

REC'D JUL 21 1949

OPINION OF THE BOARD OF ZONING APPEALS
OF BALTIMORE COUNTY

This is an appeal by Robert E. Horney, and wife, owners of the property described in the petition from an Order and decision of the Zoning Commissioner of Baltimore County dated July 11, 1949, by which Order the petition for reclassification of the property from an "A" Residence Zone to an "B" Commercial Zone, was denied.

The case came on for hearing, testimony was taken, petitions in favor of were filed and considered by the Board and counsel for the petitioner and the petitioner were heard. There were no written protests filed nor any protestants appeared before the Board against the granting of the reclassification.

The property, which is the subject of the petition, is located at the southwest corner of Middleborough and Nanticoke Roads, in Middleborough, in the Fifteenth District of Baltimore County.

The purpose for which the petitioners have in mind is for the storage of fuel oil and kerosene and the storage of oil trucks. This property has been used by the petitioners for the storage of oil tanks and trucks since 1943. If the reclassification is granted the petitioners have agreed to place the tanks underground, which would greatly improve the present condition.

The Board, therefore, finds that the lowering of the classification to an "B" Commercial Zone would not create congestion in the roads, streets and alleys, would not lessen safety from fire, panic, traffic and other dangers, would not adversely affect health, morals and/or the general welfare.

would not cause overcrowding of land, or undue concentration of population, would not interfere with adequate provisions for schools, parks, water, sewerage, transportation and other public requirements, convenience and improvements.

The Board feels that there is a community need for this commercial reclassification and that the reclassification will actually improve conditions as they exist at the present time at this location.

Samuel Horney
Carl J. P. Smith

Board of Zoning Appeals
of Baltimore County

PETITION FOR RECLASSIFICATION : BEFORE CHARLES H. DOWNS
from an "A" Residence zone : to an "B" Commercial zone
southwest corner Middleborough : and Nanticoke Roads, 15th Dist. : BALTIMORE COUNTY

Mr. Commissioner:

Please enter an appeal in the above entitled

case.

William P. Sivinski
Attorney for Petitioner

RE: PETITION FOR RECLASSIFICATION
FROM AN "A" RESIDENCE ZONE TO AN
"B" COMMERCIAL ZONE - S. W. Cor.
MIDDLEBOROUGH AND NANTICOKE ROADS,
FIFTEENTH DISTRICT OF BALTO. CO.,
ROBERT E. HORNEY, and wife,
PETITIONERS

Appeal in the above entitled matter coming on for hearing before the Board of Zoning Appeals of Baltimore County on September 1, 1949 from the order of the Zoning Commissioner of Baltimore County, dated July 11, 1949 denying the petition for reclassification of property described therein from an "A" Residence Zone to an "B" Commercial Zone and it appearing from the facts and evidence adduced at the appeal hearing that the granting of the petition would not be detrimental to the health, safety, morals and the general welfare of the community:

It is this 21st day of September, 1949, ORDERED by the Board of Zoning Appeals of Baltimore County, that the Order of the Zoning Commissioner of Baltimore County be and the same is hereby reversed and it is further ORDERED that the Zoning Commissioner grant the petition for reclassification of the property described in these proceedings from an "A" Residence Zone to an "B" Commercial Zone.

Samuel Horney
Carl J. P. Smith

Approved: Sept 9/49
County Commissioners
of Baltimore County
By Samuel Horney
Petitioner

ROBERT E. HORNEY & WIFE
Roads, 15th Dist.
Middleborough & Nanticoke

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County—
Robert E. Horney and
Dorothy E. Horney, legal owners, of the property situate
at the southeast corner of Middleborough and Nanticoke Roads, 15th
District, in the 15th District of Baltimore County, running westerly, on the
south side of Middleborough Road, 350' to the southeast corner of Wye
Road, thence southerly, on the west side of Wye Road, 712.40', thence
westerly 770' to the east side of Nanticoke Road, thence northerly,
on the east side of Nanticoke Road, 800' to beginning. Being lots
100, 675 to 725 inclusive on plat of Middleborough

hereby 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 "B" Commercial Zone.
Reasons for Re-Classification: As shown on plat

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

Now we, agree to pay expenses of above reclassification, 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.

Robert Elmer Horney
Dorothy Elizabeth Horney
Legal Owners
Address: Box 213 1/2 Rt. 16 Balt 221

ORDERED By The Zoning Commissioner of Baltimore County, this 12th 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 Reisterstown, in Towson, Baltimore County, on the
15th day of May 1949, at 10 o'clock, P. M.
Charles H. Downes
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.....

