

December 3, 1968

W. Lee Harrison, Esq.
306 W. Joppa Road
Towson, Md. 21204

Re: Zoning File No. 68-2-X
Mary Horner, Petitioner

Dear Mr. Harrison:

Enclosed herewith is a copy of the Opinion and Order passed by the County Board of Appeals today in the above entitled case.

Very truly yours,

Edith T. Eisenhart, Secretary

Encl

cc: A. Frederick Taylor, Esq.
Mr. John G. Rose
Mr. George S. Gavrellis
Board of Education

RE: PETITION FOR SPECIAL EXCEPTION :
for a Day Camp
N/S Belfast Road 1952' NW
of York Road,
8th District
Mary Horner,
Petitioner
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 68-2-X

OPINION

This is an appeal from the Order of the Zoning Commissioner granting a special exception to permit a Day Camp on the property of the petitioner on the north side of Belfast Road, 1952 feet northwest of York Road, in the Eighth Election District of Baltimore County.

At the hearing before the Board, the petitioner did not appear to offer any testimony in support of her request for the special exception. A. Frederick Taylor, Esq., attorney of record for the petitioner, appeared at the hearing, and advised the Board that he had notified Mrs. Horner of the date and time of the hearing, and further, had advised the petitioner that if she did not appear at the hearing before the Board and present testimony in support of her petition, the Board would have no evidence upon which to act.

Two protestants appeared at the hearing in opposition to the request: J. Grason Turnbull, whose property is directly across the Belfast Road from the petitioner's property, and Curtis Carroll, whose property is 200 feet from the petitioner's property. These two protestants presented testimony by an expert realtor that the petition, in his opinion, would "be detrimental to the health, safety, and general welfare of the locality involved."

ORDER

For the reasons set forth in the foregoing Opinion, it is this 3rd day of December, 1968 by the County Board of Appeals, ORDERED that the Order of the Zoning Commissioner is hereby reversed, and the petition for special exception is hereby DENIED.

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

John A. Miller

Walter A. Reiter, Jr.

TELEPHONE 823-3000 EXT. 287

INVOICE

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON, MARYLAND 21204

No. 48422

DATE 8/17/67

TO: The Hon. John G. Turnbull, Court House, Towson, Maryland 21204

Office of Planning & Zoning, 119 County Office Bldg., Towson, Md. 21204

REPORT TO ACCOUNT NO. 61-422

QUANTITY

DETAILS ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

RETURN THIS PORTION WITH YOUR REMITTANCE

TOTAL AMOUNT

Cost of appeal property of Mary Horner \$70.00

No. 68-2-X 1 sign 5.00 \$75.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

TELEPHONE 823-3000 EXT. 287

INVOICE

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON, MARYLAND 21204

No. 48422

DATE July 6, 1967

TO: Miss Mary Horner, 119 County Office Bldg., Towson, Md.

Office of Planning & Zoning, 119 County Office Bldg., Towson, Md. 21204

REPORT TO ACCOUNT NO. 61-422

QUANTITY

DETAILS ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

RETURN THIS PORTION WITH YOUR REMITTANCE

TOTAL AMOUNT

Advertising and posting of property #68-2-X 1 sign 5.00 \$5.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

RE: PETITION FOR SPECIAL EXCEPTION :
for a Day Camp
N/S Belfast Road 1952' NW
of York Road,
8th District
Mary Horner,
Petitioner
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 68-2-X

OPINION

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Two protestants appeared at the hearing in opposition to the request: J. Grason Turnbull, whose property is directly across the Belfast Road from the petitioner's property, and Curtis Carroll, whose property is 200 feet from the petitioner's property. These two protestants presented testimony by an expert realtor that the petition, in his opinion, would "be detrimental to the health, safety, and general welfare of the locality involved."

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COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

John A. Miller

Walter A. Reiter, Jr.

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MARY HORNER, 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 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 a day camp.

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 for Baltimore County.

Contract purchaser Mary Horner Legal Owner

Address Helton Farm, Sparks, Md.

Protestant's Attorney

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day of _____, 1967, that the subject matter of this petition be granted, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1967, at _____ o'clock _____ M.

