TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, owner. ... Agron J. Schreiber legal owner... of the property situate in Baltin 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-class

to the Zoning Law of Baltimore County, from an ... D.R. 5.5

D.R. 16 oft Special Excepone; for the following reasons

See attached description

SEE ATTACHED BRIEF

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimor

County, to use the herein described property, for office. 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 firing of this petition, and further agree to and are to be bound by the zoning restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore Same I Schuler AARON L. SCHREIBER Address 114 Stade Ave. Pikesville, Md. 21208 Protestant's Attorney

PECCIVED FOR

or of Baltimore County, this 17th , 1972., that the subject matter of this petition be advertised, as tree by the Zoning Law of Baltimore County, in two newspapers of general circulation throughmore County, that property be posted, and that the public hearing be had before the Zoning of Baltirore County in Room 106, County Office Building in Towson, Baltimore day of September 197 2, at 101000 cloc

11

The applicant herein . Ites a change in the zoning der ty from DRS.5 to DR 16 with special exception for office use for the within described property for the following reasons. That the #lanning Board and County Council erred in placing DR 5.5 moning on said property because by virtue of the contigious bl. Zoning and Special Exceptions heretofore granted, now makes the within described property unsaleable for Residential purpose, rendering to the applicant herein a great financial loss, that the said #lanning Board and County Council further cred in that the entire neighborhood has undergone a great change in character for shich the applicant feels that the county decrease a buffer zone.

The applicant further states that he will in no way change the outside structure of the within described property and will keep the property in good repair and screen any area as required by this Commissioner and that the applicant states that he intends to use said property for the sole use of a small real estate office.

Respectfully Submitted.

Jam & Schreiber

RE: PETITION FOR RECLASSIFICATION From E 3, 5,5 zone to D.R. 16 zone; SPECIAL EXCEPTION for Office N/S of Linden Terrace 150 feet SW

Aaron L. Schreiber,

BEFORE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

NOINIAC

This case comes before the Board on an appeal by the Petitioner from a determination of the Deputy Zoning Commissioner dated March 6, 1973 derlying the requested reclassification from D.R. 5.5 zone to a D.R. 16 zone, with a Special Exception for offices.

The property is located on the north side of Linden Terrace approximately 150 feet southwest of Reisterstown Road, in the 3rd Election District of Baltimore County, and comprises 5,423 square feet.

The Petitioner testified that he was requesting the proposed reclassification with a special exception in order to convert the existing building into offices from which to operate his own real estate business, and anticipates having a maximum of three peop! using the offices. The Petitioner indicated that he purchased the subject property approximately ten years ago and since that time the neighborhood has changed dramatically, with shapping areas alongside Reisterstown Road, a parking lot across Linden Terrace from his property. and the State Roads project at Slade Avenue, which has become a reality since the adoption of the zoning maps in that seven houses are proposed to be demolished on the south side of nue, and the house which adjoins the rear of the subject property has already been removed. Two other of the houses owned by the State Highway Administration on Slade Avenue, which have not been demolished as of this time, are being rented on a temporary Linden Terrace, the street on will-hithe subject property faces, is a narrow thirty foot road on a fifty foot right of way and is a dead end street which forms a T Intersection at Reisterstown Road. There are fourteen individual (detached) houses on this street. The properties on the corners at the intersection of Reisterstown and Linden Terracia are zoned commercial, and the subject present shuts the service station located on the numbers

RE: PETITION FOR RECLASSIFI-ATION AND SPECIAL EXCEPTION N/S of Linden Terrace, 150' SW of Reisterstown Road - 3rd District Aaron L. Schreiber - Petitione: NO. 73-54-RX (Item No. 4)

::: ::: :::

DEPUTY ZONING COMMISSIONER

: BALTIMORE COUNTY 111 111 111

This Petition represents a request for a Reclassification from a D. R. 5.5 Zone to a D. R. 16 Zone, and a Special Exception for Office Use. The property consists of 5, 423 square feet and is located on the north side of Linden Terrace, 150 feet west of Reisterstown Road, in the Third Election

