

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; and it further appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met.

a Special Exception for an Office Building and Offices should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 31st day of August, 1970, that the herein described property or area should be and the same is hereby reclassified; from an R-10 zone to an RA zone, and/or a Special Exception for an Office Building and Offices should be and the same is granted, from and after the date of this order, subject to the approval of the site plan by the State Roads Commission, the Bureau of Public Services and the Office of Planning and Zoning.

H. D. Thompson
DEPUTY Zoning Commissioner of Baltimore County

It is this 14th day of March, 1972, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid Special Exception, granted August 31, 1970, be and the same is hereby extended for a period of three (3) years, beginning August 31, 1972, and expiring August 31, 1975.

ORDER RECEIVED FOR FILE

H. D. Thompson
Zoning Commissioner of
Baltimore County

DATE 3/14/72
BY *JC Harris CLK*
the above

CONTINUED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of _____, 197____, 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 _____ zone; and/or the Special Exception for _____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MICROFILMED

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

OFFICE OF ZONING COMMISSIONER



S. ERIC DINENNA
Zoning Commissioner

JAMES E. DYER
Deputy Zoning Commissioner

August 12, 1975

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

RE: Requested Extension of Original
Petition for Special Exception
NW/corner of Bellona Avenue and
Judges Lane - 9th Election District
Catherine G. Walker - Petitioner
No. 71-68-RX (Re n No. 167)

Dear Mr. Nolan:

I am in receipt of your letter of July 25, 1975, in which you request an extension for utilization of the Special Exception, granted for the above referenced property on August 31, 1970. Subsequent to the final Order, an extension was granted on March 14, 1972, for a period of three (3) years, beginning August 31, 1972, and expiring August 31, 1975.

In your letter, you indicate that a combination office and storage building of moderate size existed on the subject property prior to 1970, but was removed with the construction of the Baltimore County Beltway ramps leading from said Beltway and Charles Street to Interstate 83. It is your belief that, based on the above fact, the Walkers enjoyed a nonconforming use with regard to the office and storage building before the subject hearing and, since this structure was removed after the final Order granting the Special Exception, you also feel that said Special Exception has been utilized.

James D. Nolan, Esquire
Page 2
August 12, 1975

A review of our records indicates that Mrs. Catherine G. Walker applied for and was denied a Reclassification from a R-10 Zone to a R.A. Zone and a Special Exception for an elevator apartment building on March 28, 1953 (Case No. 5806-RX). There was no mention of an office and storage building on the subject property, nor was there ever a subsequent zoning case that would have allowed this use. In light of these facts, it is questionable whether the aforementioned office and storage building was, in fact, a legal nonconforming use and, therefore, how it would have any bearing in this instance.

As indicated in previous correspondence to Mrs. Walker, dated July 22, 1975, if construction on the proposed office building has not commenced by August 31, 1975, the existing Special Exception will become void. However, if the owner files for the required building permit and, if for some reason said permit is denied by the Bureau of Public Services due to the unavailability of public sewer or water, I am sure we will be able to grant an extension for utilization of the Special Exception to a date eighteen (18) months after such facilities become adequate and available.

If you have any further questions regarding this matter, please feel free to contact this office.

Very truly yours,

S. Eric Dinenna
S. ERIC DINENNA
Zoning Commissioner

SED/NBC/scw

cc: Mrs. Catherine G. Walker
Box 115, Bellona Lane
Lutherville, Maryland 21093

Mr. James E. Dyer
Deputy Zoning Commissioner

Mr. Nicholas B. Commodari
Zoning Technician II

71-68-RX

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

JAMES D. NOLAN
J. EARLE PLUMHOFF
NEWTON A. WILLIAMS
WILLIAM W. JESSON JR.
KENNETH H. HASTINGS

July 25, 1975

The Honorable S. Eric Dinenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Special Exception Covering The Property
of Mrs. Catherine G. Walker, Located at
the Northwest Corner of Bellona Avenue
and Judges Lane in the 9th District.
Case #71-68-RX.

Dear Commissioner Dinenna:

Recently, this office has been contacted by Mrs. Walker, and her son, Mr. Lynn Walker, who is the present operator of Approved Floors, Inc., through their regular counsel, Kenneth J. MacFadyen, Esquire, regarding the exercise of a special exception granted in the above entitled case.

