

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County:

I, or we, August Malthan, legal owner of the property situate

All that parcel of land in the Second District of Baltimore County, on the southeast corner of Liberty and Milford Hill Roads...

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" zone to an "E" zone.

Reasons for Re-Classification: To provide for a more appropriate use of the property...

Site and height of building: front... feet; depth... feet; height... feet. Front and side set backs of building from street lines: front... feet; side... feet.

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.

Signature of August Malthan, Legal Owner

Address

ORDERED By The Zoning Commissioner of Baltimore County, this 26th day of July, 1954, that the subject matter of this petition be advertised, as required by the "Zoning Law of Baltimore County."

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 hereof be had in the office of the Zoning Commissioner of Baltimore County, in the Heckard Bldg., in Towson, Baltimore County, on the 25th day of August, 1954, at 10:00 o'clock A. M.

Zoning Commissioner of Baltimore County

(over)

July 28, 1954

\$30.00

RECEIVED of H. Richard Skalkin, attorney, the sum of Thirty Two, (\$32.00) Dollars, being cost of petition for Re-classification, advertising and posting property, southeast corner Liberty and Milford Hill Roads, 2nd District, Baltimore County.

Zoning Commissioner of Baltimore County

Received Wednesday, August 25, 1954 at 10:00 a.m. Heckard Building Towson, Md.

PAID AUG 3 - 1954 COUNTY COMMISSIONERS OF BALTIMORE COUNTY

October 25, 1954

\$30.00

RECEIVED of Skalkin & Skalkin, Attorneys for August Malthan, petitioner, the sum of Thirty (30.00) Dollars, being cost of appeal to the Board of Zoning Appeals from the decision of the Zoning Commissioner denying the reclassification of property at the southeast corner of Liberty and Milford Hill Roads, 2nd District.

Zoning Commissioner

PAID OCT 29 - 1954 COUNTY COMMISSIONERS OF BALTIMORE COUNTY

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...

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing upon inspection of the subject property, the majority of the commercial area on Liberty Road is northeast of Milford Hill Road... It is Ordered by the Zoning Commissioner of Baltimore County...

Approved _____ County Commissioners of Baltimore County Date _____ By _____ President

Therefore it is this 16th day of December, 1954, ORDERED by the Board of Zoning Appeals of Baltimore County that the granting of the reclassification, from an "A" Residence Zone to an "E" Commercial Zone would be detrimental to the health, safety and the general welfare of the community...

Signature of Chairman of Board of Zoning Appeals

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

District... Date of Posting... Posted for... Petitioner... Location of property... Location of Sign... By...

OFFICE OF THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS THE HERALD-EXPOSÉ THE COMMUNITY PRESS

THIS IS TO CERTIFY, that the annexed advertisement of William H. Adams, Zoning Commissioner of Baltimore County, was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for 2 successive weeks before the 14th day of August, 1954...

THE BALTIMORE COUNTIAN

By Paul J. Morgan Editor and Manager

IN THE MATTER OF: Petition of August Malthan for re-classification from "A" Residence Zone to "E" Commercial Zone of property situate on the southeast corner of Liberty and Milford Hill Roads in the Second District of Baltimore County, Maryland.

ORDER FOR APPEAL

Mr. Commissioner: Please enter an Appeal to the Board of Zoning Appeals of Baltimore County, in the matter of the Order of Zoning Commissioner of Baltimore County, Maryland, passed in the above captioned matter on October 20, 1954, and transmit all papers and records incident thereto to said Board of Zoning Appeals.

Signature of Attorney for Petitioner

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE

This is an appeal by the petitioner from the decision of the Zoning Commissioner of Baltimore County denying the reclassification of property at the southeast corner of Liberty and Milford Hill Roads in the Second District of Baltimore County.

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

The property which is the subject of this petition is a tract of land containing approximately four acres upon which it is proposed to build stores.

From the facts presented at the appeal hearing the property being located adjacent to residential properties and the fact that there are commercial establishments nearby to take care of the needs of the community, it is the opinion of the Board of Zoning Appeals of Baltimore County that there is not sufficient need to warrant the reclassification of the above property. Also Liberty Road is a heavily travelled main highway and the movement of traffic to and from the parking areas would cause congestion and create a traffic hazard at the intersection of Liberty and Milford Hill Roads. It was also testified that it is planned by the State Roads Commission to widen Liberty Road to provide for a four-lane dual highway which would further increase the traffic.

