

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, VFW of the U.S., 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 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 amendment of special exception case No. 67-194X to allow the construction of an addition to the existing VFW one story building, including an open pavilion.

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: Commander
Lt. Peter Zouck Post 521, VFW of the U.S.,
Legal Owner Inc.
 Address: 214 Tollgate Road
Owings Mills, Md. 21117
 Address: 204 Courtland Ave., Towson, Md.
21204

ORDERED By the Zoning Commissioner of Baltimore County, this 12th day of October, 1979, 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 27th day of November, 1979, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County

(over)

Resubmission - Previous application Item 79-20X

IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT RECEIVED

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, VFW of the U.S., Inc., legal owner of the property situate in Baltimore County, the property outline of which is shown to scale, complete with bearings and distances on 200 FT. SCALE MAPS, which are attached hereto, hereby make application to file for a Special Hearing to amend special exception Case No. 67-194X in a S.S. 1-A zone to use the herein described PROPOSED DEVELOPMENT

VFW Home with Canteen

THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:
 GROSS SITE AREA 2.298 Acres DEED REF. 2-1-18-1899/337
 GRADING 0 % OF OVERALL SITE WILL REQUIRE GRADING.
 BUILDING SIZE 29 X 29 and 80' X 100' AREA 8665 sq. ft.
 GROUND FLOOR 1 TOTAL HEIGHT 14
 NUMBER OF FLOORS 1 TOTAL HEIGHT 14
 FLOOR AREA RATIO = TOTAL FLOOR AREA DIVIDED BY SITE AREA = 0.056

BUILDING USE Meetings
 GROUND FLOOR Meetings OTHER FLOORS The existing structure is a one story building containing approximately 5727 square feet. The special hearing is for the purpose of allowing for an addition to the existing building amounting to approximately 2,938 square feet.
 REQUIRED NUMBER OF PARKING SPACES

GROUND FLOOR 173 OTHER FLOORS 0 TOTAL 173

PAVING
 AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES 36000 sq. ft. EX 76-100 to be added
 (PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 360)

UTILITIES
 WATER: ☒ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM

SEWER: ☒ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM

UTILITIES SECURITY APPROVAL

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICANT, LESSEE OR CONTRACT PURCHASER
Lloyd J. Hammond, Esquire
Attorney for Legal Owner
Lloyd J. Hammond
 ADDRESS 204 Courtland Avenue
Towson, Maryland 21204
828-5004

LEGAL OWNER
Lt. Peter Zouck Post 521
VFW of the U.S., Inc.
 ADDRESS 214 Tollgate Road
Owings Mills, Maryland 21117

THE PLANNING BOARD HAS DETERMINED ON 8-12-79 THAT THE PROPOSED DEVELOPMENT DOES / DOES NOT CONFORM TO THE REQUIREMENTS OF SUBSECTION 52-11(7) OF THE BALTIMORE COUNTY CODE, 1968.

AUG 6 79 PM

DATE

CHAIRMAN, BALTIMORE COUNTY PLANNING BOARD

IDCA FORM NO. 2 REVISED 8-12-77

OFFICE OF PLANNING & ZONING

IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT RECEIVED

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, VFW of the U.S., Inc., legal owner of the property situate in Baltimore County, the property outline of which is shown to scale, complete with bearings and distances on 200 FT. SCALE MAPS, which are attached hereto, hereby make application to file for a Special Hearing to amend special exception Case No. 67-194X in a S.S. 1-A zone to use the herein described PROPOSED DEVELOPMENT

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 (PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 360)

UTILITIES
 WATER: ☒ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM

SEWER: ☒ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM

UTILITIES SECURITY APPROVAL

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICANT, LESSEE OR CONTRACT PURCHASER
Lloyd J. Hammond, Esquire
Attorney for Legal Owner
Lloyd J. Hammond
 ADDRESS 204 Courtland Avenue
Towson, Maryland 21204
828-5004

LEGAL OWNER
Lt. Peter Zouck Post 521
VFW of the U.S., Inc.
 ADDRESS 214 Tollgate Road
Owings Mills, Md. 21117

THE PLANNING BOARD HAS DETERMINED ON 7-19-79 THAT THE PROPOSED DEVELOPMENT DOES / DOES NOT CONFORM TO THE REQUIREMENTS OF SUBSECTION 52-11(7) OF THE BALTIMORE COUNTY CODE, 1968.

MAY 1 79 PM

DATE

CHAIRMAN, BALTIMORE COUNTY PLANNING BOARD

IDCA FORM NO. 2 REVISED 8-12-77

OFFICE OF PLANNING & ZONING

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
 N/S of Tollgate Rd., 235' : OF BALTIMORE COUNTY
 W of Ritters Lane, 4th District

LT. PETER ZOUCK POST 521 VFW : Case No. 80-118-SPH
 OF THE U.S., INC., Petitioner

ORDER TO ENTER APPEARANCE

Mr. Commissioners:
 Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman : John W. Hession, III
 Deputy People's Counsel : People's Counsel for Baltimore County
 County Office Building
 Towson, Maryland 21204
 494-2188

I HEREBY CERTIFY that on this 7th day of November, 1979, a copy of the foregoing Order was mailed to Lloyd J. Hammond, Esquire, 204 Courtland Avenue, Towson, Maryland 21204, Attorney for Petitioner.

John W. Hession, III

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS
 FROM: Ellsworth N. Diver, P.E.
 Chief, Bureau of Engineering
 DATE: June 15, 1979

PROJECT NAME: VFW - Zouck Post
 PROJECT NUMBER: PIP NO. 79-20SP
 LOCATION: Tollgate Road
 DISTRICT: 4C3

This application for special exception (No. 79-20SP) was received by the Developers Design Approval Section on May 4, 1979, and we comment as follows:

General: Urban Area

This property is the subject of Zoning Item #230 (1978-1979).

Water: (Reisterstown Fifth Zone of Water Service)

There is a public 12-inch water main in Tollgate Road. There are no problems with water service reported in this area. This property is within the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line, and in an area designated "Existing Service" on Baltimore County Water Plan W-16A, as amended. As the requested additional use will not adversely affect the system, this project is recommended for approval.

Sanitary Sewer: (Gwynns Falls Interceptor - Main Outfall Sewer - Back River Waste Water Treatment Plant)

There is 8-inch public sanitary sewerage in Tollgate Road, terminating at Manhole 42673 (Drawing 970-0771, File 1). This property is utilizing a private onsite sewage pumping station with a connection to the public sanitary sewer at Manhole 42673 (approximately 10 feet east of this site).

This property is within the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line, and in an area designated "Planned Service in 6-10 Years" on Baltimore County Sewerage Plan S-16A, as amended. There are no dry weather flow problems reported in the area to which sewerage from this property is presently directed. As the inclusion of this property within the area served by public sanitary sewerage in Baltimore County (as a result of its present private pumped-force main connection to the public sanitary sewer in Tollgate Road) causes a deviation in the Sewer Map S-16A, as amended, this project must be denied. The State Health Department must be notified of this deviation, and the Petitioner shall initiate the action necessary through the Baltimore County Department of Public Works. Upon approval by the State Health Department, this project can be recommended for approval.

PIP NO. 79-20 SP
 VFW - Zouck Post
 Page 2
 June 15, 1979

Storm Drains: (Red Run - Gwynns Falls - Patapsco River - Chesapeake Bay)

This property drains to Gwynns Falls. There are known flooding problems downstream. The Petitioner indicates a proposed increase of impervious area approximately 38,938 square feet. As this property, subject to Baltimore County Storm Water Management Policy, will present no additional impact downstream from the proposed further development/use of this property, this project is recommended for approval. Estimated 100-year design storm runoff increase of 4.08 cfs.

RECEIVED

ELLSWORTH N. DIVER, P.E.
 Chief, Bureau of Engineering

JUN 20 1979

OFFICE OF PLANNING & ZONING

END:FM:FWR:iss

DEPARTMENT OF TRAFFIC ENGINEERING

LOCATION: TOLLGATE ROAD
 IDCA NO. 79-20SP

IDCA Analysis

- 1) Nearest Arterial Intersection REISTERSTOWN RD & PLEASANT HILL RD
- 2) Trip Generation from Site 9841 ft² X 20 TRIPS/AC = 197 TRIPS/DAY
1000 FT²
- 3) Proposed Level of Service C
- 4) Proposed Road Improvements Programmed for Construction Within Next Two Years.

Recommendation

Approval: CPL/iss

Denial:

Remarks:

RECEIVED

JUN 8 1979

OFFICE OF PLANNING & ZONING

Baltimore County Office of Planning and Zoning
 July 19, 1979

RESOLUTION OF THE BALTIMORE COUNTY PLANNING BOARD

July 19, 1979

WHEREAS, Pursuant to Section 22-15.1 of the Baltimore County Code 1968 as amended by Bill No. 79, known as Pla's In Progress, there has been submitted to the Baltimore County Planning Board an application, P.I.P. No. 79-20X for a special hearing to amend Special Exception Case 67-194X on property located on the north side of Tollgate Road, 235 feet west of Ritters Lane owned by Lt. Peter Zouck, Post 521, V.F.W. of the U.S., Inc., and the Department of Public Works has determined that public sewer facilities with adequate capacity would not be available to serve that property at the time of approval of the special exception and that public sewer facilities are not scheduled for construction or extension to that property within the current Metropolitan District capital program or programmed within the first year of the Metropolitan District capital program, and

WHEREAS, The Department of Public Works has determined that public water facilities with adequate water pressure, flow or volume for consumption and fire protection are not available to serve that property and that such water facilities are not scheduled for construction or extension to that property within the current Metropolitan District capital budget or programmed within the first year of the Metropolitan District capital program, and

Pursuant to the advertisement, posting of property, and public hearing on the ~~2000~~ Petition and it appearing that by reason of the following finding of facts that, in accordance with the power granted unto the Zoning Commissioner by Section 500.7 of the Baltimore County Zoning Regulations, it is hereby determined that the granting to the Petitioner the right to amend the site plan filed in and to the special exception granted in Case No. 67-194-X will not be detrimental to the health, safety, and general welfare of the community and would be within the spirit and intent of said Zoning Regulations, said site plan, as amended by C. A. Myers, dated February 8, 1979, showing a proposed one-story addition to the existing improvement and a proposed open pavillion to the rear of the existing improvement.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 3rd day of January, 1980, that the right to amend the site plan filed in and to the special exception granted in Case No. 67-194-X, to provide for the construction of a one-story addition and an open pavillion to the existing improvement located on the Petitioner's property as shown and located on the site plan dated February 8, 1979, as requested in the herein Petition for Special Hearing, should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning, including landscaping and screening approval by the Current Planning and Development Division.


William E. Hammond
Zoning Commissioner of
Baltimore County

WHEREAS, Subsection 22-15.1(e) of the County Code requires that such an application be denied, and Subsection 22-15.1(f) requires that the Planning Board render a decision in the matter, based upon and consistent with the recommendations of appropriate County agencies; and

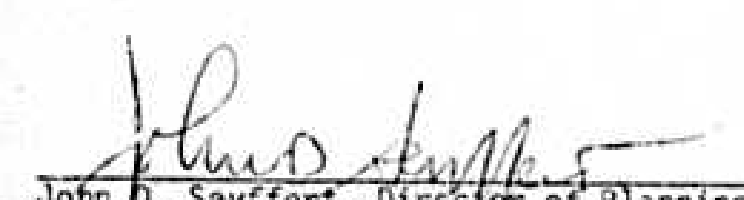
WHEREAS, Further, under Subsection 22-15.1(f) of the County Code, if the Planning Board decides that an application submitted under the Plans In Progress fails to conform to the requirements of that act, the application must be denied; now, therefore, be it

RESOLVED, That the Baltimore County Planning Board hereby decides that the development proposed under P.I.P. Application No. 79-20X fails to conform to the requirements of the Plans In Progress; and be it further

RESOLVED, That pursuant to Paragraph 22-15.1(e)(2) 8 of the County Code, a copy of this resolution shall be forwarded to the Zoning Commissioner thereby advising him of the Planning Board's findings and decision regarding P.I.P. Application No. 79-20X.

I HEREBY CERTIFY that this resolution was duly adopted by the Baltimore County Planning Board at its meeting in Towson, Maryland, on July 19, 1979.

