

**Petition for Zoning Re-Classification**

#3077  
 P.P.  
 44-A  
 V  
 11/14/54

To The Zoning Commissioner of Baltimore County—  
 Joseph W. Shirley, Jr. & Elizabeth M. Shirley, legal owners of the property situate

All that parcel of land in the Fourth District of Baltimore County beginning for the same at the intersection of the center line of Bond Avenue and the southern side of right-of-way of the Western Maryland Railroad and running thence, binding on said center line of Bond Avenue south 65 degrees 26 minutes west 107.38 feet to a bent and south 75 degrees 17 minutes west 130.64 feet to a bent, thence still binding on said center line of Bond Avenue and continuing the same course, south 2 degrees 34 minutes west 224.94 feet, thence south 74 degrees 29 minutes east 126.04 feet, thence north 65 degrees 19 minutes east 99 feet, thence north 3 degrees 43 minutes east 858 feet, thence north 0 degrees 05 minutes 30 seconds east 780.04 feet to a nail set west side of the right-of-way of the Western Maryland Railroad, thence binding thenceon, northwesterly by a line curving to the right with a 1365.77 foot radius the distance of 295.04 feet and north 21 degrees 46 minutes 30 seconds west 968.67 feet to a nail set to beginning.

herely petition that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an "R1" Residence Zone to an "M1" Light Industrial Zone.

Reasons for Re-Classification: \_\_\_\_\_

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.

*Joseph W. Shirley, Jr.*  
*Elizabeth M. Shirley*  
 legal owner

Address \_\_\_\_\_

ORDERED By The Zoning Commissioner of Baltimore County, this \_\_\_\_\_ 25th \_\_\_\_\_ day of \_\_\_\_\_ 1954, 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 locked 1144, in Towson, Baltimore County, on the \_\_\_\_\_ 30th \_\_\_\_\_ day of \_\_\_\_\_ 1954, at 11:00 o'clock, P.M.

Zoning Commissioner of Baltimore County  
 (over)

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of \_\_\_\_\_ the above reclassification should be had \_\_\_\_\_

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

It is Ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_ 1954, 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.

*William H. Johnson*  
 Zoning Commissioner of Baltimore County

Approved \_\_\_\_\_  
 County Commissioners of Baltimore County

Date \_\_\_\_\_ By \_\_\_\_\_ President

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of \_\_\_\_\_ the above reclassification should be had \_\_\_\_\_

It is Ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_ 1954, that \_\_\_\_\_

Southwest corner of Bond Avenue and the Western Maryland Railroad right-of-way, thence easterly, on the south side of Bond Avenue, 1407.78 feet, thence southerly, on the east side of Bond Avenue and the South 2 degrees 14 minutes West line 222.01 feet, thence North 80 degrees 00 minutes East 700 feet; thence South 65 degrees 00 minutes East 700 feet; thence South 56 degrees 30 minutes East 950 feet; thence North 3 degrees 43 minutes East 858 feet; thence North 0 degrees 05 minutes East 780 feet to the western right-of-way of said railroad and thence binding on said right-of-way and running northerly 1254.56 feet to beginning.

The remaining portion of the property described in the petition, being the wooded area and high ground, is continued as an "R1" Residence Zone.

The Order further provides that any building to be erected shall have a setback of 100 feet from any residential zone.

*William H. Johnson*  
 Zoning Commissioner of Baltimore County

It is Ordered by the Zoning Commissioner of Baltimore County, this \_\_\_\_\_ day of \_\_\_\_\_ 1954, 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.

*William H. Johnson*  
 Zoning Commissioner of Baltimore County

Approved \_\_\_\_\_  
 County Commissioners of Baltimore County

Date \_\_\_\_\_ By \_\_\_\_\_ President

DEC 27 1954

IN THE MATTER OF THE PETITION OF JOSEPH W. SHIRLEY, JR., AND ELIZABETH SHIRLEY, JR. for reclassification of property located on Bond Avenue and the right-of-way of the Western Maryland Railroad, 4th Election District, from an "R1" residence zone to an "M1" Industrial zone.

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

APPEAL

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

TURNBULL AND BREWSTER

*Daniel B. Brewster*  
 Daniel B. Brewster  
 24 W. Penna. Avenue  
 Towson 4, Md.  
 Attorney for Petitioner

430  
 11/14/54

3079

RE: Petition for Reclassification from an "R1" Residence Zone to an "M1" Industrial Zone of property located on Bond Avenue and right-of-way of Western Maryland Railroad, Fourth District, Joseph W. Shirley and Elizabeth M. Shirley, Petitioners.

