

To The Zoning Commissioner of Baltimore County:-
I, John B. Gaither, legal owner of the property situate at the southwest corner of Liberty Road and Abble Place, near Rockdale, in the 2nd District of Balto. Co., fronting northeasterly, on the southwest side of Liberty Road, 210' with a right angle depth southwesterly of 300' and binding on the or E side of Abble Place,

herby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an "A" Residence zone to an "R" Commercial zone.

Reasons for Re-Classification:

Character of use for which above property is to be used: Existing building to be used for Restaurant.

Size and height of building: front feet, depth feet, height feet.

Front and side set backs of building from street line: front feet, side feet.

Property to be posted as prescribed by Zoning Regulations.

I, John B. Gaither, agree to pay expenses of above re-classification, 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.

John B. Gaither
Legal Owner
Address 8001 Liberty Road
Baltimore 7.

REQUIRED by The Zoning Commissioner of Baltimore County, this 23rd day of February, 1946, that the subject matter of this petition be advertised, as required by the "Zoning Law of Baltimore County, in a newspaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing herein be had in the office of the Zoning Commissioner of Baltimore County, in the Rockwood Bldg., in Towson, Baltimore County, on the 10th day of March, 1946, at 10 o'clock A. M.

John B. Gaither
Zoning Commissioner of Baltimore County
(over)

February 23rd, 1946

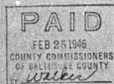
\$10.00

February 23rd, 1946

RECEIVED of John B. Gaither, 8001 Liberty Road, Baltimore 7, Maryland, the sum of Eighteen (\$18.00) dollars, being cost of petition for reclassification, advertisement and posting of property, south side of Liberty Road at the southeast corner of Abble Place at Rockdale in the 2nd District of Baltimore County, pursuant to petition before filed for reclassification.

Zoning Commissioner

Hearing:
Monday, March 18th, 1946
at 10:00 o'clock A.M.



It is Ordered by the Board of Zoning Appeals of Baltimore County, this 17th day of April, 1946, that the above described property or area shall be and the same shall be reclassified, from and after the date of this Order, from an "A" Residence zone to an "R" Commercial zone.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of the above re-classification should NOT be had:

It is Ordered by the Zoning Commissioner of Baltimore County, this 17th day of April, 1946, that the above petition 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 as residence zone.

Zoning Commissioner of Baltimore County

Upon hearing on appeal from the Order of the Zoning Commissioner granting the petition for reclassification in the above entitled matter and it appearing that by reason of location and the use of the property over an extended period of years for commercial purposes that the reclassification petitioned for should be granted, therefore:

It is this 17th day of April, 1946, ORDERED by the Board of Zoning Appeals of Baltimore County, that the aforesaid Order of the Zoning Commissioner of Baltimore County granting the reclassification petitioned for be and the same is hereby sustained.

John B. Gaither
Board of Zoning Appeals of Baltimore County

Approved: John B. Gaither
County Commissioners of Baltimore County
Date April 17, 1946

May 15, 1946.

\$22.00

RECEIVED of John B. Gaither, Jr., Attorney for Appellants, the sum of Twenty Two (\$22.00) Dollars, being cost of appeal to the Board of Zoning Appeals from decision of Zoning Commissioner of Baltimore County in granting petition to John B. Gaither for reclassification of property, Southwest corner of Liberty Road and Abble Place, 2nd District of Baltimore County, to use existing building for Restaurant.

Zoning Commissioner.



April 24, 1946.

Mrs. Nora Wohler,
2500 Abble Place,
Baltimore - 7, Md.
Dear Mrs. Wohler:
Re: Petition for Reclassification from "A" Residence Zone to "R" Commercial Zone - 2nd Dist. Liberty Road and Abble Place, 200' on Liberty Road with right angle depth of 300' - John B. Gaither, Petitioner

After giving the above matter careful consideration and after several inspections of the property and the neighborhood in general and in view of its existing commercial use, I am impelled to grant the reclassification petitioned for. The additional reasons for granting this petition are as follows:

The entire Gaither property with a frontage of over 200 feet on Liberty Road and with a depth southeasterly of over 500 feet has been used for commercial purposes for quite a number of years before the enactment of the Zoning Law for Baltimore County and consequently could not be disturbed in the existing commercial use for nursery and other purposes. On the northwesternmost side of the Liberty Road and about opposite the Gaither property we also find several existing commercial uses, so that the reclassification of the property in question is not an isolated case of commercial zoning nor is it what is commonly called "spot zoning".

The area to be reclassified has a depth of 200 feet from the Liberty Road, which is less than half of the total depth of the property and is, therefore, sufficiently removed as not to be objectionable or detrimental to your property. The plot plan submitted, drawn to scale, shows the dwelling or structure now to be used for commercial purposes as setting back at its nearest point over 60 feet from the nearest right-of-way line of Liberty Road and there is ample parking area provided which will avoid patrons parking their cars on the road right-of-way. The remainder or rear portion of the land as well as the side area binding on Abble Place is to be continued for nursery purposes and this fact further mitigates any objectionable feature or damage to property on the opposite side of Abble Place or to the rear of the entire Gaither property.

