

PIECHOCKI
BUILDING DEVELOPMENT CONSULTANTS
 824 Seneca Park Road Suite 100
 Baltimore, Maryland 21220
 (443) 695-1043 Fax (410) 335-1546

Memo

LETTER

Date FEB 10, 2004

To: BALTIMORE COUNTY DEPARTMENT OF PERMITS
 AND DEVELOPMENT MANAGEMENT

Subject 1200 LOUINALASS DRIVE
 CASE # 97-580-SPHA

111 WEST CHESAPEAKE AVE, TOWSON, MD 21204

ATT: MR JOHN L. LEWIS, PLANNER ZONING REVIEW

DEAR MR. LEWIS

IN ACCORDANCE WITH YOUR LETTER REGARDING THE ABOVE REFERENCED LETTER, WE HEREBY SUBMIT OUR "RED LINE" SITE PLAN WITH CHANGES NOTED. THIS LETTER AND ATTACHED PLANS SUPERCEDES OUR LETTER AND PLANS OF FEB 9, 2004. WAS FOR APPROVAL OF THIS RED LINE PLAN. WE ARE SUBMITTING THREE COPIES OF THE PLAN AND ASK THAT ONE APPROVED COPY BE RETURNED TO US FOR THE OWNERS FILE.

WE BELIEVE THAT THE REDLINED PLAN SHOWING THE ADDITIONAL ALLOWABLE BEDS BEING ACCOMMODATED WITH-IN THE EXISTING BUILDING STRUCTURE AND THE ENCLOSING OF THE EXISTING PATIO AREA MEETS THE SPIRIT AND INTENT OF THE DECISION MADE ON THIS CASE

THE ~~THE~~ COPIES OF LETTERS INCLUDED IN OUR 2/9/04 PACKAGE WILL NOW BE PART OF THIS ONE.

WE TRUST THAT THE ATTACHED INFORMATION MEETS WITH YOUR APPROVAL AND WE REMAIN READY TO ANSWER ANY QUESTIONS YOU MAY HAVE.

THANK YOU FOR YOUR HELP AND ATTENTION TO OUR REQUEST AND WE LOOK FORWARD TO YOUR APPROVAL OF OUR PLAN.

Sincerely,

Raymond Redmond

☐ Please reply

☐ No reply necessary

SIGNED



Baltimore County
Department of Permits and
Development Management

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

March 5, 2001

Jeffrey H. Scherr, Esq.
Kramon & Graham, P.A.
One South Street
Suite 2600
Baltimore, MD 21202-3201

Dear Mr. Scherr :

RE: 1300 Windlass Drive, Case #97-580-SPHA, 14th Election District

Staff has reviewed your request for a determination that the existing 120 bed nursing home at this address may have an increase in nursing beds to 138, a total increase of 18 beds. This request is approved as being within the spirit and intent of the above referenced zoning case. Staff does require that 2 copies of the site plans from zoning hearing file in case #97-580-SPHA be red lined in the notes to show this change and provided to this office. The red lined plans should be accompanied by a copy of this letter for inclusion in the permanent zoning records.

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,

A handwritten signature in black ink, appearing to read "John L. Lewis".

John L. Lewis
Planner II
Zoning Review

JLL:ggs

C: 97-580-SPHA

TO CASE FILE

97-580-SPHA
FOR 2/10/04
SET LTR/PLAN

LAW OFFICES
KRAMON & GRAHAM, P. A.
ONE SOUTH STREET
SUITE 2600

BALTIMORE, MARYLAND 21202-3201

TELEPHONE: (410) 752-6030

FACSIMILE: (410) 539-1269

www.kramonandgraham.com

JEFFREY H. SCHERR

DIRECT DIAL
(410) 347-7424

E-MAIL
jscherr@kg-law.com

February 21, 2001

Arnold Jablon, Esquire
Director
Baltimore County Department of
Permits and Development Management
111 West Chesapeake Avenue
Room 111
Towson, Maryland 21204

Re: 1300 Windlass Drive - Modification of Special Exception

Dear Mr. Jablon:

This office represents 1300 Windlass Corporation and Alfred Land Development, LLC, the owners of 1300 Windlass Drive on which the Ivy Hall Nursing Home is located. The owners request that they be permitted to expand the number of beds in the nursing home and assisted living facilities constructed on the property as permitted by State health regulations. This expansion is allowed pursuant to COMAR 10.24.01.02 as a so-called "creep" or automatic increase in the number of beds. The allowed "creep" is measured by the lesser of 10% or 10 beds over two years. Pursuant to these regulations, Ivy Hall would be entitled to more than 18 beds but physically 18 beds is the maximum that will fit on the site. Because this increase is allowed by State health regulations and can be accommodated on the site, we submit that this expansion is within the spirit of the intent of the previous Petition for Special Exception and Petition for Special Hearing and Zoning Variance that have already been granted for this property. The owners request that they be permitted to expand the nursing home and assisted living facilities as described without filing a new Petition for Special Hearing to modify the previously issued orders.

