

2083

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "M" COMMERCIAL ZONE - Mary D. Kennedy, Petitioner

The property which is the subject of this petition is located on the north side of Edmonson Ave. 105 feet west of Whitfield Road. The property fronts 292.23 feet on Edmonson Ave. The westmost 95 feet to a depth of 95 feet is now used for a gasoline service station, the property enjoying a non-conforming use status. In the rear of the gasoline service station lot there exists a trailer camp. This is also a non-conforming use, having been started in 1927. The area of land so used for this purpose is of dimensions 95 feet by 317 feet.

The property immediately to the east of the Kennedy tract is zoned "M" Residence Zone; the property on the south side of Edmonson Avenue is also a "M" Residence Zone. There now exists commercially zoned area. There also exists at the intersection of Edmonson Avenue and Nursery Lane, a distance of 1500 feet from the property in question, a small commercially zoned area.

The petitioner testified that a need exists for a shopping center at this location. The protestants, however, pointed out that one of these centers is located in Matteson a distance of 3500 feet from the Kennedy property. This shopping center includes a food market, drug store, a sewing picture theatre and all of the stores necessary to provide the required services of the community. Another distance of 2500 feet from the Kennedy property, a shopping center is located at Frederick Road and Paradise Avenue, a shopping center, a filling station, hardware store, etc. In addition to these shopping centers, the business district of Catonsville proper on Frederick Road to the east and west of Ingleside Avenue, a distance of approximately one mile from this location. This business district provides all required community needs.

Due to the presence of these three shopping centers within accessible distance from the area in question, it is not felt that additional shopping facilities are needed in this area. If additional commercial enterprises are needed there are ample commercially zoned areas not being used on the Baltimore National Pike, a distance of approximately 3000 feet from the property in question.

In view of the foregoing and in view of the fact that the reclassification of this property for commercial use would be "spot" in nature and has no sidewalks on Edmonson Avenue, which Zoning Commissioner of Baltimore County that the reclassification would be detrimental to the safety and general welfare of the community and the reclassification should NOT be had.

MARY D. KENNEDY, Petitioner
105 Edmonson Ave., 105' W. of Whitfield Rd., Baltimore, Md.

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It is ORDERED by the Zoning Commissioner of Baltimore County, this 14th day of September, 1951, that the above petition for reclassification, be and the same is hereby denied from an "A" Residence Zone to an "M" Commercial Zone. However, in accordance with the power and authority in me vested as Zoning Commissioner of Baltimore County, I hereby grant to the said petitioner, the reclassification of the property described in the within petition, from an "A" Residence Zone to a "M" Residence Zone.

Mary D. Kennedy
Zoning Commissioner
of Baltimore County

FILED AUG 22 1951

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Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County -
I, Mary D. Kennedy, legal owner... of the property situate on the north side of Edmonson Avenue, north side of 105 feet west of Whitfield Road, and 95 feet more or less from Nursery Lane in the First District of Baltimore County.

Beginning at a point on the north side of Edmonson Ave., 1st District of Baltimore Co., 105 feet more or less, west from Whitfield Road, thence North 85 degrees 15 minutes West 292.23 feet thence leaving said road North 7 degrees East 112 feet thence North 85 degrees 15 minutes East 303.05 feet and thence South 4 degrees 45 minutes East 173 feet to beginning.

I 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 an "M" Commercial Zone. Reasons for Re-Classification: A portion of this property, having about 95 feet frontage on Edmonson Avenue, with a depth of approximately 132 feet, is now commercially used under existing non-conforming uses. This existing development is not residential. It is proposed to erect a group of stores for a neighborhood shopping center, and 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 do hereby agree to pay expenses of above reclassification, advertising, posting, etc. upon filing of this petition, and further agree to and am to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Mary D. Kennedy
Legal Owner
Address: 610 1/2 Edmonson Ave., Baltimore, Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of August, 1951, 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 Rockard Bldg., in Towson, Baltimore County, on the 10th day of September, 1951, at 10 o'clock P. M.

9/10
20 P.M.

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...

It is Ordered by the Zoning Commissioner of Baltimore County this... day of... 19... that the above described property or area should be and the same is hereby reclassified, from and after the date of this Order, from... zone to a... zone.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing, that by reason of...

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 continued as and to remain a... zone.

Zoning Commissioner of Baltimore County

Approved: *[Signature]*
Date: 9/1/51
City Commissioners of Baltimore County
President

FILED SEP 4 1951

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CERTIFICATE OF PUBLICATION

TOWSON, MD. August 31, 1951
THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. xxxxxxxx on 2 lines xxxxxxxx before the 10th day of September, 1951, the first publication appearing on the 24th day of August 1951.

[Signature]
THE JEFFERSONIAN
Manager

Cost of Advertisement, \$...

