RE: PETITION FOR RECLASSIFICATION : from an "R-6" Zone to a "B-L" Zone, NW/S Harford Road and NE/S 5th Avenue - 9th District Mercantile-Safe Deposit and Trust Company - Petitioner - 9th District

BEFORE

COUNTY BOARD OF APPEALS

BALTIMORE COUNTY & 55 DED MAP No. 5572

#9

.

OPINION

The instant case is a petition for reclassification from an "R-6" Zone to a "B-L" Zone on the northwest side of Harford Road and the northeast side of 5th Avenue in the Ninth Election District of Baltimore County.

The Board finds from the testimony that there is ample change in the character of the neighborhood in the instant case to warrant a reclassification as requested by the petitioner. H. G. Quatman, a realter in development, testified that a reclassification such as requested would in no way adversely affect the neighborhood. Mareover, it would serve to complement those existing uses which are now in use in the subject area.

The Board finds that the protestants contention that a reclassification of the subject property would tend to increase traffic has no merit, and further, the Board finds that the property is not suited for residential purposes. Therefore, the within decision was reached.

For the reasons set forth in the aforegoing Opinion, it is this day of January, 1963 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 Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS

ACTING CHAIRMAN

H Rd. & NE/S

5572

#5572

#9

BL

OLD

Note: Mr. Kaufman did not sit at this hearing.

PETITION FOR ZONING RE-CLASSIFICATION #5572 AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

OLD MAP . Mer cantile-Safe Deposit

I, or we, & Trust Company legal owner of the property situate in Haltimore 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

--- zone to an 5/25/62 B-1_ zone; for the following reasons: to erect a drivein

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----

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

Steplen S. Heaven

Contract purchaser Address 2505 august st.

> Baltimore, 18 Petitioner's Attorney

BIt Real Entate Officer Legal Owner

MERCANTILE-SAFE DEPOSIT AND TRUST

HY Luction 8203 Hayford Rd Breto 34

Address

ORDERED By The Zoning Commissioner of Baltimore County this. 12th day of April ..., 196. 2, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers 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... day of June 196,2 at 10:00 clock A-M

Zoning Commissioner of Baltimore County.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of location, the safety, health and thegeneral welfare of the locality involved not being detrimentally affected,

the above Reciassification should be had; and it is

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 2014 day of June ..., 1962..., that the herein described property or area should be and the same is hereby reclassified; from an. "R-6"

passes from and after the date of this order, subject, however, to approved of site plan by the State Roads Commission, Dition of Land Lywlogment and the Office of Planning and Zoning.

Zoning Commissioner of Bullimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of ____ the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE

II IS ORDERED by the Zoning Commissioner of Baltimore County, this-...., 196..., that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and zone; and/or the Special Exception for_____

... be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date M June 8, 1962

BROWNY. George E. Gavrelis, Deputy Director

SUBJECT #5572. R-6 to B-L. Northwest side of Harford Road and Northeast side of 5th Avenue. Being property of Hercantile Safe Deposit and Trust Company.

9th District

HEARTNG. Wednesday, June 20, 1962 (10:00 A.H.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to B-L soning. It has the following advisory comment to make with respect to pertinent planning factors:

Examination of the soming map covering this portion of the 9th District indicates that only the north and south corners of the intersection of 5th Asenue and Refroct Road remain mond for residential purposes. Part of the subject property now is sound 8-4. Tow Planning staff in not in accord with ribbon commercial development, but feels that the facts dictate creation of commercial "ning here."



LAW OFFICES AGNEW AND HENNEGAN

TOWSON 4, MARYLAND JEFFENSON BUILDING

SEA CODE July 17, 1962

John G. Rose, Zoning Commissioner

Re: Case #5572, In the Matter of the Petition Case 355/2, in the Matter of the Petition of Mercantile-Safe Deposit & Trust Company, Trustee, et. al. - Reclassification R-6 to B-L - Harford Road and Fifth Avenue -9th Election District

Mr. Commissioner:

County Office Building Towson 4, Maryland

Please enter an appeal to the County Board of Appeals from your Order of June 20, 1962, allowing the above entitled reclassification.

Attached hereto is check in the amount of \$70,00 to cover costs of

Very truly yours,

STA:mf Enci.

Owen Hennegan, Atty. Clerk Wyykany Marrison James D. Nolan

ROBERT E. KONITZER, SR., and MARY C. KONITZER, his wife

(1) Feb. 28, 1963 Frotestant's Order for Appeal from the decision of the Board of Zoning Appeals of Balthore County ree'd and fd. App. of A. Owen Hennegan, Jr. for the Protestants.

(2) Feb. 28, 1963 Protestant's Petition

. (3) Mar. 7, 1963 Certificate of Notice fd.

(4) Mar. 29, 1963 Flaintiff's petition for extension of time to file records and Order of Court fd.

