IN THE MATTER OF : BEFORE THE

PETITION FOR RECLASSIFICATION FROM AN "R-6" ZONE TO A "B.L." ZONE - E.S. KENWOOD AVENUE, 158 FEET S. HELWIG AVENUE - 14th DISTRICT : BOARD OF ZONING APPEALS

WILLIAM MONACELLI, ET AL, PETITIONERS : OF BALTIMORE COUNTY

OPINION

This is an Appeal from an Order of the Zoning Commissioner denying a reclassification from an "R-6" Zone to a "B.L." Zone of a lot of ground on the east side of Kenwood Avenue north of Helwig Avenue in the 14th Election District.

The property is now occupied by a residence. The Applicants stated it to be their desire to prepare and sell pizza pies on the premises, although the application is for a "B.L." classification which would permit any type of retail business allowed in that Zone.

We agree with the decision of the Zoning Commissioner that this application is premature and that this area is now under study by the Office of Planning and that a new Zoning Map for the entire district will shortly be ready for consideration by the County Commissioners.

It is our opinion that to reclassify this individual tract at this time would clearly be spot zoning for the benefit only of the Applicants and that it cannot therefore be approved at this time.

For these reasons we will sign an Order denying the reclassification.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 15th day of March, 1956, by the Board of Zoning Appeals of Baltimore County,

ORDERED, that the reclassification requested herein be and the same is hereby denied.

BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

Carl F. Haldeman

Chas. H. Doring

William Monacelli, 14th Dist. E/s of Kenwood Ave. 158' N. of Helwig Ave.

#3703

3703

JAN 23 56 AM

ZONING DEPARTMENT

JAN 23 56 AM

ZONING DEPARTMENT

Re: Petition for Reclassification from an "R-6" Zone to a "B.L." Zone - E. S. Kenwood Avenue, 158 feet S. Helwig Ave., 14th District - William Monacelli and wife, Petitioners

Jan. 23, 1956

Mr. Wilsie H. Adams
Zoning Commissioner
Towson, Md.

Mr. Commissioner:

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

William Monacelli
Petitioners

Address: 6300 Kenwood Ave., Balto. 6

Petition for Zoning Re-Classification

#3703

11-14

To The Zoning Commissioner of Baltimore County:-

I, or we, William + Virginia Monacelli legal owner of the property situate 6300 Kenwood Ave Balto. 6. Md.

East side of Kenwood Avenue, beginning 158 feet North of Helwig Avenue; thence Northerly and binding on the East side of Kenwood Avenue 74.15 feet with a rectangular depth Easterly of 124 feet to place of beginning.

hereby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an B-L zone.

Reasons for Re-Classification: From Resident To Commercial To Sell Pizza Pies - Spaghetti etc.

Size and height of building: front 31'2" feet; depth 24 feet; height 30 feet.
Front and side set backs of building from street lines: front 30 feet; side 36 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.

+ William Monacelli
+ Virginia Monacelli
Legal Owner

Address 6300 Kenwood Ave
Balto 6. Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 15th day of December 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 Reckord Building, in Towson, Baltimore County, on the 16th day of January 1956, at 3:00 o'clock P.M.

1/16/56
3 P M

Zoning Commissioner of Baltimore County

(over)

3703

JAN 9 - 1956

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 6, 1956

THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once~~ a ~~week~~ 2 times ~~successive weeks~~ before the 16th day of January 1956, the first publication appearing on the 30th day of December 1955.

THE JEFFERSONIAN,

P. Scarff
Manager.

Cost of Advertisement, $

NOTICE OF ZONING PETITION FOR RECLASSIFICATION—14TH DIST.

Pursuant to petition filed with the Zoning Commissioner of Baltimore County, for reclassification from an R-6 Zone to a B.L. Zone of property hereinafter described, and for a variance from the zoning regulations of the Zoning Law of Baltimore County, a public hearing will be held by the undersigned, duly authorized by the Zoning Commissioner of Baltimore County, in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson 4, Md., on Monday, January 16, 1956 At 1:00 P. M.

All that parcel of land in the 14th District of Baltimore County. Beginning on the East side of Kenwood Avenue 158 feet North of Helwig Avenue, thence North 74.15 feet, thence East 124 feet, thence South 74.15 feet, thence West 124 feet to the place of beginning. Being the property of William and Virginia Monacelli, as shown on the plat filed with the Department, being known as 6300 Kenwood Avenue.

By Order of WILSIE H. ADAMS, Zoning Commissioner of Baltimore County.

No. 30—Jan. 6

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#3703

District 14th Date of Posting 1-4-56

Posted for: Application to change from R-6 zone to B-L zone

Petitioner: William S. Monacelli

Location of property: E/S of Kenwood Ave. 158 ft. N. of Helwig Ave. Rt. 1 on Kenwood Ave.

Location of Signs: Corner on property known as 6300 Kenwood Avenue

Remarks:

Posted by George A. Hammond McAlister Date of return 1-5-56

Petition for reclassification from R-6 to B-L zone - E/s Kenwood Ave. 158' N. of Helwig Ave. - 14th Dist. - William Monacelli, et al - Petitioners

Hearing held on petition and property inspected by the Deputy Zoning Commissioner

Date of Hearing - 1/16/56 - Hearing advertised 1/6/56

Wednesday, January 4, 1956 at 9:00 A.M.

Public hearing on the property identified herein in Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

Mrs. Anna S. Dawson, 207 Jr Ch. - 5 Acres Ad.

