IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

John G. Kaufman, et alvs.Bd. of Zoning-Appeals-

Case No. Misc. 1057

Feb.14,1952, Action of Board of Zoning appeals
Trial Date sustained. 10 A. M.

Please be prepared for trial on that day

Ingleside & Edmondson Aves. (Paker property)

GEORGE L. BYERLY, Clerk.

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The appeal in the above entitled matter coming on for hearing before the Board of Zoning Appeals of Baltimore County on the 25th day of October, 1951, from an Order of the Zoning Commissioner of Baltimore County dated September 14, 1951, granting the Petition for reclassification from an "A" Residence Zone to a "B" Residence Zone of parcels Nos. 1 and 2 (on the plat being parcels Nos. 1 and 3), excluding the lots outstanding in other owners as set forth in the within petition; and from "A" Residence Zone to "D" Residence Zone as to the 3rd parcel (on plat being parcel No. 2), excluding the lots outstanding in other owners as set forth in the within petition; and from an "A" Residence Zone and "E" Commercial Zone to a "C" Residence Zone as to parcel No. $\natural_{1},$ excluding the lots outstanding in other owners as set forth in the within petition; and from an "A" Residence Zone to an "E" Commercial Zone as to the 5th percel, excluding the lots outstanding in other owners as set forth in the within petition; and it appearing from the facts and evidence adduced at the appeal that the granting of said petition would not be detrimental to the health, safety, morals, and general welfare of the community;

It is this lifth day of November, 1951, ORDERED by the Board of Zoning Appeals of Baltimore Gounty that the Order of the Zoning Commissioner of Baltimore County, granting the Fetition as aforesaid, We and the same is hereby ratified; and

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OPINION OF THE BOARD OF ZONING APPEALS
OF
BALTIMORE COUNTY

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This is an appeal by John G. Kaufman from an Order of the Zoning Commissioner of Baltimore County dated September 1h, 1951, granting the petition for reclassifications as to five parcels of land as therein stated.

The case came on for hearing before the Board, testimony was taken for and against said petition, and counsel for both sides heard.

The property which is the subject of this petition consists of a tract of land containing 166 acres, surrounded on three sides by the following reads: To the South by the Baltimore National Fike, also known as Edmondson Avenue Extended; to the East by Ingleside Avenue; and to the Northeast by Johnnyake Road. The boundary lines on the West and Northwest adjoin farm lands.

Reclassifications are requested as to parcels Nos. 1 and 3 from "A" Residence Zones to "B" Residence Zones; and parcel No. 2 from an "A" Residence Zone to a "D" Residence Zone; and parcel No. 4, which comprises an area which now has an "A" and "E" Commercial classification, to be changed to a "C" Residence Zone; parcel No. 5 from an "A" Residence Zone to an "E" Commercial Zone. The plat of the property shows that the boundary line to the Northwest adjoining the farm lands will remain in an "A" Residence classification, as well as a certain portion on the Northerly boundary along Johnnycake Road. There is no request for a change, of course, on the proposed school site, which consists of 18 acres. The proposed commercial area will be an extension of certain tracts of land now being used commercially. It will be noted from this plat that an effort was made to lay out the development in such a manner as to cause as little change as possible in classification where

the boundaries of the property in question meet with the properties which lie adjacent thereto. Cottage type property will lie next to cottage type property, and commercial against commercial. In other places where the property adjoins a lowtype housing or sparsely settled area where there is a rather haphasard development, there will be created some semi-detached houses along the border line.

A portion of parcel No. 4 binds on Edmondson Avenue Extended, being a four-lane highway, which in itself provides a dividing strip from the type of development on the opposite side of said highway. The overall plan involves the erection of 1361 dwelling units with a total population of approximately 5000 persons. These units are broken down as follows: 252, or 18.5% will be garden-type apartments; 892, or 65.5% will be group houses; 217, or 16% will be detached or semi-detached dwellings. In addition thereto the shopping center will cover approximately $h_{\mathbb{R}}^{1}$ acres. It is apparent that this type development, bounded by the roads and properties heretofore mentioned, will constitute a community of its own, providing a wide variety and selection of homes and dwelling units enabling the persons interested to select types of homes that fit their needs and that will be within their means. The preliminary plans provide for adequate streets and rights-of-way within the confines of the development itself, with access to the Baltimore National Pike or Edmondson Avenue Extended to Ingleside Avenue and to Johnnycake Road, as well as for future street extensions into the present undeveloped farm land to the North and Northwest. It will be noted that the proposed alignment of the recently approved Beltway runs along the irregular Western boundary line of the property in question.

