

JOHN W. KEEN and
RUTH M. KEEN, his wife

IN THE CIRCUIT COURT FOR

va BALTIMORE COUNTY

BOARD OF ZONING APPEALS : Misc No. 5, 1910 102
Case No. 1260

Jan. 11, 1956- Judge Lester L. Barrett, Action of Board affirmed
(No. opinion filed)

42458
PETITION FOR RECLASSIFICATION FROM
AN "A" RESIDENCE ZONE TO A "D"
RESIDENCE ZONE - S. E. COR. OLD
FREDERICK ROAD AND BELLE GROVE
ROAD, 1ST DISTRICT, JOHN W. AND
RUTH M. KEEN, PETITIONERS

BEFORE THE BOARD OF ZONING
APPEALS OF BALTIMORE COUNTY

It appearing to the Board of Zoning Appeals of Baltimore County that error was made in its original order dated the 7th day of May, 1953, in denying the application for re-classification for group houses on that portion of the above named applicants' property designated as Parcel "A" on a Plat attached to a Stipulation executed by counsel for the Applicants and Protestants, said Stipulation and Plat being filed in the proceedings herein, it is THEREUPON ORDERED by the Board of Zoning Appeals of Baltimore County this 11th day of April, 1955, that the petition for re-classification of the property of John W. Keen and Ruth M. Keen from an "A" Residence Zone to a "D" Residence Zone is hereby granted for that portion of the Applicants' property designated as parcel "A" on the aforesaid Plat, fronting on the South side of the Frederick Road, Catonsville, Baltimore County, Maryland, with the restriction that not more than seven group houses or housing units shall be erected upon said parcel hereby re-classified.

John W. Keen
Ruth M. Keen
BOARD OF ZONING APPEALS OF
BALTIMORE COUNTY

RE: PETITION FOR RECLASSIFICATION FROM AN "A"
RESIDENCE ZONE TO A "D" RESIDENCE ZONE -
S. E. COR. OLD FREDERICK AND BELLE GROVE
ROADS, 1st Dist., John W. and Ruth M.
Keen, Petitioners.

The appeal in the above entitled matter coming on for hearing on the 23rd day of April, 1953, before the Board of Zoning Appeals of Baltimore County from an Order of the Zoning Commissioner of Baltimore County dated December 29, 1952, denying the 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 and for the reasons set forth in the opinion that the reclassification from an "A" Residence Zone to a "D" Residence Zone or an "A" Residence Zone to a "B" Residence Zone would not be detrimental to the safety and general welfare of the community; therefore,

It is this 7th day of May, Ordered by the Board of Zoning Appeals of Baltimore County that the petition for reclassification from an "A" Residence Zone to a "D" Residence Zone, or as amended from an "A" Residence Zone to a "B" Residence Zone, be and the same is hereby denied.

H. Guy Campbell
Chairman
Carl F. Voth
Member

Board of Zoning Appeals of
Baltimore County

OPINION OF THE BOARD OF ZONING APPEALS
OF
BALTIMORE COUNTY

This is an appeal by John W. Keen and Ruth M. Keen, his wife, from an Order of the Zoning Commissioner of Baltimore County dated December 29, 1952, denying the reclassification from an "A" Residence Zone to a "D" Residence 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 petition contains 4.8 acres which is located on the south side of Frederick Road and the east side of Belle Grove Road, Catonsville.

While there are some group houses on the north side of Frederick Road and on the east of the property on Cherrydel Road, there is a cottage residential development along Belle Grove Road. The approach to the property is by a narrow, steep grade and with the addition of 47 housing units, either by group or semi-detached construction, would substantially increase the traffic hazard in this area.

The Board is also of the opinion that this tract of land is best adapted because of its contour, grades, and traffic conditions for cottage development; and that there should be no reclassification to either "B" or "D" Residence Zones of any part thereof. The Board will, therefore, pass its Order in accordance with this opinion.

