

RAINBOW HALL CHRONOLOGY

<u>DATE</u>	<u>CASE #</u>	<u>ZONING</u>	<u>REQUEST / PETITION REQUEST</u>	<u>ACTION / ORDER</u>
1957		R-40	Reclass. from "A" Residential to R-40	Comprehensive Rezoning by County Council
11/26/1963	63-152-X	R-40	Special Exception for a boarding house for the aged (40 Units/Persons).	Granted with restrictions (see attached order)
1969	Possible Spirit & Intent Letter or Administrative Decision	R-40	Approval of addition (24 Units/Persons).	Granted by possible Spirit & Intent Letter or Administrative Decision.
12/1/1975	76-89-SPH	RDP	Special Hearing to approve the construction of a new infirmary wing on an existing Boarding Home for the Elderly. Proposed Infirmary Wing (25 Units/Persons).	Granted with restrictions (see attached order)
10/8/1976		RC 2 and RC 5	Reclass. from RDP to RC 2 and RC 5	Comprehensive Rezoning by County Council
Between 10/13/1988 and 4/3/1990		RC 2, RC 3 and RC 5	Reclassification of a portion of RC 2 to RC 3.	Cycle Rezoning, Out-Of-Cycle Rezoning or Map Correction.
10/16/1991	91-166-SPHX	RC 2, RC 3 and RC 5	Special Exception for an addition to an existing convalescent home as a use permitted by special exception in an RC 3 zone pursuant to BCZR 1A02.2.B.16. Special Hearing to approve an amendment to the special exception and site plan in Case No. 63-152-X to construct two additions to the existing facility.	Granted by Board of Appeals. However, the legality of the existing convalescent home or nursing home use (in direct conflict with the restrictions in Case # 63-152-X which prohibit a nursing home, a home for the chronically ill or a hospital) has not been confirmed.

6/3/1997	97-230-SPH (Also PDM # III-393)	RC 2, RC 3 and RC 5	Special Hearing to approve the creation of three undersized RC 5 non-density and one RC 2 non-density parcels, and to approve the removal of Existing special exception from a portion of the Tract.	Granted in Part and Dismissed as Moot in Part.
11/2004		RC 2 and RC 5	Reclass. RC 3 portion of property to RC 2.	Comprehensive Rezoning by County Council
4/16/2010	2010-0280-SPH	RC 2 and RC 5	Special Hearing to determine the uses of the property that comply with the BCZR and previous approvals, and whether the property is and has been used in violation or non-compliance with same.	Hearing held on 10/12/2010. No decision has been made.

ZONING HISTORY

2010-0280-SPH

CASE NO 83-152-XA SPECIAL EXCEPTION TO PERMIT A BOARDING HOME (40 UNITS) FOR THE AGED. GRANTED NOVEMBER 28, 1983 WITH THE FOLLOWING RESTRICTIONS

- 1 THAT THE USE OF THE PROPERTY DESCRIBED IN THE PETITION SHALL BE LIMITED TO A RELIGIOUS, NON-PROFIT HOME FOR THE AGED OF THE BAPTIST DENOMINATION
- 2 THAT THE PROPERTY DESCRIBED IN THE PETITION SHALL NOT BE OPERATED EITHER AS A NURSING HOME, OR AS A HOME FOR THE CHRONICALLY ILL OR AS A HOSPITAL. PROVIDED, HOWEVER, THAT A PORTION OF THE MAIN BUILDING PRESENTLY LOCATED ON THE PROPERTY DESCRIBED IN THE PETITION MAY BE USED AS AN INFIRMARY FOR THE TEMPORARY TREATMENT OF AGED GUESTS.

THIS REQUEST WAS UTILIZED:

CASE NO. 78-89-SPH SPECIAL HEARING TO PERMIT THE CONSTRUCTION OF A NEW INFIRMARY WING ON AN EXISTING BOARDING HOME FOR THE ELDERLY (ORIGINAL APPROVAL - 1983 - 40 UNITS, ADDITIONAL APPROVED - 1989 - 24 PERSONS, PROPOSED INFIRMARY WING - 25 PERSONS) GRANTED DECEMBER 1, 1975 SUBJECT TO APPROVAL OF A SITE PLAN BY THE STATE HIGHWAY ADMINISTRATION, THE DEPARTMENT OF PUBLIC WORKS, AND THE OFFICES OF PLANNING AND ZONING.
PROPOSED ADDITION WAS NOT CONSTRUCTED

