

RE: PETITION FOR RECLASSIFICATION
from an "R-6" Zone to an "R-A"
Zone and Special Exception for
an Office Building - S. W. Cor.
Bel Air Road and Walter Avenue,
11th District - Wm. I. Schafer
and Viola S. Schafer, Petitioners

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5210-RX

Upon hearing on the above petition (1) for reclassification from an "R-6" Zone to an "R-A" Zone and (2) for a special exception for an Office Building, the Office of Planning has set forth the following recommendations concerning zoning of the subject property:

1. Existing land usage in the vicinity area is such that "R-A" zoning - particularly as limited and controlled under the conditional provisions of a special exception appears to be logical and appropriate. To the north, across Walter Avenue, a commercially-zoned property developed with a gas station, exists. To the south, a three acre church site developed with the first unit of a larger building complex, exists. On the easterly side of Bel Air Road, opposite the subject property, a non-conforming garden tractor sales activity occurs and possibly, two home office uses within the context of residential occupancy also exist. Active commercial uses occur at the intersection of Bel Air Road and Chapel Road. Land at Bel Air Road and Baker Avenue has been reclassified with a special exception for gasoline service station, but, as yet, is undeveloped. Other scattered commercial type uses occur along Bel Air Road from Joppa Road to Forge Road.

2. There has been an alarming trend for increased commercialization of frontage along Bel Air Road in this area. This office believes that "R-A" zoning with special exception for office uses is an appropriate device for recognizing the economic and traffic impact of heavily travelled roads such as is Bel Air Road on residential use potentials. It believes that "R-A" zoning with offices sets up intermediate use potentials which are more in harmony with adjoining residential properties than would be commercial zoning. At the same time, such apartment zoning would act as a transitional device between commercial zoning and adjoining single family residence zoning. "R-A" zoning for the subject property might help thwart the recent trend towards more commercial zoning along Bel Air Road by establishing a character of land usage which is compatible with not only economic realities but also with a sound pattern of zoning.

OFFICE OF PLANNING

Inter-Office Correspondence

From: George E. Gavrelis, Deputy Director
To: John G. Rose, Zoning Commissioner
Subject: #5210-RX, R-6 to R-A, Special Exception for Offices,
S.W. corner of Belair Road and Walter Avenue W. S. & V. S. Schafer
11th District Hearing February 15, 1961 1:00 P.M.

The staff of the Office of Planning and Zoning has reviewed the subject petition for zoning reclassification and special exception. It has the following advisory comment to make with respect to pertinent planning factors:

- Existing land usage in the vicinity area is such that R-A zoning - particularly as limited and controlled under the conditional provisions of a special exception appears to be logical and appropriate. To the north, across Walter Avenue, a commercially - zoned property developed with a gas station, exists. To the south, a three acre church site developed with the first unit of a larger building complex, exists. On the easterly - side of Belair Road, opposite the subject property, a non-conforming garden tractor sales activity occurs and possibly, two home-office uses within the context of residential occupancy also exist. Active commercial uses occur at the intersection of Belair Road and Chapel Road. Land at Belair Road and Baker Avenue has been reclassified with a special exception for gasoline service station, but, as yet, is undeveloped. Other scattered commercial - type uses occur along Belair Road from Joppa Road to Forge Road.
- There has been an alarming trend for increased commercialization of frontage along Belair Road in this area. This office believes that R-A zoning with special exception for office uses is an appropriate device for recognizing the economic and traffic impact of heavily travelled roads such as is Belair Road on residential use potentials. It believes that R-A zoning with offices sets up intermediate use potentials which are more in harmony with adjoining residential properties than would be commercial zoning. At the same time, such apartment zoning would act as a transitional device between commercial zoning and adjoining single family residence zoning. R-A zoning for the subject property might help thwart the recent trend towards more commercial zoning along Belair Road by establishing a character of land usage which is compatible with not only economic realities but also with a sound pattern of zoning.

