

# PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Marie T. Bautz, 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, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-10 zone to an BR zone, for the following reasons:

There was a mistake in the original zoning and/or the character of the neighborhood has changed to such an extent that the reclassification requested is proper.

See attached description

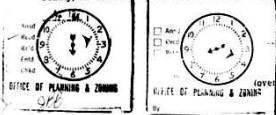
and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for none

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

Contract purchaser Marie T. Bautz  
Address Front and Lincoln Avenues  
Lutherville, Maryland 21093

Protestant's Attorney  
James D. Nolan, Petitioner's Attorney  
Nolan, Plimhoff & Williams  
Address 204 West Pennsylvania Avenue  
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of July, 1970, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the 27th day of August, 1970, at 10:00 o'clock.



Robert D. Hardisty  
Zoning Commissioner of Baltimore County.

Robert C. Norris, Reg. Surveyor  
Old Court Road, Baltimore  
Mar. 23, 1970

Description for a parcel of land on Front Ave., Lutherville, Md.  
Beginning for the same at the point of intersection of the center of Front Ave. and the center of Lincoln Ave. as now laid out. Thence running along the center of a forty-foot right of way, South 30 degrees 37 minutes West 98.45 ft. and South 28 degrees 41 minutes West 82.5 ft. and South 22 degrees 41 minutes West 118.80 ft. and South 13 degrees 41 minutes West 310.20 ft. to the Southernmost outline of the whole tract. Then 66 run along said outline North 73 degrees 55 minutes West 889.0 ft. to the edge of the Northern Central Railroad Right of way. Thence running along and binding on said right of way North 56 degrees 13 minutes East 137.4 ft.; thence running South 55 degrees 53 minutes East 180.5 ft. to the center of Front Ave.; thence running along the center of Front Ave. South 33 degrees 46 minutes West 407.80 ft. to the point of beginning.

Containing 11.50 acres more or less.



68255  
1/4c  
11/10/69

PROPERTY OF MARIE T. BAUTZ  
(Front and Lincoln Avenues, Lutherville, Maryland)  
EIGHTH ELECTION DISTRICT OF BALTIMORE COUNTY

## I. DESCRIPTION OF PROPERTY

This property is comprised of about twelve (12) acres more or less and is of an irregular shape. The northwest boundary fronts along the southeast side of the railroad right-of-way belonging to the old Northern Central Railroad. The southeast boundary fronts on Front Avenue near the point where Lincoln Avenue intersects with Front Avenue. The property is situated just north of the Baltimore County Beltway at the Charles Street exit and lies to the west of the proposed extension of Charles Street and east on the Harrisburg Expressway. The south boundary runs approximately due west from the south end of Front Avenue to the Beltway right-of-way. The north boundary runs approximately northwest from Front Avenue between Lincoln Avenue and Seminary Avenue to the railroad right-of-way.

## II. PRESENT ZONING

The subject property is presently zoned R-10 with a special permit covering approximately the southern one-third of the property which allows use as a contractor's storage yard and offices.

## III. REQUESTED ZONING

In light of the surrounding uses and the present use of a portion of the subject property, it is requested that the subject property be classified business-roadside (BR).

## IV. BASIS FOR REQUESTED ZONING

This property is situated near major transportation routes, including the County Beltway, Charles Street, and the Harrisburg Expressway. South of the property and along the north side of the Beltway is located a strip of BR zoning on which firms such as Remington Rand

Minnesota Mining and Shaw-Walker have built office-service centers. North of the property and to Seminary Avenue is a parcel presently zoned BL (business light). The railroad right-of-way along the back of the property provides a buffer strip between it and the properties on the northeast side of the right-of-way.

Therefore, it can be readily seen that this property is virtually surrounded by land which is being developed to serve the light business needs of the general community. The present R-10 classification is unrealistic in terms of these business developments, even with the special permit allowing use as a storage area and for offices.

It is submitted that a BR classification would allow a tasteful development of quality offices and service centers, much like the ones which now exist along the north side of the Beltway. A development of this sort would not detract from the general community, but would be an asset in that it would protect against establishment of heavy industry in the area, it would serve to attract professional and white-collar type employees and it would not burden the public services now available to the area. Further, the nature of the businesses which could locate on property zoned BR are such that traffic volumes would be kept to a minimum, whereas further residential development would greatly overburden the older streets leading to the subject property.

