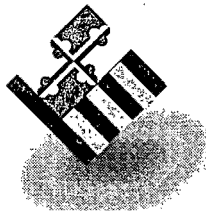


TO ZONING CASE FILE



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

TIMOTHY M. KOTROCO, *Director*
Department of Permits and
Development Management

12/20/07

DMW
200 East Pennsylvania Ave.
Towson, MD 21286

Re: Spirit and Intent Verification
Case # 06-435-SPH
Broadmead Property
8th ED

Dear Mr. Hadaway:

This is a response to your letter dated 11/29/2007 to Mr. Timothy Kotroco, Director of Permits Development Management, who has authorized this reply.

Pursuant to your provided information and redlined plan revisions, the changes to the independent living units shown on the plans submitted for determination that they are within the spirit and intent of the above referenced order is confirmed. Please include this response verbatim on the FDP amended plans as discussed with you on this date.

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.

The foregoing is merely an informal opinion. It is not an expert or legal opinion. It is not intended to be relied on as expert or legal advice, and is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

Sincerely,

A handwritten signature in black ink, appearing to read "John Lewis", written over a horizontal line.

John Lewis
Planner II
Zoning Review

JLL/07-1275
C : 06-435- SPH

GENERAL NOTES, CONT.

8. Open Space Required
- a. DR-16 = 11.76 Acres at 15% 1.76 Acres±
- b. DR-1 = 0 Requirement
- c. Total Open Space Required 1.76 Acres±
- d. Open Space Provided 2.01 Acres±

The RC-6 area is also an open space component of the Broadmead Community.

9. Building heights will not exceed 50 feet except as permitted by Section 300 BCZK.

10. All buildings, except cluster W, are attached mutually by a covered walkway authorized by Zoning Case 77-195 XASPH. See Zoning History.

11. All on-site parking areas are paved with a durable dustless surface, are drained and are striped. No parking space is less than 8.5 by 18 feet.

12. All on-site lighting is arranged to not shine or reflect on off-site premises.

13. Waiver W-90-147, approved by Planning Board on April 19, 1990, granted waiver of CKG meeting and plan. First amendment to FDP approved 4-19-90. Second amendment to FDP approved 5-30-90. Third amendment to FDP approved 10-26-04.

14. Broadmead preceded adjacent townhouse development. KTA is not applicable.

15. Setbacks

See Zoning History and Case No. 77-195 XASPH and 90-376 SPHX for variances and special exception standards modifying standard setbacks.

16. All units are for rent.

17. All open space will be maintained by the Owner.

18. Residents will place trash in trash rooms. Management will collect trash and remove to central collection area by loading dock, to be picked up by private trash service.

19. Any fixture used to illuminate any parking facility shall be so arranged as to reflect the light away from residential lots and public streets. Light standards shall be protected from vehicular traffic by curbing or landscaping.

20. New accessory structures, fences and projections into yard cannot be located in flood plain areas of hydroic soils.

21. A landscape plan must be approved prior to the issuance of a building permit.

22. All mail is delivered to community center for pick-up by residents.

ZONING HISTORY

Zoning Case 77-195 XASPH requested a Special Exception for a convalescent home on 4.57 acres of Broadmead together with the following variances:

1. 'A' to permit 190 parking spaces instead of the required 301 residential spaces.
2. 'B' to permit parking spaces to be more than 300 feet but less than 500 feet from living units.
3. 'C' to permit distance between building walls without windows of 10 feet instead of required 16 feet.
4. 'D' to permit parking to be located in areas not related to the front of the buildings as required by Section 504.
5. 'E' to permit a distance of 15 feet between Building No. 1 and 2 instead of the required 125 feet and to permit a distance between convalescent home and Building No. 1 of 60 instead of required 110 feet.

The Petition also requested a Special Hearing pursuant to Section 500.6 to determine appropriateness of covered walkway linking all structures and not resulting in 300 foot building elevation width being exceeded.

On April 6, 1977, the Deputy Zoning Commissioner granted the Special Exception, the Variances and the Special Hearing request subject to:

1. Office space on the subject property must be restricted to the administrative uses of Broadmead.
2. Compliance with a site plan approved by the State Highway Administration, Department of Public Works, Department of Traffic Engineering, Health Department and the Office of Planning and Zoning.

On May 4, 1977, the Deputy Zoning Commissioner amended that order "Nunc Pro Tunc" by adding the following restriction:

3. The Special Exception, Special Hearing and Variances herein described by Sections 1A through 5E are hereby restricted to the use of the subject property as a convalescent home. Should the use be abandoned, or cease for any reason, this Order becomes null and void.

Zoning Case 90-376 SPHX involved a Special Hearing to amend the Order issued in Case No. 77-195 XASPH by revoking the Special Exception granted to use the 4.57 acre portion for a convalescent home by modifying Paragraph 2 of said Order to refer to "Plan and Plat to Accompany Zoning Petition" dated January 25, 1990 and any approved amendments thereto as the plan for the purposes of that Order and by modifying Paragraph 3 of the Order by substituting the words "continuing care facility" in lieu of "convalescent home" so as to provide that the Variances granted thereby shall apply to the continuing care facility. Case 90-376 SPHX also involved a Special Exception for a "continuing care facility" for the DR portions of Broadmead and to permit maximum building elevation widths of the Community Center, including additions thereto, of 420 feet in every direction in lieu of the permitted 300 feet.

On April 13, 1990, the Zoning Commissioner Ordered that the Petition for Special Hearing to amend the previously approved site plan in Case No. 77-195 XASPH to revoke the previously approved Special Exception to use the 4.57 acre portion of the subject property for a convalescent home to permit the use of said 4.57 acres together with the remaining property zoned DR 1 and DR 16 for a continuing care facility as that term is defined in the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and,

HE FURTHER ORDERED that the Petition for Special Exception to permit the use of those portions of the subject property zoned DR 1 and DR 16 for a continuing care facility, and to permit maximum building elevation widths of 420 feet in lieu of the maximum permitted 300 feet for the proposed addition to the Community Center, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until each time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

HE FURTHER ORDERED that the conditions and restrictions contained in the Order dated April 6, 1977 in Case No. 77-195 XASPH shall remain in full force and effect.

On May 7, 1990, the Zoning Commissioner, after review of the case file, Ordered that the Order issued April 13, 1990, be and the same is hereby Amended as follows:

1. That the Petition for Special Hearing request set forth in Paragraph 1, Page 1 of said Order should also include a request for a modification of Paragraph 2 of the Order issued in Case No. 77-195 XASPH by adding the following sentence thereto: "The Site Plan approved by the State Highway Administration, Department of Public Works, Department of Traffic Engineering, Health Department and the Office of Planning and Zoning shall for purposes of this Order be deemed to be the Plan entitled 'Plan and Plat to Accompany Zoning Petition', dated January 25, 1990, prepared by Duff-McCune-Walker, Inc., and any approved Amendments thereto;" and that Paragraph 3 of said Order be modified by substituting the words "continuing care facility" for the words "convalescent home" so as to provide that the variances granted therein shall continue to apply to the use of the property as a continuing care facility."

2. That the acreage set forth in Page 2, Paragraph 1 of the Order issued on April 13, 1990, in Case No. 90-376 SPHX be corrected as follows:

That the subject property consists of a total acreage of 80.83 acres, of which 12 acres are zoned DR 16, 37.79 acres are zoned DR 1 and 31.04 acres are zoned RC 4.

3. That the word "proposed" in the phrase "proposed Community Center" in the third to the last line of the first paragraph on Page 1 be deleted, and the following words added after the word "Center": "Including any and all additions thereto."

HE FURTHER ORDERED that the additional relief requested herein, pursuant to the subject Petitions for Special Hearing and Special Exception, be and is hereby GRANTED.

HE FURTHER ORDERED that the conditions and restrictions contained in the Order dated April 6, 1977, in Case No. 77-195 XASPH, and those contained in the Order dated April 13, 1990, in Case No. 90-376 SPHX shall remain in full force and effect.



OWNER / APPLICANT
Broadmead Inc
13801 York Rd.
Cockeysville, MD 21030-1825
Tax Acct. #180004029

GENERAL NOTES

1. Existing Zoning and Areas

Zone Total Area
DR-16 12.00 Acres±
DR-1 37.79 Acres±
RC-6 31.04 Acres±
Totals 80.83 Acres±

*DR areas are internal and reflect net and gross areas.
*RC6 Zone originally approved with RC4 Zoning.

2. Existing Nursing Home Beds (To be changed-see density calculations)

79 Nursing Beds

3. Existing Development

Continuing Care Facility as authorized by Special Exception in the former Section 1801.1C, Item 21 including Class B housing for the elderly, nursing care including nursing and domestic care, beds, 16 assisted living units and accessory uses as authorized by Section 432.1B, including but not limited to ground and building maintenance facilities, laundry room, common dining facilities, indoor and outdoor recreational facilities and personal services, swimming pool, small gift or necessities shops, small branch bank or automated bank teller machine and overnight guest facility in Building 1 all for the sole use of Broadmead Community.

