

Petition for Zoning Re-Classification #5151

To The Zoning Commissioner of Baltimore County:
I, or we, Trust Development Corporation, legal owner of the property situate a body corporate

MAP #1-B RA 11/22/60

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 + RA zone to an R-A zone.

Reasons for Re-Classification: changes in the neighborhood plus the relocation of Ingleside Avenue.

Front yard set back of building: front... feet; depth... feet; height... feet.
Front yard set back of building from street lines: front... feet; side... feet.

Trust Development Corporation
Contract Purchaser
Address 2135 N. Fulton Ave - 17
Tel. No. Md. 3-7746

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of September, 1960, 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 had in the office of the Zoning Commissioner of Baltimore County, in the Record Bldg., in Towson, Baltimore County, on the 7th day of December, 1960, at 10:00 o'clock A.M.

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... 19... that the above described property or area should be and the same is hereby reclassified, from and after the date of this Order, from a... zone to a... zone.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of... The Petitioners' request for the above zoning not being approved by the Baltimore County Planning Board on December 8, 1960, the Zoning Commissioner will not upset the present Western Area Planning Map, therefore, the above re-classification should NOT be had.
It is Ordered by the Zoning Commissioner of Baltimore County, this 30th day of December, 1960, 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 an R-6 Zone and R-C Zone.

Approved... County Commissioners of Baltimore County
Date... By... President

MICROFILMED

RE: PETITION FOR RECLASSIFICATION FROM AN R-6 and R-C Zones to R-A Zone - S. E. Side of Ingleside Avenue near Stella Drive, 1st District - Trust Development Corporation, Petitioner
BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY No. 5151

#5151 MAP #1-B RA

OPINION

This petition seeks a reclassification of a tract of land of approximately 2 acres on the southeast side of Ingleside Avenue at Stella Drive in the First District. The petitioner plans to build brick apartment units housing a total of 26 apartments.
It was testified that the terrain and topography of this tract made it impractical to build semi-detached homes. In fact, due to the steep grade along the Ingleside Avenue frontage, the petitioner's plans call for entrances to the apartments to be from the rear of the lot which abuts an alleyway. This alley separates the subject property from a fairly large development of R-C housing.
In connection with zoning changes in the neighborhood in recent years, the above mentioned R-C zoning was testified to and also the current construction of apartments and offices on a 2.3 acre tract 790 feet east of Stella Drive on Ingleside Avenue.
Residents of R-C homes on Stella Drive objected to the petition on the grounds that apartments would adversely affect the value of their homes and that increased traffic in the alley would be dangerous to the children who play in the alleyway.

Mr. George E. Gavrelis, Deputy Director of Planning for Baltimore County, stated that he would object to "R-A" zoning because of the shallowness of the site. He also said that it would be difficult and expensive to build any type of structure on the tract because of the topography.
Mr. Harold Anderson, of the Maryland State Roads Commission, told of plans for a new expressway to Hancock, Md., to be known as 70 N. This proposed highway is expected to cross Ingleside Avenue along the northern boundary of the subject tract.

The Board has taken into consideration the evidence introduced in this case and with particular emphasis on the terrain of the subject tract, is of the opinion that apartments would be the best and most practical use of the subject tract. The Board does not believe that "R-A" zoning would adversely affect the value of "R-6" property on the opposite side of Ingleside Avenue or "R-C" property across the alley.
While the Board realizes that "R-6" or "R-C" utilization of this land would increase traffic in the alley, it strongly recommends that consideration be given in the building plans for ingress and egress to both parts of the subject tract to be made from Stella Drive and not from the alley.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 6th day of July 1961, by the County Board of Appeals, ORDERED that the reclassification should be and the same is hereby granted.
Any appeal from this decision must be in accordance with Rule No. 1101 of the Rules of Practice and Procedure of the Court of Appeals of Maryland.

