

RE: PETITION FOR RECLASSIFICATION
FROM "B-20" and "B-20" Zones to
an "B-4" Zone - Domingion Circle
277 1/2 W. Kensington Drive, 9th
District - The Monodale Build-
ing Co., Petitioner

RE: PETITION FOR RECLASSIFICATION
FROM "B-20" and "B-20" Zones to
an "B-4" Zone - Domingion Circle
277 1/2 W. Kensington Drive, 9th
District - The Monodale Build-
ing Co., Petitioner

OPINION

This is a reclassification from an "B-20" Zone and an "B-6" Zone to an "B-4" Zone of a piece of property located on Domingion Circle, 277 feet west of Kensington Drive in the Ninth Election District of Baltimore County.

In reaching a decision on this petition, great weight must be given to the topography of the land. Slopes ranging from 14% to 10% exist on a bank located on the southmost part of this property.

Testimony by Mr. Lester Nats, a civil engineer, was to the effect that development of this property in a residential category would be impractical due to the high cost that would be encountered because of the fill needed for storm drainage. Further, the development of this land for individual cottage use would be impractical due to the steep topography of the ground.

From the testimony presented the Board must reach the conclusion that the property is of steep hillside character and its use as existing circumstances economically impractical as well as undesirable for cottage type development.

Furthermore, the Board has considered the impact on this property which has resulted from the completion of the new Charles Street extension and has also considered the ever increasing demand for apartment zoning in Baltimore County. Neither of these conditions could have been properly contemplated by the County Commissioners of Baltimore County in the adoption of the Land Use Map for the Ninth District on November 14, 1955.

In conclusion the Board feels that the development of this property for garden type apartments will not have a detrimental effect on the surrounding areas. Further, that apartment use is compatible with the overall plan for this area and to deny the petition would be a denial to the property owner of the proper use of his land.

ORDER

For reasons set forth in the foregoing Opinion, it is this 22nd day of November, 1960, by the County Board of Appeals, ORDERED that the aforesaid petition for reclassification from an "B-20" and an "B-6" Zone, be and the same is hereby granted to an "B-4" Zone.

Any appeal from this decision must be in accordance with Rule No. 1103 of the Rules of Practice and Procedure of the Court of Appeals of Maryland.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

W. Mitchell
Spencer

RE: PETITION FOR RECLASSIFICATION
FROM "B-20" and "B-6" Zones to
an "B-4" Zone - Domingion Circle
277 1/2 W. Kensington Drive, 9th
District - The Monodale Build-
ing Co., Petitioner

REPORT
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 4857

Upon hearing on the above petition for reclassification of property on Domingion Circle 277 feet west of Kensington Drive, in the Ninth District of Baltimore County, from "B-20" and "B-6" Zones to an "B-4" Zone, the petitioner is seeking a practical and proper use for a hillside property.

Testimony was rather confusing. The petitioner stated that he was advised by the Office of Planning that "B-4" zoning should be requested for the site. The Director of Planning and Zoning indicated that the present "B-6" zoning is undesirable and that the "B-20" zoning would be proper. A registered engineer testified that the slopes went from 14% and 25% to 10% and 40%. A home builder testified continually that the slope was very gentle.

Personal inspection of the premises revealed that the property is indeed a steep hillside and is undesirable for cottage type development.

There seems to be more demand for apartment zoning in Baltimore County than there was when the Ninth District Zoning Map was approved by the County Commissioners on November 14, 1955. At that time no provision was made for apartment zoning in the general area of the subject property.

For the above reasons the reclassification should be granted.

It is this 10th day of February, 1960, by the Deputy Zoning Commissioner of Baltimore County, ORDERED that the above described property or area should be and the same is hereby reclassified, from and after the date of this Order, from "B-20" and "B-6" Zones to an "B-4" Zone, subject, however, to approval of plans for the development of said property by the Office of Planning and the Bureau of Land Development of Baltimore County.

W. Mitchell
Deputy Zoning Commissioner
of Baltimore County

Petition for Zoning Re-Classification #4857

To The Zoning Commissioner of Baltimore County:-

A or we, The Monodale Building Co., legal owner... of the property siting on Domingion Circle, N. of Joppa Road, comprising 8.1416 Acres; Being Lots 1-7 Inclusive, Block "D", Plat of Orchard Hills, Plat 1, Sec. 3, G.L.B. 23, Folio 71, & Lots 8-16 Inclusive, Block "D", Plat of Orchard Hills, Plat 2, Sec. 3, G.L.B. 23, Folio 72.

See attached accurate Map and Sound Description

breely petition that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an "B-20" and "B-6" Zone to an "B-4" Zone.

Reasons for Re-Classification: Physical characteristics of land preclude use in accordance with existing zoning.

