

IN RE: **PETITIONS FOR SPECIAL HEARING ***
AND VARIANCE – S/S Stevenson Lane,
160' E of c/line of Oxford Road *
(531 Stevenson Lane) *
9th Election District *
5th Council District *

PV Realty – Holly Hill, LLC
Petitioner

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 2009-0328-SPHA

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner for consideration of Petitions for Special Hearing and Variance filed by Stephen P. Bellone, on behalf of the owner of the subject property, PV Realty – Holly Hill, LLC, by and through its attorneys, Robert A. Hoffman, Esquire and David Karceski, Esquire with Venable LLP. The Petitioner requests a special hearing to authorize an amendment to the Order and site plan approved in Case No. 67-66-SPH. In addition, variance relief is requested¹ from Section 1B01.1.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a residential transition area setback a minimum of 69 feet from the rear (south) property line for a building addition in lieu of the required 75 feet; to permit a residential transition area buffer and residential transition area setbacks a minimum of 42 feet from the rear (south) property line and 25 feet from a side (east) property line for new off-street parking in lieu of the required 50 foot residential transition area buffer and 75 foot residential transition area setback; to allow existing site improvements, including accessory structures and off-street parking within the 50 foot residential transition area buffer and 75 foot residential transition area (RTA) setback, and finally from Section 409.4.A of the B.C.Z.R. to

¹ At the suggestion of the Zoning Review Office and out of an abundance of caution, Petitioner requested variance relief from the requirements of the Zoning Regulations in the event this relief is determined to be *necessary* by this Commissioner during the course of the hearing.

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Date 9-29-09
By [Signature]

allow existing driveway width of 15 feet for two-way movements in lieu of the required 20 feet. The subject property and requested relief are more particularly described on a one-sheet, redlined site plan, which was submitted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the requisite public hearing in support of the requests were David H. Karceski, Esquire and Arnold Jablon, Esquire with Venable, LLP, counsel for Petitioner. Appearing in support of the Petitions were Stephen P. Bellone on behalf of Persimmon Ventures, LLC and Holly Hill Nursing Home; Douglas L. Kennedy, with KCW Engineering Technologies, Inc., the engineering firm responsible for preparation of Petitioner's site plan; Randy M. Sovich, with R.M. Sovich Architecture, the architecture firm for the project, and John ("Jack") G. Leonard, the landscape architect for the project. Edward J. Gilliss, Esquire appeared as counsel for the Stoneleigh Community Association, Inc. and certain individual property owners in the vicinity of the subject property. Specifically, the individual property owners represented by Mr. Gilliss were Eugene Flynn (700 Hatherleigh Road), Andrew Kahn (702 Hatherleigh Road), Andrew Whitman (704 Hatherleigh Road), Michael Smith (706 Hatherleigh Road), Helen Couch (708 Hatherleigh Road), and Charles Drake (800 Hatherleigh Road). In addition, Kevin Rimlinger, legal owner of 601 Stevenson Lane, also appeared as an interested neighbor and member of the Wiltondale Improvement Association. Mr. Rimlinger's property is located adjacent to and east of the subject property. There were no Protestants in attendance, and, without objection, the public hearing proceeded on a proffer from Mr. Karceski and Mr. Jablon in combination with testimony provided by Petitioner's witnesses.

Preliminarily, Petitioner's counsel and Mr. Gilliss indicated that the Stoneleigh Community Association, and the individual property owners represented by Mr. Gilliss, had entered into a written agreement with the Petitioner regarding the proposed building addition and the other related site improvements shown on Exhibit 1. Mr. Gilliss informed this Commission

that, based upon the terms of this agreement, his clients were in support of all of the requested zoning relief and approval of the redlined site plan (Petitioner's Exhibit 1). A joint request was made by Petitioner's counsel and Mr. Gilliss for the agreement to be made a part of the order issued by the undersigned Commissioner.

The testimony and evidence offered disclosed that the subject property is approximately 2.2 acres, more or less, and located adjacent to and on the south side of Stevenson Lane just east of York Road, in the Towson area of Baltimore County. The site is of an irregular shape, zoned D.R.5.5 (Density, Residential), and has been utilized as a convalescent home for many years. By way of brief history, in Case No. 3969-X, a special exception was granted for the operation of a convalescent home on the property in 1958. The original building used for the convalescent home is located in close proximity to Stevenson Lane and is labeled "*ORIGINAL MANSION 3-STORY*" on Petitioner's Exhibit 1. Subsequent to the 1958 Case, a petition for special hearing was granted in Case No. 67-66-SPH for an addition onto the original structure. This addition, which is labeled "*3-STORY (1969 ADDITION)*" on Petitioner's Exhibit 1, was built onto the rear façade of the original structure and extends in a perpendicular direction toward the site's south (rear) property line.

The variance and special hearing relief requested in the instant case pertains to a building addition Petitioner now proposes in the rear yard of the property within the area, labeled "*PROP. ADDITION 3-STORY + BASEMENT*" on Petitioner's Exhibit 1, and other related site improvements. The present application would allow for an increase in the size of the existing convalescent home from its present number of beds to one capable of caring for a maximum of eighty-five (85) residents. Additionally, with this enlargement of the building, Petitioner plans to make numerous upgrades to the interior of the existing facility for the benefit of its residents, without which this convalescent home would become obsolete. Administrative Offices to

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support Petitioner's operations will remain on the property and also benefit from the comprehensive facility upgrades planned. It is the additional beds that will provide income for Petitioner to complete the intended facility upgrades.

As shown on Petitioner's Exhibit 1, the building addition will be parallel to the site's south property line, no closer than sixty-nine (69) feet from the south property line and no closer than seventy-eight (78) feet from the west side property line. Other related site improvements include additional off-street parking spaces and adjusted site circulation to accommodate the new parking spaces. Petitioner's Exhibit 1 does not provide a location for a storm water management facility in connection with the building addition. Petitioner's intention is to construct an underground facility for the building addition, provided the Department of Environmental Protection and Resource Management (DEPRM) approves a location and underground design for the facility. The Stoneleigh Community Association and the individual neighbors represented by Mr. Gilliss, through Mr. Gillis, stated their preference for a below grade facility. The agreement between Petitioner and Mr. Gillis' clients (Petitioner's Exhibit 9) provides that Petitioner will install a below grade facility if approved by DEPRM. Petitioner's Exhibits 8A and 8B are the preliminary colorized building elevations for the proposed addition, which Petitioner introduced for illustrative purposes. This exhibit shows the location of the building addition in relation to the site's existing structure and the types of building materials Petitioner has selected for the addition. Petitioner's Exhibit 7 is a realistic landscape plan, which shows approximate locations for supplemental landscaping on the property in the vicinity of the building addition. A review of Petitioner's Exhibit 7 indicates that Petitioner intends to install supplemental landscaping along the site's western, southern, and eastern property lines in the vicinity of the building addition. It is important to note that Mr. Gilliss' individual clients' properties are located

immediately to the south of the subject property and Mr. Rimlinger's property immediately to the east so these individuals stand to benefit the most from this additional landscaping.

Petitioner first addressed the relief requested from the RTA regulations contained in Section 1B01.1.B.1 of the Zoning Regulations. In certain circumstances, variances from Section 307.1 are not necessary for intrusions into a property's otherwise required residential transition areas. One alternate way for the Zoning Commissioner to determine the amount of RTA for a property is contained in B.C.Z.R. Section 1B01.1.B.1.c(1). This section reads as follows:

- "(1) Notwithstanding the provisions of Section 307, the hearing officer, upon the recommendation of Public Works, Planning, Environmental Protection and Resource Management, Permits and Development Management, Recreation and Parks, Community Development or the Economic Development Commission, may determine the amount of RTA in cases where a single tract of land is more than two acres, is vacant, or contains no more than one single-family detached, semidetached, or duplex dwelling."

The subject property is more than 2.0 acres in size and, therefore, qualifies for approval pursuant to the above section. Additionally, in this case, the Director of the Office of Planning confirmed in writing that Planning "does not oppose any of the proposed intrusions into the property's RTA buffers as shown on the site plan" and that this Zoning Commissioner should determine that the proposed RTA buffers are "acceptable and should be approved, without the need for the variances requested in Case No. 2009-328-SPHA." Having considered Petitioner's redlined site plan and the locations for the building addition, new off-street parking spaces, and other related improvements shown thereon as well as Petitioner's preliminary building elevations and preliminary landscape plan, I will, based upon the Office of Planning's recommendation, approve the RTAs as shown on Petitioner's Exhibit 1. This approval is made *pursuant to Section 1B01.1.B.1.c(1)*, therefore, the provisions of Section 307.1 are not applicable, and, as a result, the

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By [signature]

portion of the Petition for Variance that requests RTA relief through Section 307.1 will be dismissed as moot.

Next, Petitioner addressed the variance requested for the width of the site's existing access driveway. According to Petitioner's Exhibit 1, this driveway at its narrowest point is 15 feet wide, and B.C.Z.R. Section 409.4.A requires 20 feet for a driveway with two-way movements, such as this one. The site plan approved in 1968 in Case No. 67-66-SPH shows the property's access point to Stevenson Lane and its driveway in the same configuration and width as shown on Petitioner's redlined site plan in the instant case. Petitioner confirmed for this Commissioner that no improvements to the driveway are planned in connection with this project and that there are certain impediments to widening it. Existing stone piers at the property's entrance on Stevenson Lane and a stone wall along the driveway would have to be razed and some significant trees visible from Stevenson Lane would be lost as well. Provisions such as the driveway width requirement contained in Section 409.4.A apply to *the development of land* as opposed to existing improvements shown on a site plan approved as part of prior zoning case that have existed in the same location without change. Comparing Petitioner's redlined site plan (Petitioner's Exhibit 1) to the site plan approved in Case No. 67-66-SPH will evidence the very same access driveway in both cases.² A variance is not required. This Commissioner will, therefore, also dismiss this variance as moot.

Even though this Commissioner determined at the public hearing that the Petition for Variance will be dismissed as moot, Petitioner, in an abundance of caution, presented testimony regarding not only its Petition for Special Hearing but also to satisfy its burden of proof for all of the variances filed in this case. Mr. Kennedy, Petitioner's project engineer, addressed the

² Case No. 67-66-SPH at the very least creates a presumption of correctness as to the driveway issues in this case.

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Date 9-29-08
By [signature]

property's existing conditions, the proposed site improvements as shown and indicated on Petitioner's Exhibit 1, and his familiarity with the surrounding area. With that information, Mr. Kennedy was able to formulate an opinion that the variances requested from the RTA requirements of the Zoning Regulations and for the existing driveway width meet all of the requirements of Section 307.1 of the Zoning Regulations.

Additionally, with regard to the Petition for Special Hearing, Mr. Kennedy was able to formulate an opinion that the proposed amendment to the Order and site plan approved in Case No. 67-66-SPH satisfies all of the requirements of Section 502.1.A through I of the Zoning Regulations. Included in Mr. Kennedy's testimony was his opinion that the proposed building addition and all other related site improvements will not be detrimental to the health, safety, or general welfare of the surrounding area and will not be inconsistent with the purposes of the property's D.R.5.5 zoning nor in any way inconsistent with the spirit and intent of the Zoning Regulations.

Mr. Sovich, Petitioner's architect, prepared preliminary color elevations for all of the facades of the proposed addition (Petitioner's Exhibits 8A and 8B) in the context of the existing building. The addition's building materials were selected by Mr. Sovich after visiting the property and taking into account the architectural style of the surrounding single-family residences and the building materials on the sides of those residences that face the subject property. Rather than design the building addition completely of stone and force an institutional presence on the surrounding properties, Mr. Sovich selected a mixture of materials that, in this expert opinion, are more compatible with the surrounding residential character of the neighborhood. Petitioner explained that, while these elevations are preliminary and the exact locations for windows and placement of building materials may change, the building addition will be constructed with a mix of the same building materials provided on Petitioner's Exhibit 8.

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By [Signature]

In Mr. Sovich's expert opinion, the proposed building addition, in the location shown on Petitioner's Exhibit 1, will not have any negative impact on the surrounding residential area. Mr. Gilliss confirmed that none of his clients objected to the preliminary building elevations.

Mr. Leonard, Petitioner's landscape architect, prepared a preliminary landscape plan for the property (Petitioner's Exhibit 7), which shows landscape plantings to supplement existing vegetation along the site's property lines. Site photographs were accepted into evidence as Petitioner's Exhibits 3A – 3I and 4A – 4H to show the property's existing vegetation, which Mr. Leonard considered in preparing his plan. Certain trees on the property will need to be removed for construction of the building addition and new parking spaces; however, Petitioner's landscape plan provides for supplemental landscaping on the west, south, and east sides of the proposed building addition between it and those property lines. The suggested plant locations and types of plantings (i.e., evergreen, deciduous, shrubs, understory trees) were determined based upon Mr. Leonard's prior site visits and the location of surrounding single-family residences. In Mr. Leonard's expert opinion, additional landscaping in the areas shown on Petitioner's Exhibit 7 will ensure an even more effective screen for the existing building and the proposed addition than exists today, and the addition will, therefore, not have any negative impact on the surrounding residential lots in the vicinity of the subject property. This Commission takes note of the fact that, while Petitioner's Exhibit 7 is a preliminary landscape plan, the County will require approval of a final landscape plan for this project prior to building permit.

I have considered all of the testimony and evidence presented by Petitioner. Again, the undersigned has determined that the Petition for Variance, in its entirety, is rendered moot for the reasons set out above. However, in the alternative, I will state that I would have granted all of the variances from the RTA regulations as well as for the existing driveway width, based on the

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Date 9-27-09
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testimony and evidence submitted. I find that special circumstances or conditions exist that are peculiar to the land which is the subject of these variances. Further, I find that strict compliance with the Zoning Regulations would result in a practical difficulty or undue hardship. Without the requested RTA variances, Petitioner would be unable to upgrade its existing facilities as necessary to continue serving and caring for Baltimore County's aging population. Additionally, Petitioner's testimony showed that the driveway's current width is sufficient today and will serve the property with the proposed addition without any problems in the future. Razing the existing entry features on (and trees visible from) Stevenson Lane would be required for a widening of this driveway that is unnecessary. The community and neighbors oppose changes to these existing enhancements. Finally, I find that the Petition for Variance can be granted in strict harmony with the Zoning Regulations and without injury to the public health, safety, or general welfare of the surrounding area. Again, considering the location for the building addition and other related improvements, the proposed building architecture and mixture of building materials selected by Petitioner, and the landscape plan, there will be no adverse impact on the surrounding area.

With regard to the Petition for Special Hearing, I am also persuaded that Petitioner's request to amend the Order and site plan approved in Case No. 66-67-SPH should be granted. I have reviewed the criteria stated in B.C.Z.R. Section 502.1.A through I of the Zoning Regulations and find that Petitioner has satisfied each of the criteria outlined in that section. I am convinced that all of the proposed improvements to the subject property, including the building addition, new parking spaces, and intended increase in the permitted number of resident beds, will not cause any detrimental impacts to the health, safety, or general welfare of the locale, and can be accomplished without any of the negative impacts listed in B.C.Z.R. Section 502.1. Therefore, I am persuaded to grant the Petition for Special Hearing as well.

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Date 9-29-09
By [Signature]

This Commissioner compliments Petitioner for working with the Stoneleigh Community Association as well as neighbors adjacent to the subject property in advance of the public hearing in this case. The result of Petitioner's efforts and the time invested by the community is a written agreement (Petitioner's Exhibit 9), which enabled everyone involved to agree on a satisfactory layout for the project, including the location for the building addition. An important part of this agreement from the community's perspective is a below grade storm water management facility for the building addition. For this reason, I encourage DEPRM to approve a below grade facility consistent with the agreement entered into by Petitioner, the community association, and certain association members immediately to the south of the property.

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

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 29th day of September 2009, that the Petition for Special Hearing seeking approval to amend the Order and site plan approved in Case No. 67-66-SPH, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED;

IT IS FURTHER ORDERED, for the reasons stated above, that the residential transition areas, as shown and provided on Petitioner's Exhibit 1, and the intrusions, existing and proposed, into the residential transition areas shown thereon, pursuant to B.C.Z.R. Section 1B01.1.B.1.c(1), be and are hereby APPROVED; and

IT IS FURTHER ORDERED, for the reasons stated above, that this decision is subject to the following restrictions:

1. The Petitioner may apply for its permits 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 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.

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Date 9-29-09

By [Signature]

2. The provisions, conditions, terms and limitations of the Agreement with the Stoneleigh Community Association, Inc., et al, dated September 14, 2009, encumbering the subject property and the uses to be conducted thereon, are hereby incorporated into and made a material part of the approval given hereby, a copy of which shall be attached to the original Order kept in the Zoning Commissioner's Office.

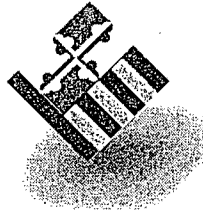
IT IS FURTHER ORDERED that the Petition for Variance seeking relief from Section 1B01.1.B.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a residential transition area setback a minimum of 69 feet from the rear (south) property line for a building addition in lieu of the required 75 feet; to permit a residential transition area buffer and residential transition area setbacks a minimum of 42 feet from the rear (south) property line and 25 feet from a side (east) property line for new off-street parking in lieu of the required 50 foot residential transition area buffer and 75 foot residential transition area setback; to allow existing site improvements, including accessory structures and off-street parking within the 50 foot residential transition area buffer and 75 foot residential transition area setback, and finally from Section 409.4.A of the B.C.Z.R. to allow an existing driveway width of 15 feet for two-way movements in lieu of the required 20 feet, be and is hereby **DISMISSED AS MOOT**.

Any appeal of this decision shall be taken in accordance with Baltimore County Code Section 32-3-401.


WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw

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Date 9-29-09
BY [signature]



BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

WILLIAM J. WISEMAN III
Zoning Commissioner

September 29, 2009

David H. Karceski, Esquire
Arnold E. Jablon, Esquire
Venable, LLP
210 West Pennsylvania Avenue
Suite 500
Towson, MD 21204

RE: **PETITIONS FOR SPECIAL HEARING AND VARIANCE**
S/S Stevenson Lane, 160' E of the c/l Oxford Road
(531 Stevenson Lane)
9th Election District - 5th Council District
PV Realty – Holly Hill, LLC – Petitioner
Case No. 2009-0328-SPHA

Dear Counsel:

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

In the event anyone 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 truly yours,

A handwritten signature in black ink, appearing to read "William J. Wiseman III", written over a horizontal line.

WILLIAM J. WISEMAN, III
Zoning Commissioner
for Baltimore County

WJW:dlw
Enclosure

c: Stephen P. Bellone, 921 East Fort Avenue, Suite 240, Baltimore, MD 21230
Douglas Kennedy, P.E., 810 Landmark Drive, S-215, Glen Burnie, MD 21061
Randy M. Sovich, 3600 O'Donnell Street, Suite 700, Baltimore, MD 21224
Jack Leonard, RLA, 29 Chesterfield Court, Monkton, MD 21111
Edward J. Gilliss, Esquire, Royston, Mueller, McLean & Reid, LLP,
102 West Pennsylvania Avenue, Suite 600, Towson, Maryland 21204
Kevin Rimlinger, 601 Stevenson Lane, Towson, MD 21286
People's Counsel; Office of Planning; DEPRM; Development Plans Review; File ✓



Petition for Variance

to the Zoning Commissioner of Baltimore County for the property
located at 531 Stevenson Lane
which is presently zoned D.R. 5.5

Deed Reference: 26781 / 236 Tax Account # 0903771010

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 Variance from Section(s)

SEE ATTACHED SHEET 1

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty.)

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, 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:

Robert A. Hoffman/David H. Karceski

Name - Type or Print

Signature

Venable LLP

Company

210 West Pennsylvania Avenue 410-494-6285

Address Telephone No.

Towson MD 21204

City State Zip Code

Legal Owner(s):

SEE ATTACHED SHEET 2

Name - Type or Print

Signature

Name - Type or Print

Signature

Address Telephone No.

City State Zip Code

Representative to be Contacted:

David H. Karceski

Name

210 West Pennsylvania Avenue 410-494-6285

Address Telephone No.

Towson MD 21204

City State Zip Code

Case No. 2009-0328-SPHA

Office Use Only

Estimated Length of Hearing
Unavailable For Hearing

Reviewed by [Signature] Date 6/17/09

REV 8/20/07

ORDER RECEIVED FOR FILING

Date 9-29-09

By [Signature]

**PETITION FOR VARIANCE
ATTACHED SHEET 1**

**Holly Hill Nursing Home
531 Stevenson Lane**

1. Variance, if necessary, to permit a residential transition area setback a minimum of 69 feet from the rear (south) property line for a building addition in lieu of the required 75 feet, pursuant to Section 1B01.1.B.1 of the Baltimore County Zoning Regulations ("BCZR").
2. Variance, if necessary, to permit a residential transition area buffer and residential transition area setbacks a minimum of 42 feet from the rear (south) property line and 25 feet from a side (east) property line for new off-street parking in lieu of the required 50 foot residential transition area buffer and 75 foot residential transition area setback, pursuant to BCZR Section 1B01.1.B.1.
3. Variance, if necessary, to allow existing site improvements, including accessory structures and off-street parking within the 50 foot residential transition area buffer and 75 foot residential transition area setback, pursuant to BCZR Section 1B01.1.B.1.
4. Variance to allow an existing driveway width of 15 feet for two-way movements in lieu of the required 20 feet, pursuant to BCZR Section 409.4.A.

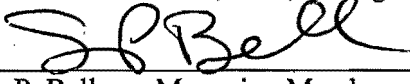
**PETITION FOR VARIANCE
ATTACHED SHEET 2**

**Holly Hill Nursing Home
531 Stevenson Lane**

Legal Owner:

PV REALTY – HOLLY HILL, LLC

By: Persimmon Ventures, LLC, Manager

By: 
Stephen P. Bellone, Managing Member

921 East Fort Avenue
Suite 240
Baltimore, MD 21230
(410) 625-4746



Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at 531 Stevenson Lane

which is presently zoned D.R. 6.5

(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)

SEE ATTACHED SHEET 1

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 bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

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

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Attorney For Petitioner:

Robert A. Hoffman/David H. Karceski

Name - Type or Print

Signature

Venable LLP

Company

210 West Pennsylvania Avenue 410-494-6285

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

Legal Owner(s):

SEE ATTACHED SHEET 2

Name - Type or Print

Signature

Name - Type or Print

Signature

Address

Telephone No.

