BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY 6th Councilmanic District Case No. 88-7-SPH

Donald G. Kammerer, et ux Petitioners

The Petitioners herein request a special hearing to approve an amendment to the Order and restrictions in Case #2699-SA in order to permit the transfer of the special permit to a future purchaser.

Testimony by and on behalf of the Petitioners indicated that the Kammerers purchased the subject property in 1969 contingent upon licensing and zoning for a day care nursery. At that time they were represented by Counsel and files revealed a letter to the Office of Zoning regarding the zoning status (Petitioner's Exhibit 2) but did not reveal a reply. The site has been operated as a full day care center for children since that time and has never had its license suspended by the Baltimore County Health Department. Complaints to that Department have been reported to be "unfounded" and Fire Department requirements have been met. Mr. Kammerer has a musters degree plus additional credits; Mrs. Kammerer is an RN, and has a BS and 9 Credits in early childhood education. Although the licensing is for 50 children, the average attendance is approximately 40. A rented apartment above the center, once occupied by the owners, is now rulted. It does include the office. The Petitioners are willing to eliminate the apartment and provide a front yard turn-around as indicated on Petitioner's-Exhibit 8, if required.

Three residents to the rear of the property spoke in protest. In their opinion the situation has changed since the original special exception was granted. Traffic on Putty Hill has increased and the number of children served has grown from a few to 50. Lack of parking, safety for the children, old and

BALTIMORE COUNTY DEPARTMENT OF PERMITS & LICENSES TOWSON, MARYLAND 21204

TED ZALESKI, JR. DIRECTOR

lay 5. 1987

Mr. Armeld Jablon, Soning Commiscioner Office of Planning and Loning

Comments on Item # 392Soning Advisory Committee Meeting are as follows:

Property Owners Donald G. Karmerer SW/S Putty Hill Ave, 500 ft NW of centerline of Wilson Ave.

Districts

All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85. the Maryland Code for the Bandicapped and Aged (A.F.S.I. #117-1 - 1980) and other applicable Codes and Standards.

(B.) A building and other miscellaneous permits shall be required before the start of any construction.

C. Residentials Two sets of construction drawings are required to file a permit application. The semi of a registered in Maryland Architect or Engineer is/is not required on plane and technical data.

Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Dec Groups except R-L Single Family Detached Dwallings require a minimum of 1 hour fire rating for exterior walls closer than 6'-O to an interior lot line. R-L Use Groups require a one hour wall if closer than 3'-0 to am interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 1007, Section 106.2 and Table 1002. No openings are permitted in an exterior wall within 3'-0 of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to beight/area and construction type is provided. See Table A01 and 505 and have your Architect/Engineer contact this department.

(6) The requested variance appears to conflict with Section(e) 307.3 , table 501 of the Baltimore

Additional information is required to properly classify the structure to its

H. When filing for a required Change of Des/Occupancy Fermit, an alteration permit application shall also proposed use
be filed along with three sets of acceptable construction rians indicating how the emissing structure is proposed use to be altered in order to comply with the Code requirements for the new use. Maryland Architectural o. Engineer seals are usually required. The change of Use Groups are from Use ______, or to Mixed Uses ______, See Section 312 of the Building Code.

I. The proposed project appears to be located in a Flood Flain, Tital/Riverine. Please see the attached copy of Section 516.0 of the Building Code as adopted by Will #17-85. Eite plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

(7) comments. Show ages of children. A nursery is for children under 22 years of age. and is classified as an Institutional Use Section 307.3. Should the existing house be of wood frame construction (type 5B-table 401), the use would not be permitted.

E. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Flanning and Roming and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Boom 122 of the County Office Building at 115 V. Chenapuaka Avenue, Towson, Haryland 22 201. Marles 9. Sunton C. E. Burrham, Drief Building Plane hev; ev

rusty equipment and devaluation of surrounding property were cited. Two persons noted the noise from the children.

Pursuant to the advertisement, posting of property, and public hearing held on this case and after due consideration of the testimony and evidence presented, in the opinion of the Deputy Zoning Commissioner, granting the relief requested would be in strict harmony with the spirit and intent of the Baltimore County Zoning Regulations (BCZR) and would not be detrimental to the health, safety and general welfare of the community.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this /d day of August, 1987, that approval of an amendment to the Order and restrictions in Case #2699-SA in order to permit the transfer of the special permit to Donald G. and/or Janice A. Kammerer for a day care center, in accordance with Petitioner's Exhibit 8, be and is hereby GRANTED subject to the following restrictions:

- Any unused play equipment shall be removed from the premises within thirty (30) days from the date of this
- 2) A fence shall be installed to define the limits of the play area for the children.
- 3) Landscaping shall be installed at the rear of the prcperty so that it will provide a visual barrier within five (5) years. The landscaping shall be approved by the Office of Current Planning.
- 4) Use of the second floor as a residential apartment must be discontinued immediately.
- The 18' front yard turn-around must be provided within ninety (90) days from the date of this Order.
- A Special Hearing will be required to transfer this special permit to anyone other than the Kammerers. At that time, the burden of proof will be upon the Petitioners to prove why they should be granted a special exception/ permit under the BCZR in effect at that time.

of Baltimore County

DALTIMORE COUNTY TOWSON, MARYLAND 21204-2586-

PAUL H REINCKE

April 7, 1987

Mr. Arnold Jublon Zoning Commissioner Office of Planning and Zoning Haltimore County Office Building Towson "Aryland 21204

RE: Property Owner; Dorald G. Kamerer, et ux

Location, SN/S Rutty Hill Ave., 500' NV of centerline of Wilson Ave.

Item No. 1 392

Zoning Agenda: Meeting of 4/6/87

Sent 6/23/87

Centlemen:

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. Pire 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.
- 1 1 2. A second means of vehicle access is required for the mite.
- () 3. The vehicle dead end 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 operation.
- (%) 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. See Section 10-7.1.6 minimum construction requirements.
-) 5. Site plans are approved, as drawn.
-) 7. The Fire Prevention Bureau has no comments, at this time.

