

78

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

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

The undersigned, legal owner(s) 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an D.R.5.5 zone to an R-O zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for _____

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

Property is to be posted and advertised as prescribed by The Baltimore County Code.

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

Contract Purchaser:

Legal Owner(s):

George W. Goschen

(Type or Print Name)

Signature

Marilyn T. Goschen

(Type or Print Name)

Signature

Address

City and State

5723 Oakland Road

Address

Baltimore, Maryland 21227

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Robert G. Carr, Attorney

Address

904 Equitable Towson Building

Towson, Maryland 21204

City and State

Attorney's Telephone No. 296-4433

Address

Phone No.

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 3, 1982

COUNTY OFFICE BLDG.
131 W. Chase Avenue
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

Robert G. Carr, Esquire
904 Equitable Towson Building
Towson, Maryland 21204

RE: Item No. 18 - Cycle No. III
Petitioner - George W. Goschen, et ux
Reclassification Petition

Dear Mr. Carr:

This reclassification petition has been timely filed with the Board of Appeals for a public hearing within the April - October '82 reclassification cycle (Cycle III). It has been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and commenting agencies' standards and policies, you are requested to review these comments, make your own judgement as to their accuracy and submit the necessary amendments to this office before May 31. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

The subjects of this petition consist of two parcels of land zoned D.R.5.5 and proposed to be reclassified to an R-O zone. The larger parcel is situated on the west side of Maiden Choice Lane southeast of Wilkens Avenue and is improved with a large dwelling and accessory structures, while the smaller parcel, also improved with a dwelling, is located to the rear of this site. To the north and west of these properties is D.R.5.5 zoned land, improved with individual dwellings, while apartments and townhouses, zoned D.R.16 and D.R.10.5, exist to the south and east, respectively.

In view of the fact that the submitted site plan does not indicate a proposed development of the subject property, the enclosed comments from this Committee are general in nature. If the requested reclassification is granted, a public hearing and/or Planning Board review and approval will be required prior to development. At that time, more specific comments will be provided.

Item No. 18 - Cycle No. III
Petitioner - George W. Goschen, et ux
Reclassification Petition

If you have any questions concerning the enclosed comments, please feel free to contact me at 494-3391. Notice of the specific hearing date, which will be between September 1 and December 1982 will be forwarded to you in the future.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NEC:bac

Enclosures

cc: Paul Lee Engineering Inc.
304 W. Pennsylvania Avenue
Towson, Maryland 21204



HARRY J. PISTEL, P.E.
DIRECTOR

April 19, 1982

Mr. William T. Hackett, Chairman
Board of Appeals
Court House
Towson, Maryland 21204

Re: Item #18 Zoning Cycle III (April-October 1982)
Property Owner: George W. & Marilyn T. Goschen
W/S Maiden Choice Lane 285' S/E from centerline
of Wilkens Avenue
Existing Zoning: DR 5.5
Proposed Zoning: R-O
Acres: 1.82
District: 13th

Dear Mr. Hackett:

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:

Maiden Choice Lane, an existing County road, is improved as a 44-foot closed section roadway generally on a 70-foot right-of-way in this vicinity; further highway improvements are not proposed at this time.

The indicated 10-foot right-of-way (paved between Maiden Choice Lane and Courtney Road), also Hartline Avenue and 1st Avenue, (both unimproved), all shown on the plat "Wilkins Terrace", recorded W.C. 7 Folio 173, if improved in the future as public roads, would be as 30-foot closed section roadways on minimum 40-foot rights-of-way.

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

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.

Storm Drains:

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

Item #18 Zoning Cycle III (April-October 1982)
Property Owner: George W. & Marilyn T. Goschen
Page 2
April 19, 1982

Storm Drains: (Don't'd)

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:

There is a public 12-inch water main in Maiden Choice Lane and 8-inch public sanitary sewerage exists within an offsite Baltimore County utility easement, as shown on the submitted plan.

Very truly yours,

Richard A. M. ETO, P.E.
Richard A. M. ETO, P.E., Chief
Bureau of Public Services

RAM:EAM:FWR:sa

cc: Jack Wim'ey

G-SW Key Sheet
13 SW 16 Pos. Sheet
SW 4 D Topo
101 Tax Map



STEPHEN E. COLLINS
DIRECTOR

March 29, 1982

Mr. William Hackett
Chairman, Board of Appeals
Office of Law, Courthouse
Towson, Maryland 21204

Cycle III - 1982, Meeting of March 16, 1982
Item No. 18
Property Owner: George W. & Marilyn T. Goschen
Location: W/S Maiden Choice Lane 285' S/E from centerline
of Wilkens Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: R-O
Acres: 1.82
District: 13th

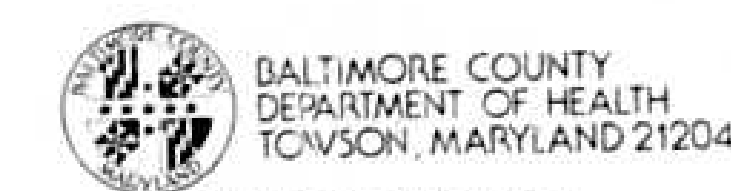
Dear Mr. Hackett:

The existing D.R. 5.5 zoning for this site can be expected to generate approximately 120 trips per day and the proposed R-O zoning can be expected to generate approximately 700 trips per day.

Sincerely,

Michael S. Flanagan
Michael S. Flanagan
Engineering Associate II

MSF/r1j



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

April 7, 1982

Mr. William Hackett, Chairman
Board of Appeals
Court House
Towson, Maryland 21204

Dear Mr. Hackett:

Comments on Item #18, Cycle III Meeting, March 16, 1982, are as follows:

Property Owner: George W. & Marilyn T. Goschen
Location: W/S Maiden Choice Lane 285' S/E from centerline of Wilkens Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: R-O
Acres: 1.82
District: 13th

Metropolitan water and sewer are available. There is an existing cistern located on the northern side of the structure that should be back-filled with clean earth.