DATE: 7/23/79


John D. Seyffert, Director of Planning
Secretary to the Board

Lloyd J. Hammond, Esquire
204 Courtland Avenue
Towson, Maryland 21204

November 6, 1979

RE: Petition for Special Hearing
Lt. Peter Zouck Post 521 VFW
of the U.S., Inc.
N/S Tollgate Rd., 235' W Ritters Lane
Case No. 80-118-SPH

Dear Mr. Hammond:

Please be advised that the above-captioned matter, scheduled for hearing on Thursday, November 27, 1979, must be postponed and rescheduled for Tuesday, December 11, 1979 at 10:00 A.M. Said postponement is due to the fact that the Times Newspaper, we are informed, published their final editions on Thursday, November 1, 1979, but failed to notify this office. Therefore, it will be impossible to meet the 15 day requirement for advertising in another county newspaper.

I apologise for any inconvenience this may cause you.

Very truly yours,

William E. Hammond
Zoning Commissioner

WEH:ej

January 3, 1980

Lloyd J. Hammond, Esquire
204 Courtland Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing
N/S of Tollgate Road, 235' W of
Ritters Lane - 4th Election District
Lt. Peter Zouck Post 521, VFW of
the U.S., Inc. - Petitioner
NO. 80-118-SPH (Item No. 230)

Dear Mr. Hammond:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,


WILLIAM E. HAMMOND
Zoning Commissioner

WEH:eri

Attachments

cc: John W. Hersian, III, Esquire
People's Counsel

C. A. Myers
5732 EMORY ROAD, UPPERCO, MD., 21155 • PHONE 429-5079
State Registered Surveyor No. 2783

ALL that lot or parcel of land situate, lying and being in the Fourth Election District of Baltimore County, State of Maryland, and described as follows, that is to say:

BEGINNING in or near the centerline of Tollgate Road measured 235 feet Northwesterly from the intersection of the centerlines of Tollgate Road and Ritters Lane, thence running in Tollgate Road, North 77 degrees 15 minutes West 305.10 feet, thence North 13 degrees 45 minutes East 300.00 feet, North 77 degrees 15 minutes West 110.00 feet, North 18 degrees 39 minutes East 257.32 feet, North 89 degrees 42 minutes East 174.24 feet, South 02 degrees 56 minutes West 250.00 feet, North 89 degrees 42 minutes East 98.40 feet, South 02 degrees 56 minutes West 225.00 feet, North 89 degrees 42 minutes East 35.00 feet and South 09 degrees 08 minutes West 156.11 feet to the place of beginning, containing three acres and two hundred ninety-eight thousandths of an acre (3.298) of land more or less.

BEING all of the property conveyed by Deed from Charles B. Stun et al. to Lt. Peter Zouck Post No. 521 VFW of the U. S., Inc., dated December 14, 1950, recorded in Liber T.B.S. No. 1899 folio 337 etc., and being a part of the Deed from Helen B. Huff et al. to Lt. Peter Zouck Post No. 521 VFW of the U. S., Inc., dated October 30, 1956, recorded in Liber G.L.B. No. 3046 folio 84 etc.




C. A. Myers, Surveyor

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
TO: Zoning Commissioner
John D. Seyffert, Director
FROM: Office of Planning and Zoning
Petition No. 80-118-SPH - Item 230
SUBJECT: Petition for Special Hearing for Amendment
North side of Tollgate Road, 235 feet West of Ritters Lane
Petitioner - Lt. Peter Zouck Post 521 VFW of the U.S., Inc.

4th District

HEARING: Tuesday, November 27, 1979 (10:00 A.M.)

There are no comprehensive planning factors requiring comment on this petition.


John D. Seyffert, Director
Office of Planning and Zoning

JDS:JGH:dme

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Lloyd J. Hammond, Esquire
204 Courtland Avenue
Towson, Maryland 21202

cc: C.A. Myers, Surveyor
5732 Emory Road
Upperco, Md. 21155

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 18th day of October, 1979.


WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner Peter Zouck

Petitioner's Attorney Lloyd J. Hammond, Esq. Reviewed by Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 26, 1979

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204050
Nicholas B. Commodari
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
DevelopmentLloyd J. Hammond, Esquire
204 Courtland Avenue
Towson, Maryland 21204RE: Item No. 230
Petitioner - Peter Zouck
Special Hearing Petition

Dear Mr. Hammond:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your client's proposal to amend the original Special Exception (Case No. 67-194-X), which allowed the existing use, by constructing an addition to the existing building and an open pavilion, this Special Hearing is required.

Particular attention should be afforded to comments of the Health Department, concerning the installation of food service equipment.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. 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,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC:hkh

Enclosures

cc: C. A. Myers, Surveyor
5732 Emory Road
Upperco, Md. 21155

baltimore county
department of public works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

June 13, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #230 (1978-1979)
Property Owner: Lt. Peter Zouck Post 521 Post of the U.S., Inc.
N/S Tollgate Rd. 235' W. Ritters La.
Existing Zoning: CR 3.5
Proposed Zoning: Special Hearing to amend Case No. 67-194X to allow the construction of an addition to the existing one story building. (IDCA 79-20 SP).
Acres: 3.298 District: 4th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Comments were supplied for this property for IDCA Project 79-20 SP.

Highways:

Tollgate Road, an existing public road, is proposed to be improved in the future as a 40-foot closed section roadway on a 60-foot right-of-way. Highway right-of-way widening, including any necessary reversible easements for slopes, will be required in connection with any grading or building permit application or further development of this property.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Storm Drains:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

Item #230 (1978-1979)
Property Owner: Lt. Peter Zouck Post 521 Post of the U.S., Inc.
Page 2
June 13, 1979

Storm Drains: (Cont'd)

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

Water and Sanitary Sewer:

There is a public 12-inch water main, and 8-inch public sanitary sewerage (which terminates approximately 10 feet easterly of this site at Manhole 42673) in Tollgate Road.

The submitted plan does not indicate the private onsite sewage pumping facility and force main connection of this property to the public sanitary sewer. This property is within the Baltimore County Metropolitan District and the Urban-Rural Demarcation Line. Baltimore County Sewerage Plan S-16A indicates this property to be within an area designated "Planned Service in 6 to 10 years". Therefore, the present sewerage of this property causes a deviation in the Sewer Map. The State Health Department must be notified of this deviation. The Petitioner shall initiate the action through the Baltimore County Department of Public Works.

This property is tributary to the Gwynns Falls Sewerage System, subject to State Health Department regulations.

Very truly yours,

Ellsworth N. Diver, P.E.
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Tremmer
R. Morton
J. Somers

T-SW Key Sheet
46 & 47 NW 35 Pos. Sheets
NW 12 1 Topo
58 Tax Map

baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
(301) 494-3211

LESLIE H. GRAEF
DIRECTOR

July 13, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #230, Zoning Advisory Committee Meeting, May 8, 1979, are as follows:

Property Owner: Lt. Peter Zouck Post 521 VFW Post of the U.S., Inc.
Location: N/S Tollgate Road 235' W. Ritters Lane
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Hearing to amend Case No. 67-194-X to allow the construction of an addition to the existing one story building. (IDCA 79-20-SP)
Acres: 3.298
District: 4th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

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

Very truly yours,

John L. Wimsley
John L. Wimsley
Planner III
Current Planning and Development

baltimore county
department of health
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

June 22, 1979

Mr. William Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #230, Zoning Advisory Committee meeting of May 8, 1979, are as follows:

Property Owner: Lt. Peter Zouck, Post 521 VFW Post of the U.S., Inc.
Location: N/S Tollgate Rd. 235' W Ritters La.
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Hearing to amend Case No. 67-194-X to allow the construction of an addition to the existing one story building. (IDCA 79-20-SP)
Acres: 3.298
District: 4

The existing structure is presently served by metropolitan water and sewer.

Prior to construction, renovation and/or installation of equipment for this food service facility, complete plans and specifications must be submitted to the Plans Review Section, Environmental Support Services, Baltimore County Health Department, for review and approval.

Very truly yours,

Ian J. Forrest
Ian J. Forrest
Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/JRP:p

cc: J. A. Butcher

baltimore county
department of traffic engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHEN E. COLLINS
DIRECTOR

July 11, 1979

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Item No. 230 -EAC- Meeting of May 8, 1979
Property Owner: Lt. Peter Zouck Post 521 VFW Post of the U.S., Inc.
Location: N/S Tollgate Rd. 235' W Ritters La.
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Hearing to amend Case No. 67-194-X to allow the construction of an addition to the existing one story building. (IDCA 79-20-SP)
Acres: 3.298
District: 4th

Dear Mr. Hammond:

The proposed addition to the existing building is not expected to cause any major traffic problems.

Very truly yours,

Michael S. Flanagan
Michael S. Flanagan
Engineer Associate II

M. S.

baltimore county
fire department
TOWSON, MARYLAND 21204
(301) 825-7310

Paul H. Reincke
CHIEF

July 12, 1979

William E. Hammond
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Lt. Peter Zouck Post 521 VFW Post of the U.S., Inc.

Location: N/S Tollgate Rd. 235' W Ritters La.

Item No. 230 Zoning Agenda Meeting of 5/8/79

Comments:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle load and condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *Carl Joseph Kelly* 7-11-79
Planning Group
Special Inspection Division

Noted and
Approved: *Henry M. Neumann*
Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: yick Commodari
FROM: Charles E. Burnham
SUBJECT: Zoning Advisory Committee Meeting May 8, 1979

Date: May 15, 1979

ITEM NO. 230 Standard Comment
ITEM NO. 231 Standard Comment
ITEM NO. 232 Standard Comment
ITEM NO. 233 Standard Comment
ITEM NO. 172 REVISED See Revised Comments

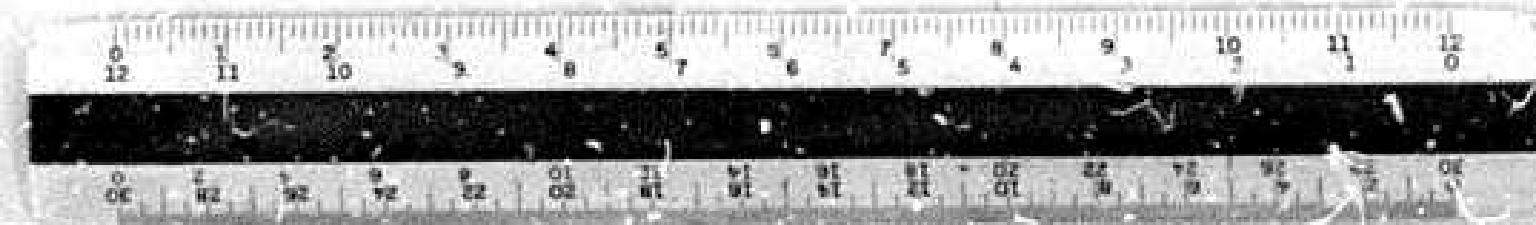
Charles E. Burnham
Charles E. Burnham, Chief
Plans Review

CES:rrj

Cost of Advertisement, \$.....