-2-

the Board approves said reclassifications, subject to the

filing with the Zoning Department of Baltimore County of a

final plan of the development, including the commercial area

and, provided, that the cottages and semi-detached houses on

the northern boundary adjoining the farm lands and adjacent

Approveds

Date: FEB 26 1952

as shall be approved by the Baltimore County Planning Commission;

parcel No. 1, and further that the cottages and semi-detached

Board of Zoning Appeals of

houses along Johnnycake Road shall be built prior or concurrently

with any group, commercial, or garden type apartment buildings.

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The plan calls for a proposed school site of sufficient area to take care of the elementary school education of the community, as well as space for recreational facilities for children and adults. The testimony showed that there will be no danger of the children crossing heavily traveled arteries or highways to and from the school, since the school site is situated within the development itself.

-3-

The density of population resulting from this type development will require the installation of a sanitary sawer, which is now approximately 12000feet from the property in question. (The interceptor is located along Dead Run to the North.) When this is properly installed it will also benefit the adjoining property owners who are now using septic and other private disposal methods which are not conducte to the general health of the community. Water will also be made available in certain portions which are now using other means of water supply. Some of the witnesses testified that they are in favor of the reclassifications because they would provide them with these utilities which they sorely need.

There were witnesser both for and against the granting of the petition. The Board noted that some of the closest neighbors were in favor of the granting of the petition, including a group of Mi persons living in the immediate area. There were many protests against the granting of the petition, but it was noted that some of these were far removed from the site in question; and while their objections were, no doubt, real to them, they were of a general nature and not conclusive. The Board is of the opinion that this is a carefully planned and well integrated community development located in an area that will benefit from such a project, and will have a tendency to raise the health and general welfare standards in certain metabhoring areas.

The Board is of the opinion that the granting of this petition for the reclassifications, as therein set forth, will not be destrimental to the health, safety, morals, and general welfare of the community, and the reclassifications should be granted; subject to the filing with the Zoning Department of a final plan of the development, including the commercial area as approved by the Baltimore Gounty Planning Commission; and, provided, that the cottages and semi-detached houses on the northern boundary adjoining the farm lands and adjacent parcel No. 1, and further that the cottages and semi-detached houses along Johnnycake Road shall be built prior or concurrently with any group, commercial, or garden type services buildings.

The Board will, therefore, sign an Order granting

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Board of Zoning Appeals of

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FILED SEP 24 1951

PETITION POR RECLASSIFICATION
PROPERTY near INTERSECTION OF
EDMONDSON AVE., extended, and
INGLESIDE AVE., PIRST DISTRICT
OF BALTIMORE COUNTY

: BEFORE AUGUSTINE J. MUELLER
: ZONING COMMISSIONER OF
: BALTIMORE COUNTY

JONATHAN WOODNER COMPANY, PETITIONER :

Mr. Clerk:

Please enter an espeal in the above entitled matter on behalf of Mr. John G. Kaufman, one of the protestants.

ORDER FOR APPEAL

John Grason Turnbull
24 W. Penna. Ave.,
Towson 14 Maryland

24 W. Penna. Ave., Towson 4, Maryland Attorney for Protestants

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RAS PORTION NOR .CHARDITARING PRIVAT and second parcell from an PA Portience Zero to a "N" Residence Zero styling parcel from "A" Residence Zero styling parcel from "A" Residence Zero to "P Residence Zero styling Zero to "P Residence Zero Zero to "This Libratic Tero "P Tendidance Zero and "This Libratic Tero "P Tendidance Zero and "This Libratic Tero "Edeminian Ave. Zero La Sero "Levine La La "Property" Zero La sed Included Ave. First District Zerothan McControl Company, Puttience

The property which is the subject of this perities is located at the northwest corner of Baltimore Basicoul Pike and Ingleside Avenue in the First District of Baltimore Gounty. The property cathering is netherly on the west side of Inglesice Avenue to Johnson Road and intribuctive to colonization Board attacks of 200 feet.

