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Petition for Zoning Re-Classification

MAP #15-B

To The Zoning Commissioner of Baltimore County:—

I, or we, Mertice Y. Taylor, his wife, legal owner of the property situate in the Fifteenth Election District of Baltimore Co. St. of Maryland and described as follows to wit:

Beginning for the same at the corner formed by the intersection of the southwest side of the Back River Neck Road with the southeast side of Howard Avenue and running thence and binding on the southwest side of the Back River Neck Road South 25 degrees East 117 feet to the corner formed by the intersection of the southwest side of the Back River Neck road with the northwest side of Schenning Road, thence binding on the northwest side of said Schenning Road South 76 degrees West 125 feet to the northeast side of a 20 foot Alley, thence binding on the northeast side of said Alley, the three following lines viz: North 54 degrees West 58 feet, northerly by a line curving toward the right having a radius of 107 a distance of 54 feet and North 25 degrees West, running parallel with and distant 150 feet southwesterly measured at right angles from the southwest side of Back Rover Neck Rd., 332 feet to the southeast side of Howard Ave. N. 24°E.154' thereby 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 "B" Commercial zone. to beg.

Reason 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 set backs of building from street lines: front ____ feet; side ____ feet.

Property to be posted as prescribed 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.

Henry A. Taylor
Mertice Y. Taylor
Legal Owner
Address White Marsh, Md.

Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 18th day of March, 1948, 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 hereon be had in the office of the Zoning Commissioner of Baltimore County, in the Reckord Bldg., in Towson, Baltimore County, on the 5th day of April, 1948, at 10:00 o'clock A. M.

Zoning Commissioner of Baltimore County

(over)

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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 be had.

It Is Ordered by the Zoning Commissioner of Baltimore County this ____ day of ____ 19____, that the above described property or area should be and the same is hereby reclassified, from and after the date of this Order, from a ____ zone to a ____ zone.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of the proposed location, being in a residential area, the granting of which would cause congestion in the roads and streets and create a traffic hazard and be "spot zoning" the above re-classification should NOT be had.

It Is Ordered by the Zoning Commissioner of Baltimore County, this 28th day of April, 1948, 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 a "A" Residence zone.

Chas H Doing
Zoning Commissioner of Baltimore County

Upon hearing on appeal on May 27, 1948, from the Order of the Zoning Commissioner of Baltimore County, passed on the 28th day of April, 1948, denying the petition for reclassification, in the above matter, from an "A" Residence Zone to an "B" Commercial Zone and it appearing from the facts and evidence adduced at the appeal hearing that the petition should have been granted due to the fact that the granting of the same would not adversely affect adjoining or adjacent property, there being no valid reason from the standpoint of public safety, morals and health for the refusal of said petition, nor any evidence that it would cause congestion in the roads or create a traffic hazard, there being ample parking facilities provided, therefore:

It is this 2nd day of June, 1948, ORDERED by the Board of Zoning Appeals of Baltimore County that the above Order of the Zoning Commissioner in denying the petition should be reversed; and it is further ORDERED by this Board that the property mentioned in the aforesaid petition be and the same is hereby reclassified, from and after the date of this Order, from an "A" Residence Zone to an "B" Commercial Zone, subject to such setbacks and other requirements prescribed by the Zoning Regulations of Baltimore County.

Thomas A. Boone
William A. Jepko
Carl L. Fischer
Board of Zoning Appeals of Baltimore County

Approved ____

Date 6/3/48

Approved: County Commissioners of Baltimore County
By Christian H. Kahl
President.

RECD MAY 6 1948

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May 6, 1948

Mr. Charles H. Doing
Zoning Commissioner
Reckord Building
Towson 4, Maryland

Re: Petition for Reclassification from "A" Residence Zone to "B" Commercial Zone - S.W.S. Back River Neck Road and S.S.S. Howard Ave., 15th Dist. Henry A. Taylor, and wife, Petitioners

Dear Mr. Doing:

You will please enter an appeal from your order passed in the above entitled case denying the Petition for Reclassification, to the Board of Zoning Appeals of Baltimore County.

Attorney for Henry A. Taylor and Mertice Y. Taylor, his wife.

PETITION FOR ZONING RECLASSIFICATION #1178

Location - S.W.S. Back River Neck Road & S.S.S. Howard Avenue, 15th Dist.

