

Petition for Zoning Re-Classification

1135

To The Zoning Commission of Baltimore County—

I, **Wm. Carroll S. Klingelhofer, et al.**, legal owners of the property situate **ppp**
by **Howard J. Schuyt, Attorney in Fact** **9TH DIST** **#9**

Beginning for the same at a point on the west side of Loch Haven Boulevard distant 243 feet southerly from the south side of Regester Avenue and running thence southerly, ending on said west side of Loch Haven Boulevard, **70' NORTH SIDE ROAD (R) 31' 204' 41' 21' 21'**
879.06 feet, thence northeasterly 626.15 feet to the outline of Loch Hill, thence on said outline northeasterly 927.66 feet to the place of beginning.

herby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an **"A" Residence** zone to an **"R" Residence** zone, because of peculiar shape of lot it particularly
Reasons for Re-Classification: **1. Lot itself is group housing development; also because most of the property adjoining in City as well as in County is not classified for group housing.**

Character of use for which above property is to be used: **For the construction of group houses in accordance with Klok plan filed herewith.**

Size and height of building: front **.....** feet; depth **.....** feet; height **.....** feet.

Front and side set backs of building from street lines: front **.....** feet; side **.....** feet.

Property to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification, 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.

Wm. Carroll S. Klingelhofer, et al.
By **Howard J. Schuyt, Legal Owner**
Attorney in Fact -
Address **322 Regester Ave., Baltimore 12, Md.**

ORDERED by The Zoning Commission of Baltimore County, this **15th** day of **January**, **1948**, that the subject matter of this petition be advertised, as required by the "Zoning Law of Baltimore County, in a newspaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing herein be had in the office of the Zoning Commission of Baltimore County, in the Record Bldg., in Towson, Baltimore County, on the **21st** day of **February**, **1948**, at **2:00** o'clock P.M.

Zoning Commissioner of Baltimore County

(over)

RECORDED

Baltimore County Planning Commission

James I. Morgan

WILLIAM W. HOFFMAN, CHAIRMAN
CHRISTIAN H. SAHL
JOHN H. MALL
JOHN H. RUFF
H. HOBBS WARRFIELD

MALCOLM H. O'NEILL, SECRETARY

February 18, 1948

MEMORANDUM

TO: Charles H. Doling
FROM: Malcolm H. O'Neil
SUBJECT: Comment on Zoning Reclassification #1135

This requested reclassification involves a general purpose which I think is worth separate comment at this time.

The layout plat submitted with this petition is rather sketchy and presumably is intended to be regarded merely as a general indication of the anticipated use of the tract. For that purpose it probably serves well enough. Although a layout plat that obviously has been carefully studied and is well presented may help psychologically in presentation of its case, there may well be a question as to whether it is necessary or fair to expect a developer to go to considerable expense in presenting a carefully worked out plat prior to approval of the reclassification.

The above thought was suggested by paragraph 10 on page 25 of the amended zoning regulations which notes the power of the Zoning Commission to require "production of plans of development . . . in connection with reclassification . . . No such plans or plans . . . shall be approved by the Zoning Commission unless such plans or plans shall have been previously approved by the Highway Department and Metropolitan District of Baltimore County."

It seems to me that what is really desirable in such instances is not so much approval of the plat by the Highway Department and Metropolitan District of Baltimore County as it is a clearance with them in order to bring out any factors that might not be bearing on the requested reclassification. Actual approval of a preliminary plat would properly come after reclassification has been granted. It seems to me important that there be no confusion in the mind of the developer as to the distinction between "approval" and "clearance" of his tract layout when presented in connection with a petition for reclassification.

For that reason I would like to raise the question as to whether it would not be well to revise paragraph 10 on page 25 so as to make it evident that clearance with the Highway Department and Metropolitan District (and desirably also the Planning Commission) shall not be taken to mean

Approval of all details shown in the submitted plat and shall not relieve the developer of the necessity of subsequent submission of copies of a preliminary plat to the proper County agencies, assuming that the reclassification is granted and that he wishes to go ahead with development.

cc: Nathan L. Smith
Christian H. Sahl
William W. MacFiear

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of location, being adjacent to an existing group housing area, the above reclassification should be had.
It is Ordered by the Zoning Commissioner of Baltimore County this **24th** day of **February**, **1948**, that the above described property or area should be and the same is hereby reclassified, from and after the date of this Order, from an **"A" Residence** zone, subject, however, to the approval of plat plans by the Planning Commission, Highway Department and the Metropolitan District.

Charles H. Doling
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 location, being adjacent to an existing group housing area, the above reclassification should NOT be had.

It is Ordered by the Zoning Commissioner of Baltimore County, this **.....** day of **.....**, **19.....**, 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 **.....** and to remain a **.....** zone.

Zoning Commissioner of Baltimore County

Approved

County Commissioners of Baltimore County

Date **March 5, 1948**

By **Christian H. Sahl**
President

PETITION FOR ZONING RECLASSIFICATION #1135

LOCATION - West side of Loch Haven Boulevard, 243 feet south of Regester Ave., 9th Dist.

OWNERS - Carroll S. Klingelhofer et al

PRESENT ZONING - "A" Residence

PROPOSED ZONING - "R" Residence

DATE SUBMITTED - February 3, 1948

DATE OF REPLY - February 18, 1948

FACTORS INVOLVED

This property is adjacent to a "R" Restricted-Use Zone of Baltimore City within which site group houses are allowed to be erected.

For most of its length from 33rd Street within Baltimore City to Joppa Road in the county, Loch Haven Boulevard is zoned for multiple housing, either groups of apartments.

The plot plan submitted is apparently a tentative one that has not been approved as to the street layout, right-of-way widths, drainage, etc., by the Highway Department nor by the Metropolitan District as to sewer and water. (See accompanying annexes)

CONCLUSION

In view of the present and prospective character of residential development in the vicinity, the requested reclassification from "A" to "R" Residence appears appropriate.

Malcolm H. O'Neil
Baltimore County Planning Commission

cc: Charles H. Doling
Nathan L. Smith
Christian H. Sahl
William W. MacFiear

REC'D JAN 26 1948

CERTIFICATE OF PUBLICATION

TOWSON, MD., **Jan 25, 1948**

THIS IS TO CERTIFY That the annexed advertisement was published in THE UNION NEWS, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of **.....** successive weeks before the **24th** day of **February**, **1948**, the first publication appearing on the **24th** day of **February**, **1948**.

The UNION NEWS
Assistant Manager

January 15, 1948.

\$21.00

RECEIVED of Carroll S. Klingelhofer, et al, the sum of Twenty One (\$21.00) Dollars, being cost of petition for reclassification, advertising and posting of property, west side of Loch Haven Boulevard, 9th District of Baltimore County.

Zoning Commissioner.

Hearings

Monday, Feb. 2, 1948
at 2:00 o'clock p. m.



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1135

District **9** Date of Posting **Jan 27/48**

Posted for **Group Housing**

Petitioner **Prop. of Carroll S. Klingelhofer**

Location of property **west side of Loch Haven Blvd.**

7-3 feet south of Regester Ave

Location of signs **on the west side of Loch Haven Blvd.**

Signs 30x5 ft signs see plat south of Regester Ave

Remarks **Harry C. Gant**

Posted by **Harry C. Gant** Date of return **Jan 27/48**

