PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

Inc.

Inc. County and which is described in the description and plat attached hereto and made a part hereof, #/3 hereby petition (1) that the coning status of the herein described property be re-classified, persuant to the Zoning Law of Baltimore County, from an ... 8-A ... 5N-5-D

there was error in original zoning, there have been numerous changes in the area since the original zoning, and of the four corners involved, this is the only corner not zoned G-L. 9/1/4 +9/1/45

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

r we, agree to pay expenses of above re-classification and/or Special Exception advertising. posting, etc., upon firing of this petition, and further agree to and are to be bound by the zoning

Echofar interprises Co., inc., Legal Owner Contract purchaser Address 4510 Catleview Road Baltimore, Haryland 1207 Protestant's Attorney Address Jenifer duliping, Joseph, No. 21:04 46/2 hand (2000) (2129) ORDERED By The Zoning Commissioner of Baltamore County this 17th , 196. 5, 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 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 County, on the 17 6

13th District #13

SE (1201)

BL

RE: PETITION FOR RECLASSIFICATION : from an R-A zone to a B-L zone, NE/S Sulphur Spring Road 147.08° North of Selma Avenue,

BEFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY No. 66-74-R

OPINION

The petitioner in this case requests a reclassification from an R-A zone to a B-L zone for a parcel of ground, twenty-one hundredths (0.21) of an acre in size, situated on the corner of Sulphur Spring Road and Selma Avenue in the Thirteenth Election District

The other three corners of the intersection are all zoned Business-Local. The subject lot is presently improved with a two and one-half story framed dwe..ing, and to the east of the subject lot are three existing frame dwellings on ground that is zoned R-A. Further to the east, again the zoning is Business-Local. The subject property has frontage on Sulphur Spring Road and Sulphur Spring Road as relocated at its intersection with Selma Avenue. An examination of the plat filed in the case as Petitioner's Exhibit *1, and the Baltimore County zoning map will more clearly picture the location of the property with regard to the intersection

At the time of the adoption of the zoning map by Baltimore County in June of 1959, the County zoned a long strip of property along the last side of Southwestern Boulevard Business-Local; zoned both sides of Oregon Avenue, to the east, Business-Local; and left a very narrow strip of R-A land between the two large B-L zoncs. Apparently this was done in recognition of the existing residential uses of this narrow strip of land.

The petitioner testified that he has owned the subject property for two years and that he hopes to develop it with a small retail store or possibly an office building. He further testified that there had been numerous changes in the neighborhood since 1959 in the construction of various stores and offices within a three block radius.

A local recitor, Edward J. Warren, who has had twenty-one years experience in the real estate business in the area, testifying on behalf of the petitioner, stated that there was commercial property all around the subject lot and that, in his opinion, the reclassification of this smell lot would not depreciate the three houses that lie immediately to the northeast. He also testified to numerous changes in the neighborhood: the relocation of Surpriur Spring Road; the new proposed Interstate 95 S, approximately six blocks south of the property; and various reclassifications from R-A and R-6 to Business-Local



Spr

Milliam M. Magnadier County Surveyor



For Purpose of Zoning Only - Reclassification from R.A. to B-Lrequested

All that piece or parcel of land situate, lying and being in the Thirt SEC. 2A Election District of Baltimore County, State of Maryland, and described as follows:

Beginning for the same at a point in the center of the original Sulphur Spring $_{I^2L}$ Good distant northeasterly 147.08 feet from the intersection of the center line of Selma 2//-Avenue produced and the center line of the original Sulphur Spring Road running thence binding on the center of said Sulphur Spring Road North 49 degrees 37 minutes 20 seconds East 17.92 feet to the beginning of the second line of parcel 2 of the land which by Deed dated December 4, 1951 and recorded among the Land Records of Baltimore County in Liber G.L.P. No. 2050, folio 206 was conveyed by Minute Man Realty Inc. to Elizabeth Roche, et al thence pinding on the said second line South 40 degrees 22 minutes 40 seconds east 138,32 feet to the North side of relocated Sulphur Spring Road as laid on the State Roads Commission Plat No. 6530 contract No. B-332-5-411 thence binding on the right of way lines so laid out on said plat the following courses and distances, viz: Southwesterly by a line curving to the right an arc distance of 87.9 feet radius of which is 1014.74 feet Northerly by a line curving to the right an arc distance of 69.64 feet radius of which is 35.0 feet northeasterly by a line curving to the right an arc distance of 85.94 feet radius of which is 109.18 feet and north 40 degrees 22 minutes 40 seconds West 22 feet to the center of the original Sulphur Spring Road and place of beginning. The improvements thereon being known as No. 1407 Sulphur Spring Road.

