

RE: PETITION FOR RECLASSIFICATION :
from an "R-10" Zone to an :
"R-A" Zone - E/S Charles :
Street Avenue opposite :
Woodbrook Avenue :
9th District :
Hail Klenk, et al :
Petitioners :
No. 5213

This is a petition for reclassification from an "R-10" Zone to an "R-A" Zone, property on the East side of Charles Street Avenue opposite Woodbrook Avenue in the 9th District of Baltimore County.

The subject property is located on Charles Street Avenue—a major north-south thoroughfare connecting Baltimore City and Baltimore County. Immediately to the south of subject property and adjacent to the property is a paved parking area which is used as a parking lot for the Pinehurst Pharmacy and the Maiting-Turner office building. While the parking lot has been left in a residential category, it is admittedly being used as parking area for commercial enterprises. To the south of the Pinehurst Pharmacy and the Maiting-Turner building, we find four gas stations, a Gas and Electric Company transformer operation, and an Ace Supermarket. During the past five years, conditions on Charles Street Avenue in the vicinity of subject property have changed considerably. The street has been widened and carries heavy traffic as a major thoroughfare bringing City traffic to the Baltimore County Beltway. The protestants, property owners in the immediate area, objected to the higher density zoning as well as the effect this zoning would have on the Charles Street Avenue traffic.

The Board is unanimous in its opinion that the property owner is quite reasonable in his request for reclassification to an "R-A" Zone. It seems to this Board that an "R-A" classification is an excellent compromise between residential and commercial use. It will act as a transition zone between the residential area to the north and the commercial

zoning to the south and should alleviate the fears of the neighborhood of any further extension of commercial area to the north. While it is true, that this property has shielded some of the neighboring properties from the parking lot use, any use of the subject property whether it be for apartments or individual type homes, would have the same effect on these surrounding property holders. It is hard for this Board to realize that the development of this property for some 18 apartment units could possibly have any material effect upon the traffic conditions on Charles Street Avenue. With regard to the traffic problems created by a lack of service roads and the narrowness of La Grange Avenue, it certainly would not be reasonable to prohibit the use of the subject property from its proper reclassification because of inadequacies that exist in the area surrounding the subject property. Certainly from the testimony presented to the Board, reclassification from "R-10" Zone to an "R-A" Zone is reasonable and same is hereby granted.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 11th day of October, 1961 by the County Board of Appeals, ORDERED that the reclassification petitioned for, 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 BALTIMORE COUNTY

[Signature]
Chairman
[Signature]
S. Mitchell Hunter

NOTE: Mr. Charles Steinbock, Jr. did not sit at the hearing.

RE: PETITION FOR RECLASSIFICATION :
FROM "R-10" Zone to "R-A" Zone - :
E. S. Charles Street Ave., opp. :
Opp. Woodbrook Ave., 9th Dist., :
Hail Klenk and Margaret Klenk, :
Petitioners :
ZONING COMMISSIONER :
OF :
BALTIMORE COUNTY :
No. 5213

Pursuant to the advertisement, posting of property and public hearing on the above petition, the petitioners requested reclassification from "R-10" Zone to "R-A" Zone. The property is to contain eighteen apartment units.

Other plans have been submitted before the Zoning Commissioner for a reclassification of this property, but have been withdrawn before a decision could be made.

Very few streets are better known than Charles Street from its beginning in Baltimore City to the terminus in Baltimore County. There is much traffic on the entire street. In Baltimore City apartment houses have not detracted from the very attractive appearance of the street.

The petitioners have seen fit to ask for a change in zoning adjoining a place where commercialism has invaded Charles Street in Baltimore County. The plans submitted for apartments certainly are not detrimental to the health, safety, or general welfare of the locality, but to the contrary ease the change from commercialism to single family dwellings. The residential strip used for parking between the commercial zoning and the proposed apartment zoning is not sufficient reason to deny residential apartment use.

The traffic problem on the east side of Charles Street is apparently caused by the lack of a service road in the commercial area north of McKim Avenue and the owner of the subject property should not be prohibited from reclassifying their property because of the inadequate traffic control on a neighboring property.

For the above reasons the reclassification should be granted.

It is this 2nd day of March, 1961, by the 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 an "R-10" Zone to an "R-A" Zone, subject, however, to approval of ingress and egress by the State Roads Commissioner, and approval of plans by the Bureau of Land Development and the Office of Planning & Zoning.