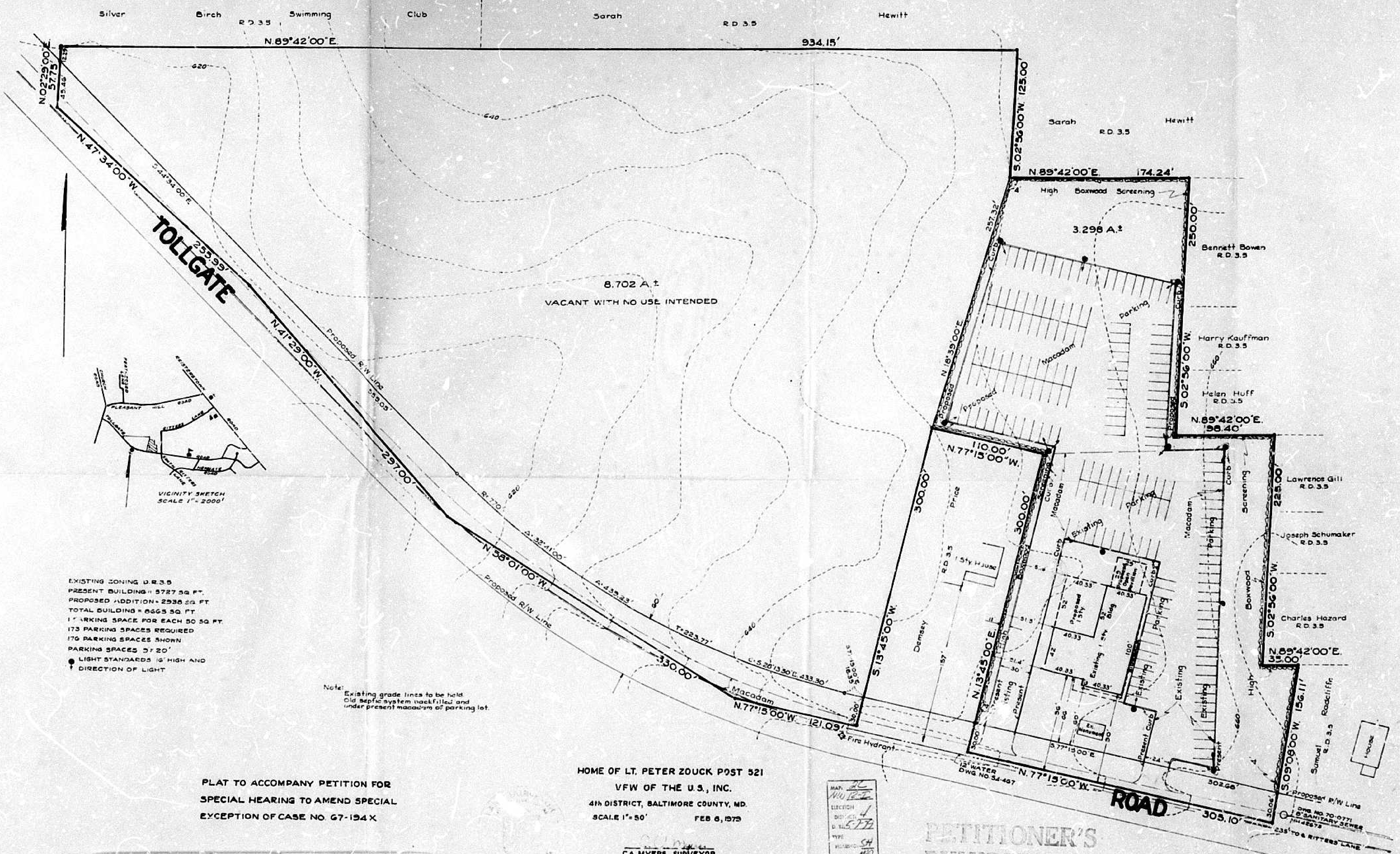


T-NW
T-SW

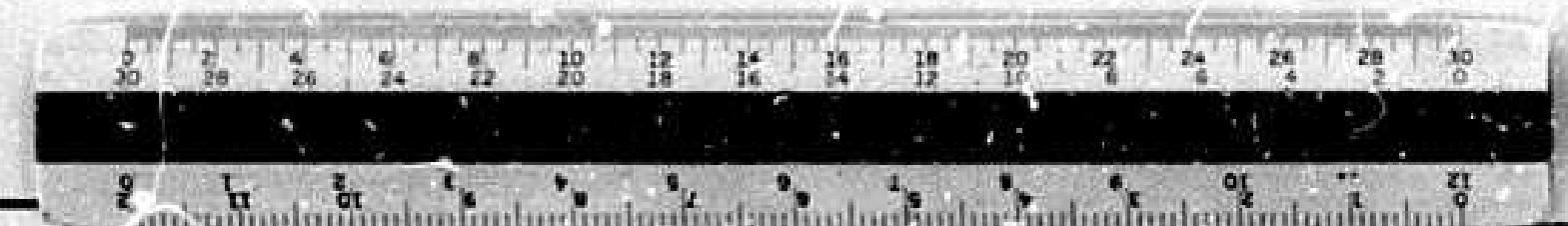


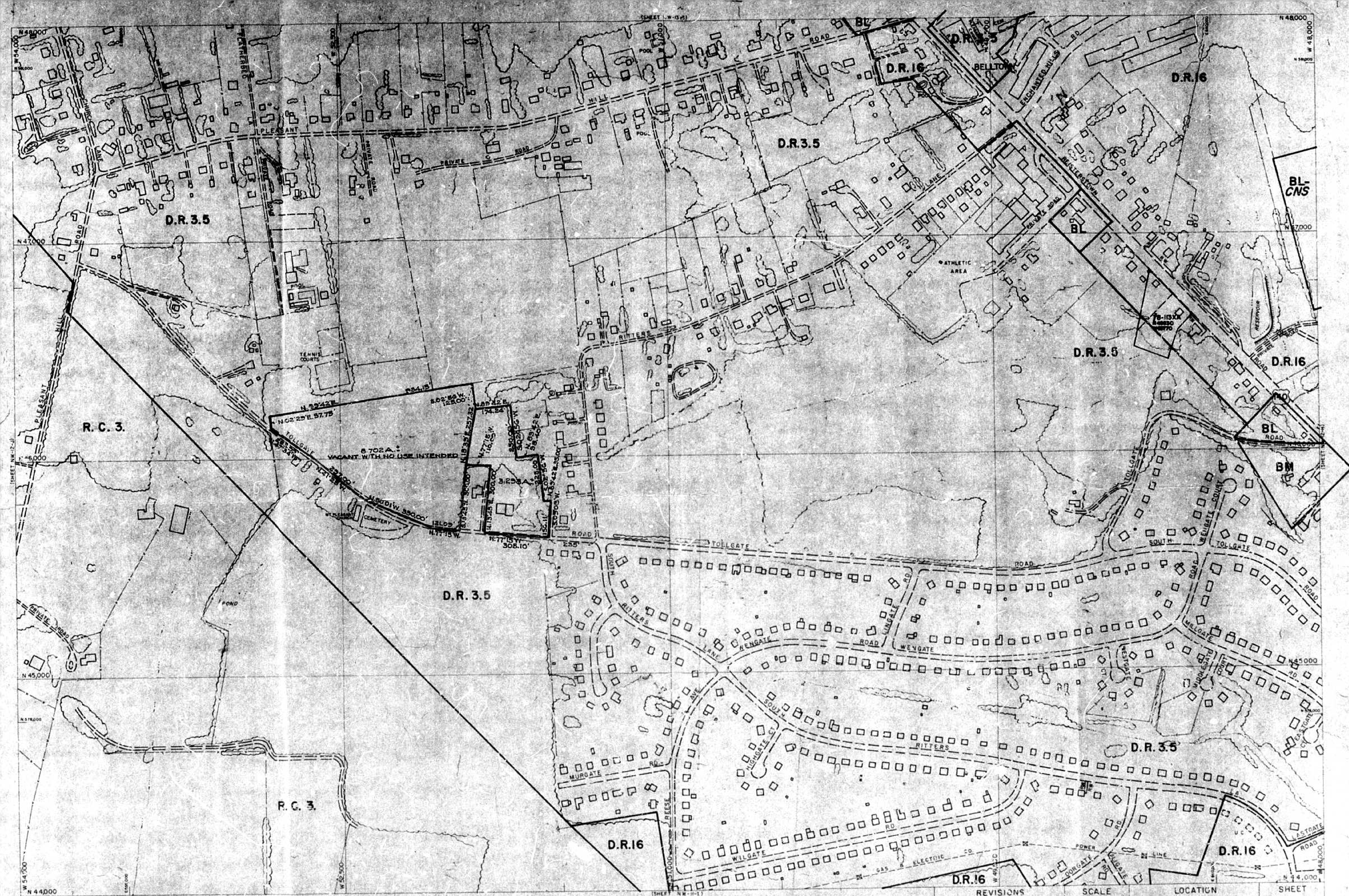
PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS			SCALE	LOCATION	SHEET
Planimetric	BY	DATE	1" = 200'	BELLTOWN	N. W. 12-1
Topographic	HAPS, INC MAPS, INC	4-20-67 4-11-70			
			DATE OF PHOTOGRAPHY APRIL 1953		
Topography Compiled By Photogrammetric Methods AERO SERVICE CORPORATION- PHILADELPHIA, PA					



PLAT TO ACCOMPANY PETITION FOR
 SPECIAL HEARING TO AMEND SPECIAL
 EXCEPTION OF CASE NO. G7-194 X





T-NW
T-SW

5. COMPREHENSIVE ZONING MAP
PREPARED BY THE
BALTIMORE COUNTY COUNCIL
1.7.1976 & OCT. 8. 1976
L.NOS. 108-76, 109-76, 110-76, 111-76, 113-76, and 114-76

BALTIMORE COUNTY COUNCIL

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS			SCALE	LOCATION	SHEET
	BY	DATE	1" = 200'	BELLTOWN	N. W. 12-1
Planimetric	M.A.P.S. INC.	4-20-67	DATE OF PHOTOGRAPHY APRIL 1953		
Planimetric	W.A.P.S. INC.	4-11-70			
Compiled By Photogrammetric Methods A.E.O. SERVICE CORPORATION-PHILADELPHIA, PA.					

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

December 30, 1994

(410) 887-3353

Jason H. Brand, Esquire
Law Offices of Jerry S. Sopher
913 South Charles Street
Baltimore, MD 21230

RE: Zoning Verification
530 West 46th Street
12th Election District

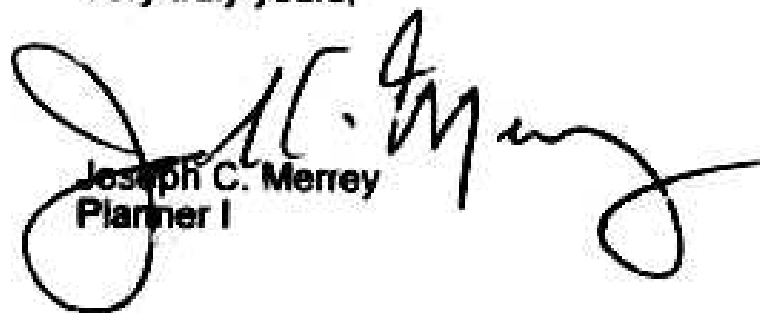
Dear Mr. Brand:

Per your correspondence of December 19, 1994 and our research regarding the above referenced matter, it has been determined that the special exception granted in case #64-105-X and the restrictions amended by case #80-117-SPH are still in effect for the subject property.

Be advised that a new owner may operate a day care center at the above reference address pursuant to the aforementioned zoning hearings. Any such use shall be subject to the restrictions contained in those orders.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 887-3391 (FAX 887-5708).

Very truly yours,


Joseph C. Merrey
Planner I

JCM:scj





BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

September 20, 1982

Ms. Ethel Schaum
1644 Gray Haven Court
Baltimore, Maryland 21222

RE: Zoning Information
Peter Rabbit Day Nursery
(2901 Liberty Parkway) and
Eastwood Day Nursery
(530 - 46th Street) -
12th Election District

Dear Ms. Schaum:

Reference is made to your letter of August 24, 1982 to Mr. William E. Hammond, Zoning Commissioner, and our subsequent telephone conversation of September 17, 1982 relative to the above.

Both the Peter Rabbit Day Nursery and the Eastwood Day Nursery would be permitted to be utilized as nursery schools. The property known as 2901 Liberty Parkway enjoys a legal nonconforming use for a day care center/nursery school and may be utilized as such provided the number of students does not exceed the maximum licensed by the Baltimore County Health Department in previous license years. As a legal nonconforming use, the requirements of Section 104.1 of the Baltimore County Zoning Regulations are applicable (see attachment). The property known as 530 - 46th Street was the subject of two zoning hearings: (1) Case No. 64-105-X, a Special Exception for a day nursery granted April 9, 1964 and (2) Case No. 80-117-SPH, a Special Hearing to remove some of the restrictions imposed by the previous hearing granted April 2, 1980 (see attachments for restrictions). This location may be used as a nursery school provided the new operation complies with all of the aforementioned restrictions.

If you have any further questions concerning this matter, please contact this office.

