

IN RE: PETITION FOR SPECIAL HEARING * BEFORE THE
NEC Poplar Road & Edmondson
Avenue * ZONING COMMISSIONER
5741 Edmondson Avenue (Glynn Taff)
1st Election District * OF BALTIMORE COUNTY
1st Councilmanic District
Legal Owner: Burleigh Ent. Ltd. * Case No. 98-17-SPH
Liability Partnership
Contract Purchaser: Burleigh Enter-
prises I, LLC, Petitioner

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a Petition for Special Hearing for the property located at 5741 Edmondson Avenue in Catonsville. The Petition was filed by Burleigh Enterprises Limited Liability Partnership, property owner, and Burleigh Enterprises I, LLC, Contract Purchaser. Both of these entities are under the control of the Burleigh family. Special Hearing relief is requested to approve a modification to the special exception granted in 96-398-SPHA, to allow an expansion of the Assisted Living Facility on Lot 2 from 45 to 51 beds, and to approve an addition to the existing building to house the additional beds and associated support facilities. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Special Hearing received as Petitioner's Exhibit No. 1.

Appearing at the requisite public hearing held for this case were John Burleigh III and Brian C. Burleigh on behalf of the business entities which are identified as Petitioners. Also present was John Trueschler, the landscape architect who prepared the site plan. The Petitioner was represented by John V. Murphy, Esquire. There were no Protestants or other interested persons present.

The subject property is known as lot No. 2 of a 3 lot overall tract of property owned by the Burleighs. Lot No. 2 is 2.488 acres in area,

ORDERED: 9/15/97
Date: 9/15/97
By: M. H. H. H.

split zoned D.R.5.5 and D.R.16. Presently, the lot is improved with an existing structure which has been used for many years as an Assisted Living Facility. Apparently, the structure is quite old and was constructed in the early 1900s.

In addition to the improvements on lot No. 2, the Burleigh family also owns lot No. 1 and the use thereof is consistent with the business activity on lot No. 2. Lot No. 1 is 1.776 acres in area and features a one story frame building which is used as a nursing home. Both lots 1 and 2 have vehicular access from Edmondson Avenue and have been used in conjunction with one another over the years. Testimony and evidence presented was that originally the old structure on lot No. 2 was developed for elderly housing and subsequently approval obtained and construction completed for the nursing home facility on lot No. 1. The zoning history of the property is depicted within Note No. 8 on the site plan.

The matter comes before this Zoning Commissioner at the present time under a Petition for Special Hearing. The Petitioner requests approval for two additions to be attached to the old building. A small addition is proposed on the south side of the structure and a larger addition on the north side. These additions will increase the number of the beds at the assisted living facility from 45 to 51 in number and will provide additional space for supporting facilities.

Uncontradicted testimony and evidence presented was that the proposed improvements will be consistent with the existing layout and use and will not cause any detriment to the health, safety or general welfare of the area. Moreover, the property has sufficient parking to support the additions proposed and there will clearly be no overcrowding of the land nor undue strain on public facilities. In this regard, testimony was offered that the existing storm water management facility is sufficiently sized to accommodate the additional areas of impervious surface.

ORDERED: 9/15/79
Date: 9/15/79
By: [Signature]

Based upon the testimony and evidence presented, all of which was uncontradicted, I am persuaded to grant the Petition for Special Hearing. In my judgment, the proposed additions represent an upgrade to the use on the property and satisfy the standards set forth in Section 502.1 of the BCZR. I specifically find that there will be no detrimental impact to the health, safety or general welfare by the approval of the site plan and construction of the proposed additions.

Notwithstanding a grant of the relief requested, an additional comment is in order regarding the existing building on which the additions will be added. The Zoning Plans Advisory Committee comment from the Office of Planning indicates that the house was originally designed and constructed in 1901 and is noted on the Maryland Historic Trust inventory as site No. BA2742. In this regard, the testimony offered by the Petitioner at the hearing was that the Burleigh family was, in fact, unaware that the building had historic value and was on the Maryland Historic Trust inventory. In fact, the site plan, which has been since amended, originally indicated that there were no historic structures on the site.

In any event, the comment from the Office of Planning suggests that certain modifications to the proposed additions so that it would be more compatible with the existing historic building in terms of building style and roofing. In this regard, the Petitioner presented building elevations (Petitioner's Exhibit No. 2) and a letter from Kann and Associates, Inc. (Petitioner's Exhibit No. 3) the architects who have designed the building additions. Collectively, these elevations and letter describe changes to the building style which have been adopted in order to satisfy the comment authored by the Office of Planning. In my judgment, adoption of these recommendations from the architect will ensure that the addition will be compatible with the existing building. Thus, as a condition precedent to the approval of the special hearing, the recommendations offered by Kann

ORDERED FOR FILING
DATE 9/15/97
BY [Signature]

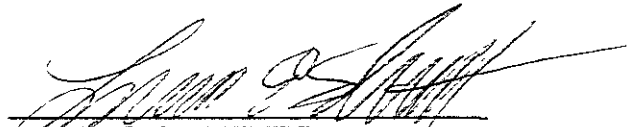
and Associates, as shown on the building elevation drawings, will be adopted.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 15th day of September 1997 that, pursuant to the Petition for Special Hearing, approval for a modification to the special exception granted in 96-398-SPHA, to allow an expansion of the Assisted Living Facility on Lot 2 from 45 to 51 beds, and to approve an addition to the existing building to house the additional beds and associated support facilities, be and is hereby GRANTED.

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 returning, said property to its original condition.

2. The recommendations offered by Kann and Associates, (Petitioner's Exhibit No. 3) as shown on the building elevation drawings, are hereby adopted and shall be incorporated within the site plan.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmn



Baltimore County
Zoning Commissioner
Office of Planning

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

September 12, 1997

John V. Murphy, Esquire
14 N. Rolling Road
Catonsville, Maryland 21228

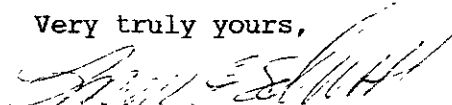
RE: Petition for Special Hearing
Case No. 98-17-SPH
Property: 5741 Edmondson Avenue
Burleigh Enterprises Ltd. Lia. Partnership, Petitioner

Dear Mr. Murphy:

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

In the event any party finds the decision rendered 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 Appeals Clerk at 887-3391.

Very truly yours,


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm
encl.

c: Messrs. John E. Burleigh III & Brian C. Burleigh
Glynn Taff Assisted Living
5741 Edmondson Avenue
Catonsville, Maryland 21228





Petition for Special Hearing

98-17-SPH

to the Zoning Commissioner of Baltimore County

for the property located at 5741 Edmondson Avenue, Catonsville

which is presently zoned DR16/

DR5 .5

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

Modifying the Special Exception granted in case no. 96-398-SPHA to allow an expansion of the existing Assisted Living Facility on Lot 2 from 45 to 51 beds, to approve an addition to the existing building to house the additional beds and associated support facilities.

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/Lessor:

Burleigh Enterprises I, LLC
(Type or Print Name)

By: Brian Burleigh

Brian Burleigh
Signature

Address

City State Zipcode

Attorney for Petitioner:

John V. Murphy, Esquire

(Type or Print Name)

John V. Murphy
Signature

14 N. Rolling Road 744-4967
Address Phone No.

Catonsville, Maryland 21228
City State Zipcode

Legal Owners:

Burleigh Enterprises Limited

(Type or Print Name)

Liability Partnership

By: John Burleigh

Signature

5741 EDMONDSON AVE
(Type or Print Name)

BALTO MD 21228
Signature

Address

Phone No.

