TH THE CIRCUIT COURT vs. WILLIAM S. BALDWIN, W. GILES PARKER, and JOHN A. SLOWIK, COMMETITUTING THE COUR BOARD OF APPRALS OF Police No. 174 #41a Ma 3694

............

PETITION TO EXTEND TIME

TO THE HOMORABLE, THE JUDGE OF SAID COURT:

The Petition of Ernest B. Dullinger and Agnes M. Dullinger, at al, Appellants in the above entitled case, by W. Lee Thomas, its Attorney, represents unto your Honor:

- 1. That a Petition was filed in the above matter pursuant to the Haryland Rules of Procedure, Chapter 1100, Rule B2.e.
- 2. That by virtue of Rule B 7 of the aforesaid Rules of the transcript of testimony, among other records, is required to be transmitted to the Clerk of the Court within thirty days of the date of filing of such Petition.
- 1. That your Petitioner is informed by the Reporter for the Board of Appeals of Baltimore County that the testimony to be transcribed cannot be completed during such thirty day period: but that an additional period of thirty days will be required by such Reporter to complete transcription of the aforesaid testimony.

CHEREFORE, your Petitioner prays that this Honorable Court, pursuant to Maryland Rules of Procedure, Chapter 1100, Rule B 7.b. order an extension of thirty days accounting from March 10, 1967, within which time the requisite transcript of testimony may be transmitted to this Honorable Court.

or Appellants

I DO HEREBY CERTIFY that on this 10th day of March, 1967 a come of the aforegoing Petition to Extend Time was mailed to Richard C. Murray, Esq., Loyola Building, Towson, Maryland, 21204, Attorney for Appelless, and to the County Board of Anneals of Baltimore County, County Office Building, Towson. Maryland, 21204.

W Tee Thomas

ERMEST B. DULLINGER and AGRES M. DULLINGER, et al. CIRCUIT COURT WILLIAM S. BALDWIN W. GILES PARKER, and JOHN A. SLOWIK, CONSTITUTING THE COUNTY FOR. BALTIMORE CONTEN Mine Pocket No. 5 OF APPEALS OF BALLETIAN Police No. 174 File No. 160

It is this toth day of March by the Circuit Court for Baltimore County that the time during the transcript of testimony in the above entitled case must be transmitted to the Clerk of the Court is extended for period of thirty days, accounting from March 10, 1967.

ROYSTON, MUELLE THOMAS & MCLEA CANTELL BUILDING TOWSON, NO. 21204

DI THE (e) The County Board of Appeals recognized changes in the character of the neighborhood ** * * in the availability of --utilities, construction of roads, hospitals, schools and colleges coupled with the generally prevalent population explosion * * * but refused to consider such admitted changes. (f) The County Board of Appeals apparently denied the Misc. Docket No. 8

reclassification and Special Exception on the basis that it would be spot zoning, and such spot zoning would be illegal, all in direct contradiction of the evidence presented and the law of the State of Maryland.

(g) The Opinion and Order of the County Board of Appeals strued and misapplied the statutory and case law of the State of Maryland, and of Ba. timore County, Maryland.

(h) The County Board of Appeals committed such other and further errors as will be presented at oral hearing hereon.

WHEREFORE, the Appellants pray that this Honorable Court roverse the Order of the County Roard of Appeals of Baltimore County denving the reclassification to an RA zone and, in substance, denving the Special Exception for an office building, and direct such Board to grant them reclassification and the Special Exception in accordance with the Petition submitted.

> /s/ Gordon C. Murray Gordon C. Murray, Pl 2-1822 of Counsel for Petitioners, Appellants 905 Maryland Trust Bldg., Baltimore 2,Md.

I HERESY CERTIFY that on this 16th day of February, 1967, a copy of the foregoing Petition was mailed to Richard C. Murray Rog., Jefferson Building, Towson, Maryland 21204, and to John Thomas Welsh, Esq., Duncan Building, Towson, Maryland 21204, Attorneys for Protestants before the County Board of Appeals, and to the County Board of Appeals of Baltimore County, County Office Building, Towson, Maryland, 21204

/s/ Gordon C. Murray Gordon C. Murray

ERMEST B. DULLINGER, et al TH THE CIRCUIT COUR WILLIAM S. BALDWIN W. GILES PARKER AND BATATHORE COUNTY

ORDER FOR APPEAL

r. Clerks

Please note an appeal on behalf of Ernest B. Dullinger, et al, from the County Board of Appeals of Baltimore County, in the matter of the Petition for a Special Exception, for use of the real property at the east side of New Charles Street Avenue and West of West Burke Avenue as an office building; the real property being located in the 9th Election District of Beltimore County. This appeal is from the decision in Appeal No. 65-206-RX of the County Board of Appeals of Baltimore County. dated January 9, 1967, in which the Petition for Special Except ion and Reclassification as above set forth was demied by said

This Appeal is filed pursuant to the provisions of Rule 1101-B(2) and (4) of the Maryland Rules of Procedure.

