

RE: PETITION FOR SPECIAL EXCEPTION :
for a Nursery School,
N/S of Church Lane 100.81' NW
of Springdell Avenue,
2nd District
Marie C. McNaney,
Petitioner
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 65-146-X

AMENDED ORDER

The Order of the Board of Appeals in the above entitled case, dated February 2, 1966, did not contain the restrictions specified in the Opinion. Therefore, the Board is issuing this Amended Order.

For the reasons set forth in the foregoing Opinion, it is this 9th day of February, 1966 by the County Board of Appeals, ORDERED that the special exception petitioned for, be and the same is hereby GRANTED, subject to the approval of the County Department of Health, the Department of Permits and Licenses, and the obtaining of all necessary permits and licenses from any pertinent State or governmental department.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin

W. Giles Parker

R. Bruce Alderman

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John G. Rose, Zoning Commissioner Date: November 6, 1964

FROM: George M. Saxvells, Director

SUBJECT: #65-146-X - Special Exception for a Nursery School. North side of Church Lane 100.81 feet Northwest of Springdell Avenue. Being property of Marie McNaney.

2nd District

HEARING: Monday, November 16, 1964 (11:00 A.M.)

The planning staff will offer no comment on the subject petition.

RE: PETITION FOR SPECIAL EXCEPTION :
for a Nursery School
N/S of Church Lane 100.81' NW
of Springdell Avenue,
2nd District
Marie C. McNaney,
Petitioner
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 65-146-X

OPINION

This is an application for a special exception for a Nursery School and Day Nursery located in the rear of the property at 8902 Church Lane in the Second District of Baltimore County. The description of the specific property was incorrect as filed with the original petition and has been since corrected with the consent of the Board as attached hereto. Petitioner's Exhibit No. 3, marking the proposed location of the Nursery on a plat, is exactly the same as the amended metes and bounds description. Petitioner's Exhibits No. 1 and No. 2 indicate that the proposed operation has been approved by the Baltimore County Department of Health as to the credentials and preliminary plans of the applicant, and that her application for maintaining a Day Nursery has been approved by the Department of Permits and Licenses of Baltimore County for a maximum enrollment of twenty-three (23) children ranging in ages from two to five years, and to operate from 7:30 a.m. to 6:00 p.m. for five days of each week.

Mrs. McNaney has been operating a Day Nursery on a small scale for some years, and from observing her and hearing all the testimony in the case the Board is convinced that she is eminently qualified to operate the proposed Day Nursery. Further, we find that there will be not only no detriment to the health, safety, and general welfare of the neighborhood, but there is a definite need for an operation of this nature in this vicinity, and that the operation, as proposed, will meet all the criteria established under Section 502.1 of the Baltimore County Zoning Regulations for a special exception which is allowable, as such, under the present zoning classification of R-10.

Without going into further detail of the evidence before the Board, the Board finds the facts to be as stated above and the petition for a special exception for a Nursery School will, therefore, be granted subject to the approval of the County Department of Health, the Department of Permits and Licenses, and the obtaining of all necessary permits and licenses from any pertinent State or governmental department.

Without going into further detail of the evidence before the Board, the Board finds the facts to be as stated above and the petition for a special exception for a Nursery School will, therefore, be granted subject to the approval of the County Department of Health, the Department of Permits and Licenses, and the obtaining of all necessary permits and licenses from any pertinent State or governmental department.

October 10, 1964

Ms Marie C. McNaney
8902 Church Lane
Pineville 8, Maryland

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
TOWSON 4, MARYLAND

2nd Dist.
Petition for Special
Exception for a Day Nursery
located on the N/S of Church
Lane 100.81' NW of Springdell
Avenue

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:

OFFICE OF PLANNING AND ZONING: Zone line must be shown correctly.

TRAFFIC ENGINEERING: Will inspect the access condition on Church Lane and comment if required.

HEALTH DEPARTMENT: Subject to Health Department regulations regarding licensing and water supply.

FIRE DEPARTMENT: Will inspect and submit comments at a later date.

No comments from the following Departments:

Bureau of Engineering
State Roads Commission
S & H Commission
Industrial Commission
Board of Education
Building Department

If you have any questions, please contact the writer.

cc: Gilbert Halsey-Traffic Engineer
William Greenwell-Health Department

Yours very truly,

James B. Dyer
Chief of Permits and
Petition Processing

Marie C. McNaney - #65-146-X

ORDER

For the reasons set forth in the foregoing Opinion, it is this 2nd day of February, 1966 by the County Board of Appeals, ORDERED that the special exception petitioned for, be and the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Giles Parker

R. Bruce Alderman

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, Marie C. McNaney, legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made, a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone, for the following reasons:

See Attached Description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for _____ Nursery School.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above reclassification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

Contract purchaser

Address

Petitioner's Attorney

Address

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 196____, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 196____, at _____ o'clock _____ M.



Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of _____

the above Reclassification should be had, and it further appearing that by reason of _____

a Special Exception for a _____ should be granted.

