PETITION FOR ZONING RE-CLASS'FICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONE? OF BALTIMORE COUNTY:

I, or we, H. P. & Ruth Rougers legal owners, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, by petition (1) that the zoning status of the herein described property be re-classified, pursuant zone: for the following reasons:

Error in the map (See attached brief).

See attached description

and (2) for a Special Exception, under the said	Coning Law and Zoning	Regulations of	Baltimor
County, to use the herein described property,	yr		

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

All's		
	Contract purch	reer

Address 21 W. Chatsworth Avenue

6

FILING

ORDER

Reisterstown, Md. 21136

William F. Mosner, Petitioner's Attorney
21 W. Susquehanna Avenue
Address Towson, Maryland 21204

Protestant's Attorney

Commissioner of Baltimore County

ORDERED By The Zoning Commissioner of Baltimore County, this. 10th day 196521, 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 22nd Accounty; pe play-.....d y of September ..., 196742. 24 . 102000'clock

Daning Com

April 14, 1971

DESCRIPTION TO ACCOMPANY PLAT FOR ZONING PETITYON R-10 & DR-35 TO 3L

HENRY R. ROCERS PROPERTY

BEGINNING for the same at a point located 350 ft. + from the intersection formed by the south side of Chatsworth Avenue with the westernmost side of Reisterstown Road, running thence and binding on the south side of Chatsworth Avenue 572°34'47"W 266.00 ft. and 587°37'40"W 99.70 ft. thence \$4°36' "0"W 145.7 ft., \$87°67'40"E 339.00 ft., N4"52'30"E 91.64 ft., \$87°07'03"E 192.49 ft., N4°34'38"E 91.64 ft., NB3*29*10"W 184.20 ft., N2*53 20"E 51.85 ft. to the place of beginning.

> CUNTAINING 1.9 acres of land more or less. BEING the property of Henry P. Rogers and wife.





From DR 3-5 to BL Zone S/S Chatsworth Avenue 550' S/W Reisterstown Road -4th District -H. P. Rodgers andRuth Rodgers, Putitioners No. 72-70-R - (Item 31)

Zoning Commissione: Baltimore County

......

ORDER OF DISMISSAL

The Petitioners in the aforegoing case have withdrawn the petition and the matter is DISMISSED without prejudice.

BRIEF TO ACCOMPANY RODGERS PETITION

The Petitioners' property is an isolated pocket adjacent to a large high school and also bordering and in close proximity to a fire station and B-L properties. There is a large shopping center a short distance to the north.

The existence of such concentrated business and public uses mitigates against a low-density classification for this tract.

The south side of Chatsworth Avenue is the logical line for the extension of B-L uses.

GEORGE E. GAVRELIS



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

January 27, 1972

William F. Mosner, Esq., 21 We t Susquehanna Avenue Towson, MarylaNd 21204

> S/S Chatsworth Ave. 350' S/W Reisterstown Road,
> 11. P. Rodgers and Ruth Rodgers,
> Petitioners - No. 72-70-R

Dear Mr. Mosser

I have today passed an Order of Dismissal,

Very truly yours

Zoning Commissioner of Baltimore County

cc: Mr. Jos. P. Manno.

Mr. Charles E. Ailers, Jr., Il Chatsworth Avenue Glyndon, Maryland 21071

Unit d

Reisterstown

Residents

25 Caraway Road

· PEISTERSTOWN, MD. 20136 September 20, 1971 71-70

withdrawn

@2171 AM

Mr. S. Eric Di Nenna Zoning Commissioner County of Baltimore 111 West Chesapeake Towson, Maryland

Dear Mr. Di Nenna.

Re: Item No. 31, H.P. and Ruth Rogers, petitioners

Our organization wishes the record to show that we are opposed to the above request. We request that the Zoning Commissioner or his delagate refuse the request of the petitioners for the following reasons:

- A change to B.L. from D.R. 3.5 would constitute spot zoning because the immediate area is all residential.
- 2. Chatsworth Avenue, west of Reisterstown Road where the petitioners live, is no more than a very narrow country lene. It could not hendle the traffic generated by a business. In fact, is so our understanding that the petitioners are presentle conducting some sort of business enterprise representations of the manner in shich the petitioners of the manner in shich the petitions of outcomes park
- 3. It would seem that the location is "off the besten path" for an entique shop. The area known as "antique row" is severel blocks sway on heavily traveled Reisterstown Road. The patitioners' legation is not visible from Reisterstown Road.