On December 29, 1983, as Zoning Commissioner, you approved a Petition for Special Exception (Case No. 84-111-X) permitting construction of a 60-bed nursing

95640/1/00008391.WPDv3

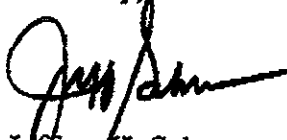
Arnold Jablon, Esquire
February 21, 2001
Page 2

home with a possible expansion to 120 beds with State approval. A copy of the Findings of Fact and Conclusions of law in this case are attached as Exhibit A. On August 14, 1997, the Zoning Commissioner granted a Petition for Special Hearing and Zoning Variance (Case No. 97-580-SPHA) approving the modification of the previously granted Special Exception to allow for the construction of a 70-bed facility on the property with assisted living units, common eating facilities, adult daycare, and associated parking. A copy of the Findings of Fact and Conclusions of Law in this case are attached as Exhibit B.

Please advise whether you agree that the current expansion is within the spirit and intent of the previous two orders neither of which was opposed by the community.

Enclosed is a check for \$40 for the processing fee for this letter. If you have any questions, please do not hesitate to contact me.

Sincerely,



Jeffrey H. Scherr

JHS/HB3
Enclosures

cc: Mr. Gerald S. Klein (without enclosures)



Baltimore County
Department of Permits and
Development Management

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

June 15, 1998

Ms. Ina B. Singer
Director, Multifamily Housing Division
U.S. Department of Housing and Urban Development
Maryland State Office
City Crescent Building
10 South Howard Street, 5th Floor
Baltimore, MD 21201

RE: Ivy Hall Assisted Living
1320 Windlass Drive
Zoning Case #97-580-SPHA
14th Election District

Dear Ms. Singer:

Please be advised that Ivy Hall Assisted Living Facility, a proposed 70-unit assisted living facility to be developed at 1320 Windlass Drive, Baltimore, Maryland 21220, is zoned D.R.-16 (Density Residential, 16 density units per acre) per the 1" = 200' scale current zoning map number NE-4H. This permits the site as an assisted living facility as approved under zoning case number 97-580-SPHA, which modified a prior special exception (case number 84-111-X) and in which the special hearing and variances were granted on August 14, 1997 for assisted living with common eating areas, adult day care, and associated parking.

Please be further advised that the plans and specifications providing for construction of the captioned project have been examined and provided that a building permit has been granted by Baltimore County, Maryland for the project, then such plans would have been found to conform to all applicable provisions of zoning laws and regulations of the Permits and Development Management Office (Zoning Review Bureau) for Baltimore County, Maryland.

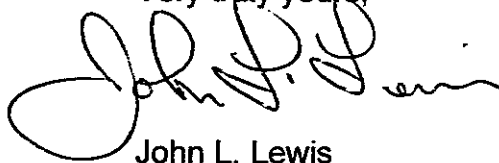


Ms. Ina B. Singer
June 15, 1998
Page 2

NOTE: It is possible that different agencies have jurisdiction of the matters referred to in the above paragraph in which case a separate letter should be obtained from each agency.

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.

Very truly yours,

A handwritten signature in black ink, appearing to read "John L. Lewis". The signature is fluid and cursive, with a large initial "J" and "L".

John L. Lewis
Planner II
Zoning Review

JLL:scj

Enclosure

c: zoning case #97-580-SPHA & #84-111-X

IC.03
04/01/98

SUGGESTED FORM OF ZONING LETTER
FOR HUD INITIAL CLOSINGS

[LETTERHEAD OF GOVERNMENTAL ENTITY WITH JURISDICTION]

[Date]

Ms. Ina B. Singer
Director, Multifamily Housing Division
U.S. Department of Housing
and Urban Development
Maryland State Office
City Crescent Building
10 South Howard Street, Fifth Floor
Baltimore, Maryland 21201

Re: Ivy Hall Assisted Living
FHA Project No. 052-43069
Baltimore County, Maryland

at 1320 Windlass Drive, Baltimore
Maryland 21220 (being the
property immediately adjacent
to Ivy Hall Rehab. Institution
Center at 1300
Windlass Drive)

Dear Ms. Singer:

Please be advised that Ivy Hall Assisted Living, a proposed bed assisted living facility to be developed [indicate address or location of property], is zoned [indicate type of zoning], which zoning permits use of the site as an assisted living facility, *

modification to special exception

Please be further advised that the plans and specifications providing for the construction of the captioned project have been examined and found to conform to all applicable provisions of the zoning laws and regulations of [name of appropriate agency with jurisdiction].

Very truly yours,

[name of signer]
[title of signer]

* with assisted living units, common
recreation facilities, adult day care
and associated parking

D.R. 16 (Density
Residential, 16.0 density
units per acre) and has
obtained a modification
to Special Exception 84-111-X
(Case No. 87-580-SAAA,
approved August 14, 1997)

Note: It is possible that different agencies may have jurisdiction of the matters referred to in the above paragraphs, in which case a separate letter should be obtained from each entity.

provided that a building permit has been issued by Baltimore County, Maryland
in connection with the project, then such plans would have been

Baltimore County, Maryland.

