#1531

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "B" COMMERCIAL ZONE, NORTHEAST CORNER OF DARTMOUTH AVE. AND DALTON ROAD, 9th District of Baltimore county, MYRON F. MARTIN AND DOROTHY B. MARTIN, PETITIONERS

Appeal in the above entitled petition for reclassification coming on for hearing on the 10th day of December, 1949, from the Order of the Zoning Commissioner passed on the 14th day of October, 1949, denying the petition for reclassification, 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 petition for said reclassification should be denied, since the granting of same would adversely affect the health, safety, morals and general welfare of the community, therefore;

It is this 2nd day of February, 1950, ORDERED by the Board of Zoning Appeals of Baltimore County that the Order of the Zoning Commissioner in denying the petition in this matter is hereby affirmed.

Samuel Lazarus
Chairman
Carle F. Dwight

Board of Zoning Appeals
of Baltimore County

Myron F. Martin, et al
NE Cor. Dartmouth Ave. & Dalton Road,
Millendale Estates - 9th Dist.

#1531

OPINION OF THE BOARD OF ZONING APPEALS
OF BALTIMORE COUNTY

This is an appeal by Myron F. Martin and Dorothy B. Martin, his wife, owners of the property described in the petition from the Order and decision of the Zoning Commissioner of Baltimore County, dated the 14th day of October, 1949, by which Order the petition for reclassification, from an "A" Residence Zone to an "B" Commercial Zone, was denied.

The case came on for hearing before the Board, testimony was taken and the protestants and counsel for the petitioner heard. The property, which is the subject of this petition, is at the northeast corner of Dartmouth Avenue and Dalton Road, in the Ninth District of Baltimore County.

The purpose for which the petitioners desire to use this property is for a Delicatessen Store. This is a highly residential neighborhood and there is no need for this type of store in the community since a commercial area has been established at Loch Raven Boulevard and Taylor Avenue, a very short distance from the property in question, and, further, the Board feels to grant this reclassification would be "spot zoning".

The Board, therefore, finds that the lowering of the classification would create congestion in the roads, streets and alleys, would lessen safety from fire, panic and other dangers and would adversely affect the health, safety, morals and the general welfare of the community and cause undue overcrowding of land. The Board further finds that there is no community need for this commercial reclassification.

Samuel Lazarus
Chairman
Carle F. Dwight

Board of Zoning Appeals
of Baltimore County

RECD OCT 2 1949

IN THE MATTER OF THE PETITION FOR RECLASSIFICATION FROM 'A' RESIDENCE TO 'B' COMMERCIAL AT N.E. CORNER OF DARTMOUTH AND DALTON AVENUE - NINTH ELECTION DISTRICT MYRON F. MARTIN, PETITIONER

BEFORE
CHARLES H. DOING
ZONING COMMISSIONER
OF BALTIMORE COUNTY

Please enter an Appeal in the above entitled matter to the Board of Zoning Appeals of Baltimore County, from your decision passed on October 14, 1949 denying the petition for reclassification.

John J. Caslin
Attorney for Myron F. Martin, Petitioner

1531

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County:—

XXX We, Myron F. Martin and Dorothy B. Martin legal owners of the property situate at the northeast corner of Dartmouth Ave., and Dalton Road, 9th District of Balto. Co., running easterly and binding on the north side of Dartmouth Ave. 22.33 and binding on a radius for a distance of 23.56', thence northerly binding on the east side of Dalton Road, 97.30', Being lot #1400 on plat of Millendale Estates filed with the Zoning Department

hereby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an A Zone to an B zone.

Reason for Re-Classification: Adjoining Commercial

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.

XXX 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 for Baltimore County.

Myron F. Martin
Dorothy B. Martin
Legal Owner

Address 2613 Liberty Parkway
Dundalk 22, Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of August 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 Rockord Bldg., in Towson, Baltimore County, on the 16th day of September 1949, at 2:00 o'clock P. M.

Zoning Commissioner of Baltimore County

(over)

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 be had

It Is Ordered by the Zoning Commissioner of Baltimore County this day of 19, 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.

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 in a residential area, the granting of which would be "spot Zoning"

the above re-classification should NOT be had:

It Is Ordered by the Zoning Commissioner of Baltimore County, this 14th day of October 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 an "A" Residence zone.

Zoning Commissioner of Baltimore County

#1531

November 14 1949

$22.00

RECEIVED of John J. Caslin, Attorney for Myron F. Martin, petitioner, 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 of property at the northeast corner of Dartmouth and Dalton Avenues, 9th District.

Zoning Commissioner

PAID
NOV 14 1949
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY

August 23, 1949

$18.00

RECEIVED of Myron F. Martin the sum of Eighteen ($18.00) Dollars, being cost of reclassification, advertising and posting of property at the northeast corner Dartmouth & Dalton Roads, 9th District of Baltimore County.

Hearing:
Sept. 16, 1949
at 2 P. M.

