

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY and Frances E. Seibold
 I, or we, Thomas J. Seibold, 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-6 zone to an R-A zone, for the following reasons:

Genuine change in condition and error in original zoning
 Petition for Variance from Section 217.3 of the Zoning Code for Baltimore County to permit a ten (10) foot side yard in lieu of twenty-five (25) foot side yard.
 Existing structure is to be retained on the premises thereby causing extreme hardship and practical difficulty

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 an office building.

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.

Morton W. Paulman, Contact purchaser
 Thomas J. Seibold, Legal Owner
 Frances E. Seibold, Legal Owner's Address: Garrison, Maryland

Baltimore, Maryland 21218
 Charles E. Brooks, Petitioner's Attorney

Address 22 W. Pennsylvania Avenue, Towson, Maryland 21204-8213-1200

ORDERED BY The Zoning Commissioner of Baltimore County, this 31st day of November, 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 the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of September, 1967, at 10:30 o'clock A.M.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: September 8, 1967
 FROM: George E. Gavelle, Director
 SUBJECT: Petition #68-66-RXA. Reclassification from R-6 to R-A. Special Exception for offices and office building. Variance to permit a side yard of 10 feet instead of the required 25 feet. Northwest side of Linden 450 feet Southwest of Reisterstown Road. Being the property of Thomas J. Seibold.
 3rd District
 HEARING: Wednesday, September 20, 1967 (10:30 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

- In view of other reclassifications in the vicinity of the subject property, we do not oppose the reclassification sought here. We do question its timeliness, however, in view of the uncertain scheduling of construction of the Northwest Expressway and its connector streets.
- With regard to the special exception, we do question the desirability of intensifying the usage on Slade Avenue in consideration of that street's present condition. Would office use as proposed tend to create congestion?

In any event, should it be decided to grant the special exception, we request that the grant be conditioned upon approval of the site plan by this office.

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that ~~the granting of the reclassification would be "spot zoning" and that there has been no change on this particular street, which is 100% residential, therefore the rezoning should be denied. The Special Exception for Offices is denied also the variance to Sec. 217.3.~~

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 31st day of November, 1967, that the herein described property or area should be and the same is hereby reclassified, from a R-6 zone to an R-A zone, and/or a Special Exception for a ~~side yard variance~~ should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that ~~the granting of the reclassification would be "spot zoning" and that there has been no change on this particular street, which is 100% residential, therefore the rezoning should be denied. The Special Exception for Offices is denied also the variance to Sec. 217.3.~~

the above reclassification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED. The variance requested should not be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 31st day of November, 1967, 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-6 zone, and/or the Special Exception for ~~offices~~ be and the same is hereby DENIED. The variance to Sec. 217.3 is hereby DENIED.

Zoning Commissioner of Baltimore County

MCA

MATZ, CHILDS & ASSOCIATES, INC.
 CONSULTING ENGINEERS

DESCRIPTION
 0.42 ACRE ± PARCEL NORTHWEST SIDE OF LINDEN TERRACE, 450' ± SOUTHWEST OF REISTERSTOWN ROAD, BALTIMORE COUNTY, MARYLAND.

Present Zoning: R-6
 Proposed Zoning: R-A With Special Exception and Side Yard Variance

Beginning for the same at a point in the center line of Linden Terrace 45 feet wide, said point being distant 450' ± southwest from Reisterstown Road, running thence along the center line of said Linden Terrace S 61°30'00" W - 95.5 feet ±, thence leaving said Linden Terrace, N 28°27'00" W - 173.6 feet ±, thence N 50°10'00" E - 35.2 feet ±, thence N 27°17'00" W - 10 feet ± to the southeast side of Slade Avenue as proposed to be relocated, thence binding thereon northeasterly 50 feet ± thence leaving said Slade Avenue, S 27°17'00" E - 9 feet ±, thence N 62°08'30" E - 10.9 feet ±, thence S 26°27'00" E - 193.9 feet ± to the place of beginning.

Containing 0.42 of an acre of land.

RWB:mpj J.O. #67319 7/27/67

Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Developments ■ Planning ■ Reports



No Copy of April 27th Report
 August 11, 1967
 BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
 COUNTY OFFICE BUILDING
 TOWSON, MARYLAND 21204

Dear Mr. Brooks:
 The Zoning Advisory Committee has reviewed the subject petition and have the following comments to offer:
 BUREAU OF ENGINEERING: This Bureau commented on a similar petition on this property on April 11, 1967. These comments will remain valid.
 BUREAU OF TRAFFIC ENGINEERING: Since there is no access proposed to Linden Terrace, this office has no comment to offer.
 HEALTH DEPT.: Since public water and sewers are available, this office has no comments.
 STATE ROAD COMMISSION: Access to relocated Slade Avenue - Milford Hill Road is subject to State Road Commission approval and permit.
 ZONING ADMINISTRATION DIVISION: If the petition is granted, no occupancy may be made until such time as plans have been submitted and approved and the property inspected for compliance with the approved plan.

