

RE: PETITION FOR RECLASSIFICATION OF
PROPERTY SITUATED AT THE N. W. COR.
HOLABIRD AND BAYARD AVES., 12th Dist.
HYLES M. AND IYAL T. ARNOLD,
PETITIONERS

This is an appeal by Hyles M. Arnes and Iyal T. Arnes, his wife, owners of the property described in the petition from the Order and decision of the Zoning Commissioner dated August 19, 1949, by which Order the petition for reclassification, from an "A" Residence Zone to an "M" Commercial Zone, was denied.

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

The property which is the subject of the petition is located at the northeast corner of Holabird and Bayard Aves., near Dundalk, in the 12th District of Baltimore County. Holabird Avenue has only sufficient paving to permit two lanes of traffic and the existing buildings are so close to the right-of-way line of this road that it does not permit widening to take care of the additional traffic which will be produced by further commercialization. In the immediate vicinity of this property there is a residential area on both sides of Holabird Avenue; there has already been set up ample commercial area to take care of the needs of the neighborhood for a long time to come and only about one-half of this commercialized property is presently used. A further extension of the commercial area in this residential neighborhood would tend to devalue the residential property therein.

While in the same block there is located a welding shop, which appears to be a nonconforming use, the fact of the existence of this use does not indicate it should remain at this location or serve as the basis for additional encroachment in this residential area, especially since there is ample commercial frontage to serve the needs of this community.

The Board, therefore, finds that the lowering of the classification to an "M" Commercial Zone would create congestion in the roads, streets and alleys, would lessen safety from fire, panic, traffic and other dangers, would adversely affect the health, morals and the general welfare, would cause overcrowding of land and an undue concentration of population which would interfere with adequate provisions for schools, parks, water, sewerage, transportation and other public requirements, conveniences and improvements. The Board further finds that in addition to their being no need for this commercialization, it would actually depreciate the values of the homes in this residential neighborhood and increase the traffic hazard.

Charles H. Deing
Chairman
John L. Arnes
Board of Zoning Appeals
of Baltimore County.

RE: PETITION FOR RECLASSIFICATION OF
PROPERTY AT THE N. W. COR. HOLABIRD
AND BAYARD AVES., 12th DISTRICT -
HYLES M. ARNES AND IYAL T. ARNES,
PETITIONERS

Appeal in the above entitled matter coming on for hearing before the Board of Zoning Appeals of Baltimore County on the 29th day of September, 1949, from the Order of the Zoning Commissioner of Baltimore County, dated the 19th day of August, 1949, denying the petition for reclassification from an "A" Residence Zone to an "M" Commercial Zone, and it appearing from the evidence and facts adduced at the appeal hearing that the granting of the petition would be detrimental to the health, safety, morals and the general welfare of the community:

It is this 10th day of November, 1949, ORDERED by the Board of Zoning Appeals of Baltimore County, in denying the petition for reclassification, from an "A" Residence Zone to an "M" Commercial Zone, be and the same is hereby affirmed.

Charles H. Deing
Chairman
John L. Arnes
Board of Zoning Appeals
of Baltimore County

REC'D AUG 29 1949.

JOHN L. ARNES
ATTORNEY AT LAW
818 NATIONAL BANK BUILDING
TOWSON, MARYLAND
PHONE TOWSON 34

August 25, 1949

Building and Zoning Department of Balto. County
Lockport Building
Towson 4, Maryland

Attention of Mr. Charles H. Deing

Re: Petition for Reclassification
from "A" Residence Zone to "M"
Commercial Zone - 800 Holabird
Avenue and Bayard Avenue - 12th
District - Hyles M. and Iyal T.
Arnes, Petitioners.

Dear Sir:

Please enter and appeal from you under
dated August 19, 1949, denying the above petition.

Very truly yours,
John L. Arnes
John L. Arnes, Attorney for
Petitioners

JL:BF

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County -

I, or we, Hyles M. Arnes and Iyal T. Arnes, legal owner... of the property situated at the Northwest corner of Holabird Avenue and Bayard Avenue, near Dundalk, 12th District, beginning at said Northwestern corner and extending 180 feet Northerly on Bayard Avenue, thence westerly at right angles to Bayard Avenue 120 feet, thence Southerly parallel to Bayard Avenue 60 feet, thence Easterly at right angles to Bayard Avenue 20 feet, thence Southerly, parallel to Bayard Avenue 120 feet to the North side of Holabird Avenue thence Easterly thereon 100 feet to the place of beginning.

herely petition that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an "A" Residential Zone to an "M" Commercial Zone.

Reasons for Re-Classification:
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.

