

#1262
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HUBERT H. HARKER and
ELIZABETH H. HARKER, his wife : IN THE CIRCUIT COURT FOR
VS :
BOARD OF ZONING APPEALS : BALTIMORE COUNTY.
FOR BALTIMORE COUNTY. :

A hearing having been had in the above entitled case, the record having been read and considered and counsel for the respective parties having been heard, it is by the Circuit Court for Baltimore County ordered that the appeal in this case be and it is hereby dismissed and the order of the said Zoning Board of Appeals for Baltimore County, be and it is hereby affirmed.

J. Howard Murray March 9, 1950.
Judge

True Copy Test
J. Howard Murray
Clerk.

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RE: PETITION FOR RECLASSIFICATION FROM
AN "A" RESIDENCE ZONE TO AN "E"
COMMERCIAL ZONE - W. E. Cor.
LIBERTY & McDONOGH ROADS,
HUBERT H. HARKER, AND WIFE,
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 of Baltimore County, dated August 30, 1948, denying the petition for reclassification from an "A" Residence Zone to an "E" Commercial Zone and Special Permit to use said property for Gasoline Service Station, testimony having been taken before the Board and the respective parties or their counsel heard, therefore:

It is thereupon this 10th day of November, 1948 ORDERED by the Board of Zoning Appeals of Baltimore County that the Order of the Zoning Commissioner in denying the petition for reclassification, from an "A" Residence Zone to an "E" Commercial Zone and Special Permit for Gasoline Service Station, be and the same is hereby sustained.

Samuel Johnson
William A. Goff
Carle F. ...
Board of Zoning Appeals
of Baltimore County.

Approved: County Commissioners
of Baltimore County

By _____
President

Date: _____

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OPINION OF THE BOARD OF ZONING APPEALS
OF BALTIMORE COUNTY

This is an appeal from the refusal of the Zoning Commissioner to reclassify a small lot of ground at the northeast corner of Liberty and McDonogh Roads for commercial use and his refusal to grant a special permit for a gasoline service station thereon.

The existing commercial area in this community is located to the west side of McDonogh Road where a large triangular lot of ground between Liberty Road, McDonogh Road and Church Road has been zoned commercial and a considerable portion thereof is still available for commercial purposes. In addition the northerly side of Church Road is available for commercial use and has not yet been utilized for this purpose. We think it would be a mistake to extend the commercial area in Handeltown across McDonogh Road into that fine residential section known as Fieldstone and the granting of this reclassification would naturally start a movement to increase this commercialization so that it might eventually extend along Liberty Road to the great detriment to the very fine residences which are now at this location. It being our view that this property should not be reclassified to an "E" Commercial Zone obviously the question of the granting of a special permit for gasoline service station becomes unimportant and it is unnecessary for us to pass on this phase of the matter at this time. For these reasons we will sign an Order denying the petition for reclassification.

Samuel Johnson
William A. Goff
Carle F. ...
Board of Zoning Appeals
of Baltimore County.

RWD SEP 2 1949

Mr. Charles H. Doling
Zoning Commissioner
Township 4, Maryland

Re: Petition for reclassification
from "A" Residence Zone to
an "E" Commercial Zone -
W. E. cor. Liberty and McDonogh
Roads, Hubert H. Harker
and wife, petitioners

Mr. Commissioners:

You will please enter an appeal to the Board of Zoning Appeals of Baltimore County from your decision of August 30, 1948 denying the petition filed by Hubert H. Harker and wife in the above case and forward the papers to the Board of Zoning Appeals of Baltimore County.

Michael Paul Smith
Attorney for Petitioners

Dated this 2nd day of September, 1949.

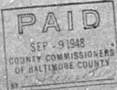
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September 9, 1948

\$22.00

RECEIVED of Hubert H. Harker, 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 at northeast corner of Liberty and McDonogh Roads, 2nd District of Baltimore County.

Zoning Commissioner



#1262

December 31, 1948

\$6.20

RECEIVED of Hubert H. Harker, et al, the sum of Six Dollars (\$6.20) and Twenty Cents, cost of certified copies of papers filed in the matter of petition for reclassification of property at the northeast corner of Liberty and McDonogh Roads, 2nd District

Zoning Commissioner



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
TOWNSHIP 4, MARYLAND

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Hubert H. Harker
 Elizabeth H. Harker
 1417 North Street
 Baltimore, Maryland
 Date of Posting: July 27/49
 Name of Petitioner: Hubert H. Harker
 Name of Attorney: Michael Paul Smith
 Name of Zoning Commissioner: Samuel Johnson
 Name of Zoning Board: Board of Zoning Appeals
 Date of Decision: August 30, 1948
 Name of Zoning Board: Board of Zoning Appeals
 Date of Appeal: July 27/49

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Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County--

J. W. ELIZABETH R. and Hubert H. HARKER owner, S of the property situate
On the North East Corner of the Liberty Road and McDonough Road,
Being on the North side of the Liberty Road, Sixty Eight feet
and nine inches (68'-9"), and siting on the East side of the
McDonough Road, One Hundred and Seventy Four Feet and Three
inches (174'-3"), known as lot #11 as on Plat No. 8 of
Fieldstone as shown on plat filed with Zoning Department.

hereby petition that the zoning status of the above described property be re-classified, pursuant to the
Zoning Law of Baltimore County, from an A zone to an B 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 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.

Elizabeth P. Harker
Hubert H. Harker
Legal Owner

Address Randallstown, Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of
July 1968, 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 Record Bldg. in Towson, Baltimore County, on the
9th day of August 1968 at 2 o'clock P. M.

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 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 location, the granting of which would cause con-
gestion 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 30th day of
August 1968, 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.

Charles Doring
Zoning Commissioner of Baltimore County

NO PLAT
IN
THIS FOLDER

Approved _____
County Commissioners of Baltimore County

Date _____ By _____
President

8/9/68
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