

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "B" COMMERCIAL ZONE - N. W. Cor. Harford Road and Scherer Ave., 9th Dist., Mary Kichenstein, Russell Bannister and Marie E. Bannister, Petitioners

The appeal filed in the above matter came on for hearing before the Board of Zoning Appeals of Baltimore County on December 3, 1954, from an Order of the Zoning Commissioner of Baltimore County denying reclassification of property from an "A" Residence Zone to an "B" Commercial Zone.

The property which is the subject of this petition is located at the northwest corner of Harford Road and Scherer Avenue in close proximity to commercially zoned property both on the east and west sides of Harford Road.

Scherer Avenue is the first avenue south of Joppa Road. There was a trend toward commercial growth in this area long before zoning in Baltimore County and it could very well be said that the subject property should have been zoned commercially at the time of the adoption of the comprehensive zoning plan for Baltimore County. However, since that time the property in the immediate vicinity has become predominantly commercial and many changes have taken place to the point where the lot is now highly undesirable for residential use. To deny a reclassification of this property would amount to denying the owners the reasonable, suitable and proper use of his property; therefore, the reclassification from residential to commercial is hereby granted.

It is this 14th day of January, 1955, ORDERED by the Board of Zoning Appeals of Baltimore County, that the Order of the Zoning Commissioner of Baltimore County denying the

reclassification is hereby reversed and the reclassification granted from an "A" Residence Zone to an "B" Commercial Zone.

Approved:
County Commissioners of
Baltimore County

By *[Signature]*
Secretary
Date: FEB 25 1955

Petition No. 3193 District No. 9
Comments by D. J. Stanton
Hearing Schedules Mon., Oct. 11, 1954

Attention: Mr. Dill/Mr. Adams
Subject of Petition: From A to B - N.W. cor. of Harford Rd. & Scherer Ave.
Comments:

It is recommended that the petition be denied as "spot zoning".
At 700' to the north, at the intersection of Harford and Joppa Roads, there is a commercial center at present. To the south, along Harford Road, there is another commercial concentration with its center about 1600' from the property under consideration.

This commercial zone extends northward as far as 2nd Street. It is considered that this is a logical boundary if the two zones are to be kept from joining.

The land which is the subject of the petition lies about halfway between these two zones. To permit an isolated commercial zone in this location would tend to encourage further strip zoning along this busy and important road. It is considered that the logical and desirable location for further commercial development should be an extension of one of the two existing centers and away from Harford Road so that the necessary parking and service areas can be provided without interference to the movement of traffic.

10-9-54 bb

OCT 27 1954

IN THE MATTER OF THE
PETITION FOR RECLASSIFICATION
FROM AN "A" RESIDENCE ZONE TO
AN "B" COMMERCIAL ZONE -
NORTHWEST CORNER OF HARFORD ROAD
AND SCHERER AVENUE, NINTH DISTRICT,
MARY E. KILCHENSTEIN, Executrix,
RUSSELL BANNISTER and
MARIE E. BANNISTER,
Petitioners

BEFORE
WILSIE H. ADAMS
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ORDER FOR APPEAL

TO: Wilsie H. Adams, Esquire,
Zoning Commissioner of
Baltimore County

Mr. Commissioner:

Please enter an Appeal on behalf of the
Petitioners in the above entitled matter to the Board of
Zoning Appeals of Baltimore County from the Order dated
October 18, 1954, denying the Petition for Reclassification.

[Signature]
Daniel B. Leonard
Attorney for Petitioners

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County:—
I, or we, Mary Kichenstein and Russell Bannister, owner... of the property situate
All that parcel of land in the Ninth District of Baltimore County, on the northwest corner of Harford Road and Scherer Avenue; thence running easterly and binding on the north side of Harford Road 302 feet with a rectangular depth northerly of 150 feet and binding on the east side of Scherer Avenue.

hereby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an "A" Residence zone to an "B" Commercial zone.
Reasons for Re-Classification: Approved Commercial Use.

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.

[Signature]
Legal Owner
Address: 7414 Harford Rd.
414 West 10/11/54

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of September, 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 thereon be had in the office of the Zoning Commissioner of Baltimore County, in the Beckford Building, in Towson, Baltimore County, on the 11th day of October, 1954, at 3:00 o'clock P.M.

Zoning Commissioner of Baltimore County
(over)

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9
Date of Posting: 9-28-54
Posted for: *[Signature]*
Petitioner: *[Signature]*
Location of property: N.W. Cor. Harford Rd. & Scherer Ave., 9th Dist.
Remarks: *[Signature]*
Posted by: *[Signature]*
Date of return: 9-29-54

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 1, 1954
THIS IS TO CERTIFY, That the annexed advertisement was published in THE UNION NEWS, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of three successive weeks before the 11th day of October, 1954, the first publication appearing on the 24th day of September 1954.

The UNION NEWS
[Signature]
Manager

September 22, 1954

RECEIVED of Russell C. Bannister, et al, petitioners, the sum of Twenty Three (\$23.00) Dollars, being cost of petition for Re-classification, advertising and posting property, northwest corner of Harford Road and Scherer Avenue, 9th District, Baltimore County, Maryland.