COUNTY BOARD OF APPEALS OF BALTO. CO.
G. Mitchell Denton
Charles B. Wheeler

Baltimore County, Maryland
OFFICE OF LAW
COUNTY OFFICE BUILDING
TOWSON 4, MARYLAND
June 7, 1962

Called Mac Farland & told him that close question
VADALA & McFARLAND
ATTORNEYS-AT-LAW
190 EASTERN BOULEVARD
BALTIMORE 21, MARYLAND
JUN - 6 52 PM
ZONING DEPARTMENT

John G. Rose, Esquire
County Office Building
Towson 4, Maryland
Re: Trust Development Corporation
2 story group dwelling - Zoning File 51-51
Permits Nos. 65065, 65066 and 65067

Dear Mr. Rose:
Pursuant to my telephone conversation and a previous letter addressed to you by Boston F. Anderson, Jr., Esquire, relative to the alleged construction of apartments due to the illegal issuance of Building Permits, I am setting forth herewith the facts.

On August 30, 1960, the Trust Development Corporation filed with your office, an Application for Re-classification of a tract of land on the South side of Ingleside Avenue opposite Eberhart Avenue, adjacent to South East corner of Stella Drive, from R-6 and R-C to R-A Zoning. On December 7, 1960, at 10:00 am, a hearing was held by you and on December 30, 1960, the Petition of Trust Development Corporation was denied because of the conflict with the Western Area Planning Map. On July 6, 1961, the County Board of Appeals of Baltimore County, by unanimous opinion, reversed your action and granted the Application.

On October 9, 1961, the Trust Development Corporation filed the three subject permits. On January 9, 1962, the County Council passed the Western Area Land Use Map, designating the property as R-6. The building permits were issued on January 26, 1962. The construction on this property did not commence until the end of April, 1962. These permits were approved by Frank Fisher for the Zoning Department and Office of Planning on January 23, 1962.

I respectfully request on behalf of my clients, the Ingleside - Edmondson Park Civic Association, Inc. and Emory Lee Burchette, that the matter be taken by you as a zoning violation and prosecuted as the same.

C. Victor McFarland, Esquire
1760 Eastern Boulevard
Baltimore 21, Maryland
Dear Mr. McFarland:
Re: Trust Development Corporation
Your letter of June 5, 1962 addressed to John G. Rose, Esquire, has been referred to this office.

Bill #121 (1961) of the County Council of Baltimore County enacting the Western Area Planning Map, became effective February 23, 1962, almost thirty days after the issuance of the building permit.
In view of the fact that the permit was valid when issued, the question of whether it is a zoning violation should be decided by the courts rather than in an administrative proceeding.

Yours truly,
Johnson Bowie
County Solicitor
cc: Mr. John G. Rose

John G. Rose, Esquire
June 5, 1962
Page 2
Enclosed please find a photostated copy of one of said Permits because of the problem of reproduction of photostats of photostats.
Yours truly,
C. Victor McFarland

CVN:lm
Enclosure
cc: Trust Development Corporation
Charles B. Wheeler, Director of Permits and Licenses

NEW BUILDING APPLICATION
DEPARTMENT OF PERMITS AND LICENSES
COUNTY OFFICE BUILDING, TOWSON 4, MD.
Application No. 22825
District 1
Date 10-9-61
LOT CORNER INTERSECTION
Location 5 1/2 mile S. side Ingleside Avenue, opposite Eberhart Ave. & adjacent to Stella Drive, west side of Stella Drive, 1st District.
Owner Trust Development Corporation
Address 5155 N. Fulton Avenue
Zone R-6
Site of Building: 5 1/2 mile S. side Ingleside Avenue, opposite Eberhart Ave. & adjacent to Stella Drive, west side of Stella Drive, 1st District.
Character of Construction: Group Dwellings
Foundation: Concrete
Roof: Asphalt Shingles
Flooring: Carpet
Sewage Disposal: Sewer
Septic Tank: None
Water Supply: M. Co.
Wells: None
Auto. Washer: None
Bed Rooms: 2
Laundry Trays: None
Garbage Disposal: None
Powder Rm.: None
Type of Soil: None
Type of Foundation: None
Type of Roof: None
Type of Floor: None
Type of Wall: None
Type of Siding: None
Type of Finish: None
Type of Paint: None
Type of Stairs: None
Type of Windows: None
Type of Doors: None
Type of Locks: None
Type of Hardware: None
Type of Fixtures: None
Type of Appliances: None
Type of Equipment: None
Type of Furnishings: None
Type of Other: None
Signed: [Signature]
Date: 10-9-61
Make Check Payable to Baltimore County, Maryland
NO 9-5746
Plan No. 22825

