

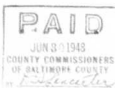
\$21.00

June 30, 1948

RECEIVED of Harold E. Roberts, and wife, the sum of Twenty One (\$21.00) Dollars, being cost of petition for reclassification, advertising and posting of property, Northwest corner of York and Padonia Roads, 8th District of Baltimore County.

Zoning Commissioner

Hearings
Tuesday, July 20, 1948
at 11:00 a.m.



Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County —

Know we, Harold E. Roberts & Mary V. Roberts, legal owners, of the property situated at the northwest corner of York and Padonia Roads and described as follows, to wit:

BEGINNING for the same at the intersection of the northerly line of Padonia Road and the westermost line of the York Road and running thence northerly along the west side of the York Road 254 ft., 9 inches to the line of division between Lots 11 and 12 on the plat of the property of H. H. Hunsley (Plat Book No. 4, Folio 155) thence at right angles to the York Road and following the aforementioned line of division 211.50 feet to the rear lot line of Lot No. 12, thence at right angles to the last mentioned course and following the rear lot line of Lots 12 and 13 143 ft. to the northermost side of Padonia Road and thence thence blinding along the northermost side of Padonia Road 232.92 feet to the place of beginning.
Being Lots No. 12 and No. 13 on the aforementioned plat.

herby 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 "E" Commercial zone.

Reasons for Re-Classification: Extension of an existing "E" Commercial Zone.

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

We do, 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.

Harold E. Roberts
Mary V. Roberts
Legal Owner

Address: Timonium, Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 20th 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 Rockford Bldg. in Towson, Baltimore County on the 20th day of July 1948, at 11:00 o'clock A.M.

Zoning Commissioner of Baltimore County

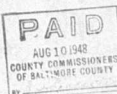
(over)

August 9, 1948

\$22.00

RECEIVED of Harold E. Roberts and wife, 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 from an "A" Residence Zone to an "E" Commercial Zone of the property at the northwest corner of York and Padonia Roads, 8th District of Baltimore County.

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 above reclassification should be had.
It is Ordered by the Zoning Commissioner of Baltimore County this.....day of..... 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..... to.....

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 not being an extension of an existing commercial zone and no public or community need being shown for additional commercial area at this location, the reclassification of the subject lot would be an unwarranted invasion of a residential area, therefore, the above reclassification should NOT be had.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 21st day of July, 1948, that the above petition be and the same is hereby denied and that the above property or area be and the same is hereby continued as and to remain an "A" Residence Zone.

Blair H. Downing
Zoning Commissioner
of Baltimore County.

Approved..... County Commissioners of Baltimore County

Date..... By..... President

REC'D JUL 12 1948

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 9/48

THIS IS TO CERTIFY That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. on..... day of..... 1948, the first publication appearing on the..... day of..... 1948.

THE JEFFERSONIAN,

Manager

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1248

District.....8..... Date of Posting July 2/48
Posted for..... Commercial
Petitioner..... Harold E. Roberts & wife
Location of property..... Northwest corner of York and Padonia Roads
Location of signs..... signs on west side of York Road 88 and 100 feet north of Padonia Road
Remarks.....
Posted by..... Harry C. Hartshide..... Date of return July 2/48

1248
MAP
#8-B

RE: PETITION FOR RECLASSIFICATION FROM
AN "A" RESIDENCE ZONE TO AN "E"
COMMERCIAL ZONE - W. W. OUR YORK
AND PADONIA ROADS, Eighth District of
Baltimore County, Harold E. Roberts
and Mary V. Roberts, Petitioners

The above entitled appeal having come on for
hearing before the Board of Zoning Appeals of Baltimore
County from an Order of the Zoning Commissioner, dated
July 27, 1948, denying the petition for reclassification
from an "A" Residence Zone to an "E" Commercial Zone,
testimony having been taken before the Board and the
respective parties or their counsel heard, therefore:

It is this 24th day of January, 1949, by
the Board of Zoning Appeals of Baltimore County ORDERED
that the Order of the Zoning Commissioner be and the same
is reversed, and, it is further ORDERED that the property
is hereby reclassified from an "A" Residence Zone to an
"E" Commercial Zone, subject, to the provision of at least
two and one-half square feet of off-street parking area
for each one square foot of land to be covered by commercial buildings.