6th July 11:00

Zoning Commissioner of Baltimore County

DOLLENBERG BROTHERS

Registered Professional Engineers & Land Surveyors

708 WASHINGTON AVENUE AT YORK ROAD

TOWSON, MD. 21204

May 16, 1967

Description to accompany Zoning Petition of Mary Horner

All that piece or parcel of land situate, lying and being in the Eighth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at a point in the center of Belfast Road distant 1952 feet westerly, measured along the center line of said road, from the intersection of the center line of said Belfast Road with the center line of the York Road and running thence and binding on the center line of said Belfast Road the two following courses and distances viz: North 57 degrees 16 minutes west 153.79 feet and North 45 degrees 52 minutes 30 seconds West 472.30 feet, thence South 75 degrees 11 minutes 30 seconds West 20.81 feet to the southwest side of said road, thence binding on the southwest side of said Belfast Road the three following courses and distances viz: North 45 degrees 33 minutes West 108.43 feet, North 35 degrees 47 minutes West 62.17 feet and North 26 degrees 47 minutes West 17.22 feet, thence North 3 degrees 04 minutes East 30 feet to a point on the northeast side of Belfast Road, thence binding on the northeast side of Belfast Road as widened and relocated and shown on Plat No. 8866 of the State Roads Commission of Maryland, the two following courses and distances viz: North 1 degree 46 minutes 30 seconds West 55.24 feet and North 26 degrees 56 minutes West 250.40 feet and thence leaving said road and running the twelve following lines (said lines being the boundary lines of the property of Mary Horner, the petitioner herein) viz: North 04 degrees 53 minutes East 23.06 feet, North 82 degrees 48 minutes 40 seconds East 44.60 feet, South 83 degrees 31 minutes East 307.47 feet, South 65 degrees 48 minutes 50 seconds East 172.08 feet, South 62 degrees 17 minutes 10 seconds East 126.32 feet, South 46 degrees 20 minutes 30 seconds East 253.31 feet, North 43 degrees 39 minutes 30 seconds East 350 feet, South 51 degrees 27 minutes 50 seconds East 287.12 feet, South 1 degree 48 minutes 20 seconds East 430.17 feet, South 37 degrees 05 minutes 40 seconds West 286.20 feet, South 48 degrees 42 minutes 20 seconds West 111.30 feet and South 1 degree 18 minutes 40 seconds East 287.38 feet to the place of beginning.

Saving and excepting therefrom however the area lying within the right of way of Belfast Road.

Containing 15.35 Acres of Land more or less exclusive of the area lying within the right of way of Belfast Road.

Being the property of Mary Horner as shown on the plat plan filed with the Zoning Department.

Seal of Baltimore County, Maryland

RE: PETITION FOR SPECIAL EXCEPTION FOR DAY CAMP - Belfast Road 1952' W. York Road, 8th Dist., Mary Horner, Petitioner

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

No. 68-2-X

The petitioner has filed a request for a special exception for a Day Camp located at a point in the center of Belfast Road distant 1952 feet westerly, measured along the center line of said road from the intersection of the center line of said Belfast Road with the center line of York Road, in the Eighth District of Baltimore County.

At a hearing on July 6, 1967, the petitioner's testimony indicated substantial compliance with Section 502.1 of the Baltimore County Zoning Regulations.

The Health Department has laid down certain requirements as set forth in a Memorandum to James E. Dyer, Principal Zoning Technician, supplemented by a letter from Mr. William Gruenewald dated July 6, 1967.

George E. Gavrellis, Director of the Office of Planning and Zoning, has requested further information from the Health Department and this information was received by the Zoning Commissioner on July 6, 1967.

No permit will be issued by the Zoning Commissioner until such time as the Office of Planning and Zoning has approved the plan and the Health Department has furnished the Zoning Commissioner with its final report including the maximum number of children to be permitted at the Day Camp.

For the above reasons the special exception should be granted, subject to final approval of the site plan by the Office of Planning and Zoning and a final report by the Health Department.

It is this 7th day of July, 1967, by the County Commissioners of Baltimore County, ORDERED that the special exception should be granted from and after the date of this Order, subject to compliance with the Baltimore County Health Department Regulations and the Bureau of Fire Prevention covering the operation of day camps.

The site plan is subject to approval of the Bureau of Public Services.

Zoning Commissioner

68-2-X

map
"C"
8TH
DIST
"X"

See attached description

Zoning Commissioner of Baltimore County

NOV 3 67 PM

☐ Aired
☐ Read
☐ Retn
☐ End
☐ Clr

ZOOING DEPARTMENT

MR. COMMISSIONER:

John Grason Turnbull
Etha DeGraffenreid Turnbull

day of August, 1967.

John Grason Turnbull

DUPLICATE

THE JEFFERSONIAN
H. Lesak Street
Mama

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING
ING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

3 signs

THE COMMUNITY NEWS
Kearneysville, Md

No. 1 Newburg Avenue

CATONSVILLE, MD.