The Zoning Plan, as submitted, does not contain sufficient information; therefore the Baltimore County Department of Health cannot make complete comments.

Very truly yours,

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

IJF/als

RECEIVED
BALTIMORE COUNTY
COUNTY BOARD
OF APPEALS
APR 13 2 21 PM '82

GEORGE W. GOSCHEN
MARILYN T. GOSCHEN
5723 Oakland Road
Baltimore, Maryland 21227

Petitioners

MEMORANDUM IN SUPPORT OF PETITION
FOR ZONING RE-CLASSIFICATION OF
910 and 912 MAIDEN CHOICE LANE
BALTIMORE COUNTY, MARYLAND

Now comes your Petitioners, George W. Goschen and Marilyn T. Goschen, his wife, by their attorney, Robert G. Carr, and submit to the County Board of Appeals of Baltimore County this Memorandum in support of the requested Zoning Re-Classification of the above mentioned real property.

STATEMENT OF CASE

Petitioners in this matter are requesting a zoning re-classification from D.R.5.5 zone to a R-O zone.

ARGUMENT

The subject property encompasses two parcels of adjoining land as follows:

PARCEL "A" - 1.82 acres known as # 910 Maiden Choice Lane, Thirteenth Election District, Baltimore County, Maryland

and,

PARCEL "B" - 0.48 acres known as # 912 Maiden Choice Lane, Thirteenth Election District, Baltimore County, Maryland

on which there is presently a private dwelling located on Parcel "A". This dwelling was originally constructed approximately two hundred years ago. Parcels "A" and "B" are separated by unimproved 1st Ave.

ROBERT G. CARR
ATTORNEY AT LAW
SUITE 908
EQUITABLE TOWSON BLDG.
COURT HOUSE SQUARE
TOWSON, MD. 21204

- There is error in the present zoning maps for this property because:
- 1) at the time of the preparation of the present zoning maps the principal use of said property was not residential as shown on said maps.
 - 2) for a period in excess of twenty-five / years prior to the adoption of the present zoning maps, the principal use of said property was that of a nursery and day-care school on a large commercial basis, and was licensed as such.
 - 3) said school employed a number of professional teachers and had enrollments of children, at times, in excess of fifty (50).
 - 4) said property had been inspected and approved for said school use by the Maryland Department of Health and was further inspected and approved for school use by the Baltimore County Fire Department.
 - 5) in accordance with certain requirements of the Health Department and Fire Department the subject property was subject to building alterations for the safety of the children in attendance at the school, such as (a) size and number of exits from the building, (b) fire extinguishers (c) kitchen facilities, (d) toilet facilities and others.

It is therefore respectfully submitted that your Petitioners have shown ERROR in the present zoning maps in order to justify the zoning re-classification requested.

Respectfully Submitted,

Robert G. Carr
ROBERT G. CARR
904 Equitable Towson Building
401 Washington Avenue
Towson, Maryland 21204
296-4433
Attorney for Petitioners

ROBERT G. CARR
ATTORNEY AT LAW
SUITE 908
EQUITABLE TOWSON BLDG.
COURT HOUSE SQUARE
TOWSON, MD. 21204

-2-

GEORGE W. GOSCHEN
MARILYN T. GOSCHEN
5723 Oakland Road
Baltimore, Maryland 21227

Petitioners

MEMORANDUM IN SUPPORT OF PETITION
FOR ZONING RE-CLASSIFICATION OF
910 and 912 MAIDEN CHOICE LANE
BALTIMORE COUNTY, MARYLAND

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and,

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on which there is presently a private dwelling located on Parcel "A". This dwelling was originally constructed approximately two hundred years ago. Parcels "A" and "B" are separated by unimproved 1st Ave.

ROBERT G. CARR
ATTORNEY AT LAW
SUITE 908
EQUITABLE TOWSON BLDG.
COURT HOUSE SQUARE
TOWSON, MD. 21204

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 - 3) said school employed a number of professional teachers and had enrollments of children, at times, in excess of fifty (50).
 - 4) said property had been inspected and approved for said school use by the Maryland Department of Health and was further inspected and approved for school use by the Baltimore County Fire Department.
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Respectfully Submitted,

Robert G. Carr
ROBERT G. CARR
904 Equitable Towson Building
401 Washington Avenue
Towson, Maryland 21204
296-4433
Attorney for Petitioners

ROBERT G. CARR
ATTORNEY AT LAW
SUITE 908
EQUITABLE TOWSON BLDG.
COURT HOUSE SQUARE
TOWSON, MD. 21204

-2-

June 24, 1982

Robert G. Carr, Esquire
904 Equitable Towson Building
Towson, Maryland 21204

NOTICE OF HEARING

Re: Petition for Reclassification
W/S of Maiden Choice La., 285' SE of the centerline of Wilkens Avenue (Parcel A) and
Begin. 362.31' SW of Maiden Choice La., 495.87' SE of the centerline of Wilkens Avenue (Parcel B)
George W. Goschen, et ux - Petitioners
Case No. R-83-19 Item #18

10-
TIME: 4:00 A.M.
DATE: Tuesday, July 20, 1982

PLACE: Room 218, Courthouse, Towson, Maryland

cc: People's Counsel

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
August 12, 1982

Robert G. Carr, Esq.
904 Equitable Towson Bldg.
Towson, Md. 21204

Dear Mr. Carr:

Re: Case No. R-83-19, Item #18
George W. Goschen, et ux

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

John Holmen
John Holmen, Secretary

Encl.
cc: George W. Goschen, et ux
J. W. Hession, Esq.
W. Hammond
J. Dyer
N. Gerber
J. Howell
Board of Education
file



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

Robert G. Carr, Esquire
904 Equitable Towson Building
Towson, Maryland 21204

July 29, 1982

Re: Petition for Reclassification
W/S of Maiden Choice La., 285' SE of the centerline of Wilkens Avenue (Parcel A) and
Begin. 362.31' SW of Maiden Choice La., 495.87' SE of the centerline of Wilkens Ave. (Parcel B)
George W. Goschen, et ux - Petitioners
Case No. R-83-19 Item #18