We, therefore, request that the petition be denied and that the present zoning be retained.

We certify that the requirements of County Council Bill 108 (1965-66), Rule 8, paragraph "c" are met.

Very truly, mun BRIEF TO ACCOMPANY RODGERS PETITION

0

The Petitioners' property is an isolated pocket adjacent to a large high school and also bordering and in close proximity to a fire station and B-L properties. There is a large shopping er a short distance to the north.

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Mr. George E. Gavralis item 31

Very truly yours.

Mier I. M. OLIVER L. MYERS

cc: Mr. Edward D. Hardesty, Zoning Commissioner

Hr. William F. Hosner 21 W. Susquehanna Avenue Towson, Md. 21204

Optember 2, 1971 72-70 Witadraun 9/1/7/

· Dear Mr. Di Nenna:

In the Spring of 1989, Mess, buth Rodgers, a resident of our immediate vicinity, held a positic austion of antiques at her home on West Chatsworth Avenue, and it would not be an exaggeration to say that the resulting state of swents was little less than chabtre.

Our evenue is dead-end and, also, quite narrow, and with cars parked on both sides leaving only room enough in the middle for one car to squeeze through, a great dead of confusion took place. If two cars came in opposite directions it would be necessary for one or the other to back all the vay out, and, of course, this, too, created quite a camperous situation, since it would have been mext to impossible for a five engine or ambulance to get through should it have become necessary.

Finally, the Baltimore County Police arrived on the scene and alleviated the problem, somewhat, by gathering up the drivers of all cars on one side of the avenue and requesting that they move them elsewhere.

The purpose of our letter, then, is to explain why we earnestly hope that the commercial zoning Mrs. Rodgers now seeks for her property will not be granted.

and while she had her place of business on Main Street, in a commercial district, no one had cause to object. However, she raw fit to sell that place, then bought another in our weighborhood, which is strictly residential, and as far as anyone knows, has not ceased operations since living here. The residents, until now, have not objected, but since learning that she is seeking reclassification, we are concerned that she may want to erect signs, advertise on a larger scale and suddenly deluge us with public auctions, flee markets and everything else that goes with it, including the hot dog stand. She has been an antique dealer for a number of years,

Our town is fast becoming known as an antique center, and people do come here from miles around to visit the various shops. This, in itself, the if it's confined to Main Street in a commercial area; but, if it should be allowed to run over into the residential areas, our entire town would soon take on a carmival-like, honky-tonk atmosphere which would be attractive to no one.

(continued)

September 2, 1971

Mr. S. Eric Di Nenna

In the interest of all concerned, we feel that it would be a great mistake to ruin the present state of peaceful co-existence our neighborhood now enjuys, so we, therefore earnestly request that when Mrs. Rodger's hearing takes place on September 22nd, she will not be granted reclassification of her property.

Your kind consideration to all the under signed residents of West Chatsworth Avenue would be greatly appreciated.

The attached letter is a copy of one written to us by Mr. Richardson in answer to our letter of protest with regard to the traffic dilemma at the time of the afore-mentioned public

Very sincerely yours, Charles E. Allers, Jr. Etta & Ollers Etta L. Ailers (Mrs. Charles E.) Rosele L. Adams Frank Radams Matert Corman Lillian V. Clarke Thomas. a Clarke But & Dormer Lit & Cane Folers O Calley me where Robert Van Deivoort Baublit

BALTINDRE COUNTY BOARDOF EDUCATION

WITHOUTHERN CONTINUE MERTING OF 1000 27 4 28 (Croce 20000)

Petitioner: Ruth & H. F. Receas

location: sts Charsweeth Ave., 550' W of Reistenstein Po.

