



Board of Zoning Appeals
Reckord Bldg.
Towson 4 Md.

1477

John L. Chapman
Board of Zoning Appeals
TOWSON 4, MD.

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

TAKE NOTICE - There will be a hearing in the above Case
No. 1477 on the 3rd day of October, 1949, at 1:30 P.M.

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True Copy Test
J. Lee Chapman
Towson 4, Md.

ORDER

UPON the foregoing Petition and Appeal and Affidavit, it is by the Circuit Court for Baltimore County this 2nd day of November, 1949, ORDERED that a Writ of Certiorari be issued directed to the Board of Zoning Appeals for Baltimore County to reverse the decision and Order of said Board of Zoning Appeals for Baltimore County, dated October 3, 1949, and that a return thereto must be made and served upon the relator's attorney within thirty days from the date of this Order.

IT IS FURTHER ORDERED that the Board of Zoning Appeals for Baltimore County be and it is hereby required to return to this Court the original papers acted upon by it, together with a transcript of the testimony taken at the hearing and copies of exhibits filed therein.

J. Lee Chapman
Towson 4, Md.

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO A "B" RESIDENCE ZONE - SOUTH END OF CHERRYDELL ROAD, 533 ft. SOUTHEAST OF FREDERICK ROAD, RIDGE CONSTRUCTION COMPANY, PETITIONER

Appeal in the above entitled matter coming on for hearing before the Board of Zoning Appeals of Baltimore County on September 15, 1949 from the Order of the Zoning Commissioner of Baltimore County, dated July 22, 1949, granting the petition for the reclassification of certain property described in said petition from an "A" Residence Zone to a "B" Residence Zone.

From the evidence and facts adduced at the appeal hearing the granting of the petition will not be detrimental to the safety, health and the general welfare of the surrounding community:

It is this 3rd day of October, 1949, ORDERED by the Board of Zoning Appeals of Baltimore County that the Order of the Zoning Commissioner of Baltimore County be and the same is hereby affirmed. And it is further ORDERED that the Zoning Commissioner grant the reclassification petitioned for from an "A" Residence Zone to a "B" Residence Zone.

Approved:
County Commissioners
of Baltimore County
By J. Lee Chapman
President

Date: Oct. 3, 1949

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County -
I, John L. Chapman, do hereby certify that I am the owner of the property situated

at the south end of Cherrydel Road as now existing in District No. 1 of Baltimore County, Maryland, Beginning 533' southeast of Frederick Road there 3 30' 30' east 33.5 feet; thence along the proposed road, 233.67 feet; thence N 70° 46' east 135 feet; S 17° 39' east 114.40 feet; S 30° 21' west 393.64 feet; N 13° 04' west 569.63 feet; N 71° 29' east 230.66 feet to beginning. Being property of the Ridge Construction Company as shown on plot plan filed with the Zoning Department

hereby petition that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an "A" Residence Zone to a "B" Residence Zone. Group Houses. Reason for Re-Classification: This 2.69 acres of land will abut on a street which has group houses built to the north of this area and is zoned for group houses, on the south. It is neither feasible nor practical to build a few cottages between two group zones.

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 provided 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.

Respectfully,
J. Lee Chapman
2 S. Belgrave Road
Catonsville 28, Md.

Ridge Construction Co. Inc.
John L. Chapman
Legal Owner
Address: 533 Cherrydel Ave. & P.E.B. - "Towson 29, Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of June, 1949, 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 Commissioner of Baltimore County, in the Reckord Bldg., in Towson, Baltimore County, on the 10th day of July, 1949, at 10 o'clock P.M.

OPINION OF THE BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

This is an appeal by J. Lee Chapman and other petitioners from the Order and decision of the Zoning Commissioner of Baltimore County, dated the 22nd day of July, 1949, by which the petition for reclassification of property described in the petition from an "A" Residence Zone to a "B" Residence Zone was granted.

The case came on for hearing before the Board, testimony was taken, petitions for and against the reclassification were filed and considered by the Board and counsel for both sides were heard.

The property, which is the subject of the petition, is located at the south end of Cherrydel Road, beginning 533 feet southeast of Frederick Road, in the First District of Baltimore County, comprising 2.69 acres of land.