To accomplish this a Special Hearing was also requested to amend Zoning Case 77-195 XASPH by removing the Special Exception for a convalescent home on 4.57 acres- and extending it to Special Exception to 43.79 acres- for a continuing care facility as set forth above for the Broadmead Community.

4. Density and Site Data as Continuing Care Facility

Zone	Area	Maximum Permitted Density Units
DR-16	12.00 Acres±	192.00 DU
DR-1	37.79 Acres±	37.79 DU
Totals	43.79 Acres±	229.79 DU

5. Density Calculations					
A-INDEPENDENT LIVING					
Unit Type	No. of Units Approved	Proposed No. of Units	Factor	Density Units Approved	Proposed Density Units
1 BR	25	25	0.5	12.5	12.5
1 BR	50	50	0.75	37.5	37.5
1 BR-Delux	2	2	0.75	1.5	1.5
1 BR/1 Open Den	40	40	0.75	30.0	30.0
1 BR/1 Open Den/Loft	40	40	0.75	30.0	30.0
2 BR/1 Bath	24	24	1.00	24.0	24.0
2 BR/2 Bath	63	63	1.00	63.0	63.0
2 BR/2 Bath/1 Open Den	1	1	1.00	1.0	1.0
Director's House	1	1	0.75	0.75	0.75
1 BR/1 Open Den	1	1	1.5	1.5	1.5
3 BR/2 Bath	3	3	1.0	3.0	3.0
Cluster "W"	3	3	0.75	2.25	2.25
2 BR/2 Bath/1 Open Den	3	3	1.00	3.0	3.0
SUB-TOTAL LU	242	249		197.25	210

B-ASSISTED LIVING					
Unit Type	Approved No. of Units	Proposed No. of Units	Factor	Approved Density Units	Proposed Density Units
Assisted Living Units	27	27	0.25	6.75	6.75
GRAND-TOTAL	269	330		204.00	229.75

- C. Proposed Skilled Nursing Facility: 79 Beds (No density)

6. Loft expansion (show as A11-12; C13-14; E2-3; J4-5; J14-15; K10-11; K14-15; L11-12; F9-10; Q4-5; R7-8); represents renovations with no change in density.

- *PREVIOUSLY APPROVED BUILDING MODIFICATIONS
- PROPOSED STRUCTURE
- LOFT RENOVATIONS
- PROPOSED ROADWAY

DATA SOURCES:

Existing topography and improvements shown hereon taken from Baltimore County GIS dated March 1996.

Boundary information hereon was located by DMW in January, 2007.

06-955 SPX
ST-1 APPVD.
SEE 12/12/07
LTR.



VICINITY MAP

Scale: 1"=1000'

7. Parking

Existing uses are subject to parking standards in effect at the time of development and the variance for 190 instead of the required 301 spaces granted for the residential units is by Zoning Case 77-195 XASPH. The 27 existing assisted living units are parked at 1 space per each 2 units.

- a. Residential by Zone in which located

1. DR-16, 111 living units, 30.75 density units at 115 spaces per DU 104.35 Spaces
2. DR-1, 139 independent living units, 2.25 DU at 15 spaces per DU 207.00 Spaces

3. Director House Conversion, DR-1, 2.25 DU at 15 spaces per DU 3.0 Spaces

- b. Nursing Home

1. 79 Beds at 1 Space/10 Beds 7.9 Spaces

- c. Guest Facility

1. Guest Rooms are permitted at 2 per each 100 dwelling units 2 Spaces

- d. Spaces for proposed assisted living 79 at 112 beds 39.5 Spaces

- e. Office Building No. 2

1. First Floor, 3,700 S.F. at 1300 S.F. 12.3 Spaces
2. Second Floor, 1,05 S.F. at 1500 S.F. 2.2 Spaces

Total Spaces required 379.00 Spaces

- Parking Provided

- a. Total existing parking 434 Spaces

- b. Addition parking for future deck 40 Spaces

- c. Addition parking for Cluster W units 139 Spaces

- d. Additional parking along loop road 25 Spaces

Total Future Parking 518 Spaces

*The unit types may change without an amendment to the plan; however, the permitted density may not be exceeded from the change in bedroom counts. The density proposed may increase to 229.79 density units without an amendment to this plan.

DMW

Duff-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Touson, Maryland 21286
(410) 296-3333
Fax 296-4705

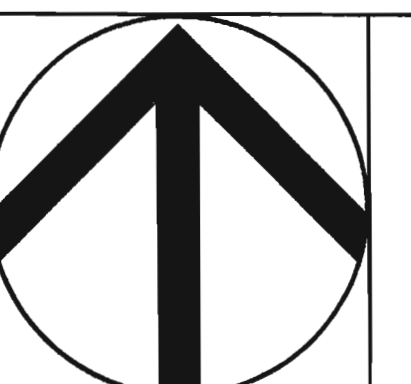
A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

Plan to Accompany Special Hearing and
4th Amended Final Development Plan

Broadmead Property

Election District 8
Councilmanic District 3

Baltimore County, MD



DATE BY REVISIONS

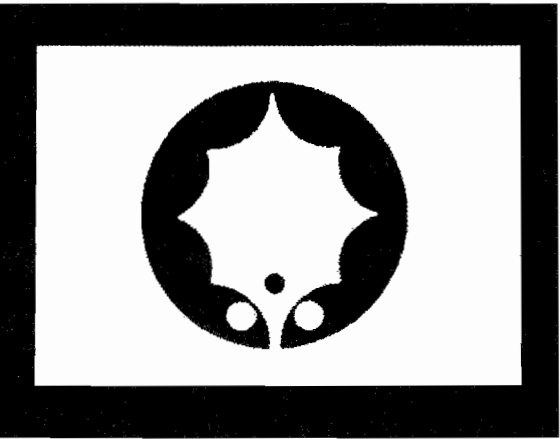
CHECKED BY: del
DATE CHECKED: 2/9/06

SCALE: 1"=100'

PROJECT NO: 89171.c

DRAWING:

1 of 2



BROADMEAD
CLUSTER W

CSD
PEOPLE ARCHITECTURE
Cochran, Stephenson & Donkervest, Inc.
323 West Camden Street
Baltimore, MD 21201
WWW.CSDARCH.COM
Century Engineering
10710 Glenly Road
Hunt Valley, Maryland 21301

ROOF / CEILING ASSEMBLY
AT COVERED WALKWAY:
• SHINGLES
• BUILDING PAPER
• FRT 15/32" PLYWOOD SHEATHING
• FRT WOOD TRUSS
• VENTED VINYL SOFFIT

ROOF SLOPE
5:12 TYP.

DRIP EDGE

1 X 8 CEMENT
BOARD TRIM, PTD.

VENTED VINYL SOFFIT

2-2 X 10 FIRE RETARDANT
TREATED WOOD, PTD.