In Millamaders

Schofer Enterprises Co., Inc. - #66-74-R

within a three to four block radius. He further testified that, in his pointion, it was not feasible to develop the subject lot in its present R-A classification

A witness for the protestants, Mr. William J. Slattery, who resides on the north side of Old Sui, hur Spring Road in close proximity to the property, testified that the traffic was heavy during the peak shopping hours, and that at times traffic backs up to the Southwestern Boulevard. The protestants also alleged that there was no need for additional commercial zoning in the orea as there are a number of vacant stores in the immediate

The Board feels that the action of the County in placing the subject property in an R-A zone was illogical due to the fact that it is surrounded on three sides by Business-Local zoning, and further, that the extremely small size of the tract precludes it from being developed in its R-A classification. There also have been numerous inclassifications from residential to commercial uses in the immediate vicinity since the adoption of the map in 1959 that justify this request.

Therefore, the petition for reclassification from an R-A zone to a B-L zone

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 6th day of October, 1966 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

William S. Baldwin, Chairman

PETITION FOR RECLASSIFICATION #66-74R ME/S of Sulphur Spring Road 117,08 N of Selma Avenue 13th District Schofer Enterprises Co., Inc. PIAP

#13 SEL-2131

5W- 5-D

BEFORE THE

CF

NO. 66-74-R

The Petitioner seeks a Reclassification of his property from an R-A Zone to a B-L Zone. Plans call for the conversion of the existing home into offices.

This particular tract as improved is situated on the NE/corner of Sulphur Spring Road just N of Selma Avenue. The other three corners are zoned 5-L by virtue of the original zoning map. It was admitted that no zoning danges have taken place in the immediate neighborhood since adoption of the 13th District Zoning Map.

Planning comments indicate the Comprehensive Zoning Map for the 13th District provides a north-south strip of R-A zoning which serves the provise of protection for the existing residential development while still permitting greater use potentials. This protection south be lost serve the requested 8-L reclassification granted. Further, the greater tening of the property provides a rational translation between residential and commercial uses.

The Putitioner contends that this office should follow the "four corner rile." Following this theory means that in view of the accuracy and the property should automatically property should automatically be re-creed. The Deputique of the property should automatically be re-creed. The Deputique of commissioner is unable to follow this line of reasoning, for to do swelld deptrey the over all purpose and effect of the comprehensive re-zoning maps.

Most of the protestants appearing at the hearing resided in the residential section immediately E. * the subject tract. Their concern primarily dealt with the satter of traffic in the immediate area and the preservation of the exacting zoning map.

After reviewing all evidence as presented the Deputy Zoning maissioner is of the opinion the Petitioner has failed to show error in the original zoning or such changes in the isaracter of e neighborhood that would justify granting the zoning sought.

For the aforegoing reasons, IT is ORDERED by the Deputy Zoning Cormissioner this and of Rowenber, 1965, thit the above reclassification be and the same is neverly ERRIED and that the above described property or area so and the same is hereby continued as and to remain an Red Zone.

6674R

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COL

Toy son, Maryland

Posted for Reclassification from RA to BL Petitioner Schofe Elipoures & me. Location of property nel of Salphus Springs Re 147.08 N of Alma are Loretion of Signal N. F. P. C. of reloc . Sulphur Springold and Selma are @ st/sof Alma are 100' NE of Rice Intplin springle. Remarks MA Sulphe Spring Rd now Alma lus Date of return 3 Aug 9 1965 Posted by Signature

2 aims

CERTIFICATE OF POSTUM OF DEPARTMENT OF BALTIMORE COUNTY

Date of Posting Sic. 3/ 1965 Posted for LIPREAL Petitioner I Chafer antiquerina Co. Free Location of property NE/s Sulphur Sessen Rd 147.08 N Selson Location of Signer N. E. S. Sulphur Spang Rol 150 N June are Date of return 201 6 1966

RE: PETITION FOR RECLASSIFICATION DEVELOP ()) SEFECT NEWS OF SURPAY SPRING ROad 147.08 N of Selba Avenue 139 District Schofer Enterprises Co., Inc.



DEC 15 1

ORDER TO APPEAL

Flease enter an appeal in the above entitled zoning matter from the Order of the Deputy Zoning Commissioner tha 19th day of November, 1965, to the Baltimore County Board of Appeals.

I hereby certify that I have mailed a copy of the above Order to Norman F. Summers, 4612 Leeds Avenue, Bailimore, Maryland 21229, this /5 day of December, 1965.

PETITION FOR

136: DISTRICT CONING: From R-A to B.L.

