



IN RE: PETITION FOR SPECIAL HEARING W/S Emge Road, 490' N of the c/l

Joppa Road

(8720 Emge Road)

9th Election District
5th Council District

* ZONING COMMISSIONER

* FOR

* BALTIMORE COUNTY

Meridian Valley Ltd. Partnership Petitioners

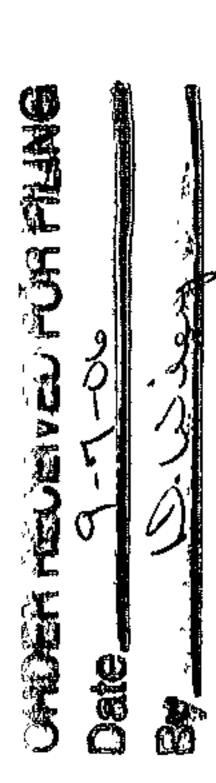
* Case No. 06-619-SPH

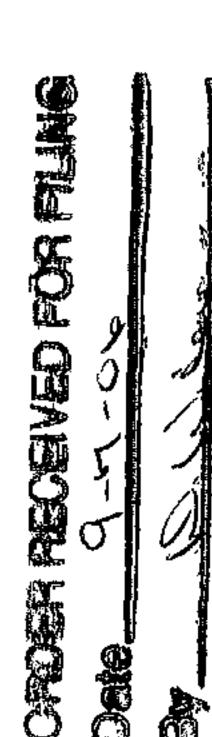
FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Zoning Commissioner for consideration of a Petition for Special Hearing filed by the owner of the subject property, Meridian Valley Ltd. Partnership, c/o Genesis Healthcare, by and through its attorneys Jennifer R. Busse, Esquire, and Whiteford, Taylor & Preston, LLP. The Petitioner requests a special hearing seeking approval of an amendment to the previously approved special exception plan and Order in Case No. 69-197-X to permit a 1,500 sq.ft., one-story addition to an existing building, and to confirm the continuance of conditions per prior approvals and that there is no conflict with Section 1B01.1B of the Baltimore County Zoning Regulations (BCZR). The subject property and relief sought are more particularly described on the red-lined site plan, which was submitted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the request were Keith Robinson, a representative of Meridian Valley Ltd. Partnership, property owner, Phillip Carroll of Whitney, Bailey, Cox & Magnani, LLC, the consulting engineers who prepared the site plan, and John B. Gontrum, Esquire, attorney for the Petitioner. Appearing as interested citizens were Donna Spicer and Robert Turner, nearby residents of the area.

Testimony and evidence offered disclosed that the subject property is a rectangular shaped parcel located between Emge Road and Lackawanna Avenue, not far from the

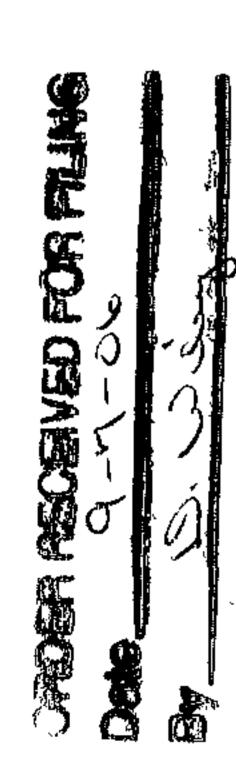




intersection of Joppa Road and Loch Raven Boulevard in Parkville. The site is located in close proximity to the Baltimore Beltway, in the midst of a residential community which consists of mostly single family, detached dwellings, as shown on the site plan and by the aerial photograph submitted as Petitioner's Exhibit 2. The property contains a gross area of 4.686 acres, more or less, zoned D.R.5.5, and is improved with two separate and distinct buildings, identified as the Cromwell Center and the Loch Raven Center, which are used as nursing homes, pursuant to the relief granted in prior zoning Case No. 69-197-X. As noted within the prior opinion, the original approval was for a single building comprising 90,600 sq.ft. Ultimately, this approval was amended by a spirit and intent determination to allow the two existing buildings (see Petitioner's Exhibit 4). Subsequent permit approvals allowed the expansion of the Cromwell Center to 63,231 sq.ft., and additional parking as part of the spirit and intent of the original order. The Petitioner now comes before me seeking approval for a similar expansion of the Loch Raven Center building, which presently contains 35,400 sq.ft.

As shown on the site plan, a 1,500 sq.ft, one-story addition is proposed on the southwest side of the existing building. Testimony indicated that the purpose of the proposed addition is to provide an on-site physical therapy center to serve the existing residents of the facility. It is not intended for out-patient use and should not attract new traffic to the site. Moreover, it will not result in an expansion of the number of people housed at the facility.

Relief is requested as set forth above to amend the previously approved site plan to reflect the proposed improvements and to confirm the continuation of existing conditions, pursuant to the prior relief granted, and that there will be no conflict with Section 1B01.1B of the BCZR. In support of the proposal, testimony indicated that the special exception granted in the prior case predated the enactment of residential transition area requirements (RTA), which



initially were created by County Council Bill No. 100-70. The RTA regulations have been substantially amended over time and are now contained in Section 1B01.1B of the BCZR.

"Convalescent homes", now defined in Section 101 of the BCZR as "Nursing homes", are still permitted by Special Exception in residential zones, pursuant to Section 1B01.1C.3. The application of the initial RTA regulations to this site would have precluded virtually any building for the existing use. Both of the existing buildings as well as the parking lie within what would be the current RTA.

Because the special exception predated the RTA regulations, it grandfathered the use from the imposition of the RTA requirements. I concur with the zoning office opinion provided, dated September 15, 1978 (Petitioner's Exhibit 4). It, furthermore, would not make sense to apply the RTA requirements to new construction on an existing building that sits back further than the balance of the building from adjoining property.

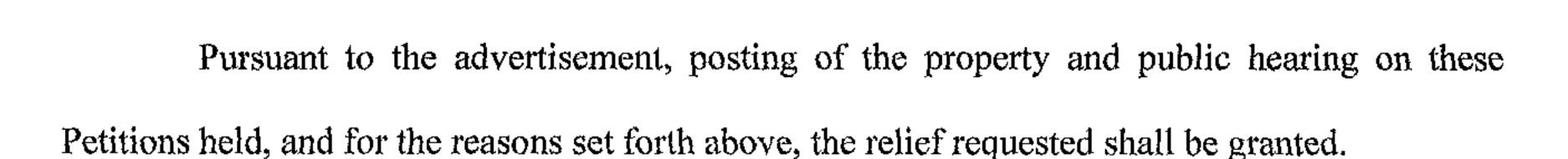
In support of the proposal, testimony indicated that over the years the facility has attempted to remain current with trends in the marketplace and to keep the facilities looking fresh. Photographs introduced as Petitioner's Exhibit 3 indicate that the facility still remains attractive in appearance despite the passage of time. The proposed addition will be located on the southwest side of the existing Loch Raven Center, toward the interior of the property. The topography and screening of the site will buffer the addition from adjoining properties.

Concerns expressed by the community residents had nothing to do with the proposed addition, and indeed, Ms. Spicer made it quite clear that she was not opposed to the proposal. Indeed, Ms. Spicer noted that the facility is part of the accepted fabric of the community. The concerns expressed primarily had to do with the responsiveness of the ownership to general neighborhood concerns about existing runoff and the lack of curbs and sidewalks leading to the

property from Joppa Road. As both the site plan and photographs show curbs and sidewalks exist on both sides of the property; however, there is apparently no curb and sidewalk in front of the older homes along Lackawanna Avenue and Emge Road leading to and from Joppa Road. Cars parked in front of those homes apparently encroach upon the lawn areas of the homes, forcing pedestrians to use the street.

At the hearing it was made known that a new parking area has been separately approved behind the Cromwell Center consisting of 30 additional spaces. While this parking lot would relieve some of the issues related to parking, it also generated concerns relative to both appearance and storm water runoff. Clearly, a grading plan is necessary in order to obtain a grading permit, and this plan should address any storm water management issues. Even though the parking area is not formally in front of me for approval, it is part of the site plan for which approval is sought, and I believe it appropriate to condition approval of the proposed plan amendment on appropriate screening of the proposed parking area.

After due consideration of the testimony and evidence presented, I am persuaded to grant the requested relief. As noted above, the property obtained special exception relief for the existing nursing home use nearly 40 years ago, well prior to the enactment of the current RTA regulations. Moreover, based on the presentation made and the exhibits presented, it is clear that the facility has long been accepted as part of the community. Far from having any adverse impact on the community, the addition will be a benefit to the nursing home residents, and to the extent it enhances the viability of the facility, it should benefit its placement in the community. It also is apparent that the proposed 1,500 sq.ft. addition where located would not be injurious to the public health, safety and general welfare and meets the special exception requirements of Section 502.1 of the BCZR.



THEREFORE, IT IS ORDERED, by the Zoning Commissioner for Baltimore County this _______ day of September 2006, that the Petition for Special Hearing seeking approval to amend the previously approved special exception plan and Order in Case No. 69-197-X to permit a 1,500 sq.ft., one-story addition to the existing (Loch Raven Center) building, and to confirm the continuance of conditions per prior approvals and that there is no conflict with Section 1B01.1B of the BCZR, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, the Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.
- 2) The Petitioner shall be required to comply with the attached Zoning Advisory Committee (ZAC) comments submitted by the Office of Planning, dated July 7, 2006, insofar as they pertain to the proposed parking area behind the Cromwell Center building, as more particularly described on Petitioner's Exhibit 1.
- 3) When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

Any appeal of this decision must be taken in accordance with Section 32-3-401 of the

Baltimore County Code.

