

October 5, 1939.

Mr. C. Edgar Wood,
Bessie Temple,
Towson, Md.

Dear Sir:

A application, from Mrs. Sarah Kaplan, was received at this office on October 3rd, it being dated October 2nd, 1939 for building permit to erect Shop on Harrison Avenue, Middle River.

As you no doubt are aware the last session of the Legislature passed a Zoning Act for the Metropolitan District of Baltimore County, authorizing the County Commissioners to establish residential areas in this district and to regulate class of buildings, set back, etc. Pursuant to this Act and in order to control the erection of commercial buildings for property to be used for commercial purposes, the entire Metropolitan District, by an Order of the County Commissioners dated September 5th, 1939, was zoned residential excepting existing commercial enterprises.

The Zoning Act imposes a penalty for its non-compliance and as no doubt you are aware the existing Building Code of Baltimore County likewise imposes a penalty for the erection of any buildings or alterations, in excess of \$100.00 in costs, without first obtaining building permit.

The above referred to Order of the Commissioners of September 5th, 1939, as well as the Zoning Act, requires applications for building permits to be approved as to zoning before the issuance of building permit.

An inspection of the premises for which the above application for building permit was filed, shows this building to be fully completed and of course must have been commenced, or possibly finished, before the date of the application as it is at present being occupied for business purposes.

In order to control the direction and location of business enterprises in the Metropolitan District and as

prescribed in the above Order of the County Commissioners of September 5th, all areas not occupied by existing commercial buildings, as well as all land or areas between the front and side walls of existing stores, etc., was zoned for residential purposes. This was done in order to protect adjoining property and to prevent the encroachment of additions to existing business enterprises beyond the necessary or required, building lines. In view of this the site of this shop property should have been first re-classified from a business area to a commercial area by petition filed with the County Commissioners as prescribed in the Zoning Act and for which blame may be had from the zoning department.

As my possible damage in the Kaplan case has already been done I am today forwarding the application and directing Mr. Richardson, the local Building Inspector, to issue permit. In the future, however, I would appreciate your cooperation with this department so that the Zoning Act may be enforced so as to protect adjoining property, or the local community, from any improper business enterprises. I might also suggest to you that this Department has been ordered by the County Commissioners to enforce compliance with both the Building Code and the Zoning Act of Baltimore County.

Very truly yours,
JOHN J. SIMANUS,

Zoning Clerk.

JTT-H

CC: W.E. Richardson

October 5, 1939.

Mr. W. E. Richardson,
Eastern Ave. & Race Ave.,
Besse, Md.

Dear Sir:

I am enclosing, approved as to zoning, application of Charles Bertock for addition to existing store on the north side of Bay Front Road. As this is an enlargement of an existing commercial used property, it does not come under the necessity of re-classification, and therefore, it is proper to issue permit.

In reference to application of Sarah Kaplan for erection of shop on Harris Avenue, Middle River, I will make some investigation and advise you.

Very truly yours,
JOHN J. SIMANUS,

Zoning Clerk.

JTT-H

No
PLAT