



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 6, 1999

Colonial Bank
1928 First Avenue North
8th Floor
Birmingham, Alabama 35801

To Whom It May Concern:

RE: Zoning Verification, 4511 Robosson Court - 7.75 acres +/-, Chapel Hill
Convalescent Home, aka Frederick Villa Nursing Home, (the "Project"),
Case #97-143-SPHA, 2nd Election District

Staff has reviewed your request for zoning verification on the above
referenced site and based on the provided information and plan and a review of
our records, the following has been determined as of the date hereof:

1. Current Zoning: The land on which the Project is constructed is zoned
R.C.4 and is subject only to the use restrictions generally applicable to
that classification which are contained in the Baltimore County Zoning
Ordinance.

2. Conformance with Current Zoning Requirements: Based on the materials
available from our records, we have determined that the Project is legally
nonconforming both as to its use and structures. To the best of our
knowledge, the Project is legally nonconforming in the following respects:

The R.C.4 zone does not permit convalescent (i.e., nursing home) care;
however the Zoning Commissioner approved the expansion of the use as
previously approved in Case #4250-X in Case #97-143-SPHA (see attached
Order).

3. Right to Rebuild Following Casualty: In the event of casualty, the Project
may be rebuilt substantially in its current form (i.e., no loss of square
footage, same building footprint) upon satisfaction of the following
conditions and or limitations:

Pursuant to Sections 104.1, 104.2 and 104.3 Baltimore County Zoning
Regulations (see attached copy).

4. No Further Approvals or Licenses Required: The current use of the Project
by its present owners for convalescent (nursing home) care for 69 beds is
a permitted use under the Zoning Ordinance without the necessity of any
rezoning, special exceptions, use permit, variance or other approval,
other than those already granted. We are not aware of any other permit or

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license required by this jurisdiction that a purchaser must obtain before it may acquire the Project or before the Project may continue to be used in the manner in which it is presently being used.

5. Parking: The required number of parking spaces for this Property is 1 space for 3 beds, which per the approved site plan is: $69 \text{ beds} / 3 \text{ spaces} = 23 \text{ spaces}$ with 103 spaces proposed.
6. No Applications Pending: To the best of my knowledge, no application for rezoning of the Project, or for a special or conditional use permit or variance in connection with the Project, is now pending. No proceeding to challenge the zoning, or other governmental approval or use of the Project is pending, or, to the best of our knowledge, overtly threatened.
7. No Violations; All Development-Related Fees Paid: We are unaware of (i) the existence of any violations or alleged violations of any zoning, subdivision, building or similar ordinances or regulations applicable to the Project within the past three years, or (ii) any enforcement proceedings against the Project that are pending or contemplated. We are of the opinion that all fees required have been paid in connection with the development and use of the Project, including any impact-related fees, have been paid, and no such fees which would have applicability to the Project are otherwise pending or contemplated.

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:ggs

Enclosure

c: Case Number: 97-143-SPHA

**McGUIRE WOODS
BATTLE & BOOTHE LLP**

7 Saint Paul Street, Suite 1000
Baltimore, Maryland 21202-1626
Telephone/TDD (410) 659-4400 • Fax (410) 659-4599

To: JRA JUL
6/25/99
WCB
TLC
DSK 6/28

Charmayne E. Litz
E-mail: celitz@mwbb.com

Direct Dial: 410-659-4425
Direct Fax: 410-659-4475

June 25, 1999

VIA HAND DELIVERY

Baltimore County, Maryland
Zoning Department
111 W. Chesapeake Avenue, Room 111
Towson, Maryland 21204
Attn: Karl Richards

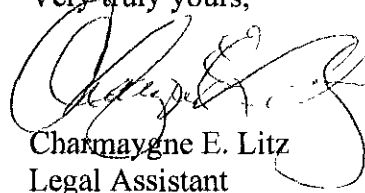
Re: Zoning Verification for TA# 02-22-00025252 AND #02-22-00025253, TM 66,
Grids 13 & 14, Parcels 307 & 408
aka 4507 and 4511 Robosson Road, Baltimore County, Maryland

Dear Mr. Richards:

Pursuant to our telephone conversation, enclosed please find the survey prepared by H. Malmud & Associates to be used in connection with the issuance of the zoning verification letter for the above-referenced property containing a 69 bed nursing home.

If you have any questions or comments, please do not hesitate to contact me directly at the number indicated above.

Very truly yours,


Charmayne E. Litz
Legal Assistant

cc: Patrick M. Shelley, Esquire

99-1718

**McGUIRE WOODS
BATTLE & BOOTHE LLP**

7 Saint Paul Street, Suite 1000
Baltimore, Maryland 21202-1626
Telephone/TDD (410) 659-4400 • Fax (410) 659-4599

Charmayne E. Litz
E-mail: celitz@mwbb.com

To: ~~June~~ ASAP
6/25/99
na
Direct Dial: 410-659-4425
Direct Fax: 410-659-4475

June 24, 1999

VIA FEDERAL EXPRESS

Baltimore County, Maryland
Zoning Department
111 W. Chesapeake Avenue, Room 111
Towson, Maryland 21204
Attn: Arnold Jablon

Re: Zoning Verification for TA# 02-22-00025252 AND #02-22-00025253, TM 66,
Grids 13 & 14, Parcels 307 & 408
aka 4507 and 4511 Robosson Road, Baltimore County, Maryland

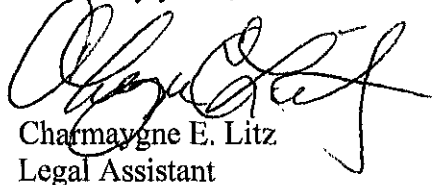
Dear Mr. Jablon:

In addition to my previous request for the Frederick Villa Nursing Home (attached), I would like to request that the Department of Zoning to issue a zoning verification letter in substantially the form attached hereto for the above-referenced property containing a 69 bed skilled nursing home. I have also enclosed a check in the amount of \$40.00 made payable to Baltimore County, Maryland which represents the fee required to issue the zoning verification letter.

The above property is scheduled to close on June 29, 1999. Please call me upon receipt of this request so that we can discuss a method of expedited delivery (i.e., telecopy or overnight). I will receive a survey for the properties Friday morning and plan to have them hand delivered to Karl Richards in order to quicken the process of issuing the zoning letter. Although the zoning verification letter is addressed to the Colonial Bank, the original will need to be forwarded directly to the undersigned at the above-referenced address.

If you have any questions or comments, please do not hesitate to contact me directly at the number indicated above.

Very truly yours,



Charmayne E. Litz
Legal Assistant

cc: Patrick M. Shelley, Esquire



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

December 13, 1996

Phyllis C. Friedman, Esquire
Friedman and Friedman, LLP
Mercantile Bank Building
Suite 900
409 Washington Avenue
Towson, Maryland 21204-4906

RE: Petitions for Special Hearing and Variance
Robosson Court Realty, LLC - Petitioners
Case No. 97-143-SPHA

Dear Mrs. Friedman:

This is to acknowledge receipt of your Motion for Reconsideration and Rescission of the Order issued in the above matter on November 20, 1996.

Pursuant to your request, I have executed your Order and enclose a copy herewith.

I will hold this case file pending your advice. If an additional hearing is necessary, please advise and I will arrange for same to be scheduled. If you are able to resolve your differences with People's Counsel and wish to submit an amended hearing, same will be entertained at that time.

I look forward to hearing from you, and please do not hesitate to contact me should you wish to discuss this matter further.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.
c: People's Counsel

MICROFILMED



Baltimore County, Maryland

OFFICE OF PEOPLE'S COUNSEL

Room 47, Old Courthouse
400 Washington Ave.
Towson, MD 21204

(410) 887-2188

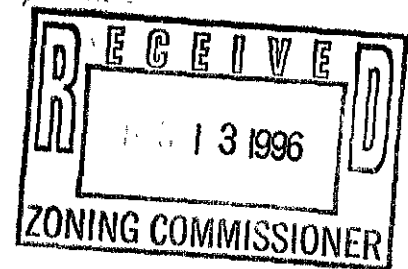
*file in
Case file
pgs*

PETER MAX ZIMMERMAN
People's Counsel

CAROLE S. DEMILIO
Deputy People's Counsel

December 13, 1996

Lawrence E. Schmidt, Esquire
Baltimore County Zoning Commissioner
Old Courthouse, Room 118
400 Washington Avenue
Towson, MD 21204



Hand-delivered

Re: Petition for Special Hearing & Variance
4511 Robosson Road (Chapel Hill Con-
valescent Home), N/S Liberty Road,
770' E of Wards Chapel Road, 2nd
5th Election District, 1st Councilmanic
PETITIONERS: ROBOSSON COURT REALTY
Case No. 97-143-SPHA

Dear Mr. Schmidt:

Upon review of Petitioner's Motion for Reconsideration, it appears helpful to clarify this office's position.

People's Counsel does not oppose rescission of the Commissioner's Order dated November 20, 1996.

In the absence of timely rescission, this office would be obligated to appeal that Order, because of its long-standing opposition to variances in the RC-4 watershed protection zone (with particular concern about deviation from impermeable surface standards), and because the nursing home is not a permitted use in the RC-4 zone.

There is no agreement of this office as to any potential modification of the petition, or of the Commissioner's Order. Any new or amended request would be reviewed by this office and also be subject to independent review and approval by the Commissioner after a hearing.

This procedure is without prejudice to Petitioner. It may still request that the Commissioner reinstate the November 20, 1996 Order. In that event, this office will file its appeal.

1/10/97

Lawrence E. Schmidt, Esquire
Baltimore County Zoning Commissioner
December 13, 1996
Page Two

Very truly yours,

Peter Max Zimmerman

Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio

Carole S. Demilio
Deputy People's Counsel

PMZ/caf

cc: Phyllis C. Friedman, Esq., 409 Washington Ave., Suite 900,
Towson, MD 21204, Attorney for Petitioner

Mr. Albert Ludwig, 4514 Robosson Road, Randallstown, MD 21133

Mr. Charles Heise, 11000 Liberty Road, Randallstown, MD 21133

MICROFILMED

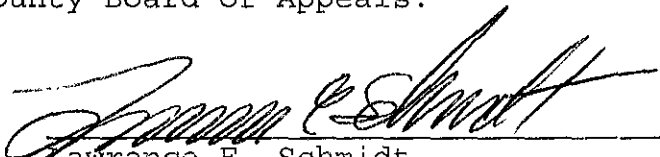
IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE - NE/S Liberty Road	*	
and Robosson Road, 770' E of	*	ZONING COMMISSIONER
Wards Chapel Road (4511 Robosson Rd)	*	
2nd Election District	*	OF BALTIMORE COUNTY
1st Councilmanic District	*	
	*	Case No. 97-143-SPHA
Robosson Court Realty, LLC	*	
Petitioners	*	

* * * * *

ORDER

Upon consideration of the Petitioner's Motion for Reconsideration and Rescission filed in this proceeding, it is this 12th day of December, 1996,

ORDERED by the Zoning Commissioner of Baltimore County that the Findings of Fact and Conclusions of Law, together with the Order dated November 20, 1996 be and are hereby rescinded and any person dissatisfied with any subsequent Findings of Fact and Conclusions of Law issued in this matter shall have a period of thirty (30) days from the date of such subsequent Findings of Fact and Conclusions of Law within which to file an appeal to the County Board of Appeals.



 Lawrence E. Schmidt
 Zoning Commissioner for Baltimore
 County

RECEIVED

LAW OFFICES

D. Sylvan Friedman
Louis F. Friedman
Gary P. Aiken
William S. Davis, Jr.
Phyllis Cole Friedman
Emmett W. Ryan
Freddie J. Traub
Jeffrey S. Glaser

FRIEDMAN & FRIEDMAN, LLP

MERCANTILE BANK BUILDING
SUITE 900
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4906

FAX (410) 494-1429

(410) 494-0100

December 10, 1996

DELIVERED BY HAND

Mr. Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Office of Planning and Zoning
112 Courthouse
400 Washington Avenue
Towson, MD 21204

re: Petitions for Special Hearing and Variance
NE/S Liberty Road and Robosson Road, 770' of Wards
Chapel Road (4511 Robosson Road)
2nd Election District - 1st Councilmanic District
Robosson Court Realty, LLC - Petitioners
Case No. 97-143-SPHA

Dear Mr. Schmidt:

Enclosed please find a Motion for Reconsideration and Rescission of your Order in the above-referenced case along with a proposed Order. Petitioner's Counsel has been discussing alternatives with People's Counsel and would like additional time to see if this case can be resolved while it is still at the Zoning Commissioner's level.

Thank you in advance for your consideration.

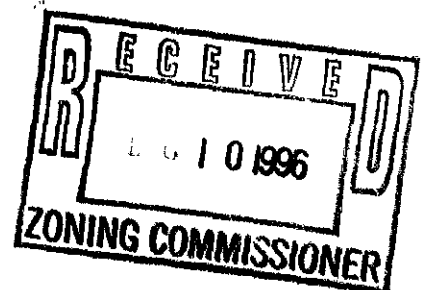
Sincerely yours,

Phyllis C. Friedman

Phyllis C. Friedman

PCF:be
enc.

ccs: Henry Reitberger
David S. Thaler
Stacy A. McArthur
Albert L. Ludwig
Charles A. Heise
Norman Gerber
People's Counsel for Baltimore County
w/encs.



#4590

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - NE/S Liberty Road and
Robosson Road, 770' E of Wards * ZONING COMMISSIONER
Chapel Road (4511 Robosson Road)
2nd Election District * OF BALTIMORE COUNTY
1st Councilmanic District *
Robosson Court Realty, LLC * Case No. 97-143-SPHA
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 4511 Robosson Road, located in the vicinity of Liberty Road in Randallstown. The Petitions were filed by the owners of the property, Robosson Court Realty, LLC, by Henry Reitberger, President, through their attorney, Phyllis C. Freidman, Esquire. The Petitioners seek approval of an amendment to the previously approved special exception and site plan in prior Case No. 4250-X (1957) to reflect existing conditions and to add 59 parking spaces. The Petitioners also seek variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 413.1.E.1 to permit one sign of 24 sq.ft. total in lieu of the maximum permitted 15 sq.ft.; from Section 1A03.4.B.2 to permit non-residential building setbacks to the centerline of a street of 70 feet and 75 feet in lieu of the required 100 feet; from Section 1A03.4.B.3 to permit 20% impervious surface use in lieu of the maximum permitted 10%; from Section 409.4.C to permit a two-way drive aisle width of 18 feet in lieu of the required 22 feet; and from Section 409.8.A.4 to permit a parking setback to a street right-of-way of 0 feet in lieu of the required 10 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

ORDER RECEIVED FOR FILING

Date 11/20/96

By [Signature]

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Appearing at the hearing on behalf of the Petitions were Henry Reitberger, President of Robosson Court Realty, LLC, legal owners of the property, David S. Thaler, a principal with D. S. Thaler & Associates, Inc., who prepared the site plan for this property, Norman Gerber, a Land Planner and former Director of the Office of Planning, and Albert L. Ludwig and Charles A. Heise, adjoining property owners. There were no Protestants or other interested persons present.

At the onset of the hearing, Ms. Friedman proffered that the subject Petitions had been filed to allow the Petitioners to obtain an approved and up-to-date site plan for the property and use thereon.

Testimony and evidence offered revealed that the subject property consists of a gross area of 8.09 acres, more or less, zoned R.C.4, and is the site of the Chapel Hill Convalescent Home. The property is an irregularly shaped parcel which fronts on Liberty Road, but is accessed by Robosson Road. Mr. Reitberger testified that he is the President and Chief Operating Officer of the nursing home which exists on site. He testified that his company owns two nursing homes in Baltimore County, including the subject facility, which they acquired earlier this year, and one in Prince George's County. Mr. Reitberger explained that his operation is a family-run business and that he is duly licensed and regulated by the State of Maryland. It was proffered that the operation on site is of high quality and that Mr. Reitberger's businesses have never been subject to sanction or citation for failure to abide by regulation.