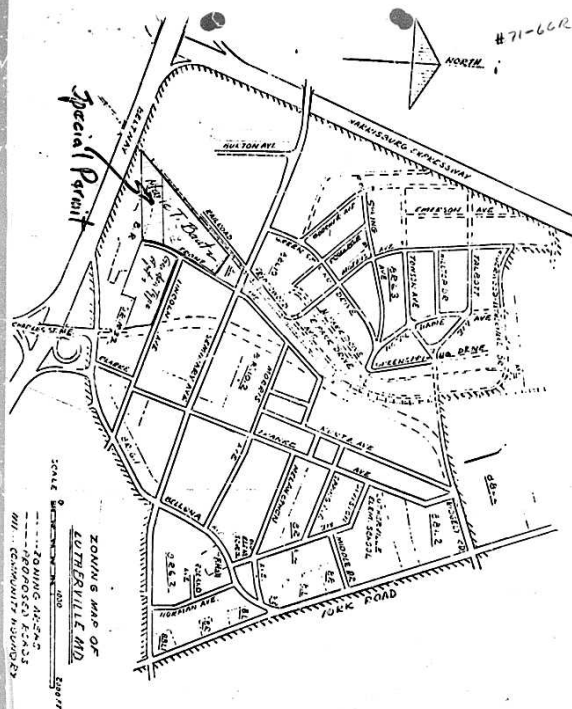
It has become clear since the construction of the Beltway that interchanges along that road are logical areas for commercial development. Charles Street and the communities surrounding it is a distinguished area. Pleasant and restrained business development around the Charles Street interchange would be in keeping with both the nature of the community and the growing demands of business to locate along

the periphery of the metropolitan area.

We, therefore, urge that this parcel, bounded as it is by BR, BL and RA classification on the one hand and a railroad right-of-way on the other, be reclassified in its entirety to business-roadside.

Respectfully submitted,

James D. Nolan,  
Attorney for Marie T. Bautz



494-3180

County Board of Appeals  
COUNTY OFFICE BUILDING  
111 W. CHESAPEAKE AVENUE  
TOWSON, MARYLAND 21204  
April 1, 1974

John W. Hession, III, Esquire  
102 West Pennsylvania Avenue  
Towson, Maryland 21204

Re: Zoning File No. 71-66-R  
Marie T. Bautz, Petitioner

Dear Mr. Hession:

As Attorney of Record for the Appellant in the above referenced case, you are hereby advised that said case on the Board of Appeals' Docket is considered moot. This decision is based on an opinion, dated November 10, 1971, which the Board has received from the Baltimore County Solicitor, R. Bruce Alderman, wherein he stated that any zoning cases pending before the Board on the date the new (zoning) maps were adopted are moot.

Therefore, unless you present written objection or an amended appeal, where applicable, to the Board no later than thirty days of the date hereof, an official dismissal order on the Board's own motion will follow.

Very truly yours,

Walter A. Rafter, Jr., Chairman

cc: James D. Nolan, Esquire

LAW OFFICES OF  
NOLAN, PLIMHOFF & WILLIAMS  
204 WEST PENNSYLVANIA AVENUE  
TOWSON, MARYLAND 21204

February 22, 1971

The Honorable John A. Slowik, Chairman  
Board of Appeals of Baltimore County  
County Office Building  
Towson, Maryland 21204

Dear Chairman Slowik:

Re: Petition of Marie T. Bautz  
N/S Front Ave, 250' S, Seminary Ave,  
Scheduled Hearing Date: March 2, 1971

In accordance with my usual practice, a meeting was held at my office this morning with all the witnesses in this matter, and it was decided that in view of the impending action on the Maps, that to go forward with the hearing on March 2nd will be an exercise in futility and a waste of the Board's valuable time. A telephone call to Jack Hession disclosed that he agreed with this approach and, accordingly, it will be appreciated if the Board will postpone this case on an indefinite basis, pending the outcome of the Maps before the Council.

