

208 West Pennsylvania Avenue
Towson, Maryland 21204
December 15, 1977

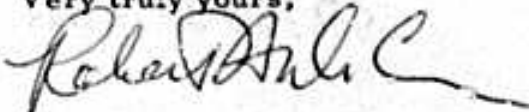
Mr. George J. Martinak
Deputy Zoning Commissioner
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Special Exception
and Variances
N/S of Pennsylvania Avenue, 170' E
of Central Avenue - 9th Election
District
Charles B. Wheeler, Jr., et al -
Petitioners
NO. 77-23-XA (Item No. 248)

Dear Mr. Martinak:

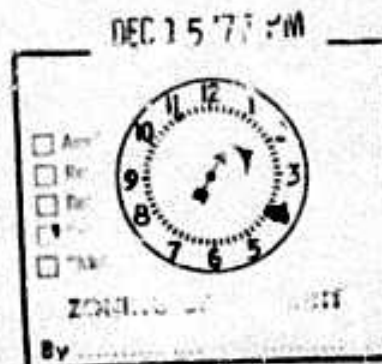
As a clarification to the Order passed in this matter, it is my understanding that you interpret that the porch of the existing dwelling may be enclosed provided the exterior siding, doors, windows, and facia, if any, conform to those of the existing dwelling subject to verification by Mr. Neal of the Historic Towson Commission.

Very truly yours,



ROBERT A. DICICCO

RAD/mc



ORDER RECEIVED FOR FILING

DATE October 11, 1977

BY Stella R. Lawrence

ADMINISTRATIVE SERVICES DIVISION

RE: PETITION FOR SPECIAL EXCEPTION AND VARIANCES
N/S of Pennsylvania Avenue, 170' E of Central Avenue - 9th Election District
Charles B. Wheeler, Jr., et al - Petitioners
NO. 77-23-XA (Item No. 248)
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY

!!! !!! !!!

!!! !!! !!!

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 11th day of October, 1977, that the Special Exception for an office Building and offices, granted July 30, 1976, be and the same is hereby extended, in accordance with Section 502.3 of the Baltimore County Zoning Regulations, for a period of three (3) years, beginning July 30, 1978, and ending July 30, 1981.


Deputy Zoning Commissioner of
Baltimore County



baltimore county
office of planning and zoning
TOWSON, MARYLAND 21204
TELEPHONE 454-3351

S. ERIC DINENNA
ZONING COMMISSIONER

October 11, 1977

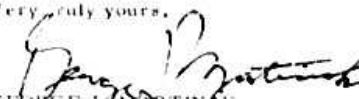
Newton A. Williams, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Exception and
Variances
N/S of Pennsylvania Avenue, 170' E
of Central Avenue - 9th Election
District
Charles B. Wheeler, Jr., et al -
Petitioners
NO. 77-23-XA (Item No. 248)

Dear Mr. Williams:

I have this date passed my Order in the above captioned matter in
accordance with the attached.

Very truly yours,


GEORGE J. MARTINAK
Deputy Zoning Commissioner

GJM/mc

Attachments

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

JAMES D. NOLAN
J. EARLE PLENNHOFF
KEWTON A. WILLIAMS
WILLIAM M. HESSON, JR.
KENNETH H. MASTERS
THOMAS J. PENNER

October 5, 1977



The Honorable George J. Martinak,
Deputy Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21204

Re: Request for Extension of Special Exception for
Offices for the Wheeler Property - 304 West
Pennsylvania Avenue - Case No. 77-23-XA

Dear Commissioner Martinak:

As you may recall, during the spring of 1966 our office represented the Wheeler family with regard to the obtaining of a Special Exception for offices and certain variances covering their property at 304 W. Pennsylvania Avenue here in Towson.

At the present time, the house remains on the market, and we would respectfully request that your Order of July 30, 1976, be extended for an additional three year period from the ordinary two year period which will expire on July 30, 1978. This extension is being requested in order to allow adequate time for the sale, settlement and development of the property in accordance with your order, and as you will recall, the first condition was the maintenance of the existing residential appearance of the existing house, which has been very well maintained by the Wheelers.