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.

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.

W. Mitchell
Spencer
Legal Owner
Address: 521 N. Joppa Rd.
P.O. Box 200

Submitted By The Zoning Commissioner of Baltimore County, this 20th day of December, 1959, 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 Reisterstown, in Towson, Baltimore County, on the 22nd day of January, 1960, at 11:00 o'clock, A.M.

W. Mitchell
Spencer
Zoning Commissioner of Baltimore County

NOTICE OF ZONING PETITION FOR RECLASSIFICATION-PUR SUEDENCE
Petitioner is petitioning for the Zoning Commission of Baltimore County to change or reclassify from "B-20" and "B-6" Zones to an "B-4" Zone the property siting on Domingion Circle, N. of Joppa Road, comprising 8.1416 Acres; Being Lots 1-7 Inclusive, Block "D", Plat of Orchard Hills, Plat 1, Sec. 3, G.L.B. 23, Folio 71, & Lots 8-16 Inclusive, Block "D", Plat of Orchard Hills, Plat 2, Sec. 3, G.L.B. 23, Folio 72.

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 15, 1960.
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on January 15, 1960, 24 hours before the first publication appearing on the 20th day of January, 1960.

THE JEFFERSONIAN
W. Mitchell
Manager

Cost of Advertisement, \$...

CERTIFICATE OF PUBLISHING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District...
Date of Posting...
Petitioner...
Location of property...
Location of signs...
Posted by...
Date of return...

The Monodale Building Co.,
5 W. Guilford Ave.,
Baltimore 2, Maryland

Attn: Mr. Leonard Stalman, President
Gentlemen:

Thank you for your check in the amount of Fifteen Dollars (\$15.00) to cover cost of advertising property on the 277 1/2 Kensington Drive.

Yours very truly,

W. Mitchell
Zoning Commissioner
of Baltimore County

CC: Smith & Harrison, Attorneys
1110 - Baltimore County, Md. - Office of Plans

2-560 894 • • • TIP- 1500
2-560 894 • • • TIP- 1500

W. Mitchell
Spencer
Zoning Commissioner of Baltimore County
Please notify as soon as hearing date is set (over)
Russell R. Potts, Esq. - Venable, Baughman & Howard - 1400 Pennsylvania Tr. Bldg., Suite 2
Ph 2-6100 - ATTY. at Baltimore - Baltimore Trade Convention Bldg.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON 4, MARYLAND
VA. 3-3000

MALCOLM H. DILL
DIRECTOR

WILBIE H. ADAMS
ZONING COMMISSIONER

NOTICE OF HEARING

The Edmondale Building Co.

Re: S/S Donnington Circle 277' W. Kenilworth Drive
9th District--Edmondale Bldg. Corp.

TIME: Monday, 11:00 A.M.
DATE: Monday, January 25, 1960
PLACE: Room 106, County Office Building, 111 W. Chesapeake Avenue
Towson, Maryland

Zoning Commissioner
of Baltimore County

R E C E I P T

Date: 1/14/60

RECEIVED of: Smith & Harrison
LOCATION OF PROPERTY: see above
AMOUNT: \$42.00

PAID—Baltimore County, Md.—Office of Finance

01622 * 47.00 1-480 38880-3-4980-4980-
Zoning Commissioner
of Baltimore County

Feb. 23, 1960

\$450.00

RECEIVED of Venable, Fastjer & Howard, (Russell R. Reno, Jr.)
attorneys for protestants, the sum of Fifty (\$50.00) Dollars, being
cost of appeal to the County Board of Appeals of Baltimore County,
from the decision of the Deputy Zoning Commissioner granting reclassi-
fication of property on Donnington Circle 277' west of Kenilworth
Drive, 9th District.

Zoning Commissioner

PAID—Baltimore County, Md.—Office of Finance

Z-2460 1404 • • • TXL— 50.00
Z-2460 1404 • • • TXL— 50.00

01622

KENILWORTH DRIVE

1 Family Bldg for Dwlg.
Zoned R-2

DONINGTON

Original Lot Lines

30 Units

30 Units

WOODS

10' R/W FOR PART OF WOODS ROAD

FRAME

Plat Ex #1

10' Drainage Utility
Easement

N 83° 00' 00" W 241'

N 37° 10' 00" W 624.4'

A-15

A-20

N 60° 10' 00" W 142.10'

N 60° 10' 00" W 134.10'

N 60° 10' 00" W 321.10'

N 60° 50' 00" W 134.25'

N 82° 10' 00" W 322.2'

S 60° 10' 00" E
307.25'

110.5'

S 22° 15' 40" E 321.50'

145'

