

# Petition for Zoning Re-Classification #5229

To The Zoning Commissioner of Baltimore County:

I, or we, Caldwell Realty, Inc. legal owner... of the property situate  
The description accompanies this petition

SEE ATTACHED DESCRIPTION

MAP #13  
SEC. 2-A  
3-A  
BL

herby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-1 zone to an R-2 zone.

Reasons for Re-Classification: Change in conditions since original 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.

xxx 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.

CALDWELL REALTY, INC.  
By: Philip S. Hoff President  
Contract Purchaser  
Address: 416 E. North Ave. 29

Commissioner of Baltimore County, this... 14th... day of... 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 the... 3rd... day of... May... 1961, at 11:00 A.M.

John G. Rose  
Zoning Commissioner of Baltimore County  
(over) 3/22/61  
11 A.M.

1-SIGN

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District... 13... Date of Posting... 3-3-61... #5229  
Posted for: George E. Lewis to George E. Lewis  
Petitioner: Caldwell Realty, Inc.  
Location of property: M.B.S. of Mauldin, Cheryl Lane, NW of the Northwest end of Shelburne Ave. etc. see plat.  
Location of Sign: at NW of Shelburne Ave. on the M.B.S. of Mauldin, Cheryl Lane.  
Remarks: George E. Lewis  
Posted by: George E. Lewis Date of return: 3-6-61

RE: PETITION FOR RECLASSIFICATION FROM AN "R-1" ZONE TO A "R-2" ZONE - N. E. Side Maiden Choice Lane and N.W. Side Shelburne Road, 13th District - Caldwell Realty, Inc., Petitioner  
BEFORE ZONING COMMISSIONER OF BALTIMORE COUNTY  
No. 5229

The subject property was first brought to my attention in 1957 when one of the owners inquired as to the feasibility of rezoning the property. A change was not recommended. Much later Mr. Willis H. Adams, Zoning Commissioner, when he submitted a zoning map to the County Council, recommended "Business Local". The County Council after holding a hearing and actually visiting the subject property, which is generally known as the "Mack Property" recommended "R-1" residential apartment.

Shelburne Road begins at Sulphur Spring Road and runs in a northerly direction and narrows down to a foot bridge across the Baltimore County Parkway. It becomes a road for motor vehicles again and ends at Maiden Choice Lane in front of the Mack house. The traffic on Shelburne Road is extremely light. The property at the southeast corner of Maiden Choice Lane and Shelburne Road facing on Shelburne Road is laid out as a parking lot but the lot is seldom used.

Except for the corners of Leads Avenue and Maiden Choice Lane both sides of Maiden Choice Lane proceeding northerly from Leads Avenue to the petitioner's property, are zoned "R-2" and have very fine homes located thereon. The average property owner has resided on his premises for 20 years or more.

On the property adjoining the petitioner's property Leads Federal Savings & Loan Association has created a very fine building.

I have personally checked the traffic and general activity immediately adjacent to the subject property at various hours of the day and night.

In general the area is quiet. Granting Business Local as requested by the petitioner would destroy the quiet enjoyment to the residents of Leads Avenue and the residents on Elmridge Avenue now enjoy. The Elmridge Road properties back on the present Business Local and Residential Apartment areas and are northeast of the petitioner's property.

There have been absolutely no changes in the vicinity since the 13th District Land Use Map was adopted June 2, 1959. The zoning was not in error.

For the above reasons the reclassification is denied.

## BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF PUBLIC SERVICES Inter-Office Correspondence

From: George E. Lewis March 21, 1961  
To: John Rose  
Subject: Zoning Petition #5229

Any zoning of this property should be made subject to approval of site plan by the Office of Planning and Division of Land Development.

George E. Lewis  
George E. Lewis  
Chief  
Bureau of Public Services

GEI:rb

RECEIVED  
MAR 21 1961  
BALTIMORE COUNTY  
OFFICE OF PLANNING

It is this 26th day of May, 1961, by the Zoning Commissioner of Baltimore County, JOSEPH that the above petition be and the same is hereby denied and that the above property or area be and the same is hereby continued as to remain an "R-1" Zone.

