

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County: Helen W. Wade
I, or we, JAMES PERRY WADE, ADA, legal owner(s) of the property situate

Beginning on the northwest side of Old Court Road North 51 degrees 04 minutes East 164.34 feet from the intersection of the northeast side of Liberty Rd. and the northwest side of Old Court Rd., running thence on Old Court Rd. North 51 degrees 04 minutes East 9.29 feet, thence North 31 degrees 34 minutes East 190.50 feet to the southerly property, thence said property 3 courses North 44 degrees 11 minutes West 304.60 feet North 31 degrees 34 minutes East 171.10 feet, South 44 degrees 11 minutes East 304.60 feet to the northwest side of Old Court Rd; thence on the same North 31 degrees 34 minutes East 248.70 feet; thence North 31 degrees 12 minutes West 735.18 feet; thence North 13 degrees 48 minutes East 660 feet to Church Lane, thence on said Lane North 49 degrees 12 minutes West 16.50 feet and North 64 degrees 12 minutes West 288.75 feet; thence leaving said Lane and running South 37 degrees 24 minutes West 1411.80 feet and South 40 degrees 04 minutes East 324.91 feet and South 42 degrees 24 minutes West 226.81 feet to the Northeast side of Liberty Rd; thence on said Road South 53 degrees 15 minutes East 855.20 feet; thence leaving said Road and running 2 courses North 42 degrees 45 minutes East 150 feet and South 53 degrees 15 minutes East 191.33 feet to the Northwest side of Old Court Rd. and the place of beginning.

use and subject to existing: 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.

James Perry Wade, ADA
212 Washington Avenue
Baltimore 4, Md.
Address: *1620 Liberty Road*
North Baltimore

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of March 1956, 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 Reckord Building, in Towson, Baltimore County, on the 25th day of April 1956, at 10 o'clock A.M.

Zoning Commissioner of Baltimore County

herby 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-1 Zone.
Reasons for Re-Classification: To develop properly a commercial area for the needs of a changing neighborhood.

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.

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Zoning Commissioner of Baltimore County

(over)

MICROFILMED

IN THE MATTER OF THE
PETITION FOR RECLASSIFICATION FROM AN "R-6" ZONE TO A "B-1" ZONE
M. W. Side Old Court Road,
2nd District, Balto. Co.

BEFORE

BOARD OF ZONING APPEALS

OF BALTIMORE COUNTY

No. 3790

This case and Case No. 3791, which concerns the adjoining property to the west, must be considered together since they both require expansion of commercial zoning at the northeast corner of Liberty and Old Court Roads.

This application is for the reclassification of approximately 27.5 acres at the northeast corner of Liberty and Old Court Roads from "R-6" Residential to "Business Local".

The principal protest comes from the members of Mount Olive Church which is located on the opposite side of Old Court Road. We fail to see how the church will be adversely affected by commercial activities opposite it. It is a matter of common knowledge that many of the oldest and finest churches in Baltimore are carrying on their activities completely surrounded by commercial properties, many of them in the downtown section of the City. It is obvious that during the hours when church services are customarily conducted most commercial establishments are closed.

The real question presented by this petition and by the petition in Case No. 3791 is whether substantial additional acreage

should be provided for commercial development in this section.

The Liberty Road area is one of the most rapidly developing sections of the County. Numerous residential developments are under way and others are planned for the immediate vicinity and it is obvious that this once quiet rural countryside will shortly become a busy suburban community with a need for shopping facilities beyond the contemplation of the zoning authorities of ten years ago.

We have already granted several reclassifications at other locations on the Liberty Road to meet the growing need.

That additional commercial facilities should be provided can hardly be denied. Our problem is to provide them at locations where they will not unduly disturb existing residential communities.

After a careful consideration of the testimony and of a study of the area we have concluded that this location is well adapted to commercial use. The Liberty Road frontage is already zoned commercial and scattered commercial uses are already in existence on both sides of the highway. No existing concentrated residence community will be affected and future residential development can be planned with relation to the commercial center.

We note that the Planning Board agree there is need for additional commercial facilities but suggest that the size be limited to "six or eight acres". With this we do not agree since experience indicates that the development of larger commercial centers can provide a much more satisfactory layout for parking, movement of vehicles and general public convenience.

We do not feel required to pass upon the question as to whether two large shopping centers of the type proposed in this

petition and in case No.3791 are commercially feasible. Our obligation is to some land sufficient to provide adequate, safe and convenient shopping facilities for the public at locations which will not adversely affect existing residential communities.