It is further ORDERED that there shall be no access to LaGrange Road.

[Signature]
Zoning Commissioner
of Baltimore County.

Petition for Zoning Re-Classification #5213

To The Zoning Commissioner of Baltimore County:-

I, or we, Hail Klenk & Margaret Klenk, legal owner, & of the property, state: Beginning for the same at a point in the center of Charles Street Avenue 66 feet wide, at a distance of 137.42 feet Northerly from where said centerline would be intersected by the Northernmost outline of the parcel of ground belonging to the Maryland Central Railroad Company; thence running North 00 degrees 05 minutes East along centerline of Charles Street Ave. 150 feet; thence South 89 degrees 55 minutes East 150.65 feet; thence North 89 degrees 55 minutes West parallel to the second line of land by description 358.9 feet to the place of beginning. Being the same parcel of land conveyed by James Carrigan and wife to Margaret A. Carrigan and Mary E. Carrigan trustees on March 18, 1893. Being also lots 12 and 13 as shown on a plat of Woodbrook Highlands as records in the aforesaid Land Records plat book. Being the property of Hail and Margaret Klenk, as shown on plat plan filed with the Zoning Department.

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/10 zone to an R/A zone.

Reasons for Re-Classification:

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 re-classification, 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.

[Signature] Wm. N. Baldwin
[Signature] Wm. N. Baldwin
[Signature] Wm. N. Baldwin
Legal Owner
Address: 106 Midhurst Rd., Baltimore 12, Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 23rd day of January, 1961, 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 Reckord Bldg., in Towson, Baltimore County, on

23-61
JUL 23-61
24/60
10 AM
ZONING DEPARTMENT
Zoning Commissioner of Baltimore County
(over)
1-SIGN

OFFICE OF PLANNING Inter-Office Correspondence

From: George E. Savellis, Deputy Director :
To: John O. Rose, Zoning Commissioner :
Date: February 8, 1961

Subject: #5213 R-10 to R-A East side of Charles Street
beginning 337 feet north of Maryland and Pennsylvania
R. R., N. & M. Klenk

9th District :
Hearings: February 20, 1961 :
10:00 A.M.

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification to R-A zoning and has the following comment to make with respect to pertinent planning factors:

- Under R-10 zoning, the property could be developed into four (4) lots. Under R-A zoning, the property could be developed with as many as twenty (20) apartment dwelling units. Examination of the petitioners site plan indicates a current proposal to erect eighteen units.
- R-A zoning on the subject tract might serve as a bulwark to the transition now afforded by the office uses on property situated immediately south of this property and the active commercial uses even more southerly along Charles Street. The consensus of staff opinion is that apartment zoning would be most appropriate for the subject property at a lesser density, say ten units to the acre.

GE2:bc



ROBERT H. WHEELER, ETAL \$
IN THE \$
CIRCUIT COURT \$
FOR \$
NATHAN M. KAUFMAN, JR., ETAL \$
CONSTITUTING THE COUNTY \$
BOARD OF APPEALS FOR \$
BALTIMORE COUNTY, AND \$
HAIL KLENK AND MARGARET KLENK \$
INTERVENORS \$
\$ \$ \$ \$ \$ \$ \$
Case No. 2484

ORDER OF COURT

The above case having come before this Court, and arguments heard, it is this 11th day of April, 1962, ORDERED by the Circuit Court for Baltimore County, that the Order of the Baltimore County Board of Appeals dated the 11th day of October, 1961, appealed to this Court, be and the same is hereby affirmed, costs of this case to the Appellants.

[Signature]
JUDGE

JOHN R. CICERO
ATTORNEY AT LAW
MURPHY BUILDING
BALTIMORE & MARYLAND
SALESMAN 7-8888
July 12, 1962

Commissioner John O. Rose
Department of Planning and Zoning
Baltimore County Office Building
Room 119
Towson 4, Maryland

Attention: Miss Beatrice Anderson

Re: Hail Klenk Property, Charles Street,
Petition No. 5213.

Dear Mr. Rose:

This will confirm my telephone conversation of this morning with Miss Anderson, in which I informed her that I have this day forwarded to Mr. J. Lloyd Young, Clerk of the Court of Appeals of Maryland, an Order of Dismissal in the Appeal of Wheeler et al. vs. Hail Klenk et al., No. 100, September Term, 1962, Docket of the Court of Appeals of Maryland, which case is the same as your Petition No. 5213.