The plan which the excer has filed in connection with the printing indicates that cottages, and whether the large spartness and in the receivery coning charge are effected. Printing the receivery coning charges are effected by the proposal policy of th

nations types of residenced good community planning to provide for market types of residential units. Such provision is destrible in order to the control of the control of

The 1361 dwelling units on the total of 186 acres produce a gross density for the entire neighborhood of 7.3 families per acres. Not group house developments arrange from 10 to 13 families per gross acre. Single-family cottages on small lots would rem not less teas 5 to 6 families per gross acre.

From the foregoing it can be seen that the denrity of population for this development is not exceesive and does not in fact greatly exceed the density allowed in an "A" Residence Zone under the present Zoning Regulations and Restrictions.

contains of the cereinpunct, and the developed, it is necessary to bring the source own 13,000 Feet from the interoptor located slong bead into the name and the state of the located slong bead into the name and the state of th

private methods of water enginy and means unspectually appear to be laid out to take care of traffic pomerated within the development itself and creatally the Baltisher National His max the proposed believy will preserly myshes off this tear fice so as not to be destributed to a late path to the contribute to the path and within the blocks themselves, therefore not making its necessary for the meall children to cross any of the streets in poing to and from the reversalized areas. The above the contribute the contribute of the

It appears that this plan has taken fine account the powers before of the ormsity. All types of chelling units dealing units of the ormsity all types of chelling units the property of the control of th

concerning the introduction of any group houses into this area. Here are reference previously to the desirability of introducing various dealling types into a development of this size. There is aspide securities that any people with to live in group houses in the Saltience area. The principal control of the salt of t

It the reverse home press farefuls, smarly all the group home blocks we present this same expectantly in some depart. The same opportunity in some depart, and the same present is a same present the same of the same continued of the present the same of the same continued of the same con

In summarizing all the factors involved, we believe that there is nothing

In summarising all the factors involved, we believe that there is nothing inherent in the plan and the proposed recenting tead on it wind in not all the proposed for the propos

True Copy-Test:

of Baltimere County es: Augustine J. Muller

Coning World Coper Walls

From the foregoing it appears that the granting of the reclassification to the various multiple uses and for the commercial use as not forth in the potition will not be detribunted to the commercial particles of the commercial will be considered to the commercial and the falling with this Department of a should be lab, subject to the filling with this Department of a best department and conserved a reas approved by the Bultimore County Takening Consultion.

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PETI V FOR ZONING RECLASSIFICATION 20029

Location - N. W. cor. Edmonson Blvd. & Ingleside Ave., 1st Dist.

Owner - Jonathan Woodner Company

Present Zoning - A Residence

Proposed Zoning - "B", "C", "D" Residence and "E" Commercial

This patition involves the proposed rezoning of a treat comprising 186 arres at the northwest corner of the Baltimore Battons Place (Edmonson Boulaward) and Inglasida kewane. The resoning proposal would possel may be retired the present of the proposal would possel be a second possel to the proposal sould be accessed absenced as a small commercial area. Those will be discussed absenguently.

Perhaps the most significant thing about this patition is that the site involved is large enough to permit development of an entire seighborhood and a site of the site of the

elementary school.

It is considered good normally planning to previde for various types of residential units made provides as desirable in order to take care of residential units. Some provides a search less than the search of the search o

noe asjuming tract in plannes for covariants.

The life intellige make as to take of 160 acres produce a gross density of the saffry oficial content of the saffry of the

responsibility possibly to be taken over by a neighborhood improvement group.

The treat adjoins Minors belower, it is also that the proposed group. The treat adjoins Minors belower, 0.5. 10, 10 and from which direct scores is purposed by the plan to be provided through saking a dual-lane with in improved connection thereto and investigation of the proposed groups and the proposed groups are settled from the present joint forms we maked from its present joint interesting with indexpeaks Bond, forms we maked from its present joint in the proposed Bond, and the proposed groups are the present proposed groups and the subject of the forms of the present proposed groups and the subject of the forms of the proposed groups and the subject of the forms of the proposed groups and the subject of the forms of the proposed groups and the subject of the proposed groups and the proposed groups are groups and the proposed groups and the proposed groups are groups and the proposed groups and the proposed groups are groups and the proposed groups a

slong the irregular wastern boundary line of this treet,
irranting that the interior planning of the development has been will does,
and shequate provision ands for access between it and Edmaness Nouleward
and other neighborhood streets, the question any still be reided to to
active the provision of the street of the still be reided to the
safety, and general workers. It appears has interest of polic beach;
in porticularly pertinent in line case. At the present time severe are
the time in this general workers. It appears the repeat the street of the still be active to the street of the still be active to the stil

