PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

legal owner of the property situate in Baltimore map ne tre the act, 1022, september 1, 102, and 102, Katnarine Korhiewck Rose Sapperatein county and which is described in the description and past attention needs a law made a past queed, hereby ; edition (1) that the zoning status of the herein described property be re-classified, porsuant to the Zoning Law of Baltimore County, from an Re. 6, ... M. H. 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

erty is to be posted and advertised as prescribed by Zoning Regulations. property is to be posted and accertised as prescribed by zeroing regulations.

Jo r we, agree to pay expenses of above reclassification and or Special Exception advertising, pulping, etc., upon thing of this petition, and further agree to and are to be bound by the soning pulping, etc., upon thing of this petition, and further agree to and are to be bound by the soning pulping and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

Contract purchaser

Dela depte The 124. Hathaning Melber Address 7713 4. Charles At.

NAMES OF THE PARTY OF THE PARTY

the Roc

SAPPERSTE 412.15' N N/S Jones

TEIN, ET AL NW of Pulashi s Rd.

¥ 88

0

ORDERED By The Zoning Commissioner of Baltimore County, this ... , 196 ... I, that the subject matter of this petition be advertised as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughrequired 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 Toxson, Baltimore 106 8, at 11:000 clock County, on the peril with May of January

Zoning Commissioner of Baltimore County.

DATE

ESTABLISHED 1849 S. J. MARTENET & CO.

SURVEYORS AND CIVIL ENGINEERS 9 E. LEXINGTON STREET BALTIMORE, MD. 21202 PHONE: 539-4263

SEPTIMUS P. TUSTIN 1070-1921 WILLIAM O. ATWOOD

PARCEL OF LAND IN 110 DISTRICE, BALTIMORE COUNTY

BEGINNING for the same in the _enter of Jones Road, 20 feet at a point distant North 47 degrees 34 minutes West 412.15 feet from the intersection of said center of said road with the Northwest side of Pulaski Highway, 150 feet wide, said place of beginning being in the fourth line of the land which by deed dated May 21, 1961 and recorded among the Land Records of Baltimore County in Liber 3840 folio 444 was conveyed by Charles A. Vancura and Wife to Katherine and Irene Korbein and Rose Sapperstein of which the land now being described is a part and running thence and binding thereon in part and on the fifth line of the above mentioned conveyance and on the centerline of the Jones Road as now surveyed and with courses referred to the True Meridian North 47 degrees 34 minutes West 242.43 feet and North 45 degrees 22 minutes West 250.00 feet to the end of the above mentioned fifth line and to the Southeasternmost right of way line of the Baltimore and Ohio Railroad, thence binding the and and on the sixth line of the above mentioned conveyance from Vancura to Korbein and Sapperstein North 70 degrees 52 minutes East 598,99 feet to intersect the South 52 degrees East 3941 reet 5 inches line of the land which by deed dated December 7, 192) and recorded among the Land Records of Baltimore County in Liber W.P.C. 548 folio 297 was with and binding in part thereon and in part on the seventh line of the above mentioned conveyance from Vangura to Korbein and Sepperatein South 58 degrees 54 minutes East 242.38 feet and thence for a line of division South 45 degrees 26 minutes West 584.80 feet to the place

Containing 4.622 acres of land more of less.

October 24, 1967

Beg. 412,15' NW of Pulaski Highway on the N/S Jones Road - 11th District: Rose Sapperstein, et al. Petitioner

RE: PETITION FOR RECLASSIFICATION: NO. 68-161-R

BEFORE THE

DEPUTY ZONING

BALTIMORE COUN"Y

This is a Petition to rezone 4, 6 acres of land from an R-6 zone to an MH zone. Plans call for the construction of a warehouse or sewing

Without reviewing the evidence in detail, it is the opinion of the Deputy Zoning Commissioner that the Petitioner has failed to show either error in the original zoning map or such substantial changes in the character of the neighborhood justifying the rezoning sought.

For the aforegoing reasons, IT IS ORDERED by the Deputy Zon-ing Commissioner of Baltimore County, this May 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 Rev Zone.

There & Gallety

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING COUNTY OFFICE BUILDING

Harold Posner, Esc., 127 E. North Avenue Baltimore, Maryland 2120

SUBJECT: Reclassification from R-6 to H.H. for Ketherine Korbien, et al. located NM/5 Jones Rd. Mest of Pulnski Highway 11th District (Item 21, November 14, 1967)

Dane Stee

The Zoning Advisory Co.mittee has reviewed the subject petition and has the following comments to offer:

BUREAU OF ENGINEERING:
Water 5 sewer are not available.
Road - Jones Road is to be developed on a minimum 60' R/W...

