

RE: PETITION FOR RECLASSIFICATION
From "M-L" Zone to a "B-R" Zone
and Special Exception for Commercial Race Track - W. S. Beaver
has Road 150' S. Cockeysville
Road, 8th District - Joshua F.
Cockey and Doris R. Cockey,
Petitioners

DEFENSE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5005-RX

This is a petition of Joshua F. Cockey, and wife, for a
reclassification of land located on the west side of Beaver Dam Road
150 feet south of Cockeysville Road, in the 8th District of Baltimore
County, and a special exception for a commercial race track.

The petitioner seeks a reclassification in order that
he may ask for a special exception for the operation of a Midget Car Race
Track on the subject property.

Testimony of the petitioner failed to produce any evidence
that there has been either a change in the neighborhood or an error in
zoning
the original/zone the adoption of the Land Use Map on December 20,
1955. Rather, the testimony clearly showed that the surrounding neigh-
borhood had been develop d in a normal orderly fashion in its "M-L"
classification.

With regard to the possibility of error in the original
zoning the entire property in this area, with the exception of property
which is still zoned "B-10", is zoned manufacturing light and to split
same for any individual piece of property for any particular use would
not be in conformity with the Zoning Regulations and proper zoning pro-
cedures.

PETITION FOR (1) ZONING RECLASSIFICATION
(2) SPECIAL EXCEPTION

To the Zoning Commissioner of Baltimore County:

I, or we, Joshua F. Cockey of B. and Doris R. Cockey Legal Owner s

All that parcel of land in the Eighth District of Baltimore County beginning
on the West side of Beaver Dam Road beginning 150 feet South of Cockeysville Road,
thence Southwly and ending on the West side of Beaver Dam Road 250.5 feet thence
South 60 degrees 14 minutes West 200 feet; thence North 27 degrees 40 minutes West
519.5 feet; thence North 60 degrees 14 minutes East 400 feet to the place of
beginning.

Zoning Commissioner
of Baltimore County

hereby petition (1) that the zoning status of the above described property be
reclassified, pursuant to the Zoning Law of Baltimore County, from an M-L
Zone to an B-R Zone; and (2) for a Special Exception, under the said
Zoning Law and Zoning Regulations of Baltimore County, to use the above descri-
ed property, for Racetrack - Commercial

Property to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above reclassification and
Special Exception, advertising, posting, etc., upon filing of this petition,
and further agree to and are to be bound by the Zoning Regulations and Restri-
ctions of Baltimore County, adopted pursuant to the Zoning Law for Baltimore
County.

Shawn W. Goldberg Legal Owner
Joshua F. Cockey Legal Owner
Cockeysville, Maryland
Address

Upon motion of counsel for the protestors asking that the
petition be dismissed on the grounds that there was no evidence for
the granting of the reclassification the Board is unanimous in its
opinion that the motion should be granted and the subject
petition is dismissed.

ORDER

For reasons set forth in the foregoing Opinion, it is
this 13th day of April, 1961, by the County Board of Appeals, ORDERED
that the aforesaid petition for reclassification and special exception
should be and the same is hereby dismissed.

Any appeal from this decision must be in accordance with
Rule 1101 (b) of the Rules of Practice and Procedure of the Court of
Appeals of Maryland.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Dorothy R. Cockey
L. Mitchell Cockey

RE: PETITION FOR RECLASSIFICATION
OF PROPERTY ON W.S. Beaver Dam
Road 150' S. Cockeysville Road,
8th District and Special exception
for a Commercial Race Track -
Joshua F. Cockey of B and Doris R.
Cockey, Petitioners

DEFENSE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5005-RX

Upon hearing on the above petition (1) for reclassification
from a "Manufacturing Light Zone to a "Business Roadside" Zone and (2)
for a special exception to use the property described therein for a
commercial racetrack, after considering the facts in the case it is the
opinion of the Zoning Commissioner that a request for reclassification of
this one parcel of land, being surrounded on three sides by "Manufacturing
Light" zoning would constitute "spot zoning" and, therefore, should be
denied.

It is this 6th day of July, 1960, by the
Zoning Commissioner of Baltimore County, ORDERED that the aforesaid
petition for reclassification from a "M-L" Zone to a "B-R" Zone and
a special exception for commercial Racetrack, should be and the same
is hereby denied.

William H. Adams
Zoning Commissioner of
Baltimore County

Baltimore County Office of Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland

Re: W/S Beaver Dam Road 150' S.
Cockeysville Road 8th District
Joshua F. Cockey, Petitioner

Gentlemen:

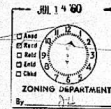
Please enter an Appeal to the Baltimore County
Appeals Board from your decision of July 6, 1960,
whereby a change in classification of the above
property was refused.

I am enclosing a check in the amount of \$70.00
in conformity with information furnished me by the
zoning department for Baltimore County.

Very truly yours,

Claude A. Hanley
Claude A. Hanley,
Attorney for Petitioner,
Joshua F. Cockey

Enclosure
Callup



INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

To: Claude A. Hanley, Esq. BILL TO Zoning
First National Bank Bldg.
Towson 4, Md.

DEBIT TO ACCOUNT NO. 01622 TOTAL AMOUNT
QUANTITY 1 \$ 32.00
ADVERTISING and signs-Cockey Property COST
FWD - Baltimore County, Md. - Chief of Finance
6-2966 7-28 * * * TEL - \$200
6-2966 7-28 * * * TEL - \$200

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
VISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
TURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

To: Claude A. Hanley, Esq. BILL TO Zoning Department of
First National Bank Bldg. Baltimore County
Towson 4, Md. 111 County Office Building
Towson 4, Md.