Nat of public safety? There has already been mention of access to and from Education Southern the Southern Associated the Southern Associated Southern Southern the Southern Associated Southern Southern

What of "general welfare"? Objections have been raised by some residents of Catonsville proper, as well as by some living closer to the project itself,

Baltimore County Planning Commission Washington Avenu

Christian H. Kahl

MALCOLM H. DILL DIRECTOR

October 25, 1951

MEMORANDUM

Guy Campbell TO:

FROM: Walcolm H. Dill

SUBJECT: Zoning Petition #2029, N.W.cor. Edmondson Blvd. & Ingleside Ave.

A yea know, the attached comment on this souther proposal was transmitted by us to Mr. Muller at his request in order on bring out wast appeared to us to be the significant plasmits being technical moments submitted for his wastername to be a submitted by the submitted of the transfer appearance of the submitted proper as the submitted of the submitted proper as the submitted of the submitted proper as the submitted of the submitted by the subm

In this particular instance, however, Hr. Muller's decision was in scored with the implications of the scholical comment, and I believe that he scholicy and the scholical comment, and I believe containing the scholical comment of the scholical comments to contain the scholic containing the scholical comments of the bush bearing, it could not be incorrected to court. Reference was nade to some of the scholic court of the scholical court in the scholical hearing before your board but only as heartay.

Mr. Waller is ill at home and, therefore, there is not the opportunity for me to check with him as to shother he sees any objection to transmitting this to you. I sa, therefore, the properture that the control of the control of the proposality of doing so and will heave it to meetion with the hearing this determine the should be used more than the hearing this determine the control of the hearing this determined hearing the statement of the control of the course, there is at least one copy in Mr. Muller's personal file.

September 28, 1951

\$22.00

RECEIVED of John Grason Turnbull, Attorney for John G. Kaminan, protestant, the man 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 Countesioner granting the reclassification of property at the intersection of Educadeon Avenue, Fort'd, and Ingleside Ave.

Tery truly yours,

COUNTY COMMISSIONERS OF BALTIMORE COUNTY

\$122,00

RECEIVED of John T, Whitaker, manager for Jonathan Woodner & Co., petitioners, the man of \$122.00, being cost of petition for reclassification, advertising and posting property, Edmondson Avenue, Fortended and Ingleside Avenue, 1st District of

Zowine Consistentoner

July 3, 1951

Hearing t Monday, July 9, 1951 at 2100 p. n. 303 Washington Averse



cc: Augustine Mullar W. W. MacVicar

8029 January 18, 1952 RECEIVED of Catonsville Communities Emprovement and Protective Association, Inc., the sum of \$18.20 being cost of certified copies of potition and other papers filed in the matter of appeal - reclassification of property on Johnnycale Road and Ingleside Avenue. onathan Moccher Company, petitioner. Zoning Countraioner

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland Date of Posting June 29/57

Posted for: ato D- a to B a to C Jonathan Moodner Co. noide of Edmondson are Words or Ingleside ave · south side of Johnnycake Road Location of Signs Stagns on Haide of Edmondson 400-500 ff or of ingliside

Age and 375 ft h of Commission for Hugh on Ward of Singlands for Jan - on in with a grandling for 13 age of sugar of the major he for the sugar he for the suga Posted by Harry & Gartside

Date of return _ June 28/57

Petition for Zoning Re-Classification

2029

To The Zoning Commissioner of Baltimore County ;-

I, or we, ... Jonathan Woodner Companylegal owner ... of the property situate

in the first Election District of Baltimore County, Maryland, at and near the intersection of Education Avenue Extended and Indication Avenue, more particularly and the second product of the second particularly content of the second particularly and avelopment containing detached houses, semi-detached houses, group houses, and restal units,

hereby petition that the zoning status of the above described property be re-classified, pursuant to the

Zoning law of Baltimore County, DEXERCEMENT AND ACCOUNTS TO THE PERSON OF THE PROPERTY OF THE PROPERTY AND ASSESSMENT OF THE PROPERTY OF THE

The _tablishment of a carefully planned and well integrated community in the most desirable and advantageous manner.

