RE: PETITION FOR MODILARSIFICATION : from WR-10* Zone to "S-R* Zone and Special Exception for Contrastor's Equipment Storage Yard - 2.5. Right Nov. and W.S.: Northern Central Relirozd, 9th Dist., Stebbins-Anderson : Co., Petitioner

. . (0

ZONTHIS CONSIGNATION OF OF

No. 63-115-RX

E/S Rider Ave. & W/S of Contral R.R. R/W

The politicas: in the above matter seeks a special exception to operate a Contractor's Equipment Storage Yard on the east side of Rider Avenue and the west side of Northern Central Railroad.

The legal occur of the property on the east side of littler than and the side of the Reviews dusted littlered is consisting a because which controlled consistency as the latter was a conducty serving a sparsely solid consumitar. On the latter was a conducty controlled any serving solid consistency and that to a very little extent as fuel of serving year than the serving property and the serving property and the serving property and the serving ser

The County Commissioners were exactly correct when they looked upon this property and realized that this was a dying

as a change in the same of the trained was maintened as a change in the arms. The attent has greated and in sort flower committy of people. The subject site is serving here and here is no reason what source to bring in any commercial use and there is no reason what source to bring in any commercial use for the subject is the same of the subject is the same of the subject is the subject in a subject is the subject in a subject is subject in an arm subject is control.

As there is no error in the present zoning the special exception should not be granted.

For the above reasons the reclassification and special exception are denied.

Constitutions of It is this Med day of Citaber, 1953, by the Zenlag Constitutions of Ballians (Demny, Citabeth that the shows reclassification be each then man be seen than many control to the state of martines and a family control to the state of martines and the many control to the second control to the s Zening Consistency of

> A. OWEN HENNEGAN, JR. SAMUEL KIMMEL TOWSON 4. MARYLAND

November 7, 1963

Honorable John G. Rose Zoning Commissioner for Baltimore County County Office Building

Re: Petition for Reclassification Petition for Reclassification and Special Exception E/A Rider Avenue and W/S Northern Central Railroad 9th Election District, Stebbins-Anderson, Co., Petitioner Stebbins-Anderson, C Case No. 63-115-RX

owson 4. Maryland

Please enter an Appeal to the Board of Zoning Appeals from the decision of the Zoning Commissioner, dated October 31, 1963, denying the Petition for Reclassification and Special Exception.

Enclosed herewith is check in the amount of \$70,00 to cover costs of

Very truly yours,

A. Owen Hennegan, Jr. mey for Petitioners

N/1 3/63 1 -

AOHJ r:mf

MULLER, RAPHEL & ASSOCIATES, INC. ENVE. TOWSON 4. MARYLAND

XXXXXXX XXXXXXXX XXXXXXX August 9, 1963

#63-115 PX

63-115 PX

9/9/63

ZONING DESCRIPTION

secs. PK

BEGINNING for the same at a point on the easternmost side of Rider we at the distance of 250° more or less, measured southerly along $\frac{5}{5}$ said easternmost line of Rider Avenue from the center line of Dennis Avenue, said point of beginning being also at the end of the second or N65°54'21"W 111.08' line of the land which by deed dated August 3, 1951 and recorded among the Land Records of Baltimore County in Liber GLB 1999, Folio 260, was conveyed by John M. Dennis, Jr. and wife to Stebbins-Anderson Company, Incorporated, thence leaving the easternmost side of Rider Avenue and binding reversely on the aforesaid second line S65*54'21"E 111.08' to intersect the fourth or S754'W 381' line of the land which by deed dated October 13, 1914 and recorded among the Land Records of Baltimore County in Liber WPC 437, Folio 173, was conveyed by John P. Paca and Elmer J. Cook, Trustees to Stebbins-Anderson Coal and Lumber Company, at the distance of 123.37' from beginning of the said fourth line, running thence and binding reversely on a part of said fourth line N69*56'08"E 123.37' to the end thereof and to the center of the Morthern Central Railroad right of way, running thence on the center of the aforesaid railroad right of way and binding reversely on the third line of the land in the aforesaid deed, Paca and Cook to Stebbins-Anderson, S17°28'20"W 407.00' to the center of a private road, 30' wide, thence leaving the center of the aforesaid railroad right of way and running on the center of the aforesaid private road and binding reversely on the second and a part of the first lines of the land in the aforesaid deed, Paca and Cook to Stebbins-Anderson, N54*06'40"W 42.00' and N41*36'40"W 249.96' to the end of the first or S41*36'40"E 55.04' line of the land which by deed dated August 2, 1951 and recorded among the Land Records of Baltimore County in Liber GLB 1999, Folio 262, was conveyed by Stebbins-Anderson Company, Incorporated to John M. Dennis, Jr., thence leaving the center of the aforesaid private road and binding on the second, third and fourth lines of the last mentioned deed, the three following courses and distances, viz: (1) N48*23'20"E 15.00'; (2) by a curve to the right with a radius of 25.00° for a distance of 38.16° to the easternmost

> PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

Stebbins-Anderson Co. by

I, or we, J., Edelen, Jr., Pres. legal owner, of the property situate in Baltimord Co.

County and which is described in the description and plat attached hereto and made a part hereof, #9 hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant & (.3 -

to the Zoning Law of Baltimore County, from an 8-19 (non-conforming use) zone to an

zone: for the following reasons:

See Attached Description

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 Baltimo

A. Michael Hooftentract purchaser

ORDERED By The Zoning Commissioner of Baltimore County, this 9th day

out 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

36hh day of October

T

1963 that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-

Address 8231 Bellona Avenue, Rider good, Maddress 305 9 plc RJ

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore

County, to use the herein described property, for . Contractor's Equipment storage yard.

STEBBINS ANDERSON CO., INC.

Emst C. Trankle Protestant's Attorney J. Harm Bely Y

1963 at 1:00 o'clock

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Change in character of neighborhood.
 Error in original map.

Marguerite E. Hooke

A. Owen Hennegan, Jr. Petitioner's Attorney

September

Address 406 Jefferson Blog

5. 244 87 8 3 9

MULLER, RAPHEL & ASSOCIATES, INC.

side of Rider Avenue, thence binding on the easternmost side of Rider SEC3-Avenue: (3) by a curve to the left with a radius of 425-80! for a distance of 31.05° to the end of the third line of the aforesaid deed, e^{x} John M. Dennis, Jr. and wife to Stebbins-Anderson Company, Incorporated, running thence and binding reversely on the third line in the last mentioned deed and still binding on the easternmost side of Rider Avenue by a curve to the left with a radius of 425.80' for a distance of 129.49' to the place of beginning.

CONTAINING 1.58 acres of land more or less of which 0.294 acres of land more or less is within the right of way of the Northern Central Railroad.

BEING all of the land which by deed dated August 3, 1951 and recorded among the Land Records of Baltimore County in Liber GLB 1999, Folio 260, was conveyed by John M. Dennis, Jr. and wife to Stebbins-Anderson Company, Incorporated and being part of the land which by deed dated October 13, 1914, and recorded among the Land Records of Baltimore County in Liber WPC 437, Folio 173, was conveyed by John P. Paca and Elmer J. Cook, Trustees, to Stebbins-Anderson Coal and Lumber Company.

Eugene 7 Roll

#63-115 PX

INTER-OFFICE CORRESPONDENCE DIVISION OF TRAFFIC ENGINEERING Baltimore County, Maryland

Date October 23, 1963

- 10T 24 '63 VI -

TO: Mr. John G. Rose Attention: Mr. Dyer FROM: Bugene J. Clifford SURJECT: Potition 63-115-RX

Review of the plat accompanying the subject petition results in the following comments:

Rider Avenue serves as a purely residential street and has access from Joppa Road via a very narrow and winding stretch of road and from Thornton Road via Basex Parm Road, We believe that use of Rider Avenue for the transport of Contractor's materials and/or equipment on a continuing basis would be undesirable.

