

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

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, The Towson Presbyterian Church, 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 \_\_\_\_\_ zone to an \_\_\_\_\_ zone; for the following reason:

MAP: 3C  
 NO. 76-X  
 SECTION: 9  
 DISTRICT: 9th  
 TYPE: R-2-2  
 PLAT: 307  
 DATE: 10/30/75  
 BY: [Signature]

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 \_\_\_\_\_ a Boarding House

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

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

[Signature]  
 President, Board of Trustees  
 The Towson Presbyterian Church  
 Legal Owner

Address: Chesapeake & Highland Aves.  
Towson, Maryland 21204

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of August, 1975, 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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 8th day of October, 1975, at 10:30 o'clock.

[Signature]  
 Zoning Commissioner of Baltimore County.

(over)

10-30A  
 10/18/75

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

This matter comes before the Zoning Commissioner as a result of a Petition filed by the Towson Presbyterian Church, for a Special Exception for a boarding house. The subject property is located on the northwest corner of Chesapeake and Highland Avenues, in the Ninth Election District of Baltimore County, and contains 0.907 of an acre of land, more or less.

Evidence on behalf of the Petitioner indicated that a boarding house is proposed for adolescents between the ages of 12 and 17. Said boarding house shall be under the direction of the Maryland Childrens Aid and Family Services and would be licensed by the State Department of Human Resources. It was indicated that there would be no more than 12 boarders housed on the subject property for a maximum of 60 days at any one time. Mr. Eugene Chiaverini, Assistant Director of the Department of Social Services of Montgomery County, Maryland, indicated that this type of use can and does exist in other residential areas. It is proposed that these adolescents, who may be from broken homes, etc., be placed in a residential atmosphere, pending some disposition as to their custody. The evidence indicated that the proposed use would not be detrimental to the health, safety, and general welfare of the community, would not overcongest the roads, and would otherwise meet the prerequisites of Section 502.1 of the Baltimore County Zoning Regulations.

Several residents of the area, in protest to the subject Petition, indicated that they felt that the granting of the Special Exception would effect their property rights and values. Further, they questioned whether or not there would

be adequate adult supervision of these adolescents to prevent possible juvenile delinquency.

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 prerequisites of Section 502.1 have been met, and the Special Exception for a boarding house should be granted.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of January, 1976, that the Special Exception for a boarding house should be and the same is GRANTED, from and after the date of this Order, subject to the following restrictions:

1. No more than 15 boarders shall be housed on the subject property at any one time.
2. Approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

[Signature]  
 Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING  
 DATE: January 30, 1976  
 BY: [Signature]

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE  
 for Boarding House : COUNTY BOARD OF APPEALS  
 NW corner of Chesapeake and Highland Avenues : OF  
 9th District : BALTIMORE COUNTY  
 The Towson Presbyterian Church :  
 Petitioner : No. 76-78-X

**ORDER OF DISMISSAL**

Petition of The Towson Presbyterian Church for Special Exception for boarding house, on property located on the northwest corner of Chesapeake and Highland Avenues, in the 9th Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of letter of dismissal of petition, filed March 2, 1977 (a copy of which letter is attached hereto and made a part hereof), from the attorney, representing the Petitioner in the above entitled matter.

WHEREAS, the said attorney for the said Petitioner requests that the petition filed on behalf of said Petitioner be dismissed and withdrawn as of March 3, 1977.

IT IS HEREBY ORDERED, this 4th day of March, 1977, that said petition be and the same is dismissed.