XXXX we agree to pay expenses of above reclassification, 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 of Baltimore County.

Hyles M. Arnes
Iyal T. Arnes
Legal Owner
Address: 7302 Holabird Avenue,
Baltimore 22, Maryland

ORDERED by The Zoning Commissioner of Baltimore County, this 14th day of July, 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 Rockwood Bldg., in Towson, Baltimore County, on the 11th day of August, 1949, at 11:30 A.M.

Zoning Commissioner of Baltimore County
(over)

2/5
11:30

1494

RE: PETITION FOR RECLASSIFICATION OF PROPERTY
SITUATED 800 HOLABIRD AVENUE & BAYARD AVE., -
12TH DISTRICT - HYLES M. AND IYAL T. ARNES,
PETITIONERS.

Pursuant to the advertisement, posting of property and public hearing on the above petition, and it appearing that by reason of the fact that Holabird Avenue has only sufficient paving to permit two lanes of traffic and existing buildings are so close to the right-of-way line of this road that it does not readily permit widening on to take care of additional traffic which further commercialization would produce. There has already been set up ample commercial area to take care of the needs of the immediate neighborhood for a long time to come, only about half of which is presently used.

On the north side of Holabird Avenue from Bayard Avenue to Vesper Avenue, and on the south side thereof from Bayard Avenue to Marshall Road, the property is already developed with residences and to grant this reclassification would have the effect of depreciating the value of these residential properties. In the same block with the property sought to be reclassified there is a large welding shop which exists as a nonconforming use. The fact of the existence of this nonconforming use does not indicate that it should remain or serve as a reason for additional encroachment on this residential area.

Therefore, it is ORDERED by the Zoning Commissioner this 14th day of August, 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 an "A" Residence Zone.

Charles H. Deing
Zoning Commissioner
of Baltimore County

PETITION FOR ZONING RECLASSIFICATION
#1494

Location - N.W. Cor. Holabird & Bayard Aves., 12th Dist.
Owners - Hyles M. Arnes & Iyal T. Arnes
Present Zoning - "A" Residence Proposed Zoning - "M" Commercial
Date Received - July 19, 1949 Date of Reply - August 11, 1949

The parcel of land covered by this petition is in an area of mixed uses along Holabird Avenue. Approximately three blocks of frontage have already been zoned commercial, but less than half of this frontage is now being utilized. Holabird Avenue has only sufficient paving to permit two lanes of traffic and existing structures are built relatively near to the property lines. Immediately south of the property across Holabird Avenue is a three-block section of group houses. On the north side of the street between Leslie and Vesper, there are only two commercial structures and the area from Vesper Avenue just changed to this property is developed with residences. One in the immediate vicinity of this property, there is a residential area on both sides of Holabird Avenue. If additional commercial zoning is granted, the already over-developed commercial area will be expanded far out of proportion to actual needs, and the residential area in this section of Holabird Avenue will be devalued.

On the basis of the above considerations, we feel that it would be unwise to grant the commercial zoning requested. It should be noted, however, that in the same block with this property there is located a large welding shop which appears to be a nonconforming use. The fact that this use is present does not indicate that it should remain in this location or serve as the basis for additional encroachment on residential uses. Ample commercial frontage is now available to serve the needs of this community area.

Charles H. Deing
Donald H. Metz
Baltimore County Planning Commission
cc Charles H. Deing
W. W. MacVicar

Comments are desirable, but he has not seen the writings.

July 14, 1949

\$10.00

RECEIVED of Lewis H. Stengel, Attorney for
Hyles M. Arnes and Iyal T. Arnes, Petitioners, the
sum of Eighteen (\$18.00) Dollars, being cost of petition
for reclassification, advertising and posting of property,
Northeast corner of Holabird and Bayard Aves., 12th District
of Baltimore County.

Zoning Commission

Hearings
To May, August 5, 1949
at 11:30 a.m.

PAID
JUL 18 1949
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY *John L. Arnes*

1494

September 13, 1949

\$22.00 ✓

RECEIVED of John L. Askew, Esquire, Attorney for Hyles M. and Lyl T. Arnew, petitioners, 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 denying the petition for reclassification of property at the northwest corner of Holabird and Bayard Avenues, 12th District of Baltimore County.

Zoning Commissioner

PAID
SEP 14 1949
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
By *[Signature]*

NOTICE OF ZONING PETITION FOR RECLASSIFICATION 12th DISTRICT

Pursuant to petition filed with the zoning Commissioner of Baltimore County for change or reclassification, from an "A" Residence Zone to an "E" Commercial Zone of the property hereinafter described, the Zoning Commissioner of Baltimore County by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing at the Zoning Office, in the Reekord Building, Towson, Baltimore County, Maryland.