RE: PETITION FOR RECLASSIFICATION from "R-10" (non-conforming use) to a "B-R" Zone, SPECIAL EXCEPTION for Contractor's Equipment Storage Yard, E/S Rider Avenue & W/S Penrsylvania 9th District ia Railroad,

63-115 PX BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY MP #9 No. 63-115-RX

OPINION

This is an application for reclassification from an "R-10" Zone to a "B-R" Zone of a small lot owned by the Stebbins-Anderson Company since 1914 and continuously used by them for various commercial purposes. It was originally, because of its location on the Pennsylvania Railroad, used as a coal unloading and storage point, and as a receiving and shipping point for sand, grains and similar materials. In recent years the Company has no longer conducted this type of business and has been using the property only for storage of small parts for oil burners and similar purposes.

There was formerly access to the property by way of a grade crossing of the railroad but this has been legally closed since the occurrence of a serious accident between a railroad train and a large oil truck.

The present application is for the use of Mr. A. Michael Hooke, a builder, who testified that he would like to use it for a contractor's storage yard for equipment, building materials, and to operate a wood-working shop in the present frame building on the

Traffic access to the property is only by way of Rider Avenue, a small untry-lane type of road at same points only 11 feet wide and with at least three right-angle turns between Joppa Road and the gate to this property, and which passes through an area of

The Board has inspected the property and has heard a number of the neighbor hood residents testify as to the effect of any change on the value of their property and other

It is the finding of the Board that access for large trucks, trailers, or contractor's equipment to the property would be extremely hazardous if not completely impossible, that the proposed use would constitute a fire hazard, a traffic hazard, and would certainly be detrimental to the use value and general welfare of the neighboring families. Planning Department report, which was admitted in evidence, indicates that the proposed use would be grossly out of character with adjoining uses; would not be in accordance with the comprehensive plan for the area, and would introduce an inharmonious land use in the very center of a residential area. There was evidence that this property had been consider

for business zoning in 1945. However, the zoning map, dated November 14, 1955. classified it as "R-10" and, in our opinion, there was no error in such classification. It is, of course, possible that the present owner may continue the present use of the property as a non-conforming use, but we are not determining that question at this time.

For the above reasons the application will be denied.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this day of June, 1964 by the County Board of Appeals, OR DERED that the reclassification and special exception 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 COUNT

BALTIMORE COUNTY, MARYLAND

mo Mr. John G. Rose, Zoning Commissioner Date October 18, 1963

SURECT 503-115-114. R-10 (non-conforming use) to B.R. and Special Exception for Contractor's Equipment Storage Tark. East side of Rider Arems and Mest side of Penna. Railroad (Morthern Central Railroad) right-of-way. Seing property of Stebbins-Anderson.

9th District

HEARING: Wednesday, October 30, 1963 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from 8-10 to 8-7 zoning together with a Special Exception for a contractor's equipment storage yard, and has the following advisory comments to make with respect to pertinent planning factors:

- The address property has been williged in the past primarity as a cast and food park, Apparently, he property remer along to execute an integr the Sth District Zoning they did not recommend conserval zoning here. The coal and feel part operation has consend at these contrags here. The coal and feel part operation has consend on these contrags here. The coal and feel part operation has consended to the coal and the coa
- In close proximity to the subject property, but between the railroad and Bellona Avenue, there exists a small conserval (B.L.) area. This area is developed with a retail facility which serves meighborhood convenience
- 3. The subject property is located on the westerly side of the railreed along a streway forming an actuation of Bladestone Law. The crossing of this relation of the second of the result of the resul
- by means at the harror residential interest to the sound, any or week. From a Planning transpoint, resident of Business-Sensitée soning on the subject property would constitute a spot soning. It clearly was a legislative intent of the bit intriction land, Ray that the sare, nesterly from the Pennsylvania or Sorthern Sentral Malfread should resain residential. Bit, soning here weld introduce has adjointed predicted the selection of the soning here weld introduce has adjointed predicted uses on the westerly side of the railread, Bal, soning here would arwarely affect the rights of adjoining owners to use their property within the contest of its residential soning, Bal, soning here would not be in accordance with Jac Comprehensive Plan for the area. Bal, soning here would not several well subject Plan for the area. Bal, soning here would not several well subject Plan for the area. Bal, soning here would not several way neighborhood need

TELEPHONE VALLEY 3-3000

BALTIMORE COUNTY, MARY ND OFFICE OF FINANCE

No. 20231 DATE 11/5/63

Division of Collection and Receipt COURT HOUSE TOWSON 4, MARYLAND

Zoning Department of Ealtimore County

01622 DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE Advertising and posting of property for Stetbins-Anderson 97.00 #63-115-X 11-063 0233 a m o fri-7.00

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.

