

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The Lumber & Millwork Company, 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 _____ zone to an _____ zone; and (2) _____ none; for the following reasons:

The parcel of land is that portion of the real property owned by The Lumber & Millwork Company of Baltimore which lies westerly of Southwestern Boulevard and east of Herberts Run. Construction of Southwestern Boulevard left a small parcel of land on the west side of the road. It has no possible use as residential property and can be used if at all, only as storage or for display purposes. The land is separated from logical R6 zone area by the west and east side of Herberts Run. North of Francis Avenue both sides of Southwestern Boulevard are zoned BR.

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 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.

SOUTHWEST PROPERTIES INC.
Contract purchaser
Address: 5715 Southwestern Blvd.
THE LUMBER & MILLWORK COMPANY
Legal Owner
Address: 5715 Southwestern Blvd.
Petitioner's Attorney: _____
Protestant's Attorney: _____
Address: _____

ORDERED By the Zoning Commissioner of Baltimore County, this _____ day of _____, 1962, 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 held before the Zoning Commissioner of Baltimore County in Room 105, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1962, at 10:00 o'clock P. M.



Zoning Commissioner of Baltimore County.
(over)

PETITION FOR RECLASSIFICATION
from "B-6" Zone to "B-8" Zone
S. W. Cor. Francis Ave. & South-
western Boulevard, 13th Dis.,
The Lumber & Millwork Co.,
Petitioner - Southwest Prop-
erties, Inc. Cont. Pur.
BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5701

Pursuant to the advertisement, posting of property and public hearing on the above petition for reclassification of property from an "B-6" Zone to a "B-8" Zone, and it appearing that by reason of the location, the safety, health, and the general welfare of the locality involved not being detrimentally affected, a portion of the property hereinafter described in Parcel "A" should be granted.

Property described in Parcel "A" should be denied.
It is this _____ day of December, 1962, by the Zoning Commissioner of Baltimore County, that the property or area, described below should be, and the same is hereby reclassified from an "B-6" Zone to a "B-8" Zone, subject to approval of the site plan by the State Roads Commission, Division of Land Development and the Office of Planning and Zoning:

All that parcel of land beginning on the westernmost side of Wilkins Avenue extended (Southwestern Boulevard) at the distance of 2076.17 feet from the intersection of Southwestern Boulevard and the southernmost line of Francis Avenue and at the end of the N 64° 43' 50" East 123.78 feet 31m of the land described in Parcel "A", in the petition of The Lumber & Millwork Company, filed with the Zoning Commissioner, and running thence binding on the westernmost side of Southwestern Boulevard in a northerly direction by a curve to the left with a radius of 1850.57 feet for a distance of 400 feet, thence at right angles to a Southwestern Boulevard in a westerly direction 70.0 feet thence in a southeasterly direction by a curve to the left having a radius of 589.50 feet for a distance of 8 feet, thence S 8° 13' 10" West 97.50 feet, thence S 4° 31' 33" West 97.38 feet, thence S 10° 27' 18" West 97.50 feet, thence S 3° 07' 21" West 58.75 feet, thence South 2° 30' 22" West 30.3 feet, and S 64° 43' 50" East 123.78 feet to the westernmost side of Southwestern Boulevard, the place of beginning.

Being a part of Parcel "A" as described in the zoning petition.
The property described in Parcel "A" is hereby denied and the same is continued as and to remain as _____
Zoning Commissioner of Baltimore County

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND
To: Muller, Raphael & Associates, Inc.
201 Courtland Avenue
Towson 4, Md.
Billed to: Zoning Department of Baltimore County
No. 14113
DATE 8/21/62

REPORT TO ACCOUNT NO.	DETAIL UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
01622	Petition for Reclassification for The Lumber & Millwork Co. of Balto.	50.00

8-2682 9349 • • • TIL- 1.000

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
To: Southwest Properties, Inc.
5715 Southwestern Blvd.
Balto. 27, Md.
Billed to: Zoning Department of Baltimore County
No. 15335
DATE 11/21/62

REPORT TO ACCOUNT NO.	DETAIL UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
01622	Advertising and posting of property for The Lumber & Millwork Co. of Balto.	192.00

4.456 2918 • • • TIL- 1.200

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.

