

2342 ✓
RE: PETITION FOR RECLASSIFICATION FROM AN
"A" RESIDENCE ZONE TO A "D" RESIDENCE
ZONE - N. W. Side Dorsey - S. W. Side
Marlyn Ave., 15th District, Porter Bros.,
Inc., Petitioner

The appeal in the above entitled matter coming on
for hearing before the Board of Zoning Appeals of Baltimore
County on the 11th day of December, 1952, denying the petition
for reclassification from an "A" Residence Zone to a "D"
Residence Zone in regard to the property described therein;
and it appearing from the facts and evidence adduced at the
appeal that the reclassification from an "A" Residence Zone
to a "D" Residence Zone would not be detrimental to the
health, safety, and general welfare of the community, and it
being further determined that there is a need for such reclassi-
fication; therefore,

It is this 13th day of February, 1953, Ordered by
the Board of Zoning Appeals of Baltimore County that this
property be reclassified from an "A" Residence Zone to a "D"
Residence Zone, with the following provision that alleys shall
be provided in the rear of the houses enabling off-street
parking.

H. R. Campbell
Chairman

Carl F. Holden

James P. Sullivan

Board of Zoning Appeals of
Baltimore County

Approved:

County Commission
of Baltimore County

Michael J. McGraw

Date: 3/14/53

RE: PETITION FOR RECLASSIFICATION FROM AN "A"
RESIDENCE ZONE TO A "D" RESIDENCE ZONE -
N. W. Side Dorsey Ave. and S. W. Side
Marlyn Ave., 15th District of Balto. Co.,
Porter Bros. Incorporated, Petitioners

The property which is the subject of this petition is located
between Dorsey Avenue and Myrtle Avenue and to the west of Marlyn
Avenue, Essex, Fifteenth District. The surrounding neighborhood is
predominantly cottage.

It is the intention of the petitioners if the property is
reclassified to construct on a ten acre tract 130 group houses. These
houses will be 16 feet in width and 32 feet in depth, will be of
brick construction with a built-up flat roof having a small gable in
the front. The petitioners maintain that this is a proper and
reasonable development of the property.

The protestants in the case contend that the development
of this property as outlined by the petitioners isn't in keeping
with the development of the surrounding neighborhood. The neighborhood
is predominantly cottage with many of the houses being built upon large
lots. The protestants also contend that the crowding of this ten
acre tract with 130 houses will have a depreciating effect upon the
value of their properties and will change the aspect of the neighbor-
hood from its present suburban character to that of an urban area.

The petitioners in presenting this case did not prove that
the original zoning of this area for "A" residential use was incorrect,
nor did he prove that any substantial changes had taken place in the
area which might alter the character of the neighborhood and substantiate
a lowering of the zoning classification.

In view of this and in view of the fact that this section
of Essex has been and is being developed with suburban type cottages
with spacious lots, it would appear that the reclassification of this
property to allow the construction of 130 group houses on ten acres of land
is unreasonable and the reclassification should not be
made.

It is ORDERED by the Zoning Commissioner of Baltimore
County, this 14th day of August, 1952, that the above petition
be and the same is hereby denied and that the above described property
or area be and the same is hereby continued as and to remain
an "A" Residence Zone.

James P. Sullivan
Zoning Commissioner
of Baltimore County

OPINION OF THE BOARD OF ZONING APPEALS
OF
BALTIMORE COUNTY

This is an appeal by Porter Brothers, Inc., from
the decision of the Zoning Commissioner of Baltimore County
dated August 26, 1952, denying the reclassification from an
"A" Residence Zone to a "D" Residence Zone in regard to the
property described therein.

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

The property which is the subject of this petition
is located between Dorsey Avenue and Myrtle Avenue and West of
Marlyn Avenue in the Fifteenth District of Baltimore County.

At the hearing the Petitioners orally requested
their application to be changed from "A" to "D" to "A" to "B".
It is the opinion of the Board that from the testimony in this
case and from their observation as a result of the inspection
of the property and the surrounding neighborhood, that semi-
detached houses seem to be most suitable for this particular
tract of land. It is apparent that the erection of semi-detached
houses in this area would not be detrimental to the general
welfare of the neighborhood, and that there is a need for such
houses in this area and that the growth of the residential
properties in the past years has not been uniform as to size
of homes and uniform values; and the Board will, therefore,
pass its Order granting a reclassification from an "A" Residence
Zone to a "D" Residence Zone, with the following provision
that alleys shall be provided in the rear of the houses enabling
off-street parking.

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County—

I, or we, Porter Bros, Inc., legal owner A. of the property situate

We, Porter Brothers, Inc. legal owners of the property situated
south 64 degrees 49 minutes 30 seconds west 79.25 feet from the intersec-
tion formed by the northwest side of Dorsey Avenue and the southeast side
of Myrtle Avenue (Deep Creek Avenue) and running thence from said place of
beginning and ending on the northwest side of Dorsey Avenue south 68 degrees
49 minutes 30 seconds east 50 feet; thence leaving Dorsey Avenue and
running north 31 degrees 10 minutes 30 seconds east 300 feet; thence running
north 68 degrees 49 minutes 30 seconds east 50 feet; thence south 31 degrees
10 minutes 30 seconds east 300 feet to the place of beginning.