COUNTY BOARD OF APPEALS  
 OF BALTIMORE COUNTY

[Signature]  
 Walter A. Reiter, Jr., Chairman  
[Signature]  
 Herbert A. Davis  
[Signature]  
 Robt. T. Gilland

ORDER RECEIVED FOR FILING  
 DATE: January 30, 1976  
 BY: [Signature]

ORDER RECEIVED FOR FILING  
 DATE: January 30, 1976  
 BY: [Signature]

76-78-X-36-96A

**BALTIMORE COUNTY, MARYLAND**

**INTER-OFFICE CORRESPONDENCE**

TO: S. Eric DiNenna, Zoning Commissioner Date: October 7, 1975  
 FROM: William D. Fromm, Director of Planning  
 SUBJECT: Petition #76-78-X. Petition for Special Exception for a Boarding Home, Northwest corner of Chesapeake and Highland Avenue, Petitioner - The Towson Presbyterian Church

9th District

HEARING: Wednesday, October 8, 1975 (10:30 A.M.)

There are no comprehensive plan issues here requiring comment on this petition at this time.

[Signature]  
 William D. Fromm  
 Director of Planning

WDF:NEG:rw

James H. Cook, Esquire  
 409 Washington Avenue  
 Towson, Maryland 21204

RE: Petition for Special Exception NW/corner of Chesapeake and Highland Avenues - 9th Election District The Towson Presbyterian Church - Petitioner NO. 76-78-X (Item No. 32)

Dear Mr. Cook:

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

Very truly yours,  
[Signature]  
 S. ERIC DI NENNA  
 Zoning Commissioner

SED/scw

Attachments

cc: Mr. Edwin J. Fitzsimmons, Jr.  
 409 West Chesapeake Avenue  
 Towson, Maryland 21204

John W. Hessian, III, Esquire  
 People's Counsel

**PETITION MAPPING PROGRESS SHEET**

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	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: <u>DAS</u>										
Revised Plans: Change in outline or description										
Previous case: <u>73/22</u>										

**BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING**

County Office Building  
 111 W. Chesapeake Avenue  
 Towson, Maryland 21204

Your Petition has been received \* this 5th day of August 1975. Filing Fee \$ 50. Received      Cash      Other     

[Signature]  
 S. ERIC DI NENNA  
 Zoning Commissioner

Petitioner Towson Presbyterian Church (Submitted by James H. Cook)  
 Petitioner's Attorney      Reviewed by DAS

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

JAMES D. C. DOWNES  
 JAMES H. COOK  
 MURRAY S. MURRAY  
 JOHN S. HOWARD  
 DAVID S. DOWNES  
 DANIEL O. TRACY, JR.  
 JOHN H. DIM, III  
 JOSEPH C. WICK, JR.  
 HENRY B. PECK, JR.  
 HERBERT A. D'ONOFIO, III

March 2, 1977

County Board of Appeals  
 Court House  
 Towson, Maryland 21204

Re: Petition for Special Exception NW/corner of Chesapeake and Highland Avenues, 9th District The Towson Presbyterian Church, Petitioner No. 76-78-X

Dear Sir or Madam:  
 I wish to inform you that The Towson Presbyterian has decided to withdraw its request for a special exception. Therefore, the appeal of S. Eric DiNenna, Zoning Commissioner, granting the petition for special exception is moot.

Thank you for your assistance.  
 Very truly yours,  
[Signature]  
 James H. Cook

JHC:rm  
 c.c.: John W. Hessian, III, Esq.  
 People's Counsel

Rec'd 3/2/77  
 3:00pm

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
 Northwest corner of Chesapeake and  
 Highland Avenues, 9th District : OF BALTIMORE COUNTY

THE TOWSON PRESBYTERIAN CHURCH,  
 Petitioners : Case No. 76-78-X

ORDER TO ENTER APPEARANCE

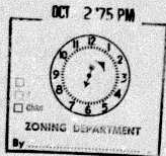
Mr. Commissioner:  
 Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter,  
 I hereby enter my appearance in this proceeding. You are requested to notify me of any  
 hearing date or dates which may be now or hereafter designated therefore, and of the  
 passage of any preliminary or final Order in connection therewith.

*Charles E. Kautz, Jr.*  
 Charles E. Kautz, Jr.,  
 Deputy People's Counsel

*John W. Hession, III*  
 John W. Hession, III  
 People's Counsel  
 County Office Building  
 Towson, Maryland 21204  
 494-2188

I hereby certify that on this 2nd day of October, 1975, a copy of the foregoing Order  
 was mailed to James H. Cook, Esquire, 409 Washington Avenue, Towson, Maryland 21204,  
 Attorney for Petitioners.