Both the Wheelers and their agent, Mr. Wood, and I will be most appreciative if the requested extension is granted. Thanking you for your attention to this matter, I am,

Respectfully yours,

Kewton A. Williams

Kewton A. Williams

NAW:ak

cc: Mr. and Mrs. Charles B. Wheeler, Jr.
304 West Pennsylvania Avenue
Towson, Maryland 21204
cc: William G. Wood
Piper & Company, Inc.
Green Spring Village
10803 Falls Road
Lutherville, Maryland 21093

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: HOWARD S. HART
 WHEELER, CHARLES B. WHEELER, JR., AND
 I, or we, ESTATE OF CATHERINE S. WHEELER, legal owner, of the property situated 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 1202.28 (a.2) and/or other applicable sections
 to permit side yards of eleven (11) feet and seventeen (17) feet in
 lieu of the required twenty-five (25) feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the
 following reasons: (dedicate hardship or practical difficulty)
 1. That the subject property involves an older residence built in
 the early part of the century, and is being sought to be converted to office
 use, and without the requested variance the Petitioners will sustain practical
 difficulty and unreasonable hardship, and, in fact, the subject lot is only
 seventy (70) feet in width and, hence, it is impossible to provide twenty-
 five (25)-foot side yards, with the present building.
 2. That the requested variances are in harmony with the letter and
 spirit of the Regulations, and will result in no change to the subject neighbor-
 hood and will benefit its neighborhood by insuring the continued excellent
 maintenance of the subject lot and building.

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.
 ESTATE OF CATHERINE S. WHEELER
 By: Charles B. Wheeler, Jr. Personal Repre-
 sentative and Individually
 Charles B. Wheeler, Jr. Legal Owners
 204 West Pennsylvania Avenue
 Towson, Maryland, 21204.
 Petitioner's Attorney
 204 West Pennsylvania Avenue
 Towson, Maryland, 21204.
 Protester's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day
 of June, 1976, that the subject matter of this petition be advertised, as
 required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
 out Baltimore County, that the public hearing be held before the Zoning
 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore
 County, on the 30th day of July, 1976, at 10:00 o'clock
P. M.
 Zoning Commissioner of Baltimore County.

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: HOWARD S. HART
 WHEELER, CHARLES B. WHEELER, JR., AND
 I, or we, ESTATE OF CATHERINE S. WHEELER, legal owner, of the property situated 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 as is to as is
 for the following reason:

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 Office, and office building in
A.D.R. 15 zone.

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.
 ESTATE OF CATHERINE S. WHEELER
 By: Charles B. Wheeler, Jr. Personal Repre-
 sentative and Individually
 Charles B. Wheeler, Jr. Legal Owners
 204 West Pennsylvania Avenue
 Towson, Maryland, 21204.
 Petitioner's Attorney
 204 West Pennsylvania Avenue
 Towson, Maryland, 21204.
 Protester's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day
 of June, 1976, that the subject matter of this petition be advertised, as
 required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
 out Baltimore County, that the public hearing be held before the Zoning
 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore
 County, on the 30th day of July, 1976, at 10:00 o'clock
P. M.
 Zoning Commissioner of Baltimore County.

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS

James D. Nolan, Esq.
 Nolan, Plumhoff and Williams
 204 West Pennsylvania Avenue
 Towson, Md. 21204
 BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
 County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received and accepted for filing
 this 24th day of June, 1976.

S. Eric DiNenna,
 Zoning Commissioner

Petitioner Charles B. Wheeler, et al
 Petitioner's Attorney James D. Nolan Reviewed by Franklin T. Hogans, Jr.
 Chairman, Zoning Plans
 Advisory Committee
 George William Stephens, Jr.
 and Associates, Inc.
 P.O. Box 6828 (21204)

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

June 30, 1976

COUNTY OFFICE BLDG.
 111 W. CHESAPEAKE AVE.
 TOWSON, MARYLAND 21204
 Mr.
 Franklin T. Hogans, Jr.
 Chairman
 ZONING ADVISORY COMMITTEE

BUREAU OF
 ENGINEERING
 DEPARTMENT OF
 TRANSPORTATION
 STATE ROADS CONSTRUCTION
 BUREAU OF
 FIRE PREVENTION
 HEALTH DEPARTMENT
 PROJECT PLANNING
 BUILDING DEPARTMENT
 BOARD OF EDUCATION
 ZONING ADMINISTRATION
 INDUSTRIAL
 DEVELOPMENT

James D. Nolan, Esq.
 Nolan, Plumhoff and Williams
 204 West Pennsylvania Avenue
 Towson, Maryland 21204
 RE: Special Exception Petition
 Item 248
 Charles B. Wheeler, et al -
 Petitioners

Dear Mr. Nolan:
 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 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 north
 side of Pennsylvania Avenue, 170 feet southeast of
 Central Avenue, and is currently improved with a
 dwelling. The petitioner is requesting a Special
 Exception to permit the conversion of this property
 existing side setback deficiencies.
 The petitioner is proposing a parking lot at
 the rear of the lot with access from a Macadam
 alley. This alley is used for access by various
 office uses presently in operation.