As noted above, the subject site was approved for development with a nursing home facility in 1957, pursuant to special exception relief granted at that time for the operation. Since then, there have been a series of additions to the building. Interestingly, the neighbors who

COPIES RECEIVED
11/20/76
JSP

appeared were able to confirm the evolution of the building over the years and offered testimony about the various wings and additions which have been added over time. At the present time, the home is licensed and houses 69 elderly residents. There are no plans to expand the building or to increase its capacity; however, several renovations are necessary. Specifically, it was indicated that 59 parking spaces would be added to the 44 presently on site to provide 103 parking spaces total. Moreover, a new elevator is needed within the building and the HVAC system and lighting will be overhauled and refurbished. Due to these renovations and improvements to the site, particularly the additional parking area, the Petitioners come before this Zoning Commissioner seeking special hearing and variance relief to bring the property and its site plan into compliance with all applicable zoning regulations.

On behalf of the Petitioners, Mr. Thaler explained the details of the site plan and the variances requested. He emphasized that no additional building construction was proposed at this time and that the capacity of the nursing home would not be increased. He opined that the present use was permissible under the B.C.Z.R. and that zoning relief was needed only to update the site plan and approve the additional parking arrangement. Mr. Thaler also highlighted the development of the site over the years, describing the initial construction in 1957 and the improvements to the building which occurred over the intervening years.

In support of the variances, Mr. Thaler also noted that a small portion of the site is bi-sected by a paper street, known as Chapel Road. Variance relief is needed from the setbacks required from the centerline of that street, notwithstanding the fact that the road does not actually exist in the field. Mr. Thaler also described the unique configuration

ORDER RECEIVED FOR FILING
Date 11/29/86
By [Signature]

and site constraints of the property. Mr. Thaler opined that these site constraints (e.g., the property's configuration, location of drain fields, and paper street, etc.) as well as the unique history of the site and long term use of the property justified the variance requests.

As noted above, vehicular access to the site is from Robosson Road. The neighbors who attended the hearing raised concern as to some large outcroppings of rocks at the entrance to this site, which, at times, has blocked large vehicles from easy access to the property. That is, if a tractor trailer came in to deliver goods to this site, the driver might be forced to back onto a neighbor's property to make the turn due to the existence of these rocks. The Petitioners agreed that they would either remove the rocks or otherwise improve the entrance to the site. Therefore, as a condition of approval, the Petitioners shall improve vehicular access to the site so as to prevent large vehicles and trucks from backing onto a neighbor's property. Furthermore, the Petitioners agreed to do a limited amount of landscaping near the new parking area located adjacent to Robosson Road to screen the view of those parking spaces from the residences located across Robosson Road.

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 a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

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).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variance relief are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land and structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE *with* IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of November, 1996 that the Petition for Special Hearing to approve an amendment to the previously approved special exception and site plan in prior Case No. 4250-X (1957) to reflect existing conditions and to add 59 parking spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 413.1.E.1 to permit one sign of 24 sq.ft. total in lieu of the maximum permitted 15 sq.ft.; from Section 1A03.4.B.2 to permit non-residen-

ORDER RECORDED FOR FILING
DATE 11/29/96
BY [Signature]

tial building setbacks to the centerline of a street of 70 feet and 75 feet in lieu of the required 100 feet; from Section 1A03.4.B.3 to permit 20% impervious surface use in lieu of the maximum permitted 10%; from Section 409.4.C to permit a two-way drive aisle width of 18 feet in lieu of the required 22 feet; and from Section 409.8.A.4 to permit a parking setback to a street right-of-way of 0 feet in lieu of the required 10 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, conditioned upon the following restrictions:

- 1) The 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 relief granted herein shall be rescinded.
- 2) The Petitioners shall improve vehicular access to the site, either by removing the rock outcroppings or making improvements to the entranceway itself so as to prevent large vehicles and trucks from backing onto a neighbor's property.
- 3) The Petitioners shall provide landscaping along Robosson Road in the area of the additional parking spaces in such a manner that this parking area is screened from the view of those residences located across Robosson Road.
- 4) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

ORDER RECEIVED FOR FILING
Date 11/28/16
By [Signature]



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 20, 1996

Phyllis C. Friedman, Esquire
409 Washington Avenue, Suite 900
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING and VARIANCE
NE/S Liberty Road and Robosson Road, 770' E of Wards Chapel Road
(4511 Robosson Road)
2nd Election District - 1st Councilmanic District
Robosson Court Realty, Inc. - Petitioners
Case No. 97-143-SPHA

Dear Ms. Friedman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Henry Reitberger, President, Robosson Court Realty, LLC
5411 Old Frederick Road, Suite #4, Baltimore, Md. 21229

Mr. David S. Thaler & Ms. Stacy A. McArthur, R.L.A.
D.S. Thaler & Assoc., Inc., 7115 Ambassador Road, Baltimore, Md. 21244

Mr. Albert L. Ludwig, 4514 Robosson Road, Randallstown, Md. 21133
Mr. Charles A. Heise, 11000 Liberty Road, Randallstown, Md. 21133
Mr. Norman Gerber, 35 Pickbyrn Court, Cockeysville, Md. 21030

People's Counsel; Case File

MICROFILMED



Petition for Special Hearing

97-143-SPHA

to the Zoning Commissioner of Baltimore County

for the property located at 4511 Robosson Road, Randallstown 21133

which is presently zoned RC4

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Special Hearing to amend Special Exception Plan for convalescent home approved in case No. 4250X (1957) to reflect existing conditions and to add 59 parking spaces. No modifications to existing structures are requested.

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

I, or we, agree to pay expenses of 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/Lessee

(Type or Print Name)

Signature

Address

City

State

Zipcode

Legal Owner(s):

Robosson Court Realty, LLC

(Type or Print Name)

Signature

Henry Reitberger, President

(Type or Print Name)

Signature

5411 Old Frederick Rd., #4 (410) 788-7034

Address

Phone No.

Baltimore

MD

21229

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Stacy A. McArthur, R.L.A.

D.S. Thaler & Associates, Inc.

Name

7115 Ambassador Rd. (410) 944-3684

Address

Baltimore, MD 21244

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL _____

OTHER _____

REVIEWED BY: _____

DATE _____

Attorney for Petitioner.

Phyllis C. Friedman

(Type or Print Name)

Signature

409 Washington Ave., #900 (410) 494-0100

Address

Phone No.

Towson

MD

21204

City

State

Zipcode

ORDER RECEIVED FOR FILING
Date 11/29/96
By [Signature]



Zoning Administration



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4511 Robosson Road, Randallstown, 21133

which is presently zoned RC4

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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(s)

SEE ATTACHED

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

Hardship and practical difficulty due to existing conditions from prior approval and provide appropriate on site parking. Larger sign is needed due to lack of visibility of site from road and need for adequate identification on high speed highway.

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

State

Zipcode

Attorney for Petitioner

Phyllis C. Friedman

(Type or Print Name)

Signature

408 Washington Ave., #900 (410) 494-0100

Address

City

MD

Phone No.

21204

State

Zipcode

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)

Robosson Court Realty, LLC

(Type or Print Name)

Signature

Henry Reitberger President

(Type or Print Name)

Signature

5411 Old Frederick Rd., #4 (410) 788-7034

Address

Phone No.

Baltimore

MD

21229

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Stacy A. McArthur, R.L.A.

D.S. Thaler & Associates, Inc.

Name

7115 Ambassador Rd. (410) 944-3684

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

DATE

ORDER RECEIVED FOR FILING



Printed with Soybean Ink
on Recycled Paper

MICROFILMED

145

ATTACHMENT,
PETITION FOR VARIANCE

97-143-SPHA

TO THE ZONING COMMISSION OF BALTIMORE COUNTY

for the property located at 4511 Robosson Road, Randallstown, MD 21133
which is presently zoned RC4

Section 413.1.E.1. to allow one sign @ 24 SF± in lieu of 15';

Section 1A03.4.B.2. to allow a non-residential building setback to the
centerline of a street to be 70' and 75' in lieu of 100';

Section 1A03.4.B.3. to allow 20% of impervious surface in lieu of 10%;

Section 409.4.C. to allow a two-way drive aisles of 18' in lieu of 22';
and

Section 409.8.A.4. to allow a 0' parking setback to a right-of-way in leu
of 10'.

And any other variances deemed necessary.

ORDER RECEIVED FOR FILING

Date

By

#4590

MICROFILMED

June 20, 1996

CHAPEL HILL CONVALESCENT HOME

97-143-
SPHA

DESCRIPTION

(For Zoning Purposes Only)

Beginning at a point approximately 770 feet East of the intersection of Wards Chapel Road and Liberty Road on the northern 66 foot right-of-way line of Liberty Road, thence running the following 14 courses and distances:

1. North 07°42'58" East 150.07 feet, more or less, to a point;
thence,
2. North 82°40'46" West 101.25 feet, more or less, to a point;
thence,
3. North 08°03'42" East 375.76 feet, more or less, to a point;
thence,
4. North 82°22'31" West 105.76 feet, more or less, to a point;
thence,
5. North 07°14'45" East 333.86 feet, more or less, to a point;
thence,
6. South 60°18'32" East 280.28 feet, more or less, to a point;
thence,
7. North 08°04'16" East 189.65 feet, more or less, to a point;
thence,
8. South 61°05'54" East 173.43 feet, more or less, to a point;
thence,

MICROFILMED

page 2
June 20, 1996
CHAPEL HILL CONVALESCENT HOME
DESCRIPTION
(For Zoning Purposes Only)

97-143-SPHA

9. South 07°51'34" West 139.10 feet, more or less, to a point;
thence,
10. South 31°07'13" East 272.44 feet, more or less, to a point;
thence,
11. South 07°57'58" West 199.35 feet, more or less, to a point;
thence,
12. North 83°01'01" West 170.99 feet, more or less, to a point;
thence,
13. South 07°51'25" West 327.52 feet to the Northern right-of-way
line (66 feet wide) of Liberty Road, thence with said road,
14. North 82°25'32" West 213.17 feet to the point of beginning.

Containing approximately 7.75 acres of land, more or less.

Located in the Second Election District of Baltimore County.
Based upon the location and boundary survey of Chapel Hill
Convalescent Home prepared by Malmud and Associates, Inc. (December
1995).

SAM/gfl/ChapelHill/D#5/J.20



MICROFILMED

NOTICE OF HEARINGS

Public Hearing
The following proposed amendments to the Zoning Ordinance of Baltimore County will be heard at a public hearing on the

proposed amendments in Room 106 of the County Office Building, 711 W. Chesapeake Avenue, in Towson, Maryland 21204, or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #97-143-A
(Item 145)

4511 Roboson Road -
Chapel Hill Convalescent Home

N/S Liberty Road, 770' E. of
Wards Chapel Road
2nd Election District
1st Councilmanic

Legal Owner(s):

Roboson Court Realty, LLC

Variance: to allow one sign at 24 +/- square feet in lieu of 15 feet; to allow a non-residential building setback to the centerline of a street to be 70 feet and 75 feet in lieu of 100 feet; to allow 20% of impervious surface in lieu of 10%; to allow a two-way drive aisles of 18 feet in lieu of 22 feet; to allow a zero foot parking setback to a right-of-way in lieu of 10 feet; and any other variances deemed necessary.

Special Hearing: to amend special exception plan for convalescent home approved in case #4250X to reflect existing conditions and to add 59 parking spaces.

Hearing: Wednesday, October 30, 1996 at 2:00 p.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT

Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations Please Call 887-3353.

(2) For information concerning the file and/or Hearing, Please Call 887-3391.

10/135 Oct 10 C89779

CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/10, 1996

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 10/10, 1996.

THE JEFFERSONIAN,

A. Henickson

LEGAL AD. - TOWSON

MICROFILMED

**BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT**

No. **069219**

DATE 6/28/99 ACCOUNT 001-6150

AMOUNT \$ 40.00 (JLL)

RECEIVED FROM: McGuire Woods Battle & Boothe

FOR: 4507 & 4511 Robosson Road

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
6/29/1999 6/28/1999 15:18:25

REG 1606 CASHIER KGM KXM DRAWER 4
Dept 5 528 ZONING VERIFICATION
Receipt # 077361
CR NO. 069219

Recpt Tot 40.00
40.00 OK .00 CA
Baltimore County, Maryland

CASHIER'S VALIDATION

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

No. 026352

#145 BY JLL

DATE 9/27/96 ACCOUNT R0016150

AMOUNT \$ 500.00

RECEIVED FROM: FRIEDMAN

FOR: 1 comm SPH 250.00
1 comm VAR 250.00

MICROFILMED

\$500.00

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING

RE: Case No.: 97-143 A

Petitioner/Developer: ROBOSSON COURT
REALTY, LLC % PHYLLIS FRIEDMAN,
ESQ

Date of Hearing/Closing: OCT. 30, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at #4511 ROBOSON ROAD
CHAPEL HILL CONVALESCENT HOME

The sign(s) were posted on OCTOBER 14, 1996
(Month, Day, Year)

Sincerely,

Patrick M. O'Keefe

(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE

(Printed Name)

523 PENNY LANE

(Address)

HUNT VALLEY, MD. 21030

(City, State, Zip Code)

666-5366

(Telephone Number)



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 145

Petitioner: Robosson Court Realty, L.L.C.

Location: 4511 Robosson Rd Baltimore, MD 21233

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Phyllis C. Friedman, Esq

ADDRESS: 409 Washington Ave. Ste 900

Towson, MD 21204

PHONE NUMBER: (410) 494-0100

AJ:ggs

(Revised 09/24/96)



ENCLOSURE

TO: PUTUMENT PUBLISHING COMPANY
October 10, 1996 Issue - Jeffersonian

Please forward billing to:

Phyllis C. Friedman, Esq.
409 Washington Avenue #900
Towson, MD 21204
494-0100

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 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

SPK
CASE NUMBER: 97-143-A (Item 145)
4511 Robosson Road - Chapel Hill Convalescent Home
N/S Liberty Road, 770' E of Wards Cjhapel Road
2nd Election District - 1st Councilmanic
Legal Owner(s): Robosson Court Realty, LLC

Variance to allow one sign at 24+/- square feet in lieu of 15 feet; to allow a non-residential building setback to the centerline of a street to be 70 feet and 75 feet in lieu of 100 feet; to allow 20% of impervious surface in lieu of 10%; to allow a two-way drive aisles of 18 feet in lieu of 22 feet; to allow a zero foot parking setback to a right-of-way in lieu of 10 feet; and any other variances deemed necessary.

Special Hearing to amend special exception plan for convalescent home approved in case #4250X to reflect existing conditions and to add 59 parking spaces.

HEARING: WEDNESDAY, OCTOBER 30, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 3, 1996

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 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

SPH
CASE NUMBER: 97-143-A (Item 145)
4511 Robosson Road - Chapel Hill Convalescent Home
N/S Liberty Road, 770' E of Wards Chapel Road
2nd Election District - 1st Councilmanic
Legal Owner(s): Robosson Court Realty, LLC

Variance to allow one sign at 24+/- square feet in lieu of 15 feet; to allow a non-residential building setback to the centerline of a street to be 70 feet and 75 feet in lieu of 100 feet; to allow 20% of impervious surface in lieu of 10%; to allow a two-way drive aisles of 18 feet in lieu of 22 feet; to allow a zero foot parking setback to a right-of-way in lieu of 10 feet; and any other variances deemed necessary.

