Charles N. Doinr, Esq. Zoning Commissioner of Baltimore County Tomeon & Maryland

Ro: Petition for Reclassification from an "A" residence Zone to an "E" Commercia Zone - 3, W. Cor. Melkorry Avenue and Roisterstown Road, Third District - 1m. J. Foley, Rita A. Foley, his wife, Elizabeth C., Katherine M.

Mr. Comissioner

Please dismiss the appeal in the above entitled matter.

Dated May 19, 1953

certify that I have sent a copy of the aforegoing Dismissal to ad Deitz, Esqs., attorneys for Politioners, 212 Washington Aven

2:34-

PETITION FOR ZONING RE-CLASSIFICATION

To The Zoning Commissioner of Baltimore County:-

We, William J. Foley, Ritz A. B. Foley, his wife, Elizabeth D. Corbett, unmarried, Katherine M. Corbett, unmarried, Mary F. Corbett, unmarried amijohn W. Corbett and Mary F. Corbett, Executors under the Last Will and Testement of Catherine W. Corbett, late of Baltimore County, deceased, and Charles E. Hoover, legal owners of all that property situate, lying and being in Pikesville, in the Third Election District of Baltimore County, State of Maryland, described as follows:

REGINNING for the same at the Southwest corner of McHenry Avenue and the Reisterstown Road and running thence and binding on the West side of the Reisterstown Road South 27 degrees 55 minutes East 197 feet, thence leaving the Reisterstown Road and running the six following lines viz: South 62 degrees 19 minutes West 231 feet, South 73 degrees 05 minutes 40 seconds West 133.43 feet, North 15 degrees 32 minutes West 102.53 feet, South 62 degrees 10 winness West 11.79 feet. South 16 degrees 44 minutes 40 seconds East 85.73 feet and South 73 degrees 19 minutes 30 seconds West 263.92 feet to the East side of Bedford Avenue at a point distant 350 feet Northerly from the North side of Church Lene, thence binding on the East side of Bedford Avenue Forth 15 degrees 37 minutes West 80 feet, thouge leaving said Avenue and running the three following lines wis: North 75 degrees 19 minutes 50 seconds East 154.37 feet, North 27 degrees 55 minutes Nest 54.03 feet and South 75 degrees 19 minutes 30 seconds West 142.88 feet to the East side of Bedford Avenue, thence binding on the Bant side of said Avenue North 15 degrees 37 minutes West 134.76 feet, thence leaving said Avenue and running the three following lines vis: South 68 degrees 48 minutes East 39 feet, Morth 84 degrees 10 minutes 40 seconds East 92.66 feet and North 27 degrees 55 minutes West 30 feet to the South side of McHenry Avenue, thence binding on McHenry Avenue the ting limes vist North 77 degrees 57 minutes Best

2.039

Please onter at appeal in behalf of Prank A. Kaufhan, Dominic Pirore Toel C. D. Bateler, M. Bald Folker, Sidney A. Levine, Dr. Louis P. Manburger, and other protestants, to the Board of Zoning Appeals of Paltinory County from the Order of the Zoning Commissioner dated April 22nd, 1953 to the above application for replaceification and formural transcript of record to the Board of Zoning Appeals of Baltimore County.

RIED APR 29 1953

ted April 30, 1953.

5/21/53 1:30

258.50 feet, North 12 degrees 30 mimutes West 5.50 feet and North 77 degrees 47 minutes East 236.77 feet to the place of beginning. SAVING AND EXCEPTING therefrom such portions of the above described property which have been heretofore zoned commercial;

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hereby petition that the zoning status of the above described property be recalasified, pursuant to the Zoning Law of Baltimore County from an "A" residential to an "E" commercial.

Ressons for Re-Classification: For an approved Commercial use (Retail Stores).

Property to be posted as prescribed by Zoning Regulations. We agree to pay expenses of the 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. Oliman Staley (SEAL)

Tite afB. Falley (SEAL) Elizabet D. Corlett (SEAL) E coming Tes (BrokensBAL) Mary 15 Corlect (SEAL)

John W Brotett (SRAL Mary 12 Contett (SEAL) 2539

EG: FEITION FOR REGLASSIFICATION FROM AN "A" RESILENCE FOR AN "S" CONSCILL. EDGE S. W. Or. Weller Jave. and Bristers from Rood, Third District of Ballisone County William J. Felar, His A. B. Foliy, Mis wide, Kitaboth D., Katherine M., Wary F. and John W. Corbett, and Chris. B. Booree, Delitioner

The property which is the subject matter of the above mentione petition has a frontage of 197 feet on the westernmost side of Reistoretown Road and a depth westerly binding on the southerness t side of NeHenry Avenue of about 600 feet to the easterment side of Bedford Avenue. It has a width on the rear binding on the east side of Sedford Avenue of about 265 feet. The frontage on Reisterstown Room to a depth of 150 feet is presently nomed "2" Commercial and the prayer of the petition is for an extension of the existing commercial zone for a planned community shopping center with off-street parking.

