## REED DEC 9 1948

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POR BALLYDRONG COUR

TO THE HOMORABLE, THE JUDGE OF SAID COUNTY

The petition and appeal of Edward M. Benesch et al respectfully shows unto your Honors

FIRST: That on November 12, 1948, the Board of Toning Appeals for Baltimore County passed an order reclassifying property owned by E. Marie Horam from on "A" Residence Eque to an "E" Compercial Zone.

AMEGINE: That the property described in said order is situate on the northeasterly tife of the initeration had 50 fest outbeast of Rock's Lose in the Jrd Election District of Baltimer Souncy and that your politioners are the source of property adjacent to or in the insendate vicinity of said property. Your politioners therefore are that they would be adversely affected by conserval use of the Borna property and are therefore aggreered by the said action of the Bornal of Sounce grounds.

MILES That the aforesaid order of the board of Joning Appeals should be rowered, set anide and smalled by this boorable Gourt on the ground that the said order is Illegal, and is arbitrary and constitutes an abuse of administrative discretion in that the ordence offered before the Board of Joning Appeals shows conclusively that the reclassification of the property in question would constitute fatty senior, would tend to create a serious traffic heard and would otherwise afteresty affect the health, safely ani general welfare of the community and of your putilioners.

> OPINION OF THE BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

This is an appeal from the refusel of the Zoning Commissioner of Baltimore County to reclassify a tract of laund on the northeast side of Reisterstown Road, near Rooks Lane, from an "A" Residence Wome to an "E" Commercial Zone.

The lot in question immediately sijoins an existing commercial zone so that this reclassification will extend an existing commercial zone a short distance, in addition the opposite side of Heisterstown Hood is zoned commercial. It appears that all of the commercial zone now existing at this losetion is before utilized for commercial way.

The lot in question is large enough to make off the highway parking available so that no traffic hazard wisht be anticipated.

This location is directly on the Relateratown Road which is one of the main highways out of Saltimore City and since it is in a neighborhood already largely devoted to commercial purposes and is merely an extension of an existing commercial some we are of the opinion that the petitioner's request is fair and reasonable and that the granting of the petition will not in any manner adversely affect the neighborhood or the petition of the petition will not in any manner adversely affect the neighborhood or the petition of the petition will not in any manner adversely affect the neighborhood or the petition of the petition will not in any manner adversely affect the neighborhood or the petition of the petition of

For these reasons the application should be granted and we will sign an Order accordingly.

Millian

are for Board of Zoning Appeals

WHEREFORE YOUR PETITIONERS PRAY:

 Then a brit of Certiforari he issued by this Hemorable Court directed to the heart of feating appeals for Rallitance County and prescribing the time within which a return thereto must be made and served upon relator's attorney.

 That this Monorable Court reverse, set aside and anual and declare void and of me offset the order of the Board of Joning Appeals for Baltimore County dated November 12, 1948.

3. That the board of foning Appeals for Baltimore County be required to return to this Bourania Court the original papers acted ques by it or extificed or sewn optics thereof and that such return shall consistely set forth such other facts as may be pertinent or material to show the grounds of the order appealed from, togother with a transcript of the testimory taken at the hearing in this matter before and Board.

And for such other and further relief as your petitioners may require.

Solicitor for Petitioners

STATE OF MARTLAND, COUST OF BALTIMORE, TO WIT:

And as in duty bound. . c.

I REMNY CENTUT that on this 9 th day of Desember, 1946, before us, the subscriber, a biskay Phallic of the State of Naryland, county of Baltimors, adversandly prepared NAMADE N. RENGED, one of the petitioners in the foregoing petition, and made oath in due form of law that the matters and fasts set Jorth Marsin are true and correct to the best of his knowledge, information and build.

AS WITHESS my hand and Notarial Seal.

Notary Public

RECD AUG 5 1948

IN THE MACTER OF S INCHES STATEMENT S INCHES STATEMENT S CONTROL OF S INCHES STATEMENT S CONTROL OF S INCHES S

CHURR FOR APPEAL

MR. CONGRESSIONER:

Flease enter an Appeal to the Board of Zining Appeals for Baltimore Jonaty in the matter of the Order of the Zoning Ornalistoner of Baltimore Jonaty, Maryland, passed in the above captioned come on July 27, 1940, and transmit all papers and records incident thereto to said Jones of

Smaller Discourse

V. O. KHIB

IN THE CIRCUIT COUNT

INVALUE N. DESCRIPT

AUXILY OF OTHERS

AUXILY OF OTHERS

ILLIANS OF HEREMY

SAMUEL H. HOOVER RANGE A. DINGLE and WILLIAM A. SAFF Constituting the BOARD OF MONING AFFRALS FOR BALFIMORE COUNTY

FOR PALTIMORE COUNTY

ORDAR

Upon the foregoing petition and a real and affidavit it is this far of December, 1948, by the Circuit Court for Maltimore County,

OUTFRD that a trit of Certiorari be insued directed to the Board of foning Appeals for Baltimore County to reverse the decision and order of said Nourd of Smine Appeals for Baltimore County dated Seymber 12, 1908, and that a return thereto must be made and nerved upon relator's attorney within ten dates from the date of this order.