City

State

Zip Code

Representative to be Contacted:

David H. Karceski

Name

210 West Pennsylvania Avenue 410-494-6285

Address

Telephone No.

Towson

MD

21204

City

State

Zip Code

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

Case No.

2009-0328-SPHA

REV 9/15/98

UNAVAILABLE FOR HEARING

Reviewed By

Date

6/17/09

ORDER RECEIVED FOR FILING

Date

9-29-09

By

120

**PETITION FOR SPECIAL HEARING
ATTACHED SHEET 1**

**Holly Hill Nursing Home
531 Stevenson Lane**

Special Hearing to amend the order and site plan approved in Case No. 67-66-SPH.

**PETITION FOR SPECIAL HEARING
ATTACHED SHEET 2**

**Holly Hill Nursing Home
531 Stevenson Lane**

Legal Owner:

PV REALTY – HOLLY HILL, LLC

By: Persimmon Ventures, LLC, Manager

By: 
Stephen P. Bellone, Managing Member
921 East Fort Avenue
Suite 240
Baltimore, MD 21230
(410) 625-4746



ZONING DESCRIPTION
PROPERTY OF PV REALTY - HOLLY HILL, LLC
#531 STEVENSON LANE
9th ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the Southernmost Right-of-Way line of Stevenson Lane, variable width, said point being distant 160 feet, more or less, easterly from the centerline of Oxford Road, thence leaving said Right-of-Way line of Stevenson Lane the following four courses and distances:

1. South 07 degrees 00 minutes 21 seconds West 297.78 feet to a point; thence
2. North 86 degrees 04 minutes 02 seconds East 356.25 feet to a point; thence
3. North 05 degrees 40 minutes 22 seconds West 301.34 feet to a point; thence
4. South 84 degrees 19 minutes 38 seconds West 290.72 feet to the Point of Beginning.

Containing 95,577 square feet or 2.2 acres of land, more or less.

As recorded in Deed Liber 26781, folio 236.

Also known as #531 Stevenson Lane and located in the 9th Election District of Baltimore County, Maryland.

A circular notary seal for Douglas L. Kennedy, Notary Public for Baltimore County, Maryland. The seal is stamped over a handwritten signature of Douglas L. Kennedy. Below the signature, the date "3-17-2009" is handwritten.

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

No. **39850**

Date: 6/17/09

PAID RECEIPT

BUSINESS ACTUAL DATE
07/10/2009 7/17/2009 10:22:11
6-MS05 BALANCE DUE DED
RECEIPT # 49328 6/17/2009
PAID \$ 528 ZEROED VERIFICATION
NO. 00050
Receipt Tot 4650.00
\$250.00 CK 100.00
Baltimore County, Maryland

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					650.00

Total: 650.00

Rec
From

Variable LLP

For

231 Stevenson Ave

217 ECG

2009-0328-SP1/A

DISTRIBUTION

WHITE- CASHIER

PINK- AGENCY

YELLOW- CUSTOMER

GOLD- ACCOUNTING

PLEASE PRESS HARD!!!!

**CASHIER'S
VALIDATION**

CORRECTED 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: # 2009-0328-SPHA

531 Stevenson Lane

S/side of Stevenson Lane, 160 feet east of the centerline of Oxford Road

9th Election District — 5th Councilmanic District

Legal Owner(s): PV Realty - Holly Hill, LLC

Special Hearing: to amend the order and site plan approved in case no. 67-66-SPH. **Variance:** to permit a residential transition area setback a minimum of 69 feet from the rear (south) property line for a building addition in lieu of the required 75 feet. To permit a residential transition area buffer and setbacks a minimum of 42 feet from the rear (south) property line and 25 feet from a side (east) property line for new off-street parking in lieu of the required 50 foot residential transition area buffer and 75 foot residential transition area setback. To allow existing site improvements, including accessory structures and off-street parking within the 50-foot residential transition area buffer and 75 foot residential transition area setback. To allow existing driveway width of 5 feet for two-way movements in lieu of the required 20 feet.

Hearing: Friday, August 28, 2009 at 9:00 a.m. In Room 106, County Office Building, 111 West Chesapeake Avenue, Towson 21204.

WILLIAM J. WISEMAN, III
Zoning Commissioner for Baltimore County

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

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

8/16/09 Aug 13

207946

CERTIFICATE OF PUBLICATION

8/13/2009

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 8/11/2009.

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

S. Wilkinson

LEGAL ADVERTISING

CERTIFICATE OF POSTING

RE: 2009-0328-SPHA.

Petitioner/Developer:__

PV Realty- Holly Hill ,LLC

Date of Hearing/closing: August 28, 2009

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

Attn; Kristin Matthews;

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, _____
531 Stevenson Lane

The sign(s) were posted on August 13, 2009
(Month, Day, Year)

Sincerely,

Robert Black August 16, 2009

(Signature of Sign Poster) (Date)

SSG Robert Black

(Print Name)

1508 Leslie Road

(Address)

Dundalk, Maryland 21222

(City, State, Zip Code)

(410) 282-7940

(Telephone Number)

ZONING NOTICE

CASE # 2009-0328-SPHA

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

Room 106 County Office Building
111 West Chesapeake Ave Towson 21204

DATE AND TIME: FRIDAY, AUGUST 28, 2009 AT 9:00 AM

REQUEST: Continued Off-Street Parking within the 50-foot
Residential, Traditional Area Buffer and 75-foot Residential,
Traditional Area setback. To allow an existing, legally
existing 15-foot front yard setback to be used for the
proposed 20-foot setback.

PROPOSALS ARE TO BE REVIEWED BY THE ZONING COMMISSIONER
IN TOWSON, MD. CALL 410-321-1231
HANDICAPPED ACCESSIBLE

ZONING NOTICE

CASE # 2009-0328-SPHA

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

Room 106 County Office Building
111 West Chesapeake Avenue, Towson 21204

DATE AND TIME: FRIDAY, AUGUST 28, 2009 AT 9:00 AM

REQUEST: Special Historic To Amend the 50-foot
Front Setback in Case No. 671-44-SPH. To allow a
Residential, Traditional Area Buffer and 75-foot
Residential, Traditional Area setback to be used for the
proposed 15-foot front yard setback. To allow an existing,
legally existing 15-foot front yard setback to be used for the
proposed 20-foot setback. To allow an existing, legally
existing 15-foot front yard setback to be used for the
proposed 20-foot setback. To allow an existing, legally
existing 15-foot front yard setback to be used for the
proposed 20-foot setback.

PROPOSALS ARE TO BE REVIEWED BY THE ZONING COMMISSIONER
IN TOWSON, MD. CALL 410-321-1231
HANDICAPPED ACCESSIBLE

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

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

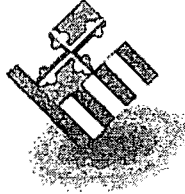
OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

For Newspaper Advertising:

Item Number or Case Number: 2009-0328--SPHA
Petitioner: PV Realty - Holly Hill, LLC
Address or Location: 531 Stevenson Lane

PLEASE FORWARD ADVERTISING BILL TO:

Name: Kedrick Whitmore
Address: Venable LLP
210 West Pennsylvania Ave, Suite 500
Towson Maryland 21204
Telephone Number: 410 494 6204



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

July 28, 2009
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: 2009-0328-SPHA

531 Stevenson Lane

S/side of Stevenson Lane, 160 feet east of the centerline of Oxford Road

9th Election District – 5th Councilmanic District

Legal Owners: PV Realty – Holly Hill, LLC

Special Hearing to amend the order and site plan approved in case no. 67-86-SPH. Variance to permit a residential transition area setback a minimum of 69 feet from the rear (south) property line for a building addition in lieu of the required 75 feet. To permit a residential transition area setbacks a minimum of 42 feet from the rear (south) property line and 25 feet from a side (east) property line for new off street parking in lieu of the required 50 foot residential transition area buffer and 75 foot residential transition area setback. To allow existing site improvements, including accessory structure and off-street parking within the 50-foot residential transition area buffer and 75 foot residential transition area setback. *To allow an existing driveway width of 15 feet for two-way movements ILO the required 20 feet.*

*residential
transition
area buffer
and*

Hearing: Friday, August 28, 2009 at 9:00 a.m. in Room 106, County Office Building,
105 West Chesapeake Avenue, Towson 21204

Timothy Kotroco

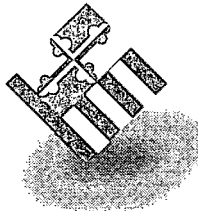
Timothy Kotroco
Director

TK:klm

C: Robert Hoffman, Venable, 210 Pennsylvania Avenue, Towson 21204

Stephen Bellone, Persimmon Ventures, LLC, 921 E. Fort Ave., Ste. 240, Baltimore 21230 ✓

- NOTES: (1) THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 13, 2009.**
- (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

MARYLAND

JAMES T. SMITH, JR.
County Executive

July 28, 2009
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

NOTICE OF ZONING HEARING

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CASE NUMBER: 2009-0328-SPHA

531 Stevenson Lane

S/side of Stevenson Lane, 160 feet east of the centerline of Oxford Road

9th Election District – 5th Councilmanic District

Legal Owners: PV Realty – Holly Hill, LLC

Special Hearing to amend the order and site plan approved in case no. 67-66-SPH. Variance to permit a residential transition area setback a minimum of 69 feet from the rear (south) property line for a building addition in lieu of the required 75 feet. To permit a residential transition area setbacks a minimum of 42 feet from the rear (south) property line and 25 feet from a side (east) property line for new off street parking in lieu of the required 50 foot residential transition area buffer and 75 foot residential transition area setback. To allow existing site improvements, including accessory structure and off-street parking within the 50-foot residential transition area buffer and 75 foot residential transition area setback.

Hearing: Friday, August 28, 2009 at 9:00 a.m. in Room 106, County Office Building,
105 West Chesapeake Avenue, Towson 21204

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

Timothy Kotroco
Director

TK:klm

C: Robert Hoffman, Venable, 210 Pennsylvania Avenue, Towson 21204
Stephen Bellone, Persimmon Ventures, LLC, 921 E. Fort Ave., Ste. 240, Baltimore 21230

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 13, 2009.**
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TO: PATUXENT PUBLISHING COMPANY
Thursday, August 13, 2009 Issue - Jeffersonian

Please forward billing to:
Kedrick Whitmore
Venable, LLP
210 W. Pennsylvania Avenue, Ste. 500
Towson, MD 21204

410-494-6204

NOTICE OF ZONING HEARING

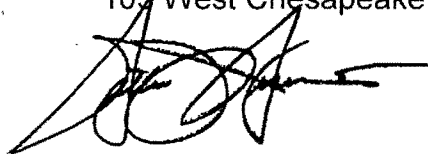
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CASE NUMBER: 2009-0328-SPHA

531 Stevenson Lane
S/side of Stevenson Lane, 160 feet east of the centerline of Oxford Road
9th Election District – 5th Councilmanic District
Legal Owners: PV Realty – Holly Hill, LLC

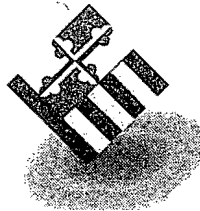
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Hearing: Friday, August 28, 2009 at 9:00 a.m. in Room 106, County Office Building,
105 West Chesapeake Avenue, Towson 21204



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

August 3, 2009
TIMOTHY M. KOTROCO, Director
Department of Permits and
Development Management

CORRECTED 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: 2009-0328-SPHA

531 Stevenson Lane

S/side of Stevenson Lane, 160 feet east of the centerline of Oxford Road

9th Election District – 5th Councilmanic District

Legal Owners: PV Realty – Holly Hill, LLC

Special Hearing to amend the order and site plan approved in case no. 67-66-SPH. Variance to permit a residential transition area setback a minimum of 69 feet from the rear (south) property line for a building addition in lieu of the required 75 feet. To permit a residential transition area buffer and setbacks a minimum of 42 feet from the rear (south) property line and 25 feet from a side (east) property line for new off street parking in lieu of the required 50 foot residential transition area buffer and 75 foot residential transition area setback. To allow existing site improvements, including accessory structures and off-street parking within the 50-foot residential transition area buffer and 75 foot residential transition area setback. To allow an existing driveway width of 15 feet for two-way movements in lieu of the required 20 feet.

Hearing: Friday, August 28, 2009 at 9:00 a.m. in Room 106, County Office Building,
111 West Chesapeake Avenue, Towson 21204

Handwritten signature of Timothy Kotroco in black ink.

Timothy Kotroco
Director

TK:klm

C: Robert Hoffman, Venable, 210 Pennsylvania Avenue, Towson 21204
Stephen Bellone, Persimmon Ventures, LLC, 921 E. Fort Ave., Ste. 240, Baltimore 21230

- NOTES: (1) **THE PETITIONER MUST HAVE THE ZONING NOTICE SIGN POSTED BY AN APPROVED POSTER ON THE PROPERTY BY THURSDAY, AUGUST 13, 2009.**
- (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
Thursday, August 13, 2009 Issue - Jeffersonian

Please forward billing to:

Kedrick Whitmore

410-494-6204

Venable, LLP

210 W. Pennsylvania Avenue, Ste. 500

Towson, MD 21204

CORRECTED 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: 2009-0328-SPHA

531 Stevenson Lane

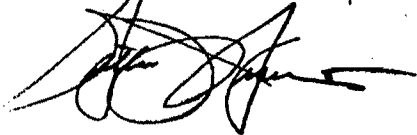
S/side of Stevenson Lane, 160 feet east of the centerline of Oxford Road

9th Election District – 5th Councilmanic District

Legal Owners: PV Realty – Holly Hill, LLC

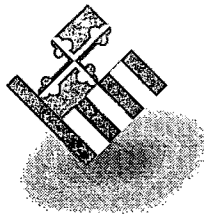
Special Hearing to amend the order and site plan approved in case no. 67-66-SPH. Variance to permit a residential transition area setback a minimum of 69 feet from the rear (south) property line for a building addition in lieu of the required 75 feet. To permit a residential transition area buffer and setbacks a minimum of 42 feet from the rear (south) property line and 25 feet from a side (east) property line for new off street parking in lieu of the required 50 foot residential transition area buffer and 75 foot residential transition area setback. To allow existing site improvements, including accessory structures and off-street parking within the 50-foot residential transition area buffer and 75 foot residential transition area setback. To allow an existing driveway width of 15 feet for two-way movements in lieu of the required 20 feet.

Hearing: Friday, August 28, 2009 at 9:00 a.m. in Room 106, County Office Building,
105 West Chesapeake 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

August 20, 2009

Robert Hoffman & David Karceski
Venable, LLP
210 West Pennsylvania Ave.
Towson, MD 21204

Dear: Robert Hoffman & David Karceski

RE: Case Number 2009-0328-SPHA, 531 Stevenson Ln.

The above referenced petition was accepted for processing **ONLY** by the Bureau of Zoning Review, Department of Permits and Development Management (PDM) on June 17, 2009. 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,

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

W. Carl Richards, Jr.
Supervisor, Zoning Review

WCR:lnw

Enclosures

c: People's Counsel
Stephen P. Bellone: Persimmon Ventures, LLC; 921 East Fort Ave. Ste. 240; Baltimore, MD
21230

BW 8/28 9am

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

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

DATE: July 23, 2009

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

RECEIVED

SUBJECT: 531 Stevenson Lane

JUL 27 2009

INFORMATION:

ZONING COMMISSIONER

Item Number: 9-328

Petitioner: Holly Hill Nursing Home

Zoning: DR 5.5

Requested Action: Variance and Special Hearing

The petitioner is seeking to permit a variance for the residential transitional area for 69 feet in lieu of 75 feet. A variance for the residential transitional area buffer on the eastern and southern property lines and a variance to allow an existing driveway of 15 feet in lieu of the required 20 feet.

A Special Hearing to amend the order and site plan approved in Case no. 67-66SPH.

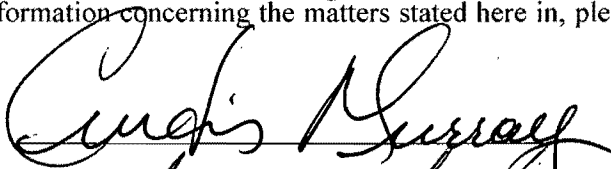
SUMMARY OF RECOMMENDATIONS:

The Office of Planning supports the special hearing and variance requests for the residential transitional area encroachment or maintaining the width of the existing driveway but requests the following:

1. Submit elevation drawings of the proposed addition. The proposed buildings materials shall match the same color and materials of the existing building.
2. Maintain as much of the existing vegetation on the southern property line as possible. Any vegetation near the southern property line that is disturbed should be replaced with the same type of vegetation.
3. Submit a landscape plan.

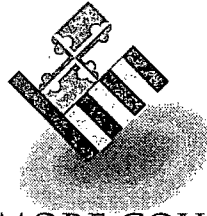
For further information concerning the matters stated here in, please contact Donnell Zeigler at 410-887-3480.

Prepared by:



Division Chief:
AFK/LL: CM





BALTIMORE COUNTY
M A R Y L A N D

JAMES T. SMITH, JR.
County Executive

JOHN J. HOHMAN, *Chief*
Fire Department

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

August 21, 2009

ATTENTION: Zoning Review Planners

Distribution Meeting Of: August 10, 2009

Item Numbers 0325, 0328, 0032, 0034, 0036, 0037, 0038, 0040

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.

1. The Fire Marshal's Office has no comments at this time.

Lieutenant Roland P Bosley Jr.
Fire Marshal's Office
410-887-4881 (C) 443-829-2946
MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND

Inter-Office Correspondence



RECEIVED

JUL 14 2009

ZONING COMMISSIONER

TO: Timothy M. Kotroco
FROM: Dave Lykens, DEPRM - Development Coordination
DATE: July 13, 2009
SUBJECT: Zoning Item # 09-328-SPHA
Address 531 Stevenson Lane
(Holly Hill Nursing Home)

Zoning Advisory Committee Meeting of June 29, 2009

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

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).

Reviewer: Paul Dennis

Date: July 6, 2009

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

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

DATE: August 13, 2009

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

SIGNED: Dennis A. Kennedy

SUBJECT: Zoning Advisory Committee Meeting
For August 10, 2009
Item No. 2009-0328

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

See our comment dated July 14, 2009. We see no reason why this can't be done.

DAK:CEN:kmt

cc: File

G:\DevPlanRev\ZAC - Comments\ZAC-ITEM NO 09-0328-08102009.doc

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

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

DATE: July 14, 2009

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

SUBJECT: Zoning Advisory Committee Meeting
For July 6, 2009
Item No. 2009-328

The Bureau of Development Plans Review has reviewed the subject zoning item and we have the following comment(s).

Widen the driveway to the minimum standard of 20 feet.

DAK:CEN:cab

cc: File

ZAC-ITEM NO 09-328-07062009.doc



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

State Highway
Administration

Beverly K. Swaim-Staley, Acting Secretary
Neil J. Pedersen, Administrator

Maryland Department of Transportation

Date: JULY 6, 2009

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

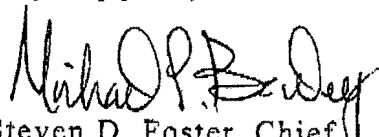
RE: Baltimore County
Item No. 2009 - 0328-SHA
931 STEVENSON LANE
BELLONE PROPERTY
VARIANCE & SPECIAL HEARING -

Dear Ms. Matthews:

Thank you for the opportunity to review your referral request on the subject of the above captioned. We have determined that the subject property does not access a State roadway and is not affected by any State Highway Administration projects. Therefore, based upon available information this office has no objection to Baltimore County Zoning Advisory Committee approval of Item No. 2009 - 0328-SHA.

Should you have any questions regarding this matter, please contact Michael Bailey at 410-545-2803 or 1-800-876-4742 extension 5593. Also, you may E-mail him at (mbailey@sha.state.md.us).

Very truly yours,


For Steven D. Foster, Chief
Engineering Access Permits
Division

SDF/MB

RE: PETITION FOR SPECIAL HEARING * BEFORE THE
AND VARIANCE *
531 Stevenson Lane; S/S Stevenson Lane, 160' * ZONING COMMISSIONER
E of c/line of Oxford Road *
9th Election & 5th Councilmanic Districts * FOR
Legal Owner(s): Stephen Bellone *
Petitioner * BALTIMORE COUNTY
* 09-328-SPHA

* * * * *

ENTRY OF APPEARANCE

Pursuant to Baltimore County Charter § 524.1, please enter the appearance of People's Counsel for Baltimore County as an interested party 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.

RECEIVED

JUL 09 2009

.....

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Jefferson Building, Room 204
105 West Chesapeake Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 9th day of July, 2009, a copy of the foregoing Entry of Appearance was mailed to David Karceski, Esquire, Venable, LLP, 210 Allegheny Avenue, Towson, MD 21204, Attorney for Petitioner(s).

