPMENT.
  - THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION, OR DISTURBANCE OF VEGETATION IN THE FOREST BUFFER EXCEPT AS PERMITTED BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.
  - ANY FOREST BUFFER SHOWN HEREON IS SUBJECT TO PROTECTIVE COVENANTS WHICH MAY BE FOUND IN THE LAND RECORDS OF BALTIMORE COUNTY AND WHICH RESTRICT DISTURBANCE AND USE OF THESE AREAS.
  - STREET ADDRESSES FOR PARCEL "A" WILL BE ISSUED AT THE TIME OF FUTURE DEVELOPMENT.

PWA Completed	_____
Final Plat	_____
Public services	_____
Dev. Design	_____
Dev. Engineer	_____
Streets, Numbering	_____
Planning	_____
Land Acquisitions	_____
Assessments	_____

**PRINTED**  
NOV 20 1992  
LAFT-McCUNE-WALKER, INC.

PLAT OF  
**FRANKLIN WOODS**  
ELECTION DISTRICT 14 BALTIMORE COUNTY, MARYLAND  
SCALE: 1" = 100'  
AUGUST 14, 1992

NOTE: ROADS AND STORM DRAINS LAID OUT AND SHOWN HEREON HAVE BEEN DESIGNED UNDER MARYLAND REGISTERED PROFESSIONAL ENGINEER LICENSE No. 10551.	DIRECTOR OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT	<b>OWNER / DEVELOPER</b> <b>HELIX HEALTH SYSTEM, INC.</b> 2330 WEST JOPPA ROAD, SUITE 301 LUTHERVILLE, MD 21093	NOTE COORDINATES AND BEARINGS shown on this plat are referred to the system of coordinates established in the Baltimore County Metropolitan District and are based on the following traverse stations:  12658 N 18,794.40 E 38,904.16 2659 N 19,298.33 E 38,694.40	<b>OWNER'S CERTIFICATE</b> The undersigned, owner of the land shown on this plat, hereby certifies that, to the best of its knowledge, the requirements of Subsection (C) of Section 3-108 of the Real Property Article of the Annotated Code of Maryland have been complied with, insofar as same concerns the making of this plat and setting of the markers.  HELIX HEALTH SYSTEM, INC. By: <i>Robert J. Ryan</i> DATE: _____ ROBERT J. RYAN VICE PRESIDENT	<b>SURVEYOR'S CERTIFICATE</b> The undersigned, a Registered Surveyor of the State of Maryland, does hereby certify that he is the surveyor who prepared this plat and that the land shown on this plat has been laid out, and the plat thereof has been prepared, in compliance with Subsection (C) of Section 3-108 of the Real Property Article of the Annotated Code of Maryland, particularly insofar as same concerns the making of the plat and setting the markers.  <i>Michael T. Maguire</i> 8/14/92 MICHAEL T. MAGUIRE, PROPERTY LINE SURVEYOR No. 235-B DATE: _____			<b>DAFT · McCUNE · WALKER INC.</b> LAND PLANNING CONSULTANTS LANDSCAPE ARCHITECTS ENGINEERS & SURVEYORS 200 E. PENNSYLVANIA AVE. TOWSON, MD. 21204 TELEPHONE: (410) 298-3333
	DIRECTOR OF PUBLIC WORKS							

FILE: 87055H  
DATE: PLAT

**General Notes:**

- Election District 14, Councilmanic District C
- All driveway and parking surfaces shall be provided with a durable, dustless and properly-drained surface maintained so as to not create any undesirable conditions. Widths are shown on plan.

**3. Total Project - Preliminary Unit Mix**

Unit Type	Dwelling Units	Factor	Density Units
2 Bedroom	23	(1.00)	23.00
1 Bedroom w/ Den	46	(1.00)	46.00
1 Bedroom	100	(0.75)	75.00
Studio	40	(0.50)	20.00
<b>Assisted Living</b>			
	30 Beds	(0.25)	7.50
<b>Nursing Home</b>			
	50 Beds	(0.25)	12.50
<b>Total</b>	<b>255 D.U.</b>		<b>222.25 Dn.U.</b>
	80 Beds		

This petition seeks a Special Exception to permit a maximum 275 density units for an elderly housing facility on the Franklin Square Hospital campus. The preliminary mix of elderly housing units by type and of assisted living and nursing beds is based on preliminary architectural plans which are subject to modification as final plans are developed. Accordingly, the preliminary mix may be modified if in compliance with the terms of this Special Exception and all applicable zoning standards as are modified by this petition.

**4. Site Data/Density Calculations:**

- Net Site Area: 25.87 Acres
- Gross Site Area (30' of Franklin Square Drive): 27.00 Acres
- Present Zoning: DR 5.5
- Maximum Permitted Dwelling Units at DR 5.5: 148 D.U.
- Maximum Permitted Density Units by Section 632.2 at 40 D.U./per acre: 1,032 D.U.
- Maximum Requested Density Units: 275 D.U.
- Proposed Density: 10.7 D.U./Acre

**5. Parking Data:**

- 255 Dwelling Units @ 1/2 D.U.: 255 Spaces
- 30 Assisted Living Beds @ 1/2 Beds: 15 Spaces
- 50 Nursing Beds @ 1/3 Beds: 17 Spaces
- Total Required Spaces: 280 Spaces
- Spaces Provided: 280 Spaces

