

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County—

I, or we, Franklin Construction Corp., legal owner..... of the property situate

All that parcel of land in the First District of Baltimore County on the Northeast corner of Bloomsbury Avenue and Spring Grove Lane; thence Northerly and binding on the East side of Bloomsbury Avenue 339.06 feet; thence North 84 degrees 17 minutes East 949.37 feet; thence South-easterly and binding on Catonsville Short Line 737.95 feet to the North side of Spring Grove Lane; thence Westerly and binding on the North side of Spring Grove Lane 403.7 feet to the place of beginning, as shown on plat plan filed with the Zoning Department, being property of Franklin Construction Corporation.

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 M-R zone.

Size and height of building: front.....feet, depth.....feet, height.....feet.
Front and side or back of building from street lines: front.....feet, side.....feet.
Property to be posted as provided by Zoning Regulations.

I, or we, agree to pay expenses of above reclassification, 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.

By David W. Chertkof
(David W. Chertkof)
Legal Owner

Address 207 W. Franklin St.
Baltimore, Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of Sept. 1957, 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 held in the office of the Zoning Commissioner of Baltimore County, in Room 108 County Ofc. Bldg. Baltimore County, on the 16th day of October 1957, at 10 o'clock A.M.

10/16/57
10 AM
11 SIGNS
A. J. MULLER
301 COURTROAD

Department of Public Works
BUREAU OF LAND DEVELOPMENT
Inter-Office Correspondence

From GEORGE H. LEWIS..... October 15, 1957

To WALTER H. ADAMS
Subject Zoning Petition #260
Reclassification - R6 to M-R
1/4 Cor Bloomsbury Ave & Spring Grove Lane
District 1

Due to the request for M.R. zoning, this office feels that comments on access and interior circulation should be withheld until the hearing is scheduled for development of this site under Manufacturing Restricted regulations.

GEORGE H. LEWIS
Chief - Permit Section

CC: Mr. Stirling (Planning)

RE: PETITION FOR RECLASSIFICATION : BEFORE
FROM AN R-6 Zone to an M-R : ZONING COMMISSIONER
Zone - NE cor. Bloomsbury Ave. : OF BALTIMORE COUNTY
& Spring Grove Lane, 1st. Dist.
Franklin Construction Corp.
Petitioner

Upon hearing on the petition for reclassification of the property described therein, from an R-6 Zone to an M-R. Zone, from the facts presented at the hearing, there was uncontradicted testimony before the Zoning Commissioner that the present traffic conditions on Bloomsbury Avenue are extremely hazardous.

However, there are plans to extend Delray Avenue sometime in the future which would relieve the hazardous conditions on Bloomsbury Avenue.

There being no time or date for the improvement and extension of Delray Avenue, it would seem that granting this petition at this time would be premature.

It is this 22nd day of November, 1957, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid 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 an R-6 Zone.

Walter H. Adams
Zoning Commissioner
of Baltimore County

Department of Public Works
BUREAU OF LAND DEVELOPMENT
Inter-Office Correspondence

From GEORGE H. LEWIS..... October 15, 1957

To WALTER H. ADAMS
Subject Zoning Petition #260
Reclassification - R6 to M-R
1/4 Cor Bloomsbury Ave & Spring Grove Lane
District 1

Due to the request for M.R. zoning, this office feels that comments on access and interior circulation should be withheld until the hearing is scheduled for development of this site under Manufacturing Restricted regulations.

George R. Lewis
GEORGE H. LEWIS
Chief - Permit Section

CC: Mr. Stirling (Planning)

RE: PETITION FOR RECLASSIFICATION * BEFORE
FROM AN R-6 Zone to an M. R. * ZONING COMMISSIONER
Zone - NE cor. Bloomsbury Ave. * OF BALTIMORE COUNTY
& Spring Grove Lane, 1st. Dist.
Franklin Construction Corp.
Petitioner

NOTICE OF APPEAL

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Please note an Appeal on behalf of the Petitioner from the order of the Zoning Commissioner entered in the above matter on November 22, 1957 to the County Board of Appeals.

Walter C. Mylander, Jr.
Walter C. Mylander, Jr.
Attorney for Petitioner

Copies of the foregoing Notice of Appeal were sent to Paul J. Yeager, Esquire, 1023-24 Fidelity Building, Baltimore 1, Maryland and to Richard W. Kiefer, Esquire, 34 U.S.F. & G. Building, Baltimore 2, Maryland, on November 29, 1957.

RE: PETITION FOR RECLASSIFICATION : BEFORE
FROM AN "R-6" Zone to "M-R" : COUNTY BOARD OF APPEALS OF
Zone - NE. Cor. Bloomsbury : BALTIMORE COUNTY
Ave. & Spring Grove Lane, 1st :
Dist., Franklin Construction :
Co., Petitioner

OPINION

The petitioner herein seeks to reclassify its property consisting of approximately 7.3 acres located at the northeast corner of Bloomsbury Avenue and Spring Grove Lane in the First District. The reclassification requested is from an "R-6" Zone to an "M-R" Zone in order to permit the erection of warehouses and a spur railroad line on the subject property.

The petitioner contended that the subject property, although some "R-6" was unsuitable for residential development because of its topography and proximity to the Power Plant and Yard Road of the Spring Grove State Hospital. Although admitting that Bloomsbury Avenue is presently too narrow for its present traffic load, the petitioner contended that proposed street improvements in the vicinity, although still in the planning stage, would answer objections on the basis of traffic hazard.