June 21. 1967

THIS IS TO CERTIFY, that the annexed advertisement of
John G. Rose, Being Commissioner of
Baltimore County
was inserted in THE BALTIMORE COURTIAN, a group of weekly news-
papers published in Baltimore County, Maryland, once a week for One
necessary weeks before the 1st day of June, 1967, that is to
say the same was inserted in the issues of
June 18, 1967.

By Paul J. Morgan
Editor and Manager *XX*

District 8 Date of Posting Aug 31, 1967
 Posted for W. F. Hall
 Petitioner Mary S. Sinner
 Location of property N/S Sycamore Rd. 195.2' NW of York Rd
 Location of Sign N/S Sycamore Rd. 314.0' NW of York Rd
 Remarks:
 Posted by W. F. Hall Date of return Aug 31, 1967

Remarks: _____
 Posted by: J. Rose Date of return: Aug 31, 1966
 Signature _____

District. 8
 Posted for Special Operations - Ray Camp Date of Posting June 16, 1967
 Petitioner Harry Horner
 Location of property NYS Bufile Rd 1952 NW of York Rd
 Location of Sign NYS Bufile Rd 1957 NW of York Rd
3 " " 2582 " " " "
3 " " 2982 " " " "
 Remarks
 Fused by [Signature] Date of return June 22, 1967

3 signs

#68-2-X 8th District

1/5 Ballast Road 1952 NW of
York Road

Mary Hanner, Petitioner

1 SIGN

TELEPHONE 2823-3000 EXT. 387	INVOICE	No. 45593
BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE		DATE June 9, 1967
Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204		BILLED TO: Zoning Dept. of Balt. Co.
Mary Horner To: Holten Farm Sparks, Md. 21152		
ACCOUNT NO. 91-622		TOTAL AMOUNT \$50.00
QUANTITY	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	LOST
Petition for Special Exception for a Day Camp 268-2-X PAID 6-12-67 6-12-67		50.00

protestant

CC: W. Lee Harrison, Esquire
Attorney for The Honorable John C. Turnbull, Protestant

AFT:mlw
CC: Honorable John Grason Turnbull
Miss Mary Horner

JGT/stp John Grason Turnbull
CC: A. Frederick Taylor, Esquire.

The staff of the Office of Planning and Zoning has reviewed the subject petition for Special Exception for a Day Camp. It feels that the basic request for Day Camp here may be appropriate. However, there is insufficient information on hand for the Planning staff to make definitive comment regarding compliance of this petition with the requirements of Section 502.1 of the Zoning Regulations. Prior to granting of this petition, it would be most desirable if the petitioner could supply the information requested by the Health Department as a means of indicating his compliance with the requirements of the Regulations.

Rec'd 6/6/68
9.30 a.m.

August 15, 1967

Austin W. Brizendine, Esq.,
22 W. Pennsylvania Ave.,
Towson, Maryland 21204

Re: Petition for Special Exception for
Day Camp - Belfast Road
1952' N/W York Road, 8th Dist.,
Mary Horner, Petitioner
No. 68-2-X

Dear Mr. Brizendine:

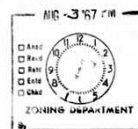
An appeal has been filed from the
decision of the Zoning Commissioner rendered in the above
matter.

Very truly yours

Zoning Commissioner

IN THE MATTER OF THE
APPLICATION OF
MARY HORNER FOR A
SPECIAL EXCEPTION
ON THE NORTH SIDE OF
THE BELFAST ROAD
IN THE 8th ELECTION
DISTRICT OF BALTIMORE
COUNTY

BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
APPLICATION NO. 68-2-X



NOTICE OF APPEAL

MR. COMMISSIONER:

Please enter an appeal from your decision of July 7, 1967,
granting the above mentioned application, and forward the papers and
proceedings therein to the County Board of Appeals.

John Grason Turnbull
John Grason Turnbull
Ether DeArman Turnbull
Ether DeArman Turnbull

I hereby certify that copy of the foregoing notice of appeal was
mailed to Austin W. Brizendine, Esquire, Loyola Federal Building, Towson,
21204, Maryland this 3rd day of August, 1967.

John Grason Turnbull
John Grason Turnbull

July 7, 1967

Austin W. Brizendine, Esq.,
Loyola Federal Building
22 West Pennsylvania Ave.,
Towson, Maryland 21204

Re: Petition for Special Exception
for Day Camp - Belfast Road
1952' W. York Road, 8th Dist.,
Mary Horner, Petitioner
No. 68-2-X

Dear Mr. Brizendine:

I have today passed my Order granting
the special exception, in the above entitled matter, in accordance
with the attached copy of Order.