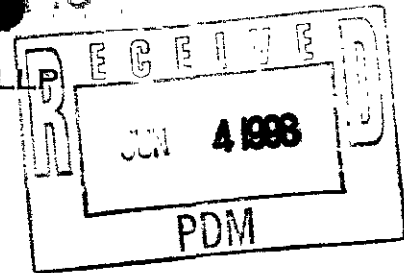
CALL FOR P/U. 415-490

KANDEL, KLITENIC & CHERNOW, LLP

ATTORNEYS AT LAW

WOODHOLME PROFESSIONAL BUILDING
1838 GREENE TREE ROAD, SUITE 370
BALTIMORE, MARYLAND 21208

(410) 415-0490
FAX (410) 415-0492

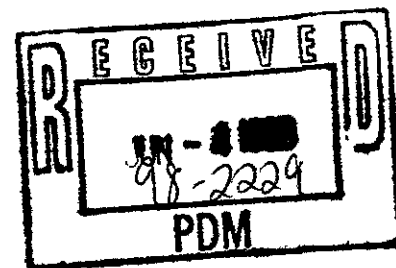


6/5/98
f
wa
To: JLL
6/8/98
wa
D. Cashman

June 3, 1998

HAND DELIVERED

BALTIMORE COUNTY
OFFICE OF ZONING ADMINISTRATION
AND DEVELOPMENT MANAGEMENT
Room 109
111 West Chesapeake Avenue
Towson, Maryland 21204



Attention: Mr. John Lewis

RE: Ivy Hall Assisted Living
1320 Windlass Drive, Baltimore, MD 21220
FHA Project No. 052-43069

Dear Mr. Lewis:

This firm represents Alfred Land Development Limited Partnership, the borrower in the above-referenced HUD insured loan transaction. HUD requires evidence that the Project (to be located on Lots 2 through 5 as shown on the Ivy Hall Subdivision Plat recorded among the Land Records of Baltimore County, Maryland in Plat Book SM No. 59, folio 68) is in compliance with applicable zoning requirements (and in this regard, please note the specific zoning classification which relates to the subject property, and make reference to the relevant modification to special exception which was granted in connection with the use of the property as a seventy (70) unit assisted living facility). An appropriate letter from the Zoning Office is essential to the HUD closing submission, and the letter needs to contain the Project name, address and FHA Project number, all as shown above, in the format which is enclosed.

To assist in your preparation of the requested letter, enclosed is (i) a copy of the modification to special exception granted on or about August 14, 1997, Case No. 97-580-SPHA, and (ii) the proposed sample letter directed to HUD.

BALTIMORE COUNTY
OFFICE OF ZONING ADMINISTRATION
AND DEVELOPMENT MANAGEMENT

June 3, 1998

Page 2

Your office has advised that there is a \$40.00 fee for the requested letter, which is enclosed. The letter should be addressed as follows:

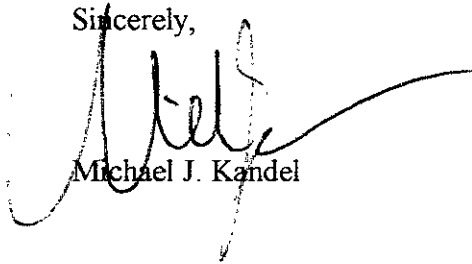
Ms. Ina B. Singer
Director, Multifamily Housing Division
U.S. Department of Housing and Urban Development
Maryland State Office
City Crescent Building
10 South Howard Street, 5th Floor
Baltimore, Maryland 21201

Kindly call me when the requested letter has been prepared, as I would like to have same picked-up from your office rather than forwarded to HUD.

If you have any questions or require any additional information, please do not hesitate to contact me.

Thank you for your assistance.

Sincerely,



Michael J. Kandel

MJK:bbg

LAW OFFICES
KRAMON & GRAHAM, P. A.
ONE SOUTH STREET
SUITE 2600
BALTIMORE, MARYLAND 21202-3201
(410) 752-6030

JEFFREY H. SCHERR
(410) 347-7424

FACSIMILE
(410) 539-1269

August 15, 1997

VIA FACSIMILE 410-887-3468
FOLLOWED BY HARD COPY

Lawrence E. Schmidt, Esquire
Zoning Commissioner
401 Bosley Avenue
Room 405
Towson, Maryland 21204

Re: Case Number: 97-580-SPHA
1300 Windlass Drive
N/S Windlass Drive, 680' +/- N of c/I Martin Boulevard
14th Election District - 6th Councilmanic
Petitioner(s): 1300 Windlass Corporation
Contract Purchaser(s): Alfred Land Development, LLC

*I spoke to
Jeff Scherr, told
him order already
done This makes
no difference as
to decision,
JES
8/19/97*

Dear Commissioner Schmidt:

After the hearing I was advised by my client that my understanding of the use of the building for which a set back variance was requested was wrong. I was under the impression that it would be utilized as a classroom for residents, however, my client advises that it will actually be used for staff training and staff classes.

Nonetheless, all of the same reasons for granting the variance apply, that is, there is no other place on the property to put such a classroom structure and its use will clearly benefit the residents of the convalescent center.

Please call me if you have any questions or need any additional information. In the meantime, I did want to correct the record as soon as possible.

Sincerely,

[Signature]
Jeffrey H. Scherr

JHS:cts
Gerald S. Klein, Esquire (via facsimile)
Michael J. Kandel, Esquire (via facsimile)
Mr. Daryl R. Cammack (via facsimile)
f:\users\karen\1300 windlass\schmidt

*MAR
Send this to
be put in
case file
JES*

IN RE: PETITIONS FOR SPECIAL HEARING & * BEFORE THE
ZONING VARIANCE
N/S Windlass Drive, 680' +/- N of * ZONING COMMISSIONER
c/l Martin Blvd. (1300 Windlass Dr)
14th Election District * OF BALTIMORE COUNTY
6th Councilmanic District
Alfred Land Development, LLC/ * Case No. 97-580-SPHA
1300 Windlass Corporation, Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing and a Petition for Variance for the property located at 1300 Windlass Drive in eastern Baltimore County. The Petition was filed by 1300 Windlass Corporation, property owner, and Alfred Land Development, LLC, Developer. Approval is requested of a modification to a special exception previously granted in case No. 84-111-X, to expand the use granted by that special exception to allow for the construction of a 70 unit facility, with assisted living units, common eating facilities, adult day care and associated parking. Also requested is approval for the addition of a 50 ft. by 14 ft. modular classroom building. Variance relief is requested to vary the required side yard setback between the existing nursing home and the proposed modular classroom building to allow side yards of 31 ft. and 42 ft. in lieu of the required 50 ft. Finally, it is requested that the special exception previously granted be modified to allow the placement of a sign, identifying the location of the new facility, on a 20 ft. x 20 ft. easement located adjacent to the property along Windlass Drive.