City

State

Zipcode

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

Name

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

JRF

DATE

7-14-97

#17

7/14/97

GORDON T. LANGDON
EDWARD F. DELACROIX-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

98-175PH

July 14, 1997

**Zoning Description
Proposed Lot 1
Ridgeway Manor Nursing Home**

Beginning on the east side of Edmondson Avenue, variable width right-of-way, 81 feet, more or less, southwesterly of the extension of the centerline, of Academy Road, thence leaving Edmondson Avenue and running South 66 degrees 57 minutes 23 seconds East 84.98 feet, by a line curving to the left having a radius of 45.00 feet for an arc distance of 63.30 feet (the chord of said arc bearing South 41 degrees 14 minutes 12 seconds East 58.21 feet), South 08 degrees 28 minutes 00 seconds West 87.27 feet, South 19 degrees 00 minutes 00 seconds East 5.57 feet, South 64 degrees 00 minutes 00 seconds East 15.61 feet, South 19 degrees 00 minutes 00 seconds East 130.00 feet, North 71 degrees 00 minutes 00 seconds East 63.00 feet, South 24 degrees 45 minutes 00 seconds East 56.52 feet, South 63 degrees 07 minutes 30 seconds West 135.00 feet, South 89 degrees 31 minutes 22 seconds West 92.98 feet, North 01 degrees 43 minutes 38 seconds West 52.80 feet, and South 86 degrees 01 minute 22 seconds West 200.56 feet to the east side of Edmondson Avenue, thence along the east side of Edmondson Avenue by a line curving to the left having a radius of 746.00 feet for an arc distance of 166.70 feet (the chord of said arc bearing North 29 degrees 26 minutes 43 seconds East 166.36 feet), and North 23 degrees 02 minutes 37 seconds East 225.24 feet to the place of beginning.

Containing 1.776 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.

Ridgeltl.zde

#17



7/14/97

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

No. **048781**

DATE **5/4/98**

ACCOUNT **001-6150**

AMOUNT **\$ 40.00 (JLL)**

RECEIVED FROM: **Murphy & Murphy LLC**

FOR: **VERIFICATION #98-2197
Ridgeway Manor NURS Home & Glycer Taff ALF
5743 & 5741 Edmondson Avenue**

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME
6/05/1998 6/04/1998 14:56:03
REF **MS06 CASHIER MICEL WU DROVER 6**
5 MISCELLANEOUS CASH RECEIPT
Receipt # **018727**
CR NO. **048781**

40.00 CHECK
Baltimore County, Maryland

CASHIER'S VALIDATION

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

No. **041026**

DATE 7-14-97 ACCOUNT R-001-615-000

AMOUNT \$ 250.00

RECEIVED FROM: John Burleigh
5741 Edmondson Ave Item# 17
FOR: 040. SPH Taken by: JRT

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
7/14/1997 7/16/1997 11:31:01
REG NO. 0002 CASHIER JRT: WTR BROWNE
MISCELLANEOUS CASH RECEIPT
RECEIVED BY 000200
CR NO. 041026
\$50.00 CASH
Baltimore County - Baltimore

CASHIER'S VALIDATION

NOTICE OF HEARING
The County of Baltimore, State of Maryland, Department of Planning and Economic Development, Office of Planning and Economic Development, holds a public hearing in Towson, Maryland, on the property identified herein as follows:
Case No. 12-5811
5411 Landon Avenue
(Glen Ridge)
NEC, Duplex, Quad, and Ed.
Towson, Md.
15110
Legal Description:
Dundalk Enterprises, Limited
Dundalk Enterprises, Limited
Contract No. 12-5811
Baltimore, Md. LEO
Special Hearing: to approve modifying the special exception granted in case No. 96-398-SPHA to allow an expansion of the existing Assisted Living Facility on Lot 2 from 45 to 51 beds; to approve an addition to the existing building to house the additional beds and associated support facilities.
Hearing: Friday, August 29, 1997 at 10:00 a.m., in Room 106 County Office Building, 111 W. Chesapeake 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.
7/455 July 31 6162242

CERTIFICATE OF PUBLICATION

TOWSON, MD., 7/31, 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 7/31, 1997.

THE JEFFERSONIAN,
A. Henrichson
LEGAL AD. - TOWSON

~~Signature~~

GORDON T. LANGDON
EDWARD F. DEIACO-LOHR
BRUCE E. DOAK

GERHOLD, CROSS & ETZEL, LTD.

Registered Professional Land Surveyors

SUITE 100
320 EAST TOWSONTOWN BOULEVARD
TOWSON, MARYLAND 21286-5318

410-823-4470
FAX 410-823-4473

EMERITUS
PAUL G. DOLLENBERG
FRED H. DOLLENBERG
CARL L. GERHOLD
PHILIP K. CROSS
OF COUNSEL
JOHN F. ETZEL
WILLIAM G. ULRICH

98-17-5PH

July 14, 1997

**Zoning Description
Proposed Lot 2
Glynn Taff Assisted Living**

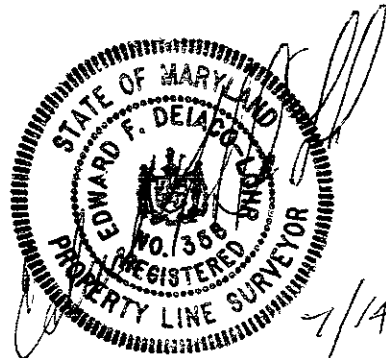
Beginning on the east side of Edmondson Avenue, variable width right-of-way, 81 feet, more or less, southwesterly of the extension of the centerline of Academy Road, thence running along the east side of Edmondson Avenue, North 23 degrees 02 minutes 37 seconds East 208.90 feet, thence leaving Edmondson Avenue and running South 55 degrees 55 minutes 28 seconds East 134.08 feet, South 37 degrees 18 minutes 33 seconds East 429.37 feet, South 63 degrees 07 minutes 30 seconds West 233.50 feet, North 24 degrees 45 minutes 00 seconds West 56.52 feet, South 71 degrees 00 minutes 00 seconds West 63.00 feet, North 19 degrees 00 minutes 00 seconds West 130.00 feet, North 64 degrees 00 minutes 00 seconds West 15.61 feet, North 19 degrees 00 minutes 00 seconds West 5.57 feet, North 08 degrees 28 minutes 00 seconds East 87.27 feet, by a line curving to the right having a radius of 45.00 feet for an arc distance of 63.30 feet, (the chord of said arc bearing North 41 degrees 14 minutes 12 seconds West 58.21 feet), and North 66 degrees 57 minutes 23 seconds West 84.98 feet to the place of beginning.

Containing 2.488 Acres, more or less.

Note: This description is not for conveyance purposes and only fulfills the requirements of the Baltimore County Office of Zoning.

#17

Ridgelt2.zde



CERTIFICATE OF POSTING

RE: Case No.:

98-17-SPH

Petitioner/Developer:

GLYNN TAFT
BURLEIGH ENTERPRISES, ETAL
c/o JOHN MURPHY, ESQ.

Date of Hearing/Closing:

AUG. 29, 1997

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

GLYNN TAFT
EDMONDSON AVENUE @ SITE

The sign(s) were posted on

8/10/97

(Month, Day, Year)

Sincerely,

Patrick M O'Keefe 8/10/97
(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

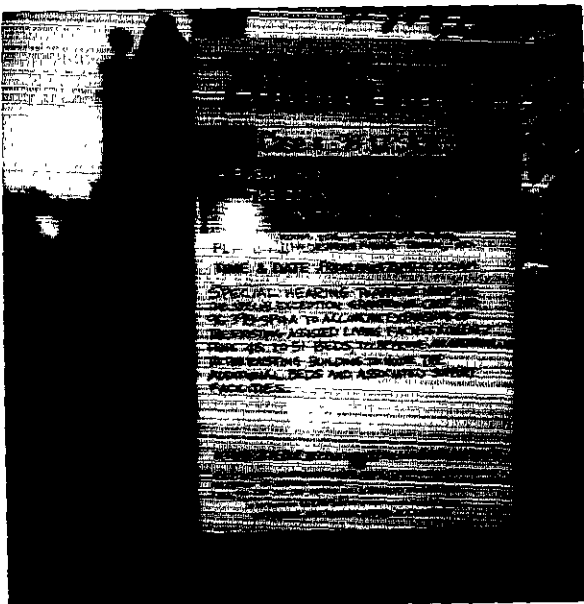
Hunt Valley, MD 21030

(City, State, Zip Code)