*James H. Cook*



RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER  
 NW/corner of Chesapeake and  
 Highland Avenues, 9th District : OF BALTIMORE COUNTY

THE TOWSON PRESBYTERIAN CHURCH,  
 Petitioner :  
 No. 76-78-X (Item No. 32) :

ORDER FOR APPEAL

Mr. Commissioner:  
 Please note an Appeal from your decision in the above entitled matter under date of  
 January 30, 1976, to the County Board of Appeals and forward all papers in connection  
 therewith to said Board for hearing.

*John W. Hession, III*  
 John W. Hession, III  
 People's Counsel

*Charles E. Kautz, Jr.*  
 Charles E. Kautz, Jr.  
 Deputy People's Counsel  
 County Office Building  
 Towson, Maryland 21204  
 494-2188

I HEREBY CERTIFY that on this 26th day of February, 1976, a copy of the foregoing  
 Order was mailed to James H. Cook, Esquire, 409 Washington Avenue, Towson, Maryland  
 21204, and Mr. Edwin J. Fitzsimmons, Jr., 409 West Chesapeake Avenue, Towson,  
 Maryland 21204.



*John W. Hession, III*

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE - REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT

No. 33347

DATE: Aug 26, 1975 ACCOUNT: 01-662

AMOUNT: 500.00

RECEIVED: The Towson Presb. Church, 409 Washington Ave., Towson, Md. 21204

FOR: Advertising and posting of property 76-78-X

VALIDATION OR SIGNATURE OF CARRIER

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE - REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT

No. 25903

DATE: Oct 6, 1975 ACCOUNT: 01-662

AMOUNT: 531.50

RECEIVED: The Towson Presb. Church, Highland and Chesapeake Avenues, Towson, Md. 21204

FOR: Advertising and posting of property 76-78-X

VALIDATION OR SIGNATURE OF CARRIER

BALTIMORE COUNTY, MARYLAND  
 OFFICE OF FINANCE - REVENUE DIVISION  
 MISCELLANEOUS CASH RECEIPT

No. 31654

DATE: March 3, 1976 ACCOUNT: 01-662

AMOUNT: 75.00

RECEIVED: John W. Hession, III, Esquire, People's Counsel

FOR: Cost of filing of an Appeal and Posting of Property on Case No. 76-78-X (Item No. 32) NW/corner of Chesapeake and Highland Avenues - 9th Election District

VALIDATION OR SIGNATURE OF CARRIER

PETITION FOR SPECIAL EXCEPTION  
 9th DISTRICT

ZONING Petition for Special Ex-  
 ception for a Residing Home  
 LOCATION: Northwest corner of  
 Chesapeake and Highland Avenues.  
 DATE & TIME: Wednesday, October  
 15, 1975, at 10:00 A.M.  
 PUBLIC HEARING: Room 108, Coun-  
 ty Office Building, 111 W. Ches-  
 apeake Avenue, Towson, Maryland.

The Zoning Commissioner of Bal-  
 timore County, by authority of the  
 Zoning Act and Regulations of  
 Baltimore County, will hold a public  
 hearing on the above described  
 Petition for Special Exception for a  
 Residing Home.

All that parcel of land in the  
 Ninth District of Baltimore County,  
 bounded by the same as to points  
 formed by the intersection of the  
 north side of Chesapeake Avenue  
 and the west side of Highland Ave-  
 nue, there running with said bound-  
 ing on the east, westerly side of  
 Highland Avenue (1) South 12' 00"  
 East, 143.33 feet, thence leaving said  
 West, 234.53 feet to the East side of  
 a 15 foot alley, thence running with  
 and bounding on the East side of said  
 15 foot alley with the new thereof as  
 common with others (2) South 12'  
 00" West, 143.33 feet to the fore-  
 mentioned northerly side of Ches-  
 apeake Avenue, thence running with  
 and bounding on the said northerly  
 side of Chesapeake Avenue (3) South  
 12' 00" East, 234.53 feet to the point  
 of beginning.

