



KATHERINE A. KLAUSMEIER
County Executive

C. PETE GUTWALD, AICP
*Director, Department of Permits,
Approvals and Inspections*

May 16, 2025

RE: Spirit and Intent Request
Zoning Cases 1958-4466-XA and 1964-0102-SPH
305 W. Chesapeake Ave
Tax No. 0902471220 (9th Election District, 6th Councilmanic District)

Dear Mr. Mudd:

This response refers to your April 15, 2025 letter. Your letter requests confirmation that:

1. Razing the existing building would not impact the validity of the granted Special Exception (Case No. 1958-4466-X) or the granted Special Hearing (Case No. 1964-0102-SPH).
2. Constructing a new office building in place of the razed building and in reliance on the previously granted zoning relief is not time-limited and would not require additional zoning relief.
3. Assuming the owner seeks to build a new office building consistent with the razed building, Zoning will accept and process building permit for this construction without requiring development approvals.

On September 14, 1958 a zoning hearing, Case No. 1958-4466-XA, final order granted off-street parking. The Board of Appeals hearing granted an office use in a RA zone which is now zoned RO on November 28, 1958 with the following restrictions:

- The garage building to the rear of the main house will not be used for office or storage space.
- The grounds surrounding the building will be maintained to the same degree that one would reasonably expect from a private residence.

The most recent hearing, Case No. 1964-0102-SPH granted a parking lot to be built in a residential area on April 14, 1964.

In the event that the existing office building is razed, a new office building may be rebuilt, at any time, without any Zoning public hearings, provided the size, orientation, and layout of the new structure complies with the orders and restrictions in the two previous hearings listed above. The replacement office building may not be enlarged beyond the building footprint and height of the office building as approved in the prior cases. Any changes from the office building as previously approved and/or any changes to the use of the property will require a new site plan and related development approvals. Further, any enlargement to the size of a new office building and/or change to the location of the building on the property will require a new zoning hearing. Also, in the event there is a use change or that an office building is proposed that, in accordance with the provisions of this paragraph above, requires a new zoning hearing, the Zoning Review Office will require approval from the Development Management Division prior to any Zoning review and approval of permits.

This letter is strictly limited to the application of the BCZR as applied to the S&I request presented in your letter and does not represent verification or approvals for any other Local, State or other Regulations that may apply to this property. The foregoing is merely an informal opinion. It is not an expert or legal opinion, it is not intended to be relied on as expert or legal advice, and it is not legally or factually binding on Baltimore County or any of its officials, agents, or employees. Baltimore County expressly disclaims any and all liability arising out of, or in any way connected with the information provided in this document, or any interpretation thereof.

We 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 410-887-3391.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey Perlow".
Jeffrey Perlow

Zoning Supervisor, Zoning Review

Zoning Review Office

111 West Chesapeake Avenue, Room 124 | Towson, Maryland 21204 | Phone 410-887-3391 | Fax 410-887-3048

www.baltimorecountymd.gov

Christopher D. Mudd

t 410.494.6365
f 410.821.0147
cdmudd@venable.com

April 15, 2025

C. Peter Gutwald, Director
Baltimore County Department of Permits,
Approvals and Inspections
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: ***Request for Zoning and Development Confirmation***
305 W. Chesapeake Avenue
Tax Account No. 0902471220

Dear Mr. Gutwald:

I am writing on behalf of 305 WCA Ventures LLC ("Owner"), legal owner of the above-referenced property (the "Property"), to request confirmation regarding the status of the Property's previously granted zoning relief. The 2± acre Property is located on the south side of Chesapeake Avenue, west of Bosley Avenue, and is currently zoned RO (Residential – Office). See attached aerial photograph from Baltimore County's *My Neighborhood*.

By way of Case No. 1958-4466-X, Baltimore County granted a special exception to use the Property for purposes of an office building. See attached casefile. At the time, the Property was split-zoned R.A. (Residence, Apartments) and R. 6 (Residence, One and Two-Family). Baltimore County also granted special hearing relief in Case No. 1964-0102-SPH for a use permit to allow parking to support the office building in a residential zone (on the R.6. zoned portion of the Property). See attached casefile.