3. In connection with its subdivision approval actions on adjoining Danville (west of the Belair Road frontage on both sides of Walter Avenue), the Office of Planning and Zoning required ultimate provision for widening Walter Avenue to a 70 foot right of way. This widened right of way would be extended ultimately in a westerly direction to intersect with Perring Parkway, providing thereby an alternate route to Joppa Road for the movement of people and goods to and from the Perry Hall area. As such, the intersection of Walter Avenue and Belair Road would be a key point in the Perry Hall area - one which warrants more intensive land usage than that permitted with single family residence zoning, but not necessarily those permitted under commercial zoning. From the viewpoint of future roads, the subject property is logical for "R-A" zoning and development with office uses.

OFFICE OF PLANNING

Inter-Office Correspondence

From: George E. Gavrelis, Deputy Director
To: John G. Rose, Zoning Commissioner
Subject: SEE PAGE 1

- Limitation of the special exception to office use only; apartment dwellings would not be permitted.
- Conformity of the proposed office building with site plans to be approved by this office.
- The establishment of widening for Walter Avenue in accordance with a plan to be approved by this office.
- Retention of existing trees along Belair Road, replacement thereof by new trees if destroyed or damaged.
- Provision of screening for off-street parking as required by the regulations and as indicated on the approved site plan.
- Restriction of off-street parking in the area immediately in front of the building.

5. It is to be noted that the Office of Planning and Zoning has reviewed the site plan for the special exception for office use and considers it to be satisfactory. We are particularly pleased at the obvious effort shown by the petitioner to plan a building in keeping with the overall character of the Perry Hall area. Formal approval of the plan is withheld pending additional comments which may arise from the hearing.

GEU:bco

On January 12, 1961 the Planning Board adopted the following policy:
"Primary reasons for placement of the "R-A" zone in conjunction with commercially used or zoned strip areas would be:

- To create, between commercial and cottage residential land uses, a transition zone or buffer strip which can contain uses, such as offices, that are intermediate in character between commercial and residential.
- To protect residences, adjacent to or across the street, from commercial uses, from possible nuisance aspects thereof.
- To stop further extension of strip commercial zoning."

The petition now being considered is an excellent example of a site suitable under the above recommendations, and for the above reasons the reclassification and special exception should be granted, therefore:

It is this 26th day of February, 1961 by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid petition should be and the same is hereby granted; the first, for reclassification from an "R-6" Zone to an "R-A" Zone and, second, for a special exception for an Office Building, subject, however, to approval of plans by the State Roads Commission, Bureau of Land Development and the Office of Planning and Zoning of Baltimore County.

It is this 14th day of February, 1962, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception, granted on February 28, 1961, be and the same is hereby extended for a period of one year beginning February 28, 1962 and ending February 28, 1963.

It is this 28th day of February, 1963, by the Zoning Commissioner of Baltimore County, ORDERED that the aforesaid special exception, extended on February 28, 1962, be and the same is hereby extended for a period of one year beginning February 28, 1963 and expiring February 28, 1964.

APPENDIX (MINUTES OF PLANNING BOARD JANUARY 12, 1961)

PLANNING BOARD POLICY STATEMENT (Adopted January 12, 1961)

Use of The R-A Zone in Locations Bordering Strip Commercial Zoning or Development.

In Baltimore County - as elsewhere - existing commercial uses strung out along main radial streets tend to be further lengthened as the result of economic and non-shopping center land development pressures. Such roadside commercial development along community thoroughfares like Liberty, Reisterstown, York, and Belair Roads and Eastern Boulevard has increased greatly in recent years, causing over-commercialization and "strung-outness", to the detriment of efficient movement of vehicles, and of adjacent residential property values.

Whereas all early zoning ordinances fostered such strip commercialization, a nationwide trend in recent years has sought to concentrate roadside commercial uses as much as possible, with development at appropriate depths, rather than as long drawn out shallow strips.

