

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Mae F. Michael, legal owner 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 an BL zone for the following reasons:

- (1) Because of change in the character of the neighborhood
- (2) Because of error in the original zoning

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 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.

Contract purchaser: Mae F. Michael Legal Owner
 Address: 38 Woodley Ave. Reisterstown, Md. 21136
 Smith, Bottom & Smith
 by John G. Rose Petitioner's Attorney
 Address: 104 Jefferson Bldg. Towson, Maryland
 Protestants' Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 11th day of April, 1967, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 22nd day of May, 1967, at 1:00 o'clock P.M.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Edward D. Hardesty Date: September 8, 1967
 FROM: Albert S. Kaltenbach
 SUBJECT: Zoning Petition Number 67-229-R
 Election District 4



In accordance with your request as contained in inter-office correspondence dated August 3, 1967, we are pleased to indicate the proposed Painters Mill Road Extension on the plat attached to Zoning Application Number 67-229-R. As can be readily seen, the taking required for this improvement will destroy the use of the property.

Construction of this road will be undertaken within the framework of the Capital Improvement Program after 1972.

Albert S. Kaltenbach
 ALBERT S. KALTENBACH, P. E.
 Director, Department of Public Works

END:JJT:pab
 Enclosure
 cc: John J. Stama
 John J. Tremler

RE: PETITION FOR RECLASSIFICATION : BEFORE 67-229-R
 from an R-10 zone to a B.L. zone
 NE/S Reisterstown Road 568' N. of
 St. Thomas Lane,
 4th District
 Mae F. Michael, Petitioner

COUNTY BOARD OF APPEALS
 OF
 BALTIMORE COUNTY
 No. 47-229-R

OPINION

This petition for reclassification from R-10 to B.L. of a tract of land, approximately one and one-half acres, having a frontage of 65 feet on the north side of Reisterstown Road and a total depth of 669 feet, in the Fourth Election District of Baltimore County, is unopposed and no appearance has been made by any protestants. It was, nevertheless, denied by the Deputy Zoning Commissioner apparently for the reason that he had knowledge of some nebulous plans for the County to extend Painters Mill Road, which at present deadends at Reisterstown Road slightly north of the subject property on the opposite side of the road.

The uncontradicted evidence and exhibits in this case show conclusively that there have been numerous changes in the zoning classifications in the area since the adoption of the zoning map in 1957, and vast changes in a physical sense due to the construction and development of large tracts of land zoned for manufacturing in the immediate vicinity. All the rest of the north side of Reisterstown Road, for a considerable distance in both directions, is already zoned B.L., mostly at the time of the adoption of the map and in some degree by subsequent petition.

The subject property is occupied only by an old frame house situated very close to Reisterstown Road, and the Board cannot help but find, as a fact, that there have been more than sufficient changes in the character of the neighborhood to warrant the reclassification of at least the portion of the subject property fronting on Reisterstown Road for a reasonable depth back, which we have determined to amount to a depth established to coincide with the depth of the adjoining properties already zoned B.L.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Edward D. Hardesty Deputy Zoning Commissioner Date: November 29, 1967
 FROM: George A. Reiser, P.E.
 SUBJECT: Petition for Reclassification #67-229-R
 N/S Reisterstown Road, 568' NW of St. Thomas Lane
 District 4

It has come to the attention of the Writer that a memo dated November 16, 1967 prepared by this office is in error.

In response to the interoffice memo dated October 24, 1967 from Mr. Edward Hardesty to Mr. William S. Forroff, regarding the disposition of Painters Mill Road Extension, the alignment is such that it affects the Mae F. Michael property and it is the intention of both the Baltimore County Bureau of Engineering and the Office of Planning that consideration be given to acquiring the captioned site.

As of this date and according to our records, monies have not been appropriated to support the purchase of this land.

It is requested that the aforementioned memo dated November 16, 1967 be stricken from the records relative to Petition #67-229-R.

