

LAW OFFICES

WALTER I. WELLS
WILLIAM D. WELLS
11 NORTH CHARLES STREET
BALTIMORE 1, MD.

March 8, 1954.

To the zoning Commissioner
of Baltimore County.

Dear Sir:-

Please enter as "Dismissed" the appeals entered in
the matter of the applications of J. Bernard Wells and the Title
Guarantee Company for rezoning of properties 166 feet from Randall
Avenue and 167 feet on the southeast side of Reisterstown Road,
Pikesville, Maryland.

Very truly yours,

Walter I. Wells
Attorney for petitioners.

W.I.W. :w

RE: PETITION FOR RECLASSIFICATION FROM AN "A"
RESIDENCE ZONE TO AN "M" COMMERCIAL ZONE
N. E. Side: Reisterstown Road 167.5 ft. S. E.
Randall Ave., 3rd District - The Title
Guarantee Co., Petitioner.

The property which is the subject of this petition is
located on the east side of Reisterstown Road, 660 feet northwest
of Seven Mile Lane. The property fronts 60 feet on Reisterstown
Road with a depth easterly of 150 feet. The property immediately
adjacent to the south, being the property of the petitioners, is
sited "M" Commercial.

The northernmost terminus of this commercial zone is
opposite the northernmost terminus of the commercial zone on the
west side of Reisterstown Road.

It is the contention of the petitioner that all of
his property fronting on Reisterstown Road should be zoned
commercial and that this is the logical and reasonable use of the
property. This case is analogous to the Grims and Wheeler cases
which have recently been decided by the Board of Zoning Appeals
of Baltimore County. The Grims and Wheeler lots are located on the
west side of Reisterstown Road just to the north of the property
which is the subject of this petition.

In the Grims and Wheeler cases the Board of Zoning Appeals
reversed the vote of the Zoning Commission recommending these
lots for commercial use, stating as follows:

"The Zoning Map of Reisterstown Road and the Pikesville
area discloses that the west side of Reisterstown Road from the
City Line to a point 100 feet north of Hillford Hill Road is zoned
"M" Commercial; continuing north the land from this point for a
distance of approximately 1500 feet, including the property in
question, is zoned "A" Residential. The land from this point
continuing northerly is zoned commercial for a distance of
approximately 375 feet to a point 140 feet north of Irving Place;
and thence continuing in a northerly direction for a distance of
approximately 300 feet to Clarendon Avenue the property is zoned
"A" Residential, which is the beginning of the commercial zone
in the community of Pikesville proper. This commercial zone extends
from the north side of Clarendon Avenue a distance of approximately
2600 feet to a point 300 feet north of Hillary Street.

On the east side of Reisterstown Road beginning at
the City Line and continuing north the property is zoned
commercially for a distance of 2100 feet to a point approximately
250 feet south of Randall Avenue; and from this point continuing
north for a distance of approximately 1175 feet to a point 120
feet south of Slave Avenue, the property is zoned "A" Residential
and from this point continuing north the property is zoned "M"
Commercial for a distance of 150 feet to a point 200 feet north
of Slave Avenue; from this point continuing northerly the property
is zoned "A" Residential for a distance of approximately 1300
feet to a point opposite the extension easterly of the north side

of Hawthorne Avenue; and from this point continuing northerly
the property is zoned commercially for a distance of 2200 feet
to the south side of the Old Court Road, this area being the
commercial zone in the community of Pikesville proper.

It can be seen from the foregoing and an inspection
of the Zoning Map that the Reisterstown Road from the City Line
to Old Court Road is composed of five distinct areas, namely,
the commercial zone at the City Line extending northerly to a
point 120 feet north of Hillford Hill Road; a residential zone
extending from this point to the small commercial area at Slave
Avenue; a residential zone between this commercial area and the
main shopping area at Hillville.

The two residential zones, heretofore mentioned, are
improved with substantial cottages with the exception of several
detached semi-detached houses. These residential areas on the Reisterstown
Road, together with the residential areas existing to the east
and west on the side streets, are well kept and the houses are in
good state of repair.

It is currently recognized that it is not the best type
of zoning to bring out commercial development along a radial
highway, but that instead, local shopping centers should be
developed with proper depth providing for off-street parking
facilities.

The present commercial area in Pikesville extends along
the Reisterstown Road for a distance of 2600 feet. The commercial
1200 feet, and in both of these areas there is ample room for
expansion of commercial uses.

It would appear that two of the most heavily travelled
lateral roads, namely, Hillford Hill Road and Suburban Lane, should
be extended easterly so as to be three-way streets, and thus provide
for proper handling of traffic.

Further extension of commercial area, as anticipated
by the petitioners, would tend to further traffic hazards along this
road; and

The Order of the Board of Zoning Appeals appears to be
reasonable. As stated in the opinion the commercial areas should be
developed in depth providing for off-street parking facilities. Such
facilities cannot be provided in linear commercialization.