(410) 666-5366

(Telephone Number)

Page (410) 644-8354





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.: 17

Petitioner: BURLEIGH ENTERPRISES LHM PART

Location: 5741 EDMONDSON AVE

PLEASE FORWARD ADVERTISING BILL TO:

NAME: BRIAN BURWEIGH

ADDRESS: 5741 EDMONDSON AVE

BAWTO MD 21228

PHONE NUMBER: 410 744-4977

AJ:ggs

(Revised 09/24/96)

Plat to accompany Petition for Zoning ☐ Variance ☐ Special Hearing

PROPERTY ADDRESS: _____

see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: _____

plat book # _____, folio # _____, lot # _____, section # _____

OWNER: _____



North

date: _____
prepared by: _____

Scale of Drawing: 1" = _____



Vicinity Map
North
scale: 1"=1000'

LOCATION INFORMATION

Election District

Councilmanic District

1 - 200 scale map#

Zoning

lot size: _____

acreage _____

square feet _____

SEWER: ☐ public ☐ private

WATER: ☐ yes ☐ no

Chesapeake Bay Critical Area: ☐ yes ☐ no

Prior Zoning Hearings:

Zoning Office USE ONLY!

reviewed by: _____ ITEM #: _____ CASE#: _____

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

Case No.: 98-17-SPH

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

PLACE: _____ *

DATE AND TIME: _____ *

REQUEST: Special Hearing - Modifying the Special Exception
granted in case no. 96-398-SPHA to allow an expansion of the
existing Assisted Living Facility on Lot 2 from 45 to 51 beds,
to approve an addition to the existing building to house the
additional beds and associated support facilities.

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

TO: PUTUMENT PUBLISHING COMPANY
July 31, 1997 Issue - Jeffersonian

Please forward billing to:

Brian Burleigh
5741 Edmondson Avenue
Baltimore, MD 21228
410-744-4977

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: 98-17-SPH
5741 Edmondson Avenue (Glynn Taff)
NEC Poplar Road and Edmondson Avenue
1st Election District - 1st Councilmanic
Legal Owner(s): Burleigh Enterprises Limited Liability Partnership
Contract Purchaser(s): Burleigh Enterprises I, LLC

Special Hearing to approve modifying the special exception granted in case No. 96-398-SPHA to allow an expansion of the existing Assisted Living Facility on Lot 2 from 45 to 51 beds, to approve an addition to the existing building to house the additional beds and associated support facilities.

HEARING: FRIDAY, AUGUST 29, 1997 at 10:00 a.m., in Room 106 County Office Building, 111 W. Chesapeake 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 25, 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: 98-17-SPH
5741 Edmondson Avenue (Glynn Taff)
NEC Poplar Road and Edmondson Avenue
1st Election District - 1st Councilmanic
Legal Owner(s): Burleigh Enterprises Limited Liability Partnership
Contract Purchaser(s): Burleigh Enterprises I, LLC

Special Hearing to approve modifying the special exception granted in case No. 96-398-SPHA to allow an expansion of the existing Assisted Living Facility on Lot 2 from 45 to 51 beds, to approve an addition to the existing building to house the additional beds and associated support facilities.

HEARING: FRIDAY, AUGUST 29, 1997 at 10:00 a.m., in Room 106 County Office Building, 111 W. Chesapeake Avenue.

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

Arnold Jablon
Director

cc: Burleigh Enterprises Limited Liability Partnership
John V. Murphy, Esq.

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY AUGUST 14, 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.



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
5741 Edmondson Avenue (Glynn Taff), NEC * ZONING COMMISSIONER
Poplar Road and Edmondson Avenue * OF BALTIMORE COUNTY
1st Election District, 1st Councilmanic *
Legal Owner(s): Burleigh Enterprises Ltd *
Liability Partnership * CASE NO. 98-17-SPH
Contract Purchaser(s): Burleigh Enterprises I, 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 6th day of August, 1997, a copy of the foregoing Entry of Appearance was mailed to John V. Murphy, Esq., 14 N. Rolling Road, Baltimore, MD 21228, attorney for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



Baltimore County
Fire Department

Office of the Fire Marshal
700 East Joppa Road
Towson, Maryland 21286-5500
(410)887-4880

August 5, 1997

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

RE: Property Owner: Eric G. Kron and Eric B. Bowen - 010
Burleigh Enterprises Limited Liability Ptnshp. - 017

Location: DISTRIBUTION MEETING OF July 26, 1998

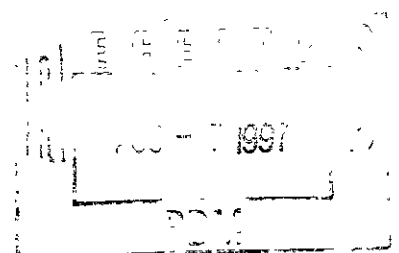
Item No.: 010 and 017 Zoning Agenda:

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.

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.

REVIEWED BY: ROBERT A. GARDNER
Fire Marshal, Office, Phone 887-4881, MS-1112F
cc: File



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

I N T E R O F F I C E C O R R E S P O N D E N C E

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

Date: August 4, 1997

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

SUBJECT: Zoning Advisory Committee Meeting
 for August 4, 1997
 Item Nos. 010, 011, 016, , 018,
 & 019

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

RWB:HJO:jrb

cc: File

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

TO: PDM
FROM: R. Bruce Seeley .
Permits and Development Review
DEPRM
SUBJECT: Zoning Advisory Committee
Meeting Date: 7/28/92

DATE: 7/31/92

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

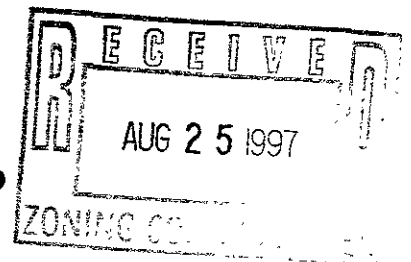
Item #'s:

11
13
14
17

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE



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

DATE: August 22, 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. 21 and 35

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: Jeffrey W. Long

Division Chief: Carol L. Kerns

AFK/JL

HP
8/29

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: August 26, 1997

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

SUBJECT: 5741 Edmondson Avenue

Item Number: # 17
Petitioner: Burleigh Enterprises, LLP.
Zoning: DR 5.5/DR 16
Hearing Date: August 29, 1997

SUMMARY OF RECOMMENDATIONS

The proposed Special Hearing requests a modification to the Special Exception to permit an expansion of the Assisted Living facility on Lot 2 from 45 to 51 beds. The existing building is a 1901 frame residence designed by George Archer, which is noted on the Maryland Historic Trust Inventory as Site Number BA 2742.

The Baltimore County Landmarks Preservation Commission met on August 14, 1997, to review the proposed addition to the historic structure as shown on elevation drawings prepared by Kann and Associates. (Dated Preliminary only 7/20/97.)

The Landmarks Preservation Commission strongly suggested modifications to the proposed addition so that it would be more compatible with the existing historic building in terms of building style and roofing. Architect Roger Katzenberg indicated that the plan could be modified accordingly. The Commission will meet on September 11, 1997, at 7:00 pm and can review modified architectural drawings at that meeting provided drawings are submitted in advance to Tim Dugan, Planning Office Liaison to the Landmarks Commission.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

AFK/DI:lsn

c: Jeff Long

HP



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 7-25-97
Item No. 017 JRF

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,

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
Department of Permits and
Development Management

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

June 15, 1998

John V. Murphy, Esquire
Murphy & Murphy, LLC
14 North Rolling Road
Catonsville, MD 21228-4848

RE: 5743 & 5741 Edmondson Ave.
Ridgeway Manor Nursing
Home and Glynn Taff Assisted
Living Facility
Zoning Case #98-17-SPH
1st Election District

Dear Mr. Murphy:

Staff has reviewed the proposed expansion for 2 small additions at the above referenced site; the first for a freezer, the second for a 110 square foot kitchen area increase.