Owners - Henry A. Taylor, Mertie Y. Taylor

Present Zoning - "A" residence — Proposed Zoning - "B" Commercial

Date Received - March 24, 1948 — Date of Hearing - April 27, 1948

This property is in an area that is very sparsely developed, and there is no present need for a shopping center. Therefore, it is obvious that the owner desires either to operate a road-side type of business which would have to draw on the traveling public for patronage, or to dispose of small commercial lots which in turn would be developed in a haphazard manner and not in accordance with a uniform plan, both of which would be the kind of commercial development that would tend to depreciate the abutting properties for future residential development. The Back River Neck Rd. is quite narrow and carries a heavy volume of traffic especially during the spring and summer months. To operate efficiently, it would not be spotted with scattered road-side type of businesses which tend to cause a traffic problem where automobiles are frequently entering and leaving the main traffic.

In view of the above, we feel that this reclassification should not be granted.

Malcolm H. Gill, Director
Baltimore County Planning Commission

cc: Charles H. Doing
Christian H. Kahl
Nathan L. Smith
William W. Lechner

May 7, 1948

$22.00

RECEIVED of Lawrence E. Ensor, Attorney for Henry A. Taylor, and wife, petitioners, 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 in denying the petition for reclassification of property on southwest side of Back River Neck Road, 15th District of Baltimore County.

Zoning Commissioner

PAID

March 18, 1948

$23.00
$22.00

RECEIVED of Lawrence E. Ensor, Counsel, for Henry A. Taylor, and wife, petitioners, the sum of Twenty Three ($23.00) Dollars, being cost of petition for reclassification, advertising and posting of property, Back River Neck Road, 15th District of Baltimore County.

Zoning Commissioner

Hearing:
Monday, April 5, 1948
at 10:00 a.m.

PAID
MAR 18 1948
COUNTY COMMISSIONERS OF BALTIMORE COUNTY

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1178

Date of Posting: Mar 26/48

District: 15
Posted for: Commercial
Petitioner: Henry A. Taylor + wife
Location of property: southwest corner of Back River Neck Road + Howard Ave
Location of Signs: southwest side of Back River Neck Road 100 + 200 feet southeast of Howard Ave
Remarks:
Posted by: Harry E. Bartsche (Signature)
Date of return: Mar 26/48

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1178

Date of Posting: Mar 25/48

District: 15
Posted for: Commercial
Petitioner: Henry A. Taylor + wife
Location of property: Back River Neck Road + Howard Ave
Location of Signs: on the southwest of Back River Neck Road 100 and 200 south of Howard Ave
Remarks:
Posted by: Harry E. Bartsche (Signature)
Date of return: Mar 25/48

NOTICE OF ZONING RECLASSIFICATION—15TH DIST.

Pursuant to petition filed with the Zoning Commissioner of Baltimore county for change or reclassification from the "A" Residence Zone, to the "B" Commercial Zone of the property hereinafter described, the Zoning Commissioner of Baltimore County, by authority of the Zoning Law of Baltimore County, will hold a public hearing at the Zoning office, in the Reckord Building, Towson, Baltimore County, Maryland.

On Monday, April 5, 1948 at 10:00 o'clock A. M.

to determine whether or not the following combined and unwatched property should be changed or reclassified as shown for Approved Commercial Use, to wit:

All that piece of land situate in the 15th District of Baltimore County, described as follows:

Beginning for the same at the corner formed by the intersection of the southwest side of the Back River Neck Road with the southeast side of Howard Ave and running thence and binding on the southwest side of Back River Neck Road S 25° E 117' to the corner formed by the intersection of the southwest side of the Back River Neck Road with the northwest side of Schenning Road, thence binding on the northwest side of said Schenning Road S 76° W 125' to the northeast side of a 20' foot Alley, thence binding on the northeast side of said Alley the three following lines viz: N 54° W 58' northerly by a line curving toward the right having a radius of 107' a distance of 54' and N 25° West, running parallel and distant 150' southwesterly measured at right angles from the southwest side of Back River Neck Road 332' to the southeast side of Howard Ave. and thence on said avenue S 24° W 154' to the beginning.

By Order of
CHAS. H. DOING,
Zoning Commissioner
of Baltimore County

Mar. 16-24

RECD MAR 29 1948

1178

CERTIFICATE OF PUBLICATION

TOWSON, MD., March 29, 1948

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 of two successive weeks before the 5th day of April, 1948, the first publication appearing on the 25th day of March 1948.

The UNION NEWS
W. Lemuel Ryan
Manager.