Special Hearing to amend special exception plan for convalescent home approved in case #4250X to reflect existing conditions and to add 59 parking spaces.

HEARING: WEDNESDAY, OCTOBER 30, 1996 at 2:00 p.m. in Room 106, County Office Building.

Arnold Jablon
Director

cc: Robosson Court Realty, LLC
Stacy A. McArthur, R.L.A.
Phyllis C. Friedman, Esq.

- NOTES: (1) THE ZONING NOTICE SIGN MUST BE POSTED ON THE PROPERTY BY OCTOBER 15, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 30, 1996

Phyllis C. Friedman, Esquire
409 Washington Avenue, #900
Towson, MD 21204

RE: Item No.: 145
Case No.: 97-143-A
Petitioner: Robosson Court Realty

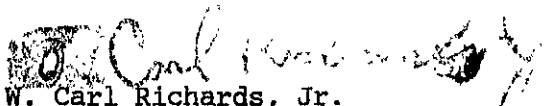
Dear Ms. Friedman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 27, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,


W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



B A L T I M O R E C O U N T Y , M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Permits and Development
 Management

DATE: October 16, 1996

FROM: Pat Keller, Director
 Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 137 & 145

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 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Carol L. Keras

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 10/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: ROBOSON COURT REALTY, LLC

Location: N/S LIBERTY RD. 770' E OF WARDS CHAPEL RD. (4511 ROBOSON RD.-
CHAPEL HILL CONVALESCENT HOME)

Item No.: 145

Zoning Agenda: VARIANCE/SPECIAL HEARING

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

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", 1991 edition prior to occupancy.

1093

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

10/10/96



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

10/7/96

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 145(222)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

MICROFILMED

B A L T I M O R E C O U N T Y, M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
 Department of Permits & Development
 Management

Date: October 17, 1996

FROM: Robert W. Bowling, Chief
 Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
 for October 15, 1996
 Item No. 145

The Development Plans Review Division has reviewed the subject zoning item. This office requests that the Hearing Officer require conformance with the Baltimore County Landscape Manual to the fullest extent possible. A Schematic Landscape Plan should be submitted to this office at least 1 (one) week prior to the hearing.

RWB:HJO:jrb

cc: File

ZONE31E

MICROFILMED

MICROFILMED

PETITION PROBLEMS

#137 --- JCM

1. No telephone number for legal owner.

#138 --- MJK

1. No telephone number for legal owner.

#140 --- JRA

1. Petition says zoning is R.C.-2; folder says D.R.-1.

#141 --- JRA

1. No telephone number for legal owner.

#145 --- JLL/JCM

1. No attorney signature on the variance form.

#146 --- CAM

1. No signature for either legal owner on form.
2. No telephone number for legal owner.
3. No description for property on folder.

#147 --- JCM

1. No item number on petition forms.
2. No review information on petition forms.

RECEIVED
10/1/96

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: September 27, 1996

TO: Hearing Officer

FROM: John L. Lewis
Planner II
Zoning Review, PDM

SUBJECT: Item #145
4511 Robosson Road

SPH
97-143-A

Somewhat unusual in that Phyllis Friedman had met with our staff (Joe Merrey and Arnold Jablon) at different times and due to these meetings, used current R.C.-4 zoning regulations for the variances.

I was a little uncomfortable with this since when a special exception is granted for a specific area, the rules in force at the time of the granting usually continue to apply. I believe that those setback regulations would have been considerably less than what is currently required.

I advised Phyllis and at my suggestion, she added "and any other variances deemed necessary" to the petition wording to cover unexpected issues.

JLL:scj

MICROFILMED

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
4511 Robosson Road (Chapel Hill
Convalescent Home), N/S Liberty Road,
770' E of Wards Chapel Road
2nd Election District, 1st Councilmanic

Robosson Court Realty, LLC
Petitioner

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-143-SPHA
*

* * * * *

ENTRY OF APPEARANCE

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

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Phyllis C. Friedman, Esq., 409 Washington Avenue, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

IN RE: PETITIONS FOR SPECIAL HEARING	*	BEFORE THE
AND VARIANCE - NE/S Liberty Road	*	
and Robosson Road, 770' E of	*	ZONING COMMISSIONER
Wards Chapel Road (4511 Robosson Rd)	*	
2nd Election District	*	OF BALTIMORE COUNTY
1st Councilmanic District	*	
	*	Case No. 97-143-SPHA
Robosson Court Realty, LLC	*	
Petitioners	*	

* * * * *

MOTION FOR RECONSIDERATION AND RESCISSION

Petitioner, Robosson Court Realty, LLC by its undersigned counsel, hereby moves for rescission and reconsideration of the Findings of Fact and Conclusions of Law issued on November 20, 1996 by the Zoning Commissioner for Baltimore County in the above-captioned matter.

The basis for this Motion is that the Office of People's Counsel for Baltimore County believes a modification of the original order would be more acceptable to the office and additional time is required so this petition can be resolved at the Zoning Commissioner level.

Respectfully submitted

Phyllis C. Friedman
Friedman & Friedman
409 Washington Avenue, #900
Towson, MD 21204
(410) 494-0100
Attorney for Petitioner

Post-It™ brand fax transmittal memo 7871		# of pages > 2
To ADAM CHAVIS	From KUGELBERG	
Co.	Co. BALTO PDM	
Dept.	Phone # 887-3353	
Fax # 526-0822	Fax # 887-5708	

County Government
Department of Permits and
Development Management



111 West Chesapeake Ave.
Towson, Md. 21204

(410) 887-3321

December 29, 1995

Mr. Mark A. Busch
The RBA Group
7164 Columbia Gateway Drive, Ste. 205
Columbia, Maryland 21046-2144

RE: Properties of Dixie Lee Hindman
4311 Rolloson Road
DRC Number 11135A, Dist. 2C1

Dear Sir:

Pursuant to Article 25A, Section 5(U) of the Annotated Code of Maryland and as provided in Section 602(d) of the Baltimore County Charter and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal or modification of a license, permit, approval, exemption, waiver or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to insure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management.

The DRC has in fact met in an open meeting on December 18, 1995 and made the following recommendations:

The DRC has determined that your project, as modified and signed by Rob Powell of DEPRM on 12/15/95, meets the requirements of a limited exemption under Section 26-171 (a)(9).

MICROFILMED

DEC-29-'95 FRI 09:40

ADM

TEL NO: 410-881 08

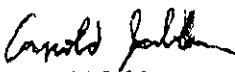
#231 002

Mr. Mark A. Busch
Properties of Dixie Lee Hindman
December 29, 1995
Page 2

I have reviewed the recommendations carefully and I have determined to adopt the recommendations set forth above. It is this 19th day of December, 1995, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for a building permit, your application will therefore, be approved subject to conditions set forth above.

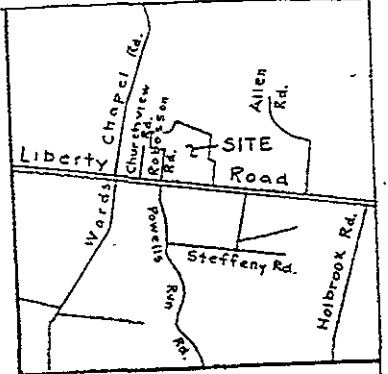
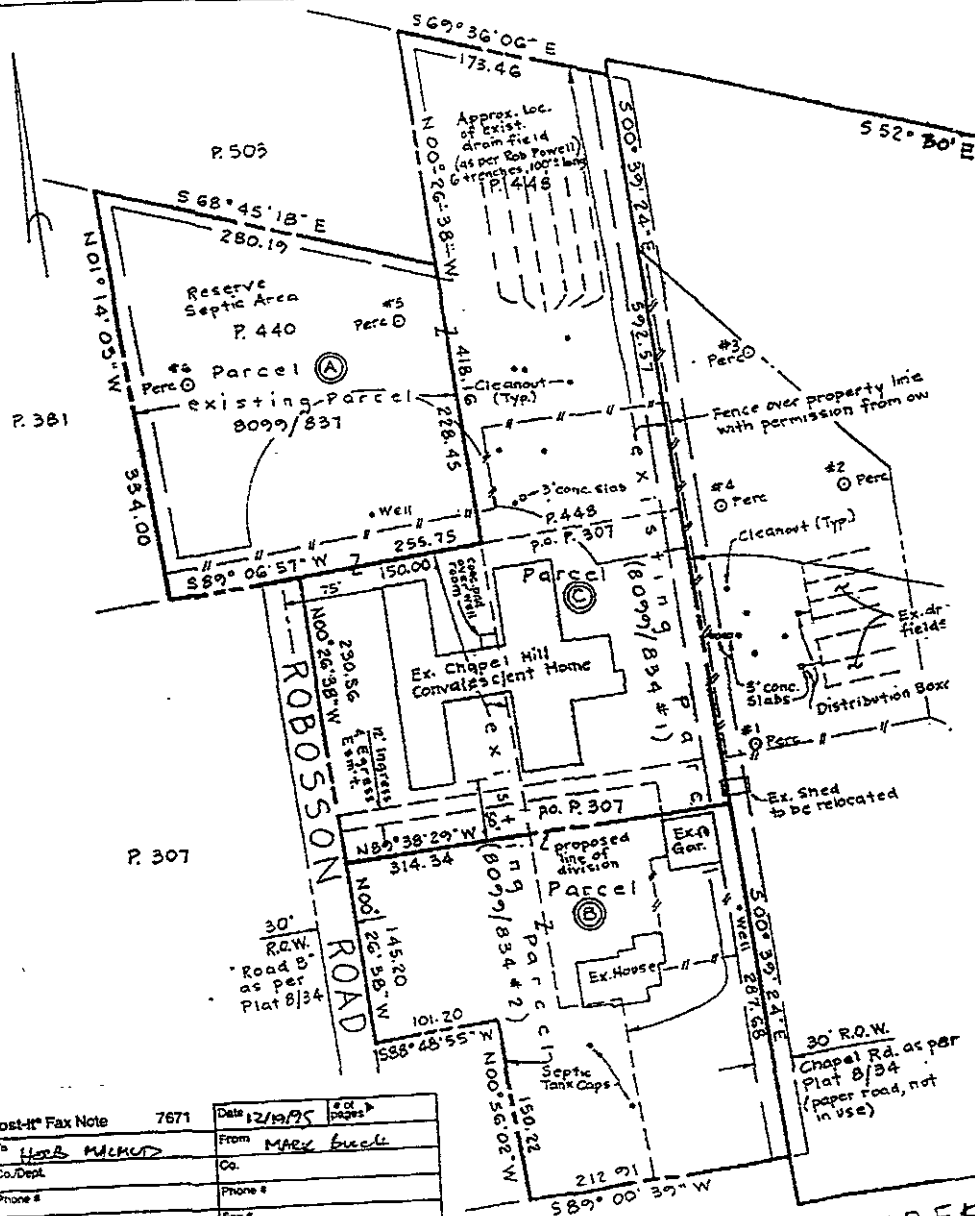
Sincerely,


Arnold Jablon
Director

AJ:DTR:KAK:aw

c: Larry Pilson
Susan Wimbley
File

RECEIVED



VICINITY MAP
Scale: 1" = 2000'

APPROVED:

Date

FILED
DEPT. OF ENVIRONMENTAL
PROTECTION & RESOURCE MGMT.
FINAL APPROVED PLAN 12/15/95

LIBERTY ROAD
SCALE: 1" = 100'

PERC LOCATION PLAN

Properties of Dixie Lee Hindman
Tax Map 66 Gr. 14 Parcels 440, 448,
504 and p. 307
2nd Elect. Dist. Balt. Co., Md. DEC. 14, 1995

Post-It Fax Note	7671	Date	12/14/95	By	MARK BUELL
To	HOBB MURPHY	From	MARK BUELL		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #		Fax #			

Baltimore County Government
Department of Permits and
Development Management



111 West Chesapeake Ave.
Towson, Md. 21204

(410) 887-3321

December 19, 1995

Mr. Mark A. Busch
The RBA Group
7164 Columbia Gateway Drive, Ste. 205
Columbia, Maryland 21046-2144

RE: Properties of Dixie Lee Hindman
4511 Roboson Road
DRC Number 11135A, Dist. 2C1

Dear Sir:

Pursuant to Article 25A, Section 5(U) of the Annotated Code of Maryland and as provided in Section 602(d) of the Baltimore County Charter and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal or modification of a license, permit, approval, exemption, waiver or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to insure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management.

The DRC has in fact met in an open meeting on December 18, 1995 and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 26-171 (a)(5).

Post-it brand fax transmittal memo 12/21 5:14 PM '95

To: Adam Chavis	From:
cc:	cc:
Dept:	Phone:
Fax:	Fax:

526-0823

MICROFILMED

I have reviewed the recommendations carefully and I have determined to adopt the recommendations set forth above. It is this 19th day of December, 1995, ordered and decided that the recommendations of the DRC are hereby adopted.

Sincerely,

Arnold Jablon
Director

File

OCT-26-1995 17:19 FROM

THE RBA GROUP COLUMBIA TO

14105260823

P.02



ENGINEERS • ARCHITECTS • PLANNERS

October 25, 1995

Mr. Arnold Jablon
Development Review Committee
111 Chesapeake Avenue
Towson, Maryland 21204

Re: Dixie Lee Hindman Property
Tax Map 66, Grid 14
Parcels 448, 504 and Part of 307

Post-It® Fax Note 7671		Date 10/27/95	# of pages 3
To Gary Aker	From ADAM CITRUS		
Co./Dept.	Co.		
Phone #	Phone #		
Fax # 494-1429	Fax # 526 0823		

Dear Mr. Jablon:

We are requesting a waiver to the minor subdivision process for the above listed properties. The purpose of the lot line adjustment is to separate the nursing home facility from the existing residence and other lands of the Grantor. Three properties are involved in the adjustment:

1. P448 and PO P307 L 8099 F834 Parcel 1
2. PO P 397 L8099 F 834 Parcel 2
3. PO 504 L 8804 F 240 Parcel 1

The change in the lines for parcels 307 and 448 will change from a north/south division line to an east/west line. (Shown on plat.)

The purpose of the 150 foot rectangle taken from Parcel 504 is to include the existing drain fields on the nursing home parcel. The 12 foot access easement shown on the plat will be created to access the existing garage on the residence lot.

If any other information is required from The RBA Group, please call me or Martha Kelley at (410) 995-6438, as soon as possible. The owners would like to settle as soon as possible and we are eager to expedite this matter.

