

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I, or we, Nigelia E. Martinez, 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 DR. 5.5 zone to an DR. 16 zone; for the following reasons:

Error in original zoning and a 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.

I, or 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.

CO-FAR HOLDING CORPORATION

By John A. Farley, Jr., President
Address 101 E. Redwood Street
Baltimore, Md. 21202

W. Lee Harrison, Petitioner's Attorney

Address 306 W. Joppa Road
Towson, Maryland (823-1200)

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of January, 1974, 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 11th day of March, 1974, at 11:00 o'clock

[Signature]
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I, or we, Nigelia E. Martinez, 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 for a Variance from Section 1B02.2B(504-V-B.2) to allow a front yard setback of 20 feet in lieu of the required 30 feet and a side yard setback of 6 feet in lieu of the required 30 feet and 25 feet respectively.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: indicate hardship or practical difficulty

practical difficulty and extreme hardship.

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

I, or we, agree to pay expenses of above Variance 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.

CO-FAR HOLDING CORPORATION

By John A. Farley, Jr., President
Address 101 E. Redwood Street
Baltimore, Md. 21202

W. Lee Harrison, Petitioner's Attorney

Address 306 W. Joppa Road
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 19th day of January, 1974, 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 11th day of March, 1974, at 11:00 o'clock

[Signature]
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR RECLASSIFICATION : IN THE
SPECIAL EXCEPTION, AND : CIRCUIT COURT
VARIANCES :
N/W Corner of Alleghany and :
Central Avenues - 9th District : FOR
NIGELIA E. MARTINEZ, Petitioner : BALTIMORE COUNTY
No. 74-198-RXA (Item No. 18) : MISC. NO. 5506
JOHN C. WALLACE, et ux, :
(APPELLEES)

ORDER FOR APPEAL

Mr. Clerk:

Please note an appeal to the Court of Special Appeals of Maryland from the Decision and Order of Judge John E. Raine, Jr., dated April 10, 1975, in the above case, on behalf of the Petitioner, Nigelia E. Martinez.

[Signature]
W. Lee Harrison
601 Equitable Building
401 Washington Avenue
Towson, Maryland 21204
Attorney for Petitioner

I hereby certify that on this 9th day of May, 1975, copy of the foregoing Order for Appeal was sent to Anne Kay Kramer, Stevenson, Maryland 21153.

[Signature]
W. Lee Harrison

May 8, 1974

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

RE: Petition for Reclassification, Special Exception, and Variances
NW corner of Alleghany and Central Avenues - 9th District
Nigelia E. Martinez - Petitioner
NO. 74-198-RXA (Item No. 18)

Dear Mr. Harrison:

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

Very truly yours,

[Signature]
S. ERIC DINENNA
Zoning Commissioner

SED/sw

Attachments

cc: Mr. John M. Sheehan, Jr.
417 Georgia Court
Towson, Maryland 21204

Mrs. Mary Ginn
606 Hornerest Road
Towson, Maryland 21204

JAMES S. SPANER & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
807 YORK ROAD - TOWSON, MD. 21204
BY W.C. La
DATE 10/1/74
Zoning Description
No. 400 Alleghany Avenue
FILE

Beginning for the same at the corner formed by the intersection of the western side of Central Avenue with the northern side of Alleghany Avenue and running thence (1) binding on the northern side of Alleghany Avenue, westerly 110 feet, (2) thence parallel to the western side of Central Avenue, northerly 150 feet to the southern side of a 20 foot alley there situate, (3) thence binding on the southern side of said 20 foot alley with the use thereof in common with others entitled thereto and parallel to Alleghany Avenue, easterly 110 feet to the aforesaid western side of Central Avenue, (4) thence binding on the western side of Central Avenue, southerly 150 feet to the place of beginning. Containing 16,500 square feet of land or 0.379 acres more or less.



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
J. Lee Harrison, Esq.,
306 W. Joppa Road
Towson, Maryland 21204
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204
Item 18
6th Zoning Cycle

Your Petition has been received and accepted for filing
this 19th day of October, 1973.

[Signature]
S. ERIC DINENNA
Zoning Commissioner

Petitioner Nigelia E. Martinez
Petitioner's Attorney W. Lee Harrison
Reviewed by [Signature]
Chairman
Zoning Advisory Committee
cc: James S. Spaner & Associates
8017 York Road
Towson, Md. 21204

JUN 27 1975

RE: PETITION FOR RECLASSIFICATION
from D.R. 5.5 to D.R. 16, and
SPECIAL EXCEPTION for Office, and
VARIANCE from Section 1802.28
(504 V.B.2) of the Baltimore County
Zoning Regulations
NW corner of Allegheny and
Central Avenues
9th District
Nigelia E. Martinez, et ux
Petitioners - Appellants
Co-For Holding Corporation
Contract Purchaser
Zoning File No. 74-198-RXA

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

Misc. Docket No. 10
Folio No. 4
File No. 5506

ANSWER TO ORDER OF APPEAL TO
CIRCUIT COURT FOR BALTIMORE COUNTY
AND CERTIFIED COPIES OF PROCEEDINGS
BEFORE THE ZONING COMMISSIONER AND
BOARD OF APPEALS OF BALTIMORE COUNTY

Mr. Clerk:

Please file, &c.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

cc: W. Lee Harrison, Esq.
Mrs. Anne Kramer
John M. Sheehan, Jr.
Mrs. Mary Ginn

Re: PETITION FOR RECLASSIFICATION
SPECIAL EXCEPTION, AND
VARIANCES
W/W corner of Allegheny and
Central Avenues - 9th
District
Nigelia E. Martinez, Petitioner
No. 74-198-RXA (Item No. 18)

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

PETITION TO EXTEND TIME

The Petition of Nigelia E. Martinez, by W. Lee Harrison,
pursuant to Rule B7 of the Maryland Rules of Procedure, petition
this Honorable Court to extend time for transmittal of the
record and for reasons say:

1. That the transcript of testimony in connection with the
above entitled case is due in the Circuit Court for Baltimore
County on March 8, 1975.

2. That your Petitioner has been advised by the Court
Reporter, Leonard Perkins, that he has been unable to complete
the transcript by March 8, 1975.

WHEREFORE, your Petitioner prays that this Honorable Court
pass an Order extending the time for transmittal of the transcript
for an additional thirty (30) days accounting from March 8, 1975.