ZONING: From IPA to Bill.
ZONING: From IPA to Bill.
ZONING: Northeast side of Sulphur Spring Road 117.08 foot Northeast side of Sulphur Spring Road 117.08 foot North Oil Sulphur Spring Road 117.08 foot Northeast Spring Road 117.08 foot Northeast Spring Road 117.09 p.M.
SPITIABIER 20, 1965 at 1-209 p.M.
SPITIABI



CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. September 2 19 65

THIS IS TO CERTIFY. That the annexed advertisement was published in THE TIMES, a weekly newspaper printed and pub lished in Boltimore County, Md. once in each of

.19 65, the first publication day of

day of Settember appearing on the

THE TIMES

Manager

PETITION FOR BECLASSIFICA

TON. ISTR DESTRUCT.

SONING From Nea In B.L. Zone
LOCATION: Netheast side of
plusy Sorting Road 1815 feet.
North of Selma Ave.
DATE & TIME: Mondray, Septemher 20, 1945 at 109 F. M.
PUBLIC HIXALING! Room 108,
County Office Building, 111 W.
Chevapeake Avenue, Toysum, Md.

The Zoning Commissioner of Balimore County, by authority of the Zening Act and Regulations of Balimore County, will hold a public hearing.

Present Zoning R.A.

Proyound Zoning II. All that parent of land in the Thereent District of Balimore County.

CERTIFICATE OF PUBLICATION

TOWSON, MD. . . . Reptember 2, ..., 19.65. THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., worker in worch

of 1 time xumorestreeweeks before the 20th day of _____September______1965 ... the area publication appearing on the 2nd day of September

THE JEFFERSONIAN,

Cost of Advertisement, \$...

BALTIMONE COUNTY OFFICE OF PLANNING AND ZONING COUNTY OFFICE BUILDING YORSON, MARYLAND 2120h

Saunders M. Almond, Jr., Esquire

Jenifer Building Towson, Maryland 2120h

SUBJECT: Reclassification From RA to BL For Schafer Enterprises Co, Inc. ME/S Sulphur Spring Road H of Scham Avenue, 11th District (Item 2 August 17, 1965)

66-74R

OFFICE OF PLANTED AND ZORIDO - ZORIDO ADCRESSIVATION DIVISION. There seems to be some conflict between the pattion and the plat filed but the pattion. On the pattitioners lian there is indicated living quarkers on the second low which would require special Kneption. The patitioners plat.

BURNAU OF TRAFFIC ENGINEERING. This bureau will submit comments at a later date.

NUMBER OF BEN NESSERIES .

Water - Statisting MS water in Sulphur Spring Boad relocated.

Dear - Statisting MS water in Sulphur Spring Boad relocated.

Dear - Statisting MS sewer in Sulphur Spring Boad relocated.

Adequater of cristing utilities to be determined by developer or his engineer.

Adequater of cristing utilities to be determined by developer or his engineer.

Dear Sulphur Spring Boad relocated is a State Road.

Of Sulphur Spring Road is an orthor improvements are necessary.

Corn Brain - Brain systems exist in both new and old Sulphur Spring Boad.

STATE ROLLS COMMISSION: This bureau will review and submit comments at a later date.

The above consents are not intended to indicate the appropriateness of the soning action requested, but to assure that all parties are not some of plans or problems any have a bearing on this case. The Director same that all parties of the first of Planning and Zoning will substit recommendations or the appropriateness of the first of Planning and Zoning will substit recommendations or the appropriateness of the requested scaing 10 days before the Zoning Constitutions**, bearing

The following members had no comment to offer:

Fire P-reau--Plans Review Fire Production Series
Buildings Department
Health Department
Board of Education
Industrial Development Commission

Very truly yours,

JAMES E. DYSE, Faief Petition and Permit Processing

oo: Hr. James E. Dyer-Offics of Planning and Zoning Zoning Administration Division Hr. Hitchard Moore-Bureau of Traific Engineering Hr. Carlyle From-Duracu of Traific Engineering Hr. John Duerr-State Roads Coxmission

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date September 10, 1965 FROM George E. Gavrelis

SUBJECT. Petition *66-74-R, to reclassify property on the Northeast side of Sulphur Spring Road, 147.08 feet north of Selma Avence, from an K.A. to a B.L. Zone, 18th District. (Schofer Enterprise Co., Inc.; hearings: Monday, September 20, 1965.)

The planning staff of the office of Planning and Zoning has reviewed the subject potition and offers the following comments:

1. Properties due west and across new Sulphur Spring Road from the subject Properties due west and across new Sulphur Spring Road from the subject parcel are commercially zoned. However, the Comprehensive Reconsing Map for the 13th District provided a north-south strip of R.A. zoning which serves the purpose of protecting existing residential develop-sent while still permitting greater use potentials. This protection would be last were the requested reclassification to be general. Further, the present zoning of the property provides a rational transition between residential and commercial residentials.