John G. Rose  
Zoning Commissioner of Baltimore County

"PETITION FOR ZONING RECLASSIFICATION"  
SOME: From R-1 Zone to R-2 Zone.  
LOCATION: Northeast side of said Maiden Choice Lane and the Northwest side of Shelburne Avenue.  
DATE AND TIME: WEDNESDAY, MAY 23, 1961 AT 2:00 P.M.  
PUBLIC HEARING: Room 106, County Office Building, 111 S. 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 Thirteenth District of Baltimore County, beginning for the same at a point on the Northeast right of way line of Maiden Choice Lane (70 ft. wide) at a distance of 254.16 ft. northeasterly from the intersection formed by the intersection of the southeast right of way line of Highview Avenue (50 ft. wide) and the northeast right of way line of Maiden Choice Lane (70 ft. wide) as shown on Baltimore County Highway Plat 18W 18-283 and recorded in Highview Liber 18C Folio 985 and dated October 29, 1959 and recorded among the land records of Baltimore County in Liber C W B, Jr. 944 Folio 187 was conveyed by Mary Mack to Mary Elizabeth Mack and in the fourth line of land which by deed dated January 24, 1957 and recorded among the land records of Baltimore County in Liber CLB M W Folio 121 was conveyed to Arthur Shopping Plaza, Inc. opposed to Leads Federal Savings and Loan Association running thence and binding on part of the third line in said deed Mack to Mack and on the northeast right of way line of Maiden Choice Lane (70 ft. wide) 164-372 200.6 ft. more or less, to the beginning of the third line of the land which by deed dated March 29, 1951 and recorded among the land records of Baltimore County in Liber 18B Folio 185 was conveyed by Clayton W. Bentley, incorporated in E. Agnes Chatham thence leaving the northeast right of way line of Maiden Choice Lane and binding on the third line of aforementioned deed Mack to Mack and binding on part of the fourth line of the land in aforementioned deed Arthur Shopping Plaza, Inc. opposed to Leads Federal Savings and Loan Association running thence and binding on part of the second line in aforementioned deed Mack to Mack and binding reversely on part of the fourth line of the above said deed Arthur Shopping Plaza, Inc. incorporated in Leads Federal Savings and Loan Association Folio 248 B, more or less, to the beginning of the second line of the above CONTAINING 1.43 acres of land, more or less.  
HAVING and accepting without so much of the land above described as has been previously zoned R-1.  
Being a part of the lot of ground which by deed dated October 29, 1959 and recorded among the land records of Baltimore County in Liber C W B, Jr. 944 Folio 187 was conveyed by Mary Mack to Mary Elizabeth Mack. Being the property of Caldwell Realty, Inc., as shown on plat plan filed with the Zoning Department.

CERTIFICATE OF PUBLICATION  
THIS IS TO CERTIFY, That the annexed advertisement was published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md. once in each of one successive weeks before the 3rd day of May 1961 the first publication appearing on the 13th day of April 1961.

John M. Martin  
THE TIMES  
Manager

Cost of Advertisement \$ 30.50  
Purchase order-Q 397  
Requisition no. L 1761

## OFFICE OF PLANNING

Inter-Office Correspondence

From: George E. Gavrellis, Deputy Director April 21, 1961  
To: John G. Rose, Zoning Commissioner  
Subject: #5229 R-1 to R-2 NW of said Maiden Choice Lane and NW of Shelburne Ave.  
Caldwell Realty

13th District 5/3/61 2:00 P.M.

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-1 to R-2 zoning and has the following advisory comments to make with respect to pertinent planning factors:-

- The subject property was formerly known as the Mary E. Mack property. Extensive comment and discussion occurred concerning the appropriateness or lack of appropriateness of this property for commercial zoning at hearings before the Planning Board and the County Council. The development policy of the County as indicated on the 13th District zoning map, as adopted by the County Council, simply was to utilize the Mack property as a transition between active commercial uses to the north and very fine single family residences to the south and west. Apartment zoning was also created on the westerly side of Maiden Choice Lane, north of Shelburne Avenue to accomplish the same purpose.

The planning staff believes that the 13th District zoning map was correct in creating R-2 zoning for the Mack property. We note, however, that the actual zone boundary as established by description, is in error, in that approximately 12 feet of the Mack property was zoned R-1. It is the recommendation of the planning staff, that that portion of the Mack property zoned R-1 be reclassified to R-2 zoning.

GEI:rb

## OFFICE OF PLANNING

Inter-Office Correspondence

From: George E. Gavrellis, Deputy Director March 10, 1961  
To: John G. Rose, Zoning Commissioner  
Subject: #5229 R-1 to R-2 NW of said Maiden Choice Lane and the Northwest side of Shelburne Avenue.  
Caldwell Realty Co. Inc.

13th District March 22, 1961 11:00 A.M.