Very truly yours,

Diana Itter

DIANA ITTER
Zoning Associate III

DI:nr

Attachments

cc: Mr. William E. Hammond, Zoning Commissioner
Mrs. Jean M. H. Jung, Deputy Zoning Commissioner
Mr. James E. Dyer, Zoning Supervisor

get
82-1828

Ms. Ethel Schaum
1644 Gray Haven Court
Balto., Md. 21222

August 24, 1982

Mr. William Hammond, Commissioner
Zoning Office
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Hammond:

Our church is interested in purchasing property to use as a nursery school. We have two properties in mind. We would like to find out from you in advance if these properties would be allowed to be used as nursery schools, as they are presently being used as day care centers. The two properties are:

- | | |
|--|---|
| 1. Peter Rabbit Day Nursery
2901 Liberty Parkway
Dundalk, Maryland 21222 | Located on Southeast corner of Liberty Pkwy. and Dunsanway. |
| 2. Eastwood Day Nursery
530 46th Street
Baltimore, Md. 21224 | Located W/S of 46th St., 841.85' S of Eastern Avenue |

Please advise if either or both of these properties could be used as a nursery school without a special hearing.

We will wait to hear from you as soon as possible before signing any contracts. I understand that the license for both day care centers and nursery schools are made on the same form and applied for on the same applications from the county.

Thank you for your assistance.

Very truly yours,

Ms. Ethel Schaum

Ms. Ethel Schaum



PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, GLORIA DORSEY, 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 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 a Special Hearing to amend the original Special Exception (Case No. 64-105-X) to allow a maximum number of 39 children in lieu of the allowable maximum number of 20 children and to increase the hours of operation from 7:30 A.M. - 5:30 P.M. to 6:00 A.M. - 6:00 P.M.

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
Address
Petitioner's Attorney
Protestant's Attorney

ORDERED By the Zoning Commissioner of Baltimore County, this 12th day of October, 1979, 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 27th day of November, 1979, at 9:00 o'clock A.M.

Zoning Commissioner of Baltimore County

(over)

IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT RECEIVED

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, GLORIA DORSEY, legal owner of the property situate in Baltimore County, the property outline of which is shown in sketch and distances on 200 FT. SCALE MAPS, which are attached hereto, hereby make application to file for a SPECIAL EXCEPTION PLANNING & ZONING as an amendment to the original Special Exception (Case No. 64-105-X) to increase the maximum number of children allowed from 20 to 39 and to increase the hours of operation from 7:30 A.M. - 5:30 P.M. to 6:00 A.M. - 6:00 P.M. THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

GROSS SITE AREA 50.2125 DEED REF. 5822/273
GRADING None % OF OVERALL SITE WILL REQUIRE GRADING.
BUILDING SIZE
GROUND FLOOR 34 AREA 1224
NUMBER OF FLOORS One TOTAL HEIGHT
FLOOR AREA RATIO - TOTAL FLOOR AREA DIVIDED BY SITE AREA
BUILDING USE
GROUND FLOOR Day Care Center OTHER FLOORS None
REQUIRED NUMBER OF PARKING SPACES
GROUND FLOOR None OTHER FLOORS None TOTAL None
PAVING Was already paved when property was acquired in May, 1978.
AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES - (PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 360)
UTILITIES
WATER: ☒ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM
SEWER: ☒ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM
UTILITIES SECURITY APPROVAL
I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

APPLICANT, LESSEE OR CONTRACT PURCHASER
ADDRESS
THE PLANNING BOARD HAS DETERMINED ON 10-18-79 THAT THE PROPOSED DEVELOPMENT DOES / DOES NOT CONFORM TO THE REQUIREMENTS OF SUBSECTION 500.7 OF THE BALTIMORE COUNTY ZONING LAW.

DATE 10-18-79 CHAIRMAN, BALTIMORE COUNTY PLANNING BOARD
OFFICE OF PLANNING & ZONING

RE: PETITION FOR SPECIAL HEARING : BEFORE THE ZONING COMMISSIONER
W/S of 46th St., 841.85' : OF BALTIMORE COUNTY
S of Eastern Ave., 12th District : Case No. 80-117-5PH
GLORIA DORSEY, Petitioner

ORDER TO ENTER APPEARANCE

Mr. Commissioner:
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
John W. Hession, III
Deputy People's Counsel
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204
494-2188
I HEREBY CERTIFY that on this 7th day of November, 1979, a copy of the foregoing Order was mailed to Gloria Dorsey, 530 S. 46th Street, Baltimore, Maryland 21224, Petitioner.

RE: PETITION FOR A SPECIAL EXCEPTION FOR DAY NURSERY - W.S. 46th St., 841.85' S. Eastern Ave., 12th District - James C. Somers and Theresa Somers, Petitioners : BEFORE : ZONING COMMISSIONER : OF : BALTIMORE COUNTY : No. 80-105-X

The petitioners in the above matter have requested a special exception to operate a day nursery at 530 - 46th Street, in the Twelfth District of Baltimore County. The operation of the nursery will take place in an existing one story concrete block building at the rear of the subject property.

The special exception is granted subject to the following restrictions:

1. Strict compliance with all the requirements of the Baltimore County Fire Bureau:
For use as day nursery for maximum of 20 children.
Current floor to have wooden floor installed over same.
Ceiling of fire resistant material to be installed.
Overhead garage door to be removed and an exit door opening way of travel to be installed.
Screening in floor by present door to be closed.
Install an exhaust fan for ventilation.
Use to be U.L. approved ceiling type gas with a Class B stack.
Property to be fenced for play area.
Install one 55 G. extinguisher and one 2 1/2 gal. Class A extinguisher.
And any additional requirements of the Baltimore County Fire Bureau.
2. Operation shall not begin until the Baltimore County Health Department has given approval.
3. A new fence must be erected separating the subject property from No. 532 - 46th Street.

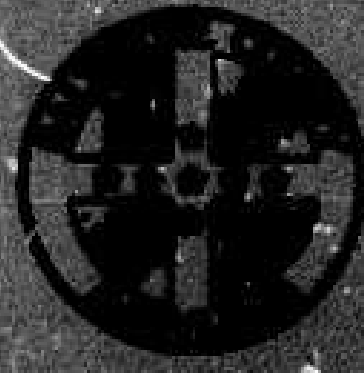
1. Not more than 20 children shall be permitted.
2. No bus service shall be provided for the children.
3. Hours of operation shall be between 7:30 a.m. and 5:30 p.m. only.
4. Site plan shall be subject to approval of the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

Date: Oct 9, 1974

BALTO Co Fire Dept
Insp Russell E. Egan

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



Mrs. Gloria L. Dorsey
530 South 46th Street
Baltimore, Maryland 21224
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Your Petition has been received and accepted for filing this 12th day of October, 1979.
William E. Hammond
Zoning Commissioner
Petitioner Gloria L. Dorsey
Petitioner's Attorney
Reviewed by Nicholas B. Commodari
Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204
cc
Nicholas B. Commodari
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

Ms. Gloria L. Dorsey
530 S. 46th Street
Baltimore, Maryland 21224
RE: Item No. 33
Petitioner - Gloria L. Dorsey
Special Hearing Petition

Dear Ms. Dorsey:
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following 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 with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your proposal to increase the maximum number of children allowed and the hours of operation for the existing nursery school, this Special Hearing is required. A previous Special Exception for the existing use was granted as a result of Case No. 64-105-X, and this hearing restricted the above.

Enclosed are all comments submitted from the Committee to this office. The remaining members felt that no comment was warranted. 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,
Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

ENCLOSURE

MICROFILMED

Pursuant to the advertisement, posting of property, and public hearing on the above Petition, and it appearing that by reason of the following finding of facts that a special exception (Case No. 64-105-X) to operate a day nursery at 530 South 46th Street was originally granted on April 9, 1964, by the then Zoning Commissioner, John G. Rose, with certain restrictions, among which were for "Not more than 20 children..." and specifying the "Hours of operation shall be between 7:30 a. m. and 5:30 p. m. only"; that the day nursery has continued to operate on the subject property since that date; that the Protestants testified that more than 20 children have attended the day nursery, now being operated by the Petitioner, at hours in excess of those specified in the special exception; that previous licenses issued to the Petitioner's predecessor were for a maximum of 25 children; that the Petitioner has made substantial improvements to the day nursery since purchase of the property in 1978; that a letter from the Baltimore County Department of Health, dated November 19, 1979, indicated that "the capacity of the center to be 29 children, allowing 35 square feet of usable floor space per child required under current State regulations", and that to amend the special exception, as herein provided, will not be detrimental to the health, safety, and general welfare of the community and will be within the spirit and intent of the Baltimore County Zoning Regulations.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 2nd day of April, 1980, that the amendment to the special exception for a day nursery (Case No. 64-105-X), to provide for an increase in the number of children to 29 and to increase the hours of operation to between 6:30 a.m. and 6:00 p.m., should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. Compliance with the Order of April 9, 1964, except to the extent that this Order amends the terms and provisions thereof.
2. No vehicles delivering children shall double park on South 46th Street and the parents of the children shall be so informed.
3. The children shall be kept in the day nursery facility until 10:00 a.m. so as to minimize the noise in the immediate area.
4. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

William E. Hammond
Zoning Commissioner of
Baltimore County



BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

THORNTON M. MOURING
DIRECTOR

September 18, 1979

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #33 (1979-1980)
Property Owner: Gloria L. Dorsey
W/S 46th St. 841.85' S. Eastern Avenue
Existing Zoning: DR 5.5
Proposed Zoning: Special Hearing to amend Special Exception Case No. 64-105-X to allow a maximum number of 30 children in lieu of the allowable maximum of 20 children and to increase the hours of operation from 7:30 A.M. to 5:30 P.M. to 6:00 A.M. to 6:00 P.M.
Acres: 0.143 District: 12th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

Baltimore County highway and utility improvements are not directly involved.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 33 (1979-1980).

Very truly yours,

Ellsworth N. Diver
ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

P-NE Key Sheet
5 SE 1/4 Sec. Sheet
SE 2 E Topo
.6 Tax Map



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
(301) 494-1211

John D. Seyffert
DIRECTOR

September 17, 1979

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #33, Zoning Advisory Committee Meeting, August 14, 1979, are as follows:

Property Owner: Gloria L. Dorsey
Location: W/S 46th St. 841.85' S. Eastern Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to amend Special Exception Case # 64-105-X to allow a maximum number of 30 children in lieu of the allowable maximum of 20 children and to increase the hours of operation from 7:30 A.M. to 5:30 P.M. to 6:00 A.M. to 6:00 P.M.

Acres: 0.143
District: 12th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

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

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

October 8, 1979

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #33, Zoning Advisory Committee Meeting of August 14, 1979, are as follows:

Property Owner: Gloria L. Dorsey
Location: W/S 46th St. 841.85' S. Eastern Ave.
Existing Zoning: D.R. 5.5
Proposed Zoning: Special Hearing to amend Special Exception Case No. 64-105-X to allow a maximum number of 30 children in lieu of the allowable maximum of 20 children and to increase the hours of operation from 7:30 A.M. to 5:30 P.M. to 6:00 A.M. to 6:00 P.M.
Acres: 0.143
District: 12th

Metropolitan water and sewer exist.

A representative from the Division of Maternal and Child Health has recently inspected the existing day care center. Due to space limitations a permit to operate the day care center will specify a maximum allowable number of 29 children.

Very truly yours,

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/JRE/thg



BALTIMORE COUNTY
DEPARTMENT OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
(301) 494-1211

Paul H. Reincke
CHIEF

August 28, 1979

William E. Hammond
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Gloria L. Dorsey

Location: W/S 46th St. 841.85' S. Eastern Ave.

Item No. 33 Zoning Agenda Meeting of 8/14/79

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle load and condition shown at _____ exceeds the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED BY: *George M. Hagan*
Special Inspection Division

Noted and Approved: *George M. Hagan*
Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND

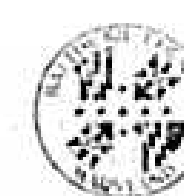
INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: August 14, 1979
FROM: Ted Burnham
Zoning Advisory Committee
SUBJECT: Meeting of August 14, 1979

ITEM NO. 32	See Comments
ITEM NO. 33	Standard Comments
ITEM NO. 34	See Comments
ITEM NO. 35	See Comments
ITEM NO. 36	Standard Comments Only.
ITEM NO. 37	See Comments
ITEM NO. 38	See Comments
ITEM NO. 39	See Comments
ITEM NO. 40	See Comments
ITEM NO. 41	Standard Comments Only.

