

RE: PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION for Living Quarters in Commercial Building - 124 S Reisterstown Road and Castlean Ave., 2nd Dist., Alpha Z. Omega Fraternity, Petitioner - No. 64-193-RX

Mr. John D. Rose, Zoning Commissioner of Baltimore County, 119 County Office Bldg., Towson, Md.

Mr. Commissioner: Please enter an appeal from the decision of the Deputy Zoning Commissioner rendered in the above matter and transmit all records to the Baltimore County Board of Appeals.

Mr. Philip Berke
3715 Brentwood Drive,
Randalltown, Md.
Contract Purchaser

Date: August 6, 1964



RE: PETITION FOR RECLASSIFICATION :
from an R-10 zone to a B-1 zone,
and SPECIAL EXCEPTION for Living
Quarters in a Commercial Building,
NE/S Reisterstown Road &
Castlean Avenue,
2nd District :
Alpha Z. Omega Fraternity,
Petitioner :
Baltimore County
No. 64-193-RX

ORDER OF DISMISSAL

Petition of Alpha Z. Omega Fraternity for reclassification from an R-10 zone to a B-1 zone and special exception for living quarters in a commercial building on property located on the northeast side of Reisterstown Road and Castlean Avenue in the Third District of Baltimore County.

Whereas the Board of Appeals is in receipt of a letter of dismissal dated October 19, 1965 from the attorney representing the petitioner-appellant in the above entitled matter.

Whereas the said attorney for the said petitioner-appellant requests that the appeal filed on behalf of said petitioner-appellant, be dismissed and withdrawn as of October 19, 1965.

It is thereby ORDERED this 21st day of October, 1965 that said appeal be dismissed without prejudice as of the aforementioned date.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman
W. Giles Parker
R. Bruce Alderman

FRED E. WALDROP
ATTORNEY AT LAW
BASKING BUILDING
TOWSON, MARYLAND 21204
VALLEY RD-8978

October 19, 1965

William S. Baldwin, Chairman
Baltimore County Board of Appeals
County Office Building
Towson, Maryland 21204

Re: Petition for Reclassification and Special Exception for Living Quarters in a Commercial Building NE/S of Reisterstown Road and Castlean Avenue - 2nd District Alpha Z. Omega Fraternity, Petitioner - No. 64-193-RX

Dear Mr. Chairman:

An attorney on behalf of the Appellants in the above captioned matter, please dismiss the Appeal now pending before the Board.

Very truly yours,
Fred E. Waldrop
Fred E. Waldrop

FEWak
cc: J. Nicholas Shriver, Esq.
Mr. Oscar Zarwitz

RE: PETITION FOR RECLASSIFICATION :
AND SPECIAL EXCEPTION for Living
Quarters in a Commercial Building :
NE/S of Reisterstown Road and :
Castlean Avenue - 2nd District :
Alpha Z. Omega Fraternity-Petitioner :
Baltimore County
No. 64-193-RX

A hearing having been held July 6, 1964, testimony being given, and counsel having been heard, it is the opinion of the Deputy Zoning Commissioner that the petitioner has failed to show an error in the original zoning or changes in the character of the neighborhood to justify the rezoning sought.

For the foregoing reasons, it is ORDERED by the Deputy Zoning Commissioner of Baltimore County this 21st day of July, 1964, that the above reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain an R-10 Zone; and the Special Exception for a living quarters in a commercial building be and the same is hereby DENIED.

David D. Harbo
Deputy Zoning Commissioner
of
Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

- Subscribers, Alpha Z. Omega Fraternity, 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an R-10 zone to a B-1 zone; and for the following reasons:
1. That for more than 20 years prior to the filing of this Petition, the property has been used for commercial and manufacturing purposes.
 2. That the character and improvements of the property render it impossible for use as residential and the existing zoning has and will continue to create a hardship on the owners thereof.
 3. That for these and other reasons to be assigned at the time of a hearing on this Cause, your Petitioners over that the Land Use Map for the surrounding area and neighborhood is in error.
 4. That the existing facilities shall be used as a public dining room.
- (2) For a special exception under the said zoning law and zoning regulation of Baltimore County (to use a portion of the herein described property for living quarters in a commercial building)

See Attached Description

and city for special exception under the said zoning law and zoning regulation of Baltimore County, to use the herein described property for:

Property 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.

Charles W. Young
Contact purchaser
Address 3344 Madison Rd.

Marion D. G. Sauer
Petitioner's Attorney
Address 1618 S. 5th St.