In granting this petition and the petition in case No. 3791 we feel we are carrying out this obligation under the standards established by our Courts in that the complete change of the character of this community justifies the change in zoning.

ORDER

For the reasons set forth in the foregoing Order, it is this 20th day of August, 1956, by the Board of Zoning Appeals of Baltimore County ORDERED that the reclassification sought in the petition filed herein be and the same is hereby granted from an "R-6" Zone to a "B-1" Zone.

BOARD OF ZONING APPEALS
OF BALTIMORE COUNTY

APPROVED:
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

James Perry Wade, ADA
Commissioner

Date: Sept 25, 1956

IN THE MATTER OF THE
PETITION FOR RECLASSIFICATION FROM AN "R-6" ZONE TO A "B-1" ZONE
M. W. Side Old Court Road,
2nd District, Balto. Co.

NOTICE OF APPEAL

MR. CLERK:

Please note an appeal in the above entitled matter from the Order of the Zoning Commissioner dated May 4, 1956, to the Board of Zoning Appeals of Baltimore County.

Kenneth C. Proctor
Kenneth C. Proctor
Attorney for James Perry Wade
and Helen W. Wade, Petitioners.

RE: PETITION FOR RECLASSIFICATION FROM AN "R-6" ZONE TO A "B-1" ZONE
M. W. Side Old Court Road - James Perry Wade and Helen W. Wade, Petitioners

Pursuant to the advertisement, posting of property and public hearing on the above petition, from the testimony produced at the hearing it is the opinion of the Zoning Commissioner that the reclassification should be granted, it being an extension of an existing "B-1" Zone to properly develop a planned commercial area with adequate off-street parking facilities, etc.

There was a protest only by the Mt. Olive Church, represented by George W. White, Jr., Esquire, this protest being against an entrance across from the church but not a protest to the granting of the reclassification.

It is the understanding of the Zoning Commissioner that counsel for the petitioners and the protestants will enter into a recorded agreement whereby there shall be no driveway from this property opposite the existing driveway leading into the church as it now exists from Old Court Road.

It is this 4th day of May, 1956, ORDERED by the Zoning Commissioner of Baltimore County, that the above petition be and the same is hereby granted, reclassifying the property from an "R-6" Zone to a "B-1" Zone.

James Perry Wade, ADA
Zoning Commissioner
of Baltimore County

EVERETT L. BUCHANAN
JAMES W. WHITE, JR.
GEORGE W. WHITE
GEORGE L. CLARKE
A. JOHN WENDLAND, JR.
BANKS L. HILL

BUCKMASTER, WHITE, WENDEL & CLARKE
10 LIGHT STREET
BALTIMORE 2, MD.

May 14, 1956

Mr. Wilsie H. Adams
Zoning Commissioner
Buildings and Zoning Department
of Baltimore County
303 Washington Avenue
Towson 4, Maryland

Re: Petition for Reclassification from an "R-6" Zone to a "B-1" Zone
M. W. Side Old Court Road and Dist. James Perry Wade and Helen W. Wade, Petitioners

Dear Mr. Adams:

Please note an appeal from your decision and Order of May 4, 1956 in the above-captioned matter to the Board of Zoning Appeals of Baltimore County. Appeal is being filed on behalf of Forest L. Lawton and John Fitz, individually, jointly and on behalf of various other members of the community, including the governing body of the Mount Olive Church.

It is requested that we be advised of the hearing date before the Board.

Very truly yours,

George W. White, Jr.
George W. White, Jr.

GWJ:j/LK

MY 14 56 AM
ZONING DEPARTMENT

RECEIVED
MAY 16 1956
CONTROLLER'S OFFICE
BY mv

RECEIVED
MAY 16 1956
COMMISSIONER'S OFFICE
By mw

Charges

RECEIVED
MAY 18 1955
COMPTROLLER'S OFFICE
By *WV*

credit to 01.623 \$37.00
credit to 01.622 \$22.00

NOV 1 1956
CONTINUED ON
PAGE 7

Prot #2 (7/12)

CC Bruce Watts
O. M. Stirling

By Order of
WILHIE H. ADAMS,
Eating Commissioner
of Baltimore County.

[illegible]

Towson, Md.

A regular meeting of the Baltimore County Planning Board was called to order at 1:00 P. M. on April 15th, 1956, by the Chairman.

Board Members: Messrs. Decker, Frantz, Funk, Gaudreau, Gris, Hellmann, Muller, Peper, and Stapleton.

Staff Members: Messrs. Dill, Stanton, and Mrs. Steiner.

