

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, HARRY J. AHLFELDT, JR., 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 BLCSA zone to an BM zone; for the following reasons:

To be used as Creative Package Development; specializing in Steel Rule Dies, printing and carpentry.

See attached description

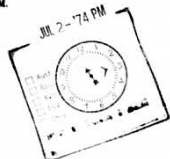
and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for living quarters in a Commercial Zone.

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
Louie E. Hampton
Address 806 Silver Avenue
Baltimore, Maryland 21221
Legal Owner
Harry J. Ahlfeldt, Jr.
Address 8003 Eastern Blvd
Baltimore, Maryland 21221
Attorney
Norman W. Lauenstein
Address 809 Eastern Blvd., Balto. MD
21221

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd day of July, 1974, 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 25th day of September, 1974, at 10:00 o'clock A.M.



(over)

October 3, 1974

Norman W. Lauenstein, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Reclassification, Special Exception and Variance
S/S of Eastern Avenue, 150' E of
Homberg Avenue - 15th District
Louie E. Hampton - Petitioner
NO. 75-60-RXA (Item No. 2)

Dear Mr. Lauenstein:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

cc: William E. Chamberlain, Esquire
1760 Eastern Boulevard
Baltimore, Maryland 21221

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, HARRY J. AHLFELDT, JR., 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 for a Variance from Section 409.2a and 409.2b(5,7) to permit 7 spaces instead of required 10

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Property was formerly used as a Bakery, building and premises are readily adaptable to be used as Creative Package Development.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance 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
Louie E. Hampton
Address 806 Silver Avenue
Baltimore, Maryland 21221
Legal Owner
Harry J. Ahlfeldt, Jr.
Address 8003 Eastern Blvd. Balto. MD
21221
Attorney
Norman W. Lauenstein
Address 809 Eastern Blvd., Balto. MD
21221

ORDERED By The Zoning Commissioner of Baltimore County, this 2nd day of July, 1974, 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 25th day of September, 1974, at 10:00 o'clock A.M.

(over)

on the subject property in order that it could be so used.

The Petitioner's request was opposed by owners of an apartment complex situated to the east side of a parking lot, approximately one hundred by two hundred feet in area, that separates the subject property from the apartments.

The Petitioner's proposed use, generally described as the assembly of previous prepared small strips of metal and making small wooden molds or dies with machinery that requires only two horsepower, was not objected to by the Protestants. They did, however, object to the changing of the zoning classification to permit more intensive uses. They felt that such change in the zoning classification could lead to objectionable uses and/or overdevelopment of the property by the Petitioner or future owners.

When questioned as to the age of the apartments and possibility of plans to remove the apartments and construct a new building or business on the commercially zoned frontage along Eastern Avenue, the witness, for the Protestants, pointed out that there was an Eight Hundred Thousand Dollar mortgage on the thirty year old apartments and that their removal was remote.

Comments by County and State agencies, who reviewed the site plan, questioned the adequacy of access to the parking area located at the rear of the building.

Planning Board recommendations strongly indicated that the present classification (B.L.-C.S.A.) of the subject property is appropriate and that the zoning map is correct. They pointed out that the small site was already extensively improved and that the need for parking Variances was a further indication that the Reclassification, which would permit a more intense use, was unwarranted.

Without reviewing all the evidence in detail but based on all such evidence, it is the opinion of the Deputy Zoning Commissioner that the Petitioner has not proven the map to be in error or that substantial changes have occurred

RE: PETITION FOR RECLASSIFICATION, SPECIAL EXCEPTION AND VARIANCE
S/S of Eastern Avenue, 150' E of
Homberg Avenue - 15th District
Louie E. Hampton - Petitioner
NO. 75-60-RXA (Item No. 2)

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

This Petition represents a request for a Re-classification from a B.L.-C.S.A. Zone and District to a B.M. (Business, Major) Zone, together with a Special Exception for living quarters in a commercial building and a parking Variance. The property in question contains 0.23 of an acre, more or less, is situated on the southside of Eastern Avenue, 150 feet east of Homberg Avenue, and is in the Fifteenth Election District of Baltimore County.