Thanking you for having set this hearing at an early date, and trusting that this will be satisfactory, I am

Sincerely,

James D. Nolan

JDN:mk

cc: John W. Hession III, Esquire

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of substantial changes in the character of the neighborhood,

the above Reclassification should be had; such that the character of the neighborhood should be changed to that of a residential neighborhood.

It is ORDERED by the Zoning Commissioner of Baltimore County this 3rd day of September, 1970, that the herein described property or area should be and the same is hereby reclassified, from an R-10 zone to a BR zone.

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zone, and such that the character of the neighborhood should be changed to that of a residential neighborhood.

and after the date of this order, subject to the approval of the site plan by the State Roads Commission, the Department of Public Services and the Department of Planning and Zoning. DEPUTY Zoning Commissioner of Baltimore County

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the above Reclassification should be had; such that the character of the neighborhood should be changed to that of a residential neighborhood.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 3rd day of September, 1970, that the above reclassification 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-10 zone; and/or the Special Exception for the same be and the same is hereby DENIED.

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# BALTIMORE COUNTY, MARYLAND

## INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Zoning Commissioner  
FROM: Mr. George E. Gavelly, Director of Planning  
SUBJECT: Petition #71-66-R, North side of Front Avenue 250 feet south of Seminary Avenue  
Petition for Reclassification from R-10 to B.R. Zone.  
Marie T. Bantz - Petitioner

8th District

HEARING: Thursday, August 27, 1970 (10:00 a.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-10 to B.R. zoning and has the following advisory comments to make relative to pertinent planning factors:

1. The Planning Staff is opposed to the requested reclassification as indicated on the submitted plan. We feel that B.R. zoning would be appropriate on a portion of the tract as indicated on the maps adopted by the Planning Board last February. The area of concern would be located on the southern portion of the tract, but leaving the area along Front Avenue for a depth of 180' in a residential classification. We also feel that B.R. zoning should not extend farther than 420' northward along Front Avenue.
2. The Staff feels that the existing residential streets are not designed to handle the increased traffic generated by the expansion of such a commercial use. At present we do not anticipate any upgrading of the residential streets serving the subject site.
3. The extension of this type of development will impinge upon the existing residential areas adjacent to the subject site.

GEG:ma

September 3, 1970

James D. Nolan, Esquire  
Nolan, Plumbhoff & Williams  
204 West Pennsylvania Avenue  
Towson, Maryland 21204

RE: Petition for Reclassification  
N/S of Front Avenue, 250' S of  
Seminary Avenue - 8th District  
Marie T. Bantz - Petitioner  
NO. 71-66-R (Item No. 307)

Dear Mr. Nolan:

I have this date passed my Order in the above captioned matter. Copy of said Order is attached.

Very truly yours,

Eric D. Nenna  
Deputy Zoning Commissioner

SED:eri

Attachments

cc: Mrs. Frank W. Littleton  
1430 Front Avenue  
Lutherville-Timonium, Maryland 21093

# BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING  
JEFFERSON BUILDING  
TOWSON, MARYLAND 21204

## INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Zoning Commissioner  
FROM: C. Richard Moore  
SUBJECT: Item 307 - ZAC - May 12, 1970  
Property Owner: Mary T. Bantz  
Front Avenue S of Seminary Avenue  
Reclassification to BR

Date: June 1, 1970

The subject petition is requesting a change from R10 to BR. This should increase the trip density from 440 trips to 6,250 trips. Lincoln and Front Avenues can not be expected to handle this type of trip density.

C. Richard Moore  
Assistant Traffic Engineer

CRM:rr

# BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

July 13, 1970

COUNTY OFFICE BUILDING  
111 F. STREET, N.W.  
TOWSON, MARYLAND 21204

MEMBERS

CHAIRMAN

DEPUTY CHAIRMAN

MEMBERS

MEMBERS

MEMBERS

MEMBERS

MEMBERS

MEMBERS

MEMBERS

MEMBERS

MEMBERS

MEMBERS

MEMBERS

MEMBERS

MEMBERS

MEMBERS

MEMBERS

James D. Nolan, Esquire  
Item 307

Baltimore Highway is a State Road. Therefore, drainage requirements as they affect the road area under the jurisdiction of the Maryland State Roads Commission.