Present Zoning: Tot 4.5

Proposed Zoning: Thi (ANTIQUE SINCE)

No. of Acres: 1.9

Comments: We BEARING ON STUDENT POPULATION NUMBER-WISE. However, Because of its presimity to the Former of Jr. Hi. Sanott it Could previde a face fro SWOENTS TO CONFRONTE THEREST CREATING ADDITIONAL PROPERTY RES THE ADDINESTRATIVE STATE OF FRANCISCO Janile.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Edward D. Hardest ro Zoning Commissi Date May 17, 1971

FROM Project Planning Division

(11)

SUBJECT Zoning Advisory Agenda [tem #3]

April 27, 1971 H. P. & Ruth Rogers 5/5 Chatsworth Avenue 550' W. of

is Office has reviewed the subject site plan and offers the following comm

Access is not adequate at this time

BALTIMORE COUNTY ZONING ALVISORY COMMITTEE

May 19. 1971

COUNTY OFFICE BLDG 111 V. Chraspeake Ave. Towson, Marriand 21204

OLIVER I. MYERS

MEMBERS

DEPARTMENT OF TRAFFIC ENGINEERIN

STATE ROADS COMMIS HEALTH DEPARTMENT

PROJECT PLANNING BUILDING DET VATMEN BOARD OF EDUCATION ZONING ADMINISTRATE

INDUSTRIAL DEVELOPMENT

Mr. George E. Gavrelis Ar. George E. Streeter Girector Office of Flanning and Zoning 301 Jefferson Building Towson, Maryland 21204

Re: Item 31 (April-October 1971) Property Owner: H.P. 6 Ruth Rogers Location: S/S Chatsworth Ave., 550' W. of Reisterscown Present Zoning: D.R. 1 Proposed Zoning: B.K. 1 District: 4th Sector: Northwestern No. Acres: 1.9

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently improved with a large oid house which is part of the original development Relisterstown. The property to the north is improved with deel lings 10 to 20 years of age in excellent repair. A portion of the property to the north and west is vacant 0.8, 3.5 land. The property to the teast is improved with dwellings and a portion of the property along Relisterstown Road developed with a volunter fire company. A property to the south is improved with Franklin Junior High School for its entire width. Chatsworth Avenue is a macadam road that is not improved as far as concrete corn and gutter are

BUREAU OF ENGINEERING:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

This site has frontage on Chatsworth Avenue.

Chatsworth Avenue is an existing road which is proposed for relocation in a northerly direction to tie into the Reisterstom sypass. Planned improvements are for a 50-foot closed road-ow within an 80-foot right-of-way. Highway right-of-way and improvements would be required in connection with any subsequent development of this site.

Mr. George E. Gavrelis item 31

Alignment and grade shall be determined by the State Roads Commission and the Street, Road and Bridge Design Group of Baltimore

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisaness or damage to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Provisions for accommodating storm crainage have not been indicated on the submitted plan.

Development of this prope ty through stripping, grading and Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings below this property. Sediment control is required by State law. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Public water facilities are available to benefit this property.

Service within the site from the public system must be in accordance with the Baltimore County Building. Plumbing and Fire Prevention Codes. The service connection to the meter shall be in accordance with the standards of the Baltimore County Department of Public Works.

The subject site is outside the Baltimore County Comprehensive Sewerage plan and public sanitary sewerage facilities have not been master planned.

individual severage systems will be permitted where an adequate and safe system for disposal can be developed, in accordance with the requirements of the health Department, Department of Public Works and the Baltimoru County Building and Plumbing Codes.

PROJECT PLANNING DIVISION:

This office has reviewed the subject site plan and offers the following comments:

Access is not adequate at this time.

Mr. George E. Gavrell:

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change of 1.9 acres from D.R. 3.5 to B.L. This should increase the trip density form 70 to 900 trips a day, if developed completely as commercial.

- 3 -

Chatsworth Avenue, as it presently exists, cannot be expected to handly commercial traffic and at this time, there are no plans to improve Chatsworth Avenue.

BUILDING ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of the Baltimore County Building Code and regulations, when plans are submitted. Also, see Parking Lots "Section 409, 10H".

This office will not approve this operation until such time as public sewer is made available. The existing disposal system is failing.

Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Maryland State health Air Pollution Control Regulations. Additional Information may be obtained from the Division of Air Pollution, Baltimore County Department

FIRE DEPARTMENT

fire hydrants for the proposed site are required and shall be in accordance with Baltimore County Standards. The hydrants shall be located at intervals of 300 ft, along an approved road.