Dear Mr. Carr:

This is to advise you that \$169.73 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Commissioner

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

No. 108936

DATE: 8/10/82 ACCOUNT: 01-662
AMOUNT: \$169.73

RECEIVED FROM: George W. Goschen
FOR: Advertising & Posting of Reclassification Case
No. R-83-19

072*****1697375 8112A

VALIDATION OR SIGNATURE OF CASHIER

Office of
PATUXENT
10750 Little Patuxent Pkwy
Columbia, MD 21044

JULY 22, 19 82

THIS IS TO CERTIFY, that the annexed advertisement of

PETITION FOR RECLASSIFICATION

was inserted in the following:

☐ Catonsville Times
☒ Arbutus Times

weekly newspapers published in Baltimore County, Maryland once a week for ONE successive weeks before the 24 day of JULY 19 82, that is to say, the same was inserted in the issues of

JULY 22, 1982

PATUXENT PUBLISHING CORP.
By: *Lincoln H. Moore*

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY, IN & OF

Delendant

CERTIFICATE OF PUBLICATION OF

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William T. Hackett, Chairman
 TO: County Board of Appeals
 Norman E. Gerber, Director
 FROM: Office of Planning and Zoning
 SUBJECT: Zoning Reclassification Petition No. R-83-19
 Gaschen Property

This property is located on the south side of Maiden Choice Lane, east of Wilkens Avenue. The subject site as well as the surrounding properties are all zoned for residential use (D.R., S.S., D.R., 10.5, and D.R. 16); adjacent properties contain single family dwellings, group homes and garden apartments. The petitioner is requesting a change from D.R. 5.5 to R.O. zoning and has chosen to submit plans that do not show a proposed use for the property.

Prior to the 1980 Comprehensive Zoning Map, the property was zoned D.R. 5.5. During the preparation and processing of this map, the zoning of the subject property was not identified as a specific issue before either the Planning Board or the County Council; the County Council reaffirmed D.R. 5.5 zoning here.

Were the above the only pertinent facts to be considered, this office would be opposed to the granting of the subject petition in that it would constitute spot zoning; i.e., the arbitrary and unreasonable deviation of a small area to use inconsistent with the uses to which the rest of the district is restricted and made for the sole benefit of the private interests of the owner. Because of the public value inherent in the preservation of the historic structure on the subject property, this office does not believe that the granting of R.O. zoning here would constitute spot zoning. For information as to the historical value of this structure, a memorandum on this subject from John McGrain dated May 28, 1982, has been attached.

The last issue to be dealt with here is petitioner's selection of the "open plot" submittal as set forth in Section 2-58.1 of the Baltimore County Code 1978 as amended. Consequently, the Planning staff cannot support the petition on the basis of a specific proposal, namely the renovation of the historic building for office use. Were the petitioner to elect to submit a documented site plan in conformance with the applicable portions of the law [Sections 2-58.1 (l) and 2-58.1 (m)], this office would consider a favorable comment; only by this process can the preservation of the historic structure be made a condition of the granting of the R.O. zone.

-1-

July 15, 1982

Robert G. Carr, Esquire
 904 Equitable Towson Building
 Towson, Maryland 21204

RESCHEDULED
NOTICE OF HEARING

Re: Petition for Reclassification
 W/S of Maiden Choice Ln., 285' SE of the centerline of
 Wilkens Avenue (Parcel A) and
 Begin. 362.31' SW of Maiden Choice Ln., 495.87' SE of
 the centerline of Wilkens Avenue (Parcel B)
 George W. Gaschen, et al - Petitioners
 Case No. R-83-19 Item #18

TIME: 10:00 A.M.

DATE: Thursday, August 5, 1982

PLACE: Room 218, Courthouse, Towson, Maryland

cc: People's Counsel

William T. Hackett
 William T. Hackett, Chairman
 County Board of Appeals

Zoning Reclassification Petition No. R-83-19
 Gaschen Property
 Page Two

It is therefore recommended that the petitioner's request in its present format be denied, and that the existing zoning, D.R. 5.5, be retained.

Norman E. Gerber
 Norman E. Gerber
 Director of Planning and Zoning

NEG:JGHslc

Attachment

cc: John W. Hession, III
People's Counsel

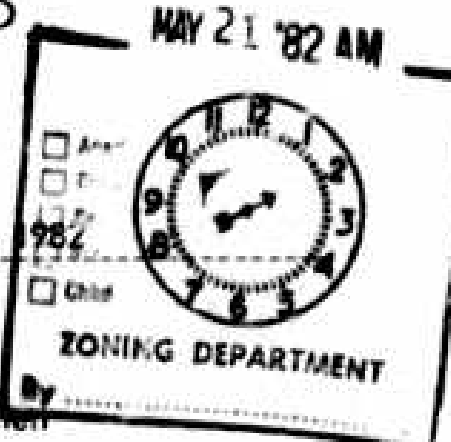
Robert G. Carr, Esquire
 904 Equitable Towson Building
 Towson, Maryland 21204

J.G. Hoswell

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. N. Commodari
 TO: Office of Planning and Zoning
 Edith T. Eisenhart, Adm. Secretary
 FROM: County Board of Appeals
 SUBJECT: Item #18 - Cycle III - George W. & Marilyn T. Gaschen



Per Mr. Dyer's instructions, we are attaching hereto a copy of the County Council resolution exempting the above entitled case from the cycle procedure.

Please be advised that we have set Tuesday, July 20, 1982 at 10 a.m. for the hearing of this case. Therefore, please arrange for posting and advertising accordingly.

Edith T. Eisenhart
 Edith T. Eisenhart, Adm. Secretary

Encl.