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CASE NAME 2009-328-JMA
CASE NUMBER Holly Hill
DATE 8/28/09

[illegible]

CASE NAME 2009-0328-S PHA
CASE NUMBER 1100097 Hise
DATE 8-28-09

CITIZEN'S SIGN-IN SHEET

[illegible]



Maryland Department of Assessments and Taxation
BALTIMORE COUNTY
Real Property Data Search (2007 vw4.3)

[Go Back](#)
[View Map](#)
[New Search](#)

Account Identifier: District - 09 Account Number - 0903771010

Owner Information

Owner Name:	PV REALTY - HOLLY HILL LLC	Use:	COMMERCIAL
Mailing Address:	STE 240 921 E FORT AVE BALTIMORE MD 21230-5137	Principal Residence:	NO
		Deed Reference:	1) /26781/ 236 2)

Location & Structure Information

Premises Address 531 STEVENSON LN	Legal Description LT SS STEVENSON LA 531 STEVENSON LN 660 E YORK RD
---	---

Map	Grid	Parcel	Sub District	Subdivision	Section	Block	Lot	Assessment Area	Plat No:
70	20	98						2	Plat Ref:

Special Tax Areas

Town
Ad Valorem
Tax Class

Primary Structure Built 1921	Enclosed Area 11,450 SF	Property Land Area 95,577.00 SF	County Use 06
Stories	Basement	Type	Exterior

Value Information

	Base Value	Value	Phase-in Assessments	
		As Of	As Of	As Of
		01/01/2008	07/01/2008	07/01/2009
Land	421,100	777,800		
Improvements:	852,200	960,100		
Total:	1,273,300	1,737,900	1,428,166	1,583,032
Preferential Land:	0	0	0	0

Transfer Information

Seller: HOLLY HILL MANOR INC	Date: 03/17/2008	Price: \$1,800,000
Type: IMPROVED ARMS-LENGTH	Deed1: /26781/ 236	Deed2:
Seller: HOLLY HILL MANOR INC	Date: 09/30/2004	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: /20766/ 342	Deed2:
Seller: WINGARD MARIAN W	Date: 02/16/1983	Price: \$0
Type: NOT ARMS-LENGTH	Deed1: / 6488/ 735	Deed2:

Exemption Information

Partial Exempt Assessments	Class	07/01/2008	07/01/2009
County	000	0	0
State	000	0	0
Municipal	000	0	0

Tax Exempt: NO
Exempt Class:

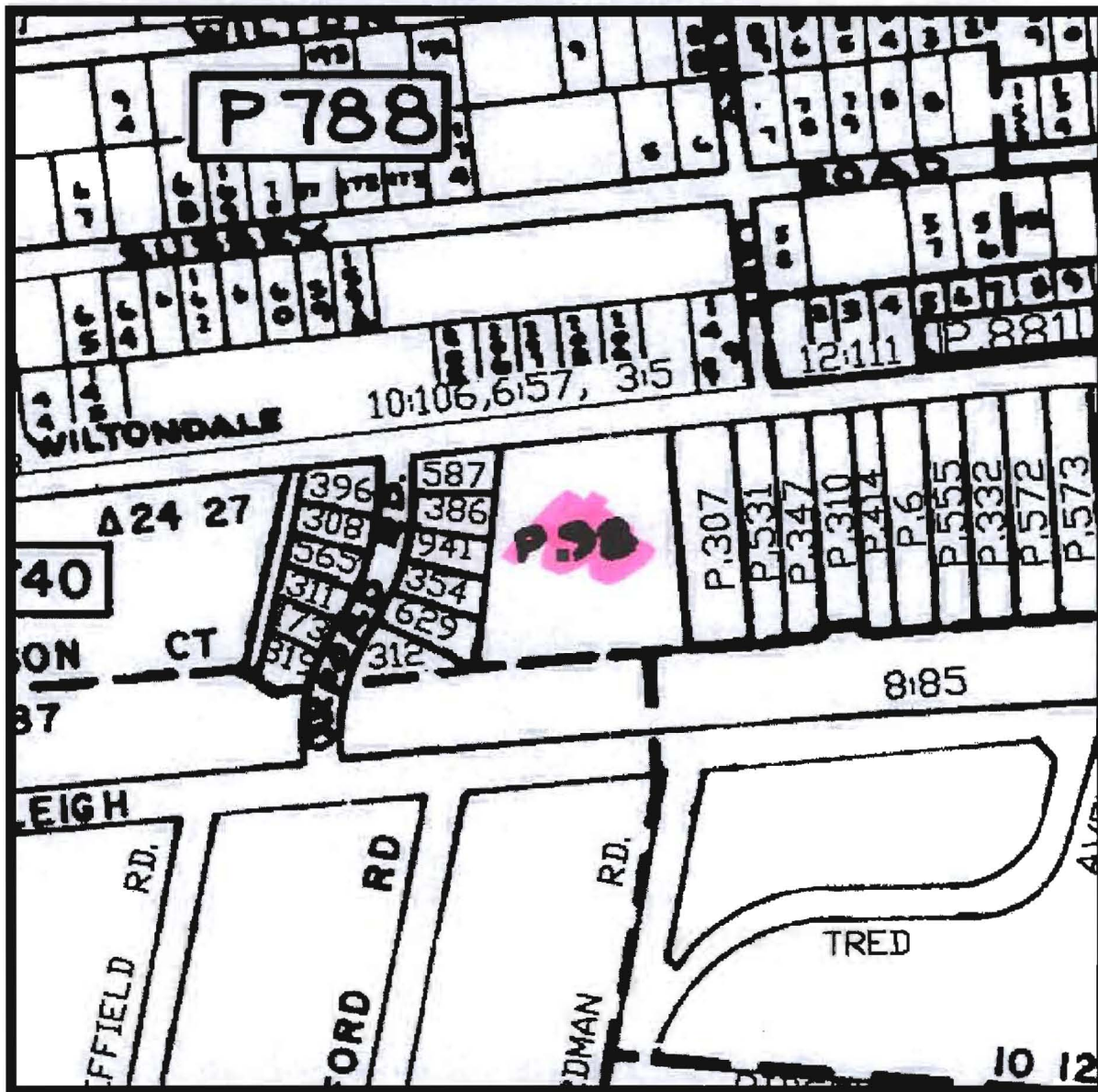
Special Tax Recapture:
 * NONE *



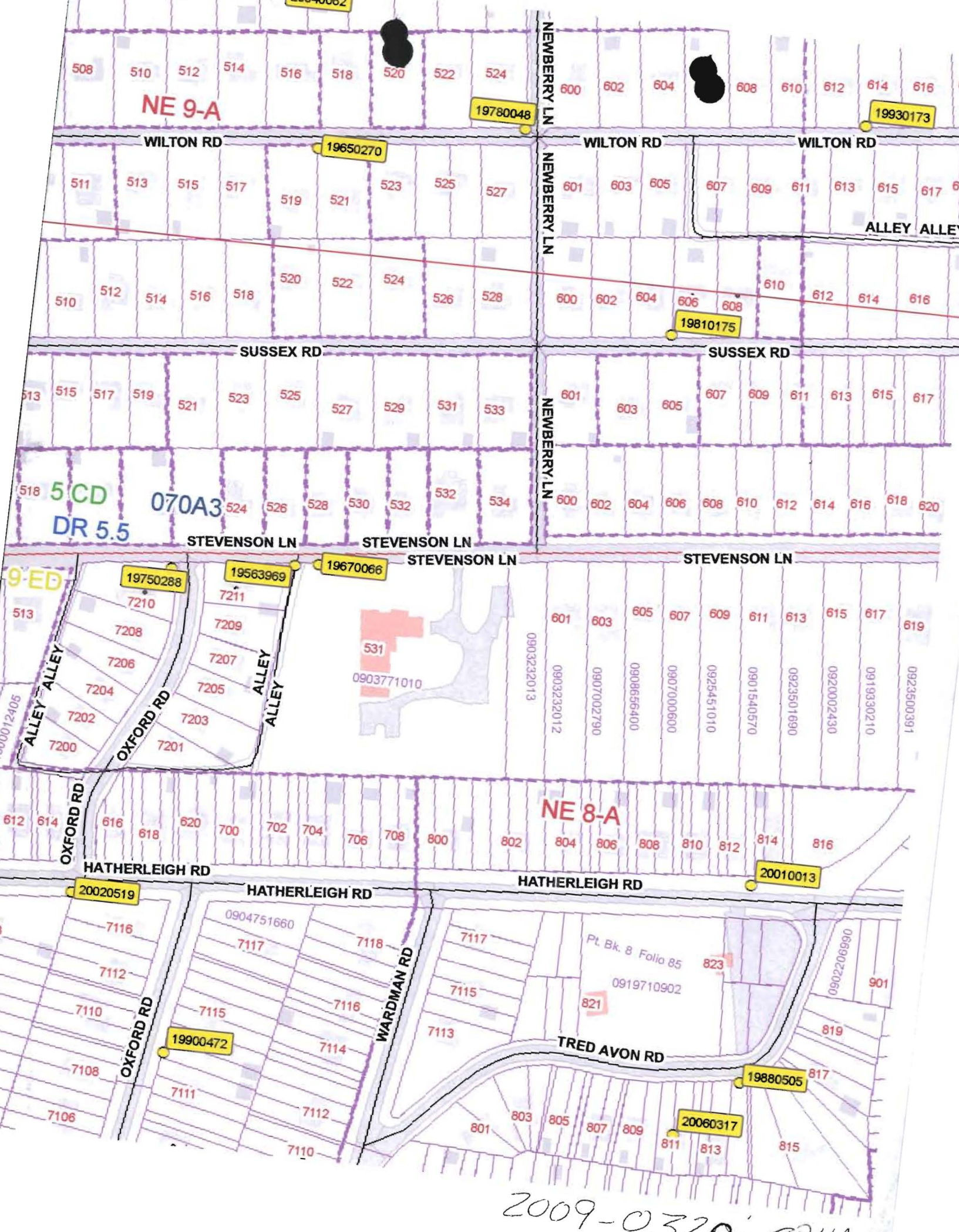
**Maryland Department of Assessments
and Taxation
BALTIMORE COUNTY
Real Property Data Search**

[Go Back](#)
[View Map](#)
[New Search](#)

District - 09 Account Number - 0903771010



Property maps provided courtesy of the Maryland Department of Planning ©2008.
For more information on electronic mapping applications, visit the Maryland Department
of Planning web site at www.mdp.state.md.us/webcom/index.html



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3458/192
3558/604
73.35A
P.582
1 OF 3



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THESE MAPS ARE PROTECTED BY COPYRIGHT. THEY MAY NOT BE COPIED OR REPRODUCED IN ANY FORM INCLUDING ELECTRONIC MEANS SUCH AS: DIGITIZING, SCANNING, VECTORIZING, OR IMAGE PROCESSING, OR BY ANY SYSTEM NOW KNOWN OR TO BE INVENTED WITHOUT PERMISSION IN WRITING FROM THE MARYLAND DEPARTMENT OF PLANNING.



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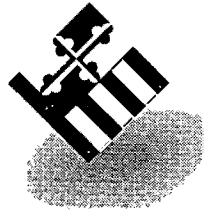
Case No.: 2009-0328-SPHA 531 STEVENSON LANE

Exhibit Sheet

Petitioner/Developer

Protestant

No. 1	RED-LINED AMENDED SITE PLAN	
No. 2	Office of Planning - Recommendation to approve RTA relief	
No. 3 Actual 1	EXISTING CONDITIONS PHOTOGRAPHS	
No. 4 A-H	EXISTING CONDITIONS EXISTING LANDSCAPING Southern Portion of Property E to W	
No. 5	Aerial Photo	
No. 6 A 6B 6C	Resume Douglas Kennedy " RANDY SOVICH AIA " JACK LEONARD	
No. 7	Landscape - Colorized Plan	
No. 8 A - Western Elevation B - South Elevation C - North Elevation D - East Elevation	Architectural Stone Veneer and Hardy Plank	
No. 9 Actual 2	AGREEMENT WITH Community	
No. 10	SITE PLAN - 67-66 SPH ZONING ORDER	
No. 11		
No. 12		



BALTIMORE COUNTY
MARYLAND

JAMES T. SMITH, JR.
County Executive

ARNOLD F. 'PAT' KELLER, III
Director, Office of Planning

August 26, 2009

Mr. William J. Wiseman III
Zoning Commissioner for Baltimore County
The Jefferson Building
105 W. Chesapeake Avenue, Suite 103
Towson, Maryland 21204

RECEIVED

AUG 26 2009

ZONING COMMISSIONER

Re: Case No. 2009-328-SPHA
Holly Hill - 531 Stevenson Lane

Dear Mr. Wiseman:

The Office of Planning has reviewed the redlined site plan, dated August 20, 2009, for the above-referenced property, a copy of which is attached to this letter. This office understands that certain zoning relief is requested from the residential transition area (or "RTA") requirements contained in the Baltimore County Zoning Regulations in the form of variances. This relief requested by the petitioner is as follows:

1. Variance, if necessary, to permit a residential transition area setback a minimum of 69 feet from the rear (south) property line for a building addition in lieu of the required 75 feet, pursuant to Section 1B01.1.B.1 of the Baltimore County Zoning Regulations ("BCZR").
2. Variance, if necessary, to permit a residential transition area buffer and residential transition area setbacks a minimum of 42 feet from the rear (south) property line and 25 feet from a side (east) property line for new off-street parking in lieu of the required 50 foot residential transition area buffer and 75 foot residential transition area setback, pursuant to BCZR Section 1B01.1.B.1.
3. Variance, if necessary, to allow existing site improvements, including accessory structures and off-street parking within the 50 foot residential transition area buffer and 75 foot residential transition area setback, pursuant to BCZR Section 1B01.1.B.1.

Petitioner's site plan indicates that the subject property contains more than 2.0 acres of land, and, for this reason, the Zoning Commissioner may determine the amount of RTA for the property without the need for variances, pursuant to Section 1B01.1.B.1.c(1)

PETITIONER'S

of the Zoning Regulations. According to Section 1B01.1.B.1.c(1), the Zoning Commissioner may determine the appropriate amount of RTA based upon a recommendation by the Office of Planning.

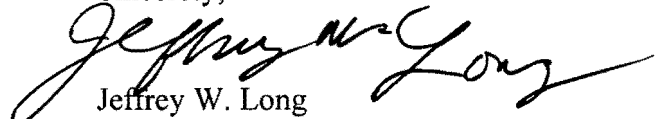
This office does not oppose any of the proposed intrusions into the property's RTAs as shown on the site plan, including, but not limited to, the proposed building addition, additional off-street surface parking, internal vehicular access drives, and any existing improvements now within the site's RTAs.

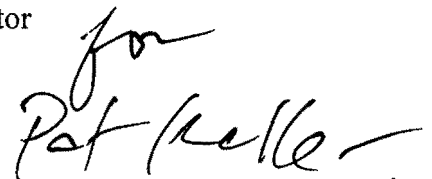
It is therefore the recommendation of the Office of Planning, pursuant to Section 1B01.1.B.1.c(1) of the Zoning Regulations, that the Zoning Commissioner should determine that:

1. a residential transition area setback a minimum of 69 feet from the rear (south) property line instead of 75 feet for the proposed building addition;
2. a residential transition area buffer and setback a minimum of 42 feet from the rear (south) property line and 25 feet from a side (east) property line for new off-street parking instead of a 50 foot buffer and 75 foot setback; and
3. existing site improvements within the 50 foot residential transition area buffer and 75 foot setback as shown on the site plan

are acceptable and should be approved, without the need for the variances requested in Case No. 2009-328-SPHA.

Sincerely,


Jeffrey W. Long
Deputy Director

for

Director

JWL: rk



PETITIONER' S

EXHIBIT NO.

3

3A

①









3E



BF











PETITIONER'S

EXHIBIT NO.

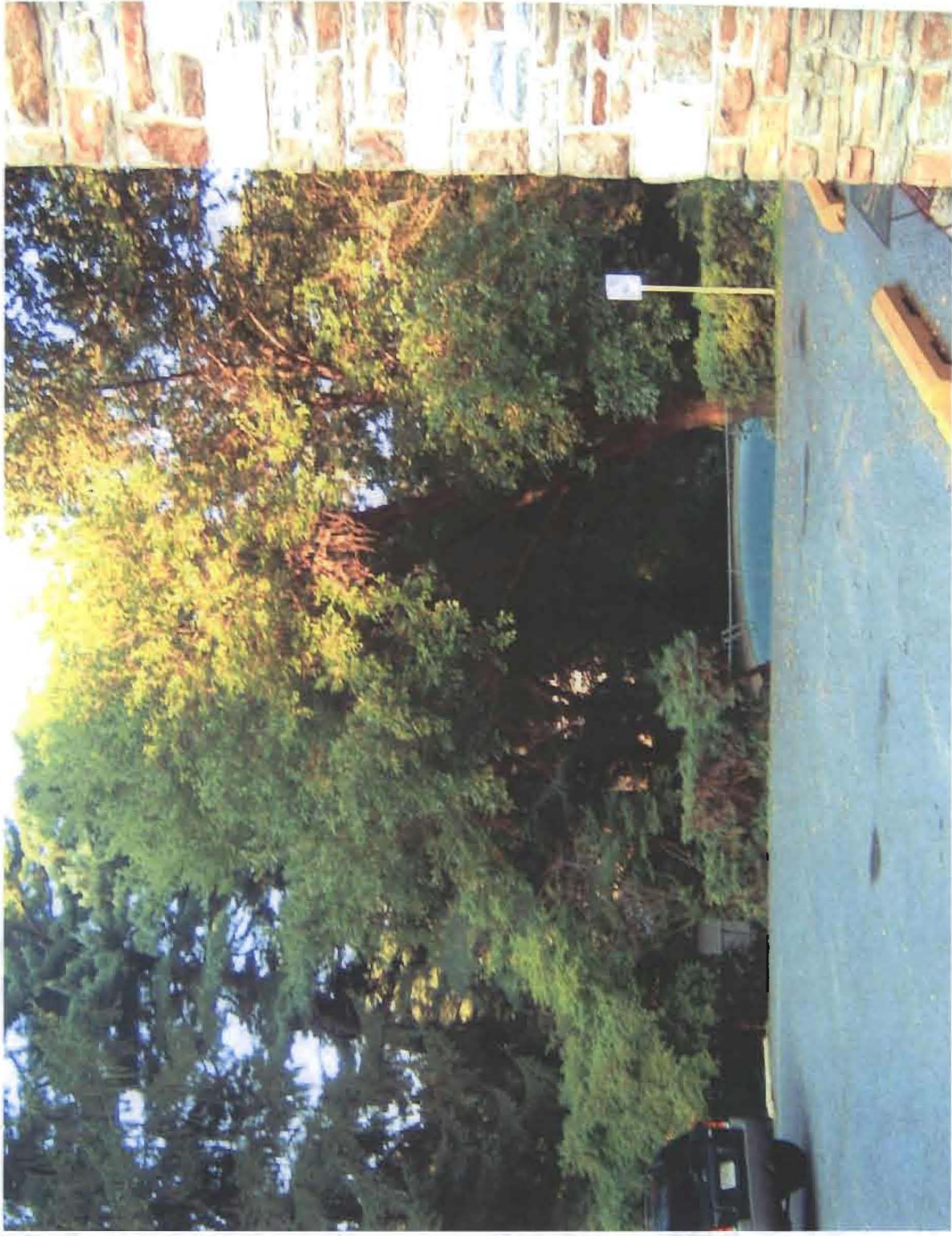
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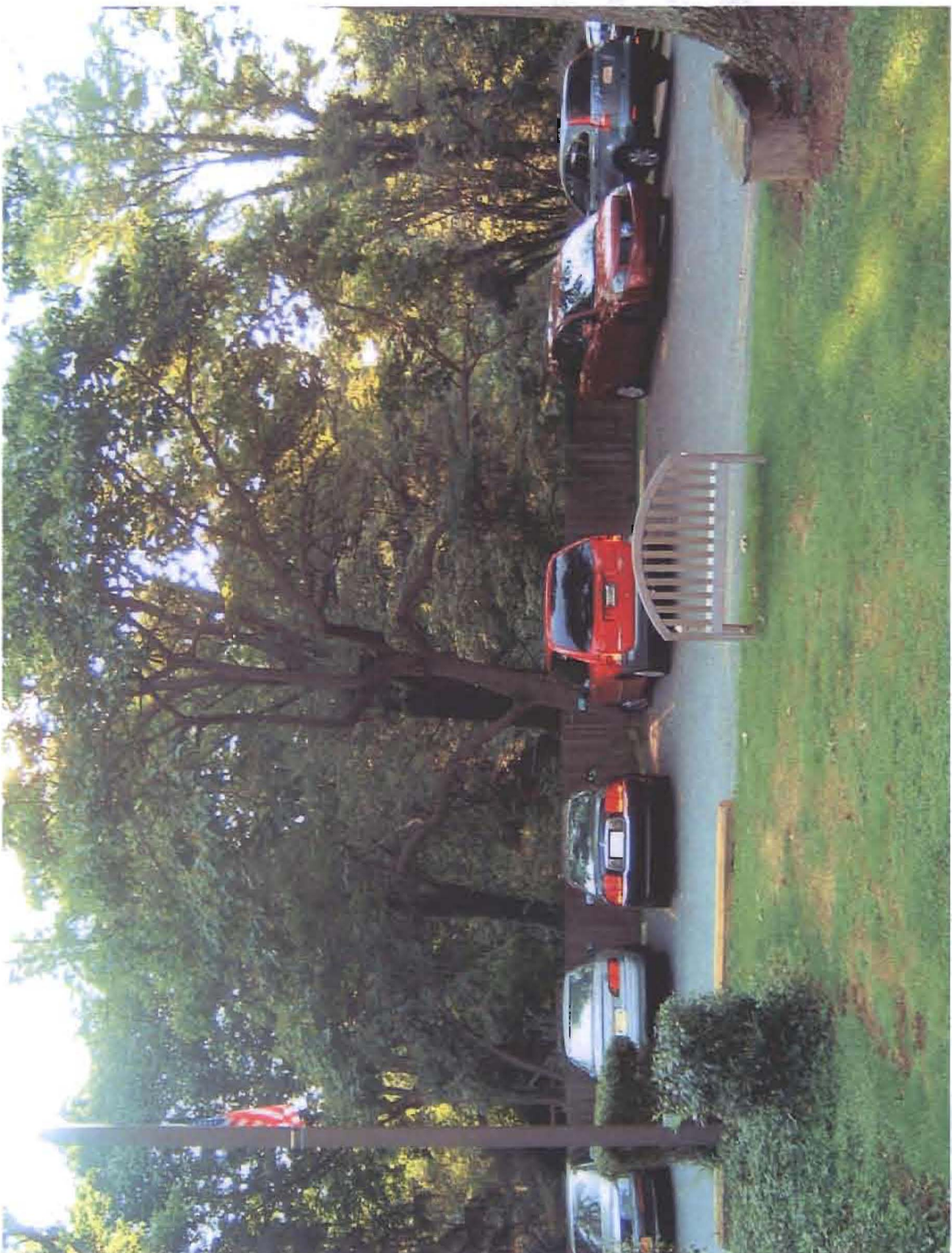














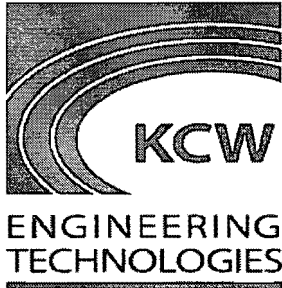


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PETITIONER'S

EXHIBIT NO.