NOTICE OF PUBLICATION...
I, the undersigned, Clerk of the Board of Zoning Appeals, do hereby certify that the above advertisement was published in accordance with the provisions of the Zoning Law of Baltimore County, Maryland, and that the same was published in the newspaper named above on the date and in the manner specified in the foregoing certificate of publication.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

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Date of Posting: 8-31-51
Posted for: *Mary D. Kennedy*
Petitioner: *Mary D. Kennedy*
Location of property: *Ms. Edmonson Ave., 105' more or less, west of Whitfield Rd., thence North 85 degrees 15 minutes West 292.23 feet, thence North 7 degrees East 112 feet, thence North 85 degrees 15 minutes East 303.05 feet and thence South 4 degrees 45 minutes East 173 feet to beginning.*
Location of Signs: *Ms. Edmonson Ave. north 375 feet Whitfield Rd.*
Remarks: *[Blank]*
Posted by: *George P. Appenell*
Date of return: 8-31-51

August 29, 1951

\$23.00

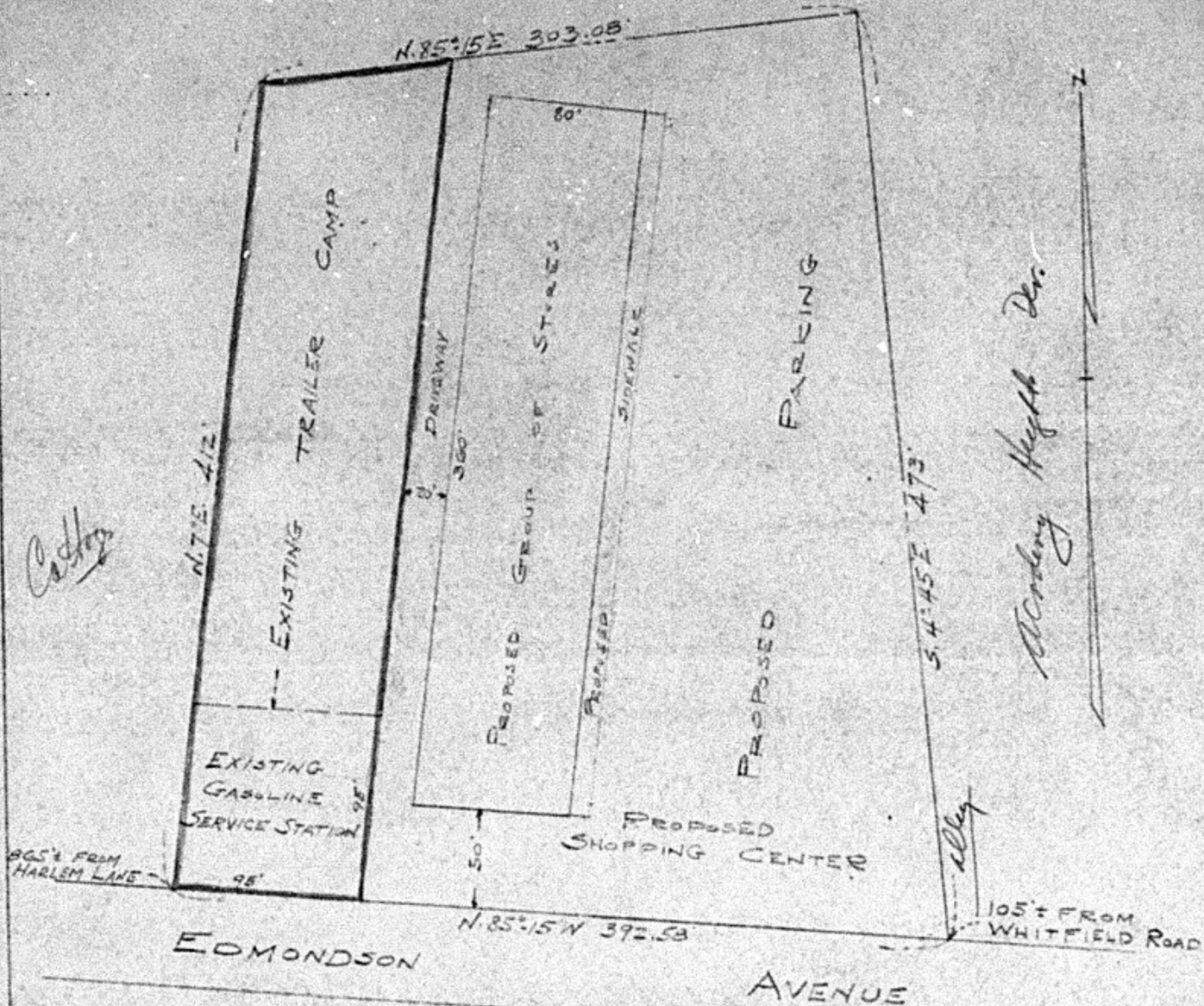
RECEIVED of John Green Turnbull, Attorney for Mary D. Kennedy, petitioner, the sum of Twenty Three (\$23.00) Dollars, being cost of petition for reclassification, advertising and posting property, north side of Edmonson Avenue, 1st District of Baltimore County.

Zoning Commissioner

hearing: Monday, Sept. 10, 1951 at 2:00 p. m. 303 Washington Avenue

ALBINO INK ONLY
REPRODUCTION ALTHOUGH
1951 & 2010

Mt De Sales



EDMONDSON

AVENUE

PROPERTY
 OF
 MRS. MARY D. KENNEDY
 LOCATED IN
 1ST DISTRICT, BALTIMORE CO., MD

APPROVED PLAN

SCALE: 1" = 60' AUG. 9, 1951.

DOLLENBERG BROTHERS
 SURVEYORS & CIVIL ENGINEERS
 709 WASHINGTON AVE. TOWSON, MD

NOTE: COMPILED FROM PLATS & DEEDS.