

1545-P

MAP #9

RE: PETITION FOR RECLASSIFICATION FROM AN "R" RESIDENCE ZONE TO AN "R" COMMERCIAL ZONE AND SPECIAL PERMIT FOR GASOLINE SERVICE STATION - S. B. COX, TAYLOR AVE. AND BON AIR ROAD, WILLIAM T. AND FLORENCE C. BERMAN, PETITIONERS

The appeal in the above case having come on for hearing before this Board, the case submitted and the entire matter having been fully considered:

It is this 29th day of November, 1949, ORDERED by the Board of Zoning Appeals of Baltimore County, that the Order of the Zoning Commissioner of Baltimore County denying the petition for reclassification and special permit as aforesaid, be and the same is hereby reversed; and, it is further ORDERED that the Zoning Commissioner of Baltimore County grant the petition for reclassification, from an "R" Residence Zone to an "R" Commercial Zone and a special permit for a gasoline service station, subject, however, to the approval of the attached, for the land for the gasoline pumps and the service building to be erected thereon, by the Buildings and Zoning Department. It is also further ORDERED that provision be made by the petitioners for the widening of Taylor Avenue to 60 feet and up to 80 feet where practical and Bon Air Road from 40 feet to 60 feet.

Samuel H. Brown
Chairman
C. L. R. Ringle
John J. Carter
Secretary

Approved:
County Commissioners of Baltimore County
By *John J. Carter*
Date: November 29, 1949

MR. T. A. FLETCHER, C. BERMAN
S. B. COX, TAYLOR AVE. AND BON AIR ROAD, 9TH DISTRICT, BALTIMORE COUNTY

5-5451

#1545
MAP #9

OPINION OF THE BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

This is an appeal from the decision of the Zoning Commissioner of Baltimore County, dated the 10th day of November, 1949, denying the petition of the petitioners, William T. and Florence C. Berman, his wife, for the reclassification of that parcel of land described in the petition and for a special permit to use said property for a gasoline service station.

The Board heard the testimony in this case and after full consideration, finds as follows:

The parcel of land for which the reclassification is requested is at the southeast corner of Taylor Avenue and Bon Air Road, Hillendale Park, in the 9th District of Baltimore County. The property lies on the south side of Taylor Avenue and is separated from Moreland Park Cemetery by Bon Air Road. The property at the northeast corner of Bon Air and Taylor Avenue has been zoned commercially and at the northeast corner there is a Flower Shop and at the southwest corner of Taylor Avenue and Bon Air Road, is the Moreland Park Cemetery. The frontage on the opposite side has already been zoned commercially and the reclassification of this property would be an equitable sequel.

Since the County plans to widen Taylor Avenue to a 60 foot right-of-way and where commercial up to 80 feet, where practical, and for the widening of Bon Air Road from 40 feet to 60 feet, this reclassification should be subject to adequate

provision being made for the widening of these two roads.

For these reasons there is no question of "spot zoning" in this case and in the opinion of the Board the lowering of the classification will not cause congestion in the roads and streets and, therefore, not causing undue traffic hazards. It follows that the reclassification of the property from an "R" Residence Zone to an "R" Commercial Zone and the granting of a special permit for a gasoline service station, will not in any manner affect the health, safety, morals and the general welfare of the community, and the Board will sign an Order in accordance with this opinion granting the petition for reclassification from an "R" Residence Zone to an "R" Commercial Zone and a special permit for a gasoline service station.

Samuel H. Brown
Chairman
C. L. R. Ringle
John J. Carter
Board of Zoning Appeals of Baltimore County

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

To the Zoning Commissioner of Baltimore County: William T. Berman and Florence C. Berman, Legal Owners

OF all that parcel of land at the southeast corner of Taylor Ave. and Bon Air Road, 9th District of Baltimore Co., fronting easterly, on said side of Taylor Ave., 104' with a depth southeasterly, on the east side of Bon Air Road, of 130'. Being lots Nos. 23, 24, 25 and 26 on plat of Hillendale Park

herely petition (1) that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an "R" Residence Zone to an "R" Commercial Zone; and (2) for a special permit, under said Zoning Law and Zoning Regulations of Baltimore County, to use the above described property, for a Gasoline Service Station

Property to be posted as prescribed by Zoning Regulations.

I, or 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.

William T. Berman
Florence C. Berman
LEGAL OWNERS

RECORDED 10 1949

ORDERED by the Zoning Commissioner of Baltimore County this 29th day of October, 1949.

and the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, 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, Maryland, on the 10th day of October, 1949, at 11:00 o'clock A.M.

