

MICROFILMED

EDWARD H. WHEELER, JR.
2156
S. W. COR. BALTIMORE ROAD AND ROSE AVE.,
3RD DISTRICT OF BALTIMORE COUNTY

H. C. CAMPBELL,
JAN. 1, 1952, and
JAN. 1, 1952, concerning
the Board of Zoning Appeals
of Baltimore County

When the foregoing Petition, Appeal and Affidavits
it is this 11th day of August, 1952, by the Circuit Court
for Baltimore County, ORDERED that a writ of Certiorari be
issued, directed to the Board of Zoning Appeals of Baltimore
County, dated June 30, 1952, and that a return thereto must
be made and served upon petitioner's attorneys within ten days
from the date of this Order, and it is further

ORDERED that the Board of Zoning Appeals of
Baltimore County be and it is hereby required to return to
this Court the original papers filed upon by it, or certified
or sworn copies thereof, together with a transcript of testi-
mony taken at the hearing before the said Board, exhibits
filed before it, and completely setting forth such other facts
as may be pertinent and material to show the grounds of the
decision and order appealed from.

True Copy Test
George R. Hummel

J. Howard Murray,
1952

RE: PETITION FOR RECLASSIFICATION FROM AN "A"
RESIDENCE ZONE TO AN "B" COMMERCIAL ZONE
S. W. Cor. Reisterstown Road and Rose Ave.,
Third District of Baltimore County -
Edw. H. & Helen F. Wheeler, Petitioners.

The appeal in the above entitled matter coming on for
hearing before the Board of Zoning Appeals of Baltimore County
on May 15, 1952, granting the petition for reclassification
of the property described therein from an "A" Residence Zone
to an "B" Commercial Zone, and it appearing from the facts
and evidence adduced at the appeal that there is no need for
the reclassification and no error shown in the original County
zoning, therefore,

It is this 17th day of July, 1952, Ordered by the
Board of Zoning Appeals of Baltimore County that the order of
the Zoning Commissioner of Baltimore County, granting the petition
for reclassification, be and the same is hereby reversed and
the petition denied.

H. C. Campbell
Chairman
George R. Hummel
Board of Zoning Appeals of
Baltimore County

RE: PETITION FOR RECLASSIFICATION FROM AN "A"
RESIDENCE ZONE TO AN "B" COMMERCIAL ZONE
S. W. Cor. Reisterstown Road and Rose Ave.,
Third District of Baltimore County -
Edw. H. & Helen F. Wheeler, Petitioners.

The property which is the subject of this petition is located
at the westernmost corner of Reisterstown Road and Rose Avenue, Rose
Avenue being 550 feet northwest of Milford Mill Road, Pikesville, Third
District. The lot is unimproved. In the two blocks between Dreher
Avenue and Colby Road, which lies immediately to the southeast of Rose
Avenue are the Exchange Building of the Chesapeake & Potomac Telephone
Company, a church, a non-conforming commercial use, the vacant lot of
the petitioner and the vacant lot of Lawrence H. Grims, for which a
petition for reclassification to "B" Commercial Zone is now being
entertained by this Department.

The properties across Reisterstown Road, between Smith and
Randall Avenues, are improved with cottages. The telephone Company
Building heretofore mentioned is a large quasi-commercial building.
The commercial enterprises being operated to the north of the Wheeler
lot has a very depreciating effect upon the remainder of the properties
in the two blocks between Dreher Avenue and Colby Road. Much junk is
stored around the building and the building itself is not kept in a
very good state of repair.

Reisterstown Road is a very heavily travelled thoroughfare,
the truck traffic being especially heavy. In view of the uses to which
the properties to the north have been put and the heavy commercial
traffic on Reisterstown Road, it does not appear that the reasonable
use of this property is for residential use. To require the petitioner
to develop this property for residential use in view of the uses to which
the adjoining properties have been put and in view of the heavy traffic
on Reisterstown Road would be unreasonable and arbitrary. It is true
that the residential properties on the east side of Reisterstown Road
in this section are substantial and well kept, but it is doubtful if any
of these houses would have been constructed under present day conditions.

In view of the foregoing it is the opinion of the Zoning
Commissioner of Baltimore County that the logical and reasonable use
of the property in question is for commercial use and the reclassifi-
cation should be had.