It is Ordered by the Zoning Commissioner of Baltimore County this.....day of
....., 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.

Pursuant to the advertisement, posting of property and public hearing on the above petition
it appearing that by reason of location, being in an "A" Residence Zone, the
granting of which would be "spot zoning" and would cause congestion
in the roads and streets and create a traffic hazard. There are two
large commercial tracts in the vicinity of the above property, one on
either side, which have not been fully utilized and there is no need for
further commercialization at this time.

It is Ordered by the Zoning Commissioner of Baltimore County, this 11th day of
July 1949, that the above petition be and the same is hereby denied and the same
above described property or area be and the same is hereby continued as and to remain an "A"
Residence.....zone.

Charles H. Downes
Zoning Commissioner of Baltimore County

Approved.....
County Commissioners of Baltimore County
Date..... By..... President

July 29, 1949
\$22.00
RECEIVED OF Mr. Robert E. Horney, Attorney for
Robert E. Horney, Petitioner, 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 at the southeast corner
of Middleborough and Nanticoke Roads, 15th District of
Baltimore County.

Zoning Commissioner

PAID
AUG 11 1949
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

NOTICE OF ZONING PETITION
FOR RECLASSIFICATION—
15th District
Pursuant to petition filed with
the Zoning Commissioner of Baltimore County for change in the
classification, from an "A" Residence Zone, to an "B" Commercial
Zone, of the property located at the southeast corner of Middleborough
and Nanticoke Roads, 15th District of Baltimore County, will
hold a public hearing at the Zoning Department, Room 100, in the
Reisterstown, in Towson, Baltimore County, Maryland, on the
15th day of May, 1949, at 10:00 P.M.
to determine whether or not the
following petitioned and described
property should be changed or be
classified as proposed for reclassification.
All interested parties are notified that the public hearing will be held at the
above stated time and place.
The Zoning Commissioner of Baltimore County, Maryland, is the
agent for the hearing on the petition.
The Zoning Commissioner of Baltimore County, Maryland, is the
agent for the hearing on the petition.
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agent for the hearing on the petition.
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RED APR 25 1949 OFFICE OF
THE BALTIMORE COUNTMAN
THE COMMUNITY NEWS
Baltimore, Md.
THE BALTIMORE PRESS
Catonville, Md.
No. 1 Newburg Avenue
CATONVILLE, MD.

April 25, 1949.
THIS IS TO CERTIFY, that the annexed advertisement of
Charles H. Downes, Zoning Commissioner
of Baltimore County
was inserted in THE BALTIMORE COUNTMAN, a group of
three weekly newspapers published in Baltimore County, Maryland, once a week for two successive weeks before the
2nd day of May, 1949; that is to say
the same was inserted in the issues of
April 15 and 22, 1949.
THE BALTIMORE COUNTMAN
By Charles H. Downes
Editor and Manager.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District.....15..... Date of Posting: April 22/49
Posted for: Commercial
Petitioner: Robt. E. Horney & wife
Location of property: SE corner of Middleborough & Nanticoke Roads
Location of Signs: Signs on the south side of Middleborough Road at
150-320 feet east of Nanticoke Road, 4 signs on west
side of Wye Road and 350 feet south of Middleborough Road
Remarks: As shown on plat
Posted by: Henry C. Gant Date of return: April 27/49

April 12, 1949

\$27.

\$27.00 ✓

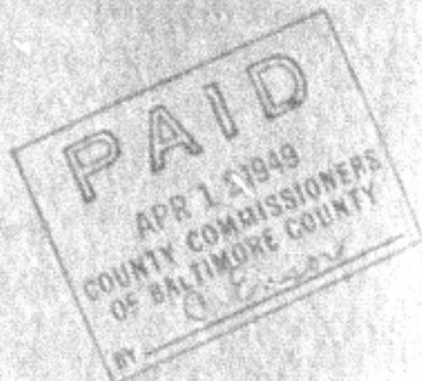
RECEIVED of Robert E. Barney, et al, the sum of Twenty Seven (\$27.00) Dollars, being cost of petition for reclassification, advertising and posting of property in Middleborough, 15th District of Baltimore County.

Zoning Commissioner

Hearing:

Monday, May 2, 1949

at 1:00 p.m.



MIDDLEBOROUGH

575° 21 W

NANTICOKE		N 15° 09' W		ROAD	
350	350	350	350	350	350
340	340	340	340	340	340
330	330	330	330	330	330
320	320	320	320	320	320
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PART OF
MIDDLEBOROUGH
MD.