P.S. - When this petition was filed the description and plot show two parcels of land involved. On your list of cases marked "Meeting of March 16, 1982" the location shown is for Parcel A only. Parcel A contains 1.82 acres and Parcel B .48 of an acre. In Mr. Carr's letter of April 14, 1982, he mentioned 2+ acres. Have these two parcels been combined and shown as only one location?

cc: Arlene January

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Norman E. Gerber, Director
 TO: Office of Planning and Zoning
 John McGrain, Secretary
 FROM: Landmarks Commission
 SUBJECT: Zoning Reclassification Petition No. R-83-19
 The Lydia Zink School, or Homewood

The Lydia Zink School, or Homewood is a large frame structure in the Queen Anne style, with a central cupola and three corner turrets. It was probably built by a Baltimore City architect, David Carson, who appears as owner on the 13th District map in the G.M. Hopkins Atlas of Baltimore County, Maryland, 1877. Carson acquired this 13-acre property in 1871 and called it "Homewood." No house was shown here by maps of 1850, 1860, and 1863. However, the foundation of some older structure is enclosed in the basement of the present house. There are also some surviving walls built by the technique of nogging: the infilling of soft brick between timber uprights. The 1876 tax ledger of District 13 showed that David Carson had \$2,000 worth of improvements on the grounds. In 1877, David Carson sold to Herman Haupt, former Union general and agent of an oil company, the right-of-way to lay a petroleum pipe line down Maiden Choice Lane "outside of his fences."

In 1878 the property passed to Charles L. Carson, the architect who designed the first Enoch Pratt Free Library Building (400 Cathedral Street). The older Carson had designed one of the classic Baltimore City row-house blocks, Waverly Terrace (100 block North Carey Street). Subsequent owners were:

John T. Auer	1889-1891
Henry E. Eigenbrodt & wife (later Mrs. Louisa Heriein)	1891-1907 1907-1937
Wm. H. Weyforth	1937-1939
Wilton Farms Dairy, Inc.	1939-1940
Lydia Pearl Zink	1940-1982
George W. Gaschen & wife	1982-

Among these owners, Henry Eigenbrodt operated a brewery in West Baltimore (near Catherine Street and Frederick Avenue) which still stands, used as a furniture storage warehouse. Mrs. Zink conducted a kindergarten or day-school until her recent retirement. In 1982 George W. Gaschen, an independent insurance agent, acquired the property. Prior to his request for R-O zoning, he had the rooms damaged by the school children restored and repainted. The Gaschens purchased most of the period furniture owned by Mrs. Zink. The Zink living area had survived intact, and the rooms are richly decorated with original Victorian wall paper and the dining room features a frieze made of inlaid leather scored with patterns of leaves and flowers.

-1-

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. N. Commodari
 TO: Office of Planning and Zoning
 Edith T. Eisenhart, Adm. Secretary
 FROM: County Board of Appeals
 SUBJECT: Item #18 - Cycle III - George W. & Marilyn T. Gaschen

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Edith T. Eisenhart
 Edith T. Eisenhart, Adm. Secretary

Encl.

P.S. - When this petition was filed the descriptions and plot show two parcels of land involved. On your list of cases marked "Meeting of March 16, 1982" the location shown is for Parcel A only. Parcel A contained 1.82 acres and Parcel B .48 of an acre. In Mr. Carr's letter of April 14, 1982, he mentioned 2+ acres. Have these two parcels been combined and shown as only one location?

cc: Arlene January

Zoning Reclassification Petition No. R-83-19
 The Lydia Zink School, or Homewood
 June 28, 1982
 Page Two

This house is an outstandingly large and complex structure for its immediate neighborhood. If, as seems likely, it was designed by its owner David Carson, it is one of the few 19th century houses in this county that can be attributed to a particular architect.

The dimensions of this house as given in the 1918 tax ledger were:

Dwelling	40 x 40	
Stable	26 x 38, two and a half story	\$10,500
Tenant House	32 x 60, two and a half story	8,244
Garage	14 x 40	472
Bowling Alley	20 x 26	254
	16 x 90	562

NOTE: The local tradition that this house belonged to the Carrolls of Mount Clare is probably based on the fact that the land once belonged to the Baltimore Company, the iron enterprise in which the Carrolls were major partners. The ground here is called "Brown's Adventure," originally surveyed for Thomas Brown in 1695 as a 1000-acre tract. In the 1798 tax list, only one house stood on Brown's Adventure; the owner then was the Baltimore Company and the tenant of the structure—which could have been almost anywhere—was Charles Griffin. The only notable dwelling was a two-story frame dwelling 24 x 18 with a log kitchen.

John McGrain
 John McGrain
 Landmarks Commission Secretary

JM:sc



County Council of Baltimore County
 Court House, Towson, Maryland 21204
 (301) 494-3196

May 17, 1982

COUNCIL

Ronald B. Hickernell

Gary Huddler

James T. Smith, Jr.

Barbara F. Bucha

Norman W. Laberstein

Eugene W. Gallagher

John W. O'Sourke

Thomas Toporovich

Mr. William T. Hackett, Chairman
 Board of Appeals
 Court House
 Towson, Maryland 21204

Dear Mr. Hackett:

Reference is made to the Zoning Reclassification Petition requested by George and Marilyn Gaschen and to the Planning Board Resolution dated May 6, 1982.

Please be advised that the County Council approved the following resolution at their meeting on May 17, 1982 in connection with this petition:

"Pursuant to Subsection 2-58.1 of the Baltimore County Code 1973, as amended, the Baltimore County Council approves the request of George and Marilyn Gaschen to exempt from the zoning cycle the reclassification petition which is the subject of the Baltimore County Planning Board Resolution dated May 6, 1982."

This information is forwarded for your appropriate action.

