

**IN RE: PETITION FOR SPECIAL  
HEARING**

NE side of Main Street, 217 feet SE  
c/l of Walgrove Rd.  
4<sup>th</sup> Election District  
2<sup>nd</sup> Councilmanic District  
**(639 Main Street)**

Best and Daughters, LLC  
*Owner/Petitioner*

\* BEFORE THE  
\* DEPUTY ZONING  
\* COMMISSIONER  
\* FOR BALTIMORE COUNTY  
\*  
\* **Case No. 2008-0245-SPH**

\* \* \* \* \*

**FINDINGS OF FACT AND CONCLUSIONS OF LAW**

This matter comes before this Deputy Zoning Commissioner for consideration of a Petition for Special Exception filed by Catherine Best on behalf of the legal owner of the property, Best and Daughters, LLC (hereinafter referred to as "Petitioner"). Petitioner is requesting a use permit by way of a special hearing pursuant to Section 432.A of the Baltimore County Zoning Regulations ("B.C.Z.R.") for an Assisted-Living Facility, Class III in a R.O. (residential, office) Zone. Petitioner also requested in its petition to be allowed two buildings on the same property as a single facility and to allow a new building with less than 15 residents as part of a facility. The subject property and requested relief are more fully described on the site plan which was marked and accepted into evidence as Petitioner's Exhibit 1.<sup>1</sup>

The requisite public hearing originally had been scheduled for February 5, 2008 in Room 407 of the County Courts Building. Several days prior to the Hearing, Petitioner through counsel requested a continuance of the hearing. On the date of the hearing counsel for Petitioner appeared but no interested persons were present. Accordingly, the case was continued until November 6,

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<sup>1</sup> The site plan submitted at the hearing was updated as of November 6, 2008. The prior site plan, which was dated November 20, 2007 was primarily revised to accurately reflect the change in zoning to the front part of the property from R.O. to C.B. (community business) and to reflect conditions contained in a disposition of the Design Review Panel at its meeting of July 9, 2008 as reflected in the July 16, 2008 Comments.

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11-21-08  
[Signature]

2008. Appearing at the public hearing on November 6, 2008 in support of the requested relief were Catherine Best on behalf of Petitioner, Petitioner's attorney, John B. Gontrum, Esquire, and Patrick C. Richardson, Jr. of Richardson Engineering, LLC, the professional engineer who prepared the site plan. There were no Protestants or other interested persons present at the hearing, but an email was received in the file in opposition to the request by an adjoining property owner, Ms. Carole Bognanni Sacra.

The hearing proceeded by means of proffer and testimony. Testimony and evidence offered revealed that the subject property consists of 1.025 gross acres and is located on the northeast side of Main Street, Maryland Route 140, in the Reisterstown area of Baltimore County. Main Street is known as Reisterstown Road outside of the Reisterstown town center area. The property is 217 feet south of the centerline intersection of Walgrove Road. At the time of the filing of the Petition the entire site was zoned R.O. except for a very small area at the rear of the site. The site is also irregularly shaped. Although the subject site has over 126 feet of frontage on Main Street, the rear property line of the Bognanni/Sacra property, located at 635 Main Street directly to the northwest of the subject site on Main Street, actually abuts 80 feet of the subject parcel as if it were carved out of the parcel at an earlier date. In fact, this is what occurred as noted on the recorded plat cited on Petitioner's Exhibit 1 for the "Broadbent Subdivision."

Petitioner currently operates an assisted living facility at the subject location known as "BestCare Assisted Living." Catherine Best testified that she has been a registered nurse for 16 years and has been operating the facility for the last three years. As shown on the site plan, the existing building is a two-story 2,238 square foot Victorian style structure that accommodates up to 15 residents in what is described on their Website as a "Bed & Breakfast atmosphere." At this juncture, Petitioner proposes to construct a one-story 3,365 square foot building toward the rear of

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the property in an "L" shape for up to 15 assisted living patients. Petitioner has stated that this building is intended to be for care of patients needing more advanced care, such as those with Alzheimer's disease. Presently, there are 15 residents in the existing building that fronts Main Street. According to Ms. Best, there is a difference in the care needed for treatment of the Alzheimer's patients from that accorded other assisted living residents, and a separate accommodation on one-story is best able to provide that treatment. She testified that the one-story building is better suited for the elderly residents than a two-story building with stairs and an elevator.

The proposed building and its location was reviewed by the Baltimore County Design Review Panel ("the DRP"), and its comments are in the file. Several of the elevations of the building presented to the DRP were marked and accepted into evidence as Petitioner's Exhibit 2. At the time of the DRP hearing the Willingham and Franklin families were in attendance and requested fencing along the rear and northwest side of the property, and the DRP extended the fencing along the three sides of the property. The fencing would be six feet in height and would be subject to approval by Baltimore County as part of the landscape plan. There are additional conditions attached to the DRP comments and the Office of Planning ZAC Comments dated February 4, 2008, which appear appropriate.

Petitioner's counsel, Mr. Gontrum, also proffered that as a result of discussions with the Willingham and Franklin families, several additional conditions were added to those imposed by the DRP. These include a provision that the driveway on the northwest side of the property, which runs for a portion of its length on Petitioner's property and is used by the Willingham family for access, would not be used either in the construction or in the day-to-day operation of the new building. Indeed, the fence would be between the proposed development and the driveway,

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PM

effectively precluding access from it to Petitioner's property. In addition, Petitioner will be bringing public sewer and a storm drain across the Meier property to access its site, and at such time as it is constructed, access to the public sewer line would be afforded the Willingham family.

It should be noted that the zoning on the site changed in the 2008 Comprehensive Zoning Map Process. The front portion of the property containing the existing assisted living facility was changed from R.O. to C.B. (Community Business) Zoning. C.B. is a performance based commercial zone. It was essentially created by County Council Bill No. 180-1995. Among the uses permitted are "Elderly Housing Facilities," which at the time of the enactment of the Zone included an Assisted Living Facility, and the current facility in the converted Victorian house appears to meet the definition as it existed. Remaining on the site in the location of the proposed new Assisted Living Facility, Class III is 0.65 acres of R.O. Zoning. Along with the small portion of D.R.3.5, the total remaining density would permit 17 assisted living beds (Petitioner's Exhibit 1). In this case, a 15 bed facility is proposed.

It should also be noted that no variances are requested with respect to the proposal for the Class III facility. The testimony of Mr. Richardson was that the requirements of Section 502.1 of the B.C.Z.R. had been met, and that the current access to the site is sufficient. As Ms. Best and Mr. Richardson both noted, there would be little anticipated augmentation in commercial traffic from that which currently exists. The same delivery trucks as access the existing building could be anticipated to access the new assisted living building. Although there would be a few more employees, Ms. Best anticipated that there would be no more than 4 or 5 more employees. Fourteen parking spaces are provided, which appears to be more than adequate. Ms. Best also noted that, unfortunately, her patients generally have few visitors.

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Section 432A of the B.C.Z.R. establishes the requirements for a Class III Assisted Living Facility in a R.O. Zone. A use permit is required and is subject to a compatibility finding pursuant to Section 32-4-402 of the Baltimore County Code ("B.C.C."). Although the existing facility is in a remodeled Victorian house, and the proposed building is styled to be compatible with Victorian architecture, the site is not in a County historic district. Based on the review of the DRP and the comments filed in that matter by the Office of Planning, and based on the proffer and testimony presented, I find that the proposed building is compatible under the criteria contained in Section 32-4-402 of the B.C.C. The site plan actually calls for removal of existing parking in front of the existing assisted living building and its placement on the interior of the site. The restriction of the building to one story with the fencing will not intrude upon the privacy of the neighboring residential properties to the rear. The elimination of the use of the right-of-way adjoining Ms. Sacra's property should alleviate her concern in that regard as well. The removal of the parking area, which now extends in front of her building, and its replacement with landscaping, should also assist in the elimination of the perception that the two properties are related. I also believe that the conditions attached to the DRP approval and the Office of Planning comments will assist in making sure that the landscaping is compatible. No new signs are proposed.