Others: Mrs. Carr, Mrs. Stoll, and Mr. Wood.

Minutes of the April 14th Meeting: Mr. Frantz seconded Mr. Stapleton's motion for approval of the minutes of the April 14th meeting, which had been distributed to us prior to the meeting. The motion was carried.

Zoning Map - 14th Election District: Staff members presented suggested changes in the Industrial Zoning of the area along the Western Maryland Railroad, south of Bond Avenue. These suggested changes had arisen as the result of staff conferences with residents in the area north of Bond Avenue, and with developers of properties to the south of Bond Avenue. The changes involved a slight increase in the total amount of Industrial Zoning, providing for additional Manufacturing Restricted Zones as buffer strips between M. L. Zones along the railroad and adjacent residential areas. After a discussion, Mr. Peper seconded Mr. Stapleton's motion that the Board approve the suggested changes. The motion was carried.

After further discussion and review of the recommendations for zoning in the 14th District, Mr. Hellmann made the following resolution:

RESOLVED, That the Board adopt the proposed Master Plan for zoning, major roads, schools, and stream park reservations for the 14th Election District. Mr. Frantz seconded the resolution and it was carried unanimously.

Mr. Hellmann then seconded Mr. Stapleton's motion that the Board's Master Plan recommendations for zoning for the 14th Election District be forwarded to the Zoning Commissioner. The motion was carried.

Zoning Map - 3rd Election District - The Board considered the following suggested changes to the Zoning Map for the 3rd Election District which had arisen from the two public hearings that had been held, and from letters and other representatives which had been received since that time.

1. Rockland Bleach and Dye Works, Falls Road. - Mr. Frantz seconded Mr. Hellmann's motion that this property remain a non-conforming use in a residential zone. The motion was carried.
2. Requested changes to R. L. Zoning of properties at the southeast corner of Reisterstown Road and Randall Avenue, at the southwest corner of Colgate and Reisterstown Road, and at the southwest corner of Baylors Lane and Reisterstown Road, which the Board had previously recommended for R. L. zoning. Mr. Frantz seconded Mr. Hellmann's motion confirming the Board's previous action.

for 7/12
Printed

3. Former Curtis-Wright aircraft hangars on the south side of Smith Avenue. The Board devoted considerable time to discussion concerning this property, for which the owners have requested commercial zoning, with resultant strong local opposition. Several letters and petitions from interested parties were reviewed and the Board considered, in detail, the planning aspects involved in the conflicting interests. After discussion, Mr. Hellmann seconded Mr. Gris's motion that an area not exceeding 3 acres in extent, and including the two existing hangar buildings, be recommended for Business local zoning. The motion was carried, and it was agreed that a statement should be prepared, setting forth the factors and considerations which had led to the Board's decision. Such a statement is appended hereto, as a part of these minutes.

4. Suburban Club property fronting on Reisterstown Road - Mr. Hellmann seconded Mr. Funk's motion that this property be recommended for R. A. zone to a depth of 200 feet east of Reisterstown Road. The motion was carried.

5. Two areas of R.20 zoning, one at the northwest corner of Old Court Road and Falls Road, and another south of Valley Road in the Greenspring Valley, west of Falls Road. Mr. Gris seconded Mr. Frantz's motion that these areas be changed to R.40 zoning. The motion was carried.

6. Area south of Colonial Village, and west of Reisterstown Road - Mr. Frantz seconded Mr. Funk's motion that this area be recommended for R.6 rather than R. 6, in view of a report by the Department of Public Works, noting inadequacy of sewer capacity to accommodate multifamily development.

7. Area along Greenwood Road. - Mr. Funk seconded Mr. Hellmann's motion that these properties be recommended for R.6 or R.40 zoning, with the exception of the Thompson Trailer Company tract, which was recommended to be left, as at present, in M. L. zoning. The motion was carried.

8. Rosebloom Tract (Dumbarton Manor Subdivision) Old Court Road and Stevenson Road - One of the areas given final reconsideration by the Board prior to the adoption of the 3rd District Zoning Plan was the tract known as the Rosebloom property at the northeast corner of Stevenson and Old Court Roads. This property is now owned by Birchwood Homes, Inc., and as a subdivision is identified as Dumbarton Manor. From the standpoint only of appropriateness of land use the Board members noted their unchanged belief that ideally the tract should be developed with approximately 20,000 square-foot lots; but that this did not mean that the Board had revoked its previous tentative approval of the preliminary plan for Dumbarton Manor. Such approval was given in the belief that this layout, with its average of 17,000 square feet per lot, and the other well-studied aspects of the proposed design, provided a reasonable and acceptable compromise with what would appear to be ideal conditions for development.