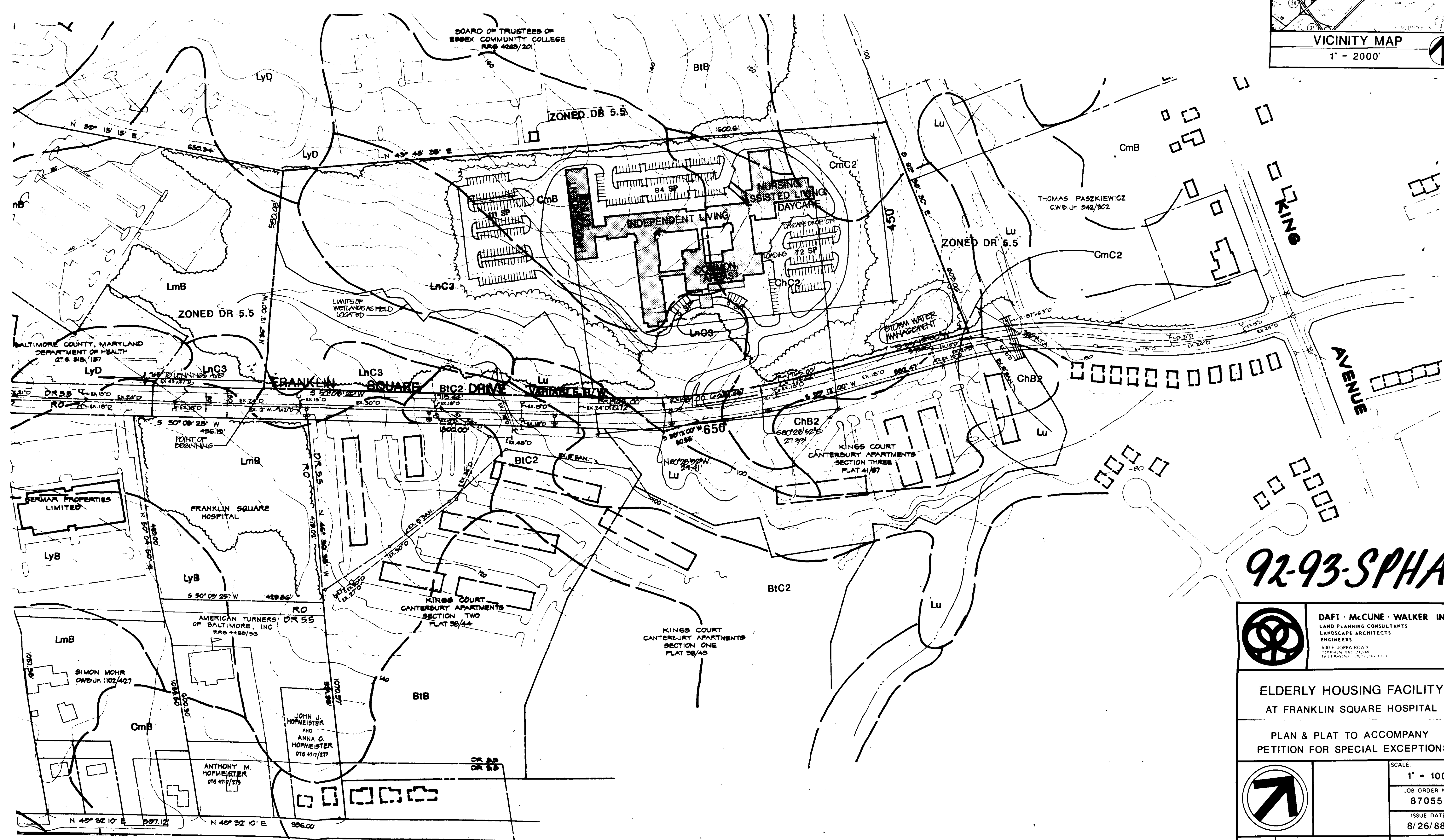
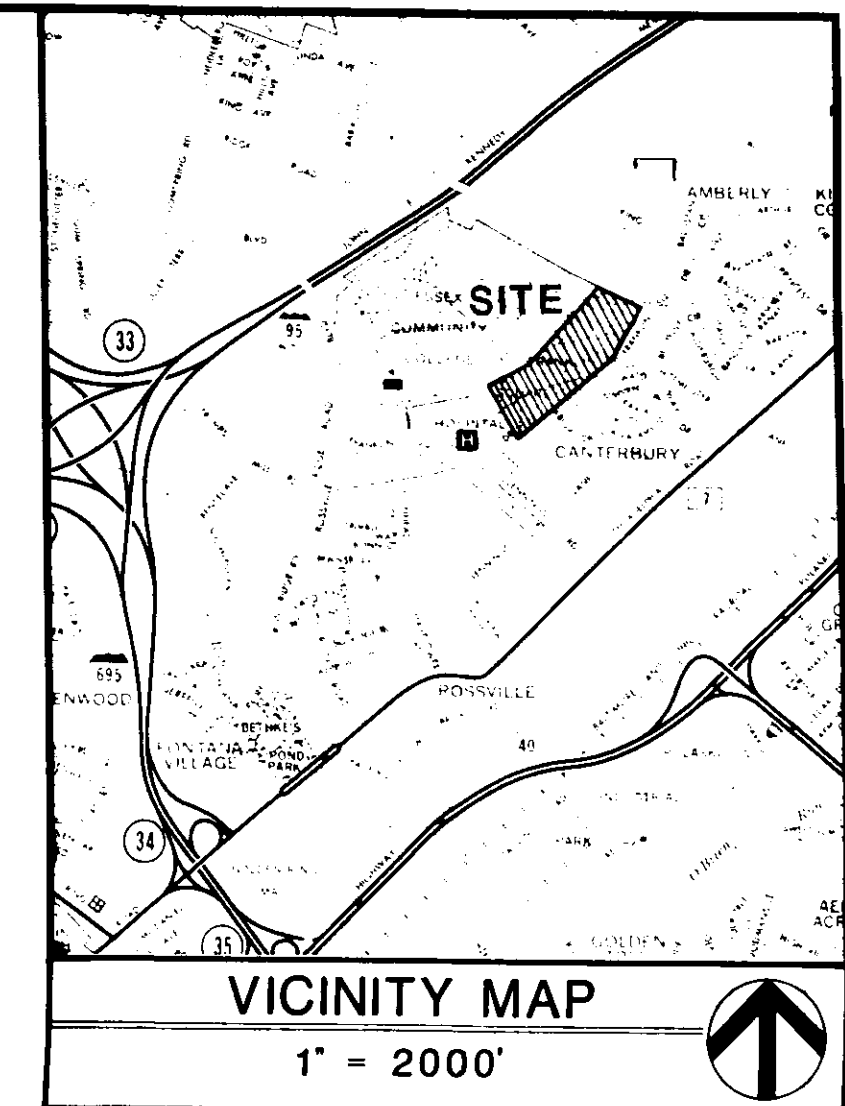
**10. Applicant/Contract Purchaser:**

Franklin Square/MRC Limited Partnership  
c/o Meridian Retirement  
21 West Road  
Towson, Maryland 21284

- Proposed Elderly Housing Facility 15 feet high as is the height of the Franklin Square Hospital core building.
- Waiver No. W-88-153 granted waiver of CRG (meeting and process) by Planning Board on June 16, 1988.
- Local Open Space:  
Required: 255 units @ 650 S.F./unit = 3.8 Acres  
Provided: 3.8 Acres

Open space will be maintained by Franklin Square Hospital/MRC Limited Partnership.

- Average Daily Trips:  
Retirement Community: 255 units @ 3.3/unit = 841.5 trips/day



**92-93-SPHA**

**DAFT - McCUNE - WALKER INC.**  
LAND PLANNING CONSULTANTS  
LANDSCAPE ARCHITECTS  
ENGINEERS  
531 E. JOPPA ROAD  
TOWSON, MD 21286  
TELEPHONE: (410) 271-2800

**ELDERLY HOUSING FACILITY  
AT FRANKLIN SQUARE HOSPITAL**

**PLAN & PLAT TO ACCOMPANY  
PETITION FOR SPECIAL EXCEPTIONS**

	SCALE	1" = 100'
	JOB ORDER NO.	87055
	ISSUE DATE	8/26/88

DATE	REVISIONS	
8-26-88	ISSUING PRELIMINARY MIX	#91

RECORD PRINT 12-AUG-91

**1. Applicant/Contractor Information:**  
 HALL STREET SYSTEM  
 2300 W. JONES ROAD, SUITE 201  
 BALTIMORE, MD 21203  
 PH: (301) 228-8226

**2. Designy Calculations:**  
 Gross Area: 28.52 AC  
 Net Area: 25.57 AC  
 Density: 11.50 UDS/AC  
 Total Units: 294

**3. Site Data:**  
 Elevation: 14.0  
 Contour Interval: 1.0  
 Slope: 1:100

**4. The site was formerly zoned as follows:**  
 Building Permit: 0003723, Control No. C-099-89  
 Zoning Ordinance: 2002023, Control No. C-099-89  
 Public Works Agreement No. 148888  
 However, no construction was performed.

**5. Local Open Space:**  
 Required: None required for housing care facilities.  
 Provided: 0.43 Acres  
 Open space will be landscaped and planted, benches and other site amenities for the use of residents. Open space to be maintained by the owner.

**6. Current Ownership:**  
 Franklin Square Hospital  
 6711/0644  
 25.606 AC PARCEL  
 AL: 01, 02, 03, 04  
 E: 00, 01, 02, 03, 04

**7. Research has been obtained, reviewed and approved by DEPRM:**  
 DEPRM has been obtained, reviewed and approved by DEPRM. DEPRM has been obtained, reviewed and approved by DEPRM. DEPRM has been obtained, reviewed and approved by DEPRM.