The above comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

The following members had no comment to offer:
 Project Planning Division
 Bureau of Fire Prevention
 Building Engineer
 Board of Education
 Industrial Development

Very truly yours,
 JAMES L. DYER, Principal Zoning Technician

cc: Carlisle Brown-Bur. of Engg.
 C. Richard Moore-Bur. of Traffic Engg.
 Julius Mossman-Health Dept.
 John Meyers-State Roads Commission

In the Matter of the Application of T. and F. Seibold for Rezoning, Special Exceptions and Variance to Linden Terrace, Baltimore County, Md.

Objections

To the Honorable Zoning Commissioner of Baltimore County:

The undersigned residents of Linden Terrace hereby protest the granting of the application filed herein in any of the respects prayed for by the applicant and designate Mr. Avram Meshulam as their spokesman at the hearing to be held on this matter.

1. Linden Terrace is a residential street that begins at Reisterstown Road and goes west for one block where it dead ends. There is no other access to and from Linden Terrace except Reisterstown Road. In connection with several previous rezoning cases the precedent was established that no access for any commercial purpose could be permitted from Linden Terrace due to the traffic hazards and congestion that would otherwise result.

2. The premises in question are residential and are so being used. It is almost the last dwelling on the North side of Linden Terrace. All other structures facing on Linden Terrace are being used as residences and the existing R6 zoning is proper.

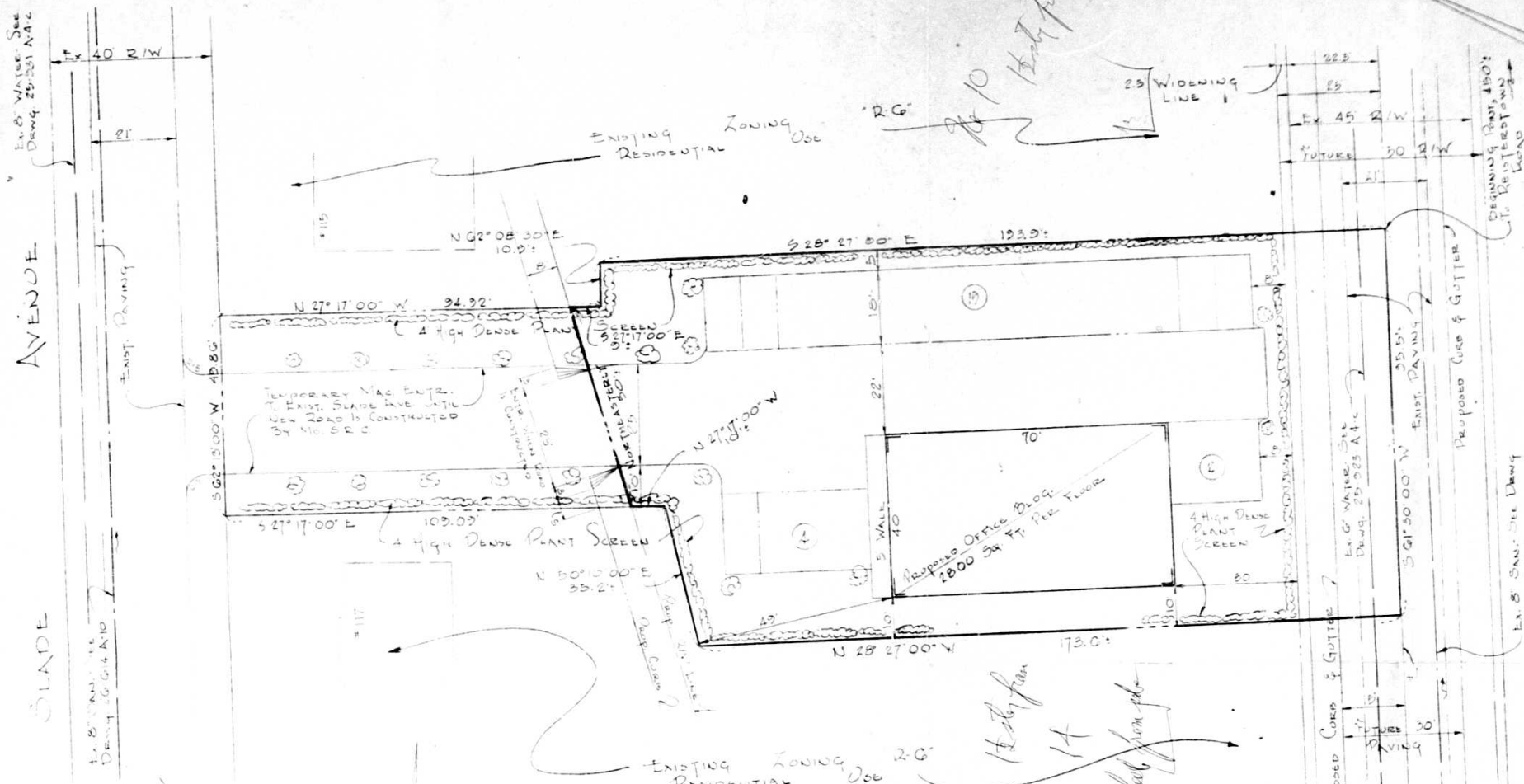
There are no facts which can support the brazen assertion of "error in original zoning and genuine change in conditions." A similar petition involving N Linden Terrace which is the first dwelling on the North side of Linden Terrace was denied by the Zoning Commissioner (67-63-RXA).

