

1737-5

Heard 5/14/52
10 AM

2846 1/2

FOR HEARING ON PETITIONING NONCONFORMING USE
OF PROPERTY AT 1-10, York Road
and Land Street, Timonium Heights -

The purpose of this hearing is to determine whether or not a lawful nonconforming use exists for the operation of a trailer camp on lots Nos. 1, 2, 3, 4, 5, Section "A" and on lots Nos. 6 and 7, Section "A", said lots being located at the northwest corner of York Road and Land Street, Timonium Heights.

Mr. David Morris, 1328 Bayview Avenue, Baltimore, testified that he operated a filling station on lots Nos. 1 to 5, inclusive, from 1928 to 1938 and that from 1938 to 1940 he had an average of four trailers on the property. In 1940, 1946 and 1947 and 1948 he had three trailers on the property. In 1948 Mr. Morris sold his interest in the property to a Mr. Haney, who in turn sold his interest to George Harry Miller, Baltimore, Maryland. Mr. Miller was not present at the hearing but appeared at the Zoning Office at the request of the Zoning Commissioner, and stated that in 1946 and 1949 he kept an average of three trailers on the property. In 1950 he rented the property to a Mr. Paul Ringling and in 1951 to a Mr. Louis Gocher and in 1951 and 1952 to Mr. Thomas Martin. Mr. Miller stated that he has been familiar with this property since renting it in 1950 and that "up to three trailers on an average have been kept on this property".

Mr. John H. Zink who owns property to the west of the York Road, his entrance being south of the property in question, stated that from 1939 to 1948 there were one, two and some times three trailers on the property. In 1949 to date there were at odd times one, two or three trailers on the property.

In view of the foregoing it is the opinion of the Zoning Commissioner of Baltimore County that a lawful nonconforming use exists for the operation of a trailer camp for the storage of three trailers. Past history shows that at the hearing was to the effect that lots Nos. 6 and 7 were occupied by William Williamson in 1947 but there was no evidence that lots Nos. 6 and 7 were used for the storage of trailers prior to this time. It is therefore, the opinion of the Zoning Commissioner that a nonconforming use does not exist for a Trailer camp on lots Nos. 6 and 7.

It is, therefore, this 19 day of June, 1952, ORDERED by the Zoning Commissioner of Baltimore County that a nonconforming use exists for the operation of a Trailer Camp for three trailers on lots Nos. 1 to 5, inclusive. It is further ORDERED by the Zoning Commissioner that no right exists for the operation of a trailer camp on lots Nos. 6 and 7, Section "A", Timonium Heights, the property of William Williamson.

Augusta M. Hall
Zoning Commissioner
Baltimore County

To 6570
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IN THE MATTER OF AN ALLEGED
NON-CONFORMING USE TO OPERATE
A TRAILER CAMP ON THE WEST SIDE
OF THE YORK ROAD, IMMEDIATELY
NORTH OF TIMONIUM FAIR GROUNDS,
IN TIMONIUM, BALTIMORE COUNTY,
MARYLAND.
JOHN H. ZINK - Petitioner

BEFORE
AUGUSTINE J. MILLER
ZONING COMMISSIONER
FOR
BALTIMORE COUNTY

PETITION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

John H. Zink, Petitioner, by Monahan & Sivinski, his attorneys, respectfully represents the following:

1. That he is a registered voter, tax-payer and property owner in Baltimore County; that he now owns and occupies a parcel of ground and premises known as "Mayfair", Timonium, Maryland, being specifically located about one-quarter of a mile west of the northern end of the Timonium Fair Grounds, said property having a private massed road connecting it to the York Road at a point on the northern boundary of said Timonium Fair Grounds.
2. That located immediately to the north of said private road is a subdivision known as "Timonium Heights", part of which is owned by Irving Maylor, Stevenson, Maryland; that a portion of the property of Irving Maylor is sub-leased by John T. Higgins, Jr., and another portion occupied by Williamson, all of which is zoned A Residential; that the portion occupied by John T. Higgins, Jr. is immediately at the corner of the west side of York Road and the north side of the Petitioner's private road, aforesaid, and that there is presently located at that site a filling station, which exists under the present zoning law by reason of a prior non-conforming use; that, contrary to the Zoning Law of Baltimore County, a trailer is also being maintained on these premises, with the permission of John T. Higgins, Jr. and Irving Maylor, aforesaid.
3. That a short distance immediately to the north of the premises occupied by John T. Higgins, Jr., a trailer is being maintained by Williamson, in like manner contrary to the Zoning Law of Baltimore County.
4. That all parties, in apparent violation of the Zoning Law of

Baltimore County, as aforesaid, have been advised of the zoning status of the respective premises concerned and have been advised of their apparent violation, as a result whereof they have contended that the presence of trailers is justified by virtue of a non-conforming use.

WHEREFORE YOUR PETITIONER PRAYS:

(a) That the parties above named be required to appear before the Zoning Commissioner of Baltimore County to establish the non-conforming use as claimed by them, or be required to desist from the apparent illegal operation of maintaining trailers at the premises in question.

(b) That summons or notices in proper form, as by law provided in such cases, be sent, together with a copy of this Petition, to the following named parties:

Irving Maylor, Stevenson, Maryland.
John T. Higgins, Jr., Timonium, Maryland.
Williamson, Timonium, Maryland.

Monahan & Sivinski
Monahan & Sivinski
103 W. Chesapeake Avenue
Towson 4, Maryland
Attorneys for Petitioner

Nov. Dec. 17, 1952

\$25.00
RECEIVED of Walter S. Sivinski, Attorney, the sum of Fifteen (\$25.00) Dollars, being cost of hearing to determine non-conforming use of property situate side of York Road, 8th District.

Zoning Commissioner

PAID
NOV 17 1952
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