Testimony and evidence was presented on behalf of the request by the contract purchaser, who has since the filing of the Petition purchased the subject property, the previous owner of the subject property, and two area merchants.

Testimony established that the fifty-one by two hundred foot lot is improved with a two story apartment building containing four individual apartment units, and a one story block building, approximately one hundred and twenty-five feet long and twenty-four feet wide. Said block building is presently being utilized as a barber shop and a storage area. The storage area of this building is intended to house the Petitioner's business, which consists of fabricating shop (making of dies which consist of wood and metal, etc.).

Photographs presented into evidence indicated that the Petitioner has greatly improved the outward appearance of the buildings since acquiring ownership. He felt that the existing uses, together with his proposed use, which is not a permitted use under the existing B.L. classification, would be compatible with, and a benefit to, other businesses and uses in the immediate area. It was his opinion that the Comprehensive Zoning Map, as adopted on March 24, 1971, was in error in that it not place a B.M. zoning classification

MEMORANDUM

TO: Zoning Commissioner of Baltimore County
FROM: Louie E. Hampton, Petitioner
SUBJECT: Change BLCSA Zone to BM Zone

That your Petitioner believes and avers that an error was made in the map as pertaining to the Zoning Classification of the subject premises.

That the neighborhood has drastically changed as to commercialism and there is need for Business Major Zoning.

And that the premises are readily adaptable for the proposed use.

Louie E. Hampton
Louie E. Hampton
Contract Purchaser

in the neighborhood since the adoption of the Comprehensive Zoning Map on March 24, 1971. For these reasons, the Petitioner's request for Reclassification should be denied.

However, insofar as the Special Exception and parking Variance is concerned, one must consider that the buildings and uses on the subject property are existing and have existed for many years. The present owner has improved these buildings to protect his investment and to make them more aesthetically acceptable to the general area. Not to grant the requested parking Variance under these circumstances would represent a hardship, and the granting of the Special Exception to permit or legalize the existing apartments would not be detrimental to the health, safety and general welfare of the community. Parking is provided for the residents of the apartments and this use otherwise meets the requirements of Section 502.1. The granting of said Variance and Special Exception should, however, be restricted to the existing improvements on the site.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 3rd day of October, 1974, that the herein requested Reclassification from a B.L.-C.S.A. Zone and District to a B.M. Zone 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 B.L.-C.S.A. Zone and District.

It is further ORDERED that a Special Exception for living quarters in a commercial building should be and the same is hereby GRANTED, together with a Variance to permit seven parking spaces instead of the required ten spaces for the herein described property. Said Special Exception and parking Variance shall be subject to the approval of a site plan and shall apply only to the existing buildings and uses permitted within the B.L. zoning classification.

Norman W. Lauenstein
Deputy Zoning Commissioner of
Baltimore County

NORMAN W. LAUENSTEIN
ATTORNEY AT LAW
GERMANIA FEDERAL BUILDING
809 EASTERN AVENUE
BALTIMORE, MARYLAND 21221
MURDER 7-2888

May 24, 1974

Baltimore County Zoning Advisory Committee
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Attention: Mr. James B. Byrnes, III
Chairman,
Zoning Advisory Committee

Re: Reclassification Petition
Item 2 - 7th Cycle
Harry J. Ahlfeldt, Jr., - Petitioner

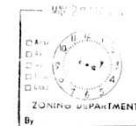
Dear Mr. Byrnes:

Please delete the name of Harry J. Ahlfeldt, Jr. as owner on the Zoning Petition, etc., and change Louie E. Hampton thereon to owner, also delete Contract Purchaser.

