

2686  
RECORDED DEPARTMENT  
U.S. DEPARTMENT OF JUSTICE  
DIVISION OF RECORDS  
BALTIMORE, MD.

12/12

Approved for opening 1/14/53  
1/14/53

186-5-6  
11116  
IN THE CIRCUIT COURT FOR BALTIMORE COUNTY  
Ernest S. Sulzer, et al. vs. Board of Zoning Appeals.  
Case No. Misc 1975  
June 20, 1955 - Judge Smith - Action of Board affirmed  
Trial Date \_\_\_\_\_ 10 A. M.  
Please be prepared for trial on that day.  
GEORGE L. BYERLY, Clerk

### Petition for Zoning Re-Classification

To the Zoning Commissioner of Baltimore County:—  
I, Ernest S. Sulzer, the undersigned, legal owner of the property situate in Baltimore County, Block 1, Plat of Catoxville Heights lots 5-6-7-8-9-10-11-12-13-14-15-16-17, do  
A16-18 and 19.

All that parcel of land in the First District of Baltimore County, on the southeast side of Old Frederick Road, beginning 50 feet northeast of Lafayette Avenue; thence northwesterly subdividing on the southeast side of Old Frederick Road 300 feet with an average rectangular depth southeasterly of 21 1/2 feet, being lots 5 to 19 inclusive Section One on plat of Catoxville Heights, being property of Edward DiPaolo et al. as shown on plot plan filed with the Zoning Department.

hereby petition that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from A Residence Zone to an E Commercial Zone.  
Reason for Re-Classification: APPROVED CAR TRAFFIC STORES & OFFICES

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 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.

Samuel M. Hudson 11-17 Richard W. Paley 5-11  
Dorothy F. Hudson Joseph E. DeLoe  
Catherine Goodland Nicholas D. DeLoe Legal Owner  
Chesapeake, Md. Address 312 Mt. St. Charles Rd. Baltimore 28  
Alfred J. Hudson 18-19  
5508 Edmondson Ave

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 Record Bldg. in Towson, Baltimore County, on the \_\_\_\_\_ day of \_\_\_\_\_ 1953, at 11:00 o'clock A. M.  
Blanchard  
Zoning Commissioner of Baltimore County  
(over)

8/12  
10 AM  
2. SIGN

#2666  
1777P  
#1-B  
E

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE - S. E. Side Old Frederick Road, 80 feet N. N. Lafayette Ave., 1st Dist., Jos. V. D. DiPaolo, Nicholas DiPaolo, Albert Grimes, Samuel M. Hudson and Dorothy F. Hudson, Petitioners.

The appeal in the above entitled matter coming on for hearing on the 11th day of March, 1954, before the Board of Zoning Appeals of Baltimore County from an Order of the Zoning Commissioner of Baltimore County dated September 21, 1953, denying a petition for reclassification from an "A" Residence Zone to an "E" Commercial Zone 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 not be detrimental to the safety and general welfare of the community, and for reasons set forth in the opinion; therefore,

It is this 30<sup>th</sup> day of April, 1954, Ordered by the Board of Zoning Appeals of Baltimore County that the reclassification from an "A" Residence Zone to an "E" Commercial Zone in regard to said property be granted, subject to providing for 2 1/2 square feet of parking area to every square foot of floor space.

Samuel M. Hudson  
Chairman  
Carl F. Hudson  
Board of Zoning Appeals of Baltimore County

Approved: \_\_\_\_\_  
County Commissioners of Baltimore County  
By \_\_\_\_\_ President  
Date: \_\_\_\_\_

### OPINION OF THE BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

This is an appeal from an Order of the Zoning Commissioner of Baltimore County dated September 21, 1953, denying a petition for reclassification from an "A" Residence Zone to an "E" 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 petition is located on the southeast side of Old Frederick Road at Edmondson Boulevard and is bounded on the west by a ramp for the proposed beltway.