3 X 3 METAL
COLUMN, PAINTED

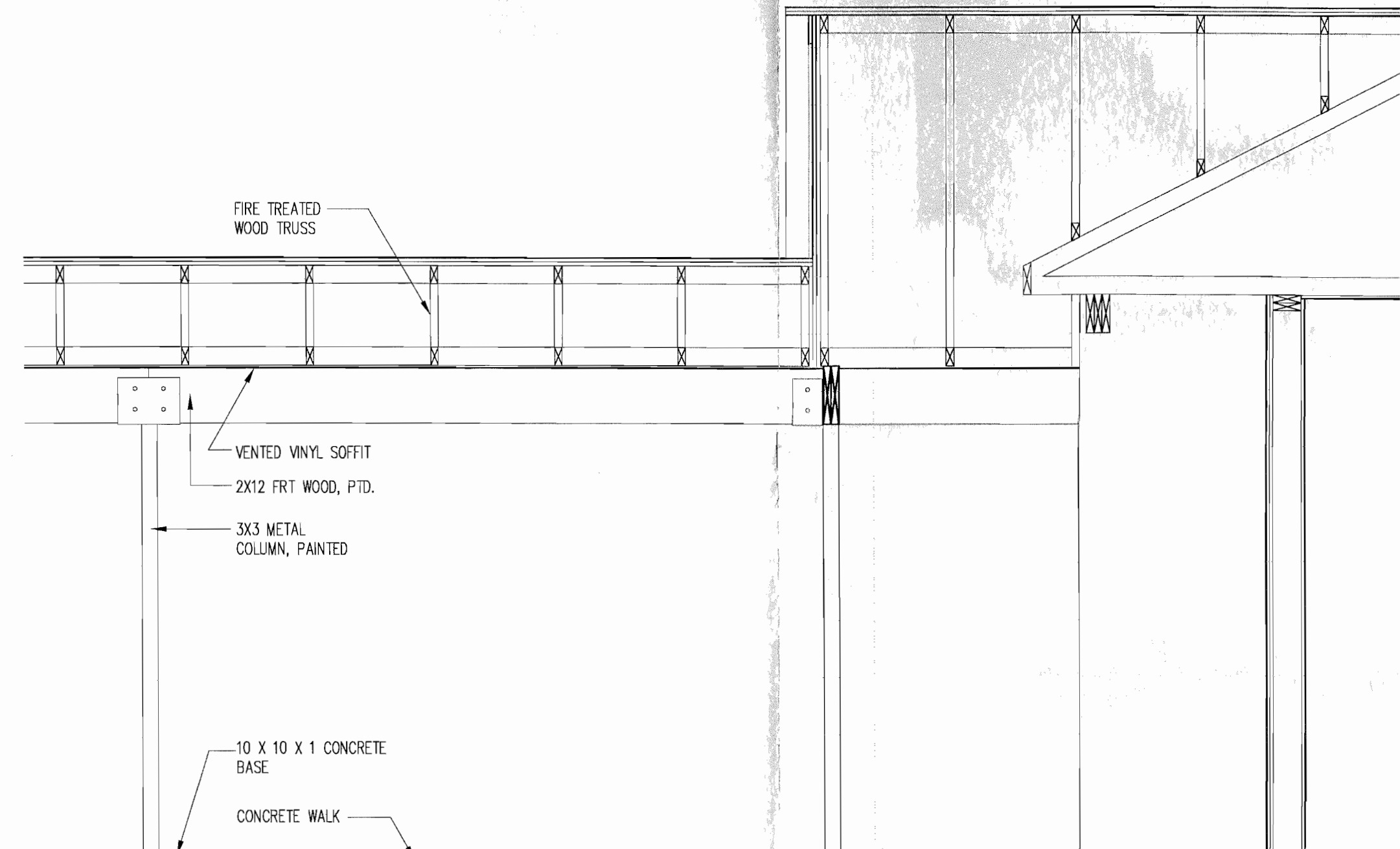
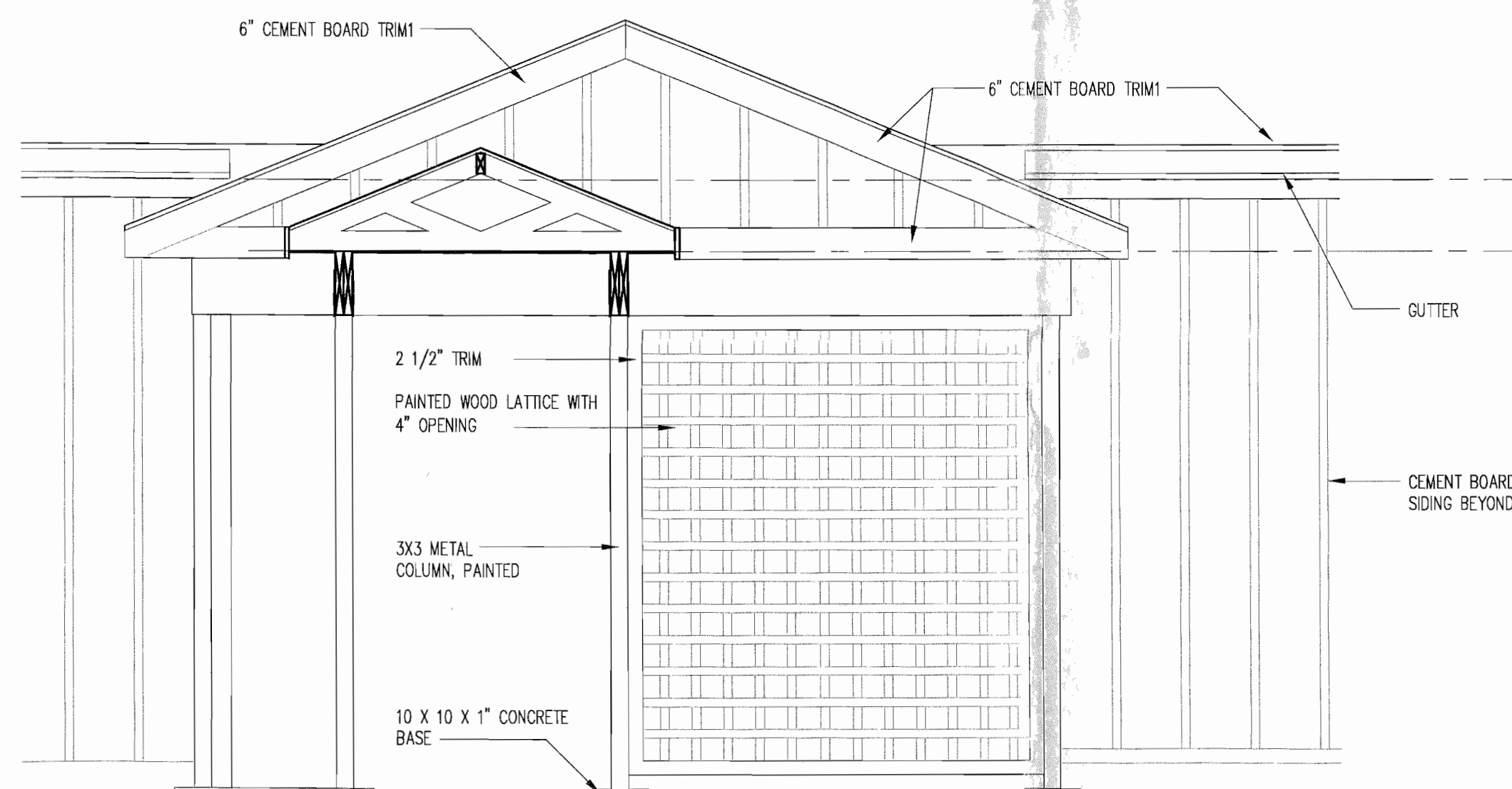
10 X 10 X 1
CONCRETE BASE

0' - 0"
T.O. SLAB

VARIES
(SEE STRUCT.)

T.O. FOOTING

CONCRETE
FOUNDATION



06-435 SPH
S+I APPD
SEE 12/20/07
LTR.

TYP. WALKWAY SECTION

SCALE: 1" = 1'-0"

D9 TYP. ENTRY

SCALE: 1/2" = 1'-0"

H9

TYP. WALKWAY SECTION

SCALE: 1/2" = 1'-0"

M9

IN RE: PETITION FOR SPECIAL HEARING
East side of York Road, 530 feet North
Centerline of Thornton Mill Road
8th Election District
3rd Councilmanic District
(13801 York Road)

Broadmead, Inc.
By: Richard Compton, Exec. Director
Legal Owners

Petitioners

* BEFORE THE
* DEPUTY ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 06-435-SPH

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner on a Petition for Special Hearing for the property located at 13801 York Road in the Cockeysville area of Baltimore County. The Petition was filed for Broadmead, Inc., by Richard Compton, Executive Director. Special Hearing relief is requested for approval to amend the orders and site plans in Case Nos. 77-185-XASPH and 90-376-SPHX, to add 9 independent living units, reconfigure nursing and assisted living and parking areas and add 52 assisted living units.

The property was posted with Notice of Hearing on April 3, 2006, for 15 days prior to the hearing, in order to notify all interested citizens of the requested zoning relief. In addition, a Notice of Zoning hearing was published in "The Jeffersonian" newspaper on April 4, 2006, to notify any interested persons of the scheduled hearing date.

Applicable Law

Section 500.7 of the B.C.Z.R. *Special Hearings*

The Zoning Commissioner shall have the power to conduct such other hearings and pass such orders thereon as shall in his discretion be necessary for the proper enforcement of all zoning regulations, subject to the right of appeal to the County Board of Appeals. The power given hereunder shall include the right of any interested persons to petition the Zoning Commissioner for a public hearing after advertisement and notice to determine the existence of any non conforming use on any premises or to determine any rights whatsoever of such person in any property in Baltimore County insofar as they may be affected by these regulations.

ORDER RECORDED FOR FILING
4/26/06
Ray

Zoning Advisory Committee Comments

The Zoning Advisory Committee (ZAC) Comments are made part of the record of this case and contain the following highlights: A ZAC comment was received from the Office of Planning dated April 3, 2006, a copy of which is attached hereto and made a part hereof.

Interested Persons

Appearing at the hearing on behalf of the requested special hearing were David Locke and Mitch Kellman of Daft-McCune-Walker Inc., the firm which prepared the site plan, and Rich Compton, Executive Director of the corporate Petitioner. John B. Gontrum, Esquire, represented the Petitioner. There were no protestants or interested citizens at the hearing. People's Counsel, Peter Max Zimmerman, entered the appearance of his office in this case.