This Motion to Dismiss Appeal was signed by Kenneth G. Proctor and R. Taylor McClean, as counsel for the Appellants and yours truly of counsel for the Appellees.

This case is closed with the filing of this motion.

Very truly yours,
[Signature]
John R. Cicero

JRC:jmu

cc: William S. Baldwin



RTWC/mtd (5)
3/9/61

RE: PETITION FOR RECLASSIFICATION :
FROM "R-10" Zone to "R-A" Zone - :
E. S. Charles Street Ave., opp. :
Opp. Woodbrook Ave., 9th Dist., :
Hail Klenk and Margaret Klenk, :
Petitioners :
ZONING COMMISSIONER :
OF :
BALTIMORE COUNTY :
No. 5213

ORDER FOR APPEAL

MR. ZONING COMMISSIONER:

Please note an Appeal on behalf of Robert H. Wheeler, Woodbrook Lane, Baltimore 12, Maryland; John H. Bolgiano, 6319 La Grange Lane, Baltimore 12, Maryland; Mrs. C. Damer McKenrick, 6303 Charles Street Avenue, Baltimore 12, Maryland; William R. Mace, 6313 La Grange Lane, Baltimore 12, Maryland; William R. Mace, Jr., 6315 La Grange Lane, Baltimore 12, Maryland; Russell Wolf, 6317 La Grange Lane, Baltimore 12, Maryland; Abram Blumenthal, 6206 1/2 Haddon Avenue, Baltimore 12, Maryland; Ernest H. Manhart, 9 McKim Avenue, Baltimore 12, Maryland; Frank E. Horke, 6 St. Michaels Way, Baltimore 12, Maryland; and Woodbrook Village Association, Inc., Woodbrook Village, Baltimore 12, Maryland, from your Order dated March 2, 1961, in the above referred to matter to the County Board of Appeals of Baltimore County in the matter of the Petition for Reclassification from "R-10" Zone to "R-A" Zone - E. S. Charles Street Ave., opp. Woodbrook Ave., 9th Dist., Hail Klenk and Margaret Klenk, Petitioners. The above named Appellants own land near the tract that is the subject of the above referred to Petition for

PROCTOR, ROYSTON
AND
MUELLER
CARRIERS, BALTIMORE
TOWSON & MD.
VALLEY 3-1800

Reclassification and are taxpayers in Baltimore County and are adversely affected by the above referred to Order.

R. Taylor McLean
R. Taylor McLean
Attorney for Appellants

I HEREBY CERTIFY that a copy of the foregoing Order for Appeal was mailed by me this 9th day of March, 1961, to William S. Baldwin, Esq., 24 West Pennsylvania Avenue, Towson 4, Maryland, Attorney for Hall Klenk and Margaret Klenk.

R. Taylor McLean
R. Taylor McLean



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

No. 4225
DATE 1/27/61

To: Mr. Hall Klenk
106 Midway Rd.
Baltimore 12, Md.

BILLED BY: Zoning Department of Baltimore County

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Petition for Reclassification for your property	50.00
1		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.

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

No. 4274
DATE 2/16/61

To: Mr. Hall Klenk
103 York Road
Towson 4, Maryland

BILLED BY: Zoning Department of Baltimore County

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Advertising and posting of property located on the E/S of Charles St. Ave. and Woodbrook Ave.	27.00
1		27.00

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.

STATE OF MARYLAND
STATE ROADS COMMISSION
300 WEST PRESTON STREET
BALTIMORE 1, MD.

February 17, 1961

Mr. R. Taylor McLean
Campbell Building
Towson 4, Maryland

Dear Mr. McLean: Data Use

In accordance with the request made by Mr. Elmer Reese, Jr. during a telephone conversation on Friday, February 17, 1961 regarding traffic information on Charles Street (Md. Route 139), we wish to advise as follows.

The annual average daily traffic for 1960 on Charles Street just south of Bellona Avenue, was 22,225 vehicles per day.

The most recent count made by the Bureau of Traffic at this location indicated that during an 8-hour period (8 AM - 4 PM) on Wednesday, November 16, 1960, 13,906 vehicles were recorded on the south leg of Charles Street at Bellona Avenue.

The traffic volumes shown herein include traffic moving in both directions of travel at the location indicated.

We trust this is the information desired.