Very truly yours

Zoning Commissioner

July 7, 1967

Mr. William Greenwalt,
Baltimore County Health Dept.,
Jefferson Building
Towson, Maryland 21204

Re: Petition for Special Exception
for Day Camp - Belfast Road
1952' W. York Road, 8th Dist.,
Mary Horner, Petitioner
No. 68-2-X

Dear Mr. Greenwalt:

I am enclosing a copy of my Order, in
the above matter, and I would appreciate receiving a final
report, and, in particular I would like to know the maximum
number of children you recommend may use this Day Camp.

Very truly yours

Zoning Commissioner

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John Rose, Zoning Commissioner Date: July 6, 1967
FROM: William Greenwalt
Health Department
SUBJECT: Comments Regarding Proposed Day Camp Located on Belfast Road,
Owned by Mary Horner

On June 30, 1967, personnel of this office made a complete
inspection of the above named property, at which time all the necessary
information was obtained regarding the operation of the proposed day
camp. Based on this inspection, all existing facilities such as
sewerage system, water supply and camp area are satisfactory. However,
prior to issuance of a camp permit, minor changes may be required.
We will require a layout plan showing what part of the building will
be used, toilet fixtures and locations, drinking fountains, etc.

From a health standpoint, it is felt that a day camp can
be satisfactorily operated at this location.

William Greenwalt
William Greenwalt

WGR/ca



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

June 23, 1967

68-2-X

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
VA. 20000

GEORGE E. GAVRELLIS
DIRECTOR
JOHN G. ROSE
ZONING COMMISSIONER

Austin W. Brizendine, Esq.,
22 W. Penna. Ave.,
Towson, Md. 21204

Dear Sir:

The enclosed memorandum is sent to you in compliance with
Section 23-32 of the 1961 Supplement of the Baltimore County Code.

Any questions of correspondence in regard to the enclosed subject
matter must be directed to the Director of Planning and Zoning
(or his Deputy) and NOT to the Zoning Commissioner.

If you desire to have a member of the Planning Staff testify,
it will be necessary for you to summons him through the Sheriff's
Office.

Yours very truly,

John G. Rose
JOHN G. ROSE
ZONING COMMISSIONER

JGR/ba
encl:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: June 23, 1967
FROM: George E. Gavrellis, Director of Planning
SUBJECT: Petition #68-2-X, North side of Belfast Road 1952 feet Northwest of York Road.
Petition for Special Exception for a Day Camp
Mary Horner - Petitioner

8th District

HEARING: Thursday, July 6, 1967. (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition
for Special Exception for a Day Camp. It feels that the basic request for Day
Camp here may be appropriate. However, there is insufficient information on
hand for the Planning staff to make definitive comment regarding compliance of
this petition with the requirements of Section 502.1 of the Zoning Regulations.
Prior to granting of this petition, it would be most desirable if the petitioner
could supply the information requested by the Health Department as a means of
indicating his compliance with the requirements of the Regulations.

GEG:bms

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James A. Iyer, Chairman
TO: AUSTIN W. BRIZENDINE, ESQ.
Lieutenant Charles F. Ierrie, Jr.
FROM: RICHARD BUCHANAN
SUBJECT: PETITION FOR SPECIAL EXCEPTION
Location: 1952' N.W. of York Road, 1952' W. York Road, 8th Dist.
District: 8th
Present zoning: R-8
Proposed zoning: special exception - Day Camp
Re: 68-2-X

1. Shall be required to meet all fire department regulations concerning
day camps.

June 1967

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Austin W. Brisendine, Esq.
22 W. Pennsylvania Avenue
Towson, Maryland 21204

SUBJECT: Special Exception for a day
camp for Mary Horner, Located
N/S Belfast, West of York Road
8th District
(Item 2 May 31, 1967)

Dear Sir:

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

BUREAU OF ENGINEERING:

Water and sewer not available.

Road - Belfast Road is to be developed on a maximum 80' R/W.

HEALTH DEPARTMENT: Prior to approval of a day camp operation, the following information must be submitted to this office:

1. Type of food service.
2. Maximum number of children and employees.
3. Day or overnight camp.
4. Existing water supply and sewerage facilities.
5. Proposed water supply and sewerage facilities.
6. Location of water supply and sewerage facilities on adjacent properties to the north.
7. Evaluation of soil conditions must be made.
8. Complete plans and specifications.