HEALTH DEPARTMENT:
Prior to ansrawal of a connectial operation on this site, a complete soil
evaluation must be made to determine the suitability of the soil for underground
scowing disposal.

INDUSTRIAL DEVELORMENT:
This office will review and submit comments at a later date.

SUMER.! OF TRAFFIC ENGINEERING: The slam should be revised to show Jones Road with at least a 40' roadway on a 60' R/W. This sout be done orier to a hearing date being assigned.

FIRE BUREAU: The petitioner will be required to meet all Fire Department regulations pertaining

ZONING ADMINISTRATION DIVISION:
Section 230.1 of the Billimare County Zoning Regulations states whenever an M.H.
Jone about at Ties across the street from a residential zone, the user height and
zone about at Ties across the street from a residential zone, the user height and
zone about a residential zone, or motorway, shall be those listed in Sections 240.1, 242 and
243 of these regulations. Section 240.4, 14sts the users as provided in an M.R. zone.
Only these uses will be ellowed within the 150' restrictive stri) as indicated in
Section 250.1. The positional settocks would then be those listed in Section 240. of the Baltimore County Zoning Regulations.

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 proofers that two planes between the proof of the Office of Planning and Zoning will subsit recommendations on the Appropriateness of the office of Planning and Zoning will subsit recommendations on the Appropriateness of the requested zoning 10 days before the Zoning Commissioner's bearing.

The following members had no comment to offers

Project Planning Division State Roads Commission Building Engineer Board of Education Industrial Development

cc: Carlyle Brown-Bur.of Engr. Wm.Greenwalt-Health Dept. George Hall-Indus, Development C.Richard Moore-Traffic Engr. Capt.Paul Reincke-Fire Bureau

Very truly yours,

JAMES E. DYER, Principal Zoning Technician

RE: PETITION FOR RECLASSIFICATION FROM AN R-6 ZONE TO M.H. ZONE Beg. 412.15 feet from the Northwest Sic of Pulaski Highway on the North Side of COUNTY BOARD OF APPEALS Jones Road 11th District Katharine Korbien and OF BALTIMORE COUNTY No. 48-161-8 : : : :

OPINION

This case comes before the Board on an appeal by the Petitioners from the denial of the Deputy Zoning Commissioner to reclassify the subject tract from R-6 to M.H. The subject parcel is a comparatively small unimproved site containing 4.622 acres and lying on the north side of Jones Road approximately 412 feet northwest from Pulaski Highway, in the 11th Election District

The property has an approximate frontage of 492 feet on Jones Road, which is paved now to a width of but 14 feet. Same is now zoned R-6 and served by no public sewer or water.
The northern boundary of the property abuts the Baltimore & Ohio Railroad Company tracks, which cross Jones Road with flashing lights only for a warning signal system. All of the lands abutting this site are presently zoned R-6. The northwest corner of Pulaski Highway and Jones Road is zoned B-L and is improved by a 25 unit motel, which is approximately twenty-eight years old. The R-6 land across Jones Road from the subject property is now unimproved. On Jenes Road immediately across the railroad tracks from this site are high quality single family residences of considerable value, including at least one home of historical import built prior to 1775. A spring draine under the railroad tracks and through the subject property lying in the lower areas of same.

Harry Y. Riepe, Jr., a well known realter and qualified real estate expert testified for the Protestants. Mr. Riepe lives on Jones Road about 100 yards from the property. His testimony cited change in the area, but in his judgment such change. while considerable, improved the residential character of the area rather than the reverse.

TIMORE COUNTY, MARTLAND

Date November 15, 1967

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning

FLOM H. 5. Staab - Industrial Development Commission

The Industrial Development Co.nmission has reviewed the subject parcel and recommends that it be given favorable consideration because of its location adjacent to the railroad and ready access to Pulaski Highway (U. S. 40).

The site lies within the corridor of commercial and industrial development between the Pennsylvania Railroad and the Baltimore & Ohio Railroad along Pulaski Highway, which makes it a logical location for industrial zonies.

NA

H. B. STAAB

SUBJECT Item 21 - ZAC Meeting - November 14, 1967 Jones Road West of Pulaski Highway 11th Election District

Owner - Rose Sapperstein, et al

Case No. 68-161-R

eent in the residential character is primarily evident on Jones Road. Testimony cited the nearness of this tract to the new Gunpowder State Park being appr 600 yards from this site. It was the opinion of Mr. Riepe that the comparatively small size of this site (4.622 acres) made same undesirable for the M.H. classification.

