

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, W. J. Dickey & Sons, Inc., 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 re-classified, 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 _____ day nursery (for Main Floor of Building located 787 Della Ave.)

Property is to be posted and advertised as prescribed by Zoning Regulations. I or we agree to pay expenses of above re-classification 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 _____
Address _____
Legal owner _____
Address _____
Protestant's Attorney _____
Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1969, 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 held before the Zoning Commissioner of Baltimore County in Room 106 County Office Building in Towson, Baltimore County, on the _____ day of _____, 1969, at 11:00 o'clock.

DEPUTY Zoning Commissioner of Baltimore County.

(over)

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

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED

a Special Exception for a _____ Nursery School should be granted. IT IS ORDERED by the Zoning Commissioner of Baltimore County this _____ day of _____, 1969, that the herein described property, as such, should be and the same is hereby re-classified, from _____ to _____ zone, and/or a Special Exception for a _____ Nursery School should be and the same is granted, from and after the date of this order, subject to approval of the site plan by the Bureau of Public Services, the Office of Planning and Zoning, the Baltimore County Health Department and DEPUTY Zoning Commissioner of Baltimore County the Baltimore County Fire Department.

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

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 1969, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a _____ zone; and/or the Special Exception for _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MICROFILMED

Beginning 162 feet west of the intersection of Della Avenue with Hollow Road; thence running in a northeasterly direction 70 feet to a point; thence northwesterly 70 feet to a point; thence southwesterly 70 feet to a point; thence running in a southeasterly direction 70 feet to a point of beginning. Property known as 787 Della Avenue.

Containing 4440 square feet.

The Della Community Hall has 4440 sq. feet on its main floor for which we are seeking a special exception so that the space can be used for a day nursery. The Hall is located 162 feet west of the intersection of Della Avenue with Hollow Road. The address of the building is 787 Della Avenue.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Horstley, Deputy Zoning Commissioner Date: November 7, 1969

FROM: Mr. George E. Gavett, Director of Planning

SUBJECT: Petition #70-99-X, Beginning 162 feet West of the intersection of Della Avenue with Hollow Road (787 Della Avenue). Petition for Special Exception for Nursery School (for main floor of building). W. J. Dickey & Sons, Inc. - Petitioner.

1st District

HEARING: Monday, November 17, 1969 (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for a special exception for a day nursery. The planning staff offers no adverse comment regarding this petition.



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 20, 1969

COUNTY OFFICE BLDG.
221 S. PATTERSON AVE.
TOWSON, MARYLAND 21204

OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF ENGINEERING
DEPARTMENT OF TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL DEVELOPMENT

Nicholas Penniman, III
929 No. Howard Street
Baltimore, Maryland 21201

RE: Type of Hearing: Special Exception for Day Nursery
Location: N/S of Della Ave., 162' W of Della Ave. & Hollow Ave.
Petitioners: W. J. Dickey & Sons, Inc.
Committee Meeting of October 7, 1969
1st District
Item 69

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently improved with a two story community hall and grocery store. The property to the southwest is improved with a factory, with the other surrounding properties improved with dwellings. Della Avenue is improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:

Della Avenue is an existing road, maintained by the Baltimore County Bureau of Highways which cannot be improved feasibly in its present location. Due to the adverse terrain features, proximity of dwellings, factories, etc., it appears that the existing roadway must be tolerated in its present condition with little or no improvements possible. In the interest of public safety, Della Avenue is operated as a one-way street, north bound, during hours of school bus operation. Therefore, no further highway improvements are required at this time.

STORM DRAINS:

The Applicant must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisances or damages to adjacent properties, especially any nuisances or damages of surface waters. Correction of any problem which may result, due to improper grading or other drainage facilities, would be the full responsibility of the Applicant.