**8. All off-site drainage and small streams of record (less than 2.0 cfs) that cross the site are shown with the required 100' and 200' buffers.**

**9. All site lighting and any other lighting to be installed shall be designed to reflect light away from adjoining residential properties and public streets.**

**10. All driveway and parking surfaces shall be constructed with a 10% slope and shall be designed to provide adequate drainage to the street.**

**11. Waiver No. W-88-13 granted waiver of CRD meeting and process by Planning Board on June 16, 1988.**

**12. Planning Data:**  
 a. Zoning Map: 40 Sections  
 b. 100' Buffer: 40 Sections  
 c. 200' Buffer: 40 Sections  
 d. 400' Buffer: 40 Sections

**13. All signs shall comply with Section 413.1 of the B.C.Z. Ordinance. The applicant shall provide a sign plan and a sign schedule for the site. The sign plan shall show the location, size, and design of all signs. The sign schedule shall show the type, size, and color of all signs.**

**14. The applicant shall provide a site plan showing the location, size, and design of all buildings and parking areas. The site plan shall also show the location, size, and design of all landscaping and other site amenities.**

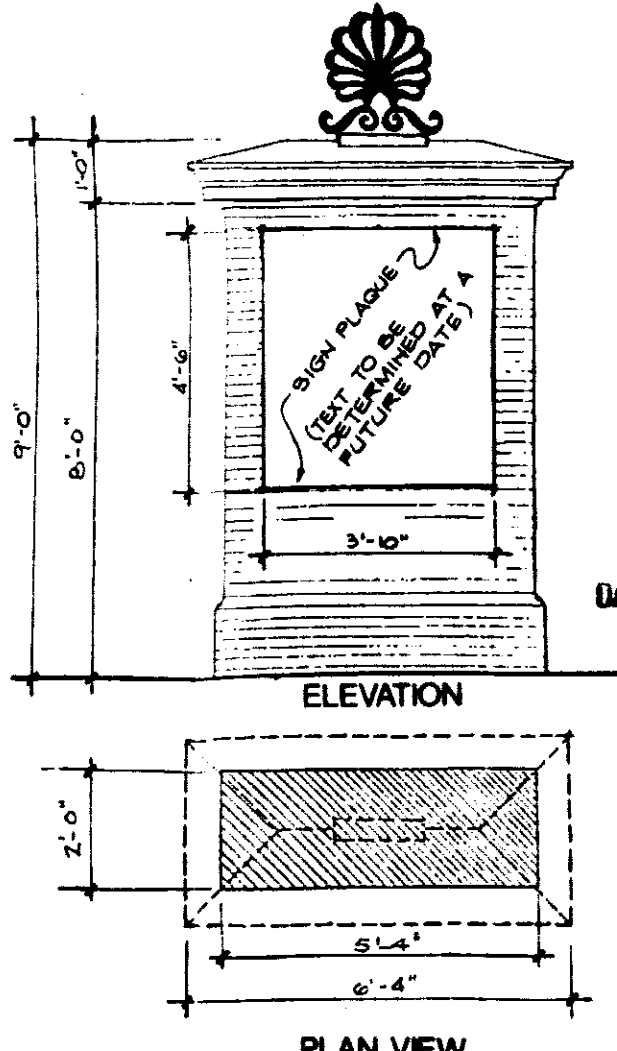
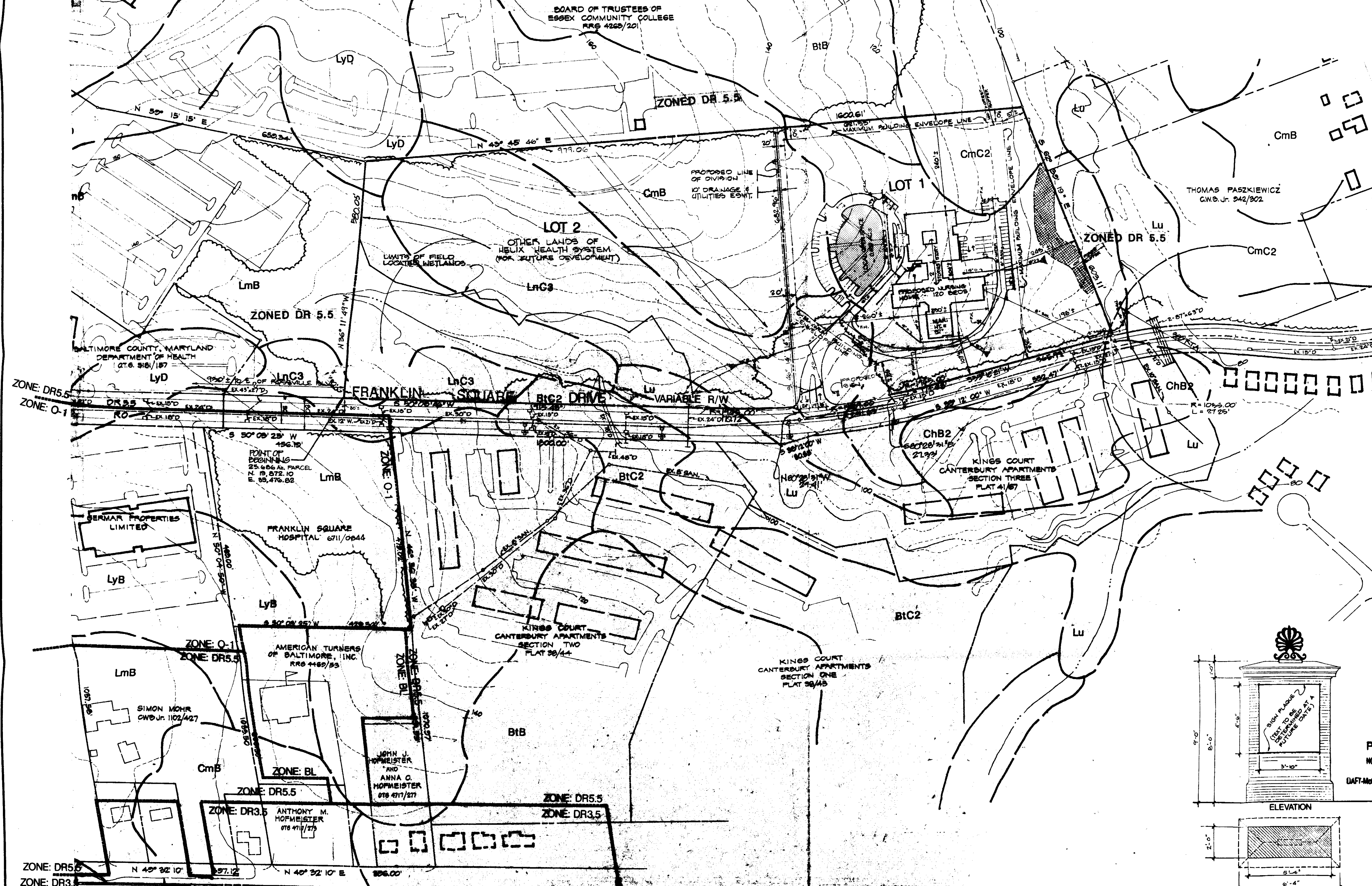
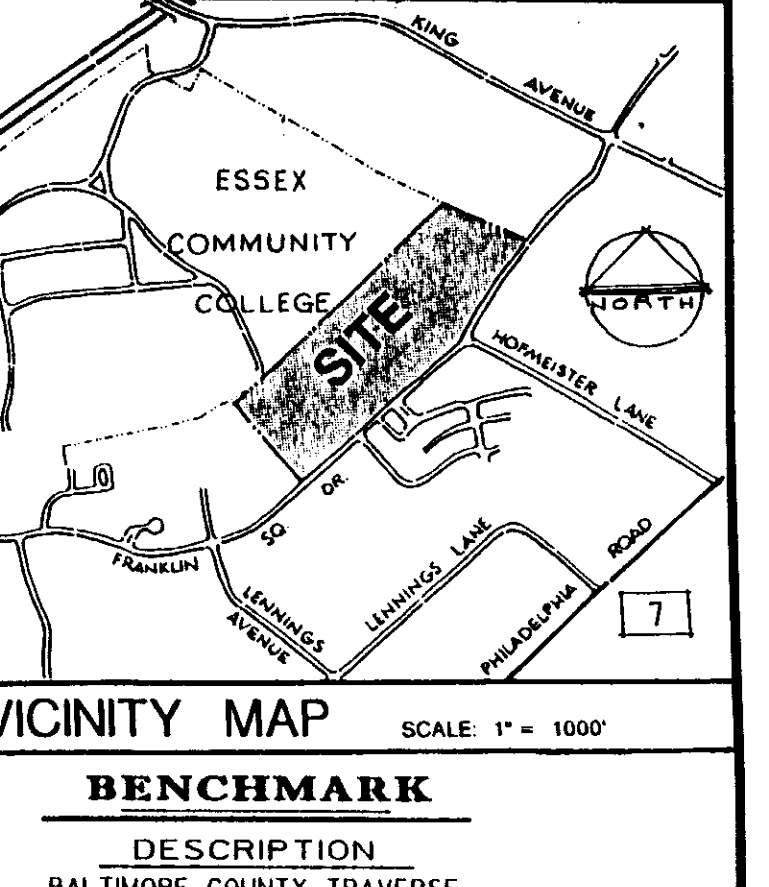
**15. The applicant shall provide a site plan showing the location, size, and design of all buildings and parking areas. The site plan shall also show the location, size, and design of all landscaping and other site amenities.**