Charles E. Burnham
Ted Burnham, Chief
Plans Review

LSJ:ej



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

April 2, 1980

Ms. Gloria L. Dorsey
530 South 46th Street
Baltimore, Maryland 21224

RE: Petition for Special Hearing
W/S of 46th Street, 841.85' S of
Eastern Avenue - 12th Election
District
Gloria L. Dorsey - Petitioner
NO. 80-117-SPH (Item No. 33)

Dear Ms. Dorsey:

I have this date passed my Order in the above referenced matter in accordance with the attached.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH/ssl

Attachments

cc: Myles R. Eisenstein, Esquire
222 St. Paul Street
Baltimore, Maryland 21202

Mr. Paul Breidenbaugh
415 St. Paul Street
Baltimore, Maryland 21202

Mr. & Mrs. Joseph Area, Jr.
614 South Savage Street
Baltimore, Maryland 21224

Mr. Raymond Tallin
525 South 46th Street
Baltimore, Maryland 21224

Mr. & Mrs. Thomas
532 South 46th Street
Baltimore, Maryland 21224

Ms. Kay Drayton
Acting Child Day Care Coordinator
Department of Health

Captain Joseph Kelly
Fire Department

John W. Hessian, III, Esquire
People's Counsel

ZONING DESCRIPTION

SPECIAL HEARING FOR 530, 46th STREET

BEGINNING for the same on the west side of 46th Street, said point being distant 841.85 feet measured southerly from the south side of Eastern Avenue, thence binding on the west side of said 46th Street north 22 degrees 32 minutes west 50.30 feet, thence binding on said division line south 67 degrees 28 minutes west 125.00 feet, thence south 22 degrees 32 minutes east 44.40 feet and south 2 degrees 48 minutes east 3.90 feet, thence binding on said division line north 68 degrees 24 minutes east 126.70 feet to the place of beginning.

CONTAINING 0.141 acres of land more or less.

BEING Lots No. 858 and 859 as shown on the plat of Harbor View filed as aforesaid.

MARYLAND STATE DEPARTMENT OF HEALTH AND MENTAL HYGIENE
BALTIMORE COUNTY HEALTH DEPARTMENT
GROUP DAY CARE CENTER INSPECTION

CHILD DEVELOPMENT REPORT
Date: 5-24 1977
Time of inspection: 4:30 PM

Center: Eastwood Day Nursery
Address: 530 S. 46 St
Dundalk Md.

Licensee: Mrs. T. Somers

Assigned Capacity: 25
Enrollment: 26
Attendance this date: 26

Application Investigation
Initial Operating Inspection
Relicensing Inspection
Follow-up Inspection
Complaint
Other, Specify

Person Interviewed: Mrs. Somers
Title: Director

Entries: S = Satisfactory
U = Unsatisfactory
NA = Not Applicable
UP = Unsatisfactory Pending Corrective Action

LICENSING POLICY

.13 S Current License posted
.15 S Capacity of Center

ADMISSION POLICIES

.18 S Minimum Age
.19 S Special Care

STAFF

.83 S No evidence injurious treatment, physical or emotional by staff
.87 S Sufficient qualified staff
.88 S Program Director
.89 S In centers licensed prior
.90 S In centers licensed after
.91 S Program Director/ 5-20
.92 S Program Director/ 21-40
.93 S Program Director/ 41-
.94 S Senior Staff
.95 S Aides
.96 S Other personnel
.97 S Substitutes
.98 S Number of staff
.99 S Group size and staffing
.100 S Mixed group size
.101 S More than 4 two year olds
.102 S Staffing pattern

SQUARE FOOTAGE

.27 S 35 sq. ft. of space per child
.28 S 30 sq. ft. of space per child

PROGRAM

.25 S Playground
.84 S Appropriate rest period
.103 S Planned
.104 S Alternating activities
.105 S Individual/small group activities
.106 S Variety
.107 S Outdoor play
.108 S Clothing
.109 S Snack and meal time

EQUIPMENT AND FURNISHINGS

.110 UP Quantity and variety
.111A S Dramatic play
.111B S On open shelves:
art materials
rhythm instruments
science materials
natural materials
Sufficient unit blocks
Accessories
.111C UP Books, games, puzzles
.111D UP Large muscle equipment

CHILD DEVELOPMENT REPORT (continued) Page 2

Center: Eastwood Day Nursery Date: 5-24 1977

EQUIPMENT AND FURNISHINGS (continued)

.112 S Quantity
.113 S Arrangement
.114A S Scaled to size
.114B S Storage/play materials
.114C S Storage/cots, bedding
.114D S Equipment not in use
.114E S Storage/movable outdoor equipment

RECORDS

.115A S Enrollment
.115B S Daily attendance
.115C S Current staff
.115D S Substitute list
.115F S Staffing Pattern

Record comments made to person interviewed. Record discussions by regulation section, including agreed upon compliance dates, if applicable. Use additional paper, if necessary.

.110 - See below

.111C sand blocks that are splintering
need accessories - animals (farm 43) people

.111D add more challenging manipulative toys

.114B replace worn, ripped cots

.25 remove broken plastic swing

RECOMMENDED FOR LICENSURE - YES ☒
NO ☐

Signature of licensee or person interviewed after review
Leah M. Lander
Signature of Inspector

DHMH 1167 D
4/75

TO WHOM IT MAY CONCERN

WE THE UNDERSIGNED DO NOT WANT ANY BUSINESS IN OUR NEIGHBORHOOD THIS IS A RESIDENTIAL NEIGHBORHOOD. WE DO NOT WANT ANY AMENDMENTS TO INCREASE THE NUMBER OF CHILDREN IN THE PRESCHOOL NURSERY.

Thomas W. Koontz 532 S. 46th Street
Mrs. Rawlins 540 S. 46th St.
Mrs. Edna Fritz 538 S. 46th St.
Elizabeth P. yce 6914 7th Ave
Mrs. Bira 531 S. 45th St.
Mrs. Mrs. Luther Smithland 523 S. 45th St.
Labranh Moursed 523 S. 45th St.
John Schlich 510 S. 45th St.
Graham Zarachewicz 7004 Fair Lane
Joseph J. Zarachewicz 7004 Fair Lane
Mrs. John Kern 524 45th St
J. T. Bruner 502 S. 45th St
Amy McConel 517 S. 45th St
McConel

Gary Kamenake 537 S. 45th St, Balt, 21224
Lillian West 528 S. 46th St.
James Cook 501 S. 46th St - 24
Carmen 525 S. 45th St 21224
Mrs. Y. Glass 529 S. 46th St

29-2777

DEF 18 79 AM

614 South Savage Street
Baltimore, Maryland 21224
December 14, 1979

Mr. William C. Hammond
Zoning Commissioner
111 West Chesapeake Avenue
Towson, Maryland 21204

Protest against #80-117-SPH
Re: Gloria Dorsey - Eastwood Day Nursery
530 South 46th St.

Dear Mr. Hammond:

My husband and I own the property at 528 S. 46th St. This house was originally owned by my parents, and has been in my family for 26 years. We bought the house about 4 years ago, completely gutted it, and are in the process of complete renovation and addition of rooms. We have put our life savings into this property, plus so far 3 years of really hard work. All of the work has been done by my husband and me and my children.

Years ago, when the original permit for the nursery came up, Mr. and Mrs. James Sommers owned the property. Mr. Sommers business at that time was not doing well, and he was beginning to be plagued with a crippling form of arthritis which has now made him almost an invalid. At that time, my parents did not want to deprive Mrs. Sommers of some means to make a living by having this small nursery in the building which was erected on the back lawn. My parents understood that this would be only a small nursery and that the zoning was to be a special exception, which they did not believe at the time would go to a new owner. They did not oppose it in order to help their neighbor.

In the years that followed, the property was a family residence, with grass, trees, shrubs and flowers and a grape arbor - looked like a nice residential suburban home, but with a small nursery in the rear. The children at that time seemed well behaved for the most part, well taken care of, and during the times when they were outside, were not very noisy.

Mrs. Dorsey acquired the property about one and a half years ago, and evidently bought the house with the nursery. Before realizing that this young couple was out to make a real business for themselves and were not content to have a small nursery, my husband signed a paper for them at the request of Mr. Dorsey who told him they wanted to have a "couple more children" at the nursery. (My husband has the bad habit of never reading what he signs. He felt that he was helping a neighbor).

Since Mrs. Dorsey had the property, it has become a real commercial business venture. The flowers, trees, grape arbor and even the grass has now been removed. The property is now about 90% cement. It no longer looks like a suburban family home, but the business which it is turning out to be.

2.

These properties are only 50 feet wide, and I feel that this is much too close together to have such a commercial property right next door. I fear that these changes have already lowered the value of my property..

Not only have the Dorseys cemented their own property, but they evidently do not want any kind of the residential niceties around them that go along with suburban living. They have been after me to cut down the trees which are on my property on the side that is next to their property. They have now threatened me with court action for so called damages caused by these trees.

They have already harrassed and taken to court the neighbor on the other side of them, Mr. and Mrs. Koontz, claiming that they want the shrubs along the Koontz property line removed, and a tree that is on their property removed because the leaves go into their yard and into their rainspout. I understand that (thank goodness) the case was dismissed. It is a shame that this couple had to be dragged to court after living in a home without any problem for 38 years, because someone has cemented their property for business reasons and want you to remove small shrubs from your driveway.

This has always been a very pretty, quiet residential section with good, kind neighbors. These neighbors who had signed the petition to allow the additional children for the nursery and the longer hours, I don't believe realize what this action will bring. I really fear that in the future there is a real chance that the property will be turned into a nursery entirely. Having double parked cars and crying children being taken into the nursery at 6 AM will not be pleasant for many of these people who are elderly, if the additional hours are granted. I found it necessary to stay at my house during the day to await a repairman, and the noise from the children during the time the were outside was really too much. I don't know if Mrs. Dorsey already has more than the allotted amount of children, or if it is the fact that it is now cement, but the children playing out there with adults doing housekeeping chores and yelling at the children was certainly a far cry from what it used to be.

Please take all things into consideration before making a decision regarding this property. My husband and I after many years of hard work and all of our money were looking forward to moving into this home and enjoying our lawn, our shade trees and the general peacefulness of our property. We are not in any financial condition to make a move to another place. I am afraid the cost of housing and the interest rates would prohibit any kind of move on our part, at 49 years of age.

We will appreciate your most thoughtful consideration of our plea.