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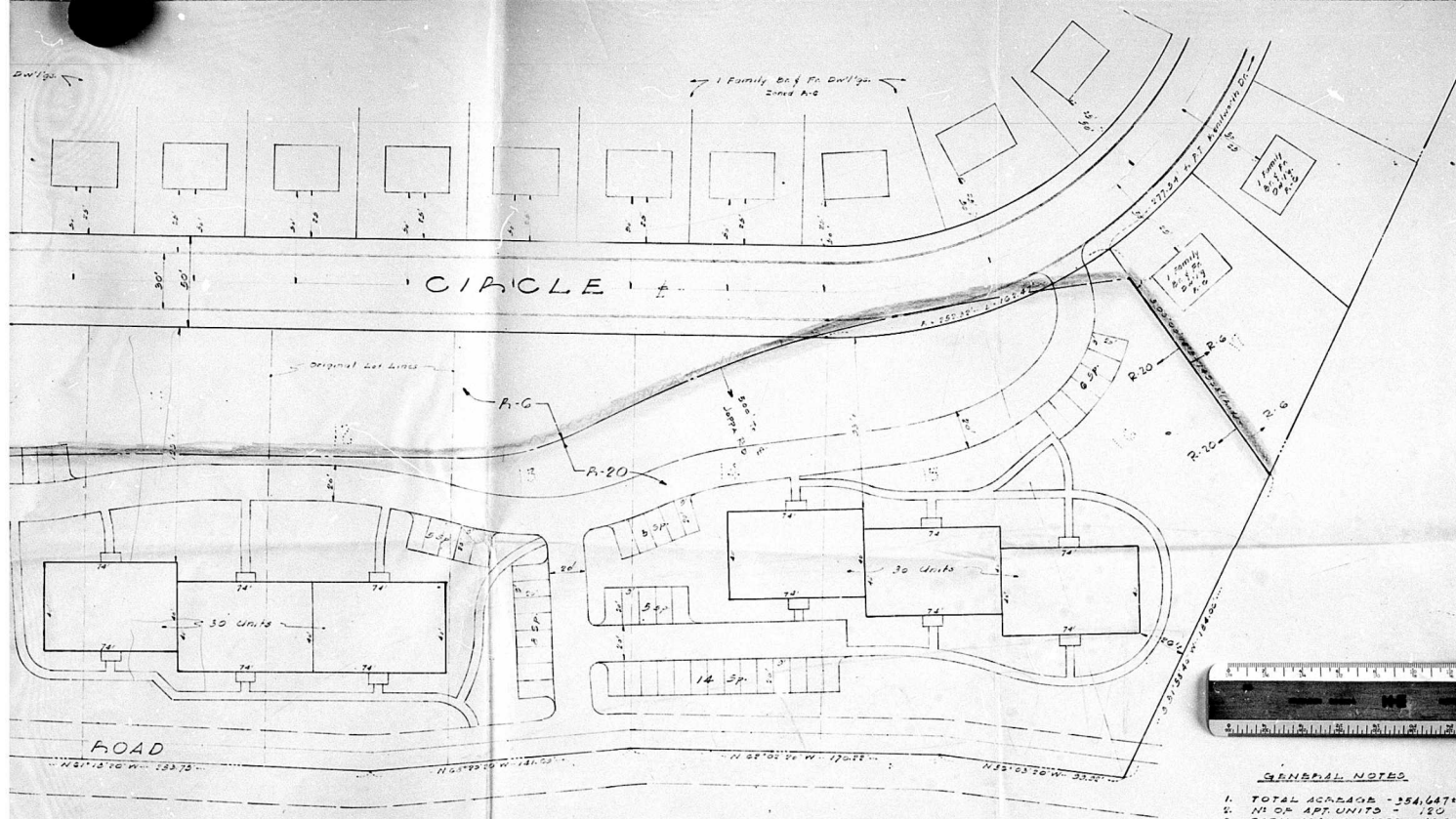
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22'



PLAT TO ACCOMPANY
PETITION FOR REZONING
from R-6 & R-20 to R-A

SECT. 3 - BLOCK 'D'
ORCHARD HILLS

ELECT. DIST. CO., BALTO., MD.

Scale: 1" = 30'

NOV. 24, 1933

Developer:

MONDALE BUILDING CO.
3 N. GUILFORD AVE.
BALTO., MD.

GENERAL NOTES

1. TOTAL ACRES - 354.647 ± (11.81476 Ac)
2. NO. OF APT. UNITS - 120
3. TOTAL AREA OF APTS. - 45,918 sq. ft.
4. NO. OF PARKING SPACES - 122 (3 - 10)
5. NO. OF STORIES - 2

FRAME
2

MATZ, CHILDS / ASSOCIATES
2125 N. CHARLES ST.
BALTO., MD.