WILLIAM WISEMAN, III Zoning Commissioner For

Baltimore County



JAMES T. SMITH, JR. County Executive

September 6, 2006

WILLIAM J. WISEMAN III

Zoning Commissioner

Jennifer R. Busse, Esquire John B. Gontrum, Esquire Whiteford, Taylor & Preston, LLP 210 W. Pennsylvania Avenue Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING

W/S Emge Road, E of Lackawanna Avenue, 490' N of the c/l Joppa Road (8720 Emge Road)

9th Election District – 5th Council District

Meridian Valley Ltd. Partnership - Petitioner

Case No. 06-619-SPH

Dear Ms. Busse & Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Department of Permits and Development Management office at 887-3391.

Very trally yours,

WILLIAM 9: WISEMAN, III Zoning Commissioner

for Baltimore County

WJW:bjs

Mr. Keith Robinson, Genesis Health Care, 14176 Crossroads Avenue, Felton, Pa. 17322
 Mr. Phil Carroll, Whitney, Bailey, Cox & Magnani
 849 Fairmount Avenue, Baltimore, Md. 21286
 Ms. Donna Spicer, 8719 Eddington Road, Baltimore, Md. 21234
 Mr. Robert Turner, 8712 Lackawanna Avenue, Baltimore, Md. 21234

Office of Planning; People's Counsel; Case File



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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County \$720

for the property located at _	8710 Emge Road	d	
	presently zoned		

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:	<u>Legal Owner(s):</u>
N/A	Meridian Valley Limited Partnership
Name - Type or Print Nam	ne - Type or Print
	c/o Genesis Healthcare
Signature	Signature
	Thomas R. Marshall-V. Property Man
Address Telephone No.	Name - Type or Print
	Thomas L. Marshare
City State Zip Code	Signature
Attorney For Petitioner:	101 E. State Street (410) 832-2077
Attorney r or r etitioner.	Address Telephone No.
Jennifer R. Busse	Kennett Square, PA 19348
Name Type or Print City	State Zip Code
In Mo	Danuarantativa ta ba Cantartad.
Signature	Representative to be Contacted:
	Jennifer R. Busse
Whiteford, Taylor & Preston L.L.P. Company	Name Whiteford, Taylor & Preston L.L.P.
2 1 0 W. Pennsylvania Avenue (410) 832-2077	210 W. Pennsylvania Avenue (410) 832-2077
Aderess Telephone No.	Address Telephone No.
i 🥦	Towson, MD 21204
City State Zip Code	City State Zip Code
City State Zip Code	2.p 2000
	OFFICE USE ONLY
	- <u></u>
	ESTIMATED LENGTH OF HEARING LIFES
Case No. [10]	UNAVAILABLE FOR HEARING
	40 1) 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
ReVi	ewed by Drup of Date 60606
REM 9/15/98	

Attachment to Petition for Special Hearing 8710 Emge Road Zoning: D.R. 5.5

Case No.:

Petition for Special Hearing to amend a previously approved Special Exception Plan and Order in Case No. 69-197-X to permit a 1,500 square foot, 1-story addition to an existing building.

Petition for Special Hearing to confirm the continuance of conditions per prior approvals and that there is no conflict with BCZR §1B01.1B.

360654

PROPERTY OF MERIDIAN VALLEY LIMITED PARTNERSHIP KNOWN AS 8710 EMGE ROAD BALTIMORE COUNTY, MD 21234

BEGINNING for the same at a point on the West Side of Emge Road located 490 feet, more or less, northerly from Joppa Road;

THENCE leaving said point of beginning and Emge Road, running

- 1) South 69 Degrees 18 Minutes 04 Seconds West for 170.12 feet; thence
- 2) South 69 Degrees 17 Minutes 54 Seconds West for 347.50 feet; thence
- 3) North 23 Degrees 37 Minutes 37 Seconds West for 327.77 feet; thence
- 4) North 68 Degrees 32 Minutes 25 Seconds East for 590.68 feet

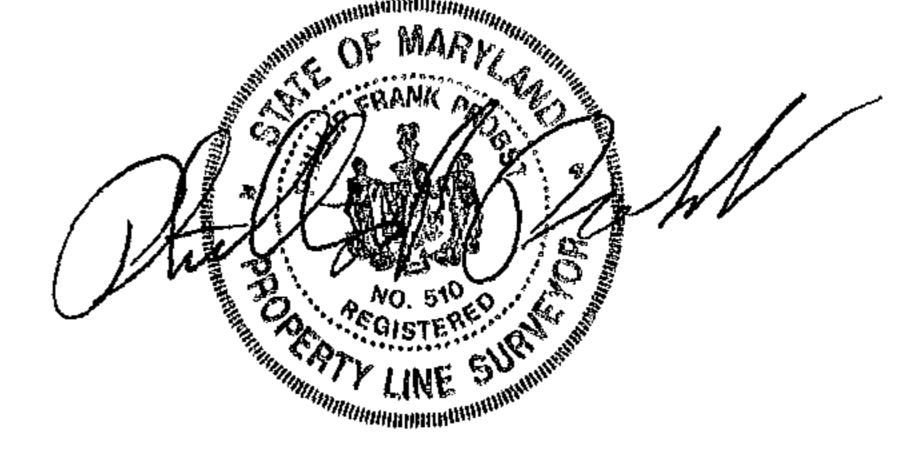
To the west side of said Emge Road; thence binding thereon 5 courses

- 5) South 50 Degrees 52 Minutes 32 Seconds East for 43.78 feet; thence
- 6) Southeasterly along a 315.00 feet radius curve to the Right for an arc distance of 132.87 feet (chord bears South 38 Degrees 47 Minutes 29 Seconds East 131.89 feet); thence
- 7) Southeasterly along a 135.00 feet radius curve to the Right for an arc distance of 138.62 feet (chord bears South 02 Degrees 42 Minutes 35 Seconds West 132.61 feet); thence
- 8) South 32 Degrees 07 Minutes 35 Seconds West for 71.55 feet; thence
- 9) Southeasterly along a 167.27 feet radius curve to the Left for an arc distance of 11.84 feet (chord bears South 32 Degrees 57 Minutes 07 Seconds West 11.84 feet); thence

to the True Point of Beginning,

the Area being 204,132 Square Feet or 4.686 Acres, more or less.

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BALTIMORE COUNTY, MARYLANI OFFICE OF BUDGET & FINANCE MISCELLANEOUS RECEIPT	
RECEIVED FROM: (1) Account (1) (1) (2) (3) (4) (5) (6) (7) (7) (7) (7) (7) (7) (7) (7) (7) (7	在1960年代的 1960年代
DISTRIBUTION WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER	CASHIER'S VALIDATION
NOTICE OF ZONING HEARING The Zoning Commissioner of Baltimore County, by au ority of the Zoning Act and Regulations of Baltimor unty will hold a public hearing in Towson, Maryland of property Identified herein as follows: Case: # 06-619-SPH 8710 Emge Road CERTIFICATE C	F PUBLICATION

Co the

West side of Emge Road, 490 feet north of Joppa Road
9th Election District — 5th Councilmanic District
Legal Owner(s): Meridian Valley Ltd. Partnership c/
Genesis Healthcare
Special Hearing: to amend a previously approved Special Exception Plan and Order in Case No. 69-197-X to permit a 1,500 sq. foot, 1-story addition to an existin building. To confirm the continuance of conditions per prior approvals and that there is no conflict with BCZI Section 1801.18.
Hearing: Tuesday. Annual 8.2006 at 2:00 n.m. I

Hearing: Tuesday, August 8,2006 at 2:00 p.m. l Hoom 407, County Courts Building, 401 Bosley Ave nue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County
NOTES: (1) Hearings are Handlcapped Accessible; fo
special accommodations Please Contact the Zoning Commissioner's Office at (410) 887-3868.

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

JT 7/723 July 25

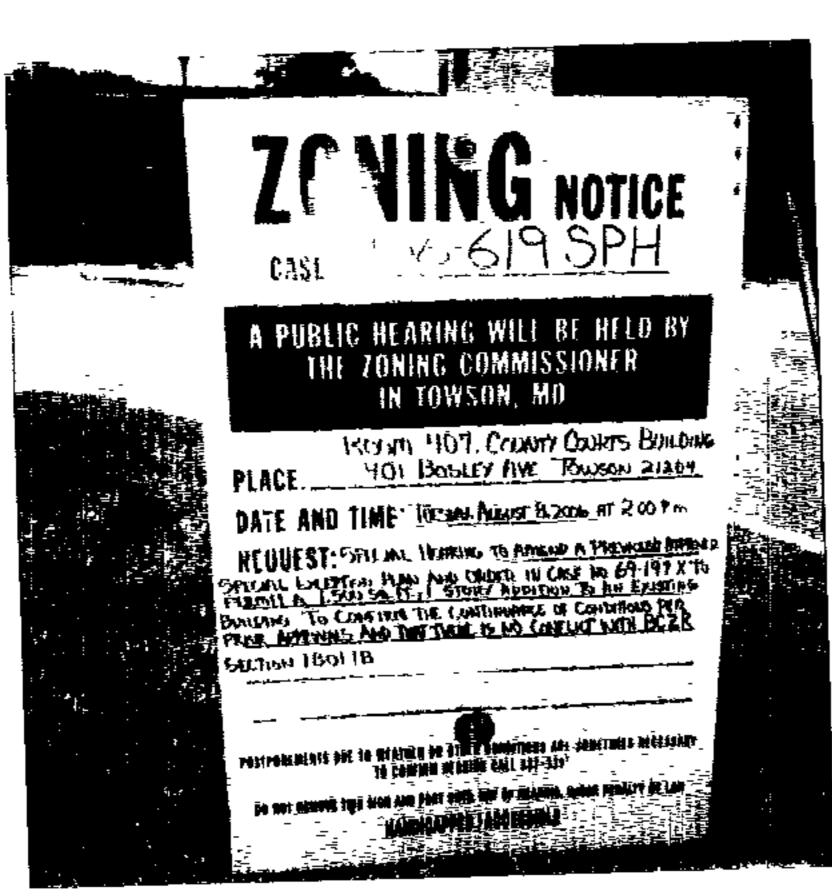
103106

727,2006
THIS IS TO CERTIFY, that the annexed advertisement was published
in the following weekly newspaper published in Baltimore County, Md.,
once in each ofsuccessive weeks, the first publication appearing
on 725/,2006.
The Jeffersonian
Arbutus Times
☐ Catonsville Times
☐ Towson Times
Owings Mills Times
□ NE Booster/Reporter
☐ North County News

LEGAL ADVERTISING

CERTIFICATE OF POSTING

	RE: Case No.: 06-619-5PH
*	Petitioner/Developer: [DERIDIAN]
	VALLEY, LTD, GENESIS
Baltimore County Department of Permits and Development Manager County Office Building, Room 111 111 West Chesapeake Avenue Towson, Maryland 21204	Date of Hearing/Closing: AUG 8, 200 ent
ATTN: Kristen Matthews ((410) 88 Ladies and Gentlemen:	87-3394}
	nalties of perjury that the necessary sign(s) required by law were by located at:
· 8710	ENCE ROAD
The sign(s) were posted on	7-29-06 (Month, Day, Year)
	Sincerely,



(Signature of Sign Poster) (Date)	5 ,
SSG Robert Black	
(Print Name)	
1508 Leslie Road	
(Address)	٠
Dundalk, Maryland 21222	
(City, State, Zip Code)	
(410) 282-7940	
(Telephone Number)	

TO: PATUXENT PUBLISHING COMPANY

Tuesday, July 25, 2006 Issue - Jeffersonian

Please forward billing to:

Jennifer Busse, Esq.