Very truly yours,
THE RBA GROUP

Mark A. Busch
Mark A. Busch, Property Line Survey #508
Director, Survey Department
MAB/C

7164 Columbia Gateway Drive, Suite 205, Columbia, MD 21046-2144

(410) 312-0966 • Washington: (301) 621-8223 • FAX: (410) 312-0897

New Jersey

New York

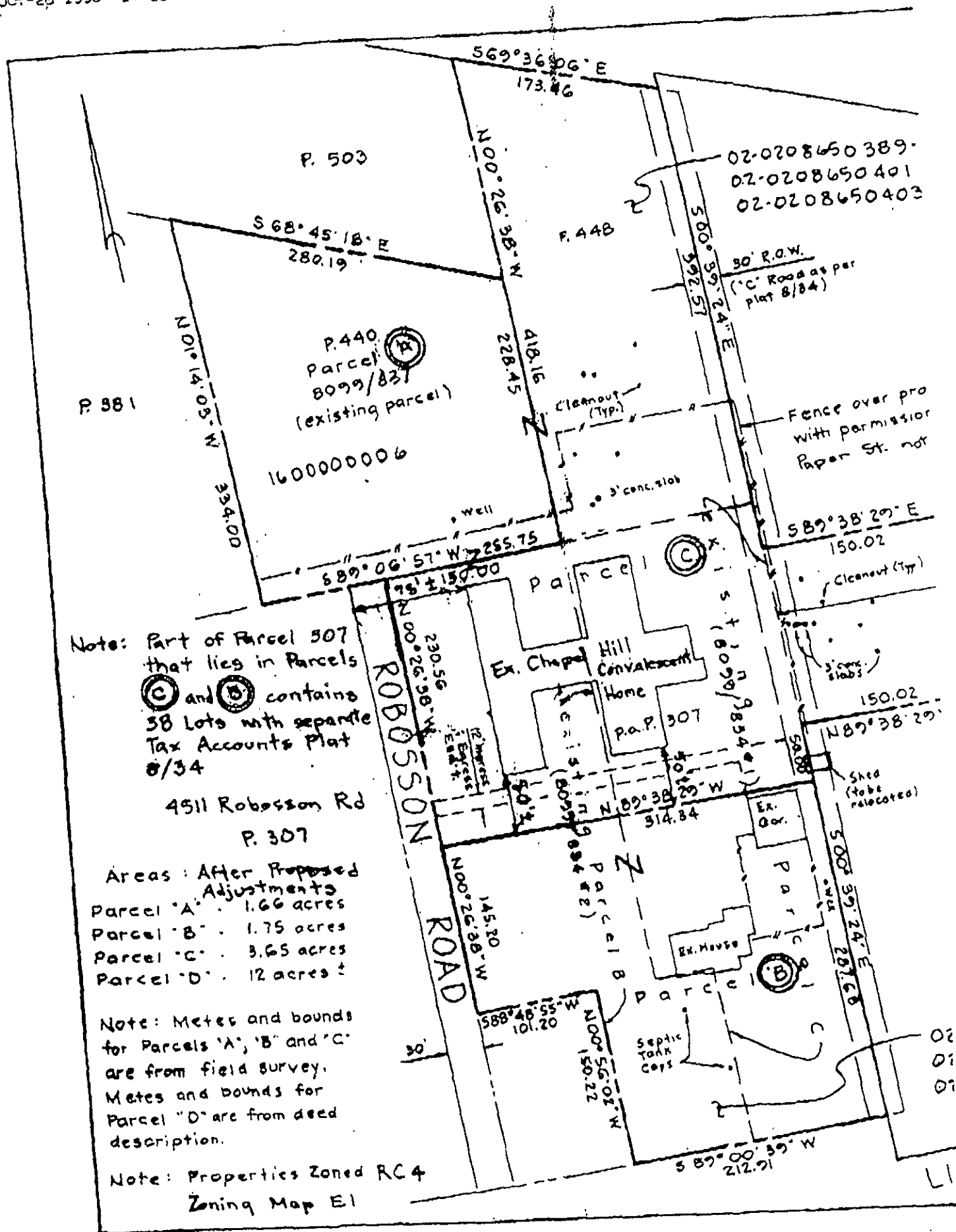
Pennsylvania

Maryland

Georgia

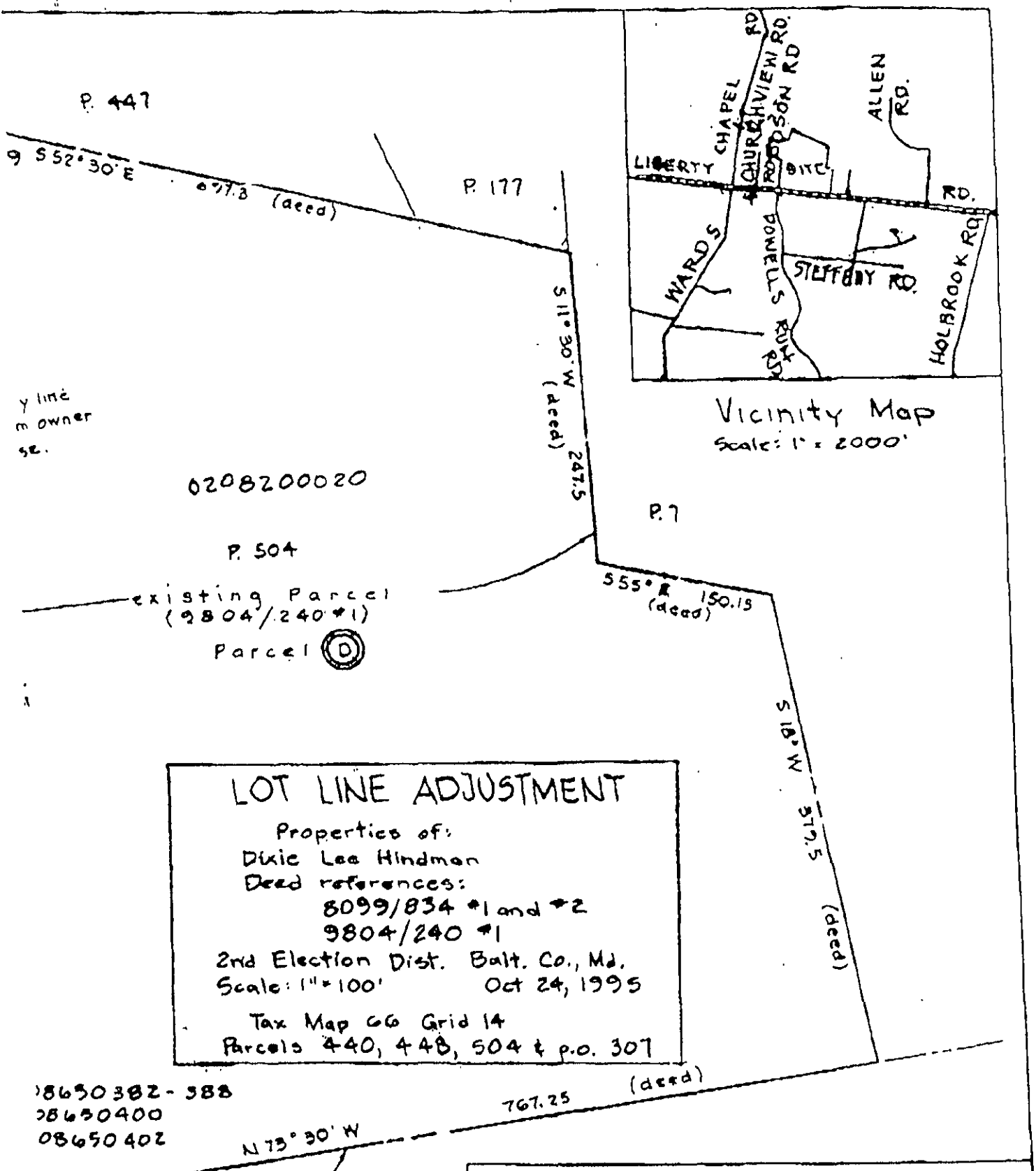
Tennessee

MICROFILMED



MICROFILMED

OCT-26-1995 17:20 FROM THE RBA GROUP COLUMBIA TO



IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE - NE/S Liberty Road and * ZONING COMMISSIONER
Robosson Road, 770' E of Wards *
Chapel Road (4511 Robosson Road) *
2nd Election District * OF BALTIMORE COUNTY
1st Councilmanic District * Case No. 97-143-SPHA
Robosson Court Realty, LLC *
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as Petitions for Special Hearing and Variance for that property known as 4511 Robosson Road, located in the vicinity of Liberty Road in Randallstown. The Petitions were filed by the owners of the property, Robosson Court Realty, LLC, by Henry Reitberger, President, through their attorney, Phyllis C. Friedman, Esquire. The Petitioners seek approval of an amendment to the previously approved special exception and site plan in prior Case No. 4250-X (1957) to reflect existing conditions and to add 59 parking spaces. The Petitioners also seek variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 413.1.E.1 to permit one sign of 24 sq.ft. total in lieu of the maximum permitted 15 sq.ft.; from Section 1A03.4.B.2 to permit non-residential building setbacks to the centerline of a street of 70 feet and 75 feet in lieu of the required 100 feet; from Section 1A03.4.B.3 to permit 20% impervious surface use in lieu of the maximum permitted 10%; from Section 409.4.C to permit a two-way drive aisle width of 18 feet in lieu of the required 22 feet; and from Section 409.8.A.4 to permit a parking setback to a street right-of-way of 0 feet in lieu of the required 10 feet. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Henry Reitberger, President of Robosson Court Realty, LLC, legal owners of the property, David S. Thaler, a principal with D. S. Thaler & Associates, Inc., who prepared the site plan for this property, Norman Gerber, a Land Planner and former Director of the Office of Planning, and Albert L. Ludwig and Charles A. Heise, adjoining property owners. There were no Protestants or other interested persons present.

At the onset of the hearing, Ms. Friedman proffered that the subject Petitions had been filed to allow the Petitioners to obtain an approved and up-to-date site plan for the property and use thereon.

Testimony and evidence offered revealed that the subject property consists of a gross area of 8.09 acres, more or less, zoned R.C.4, and is the site of the Chapel Hill Convalescent Home. The property is an irregularly shaped parcel which fronts on Liberty Road, but is accessed by Robosson Road. Mr. Reitberger testified that he is the President and Chief Operating Officer of the nursing home which exists on site. He testified that his company owns two nursing homes in Baltimore County, including the subject facility, which they acquired earlier this year, and one in Prince George's County. Mr. Reitberger explained that his operation is a family-run business and that he is duly licensed and regulated by the State of Maryland. It was proffered that the operation on site is of high quality and that Mr. Reitberger's businesses have never been subject to sanction or citation for failure to abide by regulation.

As noted above, the subject site was approved for development with a nursing home facility in 1957, pursuant to special exception relief granted at that time for the operation. Since then, there have been a series of additions to the building. Interestingly, the neighbors who

appeared were able to confirm the evolution of the building over the years and offered testimony about the various wings and additions which have been added over time. At the present time, the home is licensed and houses 69 elderly residents. There are no plans to expand the building or to increase its capacity; however, several renovations are necessary. Specifically, it was indicated that 59 parking spaces would be added to the 44 presently on site to provide 103 parking spaces total. Moreover, a new elevator is needed within the building and the HVAC system and lighting will be overhauled and refurbished. Due to these renovations and improvements to the site, particularly the additional parking area, the Petitioners come before this Zoning Commissioner seeking special hearing and variance relief to bring the property and its site plan into compliance with all applicable zoning regulations.

On behalf of the Petitioners, Mr. Thaler explained the details of the site plan and the variances requested. He emphasized that no additional building construction was proposed at this time and that the capacity of the nursing home would not be increased. He opined that the present use was permissible under the B.C.Z.R. and that zoning relief was needed only to update the site plan and approve the additional parking arrangement. Mr. Thaler also highlighted the development of the site over the years, describing the initial construction in 1957 and the improvements to the building which occurred over the intervening years.

In support of the variances, Mr. Thaler also noted that a small portion of the site is bi-sected by a paper street, known as Chapel Road. Variance relief is needed from the setbacks required from the centerline of that street, notwithstanding the fact that the road does not actually exist in the field. Mr. Thaler also described the unique configuration

and site constraints of the property. Mr. Thaler opined that these site constraints (e.g., the property's configuration, location of drain fields, and paper street, etc.) as well as the unique history of the site and long term use of the property justified the variance requests.

As noted above, vehicular access to the site is from Robosson Road. The neighbors who attended the hearing raised concern as to some large outcroppings of rocks at the entrance to this site, which, at times, has blocked large vehicles from easy access to the property. That is, if a tractor trailer came in to deliver goods to this site, the driver might be forced to back onto a neighbor's property to make the turn due to the existence of these rocks. The Petitioners agreed that they would either remove the rocks or otherwise improve the entrance to the site. Therefore, as a condition of approval, the Petitioners shall improve vehicular access to the site so as to prevent large vehicles and trucks from backing onto a neighbor's property. Furthermore, the Petitioners agreed to do a limited amount of landscaping near the new parking area located adjacent to Robosson Road to screen the view of those parking spaces from the residences located across Robosson Road.

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 a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,

- 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).

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variance relief are not granted. It has been established that special circumstances or conditions exist that are peculiar to the land and structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not cause any injury to the public health, safety or general welfare and meets the spirit and intent of the B.C.Z.R.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 20th day of November, 1996 that the Petition for Special Hearing to approve an amendment to the previously approved special exception and site plan in prior Case No. 4250-X (1957) to reflect existing conditions and to add 59 parking spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance seeking relief from the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: From Section 413.1.E.1 to permit one sign of 24 sq.ft. total in lieu of the maximum permitted 15 sq.ft.; from Section 1A03.4.B.2 to permit non-residen-

tial building setbacks to the centerline of a street of 70 feet and 75 feet in lieu of the required 100 feet; from Section 1A03.4.B.3 to permit 20% impervious surface use in lieu of the maximum permitted 10%; from Section 409.4.C to permit a two-way drive aisle width of 18 feet in lieu of the required 22 feet; and from Section 409.8.A.4 to permit a parking setback to a street right-of-way of 0 feet in lieu of the required 10 feet, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, conditioned upon the following restrictions:

- 1) The 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 relief granted herein shall be rescinded.
- 2) The Petitioners shall improve vehicular access to the site, either by removing the rock outcroppings or making improvements to the entranceway itself so as to prevent large vehicles and trucks from backing onto a neighbor's property.
- 3) The Petitioners shall provide landscaping along Robosson Road in the area of the additional parking spaces in such a manner that this parking area is screened from the view of those residences located across Robosson Road.
- 4) When applying for a building permit, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
409 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

November 20, 1996

Phyllis C. Friedman, Esquire
409 Washington Avenue, Suite 900
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE
NE/S Liberty Road and Robosson Road, 770' E of Wards Chapel Road
(4511 Robosson Road)
2nd Election District - 1st Councilmanic District
Robosson Court Realty, Inc. - Petitioners
Case No. 97-143-SPHA

Dear Ms. Friedman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Henry Reitberger, President, Robosson Court Realty, LLC
5411 Old Frederick Road, Suite #4, Baltimore, Md. 21229

Mr. David S. Thaler & Ms. Stacy A. McArthur, R.L.A.
D.S. Thaler & Assoc., Inc., 7115 Ambassador Road, Baltimore, Md. 21244

Mr. Albert L. Ludwig, 4514 Robosson Road, Randallstown, Md. 21133
Mr. Charles A. Heise, 11000 Liberty Road, Randallstown, Md. 21133
Mr. Norman Gerber, 35 Pickbryn Court, Cockeysville, Md. 21030

People's Counsel: Cassy File



Petition for Special Hearing
to the Zoning Commissioner of Baltimore County

for the property located at 4511 Robosson Road, Randallstown 21133
which is presently zoned R.C.4

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned legal owner of the property situated 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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

Special Hearing to amend Special Exception Plan for convalescent home approved in case No. 4250X (1957) to reflect existing conditions and to add 59 parking spaces. No modifications to existing structures are requested.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of 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.

Contact Person/Person:

(Type or Print Name)

Signature

Address

City

State

Zip Code

Phone No.

Address

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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 4511 Robosson Road, Randallstown, 21133 which is presently zoned RC4

This Petition shall be filed with the Office of Zoning Administration & Development Management. The undersigned, legal owner(s) of the property situated 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(s)

SEE ATTACHED

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

Hardship and practical difficulty due to existing conditions from prior approval and provide appropriate on site parking. Larger sign is needed due to lack of visibility of site from road and need for adequate identification on high speed highway.

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.

