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RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE - N. E. Side Liberty Road 100 Feet S. E. Sussex Road, 2nd District of Baltimore County - Z. Townsend Parks & Harriet F. Parks, Petitioners.

The appeal in the above entitled matter coming on for hearing before the Board of Zoning Appeals of Baltimore County on October 2, 1952, denying part and granting part of the petition for reclassification of the property described therein from an "A" Residence Zone to an "E" Commercial Zone; and it appearing from the facts and evidence adduced at the appeal that the granting of the petition as to Lots Nos. 9 and 8 and the easternmost 60 ft. of Lot No. 7 would not be detrimental to the health, safety, and general welfare of the community and that there is a need for such commercial areas; therefore,

It is this 7th day of November, 1952, Ordered by the Board of Zoning Appeals of Baltimore County that the above described property be reclassified from an "A" Residence Zone to an "E" Commercial Zone, subject to the following provisions:

1. The setting up of a widening strip on the easternmost side of Liberty Road of 17 ft. to allow for an ultimate right of way of 100 ft. for Liberty Road.
2. That when commercial buildings are erected on the reclassified property the westernmost boundary and the rear portion of the 60 ft. strip so reclassified and the rear portion of Lot No. 8 shall be planted with shrubbery of sufficient size to screen this area from the adjoining property.
3. That provisions shall be made to provide for 2 1/2 sq. ft. of parking area to every sq. ft. of floor space, and the ingress and egress to this parking area shall be in accordance with the plans approved and acceptable with the Baltimore County

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Planning Commission and the State Roads Commission.

Approved:

County Commissioners of Baltimore County

Michael J. Murphy
President
Date: MAY 6, 1953

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OPINION OF THE BOARD OF ZONING APPEALS
OF
BALTIMORE COUNTY

This is an appeal by Z. Townsend Parks and Harriet F. Parks, his wife, from an Order of the Zoning Commissioner of Baltimore County dated May 26, 1952, denying a part of the petition for reclassification from an "A" Residence Zone to an "E" Commercial Zone in regard to Lot No. 8 and 60 ft. of Lot No. 7 of Section M. of Villa Nova, fronting on Liberty Heights Avenue; and also an appeal by H. Gordon Colner from the same Order granting the reclassification from an "A" Residence Zone to an "E" Commercial Zone as to Lot No. 9.

The case came on for hearing before the Board, testimony was taken, and counsel heard.

From the testimony in the case and from the examination and inspection of the property by the Board, it is the opinion of the Board that the reclassification would not be detrimental to the health, safety, and general welfare of the community; and that there is a need in this community for such a commercial area; therefore, the Board will pass its Order reclassifying the property from an "A" Residence Zone to an "E" Commercial Zone for Lots Nos. 9 and 8 and the easternmost 60 ft. of Lot No. 7; and that when this property is improved by commercial buildings the westernmost boundary and the rear portion of the 60 ft. strip and the rear portion of Lot No. 8 shall be planted with shrubbery of sufficient size to screen this area from the adjoining property.

This reclassification is also subject to the setting up of a widening strip on the easternmost side of Liberty Road of 17 ft. to allow for an ultimate right of way of 100 ft. for said Liberty Road, as recommended by the State Roads Commission and the Baltimore County Planning Commission, said widening strip to be conveyed to the State of Maryland for the use of the State Roads Commission.

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Provisions shall be made for off-street parking by providing 2 1/2 square feet of parking area to every square foot of floor space, and the ingress and egress to this parking area shall be in accordance with a plan approved and acceptable to the Baltimore County Planning Commission and the State Roads Commission. The Board's reason for a plan to be approved for the development of this extension of a commercial area is so that egress and ingress to the area should be arranged so as to reduce the possible traffic hazard to a minimum.

Approved:

County Commissioners of Baltimore County

By

President

Date:

MICROFILMED

FILED JUN 5 - 1952

IN THE MATTER OF THE : BEFORE THE ZONING
APPLICATION OF Z. TOWNSEND :
PARKS, JR. for reclassification : COMMISSIONER OF
from "A" Residence to "E" : BALTIMORE COUNTY
Commercial Zone. :
: : : : :
: : : : :

Mr. Commissioner:

Please enter an appeal to the Board of Zoning Appeals of Baltimore County from your order dated May 26th, 1952, insofar as the same denied a reclassification from "A" residential to "E" commercial of that portion of the property covered by the application being lot # 8 and the easternmost 60 feet of lot # 7, Section B of the Plat of Villa Nova, Plat Book WPC 3, folio 76.

John Dawson Turnbull
John Dawson Turnbull
24 N. Penna. Ave.,
Towson 1, Md.
Solicitor for Petitioner

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE - N. E. Side Liberty Road 100 Feet S. E. Sussex Road, 2nd District of Baltimore County - Z. Townsend Parks & Harriet F. Parks, Petitioners.

The property which is the subject of this petition is located on the northeast side of Liberty Road, 100 feet southeast of Sussex Road, Villa Nova, in the Second District of Baltimore County. The lot has a frontage of 210 feet on Liberty Road with an average depth of 275 feet.