Testimony and Evidence

Mr. Gontrum proffered that the subject property contains 80 acres and is zoned DR 1, RC-6 and DR-16, as shown on the Plat to Accompany, Exhibit 1. It is improved by the Broadmead retirement/continuing care community, having started as convalescent home in 1979. The Broadmead campus includes independent living units, assisted living units and nursing care facilities. The property is located off York Road on the north side of Western Run, west of a large townhouse development near a large office complex on the south side of Western Run.. A special exception for a convalescent home was granted in Case No. 77-183-XASPH. This was modified in Case No. 90-376-SPHX for a continuing care facility

Mr. Compton noted that Broadmead's staff, its residents and surrounding community members had been working on a master plan prior to the hearing. All agreed that the Broadmead community, which had been operating for the past 25 years, needed an update. This effort culminated in the plan shown as Exhibit 1B in which the copper colored buildings are proposed

ORDER RECEIVED FOR FILING
4/26/06
Ray

additions to the campus. When the plan is fully implemented in seven years, there will be 9 new independent living units, an enlarged skilled nursing care facility, 52 additional assisted living units and a two-level parking garage added to the campus. The first floor of this latter structure would be at built into the side of the hill so that the second level would be nearly at grade. This would also provide more convenient parking for the skilled nursing facility.

In regard to the Planning Office comments, the Petitioner agreed to provide elevations and materials of the proposed garage, but noted that the garage will actually be constructed as one of the last phases of the master plan perhaps in 5 to 7 years. As such, the elevations do not exist now but could be provided before building permit. Again, the landscape and lighting plan would be submitted to the County for review and approval at the building permit stage. It was not clear why the Planning Office would want a copy of the grading plan but this would be given as each step of the master plan was implemented.

In regard to parking, Mr. Gontrum noted that the Petitioner had previously been granted a parking variance for 190 spaces in lieu of the 301 spaces required in Case No. 77-185-XASPH. In addition to the parking garage, as each part of the master plan is completed, new more convenient parking will be constructed. For example, parking will be provided along with the 9 new independent units. When the master plan is fully implemented, 379 parking spaces would be required, but the Petitioner will provide 518 spaces. Consequently, there will no longer be a need for a parking variance.

Findings of Fact and Conclusions of Law

This Commission has been asked several times to approve large master plans for institutional Petitioners. This longer view and planning process is necessary and helpful to not only the institution but the community as well. However, there could be problems if the plan is

NOTED RECEIVED FOR FILING
4/26/09
Ray

not implemented as planned, due to financial or other constraints not foreseen today. Parking is the usual worry in the sense that new and more intense uses assume parking will be provided with each new building. This does not always occur at all, or sometimes, if it is not provided for in the proper sequence.

However, in this master plan the Petitioner has carefully provided parking with each new use. For example, the 9 new independent units have their own parking next to these units. This gives me confidence that the Petitioner will not adversely affect either the residents or the community, even over a span of seven years.

In regard to the Planning Office comments, I agree that the elevations, designs, etc. for buildings, landscaping and lighting should be submitted to the County for review and approval. Yet, I recognize that the Petitioner does not want to spend the money now for say elevations for the parking garage that will be built years from now. I will require the information requested by the Planning Office, but it will be required at the time of building permit.

Based on the evidence presented, I will approve the master plan shown in Exhibit 1B. I find that the plan will not adversely affect either the residents or the community. In fact the new plan will be an asset to the health, safety, and welfare of the overall community.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the testimony and evidence offered by the Petitioners, I find that the Petitioners' request for special hearing should be granted.

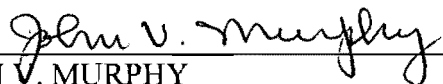
THEREFORE, IT IS ORDERED, by the Deputy Zoning Commissioner for Baltimore County, this th26 day of April 2006, that the Petitioner's request for Special Hearing relief requested for approval to amend the orders and site plans in Case Nos. 77-185-XASPH and 90-376-SPHX, to add 9 independent living units, reconfigure nursing and assisted living and

ORDER RECEIVED FOR PLANNING
4/26/06
Jat
By

parking areas and add 52 assisted living units, be and is hereby GRANTED, subject to the following conditions:

1. The Petitioners may apply for their building permit and be granted same upon receipt this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
2. Compliance with the ZAC comments submitted by the Office of Planning dated April 3, 2006, a copy of which is attached hereto and made a part hereof. Review and approval by the County shall occur prior to building permit as the Master Plan is implemented in stages.
3. The Petitioner shall attach a copy of this Order to any request for building permit.

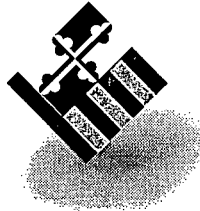
Any appeal of this decision must be made within thirty (30) days of the date of this Order.



JOHN V. MURPHY
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

JVM:raj

ORDER RECEIVED FOR FILING
JVM
4/26/06
By 



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

April 26, 2006

John B. Gontrum, Esquire
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue
Towson, MD 21204

Re: Petition for Special Hearing
Case No. 06-435-SPH
Property: 13801 York Road

Dear Mr. Gontrum:

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 enclosed Order.

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 from the date of the Order to the Department of Permits and Development Management. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in cursive script that reads "John V. Murphy".

John V. Murphy
Deputy Zoning Commissioner
for Baltimore County

JVM:raj
Enc.

c: David Locke & Mitch Kellman, Daft-McCune-Walker Inc., 200 E. Pennsylvania Avenue,
Towson, MD 21204
Rich Compton, Executive Director, Broadmead, Inc., 13801 York Road, Cockeysville, MD
21030-1825
Rob Hoffman, Esq., 210 Allegheny Avenue, Towson, MD 21204



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 13801 York Rd
which is presently zoned DR16, DR1, RC6

This Petition shall be filed with the Department of Permits and 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

Please see attached

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Special Hearing, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

N/A

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

John B. Gontrum

Name - Type or Print

Signature

Whiteford, Taylor & Preston

Company

210 W. Pennsylvania Ave

Address

Telephone No.

Towson, MD 21204 410 832-2055

City

State

Zip Code

Legal Owner(s):

Broadmead, Inc.

Name - Type or Print

By:

Signature

Richard Compton, Executive Director

Name - Type or Print

Signature

13801 York Road 410 527-1900

Address

Telephone No.

Cockeysville, MD 21030-1825

State

Zip Code

Representative to be Contacted:

John B. Gontrum

Name

210 W. Pennsylvania Ave

Address

Telephone No.

Towson, MD 21204 410 832-2055

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING _____

UNAVAILABLE FOR HEARING _____

Reviewed By BLK Date 3/9/06

Case No. 06-435-SPH

REV 9/15/98

ORDER RECEIVED FOR PLANS
4/26/04

Attachment to Petition for Special Hearing

13801 York Road

Requested Relief:

Special hearing for approval to amend the orders and site plans in Case Nos. 77-185-
XASPH and 90-376-SPHX. *to add 9 independent living units, reconfigure
nursing and assisted living and parking areas and add ⁵ assisted living
units.* *gh*

354522

Description

49.79 Acre Parcel for Special ~~Exception~~ *mk* *Hearing*

for a Continuing Care Facility

in DR 1 Zone and DR 16 Zone



Daft•McCune•Walker, Inc.

200 East Pennsylvania Avenue

Towson, Maryland 21286

<http://www.dmw.com>

410 296 3333

Fax 410 296 4705

A Team of Land Planners,

Landscape Architects,

Golf Course Architects,

Engineers, Surveyors &

Environmental Professionals

Beginning for the same at a point on the southeast right-of-way line of York Road, said point being located 532 feet, more or less, northeasterly from the center of Thornton Mill Road and being the northwesternmost corner of the parcel of land now owned by Harry A. Dundore and running thence along the northern outline of Dundore's land (1) North 57 degrees 25 minutes 44 seconds East 185.33 feet, (2) South 10 degrees 20 minutes 01 second East 252.07 feet, (3) North 67 degrees 46 minutes 15 seconds East 221.32 feet, (4) North 66 degrees 56 minutes 55 seconds East 180.93 feet, (5) South 82 degrees 16 minutes 55 seconds East 128.10 feet, and (6) North 74 degrees 37 minutes 05 seconds East 77.42 feet to the end of a thirty foot wide road, thence binding along the northwest side of said road, with the use thereof in common with others entitled thereto, (7) 57.68 feet in a northeasterly direction along an arc of a curve to the right having a radius of 30 feet, said arc being subtended by a chord bearing North 52 degrees 58 minutes 08 seconds East 49.20 feet, (8) 204.47 feet in a northeasterly direction along an arc of a curve to the left having a radius of 781.00 feet, said arc being subtended by a chord bearing North 48 degrees 11 minutes 35 seconds East 203.88 feet, (9) 69.22 feet in a northeasterly direction along an arc of a curve to the right having a radius of 180.00 feet, said arc being subtended by a chord bearing