All of the subject property and requested relief are more particularly shown on Petitioner's Exhibit 1, the three sheet plat to accompany the Petitions for Special Hearing and Variance.

DATE FOR FILING
164/15
Date
By

Appearing at the public hearing held for this case were Darell R. Cammack, Jr. and Michael Kandel on behalf of the Petitioner. Also present was William Bafitis and Clyde F. Hinkle from Bafitis and Associates, Inc., the land use consulting firm which prepared the site plan. The Petitioner was represented by Jeffrey H. Scherr, Esquire, and Robin Z. Bush, Esquire. There were no Protestants or other interested persons present.

Testimony and evidence presented was that the subject property is approximately 9.16 acres in area, zoned D.R.16. The property is located in eastern Baltimore County, and vehicular access to same is by way of Windlass Drive not far from Martin Boulevard. In 1984, special exception approval was given for the construction of a nursing home facility. Subsequently, the property was developed and is presently used for that purpose. Later, in 1989, the nursing facility was expanded and capacity was increased. As presently configured, the facility contains 120 beds.

The Petitioner comes before me under the instant Petitions seeking an amendment of the previously approved site plan to allow for additional improvements. The first improvement proposed will be for a modular classroom building, 50 x 40 ft. in dimension. The building will be constructed so as to provide an area for programs for both the elderly residents and other elderly who reside within the area. As shown on the site plan, the building will be situated near the existing improvements. Testimony and evidence proffered was that the space is needed so as to provide and expand services which are available to the elderly population of eastern Baltimore County. Moreover, the building is being situation to be located near the existing facility and be easily accessible. As shown on the site plan, side yard setbacks of 31 ft. and 42 ft. from the existing building are proposed.

The second new construction is for a four story building on a portion of the property which is presently undeveloped. This proposed construc-

tion is also shown in detail on the site plan. It was indicated at the hearing that this new building will provide 70 units and will operate as an assisted living facility. It is to be emphasized that although 70 units are proposed, there may be slightly more beds in that some of the units could be double bed units. Moreover, as opposed to nursing care services, which are offered at the existing facility, the proposed building will be for those elderly in need of an assisted living facility. By definition, those include individuals who are not medically disabled but need assistance with some or all of the activities of daily living.

The last portion of relief requested relates to a proposed sign for the property. As noted above, vehicular access to the site, both the existing and proposed facilities, is by of a driveway which leads from Windlass Drive. Apparently, the Petitioner has obtained an easement from an adjacent property owner in order to place a sign near the intersection of the driveway and Windless Drive. As shown on the site plan, the area of easement is 20 ft. x 20 ft. in dimension. A detail of the proposed monument type sign was submitted at the hearing as Petitioner's Exhibit No. 2. As shown on the sign, the location of the Ivy Hall Assisted Living Rehabilitation Center and Nursing Facility will be advertised. It is indicated that particularly with the expansion of the site, the sign was necessary in order to direct visitors, vendors and other vehicles which visit the site.

Based upon the testimony and evidence offered, all of which was uncontradicted, I am persuaded to grant the Petitions for Special Hearing and Variance. In my judgment, the proposed additions to the site will not be detrimental to the health, safety or general welfare of the locale. To the contrary, the additions proposed appear to be appropriate improvements to the property and in keeping with the existing use of the site and locale. Moreover, the variance relief will also be granted. Relief is

required for the side yard setbacks to allow the classroom building to be located within close proximity to the existing building. Placing the building further away so as to strictly observe the setbacks would inconvenience the residents who might utilize the building and present a practical difficulty upon the Petitioner. I am persuaded that the Petitioner has satisfied the requirements of Section 307 of the BCZR, thus, variance relief should be granted.

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

THEREFORE, IT IS ORDERED, this 14th day of August, 1997, that approval for a modification to a special exception previously granted in case No. 84-111-X, to expand the use granted by that special exception to allow for the construction of a 70 unit facility, with assisted living units, common eating facilities, adult day care and associated parking; and approval for the addition of a 50 ft. by 14 ft. modular classroom building, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance to vary the required side yard setback between the existing nursing home and the proposed modular classroom building to allow side yards of 31 ft. and 42 ft., in lieu of the required 50 ft., be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the special exception previously granted be modified to allow the placement of a sign, identifying the location of the new facility, on a 20 ft. x 20 ft. easement located adjacent to the property along Windlass Drive, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner is hereby made aware that proceeding at this time is at its 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 Petitioner would be required to return, and be responsible for

ORDER RECORDED FOR FILING

Date

by

returning, said property to its original condition.