Sincerely,
Joseph Ares Jr.
Barbara Ares

Barbara Ares
538 S. 46th St
21224

Kathy Smithland
523 45th Street
21224

Mrs. Mrs. Thomas Koontz
530 S. 46th Street
21224

Protestants

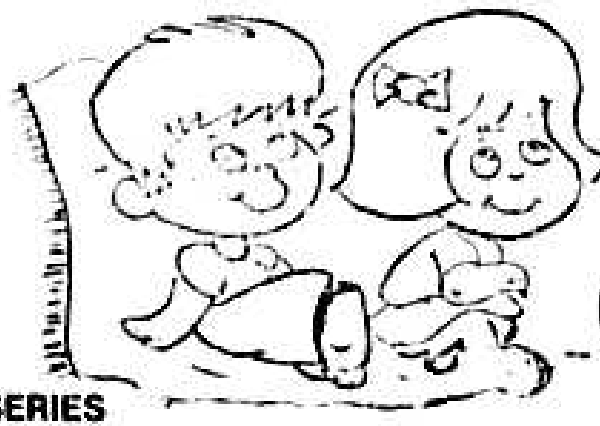
RESIDENCE
362-8828

1701 539-8448

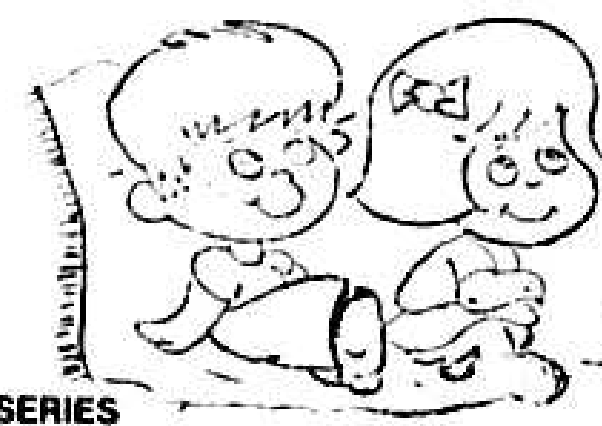
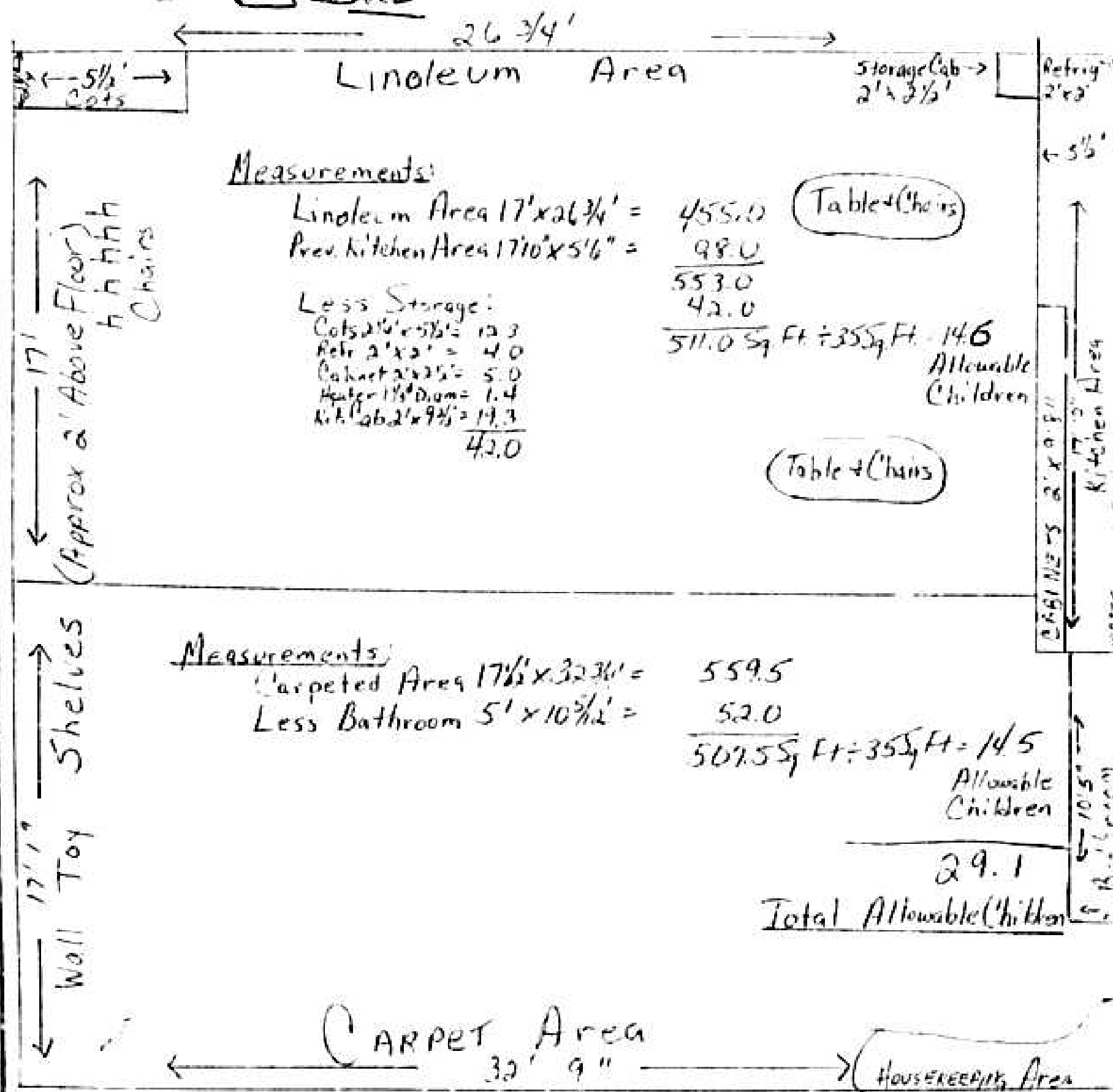
MYLES R. EISENSTEIN
ATTORNEY AT LAW

SUITE 503
222 SAINT PAUL PLACE

BALTIMORE, MD. 21202



EASTWOOD DAY NURSERIES
530 South 46th Street
Baltimore, Maryland 21224
284-7630



EASTWOOD DAY NURSERIES
530 South 46th Street
Baltimore, Maryland 21224
284-7630

Jun 22 1878

Baltimore County
Office of Planning & Zoning
Newser, Maryland 21204

Re. Application for MyCar Centre License
530 South 46th Street
12th Election District

Written:

This letter is to give you the reasons why I have requested an increase in the capacity of my day care center. First, I purchased this property in May, 1975 & I have maintained a long waiting list of children who need day care. I work working mothers increasing and day care centers are not. I have been discontinued food service and have converted our "kitchen" to another room for children. I have met all Health Department requirements and received a letter of approval for having nine (9) children from them on June 1, 1979 (copy attached). As we have been thoroughly checked by Baltimore County and Maryland State Health Department, this should eliminate the possibility of danger to the health and welfare of our community.

As there has been no opposition of the building there is no possibility of over-crowding the land.

I would also like to explain that the children arrive on a staggered basis, depending upon the hours and distance of parents' employment. The children arrive between 7:30 AM and 8:00 AM and leave between the hours of 3:15 PM and 5:30 PM. We have a driveway which safely holds three cars



EASTWOOD DAY NURSERIES
530 South 46th Street
Baltimore, Maryland 21224
254-7630

Santa Cruz
Office of Planning - Jm
Jun 27 1974
Page 2 of 2

Since two parking spaces in front of our house, I haven't
 found no traffic problems nor trouble making problems.
 I have also attached a note signed by the residents of
 our block stating they have no objections to this capacity
 increase permanently.
 If there is any further information required, or who
 may be of assistance, please let me know.

Very truly yours,
Hanna L. Sargoy
Aunt

Attachments

MEASUREMENTS TAKEN BY LESLIE SANDLER ON MAY 29, 1979

Carpeted area $17\frac{1}{12}' \times 32\frac{3}{4}' = 559.5 \text{ sq.ft. (wall to wall)}$

Bathroom $5' \times 10\frac{5}{12}' = \underline{52.0 \text{ sq.ft. (subtract)}}$

$507.5 \text{ sq.ft.} \div 35 \text{ sq.ft.} = 14.5$

Linoleum area $17' \times 26\frac{3}{4}' = 455.0 \text{ sq.ft. (wall to wall)}$

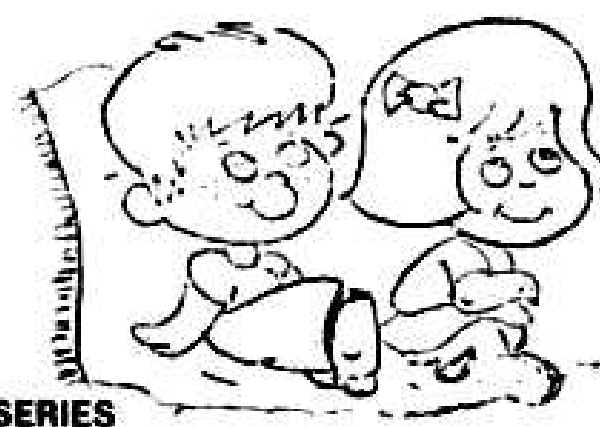
Kitchen $17\frac{10}{12}' \times 5\frac{1}{2}' = \underline{98.0 \text{ sq.ft. (add)}}$

553.0 sq.ft.

$\underline{42.0 \text{ sq.ft. (storage)}}$

$511.0 \text{ sq.ft.} \div 35 \text{ sq.ft.} = 14.6$

Storage			
Cots	2-1/4' x 5-1/2'	=	12.3 sq.ft.
Refrigerator	2' x 2'	=	4.0 sq.ft.
Cabinets	2' x 2-1/2'	=	5.0 sq.ft.
Heater	1-1/3' diameter	=	1.4 sq.ft.
Kitchen cabinets	2' x 9-2/3'	=	<u>19.3 sq.ft.</u>
			42.0 sq.ft.



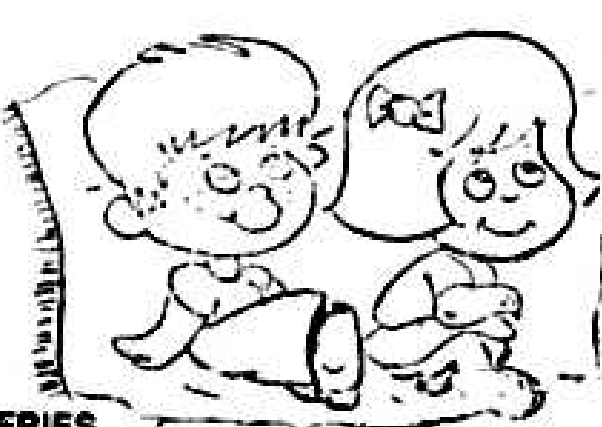
EASTWOOD DAY NURSERIES
520 South 46th Street
Baltimore, Maryland 21224
284-7630

June 23, 1879

To it from It May, Concord:

This is to advise that I, Mr. the Undersigned, have no obligations whatsoever to the day care center known as Easterwood Day Nursery and located at 530 South 46th Street, Baltimore, Maryland 21224. Having its capacity permanently increased to twenty-nine (29) children

Name	Address
Joseph J. Murphy	525 South 46 th Street
Math E. Murphy	524 S 46 th St
Harmon N. Murphy	520 S 46 th St
Uma Smith	513 S 46 th St
Frank D. Eby	510 S 46 th St
Bartholomew R. Hunkeler	508 S 46 th St
John E. Hunsy	506 S 46 th St
Maudie E. Hunsy	504 S 46 th St
Samuel E. Hunsy	501 S 46 th St
Edna E. Hunsy	503 S 46 th St
John E. Jones	505 S 46 th St
Wanda E. Jones	517 S 46 th St
John E. Jones	518 S 46 th St
John E. Jones	521 S 46 th St
John E. Jones	523 S 46 th St
John E. Jones	548 S 46 th St
John E. Jones	541 S 46 th St



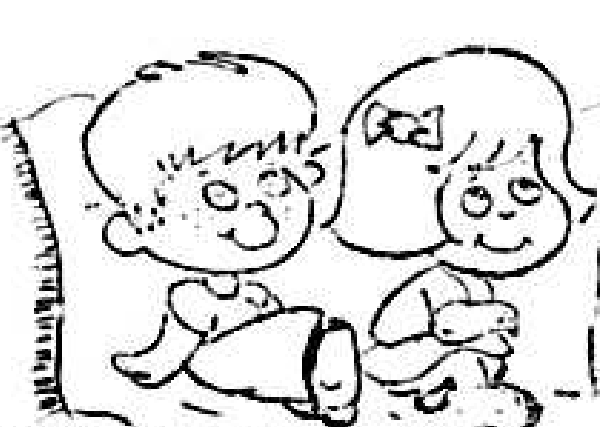
EASTWOOD DAY NURSERIES
530 South 46th Street
Baltimore, Maryland 21224
284-7430

June 23, 1979

To A Com Mr. Jno. Conner.

I have learned that HHS, the undersigned, have no objection whatsoever to the day care center known as Eastern Day Nurseries and located at 530 South 46th Street, Baltimore, Maryland 21224, having its capacity permanently increased to twenty-nine (29) children.

Name	Address
Mr. & Mrs. J. K. Rulli	539-46 St.
Robert Curran	546 46 St.
Henry Stogel	535 46 St.
Herbert J. Freund	536 46 St.
Frank Gross	529 46 St.
Edna Fritz	538 S 46th St.
Dora Hachinger	540 S 46th St.
Joseph Seelinger	514 S 46th St.
Bernard M. Reid	531 S 46th St.
Thos. Schell	527 S 46th St.
Mr. Fred Pollard	531 S 46th St.
Mr. E. J. Stokely	535 46 St.
Charles Kolman	511 46 St.