North 51 degrees 42 minutes 35 seconds East 68.79 feet, (10) North 62 degrees 43 minutes 35 seconds East 271.06 feet, (11) 110.86 feet in a northeasterly direction, along an arc of a curve to the right having a radius of 480.00 feet, said arc being subtended by a chord bearing North 69 degrees 20 minutes 35 seconds East 110.62 feet, and (12) North 75 degrees 57 minutes 35 seconds East 69.00 feet, thence crossing said thirty foot wide road (13) North 84 degrees 55 minutes 45 seconds East 329.15 feet, thence binding along the easterly outline of Dundore's land (14) South 17 degrees 29 minutes 11 seconds East 1125.83 feet, thence binding along the southeasterly outline of Dundore's land (15) South 43 degrees 37 minutes 40 seconds West 1684.38 feet, and (16) South 42 degrees 36 minutes 22 seconds West 383.20 feet, thence binding along the southwesterly outline of Dundore's land (17) North 26 degrees 18 minutes 32 seconds West 141.90 feet, (18) North 59 degrees 03 minutes 32 seconds West 72.60 feet, (19) North 35 degrees 18 minutes 32 seconds West 366.30 feet, and (20) North 45 degrees 18 minutes 32 seconds West 483.15 feet, thence (21) North 39 degrees 49 minutes 57 seconds East 106.09 feet to a point in or near the center of Western Run, thence binding in or near the center of Western Run (22) North 33 degrees 41 minutes 24 seconds West 36.06 feet, (23) North 11 degrees 35 minutes 32 seconds West 199.06 feet, (24) North 36 degrees 01 minutes 39 seconds West 136.01 feet, and (25) North 55 degrees 26 minutes 15 seconds West 229.67 feet to a point on the southeast right-of-way line of York Road, thence binding on said right-of-way line (26) North 14 degrees 50 minutes 43 seconds East 93.98 feet, (27) 19.64 feet in a northeasterly direction along an arc of a curve to the right having a radius of 2800.79 feet, said arc being subtended by a chord bearing North 15 degrees 02 minutes 46 seconds East 19.64 feet, (28) North

74 degrees 45 minutes 11 seconds West 26.00 feet, (29) North 14 degrees 44 minutes 25 seconds East 107.65 feet, (30) North 13 degrees 52 minutes 02 seconds East 29.71 feet, (31) 269.03 feet in a northeasterly direction along an arc of a curve to the right having a radius of 2831.79 feet, said arc being subtended by a chord bearing North 20 degrees 44 minutes 55 seconds East 268.93 feet, (32) North 23 degrees 28 minutes 13 seconds East 242.94 feet, and (33) North 25 degrees 29 minutes 16 seconds East 82.21 feet to the place of beginning, containing 80.83 acres of land, more or less. Saving and excepting there from all that 31.04 acres of land, more or less, zoned RC-4, as shown on the plat of the Broadmead Community filed November 1, 1977 in E.H.K., Jr. 42, Folio 22.

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



DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) 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 the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 06-435-SPH

Petitioner: Broadmead, Inc.

Address or Location: 13801 York Road

PLEASE FORWARD ADVERTISING BILL TO:

Name: Broadmead, Inc. ATTN Rich Compton

Address: 13801 York Rd.

Cockeysville, Md. 21030-1825

Telephone Number: 410-527-1900

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

No. **4922**

DATE 3/9/06 ACCOUNT 0001-006-06750

AMOUNT \$ 325.00

RECEIVED FROM: Baltimore County, Maryland

FOR: Special

DISTRIBUTION
WHITE CASHIER

PINK AGENCY

YELLOW CUSTOMER

Thom # 435

PAID RECEIPT

BUSINESS NO. (DA) TIME
7/10/2006 3/09/2006 11:12:06

REG. NO. 043011000000

RECEIPT NO. 000000000000

DATE 3/09/2006

CR. NO. 100000000000

Receipt Tot \$225.00

\$325.00 CA

Baltimore County, Maryland

CASHIER'S VALIDATION

**NOTICE OF ZONING
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: #06-435-SPH
13801 York Road
East side of York Road, 530 feet north of centerline of Thornton Mill Road
8th Election District
3rd Councilmanic District
Legal Owner(s): Broadmead, Inc.
Special Hearing: to amend and to permit a company to add nine independent living units, reconfigure nursing and assisted living and parking areas and add 52 assisted living units.
Hearing: Wednesday, April 19, 2006 at 10:00 a.m. in Room 407, County Courts Building, 401 Bosley Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible; for special accommodations. Please Contact the Zoning Commissioner's Office at (410) 887-4386.

(2) For information concerning the File and/or Hearing, Contact the Zoning Review Office at (410) 887-3391.

JT/4/607 Apr. 4 90254

CERTIFICATE OF PUBLICATION

4/6, 2006

THIS IS TO CERTIFY, that the annexed advertisement was published in the following weekly newspaper published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 4/4, 2006.

- ☒ The Jeffersonian
- ☐ Arbutus Times
- ☐ Catonsville Times
- ☐ Towson Times
- ☐ Owings Mills Times
- ☐ NE Booster/Reporter
- ☐ North County News

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: Case No.: 06-435-SPH.

Petitioner/Developer: BROADMEAD, INC.

Date of Hearing/Closing: 4-19-06

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

ATTN: Kristen Matthews {(410) 887-3394}

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: _____

13801 YORK RD.

The sign(s) were posted on

4-3-06
(Month, Day, Year)

Sincerely,

Robert Black 4-5-06
(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

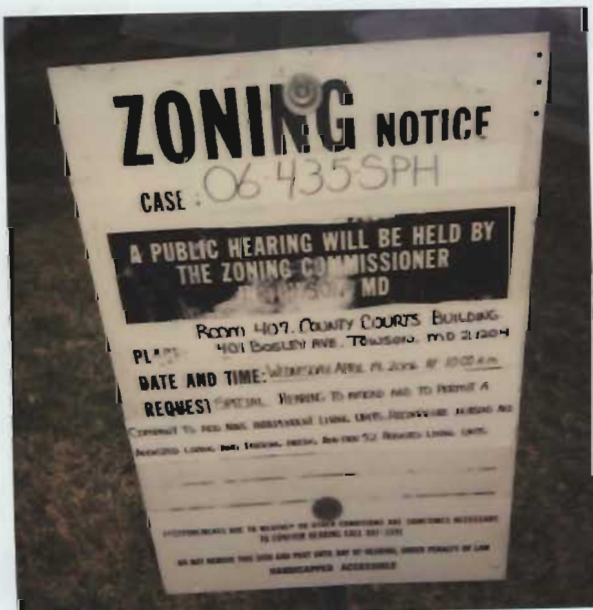
(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)



RE: PETITION FOR SPECIAL HEARING * BEFORE THE
13801 York Road; E/S York Road, 530' N * ZONING COMMISSIONER
c/line Thornton Mill Road *
8th Election & 3rd Councilmanic Districts *
Legal Owner(s): Broadmead, Inc by Richard * FOR
Compton, Executive Director *
Petitioner(s) * BALTIMORE COUNTY
* 06-435-SPH

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and the passage of any preliminary or final Order. All parties should copy People's Counsel on all correspondence sent/ documentation filed in the case.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

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

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of March, 2006, a copy of the foregoing Entry of Appearance was mailed to John B. Gontrum, Esquire, Whiteford, Taylor & Preston, LLP, 210 W Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

RECEIVED

MAR 23 2006

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

TO: PATUXENT PUBLISHING COMPANY
Tuesday, April 4, 2006 Issue - Jeffersonian

Please forward billing to:
Richard Compton
Broadmead, Inc.
13801 York Road
Cockeysville, MD 21030-1825

410-527-1900

NOTICE OF ZONING 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: 06-435-SPH

13801 York Road

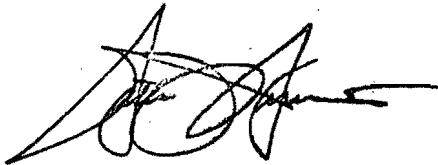
East side of York Road, 530 feet north of centerline of Thornton Mill Road

8th Election District – 3rd Councilmanic District

Legal Owners: Broadmead, Inc.

Special Hearing to amend and to permit a company to add nine independent living units, reconfigure nursing and assisted living and parking areas and add 5 2 assisted living units.

Hearing: Wednesday, April 19, 2006 at 11:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson, MD 21204



WILLIAM J. WISEMAN III
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMODATIONS, PLEASE CONTACT THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.



Director's Office
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Tel: 410-887-3353 • Fax: 410-887-5708

March 21, 2006

NOTICE OF ZONING 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: 06-435-SPH

13801 York Road

East side of York Road, 530 feet north of centerline of Thornton Mill Road

8th Election District – 3rd Councilmanic District

Legal Owners: Broadmead, Inc.

Special Hearing to amend and to permit a company to add nine independent living units, reconfigure nursing and assisted living and parking areas and add 5 2 assisted living units.

Hearing: Wednesday, April 19, 2006 at 10:00 a.m. in Room 407, County Courts Building,
401 Bosley Avenue, Towson, MD 21204

A handwritten signature in black ink, reading "Timothy Kotroco".

