

Petition for Zoning Re-Classification #1233

To The Zoning Commissioner of Baltimore County--

Whereas, the property of the American Legion Post No. 109, located at the south side of Francis Avenue, 13th District, Baltimore County, Maryland, is presently zoned "A-1" Residential, and the same is hereby reclassified, from and after the date of this Order, from a "A-1" Residence zone to a "C-1" Commercial zone.

Whereas, the zoning status of the above described property is reclassified, pursuant to the Zoning Law of Baltimore County, from an "A-1" Residential zone to a "C-1" Commercial zone.

Reason for Re-Classification: The property is being used for commercial purposes, and the American Legion Post No. 109, is being used for commercial purposes.

Character of use for which above property is to be used: The property is being used for commercial purposes, and the American Legion Post No. 109, is being used for commercial purposes.

Size and layout of building: front 100 feet, depth 100 feet, height 10 feet. Front and side set backs of building from street lines: front 100 feet, side 10 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.

Legal Owner

Address

ORDERED: By The Zoning Commissioner of Baltimore County, this 12th day of June, 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 herein be had in the office of the Zoning Commissioner of Baltimore County, in the Richard Bldg., in Towson, Baltimore County, on the 22nd day of June, 1948, at 10:00 o'clock, P. M.

Zoning Commissioner of Baltimore County

(over)

June 2, 1948

\$21.00 ✓

RECEIVED of August S. Miller, Post Commander of American Legion No. 109, the sum of Twenty One (\$21.00) Dollars being cost of petition for reclassification, advertising and posting of property on south side of Francis Ave., 13th District of Baltimore County.

Zoning Commissioner



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 12th day of June, 1948, 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 "A-1" Residence zone to a "C-1" Commercial 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 location, being in a residential area, the granting of which would be "spot zoning", the above re-classification should NOT be had.

It is Ordered by the Zoning Commissioner of Baltimore County, this 12th day of June, 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-1" Residence zone.

Zoning Commissioner of Baltimore County

ORIGINAL IN COURT

6/29/49
WHD

Approved _____
County Commissioners of Baltimore County

Date _____ By _____ President

June 3, 1949

\$8.00 ✓

RECEIVED of Harold M. Vioke, Esquire, the sum of Two (\$2.00) Dollars, being cost of certificate of petition for reclassification of property 350 feet west of Mineral Avenue on the south side of Francis Avenue, 13th District of Baltimore County, Dewey Loman Post 109 American Legion.

Zoning Commissioner



PETITION FOR RECLASSIFICATION #1233

LOCATION - South side of Francis Avenue 350 feet west of Mineral Avenue. Halthorpe 13th Dist.
PRESENT ZONING - "A" Residence PROPOSED ZONING - "C" Commercial
RECOMMENDATION REQUESTED - June 31, 1948 DATE OF EXPI. - July 6, 1948

It seems that the intended use for which this reclassification is requested could be interpreted as a private club and as such could be allowed in a residential zone by issuance of a special permit. It can hardly be said that the use in question is more commercial in nature than any of the other uses now allowed under Section XIII, paragraph A of the zoning regulations.

It would be undesirable to reclassify this tract of land for unrestricted commercial use. There is nothing in its location to recommend it for neighborhood shopping. Such use would be possible hereafter, however, if reclassification were granted. There seems to be nothing inherent in the location that would make it undesirable for the intended use. The building will be approximately 240' from the nearest dwelling and will be partially screened from the road and present development by the existing wooded area. Adequate off-street parking area, however, should be provided adjacent to the proposed building.

Malcolm H. Hill, Director
Baltimore County Planning Commission

cc: Charles H. Deing
Nathan L. Smith
Christian H. Kuhl
William W. Hericor

JAMES S. HOLLEY et al
vs
DEWEY LOMAN POST NO. 109
AMERICAN LEGION, INC., et al
* IN THE CIRCUIT COURT
* FOR
* BALTIMORE COUNTY
* (IN EQUITY)
* Docket 51, fol. 63, (No. 30434)

Mr. Clerk:

Please issue Subpoena Duces Tecum for
Charles H. Deing
Zoning Commissioner of Baltimore County
Towson, Maryland

to appear and bring with him the following:
All correspondence, records or any other data contained in your file pertaining to the application for reclassification of the property of the Dewey Loman Post No. 109, American Legion, Inc. located at Francis and Mineral Avenues, Halthorpe, Maryland from an "A" Zone to "C" Zone and denial of the same, to testify for the plaintiff, and make same returnable Wednesday, the 29th of June, 1949, at 10:00 o'clock A. M.

Solicitor for Complainants

ORIGINAL IN COURT

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1233

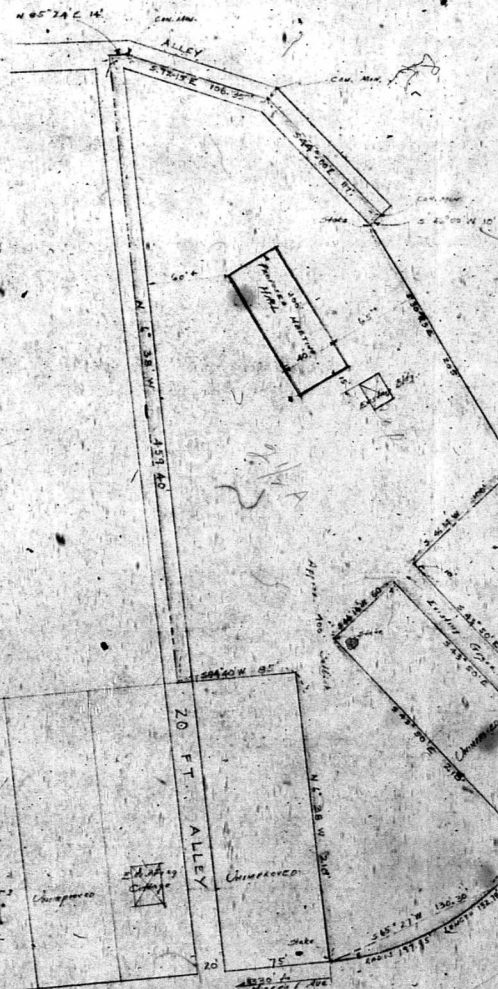
District: 13
Posted for: Commercial
Petitioner: August S. Miller
Location of property: South side of Francis Ave
173 feet west of Mineral Ave
Location of signs: 2 south side of Francis Ave
223 + 273 feet west of Mineral Ave
Remarks: Hany G. Fortside
Posted by: Hany G. Fortside Date of return: June 15/48

RECEIVED JUN 21 1948

CERTIFICATE OF PUBLICATION

TOWSON, MD. June 21, 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 successive weeks before the 22nd day of June, 1948, the first publication appearing on the 11th day of June, 1948.

The UNION NEWS
Manager



FRANCIS

MIDWAY

OUTLAND EASE

UNIMPROVED

UNIMPROVED

PLOT PLAN FOR
DEWEY LOMAN POST 109 - AMERICAN LEGION
HALTHORPE, MARYLAND SCALE 1" = 50'

Erection of a meeting hall in a place to hold the functions of the American Legion Post

J. J. Jones