| E / | # 4688 |
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| - M | |
| PETITION FOR | (1) ZONING RECLASSIFICATION |
| To the Zoning Commissioner of | |
| I, or we, lis | sted below Legal Owners SEC.3- |
| of the parcels of land here | pafter described and designated as Parce s 7/12/59 |
| | 11 |
| hereby petition (1) that the | soning status of the above described |
| | rsuant to the Zoning Law of Baltimore |
| County, from an R-6 | Zone to an B-L Zone; and |
| (2) for a Spotal Exception, | under caid Zoning Law and Zoning Regu- |
| lations of Baltimore County, | to use the above described property, |
| for | |
| Description to be accepted | d as prescribed by Zoning Regulations. |
| rroperty to be postere | as prescriced by source and second |
| I, or we, agree to pa | ay expenses of the above reclassi- |
| | |
| fication and Special Exception | on, advertising, posting, etc., upon |
| The second secon | on, advertising, posting, etc., upon further agree to and are to be bound |
| filing of this petition, and | |
| filing of this petition, and | further agree to and are to be bound i Restrictions of Baltimore County, adopted |
| filing of this petition, and by the Zoning Regulations and | further agree to and are to be bound i Restrictions of Baltimore County, adopted |
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| filing of this petition, and by the Zenine Regulations and pursuant to the Inning Law Committee Precisions: Committee Precisions: Committee Commit | further agree to and are to be bound in instrictions of Hallinger County, adopted relationer County. **Homitage County** **Homitage |
| filing of this petition, and by the Zonine Regulations and pursuant to the Zonine Regulations and pursuant to the Zoning Law Construct. Perchasers altern Development Consulty Meadlement Consulty Meadlement Consulty Meadlement Consulty Meadlement Consulty | forther agree to and are to be bound a Bestrictions of Baltimore Gounty, adopted or Baltimore County. **Theorem County** * |
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| filing of this petition, and by the Zening Regulations and purcuant to the Zening Regulations and purcuant of the Zening Regulations and the Zening Regulations of the Zening | further agree to and are to be bound a Bestrictions of Baltimore Gousty, adopted or Baltimore County. **The County County adopted or Baltimore County. **The County County adopted **The County County adopted **The |
| filing of this petition, and by the Zenine Regulations and pursuant to the Inning Law Co Contract Purchasers also Development Consulty Mendelment | forther agree to and are to be bound in Battrictions of Haltimore County, adopted relationer County. **Manufacturers** **Adopted County** **Bound |

ZONING DEPARTMENT OF BALTIMORE COUNTY

WILLIE H. ADAMS

WILLIAM L BOMOTT

JEANSTIS C. HARRIS

NCTICE OF HEARING F. Christian Anderson, et al Reckord Building Towson L, Maryland Re: West side of Falls Road, 34 feet South of the South side of Lake Avenue TIME: 10:00 A.M. PATE: Monday, July 20, 1959 FLACE: Roca 106, County Office Smilding, 111 N. Chesapeake Avenue __Towner, Manyland Zoning Commissioner of Baltimore County

RECEIPT PAID- telrimote County bell 200 TO GET PLANSE __ RECEIVED of: The Allen Company
LACATION OF TROLERTY: V/o of Palls Ma, No. 5 of the S/o of Landau AMOUNT: **66.00**

Zening Commissioner of Baltimore County

ADDITIONAL STONATURES Florence G. Welk 1080 EACH RO

Margarat Newbar, Margaret N. Macatee

\$50.00

01.622

by: Youral & Newbay Conrad E. Nowbay, co-tagant and agent

process poor to the

Linea Well Eggs

August 10, 1959

Zonine Commissioner

PAID - Buildingre County, Mel - Office of Rhunes

50.00

50.00

8-1159 4307 · · TIP-

8-1159 4307 . . TIP-

RECEIVED of Donald A. T. Fair, Attorney for Protestante,

the sum of Fifty (\$50.00) Dollars being cost of appeal to the

County Board of Appeals from the decision of the Zoning Com-

missioner granting reclassification of property of F. Christian

Andersen, et al, on west side of Falls Road 3h' south of south

side of Lake Avenue, 9th District.