MULLER, RAPHAEL & ASSOCIATES, INC.
201-208 COURTLAND AVENUE, TOWSON 4, MARYLAND
VALLEY # 3908

DESCRIPTION OF PARCELS A & B FOR REZONING

PARCEL A

BEGINNING for the same at a point in the westernmost right of way of Wilkins Avenue extended at the distance of 1252.44' measured southerly along the said westernmost right of way of Wilkins Avenue extended from the intersection of said right of way with the southernmost right of way of Francis Avenue, said point of beginning being also in the 48 or 51°13'01"W 379.88' line of the land which by deed dated June 22, 1948 and recorded among the Land Records of Baltimore County in Liber TBS 1674, Folio 333, was conveyed by The Linden Heights Corporation to The Lumber and Millwork Company of Baltimore, at a point distant 100.00' from the beginning of said 48 line, thence leaving the westernmost side of Wilkins Avenue extended and running and binding on a part of the 48 line in the aforesaid deed, as now surveyed, 51°06'50"W 61.02' to intersect the easternmost side of a stream change area as shown on the State Roads Commission of Maryland Plat #4511, entitled "Wilkins Avenue extended (city line to Washington Boulevard)", thence leaving the aforesaid 48 line courses and distances, as now surveyed: (1) 51°00'00"W 52.76'; (2) by a curve to the left with a radius of 5894.50' for a distance of 308.00' (the chord of said arc being 58°54'18"W 308.50'); (3) S 4°43'23"W 104.32'; (4) S 4°39'33"W 97.38'; (5) S 2°27'48"W 97.30'; (6) S 3°07'21"W 58.75'; (7) S 2°30'22"W 30.34' to a point in the 1st or N 64°43'50"E 123.78' line of the land which by deed dated October 27, 1959 and recorded among the Land Records of Baltimore County in Liber MKA 3628, Folio 38, was conveyed by Margaret E. Bergman, widow, to The Lumber and Millwork Company of Baltimore at the distance of 39.56' from the beginning of said 1st line, thence leaving the easternmost side of the aforesaid stream change area and running and binding on a part of the 1st line in the last mentioned deed, as now surveyed, N 64°43'50"E 123.78' to the end of the aforesaid 1st line and to intersect the westernmost right of way of the aforesaid Wilkins Avenue extended on the westernmost right of way of the aforesaid Wilkins Avenue extended and binding on the 2nd and 3rd lines of the land in the aforesaid following courses and distances, as now surveyed: (1) by a curve to the left with a radius of 5850.77' for a distance of 296.33' (the chord of said arc being N 2°02'17"W 296.33'); (2) by a curve to the right with a radius of 5763.58' for a distance of 514.40' (the chord of said arc being N 56°15'10"W 514.25') to the beginning.

CONTAINING 2.529 Acres of land more or less.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: November 2, 1962

FROM: Mr. George K. Gavrellis, Deputy Director

SUBJECT: 5701. B-6 to B-8. South west corner of Francis Avenue and Southwestern Boulevard. Being property of The Lumber and Millwork Company of Baltimore.

13th District

HEARING: Wednesday, November 21, 1962 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from B-6 to B-8 zoning and has the following advisory comments to make with respect to pertinent planning factors:

- The subject property occupies the frontage on the westerly side of Southwestern Boulevard opposite industrial zoning and uses. The property is zoned B-6 or is in a part adjacent to a branch of Herberts Run. A developed residential area abuts the property along sixty percent of its westerly boundary.
- Short of enclosing Herberts Run in an approved County structure, it appears that drainage considerations pre-empt a substantial portion of the subject property and preclude its use within the highway which, under B-8 zoning, dictates a 50 foot front setback and a 35 foot front setback for display or storage of materials or vehicles. Under commercial zoning, only practicable use which could be made of the first 1700 feet or so of this property southerly from Francis Avenue would be for out-door advertising purposes. The present stream channel use here would preclude as noted before any other commercial use here.
- Drainage considerations in fact are so important here that a detailed storm drain study making adequate provision for a fifty year flood plain should be presented prior to any decision on reclassification.
- Traffic considerations on Southwestern Boulevard also should be borne in mind. The very narrow media strip precludes making adequate provision for left turns or left turning vehicle storage. The narrow median also precludes the making of safe U-turn movements. Possible conditions of traffic hazard and danger could occur here if the property were to be utilized for commercial uses or for storage.

GRB:bms

MULLER, RAPHAEL & ASSOCIATES, INC.
201-208 COURTLAND AVENUE, TOWSON 4, MARYLAND
VALLEY # 3908

BEING part of the 1st parcel of land which by deed dated October 27, 1959 and recorded among the Land Records of Baltimore County in Liber TBS 1674, Folio 38, was conveyed by Margaret E. Bergman, widow, to The Lumber and Millwork Company of Baltimore. Being also part of the land which by deed dated June 22, 1948 and recorded among the Land Records of Baltimore County in Liber TBS 1674, Folio 333, was conveyed by The Linden Heights Corporation to The Lumber and Millwork Company of Baltimore.

