

RE: PETITION FOR RECLASSIFICATION
from an "R-6" Zone to a "B-1" Zone,
Special Exception for a Trailer Park,
and Variance to Section 238.1
NW/4 Philadelphia Road, 2635 feet
from Forge Road
11th District
John H. Remington, Sr.,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5533-RXV

OPINION

The petitioner herein seeks to reclassify a tract of land from "R-6" to "B-1" on the northwest side of Philadelphia Road, 2635 feet from Forge Road. The land fronts on Philadelphia Road for approximately 285 feet, and consists of approximately five (5) acres. He also seeks a special exception for a Trailer Park and a variance from the front yard requirements as set forth in Section 238.1 of the Baltimore County Zoning Regulations.

A Department of Recreation center is contiguous to the subject property on the south. A small nursery is located across Philadelphia Road as well as several other "B-1" uses.

Witnesses for the petitioner testified as to various changes in zoning classification in the neighborhood in recent years. All of the changes nearby have been from "R-6" to "B-1" and also a special exception for a gasoline service station.

George E. Gavrillis, Deputy Director of Planning, stated that the Office of Planning recommends that any commercial zoning at this site and that reclassification to "B-1" would be damaging to the area to the west and north, where are located the substantial residential developments known as Forge Heights and Forge Acres.

It is the opinion of the Board that the business uses along Philadelphia Road have been primarily that of neighborhood type shops. The "B-1" zoning sought by the petitioner is the least restrictive of all commercial zones and would offer too harsh a contrast with existing zoning in this area. However, because of the present nature of Philadelphia Road and the many existing commercial uses along this road, the Board feels it would be unfair to the property owner to restrict the subject property to "R-6" uses. For that reason, the Board sees fit to grant a reclassification from "R-6" to "B-1". As trailer parks are not permitted in a "B-1" zone, the request for a special exception becomes a moot question and the variance sought is no longer required.

For the reasons set forth in the foregoing Opinion, it is this 27th day of June, 1963 by the County Board of Appeals, ORDERED that the reclassification, special exception and variance petitioned for, be and the same is hereby denied and that in lieu thereof the petitioner be granted a reclassification from "R-6" to "B-1".

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

William H. F. Warriner
CHAIRMAN

John H. Remington, Sr.

Charles H. Remington

RE: PETITION FOR RECLASSIFICATION
From "R-6" Zone to a "B-1" Zone,
Special Exception for a Trailer Park and Variance to
Section 238.1 of the Zoning Regulations - NW/4 Side of
Philadelphia Road 2635' from
Forge Road, 11th District -
J. H. Remington, Sr. and
Pauline Remington, Petitioners

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5533-RXV

Upon hearing on the above petition (1) for reclassification from an "R-6" Zone to a "B-1" Zone; (2) for a special exception for a trailer park and (3) for a variance to Section 238.1 of the Zoning Regulations to permit a front setback of 14 feet instead of the required 25 feet, from the testimony presented at the hearing there has been sufficient change in the area to warrant a change in zoning from an "R-6" Zone to a "B-1" Zone.

The petitioner's plans indicate that it is possible to locate a trailer park on the subject property, provided, however, that the trailer park shall not operate and shall not have any trailers whatsoever on the property until the plan for the trailer park has been approved and inspected and final report made to the Zoning Commissioner by the Baltimore County Health Department, Division of Land Development and the Office of Planning and Zoning. Further approval must be obtained from the State Roads Commission.

For the above reasons the reclassification, special exception and variance should be granted, subject to compliance with the above provisions.

It is this 1st day of May, 1962, by the Zoning Commissioner of Baltimore County, ORDERED that the herein described property or area should be and the same is hereby reclassified from an "R-6" Zone to a "B-1" Zone and a special exception for a trailer park should be and the same is granted from and after the date of this Order.

The variance to Section 238.1 of the Zoning Regulations is also granted which permits a front yard setback of 14 feet instead of the required 25 feet.

William H. F. Warriner
Zoning Commissioner of
Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION & Variance

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

J. H. Remington, Sr. and
I, or we, Pauline Remington, legal owners 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an "R-6" Zone to a "B-1" Zone; and (2) for the following reasons:

Section 238.1 - Front Yard - 25 feet
Requesting 14 feet

See Attached Description

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

Property is to be ported and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above reclassification 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.