In view of the decision of the Board in the Grims and
Wheeler cases it is the opinion of the Zoning Commissioner of Baltimore
County that the same reasons for denying the rezoning of these
lots for commercial use apply to the property in question and the
reclassification should be denied. It is the opinion of the Zoning
Commissioner, however, that these lots do not lend themselves to
development of high grade residential use.

As pointed out by the petitioners in this case the property
or semi-detached houses. It would appear, therefore, that the improvement
of this lot with a semi-detached dwelling which under the regulations
could be a two-unit type unit, would be a reasonable employment of the
this land.

In view of the foregoing it is the opinion of the Zoning
Commissioner of Baltimore County that the petition for reclassification
and instead the property should be reclassified from an "A" Residence
Zone to a "M" Residence Zone to allow the construction of semi-detached
houses.

It is this day of July, 1952, ORDERED by the
Zoning Commissioner of Baltimore County, that the above reclassification
from an "A" Residence Zone to an "M" Commercial Zone, be and the same is
hereby denied. However, in accordance with the power and authority
vested in the Zoning Commissioner, I hereby grant to the petitioners
reclassification of the property, from an "A" Residence Zone to a
"M" Residence Zone.

Walter I. Wells
Zoning Commissioner
of Baltimore County

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County:-

Know all men, that THE TITLE GUARANTEE COMPANY, a legal owner, of the property situate

on the southeast side of Reisterstown Road, beginning approximately 660' northwest
of Seven Mile Lane, or at the present boundary of the property now zoned commercial,
and running thence northeast 60' more or less to intersect the boundary line of the
property of J. Bernard Wells, et al.

on the northeast side of Reisterstown Rd., 3rd District of Baltimore County, begin the
167.5 feet southeasterly from Randall Ave., thence southeasterly, on the northeast
side of Reisterstown Road, 60 feet with a rectangular depth northeasterly of 150
feet.

herely petition that the zoning status of the above described property be reclassified, pursuant to the
Zoning Law of Baltimore County, from an "A" Residential zone to an "M" Commercial zone.

Reasons for Re-Classification: The lot is held title to the remaining frontage of 560'
more or less, extending from Seven Mile Lane, now zoned commercial, and with the
development of this property it is desirable to have our total frontage under the
same classification as it would not be desirable to develop the 56' frontage with
residential property immediately adjacent to a commercial development.

Size and height of buildings: 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 for Baltimore County.

Building is not contemplated at present,
but the property will be highly developed
when conditions justify and materials
are available.

THE TITLE GUARANTEE COMPANY

By: *Walter I. Wells*

Legal Owner

Address: Title Building, 8th Floor, 44 Lexington St.,
Baltimore 2, Maryland

ORDERED By The Zoning Commissioner of Baltimore County, this.....day of

June, 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 held in the office of the Zoning
Commissioner of Baltimore County, in the Beckford Bldg., in Towson, Baltimore County, on the.....
day of.....at.....o'clock, P. M.

Zoning Commissioner of Baltimore County
(over)

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: 6-11-52
Posted for: *Walter I. Wells and J. Bernard Wells, et al. Commercial Zone*
Petitioner: *Walter I. Wells, et al.*
Location of property: *Northwest side of Reisterstown Road 167.5 ft. S. E. from Randall Ave., 3rd District of Baltimore County, 60 feet with a rectangular depth northeasterly of 150 feet.*
Location of signs: *Northwest side of Reisterstown Road 200 ft. south of Randall Ave.*
Remarks:
Posted by: *George F. Hummel* Date of return: 6-11-52

FILED JUN 13 1952

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 13th., 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., 2 times
per week, on June 13th., 1952, the first publication
day of June.....19.....the first publication
appearing on the.....day of June
1952
THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$.....

NOTICE OF ZONING PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "M" COMMERCIAL ZONE
The Title Guarantee Company, a legal owner, of the property situate on the southeast side of Reisterstown Road, beginning approximately 660' northwest of Seven Mile Lane, or at the present boundary of the property now zoned commercial, and running thence northeast 60' more or less to intersect the boundary line of the property of J. Bernard Wells, et al. on the northeast side of Reisterstown Rd., 3rd District of Baltimore County, begin the 167.5 feet southeasterly from Randall Ave., thence southeasterly, on the northeast side of Reisterstown Road, 60 feet with a rectangular depth northeasterly of 150 feet. The property is held title to the remaining frontage of 560' more or less, extending from Seven Mile Lane, now zoned commercial, and with the development of this property it is desirable to have our total frontage under the same classification as it would not be desirable to develop the 56' frontage with residential property immediately adjacent to a commercial development. 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. Building is not contemplated at present, but the property will be highly developed when conditions justify and materials are available.

800.00
WALTER I. WELLS, et al. Petitioner,
the sum of Twenty (\$20.00) Dollars, being cost of
posting of property on the north east side of
Reisterstown Road, 167.5 feet southeasterly from Randall
Ave., 3rd District of Baltimore County.

Zoning Commissioner

Manager
Monday June 23, 1952
at 3:00 P. M.

PAID
JUN 25 1952
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

NO PLAT
IN
THIS FOLDER