2. Compliance with the comments submitted by the Baltimore County Zoning Plans Advisory Committee (ZAC), namely, the Department of Environmental Protection and Resource Management (DEPRM), dated July 14, 1997 are adopted in their entirety and made a part of this Order.

LES:mmm


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING
Date 8/14/97
Mr. Goode



Baltimore County
Zoning Commissioner
Office of Planning

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386

August 14, 1997

Jeffrey H. Scherr, Esquire
Robin Z. Bush, Esquire
Kramon and Graham, P.A.
One South Street, Suite 2600
Baltimore, Maryland 21202-3201

RE: Petitions for Special Hearing and Variance
Property: 1300 Windlass Drive
Case No. 97-580-SPHA
Alfred Land Dev., LLC/1300 Windlass Corporation, Petitioners

Dear Counsel:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing and Variance have been granted, with restrictions.

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

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over a horizontal line.

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
att.

c: Mr. Darell R. Cammack, Jr.
Alfred Land Development, LLC
1300 Windlass Drive
Baltimore, Maryland 21220



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
PETITION FOR VARIANCE *
1300 Windlass Drive, N/S Windlass Drive, * ZONING COMMISSIONER
680'+/- N of c/l Martin Boulevard *
14th Election District, 6th Councilmanic * OF BALTIMORE COUNTY

Legal Owner(s): 1300 Windlass Corp. * CASE NO. 97-580-SPHA
Contract Purchaser(s): Alfred Land Development, LLC
Petitioners *

* * * * *

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 5th day of August, 1997, a copy of the foregoing Entry of Appearance was mailed to Jeffrey H. Scherr, Esq., Kramon & Graham, 1 South Street, Suite 2600, Baltimore, MD 21202, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Petition for Special Hearing AND VARIANCE to the Zoning Commissioner of Baltimore County

for the property located at

1300 Windlass Drive

which is presently zoned

DR-16

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

a modification to existing Special Exception Case #84-111X, to expand the use granted by that Special Exception and to allow for the construction of a 70-bed facility, with assisted living units, common eating facilities, adult day care, and associated parking, and the addition of a 50' x 14' Modular Classroom building. A variance is also requested to vary the required side yard setback between the Existing Nursing Home and the proposed Modular Classroom Building to permit a side yard of approximately 31' and 42' in lieu of the required 50'. Additionally, it is requested that Special Exception Case #84-111X be modified to allow the placement of a sign, identifying the location of the new facility, on a 20'x20' easement adjacent to the property along Windlass Drive. 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

Contract Purchaser/Lessee:

Alfred Land Development, LLC

(Type or Print Name)

By: Darell R. Cammack, Jr.

Signature

1300 Windlass Drive

Address

Baltimore, Maryland 21220

City

State

Zipcode

Attorney for Petitioner:

Jeffrey H. Scherr, Esquire

(Type or Print Name)

Signature

Kramon & Graham, P.A.

One South Street, Suite 2600

Baltimore, Maryland 21202-3201

(410) 752-6030

City

State

Zipcode

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

~~XXXXXXXX~~ Petitioner:

1300 Windlass Corporation

(Type or Print Name)

By: Gerald E. Klein, Esquire, Pres.

Signature

(Type or Print Name)

Signature

1300 Windlass Corporation

1204C Monaco Beach Club

4401 Gulf Shore Blvd., North

Naples, FL 33940 (813) 434-8055

City

State

Zipcode

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

Jeffrey H. Scherr, Esquire

Kramon & Graham, P.A.

One South Street, Suite 2600

Baltimore, Maryland 21202-3201

(410) 752-6030

Phone No

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates _____ Next Two Months

ALL

OTHER

REVIEWED BY:

R.T.

DATE

6-24-97

ITEM # 580





Bafitis & Associates, Inc.

ZONING DESCRIPTION
FOR
1300 WINDLASS DRIVE

BEGINNING at a point on the Northside of Windlass Drive, 70' wide, 708' ±
Northwesterly from the centerline of Martin Boulevard, 150' wide. Thence leaving said Windlass
Drive the following eight courses and distances:

- 1) Thence North 10°-50'-40" West 180.55' to a point;
- 2) Thence South 88°-49'-21" West 500.00' to a point;
- 3) Thence North 11°-05'-35" West 787.99' to a point;
- 4) Thence North 86°-06'-32" East 500.00' to a point;
- 5) Thence South 10°-50'-40" East 801.01' to a point;
- 6) Thence North 88°-36'-34" East 20.28' to a point;
- 7) Thence South 10°-50'-40" East 182.17' to a point;
on a curve on the Northside of Windlass Drive 70' wide,
- 8) Thence running along said road on a curve to the left with a radius of 385.00' and a Arc
Length of 20.73' and a chord bearing of South 63°-55'-07" West 20.73' to the point of
beginning.

CONTAINING 399,141 Square Feet or 9 16 Acres of Land more or less.

Being known as parcels 1-5 on a plat entitled; "Ivy Hall Nursing Home Subdivision Plat" which is
recorded among the Land Records of Baltimore County, Maryland, Plat Ref. S.M. 59 Folio 68.