Based on the provided plan, the expansion is approved for zoning as being within the spirit and intent of the order and zoning case number 98-17-SPH. Please submit 2 red-lined zoning hearing plans and a copy of this letter for submission into the permanent case record file. Please be aware that this approval is for zoning only and is not intended as an approval for any other 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".

John L. Lewis
Planner II
Zoning Review

JLL:scj

c: zoning case #98-17-SPH



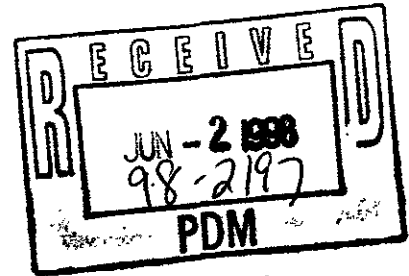
MURPHY & MURPHY, L.L.C.

Attorneys At Law
14 NORTH ROLLING ROAD
CATONSVILLE, MARYLAND 21228-4848
Tel (410) 744-4967
Fax (410) 744-8936

6/2/98
f
WCR

To: JLM
STI
check files
see me
6/4/98 ucy
B. Casheir

June 1, 1998



Arnold Jablon, Esquire
Director of Permits & Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Request for Verification Letter for Modifications to
Ridgeway Manor Nursing Home and Glynn Taff
Assisted Living Facility - 5743 and 5741 Edmondson
Ave. Catonsville Maryland

Dear Mr. Jablon:

Enclosed is a check for \$40 as payment of the fee for a verification letter.

Our client, Burleigh Enterprises, owns Ridgeway Manor Nursing Home and Glynn Taff Assisted Living Facility located, respectively, at 5743 and 5741 Edmondson Avenue, in Catonsville. These facilities were the subject of a Special Hearing [98-17-SPHA] on September 3, 1997 in which the Zoning Commissioner granted our request for additions to the Assisted Living Facility approving the plan entitled "Ridgeway Manor Amended Development Plan" (copy attached). The County has issued two building permits in conjunction with the facilities: B-281474, dated March 3, 1997, permitting construction of three building additions to Ridgeway Manor Nursing Home; and B-317062, dated December 30, 1997, permitting construction of two additions to Glynn Taff.

On September 10, 1997 after the owner had met with the State Health Department to show them the plans for the additions, the Health Department informed Burleigh Enterprises that the kitchen facilities of Ridgeway Manor, where food is prepared for the residents of both facilities, would have to be upgraded before the State would approve the building permit plans for Glynn Taff. See page 3 of the attached letter from the State Health Department. Extensive negotiations then ensued during which State and the owner exchanged ideas on how the owner would comply with these requirements resulting in space being added to the kitchen and cold storage areas. The upgrading will require two small additions, shown in red on the attached Amended Development Plan. The first addition is merely an extension of the previously approved external freezer which will provide more cold storage area for food preparation while the second increases the kitchen area by only 110 square feet. The owner's request that these additions be combined into one addition were denied by the Department.

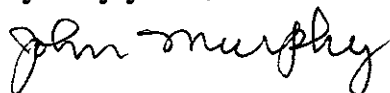
Page 2
June 1, 1998
Arnold Jablon, Esquire

Please note the owners are not requesting any functional change whatsoever such as the number of residents, parking spaces, etc. Nor will there be any impact on the neighborhood as the additions are in the rear of the building. We are asking only to be allowed to implement the existing plan as approved by Baltimore County and as now modified by the State Health Department. The Department's approval letter of April 9, 1998 is attached. Unfortunately the Health Department will not review owner's plans until the County approves the zoning and so we were unaware that we would need these small footprint changes when we presented our plan to the Zoning Commissioner in September. Consequently we have to come back to the County for these minor modifications

Given the size and location of these minor additions, and the fact that they were required by the State Health Department as part of the improvements Glynn Taff, we request the right to red-line the current building permit plans for Ridgeway Manor without the need to amend the Special Exception and the Amended Development Plan.

Please let me know if you have any questions.

Very truly yours,


John V. Murphy

JVM:pam

Enclosures

cc: Burleigh Enterprises
Site Resources Inc.

H:\WPWIN\CLIENTS\BURLEIGH\BURLEI.LET

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

JOHN V. MURPHY

14 N. ROLLING RD

CATONSVILLE MD 21228

JOHN TRUESCHLER
SITE RESOURCES

1738 BOGGS RD.

FOREST HILL MD 21050

BRIAN C BURLEIGH
GLYNN TAFF INC.

5741 EDMONDSON AVE
CATONSVILLE MD. 21228

JOHN E. BURLEIGH III
GLYNN TAFF ASSOCIATED
LIVING.

5741 EDMONDSON AVE.
CATONSVILLE, MD. 21228





September 2, 1997

Mr. John V. Murphy
Murphy & Murphy, L.L.C.
14 North Rolling Road
Catonsville, Maryland 21228-4848

**RE: Glynn Taff Assisted Living Facility
5741 Edmondson Avenue
Catonsville, Maryland 21228**

Kann and Associates Inc
207 East Redwood Street
Fourth Floor
Baltimore MD 21202
410 234 0900
410 539 4921 Fax

Architecture
Planning
Preservation
Interior Design
Facilities Management

Dear John:

In response to the feedback received from the Landmark Preservation Commission (LPC) on August 14, 1997, we have made the following changes to the building additions, in order to improve their compatibility with the existing structure.

- We have reduced the height of the grill for the through-wall HVAC units, thus improving the proportions of the window openings.
- The trim around the through-wall HVAC units has been modified, to tie in with the trim detail for the overall window opening.
- The window muntin pattern has been changed, to match that of the existing upper floor windows.
- The dining room windows have been increased in height, to bring them more in line with the existing lower floor windows.
- The 4" vinyl siding has been changed to a 6" lap, making it more compatible with the existing wide-lap siding.
- We have reduced the height of the "link" between the 3-story addition and the existing structure, in order to soften the transition between the two buildings.

Also note that, as part of the original design, the following elements have been carried through from the existing structure to the new:

- The existing masonry base is repeated in the building additions, using split-face block; the height of the existing base is maintained in the additions, as well.

Donald R Kann AIA, NCARB
Jonathan E McGowan AIA
Geoffrey H Glazer AIA
Roger L Katzenberg AIA
Cassandra Gottlieb AIA
Jon G Fisher AIA
Hardeepak (Harry) S Munday
Daniel L Isackson AIA, NCARB
Scott W Sider AIA, CSI

Ref No 3

- The eave line of the existing porch and gambrel roof, which continues around the existing building as a decorative fascia between the first and second floors (not visible on our elevations), is carried through to the new building, by running a fascia board - - at the same height as the existing - - between the second and third floors of the 3-story addition.

I hope that these design considerations will meet with the approval of the LPC. I have included three copies of the elevation for your use.

Sincerely,

KANN AND ASSOCIATES INC.



Cass Gottlieb, AIA
Principal

cc: Brian Burleigh

State of Maryland

Department of Health and Mental Hygiene

Parris N. Glendening, Governor - Martin P. Wasserman, M.D., J.D., Secretary

September 10, 1997

Ms. Cassandra Gottlieb, AIA
Kann & Associates, Inc.
207 E. Redwood Street - 4th Floor
Baltimore, Maryland 21202

RE: Glynn Taff Assisted Living Facility
New 3 Story Addition to Assisted Living Facility
DHMH Project No. 97113

SEP 12 1997

Dear Ms. Gottlieb:

A review of the above referenced project was completed on September 5, 1997 for the Construction Document Phase. All review comments follow:

1. The population of the current facility (Glynn Taff ALF) is twenty-six (26) residents arranged within thirteen (13) bedrooms on two levels. The maximum population of this existing building is forty-two (42) residents per COMAR 10.07.03.19A (2) as shown below:

<u>Name/No</u>	<u>Sq. Ft.</u>	<u>Max. Population</u>
Resident Rm. No. 1 (1st fl)	206 sq. ft.	3
" " " 2 (1st fl)	103 " "	1
" " " 3 " "	195 " "	3
" " " 4 " "	228 " "	3
" " " 5 " "	156 " "	2
" " " 6 " "	263 " "	4
" " " 7 (2nd fl)	297 " "	4
" " " 8 " "	297 " "	4
" " " 9 " "	266 " "	4
" " " 10 " "	243 " "	4
" " " 11 " "	273 " "	4
" " " 12 " "	264 " "	4
" " " 13 " "	148 " "	2
Thirteen rooms	2989 sq. ft	42 residents