Sincerely yours,

Thomas Toporovich
 Thomas Toporovich
 Secretary

TT:bl

Enclosures

cc: Norman E. Gerber, Secretary
Planning Board

RECEIVED
 BALTIMORE COUNTY
 MAY 19 4 06 PM '82
 COUNTY BOARD
 OF APPEALS
 BY: [initials]

BALTIMORE COUNTY PLANNING BOARD
RESOLUTION

May 6, 1982

WHEREAS, Pursuant to Subsection 2-40.1 (i) of the Baltimore County Code 1978 as amended, the Baltimore County Planning Board has reviewed the request by George and Marilyn Goschen to exempt from the zoning cycle the subject reclassification petition; and

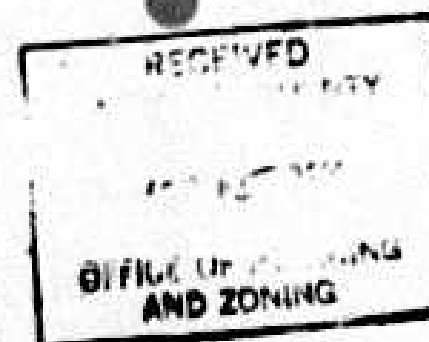
WHEREAS, The Planning Board believes that early action is required on this petition to assist in the efforts to preserve this historic structure; now, therefore, be it

RESOLVED, That the Baltimore County Planning Board hereby certifies to the County Council of Baltimore County that early action on the subject Zoning Reclassification Petition would be in the public interest and is needed because of the emergency nature of the request.

I HEREBY CERTIFY that this resolution was duly adopted by the Baltimore County Planning Board at its meeting in Towson, Maryland, on May 6, 1982.

DATE: 5/6/82
Norman E. Gerber, Secretary
Baltimore County Planning Board

ROBERT G. CARR
ATTORNEY AT LAW
SUITE 204
RENTABLE TOWSON BUILDING
COURT HOUSE SQUARE
TOWSON, MARYLAND 21204



April 14, 1982

Office of Planning And Zoning
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

Baltimore County Council
Old Court House
County Council Office
2nd Floor
Towson, Maryland 21204

RE: Petition For Zoning Re-Classification
From D.R.5.5 to R-O for the property
known as 910-912 Maiden Choice Lane,
13th Election District, Baltimore
County, Maryland

Gentlemen:

Please be advised that the undersigned represents George W. Goschen and Marilyn T. Goschen, his wife, who on February 24, 1982 filed with the County Board Of Appeals Of Baltimore County their Petition For Zoning Re-Classification for the above property from a D.R.5.5 zone to a R-O zone. This letter is being written at this time because your Petitioners through counsel, are requesting that their Petition For Zoning Re-Classification be exempted from the regular cyclical procedure of sub sections (c) through (h) of the Baltimore County Zoning Regulations (1981), Appendix F, (Article V - Boards and Commissions) Section 2-6-1(I). The Petitioners are making said request because they feel it is in the public interest and also because an emergency has been presented. Your Petitioners give the following reasons for their request:

1. Petitioners took title to the above two plus acres on January 4, 1982 and as stated above filed a Petition For Zoning Re-Classification on February 24, 1982. Said property contained a large single family residence of which the original sections were built over two hundred (200) years ago and is one of only four (4) Victorian structures still standing and in use in the State of Maryland. Two of these other structures are in Prince George's County and the third

Office Of Planning And Zoning
Baltimore County Council
page 2
April 14, 1982

one is located in Baltimore City. It is believed that the subject property is the only standing Victorian structure still in use in Baltimore County at this time.

After taking title to said property, your Petitioners immediately undertook a very thorough examination of the premises and sub-structures in order to determine the feasibility of restoring said building to as close as possible, its original condition. This study revealed many portions of the building were in advance decay and unless they are given immediate attention, they could not be restored to their original condition. It would be in the public interest to maintain such a structure in Baltimore County and your Petitioners plan to expend a large sum of money to restore the structure as close as possible to its original condition and since their planned use is for an office to be used principally for your Petitioners' insurance business, the public will have easy access to said structure and its historical significance will not be lost.

Your Petitioners aver that to wait until after November, 1982 for the normal cycle in which their Petition For Zoning Re-Classification would be heard will highly jeopardize the present structure in the present decaying condition and cause even larger sums of money to be expended by your Petitioners in order to restore the structure. For this reason your Petitioners respectfully request that to exempt them from the regular cyclical procedure for these type of cases would be in the public interest and would avoid further emergencies in the decay of the structure.

2. That for the past twenty-five (25) years or more said structure was not used as a private residence but rather was principally used as that of a large commercial nursery and day care center for large numbers of children and their instructors. As such the building was allowed to decay further and was abused daily by the large number of children using same, repairs to the building were made in a piecemeal fashion with no comprehensive plan to maintain the building as a historic edifice. For this reason many of the required repairs at this time are of an emergency nature and require immediate expenditures of large sums of

Office Of Planning And Zoning
Baltimore County Council
page 3
April 14, 1982

money in order to restore the building and maintain its historical significance.