5



DOUGLAS L. KENNEDY, P.E.

CIVIL ENGINEER

SENIOR VICE-PRESIDENT

RESUME

EDUCATION: North Carolina State University, 1971
B.S. Civil Engineering

REGISTRATION: Professional Engineer,
Maryland Registration No. 10748

PROFESSIONAL MEMBERSHIPS: American Society of Civil Engineers (ASCE)

ENGAGEMENTS: 1971 – 1978 Baltimore County Bureau of Engineering
1978 – 1979 Consulting Engineer
1979 – 2009 KCW Engineering Technologies, Inc.

EXPERIENCE: Civil Engineer with 38 years experience responsible for planning, engineering design, plan preparation, coordination, and construction inspection of various municipal, utility company and land development projects. This work involves preparation of topographic and boundary surveys; design of roadways, storm drains, water mains, sanitary sewer, telephone conduit, electric conduit, sediment control, and stormwater management; coordination with environmental consultants, geotechnical engineers, mechanical engineers, electrical engineers, structural engineers, and architects; processing plans for permits with County, City, State and Federal agencies; quality control; preparation of construction cost estimates, specifications and contract documents. Performs permit and variance acquisition for all development, zoning and environmental impacts and violations and has been qualified as an expert witness in the areas of land planning; civil engineering and zoning matters in various jurisdictions in Maryland, including Baltimore County, to provide expert testimony for development, zoning and legal proceedings. He has over 30 years experience on land development projects located throughout Maryland.

KCW Engineering Technologies, Inc. • 810 Landmark Drive • Suite 215 • Glen Burnie, MD 21061
Tele 410-768-7700 • Fax 410-768-

PETITIONER'S

EXHIBIT NO.

6

Randy M. Sovich, AIA, NCARB

Principal, RM SOVICH ARCHITECTURE

Education

1975-1979 Bachelor of Architecture, Carnegie Mellon University, Pittsburgh, PA.

Registration

1982 Maryland, Pennsylvania, North Carolina, West Virginia, Arkansas (inactive)
NCARB Certification

Professional Experience

1994-	RM Sovich Architecture, Baltimore, MD	Principal/Founder
1990- 1994	Reese, Lower, Patrick and Scott, Architects, Lancaster, PA	Architect
1984- 1990	Ayers/Saint/Gross, Inc. Architects, Baltimore, MD.	Sr. Associate
1979- 1984	RTKL Associates Inc., Baltimore, MD.	Associate

Teaching

1988 University of Maryland, Department of Architecture, Summer Design Studio.
1985- 1987 Maryland Institute, College of Art, Baltimore, MD.

Publications/Essays

2008 A Guide to Creating Home: An Assisted Living Design Manual. Prepared for the State of Arkansas Department of Aging and Adult Services, the U.S. Department of Health and Human Services Center for Medicaid/Medicare Services: Real Choice Systems Change grant program and NCB Capital Impact.

2004 *Senior Cooperatives: A creative response to consumer demand.* Presented to the Pennsylvania Association of Non-profit Housing Agencies.

2002 *Building for Change: Ten Criteria for the Creation of Healing Educational Environments.* Presented to the National Association of Non Profit Centers for Special Education national convention.

1995 The Design of Inpatient Hospice Environments: Theory and Case Study. in FUTURECARE: New Directions for Planning Health and Care Facilities. Valins, M. and Salter, D. eds. London: Blackwell, 1995.

1994 Locus of Meaning and Memory, Notes on the nature of doors in settings for care. <http://rmsovich.home.mindspring.com/locus.html>.

1993 A Place for Hospice Care, <http://rmsovich.home.mindspring.com/papers.html>.

Published Projects

2007 Design for Senior Environments Magazine, Plush Mills Senior Residences, March 2007.

2006 Design for Senior Environments Magazine, Highlands Crossing Senior Cooperative, March, 2006.

2001 Educational Interiors Showcase, The Children's Guild, Transformation Station, American School & University, September 2001.

2000 *Redesign incorporates learning.* The Baltimore Sun, 7 December 2000.

- 1998 *New schoolhouse is built to teach.* The Baltimore Sun, 14 January 1998.
- 1997 *Best work this year thinks small, The most successful buildings seem to be the little gems rather than the huge efforts.* The Baltimore Sun, 21 September 1997.
- 1995 *Inside Stories.* Baltimore Magazine, Baltimore, MD, vol. 88, no. 4, April 1995, p. 92.
- 1994 New Urban Housing: Fresh Thinking from the Pittsburgh Design Competition.

Awards/Project Recognition

- 2008 Max Award, Ashman's Hope, Best Design, Association of Maryland Homebuilders.
- 2008 Award, Best of 50+ Housing, The National Association of Home Builders.
- 2004 \$25,000 Grant, State of Maryland, Western Maryland Center/Sustainable Technology Showcase Design Competition.
- 2002 Honorable Mention, AIA Baltimore, Xavier Healthcare Office.
- 1999 Award, Jefferson Patterson Archeological Research Center, Jefferson Patterson Park, MD. Baltimore Chapter AIA.
- 1996 Gold Award, Excellence in Health Care Design Essa Flora Hospice, Center for Health Design and Contract Magazine.
- 1995 Honorable Mention, Medical Suite for a Plastic and Reconstruction Surgeon, American Society of Interior Designers, Baltimore, MD.
- 1995 Honor Award, Manor Middle School, Manor School District, Lancaster, PA, Pennsylvania Chapter AIA.
- 1994 Honorable Mention, Tel Hai Retirement Apartments, Pennsylvania, Significant Seniors Housing Awards. National Association of Home Builders.
- 1993 Citation, New Urban Housing, Pittsburgh, Pennsylvania, 40th Annual Progressive Architecture Design Awards.
- 1993 Silver Award, Affordable Cottages for the Elderly, Cornwall, Pennsylvania, Significant Seniors Housing Awards. National Association of Home Builders.
- 1993 Honor Award, The Rothman Galleries, Franklin and Marshall College, Lancaster, PA, Pennsylvania Chapter AIA.
- 1992 Jury Award, New Urban Housing, Pittsburgh, Pennsylvania, Baltimore Chapter AIA, Special Citation for Excellence by the Component Awards Jury.
- 1992 Urban Design Award, New Urban Housing, Pittsburgh, Pennsylvania, Baltimore Chapter AIA
- 1992 Winning Scheme, New Urban Housing Competition, Neighborhood Design Center, Pittsburgh, Pennsylvania.
- 1992 Winning Scheme, Classroom Building, York College, Pennsylvania.
- 1992 Honor Award, Wye Research and Education Center, University of Maryland, Queenstown, MD.
- 1992 Gold Award, Kirkland Village, Continuing Care Retirement Community, Bethlehem, Pennsylvania, Significant Seniors Awards, National Association of Home Builders.
- 1991 Honor Award, Riparius Center, Baltimore, Maryland, American Society of Landscape Architects, Maryland Chapter.
- 1991 Honor Award, Wye Research and Education Center, University of Maryland, Queenstown, MD, Baltimore Chapter AIA.
- 1989 Winning Scheme, Baltimore Life Corporate Headquarters, Owings Mills, MD.
- 1989 Honor Award, The Brexton Building, Baltimore, Maryland, Baltimore Chapter AIA.
- 1987 Finalist, The James Harrison Steadman Fellowship, Washington University, St. Louis, MO.
- 1986 Winning Scheme, Physics and Astronomy Building, Johns Hopkins University, Baltimore, MD.

JOHN (JACK) G. LEONARD, JR., RLA, ASLA, LEED AP
29 Chesterfield Court
Monkton, Maryland 21111
(410) 472-9047

SUMMARY Possess a broad base of experience and skills in landscape architecture, engineering, business, and teaching including:

•*General and Program Management*
•*Site Evaluation and Design*
•*Construction Details and Supervision*

•*Community and Master Planning*
•*Public Policy Development*
•*Civic Leadership*

LICENSES & ACCREDITATION **Landscape Architect – State of Maryland (License # 200025)**
 Plant Broker – State of Maryland (License # PBL 817)
 LEED Accredited Professional

LANDSCAPE ARCHITECTURE, ENGINEERING AND BUSINESS EXPERIENCE

- 1994 - Present **JGL Design Associates, Monkton, MD**
- Principal – Landscape Architecture Firm performing site analysis, master planning, community planning, landscape design, preparation of construction documents, and project management for residential, commercial and institutional projects.
- 1996 - 1998 **Friedman Associates, Baltimore, MD**
- Landscape Architect - Performed site analysis and prepared master plans, construction details and planting plans for residential and commercial projects. Selected materials and coordinated contractor activities during planning and construction. Performed project management and administrative tasks for all phases of projects. Responsible for interfaces with and submissions to regulatory agencies and officials, including waivers and variances.
- 1985 to 2004 **Parkville Federal Savings Bank, Baltimore, Maryland**
- Member, Board of Directors (committee assignments - Compensation Committee and Audit Committee).
- 1977 - 1993 **AAI Corporation, Hunt Valley, MD**
- Division and Project Management - Managed significant projects (\$10M - \$100M), major subcontractors and large teams of design and business professionals. Created corporate strategic planning process and prepared business plans for existing operations and new business ventures.
 - Engineer - Designed new products and managed the fabrication of prototype hardware and systems testing.
- 1976 to 1977 **Grove Manufacturing, Shady Grove, Pennsylvania**
- Engineer - Product development, design, structural analysis and testing of mobile hydraulic cranes.

PETITIONER' S

EXHIBIT NO. 6c

TEACHING EXPERIENCE

- 2004 - Present **University of Maryland, College Park, College Park, MD**
- Adjunct Assistant Professor (Landscape Architecture Program) - Site Engineering.
 - Lecturer (School of Architecture) – Site Analysis & Planning.
- 2007 - Present **Morgan State University, Baltimore, MD**
- Lecturer (Landscape Architecture, School of Architecture and Planning) – Site Engineering & Landscape Construction.

OTHER DESIGN AND PLANNING EXPERIENCE

- Member of policy committees for the Office of Planning and Zoning of Baltimore County, Maryland. Established and reviewed development and planning guidelines and legislative initiatives.
- Developed responses and alternatives to the Baltimore County Master Plan and Comprehensive Zoning requests and testified at hearings.
- Prepared site analyses, conducted storm water and environmental impact analyses, created design concepts, and evaluated plans for proposed residential and commercial developments in northern Baltimore County, Maryland.
- Community Association Officer; Chairman of Zoning and Development Review Committee. Negotiated with developers and County officials to achieve quality designs which were compatible with surrounding communities and the natural environment.
- Baltimore County Chamber of Commerce Legislative Committee; reviewed legislation and prepared action plans.

EDUCATION **MLA - Morgan State University (*Landscape Architecture*), 1996**
 MBA - Loyola College (*Marketing*), 1980
 BE - Stevens Institute of Technology (*Civil Engineering*), 1976
 Certificate - Johns Hopkins University (*Environmental Studies*) - candidate

ASSOCIATIONS, AWARDS AND HONORS

AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS – Full Member
SIGMA LAMBDA ALPHA - Landscape Architecture Honor Society
CHI UPSILON EPSILON - Civil Engineering Honor Society

AGREEMENT

THIS AGREEMENT is entered into, as of the 14th day of September, 2009, by and between PV REALTY – HOLLY HILL, LLC (hereinafter "HOLLY HILL"), a Maryland limited liability company, and its successors and assigns, and THE STONELEIGH COMMUNITY ASSOCIATION, INC. (hereinafter "STONELEIGH"), a Maryland Corporation and local community association, and the following individual landowners, ANDREW WHITMAN, ANDREW KAHN, CHARLES DRAKE, MICHAEL SMITH, HELEN COUCH, and EUGENE FLYNN (collectively, the "CITIZENS").

RECITALS

A. HOLLY HILL is the legal owner of the property known as "Holly Hill Manor" (hereinafter the "Land"), in the 5th Councilmanic District of Baltimore County, Maryland, located on the south side of Stevenson Lane, east of York Road and Oxford Road, and more particularly described on Baltimore County Tax Map No. 70, Parcel 98, attached hereto as Exhibit A. The Land is also described in a Deed, recorded among the Land Records for Baltimore County, Maryland at Liber 26781, folio 236, and is identified on a redlined site plan, entitled, "PLAN TO ACCOMPANY PETITIONS FOR ZONING SPECIAL HEARING AND VARIANCES" (hereinafter the "Site Plan"), attached hereto as Exhibit B. The Land is utilized by HOLLY HILL for the operation of a convalescent home and related purposes.

B. HOLLY HILL will submit for approval the Site Plan, dated August 20, 2009, in Case No. 2009-0324-SPHA.

PETITIONER'S

EXHIBIT NO. 9

David H. Karceski

T 410.494.6285
F 410.821.0147
DHKarceski@Venable.com

July 13, 2012

HAND DELIVERED

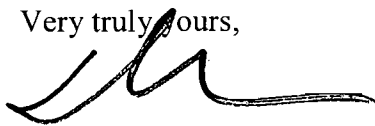
W. Carl Richards, Jr., Supervisor
Zoning Review Bureau
Department of Permits, Approvals
and Inspections
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: 531 Stevenson Lane
Case No. 2009-328-SPHA

Dear Mr. Richards:

Enclosed with this letter are copies of the Agreement and First Amendment to Agreement for the above-referenced property. Please include these copies in the permanent case file for Case No. 2009-328-SPHA.

Very truly yours,



David H. Karceski

DHK/rab
Enclosures
cc: Edward J. Gilliss, Esquire (w/encl.)

FIRST AMENDMENT TO AGREEMENT

THIS FIRST AMENDMENT TO AGREEMENT is made and entered into as of this 29th day of Nov, 2010, by and between PV Realty – Holly Hill, LLC (hereinafter referred to as “Holly Hill”), a Maryland limited liability company, The Stoneleigh Community Association, Inc. (hereinafter referred to as “Stoneleigh”), a Maryland Corporation and local community association, and the following individual landowners, Andrew Whitman, Andrew Kahn, Charles Drake, Michael Smith, Helen Couch, and Eugene Flynn (hereinafter referred to collectively as the “Citizens”). For the purpose of this First Amendment, Holly Hill, Stoneleigh, and the Citizens are collectively referred to as the Parties.

WHEREAS, the Parties executed that certain Agreement (hereinafter referred to as “Agreement”), dated September 14, 2009; and

WHEREAS, the Parties hereto desire to amend the Agreement, as hereinafter set forth below.

NOW, THEREFORE, WITNESSETH for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto agree as follows:

1. First Amendment to Agreement. The words and numbers in Paragraph “1(a)” of the Agreements Section on page 3 of the Agreement as follows:

“(a) HOLLY HILL agrees that, for an initial period of twelve (12) years and six (6) months, only one addition to the existing building on the Land shall be constructed within the area, labeled “PROPOSED 3-STORY + BASEMENT”

ADDITION" and as more particularly shown on Exhibit B to this Agreement;
and, thereafter,"

are hereby deleted and in lieu thereof the following is substituted:

"(a) HOLLY HILL agrees that, for an initial period of twelve (12) years and six (6) months, only one addition to the existing building on the Land shall be constructed within the area, labeled "PROPOSED 3-STORY + BASEMENT ADDITION" and as more particularly shown on Revised Exhibit B to this First Amendment to the Agreement; and, thereafter,"

2. In all other respects, this Agreement shall remain in full force and effect.
3. This First Amendment shall be binding upon the Parties hereto and their respective successors and assigns.
4. This First Amendment shall be interpreted and construed in accordance with the laws of the State of Maryland.
5. Unless otherwise modified by this First Amendment, all terms of the Agreement remain in full force and effect, and the Parties hereto do hereby ratify and confirm the same as herein amended.
6. This First Amendment may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

IN WITNESS THEREOF, the Parties have executed this First Amendment as of

the day and year first written above.

ATTEST/WITNESS

PV REALTY - HOLLY HILL, LLC

BY: SP Bell (SEAL)

Name: Stephen P. Bellore
Title: Member

STONELEIGH COMMUNITY ASSOCIATION

BY: _____ (SEAL)

Name: Jon Carpenter
Title: President

INDIVIDUAL PROPERTY OWNERS

Andrew Whitman (SEAL)

Andrew Kahn (SEAL)

Charles Drake

Charles Drake (SEAL)
Charles Drake

Michael Smith (SEAL)
Michael Smith

Helen Couch (SEAL)

Eugene Flynn (SEAL)

the day and year first written above.

ATTEST/WITNESS

PV REALTY - HOLLY HILL, LLC

BY: _____ (SEAL)

Name:

Title:

STONELEIGH COMMUNITY ASSOCIATION

BY: Guido J. Galvet (SEAL)

Name: ~~Jon Carpenter~~

Title: President

Guido J. Galvet

INDIVIDUAL PROPERTY OWNERS

Andrew Whitman (SEAL)

Andrew Whitman

Andrew Kahn (SEAL)

Charles Drake (SEAL)

Michael Smith (SEAL)

Helen Couch (SEAL)

Eugene Flynn (SEAL)

the day and year first written above.

ATTEST/WITNESS

PV REALTY – HOLLY HILL, LLC

BY: _____ (SEAL)

Name:

Title:

STONELEIGH COMMUNITY ASSOCIATION

BY: _____ (SEAL)

Name: Jon Carpenter

Title: President

INDIVIDUAL PROPERTY OWNERS

(SEAL)

Andrew Whitman

(SEAL)

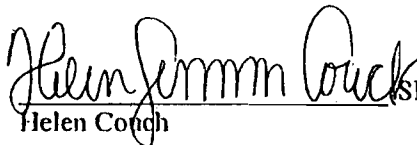
Andrew Kahn

(SEAL)

Charles Drake

(SEAL)

Michael Smith


(SEAL)

Helen Conch

(SEAL)

Eugene Flynn

the day and year first written above.

ATTEST/WITNESS

PV REALTY – HOLLY HILL, LLC

BY: _____ (SEAL)

Name:

Title:

STONELEIGH COMMUNITY ASSOCIATION

BY: _____ (SEAL)

Name: Jon Carpenter

Title: President

INDIVIDUAL PROPERTY OWNERS

Andrew Whitman (SEAL)

 (SEAL)
Andrew Kahn

Charles Drake (SEAL)

Michael Smith (SEAL)

Helen Couch (SEAL)

Eugene Flynn (SEAL)

the day and year first written above.

ATTEST/WITNESS

PV REALTY - HOLLY HILL, LLC

BY: _____ (SEAL)

Name:

Title:

STONELEIGH COMMUNITY ASSOCIATION

BY: _____ (SEAL)

Name: Jon Carpenter

Title: President

INDIVIDUAL PROPERTY OWNERS

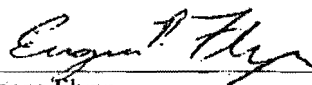
Andrew Whitman (SEAL)

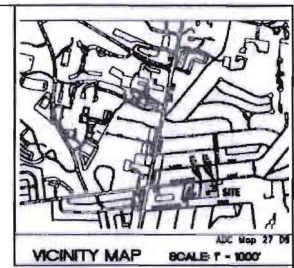
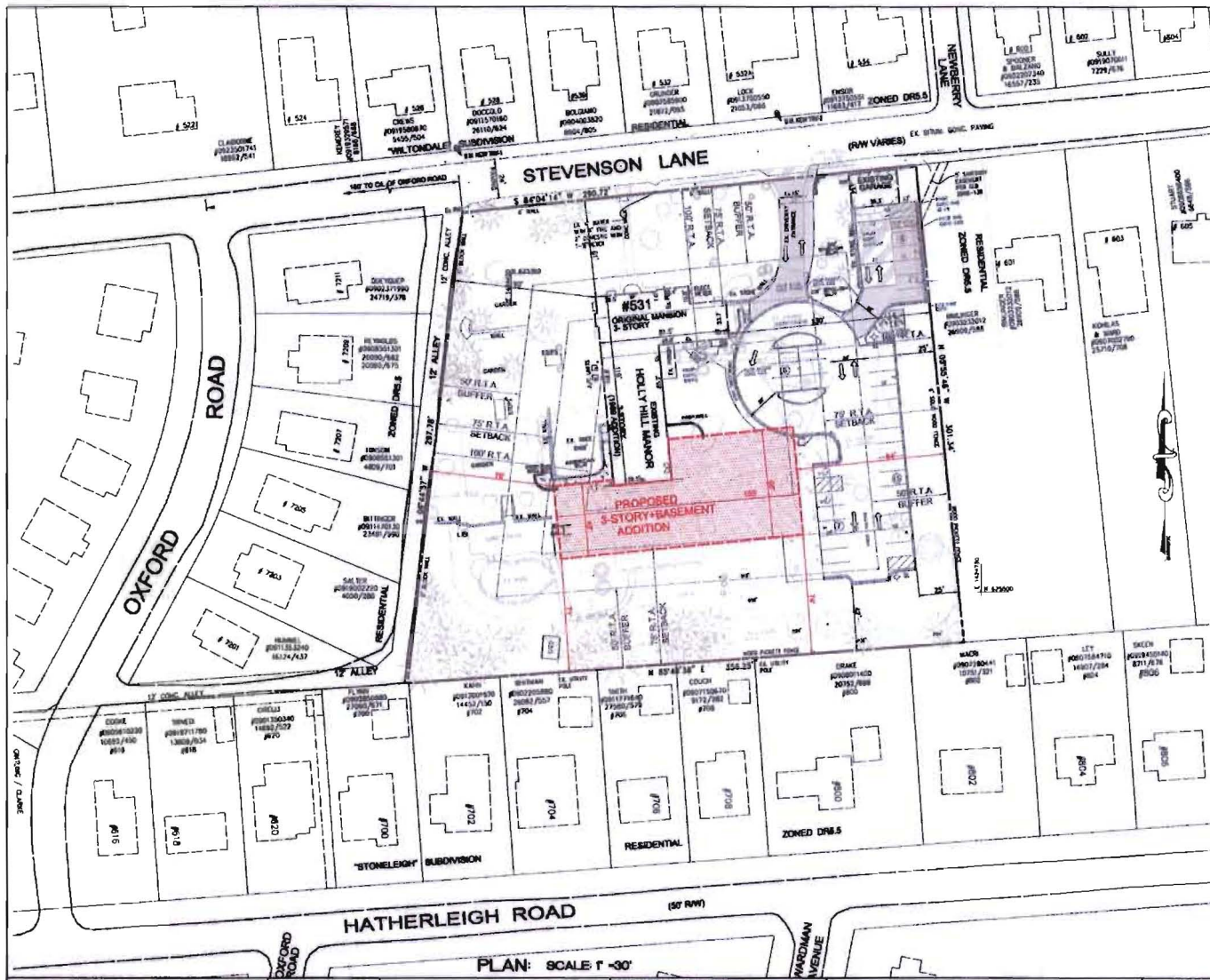
Andrew Kahn (SEAL)