W. Lee Harrison
401 Washington Avenue
Suite 601
Towson, MD 21204
823-1200
Attorney for Petitioner

I HEREBY CERTIFY, that on this 25th day of February, 1975,
a copy of the foregoing Petition to Extend Time was mailed to
Anne Kay Kramer, Esquire, Wiltonwood Road, Stevenson, Maryland 21153.

W. Lee Harrison

RE: PETITION FOR RECLASSIFICATION
from D.R. 5.5 to D.R. 12,
SPECIAL EXCEPTION for Office, and
VARIANCE from Section 1802.28
(504 V.B.2) of the Baltimore County
Zoning Regulations
NW corner of Allegheny and
Central Avenues
9th District
Nigelia E. Martinez, et ux
Petitioners - Appellants
Co-For Holding Corporation
Contract Purchaser
Zoning File No. 74-198-RXA

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

Misc. Docket No. 10
Folio No. 4
File No. 5506

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come Robert L. Gifford, John A. Miller and Walter C. Ham,
Jr., constituting the County Board of Appeals of Baltimore County, and in answer to the
Order for Appeal directed against them in this case, herewith raise the record of proceed-
ings had in the above entitled matter, consisting of the following certified copies or original
papers on file in the office of the Zoning Department of Baltimore County:

No. 74-198-RXA

Nov. 29, 1973 Comments of Baltimore County Zoning Advisory Committee - filed
Planning Board recommendations - filed

Jan. 19, 1974 Petition of Nigelia E. Martinez, et ux (Co-For Holding Corporation,
contract purchaser) for reclassification from D.R. 5.5 to D.R. 16,
Special Exception for office, and Variance from Section 1802.28
(504 V.B.2) on property located on the northwest corner of Allegheny
and Central Avenues, 9th District - filed

" 19 Order of Zoning Commissioner directing advertisement and posting of
property - date of hearing set for March 15, 1974 at 11:00 a.m.

Feb. 21 Certificate of Publication in newspaper - filed

" 23 Certificate of Posting of property - filed

Mar. 14 At 11:00 a.m. hearing held on petition by Zoning Commissioner -
case held sub curia

May 8 Order of Zoning Commissioner granting petition

June 5 Order of Appeal to County Board of Appeals from Order of Zoning
Commissioner

Oct. 8 Hearing on appeal before County Board of Appeals

" 28 Continued Hearing

ORDER

IT IS ORDERED by the Circuit Court for Baltimore County,
this 24th day of February, 1975, that the time for transmittal
of the transcript and/or record be, and the same hereby is,
extended thirty (30) days from March 8, 1975 or until April 9, 1975.

15 Lester Burnett
Judge

Nigelia E. Martinez, et ux - No. 74-198-RXA 2.

Nov. 20, 1974 Continued hearing before County Board of Appeals

Jan. 6, 1975 Opinion and Order of County Board of Appeals denying petition

" 7 Dissenting Opinion filed by Robert L. Gifford, member of Board of Appeals

Feb. 4 Order for Appeal filed in Circuit Court for Baltimore County by W. Lee
Harrison, Esq., attorney for Petitioner

" 7 Certificate of Notice sent to all interested parties

" 13 Petition to accompany Order for Appeal filed in Circuit Court for Balti-
more County

" 25 Petition to extend time for filing record until April 9, 1975

Mar. 12 Transcript of testimony filed - 1 volume

Petitioner's Exhibit No. 1 - Plat - Original date 9/25/73, Rev. 12/10/73
Subject property

" " 2 - Survey plat (subject property) dated 1891
(Dr. Grafton M. Bailey)

" " 3 - Photocopy, 3 pages scotch taped together
Atlas Balto. County, published 1895

" " 4A - Seven photographs of subject property
thru G

" " 5 - Photogrammetric map - Location sheet NE
Location 10A - Balto. Co. official map
Towson - 3-C

Protestants' " A - 2-page survey made by W.C. Pinkerton Co.

" " B - Resolution, Towson Elementary PTA, 11/12/74

" " C - Letter dated 11/12/74 from PTA to parents

" " D - Accompanying letter ("C") addressed to
County Board of Appeals

" " E 1 thru 7 Photographs submitted by Mr. Wallace

" " F - Petition to Board of Appeals signed by Mr.
and Mrs. J. F. Davis

" " G - Authorization by West Towson Improvement
Association dated 10/3/74

" " H - Petition to Board of Appeals signed by Mr.
and Mrs. Ginn

" " I - Petition to Board of Appeals signed by Mr.
and Mrs. Pyle

" 13 Record of proceedings filed in the Circuit Court for Baltimore County

Re: PETITION FOR RECLASSIFICATION : BEFORE THE
SPECIAL EXCEPTION, AND BOARD OF APPEALS
VARIANCES
W/W corner of Allegheny and :
Central Avenues - 9th OF
District BALTIMORE COUNTY
Nigelia E. Martinez, Petitioner
No. 74-198-RXA (Item No. 18)

ORDER FOR APPEAL

Mr. Clerk:

Please note an appeal to the Circuit Court for Baltimore
County from the Decision and Order of the County Board of Appeals
of Baltimore County, dated January 6, 1975, denying the above
requested Reclassification, Special Exception and Variances, on
behalf of Nigelia E. Martinez.

W. Lee Harrison
601 Equitable Building
401 Washington Avenue
Towson, Maryland 21204
823-1200
Attorney for Petitioner

I hereby certify that on this 4th day of February, 1975,
copy of the foregoing Order for Appeal was served on the County
Board of Appeals, County Office Building, Towson, Maryland 21204,
prior to the filing hereof, and a copy was sent to Anne Kay
Kramer, Wiltonwood Road, Stevenson, Maryland 21153.

W. Lee Harrison

Nigelia E. Martinez, et ux - No. 74-198-RXA 3.

Record of proceedings pursuant to which said Order was entered and said
Board acted are permanent records of the Zoning Department of Baltimore County, as are
also the use district maps, and your respondents respectively suggest that it would be incon-
venient and inappropriate to file the same in this proceeding, but your respondents will
produce any and all such rules and regulations, together with the zoning use district maps
at the hearing on this petition, or whenever directed to do so by this Court.

