

RE: PETITION FOR RECLASSIFICATION
from an R-4 zone to an R-A zone
and SPECIAL EXCEPTION
For Offices,
NW corner Edmondson Avenue and
Laurel Hill Lane,
1st District
William S. Iampieri, et al,
Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 65-91-RX
SEP 2 1966

OPINION

This is an application for a change in zoning classification from an R-4 zone to an R-A zone with a special exception for the conversion of an existing residence to offices. The property is located on the northwest corner of Edmondson Avenue and Laurel Hill Lane in the First District, and extends to an alley on the westernmost edge of the tract which is the rear of a block of group or row houses facing an Overbrook Road, which alley is the west front of Laurel Hill Lane. The alley is screened from the subject property by a thick hedge about twelve feet or more in height, and consists of 1.59 acres upon which is situated a large and old brick dwelling on the southeast portion of the lot nearest Edmondson Avenue.

This property has had a strange history zoning-wise. It was purchased by its present owners in 1957 and a petition for zoning for apartments was filed in 1958 and was granted with a special exception for a new office building in 1959. An application for a building permit for an office building was filed on September 16, 1959 and was granted on May 17, 1960 by Baltimore County. In the meantime, the zoning map was adopted by the County Council on April 5, 1960 upon which this property and all the adjoining properties on the north side of Edmondson Avenue appear as R-4, apparently with a complete disregard of the existence of the row houses on Overbrook Road and various commercial and nonconforming uses in the vicinity. At the same time a much larger tract on the south side of Edmondson Avenue, immediately opposite the subject property, was zoned as R-A and apartments known as the Overbrook Apartments have since been constructed on this site. The building permit granted on May 17, 1960 was never used and the owners were notified under date of November 15, 1961 that the permit had expired for non-use. In the meantime, the owners had applied for a special exception for a Funeral Home on the premises in October, 1960. A hearing was held on November 23rd of that year and the special exception was granted the same day. This special exception has been renewed by the Zoning Commissioner and is currently in existence. The owners live in the above mentioned dwelling on the property (5706 Edmondson Avenue) and operate a retail business at 5312 Edmondson Avenue. His present plans are to build a twenty-eight unit apartment house on the lot with the back of the building toward the hedge which acts as a screen along the alley between the proposed apartments and the backs of the existing row houses. The application was granted by the Zoning Commissioner on November 18, 1964 and this appeal was taken by same of the protestants.

William S. Iampieri - #65-91-RX

There have not been a great many changes in the character of the neighborhood other than the construction of the Overbrook garden type apartments except normal changes resulting from general growth in the area. The petitioner presented his own testimony and that of others including an expert land planner, Mr. Bernard Willemain, and Mr. Michael V. Lander and Frederick P. Kious, experts in the fields of construction and real estate, and without going into their testimony in detail in this opinion, it appears clear to the Board that there was an error in the original zoning of this property and that it should have been zoned R-A at the time the map was adopted, and from the testimony of the experts and physical inspection of the property we do find, as a fact, and the reclassification to R-A will, therefore, be granted.

With regard to the special exception sought by the petitioner, the Board feels that the granting of the special exception for the use of the existing residence as an office building, in conjunction with the proposed twenty-eight unit apartment house, would violate Section 502.1 (a) of the Zoning Regulations in that to place on the one and one-half acre tract of ground both an office building and an apartment complex would tend to overcrowd the land.

The protestants testimony indicated only that they are first opposed to any changes being made in the neighborhood for any reason whatsoever and, secondly, that they object to present traffic conditions on Edmondson Avenue and feel that the proposed use would increase the existing congestion. We do not see how the construction of a small number of apartment units, actually twenty-eight, could add appreciably to the congestion, if any, on Edmondson Avenue. There is no serious problem concerning water, sewer, or other utilities and there was no evidence that the proposed use would deteriorate property values in the neighborhood especially since no such result was shown by the construction, some two years ago, of seventy-four apartment units on the Overbrook apartment site.

For the above reasons the decision of the Zoning Commissioner will be affirmed in part, and the property will be reclassified from an R-4 zone to an R-A zone.