An office building and associated surface parking lot were constructed in reliance on the approved zoning relief, and the Property has been used continuously for this purpose to the present day.

The existing office building is approaching the end of its useful life, and Owner is considering razing the building with the intention to redevelop the property in a yet-to-be determined way, which may or may not involve the construction of a replacement office building in the same location as the current building.

April 15, 2025

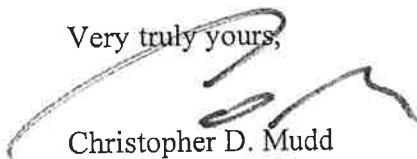
Page 2

Before razing the office building, Owner seeks written confirmation that:

- (1) razing the existing building would not impact the validity of the special exception granted in Case No. 1958-4466-X or the special hearing relief granted in Case No. 1964-0102-SPH. The zoning relief has been utilized through construction and operation of the existing building and does not expire;
- (2) constructing a new office building in place of the razed building and in reliance on the previously granted zoning relief is not time-limited and would not require additional zoning relief; and
- (3) assuming Owner seeks to build a new office building consistent with in place of the razed building, your Department will accept and process building permits for this construction without requiring development approvals.

With this letter, I have enclosed a check in the amount of \$200.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with your review. If you need any additional information in order to complete your review, please feel free to contact me.

Very truly yours,



Christopher D. Mudd

Enclosures

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET AND FINANCE
MISCELLANEOUS CASH RECEIPT

No. 237889

Date: 5-2-2025

Fund	Dept	Unit	Sub Unit	Rev Source/ Obj	Sub Rev/ Obj	Dept	Obj	BS Acct	Amount
001	806	0000		6150					200.00
Total:									200.00

Rec From: 305 W. Chesapeake Ave

For: S&I

DISTRIBUTION

WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER GOLD - ACCOUNTING
 PLEASE PRESS HARD!!!!

**CASHIER'S
 VALIDATION**

CF 250432

PNC BANK
 PNC, N.A. Bank 040
 Maryland

VERIFIED
 750 E. Pratt Street Suite 900
 Baltimore, Maryland 21202
 Operating Account

15-3
 540

F 548308

DATE
 April 14, 2025

AMOUNT
 \$200.00

TWO HUNDRED AND 00/100

PAY
 TO THE
 ORDER
 OF

Baltimore County, Maryland
 Office of Budget and Finance
 400 Washington Avenue, Room 152
 Towson, MD 21204-4665

Jane C. Kohl
 AUTHORIZED SIGNATURE

VOID AFTER 180 DAYS

AUTHORIZED SIGNATURE
 (TWO SIGNATURES REQUIRED OVER \$25,000)

⑈000548308⑈ ⑈054000030⑈ 5501006999⑈

F548308

Baltimore County, Maryland

04/14/2025

Ref.	Invoice. #	Invoice Date	Description	Amount Paid
Cindy Karpook	041425PAM01	04/14/2025	305 WCA - Filing fee for zoning confirmation letter.	200.00

Check Total: 200.00

F548308

Baltimore County, Maryland

04/14/2025

Ref.	Invoice. #	Invoice Date	Description	Amount Paid
Cindy Karpook	041425PAM01	04/14/2025	305 WCA - Filing fee for zoning confirmation letter.	200.00
Check Total:				200.00

VENABLE LLP • 750 E. Pratt Street Suite 900 • Baltimore, Maryland 21202

F548308

Baltimore County, Maryland

04/14/2025

Vendor #: 3094

Ref. #	Invoice. #	Invoice Date	Description	Amount Paid
Cindy Karpook	041425PAM01	04/14/2025	305 WCA - Filing fee for zoning confirmation letter.	200.00
Check Total:				200.00

PNC, N.A. Bank 040
MarylandVENABLE^{LLP}750 E. Pratt Street Suite 900
Baltimore, Maryland 21202