Evicience indicated that the general area contains considerable now unusual M.H. land, including some which has been so zoned, yet unused, since 1945.

The Petitioners themselves were the only witnesses presented in their own behalf. According to their testimo...y, they have owned the subject property for about eight years. One has been to the site perhaps as many as six times during these night years, while the other has not seen same even six times during the past eight years. While both of the ladies have been landowners and real estate investors for many years, the Board was not impressed with their knowledge of this area

Without further reviewing the testimony and evidence in detail, it is the judgment of this Board that the Petitioners have not proven either error in the original zoning map or such substantial changes in the character of the area which would justify the reclassification sought by this petition.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 30th day of October, 1968, by the County Board of Appeals ORDERED that the reclassification petitioned for be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rule: of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

John A. Mille

BALTMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date January 11, 1968

FROM George E. Gavrelis, Director

SUBJECT. Pet. 68-161-R. Beginning 412.15 feet Northwest of Pulaski Highway and on the North side of Jones Road. Petition for Reclassification from R-6 to M.H. Roa Sappentein, et al. - Petitioners

11th District

HEARING: Monday, January 22, 1968. (11:00 A.M.)

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

Although industrial zoning at the subject location is logical, from a slaming view point MH zoning would be improper. MH zoning it best suited for lenge ecropes, and the subject property i. not a large tract. Also, many uses permitted in MH zoning is best suited for lenge and wide-prend adverse effects upon other properties and land user, bit a factor which is particularly relevant in view of the factoria of the subject property, between two facks of the Gungowed Stars Fark.



VOL 20 167 111 -

February 19, 1968

John G. Rose, Zoning Commissioner, Baltimore County Office Bldg. Towson, Mt. 21204

Re: Petition for Reclassification Beg. 412.15' NW of Pulaski Highway on the N/S Jones Rd.-11th District-Rose Sapperstein and Katharine Korbien, Petitioners NO. 68-161-R

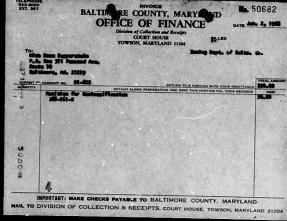
PETITION FOR RECLASSIPICATION 11th DISTRICT ZONING: From R-6 to M, IL Zone,
LOCATION: Beginning 412,15
feet from the Northwest side of
Pulaski Highway on the North
side of Jones Road,
DATE & TIME: MONDAY,
JANUARY 72, 1968 at 11:00

PUBLIC HEARING: Room

Please enter an appeal on behalf of my clients, Rose Sapperstein and Katharine Korbien, Petitioners, from the Order dated January 29, 1968 of Edward D. Hardesty, Deputy Zoning Commissioner, donying reclassification of soning of the above captioned tract of land.

Harold Forner Marole Posner
Attorney for Rose Sapperstein and
Katharine Korbien, Petitioners
127 E. North Ave.
Beltimore, Md. 21202 Beginning for the same in the con-ter of Jones Rose, 30 foot wide at a rotal North 47 courses 14 day of __January

CERTIFICATE OF PUBLICATION JAN 4 1968 published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each one time ..., 19...., the first publication ...day of.... THE JEFFERSONIAN, D. Leank So Cost of Advertisement, \$



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		COURT HOUSE TOWSON, MARYLAND 21294	MILED	
	M's. Katharine Kosbien, 4413 N. Charles St., Baltimore, Md. 21218		Office of Planning & 119 County Office Bi Towson, Md. 21204	
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27	No. 68-161-R	2 olgus	10,00	\$80.00
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MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

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THE COMMUNITY NEWS Reisterstown, Md	THE HERALD - ARGUS Cotonsville, Md.
No. I Newburg Avenue	CATONSVILLE, MD.
	Jasuary 8, 1968
John G. Rose,	at the annexed advertisement of Losing Countailers of more County
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the same was inserted in the issues of

OFFICE OF THE BALTIMORE COUNTIAN

January 4, 1948. THE BALTIMORE COUNTIAN By Paul I Morgan Editor and Manager

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Chr. C.

RE: PETITION FOR RECLASSIFICATION FROM AN R-6 ZONE TO M.H. ZONE Beg. 412.15 feet from the Northwest Sid of Pulaski Highway on the North Side of of Pulaski Highway on Jones Road 11th District Katharina Korbien and Rose Sapperstein Petitioners

Highway, in the 11th Election District.

AFFORE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

No. 68-161-R

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Case No. 68-161-R

-2-

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ORDER

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> COUNTY ROARD OF APPEALS OF BALTIMORE COUNTY