Planning Group Firm Prevention Bureau Special Inspection Division

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204

STEPHEN E COLLINS DIRECTOR

April 27, 1987

Meeting of April 6, 1987

Donald G. Kammerer, et ux

centerline of Wilson Avenue

SW/S Putty Hill Avenue, 500 feet NW of

Special Hearing to approve an amendment to

Mr. Arnold Jablon *Toning Commissioner* Councy Office Building Towson, Maryland 21204

> Item No. 392 Property Owner: Location:

Existing Zoning: Proposed Zoning:

the Order and restrictions for Case 2599

in order to permit the transfer of the special permit to a future purchaser .385 acres 14th Election District

D.R. 5.5

Dear Mr. Jabion:

District:

- We have reviewed the plan and have the following comments:
- 1. The County is planning a major widening of Putty Hill Rd., and it must be shown on the plan.
- 2. The site must provide a safe off-street loading area for children.
- 3. No parking plan that requires vehicles to back out into Putty Hill Rd. can be approved.

Very truly yours. hactrage! Traffic Engineer Associate II

MSF:1t

INTER-OFFICE CORRESPONDENCE

BALTIMORE COUNTY, MARYLAND

Arnold Jablon TO Zoning Commissioner

June 8, 1987

Norman E. Gerber, AICP, Director FROM Office of Planning and Zoning

SUBJECT Zoning Petitions No. 88-4-SpH, 88-7-SpH, 88-13-SpH and 88-14-SpH

In view of the subject of these petitions, this office offers no comments.

NEG: JGH: slb

88-7-A

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 ______ day of _______, 1987 .

Petitioner Donald G. Krammorer, et ux Received by: Attorney - vatrick J. Perkins, Esquire

Chairman, Zoning Plans Advisory Committee

BALTI MORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 15, 1987

COUNTY OFFICE BLDG. 111 W. Chesapeese Ave. Towson, Maryland 21204

> Patrict J. Perkins, Esquire 220 Bosley Avenue Towson, Maryland 21204

Dear Mr. Perkins:

RE: Item No. 392 - Case No. 88-7-A Petitioners: Donald G. Karmerer, et ux MENDERO Petition Special Hearing Pureau of

Engineering Department of Traffic Engineering State Foads Commission horeau of

industrial.

Development

The Zoning Planz Advisory Committee has reviewed the plans submitted with the above-referenced petition. The following comments are not intended to indicate the appropriateness of the Fire Preyention zoning action requested. but to assure that all parties are made Healt Department aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning Project Planning may file a written report with the Zoning Commissioner with recom-Building Department mendations as to the suitability of the requested zoning. Board of Education Inning Administration

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received. I will forward them to you. Otherwise, any comment that is not informative will e placed in the bearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours. Janes & Deger bec

JAMES E. DYER Chairman Zoning Plans Advisory Committee

JED: kkb

Enclosures

BASIMORE COUNTY, MAR ND

INTER-OFFICE CORRESPONDENCE

Zoning Supervisor Date 3.30-87 James Thompson

FROM. Zoning Enforcement Coordinator SUBJECT Petitioner: Kannas rec (if known)

VIOLATION CASE # 87-81 CV

DEFENDANT Kammerer ADDRESS 3031 Potty

Please be advised that the aforementioned petition is the subject of an active violation case. When the petition is scheduled for a public hearing, please notify the following persons:

Stuart Simpson 3104 Hiss Ave

21234

After the public hearing is held, please send a copy of the Zoning Commissioner's Order to the Zoning Enforcement Coordinator, so that the appropriate action may be taken relative to the violation case.

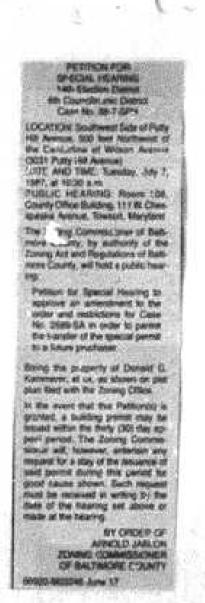
CPS-COB

MOTE:

L/22/85

ZONING DESCRIPTION

Beginning on the south west side of Putty Hill Avenue 24 feet wide, at the distance of 500 feet north west of the centerline of Wilson Avenue. Beginning for the same at a point in the center of Putty Hill Avenue said point at the end of the north 314 degrees east 335 foot line of whole lot of ground which by deed dated August 26, 1912 and recorded in Baltimore County, in Liber W. P. C. No. 400, folio 58, was conveyed by Peter Bilz, Jr. to Annie Miller and running thence binding on the center of said Avenue south 50 degrees 45 minutes east 103 feet thence south 46 degrees 28 minutes west 232 feet to an iron pipe thence north 48 degrees 18 minutes west 42.5 feet to an iron pipe and to intersect the aforesaid north 31, 174 degrees east 335 foot line of the whole lot of ground thence binding on said line north 31 degrees 12 minutes east 230 feet to the place of beginning. Containing .385 of an acre more or less. Also known as 3031 Putty Hill Avenue in the 14th Election District.



CERTIFICATE OF PUBLICATION

TOWSON, MD., __June_17_____, 19_87 THIS IS TO CERTIFY, that the annexed advertisement was published in the TOWSON TIMES, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing onJune 17...... 19.87.

TOWSON TIMES.

Gusan Senders Obrect

44.76



ZONING COMMISSIONER

ARNOLD JABLON

DEPUTY ZONING COMMISSIONER

June 30, 1987

Patrick J. Perkins. Esquire Law Office of Richard J. Reinhardt 220 Bosley Avenue Baltimore, Maryland 21204

> RE: PETITION FOR SPECIAL HEARING SW/S Putty Hill Ave., 500' NW of the c/l of Wilson Ave. (3031 Putty Hill Ave.) 14th Election District - 6th Councilmanic District Donald G. Kammerer, et ux - Petitioners Case No. 88-7-SPH

Dear Mr. Perkins:

This is to advise you that \$91.93 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

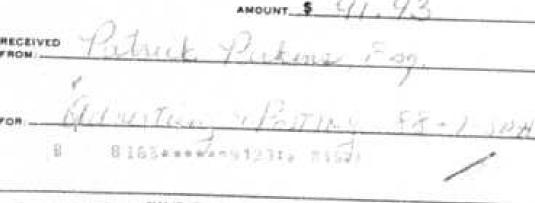
THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit to Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing

	BALTIMORE COUNTY, MARYLAND
	OFFICE OF FINANCE - REVENUE DIVISIO
erely.	MISCELLANEOUS CASH RECEIPT

Zoning Commissioner



Baltimore County Zoning Commissione Office of Planning & Zoning Towson, Marylana 21204 J. Robert Haines Zooing Commissioner

August 10, 1987

Patrick J. Perkins, Esquire Law Office of Richard J. Reinhardt 220 Bosley Avenue Towson, Maryland 21204

RE: Petition for Special Hearing SW/S Putty Hill Avenue, 500' NW of the c/l of Wilson Avenue (3031 Putty Hill Avenue) 14th Election District, 6th Councilmanic District Case No. 88-7-SPH

Dear Mr. Perkins:

Pursuant to the recent hearing held on the subject case, enclosed please find a copy of the decision rendered. Your Petition for Special Hearing has been Cranted, subject to the restrictions noted in the attached Order,

If you have any questions concerning this matter, please do not hesitate to contact this office.

JMHJ:bjs

Baltimore, Maryland 21234

People's Counsel

ZONING DEPARTMENT OF BALTIMORE COUNTY

District /1/24 Posted for: 58 acres 1 1/2021	Date of Porting 6/21/87
Petitioner: Duneld Cha	
Location of property: 5W/S Puffy	Est. Iron 500' NW/W. Inn I

Location of Signs: Parries Pully M. M. Mary general 20 Lt. 200 day

Location of Signs: Parries Pully M. M. Mary general 20 Lt. 200 day

Remarks:

6th Councilmanic District Case No. 88-7-5716 LOCATION: Southwest 5rde o Putty Hill Avenue, 500 feet North west of the Contestine of Wilson Avenue (1031 Putty Hill Avenue) DATE AND TIME: Tuesday, July 7.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on

THE JEFFERSONIAN,

PETITION FOR SPECIAL HEARING

14th Election District - 6th Councilmanic District

Case No. 88-7-SPH

Southwest Side of Putty Hill Avenue, 500 feet Northwest of the LOCATION:

Centerline of Wilson Avenue (3031 Putty Hill Avenue)

DATE AND TIME. Tuesday, July 7, 1987, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Special Hearing to approve an amendment to the order and restrictions for Case No. 2699-SA in order to permit the transfer of the special permit to a future purchaser

Being the property of <u>Donald G. Kammerer, et ux</u>, as shown on plat plan filed with the Zoning Office.

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

> BY ORDER OF ARNOLD JABLON ZONING COMMISSIONER OF BALTIMORE COUNTY

Patrick J. Perkins, Esquire Law Office of Richard J. Reinhardt 220 Bosley Avenue

May 22, 1987

Baltimore, Maryland 21204

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING SW/S Putty Hill Ave., 500' NW of the c/l of Wilson Ave. (3031 Putty Hill Ave.) 14th Election District - 6th Councilmanic District Donald G. Kammerer, et ux - Petitioners

Case No. 88-7-SPH DATE: Tuenday, July 7, 1987

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

oning Commissioner

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

B Tareart 1

VALIDATION OR SIG SATURE OF CASHIER

RE: PETITION FOR SPECIAL REARING SW/S Putty Hill Ave., 500' NW of C/L of Wilson Ave. (3031 Putty Will Aye.), 14th Dist

Petitioners

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

DONALD G. KAMMERER, et ux. Case No. 88-7-SPH

1111111

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

> Phyllis Cole Friedman People's Counsel for Baltimore County

Peter Max Zimmerman Deputy People's Counsel Room 223, Court House Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 12th day of June, 1987, a copy of the foregoing Entry of Appearance was mailed to Patrick J. Perkins, Esquire, Law Office of Richard J. Reinhardt, 220 Bosley Ave., Towson,

MD 2120%, Attorney for Petitioners.

PETITION FOR SPECIAL HEARING CRATS TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve

an amendment to the order and restrictions for case #2699-SA in order to permit the transfer of the special permit to a future purchaser.

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

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon fil-ing 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.

> I We do solening declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:	Legal Owner(s):	20
(Type or Print Name)	Donald G. Kammerer (Type or Print Name) Signature	e. 0. 14 H
Address	Janice A. Kammerer (Type or Print Name)	1000 PF.
City and State	Signature	N - 30,605
Attorney for Petitioner.		E-23 551
Patrick J. Perkins, Law Office (Type or Print Name) of Richard J. Reinhardt	3031 Putty Hill Ave. 661- Address Ealtimore, MD 21234	19. The Section 10.
Signature	City and State	
220 Bosley Avenue Address	Name, address and phone number of legal own tract purchaser or representative to be conta	
Baltimore, MD 21204 City and State (301) 823-1095	Donald G. Kammerer 3031 Putty Hill Ave. 661	-3221
Attorney's Telephone No. (301) 823-1093	Address Phone	No.

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

oning Commissione) of Baltimore County

Dennis F. Rasmusann

Very truly yours,

Députy Zoning Commissioner

Enclosures cc: Ms. Christine Glock 3104 Hiss Avenue

CERTIFICATE OF POSTING

PETITION FOR SPECIAL HEARING

CERTIFICATE OF PUBLICATION

Publisher

32.17

The Zoning Commissioner of fla tuncer County, by authority of th Zoning Act and Regulations of Balt more County, will hold a publi earing.
Petition for Special Hearing to ep prove an amendment to the order and restrictions for Care No 1699-SA In order to permit the transfer of the special permit to a future Purchaser