Zoning Commissioner of Baltimore County

Received:
Monday, October 11, 1954
at 3:00 p.m.
Beckford Building,
Towson 4, Md.
cc: Mary K. Kichenstein.

PAID
SEP 23 1954
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY: 22.26

Zoning Commissioner
of Baltimore County

PAID
NOV 9 1954
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY: 22.26

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
.....19....., that the above described property or area should be and the same is
hereby reclassified, from and after the date of this Order, from a.....zone
to a.....zone.

.....
Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and
it appearing that by reason of.....location of the property, being only 700 feet south of
a commercial center on Harford Road and another commercial center about 1500
feet from the subject property, it is the opinion of the Zoning Commissioner that
the logical and desirable location for further commercial development should be an
an extension of one of the two existing commercial centers with setbacks from
Harford Road to provide necessary parking and service areas without interference
with the traffic.....

.....the above re-classification should NOT be had:

It Is Ordered by the Zoning Commissioner of Baltimore County, this.....18th.....day of
October.....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 n. "A"
Residence.....zone.

William V. Adams
Zoning Commissioner of Baltimore County

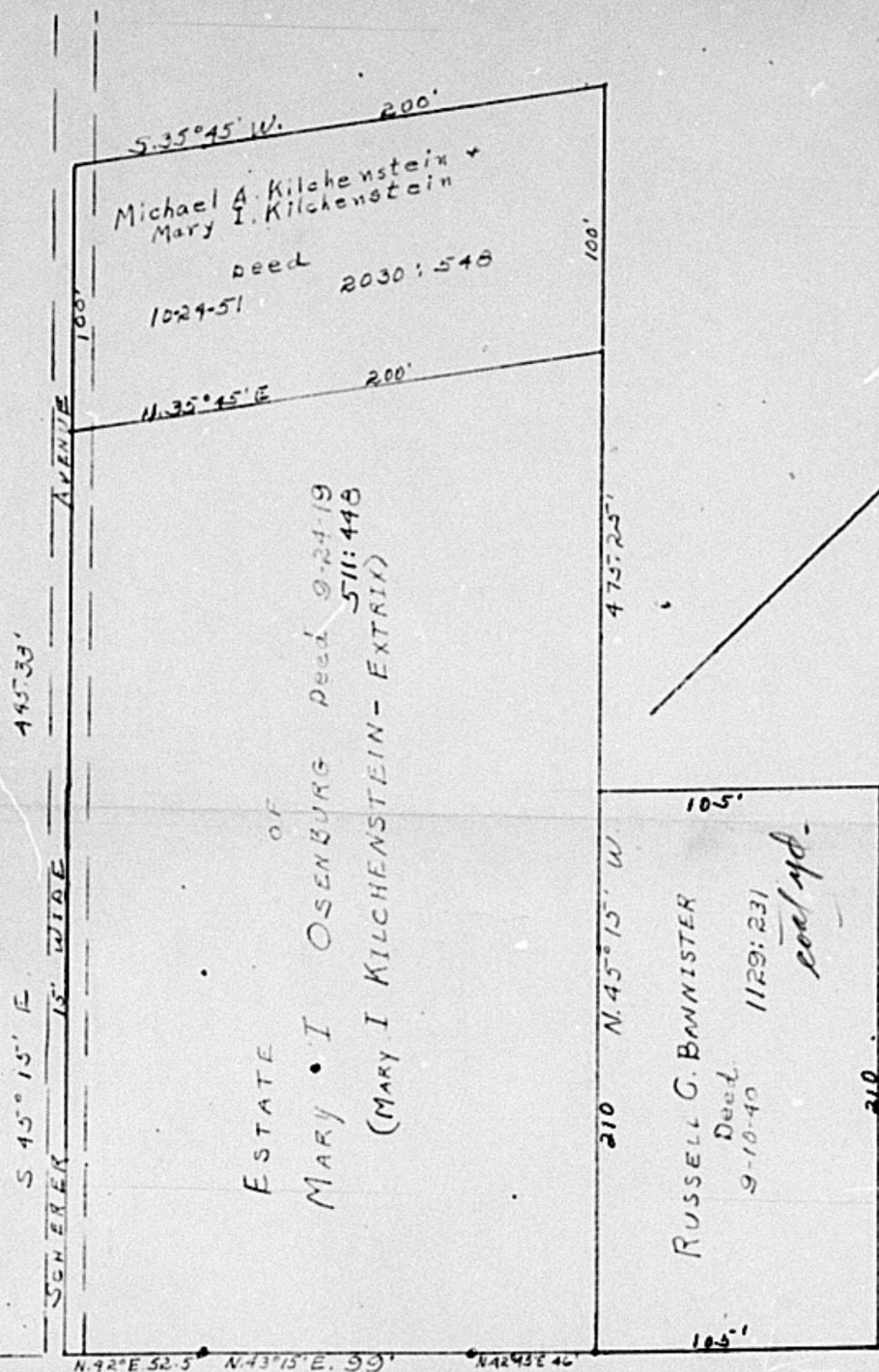
Approved.....

County Commissioners of Baltimore County

Date.....

By.....
President

#3193
MAP #9



H A R F O R D

R O A D

To Joppa Road. ➔

Scale 1" = 50'