William S. Iampieri - #65-91-RX

ORDER

For the reasons set forth in the foregoing Opinion, it is this 14th day of June, 1966 by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby GRANTED, and the 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 COUNTY

William S. Baldwin, Chairman

W. Giles Parker

R. Bruce Alderman

RE: PETITION FOR RECLASSIFICATION
From "R-4" to "R-A" Zone and
Special Exception to convert
dwelling into Offices - NW-C
Edmondson Ave. & Laurel Hill
Lane, 1st District -
Wm. S. Iampieri and Rose Marie
Iampieri, Petitioners

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 65-91-RX

The petitioners have requested a reclassification from "R-4" to "R-A" Zone and a special exception to convert the existing dwelling into offices on the subject property located at the northwest corner of Edmondson Avenue and Laurel Hill Lane, in the First District of Baltimore County.

A similar request to the present one was granted by the then Zoning Commissioner, William H. Adams, on June 19, 1958. A Bill was introduced by Councilman Sigmon of the First District on March 3, 1959 concerning this same matter and was approved by five members of the County Council as an emergency measure and the said Bill took effect on April 5, 1959.

The new zoning map adopted by a majority of the said Council as approved by Bill No. 15, adopted a new zoning map on April 5, 1960, just about a year later and the subject zoning was not placed on the map.

It is not unreasonable to assume that the County Council overlooked the zoning previously approved and through error failed to zone the subject property for apartments.

For the above reasons the reclassification should be granted and the special exception to convert an existing dwelling into offices should also be granted.

It is this 14th day of November, 1964, 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-4" Zone to an "R-A" Zone and a special exception to convert existing dwelling into offices should be and the same is granted from and after the date of this order, subject to approval of the site plan for the development of said property by the Bureau of Public Services and the Office of Planning and Zoning.

Zoning Commissioner of
Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I, or we, the undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the petition 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-4 with Special Exception Zone to an R-A Zone for the following reasons:

Change in neighborhood

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 to convert existing dwelling to offices

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.

Contract purchaser

Address

Address

Address

Address

Address

Address

Address

Address

Address

Address

Address

Address

Address

Address

Address

Address

Address

Address

Address

James M. ...
John C. ...
George W. ...
Robert W. ...
Edward M. ...
James F. ...
Paul Lee ...
Paul S. ...

MATZ, CHILDS & ASSOCIATES, INC.
Engineers & Surveyors - Site Planners
2129 N. Clark St., Baltimore, Maryland 21218
(410) 538-1000

DESCRIPTION

FOR SPECIAL EXCEPTION, EDMONDSON AVENUE AND
LAUREL HILL LANE, FIRST ELECTION DISTRICT,
BALTIMORE COUNTY, MARYLAND

Beginning for the same at the easternmost corner of the brick building known as No. 5706 Edmondson Avenue, said point of beginning being located 89 feet, more or less, northwest of the center line of Edmondson Avenue, as now constructed, and 20 feet, more or less, southwest of the southwest side of Laurel Hill Lane, as laid out twenty feet wide, and running thence southwesterly along the front wall of said building and continuing the same course, in all, 46.80 feet, more or less, thence northwesterly to and along the southwesternmost wall of a brick addition to said building, and continuing the same course, in all, 34.40 feet, more or less, thence northwesterly to and along the northwesternmost wall of said building and continuing the same course, in all, 46.80 feet, more or less, thence southeasterly, to and along the northeasternmost wall of said building, 34.40 feet, more or less, to the place of beginning.

HGW:shr

J. O. #64095 - 9/28/64



August 10, 1964

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON 4, MARYLAND

Frank G. Clooney, Esq.
121 N. Chesapeake Avenue
Baltimore, Maryland
21204

William S. Lampier and wife
Residing from 240 to N. 4
SUBJECT: 1/4 Day to corner existing
1/4 side Laurel Hill Lane

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:

With available street available

LEGAL OF BEGINNING

Laurel Hill Lane is not to be improved, therefore, no easements or access will be allowed from this lane.

The following members had no comment to make:
Office of Planning & Zoning
Development & Rehabilitation Commission
State & Local Commission
Bureau of Traffic Engineering
Zoning Commission
Health Department
Industrial Development Commission
Bureau of Inspection
Building Department

Yours very truly,

James M. Lampier
Chief of Planning and
Petition Processing

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John G. ... Zoning Commissioner Date: October 28, 1964
FROM: George E. ... Director
SUBJECT: #65-91-Rx, R-8 to R-4 and Special Exception for Offices.
Being property of William S. and Rose M. Lampier
1st District
HEARING: Tuesday, November 10, 1964 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for zoning reclassification and Special Exception for offices. It has the following advisory comment to make with respect to pertinent planning factors:

- The subject property appears on the Master Plan for the southern portion of the 1st District as being appropriate for apartment land usages. The Master Plan was adopted by the Planning Board in November of 1959. The planning staff is unable to comment on the reasons why apartment zoning here was not approved by the County Council when it took action legislatively on the 1st District Zoning Map. With respect to the Special Exception, the planning staff would request that, if granted, be granted conditionally upon approval of development plans by the appropriate county agency within the context of the entire project.