Containing 8.57 acres of land,  
 more or less.

Along the property of the Towson  
 Presbyterian Church, as shown on  
 plan filed with the Zoning De-  
 partment.

Hearing Date: Wednesday, October  
 15, 1975 at 10:00 A.M.  
 Public Hearing Room 108, Coun-  
 ty Office Building, 111 W. Ches-  
 apeake Avenue, Towson, Maryland.  
 By order of  
 S. ERIC DINENNA  
 Zoning Commissioner of  
 Baltimore County  
 Sept. 15.

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 11, 1975

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 (1) successive weeks before the 18th  
 day of October, 1975, the NWR publication  
 appearing on the 18th day of September  
 1975.

THE JEFFERSONIAN,  
*L. Frank Strick*  
 Manager.

Cost of Advertisement, \$.....

2-SIGNS 76-78-X

CERTIFICATE OF POSTING  
 ZONING DEPARTMENT OF BALTIMORE COUNTY  
 Towson, Maryland

District: 9th Date of Posting: SEPT 26, 1975

Posted for: PETITION FOR SPECIAL EXCEPTION

Petitioner: THE TOWSON PRESBYTERIAN CHURCH

Location of property: NW/COR. OF CHESAPEAKE AND HIGHLAND AVES.

Location of Signs: W/S HIGHLAND AVE. 60' TO E OF CHESAPEAKE AVE.  
W/S CHESAPEAKE AVE. 60' TO W OF HIGHLAND AVE.

Remarks:

Posted by: Thomas R. Poland Date of return: SEPT 26, 1975

1-Sign 76-78-X

CERTIFICATE OF POSTING  
 ZONING DEPARTMENT OF BALTIMORE COUNTY  
 Towson, Maryland

District: 9th Date of Posting: October 26, 1975

Posted for: APPEAL

Petitioner: TOWSON PRESBYTERIAN CHURCH

Location of property: NW CORNER CHESAPEAKE AND HIGHLAND AVENUES

Location of Signs: NW COR. CHESAPEAKE AND HIGHLAND AVES.

Remarks:

Posted by: Thomas R. Poland Date of return: October 26, 1975

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

Item 32

James H. Cook, Esq.  
 409 Washington Avenue  
 Towson, Maryland 21204

County Office Building  
 111 W. Chesapeake Avenue  
 Towson, Maryland 21204

Your Petition has been received and accepted for  
 filing this 18th day of August, 1975

*S. Eric Dinenna*  
 S. ERIC DINENNA,  
 Zoning Commissioner

Petitioner: The Towson Presbyterian Church

Petitioner's Attorney: James H. Cook Reviewed by: Franklin T. Hofmans, Jr.  
 cc: Whitman, Reardon and Associates Chairman,  
1111 N. Charles Street Zoning Plans  
Baltimore, Md. 21201 Advisory Committee

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 22, 1975

Franklin T. Hoggans, Jr.

James H. Cook, Esq. 409 Washington Avenue Towson, Maryland 21204

RE: Special Exception Petition Item 32 The Towson Presbyterian Church - Petitioner

Dear Mr. Cook:

The Zoning Plans 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 or problems with regard to the development plans that may have a bearing on this case.

The subject property is located on the northwest corner of Chesapeake and Highland Avenues, and is currently improved with a frame residence now being utilized as a manse for the Towson Presbyterian Church which lies opposite the subject property on Highland Avenue.

The petitioner is requesting a Special Exception for a boarding house, and it is the understanding of this Committee that this boarding house is intended to serve foster children for temporary periods prior to final location in appropriate foster homes.