The petition for a reclassification in the above entitled case was filed with the Zoning Commissioner on the 28th day of May, 1954 and on the 16th day of December, 1954 the Zoning Commissioner passed his Order reclassifying a part of the property from "R1" Residential to "M1" Light Industrial and on the 27th day of December, 1954 an appeal to this Board was filed with the Zoning Commissioner and on the 11th day of April this Board heard the case de novo.

From the testimony and evidence produced at the hearing including the testimony of the Director of the Planning Commission of Baltimore County, that there is need for industrial uses in this area, and that the subject property being located along the Western Maryland Railroad is suitable and desirable for industrial use and undesirable for residential use it is the opinion of this Board that the original zoning of the subject property was erroneous and that the property should be reclassified for Light Industrial Use.

Therefore the Order of the Zoning Commissioner is hereby affirmed and the property described in the petition is reclassified from an "R1" Residence Zone to an "M1" Light Industrial Zone in PART.

The part hereby reclassified being described as follows:

Southwest corner of Bond Avenue and the right-of-way of the Western Maryland Railroad, thence easterly, on the south side of Bond Avenue, 1407.78 feet; thence southerly, on the east side of Bond Avenue and the south 2 degrees 14 minutes West line 222.01 feet; thence north 80 degrees 00 minutes East 700 feet; thence South 65 degrees 00 minutes East 700 feet; thence South 56 degrees 30 minutes East 950 feet; thence North 3 degrees 43 minutes East 858 feet; thence North 0 degrees 05 minutes East 780 feet to the western right-of-way of the Western Maryland Railroad and thence binding on said right-of-way and running northerly 1254.56 feet to beginning.

*Charles H. Bohe*  
 Charles H. Bohe, Chairman  
*Daniel H. Johnson*  
 Daniel H. Johnson  
*Carl F. Johnson*  
 Carl F. Johnson

BOARD OF ZONING APPEALS.

May 19, 1955

#3077

June 11, 1954

324.50

RECEIVED of James Whitney Shirley, Jr. petitioner, the sum of Thirty Two Dollars and Fifty Cents (\$32.50), being cost of petition for Reclassification, advertising and posting property Bond Avenue, 4th District, Baltimore County, Maryland.

Zoning Commissioner

October 19, 1955

5740

RECEIVED of Daniel B. Brewster, Attorney for Petitioner, the sum of Seven (\$7.00) Dollars, being cost of certified copies of papers filed in the matter of reclassification of property of Joe. W. Shirley, Bond Avenue, 4th District of Baltimore County.

Zoning Commissioner

Hearings  
 Wednesday, June 30, 1954  
 at 1:00 p.m.  
 Reelord Building  
 Towson, Md.

PAID  
 JUN 15 1954  
 COUNTY COMMISSIONERS  
 OF BALTIMORE COUNTY

PAID  
 OCT 21 1955  
 COUNTY COMMISSIONERS

W. LLOYD WALLACE  
SURVEYOR AND CIVIL ENGINEER  
REGISTRATION NO. 62  
3205 THE ALAMEDA  
BALTIMORE 18, MD.

0

Beginning for the same at the intersection of the center line of Bond Avenue and the southwest side of the right of way of the Western Maryland Railroad and running thence, binding on said center line of Bond Avenue, South 60°-29' West 159.38 feet to a bend and South 75°-25' West 1300.40 feet to a bend, thence, still binding on said center line of Bond Avenue and continuing the same course, South 2°-34' West 1934.94 feet, thence South 74°-32' East 1846.06 feet, thence North 75°-29' East 99 feet, thence North 3°-43' East 888 feet, thence North 0°-05'-30" East 760.04 feet to said southwest side of the right of way of the Western Maryland Railroad, thence, binding thereon, North-westerly by a line curving to the right with a 1365.77 foot radius the distance of 230.09 feet and North 21°-46'-30" West 965.47 feet to the place of beginning.

January 5, 1955

130.00

RECEIVED of Daniel H. Bransbery, Attorney for Protestants, the sum of Thirty (30.00) Dollars, being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner now granting the reclassification of property of Jos. W. Shirley, Bond Avenue, 4th District.

