

1424
RE: PETITION FOR RECLASSIFICATION FROM
AN "A" RESIDENCE ZONE TO AN "E"
COMMERCIAL ZONE - F. S. Sollers
Point Road, 580 ft. N. Worthington
Road, 12th District of Baltimore County
Fred. & Catherine Thomas,
Petitioners

Appeal in the above entitled matter coming on
for hearing before the Board of Zoning Appeals of Baltimore
County on the 7th day of July, 1949, from the Order of
the Zoning Commissioner of Baltimore County, dated the 9th
day of May, 1949, denying the petition for reclassification,
from an "A" Residence Zone to an "E" Commercial Zone and its
appearing from the evidence and facts adduced at the appeal
hearing that the granting of the petition would be detrimental
to the health, safety, morals and the general welfare of the
surrounding community:

It is this 20th day of July, 1949, ORDERED by
the Board of Zoning Appeals of Baltimore County that the
Order of the Zoning Commissioner of Baltimore County be
affirmed and the petition for the reclassification is hereby
denied.

John J. Oates
Earle G. Long

Board of Zoning Appeals
of Baltimore County

I Dissent from this
Order.

Joseph H. Harris
Chairman
Board of Zoning Appeals
of Baltimore County.

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County:-

THAT, Fred Thomas and Catherine Thomas, legal owner, of the property situated
on the east side of Sollers Point Road, Dundalk, in the 12th District of Baltimore
County, beginning 580' north of Worthington Road, thence northerly, on east side
of Sollers Point Road, 250' more or less, thence north 10° 15' west 15.45' perches
thence S 85° 0' East 9.11' perches to beginning, being property of Fred. Thomas
and wife, as shown on plat filed with the Zoning Department

herely petition that the zoning status of the above described property be reclassified, pursuant to the
Zoning Law of Baltimore County, from an "A" residence zone to an "E" commercial zone.

Reasons for Re-Classification:

Size and height of building: front.....feet; depth.....feet; height.....feet.
Front and side set back 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 of Baltimore County.

Fred Thomas
Catherine Thomas
Legal Owner
Address 116 Patuxent Inn Rd.
Dundalk, Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 7th day of
April 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 herein be had in the office of the Zoning
Commissioner of Baltimore County, in the Record Bldg. in Towson, Baltimore County, on the
25th day of April 1949, at 2 o'clock P. M.

Zoning Commissioner of Baltimore County

(over)

OPINION OF THE BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

This is an appeal from the Order of the Zoning
Commissioner of Baltimore County, dated May 8, 1949, deny-
ing the petition for reclassification of certain property,
described in said petition, from an "A" Residence Zone to
an "E" Commercial Zone. The case came on for hearing before
this Board, testimony was taken, counsel for the petitioner
and the petitioner being heard.

The Zoning Commissioner of Baltimore County in his
Order stated that a commercial enterprise at this location
would tend to create congestion and an intolerable traffic
hazard and endanger children on their way to and from the
Dundalk High School, which is in the immediate vicinity.
This Board, after thorough consideration of the matter, is in
agreement with the Zoning Commissioner in that to grant the
reclassification would certainly create additional traffic
congestion in an area which is congested at least to some
extent.

The Zoning Regulations of Baltimore County were
primarily promulgated to prevent conditions of this kind
arising and, therefore, the petition must be denied.

The Board, therefore, feels that the lowering of
the classification to an "E" Commercial Zone would create
congestion in the roads, streets and alleys, would materially
lessen safety from fire, panic, traffic and other dangers and
consequently would affect the health, morals and/or general
welfare of the community.

The Board, therefore, will sign an Order in
conformance with this opinion affirming the Order of May
8, 1949 of the Zoning Commissioner of Baltimore County
denying the petition for reclassification from an "A"
Residence Zone to an "E" Commercial Zone.

John J. Oates
Earle G. Long
Board of Zoning Appeals
of Baltimore County

Mr. Charles H. Deing
Zoning Commissioner
Record Building
Towson 4, Maryland

Re: PETITION FOR RECLASSIFICATION
FROM "A" RESIDENCE ZONE TO "E"
COMMERCIAL, EAST SIDE SOLLERS
POINT RD., BEGINNING 580 FEET
NORTH OF WORTHINGTON ROAD, THENCE
NORTH 10° 15' WEST 15.45' PERCHES
THENCE S 85° 0' EAST 9.11' PERCHES
TO BEGINNING
FRED THOMAS AND CATHERINE THOMAS,
PETITIONERS

Dear Commissioner Deing:

You will please enter an appeal from your order
dated May 5, 1949 in the above case and forward the papers
to the Board of Zoning Appeals of Baltimore County.