H. Guy Campbell
Chairman
Carl F. Voth
Member

Board of Zoning Appeals of
Baltimore County

PETITION FOR RECLASSIFICATION FROM
AN "A" RESIDENCE ZONE TO A "D"
RESIDENCE ZONE - S. E. COR. OLD
FREDERICK ROAD AND BELLE GROVE
ROAD, 1ST DISTRICT, JOHN W. AND
RUTH M. KEEN, PETITIONERS

BEFORE THE BOARD OF ZONING
APPEALS OF BALTIMORE COUNTY

STIPULATION

It is Stipulated and agreed by and between the Applicants and Counsel for the Protestants in the above matter that the Board of Zoning Appeals of Baltimore County shall affirm that part of the Order of said Board dated the 7th day of May, 1953, in so far as said Order is applicable to all that portion of the property of the applicants as set forth in the application, excepting parcel "A" as shown on a Plat of said whole property attached hereto; and that with respect to said parcel "A", that the aforesaid Order shall be altered and amended and the re-classification of said Parcel "A" from an "A" Residence Zone to a "D" Residence Zone may be granted.

It is also Stipulated that the respective parties hereby waive any right to appeal from the Board of Zoning Appeals of Baltimore County in accordance with this Stipulation, but said stipulation with respect to appeal shall not apply to any protestants not represented by counsel herein named.

John W. Keen
Ruth M. Keen
Attorney for Applicants
John O'Grady
Attorney for Protestants

TELEPHONE PLAT BOOK
EXT. 2851

LOUIS H. DIVEN
ATTORNEY AT LAW
432 COURT HOUSE
BALTIMORE 2, MD.

January 5, 1953

Board of Zoning Appeals
303 Washington Avenue
Towson, 4, Maryland
Attention: Mr. H. Guy Campbell, Chairman

Re: Petition for Reclassification from
an "A" Residence Zone to a "D"
Residence Zone - S. E. Cor. Frederick
Road and Belle Grove Ave., 1st Dist.
John W. and Ruth M. Keen, Petitioners.

Gentlemen:

I am enclosing herewith an appeal from the Order of Zoning Commissioner, dated December 29, 1952, relative to the above property.

Very truly yours,

Louis H. Diven
LOUIS H. DIVEN

LHD:ba
Enc:

Re: PETITION FOR RECLASSIFICATION FROM AN "A"
RESIDENCE ZONE TO A "D" RESIDENCE ZONE -
S. E. COR. FREDERICK ROAD AND BELLE GROVE
AVE., 1st DISTRICT - JOHN W. AND
RUTH M. KEEN, PETITIONERS

Your Petitioners, John W. Keen and Ruth M. Keen, been aggrieved by the Order of Augustine J. Miller, Zoning Commissioner, dated December 29, 1952, denying the Petition for Zoning Reclassification, hereby appeals from said Order to the Board of Zoning Appeals on the grounds that said Zoning Commissioner did err in his decision and that the property in question is peculiar suitable for the development of group houses and in character to the surrounding area.

Louis H. Diven
Louis H. Diven, Attorney for
Petitioners.
John W. Keen
John W. Keen
Ruth M. Keen
Ruth M. Keen

Re: PETITION FOR RECLASSIFICATION FROM AN "A"
RESIDENCE ZONE TO A "D" RESIDENCE ZONE -
S. E. COR. FREDERICK ROAD AND BELLE GROVE
AVE., 1st DISTRICT - JOHN W. AND
RUTH M. KEEN, PETITIONERS

The property which is the subject of this petition is located to the south of Frederick Road and to the east of Belle Grove Road, Catonsville, First District. It is the intention of the petitioners if this reclassification is granted to construct 39 group houses and 8 semi-detached houses; the area of land involved being 4.8 acres.