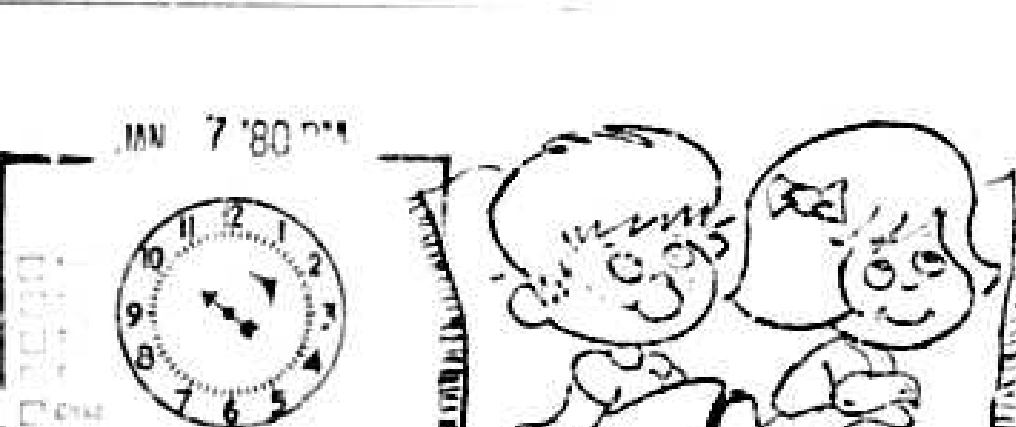
EASTWOOD DAY NURSERIES
530 South 46th Street
Baltimore, Maryland 21224
284-7630

June 23/1979

To whom It May Concern:

This is to advise that I/She, the undersigned has no objections whatsoever to the day care center known as Eastwood Day Nursery and located at 530 South 46th St. Baltimore, Maryland 21224 having its capacity permanently increased to twenty-nine (29) children.

Name	Address
Mr. & Mrs. Michael Conn	515 S. 46th St.
Mrs. Mary K. Beck	517 S. 46th St.
A. Frank	525 S. 46th St.



EASTWOOD DAY NURSERIES
636 South 40th Street
Baltimore, Maryland 21224
284-7670

January 4, 1980

Mr. William E. Hammond
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

RE: Special Hearing #80-117-SFH

Dear Mr. Hammond:

I am writing this letter to stress some facts which I feel we neglected to do at the hearing on 1/3/80 due to our lack of preparation for and knowledge of the protest.

1. As verified, the nursery has been licensed well in excess of twenty(20) children for at least fifteen (15) years with no complaints.

2. The nursery has been open from 6:00 a.m. to 6:00 p.m. for at least ten (10) years, as evidenced by Attachment #1, with no complaints.

3. Mr. and Mrs. Koontz did not complain until we encountered legal difficulties, as described in Attachment #2. The Koontzs complied with the requests one week before the court date, which was several months after my attorney first contacted them. The Judge dismissed the case, stipulating that should the condition re-occur, I should re-open the case rather than re-file. As the Koontz's first complaint was in early August, 1979, less than one month after my attorney wrote them, I feel their protest is purely personal revenge. Also, regarding Mr. Koontz's complaint, I do not see how car headlights can penetrate venetian blinds in a second story bedroom window to disturb Mrs. Koontz. (Mr. Koontz is a mailman who leaves for work via his car prior to 6:00 a.m.)

4. Mr. Ares signed my petition in June, 1979. Since that time I have encountered legal difficulties with Mr. and Mrs. Ares. Attachment #3 is the letter I referred to in my testimony, which explains the severity of this situation. My attorney, Dutch

4. (Continued) Ruppertsberger, advised me to send the Ares two certified letters advising them of the situation, my requests, and my intentions. My attorney also strongly advised me, that if they did not comply, to file suit this month and that due to the safety aspect, that an injunction could probably be obtained. As I am sure your records will indicate, prior to Mrs. Ares' letter last month, there had been no complaints from them. My letters to the Ares were dated 9/24/79 and 12/1/79. I would also like to point out that in June, 1979, when Mr. Ares signed my petition stating that he had "absolutely no objections whatsoever" and at that time commented about his own difficulties with Mr. and Mrs. Koontz and what a shame it was that they were giving me a hard time.

During your visit and inspection, please note the two trees extending far over the play area, which Mrs. Ares insisted do not extend at all over the play area. Mrs. Ares expressed her own and her family's concern over commercialization of the neighborhood; however, from 1973 through 1975, the family operated a Poodle Parlor at 528 South 46th Street. In view of all this, I can only assume that the Ares' protest is also purely personal.

6. The following information should also interest you. The resident of 523 South 45th Street who complained of noise owns and keeps on these premises a rooster and a hen, which make typical noises from 4:30 a.m. until sometimes noon.

7. The petition submitted by Mr. Koontz had, I believe, only the following residents signatures from the 500 block of 46th Street: 501, 528, 529, 538 and 540 plus their own - 532. The residents of these identical addresses, excluding the Koontz's, previously signed my petition stating they had "absolutely no objections whatsoever." This raises some questions in my mind. As the actual statement was on a separate paper with NO signatures, were these people aware of what they were signing? Even if they were aware, what prompted them to change their minds so quickly and completely? And are these conflicting signatures of any value to either side? The other signatures, I believe with the exception of 527 South 45th Street, are not in the immediate area.

8. My petitions have nearly every resident of the entire block. I had ONE refusal by a neighbor who cannot speak English. Most of the skipped house numbers are due to double lots; the others, I was not able to reach them.

9. Mr. Talon (527 South 45th Street) complained of children heckling his mother. After checking with my entire staff, I must admit that one such occurrence took place in August, 1979. The particulars -- His mother was burning a large pile of leaves in the area between the yards (I believe a right of way or storm water drain approximately 2 feet wide) while the children were

9. (Continued) outside playing. The children were startled by the smoke and flames which were extremely close to the fence. One child called the woman a witch. The woman began yelling and told the children she was going to cut out their tongues. I assure you that almost immediately after the fire was started, the children were moved from this area, for obvious safety reasons. The entire staff has continued to keep the children away from this area when these residents are in their back yard. This is not only for the residents' sakes, but also to avoid the hysteria caused in a few of the children by the woman, her numerous fires and her statements. This was definitely an isolated incident.

10. I have also attached a copy of our schedule (Attachment #4) which we follow closely. We have a very enriching program; a DAILY cleaned premises; and an educated, responsible and warm staff (five (5) of seven (7) staffmembers have college educations in early childhood). We provide a much-needed service for the parents and a loving, home-like atmosphere catering to the emotional, education, social and physical needs of our children. We have an extremely satisfied clientele, who provide a constant inspection of our total operation -- our doors remain unlocked continuously from 6:00 a.m. to 6:00 p.m. I hope during your inspection you feel free to question any parents present as to the earliest time they have ever seen the children outside, or any other questions in your mind. I assure you we have not "briefed" any parents; in fact, they all have assumed that all went well and to avoid a possible panic, we have not made any comments otherwise.

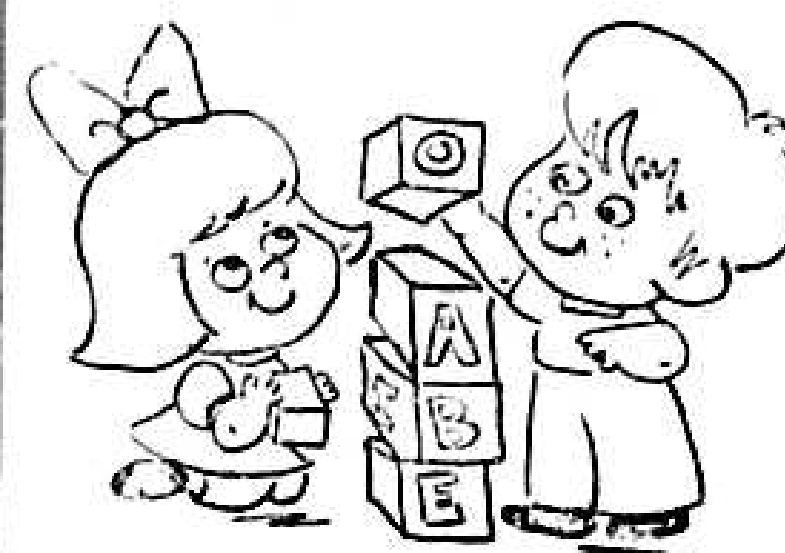
11. When you come to inspect, I hope you will take note that all improvements I have made to my property have been just that -- improvements. The cemented area was to prevent the almost constant muddy condition caused by our location in the midst of an incline from the front and one from the side. This area is in back of my house and is not easily visible from the street or sidewalk. It is a much nicer sight than the previous well-traveled barren plot of dirt and mud. My home has been transformed from a run-down eyesore to one of the nicest residential sites in the block. The improvements have appreciated my value and the community's. Upon completion of the renovation, my front and side yards are to be professionally landscaped by McCullough & Sons. This was discussed with them several months ago.

Please, Mr. Hammond, keep all of these facts in mind when making your decision. I will anxiously await to hear from your office.

Very truly yours,

Gloria Dorsey
Gloria Dorsey

Attachments



EASTWOOD DAY NURSERIES
530 South 46th Street
Baltimore, Maryland 21224
284-7630

TO WHOM IT MAY CONCERN:

This is to verify that my daughter first attended the above day care center in 1970. My son is now attending the day care center. Since my first contact with the center, the hours were and have continued to be 6:00 a.m. to 6:00 p.m.

George Miller
Date 1-4-80

TO WHOM IT MAY CONCERN:

This is to verify that my daughter began attending the above day care center in 1976. The hours since that time have continued to be 6:00 a.m. to 6:00 p.m.

Patricia Wisner
Date 11/4/79

TO WHOM IT MAY CONCERN:

This is to verify that my son has been attending the above day care center since 1974. The hours have remained the same, 6:00 a.m. to 6:00 p.m.

Connie Marler
Date 1/4/80

LAW OFFICES
RUPPERSBERGER, WHITE & CLARK
SUITE 800
401 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(301) 821-0000

July 12, 1979

Mr. and Mrs. Thomas Koontz
532 South 46th Street
Baltimore, Maryland 21224

Dear Mr. and Mrs. Koontz:

This firm has been retained by your neighbor, Mrs. Gloria Dorsey who resides at 530 South 46th Street.

According to Mrs. Dorsey, your bushes have grown close to her property and are partially blocking her driveway. She has further advised that your "Manga" tree in the back yard has grown at least fifteen feet onto her property. This growth has caused a bending of her fence, clogging of her storm water drain and leaves and blossoms are clogging the gutter on her house. Mrs. Dorsey has advised you numerous occasions that she wants you to trim the tree and bushes so that they will not come onto her property. Since you have not seen fit to take care of this problem, Mrs. Dorsey has reluctantly obtained the services of this office to have you comply with her request.

Mrs. Dorsey has instructed us that she wishes to resolve this matter on amicable basis and has requested us to advise you that she is willing to discuss this matter further as to the date, time and manner in which the bushes and tree will be cut. However, if it is your intention not to rectify with Mrs. Dorsey within one week of the date of this letter and thereafter comply with her request to cut the bushes and tree she has advised us to proceed with legal action.

Very truly yours,

C. A. Ruppertsberger III

CAR:jlc

cc: Mrs. Gloria Dorsey

McCULLOUGH & SONS

1123 Old North Point Road
Dundalk, Maryland 21222

October 15, 1979

Miss Gloria L. Dorsey
530 South 46th Street
Baltimore, Md. 21224

Dear Miss Dorsey,

This is in reference to the damage caused to your property by your next door neighbor at 528 South 46th Street.

On October 6, 1979, I visited your home and noticed a medium size Walnut tree located next to the North West corner of your property. This Walnut tree has an extensive decline and dieback disease, which has a couple of limbs that hang over your house.

I could not estimate the damage to your property, that this tree was causing at the time of my inspection except for the dead branches as indicated in the paragraph above. Under normal conditions I would not be concerned about the Walnut tree on your neighbors property, however, as you have a day nursery on your premises I would be concerned about the safety of the children under your care. It is my opinion that the tree be properly deadwooded and removed off of your property line.

The next tree that I examined was the White Mulberry tree located over the South Western side of your property. This tree also belongs to the same neighbor. This tree has a considerable amount of peach scale disease and powdery mildew which is causing a lot of deadwood in the tree. This tree extends well over the property line and is touching the building that you use for your day nursery. It is my recommendation that this tree be trimmed off of your property line and the deadwood be removed.

The next tree I observed was a large American Sycamore tree with a D.B.H. (Meanor Breast Height) of 27" and is approximately 100 years old. This tree has been cut back years ago very severely and had been topped out at the same time. I observed your concrete patio was in the root zone of the Sycamore tree, which was causing the cracking of the cement in the patio.

On examination of your basement walls I noted that Sycamore roots growing through your wall and underneath the footing are coming into your sub pump. It is my recommendation that the tree be properly deadwooded and removed off of your property line. I also noted the roots growing through your wall caused your foundation to crack and leak. I observed a large root 1 1/2 inches in diameter growing through the wall located in the bathroom in your basement which caused extensive cracking of the foundation looking.