The Petitioner, Mr. Aaron L. Schreiber, was represented by his attorney, Mr. Raymond Feinberg. Mr. Frinberg explained that the dwelling, presently located on the lot, is in good repair and has been rented (approximately 8 years) since Mr. Schreiber purchased it. However, changes have taken place in the neighborhood, i.e., building has been constructed on the

Mr. Schreiber has had trouble renting the dwelling and has, in fact, rented at a loss in order to keen the building occupied. He felt that this was due to the property being located next door to the commercially zoned properties (service station) that front on Reisterstown Road and being directly cross the street (Linden Terrace) from a parking lot.

If the request is granted, the Petitioner does not intend to make any exterior changes other than the installation of a parking area for three cars

He felt that D. R. 16 zoning and a use of this nature would not be a detriment to the neighborhood, and that it would provide a buffer or transitional area between the commercial properties on Reisterstown Road and the residental homes on Linden Terrace west of his property.

Two area residents were present in protest of the Petitioner's request. Mr. Avram Meshulam who has lived at 15 Linden Terrace for 12 years, and

Aaron L. Schreiber - 973-54-RX

The Petitioners objected primarily on the basis of the traffic congestion which develops at the aforeseid intersection of Reisterstown Road and Linden Terrace, namely, that it is difficult for traffic to emerge from Linden Terrace onto Reisterstown Roa owing to the heavy volume of traffic and traffic congestion on Reisterstown Road itself. There was also testimony from Protestants that they feel that Linden Terrace is a separate entity and should be treated as a neighborhood of its own. However, the testimony elicited from the Protestants to a great degree substantiated the Petitioner's claim of change in the neighborhood in that Linden Terrace contained all individually owned and occupied families, and now at least three of the homes are rented and occupied by more than one family. Two of the other homes are rented to single families, at least one of the resident operating a dressmaking shop in her home, and three of the houses presently are for sale.

Testimony indicated there was no difficulty with meeting the requirement of Section 502.1 of the Zonina Regulations relating to Special Exceptions, other than perhaps the congestion of traffic. However, there was testimony from an expert witness that the proposed use, due to the size parcel involved, would not produce any more traffic trips per day than its present residential use, and that there would be little or no increase in trip density and therefore could not compound or macnify any traffic problems which ma

In view of the above, the Board feels that the Petitioner has met the burden in showing substantial change in the neighborhood, and in fact, showed changes continuing up until the present time and on into the immediate future, with particular regard to the acquisitions and construction, etc. by the State Highway Administration at the intersection of Slade and Reisterstown Road, which property abuts the northern boundary lines of the property owners on the north side of Linden Terrace.

The Board therefore finds that the property contained in this petition should be reclassified to a D.R. 16 zone, with a Special Exception for office use.

Mr. Joseph Fenstle who has lived at 'I Linden Terrace for 53 years. Their testimony was, in effect, as follows. If granted, the change would lead to other changes, and a change in use from residential to commercial would increase a bad traffic condition on a small residential street.

They indicated that the only changes in the immediate vicinity in the past eight to ten years has been the construction of the service station, and the parking lot constructed on residential property across from the Petiticner's property. Both uses were objected to by the residents on Linden Terrace, and appeals were not taken because access to Linden Drive had been denied in

They pointed out that the Petitioner's property was originally part of the properties purchased for the construction of the service station, and that part of the yard area had actually been incorporated in the service station site. They felt that since the Petitioner's property represents residue from that development, it should be expected to serve in its present zoning classification as a buffer for the remaining homes on Linden Terrace.

They also stated that they represented the majority of residents on Linden Terrace, and that most of them had lived in the neighborhood f . aperiod of 50 years or more. It was their contention that inroads of cor cial zoning should not be allowed to enroach on their residential area which consists of a short dead end residentia' street. The present zoning lines should not be changed until such time as conditions have changed to a point that would justify remapping the entire street for commercial uses.

