

RE: PETITION FOR SPECIAL EXCEPTION :
 FOR BOARDING HOME - S. E. Cor. :
 South Prospect and Altamont :
 Aves., 1st District - James T. :
 Hood and Effie T. Hood, :
 Petitioners :
 :
 : BEFORE :
 : COUNTY BOARD OF APPEALS :
 : OF :
 : BALTIMORE COUNTY :
 : No.5119-X :

: : : : : :

OPINION

The petitioner seeks a special exception for a Boarding Home or Care Home at the southeast corner of South Prospect and Altamont Avenues of the First District of Baltimore County.

The petitioners testified that the subject property was purchased in May, 1960, and said property consists of fifteen rooms. They seek to operate this Care Home for convalescent or infirmed persons who are ambulatory and not confined to bed. Further testimony revealed that the petitioners were not experienced in this type of operation and that they did not plan to hire an experienced staff to maintain the premises.

The protestants gave convincing testimony that the granting of this petition would tend to overcrowd this essentially residential neighborhood and that a potential parking and traffic problem would be created.

The Board is of the opinion that the petitioners have neither the experience, facilities, or personnel to staff such an undertaking, and therefore, the specifications as set forth in Section 502.1 of the Baltimore County Zoning Regulations in regard to the general welfare of the neighborhood, traffic, and overcrowding, could not be complied with.

ORDER

For the reasons set forth in the foregoing Opinion it is this 9th day of February, 1961, by the Board of Appeals, ORDERED that the special exception should be and the same is hereby denied.

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

COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY

[Signature]
G. Mitchell Austin
[Signature]
Spencer

NOTE: Mr. Nathan N. Kaufman, Jr. did not sit in the above case.

JAMES T. HOOD, and
EFFIE T. HOOD
VS.
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

ORDER

The appeal of James T. Hood and Effie T. Hood, from the decision of the County Board of Appeals for Baltimore County denying their Petition for a Special Exception having come on for hearing in open court, arguments of counsel for the Appellants and for the Protestants having been heard, and Stipulations entered into by the Appellants and Protestants having been filed in these proceedings, and considered, it is

By the Circuit Court for Baltimore County this 28th day of July, 1961, ORDERED as follows:

1. That the decision of the County Board of Appeals for Baltimore County, passed on the 9th day of September, 1961, be and the same is hereby reversed and that the Petition of James T. Hood and Effie T. Hood, for a Special Exception be and the same is hereby granted upon the following conditions and subject to the following restrictions:

a. There shall not be more than seven (7) boarders at any one time.

b. No boarder shall be accepted or retained who is or ever has been a patient in any mental institution because of a chronic or incurable illness or who required medical (other than for routine or temporary illnesses) or psychiatric care at time of admission or while in residence.

ORDERED by the Zoning Commissioner of Baltimore County this 11th day of September, 1960

that the subject matter of this petition be advertised in two newspapers 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 31st day of October, 1960, at 3:00 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 Boarding Home, and it now being detrimental to the safety, health and the general welfare of the locality involved, the special exception should be denied, therefore:

It is this 16th day of November, 1960, by the Deputy Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception should be and the same is hereby denied.

Deputy Zoning Commissioner
of Baltimore County

5119-X

c. No boarder shall be accepted who is under twenty-one (21) years of age.
d. That the premises shall not be operated in a manner requiring licensing as a "care home" as defined by the Maryland State Health Code.
e. If any welfare people are placed in the boarding house, the boarding house must be checked by the Baltimore County Health Department.
f. The front lawn of the premises shall be maintained as lawn and not used for parking vehicles.
2. That the Zoning Commissioner of Baltimore County, be and the same is hereby directed to pass an Order in conformity herewith.

True Copy Test
WALTER J. KANUSSEN, Clerk
Per *Walter J. Kanussen*
Deputy Clerk

George M. Bray
Judge

TELEPHONE
VALLEY 3-3000

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

No. 4507
DATE 3/15/1961

TO: Edward A. Haggard, Esq.,
Hathorn Building
Baltimore 2, Md.

FROM: Zoning Department of
Baltimore County
113 County Office Building,
Towson 4, Md.