Yours very truly,

Joseph H. Harris
Attorney for Petitioners

Enclosure

RECD MAY 14 1949

PETITION FOR ZONING RECLASSIFICATION \$125.00

Location - E. Sollers Point Road, Dundalk, 12th Dist.

Owners - Fred. Thomas & wife

Present Zoning - "A" Residence

Date Received - April 11, 1949

Proposed Zoning - "E" Commercial

Date of Reply - April 27, 1949

This petition is a repeat of #1370 dated March 24, 1948. We feel that our
previous comments to you dated May 3, 1948, are still pertinent. Copy thereof
follows:

"Sollers Point Road is one of the two routes leading northerly from Turners
and Sollers Point to Eastern Avenue and Baltimore City. It now serves an
extensive residential development. At this particular point, it coincides with
the tentative route of the intercommunity circumferential highway from
Dundalk to Essex and Chase - suburban county communities. A commercial enter-
prise at this location would tend to increase the traffic hazard. The type
of business to be conducted would attract public of the new Dundalk High
School who would cross and walk along the side of the road, thereby endangering
themselves and the travelling public.

At this time there seems to be no need for additional commercial property
in this area as there is a commercial center on Merritt Avenue only a few
blocks to the north. Until there is a need for a planned commercial shopping
center in the vicinity, we feel that additional commercial spot zoning is
undesirable."

William H. Hill
William H. Hill, Director
Baltimore County Planning Commission

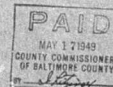
cc: Charles H. Deing
William W. MacLear

May 16, 1949

\$125.00

RECEIVED of Lawrence E. Shner, Attorney for
Fred. Thomas and Catherine Thomas, petitioners, 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 denying
the petition for reclassification of property on the
east side of Sollers Point Road, 12th District of
Baltimore County.

Zoning Commissioner



REC'D APR 18 1949

#1424

OFFICE OF ZONING PETITION FOR RECLASSIFICATION—JETH DIST.

Pursuant to petition filed with the Zoning Commission of Baltimore County for change of reclassification from an "A" Residential Zone to an "C" Commercial Zone of the property hereinafter described, the Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing at the Zoning Office, in the Rockard Building, Towson, Baltimore County, Maryland.

On Monday, April 22, 1949.

At 2 o'clock P. M., to determine whether or not the following mentioned and described property should be changed or reclassified as aforesaid for Approved Commercial Use, to wit:

All that parcel of land situate on the east side of Sellers Point Road, Dundalk, in the 12th District of Baltimore County, beginning 550 ft. south of Mornington Road, thence northerly, on east side of Sellers Point Road, 250 ft. more or less, thence north 45° 15' west 15.45 perches, thence N. 44° 0' East 8.11 perches to the beginning. Being property of Fred Thomas and wife, as shown on plat filed with the Zoning Department.

By Order of CHAS. H. DOING, Zoning Commissioner of Baltimore County.

Apr. 8-12.

CERTIFICATE OF PUBLICATION

TOWSON, MD.

April 15th, 1949

THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~in each~~ ^{2 times} ~~on~~ ^{5th-} ~~the~~ ^{day of} ~~the~~ ^{April} ~~first~~ ¹⁹⁴⁹ publication appearing on the ~~8th~~ ^{8th} day of ~~April~~ ^{April} 1949.

THE JEFFERSONIAN,
[Signature]
Manager.

Cost of Advertisement, \$.....

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

1424

District 12

Date of Posting April 15/49

Posted for: Commercial

Petitioner: Fred Thomas + wife

Location of property: east side of Sellers Point Road 580' North of Mornington Road

Location of Signs: East side of Sellers Point Road 620-720' north of Mornington Road

Remarks: Harry C. Gartside

Posted by: Harry C. Gartside

Date of return: April 15/49

April 7, 1949

RECEIVED \$21.00 ✓

Received of Fred Thomas the sum of Twenty One (\$21.00) Dollars, being cost of petition for reclassification, advertising and posting of property E. & Sellers Point Road, Dundalk, 12th District of Baltimore County.

Zoning Commissioner

Hearings:

Monday, April 25, 1949

at 2 P. M.

PAID

