

PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF
 JULIA OGLETHORPE AND LYDIA DREITZKEW
 ZONING COMMISSIONER
 BALTIMORE COUNTY

For a Special Exception
 To the Zoning Commissioner of Baltimore County

Julia Oglethorpe and Lydia Dreitzkew, as joint tenants
 Legal Owner
 Contract
 Purchaser

herby 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 1913, 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 Day Nursery

All that parcel of land in the Ninth District of Baltimore County on
 the East side of Hillendale Road, beginning 150 feet South of Dayton Road
 thence Southerly and blinding on the East side of Hillendale Road 50 feet
 with a rectangular south westerly of 150 feet being Lots No. 758 & 759, Plat
 of Hillendale Park.

Contract Purchaser

Address

Julia Oglethorpe
 Lydia Dreitzkew
 6025 Hillendale Road, Baltimore 24, Maryland
 Legal Owners

March 27, 1957

\$30.00

RECEIVED OF A. Raymond Stevens, Jr., Attorney for
 Julia Oglethorpe and Lydia Dreitzkew, petitioners, the sum of Thirty
 (30.00) Dollars being cost of appeal to the Board of Appeals from
 the decision of the Zoning Commissioner denying petition for a
 Special Exception for Day Nursery, A. L. Hillendale Road 150 feet
 south of Dayton Ave., 9th District.

Zoning Commissioner

OL.621

RECEIVED
 MAR 27 1957
 COUNTY CLERK

RE: PETITION FOR SPECIAL
 EXCEPTION FOR DAY
 NURSERY - E/s of
 Hillendale Rd. beg.
 150 S. of Dayton
 Rd. - 9th District -
 Oglethorpe & Dreitzkew,
 Petitioners

BEFORE THE
 COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY
 #3989-X

OPINION

The petitioner seeks a special exception, denied by the Deputy
 Zoning Commissioner, for the purpose of operating a Day Nursery School on
 the property located on the east side of Hillendale Road, 150 feet south
 of Dayton Road, in the Ninth Election District of Baltimore County.

The Board is cognizant of the need for this type operation in
 Baltimore County, but recognizes fully that it must be operated only in
 locations where it would be compatible to the surrounding neighborhood.

Much testimony was received from residents of this area, express-
 ing both favor and disfavor at the granting of this special exception.
 However, Halfbrock, the only witness whose name actually binds on this
 property, testified in favor of the granting of the special exception.

One real estate expert, produced as a witness by the petitioner,
 testified that he did not feel that any adverse effect on the value of
 the real estate would result from the granting of the special exception.
 The testimony further shows that a number of the children that would be
 using the facilities live within the general neighborhood, some as close
 as four blocks or less.

It is, therefore, the unanimous opinion of the Board that there
 is a need in this locality for a nursery school, and that the granting
 of this special exception would not be detrimental to the health, safety
 and general welfare of the community.

RE: PETITION FOR SPECIAL
 EXCEPTION FOR DAY
 NURSERY - E/s of Hillen-
 dale Rd. beg. 150' S.
 of Dayton Ave. - 9th
 Dist. - Oglethorpe &
 Dreitzkew, Petitioners
 DEPUTY ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 No. 3989-X

Pursuant to the advertisement, posting of property
 and public hearing on the above petition for a Special Exception
 to use the property described in the within petition for a
 Day Nursery, upon hearing testimony and after having given every
 possible consideration to the request, I must decide against
 this petition and request for a Day Nursery.

I feel that the location is not far removed enough
 to make any appreciable difference or distinction insofar as
 considering this application as compared to the previous hearing
 or application which was denied by both the Zoning Commissioner
 and the then Board of Zoning Appeals.

Because I feel this would be detrimental to the area
 in question and be otherwise objectionable to the tranquility,
 I shall deny this application for a Special Exception for a
 Day Nursery.

It is therefore this 14th day of March, 1957, by
 the Deputy Zoning Commissioner of Baltimore County, ORDERED
 that the aforesaid petition for a Special Exception for a Day
 Nursery be and the same is hereby denied.

Deputy Zoning Commissioner
 of Baltimore County

ORDERED BY the Zoning Commissioner of Baltimore
 County this 26th day of October, 19 56,
 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 28th
 day of November, 19 56, at 1:00 o'clock
P. M.

Zoning Commissioner
 of Baltimore County

\$35.00

RECEIVED OF Julia Oglethorpe, petitioner, the sum
 of Thirty-five (\$35.00) dollars, being cost of petition
 for Special Exception, advertising and posting property on
 the East side of Hillendale Road, beginning 150 feet South
 of Dayton Road, Ninth District of Baltimore County.

Thank you.

HEARING:

Wednesday, November 28, 1956
 at 1:00 P. M.
 Room 108
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland

11633-110.00
 11633-125.00

RECEIVED
 NOV 30 1956
 COMPTROLLER'S OFFICE
 270

NOTE: Mr. Steinbock did not sit in the above case.

COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY

James J. Gans
 William H. Gans

ORDER

For the reasons set forth in the foregoing opinion, it is
 this 31st day of July, 1958, by the County Board of Appeals, ORDERED
 that the special exception for a Day Nursery be and the same is hereby
 granted, subject, however, to the above mentioned restrictions.