201 West Preston Street - Baltimore, Maryland 21201
TDD for Disabled - Maryland Relay Service (800) 733-2258

Healthy People in Healthy Communities

2. The proposed population of the new three story addition is twenty-eight (28) residents. All bedrooms exceed the requirements of **COMAR 10.07.03.19A(2)** and are designed to support a maximum of two residents each for a grand total of fifty-six (56) residents.
3. The proposed population of both facilities, joined as one project is fifty-four (54) residents but it should be kept in mind that the two building can theoretically support a maximum of ninety eight (98) residents per **COMAR 10.07.03.19A(2)**.
4. All resident bathrooms need grab bars on all water closets and shower stalls per **COMAR 10.07.03.11E(5)**.
5. All corridors used by residents of both buildings must have handrails on both sides, per **COMAR 10.07.03.11B** Please consider using lean rails on all corridors less than five feet wide.
6. All nourishment stations (typical) need to be in compliance with **COMAR 10.07.03.15E(3)** The design location and size provided appears to be inadequate to accommodate all the required code items listed. Please advise.
7. Please provide a hand washing sink or laundry tray with the resident/staff laundry No. 12 on lower level of the new building Will there be any additional resident laundries in the existing facility provided. Please advise
8. Activity space required for fifty four (54) residents is 1890 square feet per **COMAR 10.07.03.19A(1)** These two buildings provide 1910 sq. ft. in the following break down:

o	Activity room (1st fl., exist)	425 sq. ft.
o	Reception area (1st fl., exist)	125 sq. ft.
o	Parlor (1st fl., exist)	313 sq. ft.
o	Dining room (1st fl., exist)	330 sq. ft.
o	New Dining Room (1st fl.)	717 sq. ft.
	Five Spaces	1910 sq. ft.

Page 22 of 30
10-19 P. 14

Please Note: One thousand nine hundred ten (1910 sq. ft.) square feet will support 54 residents. The new addition needs a minimum of 800 square feet of activity space to support the proposed population. The average assisted living facility today provides 50 to 60 sq. ft. of activity space per resident.

9. The Kitchen and Storage Issues:

The kitchen requirement for fifty-four (54) assisted living residents added to sixty-one (61) nursing home residents equals one hundred fifteen (115) residents, who will be eating three meals per day. In addition, the domiciliary care facility could have a maximum population of ninety-eight (98) residents which should be considered when sizing the kitchen design for any future expansion (see items 1,2,3 above).

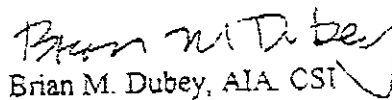
The kitchen will have to be completely redesigned to support the minimum increase of twenty-eight (28) residents. On October 21, 1996 an approval letter (enclosed) was sent by Licensing and Certification regarding a ten bed increase which evaluated the main kitchen. The kitchen was found to contain 948 sq. ft. which would support a maximum of eight-eight (88) residents.

Per COMAR 10.07.02.32.F, the kitchen will need the following minimum requirements:

o	<u>Kitchen Food Production Area:</u>	1190 sq. ft. min.
o	<u>Dry Storage Space:</u>	230 sq. ft.
o	<u>Cooler Storage Space:</u>	690 cubic ft.
o	<u>Freezer Storage Space:</u>	690 cubic ft.

Please review these comments and respond with a point-by-point letter and/or design changes. If further discussion is required, please feel free to call me at (410) 767-5921.

Very truly yours,



Brian M. Dubey, AIA CSI
Senior Architect
Division of Engineering & Maintenance

BDM:rhs

cc: Baltimore County Health Dept. - Bill Bridges
State Fire Marshal - John Bender
Abdul Majid - DEM
File No. 97113

State of Maryland

Department of Health and Mental Hygiene

Parris N. Glendening, Governor - Martin P. Wasserman, M.D., J.D., Secretary

April 9, 1998

Gene Heisler, Assistant Director
Licensing & Certification Administration
4201 Patterson Avenue
Baltimore, Maryland 21215

**Re: Glynn Taff Assisted Living Facility
New Addition, for a total Population of 48 Residents
DHMH Project No. 97113**

Dear Mr. Heisler,

A review of the above referenced project was completed on 4/8/98 by Mr. Brian Dubey for the Construction Document Phase (Final). His comments follow:

1. The maximum population of the new two storey addition to the exiting twenty (20) resident facility is twenty-eight (28) residents, arranged into fourteen (14) semi-private bedrooms. All bedrooms exceed the requirements of **COMAR 10.07.03.19A(2)**.
2. Activity space for forty-eight (48) residents is 1680 sq. ft. per **COMAR 10.07.03.19A(1)**. The existing and new addition will provide 1910 sq. ft. in the following areas:

o	Activity Room (1st fl., exit)	425 sq. ft.
o	Reception area (1st fl., exit)	125 sq. ft.
o	Parlor (1st fl., exit)	313 sq. ft.
o	Dining Room (1st fl., exit)	330 sq. ft.
o	<u>New Dining Room (1st fl., new)</u>	<u>717 sq. ft.</u>
	five spaces	1910 sq. ft.

Glynn Taff Assisted Living Facility
DHMH Project No. 97113
April 9, 1998

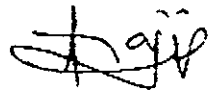
3. The main kitchen space requirements for one hundred nine (109) combined residents (48 assisted living plus 61 nursing) is 1142 sq. ft. per **COMAR 10.07.02.32F**. This renovated kitchen contains 1152 sq. ft. of food production space which is more than adequate per the code.
4. Dry Storage contains 326 sq. ft. of storage space (2) which will support a maximum of 163 residents and staff.
5. Cooler and Freezer storage space (2) exceed the minimum requirements of **COMAR 10.07.02.32J**.

Accordingly, you may consider this letter an approval for construction and may advise the following individual if you concur:

Ms. Cassandra Gottlieb, AIA
Kann & Associates, Inc.
207 E. Redwood Street - 4th fl.
Baltimore, Maryland 21202

Also, please advise Ms. Gottlieb that Mr. Dubey should be called at (410) 767-5921 when the project is 95% complete so that a site visit can be scheduled.