RS: PETITION FOR REGLASSIFICATION : from an "r-6" Zone to a "B-L" Zone - W. 5. Falls Read Sh' S. : Lake Are., 9th District -F. Christian Andersen, et al, : Politioners

OPINION The Petitioners in this case request reclassification from an "R-6" Zone to a "B-L" Zone of approximately four and one-half acres of land upon which they propose to erect a local shopping center. The subject property fronts for a distance of 35% feet along the west side of Falls Road and roughly opposite Loke Averue. In November, 1955 the moning map now in force was adopted, continuing this property in a residential category.

BL

BALTIMORE COUNTY

No. 1688

From the weight of the evidence before us, including the disinterested testimony of Mr. German G. Covenille. Deputy Director of the Office of Planning, who stated that "residential use is unrealistic". it is clear that this land is unfit for the existing classification. A fall off in elevation of about 25 feet from road to swampy year will require prohibitively expensive filling for residential uses someone. the character of the abutting proporties on the west side of Falls Hoad is predominantly industrial and tends to discourage residential buildings.

The Protestants live mostly in an excellent residential community on the east side of Falls Road, known as Lake Falls. The development of the shopping center could not, in our opinion, depreciate their

#4688 MAP properties. It is more likely that the opposite effect will result when #9 this run-down land is improved. The Pourd has no hestitation in finding COUNTY BOARD OF APPEALS SEC. 3 an error in original soning sufficient to support a reclassification. Had

> Under the case of Price we Cohen and others that followed it. the Court of Appeals charged this Board with the responsibility of determining, in addition to change in the neighborhood and error in original soning, that the reclassification sought would not adversely affect the health, safety or general welfare of the neighborhood involved. Much evidence was offered by the Protestants to show traffic basawis. Then point to the severe slope of Lake Avenue, which presently dead-ends directly across from the proposed shopping center entrance; they lament the heavy traffic on Falls Road; they introduce records to show nine accidents, between November 16, 1957 and June 26, 1959 on Falls Road between Lake Avenue and Palls Road Bridges they are concerned about the narrowness of both Falls Road and Lake Avenue.

this been the only numbles, this decision would not been been held up for

These fears are understandable but not, after careful reflection, justified. It is true that Lake ivenue has a steen grade with an automatic traffic signal at its dead-end, but continuing traffic across into the shopping center will not increase the existing hazard; it is true that Falls Road is heavily travelled, but sight distances are adequate, the speed limit is 30 miles per hour, and all traffic entering and leaving the center will be controlled by the traffic light; it is true that there have been nine accidents in the period stated but only two have been at the intersection and of the entire nine only three were injumy cases - Couther the traffic light was not installed until 1958.

SUNTY DEPARTMENT OF PUBLICA

From George R. Lewis Wilsie H. Adams Zoninc Petition #6688 Reclassification
W/S Falls Road 34' S of Lake Avenue
Mistrict 9
F, Christian Anderson et al.

This office has the following comment with reference to the subject Zoning Petition:

Any zoning of this property should except that area required for the flood plain for Jones Falls.

Gerrie R. Louis
Gerrie R. Louis
Chief - Permit Section
Mission of Land Development

July 10, 1959

co. Planning (Nr. St. rling)

COMMENT MINERS
JOHN B FUNE,
CHAMBER OF COMMES. V.
AND SHEETER OF MINES IN
PAUL J BALLY
HAMSE P REMINISTRUD
LANGUAGE O CLADETT
FHOMAS N. RAY.
JOHN J HEMOLER
WILLIAM B OWNOR

植 STATE ROADS COMMISSION

C. H. PEASE.
SECRETARY
A. S. GOMDON.
Ex ASST TO C.

July 16, 1959 Mr. Wilsie H. Adams Zoning Commissioner County Office Building Towson 4, Maryland RB: Zoning Petition #4688 Change from R-6 Zone to a B-L Zone West side of Falls Rd. (Etc. 25) South side of Lake Avenue.