Nicholas Penniman, III
929 No. Howard Street
Baltimore, Maryland 21201
Item 69 Page 2

October 20, 1969

Sanitary Sewers:

Public sanitary sewerage is not available to serve this property; therefore, a private sewage disposal system must be provided in accordance with the rules and regulations of the Department of Health.

Water:

Public water supply is not available to serve this property; therefore, a private water supply system must be provided in accordance with the rules and regulations of the Department of Health.

PROJECT PLANNING DIVISION:

This plan has been reviewed and there are no site planning factors requiring comment.

BUREAU OF TRAFFIC ENGINEERING:

The requested variance should have no major effect on trip density.

FIRE DEPARTMENT:

Owner shall comply with all Fire Department requirements upon inspection by the Fire Prevention Bureau of Baltimore County.

PLANS REVIEW DIVISION:

This structure does not meet the Building Code under the classification of occupancy "Institutional". Day Nurseries are listed under Institution Occupancies (section 403.1a) use c-1.

403.1c of the Building Code states no Institutional Occupancy shall be permitted in any Building or Structure of unprotected wood frame construction.

403.2b (table) use c-1 restricted to one story in height.

As this building contains a grocery store in the lower level it falls under a mercantile classification. A three hour separation is called for between institutional (unrestrained) occupancy and a mercantile occupancy.

BOARD OF EDUCATION:

No bearing on student population.

HEALTH DEPARTMENT:

This day care center has been operating approximately 15 years and has been inspected by the Baltimore County Department of Health. The

Nicholas Penniman, III
929 No. Howard Street
Baltimore, Maryland 21201
Item 69 Page 3

October 20, 1969

HEALTH DEPARTMENT: (Continued)

The operation involves approximately 12-15 children who meet two hours per day twice a week.

According to Miss Lue Smith, Secretary of Day Care for the Department of Health, there is a definite need for this center in Della and she recommends that the operation be continued. Routine inspections will be made of this center in the future to insure compliance with Health Department requirements.

ZONING ADMINISTRATION DIVISION:

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

OLIVER L. MYERS, Chairman

OLM:JD
Enc

TELEPHONE
823-3000
EXT. 287

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 67061

DATE Nov. 12, 1969

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

BILLED BY

To: Robert W. Wilson, District Office
200 N. Howard St.
Baltimore, Md. 21201

Zoning Dept. of Baltimore County

REPORT TO ACCOUNT NO. 61-282 RETURN THIS PORTION WITH YOUR REMITTANCE
QUANTITY DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

Advertising and posting of property for W. J. Dickey & Sons, Inc.
60-50-1 25.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

PETITION FOR SPECIAL
EXEMPTION - 11 DISTRICT

ZONING: Petition for Special Exemption for Nursery School for Main Floor of Building located at 137 Oak Avenue.
LOCATION: Building 182 feet west of the intersection of Oak Avenue with Haines Road, 177 Oak Avenue.
DATE & TIME: Monday, November 17, 1969 at 11:00 A.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
BY ORDER OF: TOWSON, MD. 21202

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, and under a public hearing held on Monday, November 17, 1969 at 11:00 A.M. in Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md. has ordered that the following property be exempted from the provisions of the Zoning Ordinance of Baltimore County, Maryland, which would otherwise apply to the same.

CERTIFICATE OF PUBLICATION

TOWSON, MD. Nov. 12, 1969

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 of 000 5196 444444 before the 17th day of November, 1969, the first publication appearing on the 30th day of October 1969.

