

PETITION FOR SPECIAL EXCEPTION
For Day Nursery - West Side of
Hilton Avenue, Opposite Valley
View Road, 1st District -
August W. Gibbons and Charlotte
M. Gibbons, Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
No. 4822-X

OPINION

The petitioners herein apply for a special exception to operate a Day Nursery in their home, located on the west side of Hilton Avenue, opposite Valley View Road, in Catonsville. The house, containing 6 rooms and two baths, is occupied by Mrs. Gibbons and her 12 year old son. Mr. Gibbons, the other petitioner, does not live at the subject property.

Mrs. Gibbons plans to use a playroom in the basement, one room on the first floor and two rooms on the second floor for the Day Nursery if the special exception is granted. A fenced-in play area in the side yard would also be provided. She testified that she would take care of 15 to 20 children between the ages of 2 and 6 years. The subject property is now zoned R-5, and the size of the lot is 110 feet wide and 24 1/2 feet deep. It is located more than a mile from Frederick Road, where public transportation is operated.

All of the homes in the area are substantial individual residences with no commercial use of any property for a considerable distance. A number of homeowners in the neighborhood objected to the granting of the special exception requested on the grounds that it depresses the value of their properties. They further stated that there was no need for a Day Nursery in this neighborhood. The petitioner said that she would pick the children up in other areas and bring them to her home in a station wagon.

The Board feels that the granting of the special exception requested would create a commercial use in a high type strictly residential area and thereby tend to lower the value of adjacent properties. It would therefore be detrimental to the general welfare of the locality involved.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 14th day of March, 1960, by the County Board of Appeals, ORDERED that the special exception petitioned for be and the same is hereby denied.

Any appeal from this decision must be in accordance with Rule 1101 (b) of the Rules of Practice and Procedure of the Court of Appeals of Maryland.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

James J. Lyons
Charles M. Gibbons

ORDERED by the Zoning Commissioner of Baltimore County this 10th day of November, 1959, 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 16th day of December, 1959, at 11:00 o'clock A.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 for a Day Nursery, and it appearing that by reason of location, the granting of the special exception would be detrimental to the health, safety and the general welfare of the locality involved and should be denied, therefore:

It is this 17th day of December, 1959, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception should be and the same is hereby denied.

Charles M. Gibbons
Zoning Commissioner
of Baltimore County

PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF

August W. & Charlotte Gibbons

For a Special Exception

To the Zoning Commissioner of Baltimore County

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

#4822-X
MAP
#1-A
"X"
12/16/59

Charlotte M. Gibbons and *August W. Gibbons* Joint 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 Day Nursery

All that parcel of land in the First District of Baltimore County on the West side of Hilton Avenue beginning opposite Valley View Road thence running Northerly and binding on the West side of Hilton Avenue 110 feet with a rectangular depth Westerly of 24 1/2 feet known as 602 Hilton Avenue.

Charlotte M. Gibbons

August W. Gibbons

Contract Purchaser

Catonsville, Md.

12/16/59

11 A.M.

16th



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 1st Date of Posting: 12-2-59
Posted for: Special Exception for Day Nursery
Petitioner: August W. & Charlotte M. Gibbons
Location of property: W. S. Hilton Ave. opposite Valley View Rd. Catonsville, Md.
Location of Signs: Posted on property known as 602 Hilton Ave.
Remarks: James J. Lyons
Posted by: James J. Lyons Date of return: 12-3-59

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. Feb. 19 1960
THIS IS TO CERTIFY that the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of two successive weeks before the 16th day of December 1959, the first publication appearing on the 27th day of November 1959

THE TIMES

John M. Martin
Manager

Cost of Advertisement \$ 18.00
Purchase Order #8587
Requisition No. 85172

ZONING DEPARTMENT OF BALTIMORE COUNTY
PETITION FOR SPECIAL EXCEPTION
IN DISTRICT
Pursuant to petition filed with the Zoning Commissioner of Baltimore County for a Special Exception to use the property hereinafter described for Day Nursery, the Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, on Wednesday, December 16, 1959, at 11:00 A.M., to determine whether or not the Special Exception petitioned for as aforesaid should be granted. The property in said petition being tentatively described as follows:
All that parcel of land in the First District of Baltimore County on the West side of Hilton Avenue beginning opposite Valley View Road thence running Northerly and binding on the West side of Hilton Avenue 110 feet with a rectangular depth Westerly of 24 1/2 feet known as 602 Hilton Avenue as shown on plat plan filed with the Zoning Department, being property of August W. and Charlotte M. Gibbons.
By Order of
WILLIE H. ADAMS,
Zoning Commissioner
of Baltimore County
Nov. 21st 1959

December 28, 1959
RECEIVED of James B. Lyons, Jr., attorney for August W. Gibbons and Charlotte Gibbons, petitioners, 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 a special exception for Day Nursery on west side of Hilton Avenue, opposite Valley View, Road, 1st District.

Zoning Commissioner

PAID - Baltimore County, Md. - Office of Finance

12-28-59 9609 • • • TJP - 30.00
12-28-59 9609 • • • TJP - 30.00

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND

No. 0901

DATE
3/24/60

TO: Mr. & Mrs. August Gibbons
602 Hilton Avenue
Catonsville 24, Maryland

BILLIP
BY: Zoning

QUANTITY	DESCRIPTION	TOTAL AMOUNT
1	W/S Hilton Ave. opp. Valley View Rd. 1st Dist. - Advertisement	3.00
1	3-2860 2244 • • • SPL -	3.00
1	3-2860 2244 • • • SPL -	3.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

NOTICE OF HEARING
Mr. & Mrs. August W. Gibbons
602 Hilton Ave.
Catonsville 24, Md.

Re: W/S Hilton Ave. opposite Valley View Rd.
1st District
August W. & Charlotte M. Gibbons - Petitioners

TIME: 11:00 A.M.
DATE: Wednesday, December 16, 1959
PLACE: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

Zoning Commissioner
of Baltimore County

RECEIPT

Date: 12/21/59

PAID - Baltimore County, Md. - Office of Finance

RECEIVED of: Charlotte M. Gibbons

LOCATION OF PROPERTY: 602 Hilton Ave. Catonsville 24, Md.

AMOUNT: \$ 30.00

Zoning Commissioner
of Baltimore County

Proposed Day Nursery

602 Hilton Ave - Catons. 28.

WOODED
AREA
undeveloped

WOODED
AREA

cut building -
not in use

144'

chicken
house

Garage

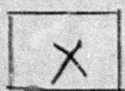
Proposed
Play
Area
Fenced-in

Parking
Area -
could be
enlarged as
required.

House

Porch

to house
south
side
35'



house to center
of street - 94'

to house
north
side
73'

240'

From center of
Street to
house - 150'

12'
wide
drive-
way

(Lawn)

(Lawn)

Present Zoning R-6
Proposed " - Special

Area of property -
34,560 sq. feet

Use - Private Home
Proposed - Nursery (Day)

#4822-X

MAP
#1-A

X

NORTH

Hilton Ave.
(St 24' wide)

From center of
street to house (east)
86'

Scale - 1" = 40'

Valley View
Park

on Dec 11/12/13