Contact Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

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Zipcode

Agency for Petitioner:

(Type or Print Name)

Signature

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ATTACHMENT

PETITION FOR VARIANCE

97-143-SPHA-A

TO THE ZONING COMMISSION OF BALTIMORE COUNTY

for the property located at 4511 Robosson Road, Randallstown, MD 21133 which is presently zoned RC4

Section 413.1.E.1. to allow one sign @ 24 SFs in lieu of 15';

Section 1A03.4.B.2. to allow a non-residential building setback to the centerline of a street to be 70' and 75' in lieu of 100';

Section 1A03.4.B.3. to allow 20% of impervious surface in lieu of 10%;

Section 409.4.C. to allow a two-way drive aisles of 18' in lieu of 22'; and

Section 409.8.A.4. to allow a 0' parking setback to a right-of-way in lieu of 10'.

And any other variances deemed necessary.

UNCLER RECEIVED FOR FILING

Date By

84550

June 20, 1996

CHAPEL HILL CONVALESCENT HOME

DESCRIPTION

(For Zoning Purposes Only)

Beginning at a point approximately 770 feet East of the intersection of Wards Chapel Road and Liberty Road on the northern 66 foot right-of-way line of Liberty Road, thence running the following 14 courses and distances:

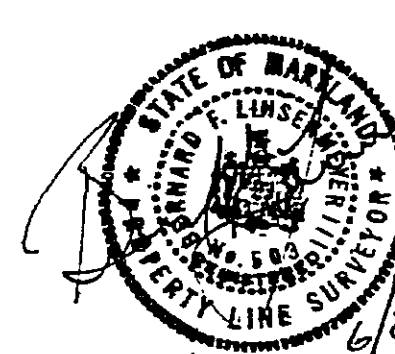
1. North 07°42'58" East 150.07 feet, more or less, to a point; thence,
2. North 82°40'46" West 101.25 feet, more or less, to a point; thence,
3. North 08°03'42" East 375.76 feet, more or less, to a point; thence,
4. North 82°22'31" West 105.76 feet, more or less, to a point; thence,
5. North 07°14'45" East 333.86 feet, more or less, to a point; thence,
6. South 60°18'32" East 280.28 feet, more or less, to a point; thence,
7. North 08°04'16" East 189.65 feet, more or less, to a point; thence,
8. South 61°05'54" East 173.43 feet, more or less, to a point; thence,

page 2
June 20, 1996
CHAPEL HILL CONVALESCENT HOME
DESCRIPTION
(For Zoning Purposes Only)

97-143-SPHA

9. South 07°51'34" West 139.10 feet, more or less, to a point; thence,
 10. South 31°07'13" East 272.44 feet, more or less, to a point; thence,
 11. South 07°57'58" West 199.35 feet, more or less, to a point; thence,
 12. North 83°01'01" West 170.99 feet, more or less, to a point; thence,
 13. South 07°51'25" West 327.52 feet to the Northern right-of-way line (66 feet wide) of Liberty Road, thence with said road,
 14. North 82°25'32" West 213.17 feet to the point of beginning.
- Containing approximately 7.75 acres of land, more or less.
- Located in the Second Election District of Baltimore County.
- Based upon the location and boundary survey of Chapel Hill Convalescent Home prepared by Malmud and Associates, Inc. (December 1995).

SAW/pt/Chapel Hill/0465/0.20



CERTIFICATE OF PUBLICATION

TOWSON, MD., 10/10, 1996

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 10/10, 1996.

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON

CERTIFICATE OF POSTING

RE: Case No.: 97-143 A

Petitioner/Developer: ROBOSON COURT
REALTY, LLC % PHYLLIS FRIEDMAN,
ESQ
Date of Hearing/Closing: OCT. 30, 1996

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law were posted conspicuously on the property located at #4511 ROBOSON ROAD
CHAPEL HILL CONVALESCENT HOME

The sign(s) were posted on OCTOBER 14, 1996
(Month, Day, Year)

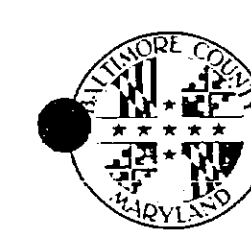
Sincerely,

Patrick M. O'Keefe
(Signature of Sign Poster and Date)

PATRICK M. O'KEEFE
(Printed Name)
523 PENNY LANE
(Address)
HUNT VALLEY, MD. 21030
(City, State, Zip Code)
666-5366
(Telephone Number)

ZONING NOTICE

Printed with Soy-based Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 145

Petitioner: Roboson Court Realty LLC

Location: 4511 Robosson Rd, Baltimore, MD 21204

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Phyllis C. Friedman, Esq.

ADDRESS: 409 Washington Ave. Ste 900

Towson, MD 21204

PHONE NUMBER: (410) 494-0100

At: ggs

(Revised 09/24/96)

TO: PETITIONER PUBLISHING COMPANY
October 10, 1996 Issue - Jeffersonian

Please forward billing to:
Phyllis C. Friedman, Esq.
409 Washington Avenue #900
Towson, MD 21204
494-0100

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 W. Chesapeake Avenue in Towson, Maryland 21204

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-143-A (Item 145)
4511 Robosson Road - Chapel Hill Convalescent Home
N/S Liberty Road, 770' E of Wards Chapel Road
2nd Election District - 1st Councilmanic
Legal Owner(s): Roboson Court Realty, LLC

Variance to allow one sign at 24/- square feet in lieu of 15 feet; to allow a non-residential building setback to the centerline of a street to be 70 feet and 75 feet in lieu of 100 feet; to allow 20% of impervious surface in lieu of 10%; to allow a two-way drive aisles of 18 feet in lieu of 22 feet; to allow a zero foot parking setback to a right-of-way in lieu of 10 feet; and any other variances deemed necessary.
Special Hearing to amend special exception plan for convalescent home approved in case #42501 to reflect existing conditions and to add 59 parking spaces.

HEARING: WEDNESDAY, OCTOBER 30, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 867-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 867-3391.

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

DATE: 9/27/96

AMOUNT: \$500.00

RECEIVED FROM: FRIEDMAN

FOR: 1 comm SOH 250.00

1 comm VAB 250.00

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Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 3, 1996

NOTICE OF HEARING

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

or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

SPR
CASE NUMBER: 97-143-3 (Item 145)
4511 Robosson Road - Chapel Hill Convalescent Home
N/S Liberty Road, 770' E of Wards Chapel Rd.
2nd Election District - 1st Councilmanic
Legal Owner(s): Robosson Court Realty, LLC

Variance to allow one sign at 24' x square feet in lieu of 15 feet; to allow a non-residential building setback to the centerline of a street to be 70 feet and 75 feet in lieu of 100 feet; to allow 2% of impervious surface in lieu of 10%; to allow a two-way drive aisles of 18 feet in lieu of 22 feet; to allow a zero foot parking setback to a right-of-way in lieu of 10 feet; and any other variances deemed necessary.
Special Hearing to amend special exception plan for convalescent home approved in case #42502 to reflect existing conditions and to add 59 parking spaces.

HEARING: WEDNESDAY, OCTOBER 30, 1996 at 2:00 p.m. in Room 106, County Office Building.

Carl Jablon
Arnold Jablon
Director

cc: Robosson Court Realty, LLC
Stacy A. McArthur, R.L.A.
Phyllis C. Friedman, Esq.

NOTES: (1) THE ZONING NOTICE SIGN MUST BE POSTED ON THE PROPERTY BY OCTOBER 15, 1996.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

October 30, 1996

Phyllis C. Friedman, Esquire
409 Washington Avenue, #900
Towson, MD 21204

RE: Item No.: 145
Case No.: 97-143-A
Petitioner: Robosson Court Realty

Dear Ms. Friedman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on September 27, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

Printed with Soybean Ink
on Recycled Paper

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: October 16, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 137 & 145

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 887-3495.

Prepared by: *Jeffrey M. Long*

Division Chief: *Carol L. Keras*

PK/JL

ITEM137/PZONE/ZAC1

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4850

DATE: 10/07/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: ROBOSSON COURT REALTY, LLC

Location: N/S LIBERTY RD. 770' E OF WARDS CHAPEL RD. (4511 ROBOSSON RD. - CHAPEL HILL CONVALESCENT HOME)

Item No.: 145

Zoning Agenda: VARIANCE/SPECIAL HEARING

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.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

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", 1991 edition prior to occupancy.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

Printed with Soybean Ink
on Recycled Paper



Maryland Department of Transportation
State Highway Administration

David L. Winstead
Secretary
Parker F. Williams
Administrator

Ms. Roslyn Eubanks
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 145 (JCC)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Ronald Burns
Ronald Burns, Chief
Engineering Access Permits
Division

BS/es

My telephone number is _____
Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free
Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: October 17, 1996

FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for October 15, 1996
Item No. 145

The Development Plans Review Division has reviewed the subject zoning item. This office requests that the Hearing Officer require conformance with the Baltimore County Landscape Manual to the fullest extent possible. A Schematic Landscape Plan should be submitted to this office at least 1 (one) week prior to the hearing.

RWB:HJO:jrb

cc: File

ZON231E

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

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

October 9, 1996

FROM: R. Bruce Seeley *RBS/96*
DEPRM

SUBJECT: Zoning Item #145 - Robosson Court Realty
4511 Robosson Road
Zoning Advisory Committee Meeting of October 7, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Agricultural Preservation

Request for variance to 10% limit on impervious surfaces in RC-4 zone.
Require mitigation for increased impervious surfaces.

RBS:WL:sp

ROBOSSON/DEPRM/XTXSBP

#137 --- JCM PETITION PROBLEMS

1. No telephone number for legal owner.

#138 --- MJK

1. No telephone number for legal owner.

#140 --- JRA

1. Petition says zoning is R.C.-2; folder says D.R.-1.

#141 --- JRA

1. No telephone number for legal owner.

#145 --- JLL/JCM

1. No attorney signature on the variance form.

#146 --- CAM

1. No signature for either legal owner on form.
2. No telephone number for legal owner.
3. No description for property on folder.

#147 --- JCM

1. No item number on petition forms.
2. No review information on petition forms.

10/1/96

BALTIMORE COUNTY, MARYLAND
Inter-Office Memorandum

DATE: September 27, 1996
TO: Hearing Officer
FROM: John L. Lewis
Planner II
Zoning Review, PDM
SUBJECT: Hem #145
4511 Robosson Road

97-143-SPH
A

Somewhat unusual in that Phyllis Friedman had met with our staff (Joe Merrey and Arnold Jablon) at different times and due to these meetings, used current R.C.-4 zoning regulations for the variances.

I was a little uncomfortable with this since when a special exception is granted for a specific area, the rules in force at the time of the granting usually continue to apply. I believe that those setback regulations would have been considerably less than what is currently required.

I advised Phyllis and at my suggestion, she added "and any other variances deemed necessary" to the petition wording to cover unexpected issues.

JLL:scj

RE: PETITION FOR SPECIAL HEARING
PETITION FOR VARIANCE
4511 Robosson Road (Chapel Hill
Convalescent Home), N/S Liberty Road,
770' E of Wards Chapel Road
2nd Election District, 1st Councilmanic
Robosson Court Realty, LLC
Petitioner
* * * * *
BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 97-143-SPHA

ENTRY OF APPEARANCE

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

Peter Max Zimmerman
PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO

Deputy People's Counsel

Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29th day of October, 1996, a copy of the foregoing Entry of Appearance was mailed to Phyllis C. Friedman, Esq., 409 Washington Avenue, Towson, MD 21204, attorney for Petitioner.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County, Maryland
OFFICE OF PEOPLE'S COUNSEL
Room 47, Old Courthouse
400 Washington Ave.
Towson, MD 21204
(410) 887-2188

PETER MAX ZIMMERMAN
People's Counsel

December 13, 1996

CAROLE S. DEMILIO
Deputy People's Counsel

Lawrence E. Schmidt, Esquire
Baltimore County Zoning Commissioner
Old Courthouse, Room 118
400 Washington Avenue
Towson, MD 21204

Hand-delivered

Re: Petition for Special Hearing & Variance
4511 Robosson Road (Chapel Hill Convalescent Home), N/S Liberty Road,
770' E of Wards Chapel Road, 2nd
5th Election District, 1st Councilmanic
PETITIONERS: ROBOSSON COURT REALTY
Case No. 97-143-SPHA

Dear Mr. Schmidt:

Upon review of Petitioner's Motion for Reconsideration, it appears helpful to clarify this office's position.

People's Counsel does not oppose rescission of the Commissioner's Order dated November 20, 1996.

In the absence of timely rescission, this office would be obligated to appeal that Order, because of its long-standing opposition to variances in the RC-4 watershed protection zone (with particular concern about deviation from impermeable surface standards), and because the nursing home is not a permitted use in the RC-4 zone.

There is no agreement of this office as to any potential modification of the petition, or of the Commissioner's Order. Any new or amended request would be reviewed by this office and also be subject to independent review and approval by the Commissioner after a hearing.

This procedure is without prejudice to Petitioner. It may still request that the Commissioner reinstate the November 20, 1996 Order. In that event, this office will file its appeal.

Lawrence E. Schmidt, Esquire
Baltimore County Zoning Commissioner
December 13, 1996
Page Two

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
People's Counsel for Baltimore County

Carole S. Demilio
Carole S. Demilio
Deputy People's Counsel

PMZ/csf

cc: Phyllis C. Friedman, Esq., 409 Washington Ave., Suite 900,
Towson, MD 21204, Attorney for Petitioner
Mr. Albert Ludwig, 4514 Robosson Road, Randallstown, MD 21133
Mr. Charles Heise, 11000 Liberty Road, Randallstown, MD 21133



Baltimore County
Zoning Commissioner
Office of Planning and Zoning

Suite 112, Courthouse
400 Washington Avenue
Towson, Maryland 21204
(410) 887-4386

December 13, 1996

Phyllis C. Friedman, Esquire
Friedman and Friedman, LLP
Mercantile Bank Building
Suite 900
409 Washington Avenue
Towson, Maryland 21204-4906

RE: Petitions for Special Hearing and Variance
Robosson Court Realty, LLC - Petitioners
Case No. 97-143-SPHA

Dear Mrs. Friedman:

This is to acknowledge receipt of your Motion for Reconsideration and Rescission of the Order issued in the above matter on November 20, 1996.

Pursuant to your request, I have executed your Order and enclose a copy herewith.

I will hold this case file pending your advice. If an additional hearing is necessary, please advise and I will arrange for same to be scheduled. If you are able to resolve your differences with People's Counsel and wish to submit an amended hearing, same will be entertained at that time.

I look forward to hearing from you, and please do not hesitate to contact me should you wish to discuss this matter further.

Very truly yours,

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner

LES:mmm
encl.
cc: People's Counsel

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE - NE/S Liberty Road
and Robosson Road, 770' E of
Wards Chapel Road (4511 Robosson Rd)
2nd Election District
1st Councilmanic District
Robosson Court Realty, LLC
Petitioners
* * * * *
BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-143-SPHA

MOTION FOR RECONSIDERATION AND RESCISSION

Petitioner, Robosson Court Realty, LLC by its undersigned counsel, hereby moves for rescission and reconsideration of the Findings of Fact and Conclusions of Law issued on November 20, 1996 by the Zoning Commissioner for Baltimore County in the above-captioned matter.

The basis for this Motion is that the Office of People's Counsel for Baltimore County believes a modification of the original order would be more acceptable to the office and additional time is required so this petition can be resolved at the Zoning Commissioner level.

Respectfully submitted

Phyllis C. Friedman
Friedman & Friedman
409 Washington Avenue, #900
Towson, MD 21204
(410) 494-0100
Attorney for Petitioner

IN RE: PETITIONS FOR SPECIAL HEARING
AND VARIANCE - NE/S Liberty Road
and Robosson Road, 770' E of
Wards Chapel Road (4511 Robosson Rd)
2nd Election District
1st Councilmanic District
Robosson Court Realty, LLC
Petitioners
* * * * *
BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-143-SPHA

ORDER

Upon consideration of the Petitioner's Motion for Reconsideration and Rescission filed in this proceeding, it is this 13th day of December, 1996,

ORDERED by the Zoning Commissioner of Baltimore County that the Findings of Fact and Conclusions of Law, together with the Order dated November 20, 1996 be and are hereby rescinded and any person dissatisfied with any subsequent Findings of Fact and Conclusions of Law issued in this matter shall have a period of thirty (30) days from the date of such subsequent Findings of Fact and Conclusions of Law within which to file an appeal to the County Board of Appeals.