THE JEFFERSONIAN

Manager

Cost of Advertisement \$

TELEPHONE
823-3000
EXT. 287

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 67029

DATE Nov. 12, 1969

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

BILLED BY

To: W. J. Dickey & Sons
60 Oak Ave.
Baltimore City, Md. 21203

Zoning Dept. of Baltimore County

REPORT TO ACCOUNT NO. 61-282 RETURN THIS PORTION WITH YOUR REMITTANCE
QUANTITY DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

Position for Special Exemption
60-50-1 25.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

PETITION FOR SPECIAL EXEMPTION - 11 DISTRICT

ZONING: Petition for Special Exemption for Nursery School for Main Floor of Building located at 137 Oak Avenue.
LOCATION: Building 182 feet west of the intersection of Oak Avenue with Haines Road, 177 Oak Avenue.
DATE & TIME: Monday, November 17, 1969 at 11:00 A.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
BY ORDER OF: TOWSON, MD. 21202

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, and under a public hearing held on Monday, November 17, 1969 at 11:00 A.M. in Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md. has ordered that the following property be exempted from the provisions of the Zoning Ordinance of Baltimore County, Maryland, which would otherwise apply to the same.

ORIGINAL

THE CATONSVILLE TIMES

CATONSVILLE, MD. 21228 November 3, 1969

THIS IS TO CERTIFY, that the annexed advertisement of Edward D. Hardesty, Deputy Zoning Commissioner of Baltimore County was inserted in THE CATONSVILLE TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 3rd day of Nov. 1969, that is to say, the same was inserted in the issue of October 30, 1969.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

Johnston Pennington, 221
200 N. Howard St.
Baltimore, Md. 21201

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this

7th day of October, 1969.

John G. Rose,
Zoning Commissioner

Petitioner: W. J. Dickey & Sons, Inc.

Petitioner's Attorney: Johnston Pennington, 221
Reviewed by: Charles L. Morgan
Chairman of Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 137 Date of Posting: Nov. 1, 1969

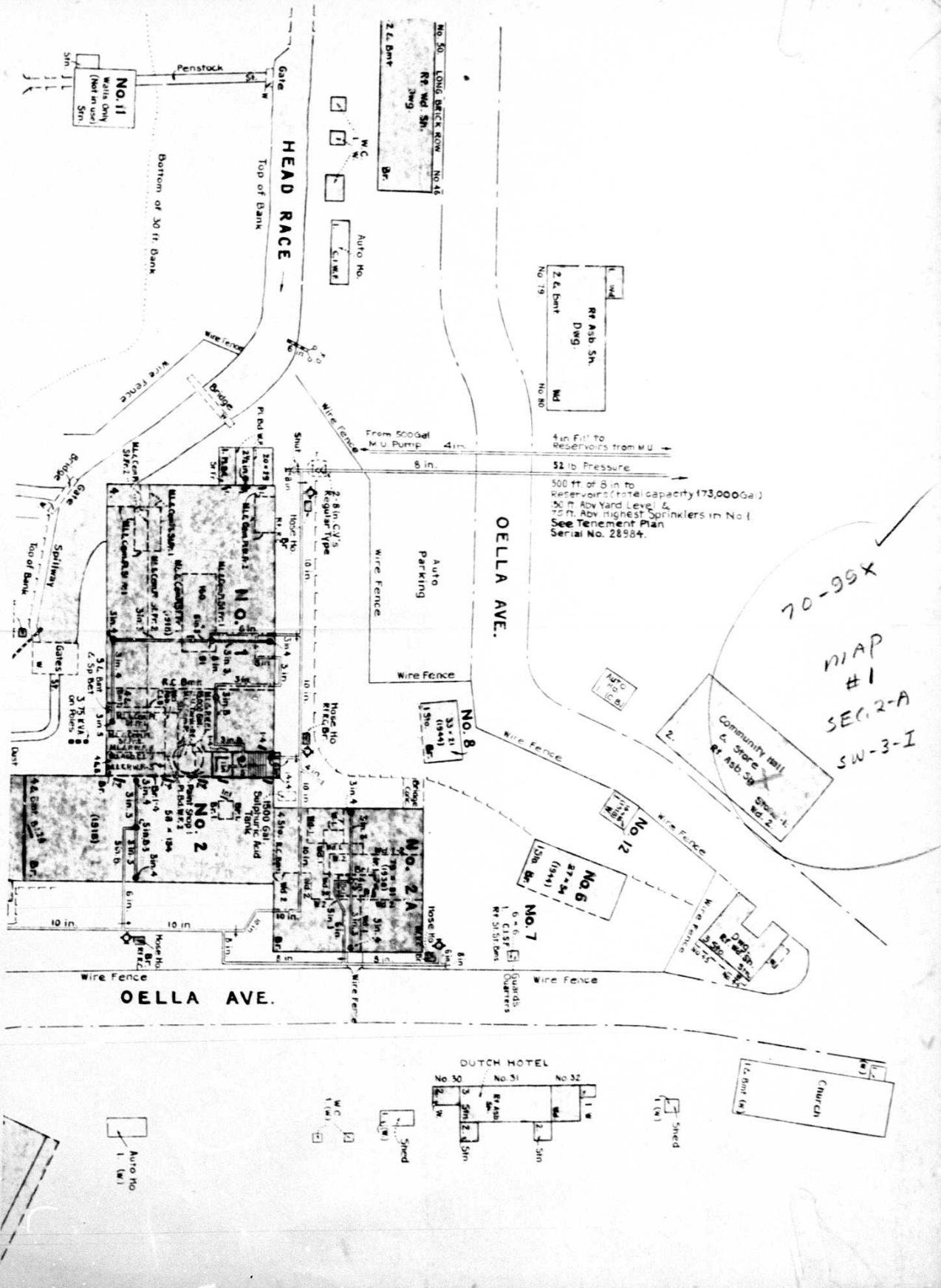
Posted for: SPECIAL EXEMPTION FOR NURSERY SCHOOL