James H. Cook, Esq. Re: Item 32 September 22, 1975 Page 2

This property currently enjoys, in accordance with Case No. 73-122-X, a Special Exception for a rooming house. The present proposal of the housing of foster children shall include provisions for meal services, and as such would not be permitted under the existing rooming house Special Exception.

Field inspection revealed an existing gravel parking lot with access from a 15 foot alley known as Campbell Lane. Said parking lot is almost entirely surrounded by a hedge at least six feet in height.

Please note with particular interest the comments of the Health Department.

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 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Franklin T. Hoggans, Jr. Chairman, Zoning Plans Advisory Committee

FTH:JD

Enclosure

cc: Whitman, Bequardt and Associates 1111 North Charles Street Baltimore, Md. 21201

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

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

September 19, 1975

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

Re: Item #32 (1975-1976) Property Owner: The Towson Presbyterian Church NW cor. of Chesapeake and Highland Avenues Existing Zoning: D.R. 5-5 Proposed Zoning: Special Exception for a Boarding House No. of Acres: 0.907 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:

The comments supplied in connection with the Zoning Advisory Committee review of this site for Item #51 (1972-1973) remain valid and applicable to this Item #32 (1975-1976).

Highway rights-of-way widening, including fillet areas for sight distances and any necessary revertible easements for slopes will be required for all three trafficways adjoining the Petitioner's properties, in connection with any grading, building or other permit applications. Further information in this regard may be obtained from the Baltimore County Bureau of Engineering; the submitted plan must be revised accordingly.

Very truly yours,

Ellsworth N. Diver, P.E. Chief, Bureau of Engineering

END:FAM:FWR:es

cc: John J. Trenner

N-W Key Sheet 36 NE 1 Pos. Sheet NE 10 A Topo TO A Tax Map

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING

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

August 15, 1975

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

Re: Item 32 - ZAC - August 19, 1975 Property Owner: The Towson Presbyterian Church Location: NW/C of Chesapeake & Highland Avenues Existing Zoning: D.R. 5-5 Proposed Zoning: Special Exception for a Boarding House No. of Acres: 0.907 District: 9th

Dear Mr. DiNenna:

The requested special exception for a boarding house is not expected to cause any major traffic problems.

Provision should be made for the future widening of Campbell Lane.

Very truly yours,

Michael S. Flanigan Traffic Engineering Associate

MSF/Dea

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH

JEFFERSON BUILDING TOWSON, MARYLAND 21204

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

August 20, 1975

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

Dear Mr. DiNenna:

Comments on Item #32, Zoning Advisory Committee Meeting, August 19, 1975, are as follows:

Property Owner: The Towson Presbyterian Church Location: NW/C of Chesapeake & Highland Avenues Existing Zoning: D.R. 5-5 Proposed Zoning: Special Exception for a Boarding House No. of Acres: 0.907 District: 9th

Metropolitan water and sewer are available.

Since this Boarding House will house foster children, the requirements of the Baltimore County Department of Health must be satisfied.

Very truly yours,

Thomas H. Devlin, R.S., Director Bureau of Environmental Services

HVB/ek

WILLIAM D. FROMM Director S. ERIC DINENNA ZONING COMMISSIONER



August 27, 1975

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 #32, Zoning Advisory Committee Meeting, August 19, 1975, are as follows:

Property Owner: The Towson Presbyterian Church Location: NW/c of Chesapeake and Highland Avenue Existing Zoning: D.R. 5-5 Proposed Zoning: Special Exception for a boarding house No. of Acres: 0.907 District: 9th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

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

Very truly yours,

John L. Wimbley Planning Specialist II Project and Development Planning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: August 15, 1975

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

Z.A.C. Meeting of: August 19, 1975

Re: Item 32 Property Owner: The Towson Presbyterian Church Location: NW/C of Chesapeake & Highland Avenues Present Zoning: D.R. 5-5 Proposed Zoning: Special Exception for a Boarding House

District: 9th No. Acres: 0.907

Dear Mr. DiNenna:

No effect on student population.

Very truly yours,

W. Nick Petrucci Field Representative