Respectfully submitted,

Muriel E. Buddemeier
County Board of Appeals of
Baltimore County

RE: PETITION FOR RECLASSIFICATION, SPECIAL EXCEPTION, AND VARIANCES
W/W corner of Allegheny and Central Avenues - 9th District
Nigelia E. Martinez, Petitioner
No. 74-198-RXA (Item No. 18)

BEFORE THE
BOARD OF APPEALS
OF
BALTIMORE COUNTY

ORDER TO STRIKE APPEARANCE

TO THE CLERK:

Please strike Appearance of the undersigned as counsel
for the Protestants in the above-entitled case, the appearance
of Anne Kay Kramer having heretofore been entered for said
Protestants.

Charles O. Mount
Charles O. Mount
503 Green Drive
Towson, Maryland 21204
823-3676

I HEREBY CERTIFY that a copy of the foregoing was mailed
this 16th day of July, 1974 to Anne Kay Kramer, Wiltonwood Road,
Stevenson, Md. 21153, Mrs. Mary E. Ginn, 606 Hornsmead Road,
Towson, Maryland 21204, Mr. John M. Sheehan, Jr., 417 Georgia
Court, Towson, Maryland, 21204 and W. Lee Harrison, Esq., 396
West Jeppe Road, Towson, Maryland 21204.

Charles O. Mount
Charles O. Mount

Rec'd 7/4/75
2:35 PM

Rec'd 7/16/74
10:15 AM

Re: PETITION FOR RECLASSIFICATION : IN THE
SPECIAL EXCEPTION, AND : CIRCUIT COURT
VARIANCES :
N/W corner of Allegheny and :
Central Avenues - 9th : FOR BALTIMORE COUNTY
District :
Nigelia E. Martinez, Petitioner :
No. 74-198-RXA (Item No. 18)

PETITION

The Petition of Nigelia E. Martinez, Petitioner, by W. Lee Harrison, her attorney, respectfully represents unto your Honors:

1. That she is the owner of the property which is the subject matter of this appeal.
2. The action of the County Board of Appeals of Baltimore County in denying the requested reclassification, special exception and variances on the above property by its Order of January 6, 1975 was erroneous for the following reasons:
 - (a) The action of the County Board of Appeals of Baltimore County was unreasonable, arbitrary and unlawful in that it was contrary to the evidence and the weight of the evidence.
 - (b) The County Board of Appeals of Baltimore County misconstrued and misinterpreted the evidence before it.
 - (c) The decision of the County Board of Appeals of Baltimore County was not supported by any substantial evidence in the record.
 - (d) The County Board of Appeals of Baltimore County erroneously interpreted the law.
 - (e) For such other and further reasons as will be shown at the time of any hearing hereon.

WHEREFORE, the Appellant prays that this Honorable Court reverse the action of the County Board of Appeals of Baltimore

County, and grant such other and further relief as may be appropriate.

W. Lee Harrison
W. Lee Harrison
601 Equitable Building
401 Washington Avenue
Towson, Maryland 21204
823-1200
Attorney for Petitioner

I hereby certify that on this 13th day of February, 1975, copy of the foregoing Petition was served on the County Board of Appeals, County Office Building, Towson, Maryland 21204, prior to the filing hereof, and a copy was sent to Anne Kay Kramer, Wiltonwood Road, Stevenson, Maryland 21153.

W. Lee Harrison
W. Lee Harrison

RE: PETITION FOR RECLASSIFICATION, * BEFORE THE
SPECIAL EXCEPTION, AND * BOARD OF APPEALS
VARIANCES *
N/W corner of Allegheny and *
Central Avenues - 9th * OF
District * BALTIMORE COUNTY
Nigelia E. Martinez, Petitioner *
No. 74-198-RXA (Item No. 18) *

ORDER FOR APPEARANCE

TO THE CLERK:

Please enter my appearance in the above entitled case on behalf of the previously named Protestants.

Anne Kay Kramer
Anne Kay Kramer
Wiltonwood Road
Stevenson, Md. 21153
486-2069

I HEREBY CERTIFY that a copy of the foregoing was mailed this fifth day of July, 1974, to Mrs. Mary E. Ginn, 606 Horncrest Road, Towson, Maryland 21204, Mr. John M. Sheehan, Jr., 417 Georgia Court, Towson, Maryland 21204, Charles O. Mount, Esq., 503 Groom Drive, Towson, Maryland 21204, and W. Lee Harrison, Esq., 306 West Joppa Road, Towson, Maryland 21204.

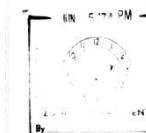
Anne Kay Kramer
Anne Kay Kramer

RE: PETITION FOR RECLASSIFICATION, * BEFORE THE
SPECIAL EXCEPTION, AND * ZONING COMMISSIONER
VARIANCES *
N/W corner of Allegheny and *
Central Avenues - 9th District * OF
Nigelia E. Martinez - Petitioner * BALTIMORE COUNTY
No. 74-198-RXA (Item No. 18)

TO: S. Eric Di Nenna,
Zoning Commissioner

Please enter an Appeal from your Order of May 8, 1974, on behalf of JOHN C. WALLACE and PAMELA H. WALLACE, 509 Park Avenue, Towson, Maryland 21204; BEVERLY PUTSLEY, 513 Allegheny Avenue, Towson, Maryland 21204; PETER D. STEWART and ANN H. STEWART, 612 Highland Avenue, Towson, Maryland 21204 and DULCY J. THOMAS, 515 Park Avenue, Towson, Maryland 21204, all of said aggrieved persons being residents and tax payers of Baltimore County.

Please enter the appearance of the undersigned as counsel for the foregoing protestants.



Charles O. Mount
Charles O. Mount
503 Groom Drive
Towson, Maryland 21204
823-5676

I HEREBY CERTIFY that on this fifth day of June, 1974, a copy of the foregoing was mailed to Mrs. Mary E. Ginn, 606 Horncrest Road, Towson, Maryland 21204, Mr. John M. Sheehan, Jr., 417 Georgia Court, Towson, Maryland 21204 and W. Lee Harrison, Esq., 306 West Joppa Road, Towson, Maryland 21204.