A study will be required at the time this site develops to determine the drainage reservations and structures necessary.

## Soil and Control

Development of this property through striping, grading and stabilization could result in a sediment pollution problem, draining private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the striping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

## Water and Sewer

Public water and sewer is available to serve this site.

## Other Requirements

Petitioner to comply with all applicable requirements of Baltimore County Building Code and Regulations. Plans are submitted.

## Summary of Petition

The subject petition is requesting a change from R-10 to BR. This should increase the trip density from 440 trips to 6,250 trips. Lincoln and Front Avenues cannot be expected to handle this type of trip density.

## Fire Requirements

Owner shall be required to comply to all applicable requirements of the 1961 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

Fire hydrants for the proposed site are required and be in accordance with the Baltimore County Standard. The hydrants shall be spaced 300' apart.

## Other Requirements

Would have no effect on student population.

James D. Nolan, Esquire  
Item 307

## Summary of Petition

The petitioner will be required to submit revised plans in accordance with the Bureau of Engineering comments above.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 60 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Eric D. Nenna  
Chairman

Chairman

Enclosures

TO: Mr. Edward D. Hardesty, Zoning Commissioner  
ATTENTION: Mr. Myers  
DATE: May 22, 1970

FROM: Lieutenant Thomas E. Kelly  
Fire Department

SUBJECT: Property Owner:  
Mary T. Bantz

Location: N/S side of Front Avenue, 250' S of Seminary Avenue

Item # 307 Zoning Agenda May 12, 1970

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Fire hydrants for the proposed site are required and be in accordance with the Baltimore County Standard. The hydrants shall be spaced 300' apart.

Thomas E. Kelly  
Lt. T. E. Kelly

### ORDER OF DISMISSAL

W. Giles Parker  
Robert L. Gill

INTER-OFFICE CORRESPONDENCE

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

3 - SE Key Sheet  
45 and 46 NW 4 Position Sheet  
NW 12-A Topo

*L. J. L. S.*  
\_\_\_\_\_  
Chief  
Water and Sewer Section  
BUREAU OF ENVIRONMENTAL HEALTH

IJF/cg

EB Reed  
Everett Reed, Plans Review

Comments: WOULD HAVE NO EFFECT ON STUDENT POPULATION

[illegible]

By Ruth Morgan

[illegible]

## Cost of Advertisement, \$

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8TH Date of Posting: Oct 13-1970  
Posted for: APPEAL  
Petitioner: MARIE T. BAUTZ  
Location of property: N/S. OF FRONT AVE. 230 FT. S. OF SEMINARY AVE.  
Location of Sign: 1000 N. OF FRONT AVE. 300 FT. S. OF SEMINARY AVE.  
Remarks:  
Posted by: [Signature] Date of return: Oct 16-1970

**CERTIFICATE OF POSTING**  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 8TH Date of Posting: Nov 7-1970  
Posted for: RECLASSIFICATION FROM R-10 TO B-1  
Petitioner: MARIE T. BAUTZ  
Location of property: N/S. OF FRONT AVE. 230 FT. S. OF SEMINARY AVE.  
Location of Sign: 1000 N. OF FRONT AVE. 300 FT. S. OF SEMINARY AVE.  
Remarks:  
Posted by: [Signature] Date of return: Nov 14-1970

James J. Nolan, Esquire  
204 W. Pennsylvania Avenue  
Towson, Maryland 21204  
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

Your Petition has been received and accepted for filing this

13th day of July, 1970.  
Edward D. Hardisty  
EDWARD D. HARDESTY,  
Zoning Commissioner  
Petitioner: Marie T. Bautz  
Petitioner's Attorney: James J. Nolan, Esquire Reviewed by: [Signature]  
Chairman of the  
Advisory Committee