Our investigation to date indicates that the special exception for an office building and offices granted in this case by your Order of August 31, 1970, has already been exercised, and therefore we believe that the special exception has been permanently gained. It is our information that for many years prior to 1970, the Walkers maintained, in addition to their home on the property, a building of moderate size which was used for the offices of Approved Floors Company, Inc., and which was also utilized for storage of tiles and other materials. Subsequent to 1971, with the construction of the Beltway ramps leading from the Beltway and Charles Street to Interstate 83, a considerable portion of the Walker property was taken by the State Highway Administration for this purpose. Included in this taking was the office and storage building previously mentioned.

It is our belief, based upon these facts, that prior to your Order of August 31, 1970, the Walkers enjoyed a non-conforming use with regard to this office and storage building. We have carefully read the Order of August 31, 1970, and no conditions were attached to this Order except the usual condition of approval of any new site plan by the State Roads Commission, the Bureau of Public Services and the Office of Planning and Zoning. As to the office section of the building,



The Hon. S. Eric Dinenna
July 25, 1975
Page two

We believe that the special exception has been utilized on this property since, with the granting of the special exception, this formerly non-conforming use as to the office section then became a conforming use under the special exception.

As your file will reveal, this special exception was extended for an additional period of three years by your Order of March 14, 1972. Thus, if you should decide that the special exception has not been utilized under Section 602.3, it will expire on August 31, 1975.

We believe that our interpretation of the facts in this matter, namely that the special exception has been utilized, by the continuation of the office use after the granting of the special exception in 1970 is a reasonable one which conforms with both the letter and the spirit of the Zoning Regulations.

As I am sure you also recall, this property is completely surrounded by public and private uses of a very intensive nature, including the Ruxton Towers high rise apartment and office building, the apartments immediately to the west of the Ruxton Towers and to the south of this property, while the northern boundary of the property is formed by the Beltway right-of-way and high speed ramps giving access to Charles Street, the Beltway and Interstate 83.

At the present time, Mrs. Catherine G. Walker is a widow residing on this property, while her son, Mr. Lynn Walker is the operating principal in the business entitled Approved Floors Company, Inc. Until such time as the development of the Excavation Construction Company tract to the west has been settled, the cost of requested improvements to Judges Lane makes the construction of a new office building on this property virtually prohibitive. At the same time, it is of such a size as to be impractical for the development of additional apartments or townhouses at a density of 0.8, 0.16. Thus, its long-term usage for office use is the only practical alternative short of commercial zoning for this tract. Accordingly, on behalf of our clients, the Walkers, we are most hopeful that you will agree with our interpretation and advise us in writing as to your finding that this special exception has in fact been utilized. Thanking you for your consideration of this very important zoning case, and requesting an early answer since time is rapidly running out and August 31, 1975, will be here before we know it, I am

Sincerely,

James D. Nolan

JDN/hl

111 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

The Hon. S. Eric Dinenna
July 25, 1975
Page three

cc: Mrs. Catherine G. Walker and
Mr. Lynn Walker
Approved Floor Company, Inc.
310 Centre Avenue
Towson, Maryland 21204

Kenneth J. MacFadyen, Esquire
INA Building, 8th Floor
303 S. Fayette Street
Baltimore, Maryland 21202

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Catherine G. Walker, 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an R-10 zone to an R-A zone, for the following reasons:

1. Error in original zoning.
2. Genuine change in conditions.

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 Offices.

Property is to be posted and advertised as prescribed by Zoning Regulations. We agree to pay expenses of above reclassification 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
Catherine G. Walker, Legal Owner
Address: 306 W. Joppa Road, Towson, Md. 21204

W. Lee Harrison, Petitioner's Attorney
Address: 306 W. Joppa Road, Towson, Md. 21204

ORDERED BY The Zoning Commissioner of Baltimore County, this 14th day of July, 1967, 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 106, County Office Building in Towson, Baltimore County, on the 14th day of August, 1967, at 1:00 o'clock.