Contract purchaser
Address

Address

Address

Address

Address

Address

Address

Address

Address

Address

BALTIMORE COUNTY DEPARTMENT OF HEALTH
JEFFERSON BUILDING
108 - 107 WEST CHESAPEAKE AVENUE
TOWSON 4, MARYLAND
TELEPHONE VALLEY 3-1600
Community Health Through Individual Effort

March 20, 1962

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

Dear Mr. Rose:

Reference is made to the proposed trailer park located on property owned by Mr. John H. Remington, Philadelphia Road, in the Eleventh Election District, which I understand is County in the near future. Mr. Remington, informs me that you are interested in obtaining an opinion from our Section of Environmental Health respecting the existing private sewage disposal system and its capabilities to serve the trailers.

Previous and recent investigations reveal that the existing system consists of a 12,000 gallon septic tank and two are considered excellent. There is also additional space to existing ones. Based on an estimated flow of 150 g.p.d. for each trailer, it appears that a total of 4,800 gallons of sewage tank of 5,000 gallons would have been sufficient in size as compared with the existing 12,000 gallon unit. There is, however, a question of topography and gravity flow to this system plus the ability of the two dry wells to serve a given number of trailers. Mr. Remington has indicated his willingness to enlarge the present system or install a new one if it is necessary.

It is felt, therefore, that the existing system should be limited to not more than seven trailers so that our Section of Environmental Health may have an opportunity to study its capabilities before granting permission to connect other units thereto.

I trust that this information will be helpful to you.

Very truly yours,
William H. F. Warriner
Deputy State and
County Health Officer

Wm. H. F. Warriner
Copy: Mr. A. B. Kallenbach County Health Officer
Mr. Harvey Jones
Mr. John H. Remington

LAW OFFICES
WEINBERG AND GREEN
TWENTY-THIRD FLOOR
100 LIGHT STREET
BALTIMORE 2, MD.

May 28, 1962



Mr. John G. Rose
Zoning Commissioner
Baltimore County Office of
Planning & Zoning
County Office Building
111 N. Chesapeake Avenue
Towson 4, Maryland

RE: Appeal - Case No. 5533-RXV

Dear Mr. Rose:-

Please be advised that this office represents Mr. Clyde Shugart, 15 Bangert Avenue, Baltimore County, Maryland, who has instructed us to file this appeal from your decision in the matter of the Petition for Reclassification, Special Exception and Variance to Zoning Regulations - NW Side of Philadelphia Road 2635' from Forge Road, 11th District, filed by Mr. John H. Remington, Sr. and Pauline Remington, entered May 1, 1962.

Please advise when this appeal will be heard.

