

66-143R PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

1. or we, ANNIE SOLLERS DAGON legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof. 3rd District hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-A zone to an NW-BF zone; for the following reasons:
1. Error in the original MAP.
 2. Change of conditions in the neighborhood.
 3. Owners cannot make reasonable use of the prop rty in its present classification.

See attached description

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

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 County.

ANNIE SOLLERS DAGON
LYLE J. MILLAN
ELLEN A. D. MILLAN Legal Owner
MURRAY L. WOLMAN Contract purchaser
Address Maryland National Bank Bldg. Address No. 2 Church Lane
Baltimore, Maryland 21202 Baltimore, Maryland 21208

Edward D. Hardin Protester's Attorney
POWER AND MOSNER
Address 34 W. Chesapeake Avenue
Towson, Maryland 21204
ORDERED By The Zoning Commissioner of Baltimore County, this 9th day of November, 1965, 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 100, County Office Building in Towson, Baltimore County, on the 13th day of December, 1965, at 10:00 o'clock.

Edward D. Hardin
Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: December 3, 1965

FROM: Mr. George E. Gavrellis

SUBJECT: Petition #66-143-R, R-A to B-L Zone Northwest side of Church Lane 192.83 feet Southwest of Reisterstown Road. Being the property of Lyle J. Millan, et al.

3rd District

HEARING: Monday, December 13, 1965. (10:00 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comment:

The Comprehensive Rezoning Map for the 3rd District recognized the commercial uses and use potentials on Reisterstown Road in the vicinity of the subject property. By means of apartment zoning, it provided a transition from the Reisterstown Road commercial zoning and development to cottage zoning and development southwest of the highway. If this pattern were to be broken by the further establishment of commercial zoning on Church Lane, we do not see that integrated development along Church Lane would result - much to the detriment of the area and in contravention of the intent of the Comprehensive map. Therefore, from a planning viewpoint, the map was not in error. Further, we believe that no change that has taken place in the area would justify the reclassification proposed under this petition.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of

the above reclassification should be had; and it further appearing that by reason of

a Special Exception for a should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this day of 1965, that the herein described property or area should be and the same is hereby reclassified, from a zone to a zone and/or a Special Exception for a should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of failure to show error or changes in the area

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 13 day of December, 1965, that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain a R-A zone; and/or the Special Exception for be and the same is hereby DENIED

Edward D. Hardin
Deputy Zoning Commissioner of Baltimore County

MICROFILMED

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Power and Mosner
34 W. Chesapeake Avenue
Towson, Maryland 21204

SUBJECT: Reclassification From RA to BL
For Annie Sollers Dagon et al
Located NW Church Lane
SW of Reisterstown Road, 3rd Dist
(Item 2 A, November 9, 1965)

Dear Sirs:

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:

BUREAU OF ENGINEERING:
Water - Existing 8" water in Church Lane.
Sewer - Existing 8" sewer in Church Lane.
Adequacy of existing utilities to be determined by developer or his engineer.
Road - Church Lane is to be developed as a minimum 30' road on a 50' right of way.

BUREAU OF TRAFFIC ENGINEERING: The parking as indicated is not accepted because it will require parked vehicles to back into Church Lane.

PLANNING ADMINISTRATION DIVISION: The subject site is not of an adequate size to accommodate parking and set backs as required by the Zoning Regulations. In the event that the Zoning Commissioner should grant the request a building permit could not be approved for this reason.

The above comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems that may have a bearing on this case. The Director and/or the Deputy Director at the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:

Fire Bureau-Plans Review
Health Department
Industrial Development Commission
Board of Education
Buildings Department
State Roads Commission

Very truly yours,

James E. Brown
James E. Brown, Chief
Petition and Permit Processing

cc: Mr. Carlyle Brown-Bureau of Engineering
Mr. C. Richard Moore-Bureau of Traffic Engineering
Mr. James E. Brown-Planning Administration Division

JAMES S. SPAMER & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
300 YORK ROAD - TOWSON, MD 21204

DATE: 10-21-65 Zoning Description for #2 Church Lane

AL that piece or parcel of land situate, lying and being in the Third Election District, Baltimore County, Maryland, and described as follows to wit:

Beginning for the same at a point on the Northwest side of Church Lane, 33 feet wide at the distance of 192.83 feet southeasterly measured along the north-west side of Church Lane from the southeast side of Reisterstown Road, 66 feet wide, said point of beginning being the beginning point of the parcel of land which by a deed dated June 15, 1926 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 637, folio 17 and which was conveyed by William F. Coghlan and wife to Emma F. Coghlan and wife, and running thence binding on the northwest side of Church Lane, and with the first line of said conveyance, South 73° 00' 00" West 157.00 feet to the end of the third line of the parcel of land which by a deed dated May 11, 1909 and recorded among the aforesaid land records in Liber W.P.C. No. 314-154 and which was conveyed by Mary E. Tipton and husband to William F. Coghlan and wife, thence with the second and third lines of the conveyance to Dagon and reversely on the outline of the Coghlan tract, North 28° 10' 00" West 167.00 feet to a stone, and North 62° 00' 00" East 15.00 feet to a concrete monument, thence leaving the outline of the Coghlan tract and binding on the fourth line of the conveyance to Dagon, South 27° 53' 11" East 175.69 feet to the place of beginning.

Containing 8,612 square feet of land more or less

Being all of the parcel of land which by a deed dated June 15, 1926 and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 637, folio 17 and which was conveyed by William F. Coghlan and Bertha F. Coghlan, his wife, to Emma F. Coghlan and Jessie C. Dagon, his wife.

William F. Coghlan
William F. Coghlan, Jr., et al
12105



RE: PETITION FOR RECLASSIFICATION : BEFORE
from an R-A zone to a B-L zone : COUNTY BOARD OF APPEALS
NW/S Church Lane 192.83' :
SW of Reisterstown Road, :
3rd District : OF
Annie Sollers Dagon, et al, : BALTIMORE COUNTY
Petitioners :
Murray L. Wolman, : No. 66-143-R
Contract Purchaser :

OPINION

The petitioner in this case seeks a reclassification of a parcel of ground on the north side of Church Lane approximately 192 feet west of Reisterstown Road in the Third Election District of Baltimore County, from an R-A zone to a B-L zone. The parcel of ground has 45 feet of frontage on the north side of Church Lane and a depth of 167 feet. The zoning on all four sides is presently R-A.

The petitioner testified that he did not feel that the map was in error when it was adopted in 1957, however, he did feel that there had been sufficient change in the neighborhood to justify the reclassification, citing a plumbing shop approximately four doors west of the subject property, which is a non-conforming use, and an office building across Church Lane and slightly west of the subject property.

Two protestants testified in opposition to the reclassification stating that they did not feel that there was any error in the map nor any change in the character of the neighborhood sufficient to justify the reclassification.

George E. Gavrellis, Director of Planning for Baltimore County, opposed the reclassification and his comments made in connection with this case were introduced as protestants' exhibit "A". He further stated that at the time his comments were written he was under the impression that the subject property was contiguous to the B-L zone along the west side of Reisterstown Road, but that a reexamination of the zoning description revealed that there is an intervening lot of ground approximately 35 feet in width, zoned R-A, between the subject parcel and the B-L zone.

Without going into further detail the Board finds, as a fact, that there was no error in the original zoning, and that there has not been sufficient change in the character of the neighborhood to justify the reclassification sought.

Petition for Reclassification
NW/S Church Lane 192.83' SW
of Reisterstown Road
3rd District
Lyle J. Millan, et al
No. 66-143-R

NOTICE OF APPEAL

Please enter an Appeal to the County Board of Appeals from the Order of December 13, 1965, denying the reclassification petitioned for by Applicants.

