

Petition for Zoning Re-Classification
To The Zoning Commissioner of Baltimore County—
I, we, the Inter-City Land Company, legal owner, of the property situate
STATE REGISTRATION
VERNON C. LUTZ
SURVEYOR AND CIVIL ENGINEER
City Planning • Building Operations
Town, Street and Roadway Supervision • Topographical Work • Surveying and Mapping
4200 ELSRODE AVENUE
TELEPHONE, HAMILTON 4-1111
BALTIMORE 14, MARYLAND
November 26, 1954

Description of Parcel A for Commercial Site
BEGINNING for the same on the east side of Oakleigh Road as to be contained and widened to 70 feet, at a point situate, referring all courses to the true meridian as adopted by the Baltimore Survey Control System, South 00 degrees 50 minutes 40 seconds East 20 feet along said side from its intersection with the prolongation of the south side of Wentworth Road, 50 feet wide as shown on the plat of the Re subdivision of Lots 1 to 8, inclusive and Lots 23 to 33, inclusive, Block D of Plat B, (Jarford Park); said point being a point of tangency of a curve; thence leaving said place of beginning and binding along the east side of Oakleigh Road, South 00 degrees 50 minutes 40 seconds East 197.15 feet thence leaving Oakleigh Road and running for new lines of division through the lands of the Inter-City Land Company, the two following courses and distances, viz: South 64 degrees 50 minutes 16 seconds East 124.11 feet, and by a curve to the left with a radius of 1839.56 feet in a northeasterly direction for a distance of 234.02 feet to the southermost side of Farring Parkway; thence by a curve to the right with a radius of 33 feet in a northeasterly direction for a distance of 74.61 feet to a point of reverse curve; thence by a curve to the left with a radius of 33 feet in a northeasterly direction for a distance of 34.83 feet to the end of said curve; thence binding along the southeast side of Farring Parkway, North 64 degrees 20 minutes 01 seconds West 126.65 feet to a point of another curve; thence by a curve to the left with a radius of 20 feet in a northeasterly direction for a distance of 26.21 feet to a point of reverse curve and to the south side of Wentworth Road; thence by a curve to the left with a radius of 125 feet in a westerly direction

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(over)

THE INTER-CITY LAND COMPANY, a body corporate of the State of Maryland
vs
CHARLES H. DOING, et al
IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
No. 1511
Docket 5, Folio 200

The appeal in this case is from an order of the Board of Zoning Appeals denying the petition for re-classification from an "R-6" to a "C-1" zone of a small parcel of land, situate at the intersection of Oakleigh Road, Wentworth Road and the proposed Farring Parkway, in the 9th District of Baltimore County.

The Court is informed that the land use map recently adopted for a portion of the 9th District did not include this property, and therefore there has been no final determination by the Planning Commission and Board of County Commissioners with respect thereto.

The Court has carefully read the testimony. While there is some credible testimony that the development of the highway system has so isolated this small tract as to make it unsuitable for residential development, and further testimony as to a substantial growth in the number of residences in the community, the Board was very positive that these changes were not of such character as to justify the re-classification, especially when consideration is given to the large tract of undeveloped commercial property in the immediate neighborhood.

The Court, of course, cannot substitute its judgment for that of the board. The action of the Board is affirmed, this 24th day of January, 1955.

Robert B. Smith
County Clerk
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STATE REGISTRATION
VERNON C. LUTZ
SURVEYOR AND CIVIL ENGINEER
City Planning • Building Operations
Town, Street and Roadway Supervision • Topographical Work • Surveying and Mapping
4200 ELSRODE AVENUE
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BALTIMORE 14, MARYLAND
Parcel A for Commercial Site
Page Two
November 26, 1954

for a distance of 64.33 feet to the end of said curve; thence still binding along the south side of Wentworth Road, South 89 degrees 09 minutes 20 seconds West 47.98 feet to the first above mentioned curve; thence by a curve to the left with a radius of 20 feet in a southeasterly direction for a distance of 31.42 feet to the place of beginning.