The owner shall be required to comply with all applicable requirements of the IOI Life Safety Code, 1967 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

ZONING ADMINSTRATION DIVISION:

In view of the comments by the Health Department and the Department of Traffic Engineering reflecting that Charavorth Avenue is too narrow to handle any anticipated comment interfice at the present time, the property consists fo 1.9 acres and if developed commercially would put the intersection of Chetsworth Avenue and healthcam Road over capacity as far as traffic is concerned. The public severage full lities must be provided to this site before it can be utilized commercially since the axisting septic tank is failing at the present time.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Attn: Oliver L. Myers

FROM: C. Richard Moore SUBJECT: Item 31 - Cycle Zoning

Property Owner: H.P. & Ruth Rogers
Chatsworth Avenue W. of Reisterstown Road
Reclassif.cation to BL

T. Judject petition is requesting a change of 1.9 acres from DR 3.5 to BL. This should increase the trip density from 70 to 900 trips a day. If developed completely as commercial.

Chatswor.a Avenue, as it presently exists, cannot be expected to handle commercial traffic and at this time, there are no plans to improve Chatsworth Avenue.

Date____Hay 13, 1971

CSM: pr

BALTIMORE COUNTY, MARYLAND

DateApril 29, 1971

INTER-OFFICE CORRESPONDENCE

EROM Jack Dietrich - Plans Review

SUBJECT 231 H. P. & Ruth Bogers
S.S. Chatsworth Aremse
550 M. of Reisterstown
District: 4

Putitioner to comply with all applicable requirements of the Baltimore County Mailding Code and regulations, when plans are submitted. Also, see Panking Tots "Section 109.10E".

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO Edward Hardesty Date. ... May. 13. 1971

SUBJECT. Hem \$1% (April - October Eyels 1971)
Property Owner: H.P. & Buth Ropers
Location: S/S Chatworth Ave., 550 W. of Relateratown
Present Zoning: D.R. 155
Proposed Zoning: Relams. to B.L.
District: M63 Sector: Northeastern
No. Acres: 1.9

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in commention with the subject item.

Highways:

FROM Ellsworth N. Diver, P.E.

This site has frontage on Chatsworth Avenue.

Chatsworth Avenue is an existing road which is proposed for relocation in a northerly direction to the into the Relateration Physas. Planned in a northerly direction to the into the Relateration Physas. Planned improvements are for a 50-foot closed roadway within an BO-foot right-of-way. Highway right-of-way and improvements sould be required in connection with any subsequent development of this site.

Alignment and grade shail be determined by the State Roads Commission and the Street, Road and Bridge Design Group of Baltimore County.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or personnel to prevent enterprise any missions or sensitive (temporary or personnel) to prevent creative any missions or disasses or disasses to adjacent properties, especially by the concentration of surface waters. Correction of any problem which any result, de to improper grading or improper installation of desings facilities, would be the full responsibility of the Puttlement.

Provisions for accommodating storm drainage have not been indicated on the submitted plan.

Development of this property through stripping, grading and stabilization could result in a sedient pollution problem, damaging private and public holdings below this property. Sediment control is required by State law. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

BALTMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date May 14, 1971 FROM. Iau J. Forrest

31. Property Owner: H.P. & Ruth Rogers
Location: S/S Chatsworth Ave., 550' W. of Reisterstown
Present Zoning: D.R. 3.5
Proposed Zoning: Reclass to B.L. District: 4th Sector: Northwestern No.Acres: 1.9

This office will no; approve this operation until such time as public sewer is made available. The existing disposar system is failing.

Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional Information may be obtained from the Division of Air Pollution, Baltimore County Jepartment of Nearth.

Chief Water and Sewer Section BUREAU OF ENVIRONMENTAL HEALTH

LIF/sam

SUBJECT Item 31

Item #31 (April - Cober Cycle 1971) Property Owner: H.P. & Ruth Rogers Page 2

Water:

Public water facilities are available to benefit this property.

Service within the site from the public system must be in accordance with the Ba. one County Milding, Plumbing and Fire Prevention Codes. The service connection to the meter shall be in accordance with the standards of the Baltimore County Department of Public Works.

Smitary Sewer:

The subject site is outside the Baltimoro County Comprehensive Sewerage plan and public sanitary sewerage facilities have not been master planned.