(Signature) (Seal)
William N. Bafitis, P.E. Md. Reg. No. 11641

4/11/97
Date

580

NOTICE OF HEARING
The Zoning Commission of Baltimore County, Maryland, will hold a public hearing in Towson, Maryland, on the property identified herein as follows:

Case: 1300 Windlass
Petitioner(s): 1300 Windlass Corporation
Contract Purchaser(s): Alfred Land Development, LLC

Special Hearing: to approve a modification to existing special exception case #84-111-X to expand the use granted and to allow for the construction of a 70 bed facility, with assisted living units, common eating facilities, adult day care, and associated parking, and the addition of a 50 foot x 14 foot modular classroom building.
Variance: to vary the required side yard setback between the existing nursing home and the proposed modular classroom building to permit a side yard of approximately 31 feet and 42 feet in lieu of the required 50 feet, and to allow the placement of a sign, identifying the locations of the new facility, on a 20 foot x 20 foot easement adjacent to the property along Windlass Drive.
Hearing: Monday, August 11, 1997 at 11:00 a.m., Room 407 Courts Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT
Zoning Commissioner for
Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations. Please Call (410) 887-3353.
(2) For information concerning the File and/or Hearing, Please Call (410) 887-3391.

7/24/97 July 17 C158850

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/17, 1997

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 7/17, 1997.

THE JEFFERSONIAN,

A. Henriksen
LEGAL AD. - TOWSON

TIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. **055853**

DATE 6/10/98 ACCOUNT 001-6150

AMOUNT \$ 40.00 (JLL)

RECEIVED FROM: Kandel, Litenic & Chernow LLP

FOR: VEIF. #98-2229

1320 Windalss Drive - Ivy Hall Assisted Living

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
6/12/1998 6/11/1998 15:18:43

REG NS02 CASHIER JRIC JMR DRAWER 2

5 MISCELLANEOUS CASH RECEIPT

Receipt # 049078

CR NO. 055853

OFLN

40.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No.

038173

DATE 6-24-97 ACCOUNT R-001 6150

020-VAR-\$250.00

040-SPH \$250.00 AMOUNT \$ 500.00

RECEIVED FROM: Robin Bush

FOR: SPH & VAR- 1300 Windlass Dr.

Reg. T.

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
6/24/1997 6/24/1997 09:40:06

REG NS06 CASHIER KIMM KXM DRAWER 6

5 MISCELLANEOUS CASH RECEIPT

Receipt # 002683

CR NO. 038173

OFLN

\$500.00 CHECK

Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case # 97-580-SPHA

Petitioner/Developer:
(1300 Windlass Corp.)

Date of Hearing/~~Closing~~
(August 11, 1997)

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

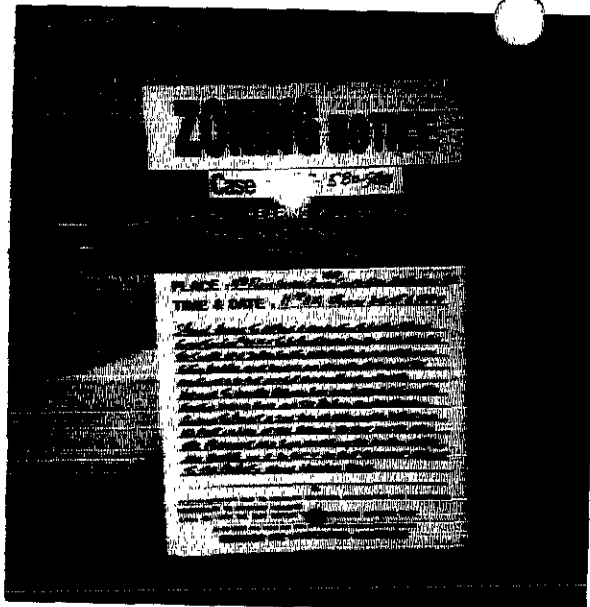
Attention: Ms. Gwendolyn Stephens

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 _____

1300 Windlass Drive Baltimore, Maryland 21220 _____

The sign(s) were posted on _____ July 25, 1997 _____
(Month, Day, Year)



Sincerely,

Thomas P. Ogle, Sr.
(Signature of Sign Poster & Date)

Thomas P. Ogle, Sr.
(Printed Name)

325 Nicholson Road
(Address)

Baltimore, Maryland 21221

(410)-687-8405
(Telephone Number)

97-580-SPHA

Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than *

Format for Sign Printing, Black Letters on White Background:

ZONING NOTICE

97-580 SPHA

Case No.: _____

A PUBLIC HEARING WILL BE HELD BY
THE ZONING COMMISSIONER
IN TOWSON, MD

PLACE: *

DATE AND TIME: *

REQUEST: Special Hearing for a modification to existing
Special Exception Case and plan in #84-111X
and Variance to allow the placement of a sign,
on a 20 FT X 20 FT easement adjacent to the
property along Windless Drive.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



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.: 580

Petitioner: 1300 Windlass Corporation

Location: _____

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Robin Bush

ADDRESS: Kramon & Graham, One South Street, Ste 2600
Baltimore, Maryland 21202

PHONE NUMBER: 410-752-6030

AJ:ggs

(Revised 09/24/96)



TO: PUTUXENT PUBLISHING COMPANY
July 17, 1997 Issue - Jeffersonian

Please forward billing to:

Robin Bush
Kramon & Graham
One South Street, Suite 2600
Baltimore, MD 21202
410-752-6030

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-580-SPHA
1300 Windlass Drive
N/S Windlass Drive, 680' +/- N of c/l Martin Boulevard
14th Election District - 6th Councilmanic
Petitioner(s): 1300 Windlass Corporation
Contract Purchaser(s): Alfred Land Development, LLC

Special Hearing to approve a modification to existing special exception case #84-111-X to expand the use granted and to allow for the construction of a 70 bed facility, with assisted living units, common eating facilities, adult day care, and associated parking, and the addition of a 50 foot x 14 foot modular classroom building.