After reviewing the above testimony and making a personal field survey of the neighborhood, it is the opinion of the Deputy Zoning Commissioner that the action of the Baltimore County Council in placing a D. R. 5. 5 zoning designation on the subject property was correct.

Aaron L. Schreiber - #73-54-RX

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 13th day of December, 1973, by the County Board of Appeals ORDERED, that the reclassification petitioned for, from D.R. 5.5 to D.R. 16 zone, and the Special Exception for office use, be and the same is hereby GRANTED.

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

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

John A. Slowik, Chairman

Many residents have lived on this narrow residential street for 50 year and have through the years, steadfastly objected to the intrusion of offices and commercial type uses that would increase traffic within their neighborhood. As a resuti, changes have not occurred on this residential street that would justify the Petitioner's property being reclassified

Therefore, IT IS ORDERED this 67 day of March, 1973, 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 a D. R. 5, 5 Zone, and the Special Exception for Officer be and the same is hereb; DEN'ED.

RECEIVED FOR FILING

ORD DATE

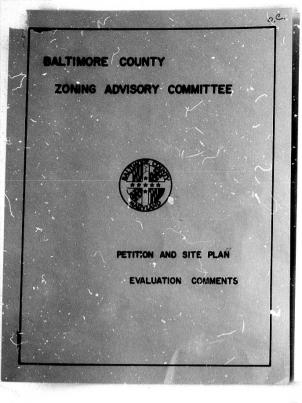
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BATE ORO



BALTIMORE COUNTY, MARYLAND

INTER-DEFICE CORRESPONDENCE

Date March 29, 1972 TO Mr. Oliver Myers FROM H.V. Bonner SUBJECT Item 4 - Reclassifications - Zoning Advisory Committee Meeting March 28, 1972

4. Property Owner: Aaron Schreiber
Location: N/W/S Linden Terrace, 150 * S/W
of Reisterstown Road
Present Zoning: D.R. 5.5 Proposed Zoning: B.K. 5.5 Proposed Zoning: Reclass. to D.R. 16 and special exception for offices District: 3 No. Acres: 0.1272

Metropolitan water and sever being available to the site, no health hazard; are anticipated.

Hayt Banner Sänitarian II Water and Sewer Section

Baltimare County, Margland

O-SW Key Sheet 26 NW 20 Position Sheet NW 7 E 200 Scale Topo Bepartment Of Bublic Borks

COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Bureau of Engineering ELLSWORTH N D.VER P. E. C. 11EP

April 2h, 1972

Mr. Oliver L. Myers, Chairman Zoning Advisory Coamittee County Office Building Towson, Maryland 2120h

Re: Item #U (Cycle April - October 1972)
Property Owner: Aaron Schreiber
N/SE Linden Terrace, 1501 S/N of Reisterstown Rd.
Present Coning: D.R. 5.5
Proposed Zoning: Reclass, to D.R. 15 and Special Exception for offices
District: 3rd No. Acres: 0,1272 acres

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

Higher retries is an existing accordence theret, maintained by the Bureau of Higher's which as proposed by Empower days > fort clumed bradery matths within 50-foot right-of-way as depicted on the subject plate. Highway right-of-way will be required in connection with any subsequent grading or building permit application and highway improvements will be required in conjunction with the future highway contract for the existing service station.

The entrance location is subject to the approval of the Department of Traffic Engineer and shall be constructed in accordance with Baltimore County Standards.

Storm Drains:

The Petitioner must provide necessary drainage facilities (temporary or peranent) to prevent creating any muisances or damages to adjacent properties, especially of the concentration of surface vaters. Correction of any probles which many result, she to improper grating or improper installation of drainage facilities, would be the full responsibility of the fettioner.