TELEPHONE  
494-2413

**BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE**

No. 75304

DATE: 10/6/70

TO: John W. H-nasian, III, Esq.  
102 W. Pennsylvania Ave.,  
Towson, Md. 21204  
Revenue Division  
COURT HOUSE  
TOWSON, MARYLAND 21204  
FILED  
Zoning Office, Bldg  
119 County Office Bldg  
Towson, Md. 21204

| DEBIT TO ACCOUNT NO.                      | 01-122 | RETURN THIS PORTION WITH YOUR REMITTANCE                        | TOTAL AMOUNT |
|-------------------------------------------|--------|-----------------------------------------------------------------|--------------|
| QUANTITY                                  |        | DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS | COST         |
| Cost of appeal property of Marie T. Bautz |        |                                                                 | \$70.00      |
| No. 71-66-R                               |        | align                                                           | 5.00         |
|                                           |        |                                                                 | \$75.00      |

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND  
MAIL TO OFFICE OF FINANCE, REVENUE DIVISION  
COURTHOUSE, TOWSON, MARYLAND 21204

TELEPHONE  
494-2413

**BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE**

No. 73739

DATE: Aug. 6, 1970

TO: Messrs. Nolan, Plunkoff and Williams  
204 W. Penna. Ave.  
Towson, Md. 21204  
Revenue Division  
COURT HOUSE  
TOWSON, MARYLAND 21204  
FILED  
Zoning Dept. of Baltimore County

| DEBIT TO ACCOUNT NO.                             | 01-522 | RETURN THIS PORTION WITH YOUR REMITTANCE                        | TOTAL AMOUNT |
|--------------------------------------------------|--------|-----------------------------------------------------------------|--------------|
| QUANTITY                                         |        | DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS | COST         |
| Petition for Reclassification for Marie T. Bautz |        |                                                                 | \$20.00      |
| #71-66-R                                         |        |                                                                 |              |

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND  
MAIL TO OFFICE OF FINANCE, REVENUE DIVISION  
COURTHOUSE, TOWSON, MARYLAND 21204

