

RE: PETITION FOR SPECIAL
EXEMPTION FOR CONVALESCENT
HOME - Property known as
4204 Milford Hill Road,
3rd District -
Leonard M. Carver and Leona
M. Carver, Petitioners -
Ellis Friedler and Rose
Friedler, Contract Purchasers

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5095-X

OPINION

This is a petition for a special exception to allow the operation of a Convalescent Home on property located some 600 feet to the west of Balatonston Road on the north side of Milford Hill Road, in the Third District of Baltimore County, this property containing approximately 4.75 acres.

Mr. Richard Murray, attorney for the petitioners, advised the Board that an agreement had been reached with the respondents and requested the Board to dismiss the appeal.

The Board by a majority opinion denied Mr. Murray's request stating that it felt that once a piece of property had been posted notifying the residents of a community that the Board of Appeals would a public hearing on a petition, that the Board had the responsibility to the citizens of Baltimore County to hold such hearing and make its decision on the evidence presented.

There were no respondents present at this hearing. The petitioners presented no factual evidence for the Board to be unanimous in its decision, that the granting of a special exception for use as a Convalescent Home on the subject property would not in any way violate the provisions of Section 500.1 of the Zoning Regulations.

It is, therefore, the unanimous decision of the Board of Appeals that the special exception should be granted with the following provisions:

1. That the existing fence between the subject property and Colby Road shall be maintained and kept in proper repair at all times.
2. That there shall be no flashing, blinking, pulsating or animated signs upon the property. However, motionless illuminated signs are permitted in accordance with the Baltimore County Regulations.
3. That any structure erected or used in connection with the operation of a Convalescent Home, shall be set back at least 100 feet from the present paved surface of Milford Hill Road.
4. That no structure shall be erected with a height exceeding 35 feet above the present ground level.
5. That there shall be no more than 100 bedroom units located on the subject property, and
6. That all plans for the construction of future buildings or alterations to the present dwelling shall be submitted to the office of Planning and Zoning for Baltimore County for approval.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 2nd day of February, 1961, by the County Board of Appeals, ORDERED that the aforesaid special exception be and the same is hereby granted, subject, however, to compliance with the provisions set forth in said Opinion.

My appeal from this decision must be in accordance with Rule No. 1101 of the Rules of Practice and Procedure of the Court of Appeals of Maryland.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Madeline H. Lewis
Ann T. B...
K. Mitchell Austin

ORDERED by the Zoning Commissioner of Baltimore County this 23rd day of August, 1960, 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 September, 1960, at 11:00 o'clock P.M.

Zoning Commissioner
of Baltimore County

Upon hearing on the above petition for a special exception to use the property described therein for a Convalescent Home and it appearing that by reason of location, the safety, health and the general welfare of the locality involved not being substantially affected, the special exception should be granted, therefore:

It is this 7th day of October, 1960, by the Deputy Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception is hereby granted, which permits a maximum of 100 units only; the building shall not be over 35 feet in height and there shall be a minimum setback 2 on the street of at least 100 feet.

All plans for the construction of future buildings or alterations to the present dwelling shall be submitted to the Office of Planning and Zoning for approval.

Deputy Zoning Commissioner
of Baltimore County

IN THE MATTER OF
"X" N/A/60
For a Special Exception
To the Zoning Commissioner of Baltimore County

Leonard M. Carver
Ellis Friedler

Legal Counsel
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 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 be erected thereon) hereinafter described for elderly housing with nursing care (convalescent home).

Smith Harrison
212 N. Main Ave.
1877
7/25/60

Ellis Friedler *Leonard M. Carver*
Rose Friedler *Leona M. Carver*
Contract Purchaser Legal Owner

4204 Milford Hill Road
Baltimore, Md. *4204 Milford Hill Road*
Baltimore, Md. *Baltimore, Md.*

EVERETT L. BUCHMASTER
AGENCY IN WHITE ON
CHURCH STREET
A CORNER NEWSPAPER
BANKS IN WHITE
TOWNSHIP NO. OFFICE
AS REPRESENTATIVE
TELEPHONE
WISCONSIN 5-2000
Baltimore 2, Md.
TELEPHONE: MILLSBERRY & SUTY
October 11, 1960

Mr. John Rose
Deputy Commissioner
County Office Building
Towson 4, Maryland
Re: Petition for Special Exception
For Convalescent Home - Property
known as 4204 Milford Hill Rd.,
Leonard M. Carver & Leona Carver
Petitioners - Ellis Friedler and
Rose Friedler, Cont. Purchasers

Dear Mr. Rose:
Please enter an Appeal to the County Board of Appeals from your Order and Decision of October 7, 1960 in the above matter, on behalf of signers, Misses, the Colonial Village Improvement Assn., and the individual members thereof.
Enclosed is check in the amount of \$70.
If there is anything further needed in perfecting the Appeal, please advise.
Very truly yours,
George W. White, Jr.