3. To grant the instant application would destroy the quiet residential character of the street, would affect the property value of the other residences on the street, would be detrimental to the welfare and safety of all other residents of the street, would impose a traffic hazard from those customers of the occupants of the proposed office building, would congest the narrow dead end street with additional parked cars, and would impede access to and from Reisterstown Road.

We earnestly and sincerely urge the denial of the application in toto.

- E. H. Meshulam 15 Linden Terrace
- B. A. C. Meshulam 15 Linden Terrace
- Susan Little 3 Linden Terrace
- John C. Smith 3 Linden Terrace
- Ann D. Smith 2 Linden Terrace
- Donald J. Parks 4 Linden Terrace
- Ann P. Parks 4 Linden Terrace
- Joseph A. Bennett 11 Linden Terrace
- Mary Louise Bennett 11 Linden Terrace
- Joseph A. Bennett 11 Linden Terrace
- Ethel M. Brady 8 Linden Terrace
- Raymond Brady 8 Linden Terrace
- Christine J. Bennett 17 Linden Terrace
- Mary Louise Bennett 17 Linden Terrace

- Jan E. Smith 17 Linden Terrace
- Richard C. Boyd 7 Linden Terrace
- Abraham Noy 7 Linden Terrace
- Mary E. Day 7 Linden Terrace
- Charles C. Smith Jr. 17 Linden Terrace
- Gene Truitt 1 Linden Terrace



LOCATION PLAN
SCALE: 1" = 500'

- GENERAL NOTES**
1. AREA OF TRACT EQUALS 0.8212 ACRES
 2. EXISTING ZONING OF TRACT "R-6"
 3. EXISTING USE OF TRACT "RESIDENTIAL USE"
 4. PROPOSED ZONING OF TRACT "RA WITH SPECIAL EXCEPTION SIDE YARD VARIANCE"
 5. PROPOSED USE OF TRACT "OFFICE BUILDING"
 6. EXISTING STRUCTURES ON SITE TO BE REMOVED
 7. PETITIONER IS REQUESTING A VARIANCE TO SECTION 2175 OF THE ZONING CODE FROM 25' TO 10' (SIDE YARD)
 8. AREA OF TRACT REQUESTING RECLASSIFICATION EQUALS 0.42 ACRES

OFF-STREET PARKING DATA

FLOOR	AREA	REQD UNITS	PROP UNITS
GROUND	2800 Sq Ft.	9.3	3.3
1 ST	2800 Sq Ft.	5.6	5.6
2 ND	2800 Sq Ft.	5.6	5.6
TOTAL	8400 Sq Ft.	20.5	21

#68-66 RKA
MAP #3
SEC. 2C
NW-7-E
RA-X



PLAN TO ACCOMPANY PETITION
FOR
RECLASSIFICATION & SIDE YARD VARIANCE
OF PROPERTY VICINITY OF
SOUTH SIDE SLADE AVE 460' WEST OF REISTERSTOWN RD
ELECTION DISTRICT 3
BALTIMORE COUNTY, MD.
MARCH 13, 1967
REVISED: APRIL 21, 1967
REVISED: JULY 27, 1967



MATZ, CHILDS & ASSOCIATES
1033 WYOMING AVE. BALTIMORE, MD. 21201
PLANNING & ARCHITECTURE
DATE: 10/22/66 BY: TRACI E. COLEMAN
67022 RLS PL