JTB:Jh

It is along the main thoroughfares leading from Baltimore City that you can expect commercial expansion. This is true of all main roads leading from Baltimore City and, of course, will be to an increasing extent, as public necessity or needs require, along the Liberty Road. I am firmly of the opinion that the use of the present building on the Gaither property and the limited use of the ground for restaurant and parking purposes will not create any traffic hazard and will not materially affect the health, safety, morals and general welfare of the community.

It is possibly safe to assume that at some future time there may be applications made for beer or liquor licenses or perhaps both, but the determination of that question is entirely with the Board of License Commissioners of Baltimore County and before such licenses may be issued the property has to be posted and advertised and you will then have ample opportunity to object to the granting of any beer or liquor licenses. That phase of the matter this Department has no control over whatsoever.

An appeal in writing may be taken from my Order within ten days from this date, April 24, 1946, to the Board of Zoning Appeals of Baltimore County. The cost of this appeal is \$22.00 which must be paid before appeal is entered.

At your request I am enclosing a type-written list of names and addresses of the protestants signing the large petition filed as well as the names and addresses of two separate letters received in protest.

Very truly yours,

Zoning Commissioner.

P. S. Will you kindly notify your co-protestants of the above decision.
cc: John L. Askew, Esq., Towson - 4, Md.
Mr. Breman A. Trail, Court House, Towson - 4, Md.

Community Health Through Individual Effort

Baltimore County Health Department

COUNTY OFFICE BUILDING

TOWSON-4, MARYLAND

WILLIAM H. F. WARTHEN, M.D., M.P.H.
HEALTH OFFICER

CHIEF OF DIVISIONS
ELIZABETH LANGELUTTIG, M.D., M.P.H.
E. L. SEDERLIN, M.D.
LETHA S. ALLEN, R.N., M.A.
VANCE R. SULLIVAN

BOARD OF HEALTH

CHRISTIAN H. KAHL
PRESIDENT

JOHN R. HAUT

BREMEN A. TRAIL

WILLIAM H. F. WARTHEN, M.D., M.P.H.
SECRETARY

February 26, 1946

Mrs. Nora Wohler
3508 Abbie Place
Baltimore 7, Maryland

Dear Mrs. Wohler:

Because of the difficulty that is being experienced by the various residents of Abbie Place near Liberty Road in connection with their individual sewage disposal systems, I am proposing to hold a meeting in my office at the Health Department headquarters on March 5 at 10:00 A.M. It is possible that some solution can be worked out for the existing difficulties at this conference and I am inviting Mr. G. Douglas Andrews, Chief Engineer of the Metropolitan District, to participate and give his advice as to just what the possibilities are from an engineering standpoint.

If some of your neighbors do not receive a letter from me about this matter I wish you would ask them to attend as I may not have all of the names and addresses of the present owners.

Please make every effort to be present at this meeting so that a representative group will be in attendance.

Very truly yours,

William H. F. Warthen, M.D.

Deputy State and
County Health Officer

VER

ZONING DEPARTMENT—BALTIMORE COUNTY, MD.

Certificate of Posting of Re-Classification of Special Permit Notice

7 District Date of Return March 4 1946
Date of Posting Property March 4/46
Location of Sign on Property 30 feet from front Street or Road.
Location of property Southwest side Liberty Rd
30 feet Northwest of Abbie Place
Re-Classification of Special Permit Petitioned for Restaurant
Petitioner John B. Gauthier
Remarks:
Inspector making return Harry C. Gauthier

NOTICE OF ZONING RECLASSIFICATION.
Pursuant to petition filed with the Zoning Commission of Baltimore County for change of reclassification from an "A" Residence Zone to an "E" Commercial Zone of the property hereinafter described, the Zoning Commission of Baltimore County by authority of the Zoning Act and Regulations, will hold a public hearing at the Zoning Office in the Rockford Building, Towson, Baltimore County, Maryland, on Monday, March 18, 1946, at 10:00 o'clock A.M. to determine whether or not the following mentioned and described property should be changed or reclassified as aforesaid, (if reclassified existing building to be used for Restaurants, to wit:
All that parcel of land situate at the southwest corner of Liberty Road and Abbie Place near Rockdale, in the 2nd District of Baltimore County, fronting northwesterly on the southwest side of Liberty Road, 210 ft. with a right angle depth southwesterly of 210 ft. and bounding on the east side of Abbie Place.
By Order of COMMISSIONER OF ZONING BALTIMORE COUNTY.
Mar. 1-5.

REC'D MAR 11 1946

CERTIFICATE OF PUBLICATION

TOWSON, MD. Feb. 28 1946

THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 2 times successive weeks before the 18th day of March 1946. The first publication appearing on the 1st day of March 1946.

THE JEFFERSONIAN,

Manager.

Cost of Advertisement, \$.