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(over)

RE: RECLASSIFICATION OF PROPERTY FROM AN "R-6" ZONE TO A "C-1" ZONE - East Side of Oakleigh Road, 9th District Inter-City Land Company, Petitioner

The amended petition filed in the above entitled matter is for reclassification of a tract of land from an "R-6" Zone to a "C-1" Zone at the intersection of Oakleigh Road, Wentworth Road and the proposed Farring Parkway in the Ninth District of Baltimore County.

It is the intention of the petitioner to establish a small commercial center with several stores to supply the needs of the immediate neighborhood. The petitioner testified that the tract is unsuitable, due to the anticipated traffic on Farring Parkway, for residential use.

The protestants testified that the area in question is a residential section and by changing the property to commercial would cheapen the properties surrounding it. It was also testified by the protestants that there is a commercial zone within a radius of two blocks of this particular neighborhood and that the zoning of the subject property will not benefit the community. It was further testified that the area is completely surrounded with cottages.

After considering the matter it is the opinion of the Board of Zoning Appeals of Baltimore County that within several blocks of the subject property there is a tract of 27 acres of undeveloped commercial property, therefore, there is no need for this change in classification, nor have there been any changes in the adjacent area other than normal residential growth and the development of the highway system for Baltimore County, to justify a reclassification to commercial use.

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See attached description
hereby petition that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an residential zone to an commercial zone.
Reasons for Re-Classification
Property unsuitable for residential uses
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.

THE INTER-CITY LAND COMPANY
By *James H. ...* President
2214 68th Street, Baltimore 14, Maryland
Legal Owner

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of January, 1955, 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 hereon be had in the office of the Zoning Commissioner of Baltimore County, in the Rockford Building, in Towson, Baltimore County, on the 24th day of January, 1955, at 11:00 o'clock P.M.

Zoning Commissioner of Baltimore County
(over)
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It is this 2nd day of June, 1955, ORDERED by the Board of Zoning Appeals of Baltimore County that the Order of the Deputy Zoning Commissioner, denying the reclassification, is hereby affirmed and the property is continued as an "R-6" Zone.

Charles H. Doing
Earl H. ...
James H. ...
Board of Zoning Appeals
of Baltimore County

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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 24th day of January, 1955, that the above described property or area should be and the same is hereby reclassified, from and after the date of this Order, from residential zone to commercial zone.

Zoning Commissioner of Baltimore County
Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that no several blocks of the subject property there is a tract of 27.6 acres of undeveloped commercial property, there was no need shown to require this change in classification nor have there been any changes in the adjacent area to justify a reclassification from an "R-6" residential zone to an "C-1" commercial zone, further, the property is completely surrounded with cottages and homes and to grant the petition would be "spot zoning" and be detrimental to the general welfare of the community.
the above re-classification should NOT be had.
It is Ordered by the Deputy Zoning Commissioner of Baltimore County, this 24th day of January, 1955, 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 residential zone.
Paula L. Lippert
Deputy Zoning Commissioner of Baltimore County

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

January 17, 1955

\$11.00
RECEIVED OF J. Elmer McLehert, Jr., attorney for The Inter-City Land Company, petitioner, the sum of Forty One (\$41.00) Dollars, being cost of petition for Reclassification, advertising and posting property, east side of Oakleigh Road, 9th District, Baltimore County, Maryland.
There is a \$25.00 balance due for additional cost of advertising. Please send us your check for the same.

Zoning Commissioner of Baltimore County
Hearings
Monday, January 24, 1955
at 11:00 a.m.
Rockford Building
Towson, Maryland.
PAID
JAN 18 1955
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY

EX PARTE
IN THE MATTER OF
PETITION FOR ZONING RECLASSIFICATION
OF THE INTER-CITY LAND COMPANY
OF BALTIMORE COUNTY

ORDER

ORDER

Upon the foregoing Petition it is this 7th day of April 1955,
by the Board of Zoning Appeals of Baltimore County ORDERED that Application
for Reclassification No. 3334, being a Petition by the Inter-City Land
Company and now pending before this Board, is hereby amended to be an
Application for Reclassification from a R-6 to a B-1 Zone.

