FILED JUL 31 1952

James A. Redmond, Jr.
22 West Pennsylvania Avenue
Towson 4, Maryland

7/31/52

Board of Zoning Appeals of Baltimore County
Towson 4, Maryland

Re: Property on S/E side Reisterstown Road, South at Randall Avenue.

J. Bernard Wells & Title Guarantee & Trust Co. Owners.

Gentlemen:

Please enter the appeal of the protestants to that portion of the order of the Zoning Commissioners passed in the above entitled cause on 7-21-52, wherein the Commissioner changed the classification of these properties from A residential to B residential.

Sincerely yours,

James A. Redmond, Jr.

JAR:dps

No Money

FILED JUL 30 1952

Re: Petition for Reclassification from an "A" Residence Zone to an "E" Commercial Zone, N. E. Side Reisterstown Road, 167.7 ft. S.E. Randall Ave., The Title Guarantee Co., Petitioner -

S. E. Cor. Reisterstown Road and Randall Ave., J. Bernard Wells, et al, petitioners

July 31, 1952

Mr. Augustine J. Mellor,
Zoning Commissioner
Towson 4, Md.

Mr. Commissioner:

Please enter an appeal to the Board of Zoning Appeals of Baltimore County from your decision in the above matter and transmit all papers to the Board.

J. Bernard Wells
J. Bernard Wells, Attorney

No Money

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE - S. E. Cor. Reisterstown Road and Randall Ave., 3rd District, J. Bernard Wells, et al, Petitioners

The property which is the subject of this petition is located at the southeast corner of Reisterstown Road and Randall Avenue, Third District. The property fronts 167.7 feet on Reisterstown Road and 145 feet on Randall Avenue. The lot immediately to the south is the property of the Title Guarantee Company which is being considered in connection with this property for reclassification to commercial use.

It is the contention of the petitioner that the logical and reasonable use of the property is for commercial use, that he has repeatedly had the property up for sale as residential property and that he has not been able to effect a sale to this date.

This case is analogous to the Grimm and Wheeler cases which have recently been decided by the Board of Zoning Appeals of Baltimore County. The Grimm 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 Grimm and Wheeler cases the Board of Zoning Appeals reversed the Order of the Zoning Commissioner reclassifying 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 120 feet north of Milford Mill Road is zoned "E" 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 575 feet to a point 140 feet north of Irving Place; thence continuing in a northerly direction for a distance of approximately 800 feet to Charnudon 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 Charnudon Avenue, a distance of approximately 2600 feet to a point 300 feet north of Rodgeny 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 1100 feet to a point approximately 250 feet south of Randall Avenue; and from this point continuing north for a distance of approximately 1475 feet to a point 180 feet south of Slade Avenue, the property is zoned "A" Residential, and from this point continuing north the property is zoned "E" Commercial for a distance of 450 feet to a point 200 feet north of Slade 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

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

It can be seen from the aforegoing 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 Milford Mill Road; a residential zone extending from this point to the small commercial area at Slade Avenue; a residential zone between this commercial area and the main shopping area at Pikesville.

The two residential zones, heretofore mentioned, are improved with substantial cottages with the exception of several scattered non-conforming uses and with the exception of the C. & P. Telephone Building. 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 string out commercial developments 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 area from the City Line along the Reisterstown Road extends for 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, Milford Mill Road and Sudbrook Lane, should be extended easterly so as to be through streets, and thus provide for proper handling of traffic.

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

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 of the Grimm and Wheeler cases it is the opinion of the Zoning Commissioner of Baltimore County that the same reasons for denying the reclassification 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.

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As pointed out by the protestants in this case the property in the City fronting Reisterstown Road is improved with either group or semi-detached houses. It would appear, therefore, that the improvement of this lot with a semi-detached dwelling which under the regulations allow two-family occupancy for each unit, one up and one down, that could be a rental type unit, would be a reasonable employment of the land.