Edward D. Hardisty
Zoning Commissioner of Baltimore County

RE: RECLASSIFICATION FROM R-10 ZONE TO R-A ZONE, WITH SPECIAL EXCEPTION FOR OFFICES JUDGES LANE & BELLONA LANE
PETITIONER: CATHARINE G. WALKER
BALTIMORE COUNTY

MEMORANDUM

Now comes Catharine G. Walker, Legal Owner of the above captioned property, by W. Lee Harrison, her attorney, and in accordance with Bill 72, Section 22, 22(b) states that the reclassification requested should be granted and for reasons says:

1. Numerous reclassifications have taken place in the immediate neighborhood:
 - a. Case No. 3890 - N/S of R/W line of Baltimore County Beltway. Reclassification from R-10 to R-R Zone. Granted 1/10/57.
 - b. Case No. 4857 - S/S Donnington Circle 277' W. of Kenilworth Drive. Reclassification from R-20 and R-6 to R-A. Granted 2/10/60.
 - c. Case No. 4925 - N/S Bellona Avenue and W/S Charles Street Ave. Reclassification from R-20 and R-10 to R-A. Granted 1/21/60.
 - d. Case No. 5502 - S/S Kenilworth Ave. 140' E of Charles St. Ave. Reclassification from R-6 to R-A. Granted 3/19/62.
 - e. Case No. 63-66-RX - SW/C Bellona Ave. and Judges Lane. Reclassification from R-10 to R-A. Special Exception for elevator apts. Granted 4/28/66.
 - f. Case No. 64-60-R - N/S Bellona Avenue. 660' W of Clarke Avenue. Reclassification from R-10 to R-R. Granted 9/15/63.

- g. Case No. 65-78-R - SE/C L. Lincoln and Front Avenue. Reclassification from R-10 to R-A. Granted 10/19/65.
 - h. Case No. 66-48-R - N/S Joppa Road opposite Greenwood and Meadowridge Road. Reclassification from R-6 and R-20 to R-A. Granted 4/27/67.
2. And for such other and further reasons as may be shown at the hearing hereon.

W. Lee Harrison
306 W. Joppa Road
Towson, Maryland 21204
823-1200
Attorney for Petitioner

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6828, TOWSON, MD. 21204
April 10, 1970

Beginning for the same at the intersection formed by the north side of Judges Lane, 15 feet wide, and the west side of Bellona Lane, of variable width, running thence (1) North 79° 33' 00" West binding on the north side of Judges Lane 418.03 feet, (2) North 06° 51' 00" East 255.35 feet to the proposed south right-of-way line of the Baltimore County Beltway, thence binding on the south right-of-way line of said Baltimore County Beltway the 2 following courses, viz: (3) South 70° 40' 46" East 19.65 feet, and (4) South 66° 20' 32" East 227.87 feet, thence (5) South 12° 59' 30" West 59.34 feet, and (6) South 79° 33' 00" East 193.06 feet to the South right-of-way line of said Beltway, thence (7) South 53° 22' 14" East binding on said right-of-way line 9.36 feet to the west side of Bellona Lane, thence (8) South 12° 59' 30" West binding on the west side of Bellona Lane 135.87 feet to the place of beginning.

Containing 1.843 Acres of Land more or less.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardisty, Zoning Commissioner
FROM: Mr. George E. Gavett, Director of Planning
SUBJECT: Petition #71-68-RX. Northwest corner of Bellona and Judges Lane. Petition for Reclassification from R-10 to R-A. Zone. Catherine G. Walker - Petitioner

9th District
HEARING: Thursday, August 27, 1970 (1:00 p.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-10 to R-A. zoning. The Staff feels that, since the subject tract is bounded on two sides by R-A. zoning and the Baltimore County Beltway on another, an R-A. zoning use would be appropriate on the subject site. For this reason, the subject tract was recommended as R-A. zoning on the comprehensive zoning map adopted by the Planning Board last February.

We endorse the request for reclassification from R-10 to R-A. zoning for the subject tract, and request that the special exception be conditioned upon compliance with an approved development plan.

GE:cmh

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
131 E. CHESAPEAKE AVE.
TOWSON, MARYLAND 21204

OLIVER E. MYERS
Chairman

MEMBERS:

MURRAY C. ENGLISH
DEPARTMENT OF TRAFFIC ENGINEERING

STATE ROADS COMMISSION

WALTER C. FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL DEVELOPMENT

June 11, 1970

W. Lee Harrison, Esquire
306 West Joppa Road
Towson, Maryland 21204

RE: Type of Hearings: Reclassification
Location: N/S Judges Lane, W/S Bellona Lane
Petitioner: Catharine G. Walker
Committee Meeting of April 26, 1970
8th District
Item 267

Dear Mr. Harrison:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection:

The subject property is presently improved with a dwelling with office use to the rear, with the parking to the north being the Baltimore Beltway, the property to the west and south, dwelling ten to thirty years of age in excellent repair. The property to the east is the Huxton Towers apartments development. Bellona Lane and Judges Lane in this location are not improved with concrete curb and gutter.