Timothy Kotroco
Director

TK:klm

C: John Gontrum, 210 W. Pennsylvania Avenue, Towson 21204
Richard Compton, 13801 York Road, Cockeysville 21030-1825

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY TUESDAY, APRIL 4, 2006.**
- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL THE ZONING COMMISSIONER'S OFFICE AT 410-887-4386.
- (3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THE ZONING REVIEW OFFICE AT 410-887-3391.

Department of Permits & Development Management

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



Baltimore County

James T. Smith, Jr., County Executive
Timothy M. Kotroco, Director

April 14, 2006

John B. Gontrum
Whiteford, Taylor & Preston
210 W. Pennsylvania Avenue
Towson, MD 21204

Dear Mr. Gontrum:

RE: Case Number: 06-435-SPH, 13801 York Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on March 9, 2006.

The Zoning Advisory Committee (ZAC), which consists of representatives from several approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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. All comments will be placed in the permanent case file.

If you need further information or have any questions, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in black ink, reading "W. Carl Richards, Jr." in a cursive style.

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:amf

Enclosures

c: People's Counsel
Broadmead, Inc. Richard Compton, Executive Director 13801 York Road Cockeysville
21030

Visit the County's Website at www.baltimorecountyonline.info



Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
Tel: 410-887-4500



Baltimore County

James T. Smith, Jr., County Executive
John J. Hohman, Chief

County Office Building, Room 111
Mail Stop #1105
111 West Chesapeake Avenue
Towson, Maryland 21204

March 21, 2006

ATTENTION: Zoning Review planners

Distribution Meeting of: March 20, 2006

Item No.: Item Number 435

Pursuant to your request, the referenced plan(s) have been reviewed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

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

LT. Roland P. Bosley Jr.
Fire Marshal's Office
PHONE 887-4881
MS-1102F

cc: File

Visit the County's Website at www.baltimorecountyonline.info



BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits & Development
Management

DATE: March 27, 2006

FROM: ^{DAK}Dennis A. Kennedy, Supervisor
Bureau of Development Plans Review

SUBJECT: Zoning Advisory Committee Meeting
For March 27, 2006
Item Nos. 429, 430, 431, 432, 433, 434, 435,
436, 437, 439, 440, and 441

The Bureau of Development Plans Review has reviewed the subject zoning items, and we have no comments.

DAK:CEN:clw

cc: File

ZAC-NO COMMENTS-03272006.doc

jm
4/19

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Timothy M. Kotroco, Director
Department of Permits and
Development Management

DATE: April 3, 2006

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

RECEIVED

SUBJECT: 13801 York Road

APR 11 2006

INFORMATION:

Item Number: 6-435

ZONING COMMISSIONER

Petitioner: Broadmead, Inc.

Zoning: DR 16, DR 1, and RC 6

Requested Action: Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning has reviewed the petitioner's request and offers the following comments:

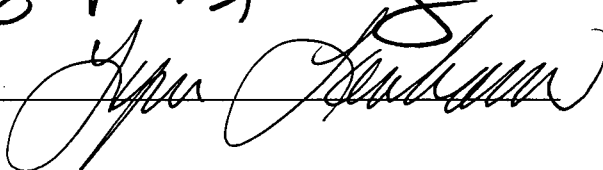
1. Provide building elevations and materials of the proposed garage and skilled nursing facility for review and approval, and photos of the existing building to show compatibility and consistency.
2. Provide a full landscape and lighting plan for review and approval.
3. Provide a grading plan for the subject development.

For further information concerning the matters stated here in, please contact Bill Hughey at 410-887-3480.

Prepared by:



Division Chief:
AFK/LL: CM



Robert L. Ehrlich, Jr., Governor
Michael S. Steele, Lt. Governor



Robert L. Flanagan, Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: 3.21.06

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

RE: Baltimore County
Item No. 435

Dear Ms. Matthews:

We have reviewed the referenced item and have no objection to approval, as a field inspection reveals that the existing entrance(s) on to MD/US 45 are acceptable to the State Highway Administration (SHA) and this development is not affected by any SHA projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Steven D. Foster, Chief
Engineering Access Permits Division

CASE NAME _____
CASE NUMBER 06-435-SP4
DATE _____

pmw

EX D ~

NAME	ADDRESS	CITY, STATE, ZIP	E-MAIL
DAVID LOCKE	200 E. PENNSYLVANIA AVE	TOWSON MD 21286	david.locke@dmw.org
Rich Compton	1380 York Rd Cockeysville	MD 21030	richcompton@dmw.org
Mitch Kellman	200 E. Pennsylvania Ave	Towson MD 21286	broadmead.org
John Gontrom			m.kellman@dmw.com
Citizen Sign-in	DMW		
Rob Hoffman	210 Allegheny Ave	Towson Md 21204	RHoffman@verable.com

FAX COVER SHEET

Date:

4-10-07

To:

Amy Vinabe

Fax number:

410 821 0147

From:

Zoning, Rose

Fax number:

887 3048

Number of pages
(including this
cover sheet):

1

Message:

If any part of this fax transmission
is missing or not clearly received
please call:

Name:

Phone number:

TRANSMISSION VERIFICATION REPORT

TIME : 04/10/2007 10:28
NAME : ZONING
FAX : 4108873048
TEL :
SER.# : BROB4J281084

DATE, TIME
FAX NO./NAME
DURATION
PAGE(S)
RESULT
MODE

04/10 10:26
94108210147
00:01:44
06
OK
STANDARD
ECM

FAX COVER SHEET

Date:

4-10-07

To:

Amy Venable

Fax number:

410 821 0147

From:

Zoning, Rules

Fax number:

887 3048

Number of pages
(including this
cover sheet):

Message:

ZONING HEARING FILE INTERNAL CHECKLIST

Zoning Case No. 06-435 SPH

Date Completed/Initials

3/9/06

PREPARE HEARING FILE (put case number on all papers; hole punch and place appropriately; put label and case number on folder; complete information on stamp on front of folder)

DETERMINE HEARING DATE (schedule within 45 days of filing; post and advertise at least 15 days prior to hearing)

TYPE HEARING NOTICE AND ADVERTISING NOTICE (type according to sample, taking billing information for advertising from advertising form in file; make appropriate copies; mail original and copies of hearing notice; place original advertising notice in Patuxent's box; file copies of both notices in hearing file; update ZAC in computer for hearing date, time and place)

UPDATE ZONING COMMISSIONER'S HEARING CALENDAR (keep original in "red" folder; mail copy to zoning commissioner's office)

COMPLETE FILE (write hearing date, time, and room on front of hearing folder; file in numerical order in cabinet next to copier until it is pulled for sending to zoning commissioner's office)

POSTPONEMENTS (type postponement letter; make appropriate copies; mail original and copies; send copy to zoning commissioner; file copy in hearing file; update hearing calendar and ZAC in computer)

RESCHEDULING (determine hearing date; type letter confirming new date; make appropriate copies; mail original and copies; file copy in hearing file; update hearing calendar and ZAC in computer; refile hearing folder)