Charles Drake (SEAL)

Michael Smith (SEAL)

Helen Couch (SEAL)


Eugene Flynn (SEAL)



GENERAL NOTES

- OWNER: PV REALTY - HOLLY HILL, LLC
921 East Fort Avenue, Suite 240
Baltimore, MD 21230
- LOCATION: 531 STEVENSON LANE
Baltimore, MD 21205
- TAX MAP: 70, parcel 88
SEAL: 2001/01/01, 1600 215
PROPERTY ACCOUNT: 0003771010
- ELECTION DISTRICT: COUNCILMANIC DISTRICT C-5
CENSUS TRACT: 0003771010
- ZONING: D.M. 3.5 (Per Zoning Map 7043)
- EXISTING LAND USE: Nursing Home Facility (Caretaker Home) with 10 beds
- PROPOSED LAND USE: Same as existing with construction of 5-story building
Approximate additional parking: 34 spaces
Approximate additional number of beds: 80
- BUILDING SUBMITTALS:
Site Plan: 1/10/01
Floor Plan: 1/10/01
Section: 1/10/01
- BUILDING AREA:
Existing: 8,513 sq ft
Proposed: 42,947 sq ft
Total: 51,460 sq ft
- BUILDING HEIGHT: Existing: 2-story + 15 ft
Proposed: 3-story + 15 ft
Total: 18 ft
- PARKING REQUIRED: 1 parking space per 5 beds = 1/3 x 25 beds = 8.33 spaces
PARKING PROVIDED: 34 spaces (including 3 H.C. spaces)
In excess of 8.33 spaces and placed in accordance with BCR Section 408.
- LIGHTING: Lighting of parking areas shall be directed away from adjacent residential properties and public right-of-way.
- LANDSCAPING: Landscape Plan shall be provided per Landscape Manual.
- STORMWATER MANAGEMENT: SSM in accordance with Baltimore County SSM Regulations shall be provided.
- UTILITIES: Public water and sanitary sewer are existing.
- FOREST CONSERVATION: Forest Conservation Act to be complied with.
- PREVIOUS COMMERCIAL PERMITS: None known. Previous building addition - 1989.
- SIGNS: All signs shall comply with BCR Section 450.
- Survey of Traffic Engineering and Transportation Planning: AAS confirmed that the subject site is not within a traffic impact area per 2008 Baltimore Transportation Map.
- There are no known historic buildings, archaeological sites, environmental species habitats, hazardous materials (HAZ), underground storage tanks, wetlands, wells or other systems. Facilities located on this property, there are no significant trees or site features that the development project will negatively affect. There are no significant regulated plant or wildlife communities listed under 10706 and 10810 GSA.
- SOILS: Baltimore County Soil Survey Map 30
DB - Denny-Orson Land
- PROPOSED ZONING CASE: Case # 3869-CA Special Exception for Nursing Home addition to Board of Appeals on October 16, 1999.
Case # 67-64-SPO Special Hearing to approve amendments to previous order of Board of Appeals approved June 30, 1987 and Supplemental Opinion and amended Order dated May 16, 1988 by Board of Appeals.

REVISED EXHIBIT 'B' 8-9-2010

PLAN TO ACCOMPANY PETITIONS FOR ZONING SPECIAL HEARING AND VARIANCES

HOLLY HILL NURSING
531 STEVENSON LANE
 ELECTION DISTRICT 9 COUNCILMANIC DISTRICT C-5
 BALTIMORE COUNTY, MARYLAND

KCW Engineering Technologies, Inc.
 810 Landmark Drive, Suite 215
 Glen Burnie, MD 21061
 Phone: 410.788.7700
 Fax: 410.788.0200
 www.kcw-at.com

Professional Certification
 I hereby certify that these documents were prepared or supervised by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
 License No. 10748
 Expiration Date 01-30-2016

OWNER / DEVELOPER:
 PV REALTY - HOLLY HILL, LLC
 921 East Fort Avenue, Suite 240
 Baltimore, MD 21230
 Attn: Steve Ballone
 Tele: 410-625-1502

REVISIONS	
DATE	DESCRIPTION
8-9-2010	ADDED RECONFIGURED BUILDING ADDITION ENVELOPE.
8-20-2010	REVISED BED COUNT AND PARKING LAYOUT, 34 PARKING SPACES
KCW J.D.	2008/10
SCALE:	1" = 30'
DESIGNED:	JKC
DRAWN:	YN
CHECKED:	DK
DATE:	MAY 15, 2009
DWG NO.:	Z-101

AGREEMENT

THIS AGREEMENT is entered into, as of the 14th day of September, 2009, by and between PV REALTY – HOLLY HILL, LLC (hereinafter "HOLLY HILL"), a Maryland limited liability company, and its successors and assigns, and THE STONELEIGH COMMUNITY ASSOCIATION, INC. (hereinafter "STONELEIGH"), a Maryland Corporation and local community association, and the following individual landowners, ANDREW WHITMAN, ANDREW KAHN, CHARLES DRAKE, MICHAEL SMITH, HELEN COUCH, and EUGENE FLYNN (collectively, the "CITIZENS").

RECITALS

A. HOLLY HILL is the legal owner of the property known as "Holly Hill Manor" (hereinafter the "Land"), in the 5th Councilmanic District of Baltimore County, Maryland, located on the south side of Stevenson Lane, east of York Road and Oxford Road, and more particularly described on Baltimore County Tax Map No. 70, Parcel 98, attached hereto as Exhibit A. The Land is also described in a Deed, recorded among the Land Records for Baltimore County, Maryland at Liber 26781, folio 236, and is identified on a redlined site plan, entitled, "PLAN TO ACCOMPANY PETITIONS FOR ZONING SPECIAL HEARING AND VARIANCES" (hereinafter the "Site Plan"), attached hereto as Exhibit B. The Land is utilized by HOLLY HILL for the operation of a convalescent home and related purposes.

B. HOLLY HILL will submit for approval the Site Plan, dated August 20, 2009, in Case No. 2009-0324-SPHA.

C. The Land is zoned D.R.5.5, and HOLLY HILL desires to obtain an amendment to the order and site plan approved in Case No. 67-66-SPH for its convalescent home and to obtain certain variance relief in order to improve its existing facilities. Attached as Exhibit C is a copy of the Order for Case No. 67-66-SPH.

D. STONELEIGH is an association of Baltimore County area residents and the CITIZENS are individual property owners in the vicinity of the Land, interested in preserving the existing character and quality of life of the residential area in the vicinity of the Land and protecting their community from inappropriate types of land uses.

E. STONELEIGH and the CITIZENS, hereinafter referred to collectively as the "COMMUNITY," have reviewed the Site Plan and desire to place certain restrictions upon the Land and use of the Land in order to ensure: (1) That the Land is used and maintained in a manner consistent with the Site Plan in Case No. 2009-0324-SPHA; (2) That future use does not have a deleterious effect on the residential area in the vicinity of the Land in general and its immediate neighbors; and (3) That the terms and conditions as set out in the Zoning Commissioner's decision, attached hereto as Exhibit C, remains in full force and effect except as otherwise amended in Case No. 2009-0324-SPHA subject to and as limited by the terms and conditions of this Agreement.

F. HOLLY HILL and the COMMUNITY agree that the proposed addition to the existing facility will not have a deleterious impact upon the special exception use as granted in Case No. 67-66-SPH.

G. HOLLY HILL has requested that the COMMUNITY support the Site Plan referenced above with respect to development, permitting, zoning, and other government

approvals subject to certain limitations contained in the AGREEMENTS section below, and the COMMUNITY has agreed upon the terms and conditions hereinafter described.

AGREEMENTS

NOW, THEREFORE, in consideration of the mutual agreement and understandings contained in this Agreement, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. From the effective date of this Agreement,
 - (a) HOLLY HILL agrees that, for an initial period of twelve (12) years and six (6) months, only one addition to the existing building on the Land shall be constructed within the area, labeled "PROPOSED 3-STORY + BASEMENT ADDITION" and as more particularly shown on Exhibit B to this Agreement; and, thereafter,
 - (b) for an additional period of twelve (12) years and six (6) months to twenty-five (25) years from the effective date of this Agreement, HOLLY HILL is not restricted from constructing any other building additions on the Land, provided that such building addition/s do not exceed a height of thirty-five (35) feet and are not located any closer than seventy-eight (78) feet from the Land's western property line or sixty-nine (69) feet from the Land's

southern property line, as shown and indicated on a site plan,
entitled "NEW BUILDING ADDITION – HOLLY HILL
NURSING" and attached hereto as Exhibit D.

In return for the above, the COMMUNITY agrees to support HOLLY HILL's proposed amendment and variances in Case No. 2009-0324-SPHA. All parties further agree that, if approved, the amendment and variances requested in Case No. 2009-0324-SPHA pursuant to the terms and conditions of this Agreement shall not prohibit HOLLY HILL from the (1) continuation and the maintenance on the Land (as defined above) of any existing uses or structures, within seventy-eight (78) feet of the Land's western property line or within sixty-nine (69) feet of the Land's southern property line, or (2) from locating new accessory uses (but expressly precluding any new structures) within such area including but not limited to fencing, landscaping, utilities, or storm water management.

2. Further, for a period of twenty-five (25) years from the effective date of this Agreement, HOLLY HILL agrees that any new off-street parking spaces installed on the Land any closer than forty-two (42) feet from the Land's southern property line will require another public hearing before the Zoning Commissioner for an amendment to the site plan approved in Case No. 2009-0324-SPHA.

3. Further, HOLLY HILL agrees to provide a landscape plan for the area of the Land, labeled "Limits of Area for Supplemental Landscaping" on a site plan, entitled "LANDSCAPE PLANTING AREA" and attached hereto as Exhibit E to this Agreement, to the CITIZENS in order to allow the CITIZENS to provide comment and recommendations regarding the selection of and location of landscape plantings to be

installed within said area on the Land. HOLLY HILL shall provide this landscape plan to the CITIZENS at least 30 days prior to application for any necessary building permits for the building addition, shown and indicated on Exhibit B to this Agreement. HOLLY HILL shall then present said plan to the Baltimore County Landscape Architect for review and approval. It is further agreed by HOLLY HILL that the County's Landscape Architect shall consider and be permitted to adopt all reasonable suggestions, including but not limited to cost, made by CITIZENS prior to approval of said landscape plan.

4. Further, HOLLY HILL shall acquire any and all governmental approvals necessary to locate the storm water management facility, as otherwise required for the proposed building addition more particularly shown on Exhibit B to this Agreement, below grade and in the vicinity of new off-street parking spaces to be installed to the east and to the south of this building addition. The new off-street parking spaces referenced herein are more particularly shown on Exhibit B to this Agreement and labeled as "PROP. PAVING" thereon. Should the Department of Environmental Protection and Resource Management ("DEPRM") not approve the proposed location of the storm water management facility as proposed herein, HOLLY HILL and the COMMUNITY agree to work with DEPRM to provide a reasonable alternative. Should there be no agreement with DEPRM, this Agreement shall be null and void and the COMMUNITY shall be permitted to address all matters at a de novo proceeding as if the August 28, 2009 proceeding had never taken place.

5. Further, the COMMUNITY agrees to make all reasonable and good faith efforts to assist HOLLY HILL in obtaining any and all needed rights-of-way, land conveyances, and governmental approvals necessary under this Agreement.

6. Further, the COMMUNITY will support the Site Plan and any and all governmental approvals requested by HOLLY HILL in Case No. 2009-0324-SPHA, including but not limited to development approvals, zoning relief, and permit applications for development of the Land. The support shall, in HOLLY HILL's discretion, include support, in writing or by appearance of Counsel, at hearings, appeals, and in any other proceedings before the Zoning Commissioner, the Board of Appeals, courts of competent jurisdiction, or any other governmental body or agency having jurisdiction as to any aspect of the proposed development of the Land, so long as such development is consistent with this Agreement and in substantial accord with the aforesaid Site Plan.

CONDITIONS

This Agreement between HOLLY HILL and the COMMUNITY is conditioned upon final, non-appealable approval of the Site Plan and the requested special hearing and variance relief in Case No. 2009-0324-SPHA, which amends Case No. 67-66-SPH to the extent requested and subject to and as limited by the terms and conditions of this Agreement. Should the decision of the Zoning Commissioner in Case No. 2009-0324-SPHA not adopt the terms and conditions of this Agreement, this Agreement shall become null and void and the decision subject to appeal by the COMMUNITY.

CONDITIONS PRECEDENT

This Agreement, and particularly the obligations and restrictions set forth above, shall not be effective and binding upon either party unless and until final, non-appealable Site Plan approval is obtained in Case No. 2009-0324-SPHA and HOLLY HILL has acquired all rights-of-way permissions and governmental approvals as may be necessary

under this Agreement and consistent with this Agreement. If the conditions precedent are not satisfied, then this Agreement shall have no further force and effect.

BINDING EFFECT

This Agreement is to run with the Land and shall be binding upon HOLLY HILL, its successors and assigns and all parties claiming by, through or under it shall be taken to hold, agree and covenant with HOLLY HILL, its successors and assigns, to conform to and observe said restrictions as to the use of the Land and the construction of improvements thereon, and HOLLY HILL, its successors and assigns, as well as the COMMUNITY, shall have the right to enforce said covenants, conditions and restrictions, including but not limited to the right to sue for and obtain an injunction prohibitive or mandatory, to prevent the breach of said covenants, conditions and restrictions, without any showing of special damages.

TERMINATION

Notwithstanding anything to the contrary contained herein, if not sooner terminated, this Agreement and the obligations, covenants, and restrictions contained herein shall cease and be of no further force and effect at the expiration of twenty-five (25) years from the date of this Agreement.

MISCELLANEOUS

1. Notwithstanding anything to the contrary contained herein, should any portion of the Land be taken by eminent domain or by a deed in lieu thereof or be acquired in any manner for improvements to an existing road or right-of-way, upon the

taking or transfer, such portion shall be deemed removed from this Agreement and neither party shall have further liability hereunder for such area taken or transferred.

2. This Agreement shall be enforceable under the Laws of the state of Maryland.

3. HOLLY HILL further agrees that this Agreement be incorporated by the Zoning Commissioner in its entirety in the decision and order issued in Case No. 2009-0324-SPHA. Further, the parties hereto agree that the terms and conditions as set forth in this Agreement and then incorporated into the order issued therein shall be enforceable, in addition to any other legal method available to the parties, by Baltimore County Code Enforcement.

4. This Agreement may be amended only by written instrument executed by each of the parties hereto.

5. HOLLY HILL and STONELEIGH warrant and represent that they have taken all necessary action required to be taken by their charters, bylaws, or other organizational documents to authorize the execution of this Agreement, and the CITIZENS warrant and represent that they have taken all necessary action with regard to their individual properties to authorize the execution of this Agreement.

6. This Agreement, which may be executed in separate counterparts, contains the entire understanding of the parties.

7. In the event of any discrepancies between the Exhibits to this Agreement and the wording of this Agreement, the language of this Agreement supersedes.

8. Each party warrants that it has carefully read and understands this Agreement, is cognizant of its terms and has had ample time to consult with counsel of its choice regarding its respective rights and obligations in connection herewith.

9. Failure, in any instance, to enforce any of the covenants, restrictions, and conditions contained in this Agreement shall in no event constitute a waiver or estoppel of the right to enforce the same or any other covenant, restriction, or condition in the event of another violation occurring prior or subsequent thereto.

10. The use of the Land, as defined herein, as a convalescent home shall be governed by the order issued in Case No. 67-66-SPH as amended by Case No. 2009-0324-SPHA, the amended Site Plan approved therein and by the terms and conditions of this Agreement.

11. All the notices required by this Agreement shall be hand-delivered or sent by certified mail, postage prepaid, return receipt requested or by nationally recognized overnight delivery service, to the following addresses, or to other such address as any party shall notify the others of in writing:

PV REALTY – HOLLY HILL, LLC
Attention: Steven P. Bellone
921 East Fort Avenue, Suite 240
Baltimore, Maryland 21230

And

STONELEIGH COMMUNITY ASSOCIATION
Attention: Jon Carpenter, President
[ADDRESS] _____

And

EUGENE FLYNN
700 Hatherleigh Road
Baltimore, Maryland 21212

And

ANDREW KAHN
702 Hatherleigh Road
Baltimore, Maryland 21212

And

ANDREW WHITMAN
704 Hatherleigh Road
Baltimore, Maryland 21212

And

MICHAEL SMITH
706 Hatherleigh Road
Baltimore, Maryland 21212

And

HELEN COUCH
708 Hatherleigh Road
Baltimore, Maryland 21212

And

CHARLES DRAKE
800 Hatherleigh Road
Baltimore, Maryland 21212

And

DAVID H. KARCESKI, ESQUIRE
200 West Pennsylvania Avenue, Suite 500
Towson, Maryland 21204

And

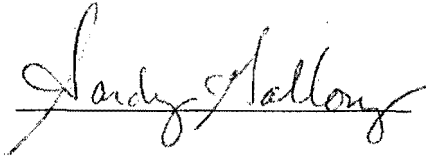
EDWARD J. GILLISS, ESQUIRE
102 West Pennsylvania Avenue
Towson, Maryland 21204-4510

12. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, personal representatives, successors, and assigns.

CONCLUSION

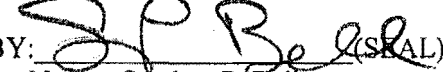
IN WITNESS THEREOF, the parties have executed this Agreement as of the day
and year first above written.

ATTEST/WITNESS



PV REALTY – HOLLY HILL, LLC

BY: Persimmon Ventures, LLC, Manager

BY:  (SEAL)

Name: Stephen P. Bellone

Title: Managing Member

STONELEIGH COMMUNITY ASSOCIATION

BY: _____ (SEAL)

Name: Jon Carpenter

Title: President

INDIVIDUAL PROPERTY OWNERS

Eugene Flynn (SEAL)

Andrew Kahn (SEAL)

Andrew Whitman (SEAL)

Michael Smith (SEAL)

Helen Couch (SEAL)

Charles Drake (SEAL)

CONCLUSION

IN WITNESS THEREOF, the parties have executed this Agreement as of the day
and year first above written.

ATTEST/WITNESS

PV REALTY – HOLLY HILL, LLC

BY: Persimmon Ventures, LLC, Manager

BY: _____ (SEAL)

Name: Stephen P. Bellone

Title: Managing Member

STONELEIGH COMMUNITY ASSOCIATION

BY: _____ (SEAL)

Name: Jon Carpenter

Title: President

INDIVIDUAL PROPERTY OWNERS

Eugene Flynn (SEAL)

Andrew Kahn (SEAL)

Andrew Whitman (SEAL)

Michael Smith (SEAL)

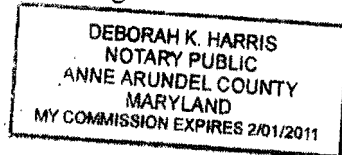
Helen Couch (SEAL)

Charles Drake (SEAL)

STATE OF MARYLAND, CITY/COUNTY OF Anne Arundel, to wit:

I HEREBY CERTIFY that on this 27 day of August, 2009, before me a Notary Public in and for the State aforesaid, personally appeared Stephen P. Bellone, Managing Member of Persimmon Ventures, LLC, the Manager of PV REALTY - HOLLY HILL, LLC, a Maryland limited liability company, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained by signing his name as Managing Member of Persimmon Ventures, LLC, the Manager of PV REALTY - HOLLY HILL, LLC.

AS WITNESS my hand and notarial seal.



Deborah K. Harris
Notary Public

My Commission Expires: 2/1/11

STATE OF MARYLAND, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY that on this 11 day of Sept, 2009, before me a Notary Public in and for the State aforesaid, personally appeared JON CARPENTER, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained by signing his name as President of the STONELEIGH COMMUNITY ASSOCIATION.

AS WITNESS my hand and notarial seal.



Andrew H. Kahn
Notary Public

My Commission Expires: 3-1-11

STATE OF MARYLAND, CITY/COUNTY OF Baltimore, to wit:

I HEREBY CERTIFY that on this 11 day of Sept., 2009, before me a Notary Public in and for the State aforesaid, personally appeared EUGENE FLYNN, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.



Andrew H. Kahn
Notary Public

My Commission Expires: 3-1-11

STATE OF MARYLAND, CITY/COUNTY OF Balt., to wit:

I HEREBY CERTIFY that on this 14 day of Sept., 2009, before me a Notary Public in and for the State aforesaid, personally appeared ANDREW KAHN, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

Halcyon
Notary Public

My Commission Expires: 6/1/2011

STATE OF MARYLAND, CITY/COUNTY OF Balt., to wit:

I HEREBY CERTIFY that on this 11 day of Sept, 2009, before me a Notary Public in and for the State aforesaid, personally appeared ANDREW WHITMAN, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

Andrew H. Kahn
Notary Public

My Commission Expires: 3-1-11

STATE OF MARYLAND, CITY/COUNTY OF Balt, to wit:

I HEREBY CERTIFY that on this 11 day of Sept, 2009, before me a Notary Public in and for the State aforesaid, personally appeared MICHAEL SMITH, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

Andrew H. Kahn
Notary Public

My Commission Expires: 3-1-11

STATE OF MARYLAND, CITY/COUNTY OF Balt., to wit:

I HEREBY CERTIFY that on this 11 day of Sept, 2009, before me a Notary Public in and for the State aforesaid, personally appeared HELEN COUCH, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that she executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

Andrew H. Kahn
Notary Public

My Commission Expires: 3-1-11



STATE OF MARYLAND, CITY/COUNTY OF Balt., to wit:

I HEREBY CERTIFY that on this 11 day of Sept., 2009, before me a Notary Public in and for the State aforesaid, personally appeared CHARLES DRAKE, known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument, and acknowledged that he executed the same for the purposes therein contained.

AS WITNESS my hand and notarial seal.