TELEPHONE VALLEY 3-3000

BALTIMORE COUNTY, MARY AND OFFICE OF FINANCE

No. 19989 DATE 11/18/63

rivision of Collection and Receipt COURT HOUSE TOWSON 4. MARYLAND

BILLED Office of Flanning & Z-ming 119 County Office Bldg., Towney h. Mt.

TOTAL AMOUN

ACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE 470.00 11-1965 6879 oney

IMPORTANT! MAKE CHECKS PAYABLE TO BALTIMORE COLINTY MARYLAND MAIL TODIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. John G. Rose, Zoning Commissioner Date. October 18, 1963 FROM Mr. George E. Gavrelis, Danuty Director

SUBJECT_#63-115-89

9th District Wednesday, October 30, 1963 (1:00 P.M.) UPARTMI:

for shopping facilities which has arisen since the adoption of the Map. B.R. soning here would introduce an inharmonious land use in the very center of a residential area.

BALTIMORE COUNTY, MARYLAND TELEPHONE VALLEY 3-3000 OFFICE OF FINANCE Orision of Collection and Receip COURT HOUSE TOWSON 4, MARYLAND BILLED

01622

Zoning Departs

No. 20102

DAT#/10/63

TOTAL AMOUN stition for Reclassification & Special Exception for Stablins-Anderson Co. 50.00 9-1863 3538 · · · TIL-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.

Champania Arman. Toward.

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341' line of the Lord which by a compared to the compared to t wide, there's leaving the center of the aforesaid railrand right of way and running on the center was and running on the center shall be affected by the state of the state of

Anderson Company, Incorporated, running thence and binding reversely on the third line of the last mentioned deed and still binding on the easternmost side of Rider Avenue by a curve to the left with a radius of 425,80° for a disease of 129,49° to the place beginning. CONTAINING 1.58 acres of lan-

OFFICE THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS

No. I Newburg Avenue

THE HERALD - ARGUS

CATONSVILLE, MD.

October 14. 19 63.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County was inserted in THE BALTIMORE COUNTIAN, a group of

three weekly newspapers published in Baltimore County, Maryland, once a week for One Week successive weeks before the 14th day of October, 1963, that is to say the same was inserted in the issues of

THE BALTIMORE COUNTIAN

PETITION FOR RELEASSIFICAT SPECIAL EXCEPTION. 9TH DISTRICT.

(Notibern Central Haifread) right of May,
DATE & TIME Wednesday, October D.
1943 at 1940 P. M.
PUBLIC HEARING: Room 109, Count
Office Building, 111 W. Chesapeak
Avenue, Townen, Maryland.

The Zori , commissioner of Baltimore County, by authority of the Zoriog Ac and Regulations of Baltimore County, will bold a public hearing concerning all the parcel of land in the Ninth Dutrict of Baltimore County;

By Paul J Morgan Editor and Manager ()

CERTIFICATE OF PUBLICATION

TOWSON, MD. ... October 11 19.63.

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 of one successive weeks before the 30th day of October appearing on the 11th day of October

> THE JEFFERSONIAN Lecard Streething

Cost of Advertisement, \$

#63-115

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

Date of Posting Delaber 12, 1963. Posted for patition for Maclossification from Malo to M.M. correspondences

Location of property. E/a.of. Sider. Are. and A/S. of. the Forthern Control H. H. R/S. Location of Signs. 1. sech. 2001.N/Private Rd. 130 kg 1905; honor on Estatograf of Signs on Estatograf of Signs on Estatograf of Signs of Signs on Estatograf of Signs of Sign

Signature

Dele of return: October 17., 1963.