DEBIT TO ACCOUNT NO. 01622 TOTAL AMOUNT
QUANTITY 1 70.00
Cost of Appeal - Joshua F. Cockey - #5005-RX COST
FWD - Baltimore County, Md. - Chief of Finance
7-1566 8-90 * * * TEL - 70.00

CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
ION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
AN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

TELEPHONE
VALLEY 3-3000

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 2472
DATE 7/14/60

To: Cockeysville Midget Racway, Inc. BILL TO Zoning
Cockeysville, Maryland

DEBIT TO ACCOUNT NO. 01622 TOTAL AMOUNT
QUANTITY 1 \$0.00
Petition for reclassification & Special Exception COST
FWD - Baltimore County, Md. - Chief of Finance
7-2466 9-83 * * * TEL - \$0.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 8th Date of Posting 6-15-60
Posted for Joshua F. Cockey, Esq.
Petitioner: Joshua F. Cockey, Esq.
Location of property: W/S Beaver Dam Road 150' S. of Cockeysville Rd.
Remarks: 5.14.60
Posted by Shawn W. Goldberg Date of return 6-16-60

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 2th 19 60

THIS IS TO CERTIFY, That the annexed advertisement was published in The COUNTY Paper, Inc., a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 2 successive weeks before the 29th day of June 19 60, the first publication appearing on the 9th day of June 19 60.

The COUNTY Paper, Inc.
Helen L. Hildes
Essex Office Manager.

NOTICE TO THE PUBLIC
The following notice is published for the purpose of giving notice to the public of the proposed rezoning of certain property in the County of Baltimore, Maryland, and of the public hearing to be held on the subject of the proposed rezoning of the property at the County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, on Wednesday, June 29, 1960, at 2:00 P.M.

To determine whether or not the following mentioned and described property should be changed or reclassified and whether a Special Exception for a Racetrack should be granted in will.

All that parcel of land in the Eighth District of Baltimore County, known as the West side of Beaver Dam Road beginning 124 feet South of Cockeysville Road, thence Southwesterly and bounding on 2153 feet, thence South 40 degrees North 20 degrees East 100 feet, thence 1193 feet, thence South 40 degrees West 1193 feet, thence North 40 degrees East 100 feet to the old plan filed with the Zoning Department, being property of Joshua F. Cockey of H et al.

By Order of
WILLIAM E. ADAMS
County Commissioner
CO. OF BALTIMORE COUNTY
02 12 1-10

OFFICE OF PLANNING

Inter-Office Correspondence

From George E. Gavralis, Deputy Director June 28, 1960

To Mr. William E. Adams, Zoning Commissioner

Subject #5005 B-X, M-L to B.R. Beginning on west-side of Beaver Dam Road 150 feet south of Cockeysville Road. Joshua F. Cockey of B. et al

8th DISTRICT

HEARING: June 29, 1960 (2:00 P.M.)

The Office of Planning and Zoning has reviewed the subject petition for reclassification from M.L. to B.R. zoning together with a special exception for a racetrack and has the following advisory comments to make:

1. From a planning viewpoint reclassification of the subject property to Business Roadside Zoning would establish land use potentials for it which would not be in conformity with those of surrounding properties and would tend to create an isolated island of commercial zoning amidst a large area of industrial zoning. It was the intent of the 8th District Zoning Map that the vicinal area be developed for industrial uses.
2. The Zoning Regulations specifically precluded race tracks from industrial zones on the premise that they could preempt needed industrial lands and that it was in the best interest of the County not to have them in M.L. or M.H. zones. Studies of land use in the area by the planning staff indicate the ultimate desirability of rezoning the adjacent R-10 area to M.L. Again, reclassification of the subject property together with granting of the special exception would have the effect of establishing a spot zone inasmuch as race tracks were excluded from the industrial zones.
3. This office does not have sufficient knowledge to determine the impact of the granting of the subject petition on such factors as traffic, etc. We do know that the present condition of both Cockeysville and Beaver Dam Roads is such that they are clearly incapable of handling large amounts of traffic. Although the County is forced to honor industrial uses in the area, it would appear that uses controlled by special exceptions should be discouraged until such time as proper provisions for access into the area can be made.

OBJ:lmw

TELEPHONE
VALLEY 3-3000

INVOICE
BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON 4, MARYLAND

No. 3482

DATE 8/18/60

5005R-X

To: Claude A. Hanley, Esq.,
First National Bank Bldg.,
Towson 4, Maryland

BILLED BY: Zoning Department of Balto Co.
113 County Office Building
Towson 4, Maryland

DEPOSIT TO ACCOUNT NO. 01,622

TOTAL AMOUNT

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
1	Cost of advertising property - W.S. Beaver Dam Road,	\$10.00
	PAID - Baltimore County, Md. - Office of Finance	
	8-1860 9559 * * * TXL -	1.00
	8-1860 9559 * * * TXL -	1.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

PROPERTY LOCATED
AT
COCKEYSVILLE
8TH DIST. BALTIMORE CO. MD

PROPERTY OF
MR JOSHUA F. COCKEY OF B
SHADED AREA 1.463 ACRES

MARK HAWLEY

MARK HAWLEY

MARK HAWLEY
1.13 ACRES

JOSHUA F. COCKEY OF B
2.00 ACRES

ML

DAVID FAUNTLE RAY
0.93 ACRES
ML

JOSHUA F. COCKEY OF B
5.2 ACRES

R.G. KING ML

F.T. KIRSCH

ALFRED B. DIXON

#5005RX
MAP
#8
SEC. 3-D

APPROVED FOR FILING
Reviewed By LEO
Date 5/24/60

Scale 1"=100' File 10-152
DELLINGER BROS.
SURVEYORS & CIVIL ENGINEERS
1014 WASHINGTON AVENUE
TOWSON, MARYLAND

NOT TO SCALE FROM PLATS AND DEEDS