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pilos: Do not fill in any part of this petition, simply sign in in the checked at bottom.	k on lines 8323
PETITION FOR (1) ENGINE REGLESSIFICATION (2) STEDIAL PETUT	0837
To the Zoning Commissioner of Taltimore County:	· MAP HIS-A
xxxxx we. Lerry Zannino, et al	Legal Owners
of the property situate, at the holds missetton Nistrict of Sth Sts. near Colgate, and the his missetton Nistrict of Sth Sts. near Colgate, and Fronting easterly, on his situation of 180° and binding on east rectangular capits nowtherly of 180° and binding on east Sts.	side of 54th
hereby petition (1) that the zoning status of the above described	
	property be

maclessified, pursuant to the Zoning Law for Residence Zone to an "E" Commercial Zone and (2) for a Special Permit, under said Zoning Law and Zoning Regulations for Baltimore County, to permit the use of Service Station Property to be posted as prescribed by Zoning Esgulations. MORE we, agree to pay expenses of above reclassification and Special Permit, advertising and 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. Lary Jamuno Lows of Zannino Lamuel Brone

MLED JUN 7 1847

LARRY ZARNIRO and TERREA ZARNIRO, his wife	IN THE
VS.	CIRCUIT COURT
SANUEL H. HOOVER,	
EARLE L. DINGLE and	FOR
WILLIAM A. SAPP,	
FDESTITUTING THE BOARD OF	
ZONING APPEALS FOR BALTIMORE COUNTY	BALTIMORE COUNTY

TO THE MONORABLE. THE JUDGE OF SAID COURT:

The Patition and Appeal of Larry Zannino and Teresa Zannino, his wife, by Richard A. Heallister, their Attorney, respectfully represents:

FIRST: That they are property owners - 'tay yors in Bultimore County, State of Maryland, and are owners of the prop , sought to be removed in this Appeal; that they are the Petitioners in this case before the Zoning Consissioner for Baltimore County, which Petition prayed for a reclassification from "A" Residence Zone to "NO Commercial Zone of said property, and further estitioned for a special permit for the use of the property for a gasoline service station, SECOND: That under date of March 6, 1947, Charles H. Doing, Kaq., Zoning

.

Commissioner for Baltimore County, passed an Green granting the retition for the reclassification from an "A" Residence Jone to "S" Convercial Jone of said property, but denied the petition for the special permit for the use of the property described in the Petition for a gaseline service station.

THIRD: That subsequent to the secision of the Soning Consissioner for County passed as aforesaid on March 6, 1947, an appeal was entered on March 19, 1947 on behalf of certain protestants, said appeal being directed to said Board of Soning Appeals for Baltimore County against the Order of the Commissioner reclassifying the said property from "A" Residence Ione to "E" Connercial Jone; and on the aume day an appeal was entered by your Petitioners to that Board of the Order of the Zoning Complasioner which denied the special permit for the gasoline service a ation.

OFDERED by the Loning Commissioner of Baltimore County this 12th day of Pabruary 1947, that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Rugulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 5th day 1947 1988, at 9:30 o'clock A. N. Upon hearing on petition (1) for reclassification of that parcel of land described therein from an "A" Residence Zone to an "B" Commercial Zone and (2) for Special Fermit to use said properly for geneline service station and it appearing by rear [3]. Residence for the commercial content of the content of the commercial content o It is this /th. day of March, 1947, OMDERED by the Zoning Commissioner of Eastbase County, that the aforeasid pestition for reclassic to the state of the period of special permit to use the property for gasoline service station is hereby donted. Lhey Al to ong
Zoning Commissioner
of Baltimore County.
RECD MAY 8 1947 The above matter coming up for hearing before the Board of County appeals as Battaner County from the Order of the Zoring from the Order of the Zoring and the State of the Advanced on March 6, 1947, in which the reclassifies in or the entire area as described therein, from an analysis of the County of the Cou

Service Station was denied:

It is that Std. day of May, 1947, ORDERED by the Board of Zoning appeals of Estimore County that the aforesaid Order of Soning appeals of Estimore County that the aforesaid Order of the Gotta Countries of the Country of the Station of the country area described in the petition, from an "A" Residence Countries area described in the petition, from an "A" Residence Countries of the Countries of the Soning Commissions: in denying the petition for papeals prent is hereby sustained.

amul Jome William a. Sapp County Commissioners of
Baltimore County.

By Arristian Atlank

Date: Mry 4, 1941

Upon which Appeal the said Board of Zoning Appeals for Baltimore County on May 8. 1947 passed the following Orders

"The above matter coming up for hearing before the Board of Bonting Appeals for Baltimors Committy from the Order of the Jening Commissioner passed on Boreto 5, 1347, in mitch the reclassifica-tion of the entire area as described therapis, from an ¹²⁴ A Residence Jone on 1¹²⁴ Commercial Home, was quantized by the Joning Commissioner and the politics for special persist by the and property for geneline service stellar mes density to use said property for geneline service stellar mes density

It is this 6th day of May, 1947, OHDERED by the Board of Sening Appeals of Baltimore Scenaty that the aforesaid order of the Joning Commissioner in granting the remissification of the entire area described in the patition from an NY Residence Scet to an NY Commovival Scots is brownly reversed and that the Owner of the Sching Commissioner in deaying the patition for special paralla in herby statistics.