Charles O. Mount
Charles O. Mount

ZONING FILE NO. 74-198-RXA

RE: PETITION FOR RECLASSIFICATION, : IN THE CIRCUIT COURT
SPECIAL EXCEPTION, AND :
VARIANCES : FOR BALTIMORE COUNTY
N/W corner of Allegheny and :
Central Avenues - 9th District : MISC. NO. 5506
NIGELIA E. MARTINEZ, Petitioner :
No. 74-198-RXA (Item No. 18) :
JOHN C. WALLACE, et ux, :
(APPELLEES) :

MEMORANDUM OPINION

The contract purchasers of the property situate at the northwest corner of Allegheny and Central Avenues, in Towson, Maryland, petitioned for a reclassification to a D.R. 16 zone, and sought a Special Exception for office use. The Board of Appeals denied the relief and a timely appeal was filed in this court.

The petitioners are a long established and well regarded law firm, who could provide adequate off-street parking, and they would renovate, maintain and make more attractive the existing structure. In this Court's opinion it would benefit the neighborhood, and it is inevitable that the property will be used for offices in the foreseeable future. Nevertheless, this Court is constrained to affirm the Board, for it is axiomatic that this Court cannot substitute its judgment or opinion for that of the administrative agency.

The petitioners can only prevail upon a clear showing of error in the latest Comprehensive Zoning Map. The County Planning Board, in 1970, recommended that the D.R. 16 zoning

should be extended to a point west of Highland Avenue to the property owned by the Y.M.C.A. However, the Baltimore County Council, on March 24, 1971, adopted a comprehensive zoning plan that essentially restricted the D.R. 16 zone to properties east of Central Avenue. There was one exception; properties known as 405 and 407 Pennsylvania Avenue, and 402 Highland Avenue, had been reclassified before the adoption of the 1971 map, so to accommodate the plan to already existing zoning the Council projected the D.R. 16 zone running westerly along the south side of Pennsylvania Avenue to a point west of Highland. This exception to the confinement of D.R. 16 zone to land east of Central Avenue is logically justifiable, and the County Council was entrusted with the duty to make judgmental decision on the location of the boundary between D.R. 16 zoning and D.R. 5.5 zoning. The Board of Appeals found that there was no error in the adoption of the map. The question is clearly debatable, and therefore the petitioners cannot prevail on the basis of original error.

Bosley Avenue has been reconstructed, and is now a large dual lane thoroughfare, and no longer the quiet country street it used to be, and within the existing D.R. 16 zone there have been Special Exceptions granted for office use on Baltimore Avenue, two blocks east of the subject property, and on the south side of Allegheny Avenue between Central and Bosley Avenues. Similar uses are now permitted south of Joppa Road between Baltimore Avenue and the Towson Elementary School. Nevertheless, at this time the

character of the neighborhood west of Central Avenue remains essentially residential. The Board found that there was not sufficient evidence of change to justify a reclassification. This, too, is fairly debatable, so the action of the Board must be AFFIRMED.

John E. Raine, Jr.
JOHN E. RAINE, JR.
JUDGE

April 10, 1975

Re: PETITION FOR RECLASSIFICATION : IN THE
SPECIAL EXCEPTION, AND : CIRCUIT COURT
VARIANCES :
N/W corner of Allegheny and :
Central Avenues - 9th District : FOR
NIGELIA E. MARTINEZ, Petitioner : BALTIMORE COUNTY
No. 74-198-RXA (Item No. 18) : MISC. NO. 5506
JOHN C. WALLACE, et ux, :
(APPELLEES) :

ORDER TO DISMISS

Mr. Clerk:

Please dismiss the appeal to the Court of Special Appeals of Maryland filed in the above case on behalf of the Petitioner, Nigelia E. Martinez.

W. Lee Harrison
W. Lee Harrison
601 Equitable Building
401 Washington Avenue
Towson, Maryland 21204
823-1200
Attorney for Petitioner

I hereby certify that on this 28th day of May, 1975, copy of the foregoing Order to Dismiss was sent to Anne Kay Kramer, Stevenson, Maryland 21153.

W. Lee Harrison
W. Lee Harrison

FILED MAY 28 1975

Rec'd 4/11/75
10:45 AM

RE: Petition for Reclassification 400 * BEFORE THE ZONING
Allegheny Avenue Towson, Maryland 21204 * COMMISSION OF
From D.R. 5.5 to D.R. 16, a Special Exception * BALTIMORE COUNTY
for offices and office building and a Petition for
Variance *

MEMORANDUM

Now comes Nigelia E. Martinez, legal owner of the above captioned property, by W. Lee Harrison, her attorney, and in accordance with bill 72 Sections 22 (2b) states that the reclassification and Special Exception requested should be granted for reason says:

1. Numerous reclassifications have taken place in the immediate neighborhood, namely:
 - (a) Case number 74-16XA; Southeast corner of Joppa Road and Bosley Avenue; granted 7/26/73 to Leslie Sparks.
 - (b) Case number 73-271X; Northwest corner of Allegheny Avenue and Bosley Avenue; Special Exception granted to Calvert Ross Bregel 5/24/73.
 - (c) Case number 73-122X; Northwest corner of Chesapeake Avenue and Highland Avenue; Special Exception granted to Towson Presbyterian Church (with restrictions) granted 3/8/73.
 - (d) Case number 73-202R; Northwest corner of York Road and Washington Avenue; reclassification granted to Brooks Buick, Inc. from BR to CSA to BM and CT 3/12/73.
 - (e) Case number 72-125XA; West side of Baltimore Avenue 110 feet of Allegheny Avenue; Special Exception and Variance granted to Charlotte Whiteley 2/9/72.
 - (f) Case number 72-16X; South side of Joppa Road, 94' West of Baltimore Avenue; Special Exception and Variance granted to Mamie Murry 8/19/71.
 - (g) Case number 72-4XA; Southwest corner of Joppa Road and Baltimore Avenue; Special Exception and Variance granted to Clark MacKenzie 7/12/71.

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
from D.R. 5.5 to D.R. 16, : COUNTY BOARD OF APPEALS
SPECIAL EXCEPTION for Offices, : OF
and VARIANCE from Section : BALTIMORE COUNTY
1802.28 (504 V.B.2) of the :
Baltimore County :
Zoning Regulations :
NW corner of Allegheny :
and Central Avenues :
9th District :
Nigelia E. Martinez, et ux, : No. 74-198-RXA
Petitioners :
Co-Far Holding Corporation, :
Contract Purchaser :

DISSENTING OPINION

This case comes before the Board on an appeal from an Order of the Zoning Commissioner of Baltimore County granting the requested reclassification from D.R. 5.5 zone to a D.R. 16 zone, with a special exception for offices, and variances to permit the Petitioner to use the existing building.