Gordon C. Marray of counsel for Petitioners-Appellants 905 Maryland Trust Building Baltismee, Novyland 21202 752-1822

I hereby cortify that a copy of the aforegoing Order for Appeal was mailed by me this 2 day of February, 1967 to the County Board of Appeals of Baltimore County, County Office Bldg., Towson, Haryland 21204.

Gordon C. Murray

ERNEST B. DULLINGER, ET AL . IN THE CIRCUIT COURT FOR VR. . BALTIMORE COURTY

WILLIAM S. BALDWIN, ETC., ET AL * Misc. Docket #8 folio 174

* Miscellaneous No. 3694

ORDER OF DISMISSAL

MD CTPDV.

Please dismiss with prejudice the Appeal of Ernest B. Dullinger, et al, from the decision of the Board of Appeals of

> W. Lee Thomas, Attorney for Appellants

I HEREBY CERTIFY, that a copy of the aforegoing was mailed this 10th day of June, 1969, to Richard C. Murray, Esquire, oyola Building, Towson, Karyland 21204, and to John Thomas Welsh, quire, Suite 24, 44 W. Chesapeake Avenue, Towson, Maryland 21204.

W. Lee Thomas

DOLLENBERG BROTHERS Registered Professional Engineers of Land Surveys OF WASHINGTON AVENUE AT YORK ROAD

39

December 4. 1964 Zoning Description

SE1.3-C RA-X the 1/13/65

45-206.RX

mar

All that piece or parcel of land situate, lying and being is minth Election District of Baltimore County, State of Maryland as described as follows to wit:

Minth Mile than District Der Balt in Land Satuate, 17th, and being in the high lack contribute as follows to will minor Geomyly, Telles of Maryland and Caserabled as follows to will include the high of way line that corners the same at the corner formed by the intersection of the northwest right of way line of these three Avenue with the sight of way line that corners the northwest side of West Durick Avenue with the same of the corner of the land of Breast is Dillinger, these way the same of the land of Breast is Dillinger, these way the same of the land of Breast is Dillinger, these way the same of the land of Breast is Dillinger, these same in the same of the land of Breast is Dillinger, these way the same of the land of Breast is Dillinger, the same of the land of Breast is Dillinger, these lands is the same of the land of Breast is Dillinger, thene lavering said Charles Street and binding on the outlines is Dillinger, thene lavering said Charles Street is distinct and the land of Breast is Dillinger, thene lavering said Charles Street is distinct and the land of Breast is Dillinger, thene lavering said Charles Street is distinct and the land of Breast is Dillinger, these binding on each said of the land of Breast is distinct to a south of the land of Breast is distinct to a south of the land of Breast is distinct to a south of the land of Breast is distinct to a south of the land of Breast is distinct to a south of largers is distinct to a south of largers is distinct to the caster of a meadat circus there is the land of Breast larger is distinct to the land of Breast larger, the land of Breast larger is distinct to the land of Breast larger, the land of Breast larger is distinct to the land of Breast larger is distinct to the land of Breast larger is distinct to the land

Containing 4.03 Acres of land more or less.

ERNEST B. DULLINGER and AGRES M. DULLINGER, et al. vs. WILLIAM S. BALIWIH, W. GILES PARKER, and JOHN A. SLOWIK, CONSTITUTING THE COUNTY BOARD OF APPEALS OF BALITIMORE COUNTY Polio No. 174 Pile No. 3694

PETITION

TO THE HOMORABLE, THE JUDGE OF SAID COURT:

Ernest B. Dullinger and Agnes M. Dullinger, et al. Appellants in the above entitled case, in accordance with Maryland Rules of Procedure, Chapter 1100, Rule B(e), represent unto your Honor:

- 1. The action appealed from in the above entitled case is the Opinion and Order of the County Board of Appeals of Beltimore County, in case No. 65-206-RX, denying the petitioned reclassification from an R-20 to an RA zone and refusing to rule upon and, thus, denying the Petition and Special Exception for an office building of and on real property situate on the east side of New Charles Street Avenue west of West Burke Avenue, in the Minth Election District of Baltimore County, Maryland.
- 2. The County Board of Appeals rendered an Opinion and Order which was erroneous both in law and fact in that denying the reclassification and Special Exception
- (a) The Opinion and Order of the County Board of Appeals was arbitrary, illegal, and capricious.
- (b) The Opinion and Order of the County Board of Appeals is not sustained by the evidence presented. (c) The County Board of Appeals had before it uncontr
- verted evidence of change in the character of the neighborhood and so stated in its Opinion, but yet denied the reclassification and Special Exception.
- (d) The County Board of Appeals had before it no evidence which contradicted or refuted the evidence presented by Appellants and, therefore, its Opinion and Order was without legal justification.

