UPON the foregoing Petition and Affidavit, it is this 1874 day of November, 1949, by the Circuit Court for Baltimore County,

ORDERED, that a Writ of Certiorari issue directed to Samuel H. Hoover, Earl L. Dingle and Calvin J. Carter, constituting the Board of Ioning Appeals for Baltimore County, to review the decision and Order of said Board of Joning Appeals dated October 29, 1949, and requiring said Board to return to this Court all papers, records and proceedings in said matter and a transcript of all testinony presented before said Board in connection with said proceedings, and a copy of any and all rules and regulations pursuant to which said Order was entered and said Board acted, to enable this Court to review said Order and decision of the Board and that a return to this Petition shall be made and served upon Relator's Attorney within / days from the date of this Order, and

IT IS FURTHER CAUTION that this Board of Loning Appeals for Bultimore County shall return to this Court all the original papers or certified or sworm copies thereof and the return shall concisely set forth such other facts as may be portinent to show the grounds of the decision and Order appecled from, together with a transcript of all the testimony taken at the hearince and copies of the exhibits filed therowith.

True Copy Test

HIMPOHII:

your order dated August 11. 1949, denying the petition for reclassification in the above entitled matter.

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RE: PETTION FOR RECLASSIFICATION, FROM AN "A" RESIDENCE ZONE TO AN "2" COMMERCIAL ZONE, N. W. JUDE BELL ALR ROAD, 144 S. Valentine Winkler, Margaret Winkler, Jos. A. Chyba, Lucille C. Chyba, Alten H. Kunkel, Berths E. Kunkel, Sidney Soloson, Cartle C. Soloson and Lillian B. Welkert, Welkert, Petitioners

Appeal in the above entitled matter coming on for hearing on September 22, 1949, from the Order and decision of the Zoning Commissioner of Baltimore County, dated August 12, 1949, denying the petition for reclassification, from an "A" Residence Zone to an "E" Commercial Zone and it appearing from the evidence and facts 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 29th day of October, 1949, ORDERED by the Board of Zoning Appeals of Baltimore County that the Order of the Zoning Commissioner of Baltimore County in denying the petition for reclassification, be and the same is hereby reversed; and it is further ORDERED that the Zoning Commissioner of Esltimore County grant the petition for reclassification, 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 every square foot of land to be covered by commercial

Annunual.

Date:

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County Commissioners of Beltimore County By_____Pregident

£1481 Petition for Zoning Re-Classification

To The Zening Commissioner of Baltimore County E, Valentine Sidney R. Solomen & Carrie C. Solomou, and Lillian E. Weikert, widow

Soning Low of Bultimore County, from an "A" Rectionary - rone to an "-" log- of county

Raltimore County adopted pursuant to the Zoning Law for Baltimore County.

Valenter from the lar Berther Minke mant Winhler Joseph Bhyla

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of by the "Zoning Law of Baltimore County," in a new spaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing hereon be had in the office of the Zoning o'elock A. M.

Zoning Commissioner of Baltimore County

OPINION OF THE BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

This is an appeal by Valentine Winkler and Margaret Winkler, his wife, Joseph A. Chybs and Lucille C Chybs, his wife, Allen H. Kunkel and Berths E. Kunkel, his wife, Sidney R. Solomon and Carrie C. Solomon, and Lillian E. Weikert, owners of the property described in the petition from the Order and decision of the Zoning Commissioner of Baltimore County, dated August 12, 1949, by which Order the petition for reclassification of the property, described in the petition, from an "A" Residence Zone to an E" Commercial Zone was denied.

The case came on for hearing before the Board, testimony was taken, petitions for and against the reclassification were filed and considered by the Board. The property which is the subject of the petition is located on the northmost side of Bel Air Road, 144 ft. southwesterly from southwest side of Overton Avenue, in the 14th District of Baltimore County. Bel Air Road is siresdy heavily commercialized and the granting of this petition would not greatly affect the adjoining properties. There are two nonconforming uses in existence which are covered by a portion of this petition and the Winkler property has been used for a plastering business for some time and the property immediately across the road from the property in question is zoned cornercial.

The Board, finds that the lowering of the classification to an "E" Commercial Zone would not create congestion in the rossis, streets and alleys, would not lessen safetyfrom fire, from panic and other dangers , would not adversely affect the

would not adversely affect the health, morals and/or the general welfare, would not cause over-crowding of land and an undue concentration of population, would not interfere with adequate provisions for schools, parks, water, sewerage transportation and other public requirements, conveniences and improvements.

The Board further finds that insamuch as a portion of this property has already been used as a nonconforming use that the remainder of the property covered by this petition is the logical and natural extension of the commercial area on this highly commercial highway.

(all Topingle.

Pursuant to the advertisement, nesting of property and public hearing on the above petition and it appearing that by reason of the fact that small commercial area has been provided for this community there appears to be no reason to continue to atrip commercial noring along this section of this important highest witch could not be a small continue to a trip commercial noring along this action of this important highest with could not be a small not be about the could not be a small not case to be placed along side of an egigling desling. The main purpose of the petition second to the produce a long this could not be a small not case to be placed along side of an egigling desling. The main purpose of the pretition second to the could not be a small not case to the produce a long this headow.

It is ORDERED this 1276 day of August, 1969 by the "oning Commissioner of Baltimore County that the above petition be and the same is hereby denied end that the above described property or area be and the same is hereby continued as and to remain an "A" Residence Zone.

> ox H. Dang Zoning Commissioner of Baltimore County

87.20 V

MEDETVED of H. Michard Smellin, Attorney, the sum of \$7.20 being cost of certified copies of petition, and other papers filed in the matter of reclassification of property, N. W. Side Rel Air Road, 14th District of Beltimore County, Jos. A. Chyba, et al, petitioners

Zoning Commissioner

DEC 1 4 1949

August 17, 1949

RECEIVED of Johnson Bowle, Attorney for Allen H. Kunkel, et al, 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 Commissions r of Beltimore County denying the petition for reclassification of property on the northwest side of Bel Air Road, 14th District.

Zoning Commissioner

June 25, 1949

\$21.00

RECEIVED OF Johnson Bowle, Attorney for Valentine Winkler, et al, the sum of Twenty One (\$21.00) Dollars, being cost of petition for reclassification, advertising and posting of property, northwest side of Bel Air Road, 144' from OvertonAvenue, 14th District of Beltimore County.

Zoning Commissioner

Hearings Thursday, July 34, 1949 at 11:00 s.m.



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY . Towson, Maryland

Date of Posting June 30/49

Pested for Sommerce al

Partel for Formmerce ac Patrice Kunkel, Neckert, Chyba and Solomon Location of property northwest side of Bel air Road 144 Southwest 1635 northedst of Overton are of extended Location of Signs northwest sed of Bel air Road 1 sign 120 feet southwest and "2 sign 600 feet northeast of Oberton air

Posted by Hovery to Denterde.

Date of return June 30/49

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