

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County—

WE, HOWARD O. JENKINS, et al., legal owners of the property situate at the intersection of the northernmost and easternmost rights-of-way lines respectively of Edmondson Ave., Etd'd., and Ingleside Ave., at Catonsville, in the 1st District of Balto. Co., fronting 310' easterly on north side of Edmondson Ave., Etd'd., thence northerly, parallel to Ingleside Ave., and distant 300' easterly at right angles therefrom, 460' thence westerly, at right angles to Ingleside Ave., 300' more or less, to said east side thereof and thence southerly, on east side of Ingleside Ave., 300' to beginning. Saying and excepting therefrom the triangular parcel of land comprising the cut-off road at said northeast corner of said avenues, and the established commercial zones thereon.

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-1" Residential zone to an "R-2" Commercial zone.

Reasons For Re-Classification—

Character of use for which above property is to be used—RESTAURANT IN EXISTINGBuilding

Size and height of building: front—...feet; depth—...feet; height—...feet.

Front and side set backs of building from street lines: front—...feet; side—...feet.

Property to be posted as provided by Zoning Regulations.

I, or we, 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.

Michael A. Peters Howard O. Jenkins et al.
Contract Purchasers
Edmondson & Walnut Aves.,
Baltimore - 23, Md.
Address Edmondson & Walnut Aves., Baltimore - 23, Md.

ORDERED by The Zoning Commissioner of Baltimore County, this 23rd day of May, 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 Becker Bldg., in Towson, Baltimore County, on the—

17th day of June, 1946, at 10:30 o'clock A.M.

John J. Timanus
Zoning Commissioner of Baltimore County
(over)

THIS AGREEMENT, Made this _____ day of July, in the year one thousand nine hundred and forty-six, by and between MICHAEL A. PETERS, Unmarried, party of the first part, CHRISTIAN H. KAUL, JOHN R. MAST and HERMAN A. TRAIL, constituting the Board of County Commissioners of Baltimore County, parties of the second part, and JOHN J. TIMANUS, Zoning Commissioner of Baltimore County, party of the third part.

WHEREAS, the said party of the first part is the sole owner of a parcel of land situate and lying at the northeast corner of New Edmondson Avenue and Ingleside Avenue near Catonsville, in the First Election District of Baltimore County, having acquired the same by a Deed recorded among the Land Records of Baltimore County simultaneously herewith from Howard O. Jenkins and Edna K. Jenkins, and have petitioned the Zoning Commissioner of Baltimore County for re-classification of part of said property from "A-1" residential zone to "R-2" commercial zone, and the said Zoning Commissioner of Baltimore County has agreed to said re-classification, subject to the terms and conditions hereinafter set forth, and inasmuch as any action of said Zoning Commissioner of Baltimore County under the regulations of the Zoning Laws of said County must be approved by the County Commissioners of Baltimore County, parties of the second part, said parties of the second part are therefore uniting herein for the purpose of giving such approval.

NOW, THEREFORE, THIS AGREEMENT WITNESSETH, that in consideration of the premises, and certain benefits and advantages mutually and severally accruing to the party of the first part by reason of the granting of such re-classification, and in further consideration of the sum of one (\$1.00) dollar, received by each of the parties hereto, each from the other, the respective receipts whereof are hereby acknowledged, they, the said parties hereto, do mutually and severally covenant and agree, as follows:

1. That a portion of said property above referred to is hereby re-classified from "A-1" residential zone to "R-2" commercial zone, fronting 300 feet on New Edmondson Avenue with a parallel depth on

Ingleside Avenue of 500 feet, being part of the whole tract of land which the party of the first part has now acquired by Deed of even date herewith and intended to be recorded among the Land Records of Baltimore County simultaneously herewith from Howard O. Jenkins and Edna K. Jenkins, as aforesaid.

2. That the portion of the land above described which is hereby re-classified is that portion thereof upon which there is now erected a large frame residence intended to be used as a restaurant and dining room, and any alterations or additions to said building that may be made, together with the right of ingress to and egress from said building from New Edmondson Avenue and/or Ingleside Avenue.

3. That in consideration of said zoning re-classification the party of the first part covenants and agrees that that portion of the whole tract re-classified as aforesaid shall be used only for purposes in connection with the proper operation of said restaurant and dining room as now located and additions and alterations thereto, and for no other purpose whatsoever, it being understood and agreed, however, by and between the parties hereto that nothing herein shall preclude said party of the first part, his heirs and assigns, from making any future application in conformity with the Zoning Regulations for further re-classification of said property or the use thereof for such commercial purposes as may be then approved by the Zoning Department.