Sec. 20/1/67

9 30 0 111

RE: PETITION FOR RECLASSIFICATION : from an R-20 zone to an R-A zone, and SPECIAL EXCEPTION for an : Office Building, East Side of New Charles Street Avenue and West of West Burke Avenue,
9th District
Ernest B. Dullinger, et al,
Petitioners

BEFORE COUNTY BOARD OF APPEALS OF

BALTIMORE COUNTY No. 45-206-RX

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OPINION

There may be cases in which spot zoning is valid and proper, but this is not one of them. This application for a change in zoning from R-20 classification to R-A, with a Special Exception for an office building, involves four (4) acres located in the middle of a block, which is at present improved with valuable single family residences, all of which are and have been for many years fully occupied. There undoubtedly have been many changes in the character of the neighborhood since the adoption of the Zoning Map on November 14, 1955, in the availability of utilities, construction of roads, hospitals, schools and colleges, coupled with the generally prevalent population explosion, but the Board feels that none of these changes should be applicable to a change in the zoning classification of the subject tract. The R-20 zoning in 1955 was no more than a recognition of existing use at that time which has continued to the present, and the Board finds no evidence in the case whatever as to any error in the original zoning. It may very well be that there is a need for medical office facilities in this general area but the Board finds that the subject tract is not the proper place to put such a facility. The Planning Department, as exemplified by the testimony of George E. Gavrelis, Director of that Department, has expressed the opinion that neither apartment zoning nor office use would be appropriate in this location, and would be incongruous in view of the present use of the rest of the black, and for that matter, the present use of the subject

Under the evidence presented to the Board by way of testimony and exhibits, it might very well be that the proposed plan could create a traffic hazard on heavily travelled North Charles Street, but the Board feels that it is unnecessary to determine this

said (191 %; 630); this constraint is based upon the same general conclusion that has been present in all of the confin-pency of the confine and it is that when the legislative below of a much sufficient of the confine and the con-ceptions should be allowed only in such case as are Charry captions should be allowed only in such case as are Charry which there would be imposed a broken upon the coner of the property within three would be imposed a broken upon the coner of the property and justified by consideration of the public healty, early or welfare.

"In the peri case, the Goort also quoted the following from Denzer or resulting to 70 Me. 6, 25, 57 A at 106, 303; "There is no magne I to the most beauting, but there is a sude difference between extension plan, side impress makes, extractly an extension of the plan of the period of the period

The bold or Justice Scales Accords, course, we wide: A convenience of the land of bottlings by dividing the government area and the use of their according to dividing the government area finds are districts according to present uniphased divides considered as a superior and the same and the

The the install was above often, it was said (by in. 55); it is a survey as the first a "new insight ordinary, into the sight of a parcel of land stinin the little of a set district and marks it off the strong in the sight of the second strong in the sight of the s

And further at mane 62 the Court easts.

There we examine the facts of this particular man, even if we assume that the Euroreumy will contrate a read for tourist services near tot, the problem still results of determining whether he lagislative determination of the County Considerations that a Duntars, Local area until the established on the interiors near the heart involved is supported by the wight of the vertices, at least over form of the county form of the contract of the country of the contract of the country of the here involved is supportable on the basis that much a conclusion was (seen if not supported by the weight of the evidence) at least fairly schedule. See 'tendid ve. Noard of londer dopped, some livery or longer of spinic Appeals, your 'n Appetracy of the property of the control of the control of the control of the latest and the control of the control of the control of the service part of a queril plan for several parts of the control of versus areas for agricultural, residential, and business portubers such areas are diviously suitable and needed. ' Exphasis supplied la

The creation of an office twilding and covereful establishments along barbs. Armore and Charles Street Armore would bring shout the very bing the heaptitude are excepting from in Buildings Sight, both coming would not a pro-marker plan Scaping offices and covereind uses in Towens Lenter as Imposi-bility.

Ernest B. Dullinger, et al - No. 65-206-RX

issue in view of its other findings.

For the above reasons the decision of the Zoning Commissioner will be affirmed, and the petition for reclassification be denied.

Having denied the reclassification, it is not necessary to rule upon the application for a Special Exception for an office building.

ORDER

January, 1967, by the County Board of Appeals, ORDERED that the reclassification and special exception petitioned for be and the same are hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure, 1961 edition.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Baldwin, Chairman

John A. Slowik

P2: Reclassification from H-20 to N-A and Special Exception for an Office Building for Ernest : B. Dullinger, located on the E/S of Old Charles Street Avenue : and the NM/S of Burke Avenue

BUFORE ZONING CONSISSIONER OF HALTIMORE COUNTY

No. 65-206 BX

The petitioners have requested a reclassification from an R-20 some to an HoA more for property they own on the east side of Charles Street Avence and the west side of Surie Avence containing 1.03 screen of land, hors or less. The petitioners also request a special exception for an office building.

In addition to the petitioners, Mr. Wilburn L. McClure, a management consultant in Professional Business Management, Inc., has a major interest in the proposed future use of the property

It is proposed that the office building would be available for doctors and other professional people connected with the hospitals now being screeted on the Sheppard-Pratt inspital property. The Rheppard Pratt-lengtial has been at its present location for many, many years and the new hospitals teing erect compliant Sheppard-Pratt and are built in a specious pratt-like exting.

compliant Sheppard-Frast and are built in a species part-like setting.