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, all as shown on proposed Subdivision Plat filed berewith in duplicate French or posed a precedule by Footen Begulations. marked Exhibit No. 2

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

County adopted pursuant to the Zoning Law for Bultimore Co See Appendix A and Pattitioner's Exhibit No. 1-Zoning Plat, Ingleside Tratifetitioner's Ethicuser's Exhibit No. 1-Zoning Plat, Ingleside Ingleside; and Pattitioner's Exhibit No. 3, being proposed Subdivision layout of Ingleside; and Pattitioner's Exhibit No. 3, being Location Fiat of Couttending lots in Caton Parms

JONATHAN WOODNER CO. LOSS OWNER OF John Fluid Street Owner Maryland Trust Building Baltimore 2, Maryland

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of1951,, that the subject matter of this petition be advertised, as required by the "Zoning Law of Baltimore County," in a new spaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing hereon be had in the office of the Zoning Commissioner of Baltimore County, in the Reckord Rddg, in Towson, Baltimore County, on the ...

Zoning Commissioner of Baltimore County

APPENDIX "A" WITH PETITION FOR ZONING REGLASSIFICATION - JONATHAN WOODNER COMPANY

Petitioner requests the change in the moning status of the following described property, which is shown on Loning Plat, Ingleside Tract, filed herewith in duplicate marked "Petitioner's Exhibit No. 1", as Farcel No. 1, to be reclassified from "A" Zons to "B" Zone:

Beginning for the same at a point distant the Following two courses and distances from the intersection of the west side of the same at a point of the same at the consequence of the same at the same

Mi. Petitioner requests the change in the soning status of the following described property, which is shown on Zoning Plat, Inglesiade State, Tiled herestin in duplicate marked "Fetitioner's Exhibit No. 1", as Farcel No. 2, to be reclassified from "A" Tome to "D" Zone:

to 1", as Parcel No. 2, to be reclassified from the londer similar Beginning for the same at a point distant the Gollege as 70° Zones and distances from the intersection of the west localization o

Beginning for the same at a point on the westedy side of Johnnyeake Road dataunt north 33 degrees 34 simutes west 53200 feet from the first service of the same side of the same

NOTE: LOS New 185, 187, 183, 193, 194 and 195, which NOTE: LOS New 185, 187, 183, 193, 194 and 195, which the Plat of Caton the Subdivision, reference of the Plat of Caton the Subdivision, reference of the Plat of Caton the Subdivision, reference of the Caton the Subdivision, reference of the Caton the Subdivision, reference of the Caton the Ca

T. Patitioner requests the change in the soning status of the following described property, which is shown on Zening Flat, instead to reach the state reach, as a Parcel is rewith in duplicip parcel "parcel "patients" as Parcel is regarded to the state of the state

to "o" est sarcel No. 1.1. In duplicate many on Zoning Flact these to "o" est sarcel No. 1.1. In duplicate many on Zoning Flact these to be reclassified Forestitioner's Enthict Beginning for the same at an annih point on the wart side of the property of

V. Fetitioner requests the change in the zoning status of the following described property, which is shown on Zoning Plat, Ingleside Tract, filed herewith in duplicate marked "Fetitioner's Exhibit No. 1", as Parcel No. 5, to be reclassified from "A" Zone to "B" Zone:

Beginning for the same on the west side of Ingleside Avenue at its intersection with Johnnyadae Road, thence along said Ingleside Avenue south! 7 degrees in sintense seat 512.30 fest, of sets, of the same seat beginning. Containing 5.520 acres.

NOTE: Lots Nov. 53, 55, 55, 57, 58, 59, 50, 61, 62, 63, 64, 65, 66, 65, 66, 69, 67, 60, and parts of fors Nov. 111, 115, 116, 117, 118, 119, 120, 121, 122 and 123 mr which are included within the above perimeter descriptioning the Land Records of Baltimore County in Plat Book Nov. 5, 60, 610 60, are typesen county in Plat Book Nov. 5, 60, 610 60, are at Present countaining in other owners.