REPORT TO ACCOUNT NO. 01622	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
Cost of certified documents in the matter of Special Exception for Boarding Home - 6 to Co. Sec. Prospekt and Altamont Aves., James T. Hood, No. 5119-X			50.00
			8.00

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.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *1st*
Posted for: *James T. & Effie T. Hood*
Petitioner: *James T. & Effie T. Hood*
Location of property: *101 South Prospect and Altamont Avenues, Catonsville 20, Maryland*
Location of Signs: *on front lawn of South Prospect and Altamont Avenues*
Remarks: *As above*
Posted by: *George M. Bray*
Date of Posting: *12-12-60*
Date of return: *12-12-60*

JAMES T. HOOD and
EFFIE T. HOOD
VS.
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

ORDER FOR APPEAL

Re Petition for Special Exception for Boarding Home 3 E. Corner South Prospect Avenue and Altamont Avenue 1st District No. 5119X

Mr. Clerk:

Please enter an appeal from the decision of the County Board of Appeals in the above matter to the Circuit Court for Baltimore County.

AZRAEL AND GANN and

Charles H. Gann
Attorneys for the Appellants

Service of copy of the aforesaid Order of Appeal admitted this 5th day of March 1961.

Secretary County Board of Appeals

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. October 24 19 60.

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 one successive weeks before the 31st day of October, 19 60, the first publication appearing on the 14th day of October, 19 60.

THE TIMES.

John M. Martin
Manager
John M. Martin

Cost of Advertisement \$ 112.00
Purchase order - P 3164
Registration No. K 8483

TELEPHONE
VALLEY 3-3000

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

No. 3549
DATE 11/16/60

TO: Donald E. Haggard, Esq.,
709 Frederick Road
Catonsville 20, Maryland

FROM: Zoning
Department of
Baltimore County
113 County Office Building,
Towson 4, Maryland

REPORT TO ACCOUNT NO. 01622	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
Petition for Special Exception for James T. & Effie T. Hood			50.00
			50.00

PAID - Baltimore County, Md. - Office of Finance

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.

PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF
James T. Hood and
Effie T. Hood, his wife
101 South Prospect Avenue
Catonsville 20, Maryland
For a Special Exception
To the Zoning Commissioner of Baltimore County

James T. Hood and Effie T. Hood, his wife. Legal Owners

Contract
Purchase

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 to be erected thereon) hereinafter described for a Boarding Home

All that parcel of land in the First District of Baltimore County on the Southeasternmost corner of South Prospect and Altamont Avenues; thence Southerly and binding on the East side of South Prospect Avenue 105 feet with an average rectangular depth Easterly of 111 feet and binding on the South side of Altamont Avenue, being known as 101 South Prospect Avenue.

James T. Hood
James T. Hood

Contract Purchaser

Edna T. Hood
Edna T. Hood
Legal Owners
Edna T. Hood
101 S. Prospect Ave.



10/31/60
3:00 PM

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

No. 10/31/60
DATE 10/31/60

TO: Donald E. Haggard, Esq.,
709 Frederick Road,
Catonsville 20, Md.

FROM: Zoning
Department of
Baltimore County
113 County Office Building,
Towson 4, Maryland

REPORT TO ACCOUNT NO. 01622	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
Advertising and sign - James T. Hood et al.			25.00
			25.00

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

No. 11/29/60
DATE 11/29/60

Donald E. Haggard, Esq.,
709 Frederick Road,
Catonsville 20, Md.

FROM: Zoning Department of
Baltimore County
113 County Office Building,
Towson 4, Maryland

REPORT TO ACCOUNT NO. 01622	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
Cost of appeal to County Board of Appeals			50.00
			50.00

PAID - Baltimore County, Md. - Office of Finance

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

SCALE: 1/8" = 1'
 ELECTION DISTRICT - 1ST
 AREA OF PROPERTY - 3312
 EXISTING USE OF PROPERTY - HOME
 PROPOSED USE OF PROPERTY - BOARDING HOUSE
 PRESENT ZONING - HOME
 PROPOSED ZONING - BOARDING HOUSE FOR 12 PERSONS