IT IS ORDERED By the Zoning Commissioner of Baltimore County, this _____ day of _____, 196____, that the herein described property or area should be and the same is hereby reclassified, from a _____ zone to a _____ zone, and/or a Special Exception for a _____ should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of _____ the requirements of Section 502.1 of the Baltimore County Zoning Regulations having not been met

the Special Exception should NOT BE GRANTED.

IT IS ORDERED By the Zoning Commissioner of Baltimore County, this _____ day of _____, 196____, that the herein described property or area should be and the same is hereby reclassified, from a _____ zone to a _____ zone, and/or a Special Exception for a _____ should be and the same is hereby DENIED.

Deputy Zoning Commissioner of Baltimore County

MICROFILMED

Law Offices
JAMES S. SPEKAS
PETER SPEKAS

December 29, 1964

Mr. John G. Rose, Zoning Commissioner
Baltimore County Office of Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Baltimore, Maryland 21205

Re: Petition for Special Exception for a Nursery
School
N/S of Church Lane, 108.81 NW of Springdale
Avenue-2nd District
Marie McNaney-Petitioner-No. 65-146-X

Dear Jack:

Please enter an Appeal on behalf of the Petitioner from
the Order of Mr. Hardesty denying a special exception
for a Nursery School. This Order was passed on Dec. 2,
1964.

I am enclosing a check from Mrs. McNaney in the amount
of \$75.00 to cover costs of the Appeal.

My very best wishes for a Happy New Year.

Very truly yours,

James S. Spekas
James S. Spekas

JSS/ins
Encl.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2ND Date of Posting: Jan 9 1965
Posted for: *Special*
Petitioner: *Marie C. McNaney*
Location of property: *N/S of Church Lane, 108.81 NW of Springdale Ave.*
Location of Sign: *N. of Church Lane, 108.81 NW of Springdale Ave.*
Remarks: *1 sign*
Posted by: *J. Spekas* Signature Date of return: *Jan 14, 1965*

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

TO: James F. Spekas, Esq.,
316, Barclay Building
Randallstown, Md.

Office of Planning & Zoning
119 County Office Bldg.
Towson 4, Md.

DEPOSIT TO ACCOUNT NO. 01-622

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Cost of appeal - Marie McNaney No. 65-146-X 1 sign \$70.00 PAID - Baltimore County, Md. - Office of Finance	\$75.00
1-460 8332	27661 TIP-	75.00
1-460 8332	27651 TIP-	75.00

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: 2ND Date of Posting: *Jan 12 1965*
Posted for: *Special*
Petitioner: *Marie C. McNaney*
Location of property: *N/S of Church Lane, 108.81 NW of Springdale Ave.*
Location of Sign: *N. of Church Lane, 108.81 NW of Springdale Ave.*
Remarks: *1 sign*
Posted by: *J. Spekas* Signature Date of return: *Jan 22, 1965*

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2ND Date of Posting: *Jan 21 1965*
Posted for: *Nursery School*
Petitioner: *Marie C. McNaney*
Location of property: *N/S of Church Lane, 108.81 NW of Springdale Ave.*
Location of Sign: *N. of Church Lane, 108.81 NW of Springdale Ave.*
Remarks: *1 sign*
Posted by: *J. Spekas* Signature Date of return: *Jan 22, 1965*

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mrs. Edith Eisenhart
Board of Appeals
Date: *Nov 25, 1964*
FROM: R. Edith Priester
Complaints Division
SUBJECT: Request for Hearing Notice to be sent to -

Mr. Ernest H. Albert
803 Blair Avenue
Randallstown, Md., 21133

Mr. Albert called concerning the fact that Marie McNaney has
been operating a Nursery School at 8909 Church Lane without
a permit.

Mr. Albert attended the hearing held on November 19, 1964
before Mr. Edward Hardesty at which time, so he stated, the
application was rejected.

He stated that the Nursery School was in operation before
that time and has continued to operate since that time.

I have referred the matter to Mr. Walter Gross, Permits and
Licenses who is referring the matter to the Department of
Health for an investigation.

R. Edith Priester

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

TO: Mrs. Marie C. McNaney
8909 Church Lane
Randallstown, Md.

Zoning Department of Balto. Co.

DEPOSIT TO ACCOUNT NO. 01-622

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Advertising and posting of property No. 65-146-X PAID - Baltimore County, Md. - Office of Finance	\$48.70
11-1764 8631	27587 TIP-	48.00

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

TO: Cash

Zoning Department of Balto. Co.

DEPOSIT TO ACCOUNT NO. 01-622

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Petition for Special Exception for Marie McNaney No. 25372 PAID - Baltimore County, Md. - Office of Finance	\$0.00
10-764 8337	25372 TIP-	0.00

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 PUBLICATION

TOWSON, MD., October 30, 1964.

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 October 30, 1964.
day of November, 1964, the 16th
day of November, 1964, the 16th
appearing on the 30th day of October,
1964.