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following advisory comment to make with respect to pertinent planning factors:

- The subject property extends in part to include part of a tract formerly known as the Mary E. Mack property. Extensive comment and discussion occurred concerning the appropriateness or lack of appropriateness of this property for commercial zoning at hearings before the Planning Board and the County Council. The development policy of the County as indicated on the 13th District Zoning Map, as adopted by the County Council, simply was to utilize the Mack property as a transition between active commercial uses to the north and very fine single family residences to the south and west. Apartment zoning was also created on the westerly side of Maiden Choice Lane, north of Shelburne Road to accomplish the same purpose.

The planning staff believes that the 13th District Zoning Map was correct in creating R-2 zoning for the Mack property. We note, however, that the actual zone boundary as established by description is in error, in that approximately 12 feet of the Mack property was zoned R-1. It is the recommendation of the planning staff that that portion of the Mack property now zoned R-1 be reclassified to R-2 zoning.

- The subject petition as described by the accompanying plat and notes and bounds, descriptions embraces also land developed in part for the Leads Federal Savings and Loan Association. The planning staff has no objection to commercial uses or land potentials on the northerly 190 feet (more or less) of this petition, inasmuch as the property now is zoned for commercial purposes. We note also an apparent conflict between the MAP Supermarket as indicated on the petitioner's site plan and the Leads Federal Savings Bank- they seem to occupy the same site.

John M. Martin  
OFFICE OF PLANNING

GEI:rb

TELEPHONE VALLEY 3-3000

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

No. 4728  
DATE 5/12/61

To: Caldwell Realty, Inc.  
4616 Leeds Ave.  
Balto. 27, Md.

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO.	TOTAL AMOUNT
01622	\$55.50
QUANTITY	COST
Advertising and posting of your property	\$5.50
PAID - Baltimore County, Md. - Office of Finance	
3-1761 9005 • • • TIL-	\$550
3-1761 9005 • • • TIL-	\$550

3

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. 4823  
DATE June 27, 1961

To: Edward J. Warren, Inc.,  
4616 Leeds Avenue  
Baltimore 29, Md.

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

DEPOSIT TO ACCOUNT NO.	TOTAL AMOUNT
01.522	\$70.00
QUANTITY	COST
Cost of appeal to the Board of Appeals No. 5229 - Caldwell Realty, Inc.	\$70.00
PAID - Baltimore County, Md. - Office of Finance	
6-2761 1619 • • • TIL-	70.00

3

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. 4515  
DATE 3/17/61

To: Mr. Edward J. Warren, Inc.  
4616 Leeds Ave.  
Arbutus 29, Md.

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO.	TOTAL AMOUNT
01622	\$28.00
QUANTITY	COST
Advertising and posting of property for Caldwell	\$28.00
PAID - Baltimore County, Md. - Office of Finance	
3-1761 6386 • • • TIL-	28.00

3

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. 4291  
DATE 2/21/61

To: Caldwell Realty, Inc.  
4616 Leeds Ave.  
Balto. 29, Maryland

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO.	TOTAL AMOUNT
06122	\$50.00
QUANTITY	COST
Petition for Reclassification for Caldwell Realty, Inc.	\$50.00
PAID - Baltimore County, Md. - Office of Finance	
2-2861 5891 • • • TIL-	\$0.00
2-2861 5891 • • • TIL-	\$0.00

3

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.

"INTERESTED IN YOUR HOME" TELEPHONE CIRCLE 2-9300

EDWARD J. WARREN, Inc.  
Realtor  
4616 LEEDS AVENUE, BALTIMORE 29, MARYLAND

November 4, 1961

Miss Bettie Cunningham,  
County Board of Appeals,  
County Office Building,  
Towson (4), Md.

Re: Reclassification of property  
from an "R-A" Zone to a "B-L"  
Zone - NE/S Maiden Choice Lane  
& NW/S Shelbourne Rd. - 13th Dist.  
Caldwell Realty, Inc., - Petitioner

Dear Miss Cunningham:

Please withdraw the appeal on the above matter  
and return out check in the amount of Seventy Dollars  
(\$70.00) posted with your office.