The subject property is located on the northwest corner of Allegheny and Central Avenues, in the Ninth Election District of Baltimore County, and comprises approximately .379 acres.

Testimony was produced on behalf of the contract purchaser to indicate that the County Council was in error when they chose not to zone this property as D.R. 16, in spite of the recommendation to do so by the Planning Board. Testimony was offered for reasons as to the change in the character of the immediate neighborhood, citing as examples the improvements to Bosley Avenue, granting of numerous reclassifications and special exceptions in the neighborhood for uses as offices, the placing on the zoning map of large tracts of D.R. 16 property, one of which is on the adjacent (southeast) corner from the subject property, the use of the property on the northeast corner of the intersection of Central Avenue and Allegheny Avenue for office purposes, this being the old Towson High School, which building is presently used as offices by the Board of Education.

The Protestants were mainly concerned with the domino effect in the creeping change in the residential character of this area of Towson, and also they felt that the traffic problems and the resulting dangers to children attending Towson Elementary School, which is located on Central Avenue immediately to the north and east of the subject

- (h) Case number 72-157X; West side of Baltimore Avenue 46' south of Joppa Road; Special Exception granted to Donald Potter 4/13/72.
 2. That Bosley Avenue is to be widened in said area which will further change the characteristics of the neighborhood, and detract from its residential nature.
 3. That adjacent to the subject property one D.R. 16 area which is east of Central Avenue, and an additional D.R. 16 area at Joppa and Bosley Roads have also changed the characteristics of the neighborhood, and detract from its residential nature.
 4. That in addition to the aforesaid changes the subject area is partially surrounded by Towson Elementary School which detracts from its residential nature.
- And for such other and further reasons as may be shown at the time of the hearing herein.

W. Lee Harrison
W. Lee Harrison
306 West Joppa Road
Towson, Maryland 21204
823-1200

Nigelia E. Martinez - #74-198-RXA

property, would be intensified. However, this member is satisfied that it is unrealistic to expect the subject property to remain at a use consistent with D.R. 5.5. This member further feels that Section 502.1 of the Zoning Regulations has been satisfied with regard to the granting of the special exception, and that the variances petitioned for should be granted, as to deny same would present an unreasonable hardship or practical difficulty upon the Petitioner in his proposal to retain the existing building with extensive interior redecoration or remodeling. This would seem to be a proposal consistent with the neighborhood and the requested variances should be granted in this member's opinion.

Therefore, it is the opinion of this member that either the Council erred in not following the recommendation of the Planning Board to place D.R. 16 zoning on the subject property, or that the substantial development, such as the major construction on Bosley Avenue with the resultant change in traffic patterns, as well as numerous changes in zoning through either reclassifications or special exceptions within the immediate vicinity of the subject property, and the other items previously referred to, constitute a substantial change in the character of the immediate neighborhood of the subject property and, therefore, the requested zoning of D.R. 16 should be granted; and that the special exception for office use should also be granted, as sections of Section 502.1 of the Baltimore County Zoning Regulations have been complied with. Further, the request for variances to permit a front yard setback of twenty (20) feet in lieu of the required thirty (30) feet, and side yard setbacks of eight (8) feet in lieu of the required thirty (30) feet and twenty-five (25) feet respectively should be granted in order that the Petitioner can use the existing building, as indicated on Petitioner's Exhibit No. 1; and that denial of said variances would certainly place an unreasonable hardship upon the Petitioner.

Robert L. Gilland

Date: January 7, 1975

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 5.5 to D.R. 16, : COUNTY BOARD OF APPEALS
SPECIAL EXCEPTION for Offices, : OF
and VARIANCE from Section 1802.28 : BALTIMORE COUNTY
(504 V.B.2) of the Baltimore :
County Zoning Regulations :
NW corner Allegheny and :
Central Avenues :
9th District : No. 74-198-RXA
Nigelia E. Martinez, et ux, :
Petitioners :
Co-Far Holding Corp., :
Contract Purchaser :

OPINION

This case comes before the Board on appeal from the Order of the Zoning Commissioner of Baltimore County, dated May 8, 1974, granting a petition for reclassification of the subject property from a D.R. 5.5 zone to a D.R. 16 zone, with a special exception for offices and variances to permit side and front yard setbacks.

The subject property is located on the northwest corner of Allegheny Avenue and Central Avenue, in the Ninth Election District of Baltimore County. Subject property is improved with a two and one-half story frame building on a 0.379 acre lot. To the north, west and south are single family dwellings on D.R. 5.5 zoned land; to the east there exists D.R. 5.5 and D.R. 16 zoning.

Testimony by Mr. John T. Coady of Co-Far Holding Corporation, contract purchasers of the subject property, indicated that if the petition is granted they intend to relocate their business offices from Baltimore City to the subject location, utilizing the basement and the first floor for their own use, the second floor for rented offices and the third floor for apartment rental. The main thrust of the testimony in behalf of the Petitioners was that the Baltimore County Council erred in that, during the processing of the 1971 Comprehensive Zoning Maps, the Planning Board recommended that D.R. 16 zoning be extended from the Towson Center to the Y.M.C.A. property, and that there has been substantial change in the immediate neighborhood subsequent to the adoption of the 1971 maps.

Testimony produced by the Protestants indicated mainly that they strongly oppose this petition because of the resultant increase in traffic which would affect the health, safety and welfare of the school children attending nearby Towson Elementary School, and that very little change has taken place in the immediate neighborhood.

Testimony by Mr. C. Richard Moore, Assistant Traffic Engineer for Baltimore

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
TION, SPECIAL EXCEPTION, : ZONING COMMISSIONER
AND VARIANCES : OF
NW corner of Allegheny and : BALTIMORE COUNTY
Central Avenues - 9th District :
Nigelia E. Martinez - Petitioner :
NO. 74-198-RXA (Item No. 18) :
::: :::: :::: :::: :::: ::::

The Petitioner requests a Reclassification from a D.R. 5.5 Zone to a D.R. 16 Zone, a Special Exception for Offices, and Variances to permit a front yard setback of 20 feet in lieu of the required 30 feet and side yard setbacks of 8 feet in lieu of the required 30 feet and 25 feet, respectively. Said property is located on the northwest corner of Allegheny and Central Avenues, in the Ninth Election District of Baltimore County, and contains 16,500 square feet of land (0.379 acres, more or less).