**16. The applicant shall provide a site plan showing the location, size, and design of all buildings and parking areas. The site plan shall also show the location, size, and design of all landscaping and other site amenities.**

**17. The applicant shall provide a site plan showing the location, size, and design of all buildings and parking areas. The site plan shall also show the location, size, and design of all landscaping and other site amenities.**

**18. The applicant shall provide a site plan showing the location, size, and design of all buildings and parking areas. The site plan shall also show the location, size, and design of all landscaping and other site amenities.**

**19. The applicant shall provide a site plan showing the location, size, and design of all buildings and parking areas. The site plan shall also show the location, size, and design of all landscaping and other site amenities.**



**DAFT · McCUNE · WALKER INC.**  
 LAND PLANNING CONSULTANTS  
 LANDSCAPE ARCHITECTS  
 ENGINEERS  
 530 E. JOPPA ROAD  
 TOWSON, MD 21284  
 TELEPHONE: (301) 296-3333

**Class B' ELDERLY HOUSING FACILITY**  
 AT FRANKLIN SQUARE HOSPITAL

**PLAN & PLAT TO ACCOMPANY BUILDING PERMIT**

**PRINTED NOV 20 1992**

**SCALE: 1" = 100'**

**JOB ORDER NO. 87055.H**

**ISSUE DATE: April 15, 1992**

DATE	REVISIONS



**General Notes:**

- Election District 14, Councilmanic District C
- All driveway and parking surfaces shall be provided with a durable, dustless and properly-drained surface maintained so as to not create any undesirable conditions. Widths are shown on plan.
- Total Project - Preliminary Unit Mix**

Unit Type	Dwelling Units	Factor	Density Units
2 Bedroom	23	(1.00)	23.00
1 Bedroom w/Den	46	(1.00)	46.00
1 Bedroom	108	(0.75)	108.00
Studio	46	(0.50)	24.00

Assisted Living	30 Beds	(0.25)	7.50
Nursing Home	50 Beds	(0.25)	12.50
<b>Total</b>	<b>255 D.U.</b>		<b>222.25 Dn.U.</b>

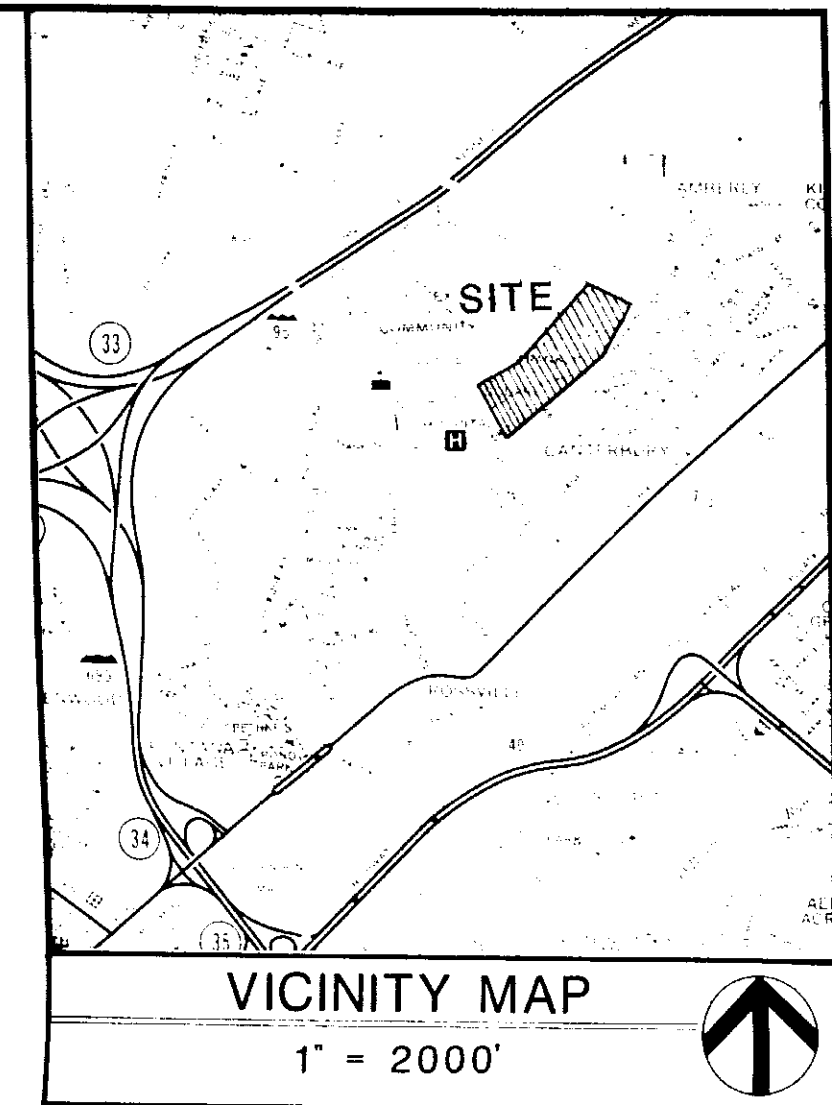
This petition seeks a Special Exception to permit a maximum 275 density units for an elderly housing facility on the Franklin Square Hospital campus. The preliminary mix of elderly housing units by type and of assisted living and nursing beds is based on preliminary architectural plans which are subject to modification as final plans are developed. Accordingly, the preliminary mix may be modified in compliance with the terms of this Special Exception and all applicable zoning standards as are modified by this petition.

