

RE: PETITION FOR RECLASSIFICATION FROM AN "A"
RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE
S. W. Cor. East Drive and Maple Ave.,
13th District of Baltimore County,
Herman & Rena Schoffer, Ralph W. and
Mary T. Smith, Petitioners.

The appeal in the above entitled matter coming on for hearing before the Board of Zoning Appeals of Baltimore County on May 1, 1952, denying the petition for reclassification of the property described therein from an "A" Residence Zone to an "E" Commercial Zone; and it appearing from the facts and evidence adduced at the appeal that there is no need for the reclassification and no error shown in the original County zoning; therefore,

It is this 30th day of June, 1952, Ordered by the Board of Zoning Appeals of Baltimore County that the order of the Zoning Commissioner of Baltimore County granting the petition for reclassification be and the same is hereby reversed and the petition denied.

John B. Gentrums
John B. Gentrums, Judge

H. E. Campbell
Chairman
Carl F. Volkmann
Samuel M. Sullivan

This is an appeal by William E. O'Loughlin, Otto W. Muller, Ernest W. James, Charles F. Burton, Robert J. Bell, John Dimpert, and Harry T. Rioks, all of the 1300 Block Poplar Avenue, Arbutus, Maryland, from an order of the Zoning Commissioner of Baltimore County dated November 28, 1951, granting the reclassification from an "A" Residence Zone to a "B" Commercial Zone in regard to the property described in the petition.

The property which is the subject of this petition is located on the West side of East Drive between Poplar and Maple Avenues in Arkabut.

by the Board. Those persons protesting the reclassification, although they greatly outnumber the Petitioners and those in favor of the reclassification cannot expect that the mere turning out in numbers before the Board will be the thing that will control the opinion, or likewise the failure of great numbers to appear and protest should not influence the Board as to its duty in handling of zoning papers.

From the examination of this property and the general area and from the testimony, the petitioners have failed to show a need for this reclassification or that the original zoning laws were erroneous or that there has been such a change of conditions to justify re-zoning in this case. There is testimony in the case that there is ample commercial facilities in the community, as well as undeveloped areas which are already re-classified for commercial purposes. The Board will, therefore pass an order denying the application for reclassification.

E. By Campbell
Chairman

Carl A. Weber

James W. Sullivan
Board of Zoning Appeals of
Baltimore County

IN THE MATTER OF THE PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE TO AN "B" COMMERCIAL ZONE: HERMAN AND RENA SCHOFER, et al Petitioners

BEFORE AUGUSTINE J. MUELLER
ZONING COMMISSIONER
FOR BALTIMORE COUNTY

Please enter an appeal from your order dated November 28th, 1951, in the above matter, on behalf of the following protestants:

It is the contention of the protesters in this case, most of whom reside on Poplar Avenue and Maple Avenue to the west of the properties in question, that the use of the properties for commercial use would be detrimental to the proper enjoyment of their properties for residential use, especially if commercial buildings were allowed to be built on the property lines, as allowed under the Zoning Regulations and Restrictions for Baltimore County, unless otherwise forbidden by the Zoning Commission or Board of Zoning Appeals. It is apparent that this contention is correct, as the use of property for commercial purposes would require setbacks should be prescribed which would alleviate the condition set up.

In view of the fact that all of the property between Sulphur Spring Road and Linden Avenue is zoned commercially with the exception of the two lots in question and the lot heretofore mentioned, it seems reasonable that the two lots, which are the subject of this petition, should also be zoned for commercial use subject to certain setback restrictions.

Approved:

County Commissioners of

Michael J. Ringelmann

Date: 4/27/53

Department Of Public Works
DIVISION OF ENGINEERING
Inter-Office Correspondence

From DAVID H. FISHER July 15, 1954
To ROLAND S. PILL
Subject Application for Building Permit, Property of Mr. Herman Schofer
S.N. Corner East Drive and Maple Avenue,
Arbutus, District 13

We have received a copy of Mr. Adams' letter to you requesting the cancellation of the building permit at subject location.

In order for us to protect the property owners surrounding the area to be developed, we would like to request that when a new permit is applied for that it be held up until the drainage requirements of this department are met.

A plan showing:

1. The proposed grading of the parking area and driveways.
2. The disposition of the existing ditch along the Property Line.
3. The picking up and connection of roof leaders of the houses facing on Poplar Avenue.
4. The connection of proposed storm drains and roof leaders into the existing County Storm Drain System.

These requirements are subject to approval of plan and installation by the Storm Drain Department.

Thank you for your cooperation in regard to this matter.

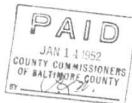
cc: Mr. Wilsie H. Adams, Zoning Commissioner

#2110
January 14, 1952

\$22.00 ✓

RECEIVED of John Grason Turnbull, Attorney for Elmer C. Runge, 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 Commissioner granting the reclassification of property of Herman and Rena Schofer, et al, 13th District of Baltimore County.

Zoning Commissioner



W. Albert Menchini, Esquire,
103 W. Chesapeake Avenue,
Towson 4, Maryland

to

Aug. 18, 1952

County Commissioners
of Baltimore County
% Zoning Department
303 Washington Avenue
Towson 4, Md.

Cost of certified copy of petition, and other papers, filed
in the matter of reclassification of property on East Drive,
13th District, Smith & Schofer, Petitioners

8.20

November 24, 1952

2110
8.20

RECEIVED of Ralph M. Smith, et al, the sum of
Eight Dollars (\$8.20) and Twenty Cents, being cost of
certified copy of petition and other papers filed in the
matter of reclassification of property, East Drive, 13th
District.

Zoning Commissioner