Dear Mr. Adams:

This office has reviewed the subject petition and has no objection to the Change, however, ? the Zoning Comissioner should see fit to grant the petition, it is requested that the plans for egress and ingress be made subject to the approval of the State Roads Commission.

Thank you for your cooperation.

Very truly yours. Edward D. Reilly

Thu & Auer

JLD/144

P. t. E. 31

RECLASSITICATION—STH DISTRICT

Purman is permisse from with the Encilor

permission of the permission the Manday, July 24, 1213, At 10:00 A. M.

The state of the s

WH.SEE II. ABAMA Zeeing Commissioner of Zullimore County.

fir ander of

19.52...

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 10, 19.59 THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., oncocinceach are 2 times successive weeks before the 20th day of July 19.59, the first publication appearing on the 3rd day of July

THE JEFFERSONIAN,

Cost of Advertisement, \$_____

ORDERED by the Zoning Commissioner of Baltimore County

June that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aferesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 20th day of , 1959 , at 10:00 o'clock

> Zening Conmissioner of Ealtimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition, the records of the Zoning Department disclose that this is the third request for reclassification of the subject property in the last 12 years. The property being located on the west side of Falls Roas, going westerly to the Jones Falls, it is apparent that it is unfit for residential development, therefore, an error was made in the sening of the property residential at the time the zoning map was adopted

For the above reasons it is the opinion of the Zoning Commissioner that the subject property should be reclassified as potitioned.

for the Ninth District.

It is this 29th day of July, 1959, by the Zoning Commissioner of Saltimore County, that the aforesaid multion for reclassification, should be and the care is bereby reclassified from and after the date of this Order from an "R-6" Zone to a "B-L"

Baltimore County.

NOTICE OF ZONING PETITION FOR RECLASSIFICATION - 9th DISTRICT

Pursuant to petition filed with the Loning Commissioner of Baltimore County for change or reclassification from a B-6 Zone to a b- Lone of the property hersinafter described, the Loning Cormissioner of Aultimore County, by authority of the Loming Lot and equiations of Baltimore County, will make a public hearing in Roca 108, County 'ffice Publisher, Ill' w. Chesapeake Avenue, Towson, Marylands

On Monday, July 20, 1959

at 10:00 A.H.

to determine whether or not the following mentioned and described property should be changed or reclassified at aforesaid for Business Local to with

All that parcel of land in the Minth District of Bultimore County beginning for the same at a point on the est side of the falls food, Ik feet South of the outh side of Lake Avenue if continued Westerly; thence running and binding on the West side of Falls Toad North 12 degrees 15 minutes West 390 feet; thence North 81 degrees 42 minutes West 137 feet; thence Sorth 20 degrees in minutes West 155 fort; thence South 31 degrees 03 minutes West 105 feet; thence due South 325 feet to a point on the North side of fairfield avenue; thence running along the North side of said alley as now laid out Easterly 190 feet to a point in line with the West side of the lot comed by Krs. J. S. Sanders; thence running on a line in line with the Mest side of said L. R. Sanders lot Mortherly 12 feet; thence running on a line parallel to the North side of said ten foot alley Engterly 56 feet to a point; thence Southerly 12 feet to the North side of said alley; thence running along the North side of said alley Easterly 30 feet; thence North 12 degrees 18 minutes West 68 feet; thence Marterly 161 feet to the place of beginning, as shown on plat plan filed with the Zoning Department, being property of F. Christian Anderson et alj.

> BY Order of Wilsie H. Adams Zoning Commissioner of Baltimore County

trust get aget with Con plan of your Talls - BSD

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

