

The Circuit Court for Baltimore County  
THIRD JUDICIAL CIRCUIT OF MARYLAND  
LESTER A. BARRETT  
TOWSON 4, MARYLAND



January 24, 1961

Board of Appeals  
County Office Building,  
Towson 4, Maryland

RE: Mandel  
vs  
Board of Appeals  
for Baltimore  
County

Gentlemen:  
I enclose herewith copy of Order which I  
have this date filed in the above proceedings.

Very truly yours,  
*Leiter L. Barrett*  
Leiter L. Barrett

LLB:es

4344  
JUN 25 1961  
ZONING DEPARTMENT  
COUNTY OFFICE BUILDING  
TOWSON 4, MARYLAND

JULIUS MANDEL, and  
TONY WEIL MANDEL, his wife  
vs  
SPIRO F. AHEEN  
MATHEW H. KAUFMAN, JR.  
CHARLES STEINBERGER, JR.  
Consisting of the Board of  
Appeals for Baltimore County, et al.



AP LAW  
MAY 1 1961

ORDER

In accordance with the Opinion and Order of the Court  
of Appeals of Maryland, in the above entitled proceedings,  
it is this 24th day of January, 1961, by the Circuit Court  
for Baltimore County, Ordered that the decision and order  
of the Board of Appeals for Baltimore County, denying a  
reclassification of the property described in these pro-  
ceedings, is hereby affirmed and sustained.

*Leiter L. Barrett*  
Judge

RE: PETITION FOR RECLASSIFICATION  
From an "R-10" Zone to "R-20"  
16 S. Seminary Ave., 2200' W.  
Dulany Valley Road, 9th Dist.,  
Julius Mandel, et al.  
Petitioners

HERCE  
COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY  
No. 1344

OPINION

The petitioners herein seek to reclassify their property  
on the north side of Seminary Avenue for a distance of 2200 feet west of  
Dulany Valley Road in the Eighth District. The higher density zoning  
requested is from an "R-10" Zone to an "R-20" Zone.

In November, 1955, after study by the Department of  
Planning and the required public hearings, the zoning map for this area  
was enacted into law. As has been stated in previous cases before this  
Board, there is a presumption in favor of the validity of this map which  
presumption must be overcome by the property owner to justify this  
reclassification. Although the petitioners owned the subject property  
at the time public hearings were held in 1955 they made no objections  
to the classification of their property as "R-10" on the zoning map.

The petitioners attempt to show that the original  
zoning was in error and that the highest and best use of this 26 acre  
tract would be under the classification of "R-20". Such reclassification  
would enable the petitioner to build approximately 46 houses on lots of  
one-half acre each.

The evidence in this case does not show any substantial  
change in conditions in the immediate neighborhood. Adjoining properties

to the north, south and east is zoned "R-10". Witness for the petitioners  
testified that "R-20" zoning would not be detrimental to the area, the  
subject property was suitable for "R-10" homes.

After careful consideration, the Board is of the opinion  
that no error in original zoning exists; further, that there are no  
factors which would seriously impair the development of the subject  
property in its present category; and further, that the claim that houses  
are sold more readily with smaller lots is not a valid reason for reclas-  
sification to a higher density.

ORDER

For the reasons set forth in the foregoing opinion,  
it is this 14th 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

*William K. ...*  
*Ed. ...*

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

Petition for Zoning Re-Classification #4344

To The Zoning Commissioner of Baltimore County— (his wife)  
Koe vs. Julius Mandel and Tony Weil Mandel, legal owners, of the property situate  
in the Eighth Election District (see description attached hereto and made a part  
hereof.)

NEW MAP  
#9  
R-20  
1/17/58

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-10" zone to an "R-20" zone.  
Reasons for Re-Classification: That an "R-20" is the best economic use for the  
property, and that the property was originally erroneously zoned "R-10".

Site 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.

*Julius Mandel*  
*Tony Weil Mandel*  
Noted by James F. Offutt, Jr.  
Address: Masonic Building  
Towson 4, Maryland

ORDERED By The Zoning Commissioner of Baltimore County, this 6th.....day of  
January.....1958 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 Bal-  
timore 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 Beekerd Bldg., in Towson, Baltimore County, on  
the 10th.....day of.....February.....1958, at 10 o'clock.....A.M.