The petitioner contends that this is a reasonable use of the land due to the fact there are group houses on the north side of Frederick Road opposite the property in question and that there are group houses to the east of the property on Gordon Ridge Road.

Testimony of the protestants to the granting of this reclassification contended that the reasonable development of the property is for cottage residential use. Belle Grove Road in this area is partially developed with fine cottages. It appears that the reasonable development of this property is housing with the development of Belle Grove Road is for cottage residential use. In view of this it is the opinion of the Zoning Commissioner that the petition should be denied.

It is the opinion of the Zoning Commissioner of Baltimore County that the proper development of this small parcel of land is for the construction of cottages. Belle Grove Road in this area is partially developed with fine cottages. It appears that the reasonable development of this property is housing with the development of Belle Grove Road is for cottage residential use. In view of this it is the opinion of the Zoning Commissioner that the petition should be denied.

It is this 20th day of December, 1952, ORDERED by the Zoning Commissioner of Baltimore County, that the above petition be and the same is hereby denied and that the above described property or acreage and the same is hereby continued as and to remain an "A" Residence Zone.

August J. Miller
Zoning Commissioner
of Baltimore County

1/29/53
1:30 P.M.

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County--

I, or we, John W. Koen, and Ruth A. Koen,

In the First District of Baltimore County located at the southeast corner of Frederick Road and Belle Grove Avenue-- (See local description attached)

November 19th, 1952

RESUBMITTING for the same at a point situated North 81 degrees 26 min. East 110 ft. from a concrete monument planted on the east side of Belle Grove Road where it is intersected by the South 81 degrees 26 min. West 395.20 ft. line described in the deed from Herbert A. Preston and Helen C. Preston, his wife of Baltimore County, State of Maryland to George H. Kishberly and Alice H. Kishberly, his wife recorded among the land records of Baltimore County in Liber WPC 504, folio 87 and running thence from said place of beginning North 5 degrees 36 min. West 51 feet thence North 12 degrees 36 min. 31 seconds East 51.17 feet thence South 51 degrees 26 minutes West 131 ft. to the east side of Belle Grove Road thence binding along the east side of Belle Grove Road North 31 min. West 50 ft. thence leaving Belle Grove Road and running North 81 degrees 26 min. East 120 ft. thence North 11 degrees 13 min. 35 seconds East 111 ft. thence North 9 degrees 59 min. East 51.17 ft. thence South 31 degrees 01 min. West 79.03 ft. thence North 60 degrees 05 min. West 32 ft. to a point on the Southeast side of Belle Grove Road thence binding on the Southeast side of Belle Grove Road and running to the following five courses and distances North 21 degrees 55 min. East 64.10 ft. North 7 degrees 12 min. East 65.70 ft. North 29 degrees 15 min. East 71.40 ft. by a curve to the left with a radius of 84 ft. Northwesterly 72.82 ft. and North 30 degrees 25 min. West 6.59 ft. to the South side of Frederick Road thence bearing Belle Grove Road and binding on the South side of Frederick Road North 69 degrees 35 min. East 178.3 ft. more or less to an old stone planted on the South side of Frederick Road described as the beginning place in the deed from Herbert A. Koenmann to George H. Kishberly, recorded among the land records of Baltimore County in Liber WPC 551, folio 150 on February 9, 1927 thence leaving Frederick Road and running South 6 degrees 17 min. East 510.70 ft. more or less thence South 6 degrees 13 min. East 111.70 ft. to a concrete monument at the beginning of the South 81 degrees 26 min. West 395.20 ft. line described in the aforesaid deed from Preston and wife to Kishberly and wife and running thence along said line South 81 degrees 26 min. West 295.30 ft. to the place of beginning.

Belle 25

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of December, 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 Rockford Bldg., in Towson, Baltimore County, on the 22nd day of December, 1952, at 11:00 o'clock A.M.