- THE PETITIONER respectfully represents unto this Honorable Board:
1. That Application for Zoning Reclassification No. 3334 is now pending before this Board.
 2. That between the time the appeal was taken from the Order of the Zoning Commissioner of Baltimore County and the date of the filing of this Petition the County Commissioners of Baltimore County adopted new Zoning Regulations which, among other matters, changes the classification of Zones in Baltimore County and permitted uses in such Zones.
 3. That under the Rules and Regulations heretofore outstanding and unchanged by the new Regulations the hearing on the above matter before this Honorable Board is de novo as to all interested parties.
 4. The original Application for Reclassification was from "A" Residential Zone to "B" Commercial Zone in accordance with the then Zoning Rules and Regulations.
 5. Under the new Regulations recently adopted the former "A" Residential Zone is now reclassified as R-6, and the former "B" Commercial Zone is now reclassified as B-1 Zone.

WHEREFORE your Petitioner prays that this Honorable Board will grant this Petition to amend the pending Application as follows:

1. The Petition for Zoning Reclassification in the above entitled cause shall be amended to show it is an Application and Petition for Reclassification from an R-6 Zone to a B-1 Zone.

THE INTER-CITY LAND COMPANY

William H. Harris
J. Elmer Weisheit, Jr.
Attorney at Law
Towson, Maryland

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J. ELMER WEISHEIT, JR.
ATTORNEY AT LAW
TOWSON, MARYLAND

FEB 10 1955

EX PARTE
IN THE MATTER OF
PETITION FOR ZONING RECLASSIFICATION OF THE INTER-CITY LAND COMPANY
OF BALTIMORE COUNTY

NOTICE OF APPEAL

Mr. Commissioners:

Please enter an appeal in Zoning Application No. 3334 to the Board of Zoning Appeals of Baltimore County from your decision rendered in the above matter on February 3, 1955.

John A. Harris
J. Elmer Weisheit, Jr.
Attorney for Applicant

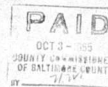
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Sept. 26, 1955

\$6.20

RECEIVED of J. Elmer Weisheit, Jr., attorney for Inter-City Land Company, petitioner, the sum of \$6.20 being cost of certified copies of papers filed in the matter of reclassification of property, Oakleigh Road, 9th District of Baltimore County.

Zoning Commissioner



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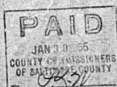
January 26, 1955

\$10.00

RECEIVED of J. Elmer Weisheit, Jr., attorney for the Inter-City Land Company, petitioner, the sum of Ten (\$10.00) Dollars, being cost of additional advertising, petition for Reclassification, east side of Oakleigh Road, 9th District, Baltimore County, Maryland.

Zoning Commissioner of Baltimore County

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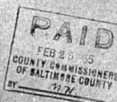
February 26, 1955

\$30.00

RECEIVED of J. Elmer Weisheit, Jr., attorney for the Inter-City Land Company, appellant, the sum of \$30.00 being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner denying reclassification of property on east side of Oakleigh Road, 9th District.

Zoning Commissioner

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

3334

District: *9th* Date of Posting: *1-18-55*
Posted for: *Inter-City Land Company*
Petitioner: *Inter-City Land Company*
Location of property: *East side of Oakleigh Road, 9th District, Baltimore County, Maryland*
Location of: *Inter-City Land Company*
Remarks: *See above*
Posted by: *John A. Harris* Date of return: *1-18-55*

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RECEIVED of J. Elmer Weisheit, Jr., attorney for Inter-City Land Company, petitioner, the sum of \$10.00 being cost of additional advertising, petition for Reclassification, east side of Oakleigh Road, 9th District, Baltimore County, Maryland.