THE JEFFERSONIAN
L. E. Smith Manager

Cost of Advertisement, \$.

CERTIFICATE OF PUBLICATION

2nd DISTRICT

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2nd DISTRICT

1st DISTRICT

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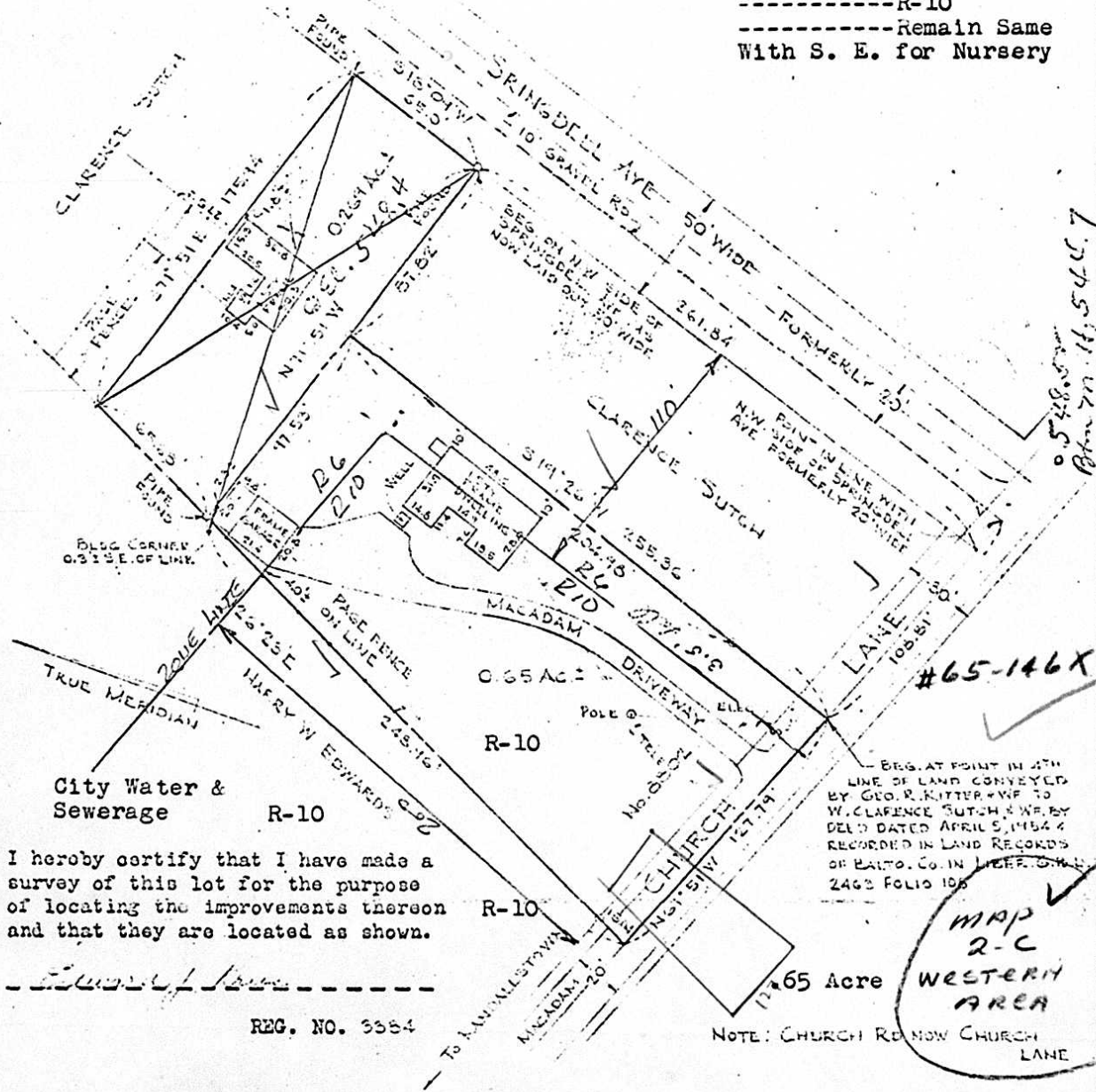
1st DISTRICT

2nd DISTRICT

1st DISTRICT

2nd DISTRICT

-----R-10
 -----Remain Same
 With S. E. for Nursery



I heroby certify that I have made a survey of this lot for the purpose of locating the improvements thereon and that they are located as shown.

-----Edward J. Jones-----

REG. NO. 3384

NOTE: CHURCH RD NOW CHURCH LANE

MAP
 2-C
 WESTERN
 AREA

SCALE 1"=60'	LOCATION SURVEY 6602 CHURCH LANE; DIST. NO. 2, BALTO. CO., MD.		
DATE 4-20-61	GENERAL SURVEYING Co. LAND & HYDROGRAPHIC SURVEYS 642 ALDWORTH ROAD BALTIMORE - 22, MARYLAND		
JOB No. 3130	OCT 23 '64 M 		
ZONING DEPARTMENT			