(a) Samuel H. Hoover (a) William A. Sapp (a) Earle L. Dingle.

FOURTH: That the aforementioned Order of the Board of Zoning Appeals for Baltimore County dated May 8, 1947 should be reversed in whole, set aside and annulled by this Monorable Court for the following ressons:

- I. As to the reclassification from "A" Residence Zone to "E" Convercial Lone of said property:
- (1) That the said Order of the Board of Zoning Appeals for Baltimore County constitutes an arbitrary and capricious act and a gross abuse of administrative discretion.
- (2) That there was no evidence produced before the Board of Zoning Appeals for Baltimore County legally sufficient to justify said Order, and to the contrary, your Petitioners aver that the Order of the Zoning Commissioner for Baltimore County was legal, proper and justified and that the reversal thereof by the Board of Zoning Appeals for Beltimore County was illegal, improper and unjustified.
- (3) That the reclassification of said property will not adversely affect the health, eafety and general welfare of the community and there is seed for said reclassification.

LANNY MANNINO and TARRESA MANNIFO, his wife In the cincine come SAMULE H. HOLVER, 100.00 WILLIAM A. SAPP. Constituting the Board of Lamina Appeals for Saltimore County BALDINGS MANUEY 11 11 II II II II II II II II II

SECO MAY 4 1948

The Court has reviewed the proceedings and the textimony in the above-entitled matter and has heard the arguments of counsel.

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This case involves an appeal of Larry Jannino and Toresa Zaunino, his wife, from the order of the Board of Zoning Appeals inted May 8, 1947 reversing and setting seids the order of the Joning Commissioner dated May 6, 1947, and seeking to have the order of the Zoning Commissioner affirmed. The property involved is situated at the N.M. corner of Rastern Bonlevard and 54th Street, near Colgate, 15th District of Baltimore County, fronting easterly on the north side of Eastarm Noulevard, 150' with a rectangular Aerth northerly of 150' and binding on the east side of 54th Street. The Zening Commissioner reclassified the property from an "A" residential some to an "E" connervotal remaind and denied the special permit to use the property for a emsoline serwine station

The Court on reading the testimony and reviewing the wavened. ings is impressed by the fact that a large part of the neighboring proparty is zoned for industrial and commercial purposes and the lot in cuestion is part of a small island somed as "A" residential. It seems to the Court that the decision of the Loning Commissioner was reasonable and that his order granting the petition for the reclassification of the property from an "A" residential zone to an "X" connercial zone and desping the putition for the special permit for its use of the property for a gusoline sta-

On the other hand, the Court cannot see from reading the testiin this case and reviewing the proceedings upon what reason the Board of Ioning Appeals reversed the finding of the Commissioner. There was no

We notice of the Board will be reversed and the classification of the Soning Commissioner reinstated with the permit to use this property for a gasoline sarrios station denied,

logally sufficient evidence to justify the order of the board, in the

John S. Control. Judges

Court's opinion.

0 P

> (a) That the Board of Zoning appeals for Baltimore County be required to return to this Court the original papers acted upon by it, or certifind or smorn copies thereof and that such return shall concisely set forth such other facts as may be pertinent and material to show the grounds of the decision of the Order appealed from, together with a transcript of the testimony taken at the hearing on said protest and copies of exhibits filed therewith.

(f) And for such other and further relief as the nature of the cause of your Petitioners may require.

AND AS IN DUTY BORND, atc.

Larry Zannino	Attorney	for	Petitioners

STATE OF MARKLAND, COUNTY OF BALKINGSE, TO SITE

I HEREBY CENTIFY, that on this day of June in the year mineteen hundred forty-seven, before me, the subscriber, a Notary Public of the State of Maryland in and for the County aforesaid personally appeared Lifet MANNING, one of the Petitioners, and made outh on his one, behalf and on behalf of TERESA MANUISO, the renaining Petitioner, that the matters and facts as set forth in the aforegoing Petition are true to the best of his knowledge and

AS WITHESS my hand and Noterial Suel.

90000000	Note	ry	Pal	blic	632

II. As to the Social Parait for the use of the property for a gasoline service station:

(1) That the said Order of the Board of Zoning Appeals for Baltimore County constitutes an arbitrary and capricious act and a gross abuse of administrative discretion.

(2) That there was no evidence produced before the Board of Zoning Appeals for Baltimore County nor before the Koning Commissioner for Bultimore County legally sufficient to justify such said Dedars, and to the contrary, your Petitioners aver that the Order of the Zoning Commissioner and the Order of the Board of Zoning Appeals for Beltimore County was illegal,

improper and unjustified. (3) That the granting of a special parmit for the use of the property for a gasoline service station will not adversely affect thehealth. gafety and general welfare of the community and there is seed for moid reclassification.