Being the same lot of ground described in a deed dated April 19, 1952 from
James E. Matthews, Jr. and Sally J. Matthews, his wife, and Alexander
G. Allan and Dolores E. Allan, his wife, to Cary L. Smith and recorded
among the Land Records of Baltimore County in Liber G.L.S. 2101 Folio 307.

north 68 degrees 49 minutes 30 seconds, east 1700 feet along the north
side of Franklin Avenue from the northwest corner of Woodstock Avenue
and Franklin Avenue as shown on plat of 2nd Subdivision Section A
and recorded among the Land Records of Baltimore County in T.O. 3 Folio
5 and running thence from said beginning point across Franklin Avenue
south 21 degrees 10 minutes 30 seconds, east 30 feet; thence along the
south side of Franklin Avenue south 68 degrees 49 minutes 30 seconds,
west 100 feet, then south 21 degrees 10 minutes 30 seconds, east 300 feet
to the north side of Dorsey Avenue, thence along the north side of Dorsey
Avenue north 68 degrees 49 minutes 30 seconds, east 50 feet, thence north
21 degrees 10 minutes 30 seconds, east 300 feet, thence north
68 degrees 49 minutes 30 seconds, east 100 feet, thence north 21 degrees
10 minutes 30 seconds, west 195 feet, thence north 68 degrees 49 minutes
30 seconds, east 182.55 feet to the south side of Myrtle Avenue, thence
along the south side of Myrtle Avenue north 68 degrees 49 minutes
30 seconds, east 339.5 feet, leaving Myrtle Avenue and running north
25 degrees 27 minutes, east 61.55 feet, thence north 68 degrees 49 minutes
30 seconds, east 133 feet, thence south 21 degrees 10 minutes 30 seconds,
east 155 feet to the place of beginning containing 10.41 acres more or
less.

Being the same lot of ground described in a deed dated June 17,
1950 and recorded among the Land Records of Baltimore County, in Liber
T.O. 3 Folio 451 from William F. Zoschenka, et al, to James E.
Matthews, Jr., et al.

Being and excepting therefrom all that lot of ground described
in a deed dated September 25, 1923 and recorded among the Land Records of
Baltimore County in Liber G.L.S. 2021 Folio 253 from James E. Matthews,
Jr., et al to Edward G. Mueller and wife.

Being and excepting therefrom the above land all that lot
described in a deed dated October 13, 1921 and recorded among the Land
Records of Baltimore County in Liber G.L.S. 2027 Folio 424 from James
E. Matthews, Jr., et al to Noah Smith and wife.

Being and excepting therefrom the above land all that lot of ground
described in a deed dated April 19, 1952 and recorded among the Land
Records of Baltimore County, in Liber G.L.S. 2101, Folio 307 from
James E. Matthews, Jr., et al, to Cary L. Smith.

Subject to restrictions set forth in a deed dated September 13,
1917 and recorded among the Land Records of Baltimore County in Liber
T.O. 3, Folio 30 from the Taylor Land Co., et al, to Michael Hartman
and wife.

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H. R. Campbell
Chairman

Carl F. Holden

James P. Sullivan
Board of Zoning Appeals of
Baltimore County

RE: Petition for Reclassification
from an "A" Residence Zone to a "D"
Residence Zone - N. W. Side Dorsey
Ave. and S. W. Side Marlyn Ave.,
Porter Bros. Inc., Petitioner

2342
REPORT THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Mr. Commissioner:

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

Porter Bros. Inc.
James P. Sullivan
Petitioners

herby 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 "D" Group Zone.

Reasons for Re-Classification To build a low cost home which will be placed on the
market for sale with a low down payment to alleviate the now existing housing
shortage in the Essex Area and to enable the working class of people to buy
such a home

Site 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 expense 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.

PORTER BROTHERS, INC.
George F. Porter, Jr.

Legal Owner
Address: 460 Rocky Point Road, Essex, 21, Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of
August, 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
25th day of August, 1952, at 2:00 o'clock P.M.

Zoning Commissioner of Baltimore County

(over)

#2342

Date of return: 8/15/52

FILED AUG 18 1952

TOWSON, MD., August 15, 1959

THE JEFFERSONIAN,
For Sale
 Manager

Cost of Advertisement, \$.....

August 26, 1952

\$22.00

RECEIVED of Porter Area, Inc., 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 northwest side of Purney Avenue and southwest side of Marilyn Avenue, 15th District.

Augustus F. Felt
Selling Commission

PAID

AUG 29 1952
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY *Thomas J. Williams*

August 7, 1952

\$77.00

RECEIVED of Porter Brothers, Inc. the sum of Seventy seven (\$77.00) Dollars, being cost of petition for reclassification of property N. W. Corn Dorsey Avenue, and Marilyn Avenue, 15th District, Baltimore County.

Young Consultants

Hearings

Monday, August 25, 1952
at 2:00 P. M.
Basement, Rockford Building
Towson, Maryland

PAID

AUG 8 - 1952
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY James H. Hargrett

NO PLAT
IN
THIS FOLDER