Very truly yours,  
Edward J. Warren

7. 70.00  
Bettie Cunningham  
48 23 - Service  
01.622

Rec'd. 11/6/61  
@ 8:40 AM

MEMBER OF:  
MUTUAL LISTING BUREAU  
REAL ESTATE BOARD OF BALTIMORE  
REAL ESTATE BOARD OF BALTIMORE COUNTY

"INTERESTED IN YOUR HOME" TELEPHONE CIRCLE 2-9300

EDWARD J. WARREN, Inc.  
Realtor  
4616 LEEDS AVENUE, BALTIMORE 29, MARYLAND

JUN 26 '61 AM  
ZONING DEPARTMENT  
By

Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Bldg.  
Towson 4, Maryland

Re: Reclassification of property  
from an "R-A" Zone to a "B-L"  
Zone - N E Side Maiden Choice  
Lane and N W Side of Shelbourne  
Road, 13th District - Caldwell  
Realty, Inc., Petitioner No. 5229

Dear Sir:

Please enter an appeal in the above matter.  
Enclosed please find check in the amount of Seventy Dollars  
representing the cost of appeal.

Very truly yours,  
CALDWELL REALTY, INC.  
Edward J. Warren, Agent

enc. 1  
ejw/ab

3, 11/6/61

MEMBER OF:  
MUTUAL LISTING BUREAU  
REAL ESTATE BOARD OF BALTIMORE  
REAL ESTATE BOARD OF BALTIMORE COUNTY

R6  
RESIDENTIAL

R6  
RESIDENCE

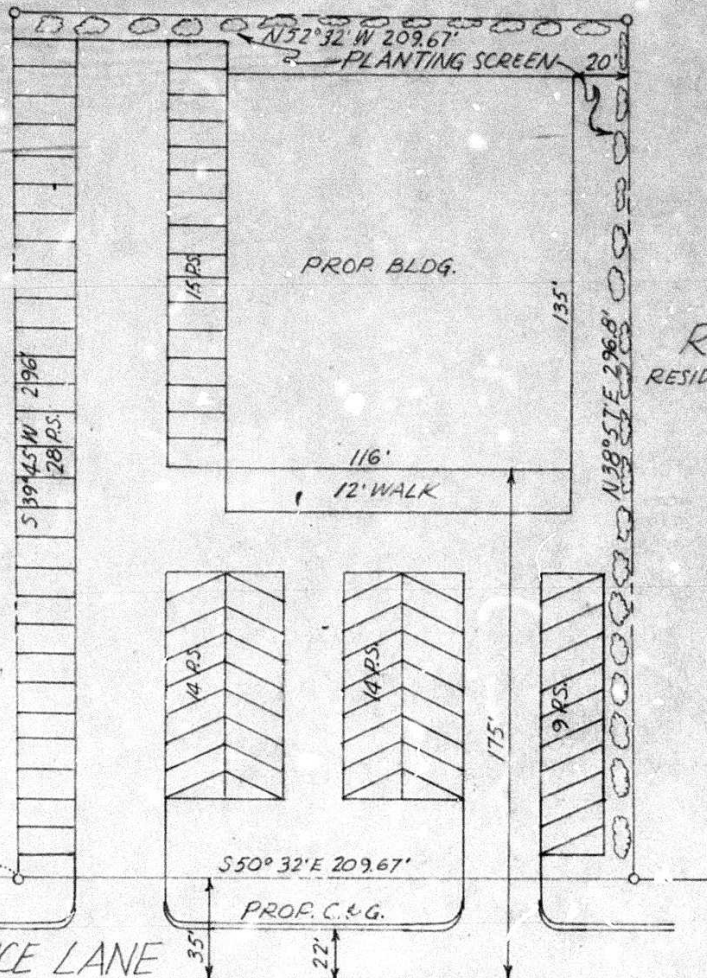
BL  
SAVINGS & LOAN

#5229  
MAP  
#13  
SEC. 2-A  
3-A

HIGHVIEW AVENUE

← 254.16' TO HIGHVIEW AVENUE

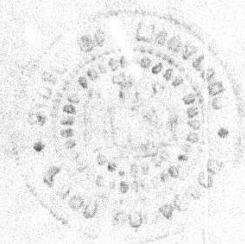
MAIDEN CHOICE LANE



SEWER & WATER AVAIL.

AREA OF PROP. - 1.42 AC±  
EXIST. USE OF PROP. - VACANT  
PROP. USE OF PROP. - FOOD STORE  
PRES. ZONING OF PROP. - BL & RA  
PROP. ZONING OF PROP. - BL

MULLER, RAPHEL & ASSOCIATES, INC.  
REG. ENGINEERS & SURVEYORS  
201 COURTLAND AVE.  
TOWSON 4, MARYLAND



PLAT TO ACCOMPANY ZONING PETITION  
13<sup>TH</sup> ELECT. DIST. BALTO. CO., MD.  
SCALE: 1" = 50' MAR. 23, '61

OR SEE 3/24/61

