

DR. EDWARD F. KERNAN  
Petitioner  
VS.  
H. GUY CAMPBELL, DAVID W. RUBENS,  
and CARL F. YOUNG (successors to  
Samuel J. Hoover, Marie L. Dingle,  
Calvin J. Carter) being and  
constituting the Board of Zoning  
Appeals of Baltimore County,  
Defendant

Mr. Clerk:  
Please enter the appeal from the Board of Zoning Appeals of  
Baltimore County in the above entitled cause "DENIED".

Michael Paul Smith,  
Attorney for Appellant

Copy to Mrs. Harris - Will you please mark your records in this  
appeal DENIED on Saturday, June 16th,  
1950.

M. P. Smith

OPINION OF THE BOARD OF ZONING APPEALS  
OF BALTIMORE COUNTY

This is an appeal by Dr. Edward F. Kernan, owner of  
the property described in the petition from an Order and  
decision of the Zoning Commissioner of Baltimore County  
dated August 25, 1950 by which Order the petition for  
special permit to use the property described therein for  
a hospital was denied.

The case came on for hearing before the Board,  
testimony was taken, petitions for and against the petition  
for the special permit were filed and considered by the Board  
and counsel for both sides heard. The property, which is  
the subject of the petition, is located on the east side  
of Rolling Road, 776 feet south of Johnnysake Road in the  
First District of Baltimore County.

The petitioner originally asked for a permit to  
use the property for a Psychiatric Hospital but at the  
hearing, before the Board, his counsel announced that he  
would abandon the request for the use as a Psychiatric  
Hospital and that he now desires to use the property for  
a Convalescent Home.

The Board feels from the testimony adduced before  
it that there is no real need for a Convalescent Home at  
this location and to grant a special permit for same would  
depreciate the value of the adjoining properties and would  
affect the general welfare of the community adversely.  
The testimony showed that there were a number of very  
valuable residences, either adjacent or quite near this

property and to grant this special permit would, in  
the Board's opinion, affect the enjoyment of those  
homes by the present owners. The Board also feels  
that the granting of this special permit in this  
neighborhood would be equivalent to "spot zoning".

The Board will, therefore, sign an Order  
affirming the action of the Zoning Commissioner in this  
case denying the special permit.

*James H. Brown*  
Chairman  
*Carl F. Young*  
*Calvin J. Carter*  
Board of Zoning Appeals  
of Baltimore County

RECD SEP 2 1950

Mr. Charles H. Doig  
Zoning Commissioner  
Towson 4, Maryland

Re: Petition for a Special Permit  
for Hospital - E. S. Rolling Road,  
beginning 776 feet S. Johnnysake  
Road, First District,  
Edw. F. Kernan, Petitioner

Mr. Commissioners:

You will please enter an appeal to the Board of Zoning Appeals  
of Baltimore County from your decision of August 25, 1950 denying the  
petition filed by Edward F. Kernan in the above case and forward the  
record to the Board of Zoning Appeals of Baltimore County.

*Michael Paul Smith*  
Attorney for Petitioner  
Edward F. Kernan

Dated September 2nd, 1950.

RE: PETITION FOR A SPECIAL PERMIT  
FOR HOSPITAL - E. S. ROLLING ROAD  
776 ft. S. Johnnysake Road,  
Dr. Edward F. Kernan, Petitioner

Appeal in the above entitled petition for  
Special Permit coming on for hearing before the Board  
of Zoning Appeals of Baltimore County on December 7,  
1950 from the Order of the Zoning Commissioner of  
Baltimore County passed on August 25, 1950, denying  
the petition for a Special Permit for Psychiatric  
Hospital, and it appearing from the facts and evidence  
adduced at the appeal hearing that the said petition  
should be denied, since the granting of same would  
adversely affect the health, safety, morals and the  
general welfare of the community, therefore:

It is this 14th day of December, 1950,  
ORDERED by the Board of Zoning Appeals of Baltimore  
County, that the Order of the Zoning Commissioner in  
denying the petition in this matter is hereby affirmed.

