

PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF
BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

MARGARET W. BITTORF
for a Special Exception
To The Zoning Commissioner of Baltimore County

Margaret W. Bittorf Legal Owner
Contract Purchaser

hereby 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 1943, 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 to be erected thereon) hereinafter described for Nursery School

All that parcel of land in the Ninth District of Baltimore County on the Southwest corner of Linden Avenue and Hillen Road, thence running Westerly and binding on the South side of Linden Avenue 114.25 feet; thence South 13 degrees 11 minutes West 110 feet to a 15 foot alley and running Easterly 55 feet to the West side of Hillen Road; thence Northerly and binding on the West side of Hillen Road 111.6 feet to the place of beginning.

Contract Purchaser
MARGARET W. BITTORF
Legal Owner
263 LINDEN AVE
#4
JUL 3 1958

#4463-X
NEW MAP
#9
"X"
7/31/58

4463-X

MARGARET W. BITTORF
26 corner of Linden Avenue & Hillen Rd.
#4463-X

ORDER

For the reasons set forth in the foregoing opinion, it is this 1st day of January, 1959, by the County Board of Appeals, ORDERED that the special exception petitioned for, be and the same is hereby denied.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John J. Goss
Charles Stenhouse Jr.
William K. Goss

IN THE MATTER OF PETITION FOR
SPECIAL EXCEPTION FOR A
DAY NURSERY - SOUTHWEST CORNER
OF LINDEN AVENUE & HILLEN ROAD -
9TH DISTRICT, MARGARET W. BITTORF,
PETITIONER

BEFORE
JOHN G. ROSE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY

APPEAL

MR. COMMISSIONER:
Please enter an appeal from your decision in the above-designated matter to the Board of Appeals for Baltimore County.

John J. Goss
Charles Stenhouse Jr.
William K. Goss
Attorneys for Petitioners

WE HEREBY CERTIFY that a copy of the within Order of Appeal was mailed to Maurice W. Baldwin, Esquire, Attorney for Petitioner, 21 West Pennsylvania Avenue, Towson 4, Maryland, this 14th day of August, 1958.

John J. Goss
Of Counsel for Petitioners

Received
8/14/58

LAW OFFICE
MAURICE W. BALDWIN
21 WEST PENNSYLVANIA
TOWSON 4, MARYLAND

PETITION FOR SPECIAL EXCEPTION
FOR Day Nursery - SW corner of
Linden Ave. & Hillen Rd. 9th
Dist. - Margaret W. Bittorf,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
#4463-X

OPINION

The petitioner in this case seeks a special exception for a Day Nursery in an end group home located at the southeast corner of Linden Avenue and Hillen Road. The property, which is owned by the petitioner and her parents, faces on Linden Avenue with a side yard along Hillen Road.

It was testified that the house contains three bedrooms on the second floor, three rooms on the first floor, and three rooms in the basement. It is occupied by the petitioner, her child and three roomers. Two of the basement rooms are occupied by roomers. It is planned to use the first floor along with a front room of the basement for the Day Nursery. The petitioner stated that she desired to limit the nursery to seven children between the ages of 3 to 5 years; that the hours of operation contemplated are from 8:30 a.m. to 4:30 p.m., Monday through Friday.

The group homes in the area are well maintained, and there are some substantial individual homes to the rear of the property.

The Board is of the opinion that maximum use is already being made of this group home. Its use as a Day Nursery for small children would not be compatible with its present use as a rooming house, and would be detrimental to the general welfare of the neighborhood. The Board feels that the granting of the special exception requested would create a commercial inroad in a strictly residential area and thereby tend to lower the value of vicinal properties.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 9th Date of Posting 7-23-58
Posted for Special Exception for Nursery School
Petitioner: Margaret W. Bittorf
Location of property: SW corner of Linden Ave. and Hillen Road - 9th Dist. - Towson 4, Md. - 263 Linden Avenue
Location of Signs: World on property known as 263 Linden Avenue
Remarks:
Posted by: George J. Hummel Date of return: 7-24-58

August 15, 1958

\$30.00
RECEIVED of John W. Heaton, Jr. Attorney for petitioners, the sum of Thirty (\$30.00) dollars, being cost of appeal to the County Board of Appeals from the decision of the Deputy Zoning Commissioner granting a special exception of the property on the southwest corner of Linden Avenue & Hillen Road - 9th District of Baltimore County.
Thank you.

Zoning Commissioner
of Baltimore County

RECEIVED
AUG 15 1958
COMPTROLLER'S OFFICE

RE: PETITION FOR SPECIAL
EXCEPTION FOR DAY
NURSERY - SW cor. of
Linden Ave. & Hillen
Rd. - 9th District,
Margaret W. Bittorf,
Petitioner

BEFORE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY

The petitioner herein seeks a special exception for the purpose of operating a Day Nursery on the property located on the southeast corner of Linden Avenue and Hillen Road, in the Ninth District of Baltimore County.

There is a need for this type operation in Baltimore County, but a Day Nursery must be operated only in locations where it would be compatible to the surrounding neighborhood.

The power vested in me to write restrictions covering special exceptions, which power I am exercising in this case, in my opinion completely nullifies any detrimental effects to the neighborhood which could result if no restrictions accompanied this Order.

For the above stated reasons the petition for a special exception is granted, subject to the following restrictions:

1. The number of children permitted must be set by the Baltimore County Health Department.
2. The hours of operation of the Day Nursery shall be from 8:30 a.m. until 4:30 p.m., Monday through Friday only.
3. All children enrolled must be between the ages of 2 and 5 years.
4. All children must be picked up and taken home by the operator or her assistant.
5. The area to be used for outdoor play is to be the area facing Hillen Road.

July 11, 1958

\$40.00
RECEIVED of Margaret W. Bittorf, petitioner, the sum of Forty Dollars (\$40.00), to cover cost of petition, advertising and posting property situate on the Southwest corner of Linden Avenue and Hillen Road.
Thank you.

Zoning Commissioner
of Baltimore County

REMARKS:
Wednesday, August 6, 1958
at 1:00 P. M.
Room 108
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland

RECEIVED
JUL 11 1958
COMPTROLLER'S OFFICE

61632-44040

4463-X

**NO PLAT
IN
THIS FOLDER**