James D. Nolan, Esq.
 Re: Item 248
 July 1, 1976
 Page 2

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. Hogans, Jr.
 Chairman, Zoning Plans
 Advisory Committee

PTH:JD
 Enclosure
 cc: George William Stephens, Jr.
 and Associates, Inc.
 P.O. Box 6828
 Towson, Md. 21204

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: June 11, 1976

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

Z.A.C. Meeting of: June 15, 1976

Re: Item 248
 Property Owner: Wheeler
 Location: 170 W. Central Ave.
 Present Zoning: R-15
 Proposed Zoning: SE for offices

District: 0

No. Acres: 0.111

Dear Mr. DiNenna:

No bearing on student population.

Very truly yours,

S. Eric DiNenna
 Zoning Commissioner

ENP/ml



Paul H. Reincke
Chief

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

Attention: Mr. Frank Rogers, Chairman
Zoning Advisory Committee

Re: Property Owner: Charles B. Wheeler, et al

Location: 170 W. Central Ave.

Item No. 248

Dating: June 15, 1976

Comments:

- Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "x" are applicable and shall be corrected or incorporated into the final plans for the property.
1. Fire hydrants for the referenced property are required and shall be located at intervals of _____ 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 _____ is to be corrected.
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 "Life Safety Code", 1973 Edition prior to occupancy.
6. Site plans are approved as shown.
7. The Fire Prevention Bureau has no comments at this time.

Reviewed by: Paul H. Reincke Approved: Paul H. Reincke
 Planning Group Acting Deputy Chief
 Special Inspection Division Fire Prevention Bureau

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

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

a Special Exception for a..... should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this..... day of..... 197..... that the herein described property or area should be..... and the same is hereby reclassified; from a..... zone to a..... should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

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

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

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this..... 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 to remain a..... zone; and/or the Special Exception for..... be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Zoning Commissioner of Baltimore County

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

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

a Variance..... should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this..... day of..... 197..... that the herein Petition for a Variance should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

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

the above Variance should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this..... day of..... 197..... that the above Variance be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

Baltimore County
Department of Public Engineering
TOWSON, MARYLAND 21204
(301) 494-3555
STEPHEN E. COLLINS
DIRECTOR

July 13, 1976

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

Re: Item #248 - ZAC - June 15, 1976
Property Owner: Charles B. Wheeler, et al
Location: N/S Pennsylvania Avenue 170' SE Central Ave.
Existing Zoning: D.R. 16
Proposed Zoning: Special exception for offices and variance to permit side yards of 11' and 17' in lieu of the required 25'
Acres: 0.241
District: 9th

Dear Mr. DiNenna:

The requested special exception for an office building is not expected to cause any major traffic problems.

The continuous expansion of office buildings in this area, without improving the streets and alleys, can be expected to cause problems.

Very truly yours,

Richard S. Planig
Richard S. Planig
Traffic Engineer Associate

MSF:nc

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3211
WILLIAM D. FROST
DIRECTOR

July 14, 1976

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 #248, Zoning Advisory Committee Meeting, June 15, 1976, are as follows:

Property Owner: Charles B. Wheeler, et al
Location: N/S Pennsylvania Avenue 170' SE Central Avenue
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for offices and variance to permit side yards of 11' and 17' in lieu of the required 25'
Acres: 0.241
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 ensure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

If the special exception is granted this office requests, that it be limited to the existing building.

The alley should be paved a minimum of 20 feet in width. Any exterior lighting must be limited to eight feet in height.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Project and Development Planning

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

July 2

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

Re: Item #248 (1975-1976)
Property Owner: Charles B. Wheeler, et al
N/S Pennsylvania Ave., 170' S.E. Central Ave.
Existing Zoning: DR 16
Proposed Zoning: Special Exception for offices and variance to permit side yards of 11' and 17' in lieu of the required 25'.
Acres: 0.241 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.