CASE NO 91-166-SPH SPECIAL HEARING TO APPROVE AN AMENDMENT TO THE SPECIAL EXCEPTION AND SITE PLAN PREVIOUSLY APPROVED IN CASE NO. 83-152-XA TO CONSTRUCT TWO ADDITIONS TO AN EXISTING FACILITY AND A SPECIAL HEARING FOR A DETERMINATION THAT THE MAINTENANCE BUILDING IN THE RES ZONE IS AN ACCESSORY TO THE EXISTING FACILITY. GRANTED FEBRUARY 1, 1991 WITH THE FOLLOWING RESTRICTIONS:

1. THE PETITIONER MAY APPLY FOR HIS BUILDING PERMIT AND BE GRANTED SAME UPON RECEIPT OF THIS ORDER, HOWEVER, PETITIONER IS HEREBY MADE AWARE THAT PROCEEDING AT THIS TIME IS AT HIS OWN RISK UNTIL SUCH TIME AS THE 30-DAY APPELLATE PROCESS FORM THIS ORDER HAS EXPIRED. IF, FOR ANY REASON, THIS ORDER IS REVERSED, THE PETITIONER WOULD BE REQUIRED TO RETURN, AND BE RESPONSIBLE FOR RETURNING, SAID PROPERTY TO ITS ORIGINAL CONDITION
2. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, PETITIONER SHALL SUBMIT A SCHEMATIC LANDSCAPE PLAN FOR REVIEW AND APPROVAL BY THE DEPUTY DIRECTOR OF PLANNING. A COPY OF THE APPROVED PLAN SHALL BE SUBMITTED TO THE ZONING COMMISSIONER'S OFFICE FOR INCLUSION IN THE CASE FILE PRIOR TO THE ISSUANCE OF ANY PERMITS
3. PRIOR TO THE ISSUANCE OF ANY BUILDING PERMITS, PETITIONER SHALL COMPLY WITH OR SATISFY ALL OF THE ZONING PLANS ADVISORY COMMITTEE COMMENTS SUBMITTED FOR INCLUSION INTO THE CASE FILE.

PROPOSED ADDITIONS WERE NOT CONSTRUCTED. THE MAINTENANCE BUILDING REMAINS IN USE

CASE NO. 91-166-SPH WAS APPEALED AND ON OCTOBER 16 1991 THE BOARD OF APPEALS GRANTED APPROVAL TO THE REQUESTED SPECIAL HEARINGS.

CASE NO 97-230-SPH. SPECIAL HEARING TO CREATE THREE (3) UNDERSIZED R.C. 5 NON-DENSITY PARCELS AND ONE (1) R.C. 2 NON-DENSITY PARCEL AND THE REMOVAL OF AN EXISTING SPECIAL EXCEPTION FROM A PORTION OF THE TRACT

GRANTED ON JUNE 3, 1997. THE SPECIAL HEARING SEEKING APPROVAL TO CREATE ONE (1) R.C. 2 NON-DENSITY PARCEL AND THE REMOVAL OF AN EXISTING SPECIAL EXCEPTION FROM A PORTION OF

THE TRACT. IN ACCORDANCE WITH DEVELOPER'S EXHIBITS 1A AND 1B. BE AND IS HEREBY GRANTED, SUBJECT TO THE FOLLOWING RESTRICTIONS.

- 1 THE OWNER/DEVELOPER SHALL SUBMIT WITHIN THIRTY DAYS OF THE DATE OF THIS ORDER, A REVISED DEVELOPMENT PLAN INCORPORATING THE CONDITIONS AND RESTRICTIONS OF THIS ORDER.
- 2 THE ORDER ISSUED BY THE COUNTY BOARD OF APPEALS, DATED OCTOBER 16, 1991, BE AND IS HEREBY EXPRESSLY EXTINGUISHED SO THAT ANY CONTEMPLATED IMPROVEMENTS TO THE BAPTIST HOME FACILITY MUST BE APPROVED THROUGH A SUBSEQUENT PETITION FOR SPECIAL HEARING PROCESS

IT IS FURTHER ORDERED THAT THE PETITION FOR SPECIAL HEARING SEEKING APPROVAL TO CREATE THREE (3) UNDERSIZED R.C. 5 NON-DENSITY PARCELS, BE AND IS HEREBY DISMISSED.



2010-0280-SPH