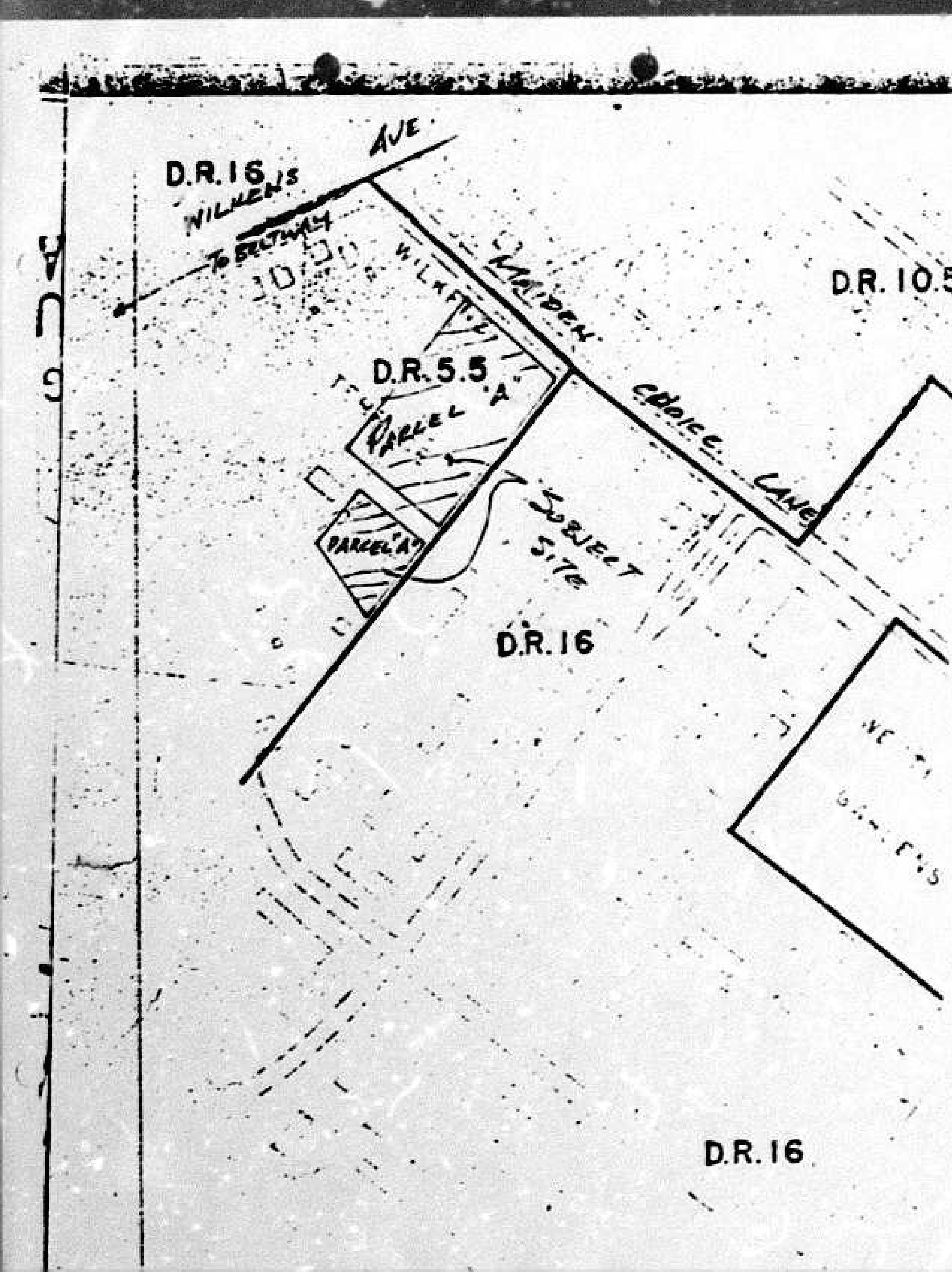
3. That the structure is too large and unwieldy to ever be used again as a private residence and your Petitioners feel that their requested use as an office would be harmonious with the surrounding areas and be the best possible use under the circumstances now and there existing and they wish to move as expediently as possible in order to stop further decay of this magnificent structure and to once again make it a beautiful and historic building in Baltimore County.

It is therefore respectfully submitted that your Petitioners have shown public interest and/or an emergency situation and therefore are properly requesting that this Petition For Zoning Re-Classification be exempted from the regular cyclical procedure and early action upon the Zoning Re-Classification Petition is manifestly required for the reasons stated above. Petitioners therefore request your early action upon their Zoning Re-Classification Petition and thank you very much for your consideration.

Respectfully submitted,

Robert G. Carr
Robert G. Carr
Attorney for Petitioners

RGC:kb
cc: Mr. and Mrs. George W. Goschen



April 7, 1982

Mr. William Hackett, Chairman
Board of Appeals
Court House
Towson, Maryland 21204

Dear Mr. Hackett:

Comments on Item #18, Cycle III Meeting, March 16, 1982, are as follows:

Property Owner: George W. & Marilyn T. Goschen
Location: W/S Maiden Choice Lane 285' S/E from centerline of Wilkens Avenue
Existing Zoning: D.R. 5.5
Proposed Zoning: R-O
Acre: 1.82
District: 13th

Metropolitan water and sewer are available. There is an existing cistern located on the northern side of the structure that should be back-filled with clean earth.

The Zoning Plan, as submitted, does not contain sufficient information; therefore the Baltimore County Department of Health cannot make complete comments.

Very truly yours,

Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/als/JEP

PETITION FOR RECLASSIFICATION

13th Election District

ZONING: Petition for Reclassification

LOCATION: West side of Maiden Choice Lane, 285 ft. Southeast of the centerline of Wilkens Avenue (Parcel A) and Beginning 362.31 ft. Southwest of Maiden Choice Lane, 495.87 ft. Southeast of the centerline of Wilkens Avenue (Parcel B)

DATE & TIME: Thursday, August 5, 1982 at 10:00 A.M.

PUBLIC HEARING: Room 218, Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing

Present Zoning: D.R. 5.5
Proposed Zoning: R.O.

All that parcel of land in the Thirteenth District of Baltimore County

Being the property of George W. Goschen, et ux, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, August 5, 1982 at 10:00 A.M.
Public Hearing: Room 218, Courthouse, Towson, Maryland

BY ORDER OF
WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Paul Lee P.E.

Paul Lee Engineering Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21203
866-5961

DESCRIPTION

PARCEL "A" - 1.82 ACRE PARCEL KNOWN AS #910 MAIDEN CHOICE LANE
THIRTEENTH ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

This Description is for a Reclassification from DR 5.5 to R-O.

Beginning for the same at a point located on the west side of Maiden Choice Lane said point also being located 285'± southeasterly from the centerline of Wilkens Avenue, thence binding on the west side of Maiden Choice Lane (1) S 40°04'28" E 43.50 feet and (2) by a curve to the left with a radius of 3,035.00 feet for a distance of 167.37 feet, thence leaving said west side of Maiden Choice Lane (3) S 45°07' W 322.31 feet to the east side of 1st Avenue (unimproved), thence binding on the east side of 1st Avenue (4) N 41°30' W 220.65 feet, thence leaving said east side of 1st Avenue (5) N 47°04' E 321.61 feet to the point of beginning.