Testimony on behalf of the Contract Purchaser indicated that the present structure is anticipated to be used for the law firm of Coady and Farley. It was also stated that there were plans for the interior to be renovated, the front porch enclosed, and an addition to the rear portion of the property.

A large tract of land, which is zoned D.R. 16, is directly catty-corner to the subject property. Towson Elementary School is to the north and east of the subject property.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner, the subject property, as presently classified, is in error. The particular circumstances surrounding this Petition, namely, the size of the subject property; the anticipated use of the present structure; the continuous growth of the Towson area; and the need for additional office spaces, necessitates this Reclassification. Also, as the prerequisites of Section 502.1 of

Martinez - #74-198-RXA

County, indicated that while the rezoning of this parcel would not have a serious effect on the traffic pattern, the Towson road system has been designed with the assumption that very limited office use would be available west of Bosley Avenue, and that piecemeal rezoning of small parcels into office space without an adequately designed road system can only create problems in the future.

It is the opinion of the majority of the Board that substantial change in the immediate neighborhood has not been proven, and in addressing itself to the claim by Petitioners that the County Council erred, we feel that the Council, when reviewing the Planning Board's recommendations during the map processing, had all of the facts before it and in its wisdom decided that zoning for high density residential and office use should be concentrated nearer the Towson Center. Further, the Board strongly feels that any enlargement of the Towson Center, explicitly the expansion of D.R. 16 zoning from that hub, should only be done in the comprehensive process. Therefore, by Order of the majority of this Board, the Petitioners' request shall be denied in toto.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 6th day of January, 1975, by the County Board of Appeals, ORDERED that the reclassification, special exception and variances 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.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter C. Horn, Jr.

John A. Miller

the Baltimore County Zoning Regulations have been met, a Special Exception for Offices should be granted. Further, strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and/or unreasonable hardship upon the Petitioner, and as the granting of the Variances requested do not adversely affect the health, safety, and general welfare of the community, the requested Variances should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 8th day of May, 1974, that the herein described property or area should be and the same is hereby reclassified from a D.R. 5.5 Zone to a D.R. 16 Zone, a Special Exception for Offices should be and the same is GRANTED, and Variances to permit a front yard setback of 20 feet in lieu of the required 30 feet and side yard setbacks of 8 feet in lieu of the required 30 feet and 25 feet, respectively, should be and the same is GRANTED, from and after the date of this Order, subject to the approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

DATE: May 8, 1974
BY: John T. Coady, et al.
Coady & Farley, Inc.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 27, 1973

W. Lee Harrison, Esq.,
306 W. Joppa Road
Towson, Maryland 21204

RE: Reclassification Petition
Item 18 - 6th Zoning Cycle
Nigelia E. Martinez - Petitioner

Dear Mr. Harrison:

The attached comments indicate revised site plans are to be filed by December 17, 1973. Since I have been unable to forward comments as early as I would have liked, I am revising this date to January 17, 1974.

Very truly yours,

John J. Dillon, Jr.
JOHN J. DILLON, JR., Chairman
Zoning Advisory Committee

JJDr.:JD

Enclosures

cc: James S. Spamer & Associates
8017 York Road
Towson, Maryland 21204

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 29, 1973

W. Lee Harrison, Esq.,
306 W. Joppa Road
Towson, Maryland 21204

RE: Reclassification Petition
Item 18 - 6th Zoning Cycle
Nigelia E. Martinez - Petitioner

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.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the northwest corner of Allegheny Avenue and Central Avenue, in the 9th District of Baltimore County. The subject property, which is currently improved with a 2-1/2 story frame dwelling, is currently zoned D.R. 5.5. It is requesting a Reclassification to D.R. 16 with a Special Exception for offices; also, a Variance for a 20 foot setback on the easternmost side of the property.

The petitioner's site plan proposes to utilize an existing 20 foot paved alley at the rear of the property as its sole access for parking. There currently exists along this alley a high hedge row that also extends around the remainder of the property.

I concur with the comments of Project Planning with respect to the access of this property for parking and can see no reason why the existing hedge

W. Lee Harrison, Esq.
Re: Item 18 - 6th Zoning Cycle
November 29, 1973

row could not be incorporated to the simplest and most advantageous use in screening the proposed parking area. I, therefore, require that a revised site plan be submitted that indicates a more realistic parking facility. Furthermore, it should be noted that the Towson Elementary School is located immediately north of this property on Central Avenue, and that large numbers of students walk this area before and after school hours. A genuine concern for these students now exists with the increased traffic in the west Towson area.

Should this petition receive a favorable decision, I recommend that it be restricted in such a manner as to preserve the residential character of this property, and that only minor exterior changes, such as painting, landscaping, etc. be permitted. Secondly, we have observed the practice of not requiring variances for existing front, side, and rear yards for these types of conversions when the existing building on the property is requesting Special Exception for offices.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to Monday, December 17, 1973 in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be

W. Lee Harrison, Esq.
Re: Item 18 - 6th Zoning Cycle
November 29, 1973

between March 1, 1974 and April 15, 1974 will be forwarded to you well in advance of the date and time.

Very truly yours,

John J. Dillon, Jr.
JOHN J. DILLON, JR., Chairman, Zoning Advisory Committee

JJDr.:JD

Enclosure

cc: James S. Spamer & Associates
8017 York Road
Towson, Md. 21204

Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH H. DIVER, P.E. CHIEF

October 10, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #18 (October 1973-April 1974 - Cycle VI)
Property Owner: Nigelia E. Martinez
N/S of Allegheny Ave., W. of Central Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16
No. of Acres: 0.379 Acre District: 9th

Dear Mr. DiNenna:

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.

General:

All public improvements exist to this site as are necessary to support the existing zoning.

An additional fire hydrant would be required on the public system for fire suppression at the higher density zoning.

Additional storm drainage runoff would result from improvements required at the increased zoning. 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.

Additional alley right-of-way and improvements would be required at the increased zoning.