It was noted, however, that a recent occurrence elsewhere has emphasized the fact that when once zoned R.40 (as this tract has been shown on the proposed Zoning Plan, except for the Old Court Road frontage) the 17,000 square foot lot sizes and other special arrangements provided for in connection with the tentatively approved plan would have no binding effect. If for any reason Birchwood Homes, Inc. should dispose of the tract without development, and if R.40 zoning were in effect, there could be nothing to prevent the purchaser from preparing a new plan that could have lots 70 by 142 feet, with 15% of the lots as small as 800 square feet. Such a thing has recently happened in another locality, where the lot sizes indicated by the new purchaser are appreciably smaller than those proposed by the former owner.

In view of the possibility of such a situation the Planning Board agreed unanimously that Birchwood Homes, Inc. should be advised that if, prior to or following adoption by the Board of County Commissioners of the proposed R.40 zoning for most of the subject tract, Birchwood Homes, Inc. should decide to dispose of the property, the Planning Board would take immediate steps to recommend to the Zoning Commissioner that he initiate a hearing and take action to rescue the entire tract to R.40.

After further discussion and review of proposals for the Third District, Mr. Stapleton made the following resolution:

RESOLVED, That the Board adopt the proposed Master Plan for zoning, major roads, schools, and stream park reservations for the Third Election District. Mr. Gaudreau seconded the motion and it was carried.

Mr. Hellmann then seconded Mr. Peper's motion that the Board's Master Plan recommendations for zoning for the Third Election District be forwarded to the Zoning Commissioner. The motion was carried.

Staff Personnel Recommendations: The Director requested that the Board approve a salary increase for Mr. Gavrila, Principal Planner, that Mr. Urban Moss be employed for summer work, and that a typist-clerk be engaged for work in the Project Planning Section. After discussion, the following motions were made and carried:

Mr. Hellmann moved that the Board approve, as of May 1, an increase in Mr. Gavrila's salary to \$7526. Mr. Gris seconded the motion.

Mr. Stapleton moved that the Board approve reemployment of Mr. Urban Moss for work during the summer months at the rate of \$70.00 per week. Mr. Frantz seconded the motion.

Mr. Hellmann moved that the Board approve employment of a typist-clerk, primarily to expedite the processing of subdivisions. Mr. Frantz seconded the motion.

Petition for Group House Zoning - Bank River Neck - Mr. Dill outlined to the Board factors involved in a petition for reclassification from R.6 to R. 6, zoning, for a tract of land of nearly 200 acres on the Bank River Neck peninsula. There was a discussion concerning the availability of utilities and schools in this area, the amount of land which has already been zoned for group house development in the general area, and other problems which result from high density development of large areas. After further discussion, Mr. Hellmann made the following resolutions:

RESOLVED, That the Board recommend to the Zoning Commissioner that he withhold reclassification of this property and other similar properties as being premature, where the capacity of utilities is critical, and where additional facilities will not be available for from three to five years, and where a Master Plan for Land Use and Zoning will have been adopted before the necessary relief utilities are available. Mr. Gaudreau seconded the resolution, and it was carried.

Accessory Buildings - Suggested change in Zoning Regulations: The Director presented a case where a developer wished to feature back to back accessory buildings along the common side yard lot lines of a semi-detached housing development, which could not be done under the present regulations, and read a suggested amendment which would permit such development. There followed a discussion concerning accessory buildings and the problems which could arise if they were permitted in side yards. The Board felt that it could not approve the suggested amendment but made suggestions which might solve the particular problem which had been brought up.

Proposed Commercial Zoning - Old Court Road and Liberty Road - The Director brought to the attention of the Board two petitions for reclassification to commercial zoning of adjoining tracts of land totalling about 60 acres. He reviewed the status of commercial zoning along Liberty Road, particularly in the areas near Milford Mill Road and Randalltown. He suggested that both of these areas were more logical locations for expanded commercial development than the Old Court Road area, and that in any case the latter was neither suitable nor logical place for the type of commercial development which would require as much as 60 acres. After discussion, the Board proposed further detailed study, but agreed that not more than 6 to 8 acres of the tract, abutting Old Court and Liberty Roads should be allowed for shopping center development in any case, and that it would not recommend the proposed reclassification of the tract to the northwest.

The members of the Board signed the official Master Plan recommendations which they had adopted earlier in the meeting.

A motion for adjournment was seconded and carried.