MICHAEL PAUL SMITH
R. LEE HARRISON
RICHARD L. MURPHY
GEORGE BARRETT JOHNS
FRANK E. GIBSON
JOHN S. HEENEHAN

LAW OFFICES
SMITH AND HARRISON

TELEPHONE VALLEY 3-3000
212 WASHINGTON AVENUE
TOWSON 4, MARYLAND

January 14, 1961



Mr. John G. Rose
Zoning Commissioner
County Office Building
Towson 4, Maryland

Re: Petition for Reclassification
from R-6 and R-8 zones to
an R-A zone - S.E. side
Ingleisle Avenue, nr. Stella
Drive, First District
Trust Development Corp.,
Petitioner

Dear Mr. Rose:

Please enter an appeal on behalf of the Petitioner
from your decision in the above matter dated December 30th,
1960 to the County Board of Appeals and forward transcript
of the record to that Board. I enclose herewith my check
for \$70.00 to cover the cost of appeal.

Very truly yours,
Michael Paul Smith
Michael Paul Smith,
Attorney for Trust Development Corp.,
Petitioner

OFFICE OF PLANNING

Inter-Office Correspondence

From: George E. Gervelis, Deputy Director
November 21, 1960

To: Mr. John G. Rose, Deputy Zoning Director

Subject: #5181 - R-6 to R.A., Southeast side of
Ingleisle Avenue at Stella Drive,
Petitioner is Trust Development Corporation
1st DISTRICT

HEARING: December 7, 1960 10:00 A.M.

In making its recommendation for comprehensive zoning in this portion of
the 1st District, the Planning Board of its November 17th meeting agreed
not to propose this property for R. A. zoning.

GEG:gh

TELEPHONE
VALLEY 3-3000

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON 4, MARYLAND

No. 4130

DATE 12/19/60

Invoice form for advertising and posting for property of Trust Dev. Company. Total amount \$137.00.

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.

TELEPHONE
VALLEY 3-3000

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON 4, MARYLAND

No. 4216

DATE 1/25/61

Invoice form for cost of posting property for appeal hearing. Total amount \$15.00.

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.

NOTICE OF ZONING PETITION
FOR RECLASSIFICATION
The Deputy Zoning Commissioner of Baltimore County has received a petition from R. G. Jones and R. L. Jones to reclassify the property located on the Southeast side of Ingleisle Avenue at Stella Drive, First District, Baltimore County, Maryland, from R-6 and R-8 zones to an R-A zone.

OFFICE OF THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS
Ridestown, Md

THE HERALD - ARGUS
Columbia, Md

No. 1 Newburg Avenue CATONSVILLE, MD.

November 21, 1960.

THIS IS TO CERTIFY that the annexed advertisement of
John G. Rose, Deputy Zoning Commissioner
of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of
three weekly newspapers published in Baltimore County, Mary-
land, once a week for One successive week before
the 21st day of November, 1960, that is to say
the same was inserted in the issues of
November 18, 1960.

THE BALTIMORE COUNTIAN

By Paul J. Morgan
Editor and Manager

TELEPHONE
VALLEY 3-3000

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON 4, MARYLAND

No. 4201

DATE 1/18/61

Invoice form for cost of appeal to County Board of Appeals. Total amount \$70.00.

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.

TELEPHONE
VALLEY 3-3000

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

Division of Collection and Receipts

COURT HOUSE

TOWSON 4, MARYLAND

No. 3672

DATE 9/21/60

Invoice form for petition for reclassification. Total amount \$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.