Andrew H. Kahn
Notary Public

My Commission Expires: 3-1-11

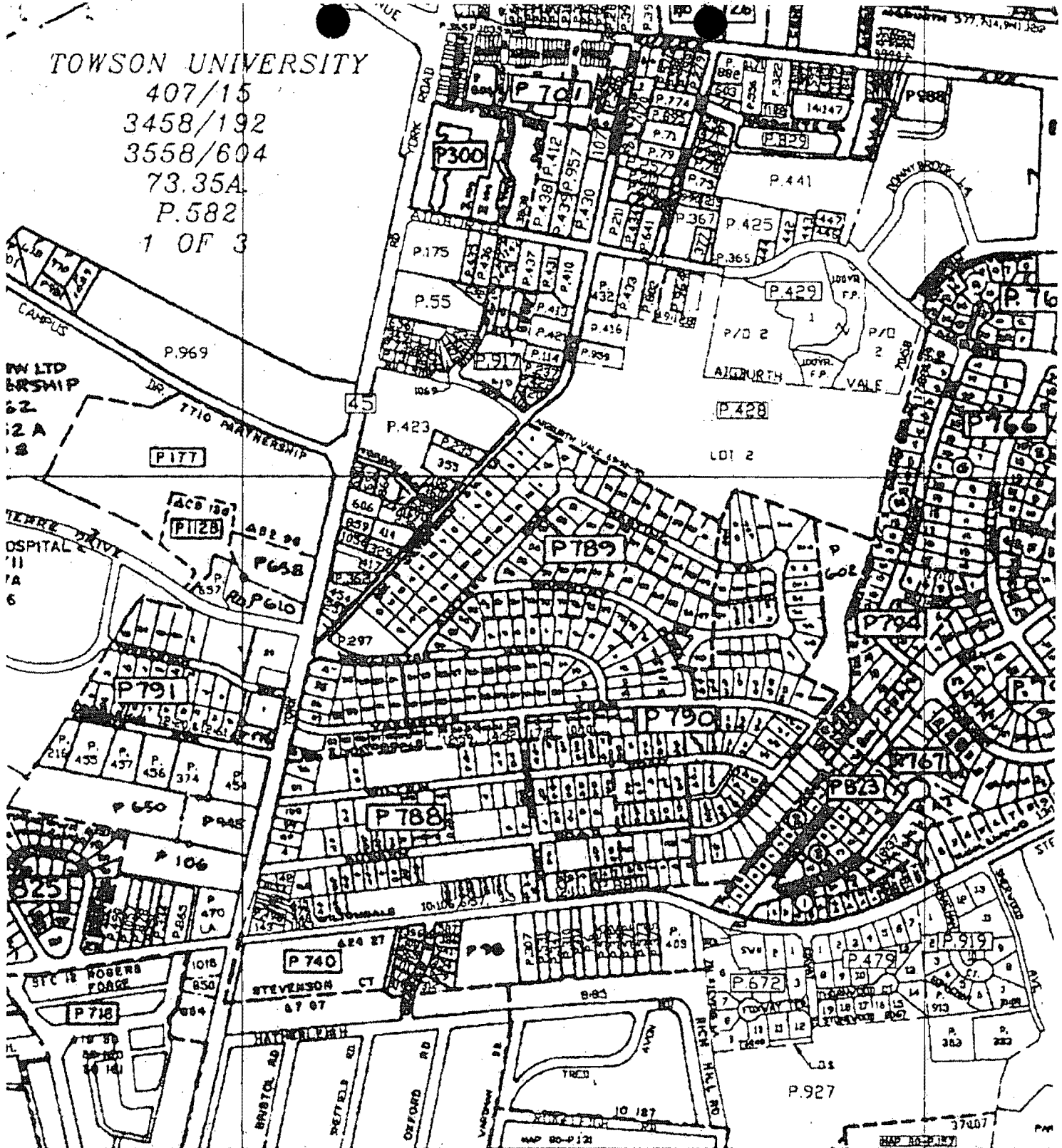


CERTIFICATION

I hereby certify that the foregoing instrument was prepared by or under the supervision of the undersigned, an attorney admitted to practice before the Court of Appeals of Maryland.

A handwritten signature in black ink, appearing to read 'DK', is written over a horizontal line.

David H. Karceski



THE
D
ED.

THESE MAPS ARE PROTECTED BY COPYRIGHT. THEY MAY NOT BE COPIED OR REPRODUCED IN ANY FORM INCLUDING ELECTRONIC MEANS SUCH AS: DIGITIZING, SCANNING, VECTORIZING, OR IMAGE PROCESSING, OR BY ANY SYSTEM NOW KNOWN OR TO BE INVENTED WITHOUT PERMISSION IN WRITING FROM THE MARYLAND DEPARTMENT OF PLANNING.



600

911

914

EXHIBIT 'A'

6/30/67
RE: PETITION FOR SPECIAL HEARING
to Amend Order of County Board of
Appeals dated October 16, 1958,
S/S Stevenson Lane 158' East of
Oxford Road
9th District
Millard L. Cursey, et al
Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 67-66-SPH

67-66-SPH

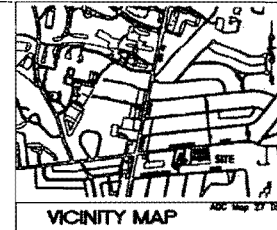
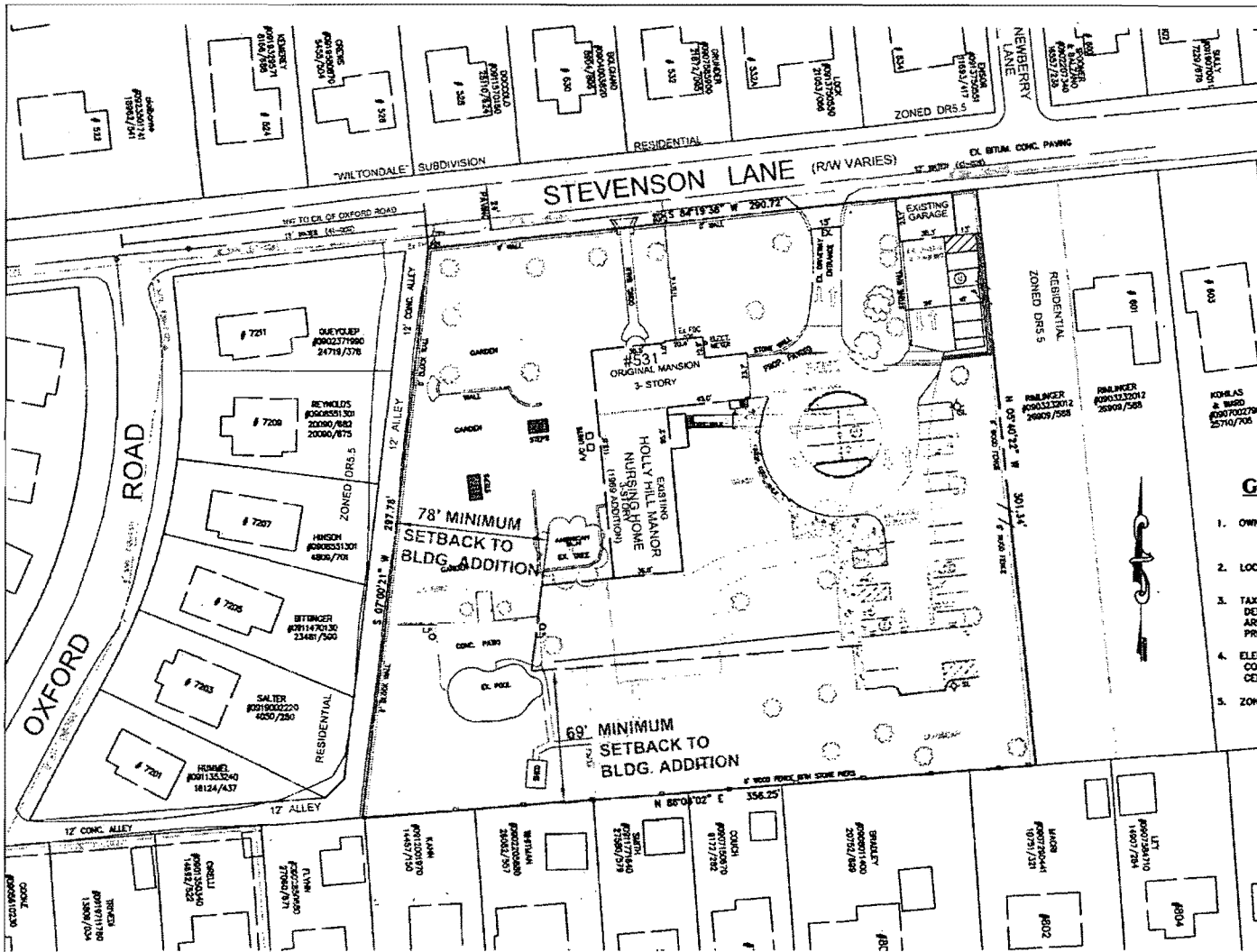
OPINION

The property involved in this case is located on the south side of Stevenson Lane and Oxford Road, in the 9th District of Baltimore County. Following previous hearings, the Zoning Commissioner and this Board granted a special exception for a nursing home, subject to certain restrictions. The final Order was dated October 16, 1958 and the nursing home has been operated on this property ever since in complete accord with the said restrictions. The present application is for amendments to the previous Order specifically as to the restrictions which forbid expansion of the nursing home operation.

This nursing home has operated since approximately 1958 in a manner not detrimental to the neighborhood, and there is substantial testimony to indicate that it has passed all tests required upon inspection by the Baltimore County and State Departments of Health, the Department of Public Safety, and in fact has been the recipient of a Certificate of Award from the Fire Prevention Bureau for its outstandingly safe operation.

The present application is to increase the size of the nursing home from its present twenty-three beds to one capable of caring for forty-five patients by the building of a wing attached to the present building of substantially similar architecture in appearance. According to the testimony, this has been necessitated to a large extent by the requirements of the Medicare Program for patients under the program known as "Extended Care", which requires, among other things, a minimum number of registered nurses, elevators, isolation rooms, dining rooms, and rooms for medical examination and therapy.

EXHIBIT 'C'



GENERAL NOTES

- OWNER: PV REALTY - HOLLY HILL, LLC.
921 EAST FORT AVENUE, SUITE 240
BALTIMORE, MD 21230
- LOCATION: 531 STEVENSON LANE
TOWSON, MD 21286
- TAX MAP: 70, parcel 5B
DEED: Liber SM 26781, folio 236
AREA: 2.20 ac. = 95,577 s.f.
PROPERTY ACCOUNT: 0003771010
- ELECTION DISTRICT: 09 WATERSHED: Herring Run
COUNCILMANIC DISTRICT: C-5 SEWERSHED:
GENUS TRACT:
- ZONING: D.R. 5.5 (Per Zoning Map 70A3)

PLAN SCALE: 1"=80'

EXHIBIT 'D'

NEW BUILDING ADDITION
HOLLY HILL NURSING
531 STEVENSON LANE
TOWSON, MARYLAND

BALTIMORE COUNTY, MARYLAND ELECTION DISTRICT 09, C-5

KCW Engineering Technologies, Inc.
810 Landmark Drive, Suite 215
Glen Burnie, MD 21061
Phone: 410.768.7700
Fax: 410.768.0200
www.kcw-et.com

KCW J.O.: 2080178
SCALE: 1"=80'
DESIGNED: DLK
DRAWN: YN
CHECKED: DLK
DATE: August 18, 2009
DWG: L-8

PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF

FANNY F. DECKER

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

For a Special Exception

To The Zoning Commissioner of Baltimore County

Fanny F. Decker, Widow

Legal Owner

Lewis F. J. Stapf

Contract
Purchaser

hereby petition for a Special Exception, under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 877 of the Acts of the General Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

A Special Exception to use the land (and improvements now or be erected thereon) hereinafter described for
Convalescent Home

All that parcel of land in the Ninth District of Baltimore County on the South side of Stevenson Lane, beginning 158 feet East of the center line of Oxford Road; thence Easterly and binding on the South side of Stevenson Lane 290.72 feet; thence South 5 degrees 40 minutes East 301.34 feet; thence South 86 degrees 04 minutes West 356.25 feet; thence North 7 degrees 00 minutes East 297.78 feet to the place of beginning.

Lewis F. J. Stapf

Contract Purchaser

Fanny F. Decker

Legal Owner

Noted by

C. H. KAHL

1031 Rock Rd

10/31/52

#3969-X

MAP

#9

"X"

10/25/56

XA

It is, therefore, this 9th day of November, 1956, by the Deputy Zoning Commissioner of Baltimore County, ORDERED that the aforesaid petition for a special exception, be and the same is hereby granted, subject to compliance with the following provisions:

1. That the screening as it exists shall be kept in its present state.
2. That there shall be no outside alterations to change the appearance of the existing structure. ✓
3. That the plan submitted by the petitioner showing off-street parking and ingress and egress shall become part of this Order, and
4. That since there is a fence around the property with the exception of along the eastern boundary line, the said eastern boundary line shall be enclosed in like manner.


Deputy Zoning Commissioner
of Baltimore County

RE: PETITION FOR A SPECIAL EXCEPTION : BEFORE
FOR CONVALESCENT HOME - S. S. :
Stevenson Lane, 158 feet E. Oxford : COUNTY BOARD OF APPEALS
Road, 9th Dist., Fanny P. Decker, :
Petitioner, Lewis J. Stapf, : OF BALTIMORE COUNTY
Contract Purchaser :
No. 3969-X

: : : : : :

The subject property is located on the south side of Stevenson Lane, east of Oxford Road, in the Ninth Election District of Baltimore County. It consists of 2.20 acres of land improved with a two-story, nine room, stone dwelling and a detached masonry garage. The grounds are beautifully landscaped with magnificent trees and shrubbery and when the trees and shrubbery are in full foliage the property is quite secluded and protected from public gaze.

The testimony showed that there is a great need for convalescent homes in Baltimore County and this Board finds from the evidence that the granting of a special exception permitting the subject property to be used for this purpose will not:

- a. Be detrimental to the health, safety or general welfare of the locality involved;
- b. Tend to create congestion in roads, streets or alleys therein;
- c. Create a potential hazard from fire, panic or other dangers;
- d. Tend to overcrowd land and cause undue concentration of population;
- e. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public improvements, conveniences or improvements;
- f. Interfere with adequate light and air.

That the case was reviewed by the Circuit Court for Baltimore County and remanded to said Board of Appeals by said Court on November 7, 1957, with instructions.

#3969XA

MAP
#9
SEC. 3-C

XA

3969-X

FILED
FANNY P. DECKER
158 ft. Stevenson Lane, Sec. 3, Dist. 9
Baltimore Co., Md.
1957
3969-X

✓
#3969 XA

MAP
#9
SEC. 3 - C
XA

That said order in restriction No. 3 called for the plan as submitted by the Petitioner, showing off-street parking and ingress and egress, shall become a part of the order, and restriction No. 4, that a fence was to be constructed along the eastern boundary line in like manner as the other boundaries, although there are three different types of fence.

That the Petitioner's successor in title, namely, Mrs. Elva C. Miller, who has been licensed by the State Department of Health to conduct a nursing home on said property, appeared before the Board of Appeals represented by an attorney, and that the Protestants, by a representative and their attorney, also appeared before the Board of Appeals on May 1, 1958, and that the respective attorneys and parties have come to an agreement in regard to the parking and the enclosure of the eastern boundary.

For the above reason the aforesaid petition should be and the same is hereby granted with the following amendments to the original order dated January 28, 1957, by the Board of Zoning Appeals of Baltimore County, and the order of November 22, 1957 of the Board of Appeals of Baltimore County.

It is therefore this 16th day of October, 1958, by the County Board of Appeals of Baltimore County, ORDERED that the order of the Zoning Commissioner be and the same is hereby affirmed, subject to compliance with the following provisions:

1. That the screening as it exists shall be kept in its present state.
2. There shall be no additional buildings for convalescent purposes including patients' or nurses dormitories.
3. That the plan filed herewith entitled "Holly Hill Manor Proposed Parking Area and Eastern Border Fence" become a part of this order and must be maintained as shown thereon.
4. That there shall be erected and maintained along the eastern boundary a solid type half round wood stockade fence not less than six feet six inches high for a distance of 200 feet from Stevenson Lane, and a rustic picket fence not less than four feet high for 101.34 feet.
5. There shall be no addition or additions to the existing structure, nor shall there be any outside alterations thereto which would change their appearance, except fire escapes as required; this, however, is not to prevent enclosing existing porches on the main dwelling house on the premises.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

[Handwritten signatures]
John H. [unclear]
Charles H. [unclear]

JOHN
ATTOR
TOW

2069-X
RECEIVED
S/S of Stevenson Lane, Bldg. 158
Baltimore, Md. 43969-3
9th Dist.

RE: PETITION FOR A SPECIAL EXCEPTION :
FOR CONValescent HOME - S. S. :
Stevenson Lane, 158 feet E. Oxford : BEFORE
Road, 9th Dist., Fanny F. Decker, :
Petitioner, Lewis J. Stapf, Con- : COUNTY BOARD OF APPEALS
tract Purchaser : OF BALTIMORE COUNTY
:
:
No. 3969-X

: : : : : : : : :

OPINION

The subject property is located on the south side of Stevenson Lane, east of Oxford Road, in the Ninth Election District of Baltimore County. It consists of 2.20 acres of land improved with a two-story, nine room, stone dwelling and a detached masonry garage. The grounds are beautifully landscaped with magnificent trees and shrubbery and when the trees and shrubbery are in full foliage the property is quite secluded and protected from public gaze.

The testimony showed that there is a great need for convalescent homes in Baltimore County and this Board finds from the evidence that the granting of a special exception permitting the subject property to be used for this purpose will not:

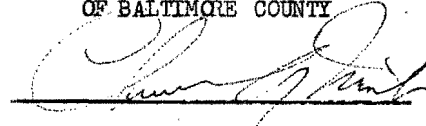
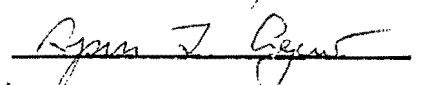
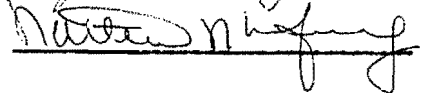
- a. Be detrimental to the health, safety or general welfare of the locality involved;
- b. Tend to create congestion in roads, streets or alleys therein;
- c. Create a potential hazard from fire, panic or other dangers;
- d. Tend to overcrowd land and cause undue concentration of population;
- e. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public improvements, conveniences or improvements;
- f. Interfere with adequate light and air.

For the above reasons the aforesaid petition should be and the same is hereby granted.

It is, therefore, this 22nd day of November, 1957, by the County Board of Appeals of Baltimore County, ORDERED that the Order of the Zoning Commissioner be and the same is hereby affirmed, subject to compliance with the following provisions:

1. That the screening as it exists shall be kept in its present state.
2. There shall be no additional buildings for convalescent purposes including patients' or nurses dormitories."
3. That the plan submitted by the petitioner showing off-street parking and ingress and egress shall become a part of this Order.
4. That since there is a fence around the property with the exception of along the eastern boundary line, the said eastern boundary line shall be enclosed in like manner, and
5. There shall be no addition or additions to the existing structures, nor shall there be any outside alterations thereto which would change their appearance, except fire escapes as required; this, however, is not to prevent enclosing existing porches on the main dwelling house on the premises.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

This Order amends the Order of the 28th day of January, 1957 of the old Board of Zoning Appeals of Baltimore County pursuant to the direction of the Circuit Court of Baltimore County of November 7, 1957.

RE: PETITION FOR A SPECIAL EXCEPTION :
FOR CONVALESCENT HOME - S. S.
Stevenson Lane 158 feet E. Oxford :
Road, 9th Dist., Fanny E. Decker, :
Petitioner, Lewis J. Stapf, :
Contract Purchaser :

BEFORE
BOARD OF ZONING APPEALS
OF BALTIMORE COUNTY
NO. 3969-X A

O P I N I O N

The subject property is located on the south side of Stevenson Lane, east of Oxford Road, in the Ninth Election District of Baltimore County. It consists of 2.20 acres of land improved with a two-story, nine room, stone dwelling and a detached masonry garage. The grounds are beautifully landscaped with magnificent trees and shrubbery and when the trees and shrubbery are in full foliage the property is quite secluded and protected from public gaze.

The testimony showed that there is a great need for convalescent homes in Baltimore County and this Board finds from the evidence that the granting of a special exception permitting the subject property to be used for this purpose will not

- a. Be detrimental to the health, safety or general welfare of the locality involved;
- b. Tend to create congestion in roads, streets or alleys therein;
- c. Create a potential hazard from fire, panic or other dangers;
- d. Tend to overcrowd land and cause undue concentration of population;
- e. Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or ~~an~~ improvements;

MAP
#9
SEC 3C
XA

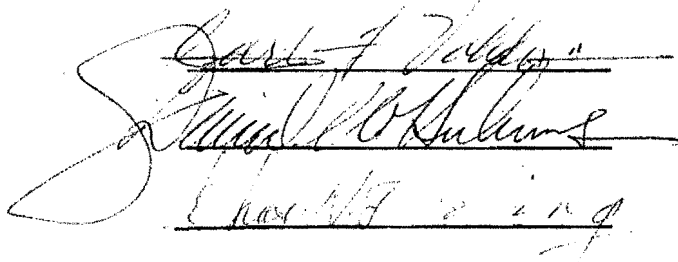
f. Interfere with adequate light and air.

