

1098

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County—

his wife,

James T. Tegg & Minnie A. Tegg, legal owners, of the property situated

at the northeast corner of Loch Raven Boulevard and Yakona Road, at
 Baynesville, in the 9th District of Balto. Co., fronting northerly,
 on east side of Loch Raven Boulevard, 70' with an average rectangular
 depth easterly of 197' and binding on the north side of Yakona Road
 200'.

terely petition that the zoning status of the above described property be reclassified, pursuant to the
 Zoning Law of Baltimore County, from an "A" Residence zone to an "B" Commercial zone.

Reasons for Re-Classification

Character of use for which above property is to be used. Approved Commercial Use

Size and height of building: front.....feet; depth.....feet; height.....feet.
 Front and side setbacks of building from street lines: front.....feet; side.....feet.
 Property to be posted as prescribed by Zoning Regulations.

XXX we agree to pay expenses of above reclassification, 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.

James T. Tegg
 Minnie A. Tegg
 Legal Owner
 Address: 3782 S. Howard St.
 Baltimore 18 Maryland

ORDERED by The Zoning Commissioner of Baltimore County, this.....20th.....day of
 November....., 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 Record Bldg. in Towson, Baltimore.....on the.....
 0th.....day of.....December.....1947 at.....o'clock.....A.M.

Zoning Commissioner of Baltimore County

(1098)

Baltimore County Planning Commission

TOWSON 4, MARYLAND

August 12, 1950

Mr. Elwood L. Wedgworth
 Dunham Building
 Towson 4, Md.

Dear Mr. Wedgworth:

This is in regard to your application for permits to erect stores
 on Yakona Road.

Apparently you have not been able to confer with us as you planned
 on these aspects of your proposal that we have already discussed
 over the telephone. Several attempts to reach you again by tele-
 phone have been in vain.

We are returning your application to the Buildings Engineer until
 we hear from you. We are looking forward to settling this matter
 and will be pleased to meet with you at your convenience.

Sincerely yours,

Bernard H. Williams
 Senior Planner

Return to Mr. Paul Martin for
 completion of form

IN THE MATTER OF THE APPLICATION FOR A
 BUILDING PERMIT FOR THE ERECTION OF SIX
 STORES FRONTING ON THE NORTH SIDE OF YAKONA
 ROAD BEGINNING 110 FEET EAST OF LOCH
 RAVEN BOULEVARD, NINTH ELECTION DISTRICT
 OF BALTIMORE COUNTY, BY HENRY J. WEBER AND
 ADAM H. WEBER

The Buildings Engineer of Baltimore County refused to grant the
 building permit to the Applicant, Elwood L. Wedgworth, Agent for Henry J. Weber
 and Adam H. Weber, in the above captioned matter, and said Buildings Engineer,
 pursuant to law, certified his reasons for such refusal, in writing, to the Board
 of County Commissioners of Baltimore County. See letter of Roland A. Fiel,
 Buildings Engineer of Baltimore County, dated May 23, 1950.

Pursuant to the provisions of Item 1 of Section 103 of Article 1 of
 Chapter 696 of the Public Local Laws of Maryland, titled "Baltimore County",
 sub-titled "Building Regulations", the Board has reviewed the facts involved in
 this matter and finds that the building permit applied for is for the erection
 of six stores fronting on the northernmost side of Yakona Road, beginning 110
 feet east of Loch Raven Boulevard and running easterly for a distance of 90 feet,
 more or less, at Baynesville in the Ninth Election District of Baltimore County.
 The Board further finds that the area upon which said proposed stores are to be
 erected had been previously reclassified for commercial uses.

The Board is of the opinion, and it has been so advised by its Coun-
 sel, that it is not within the powers vested in this Board nor in the Buildings
 Engineer to refuse the application in this matter when the land upon which said
 improvements are to be erected is in a commercial use area, as aforesaid, and the
 proposed stores to be erected thereon fall within the uses permitted in a com-
 mercially zoned area. The Board therefore is compelled to reverse the action of
 the Buildings Engineer.

It is therefore, this 12th day of July, 1950, by the Board of Coun-
 ty Commissioners of Baltimore County,

ORDERED that for the reasons above stated, the action of the Build-
 ings Engineer in this matter be and the same is hereby reversed; and

IT IS FURTHER ORDERED, that said Buildings Engineer be and he is

hereby directed to issue unto Henry J. Weber and Adam H. Weber the building per-
 mit applied for in this matter, upon payment of all proper costs incident there-
 to.