On Friday, August 5, 1949 at 11:30 a. m. to determine whether or not the following portions and described property should be changed or reclassified as aforesaid for Approved Commercial Use, to wit:

All that parcel of land at the southwest corner of Holabird and Bayard Avenues, near Dundalk, in the 12th District of Baltimore County, beginning at said north-westernmost corner and thence westerly 122' northerly on Bayard Avenue, thence westerly, at right angles to Bayard Avenue, 122', thence southerly, parallel to Bayard Avenue, 60', thence easterly, at right angles to Bayard Avenue, 23', thence southerly, parallel to Bayard Avenue, 120' to the north side of Holabird Avenue and thence easterly thereon 100' to beginning. Being property of Hyles M. Arnew and Lyl T. Arnew as shown on plot plan filed with the Zoning Department.

By Order of
CHAS. H. DGING,
Zoning Commissioner of Baltimore County
July 15-22.

OFFICE OF THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS
Reisterstown, Md.

THE COMMUNITY PRESS
Dundalk, Md.

THE HERALD-ARGUS
Catonsville, Md.

No. 1 Newburg Avenue

CATONSVILLE, MD.

July 20, 1949

THIS IS TO CERTIFY, that the annexed advertisement of Charles H. Dving, zoning Commissioner of Baltimore County was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for 2 successive weeks before the 22nd day of July, 1949, that is to say the same was inserted in the issues of July 15 and 22, 1949.

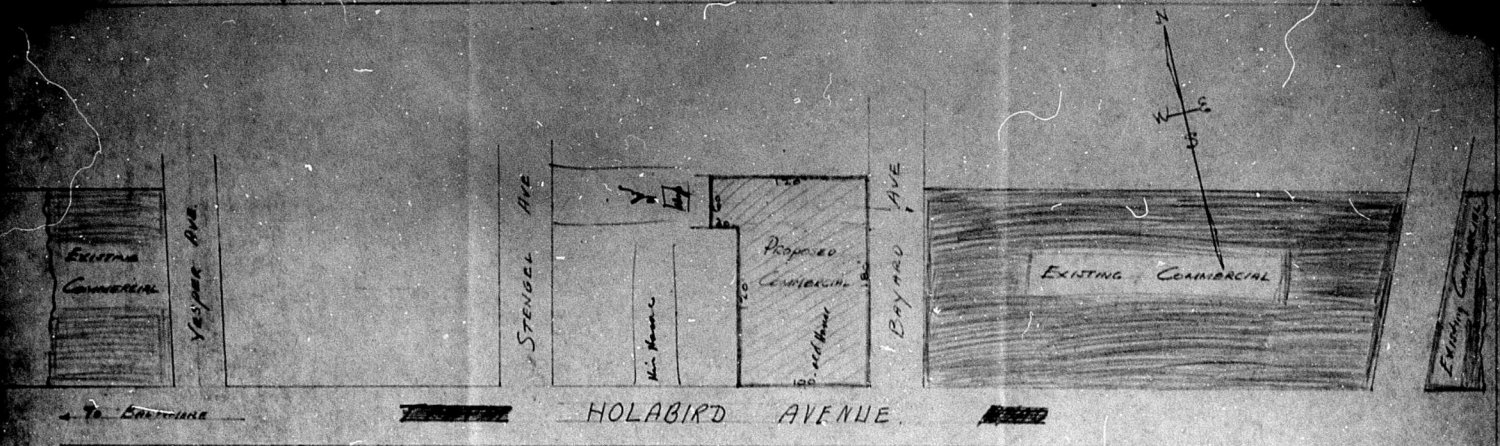
THE BALTIMORE COUNTIAN



By *P. J. Morgan*
Editor and Manager.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1494

District: 12 Date of Posting July 27/49
Posted for: Commercial
Petitioner: Hyles M. & Lyl T. Arnew
Location of property: Northwest corner of Holabird & Bayard Ave
Location of Signs: Northwest corner of Holabird & Bayard Ave
Remarks:
Posted by: Harry C. Gertside Date of return: July 27/49



-  PROPOSED COMMERCIAL
-  EXISTING COMMERCIAL

PLAN OF PROPOSED
 ZONING RECLASSIFICATION
 FROM RESIDENTIAL TO COMMERCIAL
 HOLABIRD AVENUE
 N.E. CORNER OF NO. 12TH DIST.
 SCALE 1" = 50'
 June 1949 G.J.H.