The change in zoning and adjustments to the site plan have rendered moot the issue pertaining to less than 15 residents in any building, although I believe that more than fifteen residents in any one facility constitutes a Class III Assisted-Living facility regardless of the number of buildings constituting the facility. I see nothing in the B.C.Z.R. which precludes the use of two buildings on a single site as part of an Assisted-Living Facility. There is no question but that the existing proposal on the site will accommodate more than 15 resident clients and that a Class III facility is what is proposed even though the existing facility would have met the test of a

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11-21-08  
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Class II facility. Based on the testimony and evidence presented, I believe that the granting of a use permit for the Class III facility will not be injurious to the health, safety or general welfare of the locality involved.<sup>2</sup> There appear to be no negative impacts to traffic. There also does not appear to be an undue concentration of population given the nature of the population involved and the fact that the Zoning Code is explicit in its determination of density for the Zone. In this case within the R.O. Zone and residential zones there is less density than otherwise permitted, and even with the density existing in the C.B. Zone, this population is not very mobile; note, for example, the need for a single-story facility, and the use is hardly one which will overcrowd the open space areas. For the aforementioned reasons I am persuaded that the relief requested for a use permit for a Class III Assisted-Living Facility should be granted in the configuration depicted by Petitioner's Exhibit 1, subject to conditions.

Pursuant to the advertisement, posting of the property, and public hearing on this petition held, and after considering the proffer, testimony and evidence presented, I find that Petitioner's use permit should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County, this 21<sup>st</sup> day of November, 2008 that Petitioner's request for a Class III Assisted-Living facility in a R.O. Zone pursuant to Section 432A be and is hereby GRANTED; and

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<sup>2</sup> Section 432A of the B.C.Z.R. distinguishes between the need for a use permit for a Class III facility in a R.O. Zone and the need for a special exception in the O.R.-2 Zone. Presumably, the provisions of Section 502.1, which apply to special exceptions, do not apply to use permits as contemplated by Section 432A. However, both special exceptions and use permits pertain to uses permitted within a Zone, but allowed only after a hearing and a determination that the use at the chosen location will not impact negatively upon the health, safety and general welfare of the locality more than would otherwise be expected of the use. Consequently, it is not inappropriate to consider the criteria contained in Section 502.1 in making that determination.

IT IS FURTHER ORDERED that Petitioner's request to have the Class III facility located in two buildings on the single property with one building in the R.O. Zone and one building in the C.B. Zone be and is hereby GRANTED; and

IT IS FURTHER ORDERED that Petitioner's request to have a determination that the proposed use of a building for less than 15 residents within a Class III Assisted-Living facility is hereby declared MOOT.

Petitioner's use of the property is subject to the following restrictions, which are conditions precedent to the relief granted herein:

1. Petitioner may apply for the necessary building or use permits, as applicable, and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, Petitioner would be required to return, and be responsible for returning, said property to its original condition.
2. Petitioner shall not be allowed to use the access road along the northwestern property line as depicted on Petitioner's Exhibit 1, either for construction of the proposed building or for vehicular access to the building.
3. Petitioner shall be required to comply with conditions as stated in the Design Review Comments and Disposition and the Office of Planning ZAC Comments dated February 4, 2008 that are contained within the case file and made a part hereof.

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

  
THOMAS H. BOSTWICK

Deputy Zoning Commissioner

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11-21-08  
pm

THB:pz

For Baltimore County





**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

THOMAS H. BOSTWICK  
*Deputy Zoning Commissioner*

November 21, 2008

JOHN GONTRUM, ESQUIRE  
WHITEFORD, TAYLOR & PRESTON, L.L.P.  
TOWSON COMMONS, SUITE 300  
ONE WEST PENNSYLVANIA AVENUE  
TOWSON, MD 21204-5025

Re: Petition for Special Hearing  
Case No. 2008-0245-SPH  
Property: 639 Main Street

Dear Mr. Gontrum:

Enclosed please find the decision rendered in the above-captioned case.

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 black ink, appearing to read "Th. H. Bostwick".

THOMAS H. BOSTWICK  
Deputy Zoning Commissioner  
for Baltimore County

THB:pz

Enclosure

c: Catherine Best, Best and Daughters LLC, 2641 Hanover Pike, Hampstead MD 21074-1143  
Patrick C. Richardson, Jr., Richardson Engineering LLC, 30 East Padonia Road, Suite 500,  
Timonium MD 21030  
Carole Bognanni Sacra, 635 Main Street, Reisterstown MD 21136



# Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 639 Main Street

which is presently zoned R.O. + CB

(This petition **must** be filed in person, in the zoning office, in triplicate, with original signatures.)

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

(This box to be completed by planner)

a use permit for an assisted living facility, Class III as permitted by BCZR Sec. 432A;  
to allow two buildings as a single Facility; to allow a new building with less than 15 residents as part of a Facility.

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:

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, LLP

Company

210 W. Pennsylvania

410-832-2000

Address

Telephone No.

Towson,

Maryland

21204

City

State

Zip Code

## Legal Owner(s):

Best and Daughters LLC

Name - Type or Print

Signature

Catherine Best

Name - Type or Print

Signature

2641 Hanover Pike

Address

Telephone No.

Hampstead,

Md.

21074-1143

City

State

Zip Code

## Representative to be Contacted:

Name

Address

Telephone No.

City

State

Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Case No. 08-245-SPH

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By

Date

11/26/07

11-21-08

**ZONING DESCRIPTION  
639 MAIN STREET  
4TH ELECTION DISTRICT  
2ND COUNCILMANIC DISTRICT  
BALTIMORE COUNTY, MARYLAND**

Beginning at a point on the northeast side of Main Street (aka Reisterstown Road), 80 feet wide right of way; at a distance of 217 feet more or less, from the centerline intersection of Main Street and Walgrove Road, 50 feet wide; and running thence from said place of beginning the following courses and distances, (1) North 45 degrees 55 minutes 10 seconds East 175.00 feet, (2) North 43 degrees 34 minutes 49 seconds West 80.00 feet, (3) North 45 degrees 55 minutes 10 seconds East 143.05 feet, (4) South 43 degrees 34 minutes 45 seconds East 147.97 feet, (5) South 45 degrees 12 minutes 50 seconds West 183.04 feet, (6) South 42 degrees 59 minutes 05 seconds East 37.58 feet, (7) South 16 degrees 34 minutes 22 seconds West 38.09 feet, (8) South 45 degrees 55 minutes 10 seconds East 101.61 feet, (9) North 43 degrees 34 minutes 51 seconds West 126.47 feet to the point of beginning.

Containing a net area of 40,841 square feet, or 0.938 acres of land, more or less.



Item # 245

# 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: #08-245-SPH

639 Main Street

N/east side of Main Street, 217 feet s/east centerline of Walgrove Road

4th Election District - 2nd Councilmanic District

Legal Owner(s): Best and Daughters, LLC

Special Hearing: to approve a use permit for an assisted living facility, Class III as permitted by BCZR 432 A; to allow two buildings as a single facility, to allow a new building with less than 15 residents as part of a facility.

