

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

#5406
MAP ✓
#15-C
#15-B
BL
11/14/61

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Glen Holt, Grace P. Holt legal owner^s of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R6 zone to an BL zone; for the following reasons:

To permit the erection of a building at some future date and for the purpose of conducting therein a business when said building has been erected.

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for _____

Property is to be posted and advertised as prescribed by Zoning Regulations.

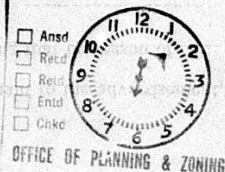
I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Robert P. Mann
30 W. Chase Avenue
Towson - 4, Md.
~~Contract purchase attorney~~
Address _____

Glen Holt
Grace P. Holt
Legal Owner
Address Box 89, Bird River Rd. (20)

George D. Edwards
Petitioner's Attorney
Address 6903 Dunmanway, Baltimore-22-Md.
AT 5-0800

ORDERED By The Zoning Commissioner of Baltimore County, this 5th day of October, 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 be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of November, 1961 at 10:00 o'clock A. M.



[Signature]
Zoning Commissioner of Baltimore County

(over)

RE: PETITION FOR RECLASSIFICATION
from "R-6" zone to "B-1" zone
S/S Bird River Road 67' W. Wampler
Road - 15th District
Glen Holt et al; -Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5406

The petitioner seeks to reclassify a tract of land of 16.9 acres on the south side of Bird River Road approximately 67 feet west of Wampler Road. The land is now idle with the exception of a residence on the property in which the petitioner lives. The subject tract of land fronts on Bird River Road for approximately 1600 feet. The depth of the property varies from 200 feet to 800 feet.

Bird River Road in this vicinity has a 20 foot roadbed with ditches on both sides and no sidewalks. There are two bungalows to the west of the property on "R-6" land and to the east there is 67 feet of vacant land to Wampler Road. This is also zoned "R-6". The land on the opposite side of Bird River Road is zoned "R-6". The area is not heavily populated.

The petitioner's witnesses listed five zoning changes in reclassifications since 1945 but the commercial uses were from one half mile to a mile and a half distant from the subject tract of the petitioner. The petitioner admitted that the topography and terrain of his land was such that homes could be erected thereon. In fact, it was stated that the land is suited for any use.

Mr. George E. Gavrelis, Deputy Director of Planning and Zoning for Baltimore County, testified that his office was opposed to the reclassification for the following reasons:

1. It would be "spot zoning."
2. The area is residential in nature.
3. No commercial use in close proximity.
4. There is a plentitude of commercially zoned in the area that has not been put to use.

Several residents in the neighborhood objected to the proposed reclassification on the ground that it would adversely affect the value of their home and would increase traffic hazards on a narrow road.

It is the unanimous opinion of the Board of Appeals that there have been no changes in the immediate neighborhood which warrant a reclassification, and that the petitioners have failed to show an error in original zoning. Further, it is the opinion of the Board that to grant such reclassification would be "spot" zoning in an area which is predominantly residential in character.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 3rd day of May, 1962 by the County Board of Appeals, ORDERED that the reclassification petitioned for be and the same is hereby denied.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Charles H. ...
CHAIRMAN
G. Mitchell Austin

RE: PETITION FOR RECLASSIFICATION
From "R-6" Zone to "B-1" Zone
S. S. Bird River Road 67' W.
of Wampler Road, 15th Dist.,
Glen Holt and Grace Holt,
Petitioners

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5406

The above petition is for reclassification of property from an "R-6" Zone to a "B-1" Zone on the south side of Bird River Road 67 feet west of Wampler Road, in the Fifteenth District of Baltimore County. This very same area was the subject of a hearing for reclassification from an "R-6" Zone to an "R-4" Zone in the name of William Peters, Jr., Petition No. 4534. This petition was denied by the Zoning Commissioner on February 18, 1959.