The had surrouning the subject property in all directions, except
the Sheppard-Frast property, contains some very levely bosen. Soling northseat on Charton Levens the messers aperium touched, in earth of August been
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Home of the aforementioned apartment zoning exerts any influence on the other type of residential uses surrounding the patitioner property.

use store type of restrontial uses currounting the pattitional property.

In this mid-, became of metric mounty constituence of matteries Gundry, et al, but downty constituence of matteries Gundry, et al, but downty constituence and property constituing of two additions. The store of the constituence of t

At page 55, the Court said.

At page 55, the Court saids

White Gourt hash discussion in a number of cases to consider
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tract within differs from that of a small party trace of eighteent
land. The problem is consonly discussed as one of 'spot saming'
varieties, and the same of the constant of the consta

"The Baltimore Sounty Rabbling Act (by Section 366 (a) of the Code of 1956, Section 522 (a) of the Code of 1955) requires that scaning regulations shall be rude 'in accordance with a comprehensive plant. A plan contemplates sensiting more than a detailed coning may, though worth a may, at least ideality, should be in accordance with a comparison with a comparison of the Comparison of Section 2. The Accordance with a Comparison with a Comparison of Section 2. The Accordance with a Comparison of Section 2. The Accordance with a Comparison with a Comparison of Section 2. The Accordance with a Comparison with a Comparison of Section 2. The Accordance with a Comparison with a Comparison of Section 2. The Accordance with a Comparison of Section 2. The Accordance with a Comparison of Section 2. The Accordance with a Comparison of Section 2. The Compari

White Court has consistently rejected synt anning in its operations ense. It has repeatedly referred to the stateour requirement, such find its relatedly referred to the stateour requirement, sink is relatedly referred to the stateour requirement, sink is referred to the stateour requirement, sink is repeated to the stateour repeated to the sta

"Later in the same case, after referring to the statutory requirement of Section 3 of Article 65 3 of the Code (1939) that contag regulation shall be made in accordance with a comprehensive plan, the Court re-ferred to Solati vs. Stroat, 185 Ms. 628, 17 A, 26 G3, as giving a strict construction to providence for non-conforming uses. The Court

The belief that all major reads must be concercial, semi-connercial or high density residential has been detrimental to many of the Ealthore County communities, even after scaling case into being in the 1980s.

Unfor the definition of "spot soming" as set forth in Hewitt vs Gounty Government of Editions County, 220 Md. the proposed request would fall within such a description, and this requested soming must be considered as "apot soming."

The position does not fit into the existing routing map and while there certainly have been changes in the routing map that does not man that the position fits into the existing sounds surrounding the subject property in any way. As a matter of fact, it does not.

A new road does constitute a change, but it is not any reason at all for improper and incongruous zoning.

For the above reasons the reclassification and special exception should not be granted.

IT TO COUNCED by the Zoning Coordinations of Maltimore County, this ZZM/day of May, 1965, that the above reclassification be and the mose is hereby GALIED and that the above described property or area be and the same is hereby continued as and to reads an N-DO come; and the Special Newspecture for officine building be on the same is hereby EMILID.

0 0 CERTIFICATE OF POSTING G DEPARTMENT OF BALTIMORE COUN Tourson, Maryland

Date of Posting 7/2/05... District 92h

Petitioner: _Ermont_B__Dullinge_r_.st_al... Location of property: X/S-New-Charles-Street-Avenue-4-Nest-of-Nest-Backs-Avenue

Location of Signs W/S Old Charles AV ar + Proposed entrance Let E/S New Charles stars and proposed Entrance Ex

Signature Date of return: 7/1/65.

65-206 RY 9 CERTIFICATE OF POSTING

Towson, Maryland Date of Posting Jan 16, 1965

District. 5 TH Posted for Received. R-20 To RA & Spec Except Office Building. Petitioner: ERNEST DUILINGER Location of property E/S NEW CAPRIES ST AUE & W/S OF WEST BURKE AUE

DOCATION OF SIGNE SN/S COLD CHERIES STAUE AND EXISTING ENTRANCE. 2 SIGHS NIW SIDE OF WEST BURKE HUE 349 F & OF NEW CHARLES ST. 2 SIGNS ELS NEW CHALES ST 250': N OF WEST BURKE AUE Date of return Jan 22 1965

Posted by Beere

8 516NS

OVER

RE: PETITION FOR RECLASSIFICATION from an R-20 zone to an R-A zone, and SPECIAL EXCEPTION for an Office Building, East Side of New Charles Street Avenue and West of West Burke Avenue 9th District Ernest B. Dullinger, et al., Petitioners