Hearing: Tuesday, February 5, 2008 at 11:00 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) 887-3868.

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

JT/1/792 Jan. 22

161244

## CERTIFICATE OF PUBLICATION

1/24/2008

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 1/22/2008.

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

*J. Wilkinson*

LEGAL ADVERTISING

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

No. **06207**

Date: **11/26/07**

PAID RECEIPT

| Fund | Agcy | Orgn | Sub<br>Orgn | Rev<br>Source | Sub<br>Rev | Rept<br>Catg | BS<br>Acct | Amount |
|------|------|------|-------------|---------------|------------|--------------|------------|--------|
| 001  | 006  |      |             | 6150          |            |              |            | 9325   |
|      |      |      |             |               |            |              |            |        |
|      |      |      |             |               |            |              |            |        |
|      |      |      |             |               |            |              |            |        |
|      |      |      |             |               |            |              |            |        |

Total: **9325**

Rec  
From:

For:

*zoning hearing case # 03-245 SP4*

DISTRIBUTION

WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

**CASHIER'S  
 VALIDATION**

BUSINESS ADDRESS 11/27/2007 11/26/2007 15:16:04 2  
 PER DATE PAID JUNE 30  
 RECEIPT # 550033 11/26/2007 DEPT  
 5 ZONING VERIFICATION  
 06207  
 Recpt Tot 9325.00  
 9325.00 OK 9.00 12  
 Baltimore County, Maryland

# CERTIFICATE OF POSTING

RE: Case No.: 08-245-SPH

Petitioner/Developer: BEST AND

DAUGHTERS, LLC

Date of Hearing/Closing: 2-5-08

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:

639 MAIN STREET

The sign(s) were posted on 1-21-08  
(Month, Day, Year)

Sincerely,

Robert Black  
(Signature of Sign Poster)

1-22-08  
(Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)





**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.**

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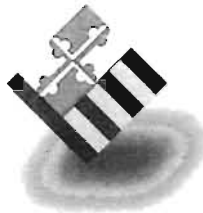
**For Newspaper Advertising:**

Item Number or Case Number: 08-245-SPH  
Petitioner: BEST and DAUGHTERS LLC  
Address or Location: 638 MAIN ST. REGISTER TOWN

PLEASE FORWARD ADVERTISING BILL TO:

Name: CATHERINE BEST  
Address: 2641 HANOVER PIKE  
HAMPSTEAD, MD. 21074-1143  
  
Telephone Number: 410-556-5863

Revised 7/11/05 - SCJ



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

October 1, 2008  
TIMOTHY M. KOTROCO, *Director*  
*Department of Permits and  
Development Management*

**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: 08-245-SPH**

639 Main Street

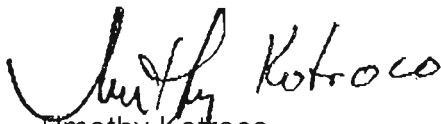
N/east side of Main Street, 217 feet s/east centerline of Walgrove Road

4<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Best and Daughters, LLC

Special Hearing to approve a use permit for an assisted living facility, Class III as permitted by BCZR 432.A; to allow two buildings as a single facility, to allow a new building with less than 15 residents as part of a facility.

Hearing: Thursday, November 6, 2008 at 9:00 a.m. in Room 104, Jefferson Building,  
105 West Chesapeake Avenue, Towson 21204



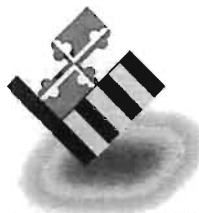
Timothy Kotroco  
Director

TK:klm

C: John Gontrum, 210 W. Pennsylvania Avenue, Towson 21204  
Catherine Best, 2641 Hanover Pike, Hampstead 21074-1143

- (1) ZONING SIGN WILL NOT BE POSTED AND CASE WILL NOT BE ADVERTISED
- (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.





**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

December 19, 2007  
TIMOTHY M. KOTROCO, *Director*  
*Department of Permits and*  
*Development Management*

**NOTICE OF ZONING HEARING**

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**CASE NUMBER: 08-245-SPH**

639 Main Street

N/east side of Main Street, 217 feet s/east centerline of Walgrove Road

4<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Best and Daughters, LLC

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Hearing: Tuesday, February 5, 2008 at 11:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue, Towson 21204

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

Timothy Kotroco  
Director

TK:klm

C: John Gontrum, 210 W. Pennsylvania Avenue, Towson 21204  
Catherine Best, 2641 Hanover Pike, Hampstead 21074-1143

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY MONDAY, JANUARY 21, 2008.**
- (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.

TO: PATUXENT PUBLISHING COMPANY  
Tuesday, January 22, 2008 Issue - Jeffersonian

Please forward billing to:  
Catherine Best  
2641 Hanover Pike  
Hampstead, MD 21074

410-596-5863

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## NOTICE OF ZONING HEARING

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**CASE NUMBER: 08-245-SPH**

639 Main Street

N/east side of Main Street, 217 feet s/east centerline of Walgrove Road

4<sup>th</sup> Election District – 2<sup>nd</sup> Councilmanic District

Legal Owners: Best and Daughters, LLC

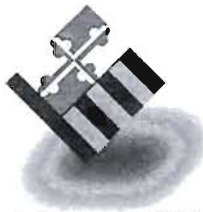
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Hearing: Tuesday, February 5, 2008 at 11:00 a.m. in Room 407, County Courts Building,  
401 Bosley Avenue, Towson 21204



WILLIAM J. WISEMAN III  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

- NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL 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.



**BALTIMORE COUNTY**  
M A R Y L A N D

JAMES T. SMITH, JR.  
*County Executive*

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

January 30, 2008

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

Dear Mr. Gontrum:

RE: Case Number: 08-245-SPH, 639 Main Street

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on November 26, 2007. This letter is not an approval, but only a **NOTIFICATION**.

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

WCR:amf

Enclosures

c: People's Counsel  
Best and Daughters LLC Catherine Best 2641 Hanover Pike Hampstead 21074-1143

**BALTIMORE COUNTY, MARYLAND**  
**INTEROFFICE CORRESPONDENCE**

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

**DATE:** December 12, 2007

**FROM:** Dennis A. Kennedy, Supervisor  
Bureau of Development Plans Review

**SUBJECT:** Zoning Advisory Committee Meeting  
For December 10, 2007  
Item Nos. 08-235, 236, 237, 238, 239,  
241, 243, 244, 245, 246, 247 and 07-541

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-121207.doc

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

**DATE:** February 4, 2008

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

**SUBJECT:** 639 Main Street

**INFORMATION:**

**Item Number:** 8-245

**Petitioner:** Best and Daughters LLC

**Zoning:** RO

**Requested Action:** Special Hearing



**BY:**.....

The petitioner requests a special hearing from Section 432A of the BCZR to allow two buildings as a single Facility and to allow a new building with less than 15 residents as a part of a Facility.