Augustine J. Haller

Zoning Commissioner of Baltimore County

(over)

#2432
12/22/52 @ 11AM
1. and A.D. 1952
309 Court House
Baltimore, Md. 21201

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#2438

District 1st Date of Posting 12-17-52
Posted for An H. Kishberly and Alice H. Kishberly
Petitioner John W. Koen and Ruth A. Koen
Location of property 1. 309 Court House, Towson, Baltimore County
Location of signs 1. 309 Court House, Towson, Baltimore County
Remarks 1. 309 Court House, Towson, Baltimore County
Posted by Eugene R. Kishberly Date of return 12-17-52

herely petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an "A-1" zone to an "R-1" zone.
Reasons for Re-Classification: Extension of existing "R-1" Residence Area. - Present Development on the east is group housing - vertical land use.

Plan enclosed - "R-1" Residence Area

"R-1" Residence Area

Size and height of building: front 30 feet, depth 30 feet, height 28 feet.
Front and side set backs of building from street lines: front 30 feet, side 10 ft. 15 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.

John W. Koen
Ruth A. Koen
Legal Owner

Address 1586 Midvale Ave.

Belle 25

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of December, 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 Rockford Bldg., in Towson, Baltimore County, on the 22nd day of December, 1952, at 11:00 o'clock A.M.

Augustine J. Haller

Zoning Commissioner of Baltimore County

(over)

#2432
12/22/52 @ 11AM
1. and A.D. 1952
309 Court House
Baltimore, Md. 21201

December 5, 1952

\$33.00

RECEIVED OF Louis H. Diney, Attorney for John W. Koen, petitioner, the sum of Thirty Three (\$33.00) Dollars, being cost of petition, advertising and posting, southeast corner of Frederick Road and Belle Grove Road, 1st District of Baltimore County.

Zoning Commissioner

Notarizing
Monday, Dec. 22, 1952
at 11:00 a.m.
basement of
Rockford Building
Towson, Md.

PAID
DEC 8 - 1952
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY [Signature]

Sept. 1, 1955

\$7.20

RECEIVED OF John L. Chapman the sum of \$7.20 being cost of certified papers filed in the matter of reclassification of property of John W. Koen, and wife, southeast corner of Frederick and Belle Grove Roads, 1st District.

Zoning Commissioner

PAID
SEP 1 - 1955
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY [Signature]