Very truly yours,

Ellsworth H. Diver
ELLSWORTH H. DIVER, P.E.
Chief, Bureau of Engineering

END:RAM:CHW:ess

W-M Key Sheet
39 W 2 Pos. Sheet
W 10 1 Top
W 10 1 Map

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Director
Wm. T. MILLER Deputy Traffic Engineer

October 25, 1973

Mr. S. Eric DiNenna
County Office Building
Towson, Maryland 21204

Re: Item 18 - October 1973 to April 1974 - Cycle Zoning VI
Property Owner: Nigelia E. Martinez
Northwest corner of Allegheny and Central Avenues
D.R. 16, special exception for offices and office building. Variance from Sec. 1802.2.8(504-V.8.2) - front and side yards
District 9

Dear Mr. DiNenna:

The Towson plan and road system has been designed with the assumption that very limited office uses would be available west of Bosley Avenue. This continued piecemeal zoning of small parcels into office space without an adequately designed road system can only create problems in the future.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM/pk

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

828-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Nigelia E. Martinez

Location: N/S of Allegheny Avenue, W of Central Avenue

Item No. 18 Zoning Agenda Tuesday, October 2, 1973

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at [redacted] is the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- () 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code" 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: *Thomas H. Devlin* Noted and Approved:
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

mls
4/16/73

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

October 19, 1973

DONALD J. ROOF, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Reclassification, Zoning Advisory Committee Meeting, October 2, 1973, are as follows:

Property Owner: Nigelia E. Martinez
Location: N/S Allegheny Ave., W of Central Ave.
Present Zoning: D.R. 5.5
Proposed Zoning: D.R. 16
No. Acres: 0.379
District: 9

Since metropolitan water and sewer are available, no health hazard is anticipated.

Ver: truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mn



November 13, 1973

Mr. S. Eric Dinenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Dinenna:

Comments on Item #18, VI Zoning Cycle, October 1973, to April 1974, are as follows:

Property Owner: Nigella E. Martinez
Location: N/S of Alleghany Avenue, W. of Central Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: D.R. 16
No. of Acres: 0.379 acres
District: 9

The site plan must be revised to show the following:

1. A single driveway from the alley to the parking spaces with no can backing into the alley.
2. Minimum of 4 foot high compact screening to screen the parking area at the alley.
3. Any exterior lighting and limited to a height of 8 feet.

This office would also request that the petition for the special exception be limited to the existing building.

Very truly yours,
John L. Wimbly
Planning Specialist II
Project & Development Planning Division

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 100 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 484-2811 ZONING 484-2381

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 18, 1973

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

Z.A.C. Meeting of: "Cycle 6"

Re: Item
Property Owner: Nigella E. Martinez
Location: N/S of Alleghany Ave., W. of Central Ave
Present Zoning: D.R. 5.5
Proposed Zoning: D.R. 16

District: 9th
No. Acres: 0.379

Dear Mr. Dinenna:

The Towson Elementary School is well below capacity and because of the small amount of land in question and the pupil yield it would give up, if fully developed, we feel that even if the land was developed residentially, it would not have an adverse effect on the student population.

Very truly yours,
W. Nick Petrovich
Field Representative

WNP/ml

H. PHILIP PARKS, PRESIDENT
EUGENE C. HESS, VICE-PRESIDENT
MRS. ROBERT L. BERNY

MARCUS H. BOSTWICK
JOSEPH W. MAGDOGAN
ALAN LOBECK
JOSHUA F. WHEELER, SECRETARY

T. HAROLD WILLIAMS, JR.
RICHARD W. DE VRIES, JACQ.
MRS. RICHARD K. HUBBARD

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 21, 1974

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 21st day of March 1974, the last publication appearing on the 21st day of February 1974.

THE JEFFERSONIAN
Manager

Cost of Advertisement, \$

PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION FOR VARIANCE FROM ZONING
Case No. 74-198-RXA
Nigella E. Martinez, Petitioner
101 Reisterstown Road
Towson, Md. 21204
Public Hearing: March 14, 1974 at 7:00 P.M.
County Office Building, 100 West Chesapeake Avenue, Towson, Md. 21204
BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF BALTIMORE COUNTY

OFFICE OF
THE TOWSON TIMES

TOWSON, MD. 21204 February 25 - 1974

THIS IS TO CERTIFY that the annexed advertisement was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 25 day of February 1974 that is to say, the same was inserted in the issue of February 21, 1974.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

1-SIGN 74-198-RXA

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: JUNE 15, 1974
Posted for: APPEAL
Petitioner: NIGELLA E. MARTINEZ, et al.
Location of property: NW CORNER ALLEGHENY AND CENTRAL AVENUES
Location of Sign: FRONT 400 ALLEGHENY AVE.
Remarks: Thomas E. Roland
Posted by: Thomas E. Roland Date of return: JUNE 21, 1974

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Web Map		Original		Duplicate		Tracing		200 Sheet
	date	by	date	by	date	by	date	by	
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: [Signature]	Revised Plans:				Change in outline or description Yes				
Previous case:	Map #				No				

BALTIMORE COUNTY, MARYLAND No. 15054
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE June 6, 1974 ACCOUNT 01-662
AMOUNT \$75.00
DISTRIBUTION
WHITE - CASHIER CHARLES O. MOUNT, Esquire
YELLOW - CUSTOMER
Cost of Filing of an Appeal and Posting of Property on Case No. 74-198-RXA
NW corner of Alleghany and Central Avenues - 9th Election District
Nigella E. Martinez - Petitioner

BALTIMORE COUNTY, MARYLAND No. 12773
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE Mar. 27, 1973 ACCOUNT 01-663
AMOUNT \$50.00
DISTRIBUTION
WHITE - CASHIER W. Lee Harrison, Esq.
YELLOW - CUSTOMER
306 W. Joppa Rd.
Towson, Md. 21204
Petition for Reclassification and Special Exception for Nigella E. Martinez

3-SIGNS 74-198-RXA

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 9th Date of Posting: FEB. 23, 1974
Posted for: Petition for Reclassification and Special Exception for Variance
Petitioner: NIGELLA E. MARTINEZ
Location of property: NW COR. OF ALLEGHENY & CENTRAL AVES.
Location of Sign: FRONT 400 ALLEGHENY AVE.
Remarks: Thomas E. Roland
Posted by: Thomas E. Roland Date of return: MARCH 1, 1974

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
101 West Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received * this 28th day of