Charles H. Doring
Zoning Commissioner of Baltimore County

Upon hearing on petition (1) for reclassification of the property described therein, from an "R" Residence Zone to an "R" Commercial Zone and (2) for special permit to use said property for a gasoline service station, and it appearing that by reason of location, no need being shown for an additional station at this location and ample commercial area having been provided for this community, the said petition should be denied, therefore:

It is this 10th day of November, 1949, ORDERED by the Zoning Commissioner of Baltimore County, that the aforesaid petition (1) for reclassification, as aforesaid, and (2) for use of the property for gasoline service station, be and the same is hereby denied.

Charles H. Doring
Zoning Commissioner of Baltimore County

Mr. Charles H. Doring, Zoning Commissioner of Baltimore County, Record Building, Towson, Maryland

Re: Petition for Reclassification from an "R" Residence Zone to an "R" Commercial Zone and Special Permit for Gasoline Service Station - SBC Taylor Ave. & Bon Air Road, 9th Dist. of Baltimore County, Wm. T. & Florence C. Berman, Petitioners.

Mr. Commissioner:

You will please enter an appeal to the Board of Zoning Appeals of Baltimore County from your decision of November 10, 1949, in the above-entitled matter and forward the papers to the Board of Zoning Appeals of Baltimore County.

Nicholas Faustine
Attorney for Petitioners.

Dated this 10th day of November, 1949

#1545-S

Chas. W. Held, Jr., Esquire, Record Building, Towson - 4, Maryland

County Commissioners of Baltimore County, Zoning Department, Record Building, Towson 6, Maryland

Jan. 10, 1950

Certified copy of petition for reclassification of property at southeast corner of Taylor Avenue and Bon Air Road, 9th District, and special permit for gasoline service station, and other papers, filed - William T. Berman, et al, petitioners

\$7.00

Ed
1/24/50

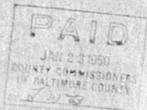
Map of Zoning Official
IN THE COUNTY OF BALTIMORE
TAKE NOTICE - There will be a hearing on the above case
1. I. Denial of the petition
2. Denial of the special permit
3. Denial of the special permit
4. Denial of the special permit
5. Denial of the special permit
6. Denial of the special permit
7. Denial of the special permit
8. Denial of the special permit
9. Denial of the special permit
10. Denial of the special permit
Action of Board of Zoning Appeals Submitted
on this 10th day of November 1949 at 11:00 A.M.
T. BRADEN BELMONT, CLERK

January 24, 1950

\$7.20 ✓

RECEIVED of Charles V. Held, Jr., Attorney for the protestants, being cost of certified copies of petition and other papers filed in the matter of reclassification of property at the southeast corner of Taylor Avenue and Bon Air Road, 9th District of Baltimore County, William T. Bierman and wife, petitioners.

Zoning Commissioner

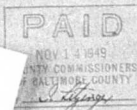


November 14, 1949

\$22.00 ✓

RECEIVED of William T. Bierman 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 of Baltimore County, denying the petition for reclassification from an "A" Residence Zone to an "E" Commercial Zone and a special permit for gasoline service station, southeast corner of Taylor Avenue and Bon Air Road, 9th District of Baltimore County.

Zoning Commissioner



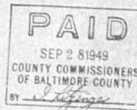
Sept. 27, 1949

\$18.00 ✓

RECEIVED of William T. Bierman the sum of Eighteen (\$18.00) Dollars being cost of petition for reclassification and special permit, advertising and posting of property, southeast corner of Taylor Ave. and Bon Air Road, 9th District of Baltimore County.

Zoning Commissioner

Hearings:
Thursday, Oct. 13, 1949
at 11:00 a.m.



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1545-88

Date of Posting Sept 27/49

District: 9
Posted for: Commercial + Gasoline Service Station
Petitioner: Wm T Bierman
Location of property: southeast corner of Taylor + Bon Air Ave
Location of Signs: southeast corner of Taylor + Bon Air Ave
Remarks: Harry C. Gartside
Posted by: Harry C. Gartside
Date of return: Sept 27/49

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

1545-5

Date of Posting Sept 29/49

District: 9
Posted for: Commercial + Gas station
Petitioner: Wm T. Bierman
Location of property: southeast corner of Bon Air Road + Taylor Ave
Location of Signs: southeast corner of Bon Air Road + Taylor Ave
Remarks: Harry C. Gartside
Posted by: Harry C. Gartside
Date of return: Sept 29/49

NO PLAT
IN
THIS FOLDER