Operating Account

DATE

April 14, 2025

AMOUNT

\$200.00

F 548308

153
540PAY
TO THE
ORDER
OFBaltimore County, Maryland
Office of Budget and Finance
400 Washington Avenue, Room 152
Towson, MD 21204-4665
AUTHORIZED SIGNATURE

VOID AFTER 180 DAYS

AUTHORIZED SIGNATURE
(TWO SIGNATURES REQUIRED OVER \$25,000)

⑈000548308⑈ ⑆054000030⑆ 5501006999⑈

RE: PETITION FOR SPECIAL
EXEMPTION FOR OFFICE
BUILDING - 5/8 of
Chesapeake Ave. opp.
Central Ave. - 9th
Dist. - Bernard J.
Hanniller and wife,
Petitioners

OPINION

The petitioner in this case seeks a special exception for office use for a parcel of land, presently zoned "B-1A", located on the south side of Chesapeake Avenue, opposite Central Avenue, in Towson. The property that the petitioner has purchased, subject to the granting of this special exception, is 506 feet deep, of which the front 326 feet are in the "B-1A" Zone, the balance of the property being in an "B-6" Zone. This petition for a special exception, of course, covers only the front 326 feet now located in the "B-1A" Zone.

The petitioner offered the expert testimony of Mr. Hugh E. Gelston, a realtor, concerning the effect this petition would have on neighboring properties. Mr. Gelston stated that the requested use would not adversely affect the values of surrounding properties and cited many similar instances of office use in Baltimore County that have not caused any adverse effect on real estate values.

Mr. George Cavellis, Deputy Director of the Office of Planning of Baltimore County, testified that the Office of Planning approves the use of this property for offices; further, that when the 9th District Map was approved, and "B-1A" zoning granted for this property and others surrounding it, the planners had the definite idea in mind that special exceptions for offices would receive their favorable consideration.

The location of this property, being within two or three blocks of the Court House and County Office Building, would seem to indicate that additional office space would logically be a necessity for this area.

Under Section 502.1, this Board is charged with the duty to see that before any special exception shall be granted, that it (a) must appear that the use for which the special exception is requested would not be detrimental to the health, safety or general welfare of the locality involved and, (b), tend to create congestion in roads, streets and alleys therein, (c), create a potential hazard for fire, panic and other dangers, (d) interfere with adequate provisions for schools, parks, water shortage, transportation and other public requirements, conveniences or improvements, (f), interfere with adequate light and air.

It is the opinion of the Board that none of the enumerated adverse conditions will result from the granting of the petition. It is, therefore, the opinion of the Board that the special exception should be granted. The decision of the Zoning Commissioner of Baltimore County is affirmed and the special exception is approved with the following restrictions:

- The garage building to the rear of the main house will not be used for office or storage space.
- The grounds surrounding the building will be maintained to the same degree that one would reasonably expect from a private residence.

ORDER

For the reasons set forth in the foregoing opinion, it is this 21st day of November, 1958 by the County Board of Appeals, ORDERED that the special exception petitioned for be and the same is hereby granted.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Matthew D. K. [Signature]

January 2, 1959

RECEIVED of John Thomas Welsh, Attorney for protestants, the sum of Nine (\$9.00) dollars, being cost of certified copies of petition and other papers filed in the matter of petition for a special exception for offices, south side of Chesapeake Avenue, Bernard J. Hanniller, and wife, petitioners.

Zoning Commissioner

PAID - Baltimore County, MD - Office of Finance

1-659 5195 • • • TIL - 1800

RE: PETITION FOR SPECIAL
EXEMPTION FOR OFFICE
BUILDING - S. S. Ches-
apeake Avenue opp. Central
Ave., 9th District -
Bernard J. Hanniller and
Margaret L. Hanniller,
Petitioners

REPORT
ZONING COMMISSIONER OF
BALTIMORE COUNTY

No. 4466-X

Upon hearing on the above petition for a special exception in an "B-1A" Zone for offices, and office building, testimony by George P. Cavellis, Deputy Director of Planning was to the effect that the rezoning of the property to the "B-1A" Zone was to control the use for expansion of offices and governmental functions to centrally locate these functions in Towson, the County Seat of Baltimore County, and that the Office of Planning at this time recognizes that this is the proper use of this property giving the following reasons:

"This 'B-1A' Zone is at present occupied largely by single family dwellings but the land is located too centrally to hold as one structure. Office use, under 'B-1A' zoning gives expression to the land's ultimate economic value, and so establishing strength against pressures for commercial zoning.