Whiteford, Taylor & Preston

210 W. Pennsylvania Avenue, Ste. 400

Towson, MD 21204

410-832-2077

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: 06-619-SPH

8710 Emge Road

West side of Emge Road, 490 feet north of Joppa Road

9th Election District – 5th Councilmanic District

Legal Owners: Meridian Valley Ltd. Partnership c/o Genesis Healthcare

Special Hearing to amend a previously approved Special Exception Plan and Order in Case No. 69-197-X to permit a 1,500 sq. foot, 1-story addition to an existing building. To confirm the continuance of conditions per prior approvals and that there is no conflict with BCZR Section 1B01.1B.

Hearing: Tuesday, August 8, 2006 at 2:00 p.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 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.

Department of Permits and Development Management

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





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

June 15, 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: 06-619-SPH

8710 Emge Road

West side of Emge Road, 490 feet north of Joppa Road

9th Election District – 5th Councilmanic District

Legal Owners: Meridian Valley Ltd. Partnership c/o Genesis Healthcare

Special Hearing to amend a previously approved Special Exception Plan and Order in Case No. 69-197-X to permit a 1,500 sq. foot, 1-story addition to an existing building. To confirm the continuance of conditions per prior approvals and that there is no conflict with BCZR Section 1B01.1B.

Hearing: Tuesday, August 8, 2006 at 2:00 p.m. in Room 407, County Courts Building,

401 Bosley Avenue, Towson 21204

Timothy Kotroco

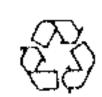
Director

TK:klm

C: Jennifer Busse, 210 W. Pennsylvania Avenue, Towson 21204
Thomas Marshall, V.P. Property Management, 101 E. State Street, Kennett Square, PA 19348

NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JULY 24, 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.



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

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The <u>Baltimore County Zoning Regulations</u> (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: 96.69
Petitioner: Mexidian Valley (Ad Analy clo Genesis
Address or Location: 8710 Emgel Road
PLEASE FORWARD ADVERTISING BILL TO:
Name: <u>Jennifie Busse Esq.</u>
Address: Clo White and Taylor & Preston
210 W. Pennsylvania Ave. Ste 400
Tanson MD 21204
Telephone Number: <u>408322077</u>

Revised 2/20/98 - SCJ



JAMES T. SMITH, JR. County Executive

TIMOTHY M. KOTROCO, Director

Department of Permits and

Development Management

Jennifer R. Busse Whiteford, Taylor & Preston L.L.P. 210 W. Pennsylvania Avenue Towson, MD 21204

Dear Ms. Busse:

RE: Case Number: 06-619-SPH, 8710 Emge Road

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 6, 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,

W. Carl Richards, Jr. Supervisor, Zoning Review

U. Callibal

WCR:amf

Enclosures

c: People's Counsel

Meridian Valley Limited Partnership c/o Genesis Healthcare Thomas R. Marshall -- V.P. Property Management 101 E. State Street Kennett Square, PA 19348



INTER-OFFICE CORRESPONDENCE

TO:

Timothy M. Kotroco, Director

DATE: July 7, 2006

RECEIVED

JUL 1 I 2006

WG COWNSSIMER

Department of Permits and Development Management

FROM:

Arnold F. 'Pat' Keller, III

Director, Office of Planning

SUBJECT:

8710 Emge Road

INFORMATION:

Item Number:

6-619

Petitioner:

Meridian Valley Limited Partnership

Zoning:

DR 5.5

Requested Action:

Special Hearing

SUMMARY OF RECOMMENDATIONS:

The Office of Planning does not oppose the petitioner's request provided the following conditions are met:

- 1. Full compliance with the guidelines and standards outlined under 'Condition B' of the Baltimore County Landscape Manual.
 - a. Specifically, 'Condition B Parking Lots Standard 1,c (p.19)' which states..." Perimeter Screening Adjacent to residential and institutional properties, "CLASS A" screening is required."
- 2. The petitioner shall submit to the Avery Harden County Landscape Architect a detailed landscaping and lighting plan showing what types of landscape plantings will be used to sufficiently screen the neighboring residential use from the proposed parking lot as well as show how any lighting will be projected away from surrounding residential properties.

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

Prepared by:

Division Chief: AFK/LL: CM

W\DEVREV\ZAC\6-619.doc



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

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

Maryland Department of Transportation

Date: 6.13.06

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

RE: Baltimore County

Item No. 6/9

JLL

Dear. Ms. Matthews:

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.

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

1.1. Fredh

Engineering Access Permits Division

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
8710 Emge Road; W/S Emge Road,
490' N Joppa Road * ZONING COMMISSIONER
9th Election & 5th Councilmanic Districts
Legal Owner(s): Meridian Valley Limited * FOR
Partnership c/o Genenis Healthcare,
Thomas R. Marshall VP Property Manaager * BALTIMORE COUNTY
Petitioner(s) * 06-619-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 and all documentation filed in the case.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

*

RECEIVED

1 2006

PerSA

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 14th day of June, 2006, a copy of the foregoing Entry of Appearance was mailed to, Jennifer R. Busse, Esquire, Whiteford, Taylor & Preston, 210 W. Pennsylvania Avenue, Towson, MD 21204, Attorney for Petitioner(s).

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

KEEPIN PUE 06 619 SPH

FREQUENT FLYER ATTORNEYS DROP OFF ZONING PETITIONS POLICY PROCEDURES

The following zoning policy is related to the filing of zoning petitions and is aimed at expediting the petition filing process with this office:

- 1. The Director of the Office of Permits and Development Management (PDM) allows zoning attorneys who frequently file for zoning hearings and who are capable of filing petitions that comply with all technical aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of an appointment for review by zoning personnel.
- 2. Any attorney using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. In the event that the petition has not been filed correctly, there is the possibility that another hearing will be required or the zoning commissioner may deny the petition due to errors or incompleteness. All petitions filed in this manner will receive a cursory review and if necessary they will be commented on by zoning personnel prior to the hearing. A corrective memo by zoning review may be placed in the hearing file to be considered by the Hearing Officer.
- 3. When a petition has been dropped off by the attorney, it will only be reviewed for very basic necessary input, logging, and distribution information.

3/22/05 JLL/rjc SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202-1626
TELEPHONE 410 347-8700
FAX 410 752-7092

20 COLUMBIA CORPORATE CENTER 10420 LITTLE PATUXENT PARKWAY COLUMBIA, MARYLAND 21044-3528 TELEPHONE 410 884-0700 FAX 410 884-0719

JENNIFER R BUSSE

DIRECT NUMBER

410 832-2077
jbusse@wtplaw.com

WHITEFORD, TAYLOR & PRESTON L.L.P.

210 WEST PENNSYLVANIA AVENUE TOWSON, MARYLAND 21204-4515 410 832-2000 FAX 410 832-2015 www.wtplaw.com 1025 CONNECTICUT AVENUE, NW WASIJINGTON, D.C. 20036-5405 1ELEPHONE 202 659-6800 FAX 202 331-0573

1317 KING STREET
ALEXANDRIA, VIRGINIA 22314-2928
TELEPHONE 703 836-5742
FAX 703 836-0265

June 5, 2006

DELIVERY BY HAND

Mr. John L. Lewis
Department of Permits &
Development Management
111 W. Chesapeake Avenue, Room 111
Towson, Maryland 21204

Re: 8710 Emge Road

Petition for Special Hearing

Our File No. 80671/2

Dear Mr. Lewis:

Thank you for your guidance on the enclosed filing package. Enclosed please find the following documents:

- 1. A copy of your notes regarding changes needed to the previously submitted plans;
- 2. Three (3) executed Petitions for Special Hearing;
- 3. My firm's check in the amount of \$325.00 representing the filing fee in this matter;
- 4. Three (3) property descriptions;
- 5. The official zoning map and also a blow-up of the relevant area outlining the site; and
- 6. Completed advertising form.

Please feel free to contact me with any questions or concerns. I have addressed the issues identified in your notes. I also, per your instruction, met with Carl Richards to arrive at the language now listed as Zoning Relief Item 2. Finally, per your instructions, I spoke with Joe Merrey to confirm that he saw no concerns with regard to any previous relief.

Mr. John L. Lewis June 5, 2006 Page 2

Please know that there are no outstanding zoning violations on the property. Thank you again for your attention to this matter.