WILLIAM F. MOSNER
Attorney for Applicants

LAW OFFICES
POWER AND MOSNER
34 W. CHESAPEAKE AVE.
TOWSON, MD 21204

Annie Sollers Dagon, et al - No. 66-143-R

ORDER

For the reasons set forth in the foregoing Opinion, it is this 29th day of May, 1967 by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby DENIED.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

John A. Slawik

John A. Miller

TELEPHONE 823-3000	INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE <i>Division of Collection and Receipts</i> COURT HOUSE TOWSON, MARYLAND 21204	No. 35734 DATE 1/10/68
TO: William F. Ruemer, Esq., 34 West Chase Avenue Towson, Maryland 21204	BILL TO: Office of Planning & Zoning 119 County Office Bldg. Towson, Maryland 21204	
REPORT TO ACCOUNT NO. 21204 01-622	TOTAL AMOUNT	
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
Cost of appeal - Annie Saliers, Esq., et al Re. 66-143-2	I sign <u>5.00</u>	\$ 70.00 \$75.00
	1-1166 6917 • 35734 TIP-	75.00

ANNIE SOLLARS DAGON, ET AL		#66-143-R
NW/5 Church Lane; 192.83' SW of Reisterstown Road		3rd District
R-A to B-L		19,012 sq. ft.
Nov. 9, 1965	Petition filed	
Dec. 13	Rec. DENIED by D.Z.C.	
Jan. 10, 1967	Order of Appeal to C.B. of A. by William F. Mosner Attorney for Petitioners	
Nov. 29, 1967	Rec. DENIED by C.B. of A.	

DENIED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 3RD Date of Posting: Nov. 3, 1965

Posted for: Relocation from R-1 to R-2

Petitioner: John J. Mullan, Inc.

Location of property: 2420 Church Lane, W. & W. of Montross

Location of Signs: on corner since 1932 and of Restriction on
237 n. of Restriction on

Remarks: None

Posted by: James Date of return: Dec. 3, 1965

Signature

O Signs

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

Date of Posting Jan. 15 1966

Subject 3rd

Posted for Official

Petitioner William S. Glass, Mayor

Location of property 401 1/2 Church Lane 190 8 3 SW Washington Rd

Location of Signs 401 1/2 Church Lane 210 1/2 SW Washington Rd

Remarks Julius J. Saxe

Posted by Signature

Date of return Jan. 20 1966

PETE FROM THE MALLORCA.
BIRMINGHAM, Ala., May 10.—(AP)—A
location of a 200-acre tract in the
state of Tennessee near
the town of Memphis, Tenn., is
being offered for sale by the
Mallorca A. H. H. Co.,
Chickasaw Avenue, Wash.
The Estate Company of the
Mallorca A. H. H. Co.,
Birmingham, Ala., is the
owner of the tract and is
offering it for sale by the
Mallorca A. H. H. Co.,
Chickasaw Avenue, Wash.
The tract is located in the
state of Tennessee near the
town of Memphis, Tenn., and
is being offered for sale by the
Mallorca A. H. H. Co.,
Chickasaw Avenue, Wash.
The tract is located in the
state of Tennessee near the
town of Memphis, Tenn., and
is being offered for sale by the
Mallorca A. H. H. Co.,
Chickasaw Avenue, Wash.

DUPLICATE

CERTIFICATE OF PUBLICATION

TOWSON, MD..... November 25, 1965

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~between the~~ 1 time November 25, 1965 before the 13th day of November 1965, the 7th publication appearing on the 25th day of November 1965...

THE JEFFERSONIAN,
W. L. and Strickland
Manager.

Cost of Advertisement, \$.....

ORIGINAL

**CITY OF
THE BALTIMORE COUNTY**

THE COMMUNITY NEWS
Baltimore, Md

THE HERALD - ARGUS
Catonsville, Md.

PETITION FOR
RECLASSIFICATION
3rd DISTRICT
ZONING: From R-A to R-L,
Zone.

LOCATION: Northeast side of
Church Lane 192.23 feet South-
west of Beltsville Road.

DATE & TIME: MONDAY,
DECEMBER 13, 1960, at 10:00
A.M.

PUBLIC HEARING: Room 104,
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:

Present Zoning R-A,
Proposed Zoning R-L,
All that parcel of land in the
3rd District Baltimore
County,

extending for the same at a
point on the Northwest side of
Church Lane, 33 feet wide at
the distance of 192.23 feet south-
westerly measured along the
Northeast side of Church Lane
from the southeast side of Belts-
ville Road, 46 feet wide, said
point of beginning being the legiti-
mate point of the parcel of land
which by a deed dated June 13,
1928 and recorded among the Land
Records of Baltimore County in
Liber W.P.C. No. 637, folio 47
and which was conveyed by
William F. Coghlan and wife to
Emmett F. Dugan and wife, and
running thence binding on the

No. 1 Newburg Avenue

CATONSVILLE, MD.