The subject property is a two acre tract with 166 feet frontage. Adjacent to the east is a property for which office use is immediately east of this property is a large commercial home, across Chesapeake are dwellings, which have been converted into apartments. The subject property and its near surroundings thus suggest the appropriateness of office use.

There was considerable protest by the residents of Southland Hills and a resolution was presented by the Southland Hills Improvement Association objecting to a change in zoning. This is not a change in zoning but a use that was recognized at the time of the adoption of the Zoning Regulations and the comprehensive plan.

Testimony by Hugh E. Gelston, a real estate expert, 22 West Pennsylvania Avenue, Towson, was that this property is too large for a single family residence, it is in a run-down condition and it would be an improvement in the neighborhood if the special exception were granted.

JOHN THOMAS WELSH
ATTORNEY AT LAW
708 WASHINGTON AVENUE
TOWSON 4, MD.
VOLLEY 3-1678

September 10, 1958

Hon. Willie H. Adams
Zoning Commissioner
Baltimore County Office Bldg.
Towson 4, Maryland

Dear Mr. Adams:

Thank you for the letter of September 4, 1958 enclosing your decision announcing allowance of two special exceptions for office buildings on the south side of Chesapeake Avenue in Towson.

On behalf of the protestants in the two cases, I wish to hereby enter an appeal from your decision in each of the two petitions.

These cases are: the Hanniller case no. 4466-X and the Baine case no. 4467-X.

Enclosed please find The Southland Hills Improvement Association check no. 381 dated September 9, 1958 drawn to the order of Treasury for the amount of Sixty (\$60.00) dollars to cover the cost of appeal in both of the above cases.

Yours very truly,

JTW/hb
Enc.

THIS COPIER FILE #4466-X.



Section 502.1 of the Zoning Regulations provides as follows:

"Before any special exception shall be granted, it must appear that the use for which the special exception is requested will not:

- Be detrimental to the health, safety, or general welfare of the locality involved;
- Tend to create congestion in roads, streets or alleys therein;
- Create a potential hazard from fire, panic or other dangers;
- Tend to overcrowd land and cause undue concentration of population;
- Interfere with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences, or improvements;
- Interfere with adequate light and air."

It is the opinion of the Zoning Commissioner that the request for a special exception is proper and that the off-street parking as required by the Zoning Regulations will be an improvement in the County Seat of Baltimore County.

Prior to any alterations or re-building site plans, including off-street parking and screening, shall be presented to the Office of Planning for approval.

It is this 11th day of September, 1958, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception be and the same is hereby granted, subject, however, to approval of the site plan for any alterations or re-building by the Office of Planning of Baltimore County.

William H. Adams
Zoning Commissioner
of Baltimore County

IMPROVEMENT ASS'N - BAINE 213
Sybilus

opinion of the experts, particularly where there is no substantial disagreement in the basic diagnosis. Anecdotal behavior is only one of the tests. It is claimed that examination and observation by competent and experienced psychiatrists and psychologists, together with established tests of an objective nature, can separate these offenders from the rest of the criminal group. We are not prepared to hold that the claim is uncontroverted or that such tests play an inconclusive role. Nor are we prepared to deny the validity of the claim, merely on the strength of the assertion that such a large proportion of all criminals could be shown to be "emotionally unbalanced" that Plaintiff could not possibly deal with them all. The present Act is admittedly a new approach to an old and puzzling problem. We should not impose legal impediments to proper legal experiments that merit constitutional requirements.