The County Board of Appeals in a lengthy opinion gave many cogent reasons why the existing "R-6" zoning should not be changed. The Board had this to say:

"As to the Peters land, however, the change in the immediate neighborhood, in our opinion, is not sufficient to justify its reclassification to "R-4". Briefly, the reclassification of Peters land would amount to "spot zoning" at its worst. There is no need for the higher density use, nor can we agree with petitioner's contention that individual house development is not feasible for the area."

The Peters request was denied by the Circuit Court for Baltimore County on June 21, 1961.

The subject property is also suitable for "R-6" development. There was no error in the original zoning and there have not been sufficient changes to warrant a reclassification from "R-6" Zone to "B-1" Zone.

For the foregoing reasons the reclassification should be denied. It is this 6th day of December, 1961, by the Zoning Commissioner of Baltimore County, ORDERED that the above described property or area be and the same is hereby continued as and to remain an "R-6" Zone.

John G. Rose
Zoning Commissioner
of Baltimore County

GEORGE D. EDWARDS
Attorney at Law
PROFESSIONAL BUILDING
6003 DUNMUNWAY
BALTIMORE 22, MARYLAND
ATV-9888

December 14, 1961

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

Re: Petition for reclassification from "R-6" zone to "B-1" zone-S. S. Bird River Road, 67' feet west of Wampler Road, 15th District, Glen Holt and Grace Holt, Petitioners.

Mr. Commissioner:

Please enter an Appeal to the Board of Zoning Appeals on behalf of Glen Holt and Grace Holt, owners of the above captioned property from a decision rendered by you on December 6, 1961.

I enclose herewith my check in the amount of \$70.00, representing costs.

Very truly yours,

George D. Edwards
George D. Edwards

GDE/ds
Enc.

OFFICE OF PLANNING AND ZONING Inter-Office Correspondence

Date November 10, 1961

To: Mr. John G. Rose, Zoning Commissioner
From: Mr. George E. Gavrelis, Deputy Director
Subject: #5406, R-6 to B-1, Southside of Bird River Rd.
67' feet West of Wampler Road. Being property of Glen Holt.

15th District

REAPING: Wednesday, November 22, 1961 (10:00 A.M.)

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

- 1.- Changes in land uses and the intensity of land usage have occurred in this area. The results of these changes has been the verification of the appropriateness of commercial zoning at Bird River and Middle River Roads. The appropriate place for commercial activity lies to the west of the higher density residential areas in the vicinity of Middle River Road and Pulaski Highway.
- 2.- In the opinion of the Planning staff, the creation of commercial zoning on the subject property would result in land use potential that would not be in conformity or in harmony with those of adjacent properties. However, commercial zoning here would not be based on a reasonable or comprehensive plan for the development of the area as a whole. As such, the Planning staff believes that a condition of spot zoning would occur if B-1 zoning were granted.

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

No. 9708

DATE 11/21/61

To: George D. Edwards, Esq.
6903 Dunmurray
Baltimore 22, Md.

BILLED BY: Zoning Department of
Baltimore County

DEPOSIT TO ACCOUNT NO.	01622	TOTAL AMOUNT	\$ 32.00
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST	
	Advertising and posting of property for Glen Holt	32.00	

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. 8159

DATE 10/5/61

To: Mr. George D. Edwards
Attorney
6903 Dunmurray
Baltimore 22, Md.

BILLED BY: Zoning Department of
Baltimore County

DEPOSIT TO ACCOUNT NO.	01622	TOTAL AMOUNT	\$20.00
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST	
	Petition for Reclassification for Glen Holt	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. 9718

DATE 12/15/61

To: George D. Edwards, Esq.
6903 Dunmurray
Baltimore 22, Md.

