

CATONVILLE ESTATES, INC. : IN THE CIRCUIT COURT
FOR :
BALTIMORE COUNTY

BOARD OF ZONING APPEALS
FOR BALTIMORE COUNTY

The action of the Board in the above-entitled case is sustained.

June 9, 1950

True Copy Test

John B. Hoffman
John B. Hoffman, Judge

RE: PETITION FOR RECLASSIFICATION FROM AN
"A" RESIDENCE ZONE TO A "C" RESIDENCE
ZONE - S. S. Old Frederick Road, 676'
S. of Winters Lane, 1st District -
Catonville Estates, Incorporated,
Petitioner.

Appeal in the above entitled petition for reclassification coming on for hearing on the 26th day of January, 1950, from the Order of the Zoning Commissioner, passed on the 10th day of September, 1949, denying the petition for reclassification, from an "A" Residence Zone to a "C" Residence Zone, and it appearing from the facts and evidence adduced at the appeal hearing that the petition for said reclassification should be denied, since the granting of same would adversely affect the health, safety, morals and the general welfare of the community, therefore:

It is this 16th day of February 1950, ORDERED by the Board of Zoning Appeals of Baltimore County that the Order of the Zoning Commissioner in denying the petition in this matter is hereby affirmed.

Board of Zoning Appeals
of Baltimore County

OPINION OF THE BOARD OF ZONING APPEALS
OF BALTIMORE COUNTY

This is an appeal by the Catonville Estates, Incorporated, owner of the property described in the petition from the Order and decision of the Zoning Commissioner of Baltimore County, dated September 16, 1949, by which the petition for reclassification, from an "A" Residence Zone to a "C" Residence Zone was denied.

The case came on for hearing before the Board, testimony was taken and petitions filed for and against the petition were considered by the Board and counsel for both sides were heard. The property which is the subject of the petition is located on the south side of Old Frederick Road, beginning 608 feet east of Winters Lane, in the First District of Baltimore County. The petitioner apparently desires to erect approximately 450 family units of the apartment type under Title 608 with FHA financing. This property is adjacent to a large developed cottage area, the homes in which are substantial, attractive and well kept and representing a substantial investment to the owners. The Board feels that it is desirable to retain this neighborhood in its present high class development and that the erection of such a building project as contemplated would tend to depress the other property values in this neighborhood as well as to affect adversely the town of Catonville. This apartment project would practically double the present colored population and would bring about the overcrowding of the streets and the schools and would create, in our opinion, a hazardous condition since Winters Lane, which would be used by the prospective occupants of this apartments, is without gutters, curbs or sidewalks. In addition, to the above, the Board feels that to grant this reclassification would be "spot zoning".

The Board, therefore, finds that the lowering of the classification to a "C" Residence Zone would create congestion in the roads, streets and alleys, would lessen safety from potholes, traffic and other dangers, would adversely affect the health, morals and the general welfare of the community, would cause overcrowding of land and cause undue concentration of population, would interfere with adequate provision for schools, parks, water, sewerage, transportation and other public requirements and conveniences. The Board also further finds that there is no community need for this type development in this particular neighborhood and is a neighborhood which should continue to be zoned as an "A" Residence Zone with the erection of small cottages as now exist therein.

Board of Zoning Appeals
of Baltimore County

RE: PETITION FOR RECLASSIFICATION FROM AN
"A" RESIDENCE ZONE TO A "C" RESIDENCE
ZONE - S. S. Old Frederick Road, Beg.
676 ft. S. of Winters Lane, 1st Dist.
CATONVILLE ESTATES, INCORPORATED,
PETITIONER.

The petitioner proposed to build single family dwellings in groups. These dwellings are termed apartment buildings and because off-street parking areas are provided in the development for the tenants of the dwellings. In all other respects the development will resemble the ordinary low cost type of group house development.

The neighborhood is now zoned for and fairly well developed with individually owned cottages and bungalows. Many of the owners who have protested a reclassification of the area contend that this type of development will depreciate their homes and discourage a continuance of this type of development. At any rate the granting of the petition will lead to others and the neighborhood will become a group house and apartment community. It seems to me that this type of development ought to be confined, for the present at least, to neighborhoods that are already zoned for group houses and apartments.

The only reason advanced for the reclassification is the low cost of this type of home and the fact that there is a need for low cost homes in Baltimore County. The granting of the petition would be "spot zoning", therefore:

It is this 16th day of September, 1949, ORDERED that the above petition be and the same is hereby denied and that the above described property, or area, is hereby continued as and to remain an "A" Residence Zone.

