

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

RE: WILLIAM BALDWIN and ALBERTA PROMUTICO, legal owners 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 for a special hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve REMOVAL OF RESTRICTION NO. 4 from the property of Case No. 65-179-X in order to enable the nursery to remain open all year.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing 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: Alberta Promutico
Address: 3712 Rolling Rd., Baltimore, Md. 21204
Petitioner's Attorney: John A. Miller
Address: 11 E. Fayette St., Baltimore, Md. 21202

ORDERED by the Zoning Commissioner of Baltimore County, this 25th day of November, 1967, 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 newspapers of general circulation throughout Baltimore County, that the 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 1st day of December, 1967, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County

(over)

On April 21, 1966, Case No. 66-227 SPH, the Deputy Zoning Commissioner changed Item No. 3 to read as follows:

(3) Hours of operation shall not be earlier than 7:30 a.m. and no later than 5:30 p.m., Mondays thru Fridays.

On September 26, 1967, the petitioners requested that Restriction No. 4 be lifted to enable the Day Nursery to remain open all year.

The petitioners' reasons for requesting the lifting of this Restriction are that the people in the general area need a Nursery School in the summer, that the petitioners lost their customers and must start afresh in the Fall and that the children are affected by the change in the Nursery Schools.

There are only 35 Day Centers in Baltimore County according to Mrs. Evelyn F. Smith, Child Care Coordinator of the Maryland State Department of Health. It is doubtful that the opening of one Day Nursery will appreciably take care of this need. The mere fact that the petitioners lose business and have to start over again each year is not sufficient reason to change a Restriction. Many children in Baltimore County are shifted from one school to another without any basic harm to their welfare.

The Deputy Zoning Commissioner after a full hearing on the matter at the time of the original hearing through certain conclusions set forth specific restrictions on this property and the neighborhood adjoining had the right to expect the restrictions to continue. The change of opening was a minor change.

For the above reasons the request to lift Restriction No. 4, Case No. 65-179-X, is DENIED.

It is this 24 day of November, 1967, by the Zoning Commissioner of Baltimore County, ORDERED that the herein petition for Special Hearing be and the same is DENIED from and after the date of this Order.

John A. Miller
Zoning Commissioner of Baltimore County

DESCRIPTION: For the area at a point in the center line of Rolling Road at the distance of 80 feet or less measured westerly from the intersection formed by the centerline of Rolling Road and the centerline of Rolling Road said point of beginning is at the end of the 4th or 5th or 20th line of the land owned by development from 1958 and recorded among the Land Records of Baltimore County, in Liber GDB 3406, Folio 161, was conveyed by Powell Title Holding Corporation to Graydon J. Griffin and wife, owning then and standing on the 1st line in the above described land in the centerline of Rolling Road, 20th line, thence leaving the center line of Rolling Road and running thence and thence in the 2nd, 3rd and 4th lines in the above described land 553'00" W 247'00" N 512'00" E to and along the center line of the road beginning.

CONTAINING 0.50 acres of land more or less and lying on the east side of Rolling Road.

BEING all of the land which by deed dated August 11, 1958 and recorded among the Land Records of Baltimore County, in Liber GDB 3406, Folio 161, was conveyed by Powell Title Holding Corporation to Graydon J. Griffin and wife.

A. J. Miller

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Roe, Zoning Commissioner Date: October 13, 1967
FROM: George E. Cavell, Director of Planning
SUBJECT: Petition 68-96 SPH. West side of Rolling Road 80 feet North of Munford Road. Petition for Special Hearing to lift Restriction 4 in Case No. 65-179-X to enable day nursery to remain open all year. Alberta Promutico, et al - Petitioners.
1st District
Wednesday, November 1, 1967. (10:00 A.M.)

The planning staff of the Office of Planning and Zoning will offer no comment on the subject petition.

C. JOHN SERIO
ATTORNEY AT LAW
CENTRAL BAYVIEW BANK BUILDING
SUITE 21
BALTIMORE, MARYLAND 21202

January 22, 1969

Mr. William Baldwin, Chairman
County Board of Appeals
County Office Building
Towson, Maryland 21204

RE: Case No. 68-96-SPH
Alberta Promutico

Dear Mr. Baldwin:

Alberta Promutico desires to withdraw the Appeal filed in the above captioned matter.

Very truly yours,

C. John Serio

CJS:th

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 1st Date of Posting: 12/1/67
Posted for: Appeal
Petitioner: Alberta Promutico
Location of property: W. side Rolling Rd. 80' N. of Munford Rd.
Location of Sign: On 2112 Rolling Rd.
Remarks: See book
Posted by: [Signature] Date of return: 12/1/67

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 1st Date of Posting: Oct. 19, 1967
Posted for: Special Hearing
Petitioner: Alberta Promutico
Location of property: W. side Rolling Rd. 80' N. of Munford Rd.
Location of Sign: W. side Rolling Rd. 80' N. of Munford Rd.
Remarks: [Signature]
Posted by: [Signature] Date of return: Oct. 19, 1967

RE: PETITION FOR SPECIAL HEARING - W/S Rolling Road 80' N. Munford Road 1st District - Alberta Promutico and Rosalie Hood, Petitioners

BEFORE ZONING COMMISSIONER OF BALTIMORE COUNTY No. 68-96-SPH

The petitioners have filed a request to remove Restriction No. 4 as set forth in the Deputy Zoning Commissioner's Order dated December 21, 1964 in case No. 65-179-X.