Spring Commissioners

RECEIVED  
JAN 5 - 1955  
BALTIMORE OFFICE  
8710

JUN 2 1 1955

State of Maryland, Baltimore County, Ort.

To Charles H. Johns, Carl F. Yohden and Daniel W. Hubers,  
Constituting the Board of Zoning Appeals of Baltimore County  
YOU ARE COMMANDED, that the record and proceedings in a certain case of

John M. Spencer and Mary Spencer, in their own behalf and

in behalf of other interested parties

SEAL

with all things touching the same, as fully and perfectly as they remain before you, by whatsoever name or names the parties aforesaid, or either of them, are called in the same, you send and certify to the CIRCUIT COURT FOR BALTIMORE COUNTY, before the Honorable Michael Paul Smith Associate Judge of the Circuit Court for Baltimore County, presiding, together with this writ, immediately after receipt of the same.

WITNESS, the Honorable JOHN H. GOURNAY, Chief Judge of the Circuit Court for Baltimore County, this 11th day of April, 1955

Issued this 20th day of June 1955

GEORGE L. BYRLEY

Clerk

True Copy Test

George L. Byrley, clerk

Handwritten notes and stamps on the right side of the document, including a date stamp "JUN 2 1 1955" and a signature "John M. Spencer".

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Town, Maryland

#3079

Date of Posting: 6-16-54  
Noted for: Con. H. Amodeo, Inc. et al. et al. Right Industrial Zone  
Petitioner: George Whitney Shively, Jr.  
Location of property: 4th District, 1st Subdivision of the 1st District of the City of Baltimore  
Location of signs: 4th District, 1st Subdivision of the 1st District of the City of Baltimore  
Remarks: [Handwritten notes]  
Posted by: George L. Byrley, Clerk  
Date of return: 6-17-54

Petition No. 2028 District No. 4  
Processed by D. Stanton  
Hearing Scheduled Wed., June 30

Attention: Mr. Adams

Subject of Petition: A - F (Light Industrial) - Bond Ave. & S.W. of R-Off of Western Md. R.R.

Comments:  
Preliminary land use studies indicate that, topography permitting, the general area along the Western Maryland Railroad between Beings Mills and Reisterstown is a suitable location for future light industrial expansion within the County. Except in some sections where Guyans Falls is an obstacle, the topography of the area is generally suitable for industrial development; rail access is available; and highway connections can be made to Reisterstown Road and the proposed Northwest Expressway. There is tension for industrial land in this area and it appears that an orderly development of such use could be effected which would be of value to the County and the local communities.

The larger portion of the property which is the subject of the petition falls within an area that has been tentatively recommended by the Planning Commission for light industrial zoning. This area was studied on the ground some time ago by members of the Planning Commission staff with Mr. Shirley and it was generally agreed upon at that time. The remainder of the property under consideration, the wooded area which occupies the high ground at the southern end of the tract, is more suitable for residential use. Its topography and location with respect to the rest of the tract and the railroad make it a logical boundary between the proposed industrial development along the railroad and future residential use east of the Reisterstown Road.

Its height and mature trees make it eminently suitable for residential use. There would be an excellent opportunity to preserve a strip of trees between its future industrial use which would be of great value as a screen between the two uses.

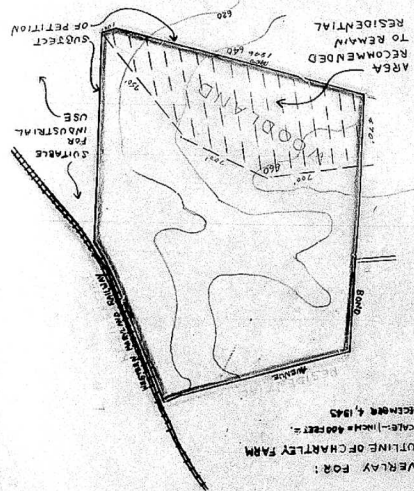
Industrial development of this part of the area would necessarily mean removal of most of the trees and it would visually dominate the neighborhood in a manner which could have undesirable effect on the surroundings. The lower-lying open land - especially that within about 1000' of the railroad - appears to be a desirable location for industrial use and has a logical northern and western boundary along Bond Avenue.