November 29, 1965

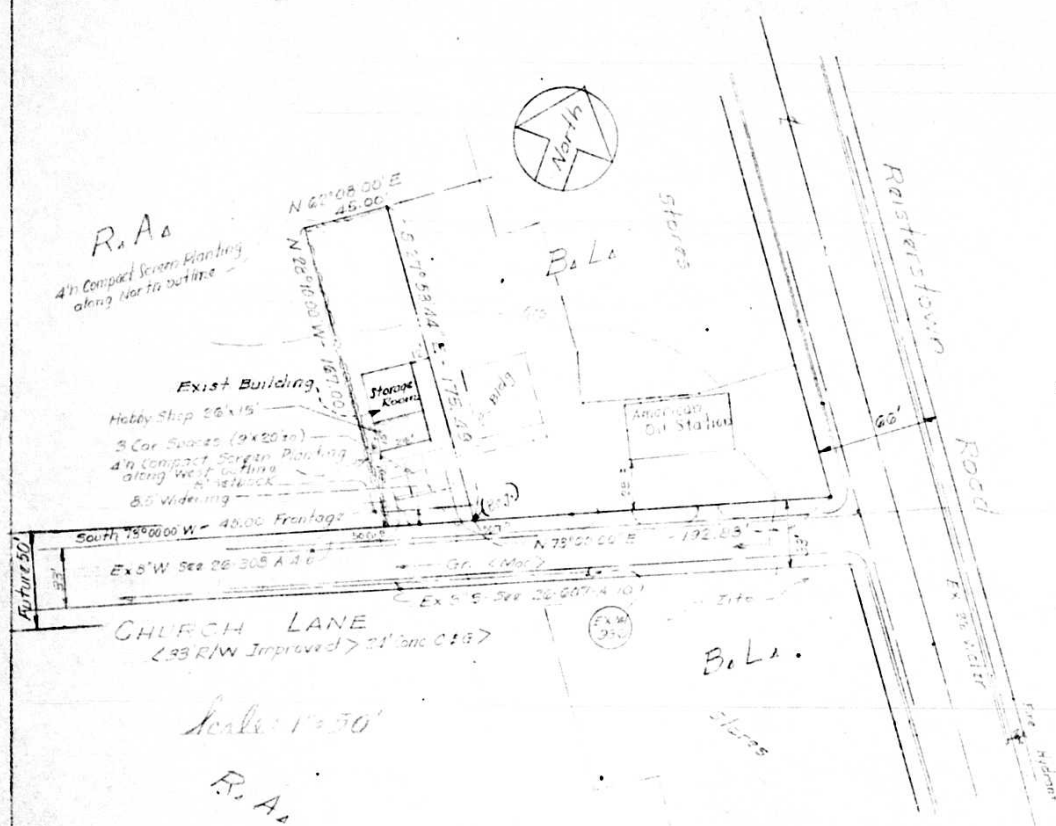
THIS IS TO CERTIFY, that the annexed advertisement of
Zoning Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTYAN, a group of
three weekly newspapers published in Baltimore County, Mary-
land, once a week for one ~~successive~~ week before
the 29th day of November, 1965, that is to say
the same was inserted in the issues of

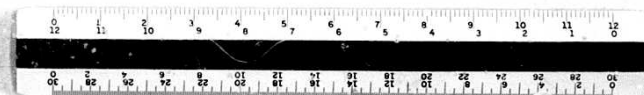
November 25, 1965.

THE BALTIMORE COUNTYAN

By *Paul J. Morgan*
Editor-in-Charge



Zoning Existing & Proposed B.L.
 Area: 2,750' x 8,012'
 Use: Hobby Shop - 2 Employees
 20' x 15' Curb & Ramp
 2 Parking spaces required
 3 Parking spaces provided
 #1 Medium Surfacing
 All utilities Available



JAMES S. SPAMER & ASSOCIATES
 ENGINEERS & SURVEYORS
 400 YORK ROAD
 TOWSON, MD. 21204