I noticed that the root had been cut flush with the inside of the wall and the cracks in the foundation had been sealed with a sealer. This of course will not solve the problem of your basement leaking as the root will continue to grow through your wall and make the cracks larger. It is my recommendation that the Sycamore tree either be removed or that your ground that runs parallel with the tree and your wall have a trench dug and the roots be cut.

Sincerely yours,

Charles J. McCullough, Pres.
McCullough & Sons, Inc.

wia

SCHEDULE

GROUP I		GROUP II	
Opening thru 7:30	Rest, breakfast, television, table games	Rest, breakfast television, table games	
7:30 - 9:00	Breakfast, table games, free play	Breakfast, table games, free play	
9:00-9:15	Clean up time	Clean up time	
9:15 - 10:00	Planned Lesson - Arts & Crafts, Science, Math, Vocabulary, Colors, Etc.	Group Activity - Music, Story, Exercises, Games, Etc.	
10:00 - 10:45	Group Activity - Music Story, Exercises, Games, Etc.	Planned Lesson - Arts & Crafts, Science, Math, Vocabulary, Colors, Etc.	
10:45 - 11:00	Toilet time and prepare for lunch	Toilet time and prepare for lunch	
NOTE -- If Lessons and group activity are completed early, children may go out in good weather, before lunch.			
11:00 - 11:30	Lunch	Lunch	
11:30 - 12:30	Clean Up Lunch, put lunch boxes away, free play - inside or outside.	Clean Up Lunch, put lunch boxes away, free play - inside or outside.	
12:30 - 3:00	Lay down cots, toilet, nap time	Lay down cots, toilet, nap time	
3:00 - 3:30	Free play - inside or outside	Free play - inside or outside	
3:30 - 4:00	Snack time	Snack time	
4:00 - 5:00	Free play - inside or outside	Free play - inside or outside	
5:00 - 5:15	Clean up time	Clean up time	
5:15 - 6:00	Television, quiet play	Television, quiet play	

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>MM</u>	Revised Plans:					Change in outline or description				
Previous case: <u>#64-105-X</u>						Map #				

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 18 day of Oct, 1979.

William E. Hammond
Zoning Commissioner

Petitioner: Dorsey
Petitioner's Attorney: Robert B. Ruppertsberger

Reviewed by: Robert B. Ruppertsberger
Chairman, Zoning Plans Advisory Committee

PETITION FOR SPECIAL HEARING 12th District

LOCATION: West side of 46th Street, 641.85 feet South of Eastern Avenue
DATE & TIME: Thursday, January 2, 1980 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

Petition for Special Hearing, Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commission and/or Deputy Zoning Commission should approve an amendment to the original Special Exception (Case No. 64-105-X) to allow a maximum number of 30 children in lieu of the allowable maximum number of 20 children and to increase the hours of operation from 7:30 A.M. - 5:30 P.M. to 6:00 A.M. - 6:00 P.M.

All that parcel of land in the 12th District of Baltimore County beginning for the same on the west side of 46th Street, said point being distant 641.85 feet measured southerly from the south side of Eastern Avenue, thence bounding on the west side of said 46th Street north 22 degrees 32 minutes west 50.00 feet, thence bounding on said division line south 67 degrees 28 minutes west 125.00 feet, thence south 22 degrees 32 minutes east 44.40 feet and south 2 degrees 11 minutes east 3.90 feet, thence bounding on said division line north 66 degrees 24 minutes east 126.70 feet to the place of beginning.

Containing 0.141 acres of land more or less.

Being Lots Nos. 858 and 859 as shown on the plan of Harbor View filed as aforesaid. Being the property of Gloria Dorsey, as shown on plan filed with the Zoning Department.

Hearing Date: Thursday, January 2, 1980 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

OFFICE OF
Dundalk Eagle

38 N. Dundalk Ave.
Dundalk, Md. 21222

Dec. 21, 1979

THIS IS TO CERTIFY, that the annexed advertisement of William E. Hammond, Zoning Commissioner of Baltimore County in matter of petition by Gloria Dorsey was inserted in **The Dundalk Eagle** a weekly newspaper published in Baltimore County, Maryland, once a week for successive weeks before the 14th day of December, 1979, that is to say, the same was inserted in the issues of

December 13, 1979

Kimbel Publication, Inc.

Publisher.

By *[Signature]*

PETITION FOR SPECIAL HEARING 12th District

LOCATION: West side of 46th Street, 641.85 feet South of Eastern Avenue
DATE & TIME: Thursday, January 2, 1980 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.

Petition for Special Hearing, Under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commission and/or Deputy Zoning Commission should approve an amendment to the original Special Exception (Case No. 64-105-X) to allow a maximum number of 30 children in lieu of the allowable maximum number of 20 children and to increase the hours of operation from 7:30 A.M. - 5:30 P.M. to 6:00 A.M. - 6:00 P.M.

All that parcel of land in the 12th District of Baltimore County beginning for the same on the west side of 46th Street, said point being distant 641.85 feet measured southerly from the south side of Eastern Avenue, thence bounding on the west side of said 46th Street north 22 degrees 32 minutes west 50.00 feet, thence bounding on said division line south 67 degrees 28 minutes west 125.00 feet, thence south 22 degrees 32 minutes east 44.40 feet and south 2 degrees 11 minutes east 3.90 feet, thence bounding on said division line north 66 degrees 24 minutes east 126.70 feet to the place of beginning.

Containing 0.141 acres of land more or less.

Being Lots Nos. 858 and 859 as shown on the plan of Harbor View filed as aforesaid. Being the property of Gloria Dorsey, as shown on plan filed with the Zoning Department.

Hearing Date: Thursday, January 2, 1980 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

CERTIFICATE OF PUBLICATION

TOWSON, MD. 21204

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 a week for successive weeks before the 14th day of December, 1979, that is to say, the same was appearing on the 13th day of December, 1979.

THE JEFFERSONIAN.

[Signature]
Manager

Cost of Advertisement \$ 74.40

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 1 day of August, 1979.

Filing Fee \$ 25 Received: *[Signature]* Check Cash Other

Petitioner *[Signature]* Submitted by *[Signature]*
William E. Hammond, Zoning Commissioner
Petitioner's Attorney *[Signature]* Reviewed by *[Signature]*

This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 12 Date of Posting 12/21/79
Posted for 14 days
Petitioner Gloria Dorsey
Location of property 38 N. Dundalk Ave., Dundalk, Md.
Location of Signs 38 N. Dundalk Ave.
Remarks
Posted by *[Signature]* Date of return 12/28/79

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 3243

DATE: October 23, 1979 ACCOUNT: 01-662

AMOUNT: \$25.00

RECEIVED: Gloria Dorsey

FOR: Filing Fee for Case No. 80-117-SPE

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 85564

DATE: January 3, 1980 ACCOUNT: 01-662

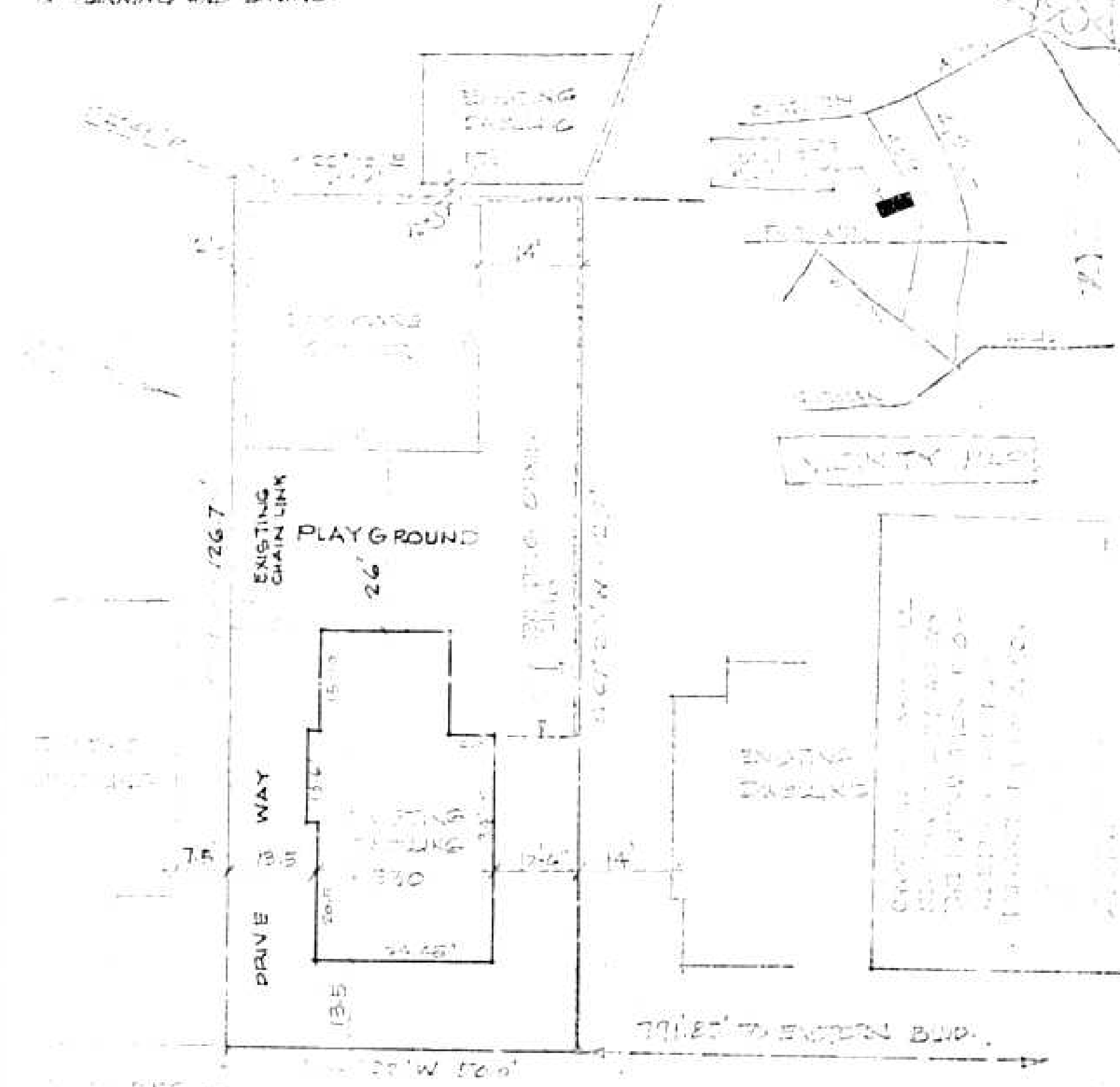
AMOUNT: \$59.00

RECEIVED: Gloria Dorsey

FOR: Filing Fee for Case No. 80-117-SPE

VALIDATION OR SIGNATURE OF CASHIER

1. COMPROMISE WITH THE ORDER OF 4/9/64 EXCEPT TO THE EXTENT THAT THIS ORDER AMENDS THE TERMS AND PROVISIONS THEREOF.
2. NO VEHICLES DELIVERING CHILDREN SHALL DOUBLE PARK ON SOUTH 46TH STREET AND THE PARENTS OF THE CHILDREN SHALL BE SO INFORMED.
3. THE CHILDREN SHALL BE KEPT IN THE DAY NURSERY FACILITY UNTIL 10:00 A.M. SO AS TO MINIMIZE THE NOISE IN THE IMMEDIATE AREA.
4. APPROVAL OF A SITE PLAN BY THE DEPT. OF PUBLIC WORKS AND THE OFFICE OF PLANNING AND ZONING.



PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *[Signature]*
DATE: 5-5-80

PETITION FOR SPECIAL HEARING TO INCREASE NO. OF CHILDREN FROM 20 TO 30 AND HOURS OF OPERATION FROM 7:30AM-5:30PM TO 6:00 A.M. - 6:00 P.M. (AMENDMENT TO CASE # 64-105-Y)
OWNER - GLORIA L. DORSEY
12 ELECTION DIST. ZONED D.R. 3.5
HARBOR VIEW WPC No. 5, P.O. 80, 101 No. 858 & 859
Note: No Bus service shall be provided for the children.
Existing public facilities in the street.

SCALE - 1"=20'