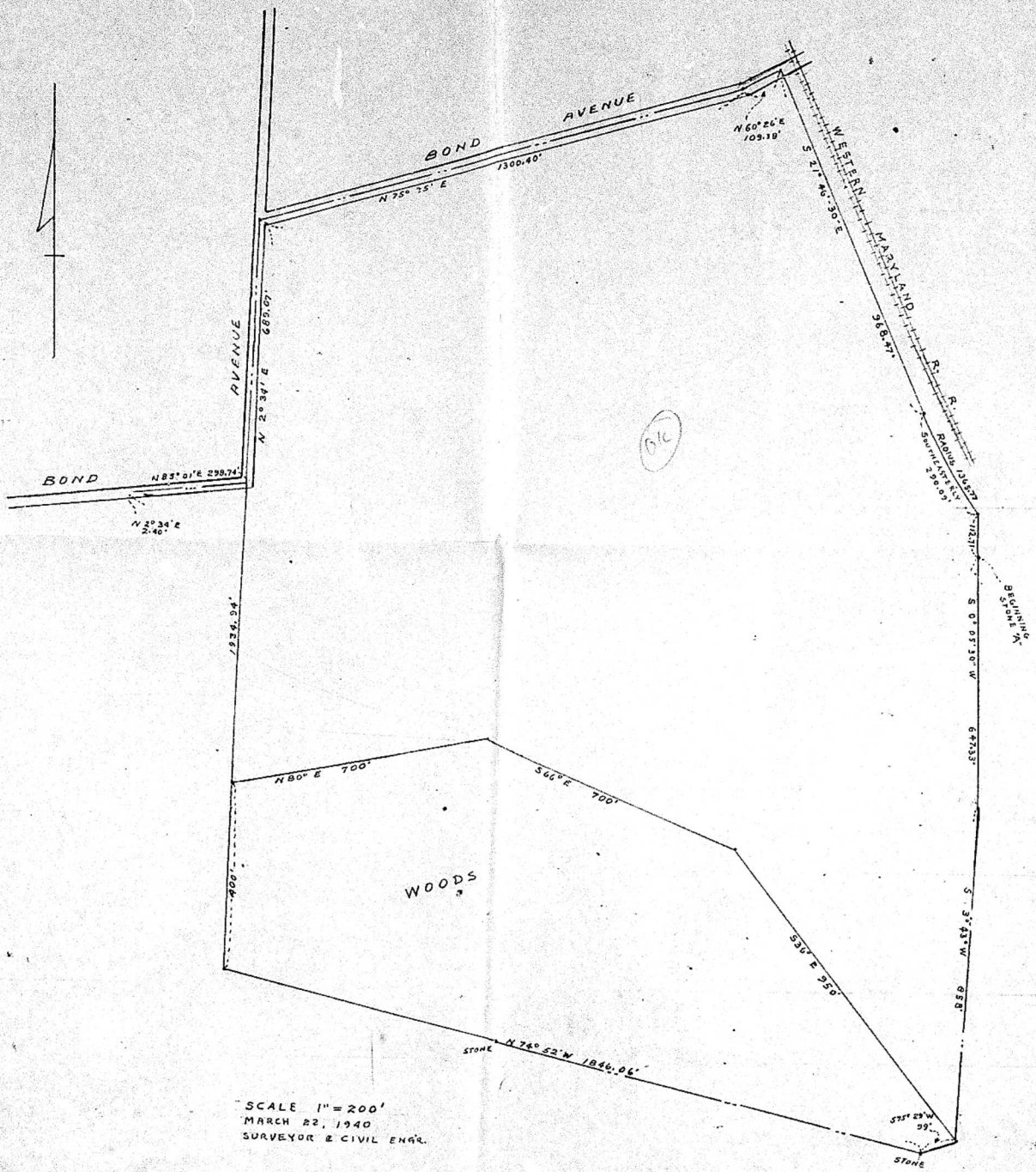
It is recommended that if the Zoning Commissioner grants the petition, he exclude from the order that land at the southern end of the property which is indicated on the attached overlay of the plot plan submitted, and further, that he require that any buildings be set back a minimum of 100' from any residential zone.

It is also pointed out that the triangular tract of land between the eastern boundary of Mr. Shirley's property and the railroad is considered suitable for light industrial zoning.

c/c. Wallace

6-25-54 bb





SCALE 1" = 200'  
 MARCH 22, 1940  
 SURVEYOR & CIVIL ENGR.



A-2  
#3079

B-1  
#3079

A-1  
#3079

B-2  
#3079

B-3  
#3079

A-3  
#3079