Water and Samitary Sewer:

Publi: water supply and sanitary sewerage are available to serve this

Very truly yours,

END: EAK: RMD: se

Some of Diver SLISWOFTH N. DIVER, P.E. Chief, Pureau of Engineering

Director Jefferson Building Suite 301 Yawson, Md. 21204



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

May 8, 1972

Mr. Oliver L. Myers, Chairman Zoning Advisory Committee Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item 4, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owners: Aaron Schreiber Location: N/W/S Linder Terrace, 150' S/W of Reisterstown Road Present Zoning: D.R.5.5 Proposed Zoning: Perlass to D.R.16 and special exception for offices No. Acres: 0.1272 acres

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours, Richard B. Williams

Project Flanning Pivision Office of Planning and Zoning BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

WM. T. MELZER

April 28, 1972

Mr. Oliver L. Myers Chairman Zoning Advisory Committee County Office Building Towson, Maryland 21204

Re: Cycle foring [1] | Him h = ZAC = 3-28-72 | Property Owner: Aaron Schreiber | MJS Linden Terrace SV of Reisterstown Road | Reclass, to DR 16 & special exception for offices District 3

BOARD OF EDUCATION

OF BALTIMORE COUNTY

No effect on student population

Property Comer Aaron Schrieber

Proposed Zoning DR 16 + S.E. for offices

District 3 Present Zoning DR 5.5

No. Acres 0.1272

Due to the size of the proposal, little increase is expected in trip density. It is expected, however, that difficulty in gaining access to Reisterstown Road from Linden Terrace will remain and should the land on Linden Terrace be converted to office use, serious problems can be expected at the intersection above.

Very truly yours,

C Richard Hoore Assistant Traffic Engineer

TOWSON, MARYLAND - 21204

Baltimore County Fire Department

J Austin Deitz



Towson, Maryland 21204 A 23 - 2316

March 28, 1972

Office of Planning and Zoning Baltimore County Office Building Towson: Maryland 21204 ATT: Ptr. Oliver L. Pyers. Chairman Zoning dvisory Committee

DE: Property Owner: Aaron Schrieber

N/W/S Linder Terrace, 150' S/W of Reisterstown Road Locations

Zoning Agenda MARCH 28, 1972

Cent Lement

Dursuant to your request, the referenced property have been surveyed by this Dureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the

(X) 1. Fire hydrants for the referenced property are regulard and shall be located at intervals of 300 feet along an approved road in accordance with Beltimore County Standards as published by the Department of Public Marks.

() 2. A second means of vehicle access is required for the site.
() 3. The vehicle dead-end condition shown at

() 3. The vehicle dead-end condition snown at

EXCEEDS the maximum allowed by the Fire Department.
() 4. The site shall be made to comply with all amplicable marts
of the Fire Prevention Code prior to occupancy or bealming
of observations.
(X) 5. The buildings and structures existing or promosed on the
site said of the structure existing or promosed on the
site said Fire prevention association standard '0s. I'll
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"The site of the Structure Structure Structure Structure
() 6. Site olans are associated site of the Structure Structure Structure
() 7. The Fire Prevention Sucreau has no comments at this time.

Reviewer: If More Estally Total and Paul If Reinche.

| Panning Group | Penuty Chief Planning Group Denuty Chief
Special Inspection Distance Fire Prevention Sureau

H 4/17/72

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 4, 1972

Raymond Feinberg, Esq., 1416 Clarkview Road Baltimore, Maryland 21209

Rt: Reclassification Petition 3rd Zoning Cycle Item #4 Aaron L. Schreiber

The Zoning Advisory Committee has reviewed the plan submitted with the above referenced notition and has made an on-site field inspection of the property. The stracked communis are a result of this review and inspection.

The subject property is located on the north side of Linden The subject property is located on the north side of Linden Terrace, 150' west of Melsterstown Road, in the pid Election District of Baltimore County. The property is currently improved with a two story brick chelling that is in good condition. The properties on the west side and the south side are residential homes of like quality. The property on the east side of this side is an existing American OII service station, and there is an existing group of stress on the southwest corner of Medicarium Road and Linden Ter ace. There is no curb and gutter existing along Linden Terrace and the sidewalks are in need of repair.