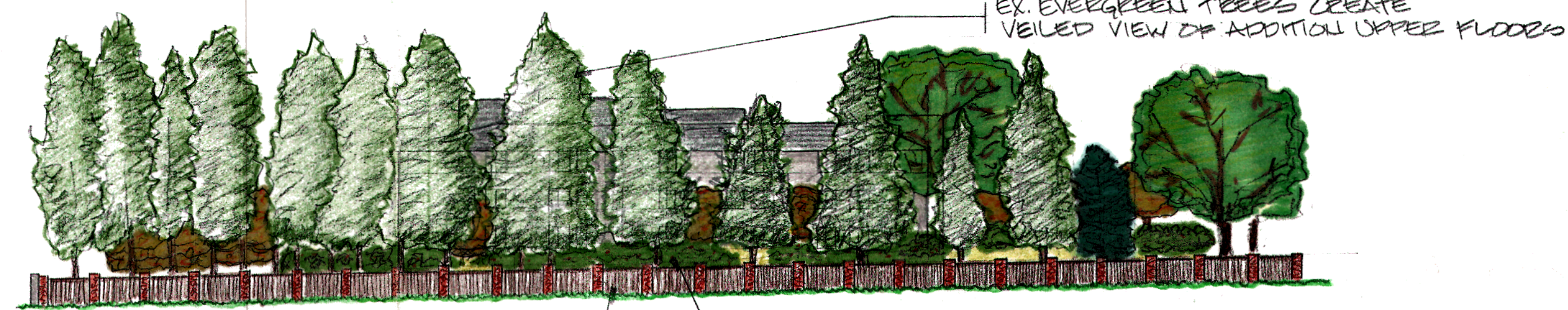
For the above reasons the aforesaid petition should be and the same is hereby granted.

It is, therefore, this 25th day of January, 1957, by the Board of Zoning Appeals of Baltimore County, ORDERED that the Order of the Zoning Commissioner be and the same is hereby affirmed, subject to compliance with the following provisions:

1. That the screening as it exists shall be kept in its present state.
- ✓ 2. That there shall be no outside alterations to change the appearing of the existing structure.
3. That the plan submitted by the petitioner showing off-street parking and ingress and egress shall become a part of this Order, and
4. That since there is a fence around the property with the exception of along the eastern boundary line, the said eastern boundary line shall be enclosed in like manner.

BOARD OF ZONING APPEALS
OF BALTIMORE COUNTY


Earl F. Tully
Chairman



EXISTING BOARD FENCE W/ STONE PIERS BLOCKS VIEWS OF LOWER STORY OF ADDITION & PARKING AREAS

UNDERSTORY INFILL SCREENING AT APPROPRIATE AREAS ENSURES VIEWS FROM ADJACENT HOMES

KEY	BOTANICAL NAME	COMMON NAME	TYPE
FG	Fagus grandifolia	American Beech	Deciduous
FA	Fraxinus americana	White Ash	Deciduous
QF	Quercus phellos	Willow Oak	Deciduous
QP	Quercus prinus	Chestnut Oak	Deciduous
TA	Tilia americana	Linden	Deciduous
IA	Ilhus americana	American Elm	Deciduous
IO	Ilex opaca	American Holly	Evergreen
FS	Pinus strobus	White Pine	Evergreen
TC	Taxus canadensis	Eastern Hemlock	Evergreen
AvG	Amelanchier x grandiflora	Serviceberry	Understory
CarC	Carpinus caroliniana	American Hornbeam	Understory
CC	Cercis canadensis	American Redbud	Understory
CV	Chionanthus virginicus	White Fringetree	Understory
CF	Cornus florida	Flowering Dogwood	Understory
MV	Magnolia virginiana	Sweetbay Magnolia	Understory
OV	Ostrya virginiana	Ironwood	Understory
CAM	Callicarpa americana	American Beautyberry	Shrub
CAL	Clethra alnifolia	Summersweet	Shrub
FG	Fothergilla gardenii	Dwarf Fothergilla	Shrub
HV	Hamelis virginiana	Witch Hazel	Shrub
HM	Hydrangea macrophylla	Bigleaf Hydrangea	Shrub
HQ	Hydrangea quercifolia	Oakleaf Hydrangea	Shrub
IG	Ilex glabra	Inkberry Holly	E.G. Shrub
IV	Ilex verticillata	Winterberry Holly	Shrub
IV	Itea virginica	Virginia Sweetspire	Shrub
LB	Lindera benzoin	Spicebush	Shrub
MC	Myrica carolina	Southern Bayberry	E.G. Shrub
PL	Prunus laurocerasus	Cherry Laurel	E.G. Shrub
RM	Rhododendron maximum	Rosebay Rhododendron	E.G. Shrub
VC	Vaccinium corymbosum	Highbush Blueberry	Shrub
VibA	Viburnum acerifolium	Mapleleaved Arrowwood	Shrub
VibD	Viburnum dentatum	Southern Arrowwood	Shrub
VibF	Viburnum prunifolium	Black Haw	Shrub

LEGEND

- DECIDUOUS TREE
- EVERGREEN TREE
- SHRUB
- UNDERSTORY TREE

GENERAL NOTES

- THESE DRAWINGS ARE INTENDED TO BE MASTER PLANS AND DESIGN CONCEPTS ONLY. CONSTRUCTION SHOULD BE PERFORMED BY A LICENSED AND BONDED CONTRACTOR WHO SHALL ASSUME ALL LIABILITY FOR THE QUALITY AND STRUCTURAL INTEGRITY OF THE PLAN ELEMENTS. DESIGN DETAILS ARE FOR REFERENCE ONLY. THE BUILDER MAY NEED THE ASSISTANCE OF OTHER PROFESSIONAL DISCIPLINES IN ORDER TO BUILD IN CONFORMANCE WITH THE CONSTRUCTION SPECIFICATIONS, INSTITUTES NOTES & SPECS AND LOCAL CODES & REGULATIONS.
- CONFIRM THE LOCATION OF ALL UTILITIES PRIOR TO EXCAVATION, CONSTRUCTION AND/OR PLANTING OPERATIONS.
- BASE DATA IS APPROXIMATE. FIELD LAYOUT BY JGL DESIGN ASSOC. IS RECOMMENDED.
- CONTRACTORS SHALL CONFIRM ALL DESIGN MODIFICATIONS AND/OR SUBSTITUTIONS WITH JGL DESIGN ASSOC.
- THE OWNER/CONTRACTOR SHALL CONFORM TO ALL APPLICABLE BUILDING CODE RESTRICTIONS AND REGULATIONS.
- CONTRACTORS SHALL CONFORM TO ALL APPLICABLE SPECIFICATIONS AS OUTLINED IN THE LANDSCAPE CONTRACT SPECIFICATION GUIDELINES FOR BALTO.-WASH.D.C. METRO AREAS AS APPROVED BY THE L.C.A.W. & THE A.S.L.A.
- SEDIMENT CONTROL DEVICES SHALL BE INSTALLED & MAINTAINED AS NEEDED IN ACCORDANCE WITH LOCAL JURISDICTION REQUIREMENTS. STABILIZE ALL DISTURBED AREAS AS SOON AS FINAL GRADING HAS BEEN COMPLETED. ALL DISTURBED AREAS SHALL BE SEEDDED WITH THE EXCEPTION OF PLANTING BEDS.
- ALL MATERIALS & WORKMANSHIP ARE SUBJECT TO THE FINAL APPROVAL OF JGL DESIGN ASSOC.

PLANTING NOTES

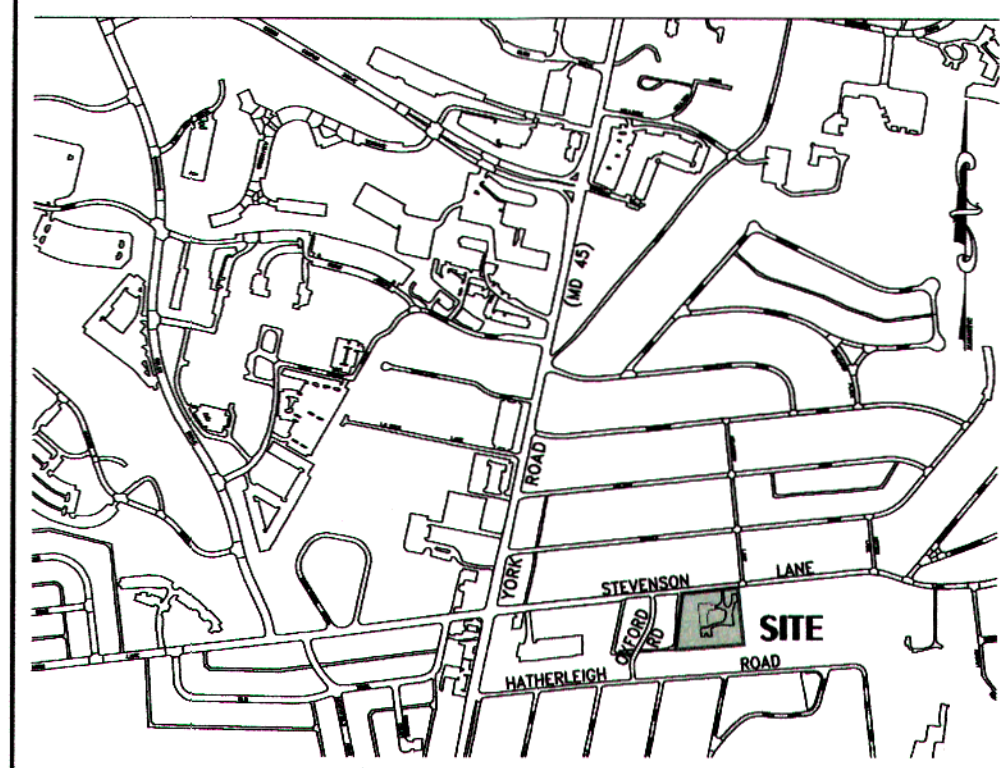
- SEE PLANT LIST AND PLANTING SPECS.
- PLANTING SHALL BE LOCATED WHERE SHOWN ON THE DRAWING. CONTRACTORS SHALL CONFIRM ALL DESIGN MODIFICATIONS AND/OR SUBSTITUTIONS WITH JGL DESIGN ASSOC. BEFORE PROCEEDING. FIELD LAYOUT OF PLANTING BEDS AND PLANT MATERIAL BY JGL DESIGN ASSOC. IS RECOMMENDED.
- PLANTING SHOULD BE PERFORMED BY A LICENSED AND BONDED CONTRACTOR WHO SHALL ASSUME ALL LIABILITY FOR THE QUALITY AND SURVIVAL OF PLANT MATERIAL.
- TURF AND WEED VEGETATION SHALL BE REMOVED BEFORE PLANTING WITH AN APPLICATION OF ROUNDUP OR SUBSTITUTE FOLLOWING MANUFACTURER'S SPECIFICATIONS.
- PLANTING BEDS SHOULD BE AMENDED TO CONTAIN A SOIL MIXTURE OF APPROXIMATELY 50% PLANT MOSS THAT HAS BEEN FULFURIZED AND IS LOW IN WOODY MATERIAL CONTENT, 30% LEAF MOULD AND 20% TOP SOIL THAT IS FREE FROM ROOTS, STONES, STICKS OR OTHER DEBRIS OVER 2" IN SIZE. ADDITIONALLY, 10 TO 15 LBS LIME PER 100 CUBIC FT. OF SOIL MIXTURE.
- APPLICATION OF DOUBLE-SHEDDED HARDWOOD MULCH TO ALL PLANTINGS. MULCH SHOULD NOT BE PLACED IN DIRECT CONTACT WITH THE BASE OF WOODY PLANTS.
- PRUNE ONLY DEAD, DYING OR WEAK BRANCHES AT TIME OF PLANTING.
- MAINTAIN ALL PLANTS IN ACCORDANCE WITH NURSERY RECOMMENDATIONS. THE OWNER WILL BE RESPONSIBLE FOR MAINTENANCE INCLUDING WATERING, REMULCHING, CULTIVATING, FERTILIZING, SPRAYING AND OTHER NECESSARY OPERATIONS AS MAY BE REQUIRED TO KEEP THE PLANTS ALIVE AND IN A HEALTHY GROWING CONDITION.

PETITIONER'S
EXHIBIT NO. 1

SHEET TITLE LANDSCAPE PLAN
PROJECT # 1009-01 SHEET 1 OF 1
DATE 8-5-09
DRAWN BY JGL
APPROVED BY JGL
THIS DRAWING & ASSOCIATED WRITTEN MATERIALS MAY NOT BE USED OR
DUPLICATED WITHOUT THE WRITTEN CONSENT OF JGL DESIGN ASSOC.

HOLLY HILL NURSING
531 STEVENSON LANE, TOWSON, MD 21286

JGL DESIGN ASSOCIATES
LANDSCAPE ARCHITECTS & PLANNERS
29 CHESTERFIELD CT., MONKTON, MD 21111
(410) 329-5208



VICINITY MAP
SCALE: 1" = 1000'

GENERAL NOTES

- OWNER: PV REALTY - HOLLY HILL, LLC
921 EAST FORT AVENUE, SUITE 240
BALTIMORE, MD 21230
- LOCATION: 531 STEVENSON LANE
TOWSON, MD 21286
- TAX MAP: 70, parcel 98
DEED: Liber SM 26781, folio 236
AREA: 2.20 ac ± = 95,577 s.f.
PROPERTY ACCOUNT: 0903771010
- ELECTION DISTRICT: 09
COUNCILMANIC DISTRICT: C-5
SEWERSHED: Herring Run
CENSUS TRACT:
- ZONING: D.R. 5.5 (Per Zoning Map 70A3)
- EXISTING LAND USE: Nursing Home Facility (Convalescent Home) with 55 beds
- PROPOSED LAND USE: Same as existing with construction of 3-story Building Addition, additional parking, and total of 75 beds.
* Represents maximum number of beds 85
- BUILDING SETBACKS:

	Min.	Req.	Existing	Proposed
Front:	40'		61'	61'
Side:	20'		90'/130'	78'/93'
Rear:	30'		114'	69'
- BUILDING AREA:

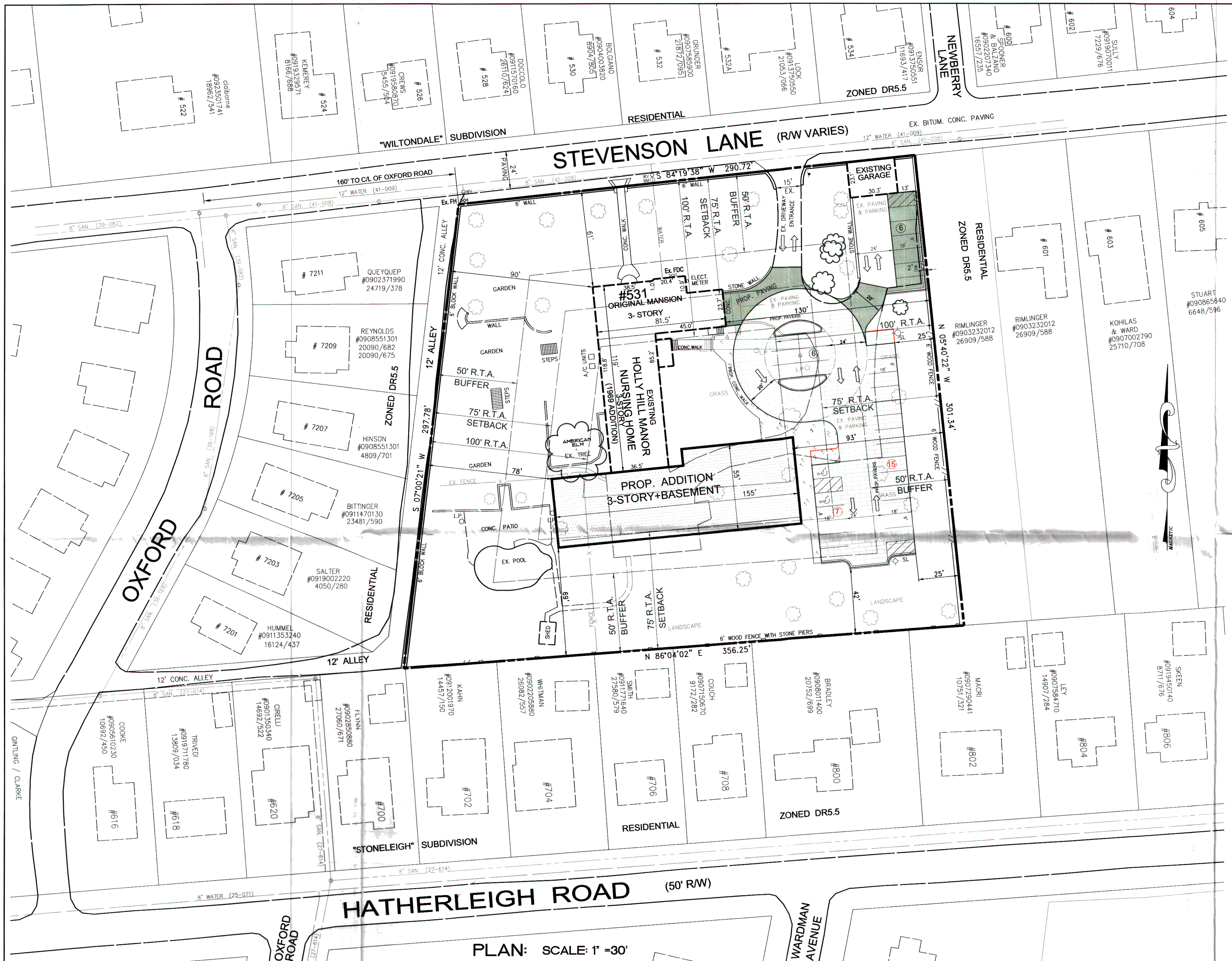
	Existing	Proposed
Basement	-	6,503 sf
Ground Level	5,645 sf	6,503 sf
First Level	5,645 sf	6,503 sf
Second Level	5,645 sf	6,503 sf
Total	16,935 sf	26,012 sf
Total Building Area =		42,947 sf
- BUILDING HEIGHT:

	Existing	Proposed	H =
Existing	3-story		H = 35'
Proposed	3-story + LL		H = 35'
- PARKING REQUIRED: 1 parking space per 3 beds = 1/3 x 75 beds = 25 p.s.
* Represents maximum number of beds 85
28.3 = 29 p.s.
- PARKING PROVIDED: 34 p.s. (including 2 H.C. spaces)
All spaces shall be 8.5'x18' minimum and striped in accordance with BCRZ Section 409.
- LIGHTING: Lighting of parking areas shall be directed away from adjacent residential properties and public rights-of-way.
- LANDSCAPING: Landscape Plan shall be provided per Landscape Manual.
- STORMWATER MANAGEMENT: SWM in accordance with Baltimore County SWM Regulations shall be provided.
- UTILITIES: Public water and sanitary sewer are existing.
- FOREST CONSERVATION: Forest Conservation Act to be complied with.
- PREVIOUS COMMERCIAL PERMITS: None known. Previous building addition -1969.
- SIGNS: All signs shall comply with BCRZ Section 450.
- "Bureau of Traffic Engineering and Transportation Planning" has confirmed that the subject site is not within a traffic deficient area per 2008 Basic Services Transportation Map.
- There are no known historic buildings, archaeological sites, endangered species habitats, hazardous material sites, underground storage tanks, wetlands, wells or septic systems, floodplains located on this property. There are no significant views or site features that the development proposal will negatively affect. There are no significant regulated plant or wildlife communities based upon DEPRM and DNR data.
- SOILS: Baltimore County Soil Survey Map 35
GIB - Glenelg-Urban Land
- PRIOR ZONING CASES: Case # 3969-XA Special Exception for Nursing Home affirmed by Board of Appeals on October 16, 1958.
Case # 67-66-SPH Special Hearing to approve amendments to previous order of Board of Appeals approved June 30, 1967 and Supplemental Opinion and amended Order dated May 16, 1968 by Board of Appeals.

PLAN TO ACCOMPANY PETITIONS for ZONING
SPECIAL HEARING AND VARIANCES

HOLLY HILL NURSING
531 STEVENSON LANE

ELECTION DISTRICT 9 COUNCILMANIC DISTRICT C-5
BALTIMORE COUNTY, MARYLAND



PLAN: SCALE: 1" = 30'



KCW Engineering Technologies, Inc.
810 Landmark Drive, Suite 215
Glen Burnie, MD 21061
Phone: 410.768.7700
Fax: 410.768.0200
www.kcw-et.com

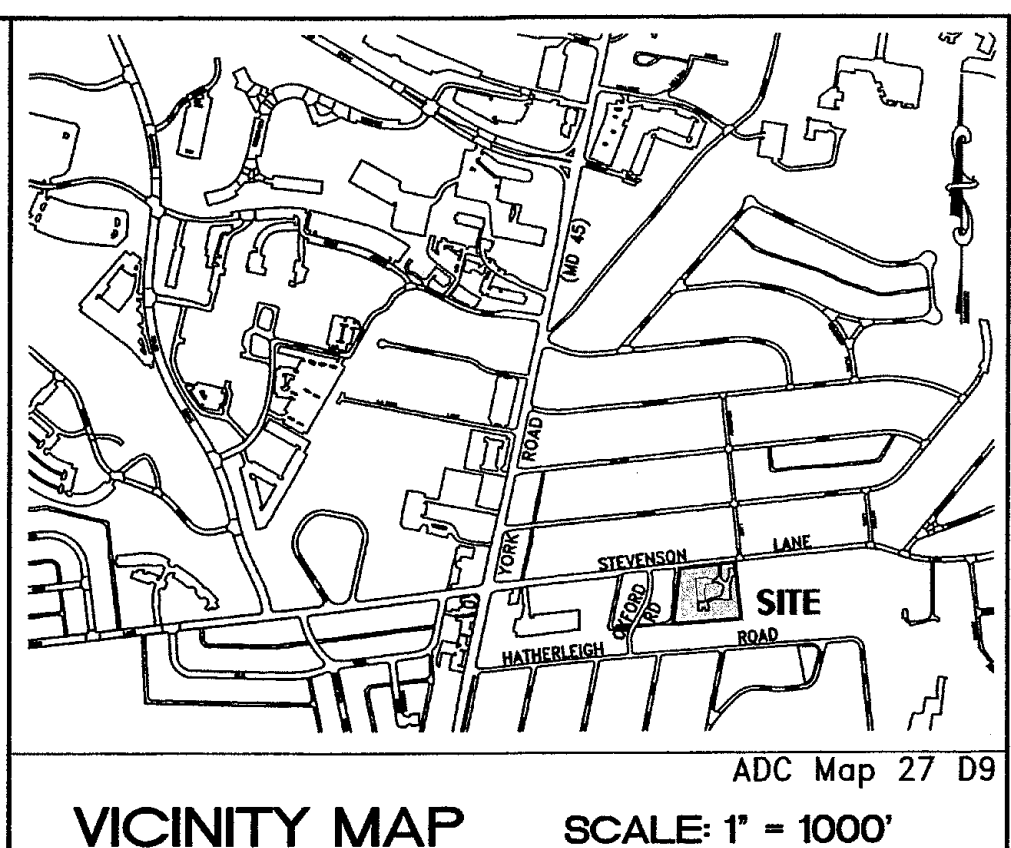


Professional Certification.
I hereby certify that these documents were prepared or approved by me, and that I am a duly licensed professional engineer under the laws of the State of Maryland.
License No. 10748
Expiration Date 01-02-2010.