Our current Master Planning in the County should seek clearly to identify and to stabilize the outer limits of commercially-zoned strip frontage where further lengthening is undesirable. This policy statement proposes the application of the County's Residential, Apartment Zone as a deterrent of commercial expansion (especially linear), through use either for new apartment buildings, for apartments or offices converted from houses, or for new office buildings.

Primary reasons for placement of the R-A zone in conjunction with commercially used or zoned strip areas would be:

- To create, between commercial and cottage residential land uses, a transition zone or buffer strip which can contain uses, such as offices, that are intermediate in character between commercial and residential.
- To protect residences, adjacent to or across the street, from commercial uses, from possible nuisance aspects thereof.
- To stop further extension of strip commercial zoning.

The R-A Zone would be placed on unundivided vacant land or land improved with dwellings, either across the street from existing commercial development (zoned commercial), or adjacent thereto (siding on commercial).

Unless otherwise specially provided for, as where a significant topographic break occurs, the Board will recommend R-A zoning in the types of situations noted, thus indicating its intent to so control commercial expansion.

It is anticipated that larger vacant tracts of land would normally be appropriate for new garden apartments, that smaller vacant parcels will be either new apartments or offices, and that small improved parcels could either be used as converted apartments or for offices.

MHD:bco
Date: 2/23/1966

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

To the Zoning Commissioner of Baltimore County:

I, or we, William J. Schafer and Viola S. Schafer Legal Owner s

of that parcel of land more particularly described in the attached description prepared by W. H. Primrose and Sons, said property being situate in Ferry Hall in the Eleventh Election District of Baltimore County
See attached

herely petition (1) that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 Zone to an R-A Zone; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the above described property, for OFFICE BUILDING.

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 Ordinances of Baltimore County, adopted pursuant to the Zoning Law for Baltimore County.

Witness my hand
210 W. Pennsylvania Ave
Baltimore 4, Md.
Va 3 3297

Legal Owner

Address

#6



January 21, 1961

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

Re: Zoning Petition No. 5210-RX
R-6 Zone to R-A Zone &
Special Exception
South side of Walter Avenue
(Route 1) and West side of
Belair Road

Dear Mr. Rose:

This office has reviewed the subject petition and has no objection to the Special Exception, however, if the Zoning Commissioner should see fit to grant the petition, it is requested that the plans for signs and ingress be made subject to the approval of the State Roads Commission.

Thank you for your cooperation.

Very truly yours,

Charles Lee, Chief
Development Engineering Section
John L. Duerr
Asst. Development Engineer

JLD/ba

TELEPHONE
VALLEY 3-3000

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

No. 4272

DATE 2/15/61

TO: Mr. Nelson Kerr
210 W. Pennsylvania Ave.
Towson 4, Maryland

BILLED BY: Zoning Department of
Baltimore County

DEPOSIT TO ACCOUNT NO. 01622

TOTAL AMOUNT \$40.00

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
1	Advertising and posting of property for William J. Schaffer	40.00

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

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

No. 4191

DATE 1/13/61

TO: Mr. William J. Schaffer
9459 Belair Road
Balto. 6, Md.

BILLED BY: Zoning Department of
Baltimore County

DEPOSIT TO ACCOUNT NO. 01622

TOTAL AMOUNT \$50.00

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
1	Petition for Reclassification and special exception	50.00

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.