Highways:

Pennsylvania Avenue, an existing County street, is proposed to be improved in the future as a 44-foot closed section roadway on a 32-foot right-of-way. Highway improvements are not required at this time. Highway right-of-way widening, including any necessary reversible easements for slopes will be required in connection with any grading or building permit application.

The status of the 20-foot alley right-of-way is unknown to this office; however, the alley should be improved in the future as a 20-foot commercial alley on a 22-foot right-of-way. No additional alley improvements are required at this time; however, future improvements would be the financial responsibility of adjacent property owners.

The submitted plan does not indicate the proposed highway or alley improvements. Further information may be obtained from the Baltimore County Bureau of Engineering.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

Sediment Control:

Development of this property through striping, 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 striping of top soil.

Item #248 (1975-1976)
Property Owner: Charles B. Wheeler, et al
Page 2
July 22, 1976

Storm Drainage

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

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.

Water and Sanitary Sewer:

Public water supply and sanitary sewerage serve the present residence. However, the water main in Pennsylvania Avenue is of considerable age and in this vicinity is apparently only a 6-inch main. This property is tributary to the Jones Falls Sewerage System, subject to State Health Department moratorium restrictions.

Very truly yours,

William D. Frost
William D. Frost, P.E.
Chief, Bureau of Engineering

END:EM:FW:SS

cc: J. Tremmer
J. Somers
J. Loos
W. Munchel

N-W Key Sheet
38 NE 2 Top Sheet
NE 10 A Topo
70 and 70A Tax Maps

Baltimore County
Department of Health
TOWSON, MARYLAND 21204

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

October 11, 1976

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

Dear Mr. DiNenna:

Comments on Item #248, Zoning Advisory Committee Meeting, June 15, 1976, are as follows:

Property Owner: Charles B. Wheeler, et al
Location: N/S Pennsylvania Avenue 170' SE Central Avenue
Existing Zoning: D.R. 16
Proposed Zoning: Special Exception for offices and variance to permit side yards of 11' and 17' in lieu of the required 25'.
Acres: 0.241
District: 9th

Metropolitan water and sewer are available; no health hazards are anticipated.

Very truly yours,

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

TED:DBB/DBS

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE COUNTY BOARD OF APPEALS
and : OF BALTIMORE COUNTY
N/S of Pennsylvania Ave, 170 feet
E of Central Avenue, 9th District

CHARLES B. WHEELER, et al : Case No. 77-25-XA
Petitioners:

ORDER

The Motion of the People's Counsel for Baltimore County to dismiss his appeal having been considered, it is, this 16th day of December, 1976, by the County Board of Appeals for Baltimore County,

ORDERED, that said appeal be and it is hereby DISMISSED.

Walter A. Beig, Jr., Chairman
Robert L. Gifford

John A. Miller

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE COUNTY BOARD OF APPEALS
and
PETITION FOR VARIANCE : OF BALTIMORE COUNTY
N/S of Pennsylvania Ave., 170 feet
E of Central Avenue, 9th District
CHARLES B. WHEELER, et al
Petitioners : Case No. 77-23-XA

MOTION TO DISMISS APPEAL

To the Honorable, Members of Said Board:

The Motion of the People's Counsel for Baltimore County to dismiss the appeal in this matter respectfully shows:

1. That the Movant is the only appellant herein.
2. That the property here involved was identified together with other properties in its vicinity as an "issue" whereunder zoning classifications less intensive in density were being considered by the County Council for Baltimore County during the "1976 Comprehensive Zoning Map" process.
3. That the County Council for Baltimore County reaffirmed the zoning classification of "DR 16" for said property on the "1976 Comprehensive Zoning Map" for the Fourth Councilmanic District of Baltimore County.
4. That in view of the Councilmanic reaffirmance of said zoning classification, the public interest will not be further served by maintenance of the appeal from granting of the Special Exception for the operation and maintenance of an office building on said property.

WHEREFORE, Motion is hereby made to dismiss the pending appeal.