There have been substantial reclassifications in this neighborhood since zoning went into effect in January, 1945, and some of the reclassifications have been both sizeable and recent. The presence of the Edmondson Boulevard, which is built for heavy traffic, does not make for favorable residential use of the subject property; and the Board will, therefore, pass its Order granting the reclassification from an "A" Residence Zone to an "E" Commercial Zone, subject to providing for 2 1/2 square feet of parking area to every square foot of floor space.

Samuel M. Hudson  
Chairman  
Carl F. Hudson  
Board of Zoning Appeals of Baltimore County

Approved: \_\_\_\_\_  
County Comm. Balt. Co.  
By Conroy J. Hill Comm.  
MAY 25 1954

FILED SEP 29 1953

#2666  
1777P  
#1-B  
E

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE - S. E. Side Old Frederick Road 80 feet N. N. Lafayette Ave., 1st District Jos. V. D. DiPaolo, Nicholas DiPaolo, Albert Grimes, Samuel Hudson and Dorothy F. Hudson, Petitioners

Mr. Charles H. Deing  
Zoning Commissioner of Baltimore County  
Towson, Md.  
Mr. Commissioner:

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

Samuel M. Hudson  
Petitioner

Filed Sept. 29, 1953

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 be had.  
It is Ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_ 1953, that the above described property or area should be and the same is hereby reclassified, from and after the date of this Order, from \_\_\_\_\_ zone to \_\_\_\_\_ zone.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of location being in a residential area, the granting of which would be detrimental to the general welfare of the community; would cause congestion in the roads and streets and create a traffic hazard, and be "spot zoning"

\_\_\_\_\_ the above re-classification should NOT be had.  
It is Ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ 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 remain an "A" Residence Zone.

Blanchard  
Zoning Commissioner of Baltimore County

Approved \_\_\_\_\_  
County Commissioners of Baltimore County  
By \_\_\_\_\_ President  
Date: \_\_\_\_\_

Petition # \_\_\_\_\_ District # 1st  
Processed by: L. H. C.  
Hearing Scheduled: Monday, August 31, 19 53  
Report submitted to Zoning Com. \_\_\_\_\_ 19  
Further attention needed: \_\_\_\_\_

#### DRAFT COMMENT ON ZONING PETITIONS

Attention: Mr. Dill  
Subject of Petition: Request for Commercial Zoning on Old Frederick Road at Edmondson Boulevard near the Beltway Intersection.  
Comment:  
1. Refer to Petitions Nos. 2017 and 2182 which have previously been denied commercial requests at approximately the same location as the current petition.  
2. The western portion of the property in question is to be utilized for ramp review for the Beltway Intersection at Edmondson Boulevard (see detail) according to present proposals. In any event the petition should not be granted until these plans are finalized and an agreement made for the state to buy the property. Please see Mr. Greffor's attached comments for further details.  
3. There are extensive plots of existing commercial zoning within the vicinity. It is doubtful whether any more is needed.

9-2-53 bb

August 6, 1953

\$23.00  
RECEIVED of Joseph G. Di Paolo, the sum of Twenty Three (\$23.00) Dollars, being cost of petition for reclassification, advertising and posting of property, southeast side of Old Frederick Road, 1st District, Baltimore County.

Zoning Commissioner

Hearings:  
Monday, August 21, 1953  
at 10:00 a.m.

Roomment of Record Building  
Towson 1, Maryland

PAID  
AUG 10 1953  
COUNTY COMMISSIONERS  
OF BALTIMORE COUNTY

2666

August 18, 1954

\$6.20

RECEIVED of Z. Townsend Parks, a attorney for the Protestants, the sum of \$6.20 being cost of certified copy of petition and other papers filed in the matter of appeal from decision of the Board of Zoning Appeals granting reclassification of property on southeast side of Old Frederick Road, 1st District. Richard DiPaolo and others petitioners.

Zoning Commissioner

PAID  
AUG 19 1954  
COUNTY COMMISSIONERS  
OF SALTIMORE COUNTY  
BY *[Signature]*