Frederick A. Lail
 J. R. Hays
 Board of County Commissioners of
 Baltimore County

Baltimore County Planning Commission
 TOWSON 4, MARYLAND

WILLIAM H. MATHIAS, CHAIRMAN
 CHRISTIAN M. KAPL,
 JOHN H. McFALL,
 JOHN K. RUFF,
 H. ROBERT WATFIELD

MALCOLM H. BELL, SECRETARY

AS-12 17, 1951

MEMORANDUM

TO: A. Miller

FROM: B. Williams

SUBJECT: Proposed building in rear of stores on Yakona Road

We wish to call your attention to the following salient facts in this matter:

1. The owner of this property did not comply with the Subdivision Regulations
 when the stores were erected in that the alley (now residential) was not widened
 to 20 feet. In my opinion, this was a breach of faith and a clear violation of
 the requirement which I noted upon the application prior to signing it. Under
 these circumstances, I believe that the residential property owners could prevent
 Mr. Weber from using the alley for commercial purposes. This has been done in
 other cases.

2. The lack of parking space in this locality and the growing resultant congestion
 even with only two stores operating are already evident. The construction of this
 building would eliminate the only off-street parking and loading area that these
 stores will have, and once again indicate a failure to provide the facilities
 that were promised. A copy of one of their plans, the latest, is attached. It
 was removed from the files of the Highway Department, and clearly shows the rear
 area as parking.

It is our suggestion that the building permit be denied under your powers as
 Zoning Commissioner to require off-street parking and any other measures that
 are needed to avoid congestion and safety hazards in streets and alleys. In
 addition, we might note that the Zoning Regulations require that a building
 must face on an approved right-of-way. We question the validity of a commercial
 building on an alley which is still only residential width.

CHARLES H. DODGE,
 COMMISSIONER
 MICHAEL C. FIEL,
 SECRETARY
 CLARENCE C. GERR,
 CHIEF ENGINEER

Buildings and Zoning Department
 of Baltimore County

RECORD BUILDING, TOWSON 4, MARYLAND
 Telephone TOWSON 456-Extension 1 (TOWSON 1)
 Building 17

August 24, 1950

Mr. Paul Martin, Secretary,
 County Commissioners of Baltimore County,
 Court House,
 Towson 4, Maryland.

Dear Mr. Martin:

Enclosed please find our New Building Application #139
 and the Refusal Order as issued by the Board of County
 Commissioners on July 12, 1950.

I am returning this Order to you so that certain repre-
 sentations might be made and that it may be put in due form.

After completion kindly return same to me.

Very truly yours,

Roland A. Fiel
 Roland S. Fiel,
 Buildings Engineer.

RSP/9

IN THE MATTER OF THE APPLICATION FOR A
 BUILDING PERMIT FOR THE ERECTION OF SIX
 STORES FRONTING ON THE NORTH SIDE OF YAKONA
 ROAD BEGINNING 110 FEET EAST OF LOCH
 RAVEN BOULEVARD, NINTH ELECTION DISTRICT
 OF BALTIMORE COUNTY, BY HENRY J. WEBER AND
 ADAM H. WEBER

The Buildings Engineer of Baltimore County refused to grant the
 building permit to the Applicant, Elwood L. Wedgworth, Agent for Henry J. Weber
 and Adam H. Weber, in the above captioned matter, and said Buildings Engineer,
 pursuant to law, certified his reasons for such refusal, in writing, to the
 Board of County Commissioners of Baltimore County. See letter of Roland A. Fiel,
 Buildings Engineer of Baltimore County, dated May 23, 1950.

Pursuant to the provisions of Item 1 of Section 103 of Article 1 of
 Chapter 696 of the Public Local Laws of Maryland, titled "Baltimore County",
 sub-titled "Building Regulations", the Board has reviewed the facts involved in
 this matter and finds that the building permit applied for is for the erection
 of six stores fronting on the northernmost side of Yakona Road, beginning 110
 feet east of Loch Raven Boulevard and running easterly for a distance of 90
 feet, more or less, at Baynesville in the Ninth Election District of Baltimore
 County. The Board further finds that the area upon which said proposed stores
 are to be erected had been previously reclassified for commercial uses.

The Board is of the opinion, and it has been so advised by its Coun-
 sel, that it is not within the powers vested in this Board nor in the Buildings
 Engineer to refuse the application in this matter when the land upon which
 said improvements are to be erected is in a commercial use area, as aforesaid,
 and the proposed stores to be erected thereon fall within the uses permitted
 in a commercially zoned area. The Board therefore is compelled to reverse the
 action of the Buildings Engineer.