AND AS IN DUTY BOUND, etc.,

John W. Heslan, III
John W. Heslan, III
People's Counsel

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

I HEREBY CERTIFY that on this 16th day of December, 1976, a copy of the foregoing Motion was mailed to Mexican A. Williams, Esquire, Nolan, Plumbhoff and Williams, 204 West Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Heslan, III
John W. Heslan, III

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE
AND VARIANCES : DEPUTY ZONING
N/S of Pennsylvania Avenue, 170' E of
Central Avenue - 9th Election District
Charles B. Wheeler, Jr., et al -
Petitioners : COMMISSIONER
NO. 77-23-XA (Item No. 248) : OF
BALTIMORE COUNTY

The Petitioners request a Special Exception to use their property, presently zoned D.R. 16, as an office building and offices, and further request Variances to permit side yards of eleven feet and seventeen feet in lieu of the required twenty-five feet. The subject property is located on the north side of Pennsylvania Avenue, 170 feet east of Central Avenue, and is improved by a two and one-half story frame dwelling and two-car garage. The subject property contains 0.241 acres of land, more or less.

Testimony presented on behalf of the Petitioners indicated that they wish to convert the existing building to general office use. They stated that the outward appearance of the building would remain substantially as it is today, which is in keeping with the character of the neighborhood and other nearby similar conversions.

A nearby resident, in protest, indicated concern for the residential character of the neighborhood and the amount of traffic which the contemplated use would generate.

Without reviewing the evidence further in detail, but based on all of the evidence presented at the hearing, in the judgement of the Deputy Zoning Commissioner, the prerequisites of Section 502.1 of the Baltimore County Zoning Regulations have been met, and a Special Exception for an office building and offices should be granted.

ORDER RECEIVED FOR FILING

DATE July 30, 1976
BY John P. Blythe

ORDER RECEIVED FOR FILING

DATE July 30, 1976
BY John P. Blythe

Moreover, strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and/or unreasonable hardship upon the Petitioners and, since the granting of the requested Variances would not adversely effect the health, safety, and general welfare of the community, the requested variances should also be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 30th day of July, 1976, that the Special Exception for an office building and offices should be and the same is hereby GRANTED, and the Variances, to permit side yards of eleven feet and seventeen feet in lieu of the required twenty-five feet, should be and the same are hereby GRANTED, from and after the date of this Order. All of the aforementioned requests are subject to the following:

1. The outward appearance of the existing building must remain substantially the same as at present.
2. The approval of a site plan by the Department of Public Works and the Office of Planning and Zoning.

Raymond J. ...
Deputy Zoning Commissioner of
Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
and
PETITION FOR VARIANCE :
N/S of Pennsylvania Ave., 170 feet
E of Central Avenue, 9th District : OF BALTIMORE COUNTY
WHEELER, CHARLES B., et al, : Case No. 77-23-XA
Petitioners

ORDER FOR APPEAL

Mr. Commissioner:

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

John W. Heslan, III
John W. Heslan, III
People's Counsel

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

I HEREBY CERTIFY that on this 23rd day of August, 1976, a copy of the foregoing Order was mailed to James D. Nolan, Esquire, Nolan, Plumbhoff, and Williams, 204 West Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Heslan, III
John W. Heslan, III

July 30, 1976

Newton Williams, Esquire
Newton Williams, Esquire
204 West Pennsylvania Avenue
Towson, Maryland 21204

RE: Petition for Special Exception
and Variances
N/S of Pennsylvania Avenue, 170' E
of Central Avenue - 9th Election
District
Charles B. Wheeler, Jr., et al -
Petitioners
NO. 77-23-XA (Item No. 248)

Dear Mr. Williams:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,
George M. Martinax
GEORGE M. MARTINAX
Deputy Zoning Commissioner

GJM/mc

Attachments

cc: Mrs. Mary Ginn
West Towson Improvement Association
603 Horncrest Road
Towson, Maryland 21204

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

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE ZONING COMMISSIONER
and
PETITION FOR VARIANCE :
N/S of Pennsylvania Ave., 170 feet
E of Central Avenue, 9th District : OF BALTIMORE COUNTY
WHEELER, CATHERINE S., ESTATE OF, : Case No. 77-23-XA
Petitioners

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

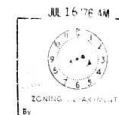
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be new or hereafter designated therefore, and of the passage of any preliminary or final Order in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

Charles E. Kountz, Jr.
Charles E. Kountz, Jr.
Deputy People's Counsel

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

I HEREBY CERTIFY that on this 15th day of July, 1976, a copy of the foregoing Order was mailed to James D. Nolan, Esquire, Nolan, Plumbhoff and Williams, 204 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioners.