Said Parcel "A" containing 1.82 acres± of ground.



Engineers - Surveyors - Site Planners

2/19/82

Paul Lee Engineering Inc.
304 W. Pennsylvania Ave.
Towson, Maryland 21204
824-5941

DESCRIPTION

PARCEL "B" - 0.48 ACRE PARCEL - KNOWN AS #912 MAIDEN CHOICE

LANE - THIRTEENTH ELECTION DISTRICT - BALTIMORE COUNTY,

MARYLAND

This Description is for a Reclassification from DR 5.5 to R-O.

Beginning for the same at a point, said point being located
495.87 feet $\pm$ as measured along the west side of Maiden Choice
Lane from the centerline of Wilkens Avenue and southwesterly
S 45°07' W 362.31 feet $\pm$ from the west side of Maiden Choice
Lane, thence continuing on the same line (1) S 45°07' W 155 feet $\pm$
thence northwesterly (2) N 30°13' W 163.9 feet, thence (3)
N 49°35' E 119 feet $\pm$ to the west side of 1st Avenue (unimproved),
thence binding on said west side of 1st Avenue (4) S 41°30'
E 150 feet $\pm$ to the point of beginning.

Said Parcel "B" containing 0.48 acres $\pm$ of ground and
being a part of Lots 34-40 as shown on the plat of Wilkens
Terrace and as recorded in Plat Book 7-173.



Engineers - Surveyors - Site Planners 2/19/82

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>RLS</u>	Revised Plans: Change in outline or description <u>Yes</u> <u>No</u>									
Previous case: _____	Map # _____									

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received this 24 day of Feb, 1982.Filing Fee \$ 50.00Received: ☒ Check☐ Cash☐ Other

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

No. 104583

DATE 2-24-82 ACCOUNT 01-662AMOUNT 50.00

RECEIVED

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VALIDATION OR SIGNATURE OF CASHIER

E. Hammond, Zoning Commissioner

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CERTIFICATE OF PUBLICATION

TOWSON, MD., July 1, 1982.

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~~
~~of one time~~ ~~before~~ before the 20th
day of July, 1982, the ~~first~~ publication
appearing on the 1st day of July
1982.

THE JEFFERSONIAN,

S. Frank Strickland
Manager.

Cost of Advertisement, \$

old Bill

CERTIFICATE OF PUBLICATION

TOWSON, MD., July 22, 1982.

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~~
~~of one time~~ ~~before~~ before the 5th
day of August, 1982, the ~~first~~ publication
appearing on the 22nd day of July
1982.

THE JEFFERSONIAN,

S. Frank Strickland
Manager.

Cost of Advertisement, \$

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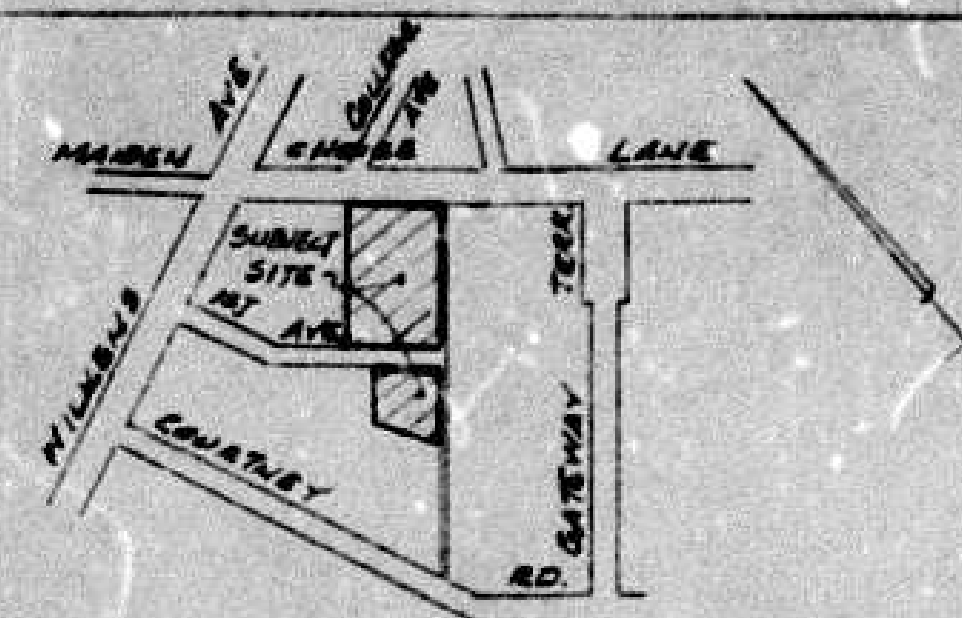
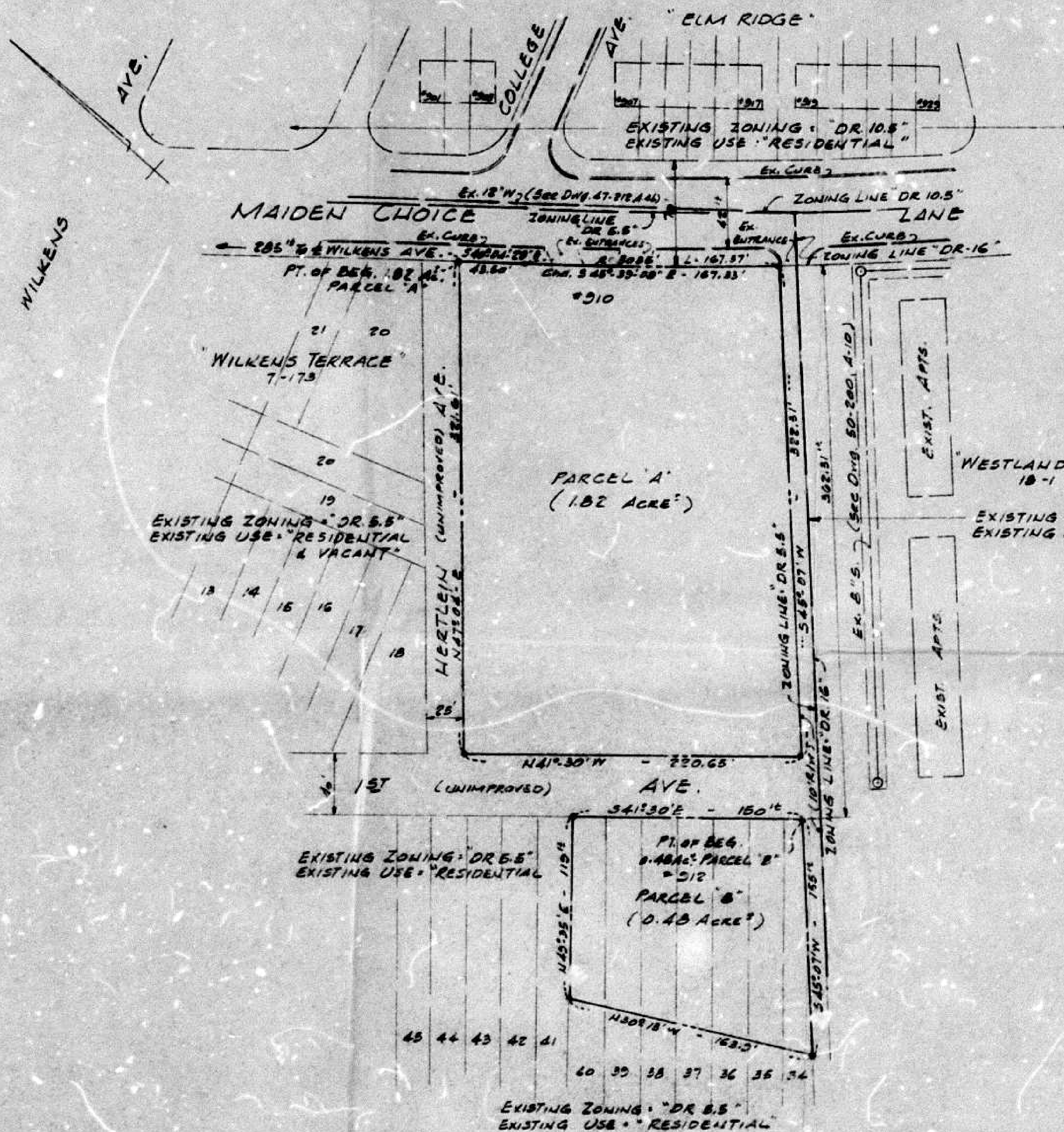
TOWSON, MD.