ZONING ADMINISTRATION GIVISION:

The Potitioner's plat should be revised to include the size and type of screening from the odjoining residential rest and indic that the parking area will be properly curbed and saved. Also, dwellings and driveways unthe south side of Linden Terrace rust be indicated on the revised plan.

Very truly yours. OLIVER L. MYERS, Chairman

JOHN J. PILLON, JR. Zoning Tech. II

OLM:JJD:JD

MES JOHN M. CHOCKER appropriate Highlands ALV N CONTO

M EMBLIE PARKS

T BAYARD WILLIAMS JR



DESCRIPTION

0.1272 ACRE PARCEL - NO. 1/2 LINDEN TERRACE - THIRD ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND,

This Description is for a DR-16 Zoning With Special Exception

Beginning for the same at a point in the center of Linden Terrace, at the distance of 150 feet as measured southwesterly along said center line of Linden Terrace from its intersection with the southwest side of Reisterstown Road, 65 feet wide, running thence and binding on said center line of Linden Terrace and along the fifth line of that parcel of land described in a deed from Louis Dalman and wife to Aaron L. Schreiber, dated April 4, 1966 and recorded among the Land Records of Baltimore County in Liber O.T.G. 4600, page 335, S 52° 46' 10" W 45.01 feet, thence leaving said center line of Linden Terrace and binding on the outlines of said parcel, N 37* 13' 50" W 122. 50 feet, N 52* 46' 10" E 45. 45 feet and S 37* 01' 35" E 122. 50 feet to

Containing 0.1272 of an acre of land

J. O. 66093 grage • Drainage • Highwa_{in} • Structures • F

CRIGINAL OCOMMUNITE LIMITES

RANDALLSTOWN, MD. 21133 Sept. 5, 19 72

THIS IS TO CERTIFY, that the annexed advertisement of S. Eric Dinenna, Zoning Commissioner of Baltimore County

was inserted in THE COMMUNITY TIMES, a weekly newspape, published in Baltimore County, Maryland, once a week for One XXXXXXXXX week/ before the 5th day of Sept., 19 72that is to see the sine

was inserted in the issue of Aug. 31, 1972.

STROMBERG PUBLICATIONS, Inc.

By Buth morgan



CERTIFICATE OF PUBLICATION

RAYMOND FEINBERG

Zoning Commissioner County Diffice Bldg. Towson, Md. 21204

1-1NC! CHK.

March 14, 1973

Hay would feen being Action pay for

Aaron L. Schreiber 114 Slade Ave. Baltimore, Maryland 21208

TOWSON, MD., 19.72. THIS IS TO CERTIFY, that the annexed advertisement was day of ____iepteaber____ appearing on the____31st___day of___ 19.72.

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Ma. 1544

G. Leant

BALTIMORE COL"TY, MARYLAND

BALTIMORE COUNTY, MARYLAND

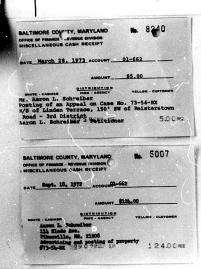
DATE March 15, 1973 ACCOUNT 01-662

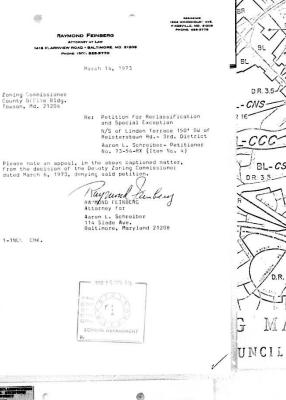
DISTRIBUTION Raymond Feinberg, Esquire Cost of an Appeal on Case No. 73-54-RX N/S of Linden Terrace, 150' SW of Reister Road - 3rd District Aaron L. Schreiler- 7

Feb. 16, 1972 ACCOUNT 01-662

Petition for Reclassification for Reclassification and special exception

OFFICE OF FINANCE ..EVENUE DIVISION





PUBLIC

BL-CSA

MAP

D.R.3.5 CEMETERY

-BL-CSA

BL-CNS

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