Order affirmed, with costs.

SOUTHLAND HILLS IMPROVEMENT ASSOCIATION OF BALTIMORE COUNTY,
INC. v. BAINE et al.

[No. 274, September Term, 1958]

SOUTHLAND HILLS IMPROVEMENT ASSOCIATION OF BALTIMORE COUNTY,
INC. v. BAUMILLER et al.

[No. 275, September Term, 1958]

(Two Appeals In Separate Records)

APPEAL TO COURT OF APPEALS FROM CIRCUIT COURT, RECORD OF DECISION OF BOARD OF ZONING APPEALS OF BALTIMORE COUNTY - Great Downtown, Where Appellant Improvement Association (aka Southland Hills Improvement Association) seeks to set aside the decision of the Board of Zoning Appeals (BZA) in its decision under Section 552 (a) of Title 30 of the Code of Public Local Laws of Baltimore County (1955) or Section 804 of the Charter

SOUTHLAND HILLS IMPROVEMENT
ASSOCIATION, et al,

vs

SPYRO T. LONON,
NATHAN N. KALPHAN, JR., and
CHARLES STEINBOCK,
constituting the
County Board of Appeals
of Baltimore County

IN THE
CIRCUIT COURT
FOR

BALTIMORE COUNTY
Misc. No. 2010

ANSWER TO WRIT OF CERTIORARI AND ORIGINAL AND
CERTIFIED COPIES OF PROCEEDINGS BEFORE THE
ZONING COMMISSIONER AND THE COUNTY BOARD OF
APPEALS OF BALTIMORE COUNTY

Mr. Clark

Please file, Ac.

Secretary to County Board of
Appeals of Baltimore County

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 9th Date of Posting: #4466
#314-58
Posted for: Special Exception for Office Building
Petitioner: Bernard J. & Margaret S. Baumiller
Location of property: SE of Chesapeake Ave. opp. the western boundary of
Central Ave. etc. Sublot known as 305 W. Chesapeake Avenue.
Location of Signs: Parted on property known as 305 W. Chesapeake Avenue.
Remarks:
Posted by: George R. Hummel Date of return: 8
Signature 4-15-58

PETITION FOR SPECIAL EXCEPTION

IN THE MATTER OF :
BERNARD J. BAUMILLER :
and :
MARGARET S. BAUMILLER :
For a Special Exception :
To The Zoning Commissioner of Baltimore County

Bernard J. Baumiller and Margaret S. Baumiller Legal Owners

Blackacre, Inc. Contract Purchaser

hereby petition for a Special Exception, under the Zoning Regulations
and Restrictions passed by the County Commissioners of Baltimore
County, agreeable to Chapter 877 of the Acts of the General Assembly
of Maryland of 1943, for a certain permit and use, as provided under
said Regulations and Act, as follows:

A Special Exception to use the land (and improvements now or to be
erected thereon) hereinafter described for office building
Beginning for the same on the south side of Chesapeake Avenue opposite the western
boundary of Central Avenue and running in a southwesterly direction 515'2", thence
southeasterly 175'5", thence northeasterly 509'10" to the south side of Chesapeake
Avenue, thence northerly 168' to the point of beginning, saving and excepting that
portion of said tract which is presently zoned R-6.

BLACKACRE, INC.

By: _____
Contract Purchaser President

Bernard J. Baumiller

Margaret S. Baumiller
Legal Owner Margaret S. Baumiller

#4466-X
NEW MAP
#9
"X"
8/13/58

JUL 25 1958

R 6

R.A.

GARAGE

HOUSE

HOUSE

HOUSE

HOUSE

HOUSE

CHEASPEAKE AVE

← TO YORK ROAD

1 BLOCK COURT HOUSE

2 BLOCKS STORES + TRANSPORTATION

CENTRAL AVE

PROBATIONARY
CHURCH

FRONT 168'
REAR 175' 5"
EAST 509' 10"
WEST 515' 2"

305 W CHEASPEAKE AVE

ZONED APT. RESIDENTIAL