OWNER / DEVELOPER:
PV REALTY - HOLLY HILL, LLC
921 East Fort Avenue, Suite 240
Baltimore, MD 21230
Attn: Steve Bellone
Tele: 410-625-1502

REVISIONS	
DATE	DESCRIPTION
8-20-2009	REVISED BED COUNT AND PARKING LAYOUT, 34 PARKING SPACES

KCW J.O.:	2080178
SCALE:	1" = 30'
DESIGNED:	DLK
DRAWN:	YN
CHECKED:	DLK
DATE:	MAY 15, 2009
DWG. NO.:	Z-101



GENERAL NOTES

- OWNER: PV REALTY - HOLLY HILL, LLC.
921 EAST FORT AVENUE, SUITE 240
BALTIMORE, MD 21230
- LOCATION: 531 STEVENSON LANE
TOWSON, MD 21286
- TAX MAP: 70, parcel 98
DEED: Liber SM 26781, folio 236
AREA: 2.20 ac± = 95,577 s.f.
PROPERTY ACCOUNT: 0903771010
- ELECTION DISTRICT: 09 WATERSHED: Herring Run
COUNCILMANIC DISTRICT: C-5 CENSUS TRACT: C-5
- ZONING: D.R. 5.5 (Per Zoning Map070A3)
- EXISTING LAND USE: Nursing Home Facility (Convalescent Home) with 55 beds
- PROPOSED LAND USE: Same as existing with construction of 3-story Building Addition, additional parking, and total of 75 beds.
- BUILDING SETBACKS:

	Min.	Reqr.	Existing	Proposed
Front:	40'		61'	61'
Side:	20'		90'/130'	78'/93'
Rear:	30'		114'	69'
- BUILDING AREA:

	Existing	Proposed
Basement	6,503 sf	6,503 sf
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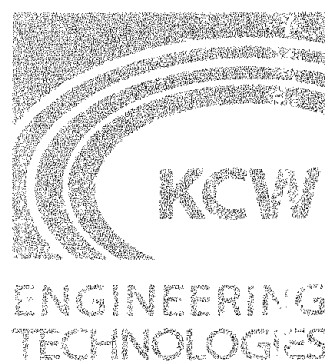
	Existing	Proposed
Existing	3-story	H = 35'
Proposed	3-story + LL	H = 35'
- PARKING REQUIRED: 1 parking space per 3 beds = 1/3 x 75 beds = 25 p.s.
- PARKING PROVIDED: 38 p.s. (Including 2 H.C. spaces)
All spaces shall be 8.5'x18' minimum and striped in accordance with BCZR Section 409.
- LIGHTING: Lighting of parking areas shall be directed away from adjacent residential properties and public rights-of-way.
- LANDSCAPING: Landscape Plan shall be provided per Landscape Manual.
- STORMWATER MANAGEMENT: SWM in accordance with Baltimore County SWM Regulations shall be provided.
- UTILITIES: Public water and sanitary sewer are existing.
- FOREST CONSERVATION: Forest Conservation Act to be complied with.
- PREVIOUS COMMERCIAL PERMITS: None known. Previous building addition - 1969.
- SIGNS: All signs shall comply with BCZR Section 450.
- "Bureau of Traffic Engineering and Transportation Planning" has confirmed that the subject site is not within a traffic deficient area per 2008 Basic Services Transportation Map.
- There are no known historic buildings, archaeological sites, endangered species habitats, hazardous material sites, underground storage tanks, wetlands, wells or septic systems, floodplains located on this property. There are no significant views or site features that the development proposal will negatively effect. There are no significant regulated plant or wildlife communities based upon DEPRM and DNR data.
- SOILS: Baltimore County Soil Survey Map 35
GIB - Glenelg-Urban Land
- PRIOR ZONING CASES: Case # 3969-XA Special Exception for Nursing Home affirmed by Board of Appeals on October 16, 1958.
Case # 67-66-SPH Special Hearing to approve amendments to previous order of Board of Appeals approved June 30, 1967 and Supplemental Opinion and amended Order dated May 16, 1968 by Board of Appeals.

Case No. 2009-0328-SPHA

PLAN TO ACCOMPANY PETITIONS for ZONING
SPECIAL HEARING and VARIANCES

HOLLY HILL NURSING
531 STEVENSON LANE

ELECTION DISTRICT 9 COUNCILMANIC DISTRICT C-5
BALTIMORE COUNTY, MARYLAND



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810 Landmark Drive, Suite 215
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Phone: 410.768.7700
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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.
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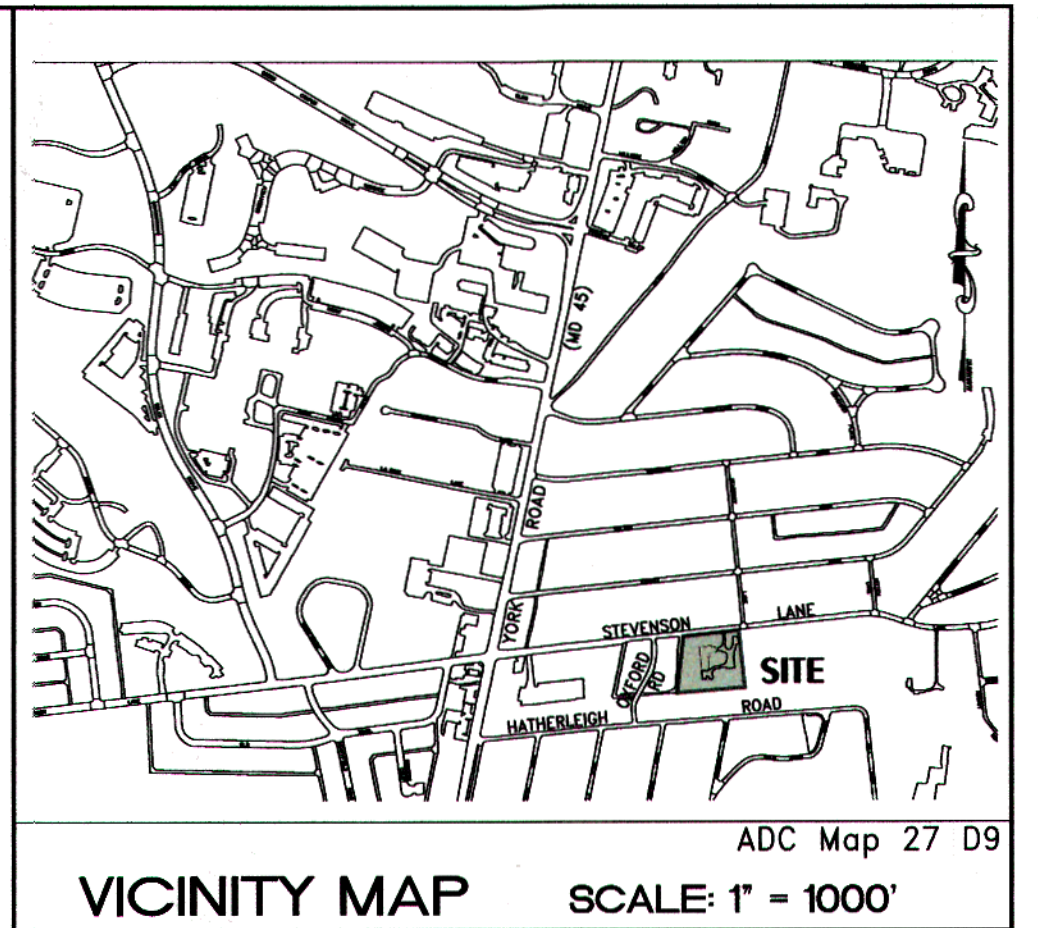
OWNER / DEVELOPER:

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Tele: 410-625-1502

REVISIONS

DATE DESCRIPTION

KCW J.O.: 2080178
SCALE: 1" = 30'
DESIGNED: DLK
DRAWN: YN
CHECKED: DLK
DATE: MAY 15, 2009
DWG. NO.: Z-101



GENERAL NOTES

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- PROPOSED LAND USE:** Same as existing with construction of 3-story Building Addition, additional parking, and total of 75 beds.
**Represents maximum number of beds 85*
- BUILDING SETBACKS:**

	Min. Req.	Existing	Proposed
Front:	40'	61'	78' / 93'
Side:	20'	90' / 130'	78' / 93'
Rear:	30'	114'	69'
- BUILDING AREA:**

	Existing	Proposed
Basement		6,503 sf
Ground Level	5,645 sf	6,503 sf
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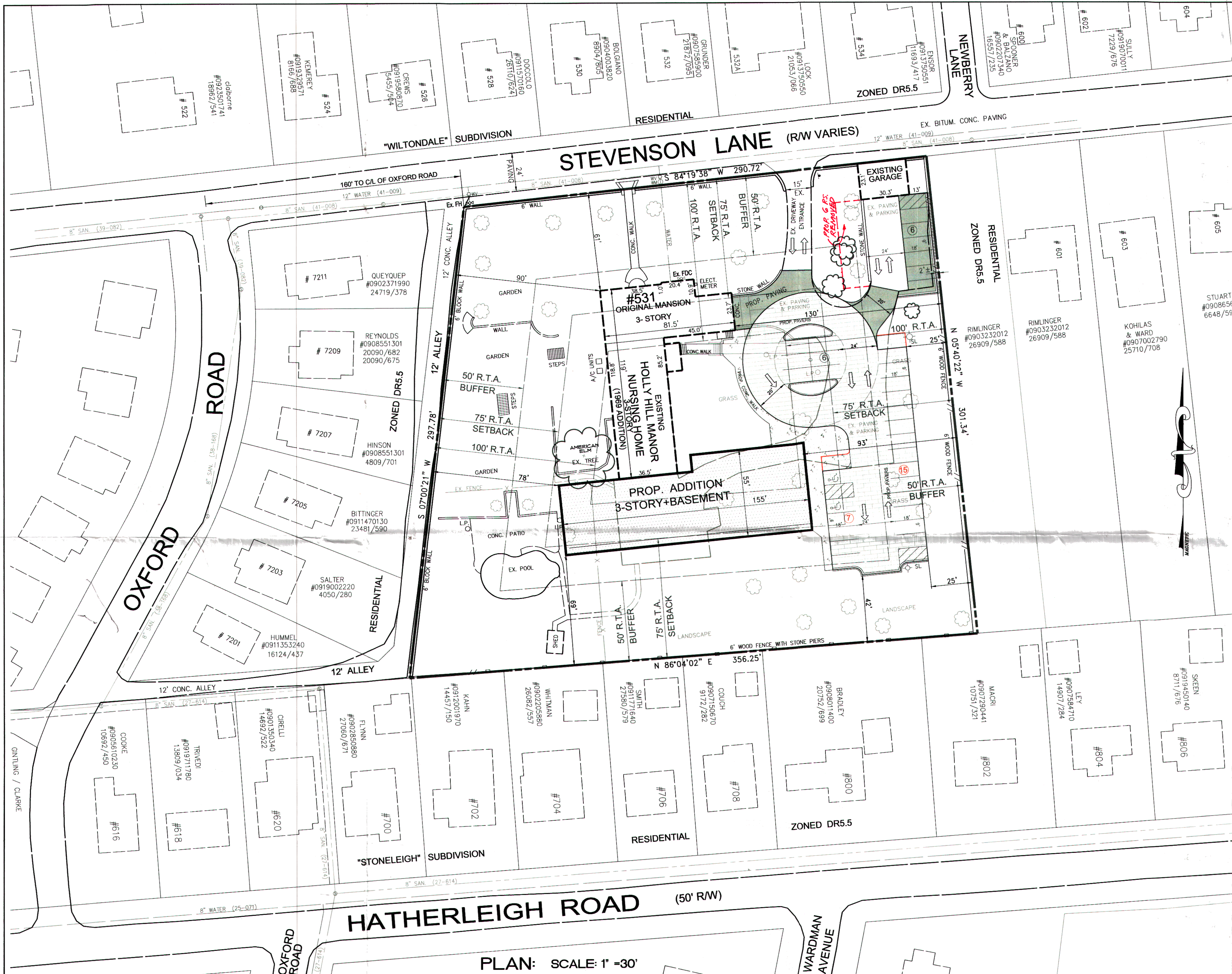
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**Represents maximum number of beds 85*
PARKING PROVIDED: 34.38' p.s. (Including 2 H.C. spaces)
All spaces shall be 8.5'x18' minimum and striped in accordance with BCZR Section 409.
- LIGHTING:** Lighting of parking areas shall be directed away from adjacent residential properties and public rights-of-way.
- LANDSCAPING:** Landscape Plan shall be provided per Landscape Manual.
- STORMWATER MANAGEMENT:** SWM in accordance with Baltimore County SWM Regulations shall be provided.
- UTILITIES:** Public water and sanitary sewer are existing.
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- SIGNS:** All signs shall comply with BCZR Section 450.
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GIB - Glenelg-Urban Land
- PRIOR ZONING CASES:** Case # 3969-XA Special Exception for Nursing Home affirmed by Board of Appeals on October 16, 1958.
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PLAN TO ACCOMPANY PETITIONS for ZONING SPECIAL HEARING and VARIANCES

HOLLY HILL NURSING 531 STEVENSON LANE

ELECTION DISTRICT 9 COUNCILMANIC DISTRICT C-5
BALTIMORE COUNTY, MARYLAND

PETITIONER'S
EXHIBIT NO. 1



PLAN: SCALE: 1" = 30'



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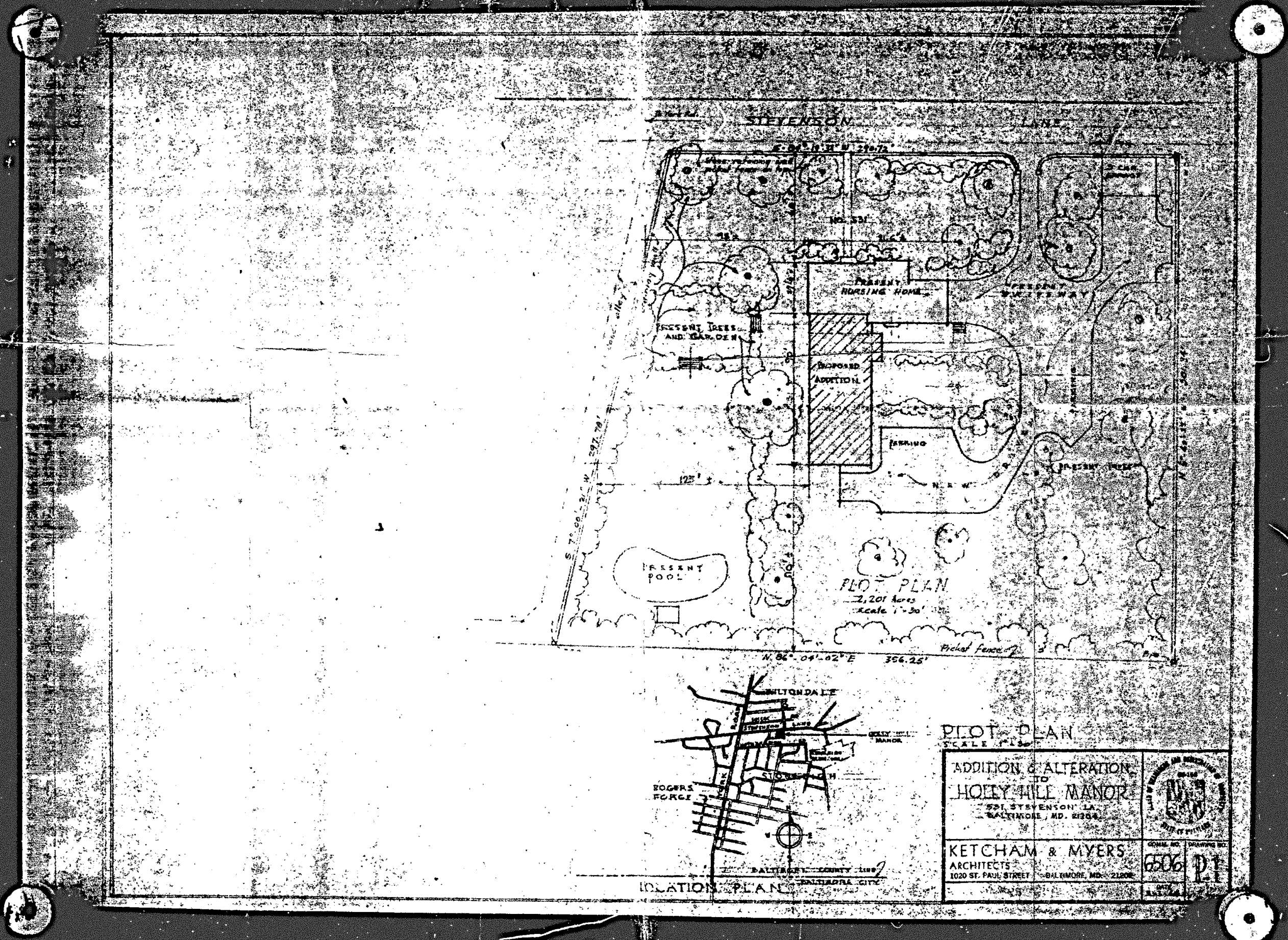
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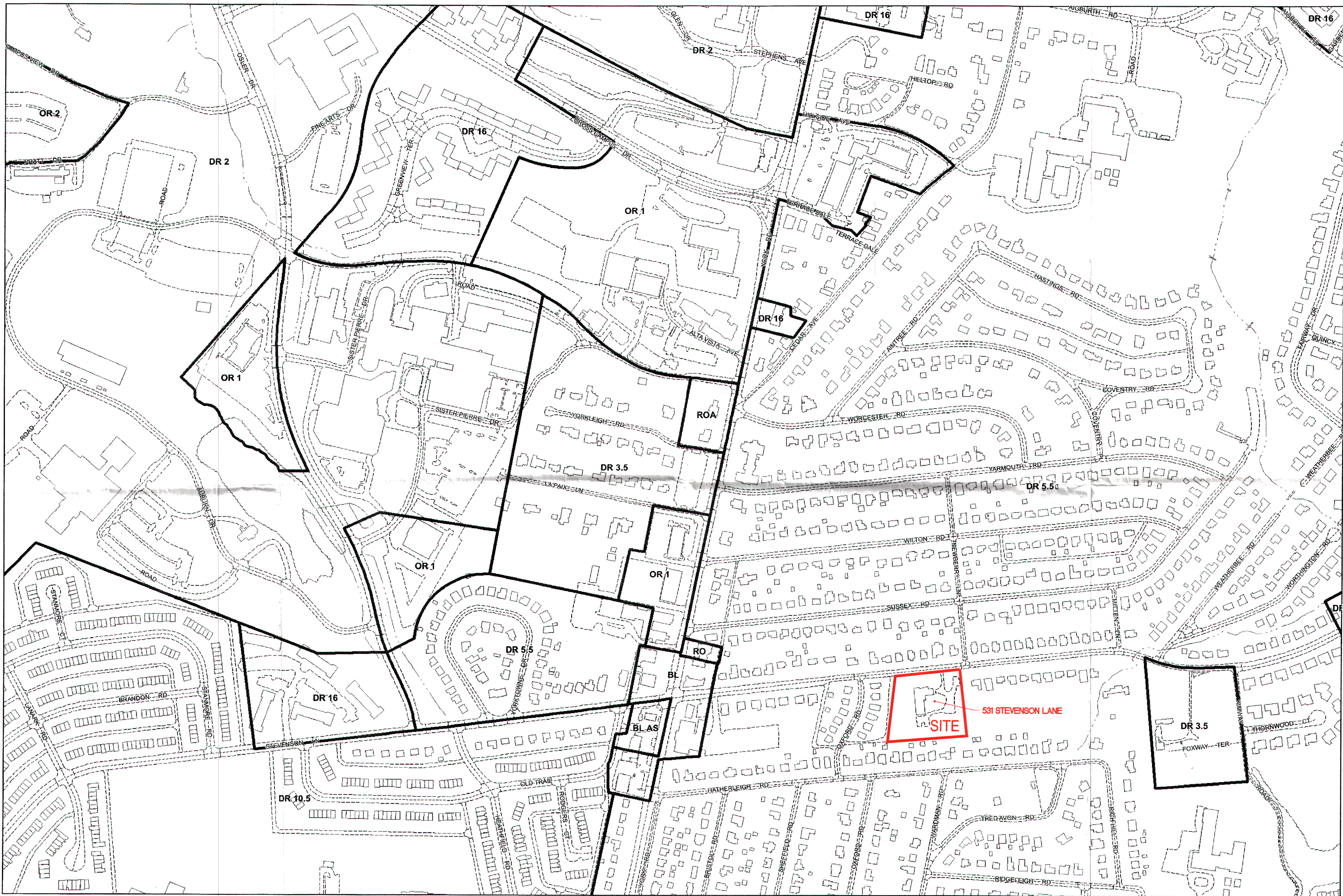
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REVISIONS

DATE	DESCRIPTION
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SCALE: 1" = 30'
DESIGNED: DLK
DRAWN: YN
CHECKED: DLK
DATE: MAY 15, 2009
DWG. NO.: Z-101





Plan Sheet: 07043

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

Legend

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

Baltimore County Office of Planning and Zoning Official Zoning Map

069B2	069C2	070A2	070B2	070C2
069B3	069C3	070A3	070B3	070C3
079B1	079C1	080A1	080B1	080C1

Scale

1" = 200'

0 100 200 400
Feet

1

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

Case No. 2009-0328 SPHA



NEW



SHINGLE ROOF
"ARCTIC WHITE" HARDIE SIDING
"TIMBER BROWN" HARDIE SIDING
STONE VENEER TO MATCH EXISTING

HOLLY HILL NURSING AND REHABILITATION CENTER
531 Stevenson Lane, Towson, Maryland 21286

SCHEMATIC DESIGN
RM SOVICH ARCHITECTURE



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