

# Petition for Zoning Re-Classification

To The County Commissioners of Baltimore County:

For we, Patrick J. Kelly, and wife, A. Kelly, the legal owner of the property above described, do hereby petition the County Commissioners of Baltimore County, to change or re-classify (as to zoning) the above described property or area, from its present classification of "Residential" to "Commercial" for the purpose of erecting apartment buildings.

herby petition that the above described property or area, being within the Baltimore County Metropolitan District, be changed or re-classified (as to zoning) to "Commercial" for the purpose of erecting apartment buildings.

Reasons for Re-Classification: Not in exclusive cottage development.

Character of commercial use for which above property is to be used: Apartment buildings.

Material of Construction of Building: Brick, glass, steel.  
Size and height of building: front 10 feet, depth 10 feet, height 10 feet.  
Front and side set backs of building from street lines: front 10 feet, side 10 feet.

Property to be posted as prescribed by Zoning Department.  
We, the undersigned, agree to pay expenses of above re-classification, advertising, etc., upon filing of this petition, not to exceed \$5.00, and further agree to and are to be bound by the rules, regulations, provisions and requirements herein set forth and as set forth in the resolutions and orders of the County Commissioners of Baltimore County, pursuant to the Zoning Act for Baltimore County and as amended by or referred to in the "Applications for Building Permits" now adopted and used in the Baltimore County Metropolitan District.

Patrick J. Kelly  
John A. Kelly  
Legal Owner  
Address: Towson, Md.

ORDERED BY The County Commissioners of Baltimore County, this 19th day of May, 1941, that the subject matter of this petition be advertised, as required by the Zoning Act, in a newspaper of general circulation throughout the Baltimore County Metropolitan District of Baltimore County, that property be posted, and that the public hearing thereon be held in the office of the County Commissioners of Baltimore County, in the Court House, in Towson, Baltimore County, on the 19th day of May, 1941, at 11 o'clock A.M.

Patrick J. Kelly  
Zoning Re-Classification of Baltimore County

ADVERTISING: This petition is published in the Baltimore County Commissioners' Office.

(over) Patrick Kelly

HELP

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 be had.

It is Ordered by the County Commissioners of Baltimore County, this 19th day of May, 1941, that the above described property or area should be and the same is hereby changed and re-classified, from and after the date of this Order, from a residential use area, district or division to a commercial use area, district or division.

County Commissioners 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:

It is Ordered by the County Commissioners of Baltimore County, this 19th day of May, 1941, that the above petition be and the same is hereby denied and that the above described property or area be and the same is hereby continued as and to remain a residential use area, district or division, subject, however, to the further order of the County Commissioners of Baltimore County.

County Commissioners of Baltimore County.

To County Commissioners for Baltimore County  
PETITION FOR ZONING RE-CLASSIFICATION  
PETITION NO. \_\_\_\_\_  
Location: \_\_\_\_\_  
Front: \_\_\_\_\_  
Depth: \_\_\_\_\_  
Height: \_\_\_\_\_  
Set Back: \_\_\_\_\_

June 10, 1941.

Michael Paul Smith, Esq.,  
835 Baltimore Trust Bldg.,  
Baltimore, Md.

Dear Mr. Smith:

Re: Re-Classification Kelly property, 4 Burke Ave.

At the hearing before me, on the above matter, I requested both yourself and Mr. Anderson, to furnish me the information as to what the records showed as to the status of the right-of-way leading back to the Kelly property. Mr. Anderson, the real estate agent, left a copy of the plat with me which showed a right-of-way, approximately 11 feet wide, leading to the Kelly property and marked on plat "Owned in fee by Kelly". The plat shows a 10 foot road adjacent to and to the north of the first mentioned road, which is marked on the plat 10 feet wide and "opened by Hulton".

I am informed that the last mentioned road, to wit, (opened by Hulton) is now laid out on the ground, but is taken up by sidewalk, grass plot, etc. I am also advised that the first mentioned road (owned in fee by Kelly) is a road to be used in common by both the Kelly and Hulton properties and is not the exclusive property of Kelly.

I must have some definite data as to the status of the above roads as it should be apparent that the only outlet to the Kelly property and to the houses built along the above mentioned road and the right-of-way now being approximately 11 feet wide, it will necessarily create quite a traffic problem in view of the large number of apartment units to be erected on the Kelly property and a consequential frequent use of the road, as well as possibly creating a fire hazard due to the inaccessibility to the properties mentioned by parking of cars.

It is also a public concern that the necessity of Metropolitan water and sewerage be met. I understand that

In order to give the Kelly property sewerage facilities, it will possibly be necessary to install a pumping station unless some arrangements were made to carry the sewerage to the west of the Kelly property.

In view of the above matters which are going on, no concern I must hold up final action on the re-classification petition until date covering the above objections be given this office.

Very truly yours,

JOHN J. TIMMONS,

Zoning Commissioner.

cc: Jas. C. L. Anderson.

## CERTIFICATE OF PUBLICATION

TOWSON, MD., May 19, 1941.

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 19th day of May, 1941, the first publication appearing on the 19th day of May, 1941.

THE JEFFERSONIAN,

Manager.

Cost of Advertisement, \$

May 6, 1941.

(\$6.00)

RECEIVED of Patrick J. A. Kelly, the sum of Six (\$6.00) Dollars, being cost of advertisement and inspection of property, West Burke Avenue, 4th District, Towson, pursuant to petition being filed for reclassification.

County Commissioners.

NO PLAT  
IN  
THIS FOLDER

OK  
Wicker  
5/6/41