Sincerely,

Jennifer R. Busse

JRB:tdm Enclosure

cc:

Thomas R. Marshall

Phillip J. Carroll

Albert P. Godley-Davis

362159

PLEASE PRINT CLEARLY

CASE NAME CASE NUMBER DATE

PETITIONER'S SIGN-IN SHEET

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CITY, STATE, ZIP	MD: 2	PA.										
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NAME	FAIL CARROLL /WELL	50~	JoHn Controm , Whileford									

PLEASE PRINT CLEARLY

CASE NAME 8710 EMBER OF-619 SELV.
DATE 8-8-06

CITIZEN'S SIGN-IN SHEET

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BALTIMORE ME 21234	B246. MD 21234								
ADDRESS R712 LACKAWANN XINT	19 Eddington R								
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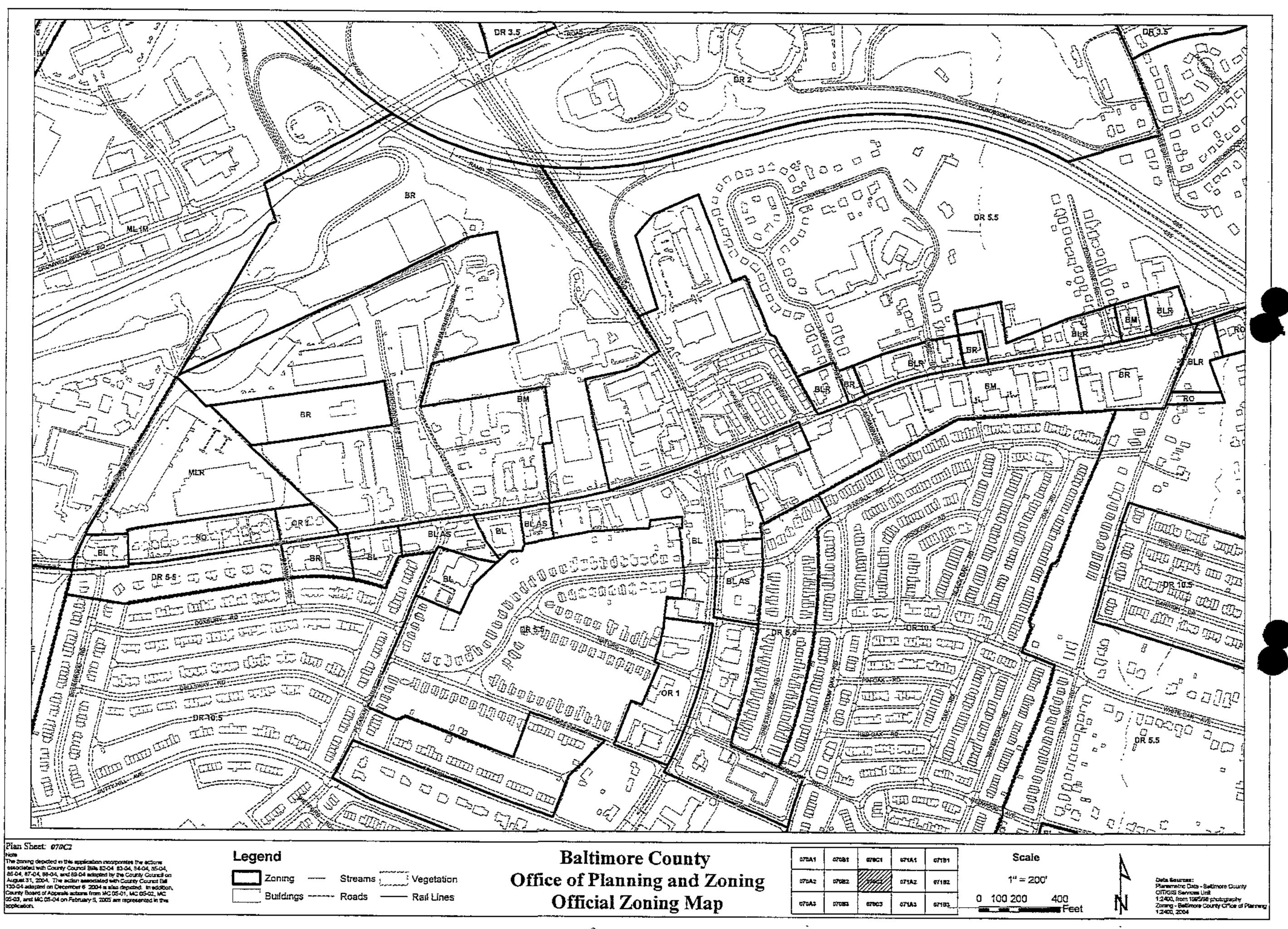
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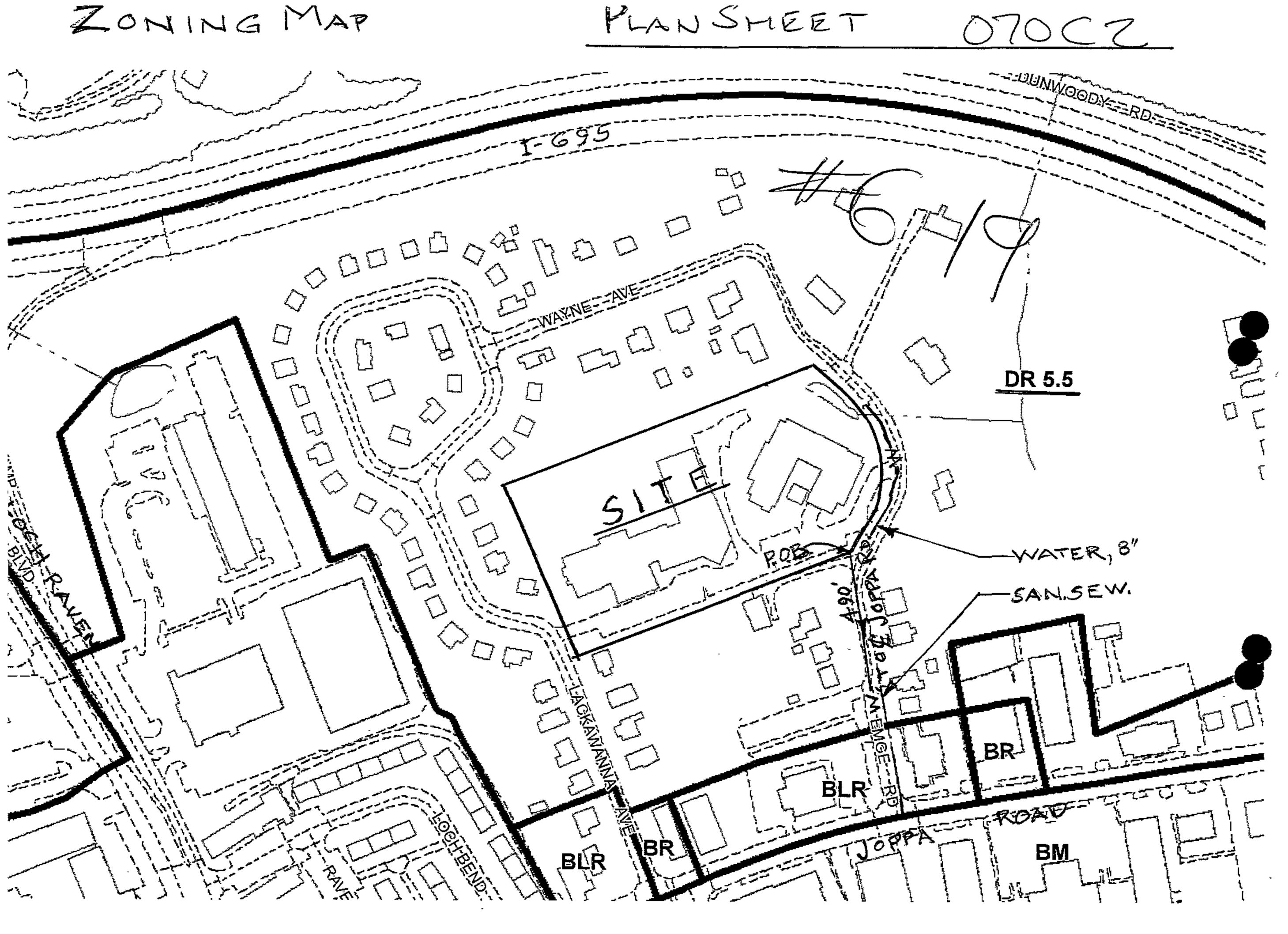
Exhibit Sheet