The Milford Mill Road is a logical boundary for the commercial zone which exists to the west of it and any extension to the east would result in the unsatisfactory land use, traffic, and safety conditions mentioned above. (First page).

The property which is the subject of Petition No. 3109 is part of a parcel of about five acres lying at the northwest corner of the intersection. About one-third of the tract, a strip about 200 feet in depth along the Liberty Road frontage was zoned for commercial use in August, 1950. The property has a frontage of about 320 feet on Liberty Road and 530 feet on Milford Mill Road. The land opposite on Liberty Road, which forms the southwest corner of the intersection, is zoned for commercial use and a service station is under construction at present. The property on the east side of Milford Mill Road, facing the tract under consideration, is in residential use.

Considering the present land use and zoning in the general area it is the opinion of this office that the northwest corner of the intersection is the most suitable and logical of the four corners for the development of a local shopping center. The southeast corner, which is the subject of Petition No. 3125, is not considered a suitable location since its development would mean the intrusion of commercial use to the east of Milford Mill Road, where none exists at present, and the further extension along Liberty Road of commercial zoning. Further, it borders on land which is currently being developed for residential use and would abut directly onto six house lots.

The recommended use for this land is for residential purposes, for which a satisfactory development appears entirely feasible.

The northeast corner of the intersection has the same disadvantages as the southeast corner and is, in addition, too small for the development proposed.

D.J.S. 8-31-54

o.k. JWH

Attention: Mr. ^{Adams} ~~Smith~~

Re: Petitions numbered 3109 and 3125, for change from "A" (Residence Zone) to "C" (Commercial Zone), of land at the N.W. and the S.E. corners respectively of the intersection of Milford Mill and Liberty Roads.

Comments:

These two separate petitions are for commercial zoning in order to develop shopping facilities. Land Use studies of this section of the County indicate that with the increase in residential development which has been approved in this area there will be need for further local shopping facilities. The logical location for such a neighborhood shopping center is at, or near, the intersection of two major community streets with the principal frontage along the less important street. Such a location provides the most efficient means of accommodating the traffic going to and from the shops and is, of course, also good from the business view point. It is generally agreed though, that the development of local shopping centers on two or more corners of an intersection is unsatisfactory from a traffic and safety point of view.

The volume of left-turning traffic entering and leaving the parking areas, together with the normal turning traffic at the road intersection, can create a problem at peak hours which is not only hazardous but also difficult and expensive to control since traffic lights are usually inadequate and police control is necessary. In such a situation there is also the added problem of the movement of pedestrians across the intersection.

The intersection of Milford Mill and Liberty Roads meets the theoretical conditions outlined above; there are, however, local conditions which affect the situation. At present the surrounding area is predominantly of residential character except for a stretch of about 2300 feet along Liberty Road, immediately west of Milford Mill Road. This strip is entirely zoned for commercial use on the north side except for a few house lots. On the south side there are several scattered areas of commercial zoning. The uses in these commercial zones include five filling stations in operation, another under construction, a cleaning establishment, a shoe repair shop, a tombstone sales room with outdoor display, and a television shop. Although these uses are interspersed with houses there is a decided commercial character to this length of road.

To the east, between Milford Mill Road and the Woodmoor shopping center, a distance of nearly a mile and a half, there are only four commercial uses at the present time; two filling stations and two plant nurseries. There are, in addition, two small areas of commercial zoning which are as yet undeveloped. This stretch of Liberty Road has a decided residential character and is not committed to commercial development.

Local objection to commercial use along Liberty Road is based principally on the grounds that such development is destroying the residential character of the neighborhood. It is logical, therefore, that any future commercialization should take place at existing concentrations, such as Woodmoor and the area to the west of Milford Mill Road, rather than to be strung out further along the highway.

The State Roads Commission have plans to improve Liberty Road to a dual-lane facility, with a central divider strip. This will permit higher speeds and a greater volume of traffic. Cuts in the central strip will be limited. The efficiency and safety of this type of road is reduced by long stretches of commercial use along it.

**NO PLAT
IN
THIS FOLDER**