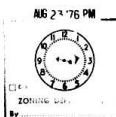
John W. Heslan, III
John W. Heslan, III



FROM THE OFFICE OF
GEORGE WILLIAM STEWART, JR. AND ASSOCIATES, INC.
SOUTHERN
P.O. BOX 6697, FOWLER, MARYLAND 21204 May 27, 1976
Description to Accompany Zoning Petition
for Special Exception for Office in Building
D.R. 16 Zone with Variance Request to Side Yards

Beginning for the same at a point on the N of Pennsylvania Avenue,
said point being distant 170 feet more or less, southeasterly, from the center
line of Central Avenue, and running thence the following courses, viz:
(1) South 77° 30' East 70.00 feet, (2) North 12° 30' East 150.00 feet, (3)
North 77° 30' West 70.00 feet, (4) South 12° 30' West 150.00 feet to the
place of beginning.

Containing 0.241 acres of land, more or less.



OFFICE OF THE
THE TIMES
NEWSPAPERS

TOWSON, MD. 21204 June 30, 1976

THIS IS TO CERTIFY, that the annexed advertisement of
Petition for a Special Exception & Variance
was inserted in the following: Estate of Catherine S.
Wheeler

☐ Catonsville Times ☐ Towson Times
☐ Dundalk Times ☐ Arbutus Times
☐ Essex Times ☐ Community Times
☐ Suburban Times East ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland,
once a week for one successive weeks before the
19th day of July 1976, that is to say, the same
was inserted in the issues of June 30, 1976.

STROMBERG PUBLICATIONS, INC.
BY Pat Smith

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 1, 1976

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 1st
day of July 1976, the first publication
appearing on the 1st day of July
1976.

THE JEFFERSONIAN
Richard S. Wheeler
Manager

Cost of Advertisement, \$.....

2-5166 77-23-XA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 94 Date of Posting July 2, 1976

Posted for: Petitions For Special Exception, Variance

Petitioner: Estate of Catherine S. Wheeler

Location of property: N/S of Penna. Ave. 170' E. of Central Ave.

Location of Signs: Front 304 Penna. Ave.

Remarks: Thomas R. Richard Date of return: July 8, 1976

1-5166 77-23-XA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 94 Date of Posting July 2, 1976

Posted for: ALVINE

Petitioner: Estate of Catherine S. Wheeler

Location of property: N/S of Penna. Ave. 170' E. of Central Ave.

Location of Signs: Front 304 Penna. Ave.

Remarks: Thomas R. Richard Date of return: July 8, 1976

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

No. 33472

DATE June 25, 1976 ACCOUNT 01-662

AMOUNT \$50.00

RECEIVED FROM Messrs. Nolan, Finkhoff & Williams, 204 W. Penna. Ave., Towson, Md. 21204

For Petition for Special Exception and Variance for the Estate of Catherine S. Wheeler - 77-23-XA

50.00 CASH



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 2nd day of July 1976 Filing Fee \$ 50 Received Check

Wheeler Submitted by Wheeler

Petitioner's Attorney Wheeler Reviewed by Wheeler

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

PETITION MAPPING PROGRESS SHEET

FUNCTION	Map		Original		Duplicate		Filing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denial										
Granted by ZC, RA, CC, CA										
Reviewed by: <u>Wheeler</u>			Second Plans Change in outline or description			Yes		No		
Previous cases			Sup. #							

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

No. 38908

DATE July 19, 1976 ACCOUNT 01-662

AMOUNT \$50.75

RECEIVED FROM Messrs. Nolan, Finkhoff & Williams 204 W. Penna. Ave., Towson, Md. 21204

For Advertising and posting of property for Estate of Catherine S. Wheeler - 77-23-XA

50.75 CASH

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

No. 38966

DATE August 24, 1976 ACCOUNT 01-662

AMOUNT \$75.00

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

For Cost of Filing of an Appeal and Posting of Property on Case No. 77-23-XA (Item No. 248)