**SUMMARY OF RECOMMENDATIONS:**

The Office of Planning will support the petitioner's request for relief of Section 432A of the BCZR to allow two buildings as a single Facility and to allow a new building with less than 15 residents as a part of a Facility provided that the following conditions are met:

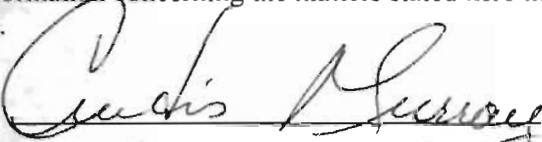
1. Submit architectural elevations of the proposed Facility including building materials and colors.
2. Provide an overall landscape and lighting plan that includes screening of the dumpster area.
3. Provide a grading plan.
4. Except for the signs permitted by Section 450, no other signs or displays of any kind visible from the outside are permitted.
5. Off-street parking shall be provided in accordance with Section 409 and subject to the following conditions, but no parking structure is permitted except for a residential garage as defined in Section 101.
6. Parking shall be set back at least 10 feet from the property line, except that if the property line abuts an alley, no setback is required if the alley does not abut the front or rear yard of a residentially used property.
7. Parking and delivery areas shall be located in the side or rear only.
8. At least 10% of the lot shall be used to provide useable, contiguous and private open space.
9. A facility located in an R.O. Zone is also subject to review by the design review panel for compatibility with surrounding uses.

10. An assisted-living facility is subject to a compatibility finding pursuant to Section 32-4-402 of the BCC. The petitioner shall prepare a compatibility report addressing the eight objectives found in the referenced section.

A portion of this property, where the existing assisted living facility is located is an Issue in the 2008 CZMP Process, Issue number 2-042, requesting a zoning change from RO to CB.

For further information concerning the matters stated here in, please contact Jessie Bialek or Diana Itter at 410-887-3480.

Prepared by:



Division Chief:  
AFK/LL: CM



TB  
2/5

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED  
JAN 11 2008

BY:.....

TO: Timothy M. Kotroco  
FROM: Dave Lykens, DEPRM - Development Coordination *JWL*  
DATE: January 11, 2008  
SUBJECT: Zoning Item # 08-245-SPH  
Address 639 Main Street  
(Best & Daughters, LLC)

Zoning Advisory Committee Meeting of December 10, 2007

\_\_\_\_\_ The Department of Environmental Protection and Resource Management has no comments on the above-referenced zoning item.

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

\_\_\_\_\_ Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 33-3-101 through 33-3-120 of the Baltimore County Code).

X Development of this property must comply with the Forest Conservation Regulations (Sections 33-6-101 through 33-6-122 of the Baltimore County Code).

\_\_\_\_\_ Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 33-2-101 through 33-2-1004, and other Sections, of the Baltimore County Code).

Additional Comments:

Forest Conservation can be addressed either by purchase of retention bank credit or payment of a fee-in-lieu of planting.

Reviewer: Glenn Shaffer

Date: January 9, 2008





Baltimore County  
Fire Department

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

County Office Building, Room 111  
, 2007  
Mail Stop #1105  
111 West Chesapeake Avenue  
Towson, Maryland 21204

December 3, 2007

ATTENTION: Zoning Review Planners

Distribution Meeting Of: December 3, 2007

Item Number: 231,235,243 245

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.

Lieutenant Roland P Bosley Jr.  
Fire Marshal's Office  
410-887-4880 (C) 443-829-2946  
MS-1102F

cc: File

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper

Martin O'Malley, Governor  
Anthony G. Brown, Lt. Governor



John D. Porcari, Secretary  
Neil J. Pedersen, Administrator

December 6, 2007

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

RE: Baltimore County  
Item No. 08-245-SPH  
MD 140 (Reisterstown Road)  
s/e of Walgrove Road  
Best And Daughters, LLC Property  
Special Hearing

Dear Ms. Matthews:

Thank you for the opportunity to review the ZAC Agenda Case Number 08-245-SPH for the above captioned, which was received on December 3, 2007. We understand that this application illustrates a proposal to create a 1 story assisted living facility (3,365 s/f) with surface parking for eight (8) vehicles.

We have completed a review of the referenced plan and as well as a field inspection. The results of the review reveal that a permit is required for improvements along the subject property fronting MD 140 (Reisterstown Road). We recommend as a condition of Special Hearing Case No. 8-245-SPH approval that the owner/builder be required to obtain a State Highway Administration (SHA) Access Permit. Coordination with Mr. Michael Bailey, of this office is necessary to insure the proposed improvements are consistent with SHA guidelines. Please include our comments in staff report to the Zoning Hearing Officer.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-5593 or 1-800-876-4742 extension 5593. Also, you may E-mail him at ([mbailey@sha.state.md.us](mailto:mbailey@sha.state.md.us)). Thank you for your attention.

Very truly yours,

  
Steven D. Foster, Chief  
For Engineering Access Permits  
Division

SDF/MB

Cc: Mr. David Malkowski, District Engineer, SHA  
Mr. Patrick C. Richardson, Consultant Engineer, Richardson Engineering, LLC  
Mr. Joseph Merrey, Department of Permits & Development Management, Baltimore County  
Best And Daughters, LLC, Applicant/Owner

My telephone number/toll-free number is \_\_\_\_\_  
Maryland Relay Service for Impaired Hearing or Speech: 1.800.735.2258 Statewide Toll Free

Street Address: 707 North Calvert Street · Baltimore, Maryland 21202 · Phone: 410.545.0300 · [www.marylandroads.com](http://www.marylandroads.com)

RE: PETITION FOR SPECIAL HEARING \* BEFORE THE  
639 Main Street; NE/S Main Street, \*  
217' SE c/line Walgrove Road \* ZONING COMMISSIONER  
4<sup>th</sup> Election & 2<sup>nd</sup> Councilmanic Districts \*  
Legal Owner(s): Best & Daughters, LLC \* FOR  
Petitioner(s) \* BALTIMORE COUNTY  
\* 08-245-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*

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 3<sup>rd</sup> day of December, 2007, 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).

*Peter Max Zimmerman*

PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

RECEIVED

DEC 03 2007

Per.....

Thomas Bostwick - Case 08-245-SPH on Thurs. Nov 6

---

From: Patricia Zook  
To: Bostwick, Thomas  
Date: 11/05/08 1:46 PM  
Subject: Case 08-245-SPH on Thurs. Nov 6

---

Tom -

I talked with an adjacent property owner about this case and she is going to send an e-mail expressing her objection to the project. She was also upset that the site wasn't posted for the November meeting. She also said that a neighbor received 'a letter' about the project and she didn't. However, she couldn't tell me who sent her the letter or what it was about....

Patti Zook  
Baltimore County  
Office of the Zoning Commissioner  
Jefferson Building, Suite 103  
105 West Chesapeake Avenue  
Towson MD 21204

410-887-3868

[pzook@baltimorecountymd.gov](mailto:pzook@baltimorecountymd.gov)

**M E M O R A N D U M**

DATE: February 6, 2008

TO: To The File

FROM: Thomas H. Bostwick  
Deputy Zoning Commissioner  
for Baltimore County

SUBJECT: Case No. 08-245-SPH

---

This matter came before me for a Special Hearing on Tuesday, February 5, 2008 at 11:00 AM. Petitioner is represented by John Gontrum, Esquire. Mr. Gontrum phoned the day prior to the hearing and indicated he would ask for a postponement of the hearing date. He indicated he was in the process of meeting with the Design Review Committee and was also scheduled to meet with representatives from the community and desired a postponement of the hearing in order to attempt to resolve as many issues as possible prior to the zoning hearing.

On the date of the hearing, Adam Baker, Esquire from Mr. Gontrum's office appeared and requested the postponement for the reasons stated above and the request was granted. The property was properly posted and published prior to the hearing. There were no Protestants or other interested persons in attendance at the hearing. There was no evidence or testimony taken in the matter.

As such, this matter can be rescheduled in the normal course and it will not be necessary for the matter to be re-published or re-posted.

c: Kristen Matthews, Permits & Development Management



WHITEFORD, TAYLOR & PRESTON L.L.P.

