

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE AND SPECIAL PERMIT FOR GASOLINE SERVICE STATION - S. W. Side Joppa Road, N. W. Harding Ave., 9th District of Baltimore County, MICHAEL J. NEELINE, ET AL, PETITIONERS

Appeal in the above entitled matter coming on for hearing before the Board of Zoning Appeals of Baltimore County on August 11, 1949 from the Order of the Zoning Commissioner of Baltimore dated July 1, 1949 denying the petition for reclassification of property described therein from an "A" Residence Zone to an "E" Commercial Zone and a special permit for gasoline service station and it appearing from the facts and evidence 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 community:

It is this 7th day of September, 1949, ORDERED by the Board of Zoning Appeals of Baltimore County, that the aforesaid petition for reclassification be and the same is hereby denied and the petition for the special permit for a gasoline service station is also denied and it is further ordered that the area of land mentioned in said petition be and the same remains as an "A" Residence Zone.

Charles H. DeLong
Board of Zoning Appeals
of Baltimore County

OPINION OF THE BOARD OF ZONING APPEALS
OF BALTIMORE COUNTY

This is an appeal by Michael J. Neeline, et al., owners of the property described in the petition from the order and decision of the Zoning Commissioner of Baltimore County, dated July 1, 1949, by which order the petition for reclassification of the firstly described parcel, from an "A" Residence Zone to an "E" Commercial Zone and to use the secondly described parcel for a gasoline service station, was denied.

The case came on for hearing before the Board, testimony was taken, petitions filed for and against the reclassification were considered by the Board and counsel for the petitioner and the petitioner were heard.

The property which is the subject of the petition is located on the southwest side of Joppa Road, in the Ninth District of Baltimore County, beginning 362 feet northwest of Harding Avenue, thence northwest, on the southwest side of Joppa Road, 331.84 feet to the intersection of Old Joppa Road, thence southerly, on the east side of Old Joppa Road, 534 feet and thence N 3° 44' minutes east 197.58 feet to beginning. The parcel to be used for the gasoline service station being described as follows: On the southwest side of Joppa Road, beginning 542 feet northwest of Harding Avenue, thence northwest, on the southwest side of Joppa Road, 201 feet to the intersection of Old Joppa Road, thence southerly, on the east side of Old Joppa Road, 220 feet and thence northeast 85 feet to beginning.

The purpose for which the petitioner has in mind is for approved commercial use for the first parcel and a gasoline service station for the secondly described parcel. These two

adjacent parcels of land comprise part of a remnant left by the relocation of Joppa Road. The frontage on the southwest side has been subdivided into lots in a development called Joppa Springs. The existing intersection of Old Joppa Road and Joppa Road is dangerous because of the acute angle formed. A vehicle making a right hand turning movement from Old Joppa Road to the Joppa Road must even swing into the lane for traffic moving in the opposite direction. There seems to be no community need for such additional commercial area and the narrowness of the rightway of Joppa Road would cause congestion and create a traffic hazard and would, in fact, be "spot zoning".

The Board, therefore, finds that the lowering of the classification to an "E" Commercial Zone and the granting of a special permit for a gasoline service station would lessen safety, from fire, panic, traffic and other dangers, would adversely affect the health, morals and/or the general welfare, would cause undue overcrowding of land and undue concentration of population, interfere with adequate provisions for schools, parks, water sewerage, transportation and other public requirements, conveniences and improvements.

Charles H. DeLong
Board of Zoning Appeals
of Baltimore County

REC'D JUL 6 1949

IN THE MATTER OF THE
PETITION FOR RECLASSIFICATION
FROM AN "A" RESIDENCE ZONE TO AN
"E" COMMERCIAL ZONE AND
SPECIAL PERMIT FOR
GASOLINE SERVICE STATION,
S. W. Side Joppa Road -
MICHAEL J. NEELINE, ET AL.
Petitioners

Mr. Commissioner:
Please enter an appeal to the Board of Zoning Appeals of Baltimore County from your Order dated July 1, 1949 denying the petition in the above entitled matter.

Michael J. Neeline
Michael J. Neeline
For the Petitioners

8/11/49

ORDERED by the Zoning Commissioner of Baltimore County this 24th day of June, 1949 that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be voted, as required by the Zoning Regulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, on the 24th day of June, 1949, at 10:00 o'clock A.M.