FIFTH: That this Patition and Annual is filed ourseast to Chanter 502 of the General Laws of the State of Harvland, of 1915.

WHEREPORE your Petitioners pray:

(a) That a Writ of Certiorari be insued by this Court directed to the Board of Zoning Appeals for Baltimore County and prescribing the time within which a return thereto must be made and served upon the Helstorn' attorney.

(b) That this Honorable Court reverse, set swide, annul, declare wold and of no effect the Order of the Board of Zoning Appeals for Bultimore County dated May 8, 1967.

(c) That the Order of the Juning Commissioner deted Merch 6, 1947, as far as it affects the reclassification from "A" Residence Tons to "E" Connercial Zone be affirmed.

(d) That the Seard of Zoning Appeals and the Zoning Commissioner be directed to issue a special persit for the use of the premines described in this Petition for a gasoline service station.

Upon the aforegoing Petition and Appeal and Affidavit, it is this $6^{\,22}$ day of June CAMERED by the Circuit Court for Bultimore County that a Writ of Carticiani issue directed to the Souri of Zoning Appeals for Baltimore County to review the decision and Order of said Board of Zoning Appeals for Baltimore County dated May 8, 1947, and that a return therate wast be made and served upon the Relators' sttorney within firteen days from the date of this Order; and

It is further OMDERED that the Tourd of Zening Appeals for Sellisore County be and it is hereby required to return to this Court the original papers acted upon by it or certified or smarn copies thereof, and the return shall concisely sat forth such other facts as may be pertinent and material to show the grounds of the decision and Order appealed from, together with a transcript of the tastimony taken at the hearing or said protest and copies of exhibits

True Copy Test

March 17, 1947

\$22.00

RECEIVED of Richard A. McAllister, Attorney for appeallants, the sum of Twenty Two (\$22,00) Dollars, being cost of appeal to the Board of Zoning Appeals of Beltimore County from the decision of the Commissio er denying the petition for special permit to use the property, northeast corner of Eastern Avenue and 54th street, Larry Zannino, et al, petitioners,

Hearings Thursday, April 3, 1947

at 3:00 o'elook pema

Zoring Commissioner.

IN THE WATTER OF ZONTHA COMMISSIONER FROM "A" RESIDENCE ZONE TO OF BALTIMORE COUNTY

COR. PIPTY-POURTH STREET AND EASTERN AVENUE, COLGATE, BALTIMORE COUNTY, MARYLAND

Mr. Commissioner:

Please enter an appeal on behalf of Luke Schmucker, Ethel M. Spencer and Henry Koos and other Protestants from the Order on the above Petition for reclassification from "A" Residence Zone to "E" Commercial

Attornsy for Appellants and Protestants.

March 17, 1947.

\$22.00 V

RECEIVED of C. Welter Cole, Esq., Attorney for Appellants, the sum of Twenty Two (\$22.00) Dollars, being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner granting the petition for recleasification of property, Eastern Avenue and 54th St., D th District, Larry Zanninos et al, petitioners.

Zoning Commissioner.

Heart ngs R Thursday, Mpril 3, 1947 at 3:00 obelock p.m.

IN THE MATTER OF THE PATITION FOR RESIDENCE ZONE TO "E" COMMENCIAL ZONE, N.E. CORRER PIFT'FOURTH STREET AND EASTERN AVENUE, COLORER, PALIFIE'RE COUPTY.

REPORE.

ZONION COMMISSIONER OF BALTIMORE COUNTY

Please enter an appeal on behalf of Largy Sannino et al from the order of the Zoning Commissioner denying the special permit for the use of the said property for a gasoline service station, dated March 5, 1947.

.......

Zoning Commissioner,

February 12, 1947

RECEIVED of Larry Zannino, et 31, the sun of

Mighteen (\$18.00) Dollars, being cost of petition for

reclassification and special permit; advertising and

posting of property, northeast corner of Restern Scale-

ward and Sath St., 15th District of Baltimore County.

Hearings Wednesday, Warch 5, 3947 at 9:30 o'clock s.m.

Armes L. Rydmund, Jr. Voltetter

August 11, 1947

\$5.20 V

RECEIVED of Richard A. Weallister, (Attorney for Larry Zannino, et al) the sum of Five Dollars and Twenty Cebts (\$5.20) cost of making certified copies of papers in the matter of appeal to Circuit Courtfor Baltimore

Buildings & Zoning Commissioner.

CERTIFICATE OF POSTING ZCN'NG DEPARTMENT OF BALTIMORE COUNTY

Posted for: Desoline Bearing station

Proliner Larry Jameson station leading the leading of sports Button and somery Estellar About Location of signs Worthwart somer of Earlenn Block and

Posted by Harry to Darkish Date of return: 74 30/47

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