TOWSON, MD.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 13Posted for: ReclassificationPetitioner: George W. Goshen et alLocation of property: 150 W. Maiden Choice Lane, 255 SE of the intersection of Wilkens Ave. (Parcel A) and Regis 500 S. W. of Maiden Choice Lane, 495.87 S.E. of the intersection of Wilkens Ave. and Regis 500 S. W. of Maiden Choice Lane (Parcel B).Location of sign: at the intersection of Wilkens Ave. and Regis 500 S. W. of Maiden Choice Lane, 495.87 S.E. of the intersection of Wilkens Ave. and Regis 500 S. W. of Maiden Choice Lane.Remarks: 1. Reclassification from DR 5.5 to R-O. 2. NEW HEARING DATEPosted by: S. J. SmithDate of return: July 9, 1982Number of signs: 3



LOCATION PLAN
SCALE: 1"=500'

SW 4-D

GENERAL NOTES

1. AREA OF SITE: 2.30 AC. (PARCEL A: 1.82 AC. & PARCEL B: 0.48 AC.)
2. EXISTING ZONING OF SITE: "DR 5.5"
3. EXISTING USE OF SITE: "NURSERY SCHOOL & RESIDENTIAL"
4. PROPOSED ZONING OF SITE: "R-O"
5. EXISTING SEWER & WATER AVAILABLE TO SITE

BOARD OF APPEALS PETITIONER'S EXHIBIT 1

PLAT TO ACCOMPANY PETITION
FOR RECLASSIFICATION

"910 & 912 MAIDEN CHOICE LANE

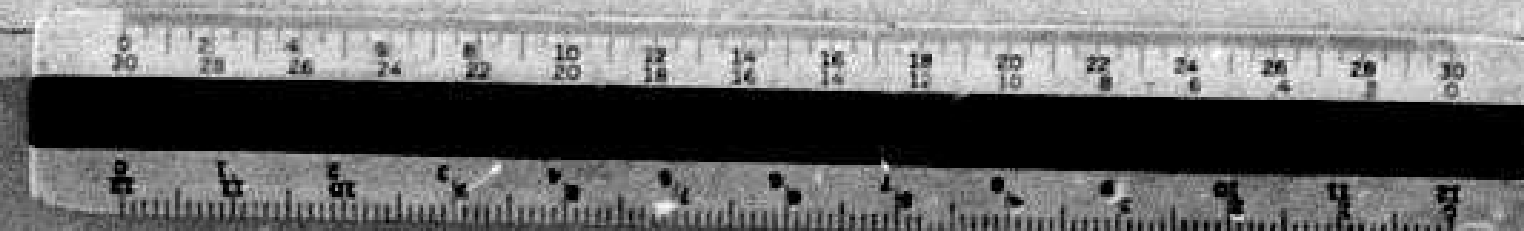
ELECT. DIS. 13

SCALE: 1"=50'

BALTIMORE CO., MD.

FEB. 18, 1982

Paul Lee Engineering, Inc.
501 W. Paragloss Ave.
Towson, Maryland 21204



82-002