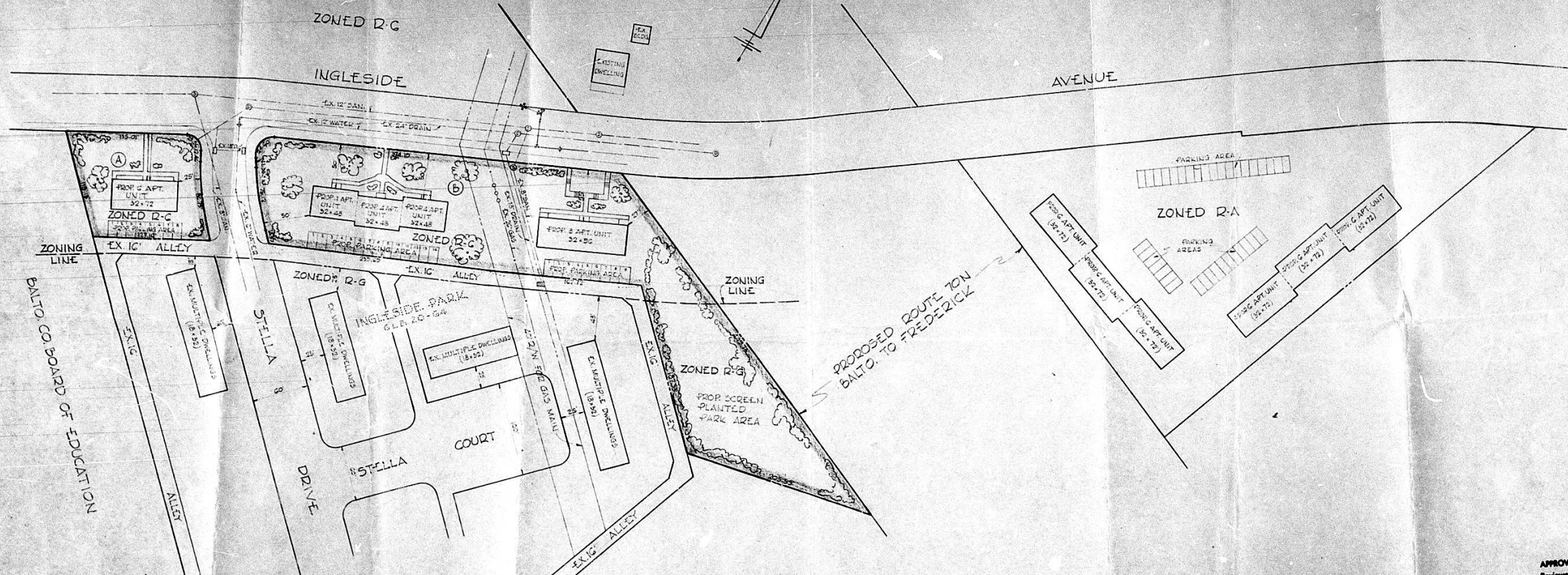
CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District: 1st Date of Posting: 11-16-60
Posted for: George E. Gervelis, Deputy Director
Petitioner: Trust Development Corp.
Location of property: S.E. side of Ingleisle Avenue at Stella Drive
Location of Sign: On the Southeast corner of Ingleisle Avenue at Stella Drive
Remarks: [Handwritten notes]

By: [Signature] Date of return: 11-17-60



BALTO. CO. BOARD OF EDUCATION

- NOTES**
1. AREA (A) = 0.34 ACRES
 - AREA (B) = 1.63 ACRES
 - TOTAL AREA = 1.97 ACRES
 2. EXISTING USE - UNIMPROVED
 3. PROP. USE - APARTMENT DWELLINGS
 4. PRESENT ZONING - R-G AND R-G AS SHOWN
 5. PROP. ZONING - R-A

PROPOSED ROUTE 70N
BALTO. TO FREDERICK

Pet 8-15

APPROVED FOR FILING
Reviewed By: *E. To*
Date: *9/15/60*

PLAN TO ACCOMPANY ZONING PETITION
FROM R-G AND R-G TO R-A
FOR TRUST DEVELOPMENT CORPORATION
2135 N. FULTON AVE.
BALTIMORE 17, MARYLAND

PARTS OF RESERVED PARCELS A, B AND D
"INGLESIDE PARK"
1ST ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND
SEPT 15, 1960
SCALE: 1" = 50'