Petitioner/Developer

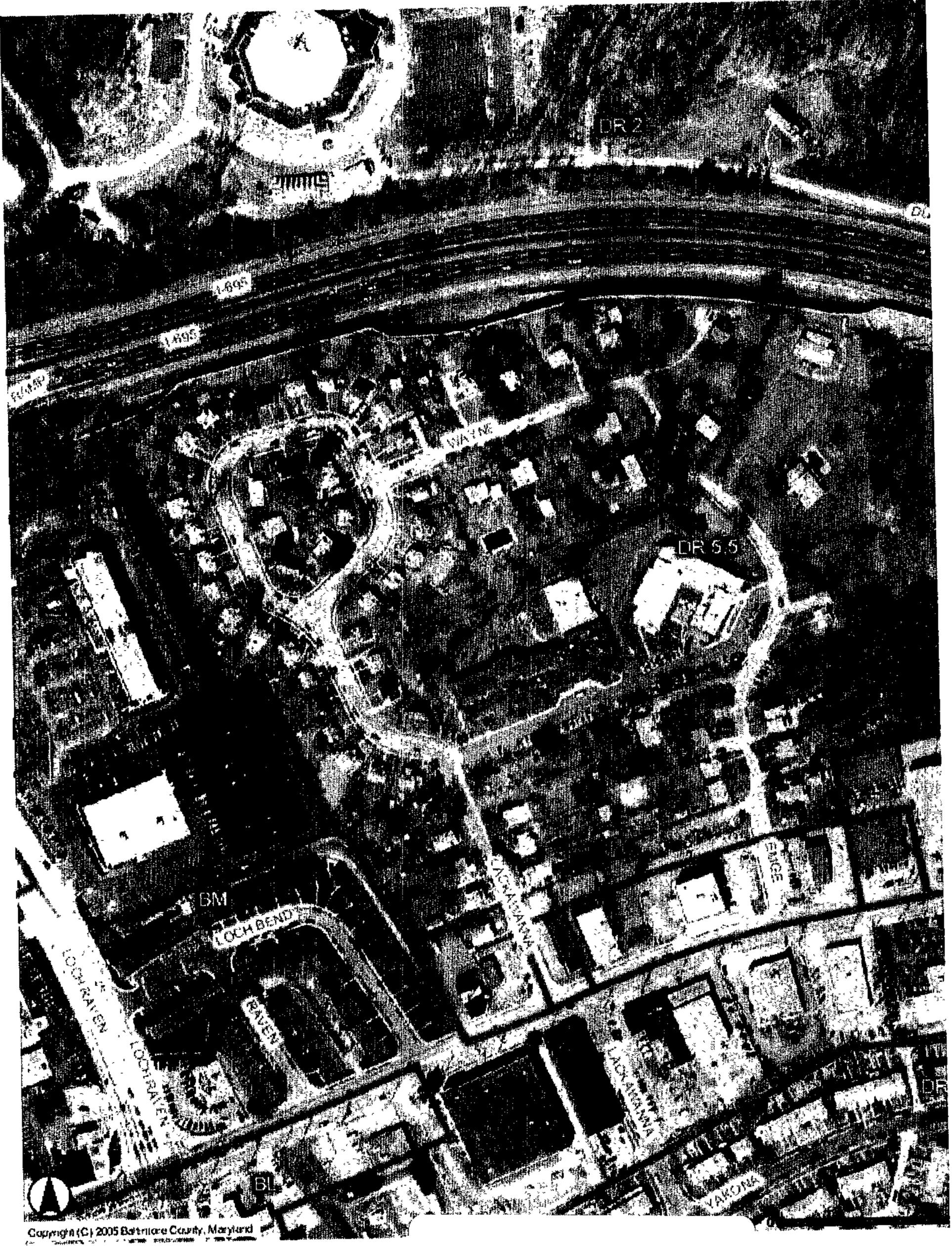
Protestant

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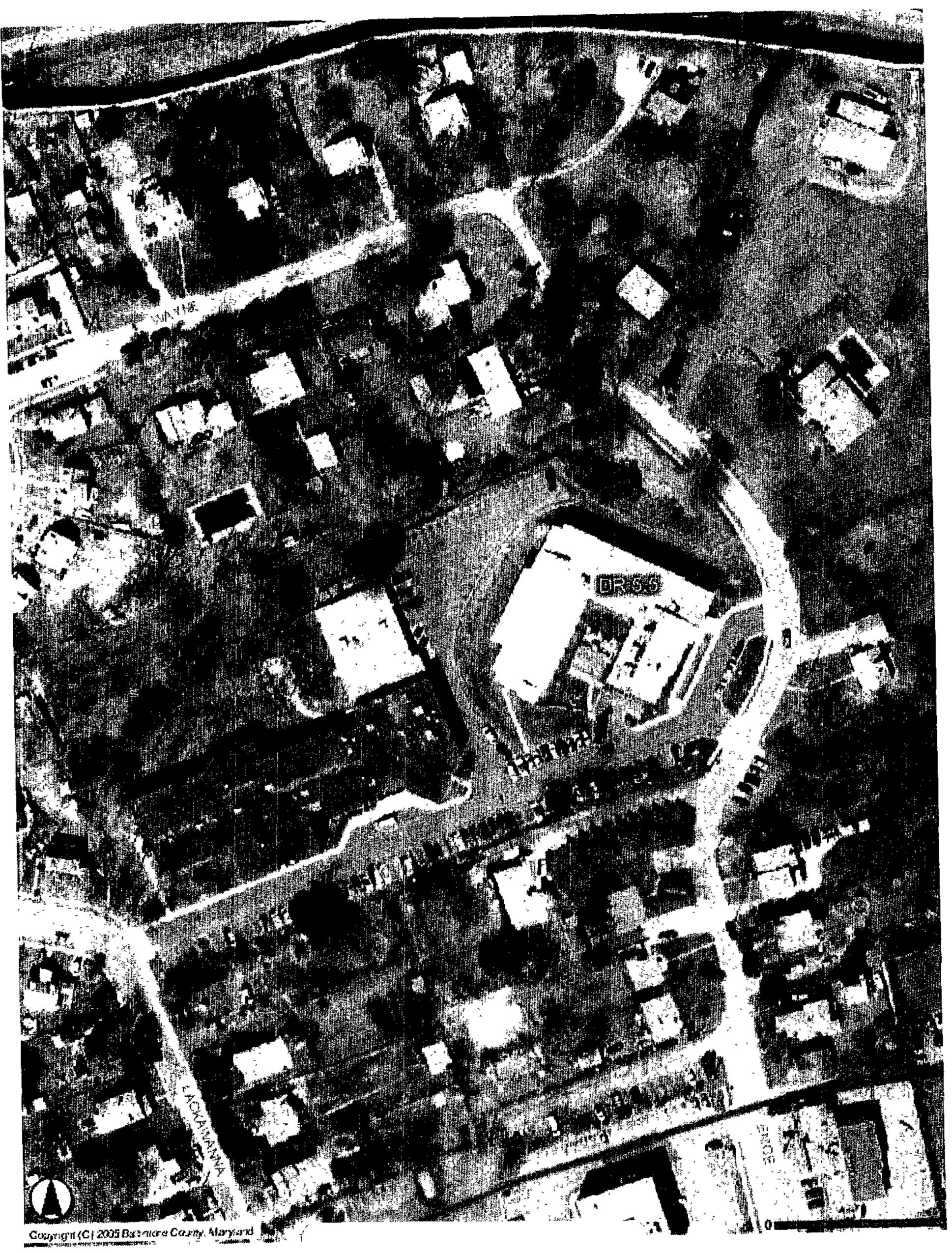




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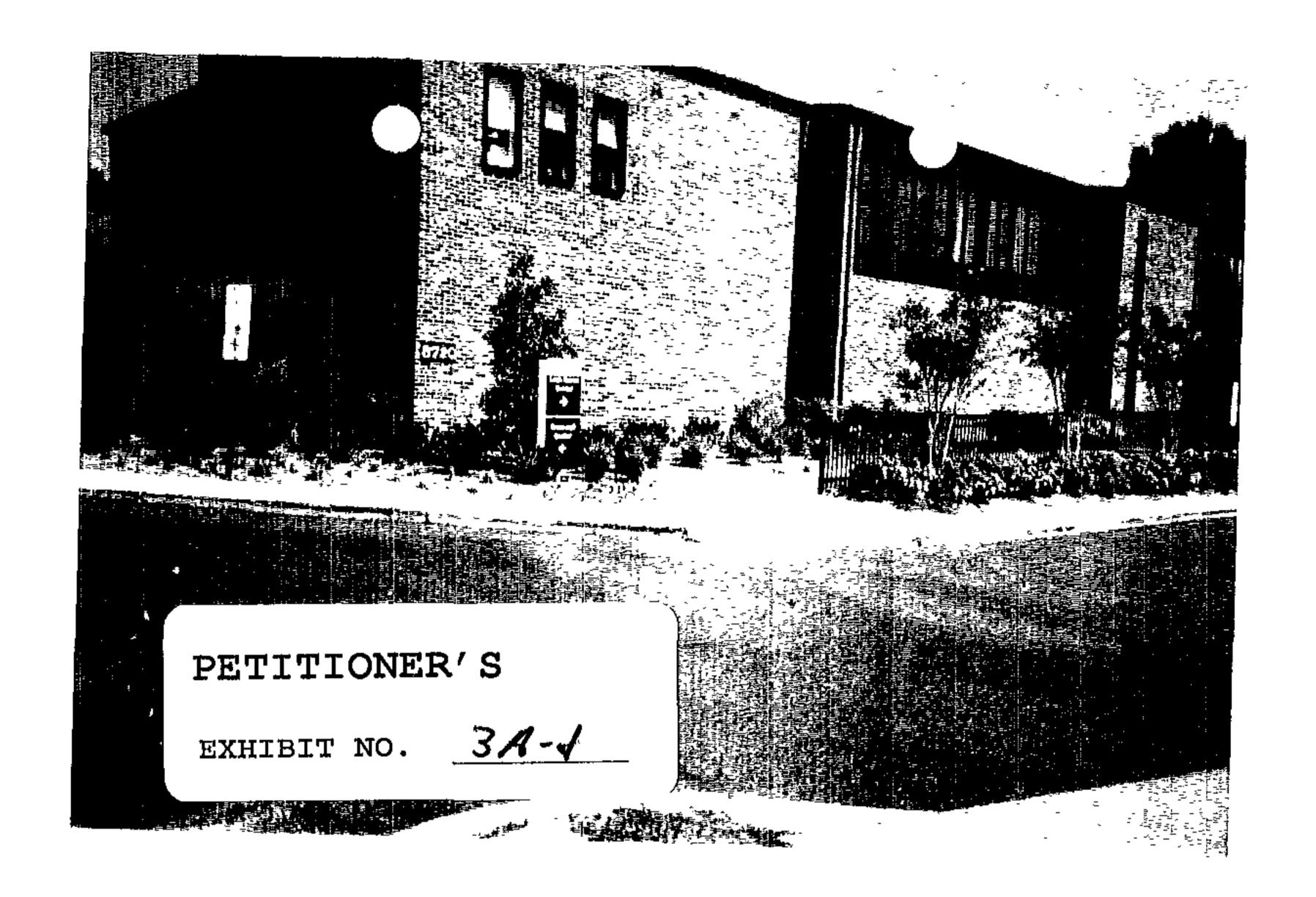