On December 21, 1964 the Deputy Zoning Commissioner granted a special exception for Nursery School with the following restrictions:

- (1) No more than twenty-five (25) children shall be allowed on the premises at any one time.
- (2) The Day Nursery shall not be operated on Sundays or legal holidays.
- (3) Hours of operation shall not be earlier than 9:00 a.m. and no later than 5:30 p.m. on any given day.
- (4) The Day Nursery shall not be operated from July 15, to August 31st on any given year.
- (5) Recreational facilities are to be erected in the rear of the premises and shall be enclosed with a chain link type fence at least four feet high.
- (6) Adequate shrubbery shall be planted in the front yard so as to prevent the children from playing on adjacent residences.
- (7) Children to be enrolled in the said Day Nursery shall not be younger than 4 years of age or older than six years of age.
- (8) The Day Nursery shall not be operated on Saturdays.

On December 21, 1964, the Deputy Zoning Commissioner added the following restrictions:

- (7) Children to be enrolled in the said Day Nursery shall not be younger than 4 years of age or older than six years of age.
- (8) The Day Nursery shall not be operated on Saturdays.

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Division of Collection and Receipts
COUNTY HOUSE
TOWSON, MARYLAND 21204

INVOICE No. 49615 DATE Oct. 3, 1967

To: Little Sisters Kindergarten
2122 Rolling & Munford Rd.
Baltimore, Md. 21202

REPORT TO ACCOUNT NO. 01-632

QUANTITY: 1 RETURN THIS PORTION WITH YOUR REMITTANCE. DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS.

Item: Petition for Special Hearing 68-96-SPH TOTAL AMOUNT: 25.00

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RECEIVED

U.S. DEPARTMENT OF JUSTICE

By _____

Re: File No. 48-96-57H
Alberta Promutco

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

Muriel E. Buddemeier

cc: Stuart R. Wilcox, Esq.
Mr. Robert Bates
Mr. Charles Grewe
✓ Mr. John G. Rosa
Mr. Edward D. Hardesty
Mr. George E. Cavrolis

ORDER OF DISMISSAL

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Miller

January 22, 1969

EE: Case No. 68-96-SK
Alberta Promutico

Alberta Promutico desires to withdraw the Appeal
filed in the above captioned matter.

C. John Serio

CJS:th

Rec'd 1/22/64

October 17, 1967

THE BALTIMORE COUNTYAN

By Paul J. Morgan
Editor and Manager

Fetition for Special Hearing under Section 200.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve restriction number four (4) as set forth in order of Case No. 65-179-N be lifted to enable day nursery to remain open all year.

All that parcel of land in the First District of Baltimore

point in the centerline of Rutting Road at the distance of 80' more or less measured from the centerline of the Rutting Road to the intersection formed by the centerline of Munford Road and the center line of Rutting Road said point being located along the line at the end of the 4th or N 53 degrees 50' E 207.00' line of the land which was so described August 21, 1911, in the case of *James L. Lane* Records of Baltimore County, Liber GLB 246, Folio 161, as conveyed by Hontli to Rutting Road Improvement Corporation, Inc. by C. Clifton and wife, running there and binding on the 1st line of the aforesaid deed and in the centerline of Rutting Road N 12 degrees 00' W 125.00' line leaving the centerline of Rutting Road and running there and binding on the 4th lines in the aforesaid deed N 53 degrees 50' W 207.00' line N 12 degrees 00' E 125.00' line to the place of beginning and

CONTAINING 0.50 acre of land more or less exclusive of the right-of-way

BEING all of the land wh
be deed dated August 21, 1
and recorded among the L
Records of Baltimore Co
in Liber H&B 3406, Folio
was conveyed by Rowell T
Holding Corporation to Gra
J. Clifton and wife.
Being the property of Al
Promotion, et al as show
plat plan filed with the Z
Department.
Hearing Date: Wednes
November 1, 1947 at 10:00
Public Hearing
County Office Building, 11
Chesapeake Avenue, To
Md.
BY ORDER OF
JOHN G. ROSE,
ZONING COMMISSIONER
OF BALTIMORE CO
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CERTIFICATE OF PUBLICATION

TOWSON, MD October 12 62

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each one time ~~exclusive week~~ before the 1st day of November 1907, the first publication appearing on the 12th day of October 1907.

THE JEFFERSONIAN

Cost of Advertisement. \$