PETITION FOR ZONING RECLASSIFICATION AND SPECIAL EXCEPTION

ZONING: From R-4 Zone To R-A Zone. Special Exception for Office Building.
LOCATION: South side of Walter Avenue and the West side of Belair Road.
DATE AND TIME: Wednesday, February 15, 1961 at 1:00 P. M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
Concerning all that parcel of land in the Eleventh District of Baltimore County: Beginning for the same at the intersection of the south side of Walter Avenue and the west side of Belair Road said point being at the end of the second line of the parcel conveyed by Ann E. Hoffmeister to William J. Schaffer by deed dated July 29, 1957, and recorded among the Land Records of Baltimore County in Liber G. L.B. 2203, folio 418, running thence and still binding on the west side of Belair Road and binding reversely on said second line of the aforementioned conveyance south 41° 28' 09" west 148.32 feet to the end thereof and to the end of the first line of the parcel conveyed by Mary Ayle Jefferies to William J. Schaffer by deed dated August 29, 1957, and recorded among the Land Records of Baltimore County in Liber G.L.B. 2222, folio 247 and running thence and still binding on the west side of Belair Road and binding reversely on part of said first line of the last mentioned conveyance south 42° 01' 23" west 200.55 feet, thence leaving Belair Road and binding on the second line of the parcel conveyed by William J. Schaffer and Viola S. Schaffer, his wife, to Yeary of the Church of the Redeemer by deed dated August 14, 1953 and recorded among the aforementioned Land Records in Liber G.L.B. 2299, folio 116, north 47° 58' 37" west 155.00 feet, thence leaving the outline of said tract and running for a line of division through the two finally mentioned conveyances north 26° 03' 58" east 277.01 feet to the south side of Walter Avenue as laid out 20 feet wide and to intersect the third line of the parcel conveyed by Hoffmeister to Schaffer as aforementioned, thence binding on the south side of Walter Avenue and reversely on part of said third line south 67° 42' 28" east 244.16 feet to the end thereof and to the place of beginning.
Containing 1.299 acres of land more or less.
Being part of the two parcels conveyed to William J. Schaffer as aforementioned.
By Order of
JOHN G. ROSE,
Zoning Commissioner of
Baltimore County.

Jan. 27, 1961

PETITION FOR ZONING RECLASSIFICATION AND SPECIAL EXCEPTION

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Being part of the two parcels conveyed to William J. Schaffer as aforementioned.
By Order of
JOHN G. ROSE,
Zoning Commissioner of
Baltimore County.

Jan. 27, 1961

JAN 31 - 61

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 27, 1961.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. ~~once a week~~ ~~for~~ ~~one~~ ~~time~~ ~~successive weeks~~ before the 15th day of February 1961, the first publication appearing on the 27th day of January 1961.

THE JEFFERSONIAN,

Manager.

Cost of Advertisement, \$-----

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 26, 1961

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 one successive weeks before the 15th day of February 1961, the first publication appearing on the 26th day of January 1961.

The COUNTY Paper, Inc.