Sept 1973 1972 Item #
S. ERIC DINENNA
Zoning Commissioner

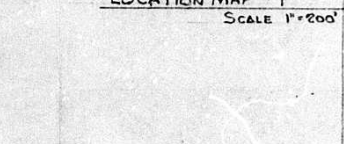
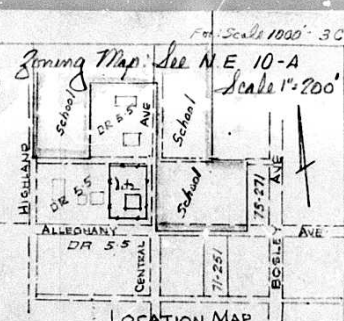
Petitioner: MARTINEZ Submitted by: CHAMBERS
Petitioner's Attorney: HARRISON Reviewed by: [Signature]

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND No. 13130
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE March 6, 1974 ACCOUNT 01-662
AMOUNT \$136.71
DISTRIBUTION
WHITE - CASHIER Messrs. Coakley & Parley
YELLOW - CUSTOMER
101 Reisterstown Road
Baltimore, Md. 21202
Advertising and posting of property for Nigella E. Martinez
74-198-RXA

BALTIMORE COUNTY, MARYLAND No. 15320
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 3/12/75 ACCOUNT 01-712
W. Lee Harrison, Esq.
601 Equinox Tower Bldg.
Towson, Md. 21204
Case No. 74-198-RXA - Nigella E. Martinez, et al.
Certified documents

PETTY ~~EXHIBIT~~
 EXHIBIT



Petition for Re-classification from DR-55 to DR-16
then Variance to Front & Sideyards Setback

and
Circuit Court of Appeals + 3rd Fl. Apartment # 1000

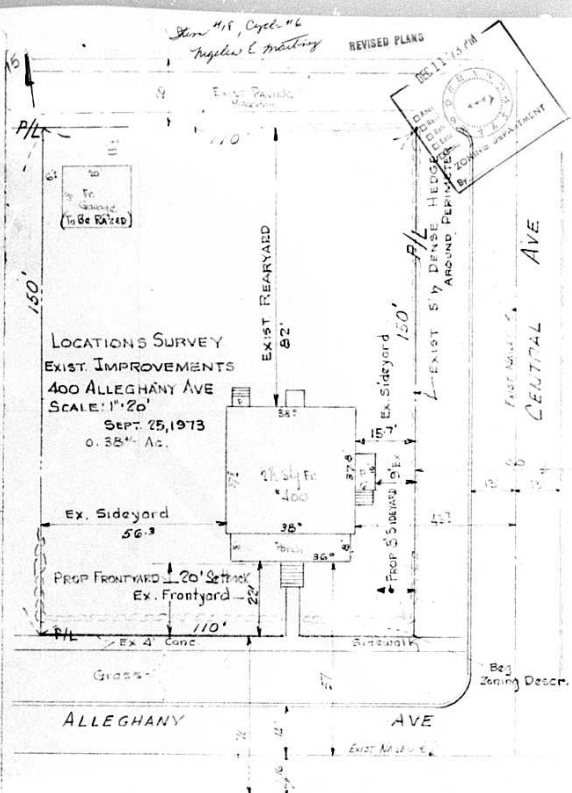
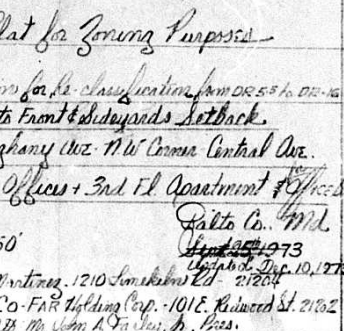
Galto Co., Md

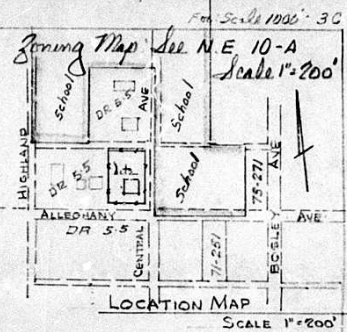
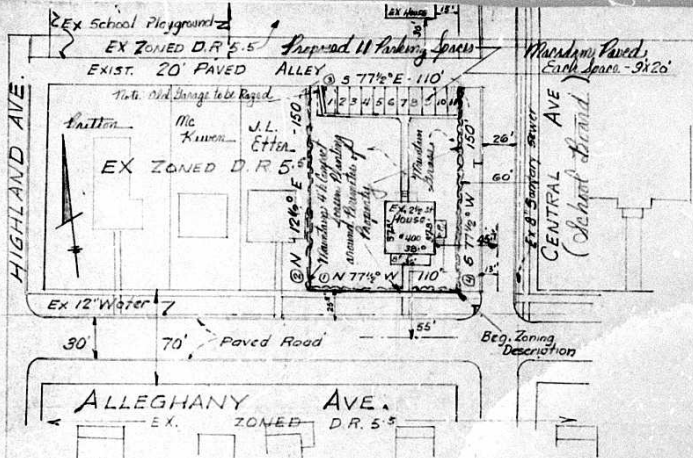
~~Sept 25, 1973~~

21204

238 Mr John A. Fahey, Jr., Pres

238 Mr John A. Fahey, Jr., Pres





Zoning Data
 Public Works - All Utilities are available
 All Roads improved
 Sidewalks exist
 Sewer Planting Cuts
 Existing Structure to be converted. Area: 110'x150' = 0.38 Ac.
 Proposed: First Floor: Use: Attorneys Office Area: 1,784 sq ft
 2nd Floor: Use: Attorneys Office Area: 37'x38' = 1,436 sq ft
 3rd Floor: Use: Single Apartment
 Note: Existing FF 3'x36' to be converted for Attorneys Office

Parking Requirements - Car Spaces
 1st Floor: 1,784 sq ft = 300 = 5.93
 2nd Floor: 1,436 sq ft = 500 = 2.87
 3rd Floor: Apartment = 1.53
 Parking Required = 10.33
 Parking Provided - 11 spaces
 Earth 8'x20' Macadam hard.

James S. Spamer & Associates
 ENGINEERS & SURVEYORS
 8017 YORK ROAD
 TOWSON, MD. 21204

Plot for Zoning Purposes

Petitions for Re-classification from DR 5.5 to DR 10-A
Variance to Front & Sideyard Setback.
 400 Alleghany Ave - 11 W Corner Central Ave.
 District #9
 Scale 1"=50'
 Date: 25, 1973
 Owner: Mac & Martinez 1210 Lombard Rd - 21204
 Contract Purchase: Co-Fair Holding Corp. 101 E. Edward St. 21202
 178 Mr. John A. Doherty, Jr., Pres.