Very truly yours,

Norman W. Lauenstein
Norman W. Lauenstein
NWL:meg

cc: Louie E. Hampton



Nov. 27, 1974

FRANK S. LEE

Registered Land Surveyor

1277 NEIGHBORS AVE. - BALTIMORE, MD. 21237

March 29, 1974

South side of Eastern Avenue 150 feet east of Homberg Avenue
 Lot 98 Plat of Henry Homberg 6/124
 15th District Baltimore County, Maryland

Beginning for the same on the south side of Eastern Avenue at the distance of 150 feet measured easterly along the south side of Eastern Avenue from the east side of Homberg Avenue, said point of beginning being at the division line between lots 97 and 98 as laid out and shown on the plat of Henry Homberg, said plat being recorded among the land records of Baltimore County in Plat Book 6 folio 124, and thence running and binding on the south side of Eastern Avenue North 83 degrees 46 minutes East 51 feet thence leaving Eastern Avenue for lines of division as follows: South 6 degrees 14 minutes East 74 feet, South 83 degrees 46 minutes West 1 foot, and South 6 degrees 14 minutes East 126 feet to the north side of an alley laid out 20 feet wide and shown on plat above referred to, thence running and binding on the north side of said alley South 83 degrees 46 minutes West 50 feet to the division line between lots 97 and 98 above referred to, and thence running and binding on said division line North 6 degrees 14 minutes West 200 feet to the place of beginning.

Containing 10,000 square feet of land more or less.



October 8, 1974

Baltimore County Office of Planning & Zoning
 Office of Zoning Commissioner
 111 West Chesapeake Avenue
 Towson, Maryland 21204

Attention: Mr. James E. Dyer
 Deputy Zoning Commissioner

Re: Louie E. Hampton-Petitioner
 Petition for Reclassification

Dear Mr Dyer:

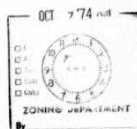
You stated, verbally, at the Hampton Zoning hearing, Petition for Reclassification, Special Exception and Variance, No. 75-60 EX (Item No. 2), that "the Petitioner can under the present zoning, at the subject location, operate his business, which he described as the assembly of previous prepared small strips of metal and making small wooden molds or dies with machinery that requires only two horsepower," of Zoning Order dated October 3, 1974.

Please confirm that the property can be used by Mr. Hampton for such business.

Very truly yours,

Norman W. Lauenstein

Norman W. Lauenstein
 RML:meq



BALTIMORE COUNTY ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING - 7th Cycle

Norman W. Lauenstein, Esq.
 111 West Chesapeake Avenue
 Towson, Maryland 21204

County Office Building
 111 W. Chesapeake Avenue
 Towson, Maryland 21204

Your Petition has been received and accepted
 for filing this day of 1974.

Eric D. DiNenna
 S. ERIC DINENNA
 Zoning Commissioner

Petitioner: Harry J. Ahlfeldt, Jr.

Petitioner's Attorney Norman W. Lauenstein Reviewed by
 CO: Frank S. Lee - Surveyor
 1277 Neighbors Avenue
 Baltimore, Maryland 21237

Chairman,
 Zoning Advisory Committee

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 30, 1974

Norman W. Lauenstein, Esq.
 809 Eastern Blvd.,
 Baltimore, Maryland 21221

RE: Reclassification Petition
 Item 2 - 7th Cycle
 Harry J. Ahlfeldt, Jr., - Petitioner

Dear Mr. Lauenstein:

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.

These 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 with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the south side of Eastern Avenue, approximately 150 feet east of Homberg Avenue, in the 15th Election District of Baltimore County. It is presently improved by a two-story frame building and two one story masonry buildings which are mutually attached. The structures are presently utilized by a barber shop, storage building and apartment building.

To the west of the subject site and between Homberg Avenue there is an existing tavern and appliance store. Directly to the east is a large gravelled parking area which is utilized by all the businesses in this block. Further east is the Glen Manor apartment development. To the north of the site and across Eastern Avenue are existing strip retail stores and an Exxon automotive service station. To the rear and south of the site are

Norman W. Lauenstein, Esq.
 Item 2 - 7th Cycle
 April 30, 1974

Page 2.

various residences along Homberg Avenue.