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

It is this 21st day of July, 1952, ORDERED by the Zoning Commissioner of Baltimore County, that the above reclassification from an "A" Residence Zone to an "E" Commercial Zone, be and the same is hereby denied. However, in accordance with the power and authority vested in me as Zoning Commissioner, I hereby grant to the petitioner reclassification of the property, from an "A" Residence Zone to a "B" Residence Zone.

Augustine J. Mellor
Zoning Commissioner
of Baltimore County

2289

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County:—

I or we, ~~the~~ J. Bernard Wells, et al legal owner.s of the property situate

On the east side of Reisterstown Road and on the south side of Randall Avenue, being lots Nos. 1, 2 and 2A on Plat No. 3 of Waldron Park. Lot No. 1 fronting on the east side of Reisterstown Road for a distance of 57.5 feet with a depth of 146.8 feet. Lot No. 2 fronting on Reisterstown Road 55 feet with a depth of 145 feet. Lot No. 2A fronting on Reisterstown Road at the corner of Randall Avenue 55 feet with a depth of 145 feet on the south side of Randall Avenue.

Southeast corner Reisterstown Road and Randall Avenue, thence running southeasterly and binding on the northeast side of Reisterstown Road 167.5' with an average rectangular depth northeasterly of 146' and binding on the southeast side of Randall Avenue, being lots 1, 2 and 2A on Plat of Waldron Park, as filed with the Baltimore Zoning Department.

hereby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an Residential zone to an Commercial zone.

Reasons for Re-Classification: As Commercial property these lots will possess higher utility. The neighboring frontage on Reisterstown Road is largely commercial. With the exception of some 68 feet just south of these lots the entire frontage on the east side of Reisterstown Road to Seven Mile Lane is zoned commercial. For residential purposes these lots are no longer useful.

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 for Baltimore County.

J. Bernard Wells
J. Bernard Wells
Title Guarantee & Trust Co.
Legal Owners

Address 3027 Oakley Ave. Balto. Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd 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 hereon be had in the office of the Zoning Commissioner of Baltimore County, in the Reckord Bldg., in Towson, Baltimore County, on the 23rd day of June, 1952, at 2 o'clock P. M.

Zoning Commissioner of Baltimore County

(over)

Mon 6/23 2:00 P.M.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#2289 #2289

District 3rd Date of Posting 6-11-52

Posted for: Am. A. Residence Zone to an E Commercial Zone

Petitioner: J. Bernard Wells

Location of property: Southeast corner of Reisterstown Road & Randall Ave. thru S.E. on the N.E. side of Reisterstown Rd. 167.5 ft. within an average rect. depth of 146.8 ft. & Randall Ave. 145 ft.

Location of Signs: Southeast Corner of Reisterstown Road and Randall Avenue

Remarks:

Posted by George R. Hammond Date of return 6-11-52

FILED JUN 13 1952

2289

NOTICE OF ZONING PETITION FOR RECLASSIFICATION—3RD DIST.

Pursuant to petition filed with the Zoning Commissioner of Baltimore County for change of reclassification from an "A" Residence Zone to a "E" Commercial Zone of the property hereinafter described, the Zoning Commissioner of Baltimore County by virtue of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in the Reckord Building, Towson, Maryland, on the

On Monday, June 23, 1952,

at 2:00 P.M.

to determine whether or not the following mentioned and described property should be changed as requested or advised for Grocery (commercial) Use, to wit:

All that parcel of land at the southeast corner of Reisterstown Road and Randall Avenue, 3rd District of Baltimore County, thence southeasterly, on the northeast side of Reisterstown Road, 167.5 feet with an irregular depth northeasterly of 146 feet and binding on the southeast side of Randall Avenue, being lots 1, 2 and 2-A on plat of Waldron Park filed with the Zoning Department.

By Order
ZONING COMMISSIONER OF BALTIMORE COUNTY

June 4-11.

CERTIFICATE OF PUBLICATION

June 13th., 1952
TOWSON, MD. ..... 19....

THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~XXXX