Board of Zoning Appeals
of Baltimore County

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County -
I, or we, CATONVILLE ESTATES, INC., legal owner of the property situated on the south side of Old Frederick Road, 1st District of Balto. Co., beginning 676' east of Winters Lane, thence easterly, binding on the south side of Old Frederick Road, 2147'10", thence S 13° 21' west 1364.67', thence N 70° 35' west 865'10", thence S 8° 30' east 602.25' to beginning.

herby petition that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an "A" zone to a "C" zone.

Reasons for Re-Classification
to ERECT APARTMENT HOUSES
GARDEN TYPE

Size and height of building: front 16' feet, depth 21' feet, height 2 1/2' feet.
Front and side set backs of building from street lines: front 25' feet, side 25' feet.
Property to be posted as prescribed by Zoning Regulations.

1, or 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 for Baltimore County.

ORDERED BY The Zoning Commissioner of Baltimore County, this 10th day of August, 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 Heckard Bldg., in Towson, Baltimore County, on the Commissioner of Baltimore County, in the Heckard Bldg., in Towson, Baltimore County, on the 14th day of September, 1949, at 10:00 A.M.

(over)

Baltimore County Planning Commission

Zouen A. Morgan

WILLIAM W. HANCOCK, CHAIRMAN
CHARLES H. DEING
JOHN H. MIFALL
JOHN H. HUFF
H. ROBERT WATFIELD

August 5, 1949

MEMORANDUM

TO: Charles H. Deing
FROM: Malcolm H. Dill
SUBJECT: Proposed Hearing of Catonville Estates for Apartment Project

The promoters of this apartment project have been in touch with this office for some time in regard to an intended apartment development project under Title 608 with FHA financing. The location and general type of development have appeared to us to be satisfactory and suitable. Following two or three conferences, a layout plan has been produced, parts of which are being transmitted to you with a petition for reclassification.

There are a number of minor aspects of the layout as shown that will call for further study, but I feel that these need not delay the submission of the petition for reclassification. Accordingly, if an agreement with the proposed change to Residence "C" with the understanding that if it is granted, there will be further study of the design of the tract.

Malcolm H. Dill

IN THE MATTER OF THE
APPLICATION OF
CATONVILLE ESTATES INC.,
FOR A CHANGE OF ZONING
CLASSIFICATION, Property
located in the First
District

Mr. Commissioners:

Please enter an appeal from your Order dated September 15th, 1949, to the Board of Zoning Appeals of Baltimore County.

Alexander Goodman
Alexander Goodman

John B. Hoffman
John B. Hoffman
Attorneys for Applicant

RECEIVED OF Rudolph Helfert, the sum of \$6.20
has cost of certified copies of petition and other
papers filed in the matter of reclassification of
property, from an "A" Residence Zone to a "C"
Residence Zone - south side of Old Frederick Road,
1st District.

Zoning Commissioner

PAID
MAR 3 1950
COUNTY CLERK'S OFFICE
OF BALTIMORE COUNTY

Hon. John Crason Turnbull,
24 West Pennsylvania Avenue,
Towson - 4, Maryland

to

March 18, 1950

County Commissioners of
Baltimore County
& Zoning Department of
Baltimore County
Reckard Building,
Towson 4, Maryland

Certified copies of petition and other papers filed
in the matter of reclassification of property,
18 Old Frederick Road, 1st District
Catonsville Estates, Inc., Petitioner

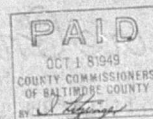
\$6.20

October 18, 1949

\$22.00

RECEIVED of Catonsville Estates, Inc., 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 on the south side of Old Frederick Road,
east of Winters Lane, 1st District of Baltimore County.

Zoning Commissioner



August 12, 1949

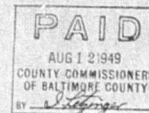
\$27.00

RECEIVED of Catonsville Estates, Inc. the sum
of Twenty Seven (\$27.00) Dollars, being cost of petition
for reclassification, advertising and posting of property,
south side of Old Frederick Road, beginning 975 feet east
of Winters Lane, 1st District of Baltimore County.

Zoning Commissioner

Hearing:

Friday, Sept. 2, 1949
at 5:00 p. m.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1524

Date of Posting Aug 17/49

District: Apartments
Posted for: Catonsville Estates Inc.
Petitioner: S side of Frederick Road 975' east
Location of property: of Winters Lane
Location of Signs: S side of Frederick Road 1075-1475
1900-2100 east of Winters Lane
Remarks: Harry C. Gartside
Posted by: [signature]
Date of return: Aug 17/49

NO PLAT
IN
THIS FOLDER