

2091
#2091-5

SEP 10 1951

PETITION FOR SPECIAL PERMIT

IN THE MATTER OF
Petition of
John P. O'Brien
ZONING COMMISSIONER
OF BALTIMORE COUNTY

For a Special Permit
To the Zoning Commissioner of Baltimore

John P. O'Brien Legal Owner
John P. O'Brien Contract Purchaser

hereby petition for a Special Permit, 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 Permit to use the land (and improvements now or to be erected thereon) hereinafter described for

PRIVATE SCHOOL (NURSERY)
S. W. side Yorkway, beginning 221 feet northwest of Leaway, thence northwesterly, on the southwest side of Yorkway, 62 feet, thence South 37 degrees 30' west 121.12 feet, thence South 53 degrees 0' east 34.56 feet and thence North 35 degrees 53' east 118.99 feet to beginning. Property known as 2526 Yorkway, Dundalk.

John P. O'Brien Contract Purchaser
John P. O'Brien Legal Owner
2526 Yorkway address
2526 Yorkway address

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ORDERED by the Zoning Commissioner of Baltimore County this 10th day of September, 1951, 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 had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 1st day of October, 1951, at 2:00 o'clock P. M.

Zoning Commissioner
of Baltimore County

PETITION FOR A SPECIAL PERMIT FOR PRIVATE SCHOOL (Day Nursery) S. W. Side Yorkway 221 ft. N. W. Leaway, 12th District - John P. O'Brien, Petitioner

The property which is the subject of this petition is located on the southeast side of Yorkway 221 feet southwest of Leaway in Dundalk. The land is improved by a four-family apartment house. This four-family unit is typical of the development on both sides of Yorkway in this area. It is the intention of the petitioner if this special permit is granted to use a part of the basement of this apartment house for the operation of the day nursery.

The testimony of the protestants was to the effect that many of the men residing in these apartments work at night and, therefore, sleep in the day time and that the operation of a day nursery in the apartment area could not help but invade the peace and quiet and prevent these men from getting their proper rest. Apartment owners testified that such use would be pre-judicial to their best interests in that it would be difficult to keep the present tenants or rent the apartments.

In addition, it has been pointed out by counsel for the protestants that there are restrictions in the deeds to these properties for residential use only. It would appear, therefore, that the granting of this special permit would be detrimental to the general welfare of the community and the special permit petitioned for should not be granted.

It is this 10th day of October, 1951, ORDERED by the Zoning Commissioner of Baltimore County, that the aforesaid petition for a special permit, be and the same is hereby denied.

John P. O'Brien
Zoning Commissioner
of Baltimore County

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S. W. Side Yorkway 221 ft. N. W. Leaway, 12th District

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SEP 24 1951

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CERTIFICATE OF PUBLICATION

TOWSON, MD., September 21, 1951.

THIS IS TO CERTIFY, That the aforesaid advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. ~~on~~ 2 times before the 1st day of October, 1951, the first publication appearing on the 14th day of September, 1951.

THE JEFFERSONIAN,
J. J. Tamm
Manager

Cost of Advertisement, \$.....

SEAL OF THE ZONING COMMISSIONER OF BALTIMORE COUNTY
I, the Zoning Commissioner of Baltimore County, do hereby certify that the above is a true and correct copy of the original as filed in my office on the 10th day of September, 1951.
J. J. Tamm
Zoning Commissioner
of Baltimore County

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 12th Date of Posting 9-12-51
#2091
Posted for Permit for Private School (Nursery)
Petitioner John P. O'Brien
Location of property S. W. side Yorkway, beginning 221 feet northwest of Leaway, thence northwesterly, on the southwest side of Yorkway, 62 feet, thence South 37 degrees 30' west 121.12 feet, thence South 53 degrees 0' east 34.56 feet and thence North 35 degrees 53' east 118.99 feet to beginning. Property known as 2526 Yorkway, Dundalk.
Location of Signs 2526 Yorkway, Dundalk
Remarks: 2526 Yorkway, Dundalk
Posted by George Hummel Date of return 9-24-51

September 10, 1951

\$20.00
RECEIVED of John P. O'Brien the sum of Twenty (\$20.00) Dollars being cost of petition for a special permit, advertising and posting property, southwest side of Yorkway, 221 feet northwest of Leaway, 12th District of Baltimore County.

Zoning Commissioner

Hearing
Monday, Oct. 1, 1951
at 2:00 p. m.
303 Washington Avenue

PAID
SEP 11 1951
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
J. J. Tamm

Plot
Dun 20th

Yorkway

S 51° 26' W 181.42

Known as
2586

N 35° 53' E 115.44

N 51° 26' W 58.36

4' Alley

4' Alley

221'