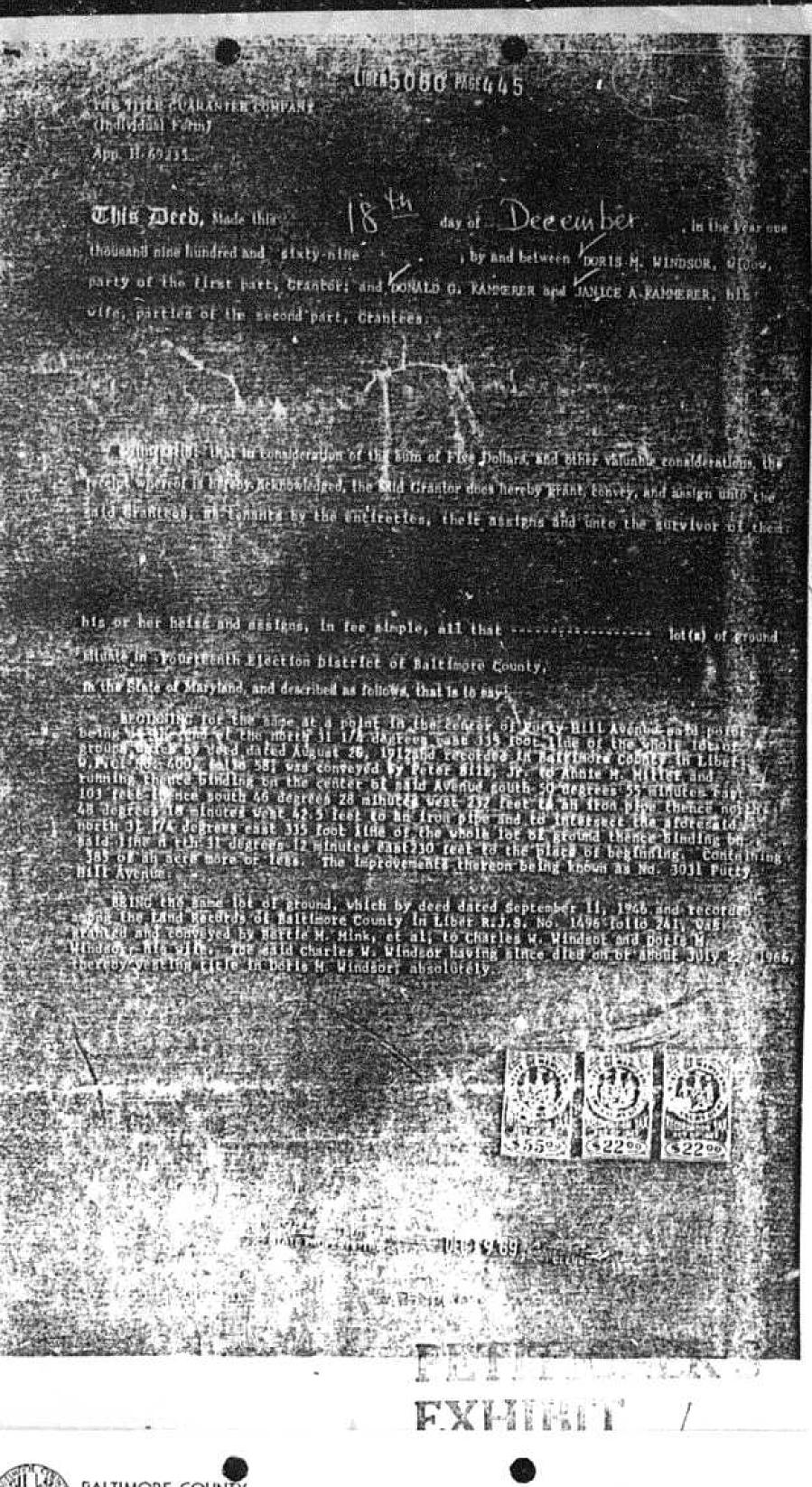
Being the property of Donald G.
Kanumerer, et i.s. as alteren on plat plan filed with the Zoning Office. In the event that this Potition(s) is granted, a building premit may be issued within the thirty (M) day appeal period. The Zoning Commisioner will, however, entertain any request for a stay of the susuance of said pecesis during this period for

good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing. By Order Of ARNOLD JABLON Zenting Commissioner of Baltimore County

1987, at 10:30 a.m. PUBLIC HEASING: Room 10 County Office Building, 111 F Cheseposke Avenue, Towson

No. 37854

VALIDATION OR SIGNATURE OF CASHIER



到 BALTIMORE COUNTY DEPARTMENT OF HEALTH DEPARTMENT OF HEALTH TOWSON, MARYLAND 21204 DONALD I ROOF, M.D., M.P.H.

DEPUTY STATE G COUNTY HEALTH OFFICER Child Day Care Services (494-3727) July 31, 1986

Mr. Stuart R. Simpson 3104 Hiss Avenue Baltimore, Maryland 21234

Dear Mr. Simpson:

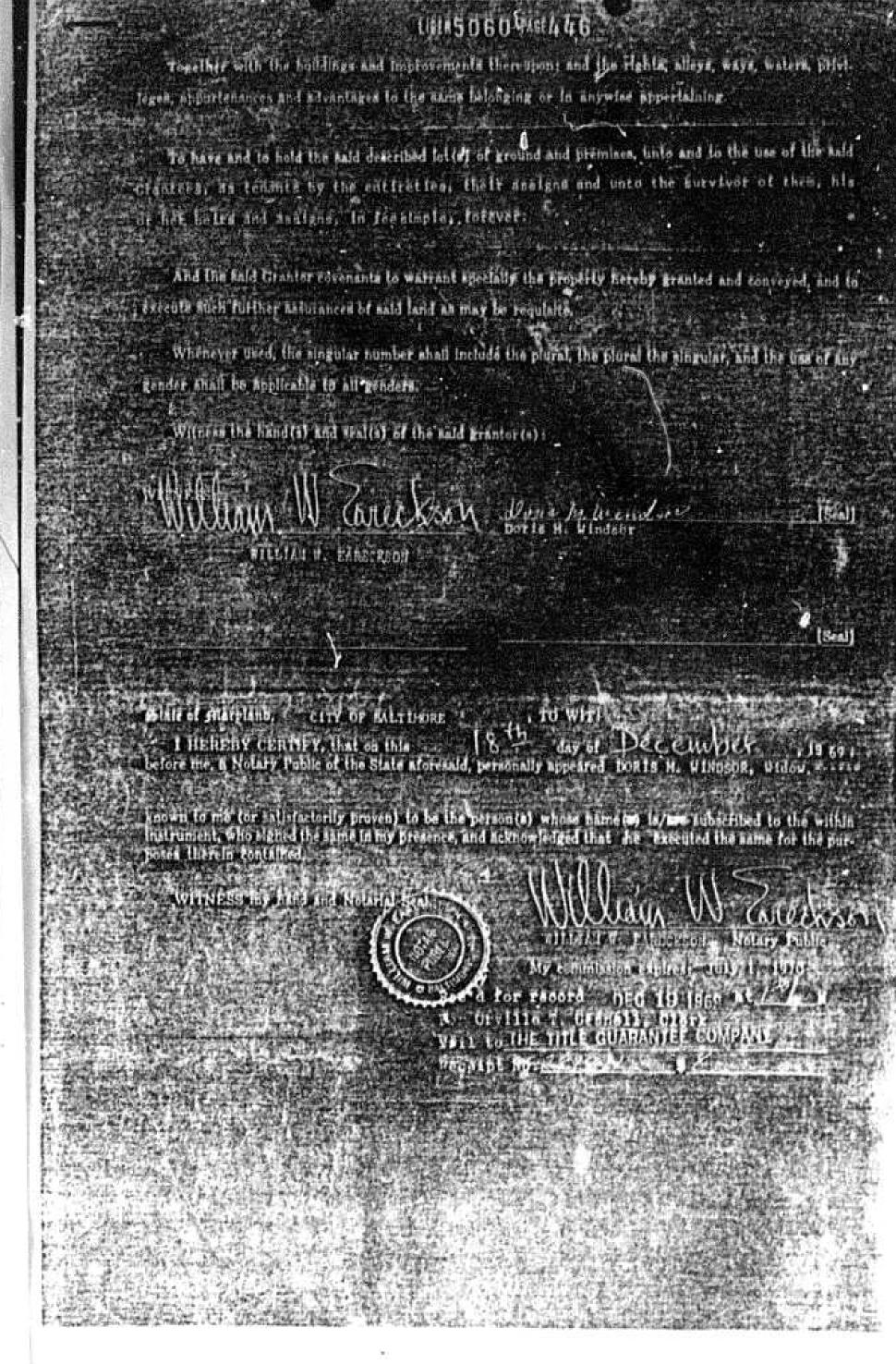
In response to your letter of complaint dated July 19, 1986 concerning the Belvedere Preschool, I conducted an inspection of the facility on July 25, 1986 at 9:50 a.m. My findings were as follows:

- . Supervision is appropriate for each age group with adequate child/staff ratio. Children are instructed to play within the play area.
- . The play area is well defined and safely constructed with several climbing areas and a large digging area. It is fenced on two sides with an opening at the end of the area. On inquiry, the licensee explained that the fence at the end of the play are had been removed by a neighbor. However, I find no apparent hazards involved due to the adequate level of supervision.
- . The licensee denies ever experiencing child injuries related to playground activity.
- . Day Care Licensing Representatives will continue to evaluate the level of supervision at the Belvedere Preschool.

In conclusion I find that the licensee is, at this time, in compliance with COMAR 10.05.01 - Section .16 PLAYGROUND FREE FROM HAZAROS, and Section .50(A) ADEQUATE SERVICE AT ALL TIMES. This office appreciates your concern and will be most happy to talk with you should you require further clarification of the information set forth above.

Sincerely, Calturene D. Drayton Catherine D. Drayton, Chief Child Day Care Services John M. Krager, MD MPH Assistant Health Officer

Director of Preventive Services JMS: amm cc: Dr. Rcop Mr. Kammerer, Licensee V DMMI Day Care Division Dr. Andersen Belvedere Preschool



THE PROPERTY OF THE PARTY OF TH

MARYLAND STATE DEPARTMENT OF HEALTH AND MENTAL HYGIENE BALTIMORE

REQUEST FOR FIRE INSPECTION REPORT

Date MARCH 31 19 87

CHIEF, CHILD DAY CARE SERVICES CATHERINE D. DRAYTON Name of Canier BELVEDERE PRESCHOOL CHILDREN'S CENTER Center for 7 to 12 children Address of Center 3031 PUTTY HILL AVENUE Center for 13 or room children CENTER SERVES CHILDREN BALTIMORE, MARYLAND 21234 Limiter 2 years old 2 to 6 years old Name of Applicant to Licensee DONALD G. RAMMERER

X Follow up on violations _Comptains _____Change in capacity. If rom ______to ____children? LICENSED PACITY 50

If new center with capacity not yet assigned pending other impections check here...

TYPE OF INSPECTION

From AT ROST TO Marshall The Marshall

Our inspection show this center - is not X in compliance with state and applicable local fire codes for Group Day Care Centers. serving ages of children marked above This inspection further shows the evacuation plan has been received and is

Record violations by regulation section including agress upon compliance darks and any recommendations below. Use additional paper of necessary. Exercising copy with Informer, one for the Fire Marshall original to be mailed to the Licensing Confidence.

TRECOMMEND LICENSE BE ISSUED RECOMMEND LICENSE NOT BE ISSUED UNTIL VIOLATIONS ARE CORRECTED AS INDICATED.

If british is for the second to be accome by

Fire Marshall shires box

DH AH 1002 Per 4/78 8/44

Signature of Literiae

YELLOW

THEODORE BHERDOM EDWARD F. SHEA, JR.

JANES J. BOYLE, JR.

WILLIAM A. AUER

JOHN E. BOERHER

ROBERT W. HERRAN

SHERBOW, SHEA & DOYLE ATTORNEYS AT LAW TWENTY-BEVENTH FLOOR TO LIGHT STREET BALTIMORE, MARYLAND 21202

AREA GOOK BOLL HUCKBOAY B-BEST CABLE ADDRESS

December 3,1969

Mr. James E. Dyer Zoning Supervisor Room 119 Baltimore County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

Dear Mr. Dyer:

Re: 3031 Putty Hill Avenue

This office represents Donald G. Kammerer and Janice A. Kammerer, his wife, contract purchasers for property at 3031 Putty Hill Avenue.

We would appreciate it if you would advise us as to the zoning of this property at the present time. Osr client has informed us that a day nursery has been operated at least since 1955 at this location, and possibly before that date, for about thirty children. We are not certain whether this operation is under a Nonconforming Use or is under a Special Exception. Our client likewise intends to operate a day nursery school at this location, if and when settlement takes place and the appropriate licentos are granted by the Baltimore County Health Department.

In any event, we would appreciate your advising us as to the present zoning and the status of the use of this property as a day nursery.

Thank you very much for your courtesy and cooperation.

Very truly yours, SHERBOW, SHEA & DOYLE

William A. Agee

CC: Mr. Donald G. Kammerer

EXHILIDIT 2

July 3, 1987

Dear no Jung:

Exclosed, please jind a Petition in apposition to the continue are of the Belredue Preschoof, 3031 Putty Hill Are. Of the 77 segnatures solicited, tole signatures were obtained, an 86% opposition. also enclosed is a map showing the area in which the signatures were obtained, and their proximity to the preschool

Mary residents were glad that these long standing conterns were finally coming to light

We trust that you will acknowledge the reighborhoods to overwhilming opposition et to the continued use of that property as a preschool and we thank you in advance for your consideration.

Respectfully submitted by

MARYLAND STATE DEPARTMENT OF HEALTH AND MENTAL HYGIENE Baltimure Co. COUNTY HEALTH DEPARTMENT

NOTICE OF COMPLAINT OR UNFAVORABLE COMMENT AGAINST A

PLAINT	Name of C	Preschoul	wart R. S	impson	
		3,04 His			Phone:
AVORABLI	E COMMENT	(avorable comment.	ot willing to sign his r		letter is classified as a
	Parent	☐ Center Staff	D Heighbor		
					closely ar possible. Us

Has person making the complaint or unfavorable comment against the sealer blankow making the complaint or unfavorable comment against the sealer blankow making the complaint or unfavorable comment against the sealer blankow making the complaint or unfavorable comment against the sealer blankow making the complaint or unfavorable comment against the sealer blankow making the complaint or unfavorable comment against the sealer blankow making the complaint or unfavorable comment against the sealer blankow making the complaint or unfavorable comment against the sealer blankow making the complaint or unfavorable comment against the sealer blankow making the complaint or unfavorable comment against the sealer blankow making the complaint or unfavorable comment against the sealer blankow making the complaint or unfavorable comment against the sealer blankow making the complaint or unfavorable comment against the sealer blankow making the complaint of SPECIFY EACH ALLEGATION WHICH RELATES TO COMAR 10.05.01, REGULATIONS GOVERNING GROUP DAY CARE CENTERS. AFTER

THE INVESTIGATION, INDICATE THE FINDING FOR EACH ALLEGATION. Use additional paper as necessary. Attach all correspondence and inapection forms. REGULATION ALLEGATION Supervision Pleyground hazards

Carbon to be sent to the State Department of Health and Mental Hygiene

Calterine N. Mraylor This Child lay Can Services

Signature of Complainant

66 signatures 86% oppositure

Residents of Parkville, Maryland

is there reason to believe that the person making the complaint or unfavorable comment may be harassing

NO D POSSIBLE PROBABLE

Explainticensue + neighbor are

in a yoi leng legal battle over Leve + prepully linear

the center and licensee in question?

July 3, 1987

Mr. Arnold Jablon Zoning Commissioner 111 W. Chesapeake Avenue Triwson, MD 21204

Re: 88-7-SPH - Special Hearing Tuesday, July 7, 1987 The Belvedere Preschool 3031 Putty Hill Avenue

Dear Mr. Jabion:

Attached is a copy of the special exception granted Charles and Doris Windsor to operate a day nursery at 3031 Putty Hill Avenue. It is apparent that when granted, emphasis was wisely placed upon preserving and protecting the community. Such considerations as location, safety and general welfare, traffic hazards, and compliance with Baltimore County Board of Health regulations are specifically mentioned as concerns relevant to the granting of that exception. We ask that you exercise the same sense of wisdom and community well-being originally intended when you consider whether or not to allow its continued use. It also clearly states that it is not transferrable to future purchasers of that property. This seems to be a well-thought point, perhaps intended to prevent abuses of the priviledge by some future owners. Perhaps it was included to prevent the type of situation which exists today. We feel that the reason is clear.

The current owners presently operate the Belvedere Preschool, disregarding all of the above considerations and have knowingly operated for years without applying for a similar exception from the zoning board. Now, a year after being cited, they have finally applied for approval and we wish it known that we strongly OPPOSE for the following reasons: Location. Our section of Parkville is a well kept and quiet neighborhood with one exception - The

Belvedere Preschool. From 4-6 hours each day we are subjected to unrestrained screaming and crying from the playground which is located at the rear of the property, putting it in close proximity to other homes. There are FIFTY children at the school and it is impossible to describe the amount of annovance and stress that this constant noise creates. It grows worse each year and has reached an intollerable level. Requests from neighbors to control it are always ignored. Many other commercial establishments erect a stockade fence to block noise and hide the unpleasant view from neighboring homes. None exists here. Therefore our property values are adversely affected not only by the noise but by the sight of and proximity to ill-maintained buildings, dead trees, rusted play equipment and old toys that litter this property. Several notices are on file ordering that sanitation be improved and calling for removal of debris (see Board of Health Files). As that building and property deteriorate, so do our property values. The owner does not live there and so may not appreciate this fact.

Safety and General Well Being. The supervision, or lack thereof, of these preschool children when outside has been a distressing situation to many of as. Neighbors have seen the children leave the premises unattended. Some children have run into neighbors, yards, driveways, and surrounding streets. We in the neighborhood are exposed to this liability. Our properties are where these children are likely to injure themselves when they run off unattended

The property is left unattended on nights, weekends, and holidays, at which time it presents an attractive nuisance to our neighborhood's children. Rusted play equipment, rusted fencing, debris, old toys, old tires, a junk automobile and a garage filled with trash present dangers, not assets, to this

Traffic Hazard: Puttry Hill Avenue is a busy commuting route. The population and congestion in our area and to the North have increased greatly since the original exception was granted. The school is located on the outside of a sharp curve that has seen it's share of accidents. During peak rush hours, traffic is often hindered by cars stopping to drop off and pick up children. There is no designated parking area, nor a safe place to stop on, pull off, or re-enter Puttry Hill Avenue. When the driveway is not blocked by staff's cars, parents will pull in and then back out, but this often blocks both lanes of traffic. With fifty children to drop off and pick up each week day, this creates an obvious hazard to the children, their parents, and other commuters. Once construction begins to widen Putty Hill Avenue, the situation can only get worse.