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

DEPOSIT TO ACCOUNT NO.	01622	TOTAL AMOUNT	\$ 70.00
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST	
	Cost of appeal to Board of Appeals No. 5406	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.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#5406

District: 15th
Posted for: Appeal Hearing
Petitioner: Glen Holt, et al
Location of property: S. S. Bird River Rd. 67' W. of Wampler Road, 15th Dist.
Location of Sign: South side of Bird River Road 15th Dist. near Wampler Road
Remarks: George D. Edwards
Posted by: George D. Edwards
Date of Posting: 11-5-62
Date of return: 11-6-62

PETITION FOR ZONING RECLASSIFICATION—15TH DISTRICT

ZONING: From R-6 Zone to B-1 Zone.
LOCATION: South side of Bird River Road
67 feet West of Wampler Road.
DATE AND TIME: Wednesday, November
22, 1961 at 10:30 A. M.
PUBLIC HEARING: Room 108, County
Office Building, 111 W. Chesapeake Ave-
nue, 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 Fifteenth District of Baltimore County:

Beginning for the same on the south side of Bird River Road at the distance of 67 feet westerly from the southwest corner of Bird River Road and Wampler Road and running thence and binding on the south side of Bird River Road South 82 degrees 49 minutes West 694.13 feet, thence leaving said road and running the three following courses and distances viz: South 7 degrees 11 minutes East 210 feet, South 82 degrees 49 minutes West 100 feet and North 7 degrees 11 minutes West 210 feet to the south side of Bird River Road, thence binding on the south side of said road South 82 degrees 49 minutes West 735.55 feet, thence leaving said road and binding on the outlines of the property of Glen Holt and wife the five following courses and distances viz: South 21 degrees 19 minutes 30 seconds East 412.85 feet, South 83 degrees West 100 feet, South 38 degrees 40 minutes East 541.17 feet, North 51 degrees 59 minutes East 1395.75 feet and North 22 degrees 13 minutes West 151.56 feet to the place of beginning.

Containing 16.3 Acres of land more or less.

Being the property of Glen and Grace Holt, as shown on plat plan filed with the Zoning Department.

By Order of
JOHN G. ROSE,
Zoning Commissioner of
Baltimore County.

Nov. 3.

DUPLICATE

CERTIFICATE OF PUBLICATION

TOWSON, MD., November 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., ~~once in each~~ at 1 time ~~times~~ before the 22nd day of November, 1961, the first publication appearing on the 3rd day of November 1961.

THE JEFFERSONIAN,

Frank M. Smith
Manager.

Cost of Advertisement, \$_____

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

#5406

District 15th Date of Posting 11-1-61

Posted for: Any R-6 Zone to an R-1 Zone

Petitioner: Glen & Grace Holt

Location of property: S/S. of Bird River Rd. 67 ft. west of Wampler Road, etc. See Plat

Location of Signs: One sign 110 ft. another 695 ft. west of Wampler Road on the south side of Bird River Road.

Remarks: George R. Hummel

Posted by George R. Hummel Date of return 11-2-61

Signature

BIRD RIVER

ZONED E-6
RESIDENTIAL AND FARMING USE

ROAD

S 82° 41' W 728.55'

S 82° 41' W 604.15'

67'

WANTLER ROAD

ZONED R-6
RESIDENTIAL USE

S 15° 10' 30" E 411.35'

S 88° W 100'

ZONED GROUP

S 31° 02' E 541.7'

ZONED GROUP

N 75° 11' W 210'

724'

21'

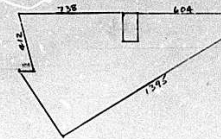
DWELLING

32.3'

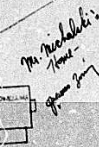
ZONED R-6
RESIDENTIAL USE

S 21° 11' E 210'

S 82° 41' W 100'



ZONED R-6
RESIDENTIAL USE



Mr. Michael's
Home
from 1971

N 57° 59' E 1395.75'

ZONED R-6
UNIMPROVED WOODS

ZONING PLAT
PROPERTY LOCATED
IN
15TH DISTRICT BALTO., CO. MD
16.9 ACRES ±

PRESENT ZONING R-6
PROPOSED ZONING BL

#5406



SCALE 1" = 50' SEPTEMBER 29, 1961
DOLLEBERRY BROTHERS
SURVEYORS & CIVIL ENGINEERS
704 WASHINGTON AVE. BALTIMORE, MD.

THIS PLAT IS NOT TO BE USED FOR THE PURPOSE
OF CONVEYING THIS PROPERTY