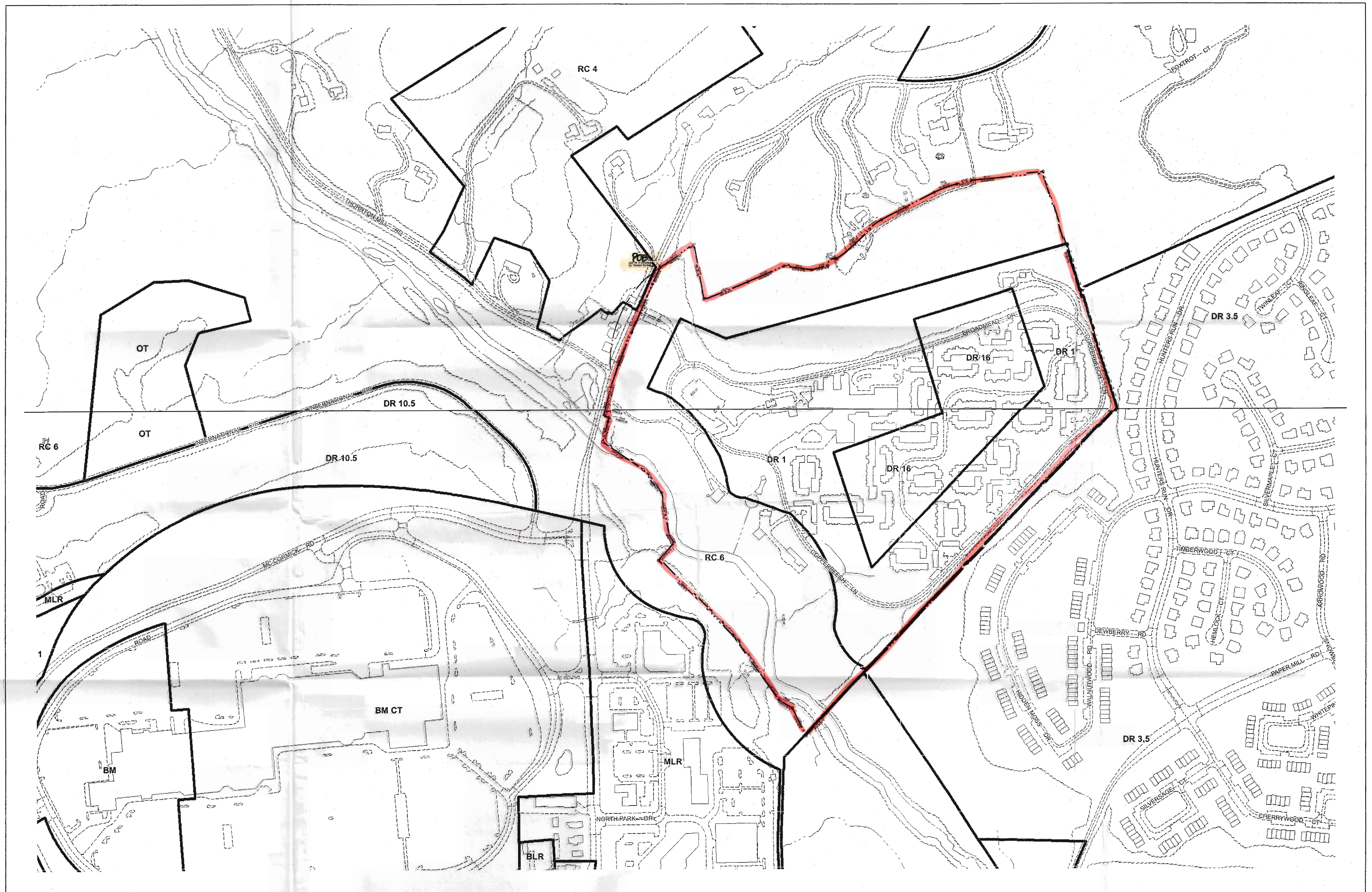
INDEX CARDS (prepare index cards, according to sample; file cards in cabinet)

ADVERTISING/POSTING CERTIFICATES (check off on front of hearing file; put certificates in file)

COMMENTS (check off agency comments received on front of hearing file; make copies; type comments letter; mail original to petitioner; file copy in hearing file)

FILES TO ZONING COMMISSIONER'S OFFICE (pull the files for the following week every Friday and administrative files on Tuesday; verify that checklist on front of hearing file has been completed; secure all papers under clips in file; send files for hearings to zoning commissioner's office by noon on Friday and files for administrative on Tuesday morning)

10/5/99



Plan Sheet: 042B2

Note:
The zoning depicted in this application incorporates the actions associated with County Council Bills 82-04, 83-04, 84-04, 85-04, 86-04, 87-04, 88-04, and 89-04 adopted by the County Council on August 31, 2004. The action associated with County Council Bill 130-04 adopted on December 6, 2004 is also depicted. In addition, County Board of Appeals actions from MC 05-01, MC 05-02, MC 05-03, and MC 05-04 on February 9, 2005 are represented in this application.

Legend

- | | | |
|-----------|---------|------------|
| Zoning | Streams | Vegetation |
| Buildings | Roads | Rail Lines |

Baltimore County Office of Planning and Zoning Official Zoning Map

041C1	042A1	042B1	042C1	043A1
041C2	042A2	042B2	042C2	043A2
041C3	042A3	042B3	042C3	043A3

Scale

1" = 200'

0 100 200 400 Feet



Data Sources:
Planimetric Data - Baltimore County
OT/IGIS Services Unit
1:2400, from 1995/96 photography
Zoning - Baltimore County Office of Planning
1:2400, 2004

#435

GENERAL NOTES, CONT.

6. Open Space Required
- a. DR-16 = 11.76 Acres at 15% 1.76 Acres[±]
- b. DR-1 = 0 Requirement
- c. Total Open Space Required 1.76 Acres[±]
- d. Open Space Provided 2.01 Acres[±]
- The RC-6 area is also an open space component of the Broadmead Community.
9. Building heights will not exceed 50 feet except as permitted by Section 300 BCZK.
10. All buildings, except cluster W, are attached mutually by a covered walkway authorized by Zoning Case 77-195XASPH. See Zoning History.
11. All on-site parking areas are paved with a durable dustless surface, are drained and are striped. No parking space is less than 8.5 by 16 feet.
12. All on-site lighting is arranged to not shine or reflect on off-site premises.
13. Waiver W-90-147, approved by Planning Board on April 19, 1990, granted waiver of CKO meeting and plan. First amendment to FDP approved 4-19-90, Second amendment to FDP approved 5-30-90, Third amendment to FDP approved 10-26-04.
14. Broadmead preceded adjacent townhouse development. KTA is not applicable.
15. Setbacks
- See Zoning History and Case No. 77-195 XASPH and 90-376 SPFH for variances and special exception standards modifying standard setbacks.
16. All units are for rent.
17. All open space will be maintained by the Owner.
18. Residents will place trash in trash rooms. Management will collect trash and remove to central collection area by loading dock, to be picked up by private trash service.
19. Any feature used to illuminate any parking facility shall be arranged as to reflect the light away from residents' rooms and public streets. Light standards shall be protected from vehicular traffic by curbing or landscaping.
20. New accessory structures, fences and projections into yard cannot be located in fluid plan areas of hydro soils.
21. A landscape plan must be approved prior to the issuance of a building permit.
22. All mail is delivered to community center for pick-up by residents.

ZONING HISTORY

- Zoning Case 77-195 XASPH requested a Special Exception for a convalescent home on 4.97 acres of Broadmead together with the following variances:
1. 'A', to permit 193 parking spaces instead of the required 301 residential spaces.
2. 'B', to permit parking spaces to be more than 300 feet but less than 500 feet from living units.
3. 'C', to permit distance between building walls without windows of 10 feet instead of required 16 feet.
4. 'D', to permit parking to be located in areas not related to the front of the buildings as required by Section 504.
5. 'E', to permit a distance of 15 feet between Building No. 1 and 2 instead of the required 125 feet and to permit a distance between convalescent home and Building No. 1 of 60 feet instead of required 100 feet.

The Petitioner also requested a "Special Hearing" pursuant to Section 500.6, to determine appropriateness of covered walkway linking all structures and not resulting in 300 foot building elevation width being exceeded.

On April 6, 1977, the Deputy Zoning Commissioner granted the Special Exception, the Variances and the Special Hearing request subject to:

1. Office space on the subject property must be restricted to the administrative uses of Broadmead.

2. Compliance with a site plan approved by the State Highway Administration, Department of Public Works, Department of Traffic Engineering, Health Department and the Office of Planning and Zoning.

On May 4, 1977, the Deputy Zoning Commissioner amended that order "Nunc Pro Tunc" by adding the following restriction:

3. The Special Exception, Special Hearing, and Variances herein described by Sections 1 through 5 are hereby restricted to the use of the subject property, as a convalescent home. Should the use be abandoned, or cease for any reason, this Order becomes null and void.

Zoning Case 90-376 SPFH involved a Special Hearing to amend the Order issued in Case No. 77-195XASPH by revoking the Special Exception granted to use the 4.97 acre portion for a convalescent home by modifying Paragraph 2 of said Order to refer to "Plan and Plat to Accompany Zoning Petition" dated January 25, 1990, and any approved amendments thereto as the plan for the purposes of that Order and by modifying Paragraph 3 of the Order by substituting the words "continuing care facility" in lieu of convalescent home so as to provide that the Variances granted hereby shall apply to the continuing care facility. Case 90-376 SPFH also involved a Special Exception for a "continuing care facility" for the 181 portions of Broadmead and to permit maximum building elevation widths of the Community Center, including additions thereto, of 420 feet in every direction in lieu of the permitted 300 feet.

On April 15, 1990, the Zoning Commissioner Ordered that the Petition for Special Hearing to amend the previously approved site plan in Case No. 77-195XASPH to revoke the previously approved Special Exception to use the 4.97 acre portion of the subject property for a convalescent home to permit the use of said 4.97 acres together with the remaining property zoned DR 1 and DR 16 for a continuing care facility as "that item" is defined in the Baltimore County Zoning Regulations (BCZR), be and is hereby GRANTED; and,

HE FURTHER ORDERED that the Petition for Special Exception to permit the use of those portions of the subject property, zoned DR 1 and DR 16 for a continuing care facility, and to permit maximum building elevation widths of 420 feet in lieu of the maximum permitted 300 feet for the proposed addition to the Community Center, in accordance with the Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however to the following restrictions which are conditions precedent to the relief granted:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

HE FURTHER ORDERED that the conditions and restrictions contained in the Order dated April 6, 1977 in Case No. 77-195-XASPH shall remain in full force and effect.