TELEPHONE  
494-2413

**BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE**

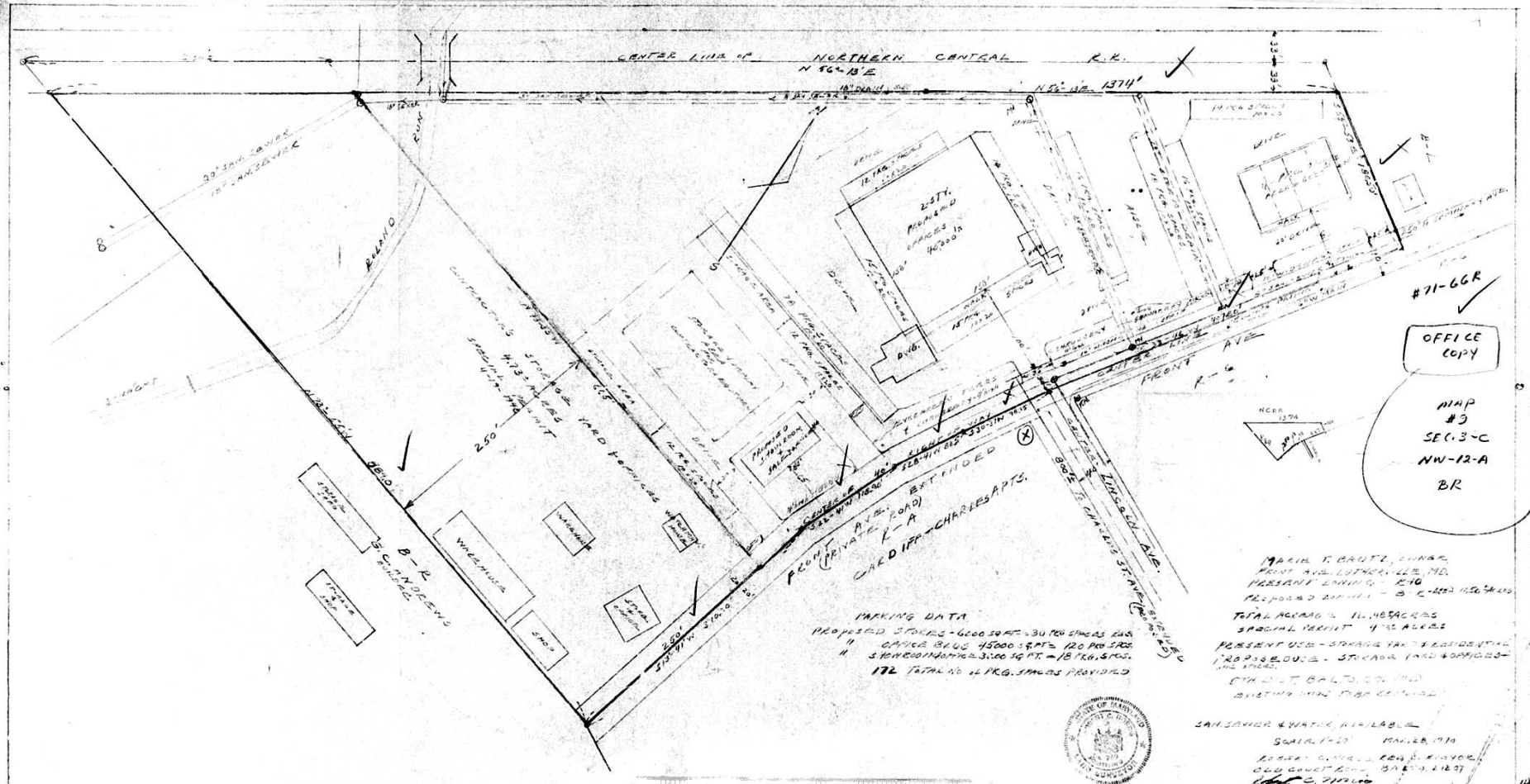
No. 73814

DATE: Aug. 27, 1970

TO: Messrs. Nolan, Plunkoff and Williams  
204 W. Penna. Ave.  
Towson, Md. 21204  
Revenue Division  
COURT HOUSE  
TOWSON, MARYLAND 21204  
FILED  
Zoning Dept. of Baltimore County

| DEBIT TO ACCOUNT NO.                                   | 01-522 | RETURN THIS PORTION WITH YOUR REMITTANCE                        | TOTAL AMOUNT |
|--------------------------------------------------------|--------|-----------------------------------------------------------------|--------------|
| QUANTITY                                               |        | DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS | COST         |
| Advertising and posting of property for Marie T. Bautz |        |                                                                 | \$7.50       |
| #71-66-R                                               |        |                                                                 |              |

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND  
MAIL TO OFFICE OF FINANCE, REVENUE DIVISION  
COURTHOUSE, TOWSON, MARYLAND 21204