Petitioner: W. J. Dickey & Sons, Inc.

Location of property: 787 OAK AVE.

Location of Sign: 787 OAK AVE.

Remarks: Charles L. Morgan
Posted by: Charles L. Morgan
Signature Date of return: Nov. 14, 1969



70-99X
NIAP
#1
SEC 2-A
SW-3-I

500 ft of 8 in to
Reservoirs (total capacity 173,000 Gal)
36" Adv Yard Level &
12" Adv High St Sprinklers in No 1
See Tenement Plan
Serial No. 28984.

OELLA AVE.

OELLA AVE.

DUTCH HOTEL

Church

No. 11
Walls Only
(Not in use)
3in

No. 30 LONG BRICK ROW NO. 45
Rt. Ash Sh.
Dwg
Z. L. Dent
Br.

Rt. Ash Sh.
Dwg
No. 79
No. 80

No. 8
33-21
(1944)
Br.

No. 6
27-24
(1944)
Br.

No. 7
5-6
1-1
Guards
Quarters
Rt. Ash Sh.
Dwg

No. 12
1506
Br.

No. 1
No. 2
No. 3
No. 4
No. 5
No. 6
No. 7
No. 8
No. 9
No. 10
No. 11
No. 12
No. 13
No. 14
No. 15
No. 16
No. 17
No. 18
No. 19
No. 20
No. 21
No. 22
No. 23
No. 24
No. 25
No. 26
No. 27
No. 28
No. 29
No. 30
No. 31
No. 32
No. 33
No. 34
No. 35
No. 36
No. 37
No. 38
No. 39
No. 40
No. 41
No. 42
No. 43
No. 44
No. 45
No. 46
No. 47
No. 48
No. 49
No. 50
No. 51
No. 52
No. 53
No. 54
No. 55
No. 56
No. 57
No. 58
No. 59
No. 60
No. 61
No. 62
No. 63
No. 64
No. 65
No. 66
No. 67
No. 68
No. 69
No. 70
No. 71
No. 72
No. 73
No. 74
No. 75
No. 76
No. 77
No. 78
No. 79
No. 80
No. 81
No. 82
No. 83
No. 84
No. 85
No. 86
No. 87
No. 88
No. 89
No. 90
No. 91
No. 92
No. 93
No. 94
No. 95
No. 96
No. 97
No. 98
No. 99
No. 100