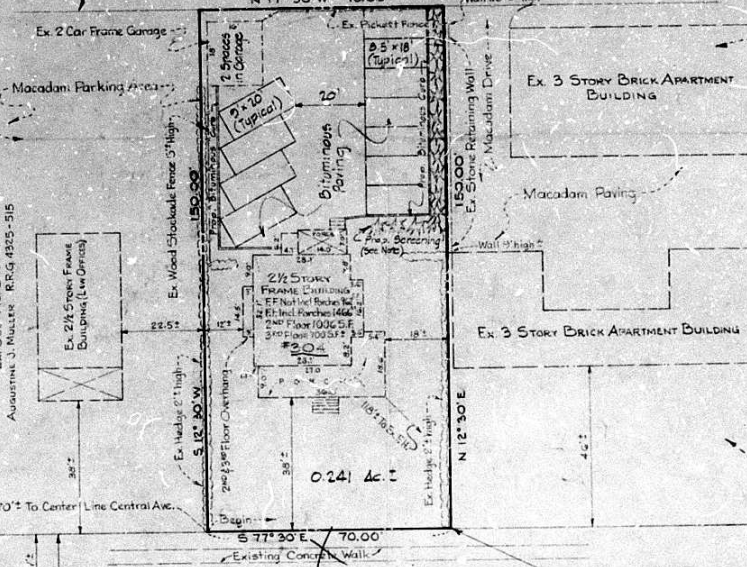
N/S of Pennsylvania Avenue, 170' E. of Central Avenue - 9th Election District - 77-23-XA

Estate of Catherine S. Wheeler - Petitioner - 75.00 CASH

20

Buildings Front On Allegheny Avenue
PRESENT ZONING DR-1G
Ex Use - Residential
Ex Use - Offices (Zoning Case # 71-2515PH)
Ex Use - Offices
Ex Use - Women's Club of Towson
Ex Macadam Parking Area
Ex Macadam Parking Area
Ex Frame Garage

MACADAM ALLEY
N 17° 30' W 70.00'
Existing Sanitary Sewer (See Dwg No 27023A-10)
Wall 15" High



Note:
Variance requested to permit side yards of 12 & 16 ft. rather than the required 16 ft.

GENERAL NOTES

1. Area of Property - 0.241 Ac. ±.
2. Present Zoning - DR-1G.
Present Use - Residential.
3. The basement of the existing building will not be used for offices.
4. Screening, where proposed, shall be dense evergreens, minimum height 6', or at option of applicant, wood stockade fence, minimum height 6'.
5. Paving shall be bituminous with bit. curbing.
6. Lights shall be so erected as not to direct rays into residential areas.
7. Water & sewer connections exist and are functional.

PENNSYLVANIA AVENUE
Existing 4" Water (See Dwg No 31074-7)
Existing Sanitary Sewer (See Dwg No 27025A-10)
Existing Concrete Curb
Existing Concrete Curb
Existing Fire Hydrant

Ex Use - Residential
Ex Use - Offices (Zoning Case # 72-118A)
Ex Use - Offices (Zoning Case # 74-178X)
Ex Use - Residential

PARKING TABULATION

First Floor 1466 Sq. Ft. ÷ 300 = 5 Spaces
Second Floor 1006 Sq. Ft. ÷ 500 = 2 Spaces
Third Floor 100 Sq. Ft. (Approx.) ÷ 500 = 2 Spaces
Total Parking Required - 9 Spaces
Parking Proposed - 11 Spaces (2 Additional Spaces in Garage)



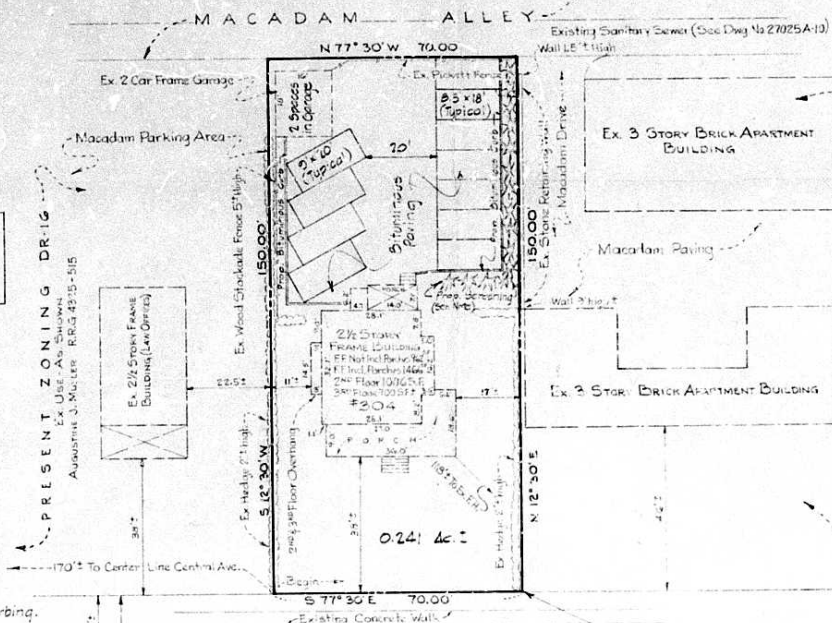
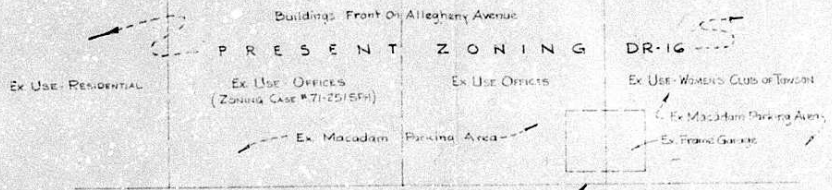
GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON 4, MARYLAND