Charles H. DeLong
Zoning Commissioner
of Baltimore County

Upon hearing on petition (1) for reclassification of the entire parcel of land firstly described therein from an "A" Residence Zone to an "E" Commercial Zone and (2) for Special Permit to use the property secondly described, in said petition, for a gasoline service station, and it appearing that by reason of location, being in a residential area, the granting of which would be "spot zoning" and also that the narrowness of the rightway of the Joppa Road would cause congestion and create a traffic hazard, the said petition should be denied, therefore:

It is this 1st day of July, 1949, ORDERED by the Zoning Commissioner of Baltimore County that the aforesaid petition for reclassification as aforesaid and the special permit for a gasoline service station be and the same are hereby denied.

Charles H. DeLong
Zoning Commissioner
of Baltimore County

To the Zoning Commissioner of Baltimore County:
Michael J. Neeline, Michael Joseph Neeline
Expos we, Margaret Amelia Neeline and Herman Joseph Neeline,
Legal owners

of the property situate on the southwest side of Joppa Road, 9th District of Balto. Co., beginning 362' northwest of Harding Ave., thence northwest, on the southwest side of Joppa Road, 331.84' to the intersection of Old Joppa Road, thence southerly, on the east side of Old Joppa Road, 534' and thence N 3° 44' east 197.58' to beginning.

hereby petition (1) 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; and (2) for a Special Permit, under said Zoning Law and Regulations of Baltimore County, to use that part of the above property, as hereinafter described, (and improvements now or to be erected thereon), for Gasoline Service Station:

Situate on the southwest side of Joppa Road, beginning 542' northwest of Harding Ave., thence northwest, on the southwest side of Joppa Road, 201' to the intersection of Old Joppa Road, thence southerly, on the east side of Old Joppa Road, 220' and thence northeast 85' to beginning.

Expos we, agree to pay expenses of the above reclassification and Special Permit, 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.

Michael J. Neeline
Herman Joseph Neeline
Margaret Amelia Neeline
Address: Mullerton, R. F. D. 1, Md.

\$25.00 ✓

RECEIVED the sum of Twenty Four (\$24.00) dollars from Herman J. Neeline, being cost of petition for reclassification of property on the southwest side of Joppa Road, 362' northwest of Harding Avenue, and Special Permit for Gasoline Service Station, in the 9th District of Baltimore County.

Hearings:
Friday, June 24,
at 10 A. M.

PAID
MAY 3 1949
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

July 7, 1949

RECEIVED of Michael J. Neeline, (Johnson Bowie, Attorney,) the sum of Twenty Two (\$22.00) Dollars, being cost of appeal to the Board of Zoning Appeals of Baltimore County from the order of the Zoning Commissioner denying the petition for reclassification and special permit, property Southwest side of Joppa Road, 9th District.

Zoning Commissioner

PAID
JUL 7 1949
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
W. J. Miller

RECD JUN 10 1949

#1468-S

ZONING DEPARTMENT
OF
BALTIMORE COUNTY

PETITION FOR
(1) ZONING RECLASSIFICATION
(2) SPECIAL PERMIT
Ninth District

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 parcel of ground hereinafter briefly described and for a SPECIAL PERMIT to use the property accordingly described for a Gasoline Service Station, The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and regulations of Baltimore County, will hold a public hearing in the zoning office in the Backyard Building, Towson, Baltimore County, Maryland:

On Friday, June 24, 1949

At 10:00 A. M.

to determine whether or not the following mentioned and described property should be changed or reclassified and whether or not a SPECIAL PERMIT should be granted in reclassification. The briefly described property to be for approved commercial use and the secondarily described property to be used for gasoline service, to wit: Parcel described: (For approved Commercial Use)

All that parcel of land on the southwest side of Joppa Road, 8th District of Baltimore, beginning 163' northwest of Harding Avenue northwest, on the southwest side of Joppa Road, 221.84' to the intersection of Old Joppa Road, hence southeasterly, on the east side of Old Joppa Road, 221' and thence 2 1/2' 14' 11" 197.75' to beginning thereof Parcel 24, (Gasoline Service Station).