Very truly yours,

Ernest W. Bunting
Ernest W. Bunting, Chief
Traffic Planning Section
Bureau of Traffic

EWB/sjb

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

No. 4508
DATE 3/15/61

To: Messrs. Proctor, Boynton & Mueller,
Campbell Building
Baltimore 4, Md.

BILLED BY: Zoning Department of Baltimore County
113 County Office Bldg.,
Towson 4, Md.

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Order for Appeal to Board of Appeals No. 5213	875.00
1		875.00

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: 9th
Posted for: *Ann B. - 12 Gov. to Ann B. - Agent*
Petitioner: *Hall Klenk*
Location of property: *E/S of Charles St. Ave. opp. Woodbrook Lane*
Location of Signs: *East side of Charles St. Ave. opp. Woodbrook Lane*
Remarks: *See*
Posted by: *Steph. A. Hunsicker* Date of return: *2-16-61*

STATE OF MARYLAND
STATE ROADS COMMISSION
300 WEST PRESTON STREET
BALTIMORE 1, MD.

February 14, 1960

Mr. Kenneth C. Proctor
Campbell Building
Towson 4, Maryland

Dear Mr. Proctor: Data Use

In accordance with your request made during our telephone conversation today regarding traffic information on Charles Street (Md. Route 139), we wish to advise as follows.

The 1959 annual average daily traffic on Charles Street, south of Bellona Avenue, was 19,625 vehicles per day. The most recent annual count made at this location was on November 17, 1959 which indicated that 8197 vehicles passed this location in an 8 hour period from 8 A.M. to 4 P.M.

The traffic figures shown above indicate traffic moving in both directions of travel at the location stated.

We trust this information will be of value to you in your work.

Very truly yours,

Geo. W. Lewis, Jr.,
Chief - Traffic Bureau

Ernest W. Bunting
Ernest W. Bunting
Highway Engineer

sb

by:

*Manual count
within last
2 weeks*

VE 7-9000

STATE OF MARYLAND
STATE ROADS COMMISSION
300 WEST PRESTON STREET
BALTIMORE 1, MD.

February 18, 1960

Mr. Kenneth C. Proctor
Proctor, Boynton & Mueller
Campbell Building
Towson 4, Maryland

Dear Mr. Proctor: Data Use

In reply to your letter of February 12, 1960 and in further reference to our letter of February 4, 1960 regarding traffic information on Charles Street (Md. Route 139), we wish to advise as follows.

The manual count referred to in your letter was made for an eight hour period on Wednesday, February 3, 1960 during which a total of 7739 vehicles were recorded on Charles Street, south of Bellona Avenue between 8 A.M. and 4 P.M. For your further information, a comparable count made on February 18, 1959 indicated that 6455 vehicles were recorded during the same eight hour period of a year ago.

We trust this information will be of assistance to you.

Very truly yours,

Geo. W. Lewis, Jr.,
Chief - Traffic Bureau

Ernest W. Bunting
Ernest W. Bunting
Highway Engineer

sb

by:

PETITION FOR ZONING RECLASSIFICATION
The zoning of the property located at the intersection of Charles Street and Woodbrook Lane, Baltimore 12, Md., is hereby petitioned to be changed from R-10 to R-15. The property is owned by Hall Klenk and Margaret Klenk. The zoning of the property is hereby petitioned to be changed from R-10 to R-15. The property is owned by Hall Klenk and Margaret Klenk. The zoning of the property is hereby petitioned to be changed from R-10 to R-15. The property is owned by Hall Klenk and Margaret Klenk.

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 3, 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., on each of the following dates: February 3, 1961, February 10, 1961, February 17, 1961, February 24, 1961, and March 3, 1961. The first publication appearing on the 3rd day of February 1961.

THE JEFFERSONIAN
Frank H. Hunsicker
Manager

Cost of Advertisement, \$.....

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

No. 8210
DATE 11/21/61

To: R. Taylor McLean, Esq.
Campbell Building
Towson 4, Maryland

BILLED BY: County Board of Appeals
(Zoning Dept.)

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Cost of Certified Copies - Hall Klenk et al; property	9.00
1		9.00

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.