THIS Deed of Agreement shall bind the party of the first part, his heirs, personal representatives and assigns, and the said parties of the second and third parts, and their respective successors in office, and shall also be a covenant running with the land. AS WITNESS the hands and seals of the parties hereto.

TEST: As to party of the first part. _____ (SEAL)
Michael A. Peters
PARTY OF THE FIRST PART.

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Christian H. Kaul _____ (SEAL)
John R. Mast _____ (SEAL)
Herman A. Trail, _____ (SEAL)
Board of County Commissioners
of Baltimore County
PARTIES OF THE SECOND PART.

John J. Timanus, _____ (SEAL)
Zoning Commissioner of
Baltimore County.
PARTY OF THE THIRD PART.

STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY, that on this _____ day of July, 1946, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County aforesaid, personally appeared MICHAEL A. PETERS, party of the first part named in the Deed of Agreement above set forth, and he acknowledged the same to be his act and deed.

AS WITNESS my hand and Notarial Seal.

Edward P. Rink - Notary Public

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STATE OF MARYLAND, BALTIMORE COUNTY, TO WIT:

I HEREBY CERTIFY, that on this _____ day of July, 1946, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County aforesaid, personally appeared CHRISTIAN H. KAUL, JOHN R. MAST and HERMAN A. TRAIL, Board of County Commissioners of Baltimore County, parties of the second part named in the Deed of Agreement above set forth, and JOHN J. TIMANUS, Zoning Commissioner of Baltimore County, party of the third part named in the Deed of Agreement above set forth, and they each acknowledged the same to be his act and deed.

AS WITNESS my hand and Notarial Seal.

Notary Public

approved as to form and legal sufficiency.

Michael Paul Smith,
Counsel to the Board of County
Commissioners of Baltimore County.

ZONING DEPARTMENT—BALTIMORE COUNTY, MD.
Certificate of Posting of Re-Classification of Special Permit Notice

District _____ Date of Return 23rd June 1946
Date of Posting Property 23rd June 1946
Location of Sign on Property at intersection of Edmondson Ave. and Ingleside Ave.
Location of property at intersection of Edmondson Ave. and Ingleside Ave.
Re-classification of Special Permit Petition from A-1 to R-2
Petitioner Howard O. Jenkins et al.
Remarks: _____
Inspector making return John J. Timanus

May 23, 1946

\$23.00

RECEIVED of Howard O. Jenkins, et al., the sum of Twenty Three (\$23.00) Dollars, being cost of petition for reclassification, advertising and posting of property, intersection of the northernmost and easternmost rights-of-way lines of Edmondson Ave. Etd'd. and Ingleside Ave., 1st District of Balto. Co., pursuant to petition being filed for reclassification.

Zoning Commissioner.

Hearing:
Monday, June 17, 1946
at 10:30 o'clock a.m.

PAID
MAY 2 1946
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY John J. Timanus

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 7/46 19____
THIS IS TO CERTIFY, That the aforesaid advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., in each issue of _____ day of _____ the first publication appearing on the _____ day of _____ 1946.
BY John J. Timanus THE JEFFERSONIAN,
Manager.
Cost of Advertisement, \$_____

NOTICE OF HEARING
RECLASSIFICATION
The undersigned, Zoning Commissioner of Baltimore County, has received a petition from Howard O. Jenkins et al. for the reclassification of a portion of land situate at the intersection of the northernmost and easternmost rights-of-way lines of Edmondson Ave., Etd'd., and Ingleside Ave., at Catonsville, in the 1st District of Baltimore County, from an "A-1" Residential zone to an "R-2" Commercial zone. The petition was filed in the Zoning Department of Baltimore County on June 1, 1946. A public hearing will be held on Monday, June 17, 1946, at 10:30 o'clock a.m., in the County Commissioners' Office, Baltimore County, Maryland, to consider the petition. Any person desiring to be heard at the hearing should appear in person or by counsel at the hearing. The undersigned certifies that the petition has been properly filed and that the hearing will be held as stated above.

JOHN J. TIMANUS
Zoning Commissioner of Baltimore County

RECD JUN 10 1946

