

RE: PETITION FOR RECLASSIFICATION FROM AN "H" INDUSTRIAL ZONE TO A "G" INDUSTRIAL ZONE AND A SPECIAL PERMIT FOR A JUNK YARD - N. S. Right-of-Way of B. & O. Railroad, 1160 ft. S. Pulaski Highway, 15th District, Champion Brick Co., Petitioner.

The appeal in the above entitled matter coming on for hearing on the 22nd day of October, 1953, before the Board of Zoning Appeals of Baltimore County from an Order of the Zoning Commissioner of Baltimore County dated August 31, 1953, denying the reclassification from an "H" Light Industrial Zone to a "G" Heavy Industrial Zone and the denial of a special permit for a junk yard in regard to the property described therein; and it appearing from the facts and evidence adduced at the appeal that the granting of the reclassification would be detrimental to the general welfare of the community, the reclassification from an "H" Light Industrial Zone to a "G" Heavy Industrial Zone is denied and the special permit for a junk yard is also denied this 31st day of November, 1953 by the Board of Zoning Appeals of Baltimore County. However, the Board finds that the present operation on the property described in the petition is not the operation of a junk yard, and the appellants will be permitted to continue the same type operation as disclosed at the time of the hearing.

H. H. Campbell
Carl F. Hadden
James W. Williams
Board of Zoning Appeals of Baltimore County

OPINION OF THE BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

This is an appeal by Champion Brick Company, Inc., and Tube City Iron and Metal Company from an Order of the Zoning Commissioner of Baltimore County dated August 31, 1953, denying the reclassification from an "H" Light Industrial Zone to a "G" Heavy Industrial Zone and the denial of a special permit for a junk yard in regard to the property described in the petition.

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

The Board agrees with the Zoning Commissioner that the railroad is a natural boundary between light and heavy industrial zoning, and there has been no showing on the part of the appellants to justify reclassification; and, therefore, the petition for reclassification from an "H" Light Industrial Zone to a "G" Heavy Industrial Zone will be denied.

However, from the testimony presented and from observation of the subject property, the Board is of the opinion that the type of operation being conducted on the property described in the petition is not a junk yard. Practically every light industrial plant is required to dispose of waste material, and the products being handled on this land are solely and exclusively the by products or refuse in connection with the operation of a light industrial industry. There has been no attempt to intermingle unclassified and miscellaneous junk, waste, used, or obsolete materials which are ordinarily and usually known as junk. In words and phrases, Page 352, "Junk is defined as worn-out and discarded material in general that may be turned to some use, especially old rope, chain, iron, copper parts of machinery, and bottles, gathered up and bought

by tradesmen, called 'Junk Dealers'; hence rubbish of any kind, odds and ends." Also "dealer in scrap iron and steel, which purchased iron and steel in carload lots and prepared the same for market and made sales in large quantities only and did not handle any of the items commonly designated as junk, held not 'junk dealer' and not engaged in junk business within municipal ordinance requiring license." In 1953 Pocket Supplement, Page 136, "Junk as the term is ordinarily understood means articles that have outlived their usefulness in their original form, and are commonly gathered up and sold to be converted into another product, either of the same or of a different kind by some manufacturing process."

The Board is, therefore, of the opinion and so holds that the appellants may continue to use the property described in the petition for the purposes for which it has been used, namely, for the handling and disposing of waste material from a light industrial plant.

H. H. Campbell
Carl F. Hadden
James W. Williams
Board of Zoning Appeals of Baltimore County

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County:-
We, Champion Brick Company, Inc., legal owner, Champion Brick Company, Inc., of the County of Baltimore, State of Maryland, do hereby petition you for the reclassification of the following property:

All that parcel of land in the Fifteenth District of Baltimore County, beginning at a point located on the north side of the right of way of the Baltimore and Ohio Railroad which point is 1160 feet more or less southerly from the south line of the Pulaski Highway and 950 feet more or less southeast of Red House Run, and running thence north 68 degrees 35 minutes 11 seconds east 130.05 feet, thence north 25 degrees 53 minutes 45 seconds east 156.07 feet, thence south 64 degrees 06 minutes 11 seconds west 350 feet, thence south 64 degrees 06 minutes 11 seconds east 350 feet to the place of beginning, being part of the property of the Champion Brick Company, as shown on plat plan filed with the 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 "H" Light Industrial Zone to an "H" Heavy Industrial Zone. Reasons for Re-Classification: So that a special permit may be obtained for the operation of a junk yard on the property described above, the junk yard to be used as a point of trans-shipment of scrap metal.