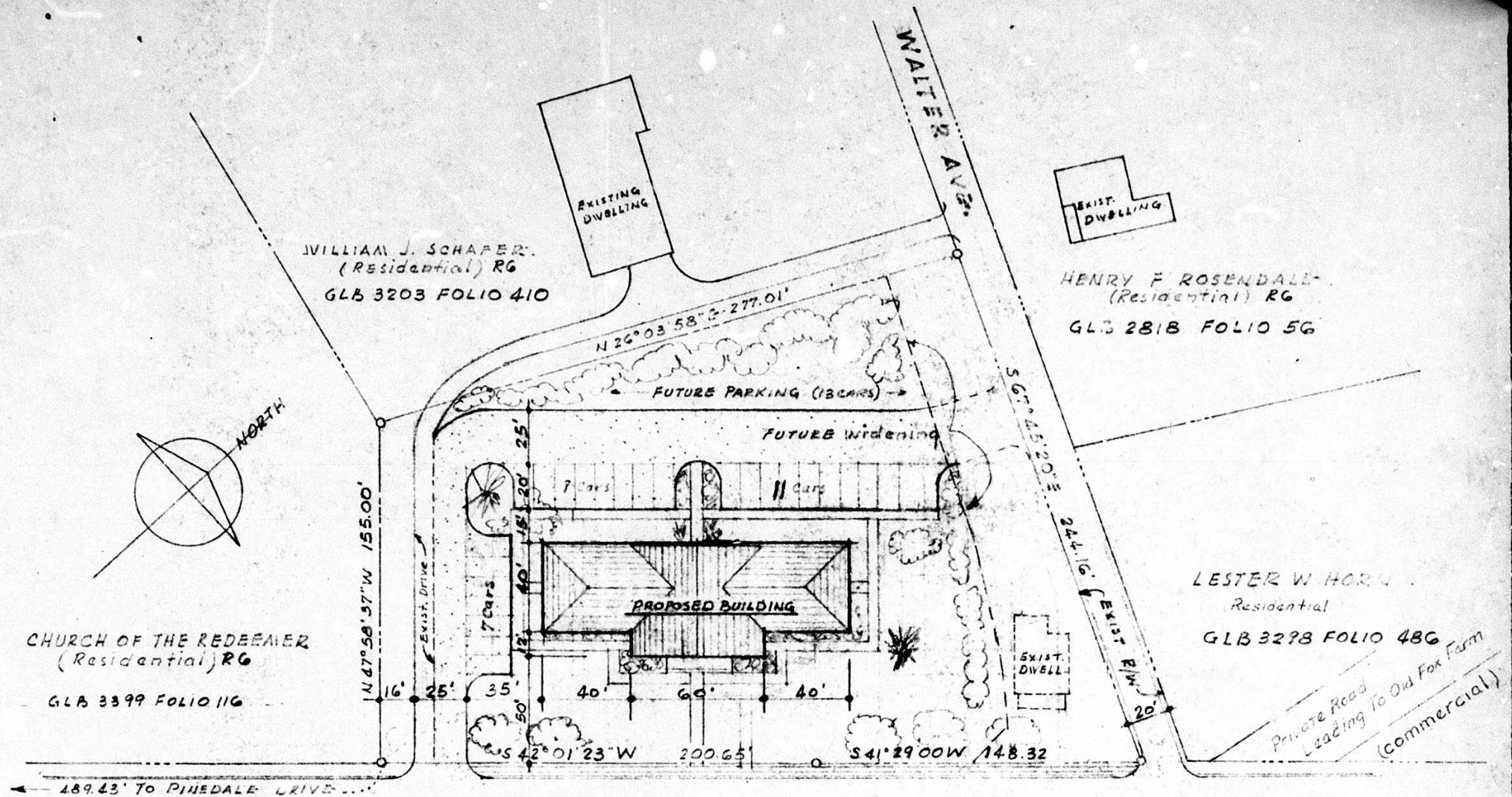
Manager.

JAN 27 - 61

ZONING DEPARTMENT

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 11th Date of Posting 1-25-61
Posted for: Am B-6 zone to Am R-A zone + Office Building
Petitioner: William J. Schaffer
Location of property: South side of Walter Avenue + west side of Belair Road, etc. for Plot
Location of Sign: Southwest corner of Walter Avenue and Belair Road
Remarks: George R. Hummel
Posted by: George R. Hummel Date of return: 1-26-61



B E L A : 2" 2010

R-G RESIDENTIAL
P L O T P L A N
 SCALE - 1" = 50'-0"
 LOT AREA - 1.399± ACRES.
 BUILDING AREA 6000'±
 26 PARKING SPACES

GLENN A. WATKINS JR. AIA
 ARCHITECT
 8 WEST 25TH STREET BALTIMORE 18, MD.

APPROVED FOR FILING
 Reviewed By LE
 Date 1/9/61

PLAT FOR REZONING FROM R-6 TO RA
SPECIAL EXCEPTION FOR OFFICE BUILDING
WILLIAM J SCHAFER - OWNER
11TH ELECTION DISTRICT - BALTO. CO. MD.
JANUARY 4 1961

DATA TAKEN FROM PLAT BY WH. PRIMROSE & ASSOC.
 DATED: SEPT. 1960