The Baltimore County Planning Commission, in considering this petition for reclassification, stated as follows:

"The lot is directly across from this frontage and extending all the way to Sussex Road are several row houses in the Woodchase development. Because of the heavy cut in which Liberty Road lies at this point, an access road is provided at the rear of these houses in recognition of the extreme danger inherent in any encroachment of parking along Liberty Road at this point. The road here has a sharp vertical curve so that approaching vehicles from either direction are visible from only a short distance. Although the present right-of-way is 66 feet, it is graded for only part of the width, the steep backs of the cut of 30 feet or more being only a short distance from the travelled way. The State Roads Commission has indicated the intention of having eventually a 100 foot right-of-way for Liberty Road, with a median strip. All means of right-of-way for this additional widening was made in connection with the subdivision of Woodchase on the south side where is no immediate intention, however, on the part of the State Roads Commission of improving Liberty Road and specifically of cutting down the dangerous hump at this point."

In view of the foregoing it would appear that the granting of the petition covering all the property would be detrimental to the safety and general welfare of the community. However, it does not appear that the reclassification of lot No. 9 comprising 125 feet frontage with an irregular depth of 235 feet extending to Byrne Falls and adjacent to the existing commercial zone would be detrimental to the safety and general welfare of the community.

It is, therefore, this 27th day of May, 1952, ORDERED by the Zoning Commissioner of Baltimore County that the reclassification of lot No. 9 comprising 125 feet frontage with an irregular depth of 235 feet, be and the same is hereby reclassified, from and after the date of this Order, from an "A" Residence Zone to an "E" Commercial Zone, subject to the setting up of a widening strip on the easternmost side of Liberty Road of 17 feet to allow for an ultimate right-of-way of 100 feet for said Liberty Road as recommended by the State Roads Commission and the Baltimore County Planning Commission, said widening strip to be conveyed to the State of Maryland for the use of the State Roads Commission or Baltimore County without compensation therefor in consideration of the giving of this property for commercial use.

Augustine Spall
Augustine Spall
South Gate Station
65 N. Centre Street
Baltimore 1, Md.

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County -
Z. Townsend Parks, Jr., Harriet F. Parks, legal owner of the property situated in Baltimore County, Villa Nova, known as lots 9 & 8 and easternmost 60 feet of lot No. 7, Section M, as per attached plat -
Northeast side of Liberty Road, 2nd District of Baltimore County, beginning 100 feet southeast of Sussex Road, thence southeasterly, on the northeast side of Liberty Road, 230 feet with an average rectangular depth northwesterly of 295 feet, being part of lot No. 7 and all of lots Nos. 8 and 9, Section M on plat of Villa Nova.

Respectfully petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an "A" residential zone to an "E" commercial zone. Reason for Re-Classification: To provide proper commercial reservation in developing residential area - adjoining lots already zoned commercial, and these additional will set aside area between Essex Road and Sussex Road.

Name at present: _____ feet; depth: _____ feet; height: _____ feet.
Size and height of building: _____ feet; depth: _____ feet; height: _____ feet.
Front and side setbacks 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 for Baltimore County.

Harriet F. Parks
Harriet F. Parks
24 N. Penna. Ave.,
Towson 1, Md.
Legal Owner
Address: 3 E. Lexington Street,
Baltimore 2, Maryland

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of May, 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 Rockwood Building, in Towson, Baltimore County, on the 28th day of May, 1952, at 11:00 A.M.

Zoning Commissioner of Baltimore County

PETITION FOR ZONING RECLASSIFICATION
#2165

Location - E.W.S. of Liberty Road, 100' S.W. of Sunset Rd., End Dist.
Present Zoning - "R" Residential
Proposed Zoning - "C" Commercial
January 25, 1952

This tract of land lies 100 feet southeast of Sunset Road - a developed residential street - and 250 feet northwest of Sunset Road. It has 210 feet of frontage on the north side of Liberty Road and an average depth of about 175 feet. The rear line abuts partly on residential lots fronting on Sunset Road and partly on Wayne Hall. The land immediately adjoining it on the southeast has been zoned commercial.

Immediately across from this frontage, and extending all the way to Sunset Road are several new houses in the medium development. Because of the heavy cut in which Liberty Road lies at this point, an access road was provided at the rear of these houses in recognition of the serious danger inherent in any encouragement of parking at the Liberty Road at this point. The road here has a sharp vertical curve so that approaching vehicles from either direction are visible from only a short distance, although the present right-of-way is 66 feet, it is graded for only part of its width, and the road is very narrow. The State Roads Commission has indicated its intention of having a 100-foot right-of-way for Liberty Road, with a median strip. Allowing 70' right-of-way for this additional widening was made in connection with the widening of the road on the south side. There is no immediate intention, however, on the part of the State Roads Commission of improving Liberty Road and especially of making the dangerous hump at this point.