Variance to vary the required side yard setback between the existing nursing home and the proposed modular classroom building to permit a side yard of approximately 31 feet and 42 feet in lieu of the required 50 feet; and to allow the placement of a sign, identifying the location of the new facility, on a 20 foot x 20 foot easement adjacent to the property along Windlass Drive.

HEARING: MONDAY, AUGUST 11, 1997 at 11:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

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.



Baltimore County
Department of Permits and
Development Management

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

July 14, 1997

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 in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 97-580-SPHA
1300 Windlass Drive
N/S Windlass Drive, 680' +/- N of c/l Martin Boulevard
14th Election District - 6th Councilmanic
Petitioner(s): 1300 Windlass Corporation
Contract Purchaser(s): Alfred Land Development, LLC

Special Hearing to approve a modification to existing special exception case #84-111-X to expand the use granted and to allow for the construction of a 70 bed facility, with assisted living units, common eating facilities, adult day care, and associated parking, and the addition of a 50 foot x 14 foot modular classroom building.

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HEARING: MONDAY, AUGUST 11, 1997 at 11:00 a.m., Room 407 Courts Building, 401 Bosley Avenue.

A handwritten signature in cursive script, appearing to read "Arnold Jablon".

Arnold Jablon
Director

cc: 1300 Windlass Corporation
Alfred Land Development, LLC
Jeffrey H. Scherr, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY JULY 27, 1997.
(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

August 6, 1997

Jeffrey H. Scherr, Esquire
Kramon & Graham, P.A.
One South Street, Suite 2600
Baltimore, MD 21202-3201

RE: Item No.: 580
Case No.: 97-580-SPHA
Petitioner: 1300 Windlass Corp.

Dear Mr. Scherr:

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 June 24, 1997.

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 (410-887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive, flowing style.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

Date: July 11, 1997

FROM: *[Signature]* Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for July 21, 1997
Item Nos. 579, 580, 581, 582, 583,
584, 585, 586, 587, 588, & 589

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File



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 7-14-97
Item No. 580 RT

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 Larry Gredlein at 410-545-5606 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

for Ronald Burns, Chief
Engineering Access Permits
Division

LG

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

7 887

INTER-OFFICE CORRESPONDENCE

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

DATE: July 15, 1997

FROM: Arnold F. "Pat" Keller, III, Director
Office of Planning

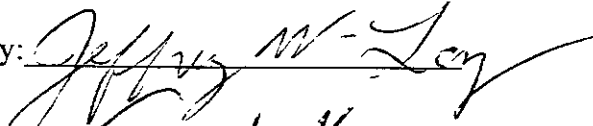
SUBJECT: Zoning Advisory Petitions

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

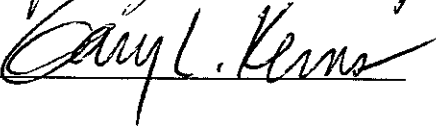
Item Nos. 571, 580, 591, 3, 4, 8, 9

If there should be any questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at (401) 887-3495.

Prepared by:



Division Chief:



AFK/JL

_____ Attach original petition Date July 22, 1997

To: Arnold L. Jablon

From: R. Bruce Seeley *RBS/gp*

Subject: Zoning Item #580

1300 Windlass Corporation

Zoning Advisory Committee Meeting of: July 14, 1997

- ☐ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.
- ☐ The Department of Environmental Protection and Resource Management requests an extension for the review of the above-referenced zoning item to determine the extent to which environmental regulations apply to the site.
- ☒ The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:
 - ☒ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).
 - ☒ Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).
 - ☐ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).
 - ☒ A preliminary Forest Conservation Plan and Worksheet (FCW) must be approved by DEPRM prior to development plan approval.

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21286-5500

(410) 887-4500

July 10, 1997

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

Petitioner: 1300 Windlass Corporation

RE: Property Owner: ~~SEE BELOW~~

Location: DISTRIBUTION MEETING OF July 14, 1997

Item No.: 58)

Zoning Agenda:

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.

1. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
3. 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 867-4881, MS-1102F

cc: File



PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

JEFFREY H. SCHERR

KRAMON & GRAHAM P.A.

1 South St. Ste 2600

BALTO. MD 21202

Robin Z Bush

Kramon & Graham, PA

1 South St., Ste 2600

BALTO. MD 21202

Clyde F. Hinkle

Bafitis & Assoc. Inc.