PLAT TO ACCOMPANY ZONING PETITION
FOR
SPECIAL EXCEPTION FOR OFFICES
IN EXISTING DR-1G ZONE
WITH
VARIANCE REQUEST TO SIDE YARDS
304 PENNSYLVANIA AVE.
TOWSON

Baltimore Co. Md
Scale: 1" = 20'

Election Dist #9
May 15, 1976

Map	30
Section	9
Block	6-76
Lot	1
Area	1.00
Volume	1.00
Area	1.00
Volume	1.00



BOSELEY AVENUE

ZONING DR-16

BOSELEY AVENUE

250' (Approx.) to
30' to 60' to 80' to

Note:
Variances requested to
permit side yards of 11' &
17' ft. rather than the
required 25 ft.

GENERAL NOTES

1. Area of Property - 0.241 Ac. ±.
2. Present Zoning - DR-16.
Present Use - Residential.
3. The basement of the existing building will not be used for offices.
4. Screening, where proposed, shall be dense aborvitae, minimum height 6', or at option of applicant, wood stockade fence, minimum height 6'.
5. Paving shall be bituminous with bit. curbing.
6. Lights shall be so erected as not to direct rays into residential areas.
7. Water & Sewer connections exist and are functional.

PARKING TABULATION

First Floor 1466 Sq. Ft. ÷ 300 = 5 Spaces
Second Floor 1006 Sq. Ft. ÷ 300 = 2 Spaces
Third Floor 700 Sq. Ft. (Approx.) ÷ 300 = 2 Spaces
Total Parking Required ~ 9 Spaces
Parking Proposed ~ 11 Spaces (2 Additional Spaces in Garage.)



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON, MARYLAND

PLAT TO ACCOMPANY ZONING PETITION
FOR
SPECIAL EXCEPTION FOR OFFICES
IN EXISTING DR-16 ZONE
WITH
VARIANCE REQUEST TO SIDE YARDS
304 PENNSYLVANIA AVE.
TOWSON

Baltimore Co. Md Election Dist #9
Scale: 1" = 20' May 25, 1976

Revised July 14, 1976 - Adjusted Sideyard Variance Data.

Note:

Variance requested to permit Side Yards of 11' & 17' Ft. rather than the required 25' Ft.

GENERAL NOTES

1. Area of Property = 0.241 Ac. ±.
2. Present Zoning - D2.16.
Present Use - Residential.
3. The basement of the existing building will not be used for offices.
4. Screening, where proposed, shall be dense evergreen, minimum height 6', or at option of applicant, wood stockade fence, minimum height 6'.
5. Paving shall be bituminous with bit. curbing.
6. Lights shall be so erected as not to direct rays into Residential areas.
7. Water & Sewer connections exist and are functional.

PARKING TABULATION

First Floor 1466 Sq. Ft. ÷ 300 = 5 Spaces
Second Floor 1006 Sq. Ft. ÷ 500 = 2 Spaces
Third Floor 700 Sq. Ft. (Approx.) ÷ 300 = 2 Spaces
Total Parking Required - 9 Spaces
Parking Proposed - 11 Spaces (2 Additional Spaces in Garage)



GEORGE WILLIAM STEPHENS, INC.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON 4, MARYLAND

PLAT TO ACCOMPANY ZONING PETITION
FOR
SPECIAL EXCEPTION FOR OFFICES
IN EXISTING D2.16 ZONE
WITH
VARIANCE REQUEST TO SIDE YARDS
304 PENNSYLVANIA AVE.
TOWSON

Baltimore Co. Md
Scale 1" = 20'

Election Dist #9
May 25, 1976

Revised July 14, 1976 - Adjusted Sideyard Variance Data.