From the standpoint of poor visibility, there is probably no more dangerous spot on Liberty Road than the section on which the tract in question fronts. This would be true even if this tract were not in a deep cut. To make it usable for any sort of commercial use would require the removal of tremendous quantities of soil to a depth of 10 feet or more, practically throughout the frontage of the property. Anything less than complete removal of this front bank would inevitably result in even worse "blinders" ahead. It does not appear valid to argue that because the adjoining property to the east was zoned commercial, this tract should be also. That it is because the adjoining tract is approximately at the level of the highway and is at least a short distance removed from the sharp vertical curve referred to.

Provision has been made for a neighborhood shopping center at the southeast corner of Sunset and Liberty Roads. No use, however, has as yet been made of this extensive area. The fact that the residences on the southeast corner along Liberty Road were constructed by the developer of Sunway, who had provided for the shopping area on the southeast corner, indicates clearly that commercial development on the east side of a future main intersection such as this does not necessarily imply commercial use of all four corners. Actually in a case of this sort, it is safer and more convenient for users to have retail facilities concentrated at one corner rather than encourage pedestrians to cross primary and secondary highways.

Further commercial zoning westward along the northeast side of Liberty Road would obviously extend in linear form the short commercial frontage on that side of the road northwest from here, which was zoned contrary to the recommendation of this office.

cc: Augustine J. Muller

Melvin H. Hill, Director
Baltimore County Planning Commission

COPY

STATE ROADS COMMISSION
106 EAST LEXINGTON STREET
BALTIMORE 2, MD.

August 27, 1952

Re: State Route #26

Mr. E. C. Chaney
District Engineer
State Roads Commission
Towson, Maryland

Dear Mr. Chaney:

There was today forwarded to the Clerk of the Circuit Court for recording a deed from E. Townsend Parks, Jr. to the Commission, covering a strip of land 17 feet in width and 125 in length across the frontage of Lot #9, Section "B" of Villa Nova, which fronts on the East side of Liberty Road.

This grant to this Commission was made in accordance with certain requirements of the Baltimore County Zoning Commission and will bring the right of way to a width of 100 feet as far as this one property is concerned.

Very truly yours,

R. D. Norton
Asst. Right of Way Engineer

RM:45

cc: Baltimore County Zoning Commission
Court House, Towson, Maryland

COPY

STATE ROADS COMMISSION
106 EAST LEXINGTON STREET
BALTIMORE 2, MD.

February 11, 1953

Re: State Route #26 - Liberty Road

Mr. E. Townsend Parks, Jr.
Attorney at Law
Central Savings Bank Building
Charles & Lexington Streets
Baltimore 1, Maryland

Dear Mr. Parks:

I have today forwarded to the Clerk of the Circuit Court for Baltimore County, for recording, the deed, dated February 6, 1953, under the terms of which you and Mrs. Parks convey to the Commission a strip of land, seventeen (17) feet in width along the Easternmost 60 foot frontage of Lot #7 and all of Lot #8, Section "B" of Villa Nova.

Very truly yours,

R. D. Norton
Asst. Right of Way Engineer

RM:45

cc: Baltimore County Zoning Commission
Court House - Towson, Md.
Mr. E. C. Chaney, District Eng.
Towson, Md.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd
Posted for: 1-5-52
Date of Posting: 1-5-52
Petitioner: E. Townsend Parks, Jr. & Mrs. E. Townsend Parks, Jr.
Location of property: 106 East Lexington Street, Baltimore 1, Maryland
Location of sign: 106 East Lexington Street, Baltimore 1, Maryland
Remarks: I have today forwarded to the Clerk of the Circuit Court for Baltimore County, for recording, the deed, dated February 6, 1953, under the terms of which you and Mrs. Parks convey to the Commission a strip of land, seventeen (17) feet in width along the Easternmost 60 foot frontage of Lot #7 and all of Lot #8, Section "B" of Villa Nova.
Date of return: 1-9-52

FILED JAN 14 1952

CERTIFICATE OF PUBLICATION

TOWSON, MD. JANUARY 13, 1952

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. HEREINAFTER at 2 times before the 1st day of January, 1952 in the first publication appearing on the 4th day of January, 1952.

THE JEFFERSONIAN,

Manager

Cost of Advertisement, \$1.00

\$21.00

RECEIVED of E. Townsend Parks, Jr., \$21.00, the sum of Twenty One (\$21.00) Dollars, being cost of petition for reclassification, subdividing and partition of property, northeast side of Liberty Road, End District, 100 feet northwest of Sunset Road.

Issued Commission

Reckings

Monday, Jan. 21, 1952

at 11:00 A.M.

David R. Norton, Assistant of
Baltimore County
Towson, Md.

PAID
JAN 21 - 1952
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

June 4, 1952

\$21.00

RECEIVED of H. Gordon Gomer the sum of Twenty One (\$21.00) Dollars being cost of appeal from order dated May 26, 1952. To wit: side Liberty Road 100 feet north and Sunset Road, 2nd District of Baltimore County. E. Townsend Parks and David T. Parks, Petitioners.

Issued Commission

PAID
JUN 4 1952
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

NO PLAT
IN
THIS FOLDER