Samuel H. Brown
Earle F. Rugh
Board of Zoning Appeals
of Baltimore County.

Approved:
County Commissioners
of Baltimore County

By *Charles H. Hall*
President

Date: 1/24/49

OPINION OF THE BOARD OF ZONING APPEALS
OF BALTIMORE COUNTY

This appeal was heard on August 26, 1948, being an
appeal from the Order of the Zoning Commissioner denying the
petition to reclassify certain property in the Eighth District of Baltimore County from an "A" Residence Zone to an
"E" Commercial Zone. The parcel of ground in question is
located on the York Road at the northwest corner of York and
Padonia Roads, described as follows:

Beginning for the same at the intersection of the
northerly line of Padonia Road and the western-
most line of the York Road and running thence
northerly along the west side of York Road 254
feet 9 inches to the line of division between
lots Nos. 11 and 12 on the plat of the property
of R. B. Bussey (Plat Book No. 4, folio 185)
thence at right angles to the York Road and
following the aforementioned line of division
211.60 feet to the rear lot line of lot No. 12,
thence at right angles to the last mentioned
course and follow the rear lot lines of Lots
Nos. 14 and 15 145 feet to the northernmost side
of Padonia Road and thence binding along the
northernmost side of Padonia Road 230.25 feet to
beginning.

This Board has carefully weighed all the testimony
in the case; has heard counsel for both the petitioners and
the protestants and has given careful study and considera-
tion to brief submitted by counsel for both sides. In
addition the members of this Board are and have been for
years very familiar with the area in question. The property
is directly opposite a gasoline station that is located at
the southwest corner of York and Padonia Roads. The location
of this gasoline station was originally a nonconforming use
but when Zoning Regulations were adopted by this County
zoning officials saw fit to zone commercially the area on
the York Road south of Padonia Road for a distance of 400
feet. This was undoubtedly prompted by the fact that at

time there was another nonconforming use approximately
400 feet south, a grocery store having been operated
on the latter premises. There is also the fact that on
the opposite or east side of the York Road about 400 feet
north there is another nonconforming use, i.e. another
gasoline station; adjoining which is a small tourist home.
Therefore, the area immediately adjoining this property on
the south, separated only by the Padonia Road is zoned com-
mercially for a distance of 400 feet. On the north side
opposite York Road is a nonconforming use.

The petitioners have indicated that the property is
to be used for a drug store and beauty parlor. It is a fact
that there is not a drug store or beauty parlor in the
immediate area; the nearest drug stores being located at
Cockeysville and Towson. There could, therefore, be a
community need for such establishments, many of the wit-
nesses for the petitioners feel that such is the case.

The Board, therefore, finds as follows:

1. That there is a community need for this commercial
classification for the purposes described in the
testimony.
2. That this cannot be considered "spot zoning" in
an exclusive residential area because of the
adjoining commercial area and the nonconforming
uses described above.
3. That the reclassification of this property will
not create congestion in the roads or streets
and will not increase the hazard of danger from
traffic.
4. That neither the health, safety, morals or general
welfare of the community will be adversely affected
by the reclassification petitioned for.
5. That the reclassification of this property to an
"E" Commercial Zone will not cause any increase
in hazard from fire, panic or other dangers nor
will it interfere with traffic transportation
and other public requirements.

6. That there has been no substantial showing that
the petitioners are not entitled to the lower
classification petitioned for.

The Board, therefore, after full consideration of
all testimony and other data submitted, as well as arguments
of counsel for petitioners and protestants and after having
given full and adequate opportunity for the submission of
all pertinent testimony by any interested parties, is of the
opinion that the petition should be granted. The Board will
sign an Order in accordance with this opinion.

Samuel H. Brown
Earle F. Rugh
Board of Zoning Appeals
of Baltimore County.

#1248
MAP
#8-B

179.
175.
154



PROPERTY OF H. E. ROBERTS
LOTS #12 & 13 ON PLAT OF R. H. BUSSEY
PLAT BOOK # 4 F 155

Survey
by
H. E. Roberts
1900