

2325 ✓
RE: PETITION FOR RECLASSIFICATION FROM AN
"A" RESIDENCE ZONE TO AN "B" COMMERCIAL
ZONE - R. B. York Road, 430 ft. N. Garden
Road, 8th District - R. B. Lanham,
Petitioner.

The appeal in the above entitled matter coming on for hearing before the Board of Zoning Appeals of Baltimore County on October 16, 1952, denying the petition for reclassification from an "A" Residence Zone to an "B" Commercial Zone of the property described therein; and it appearing from the facts and evidence adduced at the appeal that the change of reclassification would not be detrimental to the health, safety, and general welfare of the community; therefore,

It is this 9th day of November, 1952, Ordered by the Board of Zoning Appeals of Baltimore County that the order of the Zoning Commissioner of Baltimore County, denying the petition for reclassification, be and the same is hereby reversed and the petition granted.

R. B. Lanham
Petitioner

Board of Zoning Appeals of
Baltimore County

Approved
County Commissioners of
Baltimore County

Charles B. Wheeler
Date: July 8, 1953

RE: PETITION FOR RECLASSIFICATION FROM AN
"A" RESIDENCE ZONE TO AN "B" COMMERCIAL
ZONE - R. B. York Road, 430 ft. N. Garden
Road, 8th District - R. B. Lanham,
Petitioner.

The property which is the subject of this petition is located on the east side of York Road, beginning 430 feet north of Garden Road, Eighth District. The property covered by this petition is located within a strictly residential area, the only exception being a florist shop and greenhouse operating under a special permit. It is only across from the property in question, on the west side of York Road, there is under construction a new Baltimore County school.

According to the petitioner he intends to erect a building in which he will have at times approximately eleven employees; also it is anticipated having four apartments on the second floor. This property does have Metropolitan water available, however, there is no Metropolitan sewer in this vicinity at the present time.

In view of the above it is the opinion of the Acting Zoning Commissioner of Baltimore County that the granting of this general welfare of the community due to the fact that a commercial building of this nature should have both Metropolitan sewer and a commercial building of the type which may attract the pupils from the school and would, therefore, mean the crossing of the York Road which is a heavily travelled thoroughfare and said reclassification should not be had.

It is this 2nd day of August, 1952, ORDERED by the Acting Zoning Commissioner of Baltimore County, that the above petition be and the same is hereby denied and that the property above described, be and the same is hereby continued as and to remain an "A" Residence Zone.

R. B. Lanham
Acting Zoning Commissioner
of Baltimore County

OPINION OF THE BOARD OF ZONING APPEALS
OF
BALTIMORE COUNTY

This is an appeal by R. B. Lanham from an Order of the Zoning Commissioner of Baltimore County dated August 21, 1952, denying the reclassification from an "A" Residence Zone to an "B" Commercial Zone in regard to the property described in said petition.

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

The property which is the subject of this consideration is located on the East side of York Road, 430 feet North of Garden Road, in the Eighth Election District of Baltimore County. To the South of this property and on the East side of the York Road is a large florist operation being conducted under a special permit. From every appearance the business conducted there is more of a commercial enterprise than an apartment building with offices on the ground floor, and the volume of traffic resulting from the business operations of the two places would normally be more at the florist shop.

The Board recognizes the possibility of some of the property under consideration being used in the future for a store; but the application is that this shall be used for a building, providing offices on the ground floor and four apartments above. Metropolitan sewer is in the immediate neighborhood and will probably be extended at whatever time it may be deemed necessary to handle the waste from the use of any buildings on the petitioner's property now under consideration.

It is the opinion of the Board that the change of reclassification would not be detrimental to the health, safety, and general welfare of the community; and it will, therefore, pass its Order granting the reclassification from an "A" Residence

Zone to an "B" Commercial Zone.

-2-

R. B. Lanham
Chairman
James H. Williams

Board of Zoning Appeals of
Baltimore County

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County:-

I, R. B. Lanham, legal owner, of the property situate

All that parcel of land in the 8th District of Baltimore County beginning on the east side of York Road 430 feet north of Garden Road, thence along east side of York Road 120 feet 160 feet, thence leaving said road North 77° 32 minutes East 120 feet, thence South 32 degrees 10 minutes East 120 feet, thence South 77 degrees 32 minutes West 120 feet to place of beginning.

hereby petition that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an A zone to an B zone.

Reasons for Re-Classification: to convert to a commercial building, florist shop, office building, etc.
Size and height of building: front 120 feet; depth 120 feet; height 12 feet.
Front and side set backs of building from street lines: front 120 feet; side 120 feet.
Property to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above reclassification, 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.