GWW, Jr.
Enclosure

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *3rd* Date of Posting: *9-7-60*
Posted for: *Special Exception Convalescent Home*
Petitioner: *Leonard M. Carver, et al.*
Location of Property: *4204 Milford Hill Road, 3rd*
Location of Signs: *Both signs posted on property known as 4204 Milford Hill Road.*
Remarks: *George W. White, Jr.*
Posted by: *George W. White, Jr.* Date of return: *9-8-60*

CERTIFICATE OF PUBLICATION

TOWSON, MD.....September 2.....1960.
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on or about September 2, 1960, at least once a week before the 23rd day of September, 1960, the last publication appearing on the 23rd day of September, 1960.

THE JEFFERSONIAN,
Charles H. Johnson
Manager

Cost of Advertisement, \$.....

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

No. 4042
DATE 11/10/60
5095

TO: Messrs. Buchmaster, White, Mindel & Clarke
113 County Office Bldg.,
Towson 4, Md.

DEPOSIT TO ACCOUNT NO. 01-622

QUANTITY	DEBIT	CREDIT
Cost of posting property for appeal hearing - 4204 Milford Hill Road, FNU - Baltimore County, Md. - Office of Finance	15.00	
4-10-60 2457 * * * T-VL		5.00
4-10-60 2457 * * * T-VL		5.00

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.

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

No. 3731
DATE 12/11/60

TO: Bickmaster, White, Minde & Clarke,
28 Light Street
Baltimore 18, Md.

BILLED BY: Spring Department of
Baltimore County
113 County Office Bldg.,
Towson 4, Maryland

DEPOSIT TO ACCOUNT NO.	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
02,000			
		Cost of appeal to Board of Appeals No. 5095	70.00
		PAID -- Baltimore County, Md. -- Office of Finance	
		10-17-60 1933 * * * TIL +	70.00
		10-17-60 1933 * * * TIL +	70.00

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.

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

No. 3511
DATE 1/19/61

TO: Smith & Harrison
215 Washington Ave.
Towson 4, Maryland

BILLED BY: Zoning

DEPOSIT TO ACCOUNT NO.	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
01,602			
		Petition for Special Exception - Carver & Friedler	70.00
		\$ 50.00 - petition	
		10.00 - signs	
		10.00 - advertising	
		PAID -- Baltimore County, Md. -- Office of Finance	
		8-29-60 9967 * * * TIL -	70.00
		8-29-60 9967 * * * TIL -	70.00

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.

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

No. 3571
DATE 1/12/61

TO: Friedler's Court House
249 Shirley Ave.
Baltimore 18, Md.

BILLED BY: Zoning

#5095-X

DEPOSIT TO ACCOUNT NO.	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
01,602			
		Advertising and signs - Carver & Friedler	80.00
		PAID -- Baltimore County, Md. -- Office of Finance	
		9-21-60 909 * * * TIL -	80.00
		9-21-60 909 * * * TIL -	80.00

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.

EVERETT L. BUCKMASTER
GEORGE W. WHITE, JR.
CHARLES MINDE
GEORGE L. CLARKE
SAMUEL G. HILL

LAW OFFICES
BUCKMASTER, WHITE, MINDE & CLARKE

10 LIGHT STREET
BALTIMORE 2, MD.
TELEPHONE: MULBERRY 5-6747

January 19, 1961

TOWSON NO. OFFICE
28 W. PENNSYLVANIA AVE.
TELEPHONE
VALLEY 3-8488

Mr. Nathan Kaufman
County Board of Appeals
County Office Building
Towson 4, Maryland

Re: Petition for Special Exception
for Convalescent Home - Property
known as 4204 Milford Mill Rd.,
Leonard M. Carver & Leona Carver
Petitioners - Ellis Friedler and
Rose Friedler, Cont. Purchasers

Dear Mr. Kaufman:

Will you kindly dismiss the Appeal filed
on behalf of Simon J. Missenbaum, The Colonial
Village Improvement Association, Inc. and the
individual members thereof, in the above entitled
matter.

The interested parties have entered into
an Agreement setting forth certain restrictions
regarding the subject property. A copy of the
Agreement is attached hereto and it is requested
that it be made a permanent part of your record in
this matter.

Very truly yours,

George W. White, Jr.
George W. White, Jr.

GWW,Jr:cb
Enclosure

MILFORD MANOR NURSING HOME

FOR

ELLIS FRIEDLER

PIKESVILLE, MD.



J. MAUDUIT BERRY
ARCHITECT

Zoning File #5095

Approved Plan
to

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY W. B. Berry
DATE 7/1/66



ADDITION TO MILFORD MANOR NURSING HOME FOR ELLIS FRIEDLER 4004 MILFORD HILL ROAD 540 ELEC DIST. PIKESVILLE MD	DATE 6-13-66 REV 9-1-66 DRAWS NO. 1
J. MAUDUIT BERRY ARCHITECT 8108 16th STREET ST. LOUIS, MO.	