It is therefore, this 12th day of July, 1950, by the Board of County
 Commissioners of Baltimore County,

ORDERED that for the reasons above stated, the action of the Build-
 ings Engineer in this matter be and the same is hereby reversed; and

IT IS FURTHER ORDERED, that said Buildings Engineer be and he is

hereby directed to issue unto Henry J. Weber and Adam H. Weber the building
 permit applied for in this matter, upon payment of all proper costs incident
 thereto.

Paul Martin,
 Secretary

Secretary

J. Brown A. Trail

J. John H. Hunt
 Board of County Commissioners of
 Baltimore County

N. Bldg. App. # 3204 - May 17, 1950

TRUE COPY TESTED

J. R. Hays
 J. R. Hays

IN THE MATTER OF THE APPLICATION FOR A BUILDING PERMIT FOR THE ERECTION OF SIX STORES FRONTING ON THE NORTH SIDE OF YAKOMA ROAD BEGINNING 110 FEET EAST OF LOCH HAVEN BOULEVARD, NINTH ELECTION DISTRICT OF BALTIMORE COUNTY, BY HENRY J. WEBER AND ADAM H. WEBER

The Buildings Engineer of Baltimore County refused to grant the building permit to the Applicant, Elwood L. Wadsworth, Agent for Henry J. Weber and Adam H. Weber, in the above captioned matter, and said Buildings Engineer, pursuant to law, certified his reasons for such refusal, in writing, to the Board of County Commissioners of Baltimore County, See letter of Roland A. Piel, Buildings Engineer of Baltimore County, dated May 23, 1950.

Pursuant to the provisions of Item 1 of Section 103 of Article 1 of Chapter 69 of the Public Local Laws of Maryland, titled "Baltimore County," sub-titled "Building Regulations," the Board has reviewed the facts involved in this matter and finds that the building permit applied for is for the erection of six stores fronting on the northernmost side of Yakoma Road, beginning 110 feet east of Loch Haven Boulevard and running easterly for a distance of 90 feet, more or less, at Baynesville, in the Ninth Election District of Baltimore County. The Board further finds that the area upon which said proposed stores are to be erected had been previously reclassified for commercial uses.

The Board is of the opinion, and it has been so advised by its Counsel, that it is not within the powers vested in this Board nor in the Buildings Engineer to refuse the application in this matter since the land upon which said improvements are to be erected is in a commercial use area, as aforesaid, and the proposed stores to be erected thereon fall within the uses permitted in a commercially zoned area. The Board therefore is compelled to reverse the action of the Buildings Engineer.

It is therefore, this 12th day of July, 1950, by the Board of County Commissioners of Baltimore County,

ORDERED that for the reasons above stated, the action of the Buildings Engineer in this matter be and the same is hereby reversed; and

IT IS FURTHER ORDERED, that said Buildings Engineer be and he is

Paul Martin,
Secretary

s/ Dorem A. Trail

s/ John H. Hunt
Board of County Commissioners of
Baltimore County

N. Bldg. App. # 3204 - May 17, 1950

TRUE COPY TEST:

Paul Martin

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PAUL MARTIN.

Secretary

s/ Dorem A. Trail

s/ John H. Hunt
Board of County Commissioners of
Baltimore County

Secretary

N. Bldg. App. # 3204 - May 17, 1950

TRUE COPY TEST:

Paul Martin

MICROFILM
SYSTEMS 3M

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1098

District.....
Posted for.....
Petitioner.....
Location of Property.....
Location of Signs.....
Remarks.....
Posted by.....

Date of Posting.....

Date of return.....

CERTIFICATE OF PUBLICATION

TOWSON, MD.....
THIS IS TO CERTIFY, That the annexed advertisement was published in THE UNION NEWS, a weekly newspaper printed and published in Towson, Baltimore County, Md. once in each successive weeks before the..... day of..... 19.. day of..... 19.. day of..... 19.. appearing on the..... day of..... 19..

THE UNION NEWS
W. T. Tinsack, Jr.
Manager.

STATE OF MARYLAND
COUNTY OF BALTIMORE
I, the undersigned, Clerk of the Circuit Court for Baltimore County, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office.

September 20, 1947

\$18.00

RECEIVED of H. Anthony Mueller, attorney for James A. Mueller, et al, petitioner, the sum of Eighteen (\$18.00) Dollars, being cost of petition for reclassification, advertising and posting of property, northeast corner of Loch Haven Boulevard and Yakoma Road, 9th District of Baltimore County.

Zoning Commissioner

Hearings:
Tuesday, Nov. 9, 1947
at 11:00 o'clock a.m.

PAID