Next Meeting - May 2, 1956 - 2:00 P. M.

MEM
THE

Barbara M. Dill,
Secretary

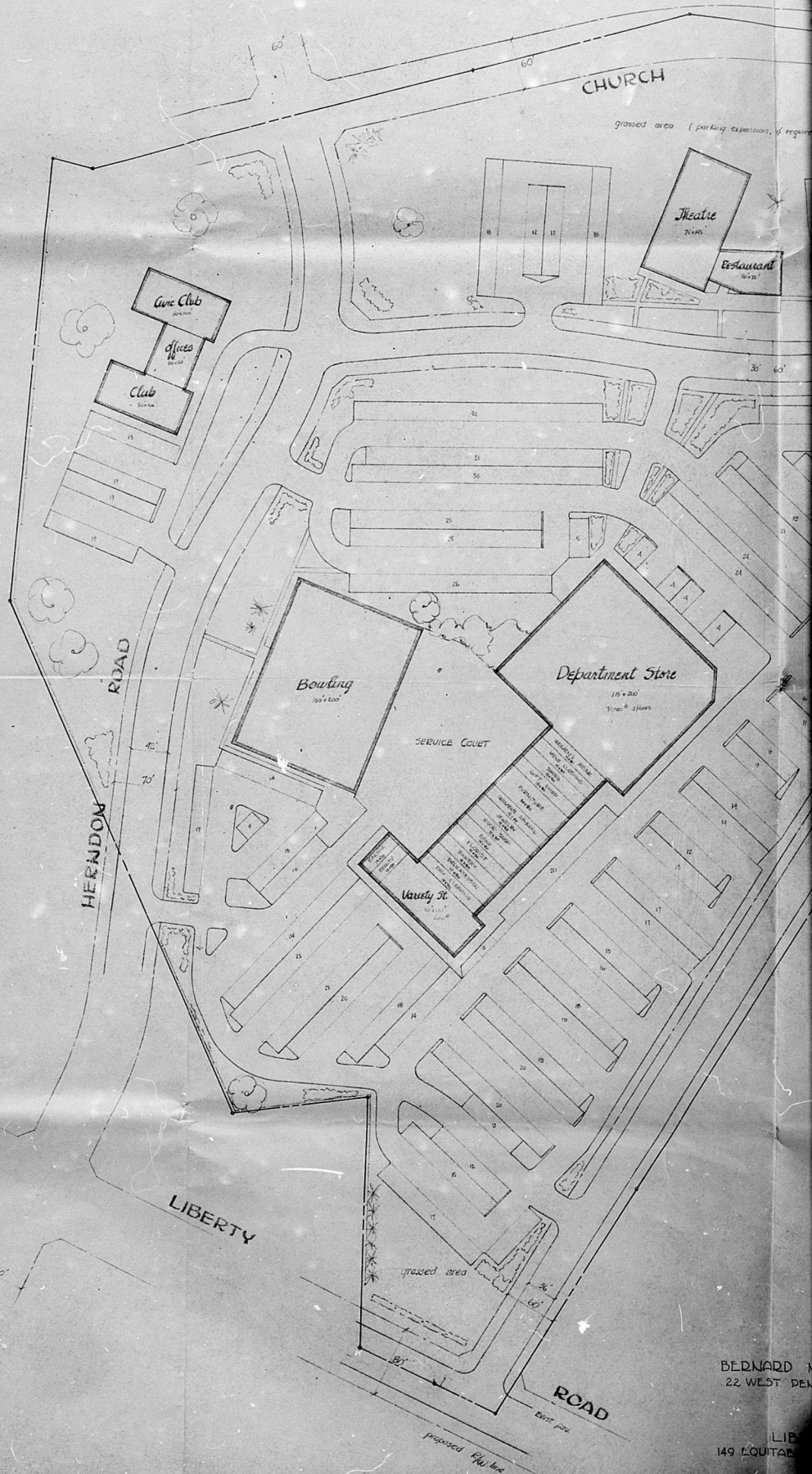
PROPOSED

SHOPPING &

RE



SCALE 1" = 50'
April 24, 1956



PROJECT DATA:

TOTAL AREA: 32.6 ac
STREETS: 2.64 ac
BLDG COVERAGE: 2.71 ac
PARKING & OPEN SPACES: 19.40 ac
RETAIL FLOOR AREA: 190,400 sq ft
PARKING SPACES: 982

BERNARD M.
22 WEST PEN

LIB
149 EQUITA

(required)



(required)

(required)



(required)

(required)

(required)

(required)