Individual sewerage systems will be permitted where an asequate and safe system for disposal can be developed, in accordance with the requirements of the Health Department, Department of Public Works and the Haltimore County Brilding and Plumbing Codes.

Samon on lever LSWORTH N. DIVER, P.E.

KOD : ESM: OMX: 58

og: File (3)

Key Sheet: T-SE Position Sheet: 61 NW h) Topo: NW 16 K Tax Map: 48

Prom D R 35 to B L

CONTAINING 1.9 acres of land

THIS IS TO CERTIFY, that the annexed advertisement of

was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltiman County Varyland once a week for One XXXXXXX weeks before the 6th day of Sept., 1971 that is to say, the same was inserted in the issue of September 2, 1971.

STROMBERG PUBLICATIONS Inc.

B. Buth Morgan

TO: Mr. Edward D. Hardesty, Zoning Considerer Attn: Hr. Mrann

Plancing Division

SUBJECT: Property Comer:

H.P. & Ruth Rogers

Location 3/S Chatsworth Avenue, 550' W. of Reisterstown

Fire hydrants for the proposed site are required and shall be in accordance with Baltimore County 3: andards. The hydrants shall be located at intervals of 300 ft. along an approved road.

The owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1967 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

4+ Thomas Kell

ORIGINAL.

@ community IMIES

RANDALLSTOWN, MD. 21133 Sept., 6, 19 71

The Zoning Commissioner of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD ... Auptember 2, 19.71.

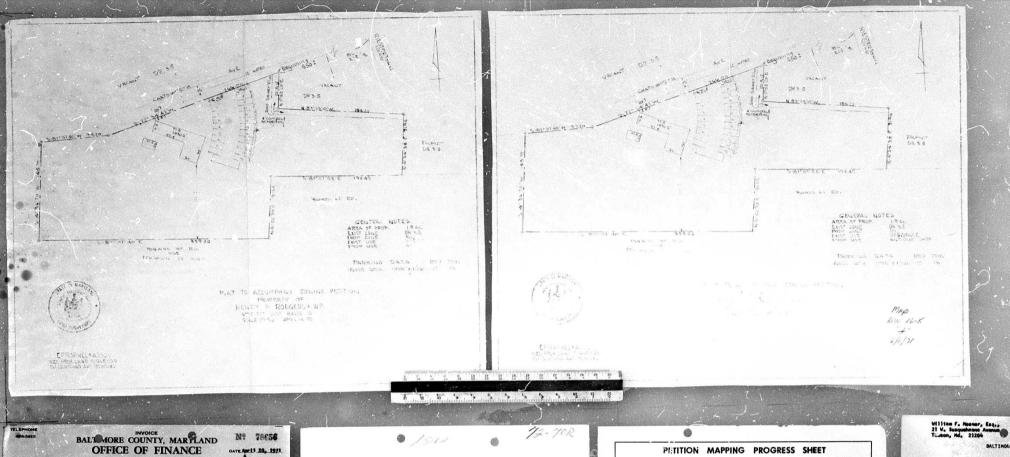
THIS IS TO CERTIFY, that the annexed > !vertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., orceain:each: of one time successive weeks before the 22nd day of __lentemper______, 19.21_, the first publication

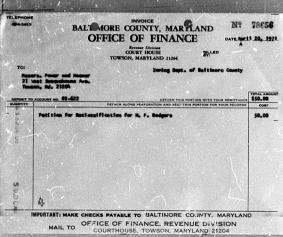
appearing on the 2nd day of September ...

I Leanh Structure

Cost of Advertisement, \$

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Location of Signs:	***************************************		
Remarks:	Signature Man	Date of return. SAC.	7::

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87.90	BALTIMORE	COUNTY	OFFICE OF	PLANNING AN	D ZONING		
		111 W.	Office But Chesapeake , Maryland	Avenue			
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tioners <u>H</u> al	. & Ruth Rogers				n -	to	0
Itioner's A	ttorney William F.	Hosner	Revie	wad by	livers	Myses	1.

1506 RE COUNTY, MARYLAND F FINANCE - REVENUE DIVISION Jan. 26, 1972 AMOUNT_ \$90.50 WHITE - CASHIEN PINN - AGENCY Ruth 1. Rogoks P.O. 206 Reisterstum, Hd. 21136 Advertising smukax for property #72-70-R

9 0.5 CHSt