George A. Reiser
 GEORGE A. REISER, CHIEF
 Bureau of Public Services

GAR:rb

cc: Mr. Forroff
 Mr. Altman
 Mr. Guld
 Mr. Kaltenbach

Mae F. Michael, Petitioner - #67-229-R

For the foregoing reasons an Order will be passed granting the reclassification from R-10 to B.L. on the subject tract for a depth of 339.07 feet to coincide with the depth of the B.L. zoned property on the west, and the reclassification will be denied for the remainder of the subject property to the north; all as appears on Petitioner's Exhibit No. 5 in the within case.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 6th day of August, 1968 by the County Board of Appeals, ORDERED that the reclassification from R-10 to B.L. for a depth of 339.07 feet from Reisterstown Road, be and the same is hereby GRANTED, and that the reclassification petitioned for on the remainder of the subject property, 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
 William S. Baldwin, Chairman

W. Giles Park
 W. Giles Park

John A. Slowik
 John A. Slowik

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
 NE/S Reisterstown Road 568' : DEPUTY ZONING
 N of St. Thomas Lane - 4th Dist. : COMMISSIONER
 Mae F. Michael, Petitioner : OF
 NO. 67-229-R : BALTIMORE COUNTY

This is a Petition for a reclassification of approximately 1 1/2 acres of land from an R-10 zone to a BL zone. Prior to the original hearing, the Deputy Zoning Commissioner was advised by written comments from the Office of Planning that a substantial portion of the subject property will be acquired by Baltimore County for a northerly extension of Painters Mill Road. Subsequent correspondence from the Department of Public Works for Baltimore County confirmed that the petitioner's property will definitely be taken. It was pointed out, however, that no monies have been appropriated at this time for the condemnation proceedings.

Although the Petitioner showed various zoning changes in the immediate neighborhood in an effort to justify the requested rezoning, it must be borne in mind that all zoning shall be so designed so as not to adversely affect the public health, safety and general welfare. Common sense dictates no useful purpose would be served by rezoning this property to BL, if in fact it will not be utilized for that purpose. The clear fact remains that if the property remains an R-10 zone or is rezoned to BL, the County will definitely extend Painters Mill Road through the Petitioner's property, and this will in effect render the subject tract useless for any purpose, whether it be for residential or commercial.

For the foregoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner, of Baltimore County, this 10 day of January, 1968, 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.

Edward D. Hardesty

ORDER RECEIVED FOR FILING
 DATE: 1/10/68
 BY: J.C. Harves

SMITH, BOTTOM & SMITH



January 30, 1968

Hon. John G. Rose
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Petition for Reclassification
 NE/S Reisterstown Road
 568' N of St. Thomas Lane -
 4th Dist.
 Mae F. Michael, Petitioner
 No. 67-229-R

