

RE: PETITION FOR SPECIAL EXCEP-
TION FOR NURSERY SCHOOL -
E.S. Delray Ave. 906 N.
Frederick Rd. - 1st Dist.
Samuel C. Farley and
Arvilla Farley, Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
No. 4384-X

OPINION

This is a petition of Samuel C. and Arvilla Farley for a special exception for a day nursery on the east side of Delray Avenue, 906 feet north of Frederick Road in the First District of Baltimore County.

Testimony shows that the petitioner purchased the above property approximately one year ago in a neighborhood that has been residential in character since its development, some 50 to 60 years ago.

The testimony of the protestants was to the effect that this neighborhood has had no commercial enterprises of any kind in it and they did not wish to see a special exception of any kind granted that would open the door, in any way, toward commercialism of the neighborhood.

Further, that there is absolutely no need for a day nursery in this location to serve the community as there are a number available in the neighborhood that are not being used to their capacities and the testimony further substantiated this point through the petitioner's statement that the children that intended to use the nursery school at its outset would come from far distances, even from Baltimore City.

The Board recognizes the need for day nurseries, but it is our feeling that nursery schools must be placed in residential zones compatible with the people living there. In this case, all neighbors, on all sides, are protestants and no one appeared as a witness for the petitioner to show the desirability or the need of this petition.

It is for the above stated reasons that the decision of the Zoning Commissioner in denying this petition is confirmed.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 27th day of May, 1958, by the County Board of Appeals ORDERED that the petition for a Special Exception, be and the same is hereby denied.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

James J. Agnew
Nathan N. Kufner

ORDERED BY the Zoning Commissioner of Baltimore County this 12th day of February, 19 58
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 26th day of March, 19 58, at 2:30 o'clock P.M.

Zoning Commissioner
of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition for a special exception to use the property described therein for a Nursery School, the property being located in a residential zone to grant the special exception would be detrimental to the health, safety and the general welfare of the community, therefore, the special exception is denied.

It is this 3rd day of March, 1958, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid petition for a special exception, be and the same is hereby denied.

William H. Adams
Zoning Commissioner
of Baltimore County

April 7, 1958

\$30.00

RECEIVED OF Mrs. Arvilla Farley, petitioner, the sum of Thirty (\$30.00) Dollars, being cost of appeal to the County Board of Appeals from the decision of the Zoning Commissioner denying the special exception for Nursery School, east side of Delray Avenue, 906 N. Frederick Road, 1st District.

Zoning Commissioner

RECEIVED

APR 8 - 1958

CITY OFFICE

\$35.00

RECEIVED OF Arvilla Farley, petitioner, the sum of Thirty-Five (\$35.00) dollars, being cost of petition, advertising and posting property situate - East side of Delray Avenue, beginning 906 foot North of Frederick Road - 1st. District of Baltimore County.

Thank you.

Zoning Commissioner
of Baltimore County

HEARING:

Wednesday, March 26, 1958
at 2:00 P.M.

Room 108
County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland

RECEIVED
MAR 4 - 1958
COMPTROLLER'S OFFICE

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 1st
Posted for: Special Exception for Day Nursery
Petitioner: Samuel C. Farley and Arvilla Farley
Location of property: East side of Delray Avenue, beginning 906 ft. N. of Frederick Road, Baltimore County
Location of Signs: Posted on property, known as 906 Delray Avenue
Remarks: None
Posted by: William H. Adams Date of return: 3-11-58

ZONING DEPARTMENT OF BALTIMORE COUNTY PETITION FOR SPECIAL EXCEPTION 1st DISTRICT

Pursuant to petition filed with the Zoning Commissioner of Baltimore County for a Special Exception to use the property herein after described for a Day Nursery, the Zoning Commissioner of Baltimore County is authorized by the Zoning Act and Regulations of Baltimore County to hold a public hearing in Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, on the Wednesday, March 26, 1958 at 2:00 p.m.

To determine whether or not the Special Exception petitioned for as aforesaid should be granted, the property is held petition being particularly described as follows:

OFFICE OF
THE BALTIMORE COUNTIAN
THE COMMUNITY NEWS
Baltimore, Md.
THE HERALD-ARGUS
Baltimore, Md.

No. 1 Newburg Avenue

CATONSVILLE, MD.

March 15, 1958

THIS IS TO CERTIFY, that the annexed advertisement of Wilkie H. Adams, Zoning Commissioner of Baltimore County was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for 2 successive weeks before the 15th day of March, 1958 that is to say the same was inserted in the issues of

March 7 - 14, 1958.

THE BALTIMORE COUNTIAN

By *Paul J. Morgan*
Editor and Manager.

FRED ACK TURNPIKE RD

LYNNHURST PLACE

DELREY AVE

OXFORD PLACE

EDMONSON AVE

Plot #1

(A) NORTH →

(A) NORTH →

(P) VACANT LOT

ALL BUILDINGS TO REMAIN ON PROPERTY

this home has 8 rooms & 2 baths

Now used for dwelling, proposed use (Day Nursery)

(P) DWELLING

2384-X
map
#1-A
✓

Plot #1
2384-X

PROPERTY LINE

PROPERTY LINE

STAIRWAY TO 2nd FLOOR

Front Porch

12'6" X 13'

15' X 16'

13'3" X 13'2"

13'9" X 5'2"

BATH

44'6"

4'1"

20'

85'

5'

10'

620'

650'

906'

55' 10"

96' 10"

120'