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10-1-4

3334

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY

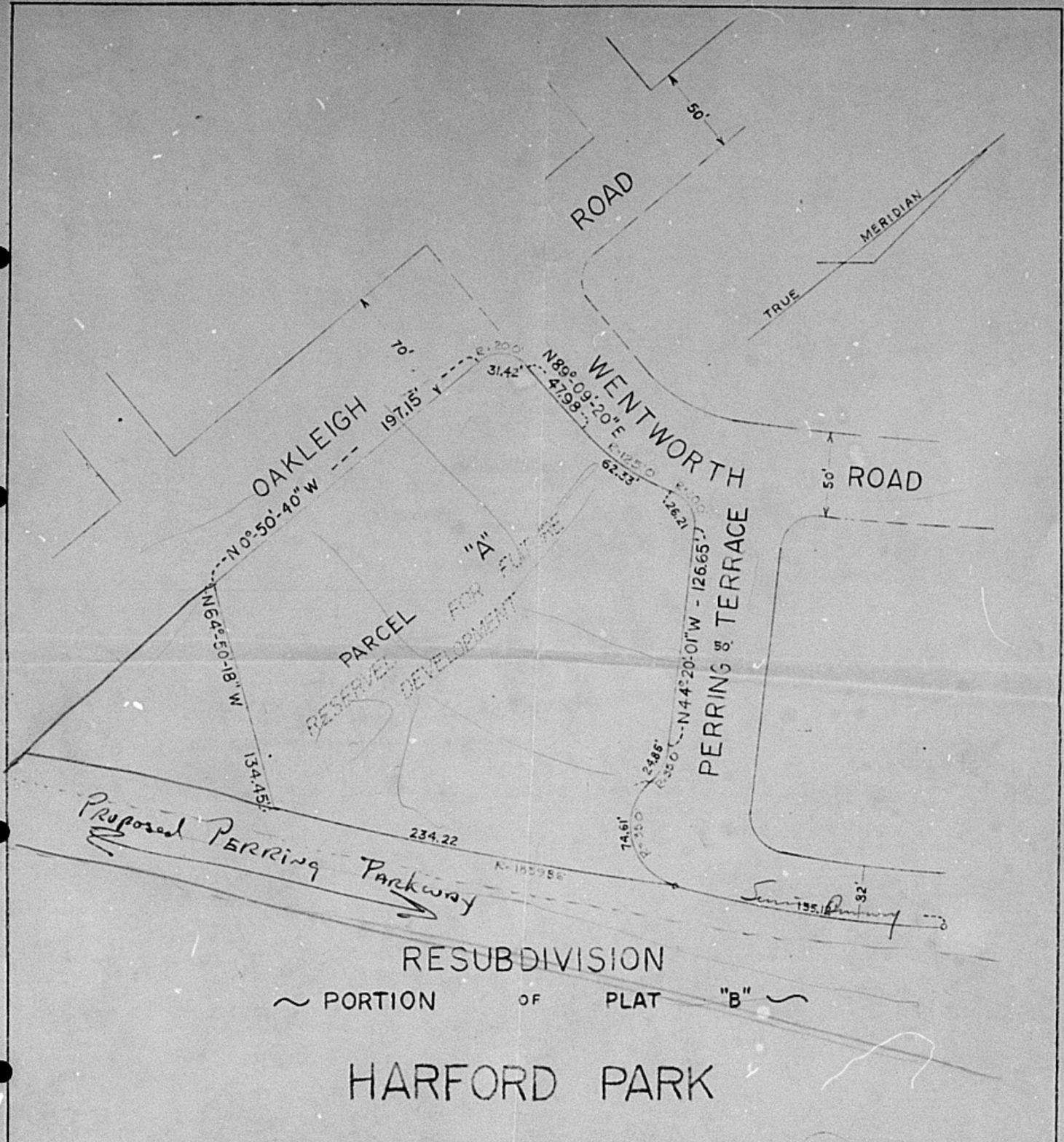
Inter-City Land Company vs. *Board of Zoning Appeals*

Case No. *10-1-4*

Total Due: *Balance of Board's fees* \$10.00

Please be prepared for trial on that day.

MICROFILMED GEORGE L. HYERLY, Clerk



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REG. No. 1105

SURVEYOR & CIVIL ENGINEER
4200 ELSRODE AVE. HA. 6-2144
BALTIMORE-14, MARYLAND

SCALE: 1" = 50' Nov. 26, '54