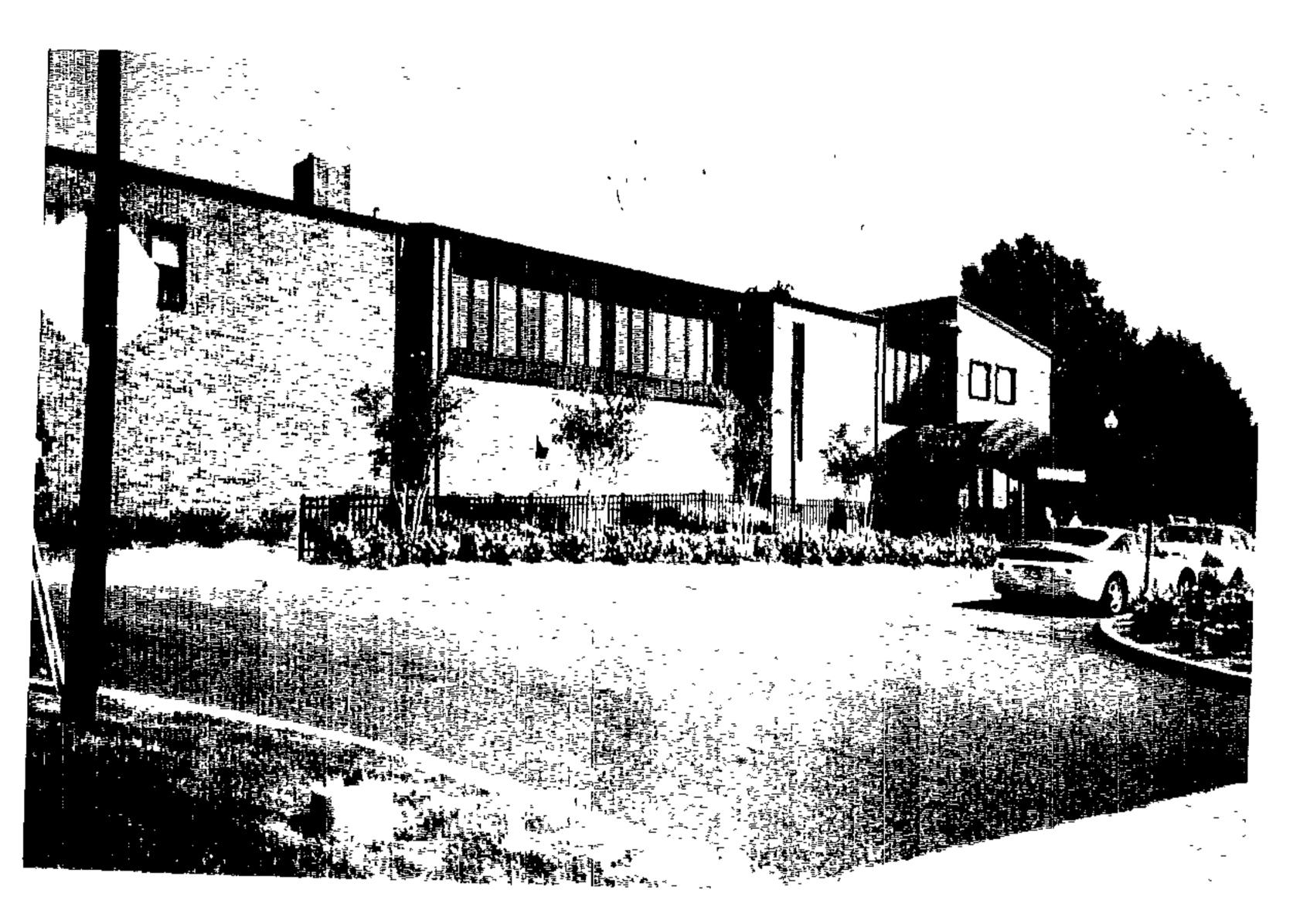
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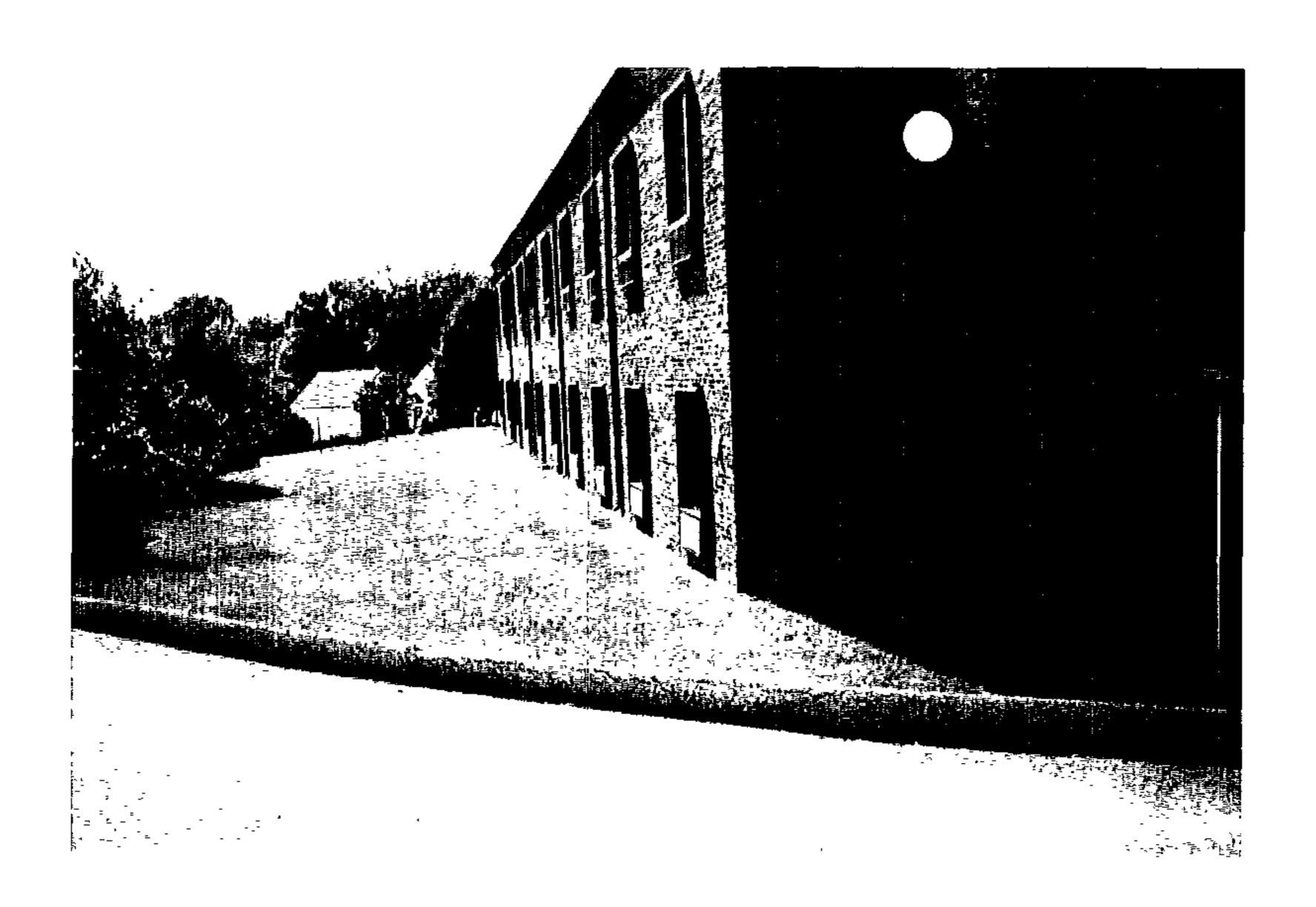
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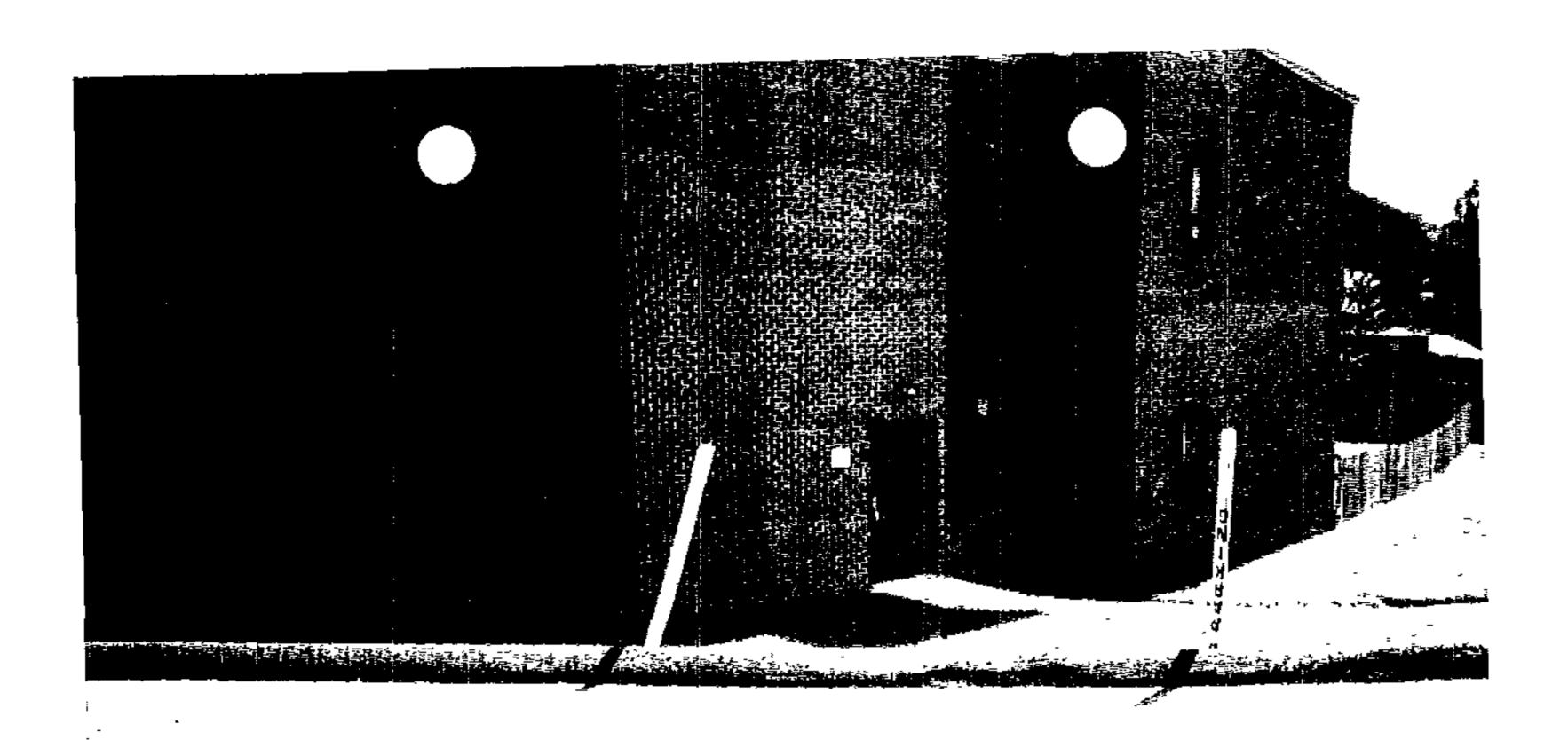