BUREAU OF ENGINEERING

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways

Bellona Lane is an existing macadam road proposed for improvement as a 36-foot closed roadway within a 50-foot right-of-way.

Judges Lane, formerly a private drive, is proposed for improvement as a public 40-foot closed roadway within a 50-foot right-of-way.

Highway right-of-way widening and improvements for both Bellona Lane and Judges Lane would be required in connection with any subsequent grading or building permit applications.

The Baltimore Beltway is a State Road; therefore, all improvements, intersections, and entrances on this road will be subject to State Roads Commission Requirements.

W. Lee Harrison, Esquire
Item 267

June 11, 1970

Storm Drains

Storm drain facilities and easements may be required in connection with the proposed improvements to this property.

The petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the petitioner.

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

Sediment Control

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

Sanitary Sewer and Water

Public sanitary sewerage and public water supply are available to serve this property.

PROJECT PLANNING DIVISION

This plan has been reviewed and there are no site-planning factors requiring comment.

STATE ROADS COMMISSION

The right-of-way line and easement area for proposed highway improvements as indicated on the subject plan are basically accurate.

BUILDING DEPARTMENT

Petitioner to comply with all applicable requirements of Baltimore County Building Code and regulations when plans are submitted.

W. Lee Harrison, Esquire
Item 267

June 11, 1970

TRAFFIC ENGINEER'S OFFICE

The subject petition is requesting a change from R-10 to R-A with special exception for offices. Access to the subject property is via Judges Lane which exists at 8 to 10 feet wide. This is not acceptable for this type of use.

HEALTH DEPARTMENT

Public water and sewers are available.

Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

FIRE DEPARTMENT

Owner shall be required to comply to all applicable requirements of the 101 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

BOARD OF EDUCATION

Would not increase student population.

ZONING ADMINISTRATION DIVISION

This office is withholding a hearing date until such time as revised plans are received indicating the proposed right-of-way width and closed section curb and gutter for Bellona Lane and screening around the parking areas which abut residential uses and zones.

Very truly yours,

Oliver L. Myers
Chairman

OL:me
Enclosures

11-17-70

By Ruth Morgan

TELEPHONE 404-2413		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE <i>Revenue Division</i> COURT HOUSE TOWSON, MARYLAND 21204		No. 73741 DATE <u>Aug-5, 1970</u>	
TO: W. Lee Harrison, Rep. 305 W. Joppa Road Towson, Md. 21204		PAID Sealing Dept. of Baltimore County			
DEPOSIT TO ACCOUNT NO. 01-632		RETURN THIS PORTION WITH YOUR REMITTANCE		TOTAL AMOUNT	
QUANTITY		DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS		COST	
1 2 3 4 5 6 7 8 9 10 11 12		Petition for Reclassification and Special Acceptance for Catherine G. Walker #71-68-21		\$0.00 -	
5 6 7 8 9 10 11 12		IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE, REVENUE DIVISION COURTHOUSE, TOWSON, MARYLAND 21204			

TOWSON, MD. August 6, 1970

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. once in each of one line ~~per week~~ per week before the 27th day of August, 1970, the first publication appearing on the 6th day of August, 1970

John M. Jeffers
Manager.

Cost of Advertisement, \$

☐ Ansd
☒ Recd
☐ Retd
☐ Entd
☐ Chkd

REVISED PLANS
#267
WALKER

OFF STREET PARKING DATA:

FIRST FLOOR	
TOTAL FLOOR AREA	4360 Sq. Ft.
N ^o SPACES REQUIRED @ 1 PER 500 SQ. FT.	15
N ^o SPACES PROVIDED	15
SECOND AND THIRD FLOORS	
TOTAL FLOOR AREA	9120 Sq. Ft.
N ^o SPACES REQUIRED @ 1 PER 500 SQ. FT.	18
N ^o SPACES PROVIDED	16
TOTAL N ^o SPACES REQUIRED	33
TOTAL N ^o SPACES PROVIDED	33

map
#9
SEC. 3 - C
VW-11-A
RA-X

OFFICE
COPY

ROBERT WALKER
JUDGES' LANE & BELLONA LANE

SCALE: 1"=50'

MARCH 10, 1970
REV. APRIL 10, 1970
REV. JUNE 26, 1970 - Screen Planting

P.N. 1922