(5) May 15, 1963 Answer to Arpenl, Transcript of Record and Testinony fd. April 9, 1964 Hon. John Grason Turnbull presiding. Hearing Ind.

a radius of 42h.92 ft. in a southwesterly direction for a distance of 138.60 feet to the point of beginning. Containing 0.60 of an acre more or less. Saving and excepting, however, all that part of the above described lot that the heratefore been reclassified to business local. Reg. Surveyor No. 759

Description on lot at the corner of Harford Road and Fifth Avenue

side of the Harford Road and the northeast side of Fifth Avenue, thence

47 minutes west 156.10 ft., thence running North 45 degrees 13 minutes

east 200.38 feet; thence running South 25 degrees L2 minutes east 185.0

feet to the northwest side of the Harford Roud; thence running and

binding on the northwest side of the Hurford Road, on a curve having

running and binding on the northeast side of Fifth Avenue North III degrees

Beginning for the same at the point of intersection of the northwest

#5578

7.50 2714 PRODUCE TRANSPRINCES OF THE PRODUCE NATHAN H. KAUPMAN, JR., E. MITCHELL BUSTIN, and CHARLES STEINBOCK, JR., constituting the BOARD OF ZONING APPEALS OF BALTIMORE COUNTY April 9, 1964 Eccision of the Board of Zoning Appeals of Baltimore County affirmed.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland #5572 Date of Posting 5-23-62 Location of Significated on M.N. Carner of Hayford Road and Posted by Slevey A Juneary Date of return 5-24-62

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receips
COURT HOUSE
TOWSON 4, MARYLAND

No. 11585 DATE 1/12/62

755.06°

DATE 6/20/62

No. 12888

DATE 7/26/62

0.00

TELEPHONE

TELEPHONE

Potition for Reclassification for Mercantile-Safe Demosts & Trust Co. 50.00 · 711 -nnn IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE

MAIL TODIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURNUPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. BAJ TIMORE COUNTY, MARYAND TELEPHONE No. 12846

OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND H. O. Quatnann C 8203 Harford Rd. Baltimore M., Md.

BY: Beltimore County

DETACH UPPER SECTION AND RETURN WITH YOUR REMISTANCE STAL AND Advertising and posting of property for Mercantile-Safe Deposit & Trust FAID - Great Copy of a Constitute 6-20-62 6358 . . . 171 --29.00 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.

BANIMORE COUNTY, MAYLAND OFFICE OF FINANCE rision of Collection and Recei COURT HOUSE TOWSON 4, MARYLAND

Office of Planning & Z County Office Bldg., Town h, Md.

TOTAL AMOUNT \$70.00 PAG- 4 7-25-62 1893 * 12888* NP-1-25-62 1895 * 12868* NP-

INPORTANTI MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MALE TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. TELEPHONE VALLEY 3-3000

BALTOORE COUNTY, MARS AND

No. 17413 DATE 5/15/63

OFFICE OF FINANCE

Division of Collection and Receips

COURT HOUSE

TOWSON 4, MARYLAND

ON AND RETURN WITH YOUR REMI 9-1563 8412 ·

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TODIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURNUPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

CERTIFICATE OF POSTING

NG DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

5572 Date of Posting 11-14-62 District. District. District Posting. At 18 Leaving Posted for Georgea & Sparing Postument Branch State Control of Alexander State Control of the Leasting of property 18 1. S. of Sparing Road Road Control of the Wilson State State Control of the Wilson State State Control of the Control of Location of Signal Mouthwest Corner of Hurford Road and 5 Hereins

Posted by July & Human Date of return: 1/-15-62

PETITION FOR ZONING RECLASSIFICATION. FIN DISTRICT. ZONING: From R4 Zone to H4 Zone. LOCATION: Northwest side of Rarford Road and the northwest side of 5th Ave-CERTIFICATÉ OF PUBLICATION Read and the northeast side of an ab-face. PATE AND TIME Wednesday, June 20, 1922 at 18-09 A. M. PURLIC HEARING: Room 108, County Office Building. 111 W. Chesapeake Ave-tue, Towson, Maryland.

TOWSON, MD.........................June. 1, 1962... THIS IS TO CERTIFY, that the annexed advertisement was pared of Inad in the Nicht Distract of Rain-tioner Causing.

The Same at the point of Same at the Same at the point of Same at the Same a published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimere County, Md., accordings to day of ______ June _____ 19 62 , the #rot publication appearing on the 1st day of June

THE JEFFERSONIAN, heresofte neen reseastions to Local.
Local.
Local.
Local.
Local.
Local.
Experiment of Mercantile-Safe
Deposit & Tr. in Co., as shown on plat plan
faled with the Zonion Department.
By Order of
JOHN G. ROSE.
Zoning Commissioner of
Zoning Commissioner of Frank Stenth Cost of Advertisement, \$

5572