1249 EMBLETT RD.

Baltimore, Md. 21221

Michael Krudel

6 Park Center Court, Ste 100

Owings Mills, MD 21117

DARRELL "RICK" GAMMACK, JR

Toy Hall Lehigh Ctr

1300 WINDLASS DR

BALTO. MD 21220

Bill BAFITIS

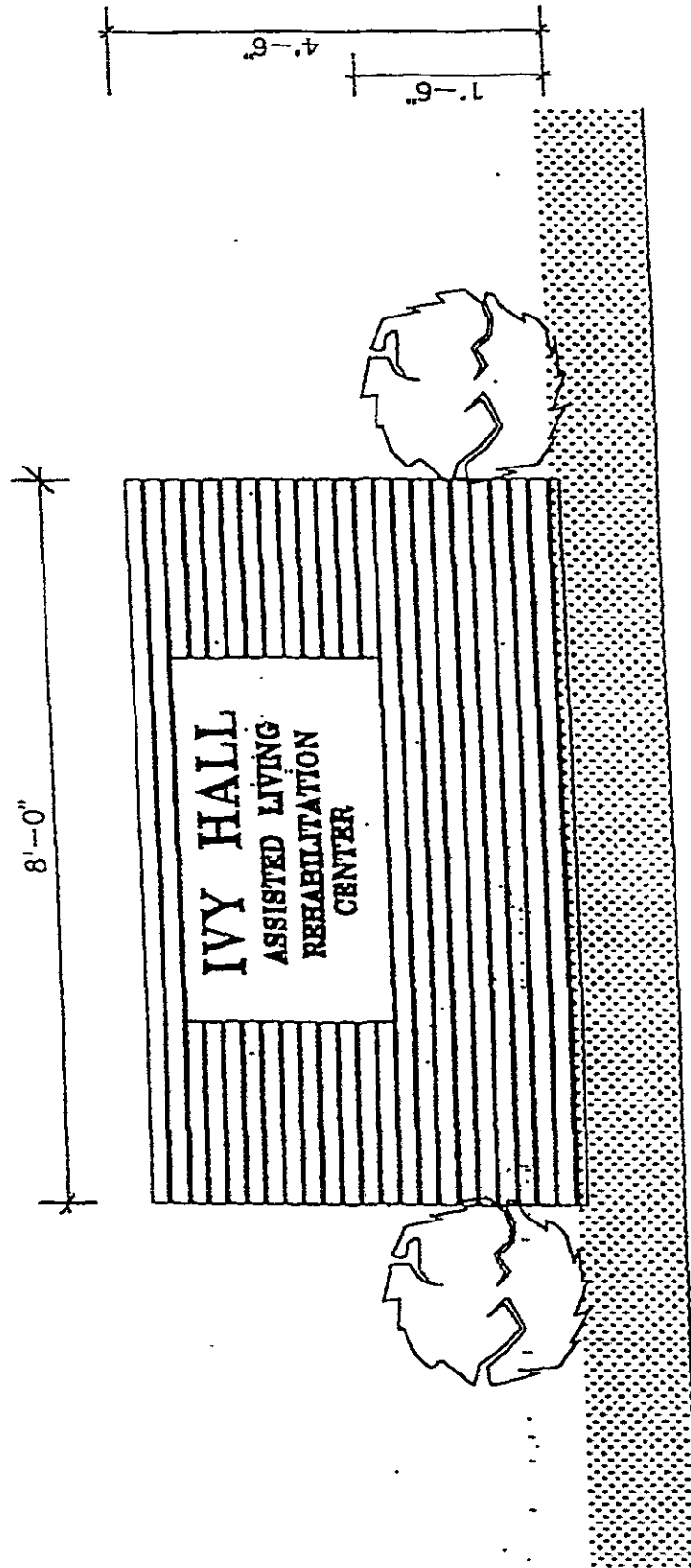
BAFITIS & Assoc. Inc.

1249 EMBLETT RD.

BALTO. Md. 21221



REVISOR 10-1-83
LAWSON 20



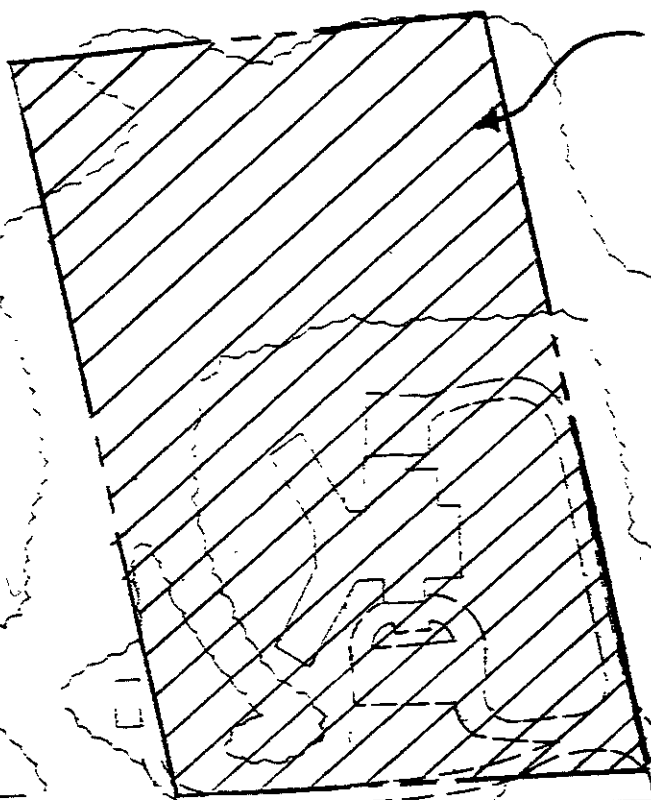
ELEVATION VIEW
SCALE = 1/2" = 1'-0"



D. R. 5

SITE

D.R. 16



MIDCLASS DR.

LAIRWAY

BL

P.O.B.
N. 13, 864.30
E. 46, 845.99

WINDLASS

D.R. 16

BM-CCC

580

SCALE

200'

LOCATION

SHEET

DATE

OF

PHOTOGRAPHY

JANUARY

MIDDLE RIVER

ZONING MAP

NE
4-H

BOULEVARD

DIAGONAL

MARTIN

MIDDLE RIVER