**4. Site Data/Density Calculations:**

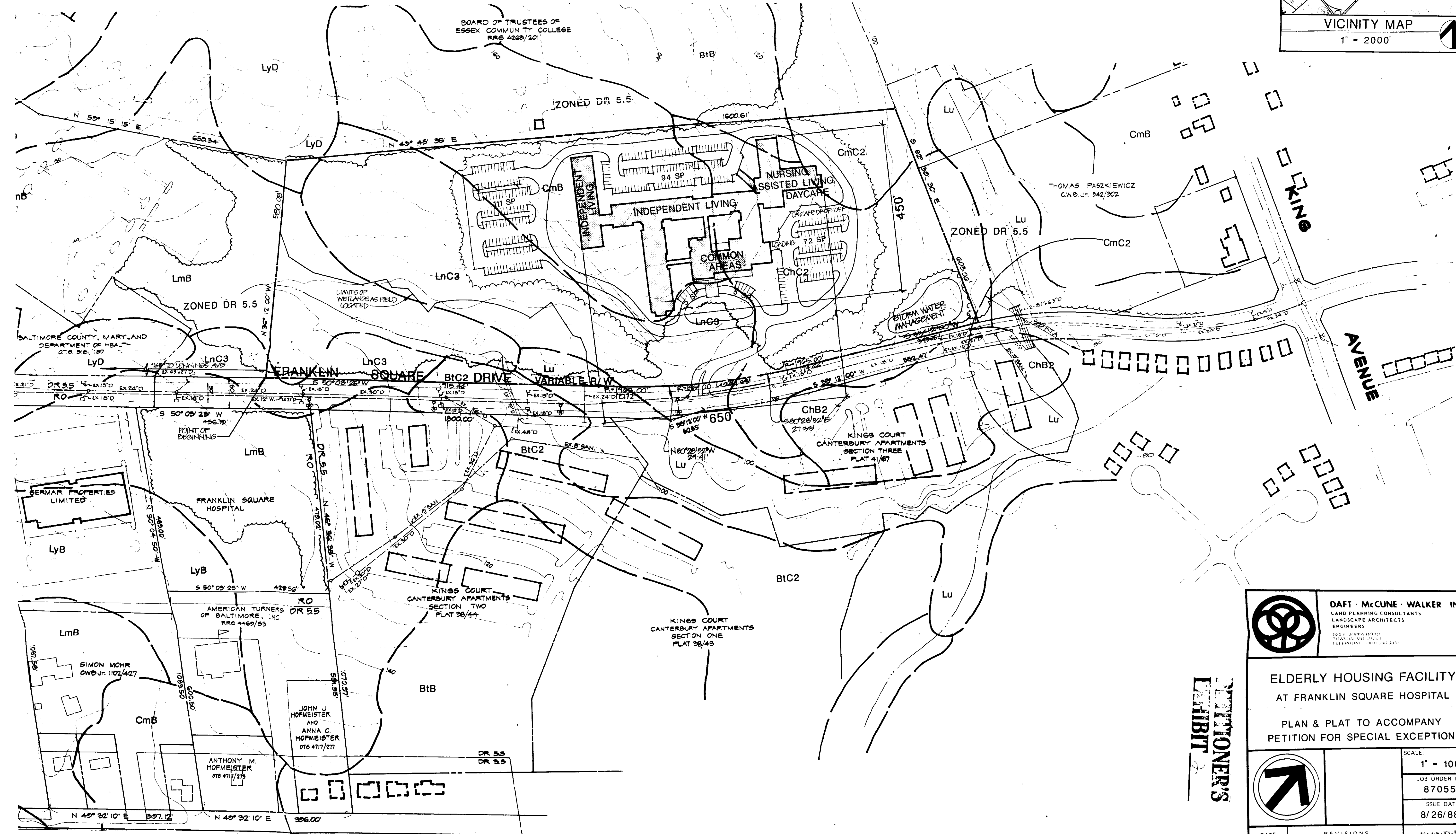
- Net Site Area: 25.69 Acres
- Gross Site Area: 27.00 Acres (30' of Franklin Square Drive)
- Present Zoning: DR 5.5
- Maximum Permitted Dwelling Units at DR 5.5: 148 D.U.
- Maximum Permitted Density Units by Section 632.2 at 40 Dn.U. per acre: 1,080 Dn.U.
- Maximum Requested Density Units: 275 Dn.U.
- Proposed Density: 11.7 Dn.U./Acre

- 5. Parking Data:**
  - 255 Dwelling Units @ 1/2 D.U.: 255 Spaces
  - 30 Assisted Living Beds @ 1/2 Beds: 15 Spaces
  - 30 Nursing Beds @ 1/3 Beds: 17 Spaces
  - Total Required Spaces: 287 Spaces
  - Spaces Provided: 287 Spaces
- Site landscaping and screening shall be in compliance with the Baltimore County Landscape Manual.
- All site lighting and any fixture used to illuminate parking areas shall be arranged to reflect light away from adjoining residential premises and public streets.
- On-site stream and drainage courses are as shown.
- The site plan and building footprints are based on preliminary architectural plans which are subject to modification as final plans are developed. Accordingly, site and building plans may be modified in compliance with the terms of this Special Exception and all applicable zoning standards as are modified by this petition.

- 10. Applicant/Contract Purchaser:** Franklin Square/MRC Limited Partnership, 210 Meridian Retirement, 21 West Road, Towson, Maryland 21286
- 11. Proposed Elderly Housing Facility:** 52 feet high as is the height of the Franklin Square Hospital core building.
- 12. Waiver No. W-88-153:** granted waiver of CRG (meeting and process) by Planning Board on June 16, 1988.
- 13. Local Open Space:**
  - Required: 255 units @ 650 S.F./unit = 3.8 Acres
  - Provided: 3.8 Acres
  - Open space will be maintained by Franklin Square Hospital/MRC Limited Partnership.
- 14. Average Daily Trips:** Retirement Community: 255 units @ 3.7/trip/unit = 41.5 trips/day



87055.2  
ELDERLY HOUSING FACILITY  
PLAN & PLAT TO ACCOMPANY  
PETITION FOR SPECIAL EXCEPTION



**DAFT - McCUNE - WALKER INC.**  
LAND PLANNING CONSULTANTS  
LANDSCAPE ARCHITECTS  
ENGINEERS  
SCALE: AS SHOWN  
TOWSON, MD 21286  
TELEPHONE: (410) 281-2222

---

**ELDERLY HOUSING FACILITY  
AT FRANKLIN SQUARE HOSPITAL**

**PLAN & PLAT TO ACCOMPANY  
PETITION FOR SPECIAL EXCEPTIONS**

---

SCALE  
**1" = 100'**

JOB ORDER NO.  
**87055**

ISSUE DATE  
**8/26/88**

---

DATE	REVISIONS	PRINTED
8-26-88	ISSUE PETITION MIX	OCT 17 1991
		DAFT-McCUNE-WALKER INC.





M - SW  
I - NW

1988 COMPREHENSIVE ZONING MAP  
Adopted by the Baltimore County Council  
Oct. 13, 1988  
Bill Nos. 144-88, 145-88, 146-88, 147-88, 148-88, 149-88, 150-88  
*[Signature]*  
Chairman, County Council

THIS MAP HAS BEEN REVISED IN SELECTED AREAS  
TOPOGRAPHY COMPILED BY PHOTOGRAMMETRIC METHODS  
BY BUCHART HORN, INC. BALTIMORE, MD. 21210

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
OFFICIAL ZONING MAP

POINT OF BEGINNING  
N. 19, 572.10  
E. 97, 476.02

FRANKLIN WOODS

**DAFT - McCUNE - WALKER INC.**  
LAND PLANNING CONSULTANTS  
LANDSCAPE ARCHITECTS  
ENGINEERS & SURVEYORS  
300 E. PENNSYLVANIA AVE.  
TOWSON, MD. 21286  
TELEPHONE: (301) 251-8800

SCALE  
DATE OF PHOTOGRAPHY  
JANUARY 1986

LOCATION  
VICINITY  
MILLERTON

92-93-SPHA

SHEET  
NE  
6-G

#91

which was passed June 13, 1988.

Because of difficulties encountered in financing the construction of the elderly housing facility, a Petition was filed by Helix Health System, Inc. ("Helix") in August of 1990 requesting an extension of the special exception. Helix is the corporate parent of Franklin Square. As part of a tax exempt financing of the indebtedness of Franklin Square under a public bond issue, certain portions of Franklin Square's property were conveyed to Helix and to affiliated corporations. The elderly housing facility site, which is contiguous to and a portion of the overall Franklin Square campus, was conveyed to Helix to be held for development of the elderly housing project.

The Petition of Helix was granted by order of the Deputy Zoning Commissioner, with conditions stated, by an Order dated October 19, 1990. That Order was in case no. 91-95-SPH.

Shortly after the Order of extension was granted, economic circumstances caused a reassessment and postponement of the elderly housing facility project as planned and approved.

Shortly thereafter, an opportunity became available to the Petitioner and its joint venturer to acquire a Certificate of Need ("CON") from the Maryland Health Resources Planning Commission for the transfer of a license to develop and operate a facility which could include up to one hundred and two (102) nursing home beds. (The previously approved plans for the elderly housing facility at Franklin Square included fifty (50) nursing beds.)

The acquisition of the CON created new possibilities for an economically viable project for the elderly housing project to begin, as Phase I, with the construction of a facility to contain approximately one hundred and two (102) nursing beds with an additional eighteen (18) beds for domiciliary care. Subsequent phases of development would add additional nursing and domiciliary care beds, assisted living units and independent living units.