The petitioner is requesting a Reclassification to Business Major, a Special Exception for living quarters in a commercial zone, and a parking variance to permit 7 spaces instead of the required 10. He proposes to utilize the property for 4 apartments and barber shop, which presently exist, and to establish a fabricating shop for the making of dies consisting of wood and metal.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plans, as may have been requested by this Committee, shall be submitted to this office prior to Monday, June 3, 1974, in order to allow time for final Committee review and advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between September 1, 1974 and October 15, 1974, will be forwarded to you well in advance of the date and time.

Very truly yours,

James B. Byrnes, III
 JAMES B. BYRNES, III
 Chairman,
 Zoning Advisory Committee

JBB:JD

Enclosure

cc: Frank S. Lee - Surveyor
 1277 Neighbors Avenue
 Baltimore, Maryland 21237

Baltimore County, Maryland Department of Public Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Office of Engineering
 ELLSWORTH N. DYER, P.E., CHIEF

April 25, 1974

Mr. S. Eric DiNenna
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item #2 (Cycle VII - April to October 1974)
 Property Owner: Harry J. Ahlfeldt, Jr.
 5/3 of Eastern Ave., 150' E. of Homberg Ave.
 Petitioning Zoning: B.M. - C.F.A.
 Proposed Zoning: B.M. and Special Exception for living quarters in a commercial zone and Variance to Section 109.2b (5 and 7) to permit 7 spaces instead of required 10.
 No. of Acres: 0.23 District: 15th

Dear Mr. DiNenna:

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.

General:

Since no further highway improvements are required on Eastern Avenue and all public utilities exist, this office has no comment in regard to the plat submitted for review in connection with the subject zoning item.

Very truly yours,

Ellsworth N. Dyer
 ELLSWORTH N. DYER, P.E.
 Chief, Bureau of Engineering

ENCLOSURES

1-34 Key Sheet
 VS 2 H Topo
 6 NT 29 Pos. Sheet

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING
 EUGENE J. CLIFFORD, P.E.
 DIRECTOR
 WIL T. MILLER
 DEPUTY TRAFFIC ENGINEER

April 30, 1974

Mr. S. Eric DiNenna
 Zoning Commissioner
 County Office Building
 Towson, Maryland 21204

Re: Item 2 - Cycle Zoning 7 - April 1974 through October 1974
 Property Owner: Harry J. Ahlfeldt, Jr.
 5/3 Eastern Avenue, 150 feet E of Homberg Avenue
 B.M. and special exception for living quarters in a commercial zone and variance to Section 409.2a and 409.2b (5 and 7) to permit 7 spaces instead of required 10
 District 15

Dear Mr. DiNenna:

The commercial Zoning change should have no effect on trip density. The area to the rear is not adequate access for commercial use and a variance of 7 spaces instead of 10 spaces could be a problem should the property owner to the east of the subject tract decide to build on the property or eliminate the existing parking.

Very truly yours,

C. Richard Moore
 C. Richard Moore
 Assistant Traffic Engineer

CRN/gp

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#75-60 KAH

District: 15th Date of Posting: 4/5/74
Posted for: Harry J. Ahlfeldt, Jr.
Petitioner: Norman E. Hampton
Location of property: 306 Silver Ave. Baltimore, Md. 21221
Location of Signs: 3 Signs: Front, Side, Back
Remarks: None
Signed by: Michael H. Hines Date of return: 9/12/74

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <u>JPH</u>					Revised Plans: Change in outline or description: Yes ☐ No ☐					
Previous case:					Map # <u>106</u>					

Item 2 - 7th Cycle

Norman W. Launstein, Esq.
809 Eastern Blvd.,
Baltimore, Maryland 21221

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted
for filing this 2nd day of July 1974.