BEFORE COUNTY ROARD OF APPEALS 65-306-PX

OF BALTIMORE COUNTY

OPINION

There may be cases in which spot zoning is valid and proper, but this is not one of them. This application for a change in zoning from R-20 classification to R-A with a Special Exception for an office building, involves four (4) acres located in the middle of a block, which is at present improved with valuable single family residences. all of which are and have been for many years fully occupied. There undoubtedly have been many changes in the character of the neighborhood since the adoption of the Zoning Map on November 14, 1955, in the availability of utilities, construction of roads, hospitals, schools and colleges, coupled with the generally prevalent copulation in the zoning classification of the parient toyet. The Pa20 region is 1955 was as an It may very well be that there is a need for medical office facilities in this general area but the Board finds that the subject tract is not the proper place to put such a facility. The Planning Department, as exemplified by the testimony of George E. Gavrelis, Director of that Department, has expressed the opinion that neither apartment zoning n office use would be appropriate in this location, and would be inconcruous in view of the present use of the rest of the block, and for that matter, the present use of the suc

Under the evidence presented to the Board by way of testimony and exhibit It might very well be that the proposed plan could create a traffic hazard on heavily travelled North Charles Street, but the Board feels that it is unpercessary to determine

Ernest B. Dullinger, et al - No. 65-206-RX

sue in view of its other findings

For the above reasons the decision of the Zoning Commissioner will be affirmed, and the petition for reclassification be denied.

Having denied the reclassification, it is not necessary to rule upon the application for a Special Exception for an office building.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this language, 1967, by the County Board of Appeals, ORDERED that the reclassification and special exception petitioned for be and the same are hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Of Cillus Paris

d (101 Md. 438); While conclusion is based upon the mass and conclusion that he been present in all of the sening-or of the sening of the sening of the sening of a sening-dy of a senicipality way, that is that then the legislative of the senicipality way that is the sening of the sening senior should be allowed only in well cases as are at leastly septions into the subsect only in well cases as are at leastly septions in fast to the purpose of the ordinance, and without the senior that t

BOYSTON MILETIER THOMAS & MICHAN

- HH - LICE H May 27,01965 ZONING ON

Mr. John G. Rose, Zoning Commissioner County Office Building Towson, Maryland 21204

> Re: Reclassification from R-20 to R-A and Reclassification from R-20 to R-A and Special Exception for Office Building For Ernest B. Dullinger, located on the E/S of Old Charles Street Avenue and the NW/S of Burke Avenue - 65-206 RX

Please note an Appeal from your Order of May 12, 1965, in the above captioned matter to the County Board

Enclosed is a check in the amount of \$70.00 to

Very truly yours Truest B. Dullinger Ernest B. Dullinger

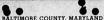
W. Lee Thomas

cc: John T. Walsh. Esq. Jenifer Building Towson, Maryland 21204

E. C. Trimble, Esq. Jefferson Building Towson, Maryland 21204

road does constitute a change, but it is not any re-

Considerationer of Navillacon Comple



INTER-OFFICE CORRESPONDENCE

TO. Hohn G. Rose, Zoning Commissioner Date January 22, 1965

PROM George E. Gayrelis, Director

SUBJECT. #65-206-EX. R-20 to R-A and Special Exception for Office and Office Building. Eastside of New Charles Street Avenue and Neat of Nest Burke Avenue. Being the property of Ernest B. Dullinger and Agnes N. Dullinger.

9th District

HEARING: Wednesday, February 3, 1965 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-20 to R-2 zoning together with a Special Exception for offices. It has the following advisory comments to make with respect to pertinent planning factors:

- The subject property falls within a block formed by Charles Street Avenue on the east, Next Burke Avenue on the them. On the control of the c
- The Composite Guide Flam has studied this area with respect to making updated recommendations for land usage along the contract of the contract o

GEG: bms

PETITION FOR ZONING RE-CLASSIFICATION 65-206 RX AND/OR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: Agnes M. Dullinger, his wife, None M. Dullinger, his wife, Agnes M. Dullinger, his wife, Agnes M. Dullinger, but situate in Saltimere County and which is described in the description and pins attached hereto and made a part hered, hereby petition (1) that the moning status of the herein described property be re-classified, pursuant MAP to the Zening Law of Baltimore County, from an _____ R-20.____ SE1.3-6 (1) Because of changes in the neighborhood; and (2) Because of errors in the Comprehensive Zoning Map for the Ninth Election District. RA-X 1113/65 and (2) for a Special Exemption are street to a law and Zoning Regulations of Baltimore Office and County, to use the herein described property, for any Office Building. Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising. posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning posting, etc., upon ming or this periods, and turned agree to any are to be owing by the coding regulations and restrictions of Baltimore County adopted pursuant to the Zoning Los for Baltimore DILLIDORS, 1807 Espect To DOLLARDOR Contract parchase upon H. Dullinger Legal Owner, D. Contract parchase upon H. Dullinger Legal Owner, D. Address c/o Kenneth C. Proctor Address C/o Kenneth C. Proctor Campbell Building Towson, Nd. 21204 u. c/o. Kennau. Campbell Building Toorson, Md. 21204 Franciscon Projections Alternative State S Petitioner's Attorney Kenneth C. Proctor Address Campbell Building Towson, Md. 21204 ORDERED By The Zening Commissioner of Baltimore County, this 196.... that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughrequired by the county had properly be posted and that the public hearing be had before the Zoning out isoltimore county, that property be posted and that the posted and the posted