After the construction of Phase I, the order of the remaining phases may be altered to meet market demands for elderly housing units.

The Request for Modification and Extension

Based upon the new opportunity for development of the elderly housing facility in phases, the Petitioner petitions for a modification and extension of the special exception previously granted to permit the development of the elderly housing facility project on the property in phases, beginning with the initial construction of the one hundred twenty (120) bed facility which will be used for nursing and domiciliary care beds.

For financing reasons, the twenty-five acre parcel comprising the property will be divided into several parcels for construction. The first parcel will be for the one hundred twenty (120) bed unit with sufficient additional land to add an additional one hundred twenty (120) nursing or domiciliary care beds. The next proposed phase is a one hundred (100) bed structure to contain assisted living units and independent living units. These phases of the elderly housing facility will be constructed on parts of a ten

acre, more or less, parcel which may be subdivided for purposes of financing.

The success of these phases will determine the possibilities and timing for the development of additional phases as assisted living units or independent living units on the additional portions of the property.

The present expiration date for the special exception is October 2, 1992. Because of the permit and financing time schedules, it is unlikely that the construction on the project can be commenced by October of 1992. Current estimates are that construction would begin in or about March of 1993. Because of this time table, the Petitioner requests an extension of the special exception to October, 1993, or a full five (5) years from the date of the initial grant of the special exception.

The approval of the transfer of the CON to the Petitioner's affiliated organization is an affirmation from the Maryland Health Resources Planning Commission that there is a present need for these nursing home beds. The beds were formerly located in another section of Baltimore County. The facility at which the beds were located has been closed. Consequently, there are presently one hundred (100) fewer beds available for Baltimore County residents. It will be a hardship if these beds cannot be developed and reopened in Baltimore County.

The plans for the new buildings have not been completed, and the exact location on the site has not been finalized. Therefore, we request the special exception be modified without details as to

building design and footprint, which will be submitted for approvals at a later date during the development process.

The timing of the final phases will likely commence after October, 1993 as the additional elderly housing units are added to meet the market demand. In order to provide certainty for the development of the entire project, the petitioner would like the order to clearly indicate that commencement of construction of Phase I "uses" the special exception for the entire 25,690 acre parcel for purposes of vesting the special exception. This will be critical for financing the subsequent phases of construction.

Requested Relief

The relief that the Petitioner requests is as follows:

1. An extension of the special exception granted by Order of the Deputy Zoning Commissioner in case no. 89-26-X through October 2, 1993.
2. Modify the special exception by eliminating the previously submitted plans for the development of the elderly housing facility, and to allow a new plan for the construction in phases as outlined below:

Phase I: One hundred and twenty (120) bed unit to contain approximately one hundred and two (102) beds for nursing care and eighteen (18) beds for domiciliary care with accessory and administrative uses.

Phase II: Up to one hundred and twenty (120) nursing or domiciliary care beds to be constructed

Phase III: adjacent to the Phase I facility. An additional facility for approximately ninety (90) assisted living and ten (10) independent living units.

Phase IV: Additional elderly housing facility units of independent living and assisted living to be constructed on the balance of the land provided that the total density is subject to the special exception in case 89-26-X as modified by further order of the Zoning Commissioner.

3. Modify the special exception to eliminate references to building design and footprint, subject to subsequent approvals in the development process; provided that the building height and elevations not exceed those specified in the order in case 89-26-X without further order of the Zoning Commissioner.

4. Amend the special exception to clarify that the commencement of construction of Phase I as outlined above prior to October 1993 utilizes the special exception for development of an elderly housing facility on the entire property covered by the special exception, even though one or more phases is commenced after October 1993.

111 West Chesapeake Avenue  
Towson, MD 21284

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



887-3355

October 30, 1991

Robert J. Ryan, Esquire  
2330 W. Joppa Road, Suite 301  
Lutherville, Maryland 21093

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE  
N/S Franklin Square Drive, 840' SW of King Avenue  
(Franklin Square Hospital)  
14th Election District - 6th Councilmanic District  
Helix Health System, Inc. - Petitioners  
Case No. 92-93-SPHA

Dear Mr. Ryan:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing 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,

*Timothy M. Kotroco*

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjjs

cc: People's Counsel

File

### Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

92-93-SPHA

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 an extension and modification of the special exception for an elderly housing facility granted in case 89-26-X. See attached for details.

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.

Contact Purchaser/Owner: (Type or Print Name)	Legal Owner(s): Helix Health System, Inc. (Parent of Franklin Square Hospital Center, Inc.)
Signature	Signature
Address	(Type or Print Name)
City and State	Signature
Attorney for Petitioner: ROBERT J. RYAN (Type or Print Name)	Address Phone No.
Signature	City and State
Suite 301, 2330 W. Joppa Rd. Address	Name, address and phone number of legal owner, contact purchaser or representative to be contacted
Lutherville, MD 21093 City and State	Robert J. Ryan Name Suite 301, 2330 W. Joppa Rd. Lutherville, MD 21093 (301) 296-6050 Address Phone No.
Attorney's Telephone No.: (301) 296-6050	Address Phone No.

ORDER RECEIVED FOR FILING

FILED  
BY



OFFICE USE ONLY  
ESTIMATED LENGTH OF HEARING - 1/2HR. +1HR.  
AVAILABLE FOR HEARING  
ALL MON./TUES./WED. - NEXT TWO MONTHS  
REVIEWED BY: OTHER DATE

### PETITION FOR SPECIAL HEARING HELIX HEALTH SYSTEM

Special hearing for approval of a modification and extension of the special exception granted in case 89-26-X for an elderly housing facility to: (i) extend the period for use to October 2, 1993; (ii) permit phased construction beginning with a 120 bed nursing home; (iii) permit substitution of new plans for buildings and site; and (iv) clarify the vesting of the special exception for the phased construction.

92-93-SPHA

# Petition for Variance

to the Zoning Commissioner of Baltimore County **92-93-SPHA**

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plot attached hereto and made a part hereof, hereby petition for a Variance from Section 413.1(e) and Zoning Commissioner Policy Manual 4 6-7.1 Paragraph 1 to permit a community identification sign illuminated by external lights to have a background pier area of 57 square feet and a sign plaque area of 17.5 square feet per face in lieu of the permitted sign area of 15 square feet per face with no illumination.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

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.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Robert J. Ryan

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No. (301)296-6050

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.

Legal Owner(s)  
Helix Health System, Inc.  
Parent of Franklin Square Hospital  
(Type or Print Name)

Signature

Address

City and State

Address

City and State

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

Robert J. Ryan

Address

City and State

Address

City and State

Address

City and State

DAFT-MSCUNE-WALKER, INC.  
200 East Pennsylvania Avenue, Towson, Maryland 21284 410 286 3333 FAX 410 286 4705



Land Planning  
Environmental Science  
Landscape Architecture  
Computer Technology  
Engineering  
Surveying

Description **92-93-SPHA**

To Accompany Zoning Petition

25.686 Acre Parcel

Northwest Side of Franklin Square Drive

Fourteenth Election District, Baltimore County, Maryland

Beginning for the same at the end of the second of the two following courses and distances measured from the intersection of the centerline of Rossville Boulevard with the centerline of Franklin Square Drive, variable width (1) Easterly and northeasterly 930 feet, more or less, measured along the centerline of Franklin Square Drive, and thence (2) Northeasterly at right angles to said centerline 30 feet, more or less, thence leaving said point of beginning and the northwest right-of-way line of Franklin Square Drive and running, with all courses of the description referred to the Grid Meridian established in the Baltimore County Metropolitan District, the three following courses and distances, viz: (1) North 36 degrees 11 minutes 49 seconds West 580.05 feet, thence (2) North 43 degrees 45 minutes 46 seconds East 1600.61 feet, and thence (3) South 62 degrees 39 minutes 19 seconds East 603.11 feet to intersect said right-of-way line of Franklin Square Drive, thence running and binding on said right-of-way line, the eight following courses and distances, viz: (4) Southwesterly by a line curving to the left with a radius of 1035.00 feet for a distance of 27.25 feet (the arc of said curve being subtended by a long chord bearing South 33 degrees 56 minutes 17 seconds West 27.25 feet), thence (5) South 33 degrees 12 minutes 21 seconds West 365.99 feet, thence (6) Southwesterly by a line curving to the right with a radius of 1965.00 feet for a distance of 174.68 feet