PAID
AUG 24 1949
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY

NOTICE OF ZONING PETITION
RE: PETITION FOR RECLASSIFICATION from A to B zone
NE Cor. Dartmouth Ave. and Dalton Road, 9th Dist.
Petition for petition filed with the Zoning Commissioner of Baltimore County by Myron F. Martin and Dorothy B. Martin, legal owners of the property situate at the northeast corner of Dartmouth Ave., and Dalton Road, 9th District of Balto. Co., running easterly and binding on the north side of Dartmouth Ave. 22.33 and binding on a radius for a distance of 23.56', thence northerly binding on the east side of Dalton Road, 97.30', Being lot #1400 on plat of Millendale Estates filed with the Zoning Department
Hearing: Friday, September 16, 1949 at 2:00 o'clock P. M.
Public hearing in the office of the Zoning Commissioner of Baltimore County, in the Rockord Bldg., in Towson, Baltimore County, on the 16th day of September 1949, at 2:00 o'clock P. M.
By Order of HAROLD M. BOSCO
Zoning Commissioner of Baltimore County
Aug. 26, Sept. 2

RECD SEP 6 1949

#1531

CERTIFICATE OF PUBLICATION

TOWSON, MD. Sept. 2 19 49

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 in each of two successive weeks before the sixteenth day of September 19 49 the first publication appearing on the twenty-sixth day of August 19 49

The UNION NEWS
Manager.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#1531

Date of Posting Sept 7/49

District 9

Posted for: Commercial

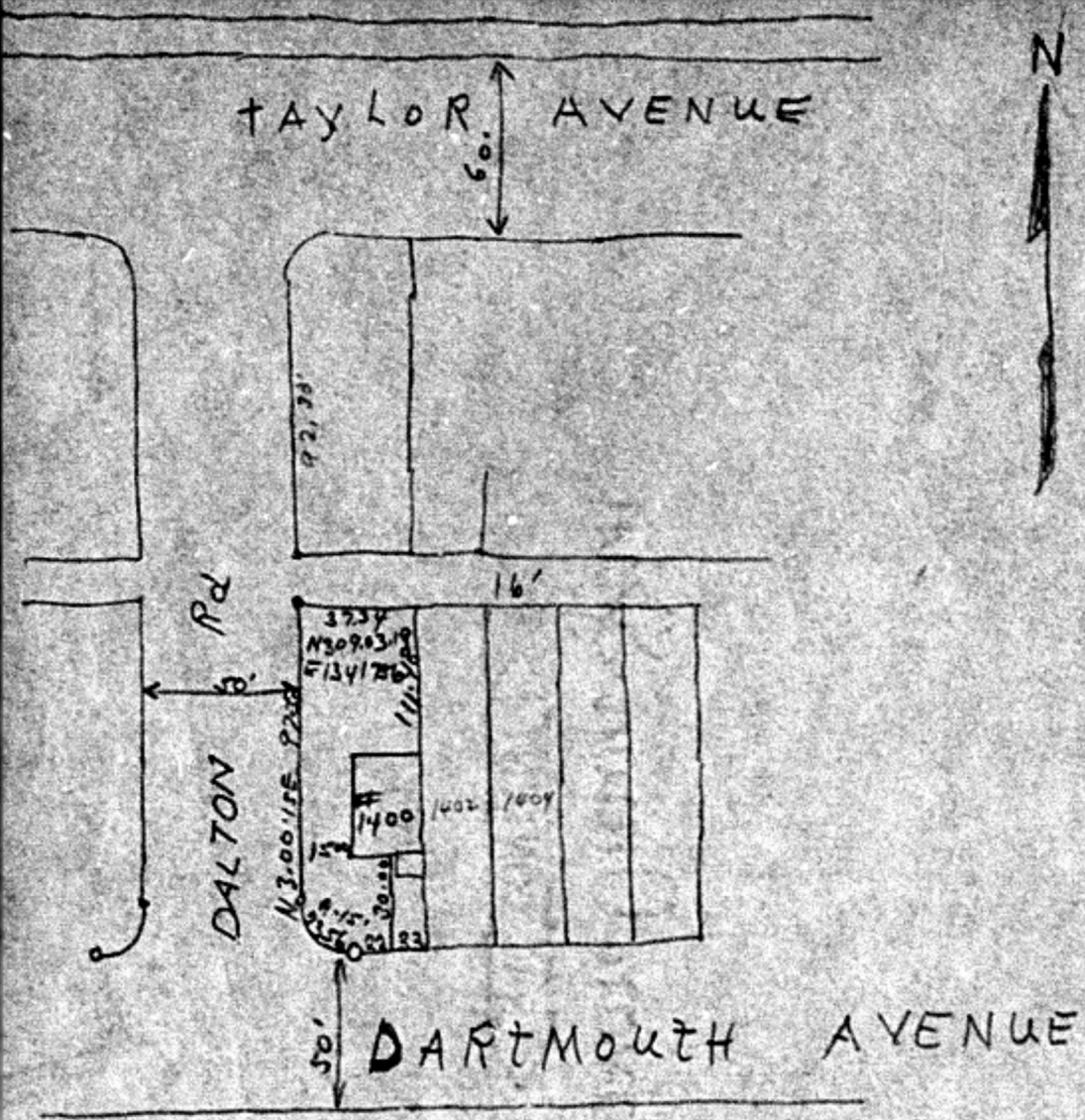
Petitioner: Myron F. Martin

Location of property: NE corner of Dartmouth Ave + Dalton Road

Location of Signs: N.E. corner of Dartmouth Ave + Dalton Road

Remarks:

Posted by Harry E. Gartside Date of return Sept 7/49



Plat of
Hillandale Estates

SCALE 1"=50'