From the evidence and my own investigation I find that there is a need for additional shopping facilities for the benefit and convenience of the residents of this community and with the amount of off-street parking area that will be provided, the use of the area to be reclassified for convercial purposes will not be detrimental to the public health, safety, morals and general welfare of the convenit, and will not create, but will alleviate congestion in the streets and roads.

The original strip zoning along the Reisterstown Road, to a depth of 150 feet, has never been adequate to provide off-street parking in the amount movessary and the only practical way as testified by Captain Zinkhan, of the Traffic Division of the Daltimore County Police Department and others, to alleviate and prevent further truffic congestion in this area is to get cars off the streets by providing off-street parking facilities as proposed and made a condition proceedent to the reclassification of said property.

3)

ORDERED By The Zoning Commissioner of Baltimore County. this 18 day of March, 1953, 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 Building, in Towson, Baltimore County, on the 5th day of April, 1953, at /:00 o'clock P. M.

Zoning Commissioner of Baltimore

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by

the above re-classification should be had.

IT IS ORDERED by the Zoning Commissioner of Baltimore County day of . 1953, that the above described property or eres should be and the same is hereby reclassified, from and after the date of this Order, from a

Zoning Commissioner of Baltimore

There is no doubt that the development of said property as proposed will approplate some of the adjacent proporties for commercial use and may depreciate others to some except for residential use, but this fact alone should not be controlling, since this is probably us of every convercial enterprise, therefore:

It is this word day of April, 1953, ORDEROED by the missioner of Baltimore County, that thembove described property or area should be and the same is hereby reclassified, from and after the date of this Order, from en "A" Residence Zona to an "E" Communcial Zone, subject to the provision of at least three square feet of off-street parking area for each one square foot of land to be covered by convercial buildings, and, further subject to the approval of the plan for the development of inte property by the Director of the Baltimore County Planning Con-

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Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

the above re-classification

should NOT be had:

IT IS ORDERED by the Zoning Commissioner of Baltimore County, day of , 1953, 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 a zone.

Date MAY 21 1952

Baltimace County Metropolitan District

April 7, 1953

Dear Sire

In reply to your inquiry this is to whise you that water and sewer facilities are available in Reinterstown Road at McHenry Street, Pikesville.

CBW/wkg/as

CERTIFICATE OF L'OSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#2539

District.

District. Lucation at sign and super-16 of Januarter tills of Wed Six structurer before the 5.5 of 20. Howey lived, and belonger look, another 26 of . 5 of 10 Hongs milked C. of Exception Posted by La Starge R. Strammet

dest described and described of the By Order of DALTHOUSE, COUNTY OF THE PROPERTY OF THE PROPE

Filed MAR 30 1953

CERTIFICATE OF PUBLICATION

Towson, Mo.,atob 274... p53.. THIS IS TO CERTIFY, That the amexed advertisement was jublished in THE JEFFER ONIAN, a weekly newspaper printed and published in Towsen, Baltimore County, Md., mexiconports day of . Apr:1 to 53, the first publication opearing on the 20th day of "nich 263

THE JEFFERSONIAN.

1539

April 30, 1953

RECEIVED of Smith & Smith, Attorneys for Frenk A. Eaufman, et al, protestants, the sum of Twenty Two (\$22.00) Dellars, being cost of appeal to the Board of Lyming Appeals of Beltimore from the decision of the Coming Commissioner granting reclassification of property at the southwest corner of Reisterstown Road and McHenry Avenue, 3rd District, Wn. J. Foley, et al, petitioners.

Zoning Count saloner

PAID MAY 7 - 1053 COUNTY COMMISSIONERS OF BALTIMORE COUNTY

RECEIVED of Downes & Doits, Attorneys, for William J. Foley, et al, the sus of Porty, Fost (MiCAD) Dollars, being cost of petition for reolassification, advortising, and posting of property No Henry and Reintersteem Road, 3rd Districts.

Medneeday, April 8, 1953 Eliforp.m. Basement of the Reckord Building Townon, Maryland

MAR 2 4 1953

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