Zoning Commissioner of Baltimore County

JAN 6 1958 (over)

JULIUS MANDEL, and  
TONY WEIL MANDEL, Petitioners  
Petition for Reclassification  
From an "R-10" Zone to an "R-20"  
Zone - N. S. Seminary Ave.,  
2200' W. of Dulany Valley Road,  
9th District, OF BALTIMORE COUNTY

ORDER OF APPEAL

Mr. Commissioner:  
Please enter an appeal to the Board of Appeals of Baltimore  
County, Maryland, from your Order dated March 27, 1958, denying the  
reclassification of the above property.

*James F. Offutt, Jr.*  
James F. Offutt, Jr.  
Attorney for Petitioners

I HEREBY CERTIFY, that on this 2nd day of April, 1958,  
I have mailed a copy of the foregoing Order of Appeal to Daniel S. Brewster,  
Esquire, 26 West Pennsylvania Avenue, Towson 4, Maryland.



*James F. Offutt, Jr.*  
James F. Offutt, Jr.

Pursuant to the advertisement, posting of property, and public hearing on the above petition  
and it appearing that by reason of.....

It is Ordered by the Zoning Commissioner of Baltimore County this.....day of  
.....1958, that the above described property or area should be and the same is  
hereby reclassified, from and after the date of this Order, from.....  
to.....

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.....~~ from the testimony presented at the hearing it was dis-  
closed that the existing septic tanks being used in the area are giving considerable  
trouble and to grant the reclassification would be detrimental to the health,  
safety and the general welfare of the community, therefore.

It is Ordered by the Zoning Commissioner of Baltimore County, this 27th.....day of  
March.....1958, 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.....  
"R-10" zone.

*John A. ...*  
Zoning Commissioner of Baltimore County

Approved.....  
County Commissioners of Baltimore County

Date..... By..... President

November 3, 1958

RECEIVED of James F. Offutt, Jr., Attorney for  
Julius Mandel, petitioner, the sum of Eight (\$8.00)  
Dollars being cost of certified copy of petition, etc.,  
in the matter of reclassification of property on north  
side of Seminary Avenue west of Dulany Valley Road, 9th  
District.

Zoning Commissioner

01632-867

REC'D  
NOV 3 1958  
COUNTY BOARD OF APPEALS

February 11, 1958

\$9.50

RECEIVED of Julius Mandel, petitioner, the sum of Nine Dollars and fifty cents (\$9.50) to cover cost of advertising the property situate on the North side of Seminary Avenue, 2200 feet Westerly from Dulany Valley Road.

Thank you.

Zoning Commissioner  
of Baltimore County

01.622-119.50

RECEIVED  
FEB 11 1958  
COMPTROLLER'S OFFICE  
BY N

January 26, 1958

\$9.00

RECEIVED of James F. Offutt, Jr., attorney for petitioner, Julius Mandel, the sum of Nine Dollars (\$9.00), to cover cost of petition, advertising and posting the property situate on the North side of Seminary Avenue, 2200 feet Westerly from Dulany Valley Road.

Thank you.

Zoning Commissioner  
of Baltimore County

01.622-119.00

RECEIVED  
JAN 27 1958  
COMPTROLLER'S OFFICE

4344  
April 7, 1958

\$60.00

RECEIVED of James F. Offutt, Jr., attorney for Julius Mandel, et al, petitioners, the sum of Sixty (\$60.00) Dollars being cost of appeal to the County Board of Appeals from the decision of the Zoning Commissioner denying the reclassification of property on north side of Seminary Avenue 2200' west of Dulany Valley Road, 9th District.