The purpose for which the petitioner desires to use this property is for group houses and is an extension of an area which has group houses to the north and the south. While there are two residences which abut, the land itself is hardly practical for the construction of cottages between two two group zones and the Board feels it is a natural extension of the group houses that have been built in this immediate vicinity. There was no substantial showing at the hearing that any of the elements, which is this Board's understanding, are to be considered in exercising the right given it under the law to determine what property owners may do with their own property, would be adversely affected by the reasoning petitioned for. Mr. Pistorio testified, before the Board, that it was the

intention of the petitioner to extend Serian Ridge Road to Taylor Avenue and to widen and reconstruct Taylor Avenue. The Board feels that with the extension of these roads and the other roads in the vicinity which will be widened, that any traffic hazard that might have existed on Belle Grove Road, during the course of construction of these houses, will be largely eliminated.

The Board, therefore, finds that the lowering of the classification to a "B" Residence Zone would not create congestion in the roads, streets and alleys, would not lessen safety from fire, panic, traffic and other dangers, would not adversely affect health, morals and/or the general welfare, would not cause overcrowding of land, or undue concentration of population, would not interfere with adequate provisions for schools, parks, water, sewerage, transportation and other public requirements, conveniences and improvements.

J. Lee Chapman
John L. Chapman
Board of Zoning Appeals
of Baltimore County

Approved:
County Commissioners of Baltimore County
By J. Lee Chapman
President
Date: Oct. 3, 1949

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of location, being an extension of an existing "D" Residence Zone

the above re-classification should be had.

It is Ordered by the Zoning Commissioner of Baltimore County this 22nd day of July 1949, that the above described property or area should be and the same is hereby reclassified, from and after the date of this Order, from a "D" Residence zone to a "D" Residence zone.

Charles H. Dill
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.

It is Ordered by the Zoning Commissioner of Baltimore County this 19th day of July 1949, 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 "D" Residence zone.

Zoning Commissioner of Baltimore County

Approved _____
County Commissioners of Baltimore County

Date _____ By _____ President

PETITION FOR ZONING RECLASSIFICATION
#1477

Location - SE. of Frederick Rd. at end of Cherrydel Avenue, 1st Dist.

Owner - Ridge Construction Company

Present Zoning - "A" Residence

Date Received - June 24, 1949

Proposed Zoning - "D" Residence

Date of Reply - July 21, 1949

It would have been advantageous for Mr. Pistorio to have submitted a print of his entire proposed group house development with this zoning petition, rather than merely a boundary plat. The latter, however, does note that the tract in question lies between the existing group houses on Cherrydel and the portion of his tract which is already zoned for group houses. With these other tracts already developed or zoned for group houses, the intervening small piece under consideration would not present a favorable or logical situation for development with cottages.

Mr. Pistorio has been in touch with this office in regard to working out a satisfactory subdivision plan for the entire area. As good a plan has been achieved as is possible within the limitations of the tract boundaries. Everything considered, I think that the requested reclassification is logical and justifiable.

Malcolm H. Dill
Malcolm H. Dill, Director
Baltimore County Planning Commission

cc: Charles H. Deing
Christian H. Kohl
W. W. Macvicar

\$21.00 ✓

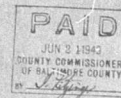
RECEIVED of Ridge Construction Company the sum of Twenty One (\$21.00) Dollars, being cost of petition for reclassification, advertising and posting of property, Cherrydel Road, 3333 1st District of Baltimore County.

Zoning Commissioner

Hearings:

Friday, July 8, 1949

at 2:00 p.m.

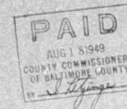


August 17, 1949

\$22.00

RECEIVED of J. Lee Chapman, the sum of Twenty two (\$22.00) Dollars, being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner of Baltimore County granting the petition for reclassification of property at the end of Cherrydel Road, 3rd District, Ridge Construction Company, petitioner.

Zoning Commissioner



November 26, 1949

\$6.20 ✓

RECEIVED of J. Francis Ford, Attorney for J. Lee Chapman, appellant, the sum of \$6.20 being cost of certified copies of petition and other papers filed in the matter of appeal for reclassification of property at the end of Cherrydel Road, 533 Feet east of Frederick Road, 1st District of Baltimore County, Ridge Construction Company, petitioner.

Zoning Commissioner

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1477

District _____ Date of Posting: June 24/49
Posted for: Group House
Ridge Const. Co.
Petitioner: South End of Cherrydel Road
Location of property: 533' southeast of Frederick Road
Location of signs: on west side of Cherrydel Road 533-633'
south of Frederick Road
Remarks: Harry C. Cartledge
Signed by: _____ Date of return: June 27/49

NO PLAT
IN
THIS FOLDER