PURCON CONSUME that the Board of Sening Appeals for shittners County be and it hereby is required to return to this Court the original papers acted upon by it, or certified or seem copies thereof, anithe return shall conclusely set forth such other feats as may be pertinent and material to show the grounds of the decision and order ampealed from, together with a transcript of testimony taken at the hearing in this matter before said board and content of challes filled therewith.

Judge

Petition for Zoning Re-Classification

fereby petition that the roway status of the above described property be re-classified, pursuant to the Zenlag Liu of Baltimore County, from an  $\frac{1}{2}\frac{1}{4}$  none to an  $\frac{1}{2}\frac{1}{4}$  none for the Classification .

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

I) or uv, agree to pay expenses of above re-dissification, advertising, posting, etc., upon filling of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of the property of the Versel Lord College County soluted appropriate the Versel Lord College County solution and restrictions of the Versel Lord College County solution and restrictions of the Versel Lord College County solution and the Versel Lord College County solution and restrictions of the Versel Lord County solution and the Versel County solution and the Vers

E.Marie Eoran.

Address 1729 Reisterstown Road, Pikesville S, Maryland.

Zening Commissioner of Bultimore Count

(over)

MIR HUSSION

RE; PETITION FOR RECLASSIFICATION FROM AH "A" RESIDENCE ZONE TO AN "E" COMERCIAL ZONE - N. H. SIDE REIS-TENSTOWN ROAD, 500' S. E. HOCKS LANE, E. MARTE HORAN, PETITIONER

The above cuttiled appeal having come on for hearing before the Board of Zoning Appeals of Baitizore County from an Order of the Zoning Commissionr, dated July 27, 1048, denying the petition for reclassification from an "A" Mesidence June to an "B" Commercial Zone, testinony having been taken before the Board and the respective parties or their counsel hered, therefore;

It is thereupon this 18th day of November, 1946, by the Beard of Zening Appeals of Smitimere County OMDERED that the Order of the Tooling Commissioner be and the same is reversed, and, it is further CHOREND that the property is hereby reclassified from an "A" Horidence Zone to an "E" Commercial Long.

Samuel Hoore
Sallram a Angle
Carle 1.

Approved: County Commissioners Board of Zoning Appeals of Baltimore County of Baltimore County By Kirclam Man

Date: Nov. 12 1848

Personal to the advertisement, affing all property, and spatial basifies on the advertisement of the species of

Zonfa Sanissopher of Watsinfere Churty

Furmant to the advertisement, posting of property and public hearing on the above retition and it appearing by reason ofthe fact that a commercial trace of 100 feet frontage on each adde of the Meisterscom Hond, south of Honds Lone, making a total of the Meisterscom Hond, south of Honds Lone, making a total of adding used reproduce, he have a stabilished, little of which is commercial area at this location. The extended of the existing commercial area at this location, the extended of the existing commercial area at this location. The extended of the existing recommercial area at the commercial would be an unservated invadion of recommercial control of the extended to the extended to the surrecommercial control of the extended to the extended to the surrecommercial control of the extended to the extended to the surrecommercial control of the extended to the extended to the surrecommercial control of the extended to t

Edition Commissioner of Baltimore County.

Ounty Commissioners of Baltimore County

By\_\_\_\_\_Presid

Date.....

George Cump, Esquire, 1508 First Rational Bank Blds ; Baltimore - 2, Md.

Dec. 16, 1948

Councy Commissioners of Baltimore County, 5 Zoning Department of Baltimore County, Reckord Duilding, Tesson - 4, Ma.

Certified copies of papers to be filed in the matter of appeal for reclassification of property on the northeest side of Reinterstown Road, 500° 3. Rooks Lang, 3rd District

June 24, 1948

RECEIVED of H. Marie Horan, the sum of Twenty One (\$21.00) Dollars, being cost of petition for reclassifieation, advertising and posting of property, Northeeat side of Relateratown Road, at Hooks Lane, 3rd District of Beltimore County,

Zening Commissioner

Hearings Monday, July 12, 1948 at 20:00 a.m.



August 5, 1948

RECEIVED of Smalkin & Hessian, attorneys for E. Marie Horan, the sum of Twenty Two (\$22.00) Dollars. being cost of appeal to the Board of Zoning Appeals of Baltimore County from the order of the Zoning Commissioner in dunying petition for reclassification of property on the northeast side of Reisterstown Road, 550' southeast of Hooks Lane, 3rd District of Baltimore County.

Zoning Commissioner.

PAID AUG 5 - 1948 COUNTY COMMISSIONERS OF BALTIMORE COUNTY

\$8.20 V

December 31, 1948

RECEIVED of George Gump, Attorney, the sum of Six Dollars and Twenty Cents(\$6.20), cost of certified copies of papers in the ratter of petition for reclassification of property on northeast side Relateratorn Road, E. Marie Boran, Petitioner.

Zoning Commissioner

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

1243

pend for 6 Marie Horan.

Brillians & Marie Horan.

Brillians of pend for southeast of Reisterstown Road

South feet southeast of Horofo Lane.

Bouten wortheast side of Reisterstown Road

625 4 725 feet southeast of Horofo Lane.

Hemarks: Harry & Hartside July 2/48

NO PLAT IN THIS FOLDER