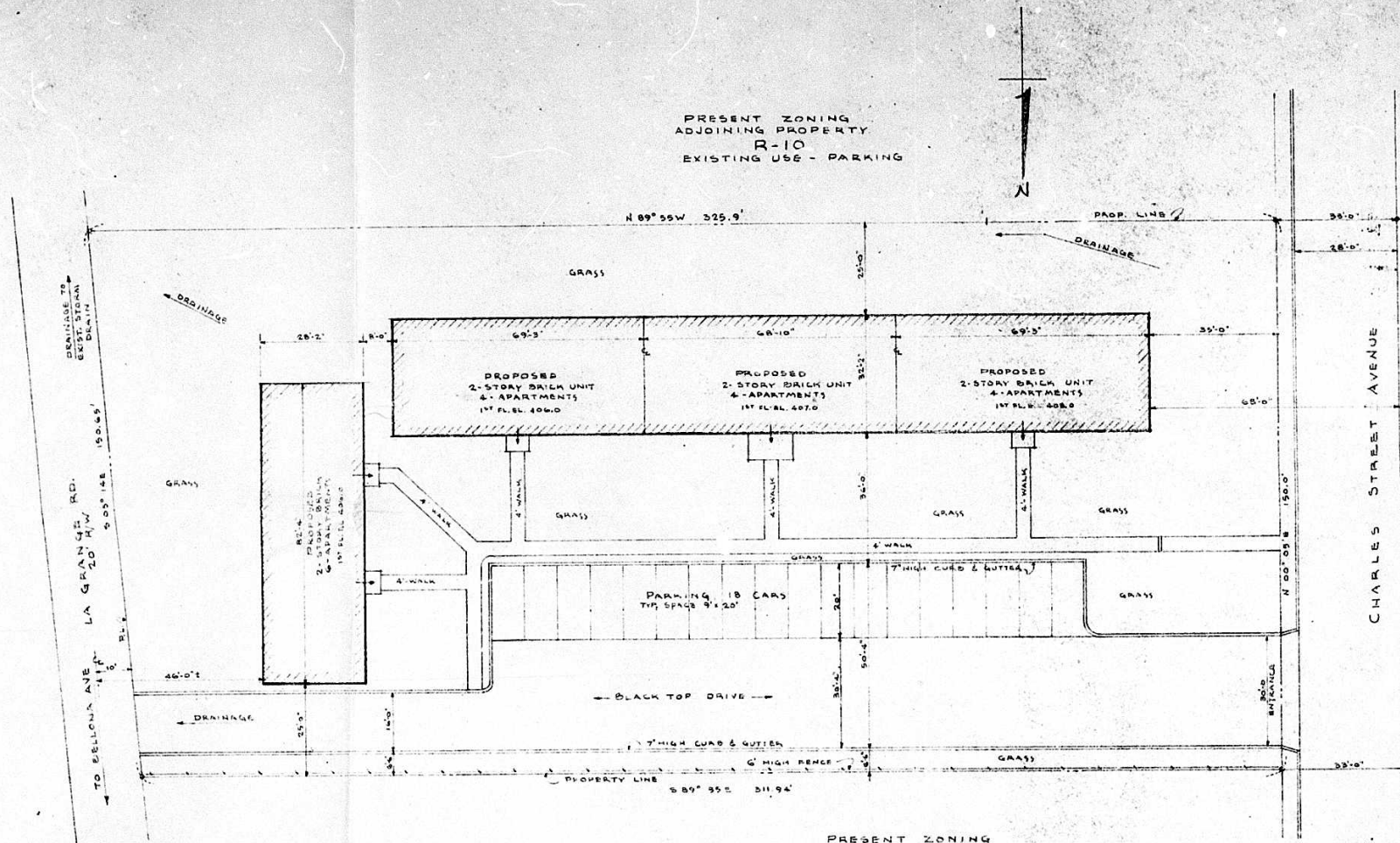
CERTIFICATE OF PUBLICATION

TOWSON, MD. February 2, 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., on each of the following dates: February 2, 1961, February 9, 1961, February 16, 1961, February 23, 1961, and March 2, 1961. The first publication appearing on the 2nd day of February 1961.

The COUNTY Paper, Inc.
Frank H. Hunsicker
Manager

1



PRESENT ZONING
SUBJECT PROPERTY
R-10
EXISTING USE - UNDEVELOPED

PROPOSED ZONING FOR APARTMENTS

PROPOSED ZONING
6300 BLOCK N. CHARLES STREET AVE.
'WOODBROOK'
9TH ELECTION DISTRICT BALTIMORE CO. MD.
SCALE: 1"=20'