TRAFFIC ENGINEERING: The 80' R/W must be continued along the ^{frontage} wall of the property.

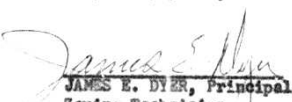
ZONING ADMINISTRATION DIVISION: If the petition is granted, no occupancy may be made until such time as plans have been submitted and approved and the property inspected for compliance to the approved plan.

The above comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:

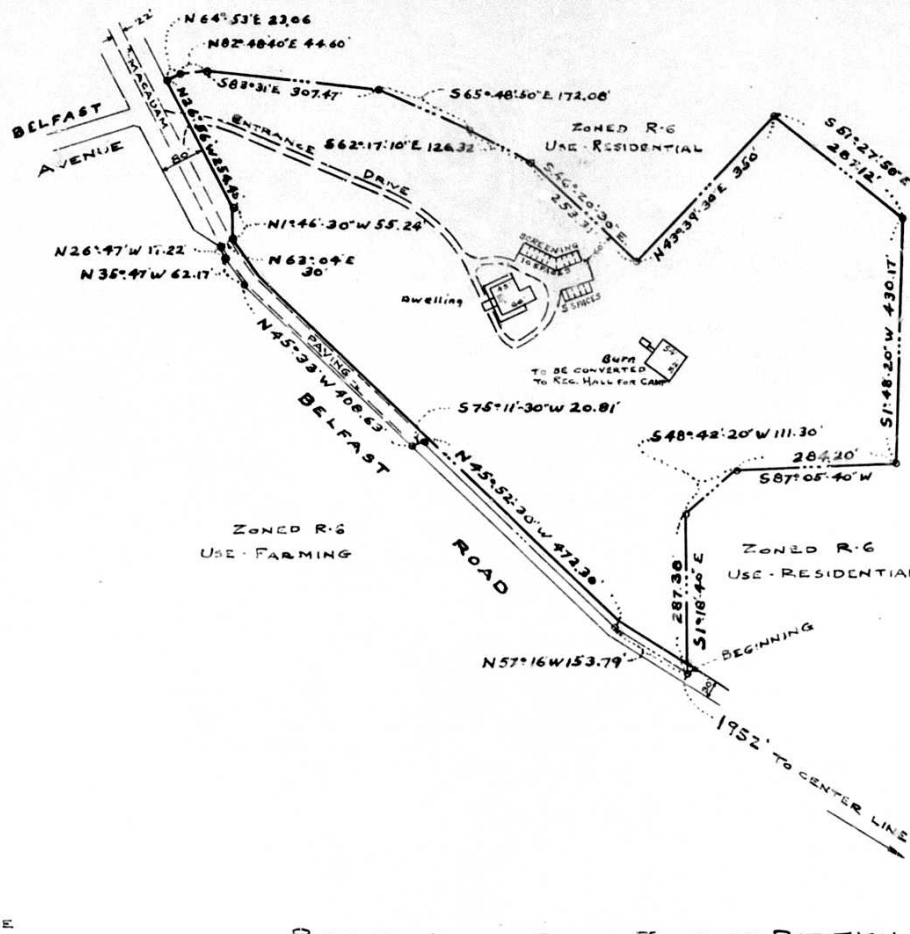
Project Planning Division
Bureau of Fire Prevention
State Roads Commission
Building Engineer
Board of Education
Industrial Development

Very truly yours,


JAMES E. DYER, Principal
Zoning Technician

cc: Carlyle Brown-Bureau of Engineering
G. Richard Moore-Bureau of Traffic Engineering
William Greenwalt-Health Department

ZONED R-6
USE - FARMING



ZONED R-6
USE - FARMING

ZONED R-6
USE - FARMING

ZONED R-6
USE - RESIDENTIAL

PUBLIC WATER AND SEWER NOT AVAILABLE
AREA OF PROPERTY - 15.35 ACRES ±
EXISTING USE - RESIDENTIAL
PROPOSED USE - RESIDENCE AND DAY CAMP
PRESENT ZONING - R-6
PROPOSED ZONING - SPECIAL EXCEPTION FOR DAY CAMP

PARKING - 15 SPACES PROVIDED

PLAT TO ACCOMPANY ZONING PETITION OF
MARY HORNER
LOCATED IN
8TH ELECTION DISTRICT - BALTIMORE CO. - MD.



SCALE: 1" = 200' MAY 16, 1967.
DOLLENBERG BROTHERS
SURVEYORS & CIVIL ENGINEERS
709 WASHINGTON AVE. TOWSON, MD.