GEG:bms

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st
Posted for: APPEAL
Petitioner: WILLIAM S. LAMPIER, et al.
Location of property: 240 N. Edmondson Ave. & Laurel Hill Lane
Location of Sign: 240 N. Edmondson Ave. & Laurel Hill Lane
Remarks: [Signature]
Posted by: [Signature]
Date of return: Oct. 23, 1964

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1st
Posted for: Reclassification from R-8 to R-4 & Special Exception for Offices
Petitioner: William S. Lampier, et al.
Location of property: 240 N. Edmondson Ave. & Laurel Hill Lane
Location of Sign: 240 N. Edmondson Ave. & Laurel Hill Lane
Remarks: [Signature]
Posted by: [Signature]
Date of return: Oct. 22, 1964

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

TO: James J. Gaherty, Esq., 301 East Fayette Street, Baltimore 2, Md.	BILL TO: Office of Planning & Zoning 119 County Office Building Towson 4, Md.		
REPORT TO ACCOUNT NO. 01-622	QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
			COST
	Cost of appeal - Wm. S. Lampieri, et al	\$70.00	
	No. 65-91-R	2 k sign	10.00
		<u>200.00</u>	440.00
			500.00
	Paid - Baltimore County, Md., on 6/1/64		
	161964 7897 * 27632 11P-		\$6.00

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
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

TO: Frank G. Clooney, Esq., 121 N. Chesapeake Ave. Towson 4, Md.	BLDG Zoning Department of Baltimore County	
REPORT TO ACCOUNT NO. 01-622		
QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL \$50.00
	Petition for Reclassification & Special Exception for Wm. Lampier	50.00
	PAID — Baltimore County, Md. — Office of Planning	
	8-1664 8155 * 25272 11P-	50.00
3		
TAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND		

MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

TO: Mr. William Lampier 5706 Edmondson Ave. Baltimore 28, Md.	TOWSON 4, MARYLAND	
	BILL BY Zoning Department of Baltco, Co.	
REPORT TO ACCOUNT NO. 01-622	QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE
	Advertising and posting of your property	TOTAL AMOUNT
	#65-91-24	178.00
		178.00
	PAID - Spiders County, Md. - City of Baltco	
	411964 8155 * 27632 11P-	178.00
3		
IMPORTANT: MAKE CHECKS PAYABLE TO - BALTIMORE COUNTY, MARYLAND		
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND		
LEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.		

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.

PETITION FOR RECLASSIFICATION
FROM R-8 TO R-4
AND SPECIAL EXCEPTION FOR
OFFICES
LOCATION: 240 N. Edmondson Ave.
LAUREL HILL LANE
DATE: 10/28/64
DUE: 11/10/64
PUBLIC: BALTIMORE COUNTY, 119
COUNTY OFFICE BUILDING, TOWSON 4,
MARYLAND

CERTIFICATE OF PUBLICATION

TOWSON, MD. 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. once in each of the successive weeks before the day of the first publication appearing on the day of 1964.

THE JEFFERSONIAN
Manager
Cost of Advertisement \$.



