

MR. PETITION FOR RECLASSIFICATION FROM
AN "A" RESIDENCE ZONE TO AN "E"
COMMERCIAL ZONE - NORTHWEST CORNER
OF LINCOLN AND NORTH DAKOTA AVENUE,
JONES CREEK, 15th District of Balti-
more County, MICHAEL TRIANTAFILLOS
AND EASY TRIANTAFILLOS, PLAINTIFFS,
vs. THE BOARD OF ZONING APPEALS,
DEFENDANTS.

The appeal in the above case having come on
for hearing before this Board, testimony having been
taken, counsel for the respective parties having been
heard, and the case submitted, the entire matter having
been fully considered:

It is this 24th day of January, 1949, by the
Board of Zoning Appeals of Baltimore County, ORDERED that the
property described in the petition, located at the northwest
corner of Lincoln and North Dakota Avenues, Jones Creek, in
the 15th District of Baltimore County, be and the same is
hereby reclassified, effective with and from the date of
this Order, 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 covered by commercial buildings.

Charles M. Deane
Zoning Commissioner of Baltimore County

Approved:
County Commissioners
of Baltimore County

By *Charles M. Deane*
Date: Jan. 24, 1949

OPINION OF THE BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

The case under consideration is an appeal by pro-
testants through Herbert L. Wynne, Attorney, the protestants'
names not appearing from the appeal, to this Board from the
decision and Order of the Zoning Commissioner of Baltimore
County dated December 3, 1948, by which Order the Zoning
Commissioner decided that the property described in the
petition being situated at the northwest corner of Lincoln
and North Dakota Avenues, Jones Creek, in the Fifteenth
District of Baltimore County, fronting northerly, on the
west side of Lincoln Avenue 50 feet with a right angle depth
westerly of 160 feet and binding on the north side of North
Dakota Avenue, should be and was reclassified by the said
Commissioner 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 covered by commercial buildings.

The hearing on this appeal came before the Board
Thursday, January 6, 1949. Petitions were filed by numerous
property owners and residents living in the vicinity of the
site location, both for and against the granting of the
petition for reclassification. The testimony before the
Board shows that for a number of years the petitioners have
owned and operated on the premises a commercial business
consisting at the present time of a grocery store and package
goods liquor dispensary. Prior to the present business, the
petitioners operated a confectionery and lunch room on the
premises. This commercial operation is under the so-called
"nonconforming use".

The Board has fully considered the testimony, petitions
and arguments of counsel for both sides and finds from the
testimony and the record made before this Board the following:

1. That there is a community need for this commercial
classification for the purpose described in the testi-
mony. A substantial number of property owners and
residents testified emphatically that
there is a need for the lower classification petitioned
for;
2. That the reclassification of this property to "E"
Commercial will not create objection in the roads,
streets and alleys, will not increase the hazard of
danger from traffic, and as a matter of fact from the
testimony the Board feels certain that the change of the
commercial buildings with better facilities for
off-street parking as contemplated and testified by
the petitioners will materially improve the conditions
at present and for a long time hereafter existing at
this location as far as traffic congestion and traffic
hazards are concerned;
3. That neither the health, safety, morals and general welfare
of the community will be adversely affected by the
reclassification petitioned for;
4. 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 inter-
fere with traffic transportation and other public
requirements;
5. That there has been no substantial showing that the
petitioners are not entitled to the lower classi-
fication petitioned for; and
6. That the Zoning Commissioner in his Order correctly
and properly applied law and the circumstances and
conditions existing at this particular location, the
property on which the nonconforming use has existed for
a long time, should be reclassified from a residence
zone to "E" Commercial Zone.

The Board, therefore, after full consideration of all
testimony, petitions and other data submitted as well as
arguments of counsel for petitioners and for the 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
and that the Order of the Zoning Commissioner should be
affirmed. The Board will sign an Order in accordance with
this opinion.

Charles M. Deane
Zoning Commissioner of Baltimore County

RE: Petition for Reclassification
from an "A" Residence Zone to an
"E" Commercial Zone-N.W. corner
Lincoln and North Dakota Avenues,
15th District, Nicholas Triantafillos,
et. al. Petitioners.

Mr. Charles M. Deane, NOTICE OF APPEAL
Zoning Commissioner,
Baltimore County, Md.

Please enter a Protestants appeal from the decision of
the Zoning Commissioner, rendered December 3rd 1948, in the
above entitled matter, and forward all necessary papers, etc.
to the Board of Zoning Appeals for Baltimore County.

Attorney for Protestants.

Herbert L. Wynne

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County:-

Knows, Nicholas Triantafillos, legal owner, of the property situate

at the northwest corner of Lincoln and North Dakota Aves., "Jones
Creek, in the 15th District of Balto. Co., fronting northerly, on
the west side of Lincoln Ave., 50' with a right angle depth westerly
of 160' and binding on north side of North Dakota Ave., being
property of N. H. Triantafillos and wife, as shown on plot plan
filed with the Zoning Department

herely 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-

Reasons for Re-Classification:

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, *Nicholas Triantafillos*, 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.

Nicholas Triantafillos
Mary Triantafillos
Legal Owner

Address 2114 Lincoln Ave.
Balt. 14, Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of
February 1949, 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 Beekwood Bldg., in Towson, Baltimore County, on the

19th day of October 1948 at 2 o'clock P.M.

Charles M. Deane
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, being adjacent to existing commer-
cial areas

the above re-classification should be had.

It is Ordered by the Zoning Commissioner of Baltimore County this 2nd day of
December 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 an "A" Residence zone
to an "E" Commercial zone, subject, however, to the provision
of at least two and one-half square feet of off-street parking area
for each one square foot of land covered by commercial buildings.

Charles M. Deane
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 NOT be had.

It is Ordered by the Zoning Commissioner of Baltimore County, this 30th day of
February 1949, 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
residence zone.

Approved _____ County Commissioners of Baltimore County

Date _____ By _____ President

RECD DEC 11 1948

CERTIFICATE OF PUBLICATION

TOWSON, MD. Oct. 4/48
THIS IS TO CERTIFY That the aforesaid advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md. on the
2nd day of October 1948.
The first publication
appearing on the 1st of October
1948.

THE JEFFERSONIAN.

Cost of Advertisement: _____

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15 Commercial Date of Posting: Oct. 8/48
Posted for: *N.H. Triantafillos*
Petitioner: *N.H. Triantafillos*
Location of property: northwest corner of Lincoln & North
Dakota Ave., Jones Creek
Location of signs: northwest corner of Lincoln & North
Dakota Ave., Jones Creek
Remarks: *Harry E. Eustace*
Posted by: *Harry E. Eustace* Date of return: Oct. 8/48

\$22.00

RECEIVED of Herbert L. Wynne, Attorney,
for Protestants, 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 passed in the matter of
petition for reclassification of property at the
northwest corner of Lincoln and North Dakota Aves.,
15th District of Baltimore County.

Zoning Commissioner

PAID
DEC 21 1948
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
By *Harry E. Eustace*

October 4, 1948

\$18.00 ✓

RECEIVED of Nicholas Triantafilot, the sum of
Eighteen (\$18.00) Dollars, being cost of petition for
reclassification, advertising and posting of property
on the northwest corner of Lincoln & North Dakota
Avenues, "Jones Creek", 15th District of Baltimore County.

Zoning Commissioner

Hearings:

Monday, Oct. 18, 1948

at 2:00 P. M.