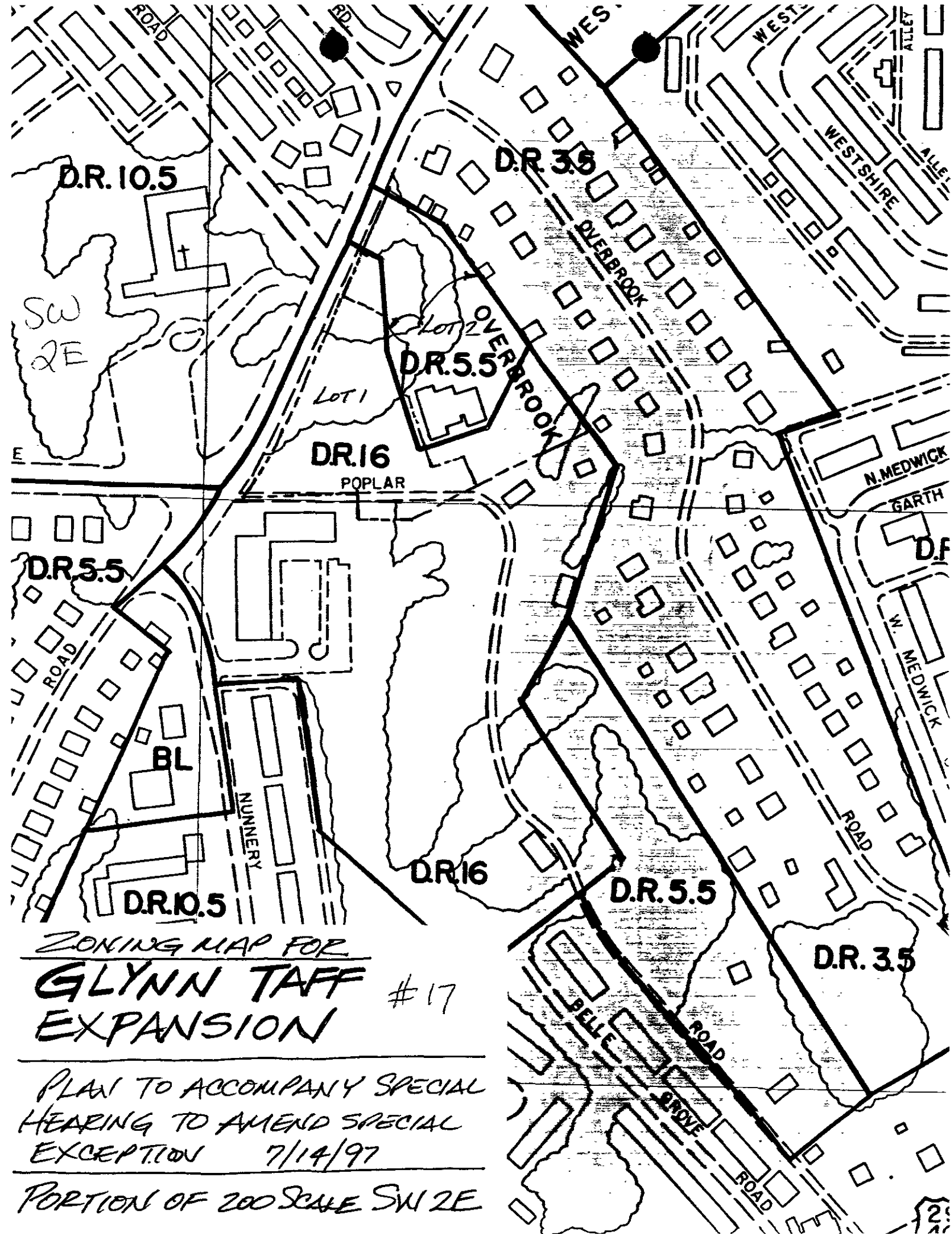
Very truly yours,



Abdul Majid, Acting Chief
Division of Engineering & Maintenance

AM:rb

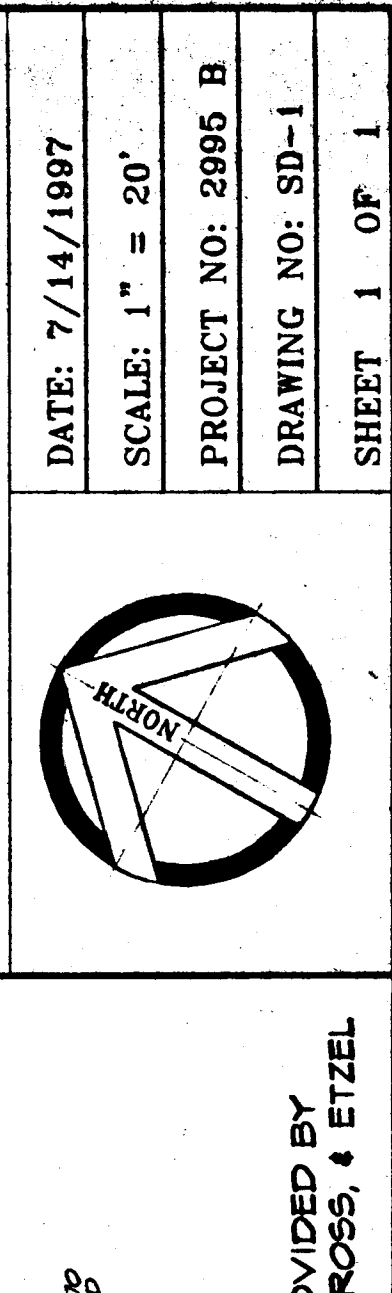
cc. Baltimore County Health Dept. - Katherine W. Mansberger
State Fire Marshal - John Bender
Ernestine Williams - LCA
Brian M. Dubey - DEM
File No 97113



ZONING MAP FOR
GLYNN TAFF #17
EXPANSION

PLAN TO ACCOMPANY SPECIAL
HEARING TO AMEND SPECIAL
EXCEPTION 7/14/97

PORTION OF 200 SCALE SW 2E

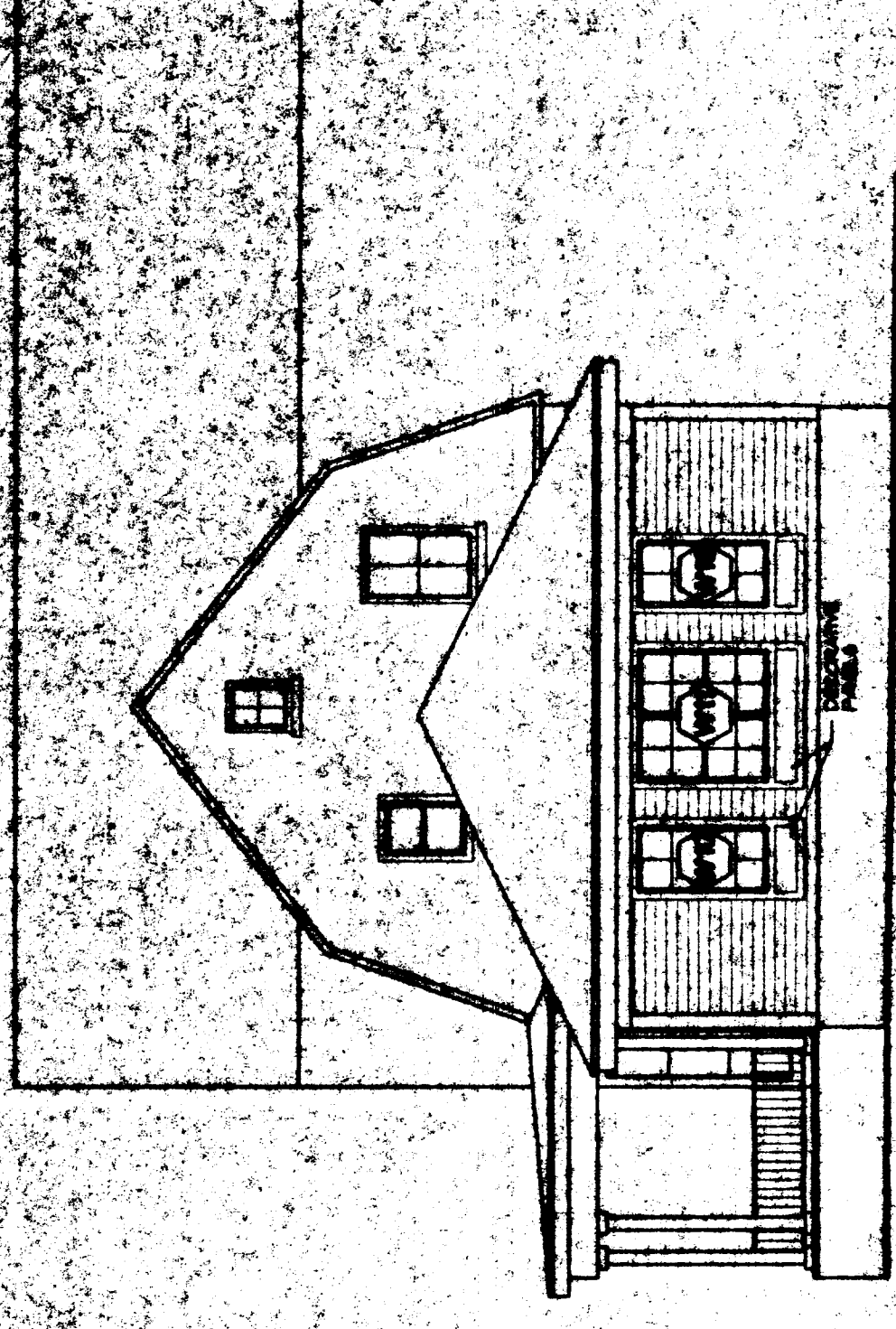
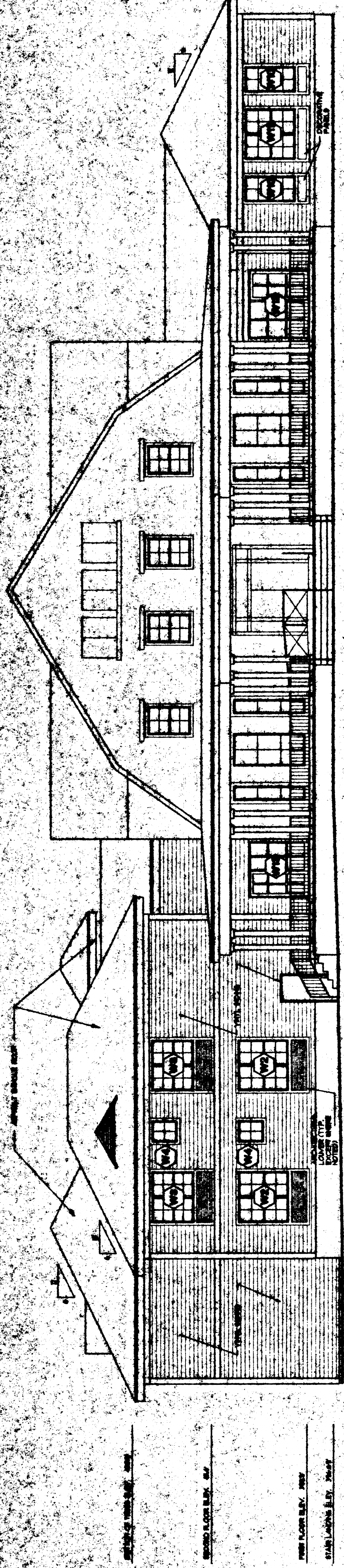