*James H. Brown*  
Chairman  
*Carl F. Young*  
Board of Zoning Appeals  
of Baltimore County

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PETITION FOR SPECIAL PERMIT

IN THE MATTER OF  
petition of  
Edward F. Kernan  
VS.  
THE BOARD OF ZONING APPEALS  
OF BALTIMORE COUNTY  
FOR A Special Permit  
To the Zoning Commissioner of Baltimore  
County  
Dr. Edward F. Kernan

Contract  
Purchase  
I hereby petition for a Special Permit, under the Zoning Regulations  
and Restrictions passed by the County Commissioners of Baltimore  
County, pursuant to Chapter 677 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 Permit to use the land (and improvements now  
or to be erected thereon) hereinafter described for Hospital  
(Location see attached plat sections 1, 2 and 15 outlined in red).  
East side of Rolling Road, 1st District of Balto. Co. beginning  
776 feet south of Johnnysake Road, thence southerly, on the east side  
of Rolling Road, 685 feet, thence southeasterly 945 feet, thence  
northeasterly 554 feet, thence northwest 348 feet, thence north-  
easterly 51.75 feet, thence northwest 150 feet, thence northeasterly  
235 feet, thence northwest 454 feet, thence southerly 555 feet and  
thence northwest 390 feet to beginning. Lots 1, 2 and 15 on plat  
of plan showing lots 1, 2 and 15.

*Edward F. Kernan M.D.*  
Contract Purchase  
3700 Liberty Ave. Apt. 404  
Address  
Balt 15, Md.  
*Edward F. Kernan M.D.*  
Local Owner  
3700 Liberty Ave. Apt. 404  
Address  
Balt 15, Md.

OWNED by the Zoning Commissioner of Baltimore  
County this 14th day of June, 1950,  
that the subject matter of this petition be advertised in  
a newspaper of general circulation throughout Baltimore  
County and that the property be posted, as required by the  
Zoning Regulations and Act of Assembly aforesaid, and that  
a public hearing thereon be held in the office of the Zoning  
Commissioner of Baltimore County, Maryland, on the 6th  
day of July, 1950, at 11:00 o'clock  
A.M.

*Charles H. Doig*  
Zoning Commissioner  
of Baltimore County

Upon hearing on petition for a special permit  
to use the property described therein for a Hospital and  
it appearing that by reason of location, being in a  
residential area, the granting of same would amount to  
"spot zoning". The use of said property for said purpose  
would depreciate the value of adjoining properties and be  
detrimental to the general welfare of the community,  
therefore:

It is this 25th day of August, 1950,  
ORDERED by the Zoning Commissioner of Baltimore County  
that the aforesaid petition for a special permit for a  
Hospital, be and the same is hereby DENIED.

*Charles H. Doig*  
Zoning Commissioner  
of Baltimore County

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

1756

District: Hospital  
Posted for: *Edward F. Kernan*  
Petitioner: *Edward F. Kernan*  
Location of property: *east side of Rolling Road 776 feet south of Johnnysake Road*  
Location of signs: *east side of Rolling Road 876-874 feet south of Johnnysake Road*  
Remarks: *Harry E. Carlstedt*  
Posted by: *Harry E. Carlstedt*  
Date of return: *June 23, 1950*

June 14, 1950

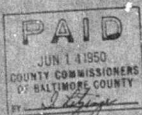
\$23.00✓

RECEIVED of Dr. Edward L. Korman the sum of Twenty Three (\$23.00) Dollars, being cost of petition for special permit, a certifying and posting of property, east side of Rolling Road, 776 feet south of Johnnyeske Road, 1st District of Baltimore County

Zoning Commissioner

Hearings:

Thursday, July 6, 1950  
at 11:00 a.m.



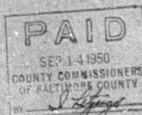
September 14, 1950

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\$22.00✓

RECEIVED of Michael Paul Smith, Attorney for Dr. Edward F. Korman, petitioner, the sum of Twenty Two (\$22.00) Dollars, being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner denying the petition for a special permit for a hospital, east side of Rolling Road, 776 feet south of Johnnyeske Road.

Zoning Commissioner

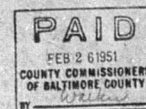


February 20, 1951

\$7.20

RECEIVED of Walter A. Feldman, Attorney for Dr. Edward F. Korman, Petitioner, the sum of \$7.20 being cost of certified copy of petition and other papers in the matter of petition for a special permit for a Convalescent Home, east side Rolling Road, south of Johnnyeske Road.

Zoning Commissioner



Michael Paul Smith, Esquire,  
212 Washington Avenue,  
Towson 4, Maryland

to

Jan. 30, 1951

County Commissioners of  
Baltimore County  
Zoning Department,  
Reckord Building,  
Towson 4, Maryland

Certified copies of petition and other papers  
filed in the matter of petition of Dr. Edw. F. Korman  
for special permit for Convalescent Home, E. S.  
Rolling Road, S. Johnnyeske Road, 1st Dist.

\$7.20

Pd  
2/21/51

NO PLAT  
IN  
THIS FOLDER