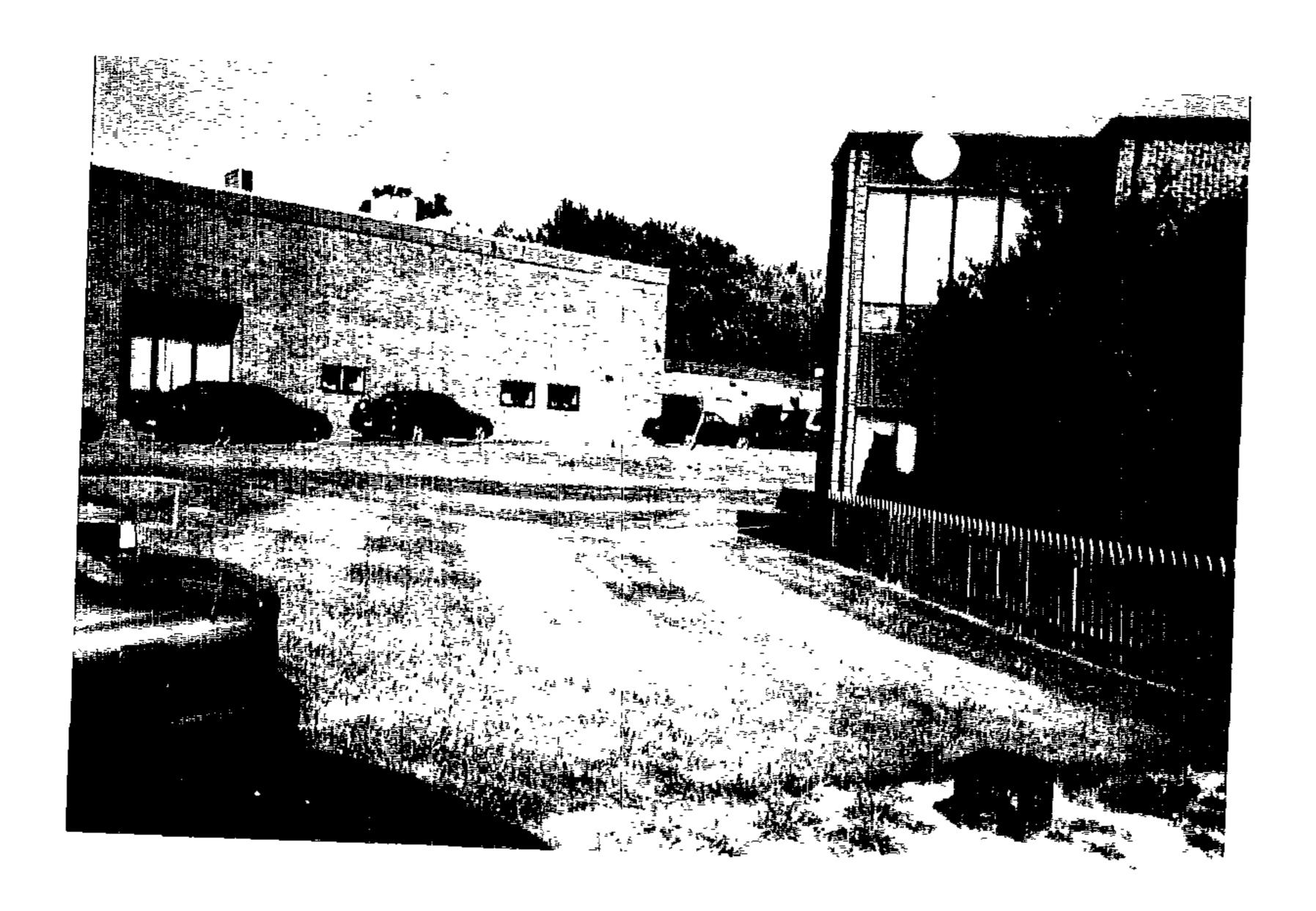


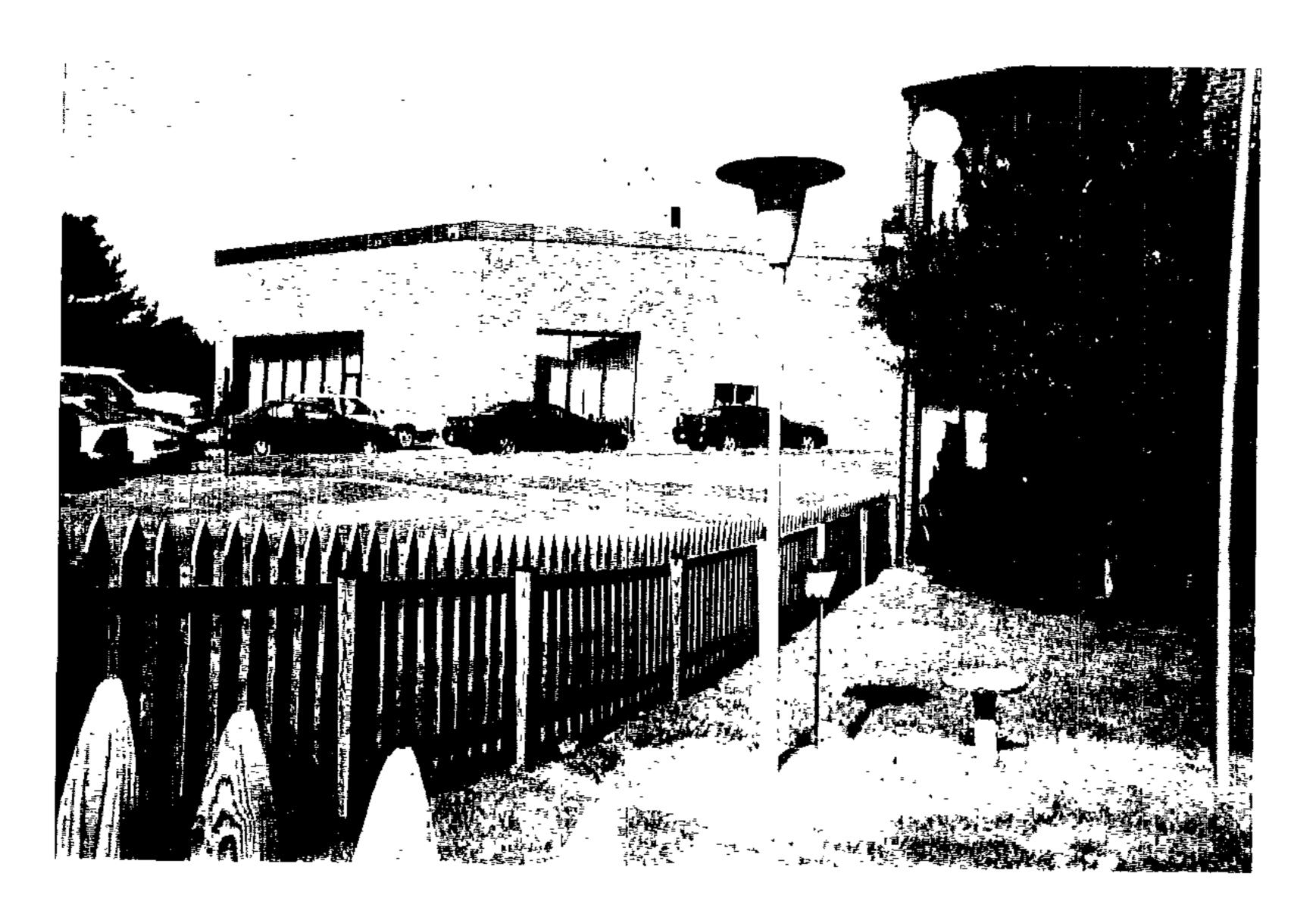


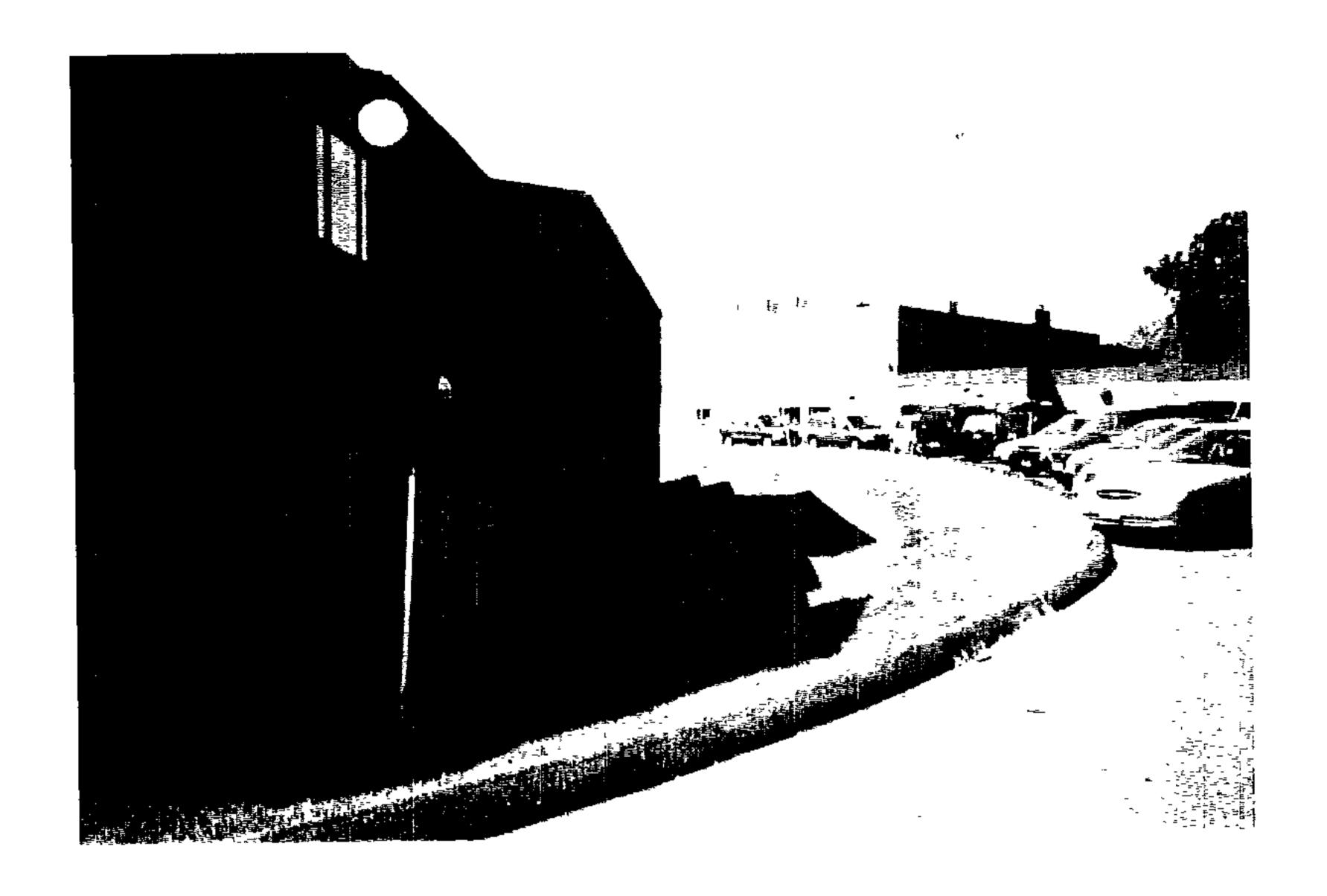


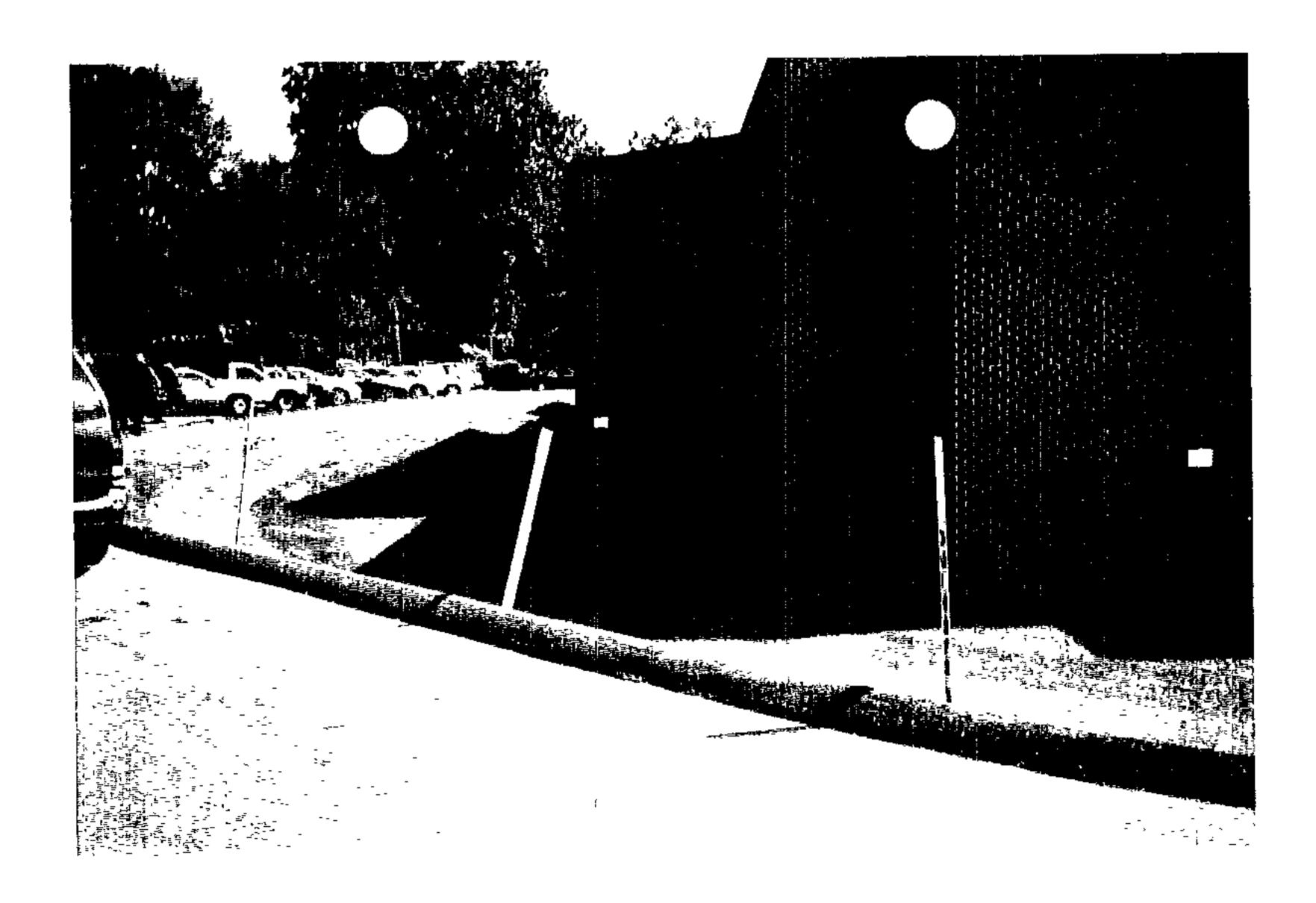


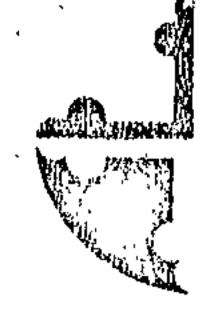












baltimore county office of planning and zoning TOWSON, MARYLAND 21204 (301) 494-3353

S. ERIC DINENNA ZONING COMMISSIONER George J. Martinak Deputy Zoning Commissioner

September 15, 1978

Mr. Joseph B. Nelson, AIA Nelson-Salabes, Inc. 1045 Taylor Avenue, Suite 208 Baltimore, Maryland 21204

> RE: Expansion of Existing Valley View Nursing Home Joppa and Emge Roads -9th Election District Case No. 69-197-X

Dear Mr. Nelson:

Reference is made to your letter of August 25, 1978, requesting approval of your plans to expand the above referenced nursing home to include an additional building of 53,000 square feet or less. As indicated in your letter, the original Special Exception was granted for a two story building, plus basement, with a total floor area of 90,600 square feet. The Order granting the Special Exception was made subject to an approved site plan, which was obtained at the time the building permit was applied for and issued. The approved plan, dated June 9, 1972, indicated that the initial construction was for a building of 35,400 square feet, with a notation thereon that a future nursing home would be built on a separate portion of the property for which you are now seeking approval.

Exception, granted for a nursing home with 90,600 square feet of total floor area on three floors, and the approved plan, indicating a future nursing home site within the original Special Exception boundaries, adequately provide for your proposed addition. It is also my opinion that the Special Exception in question is not affected by the residential transition area restrictions, since the granting of the Special Exception predated the regulations which established the transition areas.