January 8, 1953

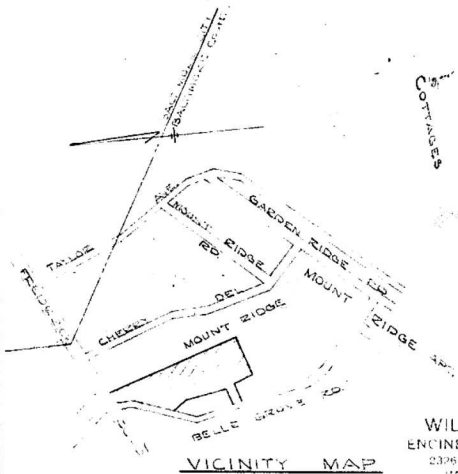
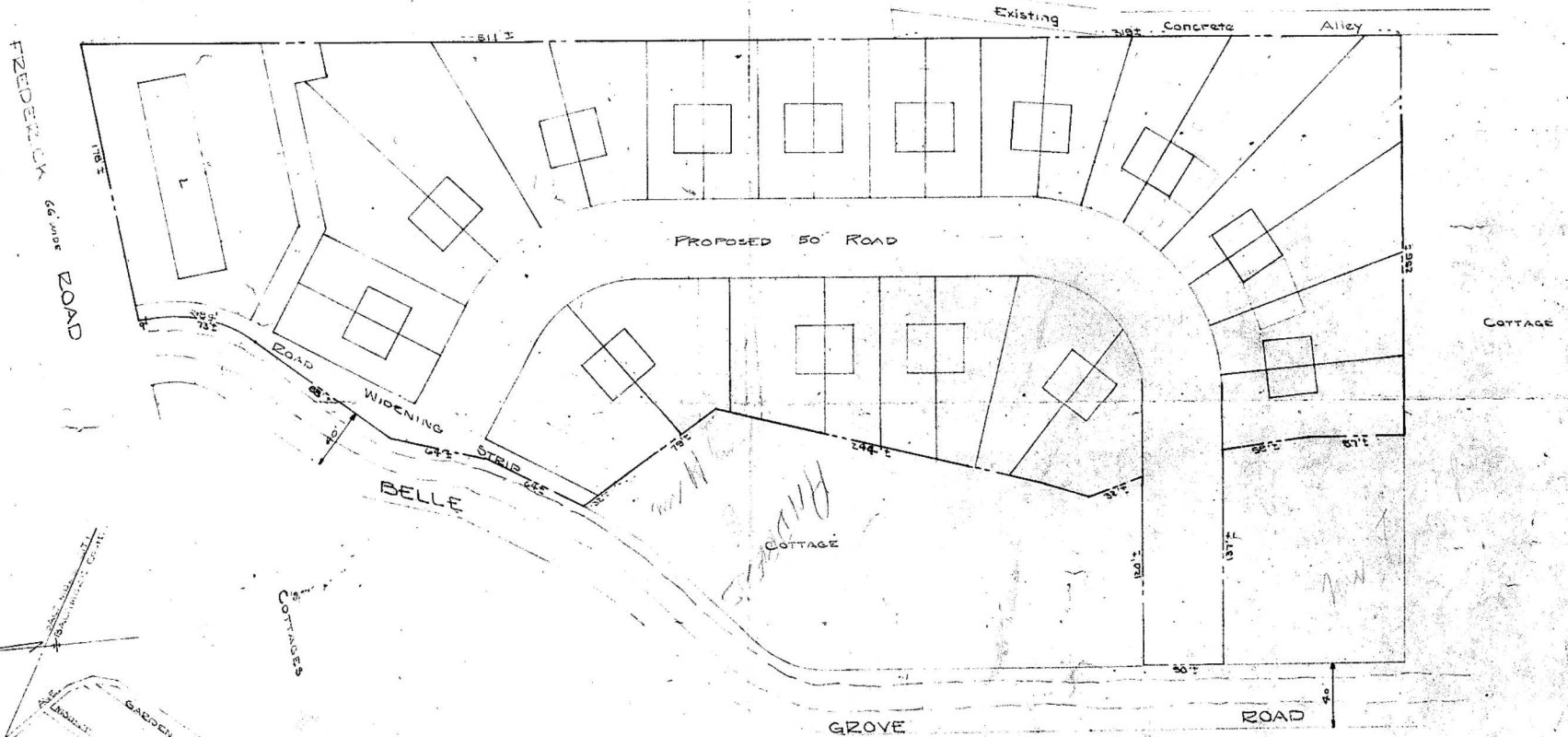
\$22.00

RECEIVED OF Louis H. Diney, Attorney for John W. and Ruth A. Koen, Petitioners, the sum of Twenty Two (\$22.00) Dollars, being cost of appeal to the Board of the Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner denying reclassification of property at the southeast corner of Frederick and Belle Grove Roads, 1st District.

Zoning Commissioner

PAID
JAN 9 - 1953
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY [Signature]

MOUNT RIDGE
GROUP HOMES



Senior Detached - 28 Units
Group - 7 Units

WILLIAM D. PURDUM
ENGINEER AND LAND SURVEYOR
2326 NORTH CHARLES STREET
BALTIMORE, MARYLAND

PRELIMINARY SKETCH
SEMI-DETACHED & GROUP HOUSING
BELLE GROVE ROAD
1ST ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

JANUARY 22, 1953

OWNER: J.W. KEEN 1306 MIDVALE AVENUE
BALTO 28, MD.