ADAM D. BAKER  
ASSOCIATE  
DIRECT LINE (410) 832-2052  
DIRECT FAX (410) 339-4028  
ABaker@wtplaw.com

TOWSON COMMONS, SUITE 300  
ONE WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-5025  
MAIN TELEPHONE (410) 832-2000  
FACSIMILE (410) 832-2015

BALTIMORE, MD  
COLUMBIA, MD  
FALLS CHURCH, VA  
TOWSON, MD  
WASHINGTON, DC  
WILMINGTON, DE\*

[WWW.WTPLAW.COM](http://WWW.WTPLAW.COM)  
(800) 987-8705

September 4, 2008

Ms. Kristen Matthews  
Permits and Development Management  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

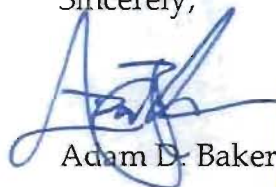
Re: 639 Main Street  
Case No. 08-245-SPH

Dear Ms. Matthews:

Please reset the above-referenced case in for a hearing. When scheduling this hearing, please review the memo, a copy of which is attached, from Deputy Zoning Commissioner Bostwick which states that this matter does not need to be re-published or re-posted.

Of course, if you have any questions, please do not hesitate to contact me.

Sincerely,

  
Adam D. Baker

AB:slj  
Enclosure  
cc: Ms. Catherine Best  
John B. Gontrum, Esquire

404382

Locate file  
+  
Schedule

**Thomas Bostwick - Zoning case number 2008-0245-SPH NOV 6th meeting**

---

**From:** "Carole" <carole@qis.net>  
**To:** <tbostwick@baltimorecountymd.gov>  
**Date:** 11/05/08 1:32 PM  
**Subject:** Zoning case number 2008-0245-SPH NOV 6th meeting  
**CC:** "Carole" <carole@qis.net>

---

-----  
**Sent:** Wednesday, November 05, 2008 1:27 PM  
**Subject:** Zoning case number 2008-0245-SPH NOV 6th meeting

**Zoning hearing 639 Main St, Reisterstown, MD Case 2008-0245-SPH**

I am writing this letter because I can not make the meeting on Nov 6<sup>th</sup>. My husband is going through quite a few health issues and has 2 doctor appointments on that day. We are in the process of setting up chemo for him.

I wanted to voice my opinion on this issue.

From what I understand there was one resident that received notice of this meeting. I am right next door to the assistant living home and right in front of the proposed building lot. I would appreciate my opinions to be viewed and made part of this meeting. Would you please email me back to verify that you received this email.

Thank you!

I own the building that is located right in front of the proposed new building for the Best Assistant Living addition. I am completely against the addition to be built on the lot that is sandwiched in between my office building and a resident that has the right away driveway that is connected to my driveway. The proposed building will not be located right behind the existing assistant building. It is one lot over from the assistant living building. There is also a shed that is located behind the existing building that would be counted as a building according to laws.

There have been incidents with visitors of the assistant living home driving through my back lawn to get to Walgrove Ave, and also driving over my front lawn to get to and from the assistant living driveway. I have a septic tank that they drive over. Who is going to pay for that if it gets destroyed? It will not be cheap. In fact, I confronted one of the visitors the other day that pulled into my driveway, realized they were in the wrong driveway and drove over my front lawn. I was told that she knew she shouldn't have, but did it anyway. And I was sitting right there with the door open. I can imagine what they will do when I am not there. And I am not there often.

It was stated that the assistant living home would put a sign on MY driveway stating that it is not the entrance for the assistant living home. First of all I am not allowed to put signs of my own up on my property, so I am not allowing any other person to do so. Second, if they pull into my drive and see the sign that it is not the entrance, they will drive across my lawn anyway. They will not want to make a left out of my drive and fight the traffic to get one driveway over. That has been proven over and over again.

Than there is the matter of construction traffic, big building big construction traffic. They are to



dig under the driveway that is the right away for the resident behind the proposed building lot. That driveway is on MY driveway side of my building the assistant living is on the right of my building. Where do they propose to put the construction trucks that will be used for that specific part of the project? When they were inspecting the driveway months ago, they were in my drive and would not even speak to the resident that is located behind the proposed lot. So, will they use our drive and ignore us to get their project done?

Fences are not allowed in that area, but they are stating there would be a fence put up to block out the house that is behind the proposed building lot. In fact the fence is suppose to be around 3 sides of the new building. How tall is that fence going to be?

There is a matter of property line boundaries. From what I understand the building is suppose to be built right up to edge of the driveway that leads back to the resident that lives behind the proposed lot. Thought there were laws about building so close to the property lines.

I also understand that letters were sent out about the meeting that is set for November 6<sup>th</sup> at the County Court Building. I am located right next door to the Best Care Assistant Living existing building and the proposed lot is right behind my property and I have not received anything.

When I looked into zoning for my building, I was told that it was impossible to change it to what I wanted because they wanted it to stay historical and residential. How historical is a huge fence and huge building that will block residents.

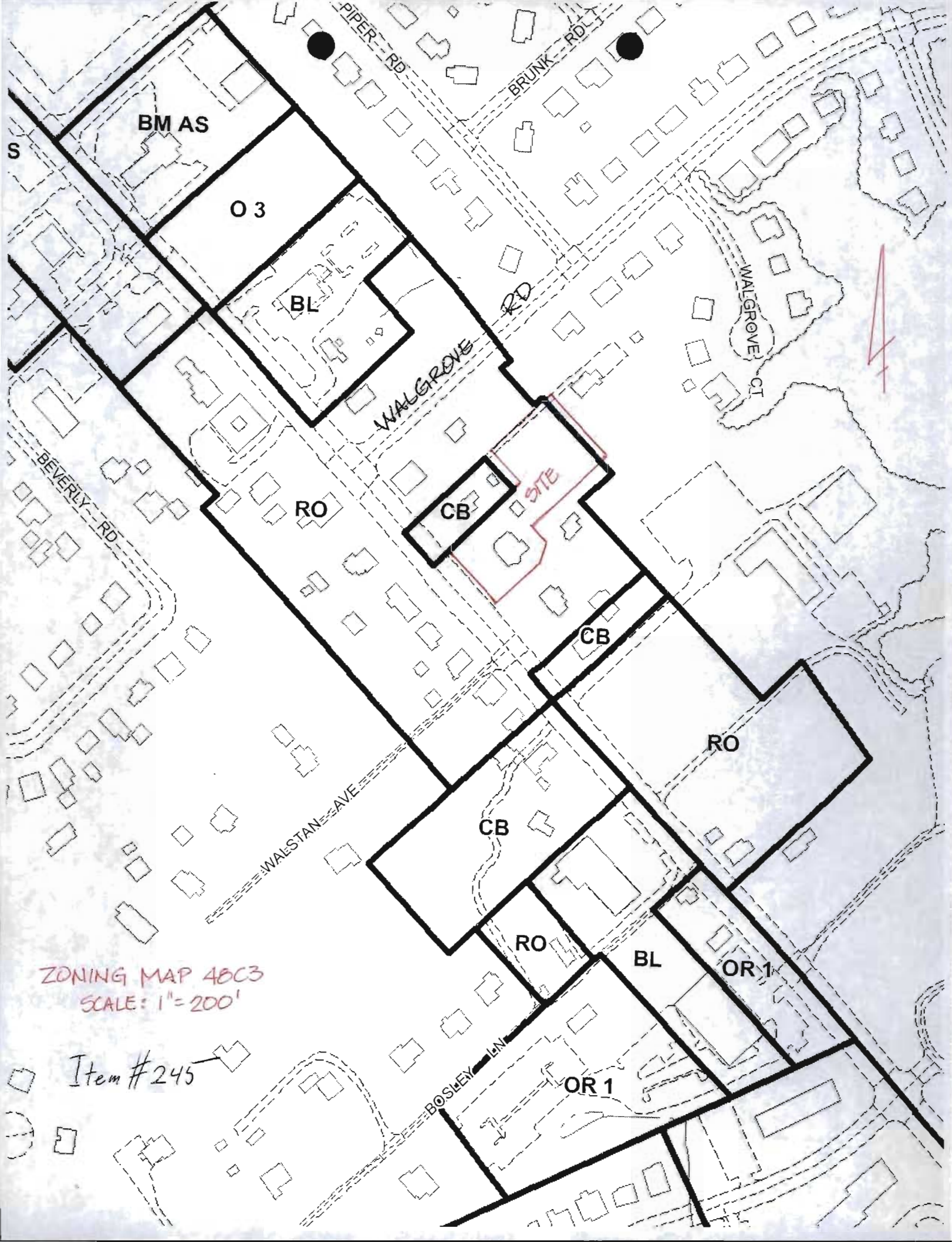
Carole Bognanni Sacra  
635 Main St.  
Reisterstown, MD 21136  
410-833-5592  
carole@qis.net