On May 7, 1990, the Zoning Commissioner, after review of the case file, Ordered that the Order issued April 13, 1990, be and the same is hereby Amended as follows:

1. That the Petition for Special Hearing request set forth in Paragraph 1, Page 1 of said Order should also include a request for a modification of Paragraph 2 of the Order issued in Case No. 77-195-XASPH by adding the following sentence thereto: "The Site Plan approved by the State Highway Administration, Department of Public Works, Department of Traffic Engineering, Health Department and the Office of Planning and Zoning shall for purposes of this Order be deemed to be the Plan entitled 'Plan and Plat to Accompany Zoning Petition', dated January 25, 1990, prepared by Daft-McCune-Walker, Inc., and any approved Amendments thereto"; and that Paragraph 3 of said Order be modified by substituting the words "continuing care facility" for the words "convalescent home" so as to provide that the variances granted therein shall continue to apply to the use of the property as a continuing care facility."

2. That the acreage set forth in Page 2, Paragraph 1 of the Order issued on April 13, 1990, in Case No. 90-376-SPFH be corrected as follows:

That the subject property consists of a total acreage of 80.83 acres, of which 12 acres are zoned DR 16, 37.79 acres are zoned DR 1 and 31.04 acres are zoned RC 4.

3. That the word "proposed" in the phrase "proposed Community Center" in the third to the last line of the first paragraph on Page 1 be deleted, and the following words added after the word "Center," including any and all additions thereto:

HE FURTHER ORDERED that the additional relief requested herein, pursuant to the subject Petition for Special Hearing and Special Exception, be and is hereby GRANTED.

HE FURTHER ORDERED that the conditions and restrictions contained in the Order dated April 6, 1977, in Case No. 77-195-XASPH, and those contained in the Order dated April 13, 1990, in Case No. 90-376-SPFH shall remain in full force and effect.



OWNER / APPLICANT
Broadmead Inc.
15501 York Rd.
Cockeysville, MD 21030-1825
Tax Acct. #190004029

GENERAL NOTES

1. Existing Zoning and Areas

Zone	Total Area
DR-16	12.00 Acres [±]
DR-1	37.79 Acres [±]
RC-6	31.04 Acres [±]
Totals	80.83 Acres [±]

*DR areas are internal and reflect net and gross areas.
*RCG Zone originally approved with RC4 Zoning.

2. Existing Nursing Home Beds (To be changed- see density calculations)

79 Nursing Beds

3. Existing Development

Continuing Care Facility as authorized by Special Exception in the former Section 1901.1C, Item 21 including Class B housing for the elderly nursing care including nursing and domiciliary care beds; 16 assisted living units and accessory uses as authorized by Section 432.1B including but not limited to ground and building maintenance facilities, laundry rooms, common dining facilities, indoor and outdoor recreational facilities and personal services, swimming pools, small gifts or necessities shops, mail branch bank or automated bank teller machine and overnight guest facility in Building 1 all for the sole use of Broadmead Community.

To accomplish this a Special Hearing was also requested to amend Zoning Case 77-195 XASPH by removing the Special Exception for a convalescent home on 4.97 acres and extending it by Special Exception to 49.79 acres for a continuing care facility as set forth above for the Broadmead Community.

4. Density and Site Data as Continuing Care Facility

Zone	Area	Maximum Permitted Density Units
DR-16	12.00 Acres [±]	192.00 DU
DR-1	37.79 Acres [±]	37.79 DU
Total 49.79 Acres		229.79 DU

5. Density Calculations

Unit Type	No. of Units Approved	Proposed No. of Units	Factor	Density Units Approved	Proposed Density Units
Studio	25	0.5	12.5		
1 BR	50	0.75	37.5		
1 BR-Delux	40	0.75	15		
1 BR Open Den	2	0.75	30.0		
1 BR Open Den/Loft	20	0.75	15.0		
2 BR 1 Bath	28	1.00	28.0		
2 BR 2 Bath	12	1.00	63.0		
2 BR 2 Bath Open Den	12	1.00	12.0		
Director's House					
3 BR Open Den	1	0.75	0.75		
3 BR 2 Bath	1	1.5	1.5		
Cluster "W"					
2 BR 2 Bath	3	1.0	3.0		
1 BR Open Den	3	0.75	3.0		
2 BR 2 Bath Open Den	3	0.75	2.25		
Sub-Total LU	242	261		197.75	210

B. ASSISTED LIVING

Unit Type	No. of Units Approved	Proposed No. of Units	Factor	Approved Density Units	Proposed Density Units
Assisted Living Units	79	6.25	12.5		
GRAND-TOTAL	262	330		204.5	229.75

C. Proposed Skilled Nursing Facility- 79 Beds (No density)

6. Loft expansion (show as: A11-12; C13-14; E2-3; J4-5; J4-15; K10-11; K14-15; L11-12; P3-10; Q4-5; K7-8), represent renovations with no change in density.

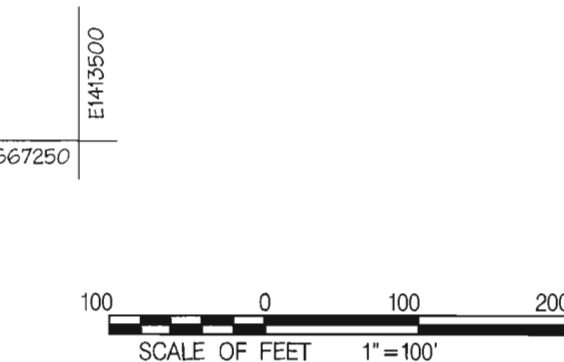
- *PREVIOUSLY APPROVED BUILDING MODIFICATIONS
- PROPOSED STRUCTURE
- LOFT RENOVATIONS
- PROPOSED CANOPY/ ALL WEATHER CONNECTION
- PROPOSED ROADWAY

DATA SOURCES:

Existing topography and improvements shown hereon taken from Baltimore County GIS dated March 1996.

Boundary information shown hereon taken from a plat titled "The Broadmead Community" dated August 23, 1977 created by DMW and recorded among Baltimore County Land Records in Liber E.H.K., JR. 42 folio 22. The coordinates were rotated from BOMD to MD State Plane NAD83 to overlay with the GIS topography.

This plan is not the result of a DMW topographic survey and is therefore subject to change.



VICINITY MAP

Scale: 1"=1000'

Existing uses are subject to parking standards in effect at the time of development and the variance for 190 instead of the required 301 spaces granted for the residential units is by Zoning Case 77-195 XASPH. The 27 existing assisted living units are parked at 1 space per each 2 units.

a. Residential by Zone in which located

1. DR-16, 111 living units, 90.75 density units at 1.15 spaces per DU	104.35 Spaces
2. DR-1, 138 independent living units units at 1.5 spaces per DU	207.00 Spaces
3. Director House Conversion, DR-1, 2.25 DU at 1.5 spaces per DU	3.0 Spaces

b. Nursing Home

1. 79 Beds at 1 Space/10 Beds	7.9 Spaces
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c. Guest Facility

1. 4 Guest Rooms are permitted at 2 per each 100 dwelling units	2 Spaces
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d. Spaces for proposed assisted living 79 at 1/2 beds.	39.5 Spaces
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e. Office Building No. 2	
1. First Floor, 3,700 S.F. at 1/300 S.F.	12.3 Spaces
2. Second Floor, 1,105 S.F. at 1/500 S.F.	2.2 Spaces

Total Spaces required 379.00 Spaces

Parking Provided

a. Total existing parking	434 Spaces
b. Addition parking for future deck	40 Spaces

c. Additional parking for Cluster W units	19 Spaces
d. Additional parking along loop road	25 Spaces

Total Future Parking 518 Spaces

*The unit types may change without an amendment to the plan; however, the permitted density may not be exceeded from the change in bedroom counts. The density proposed may increase to 229.79 density units without an amendment to this plan.

DMW

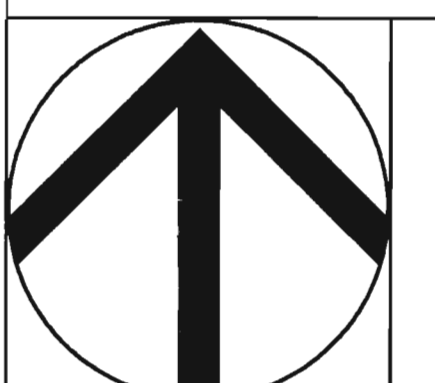
Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21286
(410) 296-3333
Fax 296-4705

A Team of Land Planners,
Landscape Architects,
Engineers, Surveyors &
Environmental Professionals

Plan to Accompany Special Hearing and
4th Amended Final Development Plan

Broadmead Property

Election District 8
Councilmanic District 3



DATE	BY	REVISIONS

Baltimore County, MD

ISSUE DATES

REVIEW:	
BD:	
PERMIT:	
CONSTRUCTION:	
BASE:	ko
DRAWN:	ko
DESIGNED:	spk
CHECKED BY:	del
DATE CHECKED:	2/19/06

SCALE: 1"=100'

PROJECT NO.: 89171.c

DRAWING:

