

Special Exception 238 Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County:-

I, or we, Elaine F. Palmer and Earl H. Palmer, legal owner(s) of the property known as Lot No. 11, Locke Haven Village, sub-division Plat of Block No. 4, 5, 6, and 7.

herely petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an _____ zone to an _____ zone.

Reasons for Re-Classification: for a special exception-Dancing School

Size and height of building: front _____ feet; depth _____ feet; height _____ feet.
Front and side set backs of building from street lines: front _____ feet; side _____ feet.
Property to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification, 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.

Elaine F. Palmer
Earl H. Palmer
Legal Owner

Address: 2110 Edgewood Road, Towson, Md.

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ day of _____, 1957, that the subject matter of this petition be advertised, as required by the "Zoning Law of Baltimore County," in a newspaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing herein be had in the office of the Zoning Commissioner of Baltimore County, at the _____ day of _____, 1957, at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County

Mr. Wilsie H. Adams
Zoning Commissioner
County Office Building
Towson 4, Maryland

Re: Application for Special Exception
Elaine Palmer
1740 Edgewood Road

Mr. Commissioners:

Please enter an appeal to the Board of Appeals of Baltimore County from the Order of the Zoning Commissioner granting the above application for Special Exception, and forward transcript of record to the Board of Appeals of Baltimore County.

Dated September 19, 1957

W. Lee Harrison
Attorney for Protestants



ORDERED BY the Zoning Commissioner of Baltimore

County this 11th day of August, 1957,

that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 11th day of September, 1957, at 3:00 o'clock P.M.

Zoning Commissioner
of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition to use the property described therein for a private dancing school, and it appearing that by reason of location, the safety, health and the general welfare of the locality not being detrimentally affected, the special exception should be granted, therefore:

It is this 13th day of September, 1957, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid petition for a special exception for a private dancing school, should be and the same is hereby granted, notwithstanding the number of students attending said school not to exceed 116 and restricted annually against any signs.

W. Lee Harrison
Zoning Commissioner of Baltimore County

OFFICE OF PLANNING

Inter-Office Correspondence

From: Malcolm H. Hill, Director _____
To: County Board of Zoning Appeals _____
Subject: Zoning Petition #1238-yr. Special
Exception for Private Dancing School.
East side of Edgewood Road, 25 ft. North
of Kennaway Rd., 5th District.
Appeals Scheduled Jun. 30, 1958 (10:00 A.M.)

In reviewing this Petition, we find that a general issue is involved which calls for comment. Under Section 211.3 of the Zoning Regulations for Baltimore County a "Private Dancing School" is listed as permitted by Special Exception. This portion of the listing reads: "Private colleges, nurseries or dancing schools, fraternities, lodges, and societies, houses, but excluding business and trade schools." "Dancing Schools" were not specifically included in the listing when the regulations were originally adopted on June 2, 1945. This item was added in an amendment - one of several amendments that were made to correct inadvertent omissions or ambiguities, but which were not processed through this Office.

In our opinion, Dancing Schools are inherently unsuited to group-house or semi-detached dwelling units. Allowance for Special Exceptions in R-4 Zones to permit Dancing Schools may be desirable to take care of cases - unlike the one at hand - in which the structure and lot proposed to be occupied would be of sufficient size to permit the school use without producing any adverse effects on its environs, through noise, congestion, on-street parking overloads, other sources of traffic hazards, etc. Such cases could involve either one family dwellings or non-residential structures such as churches or commercial buildings erected prior to zoning regulation, which might be suited for dancing or other specialized types of schools.

To cor. the general situation, we believe it would be desirable to amend the regulations so as to spell out the circumstances under which Dancing Schools, and several other items in the listing under Section 211.2 that tend to have a similar effect on their surroundings, could conceivably be appropriate uses.

Regardless of the lack of such specific restrictions, however, we believe that this property is subject to the objections noted above as being inherent in the use of a group house dwelling unit for a Dancing School, and therefore recommend against the granting of a Special Exception.

MHC/ih

RE: PETITION FOR A SPECIAL
EXCEPTION FOR PRIVATE
DANCING SCHOOL - E.F.
Edgewood Road 25 ft. N.
Kennaway Road, 5th Dist.,
Earl H. Palmer and Elaine
F. Palmer, Petitioners

REPORT

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
No. 1238-X

OPINION

The granting of a Special Exception to construct a private dancing school in an "R-4" Zone is permitted by the Regulations and in the Petitioner's case was granted by the Zoning Department on September 13, 1957. Acting on the authority so granted, the Petitioner, one Elaine Palmer, contracted with parents of the neighborhood for the conduct of a private dancing school for children of ages 4 to 13 in classes of 12 students to a maximum of 116 per week.

An appeal was taken by persons aggrieved by this decision and the Board has heard the testimony of both sides. The Board holds that the decision was within the power of the Deputy Zoning Commissioner to grant, but gives great weight to the testimony of the Planning Department witnesses who suggested that each case must be judged on its merits, bearing in mind the adjacent properties, as well as the whole community that is subjected to the first commercialization of a well developed residential group housing area.

The Board holds that the intent of zoning and the granting of Special Exceptions is to develop land use in conformity with protection of property values and the general welfare of the public. In this case they believe an error in judgment by the Deputy Zoning Commissioner should be corrected by denying the petition.

However, as stated above, the commitments have been made, and since testimony at the hearing shows no damaging nuisance is present, the Board upholds the decision of the Deputy Zoning Commissioner, but under authority of Sec. 501.7 this Order is modified to expire on May 31, 1958 and, further, this Board directs that this Special Exception shall cease to exist after that date.

ORDER

For the reasons set forth in the foregoing Opinion it is this 27th day of February, 1958, by the County Board of Appeals ORDERED that the aforesaid special exception granted in this matter is modified to expire on May 31, 1958, and, it is further ORDERED that the Special Exception shall cease to exist after that date.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

W. Lee Harrison
W. Lee Harrison

Note: Mr. Agnew did not sit in the above case.

August 20, 1957

\$35.00

RECEIVED OF E. Scott Moore, Esq. for petitioner
Elaine F. & Earl H. Palmer, the sum of thirty-five (\$35.00) dollars, being cost of petition, posting and advertising property situated East side of Edgewood Road, beginning 25 feet North of Kennaway Road - 5th District of Baltimore County.

Thank you.

Zoning Commissioner
of Baltimore County

HEARING:

Wednesday, September 11, 1957
at 3:00 p.m.

Room 108
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland

RECEIVED

AUG 20 1957
COUNTY CLERK'S OFFICE

01622-#35.00

Zoning Commissioner
of Baltimore County

RECEIVED
SEP 13 1957
COUNTY CLERK'S OFFICE

\$1.25

RECEIVED OF E. Scott Moore, attorney for petitioner,
Elaine Palmer, the sum of One Dollar and twenty-five cents (\$1.25) to cover cost of advertising the property situated on the East side of Edgewood Road, beginning 25 feet North of Kennaway Road, Ninth District of Baltimore County.

Thank you.

and

01622-#1.25

**ZONING DEPARTMENT OF
BALTIMORE COUNTY
PETITION FOR SPECIAL
EXCEPTION
9th District**

Pursuant to petition filed with the
Zoning Commissioner of Baltimore
County for a Special Exception to
use the property hereinafter de-
scribed for a Dancing School, the
Zoning Commissioner of Baltimore
County, by Authority of the Zoning
Act and Regulations of Baltimore
County, will hold a public hearing
in Room 128, County Office Building,
111 W. Chesapeake Avenue, Towson,
Maryland.

On Wednesday, September 11, 1957
at 2:00 P.M.

to determine whether or not the
Special Exception for an afterword
should be granted, the property is
said petition being particularly de-
scribed as follows:

All that parcel of land in the
Ninth District of Baltimore County
situated on the East side of Edgewood Road
measuring 25 feet wide at its
northern end, thence Northerly and
westerly, East thence Northerly and
westerly, to the East side of Edgewood
Road 25 feet with a rectangular
depth of 110 feet, being
Lot No. 11 Plat of Lorch Haven, Vil-
lage known as 1740 Edgewood Road,
as shown on plat filed with the
Zoning Department being property
of Elain F. and Earl H. Palmer.

In Order of
Vernice H. Adams
Zoning Commissioner
of Baltimore County

2-27-51

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 30, 1957

THIS IS TO CERTIFY That the annexed advertisement
was published in THE UNION NEWS, a weekly newspaper
printed and published in Towson, Baltimore County, Md., once
in each of 2 successive weeks before the 11th
day of September, 1957, the first publication
appearing on the 23rd day of September
1957.

The UNION NEWS

W. Frederick Rayne
Manager

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

#4238

District 9th Date of Posting 8-26-57
Posted for: Special Exception for Dancing School
Petitioner: Elain F. & Earl H. Palmer
Location of property: E.S. of Edgewood Rd. by 25 ft. N. of Kennaway
Road. Known as 1740 Edgewood Rd.
Location of Signs: Posted on property known as 1740 Edgewood
Road.
Remarks:
Posted by George R. Hunt Date of return: 8-27-57

October 8, 1957

\$30.00

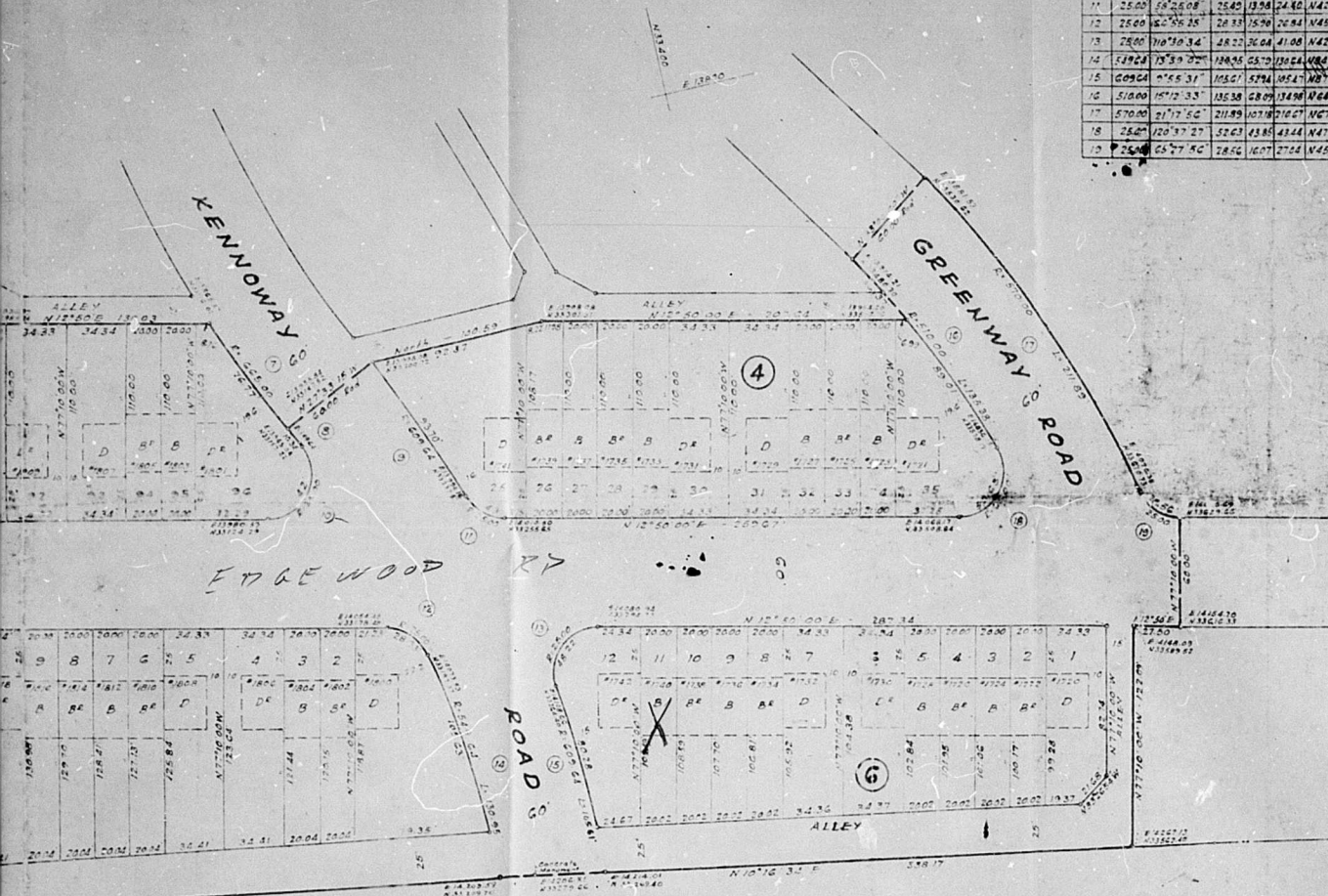
RECEIVED of Messrs. Smith & Harrison, Attorneys for
Elain H. and Earl Palmer, petitioners, the sum of Thirty (\$30.00)
Dollars, being cost of appeal to the County Board of Appeals
from the decision of the Zoning Commissioner granting a special
exception for Dancing School, 1740 Edgewood Road, 9th District.

Zoning Commissioner

01-622

RECEIVED
OCT 8 1957
COMPTROLLER'S OFFICE

CURVE DATA						
NO	STATION	Δ	ARC TAN CH	LCB		
1	50.00	15°49'40"	17.35	8.74	1722	576°45'37"E
2	50.00	105°50'28"	95.80	71.00	81.42	156°53'30"E
3	50.00	15°49'40"	17.35	8.74	1722	102°52'50"E
4	26.00	70°48'35"	30.50	17.77	28.97	105°51'10"E
5	130.00	9°42'18"	25.94	13.24	25.94	117°41'29"E
6	159.00	9°42'18"	25.94	13.24	25.94	117°41'29"E
7	65.00	6°50'52"	76.77	38.43	76.77	165°45'17"E
8	549.04	1°04'10"	18.32	9.17	18.32	165°45'17"E
9	609.04	1°04'10"	18.32	9.17	18.32	165°45'17"E
10	25.00	129°18'38"	90.02	57.18	45.75	125°49'18"W
11	25.00	129°18'38"	90.02	57.18	45.75	125°49'18"W
12	25.00	129°18'38"	90.02	57.18	45.75	125°49'18"W
13	25.00	129°18'38"	90.02	57.18	45.75	125°49'18"W
14	149.04	15°39'32"	149.05	25.12	149.05	165°45'17"E
15	609.04	1°04'10"	18.32	9.17	18.32	165°45'17"E
16	510.00	1°04'10"	18.32	9.17	18.32	165°45'17"E
17	570.00	21°17'50"	211.89	107.18	107.18	165°45'17"E
18	25.00	129°18'38"	90.02	57.18	45.75	125°49'18"W
19	25.00	129°18'38"	90.02	57.18	45.75	125°49'18"W



LOCH RAVEN VILLAGE

LOCH RAVEN BOULEVARD ~ BALTIMORE COUNTY, MD.
SUBDIVISION PLAT OF PARTS OF BLOCKS
Nos 4-5-6 AND 7

SCALE: 1"=40'

MAY, 1948