Lawrence E. Schmidt
Lawrence E. Schmidt
Zoning Commissioner for Baltimore County

LAW OFFICES
D. Sylvan Friedman
Louis F. Friedman
Gary P. Aiken
William S. Davis, Jr.
Phyllis Cole Friedman
Emanuel W. Ryan
Freddie J. Truitt
Jeffrey S. Glaser
FRIEDMAN & FRIEDMAN, LLP
MERCANTILE BANK BUILDING
SUITE 900
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204-4906
(410) 494-0100
FAX (410) 494-1429

December 16, 1996

DELIVERED BY HAND

Mr. Lawrence E. Schmidt
Zoning Commissioner for Baltimore County
Office of Planning and Zoning
112 Courthouse
400 Washington Avenue
Towson, MD 21204

re: Petitions for Special Hearing and Variance
NE/S Liberty Road and Robosson Road, 770' of Wards
Chapel Road (4511 Robosson Road)
2nd Election District - 1st Councilmanic District
Robosson Court Realty, LLC - Petitioners
Case No. 97-143-SPHA

Dear Mr. Schmidt:

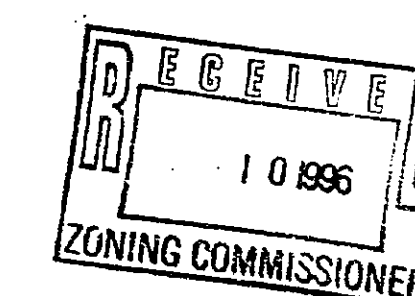
Enclosed please find a Motion for Reconsideration and Rescission of your Order in the above-referenced case along with a proposed Order. Petitioner's Counsel has been discussing alternatives with People's Counsel and would like additional time to see if this case can be resolved while it is still at the Zoning Commissioner's level.

Thank you in advance for your consideration.

Sincerely yours,

Phyllis C. Friedman
Phyllis C. Friedman

PCF:be
enc.
ccs: Henry Reitberger
David S. Thaler
Stacy A. McArthur
Albert L. Ludwig
Charles A. Heise
Norman Gerber
People's Counsel for Baltimore County
w/encs.



PLEASE PRINT CLEARLY

NAME ADDRESS
Phyllis Friedman 409 Washington Ave. 21204
Norman G. G. 21024
Henry Reibacker 10 Helix St. 21112
David S. Thaler 7115 Ambassador Rd.
Albert L. Ludwig 4514 Robeson Road 21133
Charles A. Heise 11,000 Liberty Rd. 21133

12/29/1995 09:41 4185258923
DEC-29-95 FRI 09:39 2500M ADAM CHAVIS TEL: 410-418-8373 P.82

Post-it brand fax transmittal memo 7671
To: ADAM CHAVIS
From: KYLE L. G. 2
Cc: B. K. D. M.
Subject: 526-0822
Fax: 899-5798



111 West Chesapeake Ave.
Towson, Md. 21204

(410) 887-3321

December 29, 1995

Mr. Mark A. Busch
The RBA Group
7164 Columbia Gateway Drive, Ste. 205
Columbia, Maryland 21046-2144

RE: Properties of Dixie Lee Hindman
4511 Robeson Road
DRC Number 11135A, Dist. 2C1

Dear Sir:

Pursuant to Article 25A, Section 5(U) of the Annotated Code of Maryland and as provided in Section 602(d) of the Baltimore County Charter and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal or modification of a license, permit, approval, exemption, waiver or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to insure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management.

The DRC has in fact met in an open meeting on December 18, 1995 and made the following recommendations:

The DRC has determined that your project, as modified and signed by Rob Powell of DEPRM on 12/15/95, meets the requirements of a limited exemption under Section 26-171 (a)(9).

12/29/1995 09:41 4185258923
DEC-29-95 FRI 09:48 2500M ADAM CHAVIS TEL: 410-418-8373 P.82

Mr. Mark A. Busch
Properties of Dixie Lee Hindman
December 29, 1995
Page 2

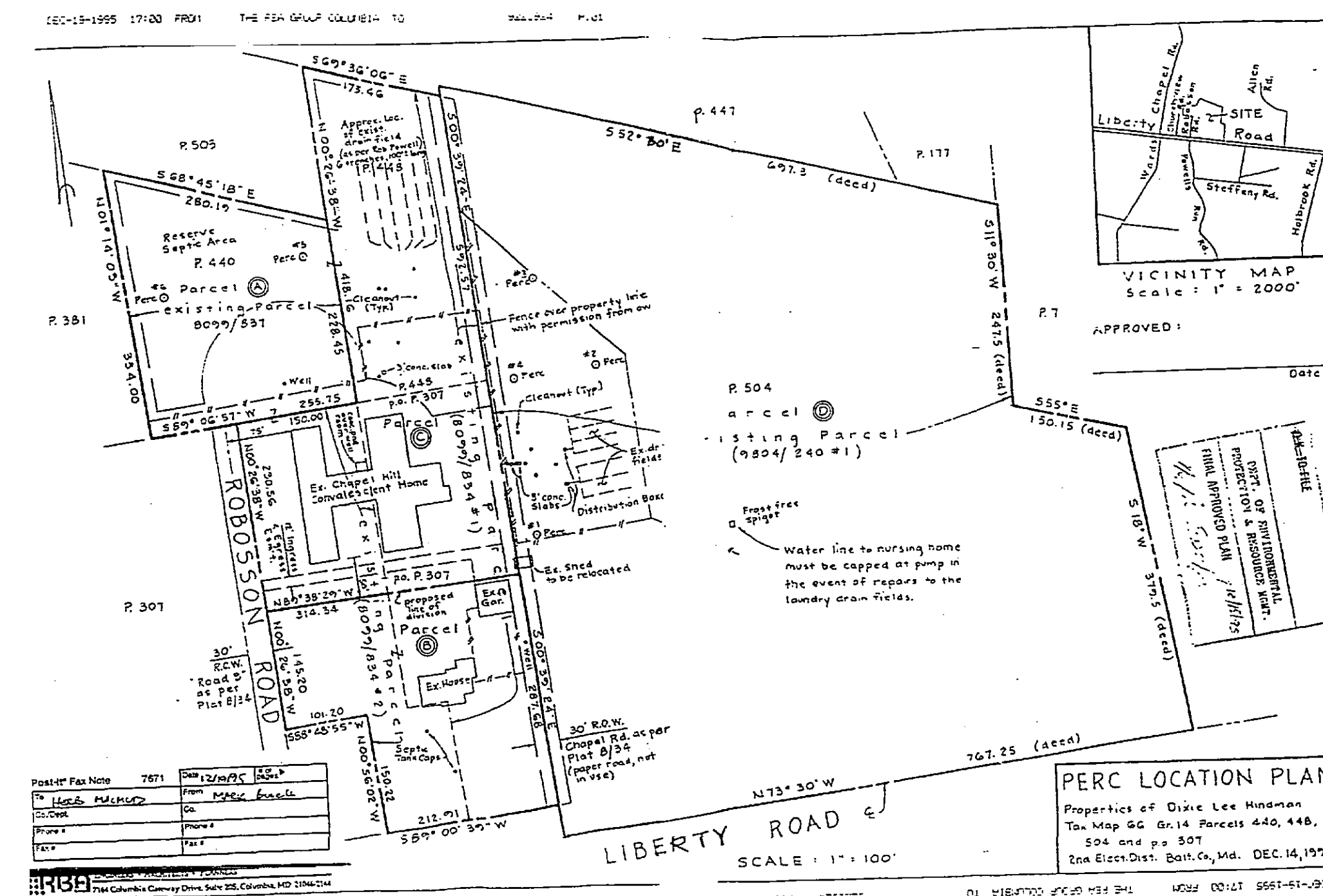
I have reviewed the recommendations carefully and I have determined to adopt the recommendations set forth above. It is this 19th day of December, 1995, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for a building permit, your application will therefore, be approved subject to conditions set forth above.

Sincerely,
Arnold Jablon
Director

AJ:DTR:KAK:aw

c: Larry Pilson
Susan Wimbley
File



12/28/1995 16:05 4185258923
DEC-28-95 FRI 17:19 FROM RBA GROUP COLUMBIA TO 4185258923 P.82

Baltimore County Government
Department of Permits and
Development Management



111 West Chesapeake Ave.
Towson, Md. 21204

(410) 887-3321

December 19, 1995

Mr. Mark A. Busch
The RBA Group
7164 Columbia Gateway Drive, Ste. 205
Columbia, Maryland 21046-2144

RE: Properties of Dixie Lee Hindman
4511 Robeson Road
DRC Number 11135A, Dist. 2C1

Dear Sir:

Pursuant to Article 25A, Section 5(U) of the Annotated Code of Maryland and as provided in Section 602(d) of the Baltimore County Charter and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal or modification of a license, permit, approval, exemption, waiver or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to insure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management.

The DRC has in fact met in an open meeting on December 18, 1995 and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 26-171 (a)(5).

Post-it brand fax transmittal memo 7671
To: ADAM CHAVIS
From: ADAM CHAVIS
Cc: ADAM CHAVIS
Subject: 526-0822
Fax: 899-5798

12/27/1995 17:44 4185258923
DEC-26-1995 17:19 FROM RBA GROUP COLUMBIA TO 4185258923 P.82

RBA ENGINEERS • ARCHITECTS • PLANNERS

October 25, 1995

Mr. Arnold Jablon
Development Review Committee
111 Chesapeake Avenue
Towson, Maryland 21204

Re: Dixie Lee Hindman Property
Tax Map 66, Grid 14
Parcels 448, 504 and Part of 307

Dear Mr. Jablon:

We are requesting a waiver to the minor subdivision process for the above listed properties. The purpose of the lot line adjustment is to separate the nursing home facility from the existing residence and other lands of the Grantor. Three properties are involved in the adjustment:

1. P448 and PO P307 L 8099 F834 Parcel 1
2. PO P 397 L8099 F 834 Parcel 2
3. PO 504 L 9804 F 240 Parcel 1

The change in the lines for parcels 307 and 448 will change from a north/south division line to an east/west line. (Shown on plat.)

The purpose of the 150 foot rectangle taken from Parcel 504 is to include the existing drain fields on the nursing home parcel. The 12 foot access easement shown on the plat will be created to access the existing garage on the residence lot.

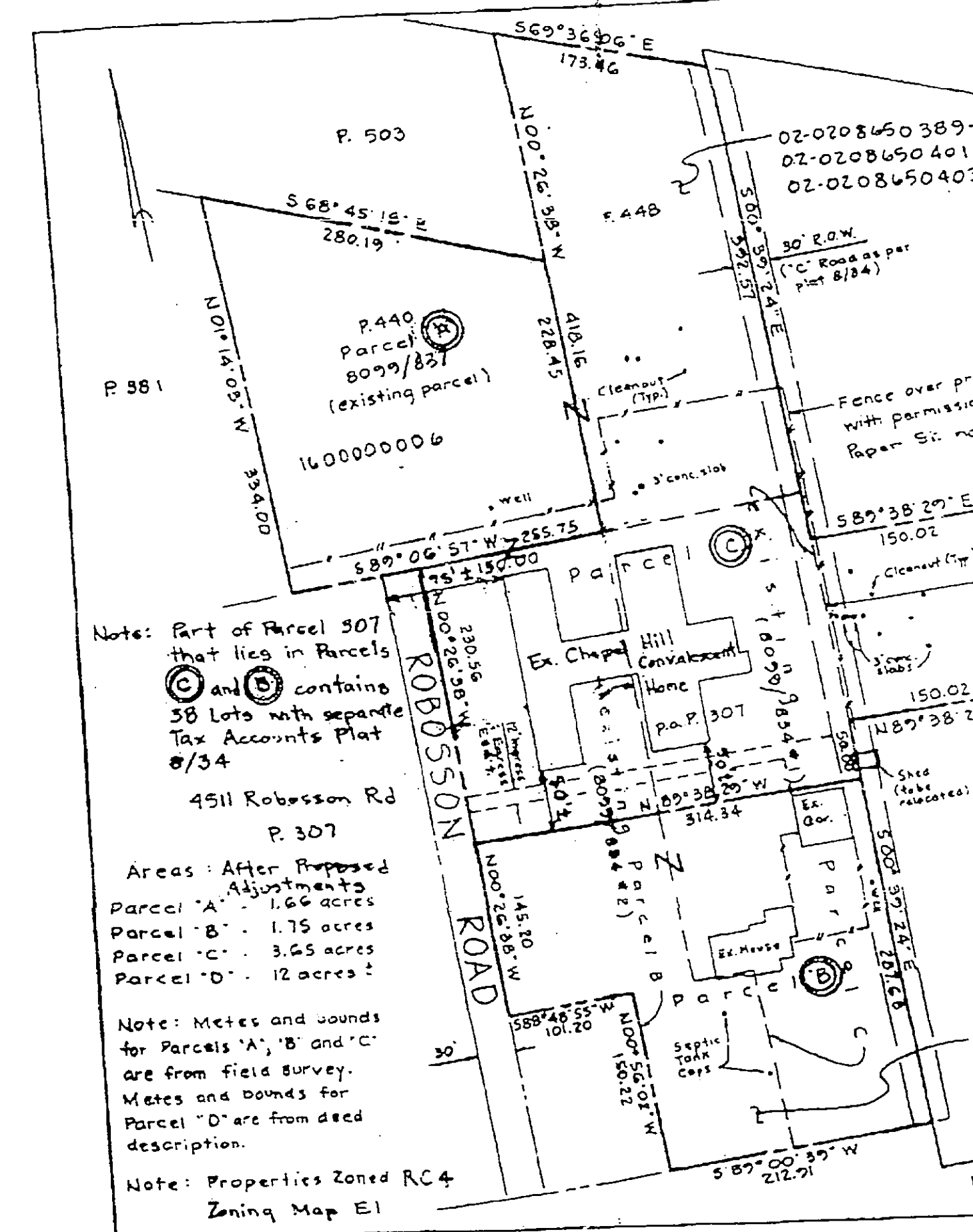
If any other information is required from The RBA Group, please call me or Martha Kelley at (410) 995-6439, as soon as possible. The owners would like to settle as soon as possible and we are eager to expedite this matter.