ORDERED By The Zoning Commissioner of Baltimore County, this 24th day of June, 1964, 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 106, County Office Building in Towson, Baltimore County, on the 24th day of July, 1964, at 2:00 o'clock P. M.



John D. Rose
Zoning Commissioner of Baltimore County

RECLASSIFICATION
#64-193-RX
MPP #3
SEC-2-C
BL-2
6/11/64

REQUIREMENT for the same at the corners formed by the intersection of the Northeast side of Reisterstown Road, 66' wide; and the center line of Castlean Avenue, 20' wide; and running thence from said place of beginning, binding on the said Northeast side of said Reisterstown Road North 34° 00' West 120.00' to the Northeast corner of the property of George Subersinger, Jr., and which said outline is shown on the Plat of the property of George Subersinger, Jr., recorded among the Land Records of Baltimore County in Plat Book C.W.L. 27, #12 folio 35; thence leaving the said Northeast side of said Reisterstown Road and binding on part of the said Northeast corner of said George Subersinger, Jr., property and running North 55° 27' East 200' to a point in the division line between lots 2 and 3 as shown on said plat; thence running South 34° 00' East, binding on said division line between said lots 2 and 3, 120.00' to the said corner line of said Castlean Avenue; thence binding on the said center line of said Castlean Avenue with the new thereof in common with others entitled thereto at running North 55° 27' East 200' more or less, to the place of beginning.

Samy P. Thomas

Marion M. Baldwin, Esq.
Towson Building
Towson, Maryland

Re: Petition for Reclassification & Special Exception for Alpha Z. Omega Fraternity

Dear Sir:

The Zoning Advisory Committee has reviewed the above petition, and have the following comments to make:

OFFICE OF PLANNING & ZONING THE TRAFFIC DEPARTMENT: The petitioner proposes no access to this site other than Castlean Avenue, a private road, 30' wide. A 10' widening must be provided to make this access acceptable by County standards.

The petitioner should indicate in what extent Castlean Avenue is used by owners of adjoining properties.

The interior circulation within the parking area will not function properly as presently proposed. It appears that several spaces will have to be added in order to correct this situation.

HEARD DEPARTMENT: Hear is not available. Percolation test must be approved by this Department.

No comments from the following Departments: Bureau of Engineering, Fire & Police Commission, P. & R. Commission, Fire Department, Industrial Development, Buildings Department, Board of Education.

Yours very truly,
William Phillips
Chief of Permit & Petition Processing
see Albert County-Office of Planning & Zoning
Albert County-Office of Planning & Zoning
Albert County-Health Department
William Phillips -

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John D. Rose, Zoning Commissioner Date: June 26, 1964

FROM: Mr. George E. Carvelis, Director
SUBJECT: Petition for Reclassification and Special Exception for Living Quarters in a Commercial Building, Northeast side of Reisterstown Road and Castlean Avenue. Being property of Alpha Z. Omega Fraternity, 2nd District

RE: Monday, July 6, 1964 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-10 to B-1, zoning together with a Special Exception for living quarters in a commercial structure and has the following advisory comments to make with respect to permit planning:

1. The subject property is situated along a portion of Reisterstown Road whose character is residential and whose zoning is exclusively residential. Special Exceptions have been granted within the context of residential zoning for a Fraternity House and a Day Nursery. Neither of these, in the minds of the planning staff, has created a condition of change of character which would justify commercial zoning here. In fact, a Special Exception for a Fraternity House was granted for the subject property.
2. Creation of commercial zoning here would establish land use potential for the subject property which would be greatly out of character with those of adjacent properties. Creation of commercial zoning here would not be in accordance with the Comprehensive Zoning Map or the Master Plan. Commercial zoning here would serve as an enticing wedge for subsequent zoning changes which could have the effect of establishing ribbon commercial development and shattering the comprehensive plan. From a planning viewpoint, creation of commercial zoning here would constitute spot zoning.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. James Dyer
Zoning Advisory Committee Date: June 17, 1964

FROM: Mr. Timothy W. Harpman

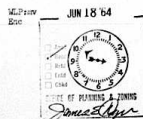
SUBJECT: Petition for Reclassification and Special Exception for Alpha 3, Omega Fraternity

Reference is made to the comments made by this department on the petition for reclassification of this property.

Due to the facilities not being used at present, this office is unable to determine whether the present septic system is functioning properly. Visual inspection of the property discloses no apparent failure. Soil tests performed on this property in 1958 (see attached) disclose this property is not suitable for further expansion of this present private sewage disposal system. It is our understanding that in the past large numbers of people have used these facilities with no apparent failure. However, the usage was intermittent rather than constant which allows the system to recover before next usage.