PROPOSED

OFFICE BUILDING

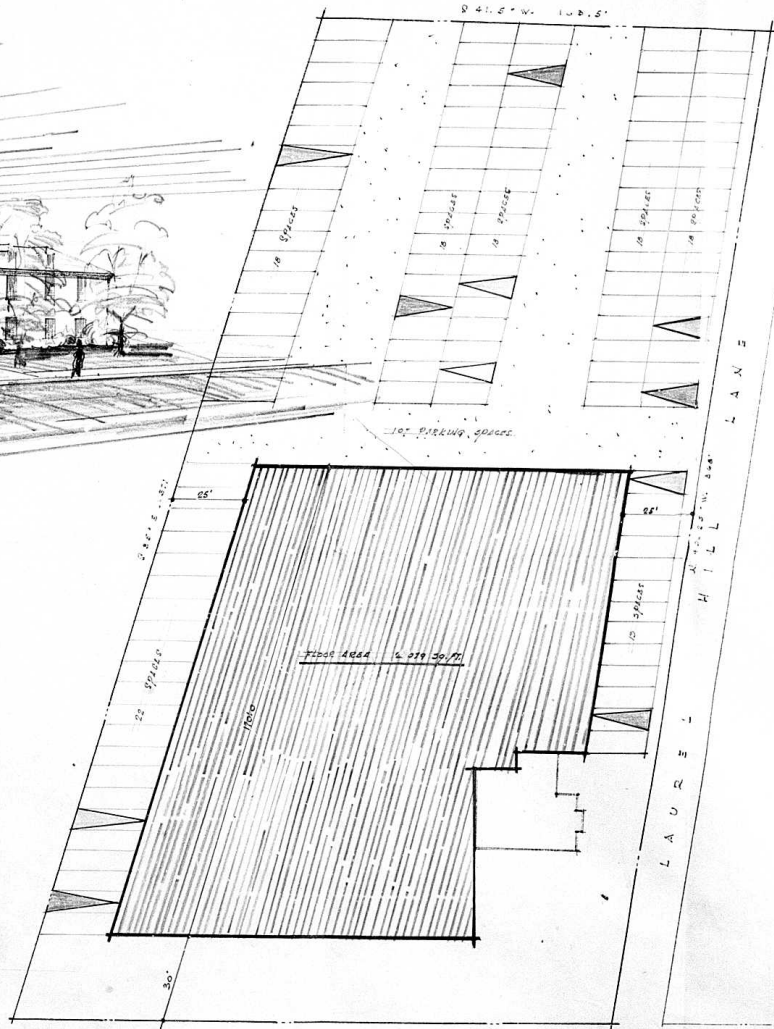
AT

NORTH BEND

FERDINAND P. KELLY

ARCHITECT

DATE: JAN. 2, 1929



EDMONDSON AVENUE

SCALE - 1" = 20'



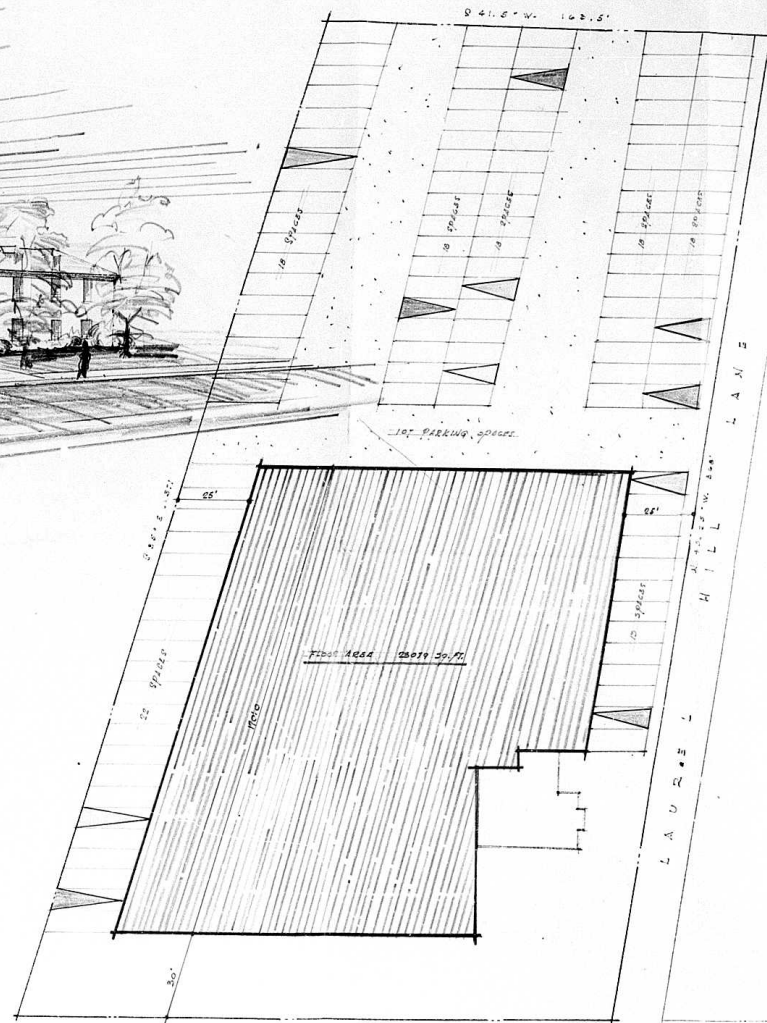


PROPOSED
OFFICE BUILDING
AT
NORTH BEND

FERDINAND J. KELLY

ARCHITECT

DRAWN BY JOHN C. HENRY



EDMONDSOY AVENUE

MICROFILMED