Very truly yours,
THE RBA GROUP

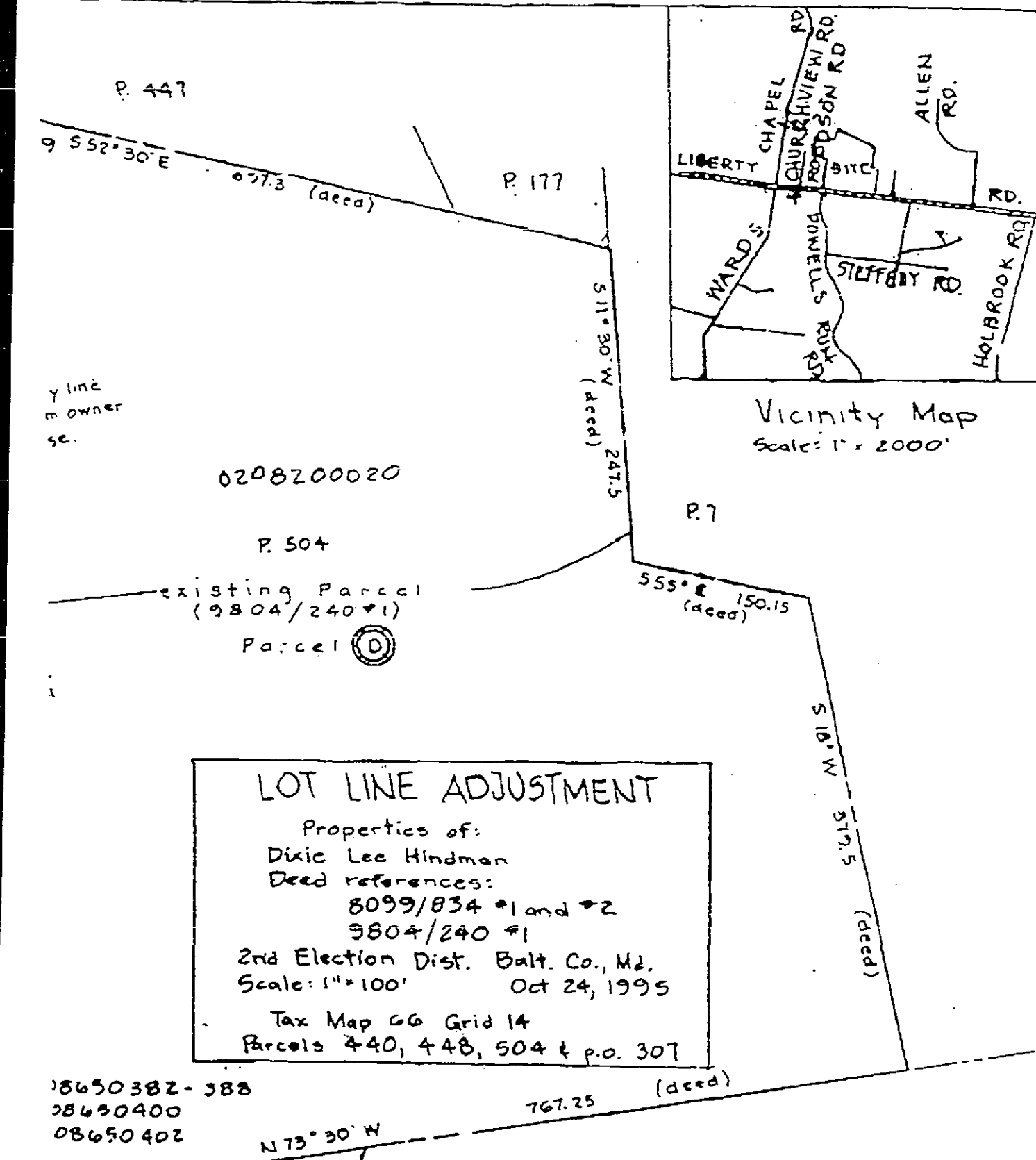
Mark A. Busch, Property Line Survey #508
Director, Survey Department
MARC

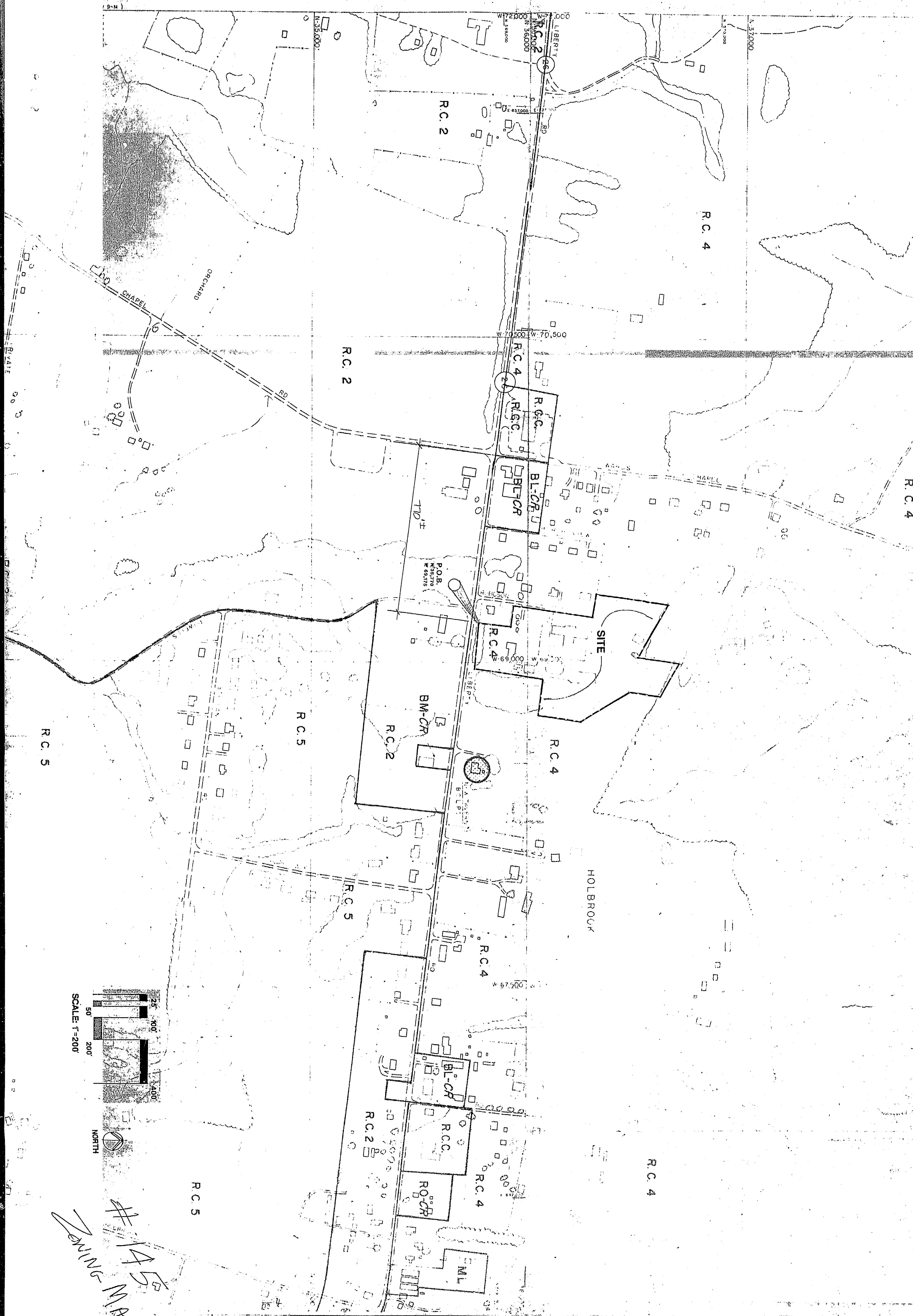
7164 Columbia Gateway Drive, Suite 205, Columbia, MD 21046-2144 (410) 312-0966 • Washington (202) 621-8223 • FAX: (410) 312-0977
New Jersey • New York • Pennsylvania • Maryland • Georgia • Illinois

12/27/1995 17:44 4185258923
DEC-26-1995 17:28 FROM RBA GROUP COLUMBIA TO 4185258923 P.83



12/27/1995 17:44 4185258923
DEC-26-1995 17:28 FROM RBA GROUP COLUMBIA TO 4185258923 P.84





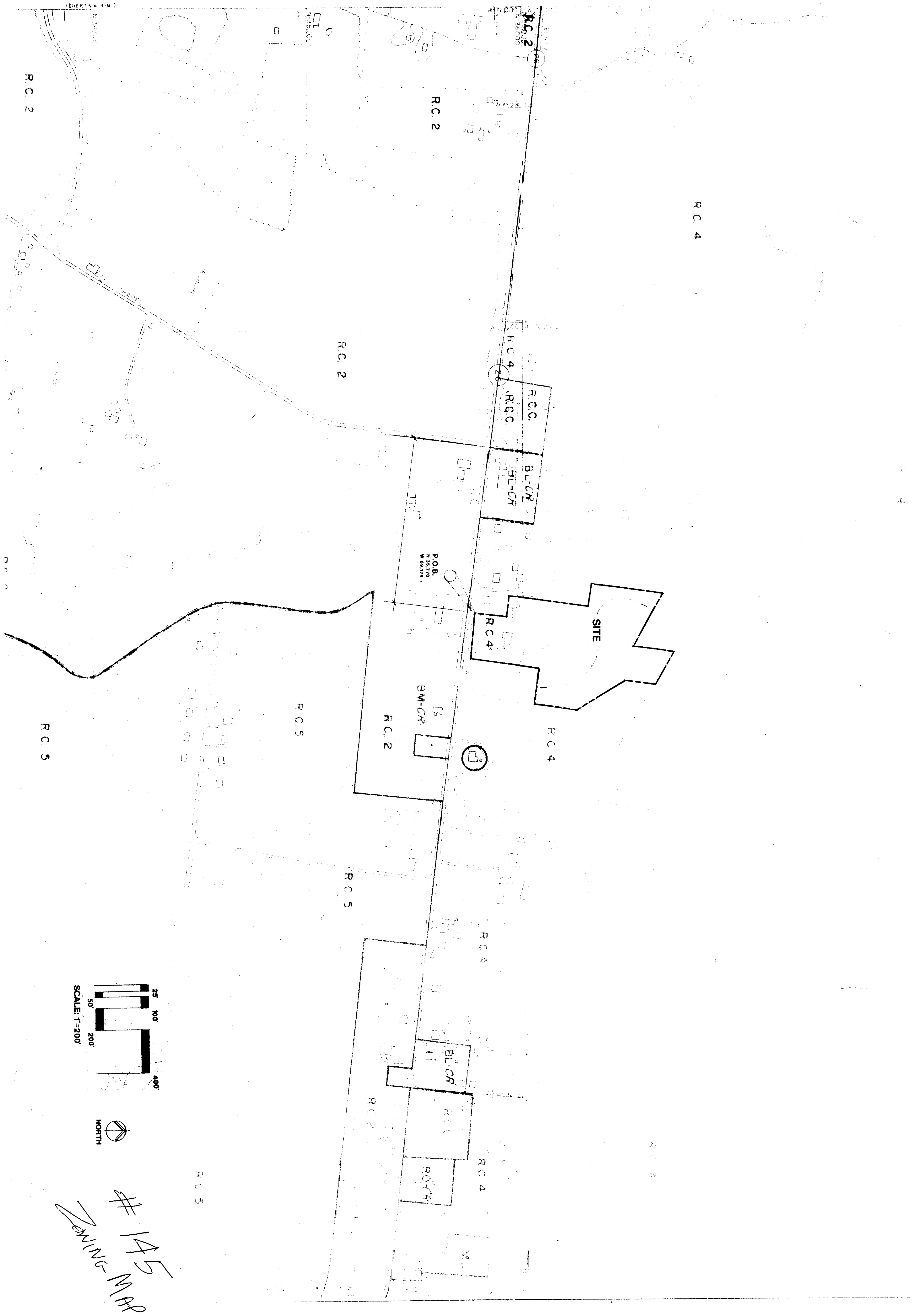
200 Scale Zoning Map to Accompany Petition for Special Hearing
(to reflect existing conditions, variances, and add 50 parking spaces.)

(NW-9L & NW-10L)

CHAPEL HILL CONVALESCENT HOME

D.S. THALER & ASSOC., INC.
CIVIL ENGINEERS • LAND PLANNERS • SURVEYORS • LANDSCAPE ARCHITECTS
7115 AMBASSADOR ROAD, BALTIMORE, MD 21244
(410) 944-ENGR, (410) 944-3647

97-143^{SPHA}



MICROFILMED

SETBACK LINES IN R.C. 4 ZONE AS PER BALTIMORE COUNTY ZONING REGULATIONS

2. Building setbacks. Except for agricultural buildings, any non-residential principal building hereafter constructed in an R.C.4 zone shall be situated at least 100 feet from the centerline of any street and at least 50 feet from any lot line other than a street line, except as otherwise provided in paragraph 4, below. Any residential principal building shall be set back according to the following minimum setback requirements: [Bill No. 98, 1975; Bill No. 113, 1992.]
 - a. 25 feet from any building face to a public street right-of-way or property line;
 - b. 35 feet from a front building face to the edge of paving of a private road;
 - c. setbacks for buildings located adjacent to arterial roadways shall be increased by 20 feet;
 - d. 100 feet between a building face and an adjacent R.C.2 zone line;
 - e. 100 feet between a building face and a reservoir property line; and
 - f. 50 feet between a building face and an adjacent conservancy area which will be used for agricultural purposes.

LEGEND:

73' ± SET
 10' ± SET
 41' ± ANGLE IRON FOUND
 135' ± IRON BAR FOUND

NOTES:

LOTS SHOWN DOTTED ARE REFERRED AS LOTS 29 THRU 33, LOTS 163 THRU 177 AND LOTS 192 THRU 210, PLAT OF MORN & BERNARD DEVELOPMENT, PLAT BOOK 3 FOLIO 34.

AREA OF TOTAL (PARCELS 1+2) PROPERTY OUTLINE = 7.75+ Acres±

SURVEYOR'S CERTIFICATE

I, HERBERT MALMUD, A DULY LICENSED LAND SURVEYOR IN THE STATE OF MARYLAND, HEREBY CERTIFY TO, ROBOSON COURT MEDICAL INVESTORS, LLC AND STEWART TITLE GUARANTY COMPANY THAT (I) THIS SURVEY IS TRUE AND CORRECT; WAS MADE ON THE GROUND; CORRECTLY SHOWS THE BOUNDARY LINES, DIMENSIONS AND AREA OF THE LAND INDICATED HEREON; CORRECTLY SHOWS, EXCEPT AS NOTED, THE LOCATION OF ALL EASEMENTS, ALLEYS, STREETS, STREAMS, ROADS AND RIGHTS-OF-WAYS AFFECTING THE SUBJECT PROPERTY ACCORDING TO THE LEGAL DESCRIPTION IN SUCH EASEMENTS AND OTHER MATTERS; (II) EXCEPT AS SHOWN, THERE ARE NO EASEMENTS, RIGHTS-OF-WAY, PARTY WALLS, VISIBLE USES, STREAMS, CONFLICTS, OR OTHER MATTERS OF RECORD OF WHICH THE UNDERSIGNED HAS BEEN ADVISED AFFECTING THE SUBJECT PROPERTY; THERE ARE NO ENCROACHMENTS OR PROTRUSIONS ONTO ADJOINING PREMISES, STREETS OR ALLEYS, BY ANY BUILDINGS, STRUCTURES OR OTHER IMPROVEMENTS SITUATED ON THE SUBJECT PROPERTY; (III) THE DISTANCE FROM THE NEAREST INTERSECTING STREET AND ROAD TO THE SUBJECT PROPERTY IS AS SHOWN HEREON; AND (IV) EXCEPT AS SHOWN, NO PART OF THE SUBJECT PROPERTY IS WITHIN AN AREA DESIGNATED ON A FEDERAL FLOOD INSURANCE MAP AS HAVING SPECIAL FLOOD HAZARDS EXCEPT AS SHOWN.

DATE

HERBERT MALMUD
 REGISTERED LAND SURVEYOR
 MARYLAND # 7558

**ALTA/ACSM SURVEY
 4507 ROBOSON ROAD
 BALTIMORE COUNTY, MARYLAND**

Scale: 1" = 50'
 Job # 9547

April 23, 1999
 Ref.

Prepared by:

H. Malmud & Associates, Inc.
 100 Church Lane
 Baltimore, Maryland 21208

Telephone 410-653-9511

The following Exceptions are from Schedule B - Section II of Commitment No. 99003673 for Title Insurance by Stewart Title Guaranty Company dated March 14, 1999.