It is this 16th day of March, 1952, ORDERED by the
Zoning Commissioner of Baltimore County, that the above described
property or area should be and the same is hereby reclassified,
from and after the date of this Order, from an "A" Residence Zone
to an "B" Commercial Zone.

George R. Hummel
Zoning Commissioner
of Baltimore County

Petition for Zoning Re-Classification

To the Zoning Commissioner of Baltimore County -

Edw. H. & Helen F. Wheeler, legal owner, of the property situate
southeast corner of Reisterstown Road and Rose Ave., 3rd District of Balto.
Co., thence northwesterly, on the southeast side of Reisterstown Road, 80
feet, thence South 52 degrees 28 minutes West 146.65, thence South 37 degrees
02 minutes East 71.77 feet to the northeast side of Rose Ave., thence north-
easterly, on said side of Rose Ave., 146.66 feet to beginning.

hereby petition that the zoning status of the above described property be re-classified, pursuant to the
Zoning Law of Baltimore County, from an "A" Residence Zone to an "B" Commercial Zone.

Reasons for Re-Classification: Approved Commercial use

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, 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 of Baltimore County.

George R. Hummel
Helen F. Wheeler
Legal Owner

Address

ORDERED By The Zoning Commissioner of Baltimore County, this 10th.....day of
December.....1952, 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., L. Towson, Baltimore County, on the.....
9th.....day of.....January.....1952, at 3:00 o'clock.....P.M.

George R. Hummel
Zoning Commissioner of Baltimore County
(over)

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District.....3rd Date of Posting.....12-22-51
Posted for.....George R. Hummel
Petitioner.....Edw. H. & Helen F. Wheeler
Location of property.....S.W. corner Reisterstown Road and Rose Ave., Thence northwesterly
on the southeast side of Reisterstown Road, 80 feet, thence South 52 degrees 28 minutes West 146.65,
thence South 37 degrees 02 minutes East 71.77 feet to the northeast side of Rose Ave., thence north-
easterly, on said side of Rose Ave., 146.66 feet to beginning.
Remarks.....George R. Hummel
Posted by.....George R. Hummel Date of return.....12-22-51

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District.....3rd Date of Posting.....1-16-52
Posted for.....George R. Hummel
Petitioner.....Edw. H. & Helen F. Wheeler
Location of property.....S.W. corner Reisterstown Road and Rose Ave., Thence northwesterly
on the southeast side of Reisterstown Road, 80 feet, thence South 52 degrees 28 minutes West 146.65,
thence South 37 degrees 02 minutes East 71.77 feet to the northeast side of Rose Ave., thence north-
easterly, on said side of Rose Ave., 146.66 feet to beginning.
Remarks.....George R. Hummel
Posted by.....George R. Hummel Date of return.....1-16-52

FILED JAN 2 1952

CERTIFICATE OF PUBLICATION

NOTICE OF BOARD OF ZONING APPEALS FOR
THE CASE OF EDWARD H. WHEELER, JR. AND
HELEN F. WHEELER, PETITIONERS, FOR
RECLASSIFICATION OF THE PROPERTY
LOCATED AT THE WESTERNMOST CORNER
OF REISTERSTOWN ROAD AND ROSE AVENUE,
THIRD DISTRICT OF BALTIMORE COUNTY,
FROM AN "A" RESIDENCE ZONE TO AN "B"
COMMERCIAL ZONE.

TOWSON, MD., December 28, 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., on December
28, 1951, at 2 times before the 9th
day of January, 1952, the first publication
appearing on the 21st day of December
1951.

THE JEFFERSONIAN,
Towson, Md.
Manager

Cost of Advertisement, \$.....

200.00
RECEIVED of John Graham Turnbull, Attorney for
Edward H. Wheeler, et al, petitioners, the sum of Twenty
(\$20.00) Dollars, being cost of petition for reclassification,
advertising and posting property, southeast corner of Reister-
stown Road and Rose Avenue, 3rd District.

Zoning Commissioner
Hearings
Wednesday, June 30, 1952
at 1:00 p. m.
basement of Rockard Building
Towson, Md.

PAID
JAN 15 1952
COUNTY OF BALTIMORE
or Clerk of Court

NO PLAT IN THIS FOLDER