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 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. Champion Brick Company, Inc. Champion Brick Company, Inc. Champion Brick Company, Inc. Legal Owner Address: c/o Kenneth C. Proctor, 103 N. Chesapeake Avenue, Towson 12, Md.

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 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 herein be had in the office of the Zoning Commissioner of Baltimore County, in the Reckord Bldg., in Towson, Baltimore County, on the _____ day of _____, 1953, at 10 o'clock A.M. *James W. Williams*
Zoning Commissioner of Baltimore County

2-SIGNS-F 109. (over) 11 5 P.M. PMT. (154)

IN RE: PETITION FOR RECLASSIFICATION FROM LIGHT INDUSTRIAL TO HEAVY INDUSTRIAL AND "H" A SPECIAL PERMIT TO USE THE PROPERTY DESCRIBED IN "H" PETITION FOR JUNK YARD CHAMPION BRICK COMPANY, PETITIONER

Extensive lands of heavy industrial zoning already exist to the south of the petitioner's property binding the Baltimore & Ohio Railroad. This Railroad has been considered by the zoning authorities of Baltimore County as a natural boundary between light and heavy industrial zoning. Therefore to extend the going to a small place of land on the north side of the Railroad, the demarcation line between heavy and light industrial, would represent the accommodation of an individual's desire and not an action in the interest of the general welfare.

If approval be given to the rezoning of the tract of land in question the County will be in effect committed to the potential rezoning of heavy industrial zoning for all of the Railroad frontage north of the Railroad and south of Pulaski Highway, which land appears to be correctly zoned light industrial. No change or change in the community have been brought to my attention that now warrant a reclassification of said land from light industrial to heavy industrial, therefore, the request for rezoning is hereby denied.

The petition for a special permit to operate a junk yard on the tract of land described in the petition for reclassification was filed simultaneously with the petition for reclassification on June 29, 1953. On July 2, 1953 the County Commissioners of Baltimore County passed certain amendments to the Zoning Regulations and Restrictions for Baltimore County which require that a junk yard may be allowed under a special permit in a heavy industrial zone only.

The hearing on the two foregoing petitions was held on the 10th day of August, 1953, and it is my opinion that I may not now grant a special permit for a junk yard in anything but a heavy industrial zone, therefore, the petition for the special permit is hereby denied.

WITNESS my hand and seal this 31st day of August, 1953.

Blair H. Downing
Sealed and signed
of Baltimore County

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County:-

southerly from the south line of the Pulaski Highway and running thence north 68° 35' 11" East 130.05', thence north 25° 53' 45" East 156.07', thence south 64° 06' 11" East 350' thence south 64° 06' 11" East 350' to the place of beginning, being part of the property of the Champion Brick Company.

① + 990' SW of Red House Run

hereby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an "H" Light Industrial Zone to an "H" Heavy Industrial Zone. Reasons for Re-Classification: So that a special permit may be obtained for the operation of a junk yard on the property described above, the junk yard to be used as a point of trans-shipment of scrap metal.

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Zoning Commissioner of Baltimore County