Sincerely,

Clyde Shugart
for
WEINBERG AND GREEN

19/cm

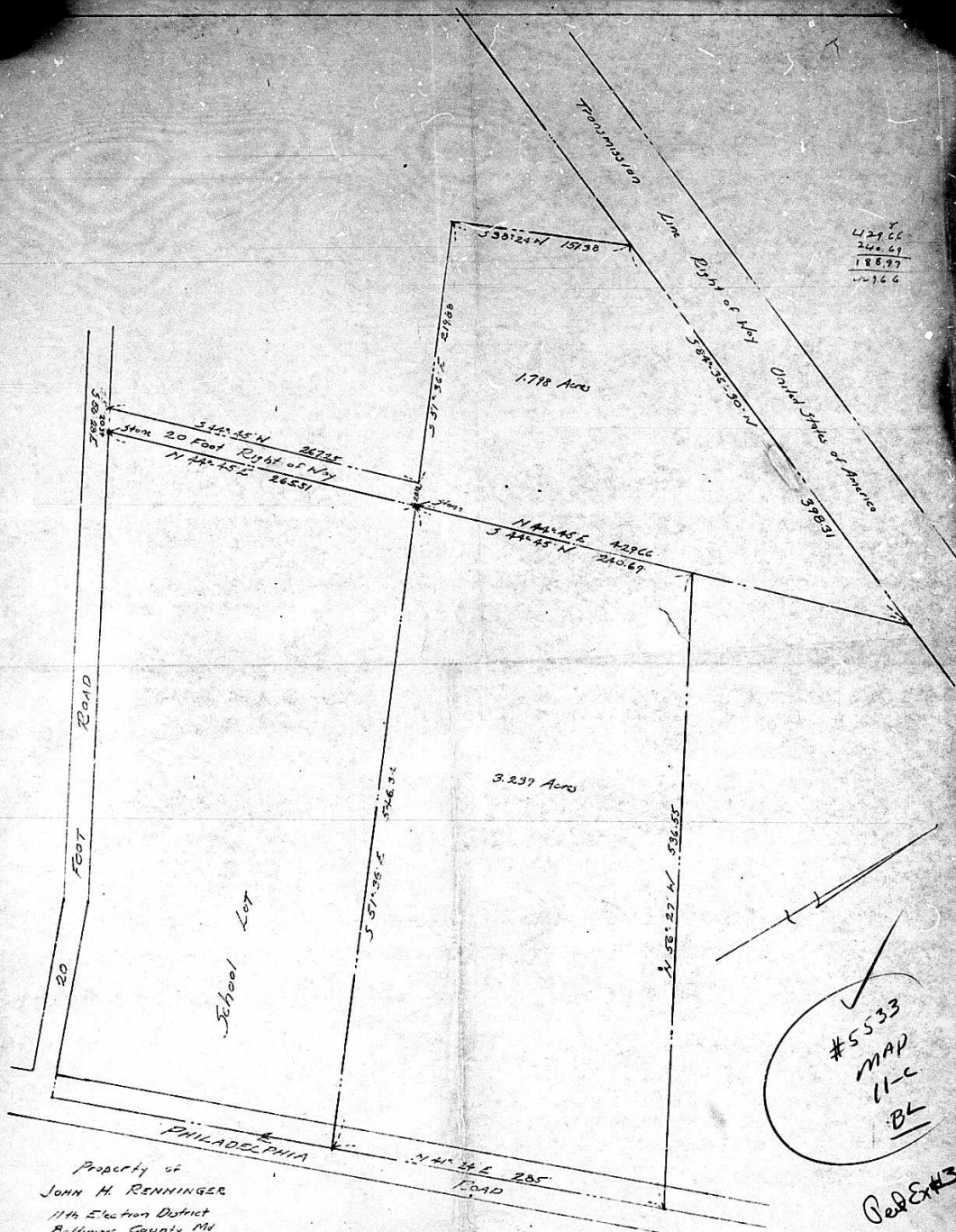
GEORGE WILLIAM STEINBERG & ASSOC., INC.,
5 McCurdy Avenue, Towson 4, MD.

February 19, 1962

Description of Land Belonging to
John H. Remington to be rezoned from
"R-6" to "B-1" with special exception for
Trailer Park.

Beginning for the same on the northwest side of Philadelphia Road 10 feet wide at a point distant 2635' more or less, from Forge Road and running, thence North 56° 37' West 516.55 feet, thence North 14° 45' East 189.97 feet to the south side of an electric transmission line condemned by the United States of America, thence binding on the south side of said transmission line, South 82° 36' 30" West 396.31 feet, thence South 38° 24' West 151.38 feet, thence South 51° 36' East 219.88 feet to the northwest side of 20 foot right-of-way and running thence and binding on said right-of-way South 14° 45' West 267.25 feet to the northeast side of a 20 foot road, thence binding on said road South 56° 28' East 20.39 feet to the southeast side of the aforementioned 20 foot right-of-way which is also the westernmost corner of the School lot and running thence and binding on said right-of-way North 14° 45' East 265.51 feet, thence South 51° 36' East binding on the School Lot, 526.34 feet to the northwest side of the first herein mentioned Philadelphia Road, thence binding on said Philadelphia Road North 14° 24' East 285 feet to the place of beginning.