#71-66R ✓

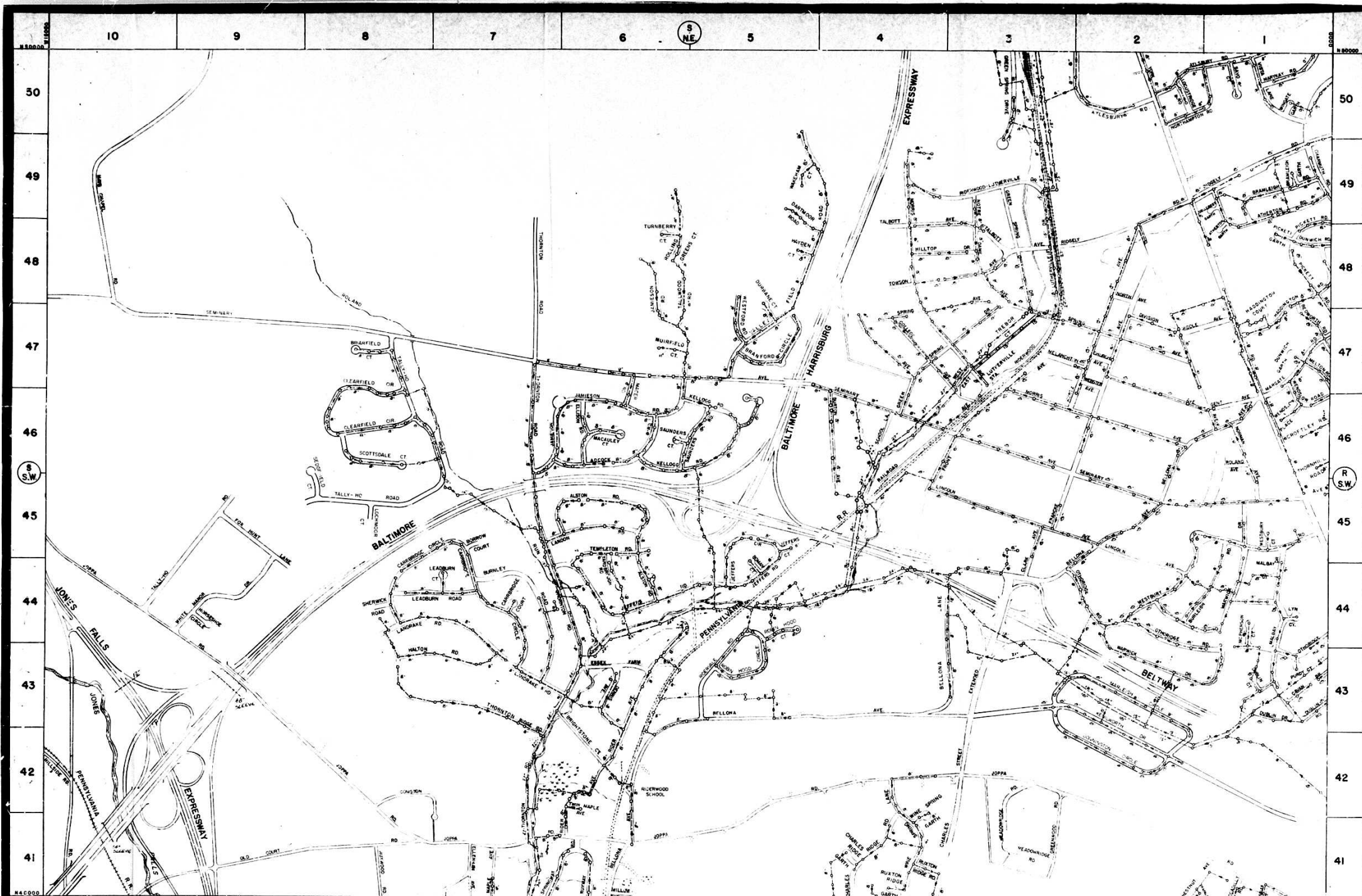
OFFICE COPY

MAP  
#3  
SEC. 3-C  
NW-12-A  
BR

PARKING DATA  
PROPOSED SPACES - 6000 SQ. FT. - 30 TON SPACES EACH  
GARAGE BLDG 45000 SQ. FT. - 120 TON SPACES  
STORAGE BUILDING 5000 SQ. FT. - 10 TON SPACES  
172 TOTAL NO. OF TON SPACES PROVIDED

MARIE F. BAILEY, OWNER  
FRONT AND LUTHER, LLC, MD.  
PRESENT LIVING - 210  
TELEPHONE ROOMS - 3 K-200 USE 2000  
TOTAL ACRES 11.4056 ACRES  
SPECIAL PERMIT 4 ACRES  
PRESENT USE - STORAGE YARD & EQUIPMENT  
120 TON STORAGE - STORAGE YARD & EQUIPMENT  
ONE STORY  
STREET BALDWIN RD  
BUTTERFIELD PARK CENTER  
SAN JUAN & WATER, N. 11.14 ACRES  
SCALE 1" = 40' MAP 1770  
LOUISIANA, 1970  
OLD COURT ROAD, BALDWIN, 11237  
JAMES C. HILLMAN





BALTIMORE COUNTY METROPOLITAN DISTRICT  
KEY MAP  
SANITARY SEWER

|             |                                                                |                      |
|-------------|----------------------------------------------------------------|----------------------|
| SCALE       | TOPO & PLAN SHEETS                                             | KEY SHEET            |
| 1 IN = 500' | NW 11-A 11-C<br>12-A 12-C<br>13-A 13-C<br>11-B<br>12-B<br>13-B | <b>S</b><br><br>S.E. |

44-23-70

MICROFILMED