DEC 2.9 '65 AM -

IGR/h

Encls

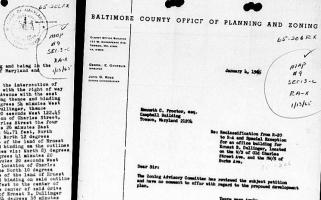
DOLLENBERG BROTHERS THE PERSONNEL AND ADDRESS OF THE PERSON TOWERN A ME Desember h. 1964 Zoning Description

SE(.3-RA-X

all that piece or parcel of land situate, lying and being in the Einth Election District of Saltimore County, State of Maryland and described as follows to wit: 1/13/65

all that place or parcel of land situate. Jose to the control place of the control place of the littlewer country, Takes of Revylsion and Joseph and Control place of the control

Containing 4.03 Acres of land more or less.



JED/ep

65-206 RX MAP SECI3-C RA-X 1/13/65 Yours very truly, JAMES E. DIER Chief of Permit and

ZONING COMPISSIONER OF

NOTICE OF HEARING

FLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. Chesapeake Avenue

Res Patition for Reclassification & Special & for Ennect B. Dullinger

Kenneth C. Proctor, Esq. Compbell Building Tompon, Md. 21206

DATE: Wednesday, Fobruary 3, 1965

Towson, Maryland

John T. Weish 24 Jenifer Building 44 V. Chesapeake Ave Touson, Nd. 21204

TIME, 1:00 P.M. 65-206 RX

MAP

SE1.3-4

RA-X

1/13/65

#65-206 PETITION FORRECLASSIFICATION MAP 9th DISTRICT cer.3-6 ZONING From S-20 to R.A. Zone Patition for Special Exception for Office and Office Builds LOCATION East side of New Charles Street Avenue and Nest of P.A. DATE & TIME. WEDNESDAY, FEBRUARY 3, 1965 at 1:00 Palls PUBLIC HEARING Room 108, County Office Building, 111 %, Chesapeake Avenue, Towson, Haryland The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Present Zoning: $R \sim 20$ Proposed Zoningk $R \sim A$, with Special Exception for Office and Office Building All that percel of land in the Minth District of Baltimore County Being the property of Ernest S. Cullinger and Agnes M. Dullinger, as shown on plan filed with the Zonine Department. y, February 3, 1965at 1:00 P.M. 08, County Office Building, 111 v. c

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING January 22, 1965 John Thomas Weish, Esq. Jenifer Building Towson, Nd. 21204 The enclosed memorandum is sent to you in compliance with Section 23-22 of the 1961 Supplement of the Baltimore County Code. Any questions of correspondence in regard to the enclosed subject mat-ter must be directed to the Director of Planning and Zoning (or his Deputy) and NOT to the Zoning Commissioner f you desire to have a member of the Planning Staff testify, it will be necessary for you to summons him through the Sheriff's Office Yours very truly,

NOTICE OF HEARING Res Potition for Recises/fication and Special Exception for 1.00 P.H. TIME , Wednesday, April 21, 1965 PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. Chesapeake Avenue Towson, Maryland

> ZONTING CONSTISSIONER OF BALTIMORE COUNTY

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING January 22, 1965 151 W. CHERAPEASE AVE TOWNON, NO. 21204 VA. 2-2000 Genera, Proctor, Royaton & Hueller Campbell Building Townon, Hd. 21204 GEORGE E. GAY The enclosed memorandum is sent to you in compliance with Section 23-22 of the 1961 Supplement of the Baltimore County Code. Any questions of correspondence in regard to the enclosed subject matter must be directed to the Director of Planning and Zoning (or his Deputy) and NOT to the Zoning Commissioner. If you desire to have a member of the Planning Staff testify, it will necessary for you to summons him through the Sheriff's Office

Yours very truly,

JOHN G. ROSE

JGR/h Encls:

FETITION FOR ZONING RE-CLASSIFICATION 65-206 FA AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
Acnes M. Dullinger, his wife,

TON We Ernest B. Dullinger & / legal owners. of the property situate in Baltimore

County and which is described in the description and plat attached never and made a part level hereby petition (1) that the zoning status of the herein described property be re-classified, pursu	
to the Zoning Law of Baltimore County, from an R=20 zone to R=Azone; for the following reasons:	an MHP
R-A zone; for the following reasons:	# 9
	1012

(1) Because of changes in the neighborhood; and

(2) Because of errors in the Comprehensive Zoning Map for the Nintl Election District.

SE1.3-6 RA-X 1115/65

See attached Description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore of Confidence and County, to use the herein described property, for any Office Building.