Use as a Preschool: We ask that the file, kept by the Baltimore County Board of Health on the Belvedere Preschool, be considered in this decision. The number and nature of complaints the ein, particularly regarding sanitation and maintenance, substantiate our concerns for what exactly this business brings to our neighborhood.

The operators of the school have demonstrated, prior to applying for a special exception, that it does adversely affect the safety, well being and value of the neighborhood, that it does present a traffic hazard, that they do willingly ignore local regulations and do provoke an adversary relationship with their neighbors. We ask that consideration be given to the neighborhood affected by your decision, and that you not rezone part of it merely for the convenience of those who have been operating their business illegally for so long. There are countless reasons for preserving a peaceful, well established and stable neighborhood, and not one valid reason to reward a long time violator of that community's rights and your own commission's regulations.

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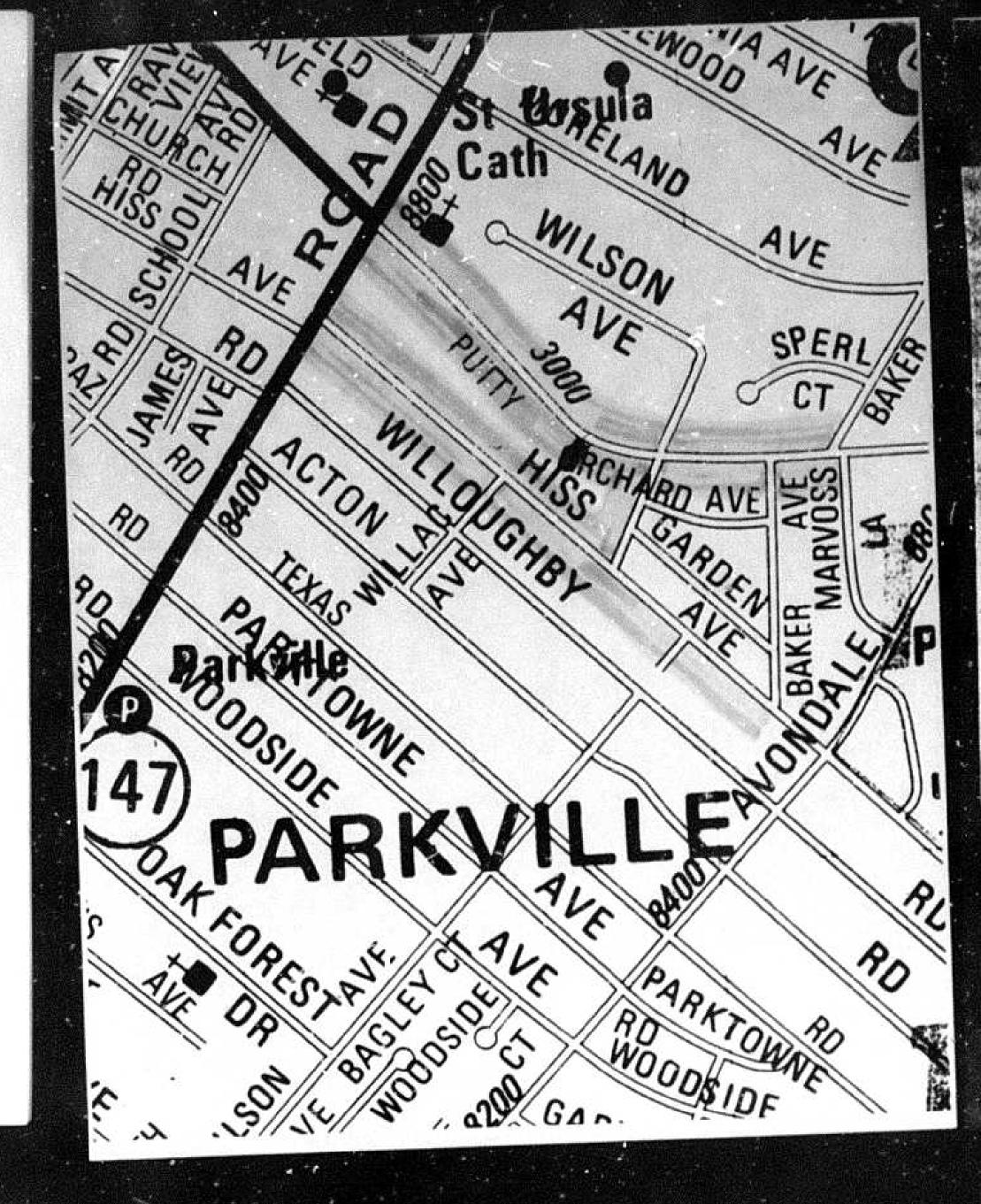
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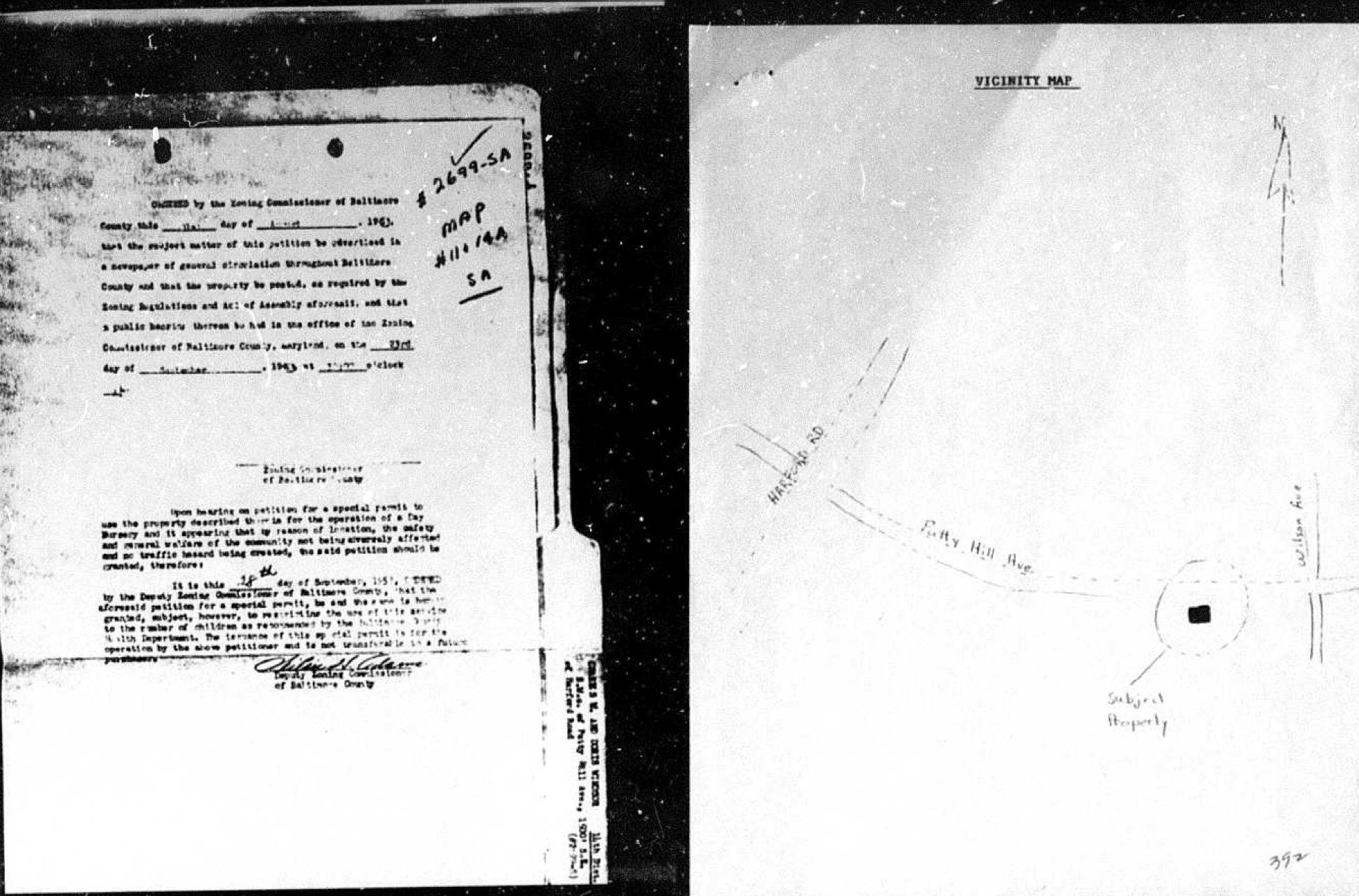
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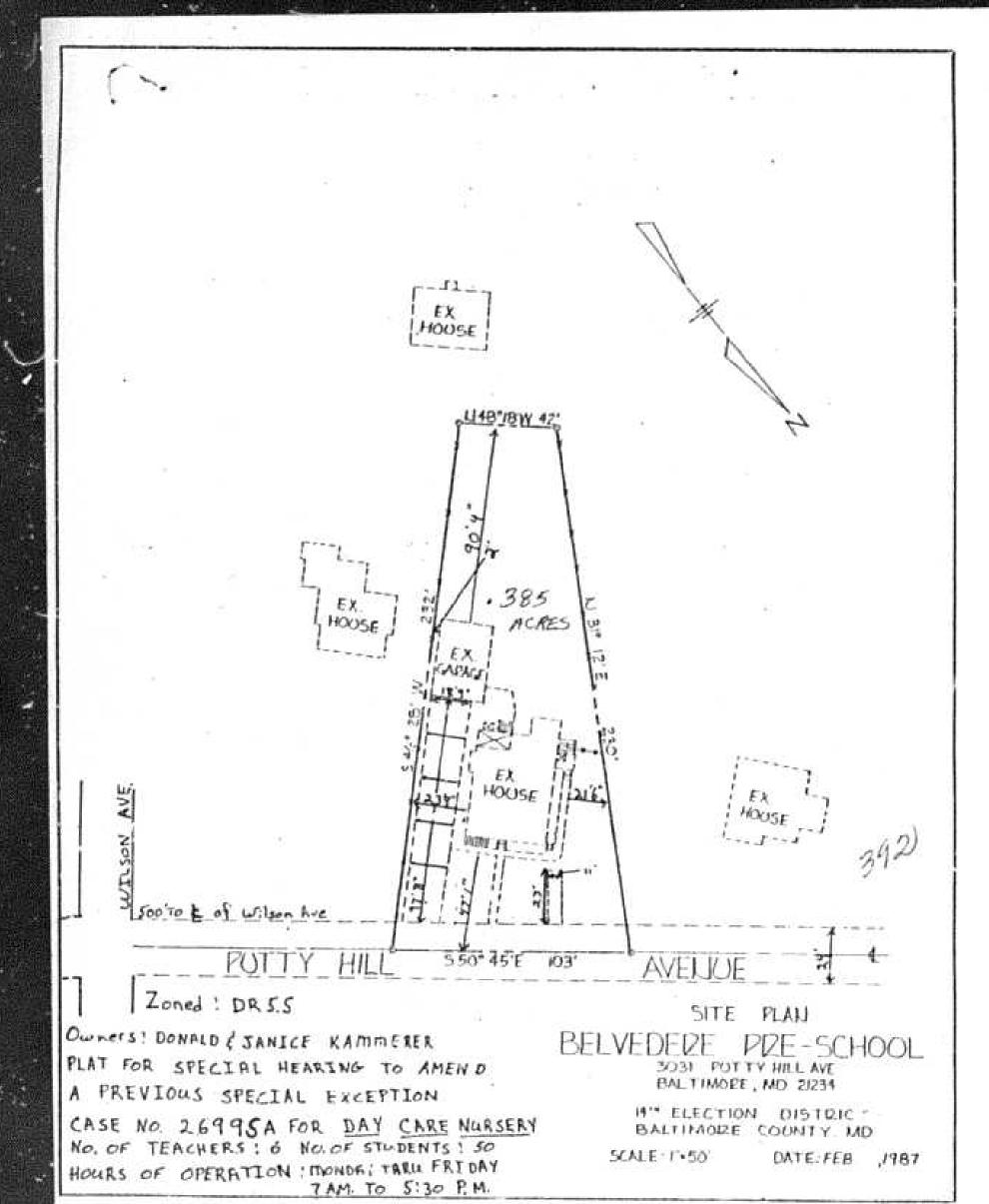
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