R. B. Lanham
Legal Owner
Address York Road, 430 ft. N. Garden Road

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of July, 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 Reister Building, in Towson, Baltimore County, on the 15th day of August, 1952, at 11 o'clock A.M.
Charles B. Wheeler
Zoning Commissioner of Baltimore County

(over)

Baltimore County Metropolitan District

COUNTY HOUSE, TOWSON, 4, MD.

OFFICE OF THE DISTRICT ENGINEER

August 11, 1952

Mr. W. Charles Heismuller
Zoning Engineer
Baltimore County Zoning Board
County Office Building
Towson 4, Maryland

Dear Mr. Heismuller:

Reference is made to a conversation relative to sewage disposal systems on the property of Mr. R. B. Lanham at Lan-Lee Gardens.

On February 19, 1952 we wrote to Mr. Lanham advising him that we had connected three houses into one dry well, which is overflowing, installed a drain in the rear of properties on the north side that flows to the surface and found only one septic tank with a vent to the surface.

On March 11, 1952 we again wrote to Mr. Lanham requesting that he contact a registered Master Plumber to correct the unsanitary conditions at this location.

As of August 7, 1952 Mr. Lanham has made no effort whatsoever to remedy the conditions at Lan-Lee Gardens. Our Plumbing Inspector reports that there are four disposal systems overflowing onto the surface of the ground. He also stated that he believed the swimming pool should be investigated by the Health Department.

If you desire any further information, please do not hesitate to contact this Office.

Very truly yours,

CHARLES B. WHEELER

Charles B. Wheeler
District Engineer

CCB:128

BALTIMORE COUNTY METROPOLITAN DISTRICT

Inter-Office Correspondence

From Charles B. Wheeler August 10, 1952
To Charles Heismuller - zoning
Subject Lanham place on York Road, opposite new Lutherville school. Proposed office building and apartments.

A representative of this office conducted a soil percolation test at the above location.

Results are as follows:

Test pit #1	0 test at 3'	Soil
		Tight clay

From the above test and from our knowledge of existing systems in that area that are failing and overflowing onto the surface, it is quite obvious that an adequate private sewage system is unobtainable.

Until Mr. Lanham can prove the soil suitable for leaching cesspools at a deeper depth, this office cannot recommend a system other than tight receptacles.

CCB/pkx/ew

UNION NEWS
PUBLISHED BY THE UNION NEWS, INC.
TOWSON, MARYLAND
ESTABLISHED 1918
OFFICE: 1101 E. JEFFERSON ST., TOWSON, MD.
TELEPHONE: 7-23-52
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Business: 10 cents per line per week
Editorial: 10 cents per line per week
Postage: 10 cents per copy
Second class postage paid at Towson, Md.
Acceptance for mailing at special rate of 10 cents per copy provided for in Section 1103, Act of October 3, 1917, authorized on July 16, 1951.
Postmaster: Please send address changes to Union News, Inc., 1101 E. Jefferson St., Towson, Md.

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 10, 1952
THIS IS TO CERTIFY, That the said advertisement was published in THE UNION NEWS, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of two successive weeks before the 15th day of August, 1952, the first publication appearing on the 10th day of August, 1952.

THE UNION NEWS

W. H. Williams
Manager

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

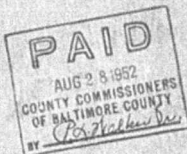
8th
Posted for Charles B. Wheeler August 10, 1952
Petitioner: R. B. Lanham
Location of property: E. York Rd. 430 ft. N. of Garden Rd. Thence along E. York Rd. N 77° 32' E 120 ft. S 32° 10' E 120 ft. S 77° 32' E 120 ft. to place of beginning.
Location of signs: East side of York Rd. 430 ft. N. of Garden Rd.
Date of return: 7-23-52
George R. Heismuller
District Engineer

August 28, 1952

\$22.00

RECEIVED of R. B. Lanham the sum of Twenty Two (\$22.00) Dollars, being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner denying the reclassification of property on the east side of York Road, north of Garden Road, 8th District.

Zoning Commissioner



July 16, 1952

\$20.00

RECEIVED of R. B. Lanham the sum of Twenty (\$20.00) Dollars, being cost of petition for reclassification, advertising and posting of property East side York Road, 430' N. of Garden Road, 8th District of Baltimore County.

Zoning Commissioner

Hearing:

Wednesday, August 6, 1952
at 11:00 A. M.
Basement of the Reckard Building
Towson, Maryland