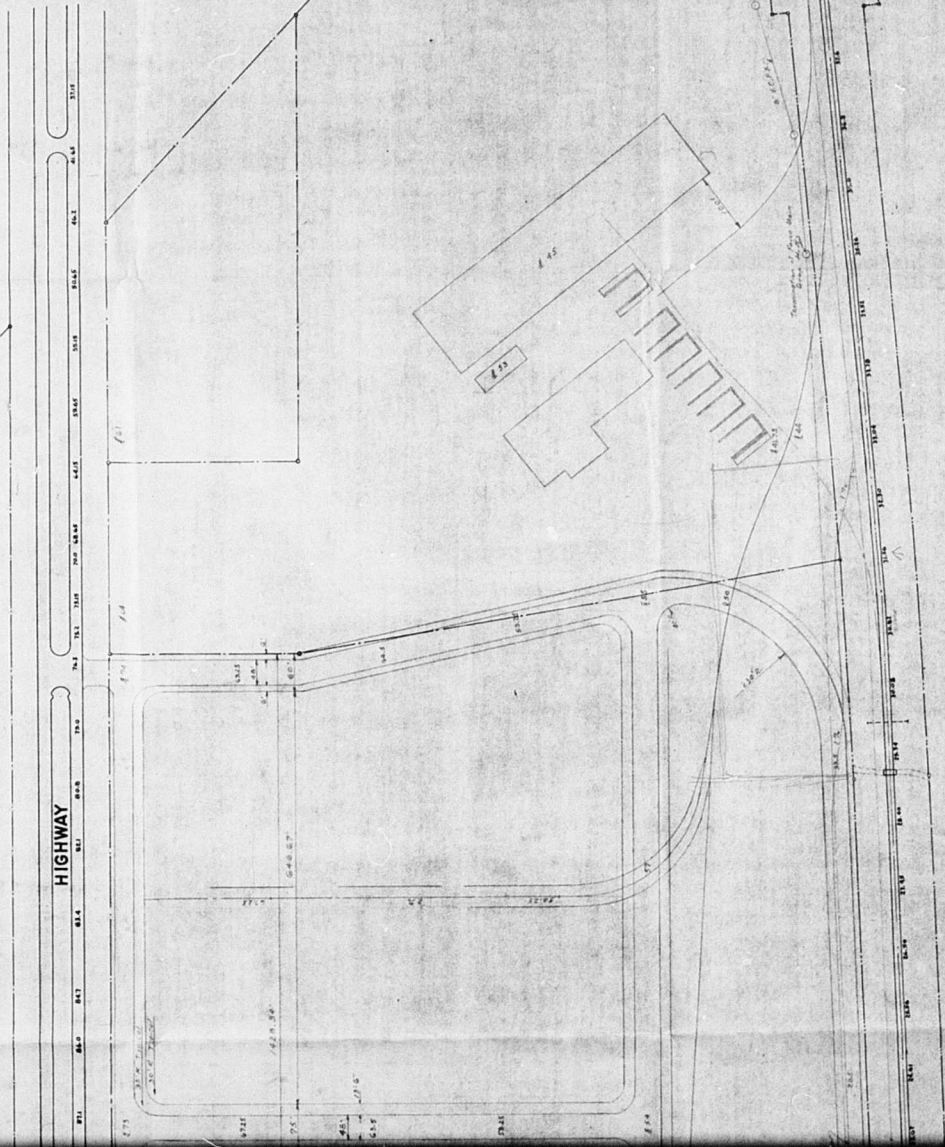
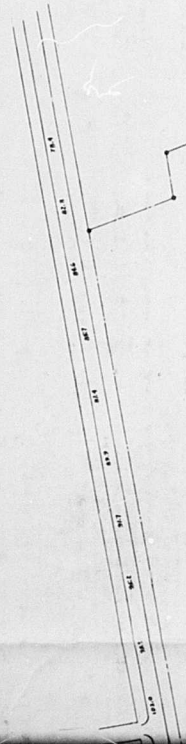
2-SIGNS-F 109. (over) 11 5 P.M. PMT. (154)

Company, a body corporate By M. Lee Gish
Contract Business Legal Officer Executive Vice
Leslie President
Kenneth C. Proctor
c/o Kenneth C. Proctor 103 W. Chesapeake Avenue, Towson 4, Md.
Address

Tube City Iron and Metal Champion Brick Company, Inc.
Company, a body corporate By Wm. Lee G. Ginter
Contractor Legal Owner Executive Vice
 3 Wm. Lee G. Ginter President
 c/o Kenneth C. Proctor atty
Address 103 W. Chesapeake Avenue, Towson 4, Md.
Address

Beginning at a point located on the north side of the right of way of the Baltimore and Ohio Railroad which point is 1159.94' more or less southerly from the south line of the Pulaski Highway, and running thence north 62° 35' 14" east 150.05', thence north 25° 53' 46" west 196.07', thence south 64° 06' 14" west 500' thence south 25° 53' 46" east 200 feet, thence north 64° 06' 14" east 350' to the place of beginning, being part of the property of the Champion Brick Company

PAID
SEP 25 1953
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
W. W. H. H. H.



ROVEDALE INDUSTRIAL DEVELOPMENT
 ROVEDALE RENTALS CO.
 3845 Greenwood Ave.
 Scale 1" = 100' 0"



BALTIMORE CITY
BALTIMORE COUNTY

PHILADELPHIA RD.

Washington Lumber & Lumber
P. L. Lumber
Ice Cream

PULASKI

40 FT. R/W

Proposed
Building

9,000 Sq. Ft.

64TH ST

ST

63RD ST

E. BIDOLE ST

Approx. Location
of
Power Station

ROAD