The power granted this Board to write restrictions covering
 special exceptions, which power we are exercising in this case, in our
 opinion completely nullifies any detrimental effects to the neighborhood
 which could result if no restrictions accompanied this Order.

For the above stated reasons, the Order of the Deputy Zoning
 Commissioner is hereby reversed, and the petition for a special exception
 is granted subject to the following restrictions:

1. The present residence occupied by the Oglethorpe family at
 6025 Hillendale Road may not be used in any way with
 the operation of the Day Nursery.
2. The property known as 6023 and 6021 Hillendale Road may
 not be used for a Day Nursery until a building is erected
 and completed to house the Day Nursery operation. This
 proposed building, it is to be situated 100 feet east of the
 building line of Hillendale Road and not to be closer
 than 10 feet to the north and south property lines. The
 building is to be approximately 20 feet wide by 10 feet
 deep. The dimensions of the building may vary no more
 than 10%. The building shall be constructed and have a
 general appearance similar to that of the Oglethorpe home
 now located at 6025 Hillendale Road.
3. No more than 16 children may be enrolled in the Nursery
 School at one time.
4. The hours of operation of the Day Nursery School shall
 be from 8:10 a.m. until 4:00 p.m., Monday through
 Fridays only.
5. No child who has reached his seventh birthday may be
 enrolled in the school.
6. All children must be picked up and taken home by a
 station wagon to be operated under the supervision of
 the Day Nursery. No students may be brought and called
 for by their parents.
7. The area to be used for outdoor play is to be in front
 of the Day Nursery building, that is, between Hillendale
 Road and the Day Nursery building. This area is to be
 enclosed by a fence similar to what is generally known
 as a chain link fence. It must be at least 6 feet high.
8. At no time must these children be playing in the outdoor
 area unless a supervisor is outdoors with them.

SEAL OF BALTIMORE COUNTY
ZONING DEPARTMENT
11-3-21

Pursuant to petition filed with the
Zoning Commission of Baltimore
County for Special Exception to
use the property hereinafter de-
scribed for a Day Nursery, the Zon-
ing Commission of Baltimore
County, by authority of the Board
of Commissioners of Baltimore
County, will hold a public hearing
on Monday, 14th County Office Building,
111 W. Chesapeake Avenue, Towson,
Maryland:
On Wednesday, November 24, 1956
at 1:00 P.M.
to determine whether or not the
Special Exception petitioned for an
addressed should be granted, the
property in said petition being par-
ticularly described as follows:
All that parcel of land in the
Ninth District of Baltimore County
to the East side of Hillendale Road
containing 1.66 Acre South of Daytona
Road; thence Southerly and easterly
on the East side of Hillendale Road
a distance of 120 feet being lots No.
254 and 255 Part of Hillendale Park,
as shown on plat filed with the
Zoning Department, being property
of Julia Quolin and Ledia (Smith)
Jews.
By Order of
Willie H. Adams
Zoning Commissioner
of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 16, 1956

THIS IS TO CERTIFY, That the annexed advertisement
was published in THE UNION NEWS, a weekly newspaper
printed and published in Towson, Baltimore County, Md., once
in each of two successive weeks before the 26th
day of November 1956, the first publication
appearing on the 6th day of November
1956.

The UNION NEWS
W. H. Adams
Manager.

MICROFILMED

FROM
Union News

CERTIFICATE OF PUBLICATION

OF
Special Petition - 9 Dist.

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#3989

District 9th Date of Posting 11-14-56

Posted for: Special Exception for a Day Nursery

Petitioner: Julia Quolin and Ledia Smith-Jews

Location of property: E. of Hillendale Rd. 1.66 Acre S. of Daytona Rd. etc.
See Plat known as 8025 Hillendale Road

Location of Signs: Posted on property known as 8025 Hillendale Road

Remarks: _____

Posted by George R. Adams Date of return: 11-15-56
Signature

MICROFILMED

Daytona

M^cBurnett Residence

Approx. 75 Feet

Proposed Nursery Building

Approx. 40 Feet

Ozolins Residence

Approx. 181 Feet

See Saws

Swings



Sand box

Play Area

Approx. 50 Feet

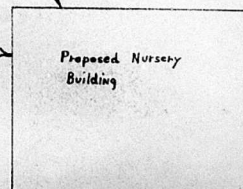
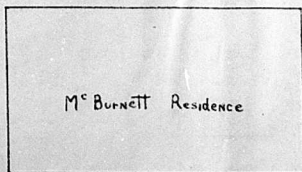
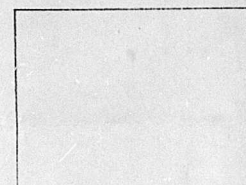
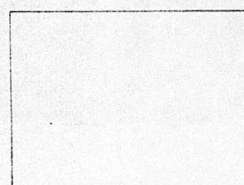
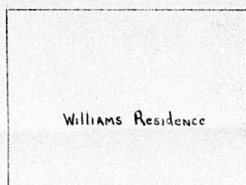
Approx. 50 Feet

Hillendale Road

Agnes
Lover 46
2# - 1261
mrs. E

Ridgely Oak Road

Daytona Road



Approx. 100 Feet

Approx. 75 Feet

181 Feet

Approx. 40 Feet

Driveway