CASE NAME

DATE 11-6-08

E-MAIL

turning NO 21013



ZONING MAP 48C3  
SCALE: 1"=200'

Item #245

Case No.: 2008-0245-SPH

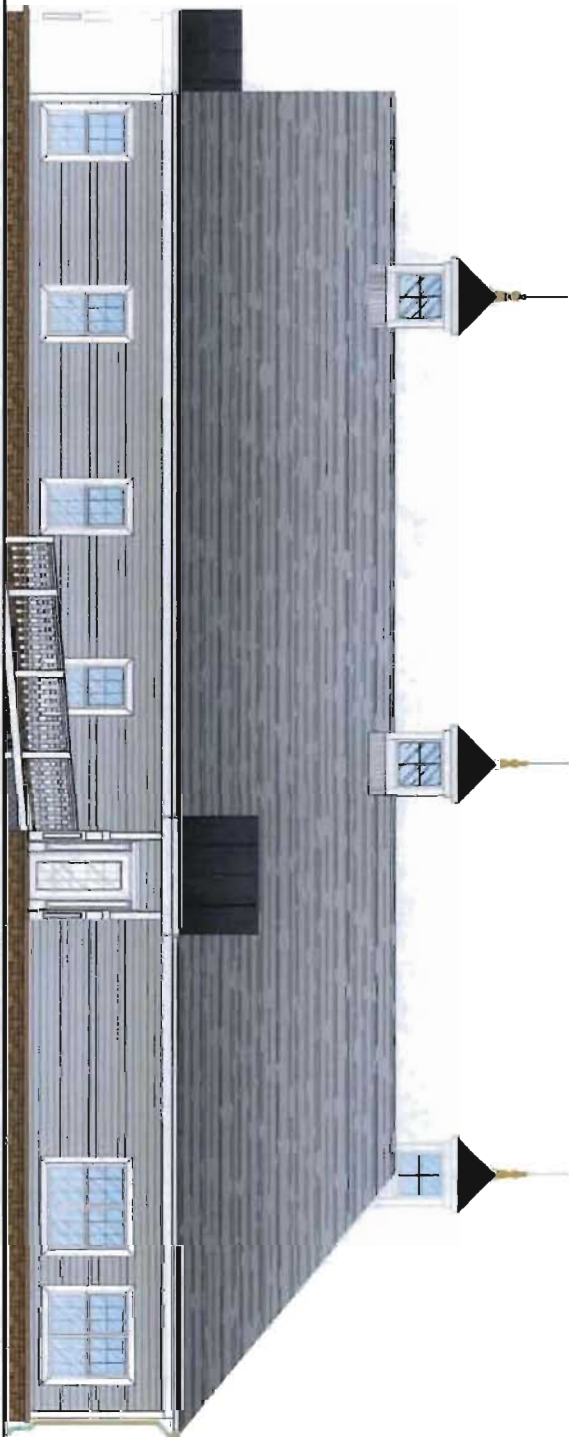
Exhibit Sheet

Petitioner/Developer

Protestant

|              |                    |  |
|--------------|--------------------|--|
| No. 1        | Site Plan          |  |
| No. 2<br>A+B | Elevation Drawings |  |
| No. 3        |                    |  |
| No. 4        |                    |  |
| No. 5        |                    |  |
| No. 6        |                    |  |
| No. 7        |                    |  |
| No. 8        |                    |  |
| No. 9        |                    |  |
| No. 10       |                    |  |
| No. 11       |                    |  |
| No. 12       |                    |  |





EAST ELEVATION  
SCALE 1/4" = 1'-0"



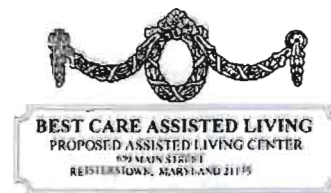
BEST CARE ASSISTED LIVING  
PROPOSED ASSISTED LIVING CENTER  
639 MAIN STREET  
REISTERSTOWN, MARYLAND 21136

|                            |                   |                                                                                        |                   |                                                                                                                                                                    |  |
|----------------------------|-------------------|----------------------------------------------------------------------------------------|-------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| SHEET NO.<br><b>CL-2.1</b> | EAST<br>ELEVATION | BEST CARE<br>ASSISTED LIVING<br><br>639 MAIN STREET<br>REISTERSTOWN, MARYLAND<br>21136 | EAST<br>ELEVATION | ARCHITECTURAL<br>TOWNSON<br><small>10000 WILLOW CREEK DRIVE<br/>BETHESDA, MD 20814<br/>TEL: (301) 279-0000<br/>FAX: (301) 279-0001<br/>WWW.TOWNSONARCH.COM</small> |  |
|                            |                   |                                                                                        |                   | TOWNSON<br><small>10000 WILLOW CREEK DRIVE<br/>BETHESDA, MD 20814<br/>TEL: (301) 279-0000<br/>FAX: (301) 279-0001<br/>WWW.TOWNSONARCH.COM</small>                  |  |

PETITIONER'S  
EXHIBIT NO. 2A



WEST ELEVATION  
SCALE: 1/4" = 1'-0"



PETITIONER'S

EXHIBIT NO.

2B

|                |        |                                                                              |  |
|----------------|--------|------------------------------------------------------------------------------|--|
| ARCHITECTURAL  |        | ADW                                                                          |  |
|                |        |                                                                              |  |
| WEST ELEVATION |        | BEST CARE ASSISTED LIVING<br>639 MAIN STREET<br>REISTERSTOWN, MARYLAND 21115 |  |
| DATE           | BY     | SHEET NO.                                                                    |  |
| 10/1/15        | J. ADW | CL-2.0                                                                       |  |



WHITEFORD, TAYLOR & PRESTON L.L.P.