It is recommended that approval for rezoning of this property be restricted to the presently proposed usage, i.e., Provincial Film Sales. Any usage other than Provincial Film Sales would require Department of Health approval.

Timothy W. Harpman
Division of Engineering & Urban Development
Section of Environmental Health



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: James Dyer Date: June 4, 1964

FROM: A. Mario Loidemann

SUBJECT: Castleton Avenue

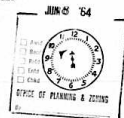
Enclosed is a print of the plot plan for the property adjacent to Reisterstown Road and Castleton Avenue.

Our Bureau of Highways has no record of maintenance of Castleton Avenue. Prior to our maintaining this road the property owner would have to grant a 10 foot widening strip and make any necessary road improvements. If the owner does not desire the County to maintain this road, no improvements are necessary.

A. Mario Loidemann
Developers Design Approval

AM:shs

CC: File



INVOICE
BALTIMORE COUNTY, MARYLAND No. 26205
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

TO: Mr. H. Philip Harris, 2746 Broadwood Drive, Towson 12, Md.

DATE: 6/21/64

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
Cost of appeal, Alpha 3, Omega Fraternity No. (66-293) No. 65-2-2	posting	676.00
	PAID - Baltimore County, Md. - Office of Finance	676.00
	6-114 6235 • 26205 TIP-	75.00

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.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: June 26, 1964

FROM: Mr. Timothy W. Harpman, Director

SUBJECT: Petition for Reclassification from R-10 to R-4 and Special Exception for Living Quarters in a Commercial Building, Northeast side of Reisterstown Road and Castleton Avenue. Being property of Alpha 3, Omega Fraternity.

2nd District

HEARING: Monday, July 6, 1964 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-10 to R-4 zoning together with a Special Exception for living quarters in a commercial structure and has the following advisory comments to make with respect to pertinent planning factors:

- The subject property is situated along a portion of Reisterstown Road whose character is residential and whose zoning is exclusively residential. Special Exceptions have been granted within the context of residential zoning for a Fraternity House and a Day Nursery. Neither of these, in the minds of the planning staff, has created a condition of change of character which would justify commercial zoning here. In fact, a Special Exception for a Fraternity House was granted for the subject property.
- Creation of commercial zoning here would establish land use potentials for the subject property which would be grossly out of character with those of adjacent properties. Creation of commercial zoning here would not be in accordance with the Comprehensive Zoning Map or the Master Plan. Commercial zoning here would serve as an entering wedge for subsequent zoning changes which could have the effect of establishing ribbon commercial development and absorbing the comprehensive plans. From a planning viewpoint, creation of commercial zoning here would constitute spot zoning.

OM:shs

BALTIMORE COUNTY, MARYLAND

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: June 26, 1964

Property: Petition for Reclassification from R-10 to R-4 and Special Exception for Living Quarters in a Commercial Building, Northeast side of Reisterstown Road and Castleton Avenue. Being property of Alpha 3, Omega Fraternity.

Location of property: N.E. side of Reisterstown Rd. & Castleton Ave.

Location of map: COR. REISTERSTOWN RD. & CASTLETON AVE.

Location of map: COR. REISTERSTOWN RD. & CASTLETON AVE.

Remarks: [Signature]

Posted by: [Signature] Date of return: June 28, 1964

TOWSON, MD. June 17, 1964

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. [Signature]

at 11:00 a.m. [Signature] before the 19th day of June, 1964, the first publication appearing on the 17th day of June, 1964.

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement, \$ [Signature]

INVOICE
BALTIMORE COUNTY, MARYLAND No. 25233
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

TO: Oscar Savaris, 3324 Harwood Rd., Towson 12, Md.

DATE: 6/21/64

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
Advertising and posting of property for R.J.M. Corp. 66-293-21	posting	61.00
	PAID - Baltimore County, Md. - Office of Finance	61.00
	6-364 6210 • 25233 TIP-	61.00

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.