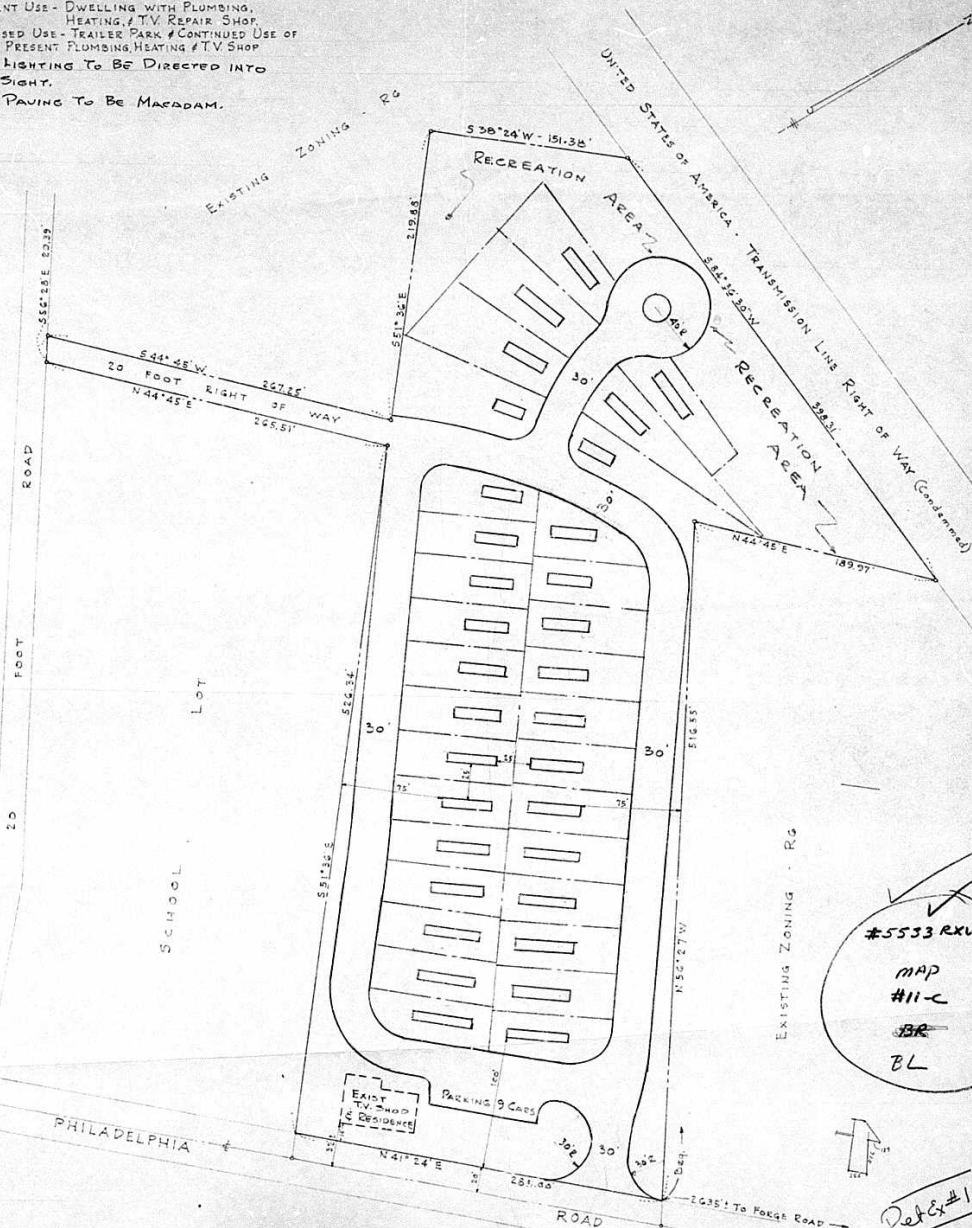
$$\begin{array}{r} 429.66 \\ 240.69 \\ \hline 188.97 \\ \hline 429.66 \end{array}$$


Property of
JOHN H. RENNINGER
11th Election District
Baltimore County, Md
Total Area 5.037 Acres

Feather - 1-50 ft August 29/29
W Lloyd Wallace Surveyor & Civil Eng'r
3205 The Alameda, Baltimore 14
Reg #13

NOTES:

AREA OF TRACT 5.037 AC.
 MINIMUM SIZE LOT 3,000 Sq. Ft.
 PRESENT ZONING - RG # Non Conforming
 PROPOSED ZONING - ~~BR~~ with SPECIAL EXCEPTION
 FOR TRAILER PARK
 PRESENT USE - DWELLING WITH PLUMBING,
 HEATING, & T.V. REPAIR SHOP.
 PROPOSED USE - TRAILER PARK & CONTINUED USE OF
 PRESENT PLUMBING, HEATING & T.V. SHOP
 ALL LIGHTING TO BE DIRECTED INTO
 SIGHT.
 ALL PAVING TO BE MACADAM.



#5533 RXV

MAP

#11-C

~~BR~~

BL

Ref #1

PLAT TO ACCOMPANY ZONING PETITION

FOR

MR. JOHN H. RENNINGER

BALTA CO. MD
 SCALE - 1" = 50'

ELECT. DIST. #11
 FEB. 19, 1962

George William Stephens, Jr.,
 and Associates, Inc.
 Engineers
 5 McCurdy Avenue,
 Towson, 4, Maryland