Date of Posting 1-4-56

Posted for: Application to change from R-6 zone to B-L zone

Petitioner: William S. Monacelli

Location of property: E/S of Kenwood Ave. 158 ft. N. of Helwig Ave. Rt. 1 on Kenwood Ave.

Location of Signs: Corner on property known as 6300 Kenwood Avenue

Remarks:

Posted by George A. Hammond McAlister Date of return 1-5-56

December 15, 1955

$35.00

RECEIVED, of William Monacelli, the sum of Thirty-Five ($35.00) dollars, being cost of petition for Zoning Reclassification, advertising and posting property Kenwood Avenue and Hazelwood Avenue, Fourteenth District of Baltimore County.

Zoning Commissioner of Baltimore County

PAID
DEC 15
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

3703

January 23, 1956

$50.00

RECEIVED of William Monacelli, and wife, the sum of Fifty ($50.00) Dollars, being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Deputy Zoning Commissioner denying reclassification of property on east side of Kenwood Avenue 158 feet north of Helwig Avenue, 14th District of Baltimore County.

Zoning Commissioner of Baltimore County

RECEIVED
FEB 1 1956

3703

RE: PETITION FOR RECLASSIFICATION FROM AN "R-6" ZONE TO A "B.L." ZONE - East Side Kenwood Ave., Dist. 158 feet N. Helwig Ave., 14th District - William Monacelli and Virginia Monacelli, Petitioners

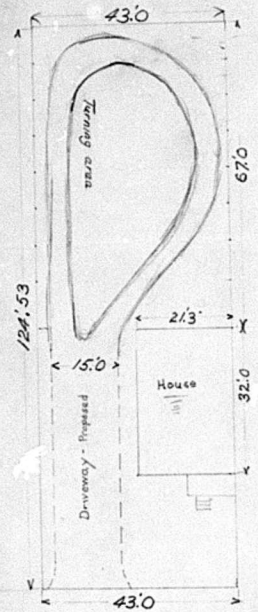
After having heard the testimony, viewed the subject parcel and at this time the Planning Board of Baltimore County is making a land use study of the area; further, that the Petitioner lacked plans for the proper or logical development of the parcel in question, the petition is premature and should be denied.

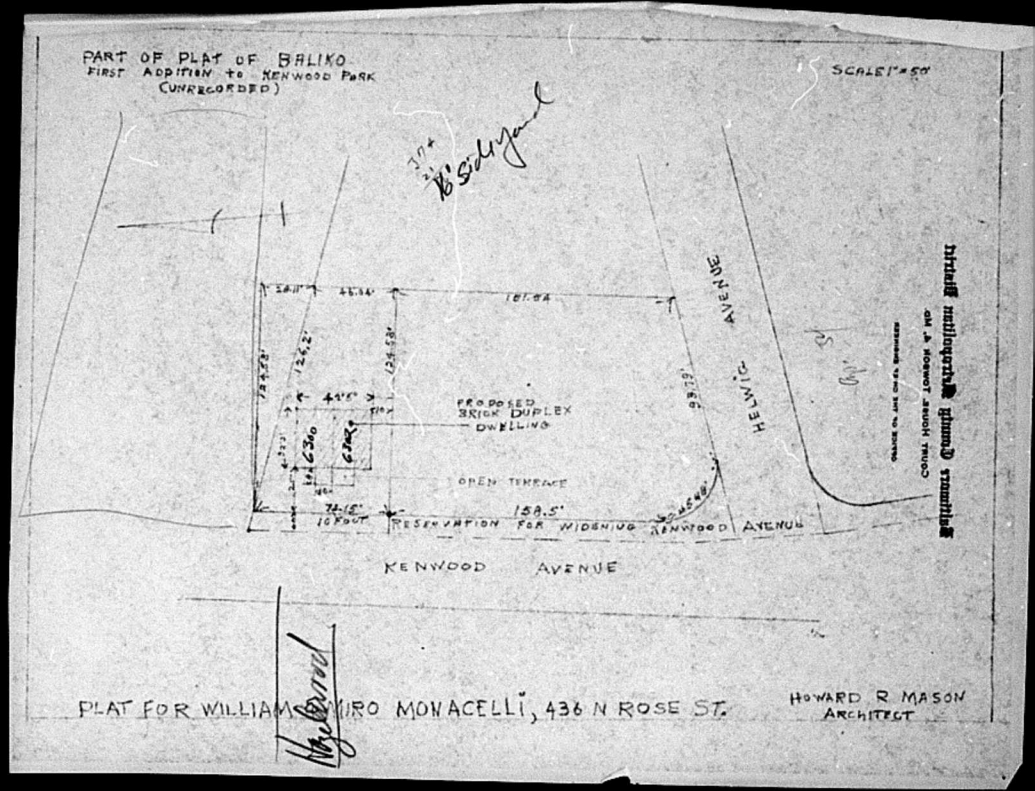
The intersection at Hazelwood and Kenwood Avenues is a dangerous one, being located on a hill, and without proper parking facilities would, without a doubt, be detrimental to the health, safety and the general welfare of those people living in this area, as well as those travelling through.

It is, therefore, this 19 day of January, 1956, ORDERED by the Deputy Zoning Commissioner of Baltimore County, that the above petition be and the same is hereby denied and that the area or property above described be and the same is hereby continued as and to remain an "R-6" (residence) Zone.

Deputy Zoning Commissioner of Baltimore County

Proposed driving area —
6300 Kenwood Ave. Zone #6



Mr. Wm. Monacelli
6300 Kenwood Ave
Baltimore 6, Md.

John R. Mease & Co.