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

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising. posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

DULLINGER, INC. By Hoder (Contract purchaser Agnes M. Dullinger Legal Owners

Address c/o Kenneth C. Proctor Campbell Building
Towson, Md. 21204

Petitioner's Attorney Kenneth C. Proctor

Address Campbell Building Towson, Md. 21204

Reneth C. Proctor

Gress Campboll Building

Toxson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 29th day, 196.4... that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

out 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 day of February

..... P.M.

issioner of Baltimore County

Cruist B Dullinger Ernest B. Dullinger

Address c/o Kenneth C. Proctor

Campbell Building Towson, Md. 21204

John Thomas Stell

90 DISTRICT

ZONING: From R-20 to R.A. Zone. Petition for Special Exception for Office and Of-fice Bulling. LOCATION: East aide of New Charles Street Avenue and West of West Burle Avenue. DATE & THE: #EDNESDAY, FERRUARY 3, 1965 at 1:00

PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesspeake Avenue, Towson, Maryland

The Zuning Commissioner of Haltimore County, by author-ity of the Zoning Act and Regulations of Haltimore County, will hold a public hearing: Present Zoning; R-20 Proposed Zoning; R-2, with Special Exception for Of-fice and Office Building

All that parcel of land in the Ninth District of Baltimore

Design the control of North Al degree 18 minutes 10 sections 20 section 18.2.7 feet to the center of a measure of the center of the are moreousle. Exact and foreign of the control of CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. January 14 , 1965

THIS IS TO CERTIFY. That the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md., once in each of one sucessive weeks before the 3rd

Mark

day of ,19 ⁶⁵ , the first publication appearing on the 14th day of January

THE TIMES.

Managez. John V. Martin

Purchase Order A5576 Requisition No. N9989

BALTIT DRE COUNTY, MARY AND TELEPHONE OFFICE OF FINANCE No.41079 Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204 DATE 2/20/67 SILLEY: County Board of Appeals (Zening) \$0.00 \$8.00 2-29 (0 to ... + 491070) mp... 800 7-20-51 + 10-1 + 10-17 100-8.00 IMPORTABLE MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

INFULIABIL MARE CHECKS PAYABLE TO BALTIMONE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4. MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

NOTICE OF HEARING

Res Petition for Reclassification and Special Exception for Ermest Dullinger #65-206-RX

1100 P.M. Wednesday, April 21, 1965 FLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. Chesapeake Avenue Towson, Maryland

Smooth C. Freedow, Con. Comboott Building

-Vadranday, April 21, 1966 PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. Chesapeake Avenue Towson, Maryland

June 10. 1964

2 signs

No. 65- 206_RX - Ernest B. Dullinger, et al

........ Petition, description of property and Order of Zoning Commissioner

Certificate of posting

Cartificates of adult tissues

Comments of Office of Planning

Copy of appeal

Photogrammetric Map

Plat filed with petition -----

W. Lee Thomas, Esq., Royston, Muller, Thomas & McLean, Campbell Building, Touston, Haryland 21204

John Thomas Welsh, Esq., Jeni for Building Tomon, Maryland 21204

Ernest C. Trimble, Esq., Jefferson Building Tomon, Naryland 21204

Ars. William Squars, 442 Charles St. Avenue, Beltimore, Maryland 21204

Counsel for petitions

NOTICE OF HEARING

Ame 10. 1960

John Thomas Walsh, Esq., Jani for Building Tomoniya Paryland 21204

Res Petition for Roclassification from R-20 Zone to 8-A Zons – Special Exception for Office Building, E/S III Charles Sts., Ave., BM/S Busher Ave., 7th Dist Ermant B. Dullinger, et al Putitioners – No. 65-205-RX

Please he advised that an appeal has been filed from the decision of the Zoning Commissioner rendered in the above matter.

Very truly yours

Zoning Comissioner

Hrs. William Bowers; 462 Charles St. Ames Saltimore, Haryland 21204

Rhut R. Ell et ux, Jhn C. Forble et ux

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It pays 57 the Court sail. and futher at page 62

along the Dimonum Road, He exter area Jeffern Lewist Jewen miles west of the Dellion Jacoby September Journal on the North by Suffer Red Shows Roll of Shower Roll

> PROCTOR ROYSTON & MUELLER TOWNON, MARYLAND 20204

February 18, 1965

FF8 13 '85

Mr. John G. Rose Zoning Commissioner of County Office Building Towson, Mayland 21204

> Re: Petition for Reclassification and Special Exception for Ernest B. Dullinger and wife - #65-206-RX

omorrow I am leaving for a vacation in Plorida. I would like the above-captioned case reset for hearing sometime during the week of March 22 or as soon thereafter as is possible.

Sincerely,

(hoelve Venneth C Proctor

KCP /md cc/John Thomas Welsh, Esq. Gordon C. Murray, Esq. Mr. Bernard M. Willemain Mr. W. Worthington Ewell Mr. Ernest B. Dullinger

January 22, 1965

Rer Patition for Reclassification 5 Special Exception for Ernest Dullinger #65-206-RX

Dear Sire

This is to advise you that \$120,50 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Md. and remit to News. Anderson, Room 119, County Office Building, before the hearing.