The protestants produced a representative from the Office of Planning who testified that reclassification at this time would be premature, a representative of the Board of Education of Baltimore County also testified that for the school year beginning

September 1958 there would be a combined attendance of approximately 4,400 pupils at the three public schools located in the vicinity and that approximately 1,100 of these students would be required to walk on Bloomsbury Avenue past the subject site to and from school. There are no sidewalks in this area. In addition, it was stated that thirty-nine school buses will use Bloomsbury Avenue twice each day.

The evidence presented in this case does not show a substantial change in conditions in the immediate neighborhood nor does it show that the present zoning is in error.

It is the opinion of this Board that the use sought by the petitioner, under existing street conditions in the vicinity of the subject property, will be detrimental to the public health, safety and welfare of the community. The present traffic situation on Bloomsbury Avenue is extremely hazardous and any increase in commercial truck traffic because of warehouse operations would subject the heavy pedestrian, school buses and private automobile traffic to even greater perils. The Board feels that it would be in error in granting a reclassification of the subject property in advance of the completion of street improvements in the vicinity.

ORDER

For the reasons set forth in the aforesaid Opinion, it is this 11th day of September, 1958, by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby denied.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter H. Adams
Walter H. Adams

NOTE: Mr. Agnew did not sit in the above case

FRANKLIN CONSTRUCTION COMPANY
a boy corporate

APPELLANT : IN THE
: CIRCUIT COURT FOR BALTIMORE COUNTY

vs : AT LAW

BALTIMORE COUNTY, MARYLAND :
a body corporate and politic :

APPELLEE :

ADDED TO NOTICE OF APPEAL AND ORIGINAL AND CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Mr. Clerk:
Please file, etc.

Secretary to the County Board
of Appeals of Baltimore County

Department of Public Works
BUREAU OF LAND DEVELOPMENT
Inter-Office Correspondence

From: GEORGE F. LINDS
To: WISLIE H. ADAMS
Subject: Zoning Petition #260
Reclassification - R6 to R8
775 East Bloomsbury Ave & Spring Grove Lane
District 1

October 15, 1957

Due to the request for R.6 zoning, this office feels that comments on notices and interior circulation should be withheld until the hearing is scheduled for development of this site under Manufacturing Restricted regulations.

GEORGE F. LINDS
Chief - Permit Section

OW:ls
cc: Mr. Stirling (Planning)

December 3, 1957

RECEIVED of the Franklin Construction Company the sum of \$50.00, being cost of appeal to the County Board of Appeals from the decision of the Zoning Commissioner denying the reclassification of property at the northeast corner of Bloomsbury Avenue and Spring Grove Lane, 1st District.

Zoning Commissioner

RECEIVED
DEC 3 - 1957
COMPTROLLER'S OFFICE

01.621

September 30, 1957

RECEIVED of Walter C. Johnson, Attorney for Franklin Construction Company, the sum of seven (\$7.00) Dollars being cost of certified copies of petition and other papers filed in the matter of reclassification of property at the northeast corner of Bloomsbury Avenue and Spring Grove Lane, 1st District.

Zoning Commissioner

RECEIVED
SEP 30 1957
COMPTROLLER'S OFFICE

01.622

September 24, 1957

RECEIVED of Franklin Construction Corporation, petitioner, the sum of Thirty-five Dollars (\$35.00), being cost of petition, advertising and posting property situate on the Northeast corner of Bloomsbury Avenue and Spring Grove Lane, First District of Baltimore County, Baltimore County.
Thank you.

Zoning Commissioner
of Baltimore County

REMARKS:
Wednesday, October 16, 1957
at 10:00 A. M.
Room 109
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland

RECEIVED
SEP 23 1957
COMPTROLLER'S OFFICE

01.623 - \$35.00

LAW OFFICES
MYLANDER, MYLANDER & AFWATER

WALTER C. MYLANDER JR.
HENRY A. MYLANDER
CHARLES C. AFWATER

CITY OF BALTIMORE BUILDING
BALTIMORE 1, MD.
TELEPHONE
PLAZA 7-1034

November 27, 1957

Mr. Wislie H. Adams
Zoning Commissioner of Baltimore County
County Office Building
111 West Chesapeake Avenue
Towson 4, Maryland

Re: Petition for Reclassification from and R.6 Zone to an M.R. Zone - 1st cor. Bloomsbury Ave. & Spring Grove Ln. 1st. Dist., Franklin Construction Co. p., Petitioner

Dear Mr. Adams:

You will find enclosed Notice of Appeal in the above matter.

Very truly yours,

Walter C. Mylander
Charles C. Afwater

CCWA:he
Enclosure

November 1, 1957

\$11.00
RECEIVED of David W. Chertkof, the sum of Eleven Dollars (\$11.00) to cover cost of additional advertising and posting property situate on Bloomsbury Avenue, First District of Baltimore County.
Thank you.

Zoning Commissioner
of Baltimore County

01.625 - \$11.00

RECEIVED
NOV 1 1957
COMPTROLLER'S OFFICE

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#-1260

District 1st
Date of Posting 10-2-57
Posted for: An R-6 Zone to an M-R Zone
Petitioner: Franklin Construction Co.
Location of property: N.E. Corner of Bloomsbury and Spring Grove Lane
1st. Dist. Baltimore
Location of Signs: On corner N.E. Corner of Bloomsbury and Spring Grove Lane
Corner of 115th and 116th St. off E. Bloomsbury and on NW S of Spring Grove Lane
Sign 300 ft. N of Spring Grove Lane at NW S of Bloomsbury Ave.
Remarks: See map
Posted by: David W. Chertkof Date of return: 10-3-57