Items on survey shown, thusly: 8, 9, 10

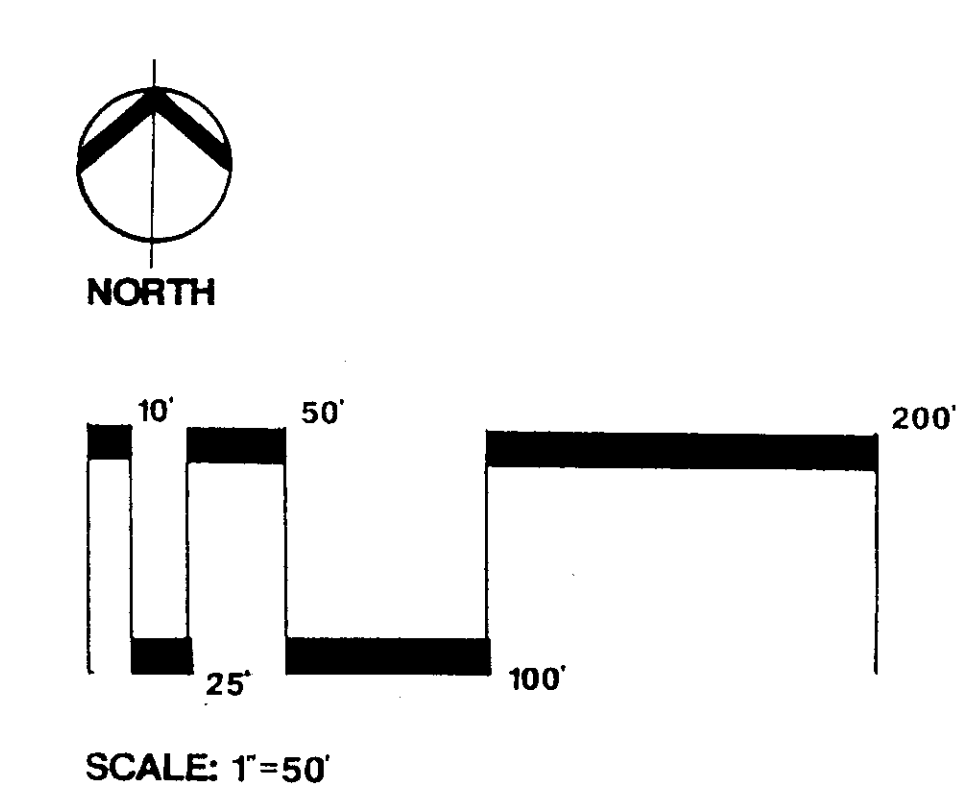
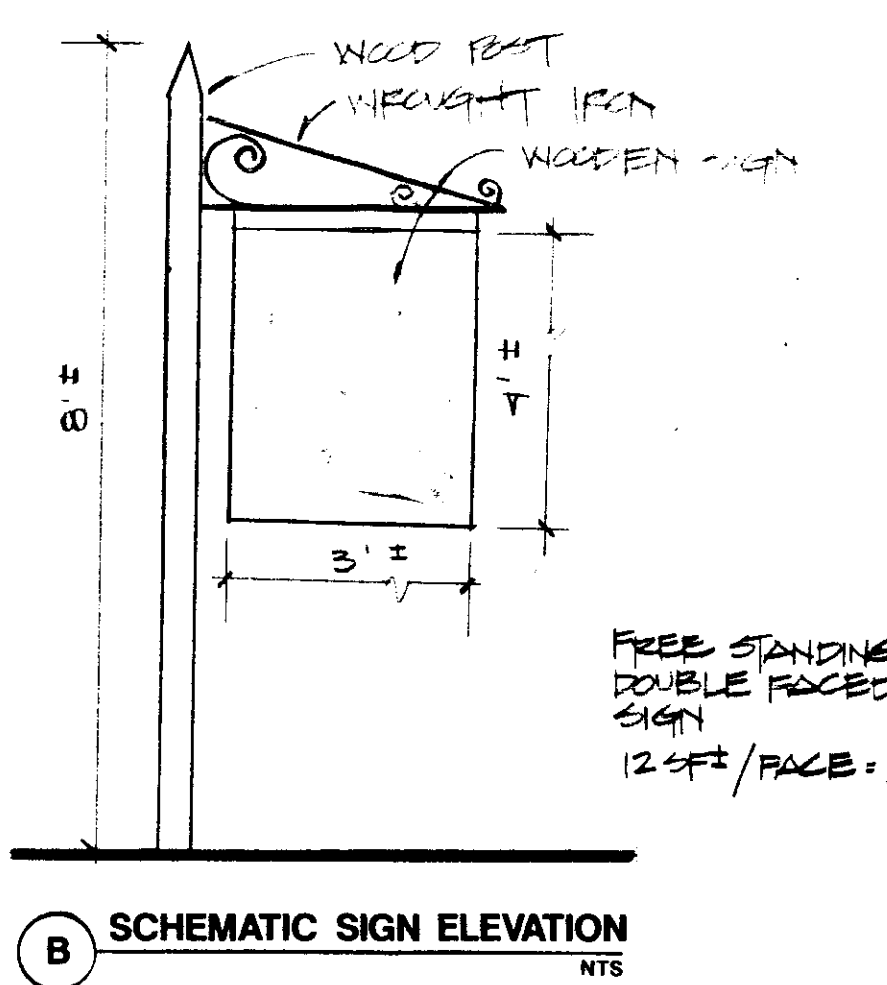
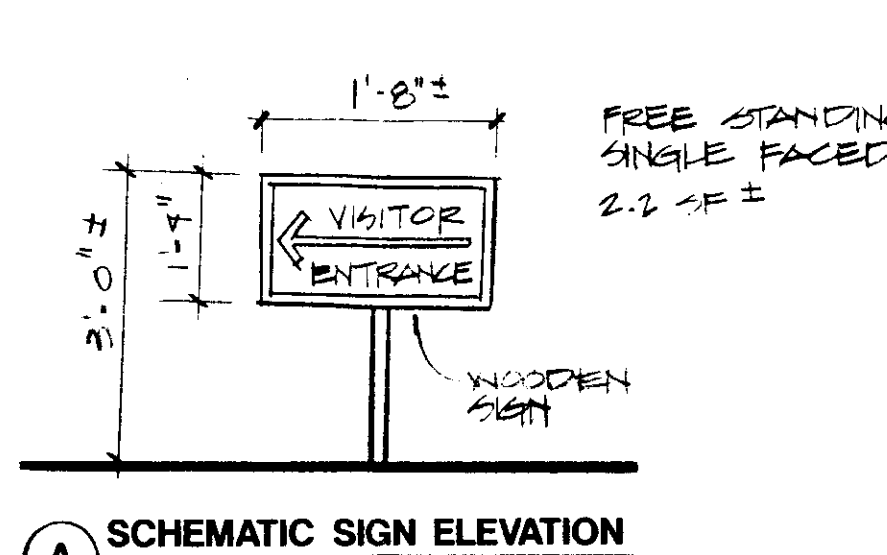
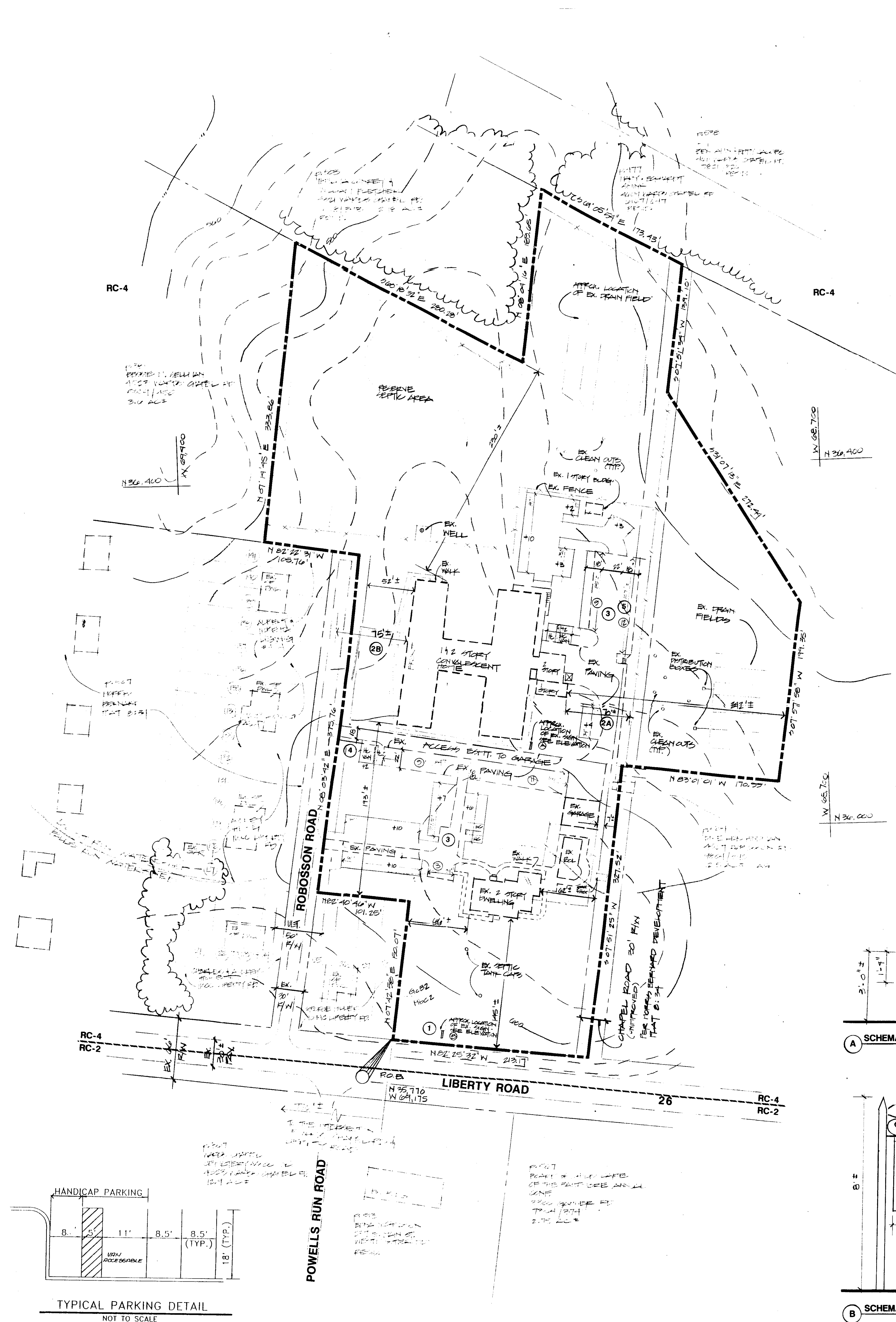
7 Liber TBS 1730, folio 99: Can not locate.

8) Liber GLB 2379, folio 393: pole line agreement - shown on survey.

9) Liber GLB 3315, folio 506: pole line agreement - shown on survey.

10) Liber SM 11359, folio 600: lot line adjustment approved by Baltimore County DRC #11135A —consolidates lots into two parcels - shown on survey.

DATE: 7-24-91
SCALE: 1" = 50'
C.I.: 5
PROJ. NO.: 1888
SHEET: 1 OF 1



LEGEND	
EXISTING	TRACT BOUNDARY
	DOWNING LINE
	BASEMENT
	CONTOUR
	SLOPES > 25%
	SOILS
	TREES
	WETLANDS
	ROAD
	SANITARY SEWER
	STORM DRAIN
	WATER
	FIRE HYDRANT
	LIGHT
	UTILITY POLE
	EX. LANDSCAPE
	EX. TRACT BOUNDARY

GENERAL NOTES:

1. DEVELOPMENT NAME: Chapel Hill Convalescent Home
2. APPLICANT: Roboson Court Realty, L.L.C. 5411 Old Frederick Road #4 Baltimore, MD 21229
3. OWNER: Roboson Court Realty, L.L.C. 5411 Old Frederick Road #4 Baltimore, MD 21229
4. PLAN PREPARED BY: D.S. Thaler & Associates, Inc. 7115 Ambassador Road Baltimore, Maryland 21244 (410) 944-3647 ATTN: Stanley McArthur
5. PROPERTY REFERENCES:

TAX MAP: 66 GRID: 13/14 PARCEL: 107 (P/O 202, 203-210) TAX ACT: NO.02-08-65-0405 PLAT: R114 ANC MAP: 23, F-7	TAX MAP: 66 GRID: 13/14 PARCEL: 440 TAX ACT: NO. 02-08-65-0389 TAX ACT: NO. 02-08-65-0401 DEED: 8099/834	TAX MAP: 66 GRID: 13/14 PARCEL: P/O p. 504 TAX ACT: NO. 02-08-30-0020 DEED: 8084/240
--	--	--

Boundary Survey: H. Maloud, Assoc., Inc. (December 1995)
Topography: Baltimore County 200 Scale Photogrametric Map (SW-2 & 10-1)
Zoning: Baltimore County 200 Scale Zoning Map (1992) (UW 2-2 & 10-1)
Soils: U.S.D.A.-Baltimore County Soil Survey Manual (Map 32)
6. GENERAL DATA:

Election District: 2	Census Tract: 4021
Commutative District: # 1	
7. SITE INFORMATION:

A. Gross acreage: 8.09 ACI (Roboson Road: 25' x 375' = .21ACI Liberty Road = 30' x 213' = .14ACI)	Net acreage: 7.74
B. Existing Zoning: RC-4	Density Calculations: Allowable = 2 lots Proposed = 1 lot, 69 bed convalescent home
C. Parking: Required = 1 space / 3 convalescent beds 69 beds / 3 = 23 spaces	Existing = 44 spaces Proposed = 59 spaces
D. UTILITIES: Private well and septic system	USE: The existing use is convalescent home The proposed use is convalescent home
E. EXISTING: There are no known historic buildings, critical areas, archaeological sites, endangered species, or hazardous materials on the site.	
F. This property as shown on the plan has been held intact by the ownership shown since 1995 (according to tax map). No known part of the gross area of this property as shown on the plan has ever been utilized, recorded or represented as density of area to support any off-site dwellings.	
G. Impervious Area: Existing: 1.21 ACI (11.6%) Proposed: 1.53 ACI (19.6%)	

ZONING HISTORY:

SPECIAL EXCEPTION - CASE #4250-X
TO ALLOW A CONVALESCENT HOME OR REST HOME IN A R-6 ZONE.
GRANTED OCTOBER 1997

DRC #11135A
A WAIVER OF THE MINOR SUBDIVISION PROCESS.
LIMITED EXEMPTION (SECTION 26-171(a)(5)) GRANTED DECEMBER 1995

BUILDING PERMITS:
#468-78
#149-08
#416-06

PROJ. NAME: CHAPEL HILL CONVALESCENT HOME	REVISIONS:
PLAN TITLE: Plat to Accompany Petition for Special Hearing (To reflect existing conditions, variances and add 59 parking spaces.)	
COUNCIL DIST.: 1	ELECTION DIST.: 3
APPROVAL: <i>[Signature]</i>	# 145
APPLICANT: Roboson Court Realty, L.L.C. 5411 Old Frederick Road #4 Baltimore, MD 21229	97-143 SPHA
D.S. THALER & ASSOCIATES, INC. CIVIL ENGINEERS LANDSCAPE ARCHITECTS	SURVEYORS LAND PLANNERS
7115 AMBASSADOR ROAD (410) 944 - ENGR (410) 944 - 3647	BALTIMORE, MARYLAND 21244 FAX (410) 944 - 3684
DATE: 7-24-96 SCALE: 1" = 50' C.I.: 5' PROJ. NO.: 1688 SHEET: 1 OF 1	<i>[Signature]</i>

Plat to Accompany Petition for Special Hearing (To reflect existing conditions, variances and add 59 parking spaces.)

CHAPEL HILL CONVALESCENT HOME