PETITIONER'S

EXHIBIT NO. 4/3

Mr. Joseph B. Nelson Page 2 September 15, 1978

If you have any questions concerning this matter, please do not hesitate to contact me at your earliest convenience.

Very truly yours

GEORGE J. MARTINAK

Deputy Zoning Commissioner

GJM/JED/scw

cc: Mr. S. Eric DiNenna Zoning Commissioner

> Mr. James E. Dyer Zoning Supervisor

Case No. 69-197-X

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* PETITION FOR ZONING RE-CLASSIFICATION The AND/OR SPECIAL TRUEDING TO THE TRUELL! to the zoning commessioner of baltimore culiaty. County and which is described in the description and plat attached herato and made a part hereul. perchy petition (1) that the coning status of the herein described property to re-classified, pyrousnight, & - e-_ zond to an NE INE See attached description. and (2) for a Special Educpilot, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property; tormenduralingebonne annument annument annument Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above re-classification and/or Specific Exception advertising. posting, view upon filing of this petition, and further agree to and are to do kound by the coning regulations and restrictions of Baltimore County adopted pursuant to the coning Law for Baltimore County. And the Control of th La Iller Elase Than I Wille Ville Comment Contract purchaser Address:4306: Wolther Bliviannyannitanan (21206) Protestant's Attorney Relitioner's Attorney Estimal Bank Bll - Thermone & Benef ORDERED By The Zoning Commissionerroi Baltimore County, thust with his bearing day required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towica, Baltimore County, on the name 2 24th and day of Macchannanana 196.9., at 1100 Lo'clock TO 17 63 AM Zoning Commissioner of Baltimore County

PETITIONER'S

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