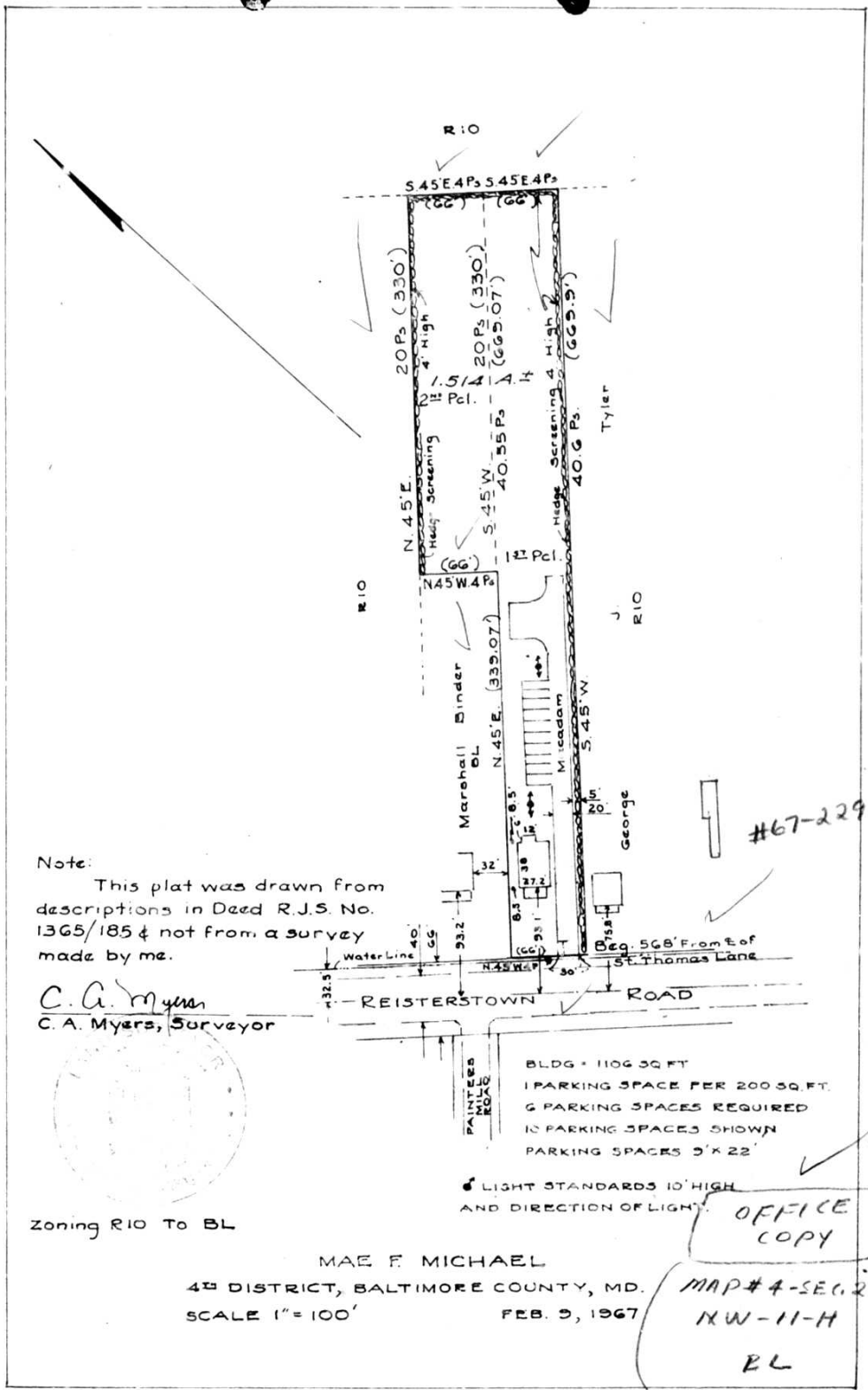
Dear Mr. Rose:

Please enter an appeal to the County Board of Appeals on behalf of the property owner in the above entitled matter, from the Order of January 10, 1968.

I enclose herewith our check for \$70.00 filing fee.

Sincerely,
Douglas G. Bottom
 Douglas G. Bottom
 Attorney for Petitioner

dgb/g



Note:
 This plat was drawn from descriptions in Deed R.J.S. No. 1365/185 & not from a survey made by me.

C. A. Myers
 C. A. Myers, Surveyor



Zoning R10 To BL

MAE F. MICHAEL
 4th DISTRICT, BALTIMORE COUNTY, MD.
 SCALE 1" = 100'

BLDG = 1106 SQ FT
 1 PARKING SPACE PER 200 SQ. FT.
 6 PARKING SPACES REQUIRED
 10 PARKING SPACES SHOWN
 PARKING SPACES 9' X 22'

6 LIGHT STANDARDS 10' HIGH
 AND DIRECTION OF LIGHT

OFFICE COPY
 MAP # 4-SEG. 2-C
 NW-11-H
 BL

#67-229R