ROSS, & ETZEL

RICHARD A.
CAROL E. NEWMAN
OTB, NO. 4044 TONG 3RD
AND OVERBROOK ROAD

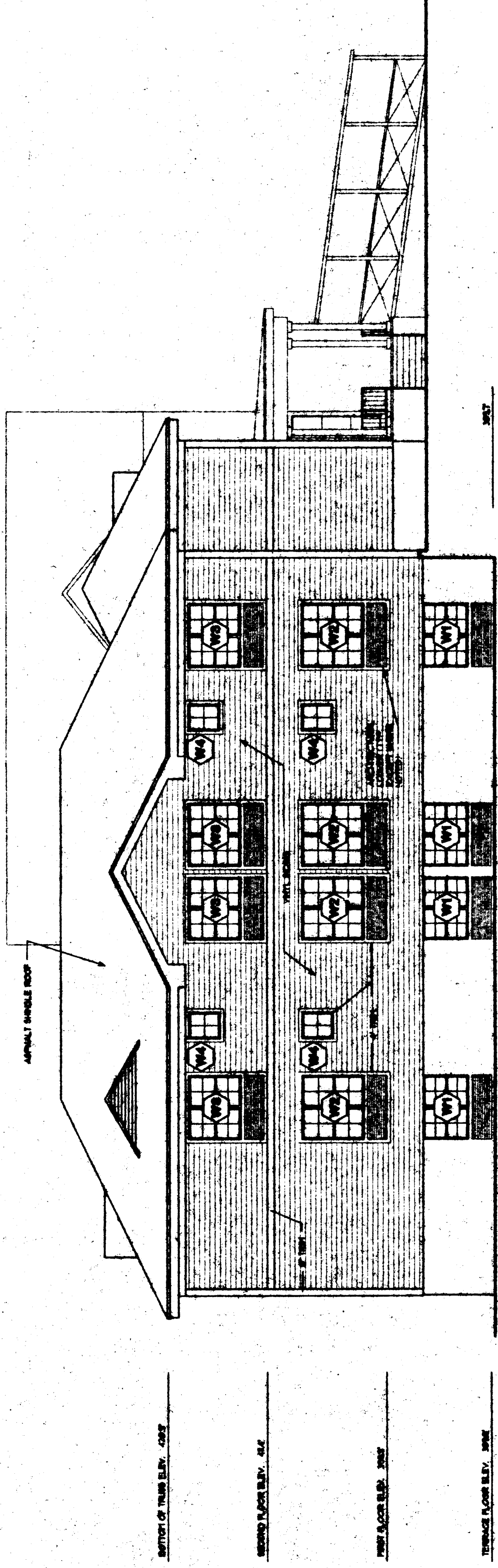
SERHOLD, CROSS, & ETZEL





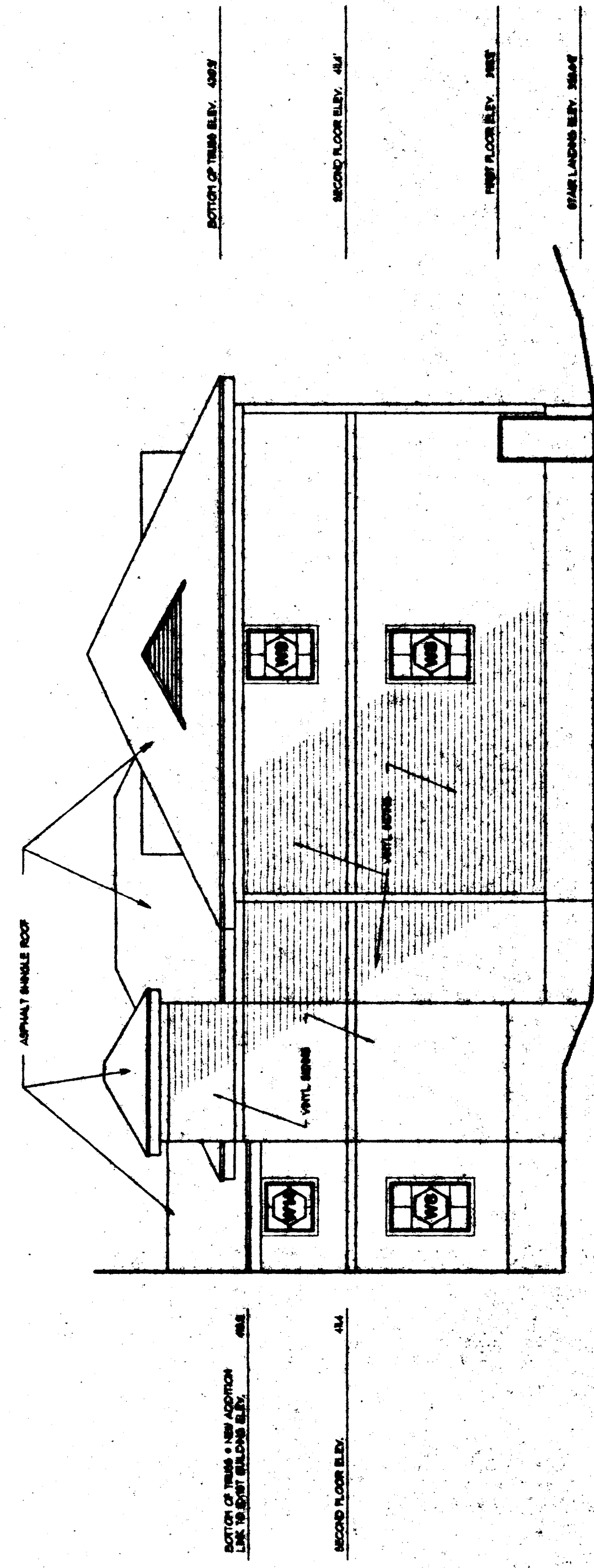
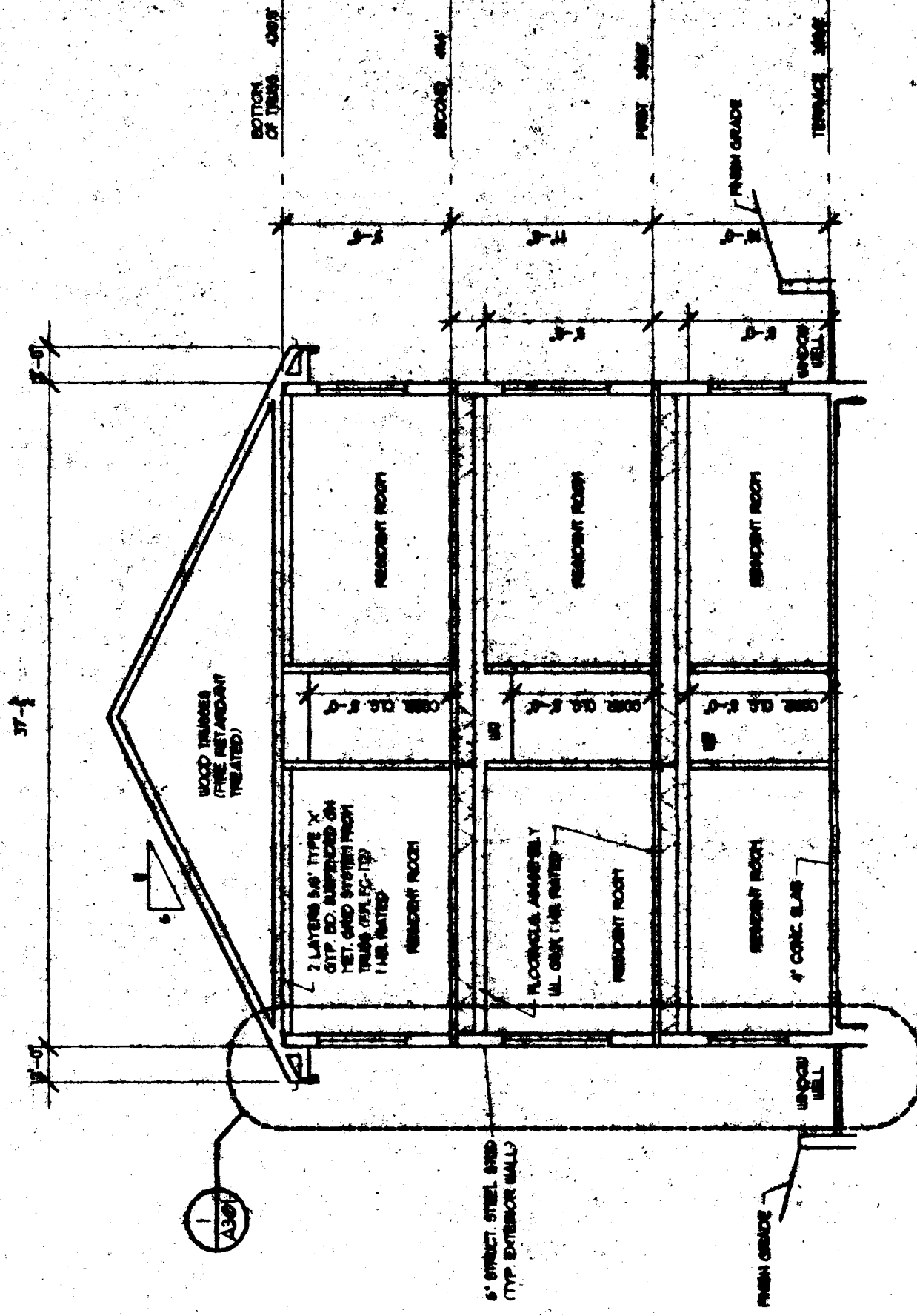
1 WEST ELEVATION

2 SOUTH ELEVATION - DINING



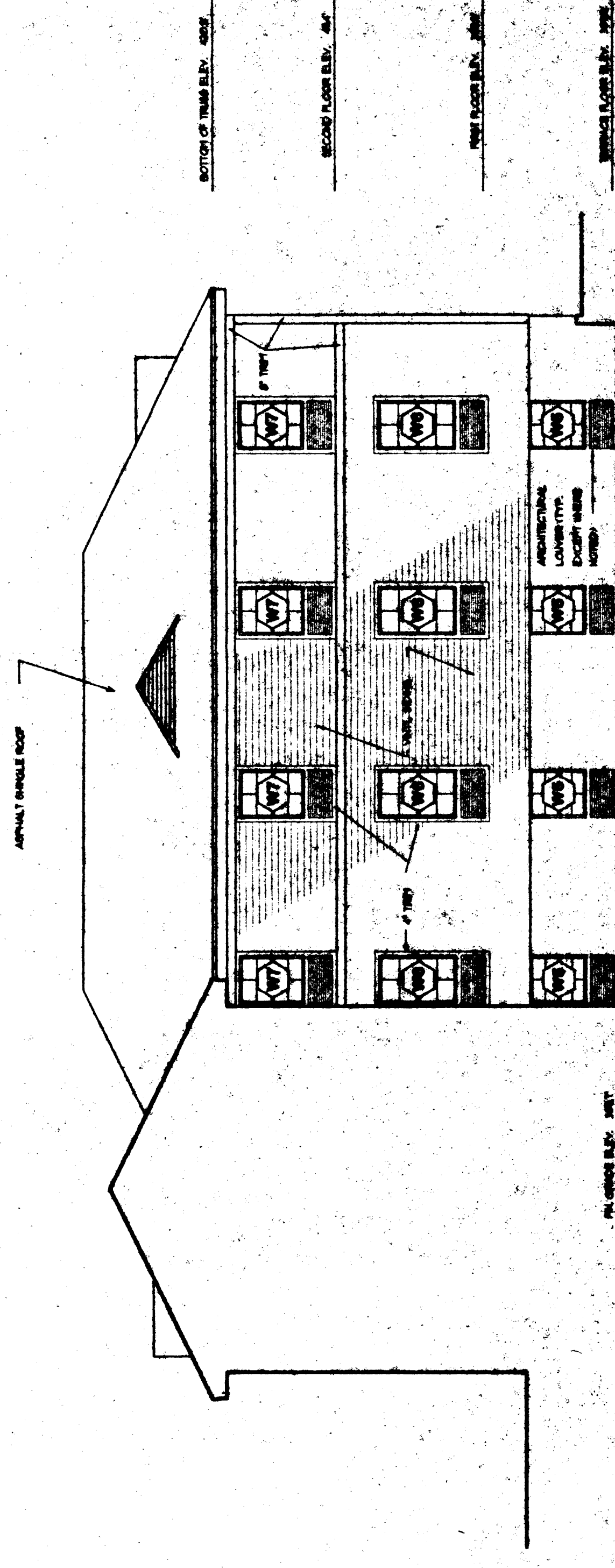
3 NORTH ELEVATION

4 BUILDING SECTION THRU NORTH ADDITION



4 EAST ELEVATION

5 SOUTH ELEVATION



PETITIONERS
EXHIBIT No. 2

GLYNN TAFE ASSISTED LIVING
574 EDMONDSON AVENUE
CATONSVILLE, MARYLAND

201 East Jefferson Street
Baltimore, MD 21202
410 334 6000
410 338 0271 Fax



Architecture
Preservation
Interior Design
Facilities Management

These drawings are the property of KA and are to be used only for the project and location shown. They are not to be reproduced, copied, or used for any other project without the written consent of KA. KA assumes no responsibility for the accuracy or completeness of the information provided by the client or for the results of the design process.

Revisions	Date

Project No.	02-000001-01
Project Name	GLYNN TAFE ASSISTED LIVING
Project Location	574 EDMONDSON AVENUE, CATONSVILLE, MD
Project Date	01/01/02
Project Status	Design
Project Manager	John A. Kaiser
Project Engineer	John A. Kaiser
Project Architect	John A. Kaiser
Project Designer	John A. Kaiser
Project Draftsman	John A. Kaiser
Project Checker	John A. Kaiser
Project Approver	John A. Kaiser

BUILDING
ELEVATIONS
& SECTIONS

A201

SCALE 1/8" = 1'-0"