Yours very truly, TOWN & BASE

ZONING COMMISSIONER

JGR/ba

PROCTOR, ROYSTON & MUELLER



Pebruary 1, 1965

Mr. John G. Rose Zoning Commissioner of Baltimore County County Office Building Towson, Maryland 21204

Re: Petition for Reclassification and Special Exception for Ernest B. Dullinger and wife - #65-206-RX

Dear Mr. Rose:

Please remove the above entitled case from the hearing docket on Wednesday, February 3,

Mr. Proctor is in the hospital and, in all probability, will not be available to try this matter for several weeks.

Mr. Proctor and Mr. Trimble will got together and try to work out with you a convenient date for the re-scheduling of this matter.

Thank you.

RAR/la

Very truly yours,

markeid

Richard A. Reid.

cc: Ernest C. Trimble Esq

BALTIMORE COUNTY, MARYLAND Ma. 30688 OFFICE OF FINANCE Obtainer of Collection and Receipt COURT HOUSE TOWSON 4, MARYLAND BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING County Office Building 111 W. Chesapeake Ave Towson 4, Maryland FEET - Baltimor County MA - Calling of The 6-1665 7241 . 30888 TIN-IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. BALTIMORE COUNTY, MARYLAND TELEPHONE 823-3000 BALTIMORE COUNTY, MARYLAND No. 30528 No. 30670 TELEPHONE OFFICE OF FINANCE OFFICE OF FINANCE DATA/23/65 Notition of Collection and Recal Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND PAID-Betteres Combattel - Office of Bu PAIN - School Cause And - Office of Person 4-2665 4065 . 30528 TIP-6-1045 TOSE . 30670 HP-IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. BALTIMORE COUNTY, MARYAND No. 27671 65-206 Rx OFFICE OF FINANCE DATE 1/6/65 Division of Collection and Receipts CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COURTY BILLED Zoning Department of Balto. Co. Posted for Richard R-20 To RA & Spec Incapit Office Building POLICOPET ERNEST DULLINGER Petition for Reclessification 5 Special Exception for Ernest Dullinger Location of property 6/5 NEW CHARLES ST AUS & W/S OF WEST BURKE AV. #65-205-RX Design of Sens &N/5 (a) CHARLES STAVE AND EXISTING ENTRANCE. 2 SIGNS 11 W SIDE OF WEST BURKE AVE 349 5 E OF NEW CHARLES ST.

OVER

2 DIGNS ELS NEW CHRKES ST 256'! NOF WEST RURKE AUE

8 516 NS

Posted by Sance-

Date of return Jan 22 19k5

CERTIFICATE OF PUBLICATION TOWSON MD January 15. 19 65

\$120,50

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SSO. OO

50.00

PAID - Bellinese Gasety, Ltd. - 67564 of Stag

1- 665 8658 . 27671 MP-

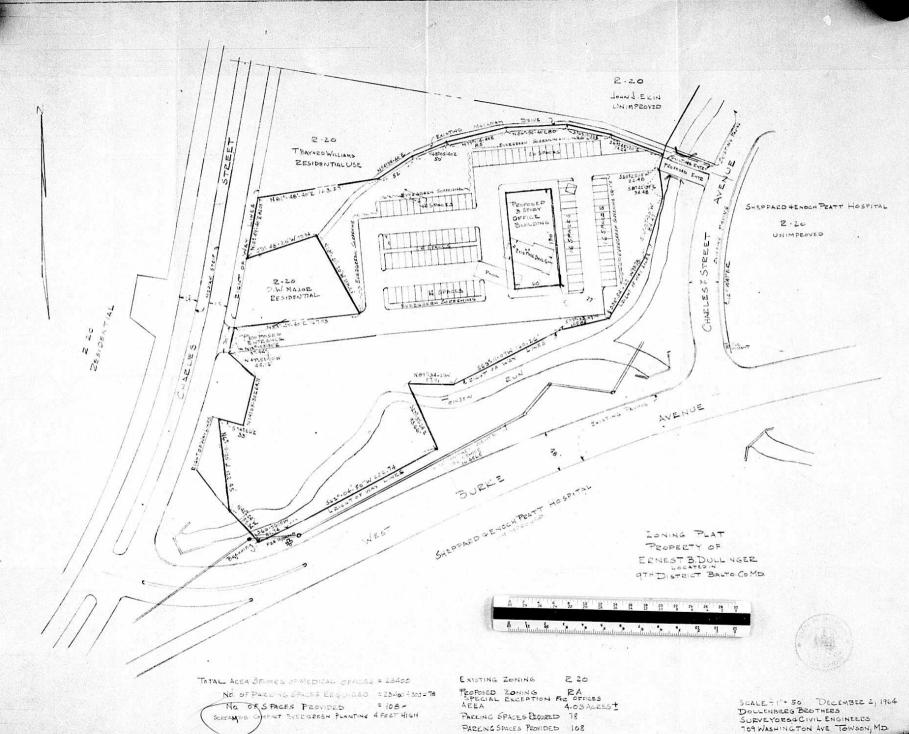
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

IL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND SE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., accompany day of February 19 65, the and publication appearing on the ___15th ___day of ______ January _____

THE JEFFERSONIAN.

Cost of Advertisement, \$....



THIS PLAT TOBE USED FOR ZONING PURPOSES ONLY