The petitioner's plat indicates that offices are to be established in the present availding on the subject lot. We believe that this use would best be permitted by means of a special exception, with no reclassification.



Saunders M. Almond, Jr., Esq. Jenifor Building Towson, Md. 2120's

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapeake Avenue Towson 4, Maryland

Your petition has been received and accepted for filling this

day of August, 1964.

OHN G. ROSE

Owners Name: Schafer Engerprises Co., Inc. Reviewed by

BALTIMORE COUNTY, MARYLAND

No.33594

DATE 12/20/65

TELEPHONE 823-3000

OFFICE OF FINANCE Division of Collection and Receipt. COURT HOUSE TOWSON, MARYLAND 21204

To: Mr. Herman Schofer, 4310 Carteview Road Baltimore, Maryland 21207

BILLED

DEPOSIT TO A	ACCOUNT NO. 01-602 PATACH UPPER SECTION AND RETURN S.ITH YOU. REMITTANCE	TOTAL AMOUNT
	Cost of appeal - Schofer Enterprises, Inc. \$70.00 1 sign 5.00	\$75.00
	но. 66-74	
	PART - Sa resident part - CO	ice of Frances
	12-22-00 - 510 - 13593 11P-	75.00
	4	

I MARE VIEWAS PATABLE TO BALLIMANE SOURT HOUSE, TOWSON 4, MARYLAND SUPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BAISMORE COUNTY, MASLAND OFFICE OF FINANCE

TOWSON, MARYLAND 21204

Division of Collection and COURT HOUSE

PILLED Zoning Popt, of Salto, Co.

No.32066

DATE 8/24/65

0.06

SS3.00 50.00

#- 2565 005 * 32046 TIP-

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE

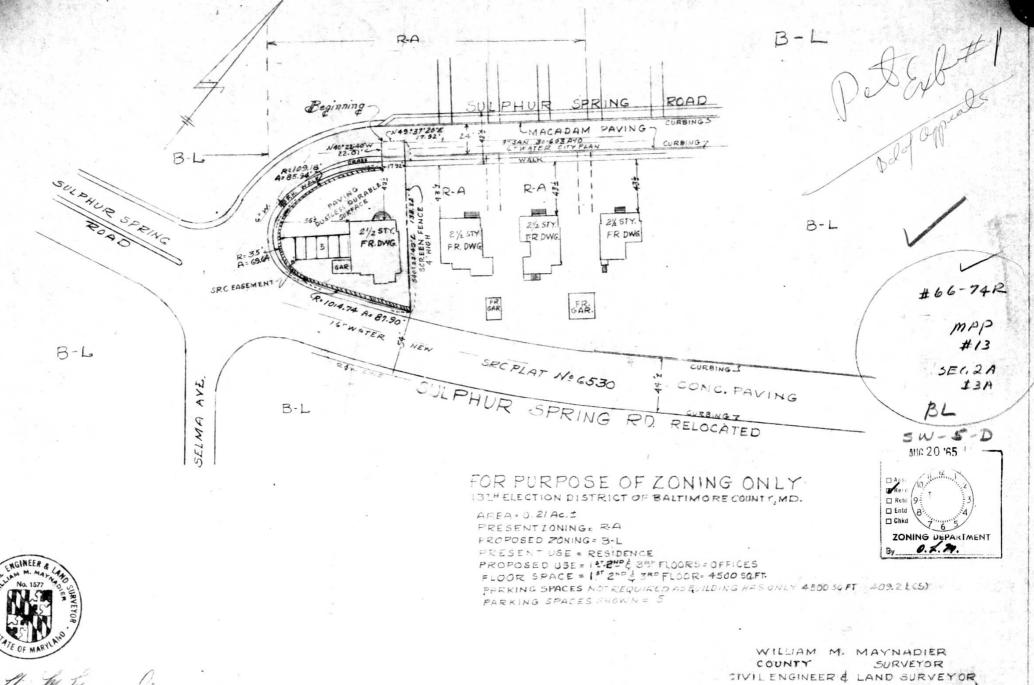
BALTIMORE COUNTY, MARYLAND

No.35730 OFFICE OF FINANCE DATE 1/11/66

BILLED Zoning Dept. of Balto. Co,

DEPOSIT TO ACCOUNT NO. 01-622 Advertising and posting of property #66-74-R ARTER SIP-

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARPLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.



COURTHOUSE SCALE IN . 50ET

TOWSON4, MD. JULY 14 1965