All that parcel of land on the southwest side of Joppa Road, beginning 512' northwest of Harding Ave., thence southeasterly on the east side of Joppa Road, 261' to the intersection of Old Joppa Road, hence southeasterly, on the east side of Old Joppa Road, 221' and thence 2 1/2' 14' 11" 197.75' to beginning thereof of Michael Lee Neslie, et al, as shown on plot plan filed with the Zoning Department by order of

CHARLES H. FOWLER,
Zoning Commissioner
June 3, 1949 of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 10 1949

THIS IS TO CERTIFY, That the annexed advertisement was published in THE UNION NEWS, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once each~~ of ~~the~~ successive weeks before the 24 day of June 1949, the first publication appearing on the third day of June 1949.

The UNION NEWS

W. Frank A. Keyser
Manager.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

1468

District: 9

Date of Posting: June 10/49

Posted for: Commercial & Gasoline Service Station

Petitioner: Herman J. Neslie

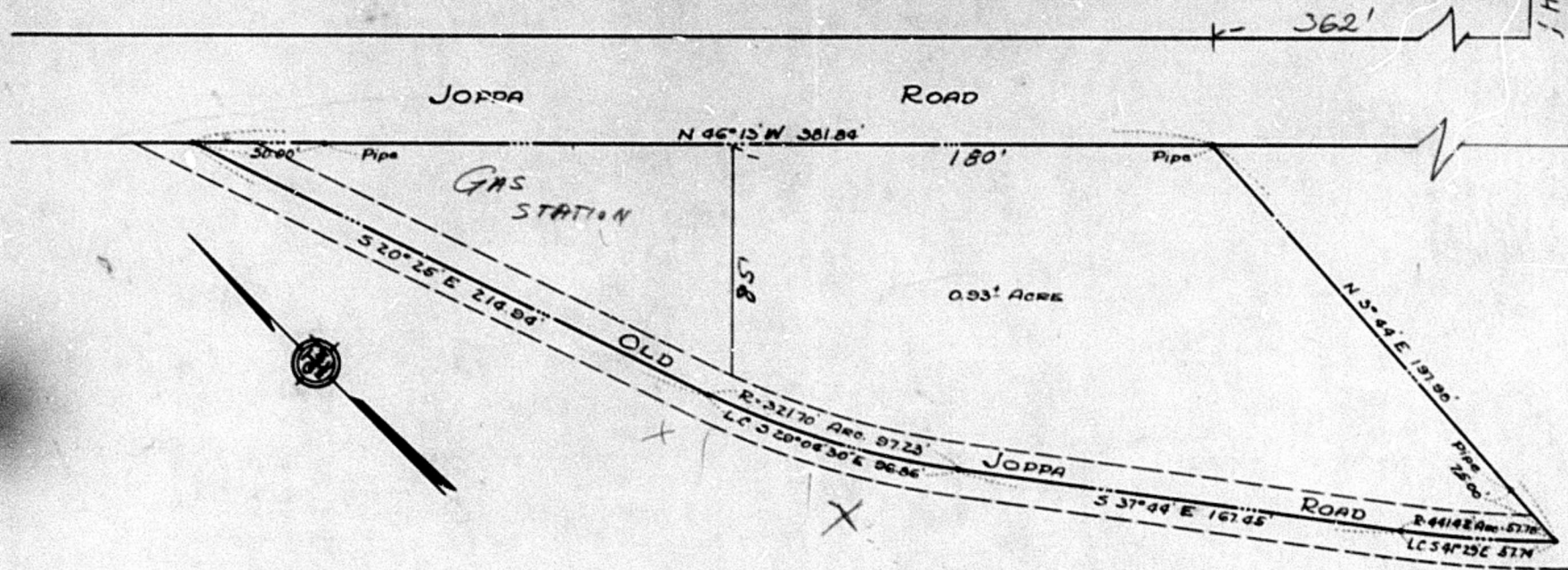
Location of property: S.W. side of Joppa Road 362' northeast of Harding Ave

Location of Signs: S.W. side of Joppa Road 462'-562' northwest of Harding Ave

Remarks:

Posted by: Harry C. Gartside
Signature

Date of return: June 10/49



PLAT OF
NESLINE PROPERTY
9TH DISTRICT BALTIMORE COUNTY
SCALE: 1" = 40'

THOMPSON, GRACE & MAYS INC.
ENGINEERS - CONTRACTORS
BALTIMORE COUNTY BANK BUILDING
YORK ROAD, TOWSON, MD.
JUNE 7TH 1947