PARCEL B

BEGINNING for the same at a point in the southerly right of way of Francis Avenue at the distance of 109.76' measured westerly along the said southerly right of way of Francis Avenue from the intersection of said right of way with the westernmost right of way of Wilkins Avenue extended, said point of beginning being also the point of beginning for parcel number 3 of the land which by deed dated June 18, 1952 and recorded among the Land Records of Baltimore County in Liber GLB 2145, Folio 52, was conveyed by Russell H. McCain, Chairman, et al, to The Lumber and Millwork Company of Baltimore and also as shown on the State Roads Commission of Maryland Plats #4510 and #7161, entitled "Wilkins Avenue extended (city line to Washington Boulevard)", running thence and binding along the southerly right of way line of Francis Avenue and along the westerly right of way line of Wilkins Avenue extended and along the 1st and 2nd line of the aforesaid Parcel Number 3 the two following courses and distances, as now surveyed: by a curve to the right, having a radius of 970.00', for a distance of 109.76' (the chord of said arc being 28°47'33"W 109.69') to intersect the westerly right of way line of Wilkins Avenue extended (city line to Washington Boulevard), thence by a curve to the left, having a radius of 5763.58', for a distance of 510.10' (the chord of said arc being 58°54'18"W 510.10'), to a point opposite Sta. 134 + 67.54 of the base line as shown on the aforesaid Plat #4510, running thence and still binding on the aforesaid westerly right of way line of Wilkins Avenue extended (city line to Washington Boulevard) as shown on aforesaid Plat #4510 and continuing on the State Roads Commission of Maryland #4511, entitled "Wilkins Avenue extended (city line to Washington Boulevard)", as now surveyed, 27°01'11"W 62.40' to a point opposite Sta. 130 + 49.94 of the base line as shown on aforesaid Plat #4511, thence still binding on the westerly right of way line of Wilkins Avenue extended (city line to Washington Boulevard), by a curve to the left, having a radius of 5763.58', for a distance of 112.94' (the chord of said arc being 52°27'32"W 112.94') to intersect the 3rd or 27°01'20"W 260.00' line of the land which by deed dated June 22, 1948 and recorded among the Land Records of Baltimore County in Liber TBS 1674, Folio 333, was conveyed by The Linden Heights Corporation to The Lumber and Millwork Company of Baltimore, at a point distant 18.86' from the end of the aforesaid 3rd line, thence leaving the westerly right of way line

CONTAINING 2.678 Acres of land more or less.

BEING all of the Parcel Number 3 of land which by deed dated June 18, 1952 and recorded among the Land Records of Baltimore County in Liber GLB 2145, Folio 52, was conveyed by Russell H. McCain, Chairman, et al, to The Lumber and Millwork Company of Baltimore. Also being part of the land which by deed dated June 22, 1948 and recorded among the Land Records of Baltimore County in Liber TBS 1674, Folio 333, was conveyed by The Linden Heights Corporation to The Lumber and Millwork Company of Baltimore.

SUBJECT to, however, all the conditions, reservations and controls as set forth and more particularly described in a deed from Russell H. McCain, Chairman, et al, to The Lumber and Millwork Company of Baltimore dated June 18, 1952 and recorded among the Land Records of Baltimore County in Liber GLB 2145, Folio 52.

R. G. Muller #1391

FRANCIS

Zoned ML
Use Lumber Yard

bar

Office + Warehouse

Warehouse

Shop

Warehouse

Open W

WILKENS AVE. EXTENDED (SOUTHWESTERN)

Vehicle Access Denied
Within These Limits

Parcel D
2.678 Acres

15' Bldg. Setback

25' Bldg. Setback

Begin Parcel D

Herberts Run

Shoulder

Ex. Paving

4' Conc. Island

Ex. Paving

Shoulder

33° 01' 13" W 582.40'

Slope Easement Area

R-5763 58° 11' 12.00"

REG. P

Zoned R6
Use Residential

PLAT TO ACCOMPANY
ZONING APPLICATION
SOUTHWESTERN BLVD.
13TH ELECT. DIST. BALTO. CO., MD.
SCALE 1"=50' AUG. 14, 1962.

Sewer + Water Available
Area of Property - 5.207 Acs
Pres. Use of Property - Vacant
Prop. Use of Property -
Pres. Zoning of Property - R6
Prop. Zoning of Property - BR



MULLER, RAPHEL & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
201 COURTLAND AVE.
TOWSON 4, MARYLAND

Zoned ML
Use Lumber Yard

Shop

Warehouse

Open Workshop

(BLVD.)

Shoulder

Ex. Paving

4' Conc. Island

Ex. Paving

Shoulder

53°-01'-13" W 582.40'

Slope Easement Area

REG. PARCELA

R-5763.58' L-112.04'

R-5763.58' L-514.40'

Parcel (A)
2.525 Acres

Stream Change Area

Zoned R6
Use Residential



MULLER, RAPHEL & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
201 COURTLAND AVE.
TOWSON 4, MARYLAND