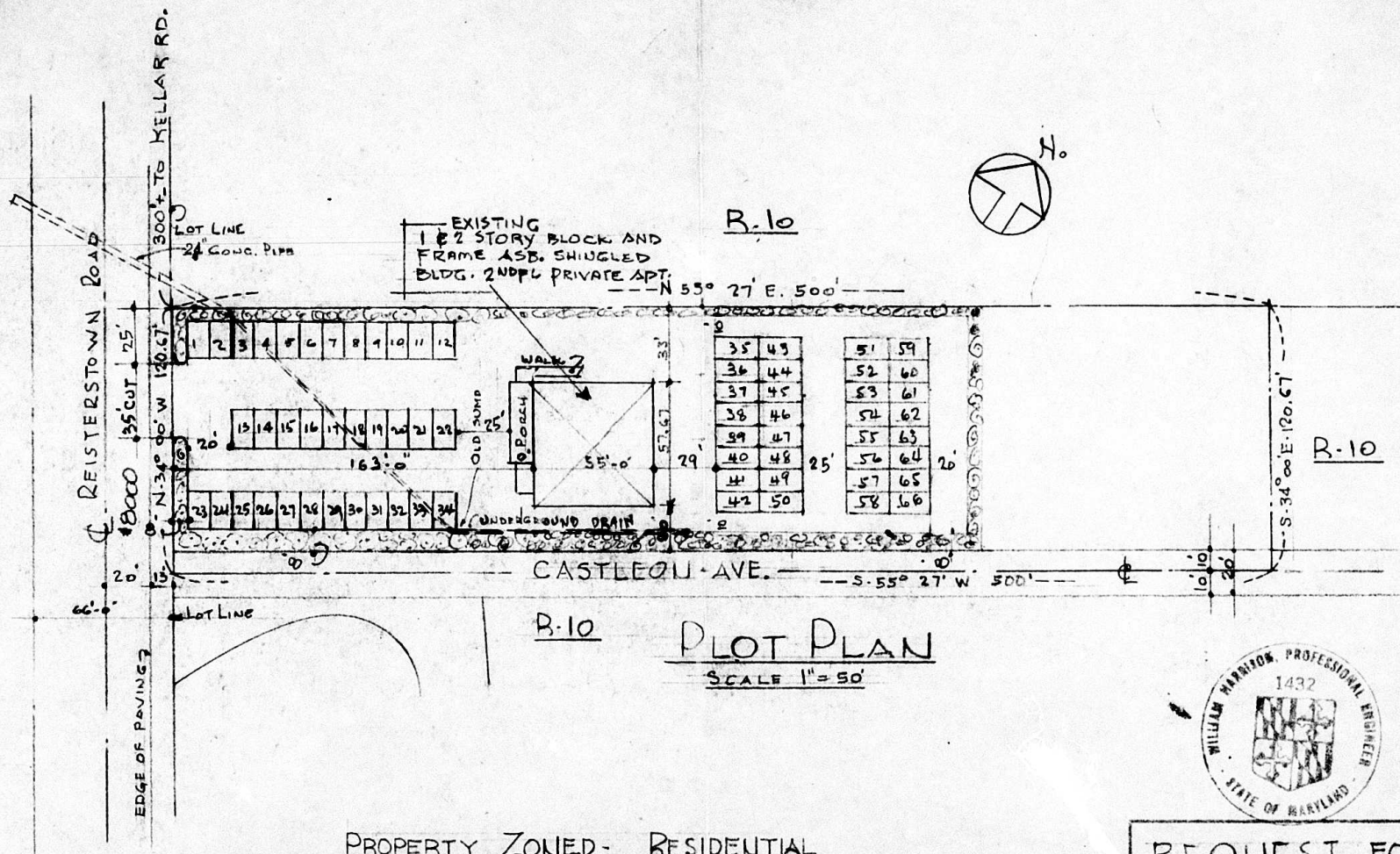
INVOICE
BALTIMORE COUNTY, MARYLAND No. 23022
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

TO: Maurice M. Sullivan, Rep., [Signature] Building, Towson 1, Md.

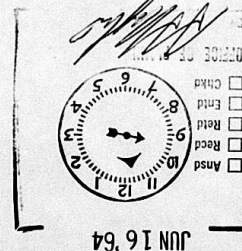
DATE: 6/21/64

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
Petition for Reclassification & Special Exception for Alpha 3, Omega Fraternity	posting	36.00
	PAID - Baltimore County, Md. - Office of Finance	36.00
	6-364 3182 • 23022 TIP-	36.00

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.



PROPERTY ZONED- RESIDENTIAL
3RD ELECT.DIST. 16TH PRECINCT.
BALTIMORE COUNTY, MARYLAND
PROPERTY AREA. 60,335 SQ. FT.
PARKING SPACES 10' x 20'



REQUEST FOR ZONING
CHANGE FROM R-10 TO B-L.

DAVID HARRISON
ARCHITECT

BALTIMORE

MARYLAND

DRAWN BY FJ

CHECKED BY DH

REV.

SCALE As Noted

DATE 4-28-64

PROJECT

764

NO. 100

1/1

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