ADAM D. BAKER  
ASSOCIATE  
DIRECT LINE (410) 832-2052  
DIRECT FAX (410) 339-4028  
ABaker@wtplaw.com

TOWSON COMMONS, SUITE 300  
ONE WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204-5025  
MAIN TELEPHONE (410) 832-2000  
FACSIMILE (410) 832-2015

BALTIMORE, MD  
COLUMBIA, MD  
FALLS CHURCH, VA  
TOWSON, MD  
WASHINGTON, DC  
WILMINGTON, DE\*

[WWW.WTPLAW.COM](http://WWW.WTPLAW.COM)  
(800) 987-8705

September 4, 2008

Ms. Kristen Matthews  
Permits and Development Management  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

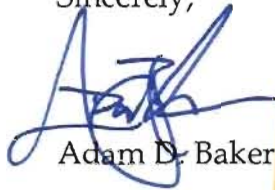
**Re: 639 Main Street  
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Dear Ms. Matthews:

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Of course, if you have any questions, please do not hesitate to contact me.

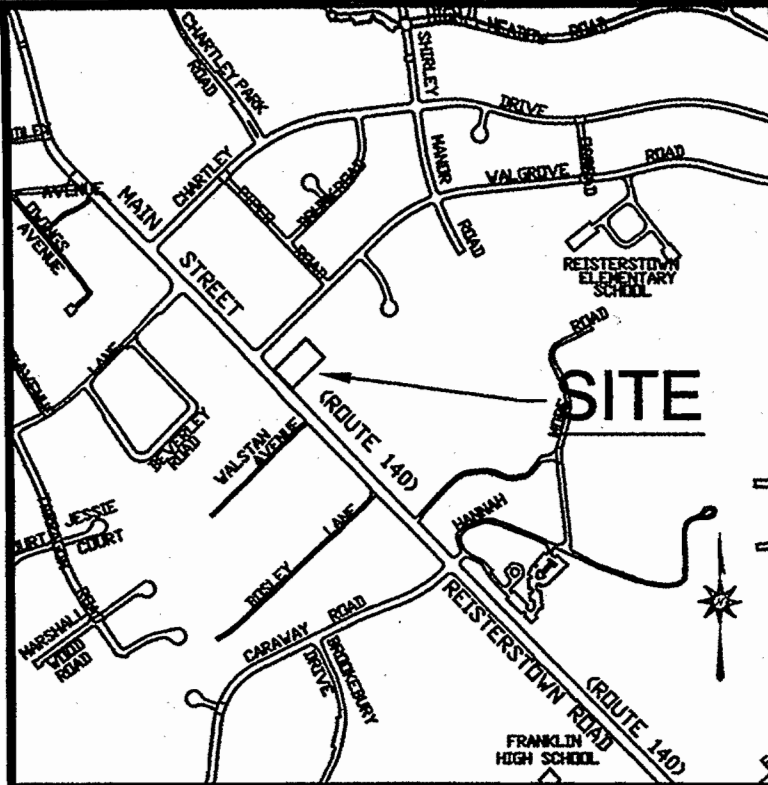
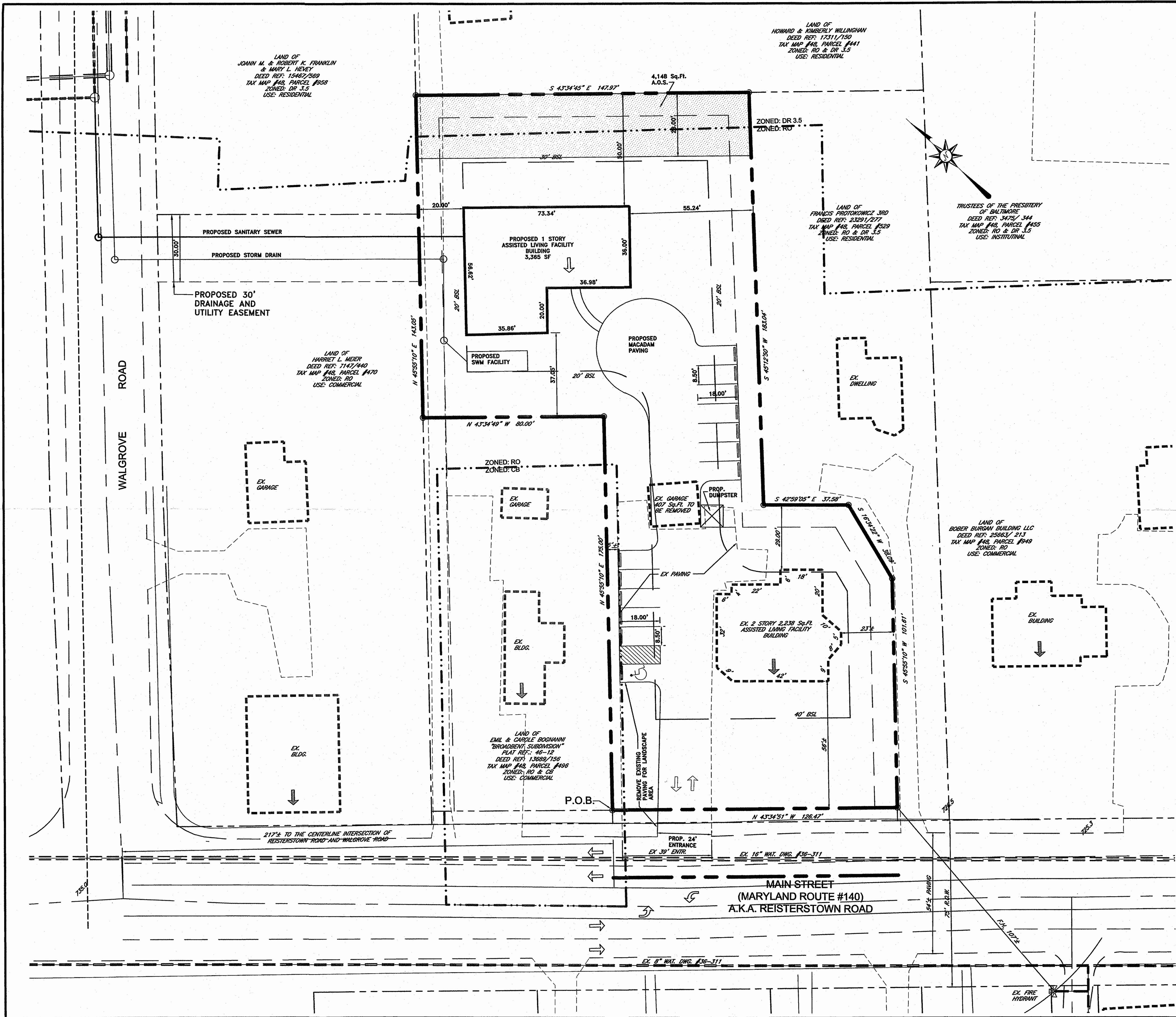
Sincerely,

  
Adam D. Baker

AB:sl  
Enclosure  
cc: Ms. Catherine Best  
John B. Gontrum, Esquire

404382

Locate file  
+  
Schedule



LOCATION MAP

SCALE: 1" = 1000'

GENERAL NOTES:

- OWNER: BEST AND DAUGHTERS LLC  
2641 HANOVER PIKE  
HAMPSTEAD, MARYLAND 21074-1143
- SITE AREA:  
GROSS: 44,639 Sq.Ft. or 1.025 Ac.±  
NET: 40,841 Sq.Ft. or 0.938 Ac.±
- BUILDING AREAS:  
EXISTING: 2,545 Sq.Ft.  
PROPOSED: 3,365 Sq.Ft.  
TOTAL 5,603 Sq.Ft. (407 Sq.Ft. SHED TO BE REMOVED)
- UTILITIES:  
WATER: PUBLIC  
SEWER: PUBLIC
- DEED REF: 21952/494
- TAX ACCOUNT: #1800013390
- ZONING: RO & DR 3.5  
(PER 1"=200' ZONING MAP 048C3)
- TAX MAP #48 PARCEL #496
- COUNCILMANIC DISTRICT: 2nd
- WATERSHED: GWYNNS FALLS
- FLOOR AREA RATIO: 7841/44,639=18
- ANY PROPOSED ZONING CASES SHALL CONFORM TO BCZR.
- NO PREVIOUS ZONING CASES ON FILE. SITE IS IN FOR REZONING  
ITEM 2-042 CZMP.
- NO PREVIOUS BUILDING PERMITS ON FILE
- DRC #050707C TABLED MAY 7, 2007.
- THE SITE DOES NOT LIE WITHIN THE 100 YEAR FLOODPLAIN.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE BAY CRITICAL AREA.
- USES:  
EXISTING: ASSISTED LIVING FACILITY II  
PROPOSED: ASSISTED LIVING FACILITY III
- DENSITY PERMITTED:  
GROSS AREA 1.025 Ac x 5.5 = 5.63 DU  
ASSISTED LIVING @4/DU = 22 BEDS
- SETBACKS:  
FRONT: 40'  
SIDE: 20'  
REAR: 30'
- PARKING:  
REQUIRED 1 SPACE PER EACH 3 BEDS  
22 BEDS PROPOSED = 8 SPACES  
PROVIDED: 14 SPACES (13 REGULAR & 1 HANDICAPPED)
- AMENITY OPEN SPACE:  
REQUIRED: 10% OF NET AREA= 4,084 Sq.Ft.  
PROVIDED: 4,148 Sq.Ft.
- SITE IS NOT IN A HISTORIC DISTRICT.



Richardson Engineering LLC

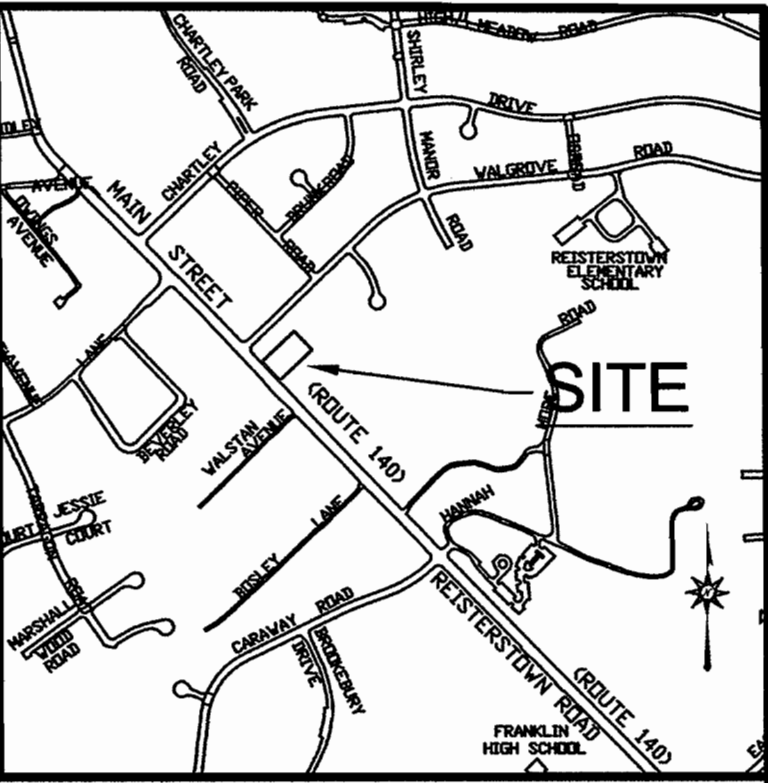
30 East Padonia Road, Suite 500  
Timonium, Maryland 21093  
Phone: 410-560-1502 Fax: 443-901-1208

#08-245-SPH

PLAN TO ACCOMPANY ZONING PETITION  
FOR  
BESTCARE ASSISTED  
LIVING  
639 MAIN STREET  
(MARYLAND ROUTE #140)  
A.K.A. REISTERSTOWN ROAD

| 4TH ELECTION DISTRICT |           | BALTIMORE COUNTY, MARYLAND |            |
|-----------------------|-----------|----------------------------|------------|
| REVISIONS             | DRAWN BY: | DESIGNED BY:               | SCALE:     |
|                       | CND       | PCR                        | 1" = 20'   |
|                       | DATE:     | JOB NO.:                   | SHEET NO.: |
|                       | 11-20-07  | 07082                      | 1 OF 1     |





## LOCATION MAP

SCALE: 1" = 1000'

## GENERAL NOTES:

- OWNER: BEST AND DAUGHTERS LLC  
2641 HANOVER PIKE  
HAMPSTEAD, MARYLAND 21074-1143
- SITE AREA:  
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NET: 40,841 Sq.Ft. or 0.938 Ac.±
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SEWER: PUBLIC
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(PER 1"-200' ZONING MAP 048C3 AND CZMP 2-042)
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- COUNCILMANIC DISTRICT: 2nd
- WATERSHED: GWYNNS FALLS
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FLOODPLAIN.
- THE SITE DOES NOT LIE WITHIN THE CHESAPEAKE  
BAY CRITICAL AREA.
- USES:  
EXISTING: ASSISTED LIVING FACILITY II  
PROPOSED: ASSISTED LIVING FACILITY III
- DENSITY PERMITTED:  
RO GROSS AREA 0.65 Ac x 5.5 = 3.58 DU  
DR 3.5 AREA 0.20 Ac x 3.5 = 0.70 DU  
TOTAL 4.28 DWELLING UNITS  
ASSISTED LIVING 4.28 DU x 4 = 17 BEDS
- SETBACKS:  
FRONT: 40'  
SIDE: 20'  
REAR: 30'
- PARKING:  
REQUIRED 1 SPACE PER EACH 3 BEDS  
30 BEDS PROPOSED = 10 SPACES  
PROVIDED: 14 SPACES (13 REGULAR &  
1 HANDICAPPED)
- AMENITY OPEN SPACE:  
REQUIRED: 10% OF NET AREA= 4,084 Sq.Ft.  
PROVIDED: 4,193 Sq.Ft.
- SITE IS NOT IN A HISTORIC DISTRICT.

PETITIONER'S

EXHIBIT NO. 1

PROFESSIONAL CERTIFICATION:  
I HEREBY CERTIFY THAT THESE DOCUMENTS  
WERE PREPARED OR APPROVED BY ME, AND  
THAT I AM A DULY LICENSED PROFESSIONAL  
ENGINEER UNDER THE LAWS OF THE STATE  
OF MARYLAND, LICENSE NUMBER 16597,  
EXPIRATION DATE: 08-01-2009



## Richardson Engineering, LLC

30 East Padonia Road, Suite 500  
Timonium, Maryland 21093  
Phone: 410-560-1502 Fax: 443-901-1208

PLAN TO ACCOMPANY ZONING PETITION  
FOR  
**BESTCARE ASSISTED  
LIVING**  
639 MAIN STREET  
(MARYLAND ROUTE #140)  
A.K.A. REISTERSTOWN ROAD

4TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

| REVISIONS                              | DRAWN BY: | DESIGNED BY: | SCALE:   |
|----------------------------------------|-----------|--------------|----------|
| 11-04-08 REVISED ZONING PER CZMP 2-042 | CND       | PCR          | 1" = 30' |
| DATE:                                  | JOB NO.:  | SHEET NO.:   |          |
| 11-20-07                               | 07082     | 1 OF 1       |          |