S. Eric DiNenna
S. ERIC DINENNA,
Zoning Commissioner

Petitioner Harry J. Ahlfeldt, Jr.

Petitioner's Attorney Norman W. Launstein Reviewed by James B. Byrnes, Jr.
cc: 1277 neighbors Avenue (21337) Chairman,
Zoning Advisory Committee

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received* this 1st day of

April 1974. Item # 106

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner Ahlfeldt Submitted by Launstein

Petitioner's Attorney Launstein Reviewed by JPH

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 14732

DATE April 19, 1974 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION: WHITE - CASHIER, PINK - AGENCY, YELLOW - CUSTOMER

Norman W. Launstein, Esq.
809 Eastern Blvd.
Baltimore, Md. 21221
Petition for Reclassification and Special Exception
for Harry J. Ahlfeldt, Jr.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

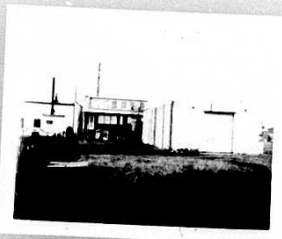
No. 15198

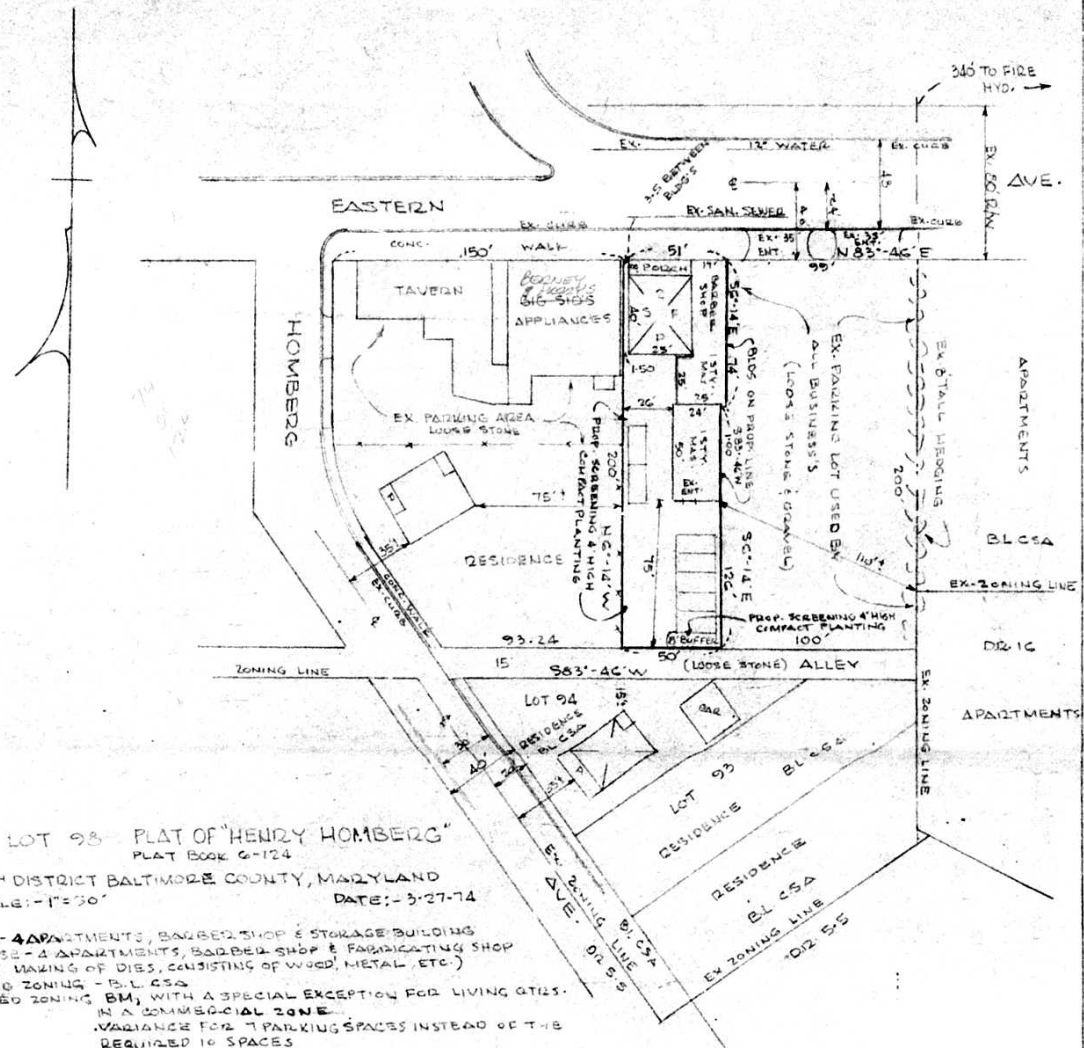
DATE Sept. 25, 1974 ACCOUNT 01-662

AMOUNT \$163.45

DISTRIBUTION: WHITE - CASHIER, PINK - AGENCY, YELLOW - CUSTOMER

Creative Package Development
806 Silver Ave.
Baltimore, Md. 21221
Advertising and Posting for Louis E. Hampton
10345





LOT 93 PLAT OF "HENRY HOMBERG"