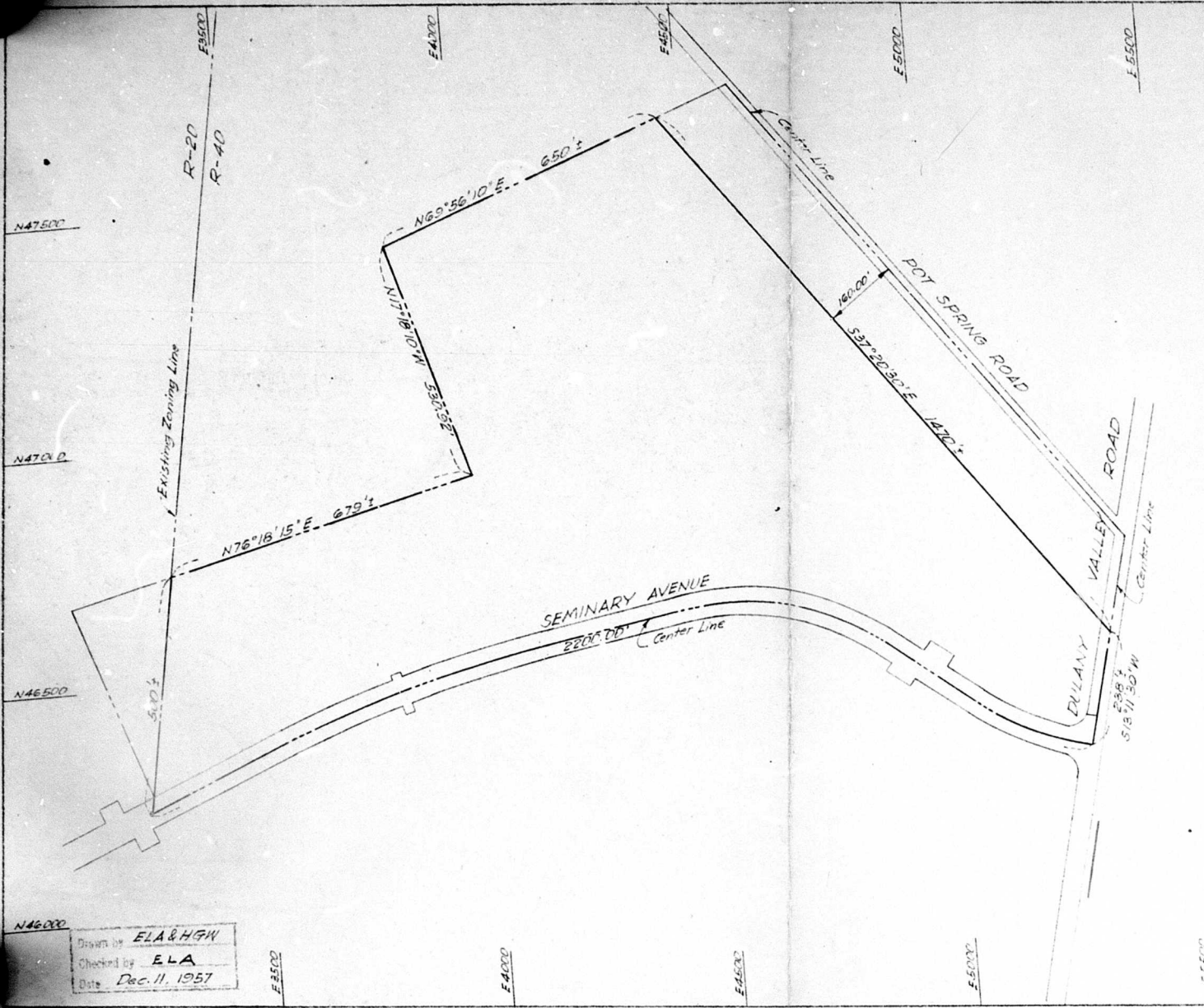
Zoning Commissioner

01622-\$60.00

RECEIVED  
APR 8 - 1958  
COMPTROLLER'S OFFICE

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District 9<sup>th</sup> Date of Posting 1-30-58  
Posted for: Gov. P-40 Zone to Gov. P-20 Zone  
Petitioner: Julius F. Mandel  
Location of property: 1/4 S. of Seminary Avenue, 2200 feet Westerly from Dulany Valley Road, 9th District  
Location of Signs: on north side of Seminary Ave. 2200 feet Westerly from Dulany Valley Road, 105 ft., 275 ft. west of Dulany Valley Rd. on the N.S. of Seminary Ave.  
Remarks: None  
Posted by: George R. Spinnaker Date of return: 1-31-58  
Signature



#4344  
 NEW MAP  
 #9  
 R-20

PLAT  
 SHOWING TRACT TO BE REZONED  
 FROM R-40 TO R-20

9<sup>TH</sup> DISTRICT  
 BALTIMORE COUNTY  
 MARYLAND



DAVID W. PALMER  
 ENGINEER & LAND SURVEYOR  
 1017 E. GAY PARK AVE. BALTO 1, MD.  
 SCALE 1"=200' DRAWN Dec. 11, 1957

Drawn by **ELA & HGW**  
 Checked by **ELA**  
 Date **Dec. 11, 1957**