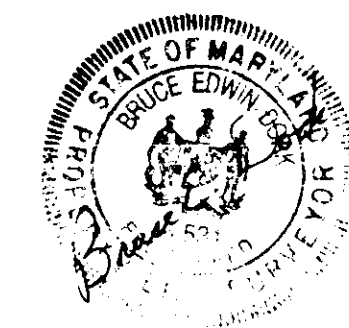
(the arc of said curve being subtended by a long chord bearing South 35 degrees 45 minutes 08 seconds West 174.62 feet), thence (7) South 80 degrees 28 minutes 31 seconds East 27.33 feet, thence (8) Southwesterly by a line curving to the right with a radius of 1989.00 feet for a distance of 231.63 feet (the arc of said curve being subtended by a long chord bearing South 41 degrees 15 minutes 22 seconds West 231.50 feet), thence (9) North 80 degrees 28 minutes 31 seconds West 29.41 feet, thence (10) Southwesterly by a line curving to the right with a radius of 1965.00 feet for a distance of 170.72 feet (the arc of said curve being subtended by a long chord bearing South 47 degrees 34 minutes 27 seconds West 170.67 feet, and thence (11) South 50 degrees 03 minutes 46 seconds West 915.43 feet to the point of beginning; containing 25.686 acres of land, more or less.

(the arc of said curve being subtended by a long chord bearing South 35 degrees 45 minutes 08 seconds West 174.62 feet), thence (7) South 80 degrees 28 minutes 31 seconds East 27.33 feet, thence (8) Southwesterly by a line curving to the right with a radius of 1989.00 feet for a distance of 231.63 feet (the arc of said curve being subtended by a long chord bearing South 41 degrees 15 minutes 22 seconds West 231.50 feet), thence (9) North 80 degrees 28 minutes 31 seconds West 29.41 feet, thence (10) Southwesterly by a line curving to the right with a radius of 1965.00 feet for a distance of 170.72 feet (the arc of said curve being subtended by a long chord bearing South 47 degrees 34 minutes 27 seconds West 170.67 feet, and thence (11) South 50 degrees 03 minutes 46 seconds West 915.43 feet to the point of beginning; containing 25.686 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

August 19, 1991

Project No. 87055 (L87055)



## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 14th Date of Posting: 9/18/91  
Posted for: Helix Health System, Inc.  
Petitioner: Helix Health System, Inc., Parent of Franklin Square Hospital  
Location of property: Northwest Side of Franklin Square Drive, Baltimore County, Maryland  
Location of Sign: Northwest Side of Franklin Square Drive  
Remarks: See attached Variance Petition  
Posted by: Robert J. Ryan Date of return: 9/18/91  
Number of Signs: 2

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/2, 1991

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 9/26/91.

THE JEFFERSONIAN,

S. Zeke Olson  
Publisher

### 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, 111 West Chesapeake Avenue, Towson, Maryland 21284 as follows:

Case Number: 92-93-SPHA  
N/S Franklin Square Drive, 840' SW of King Avenue  
Property of Franklin Square Hospital  
14th Election District - 6th Councilmanic District  
Petitioner: Helix Health System, Inc., Parent of Franklin Square Hospital  
Hearing Date: Friday, Oct 18, 1991 at 11:00 a.m.

Special Hearing to approve an extension and modification of the special exception for an elderly housing facility granted in Case #92-26-E to extend the period for use to October 2, 1993; permit phased construction beginning with a 120 bed nursing home; permit substitution of new plans for buildings and site; and clarify the vesting of the special exception for the phased construction. Variance to permit a community identification sign illuminated by external lights to have a background pier area of 57 square feet and a sign plaque area of 17.5 square feet per face in lieu of the permitted sign area of 15 square feet per face with no illumination.

Zoning Commissioner of Baltimore County  
9/24/91 September 26

receipt  
Baltimore County Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21284  
Date: 9/26/91 Account: R-001-6150  
Number: 87055  
PAY TO THE ORDER OF: DAFT-MSCUNE-WALKER, INC.  
AMOUNT: \$350.00  
DATE: 9/26/91  
PLEASE MAKE CHECKS PAYABLE TO BALTIMORE COUNTY

Baltimore County Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21284  
Date: 9/26/91 Account: R-001-6150  
Number: 87055  
PAY TO THE ORDER OF: DAFT-MSCUNE-WALKER, INC.  
AMOUNT: \$350.00  
DATE: 9/26/91  
PLEASE MAKE CHECKS PAYABLE TO BALTIMORE COUNTY

## CERTIFICATE OF PUBLICATION

Office of THE AVENUE NEWS  
442 Eastern Blvd. Baltimore, MD. 21221  
September 26, 1991

THIS IS TO CERTIFY, that the annexed advertisement of

Zoning Hearing in the matter of Property Franklin Square Hospital, Helix Health System Inc. P.O. #0115210, Reg #549708, Case # 92-93-SPHA 80.5 lines @ .55 or \$48.30

was inserted in The Avenue News a weekly newspaper published in Baltimore County, Maryland once a week for 1 successive week(s) before the 27 day of September 1991; that is to say, the same was inserted in the issues of September 26, 1991.

The Avenue Inc.  
per publisher  
By Dorothy Carroll

### 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 21284 as follows:

Case Number: 92-93-SPHA  
N/S Franklin Square Drive, 840' SW of King Avenue  
Property of Franklin Square Hospital  
14th Election District - 6th Councilmanic District  
Petitioner: Helix Health System, Inc., Parent of Franklin Square Hospital

HEARING: FRIDAY, OCTOBER 18, 1991 at 11:00 a.m.

Special hearing to approve an extension and modification of the special exception for an elderly housing facility granted in Case #92-26-E to extend the period for use to October 2, 1993; permit phased construction beginning with a 120 bed nursing home; permit substitution of new plans for buildings and site; and clarify the vesting of the special exception for the phased construction. Variance to permit a community identification sign illuminated by external lights to have a background pier area of 57 square feet and a sign plaque area of 17.5 square feet per face in lieu of the permitted sign area of 15 square feet per face with no illumination.

Zoning Commissioner of Baltimore County

Baltimore County Government  
Office of Zoning Administration and Development Management  
Office of Planning & Zoning  
111 West Chesapeake Avenue  
Towson, MD. 21284  
DATE: 9/26/91  
Helix Health System, Inc.  
2330 West Joppa Road, Suite 301  
Lutherville, Maryland 21093  
RE: Case Number: 92-93-SPHA  
N/S Franklin Square Drive, 840' SW of King Avenue  
"Property of Franklin Square Hospital"  
14th Election District - 6th Councilmanic District  
Petitioner: Helix Health System, Inc., Parent of Franklin Square Hospital  
HEARING: FRIDAY, OCTOBER 18, 1991 at 11:00 a.m.  
Dear Petitioner(s):  
Please be advised that \$ 174.54 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 forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland 21284. It should have your case number noted thereon and be made payable to Baltimore County, Maryland. In order to prevent delay of the issuance of proper credit and/or your Order, immediate attention to this matter is suggested.  
Laurence E. Schmitt  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND  
cc: Robert J. Ryan, Esq.