 PLAT BOOK G-124

18TH DISTRICT BALTIMORE COUNTY, MARYLAND
 SCALE: 1"=50'
 DATE: 5-27-74

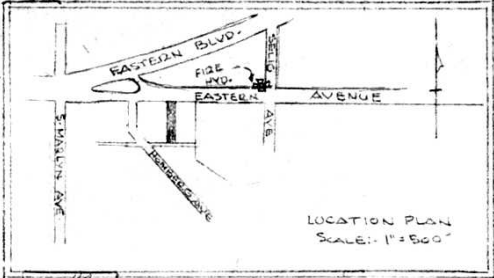
EX USE - 4 APARTMENTS, BARBER SHOP & STORAGE BUILDING
 PROP. USE - 4 APARTMENTS, BARBER SHOP & FARMICATING SHOP
 (MAKING OF DISCS, CONSISTING OF WOOD, METAL, ETC.)
 EXISTING ZONING - BUL C5A
 PROPOSED ZONING - BM, WITH A SPECIAL EXCEPTION FOR LIVING QUILTS
 IN A COMMERCIAL ZONE.
 VARIANCE FOR 7 PARKING SPACES INSTEAD OF THE
 REQUIRED 10 SPACES

AREA OF LOT: 0.23 AC.
 AREA OF BLDGS: BARBER SHOP: 1450 SQ. FT.
 STORAGE BLDG: 1200 SQ. FT.
 APARTMENT BLDG: (2 FLOORS) = 2000 SQ. FT.

PARKING DATA

NO. OF SPACES REQ., 1 PER APARTMENT (4 APTS) =	4
NO. OF SPACES REQ., BARBER SHOP BLDG (1/300 SQ. FT.) =	5
NO. OF SPACES REQ., 1 PER 2 EMPLOYEES (2 EMPLOYEES) =	1
NO. OF SPACES PROVIDED	10
VARIANCE 3 SPACES	

ENTIRE PARKING AREA TO BE PAVED WITH A DURABLE DUSTLESS
 SURFACE (MACADAM PAV.) AND PROPERLY DRAINED.
 CURB STOPS ARE TO BE PROVIDED FOR PARKING SPACES.
 IF ANY LIGHTING IS REQUIRED, SAME WILL BE REGULATED SO AS NOT
 TO EFFECT ADJOINING RESIDENTIAL PROPERTIES.



MAP: 47D
 NE 2-7
 ELECTION: 15
 DISTRICT: 15
 DATE: 4-77
 TYPE: 15
 REVISION: 15
 BY: 15

FRANK S. LEE
 1777 HOLLAND AVE.
 BALTIMORE, MARYLAND