Baltimore County Government  
Office of Zoning Administration and Development Management  
Office of Planning & Zoning  
111 West Chesapeake Avenue  
Towson, MD. 21284  
DATE: 9/26/91  
Helix Health System, Inc.  
2330 West Joppa Road, Suite 301  
Lutherville, Maryland 21093  
RE: Case Number: 92-93-SPHA  
N/S Franklin Square Drive, 840' SW of King Avenue  
"Property of Franklin Square Hospital"  
14th Election District - 6th Councilmanic District  
Petitioner: Helix Health System, Inc., Parent of Franklin Square Hospital  
HEARING: FRIDAY, OCTOBER 18, 1991 at 11:00 a.m.  
Special Hearing to approve an extension and modification of the special exception for an elderly housing facility granted in Case #92-26-E to extend the period for use to October 2, 1993; permit phased construction beginning with a 120 bed nursing home; permit substitution of new plans for buildings and site; and clarify the vesting of the special exception for the phased construction. Variance to permit a community identification sign illuminated by external lights to have a background pier area of 57 square feet and a sign plaque area of 17.5 square feet per face in lieu of the permitted sign area of 15 square feet per face with no illumination.  
J. Robert Haines  
Zoning Commissioner of Baltimore County

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

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

October 1, 1991

Robert J. Ryan, Esquire  
Suite 301, 2330 W. Joppa Road  
Lutherville, MD 21093

RE: Item No. 91, Case No. 92-93-SPHA  
Petitioner: Helix Health System  
Petition for Special Hearing

Dear Mr. Ryan:

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 any 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 MINIARSKI. 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

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

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 26th day of August, 1991.

*Arnold Jablon*  
ARNOLD JABLON  
DIRECTOR

Received By:  
*James E. Dyer*  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: Helix Health System, et al  
Petitioner's Attorney: Robert J. Ryan

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and  
Development Management

DATE: September 25, 1991

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

SUBJECT: Helix Health System, Inc., Item No. 91

Based upon an analysis of the information provided, staff offers the following comment:

The Office of Planning and Zoning supports the applicant's request to extend and modify the special exception for an elderly housing facility. The proposed entrance sign concept reveals an attractive design, and this office supports the variance request, as well.

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/rdn  
ITEMNO91/TXTROZ

Baltimore County Government  
Fire Department

700 East Joppa Road, Suite 901  
Towson, MD 21204-5800

(301) 887-1500

SEPTEMBER 16, 1991

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: HELIX HEALTH SYSTEM, INC.  
Location: PROPERTY OF FRANKLIN SQUARE DRIVE  
Item No.: 91 Zoning Order: SEPTEMBER 3, 1991  
Cenitemen:

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 building and structure 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.

Noted and Approved  
Planner/Group Special Inspection Division  
Fire Prevention Bureau

JF/VEY

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Zoning Administration and Development Management

DATE: September 24, 1991

FROM: Robert W. Bowling, P.E.  
Zoning Advisory Committee Meeting  
for September 3, 1991

RE: The Developers Engineering Division has reviewed the subject zoning items and we have no comments for items 55, 56, 54, 82, 85, 88, 89, 90, 93, 94, 96, 97, 98, and 99.

For item 84, see the County Review Group comments for the St. Luke's Apartment site.

For item 91, the previous County Review Group and Public Works Agreement comments remain in effect.

For item 92, the previous County Review Group comments remain in effect.

For item 95, see the County Review Group comments for this site.

For item 101, comments are reserved for this site until the County Review Group meeting.

*Robert W. Bowling*  
ROBERT W. BOWLING, P.E. (PH)  
Developers Engineering Division

RWB:s

BUREAU OF TRAFFIC ENGINEERING  
DEPARTMENT OF PUBLIC WORKS  
BALTIMORE COUNTY, MARYLAND

DATE: October 9, 1991

TO: Mr. Arnold Jablon, Director  
Office of Zoning Administration  
and Development Management

FROM: Rahee J. Famill

SUBJECT: Z.A.C. Comments

Z.A.C. MEETING DATE: September 3, 1991

This office has no comments for item numbers 54, 82, 85, 88, 89, 90, 91, 93, 94, 96 and 97.

*Rahee J. Famill*  
Rahee J. Famill  
Traffic Engineer II

RJF/lvd

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

October 7, 1991

TO: ZONING COMMISSIONER, DEPARTMENT ZONING

FROM: RICHARD F. SEIM, PLANS REVIEW CHIEF,  
DEPARTMENT OF PERMITS & LICENSES

SUBJECT: ZONING ITEM #: 91  
PROPERTY OWNER: Helix Health System, Inc. (Parent of Franklin Square Hospital Center, Inc.)  
LOCATION: N/S Franklin Square Dr., 840' SW of King Avenue (Property of Franklin Sq. Hospital)  
ELECTION DISTRICT: 14th  
COUNCILMANIC DISTRICT: 6th

A REVIEW OF THE SITE PLAN FOR THE ABOVE ZONING ITEM INDICATES THE FOLLOWING:

- ( ) PROPOSED SITE PLAN DOES, DOES NOT, COMPLY TO STATE CODE OF MARYLAND REGULATION 05.02.02, MARYLAND BUILDING CODE FOR THE HANDICAPPED.
- ( ) PARKING LOCATION ( ) RAMPS (degree slope)
- ( ) NUMBER PARKING SPACES ( ) CURB CUTS
- ( ) BUILDING ACCESS ( ) SIGNAGE
- ( ) PLAN DOES, DOES NOT COMPLY TO SET BACKS FOR EXTERIOR FIRE SEPARATION DISTANCE OF ARTICLE 5 AND ARTICLE 9 OF THE CURRENT BALTIMORE COUNTY BUILDING CODE.
- ✓ A BUILDING PERMIT IS REQUIRED BEFORE ANY CONSTRUCTION CAN BEGIN. SECTION 111.1 OF ARTICLE 1. CONSTRUCTION DRAWINGS MAY BE REQUIRED.
- ( ) A CHANGE OF OCCUPANCY PERMIT IS REQUIRED TO CHANGE THE EXISTING USE OF THE STRUCTURE TO THE PROPOSED USE. SEE ARTICLE THREE AND ARTICLE ONE, SECTION 103.2 ALTERATIONS MAY BE NECESSARY BY CODE TO COMPLY TO NEW USE REQUIREMENTS.
- ( ) STRUCTURE IS SUBJECT TO FLOOD PLAIN LIMITATIONS, SECTION 517.0 COUNCIL BILL #192-90 (BALTIMORE COUNTY BUILDING CODE).
- ( ) OTHER -

PERMITS MAY BE APPLIED FOR @ ROOM 100, 111 WEST CHESAPEAKE AVENUE, TOWSON, MARYLAND 21204 - PHONE - 887-3900.

THIS REVIEW COVERS ONLY MAJOR ITEMS ASSOCIATED WITH THE SITE PLAN. A FULL REVIEW MAY BE CONDUCTED WHEN THE PERMIT APPLICATION AND PLANS ARE SUBMITTED.

APPLICABLE CODE: 1990 NATIONAL BUILDING CODES AS ADOPTED BY COUNTY COUNCIL BILL #192-90 EFFECTIVE 1/13/91

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

DATE: October 2, 1991

TO: Mr. Wirth / SWM (2)(Pre-App Permit only)  
Mr. Powell / EIRD  
Mr. Pilson / W&S  
Mr. Flowers / CBGA  
Mr. Maranto / Planning  
Mr. Richards / Zoning  
Mr. Bowling / DED (2)  
Mr. Famill / Traffic  
Mr. Weiss / Sanitation  
Mr. Beaumont / Land Acq.  
Ms. Lutz / House Nos.  
Capt. Kelly / Fire Dept.  
Mr. Kincaid / Rec.&Parks  
Mr. Brocato / SHA  
Mr. Butcher / CSP  
Mr. Keller / OPZ Deputy Director (FYI)

FROM: Susan Wimbley  
Bureau of Public Services

SUBJECT: District: 14C6  
Project Name: Franklin Woodgy  
Project No.:  
Engineer: Daft, McCune, And Walker  
Phone No.: 296-3333

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 :  
Pre-Approved Building Permits: No

Please provide separate comments for Building Permits.  
NOTE: Please detail any comments where permit cannot be approved, but subdivision approval is acceptable.

Please review the attached plan for compliance with current regulations and return comments to our office by 10/23/91. 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

TO: JLL  
RECEIVED  
OCT 3 1991  
By: scj

