FILED JUN 24 1952

2280-S

Re: Petition for a Special Permit for a Junk Yard - at end of 30 ft. road 1700 ft. S.E. Old Washington Blvd. 13th District of Balto. Co. Jos. J. Hoch, Contract Purchaser

Augustine J. Huller, Esq.
Zoning Commissioner
Towson 4, Maryland

Mr. Commissioner:

Please enter an appeal in behalf of Harry S. Smuck and Joseph J. Hoch, contract purchaser, to the Board of Zoning Appeals of Baltimore County from the Order of the Zoning Commissioner dated June 18th, 1952, in the above application for special permit, and forward transcript of record to the Board of Zoning Appeals of Baltimore County.

Michael Paul Smith
Attorney for Petitioner and Contract Purchaser

Dated this 24th day of June, 1952.

RE: PETITION FOR A SPECIAL PERMIT FOR A JUNK YARD - At end of 30 ft. road 1700 ft. S. E. Old Washington Road, 13th District of Balto. Co. Harry A. Smuck, Petitioner - Jos. J. Hoch, Contract Purchaser

The property which is the subject of this petition for a special permit for a junk yard is located on the west side of the Baltimore & Ohio Railroad rightofway approximately 600 feet south of Sulphur Spring Road, Lansdowne, in the Thirteenth District. The property is zoned M-1 Light Industrial.

The property along Sulphur Spring Road to the northeast of the property inquestion is developed for residential use with the exception of a lot bordering on the Railroad which is zoned commercially and used for a coal yard. The property to the northwest is developed for a cemetery, this cemetery being the burying ground for the Atts Chain Congregation, the Gaallwood Street Congregation and the Hanover Street Congregation. The cemetery now contains seven to eight thousand graves. In addition testimony introduced at the hearing was to the effect that forty thousand additional grave lots had been sold or are for sale. A stone chapel was recently built on the cemetery property where burial services are conducted.

The petitioner stated that it was his intention if this special permit were granted to operate a junk yard not necessarily along the usual automobile junk yard pattern but that the junking operations would probably consist of the reclaiming of the heavier steel parts. The operation would entail the cutting up of junk with torches and the burning of the combustible parts. The petitioner further stated that access would be to the property by the thirty feet road leading out to Old Washington Road as shown on the plan filed with the petition and possibly put a railroad spur from the Baltimore & Ohio Railroad.

The property owners in the area testified that the burning operations would be very obnoxious to the residents. It was also testified that a junk yard would depreciate the property values in the area and that the site was fairly discernible from Sulphur Spring Rd. It was further testified that the use of this property for the operation of a junk yard would be a blight upon the future residential development of that area, and, also that sewers have recently been installed in Lansdowne and that continued residential development was expected.

An inspection of the property in question bears out the testimony of the protestants that a large portion of the lot can be seen from Sulphur Spring Road, therefore, the junk yard as pointed out by the petitioner would not be obscured from view by the Railroad or by the contour of the land.

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In view of the residential development which has taken place in Lansdowne and with the installation of public sewerage facilities in the area and the expectation of future residential development, it is the opinion of the Zoning Commissioner of Baltimore County that an obnoxious use such as a junk yard would be detrimental to the proper enjoyment of the surrounding land for residential use and a special permit for such use should not be granted.

It is therefore this 18th day of June, 1952, ORDERED by the Zoning Commissioner of Baltimore County that the aforesaid special permit petitioned be and the same is hereby denied.

Zoning Commissioner of Baltimore County

2280

#2280-S

PETITION FOR SPECIAL PERMIT

IN THE MATTER OF

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY

For A Special Permit

To The Zoning Commissioner of Baltimore

HARRY A. SMUCK Legal Owner

JOSEPH J. HOCK Contract Purchaser

hereby petition for a Special Permit, under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 577 of the Acts of the General Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

A Special Permit to use the land (and improvements now or be erected thereon) hereinafter described for

JUNK YARD

All that parcel of land at the end of a 30' road 1700 ft. southeast of Old Washington Rd. (said road being610 ' southwest of Sulphur Spring Road) thence the following courses and distances north 42 degrees 55 minutes east 215 feet thence [illegible] south 75 [illegible] south 25 degrees 55 minutes east 75 ft. to beg.

Joseph J. Hock
Contract Purchaser
1150 Frankfurt Ave
Address
Balto. 25, Md.

Harry A. Smuck
Legal Owner
6050 Ritchie Highway
Address
Baltimore 25, Md

2 Plot plans to scale

Send Check
$ 23.00

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#2280

District 13th Date of Posting 6-5-52

Posted for: Special Permit for Junk Yard

Petitioner: Harry A. Smuck - Joseph J. Hock

Location of property: At the end of a 30 ft road 1700 ft southeast of Old Washington Rd. (said road being 610 ft southwest of Sulphur Spring Road) See Plat

Location of Signs: On a post on the W. side of the Railroad approx. 600 ft southwest of Sulphur Spring Rd on the S side of Old Washington Road, about 1700 ft S.E. of the end of the road

Remarks:

Posted by George R. Hammond Signature Date of return 6-5-52

May 20, 1952

$23.00

RECEIVED of Joseph J. Hock the sum of Twenty three ($23.00) Dollars, being cost of petition for Special Permit, advertising and posting of property at the end of a 30 foot road 1700 feet southeast of Old Washington Road, 13th District of Baltimore County.

Zoning Commissioner

Hearing:
Day June 18, 1952
at 1:00 P. M.

PAID
JUN - 2 1952
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY

June 25, 1952

$22.00

RECEIVED of Michael Paul Smith, Attorney for Jos. J. Hoch, 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 denying the special permit for a junk yard, at end of 30 ft. road 1700 feet southeast of Old Washington Road, 13th District.

Zoning Commissioner

PAID
JUN 25 1952
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY

June 5, 1952

$5.00

RECEIVED of Joseph J. Hoch the sum of Five ($5.00) Dollars, being additional cost of advertising property southeast of Old Washington Road, 13th District of Baltimore County.

Zoning Commissioner

PAID
JUN 5 1952
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY

FILED JUN 9 - 1952

2280-S

NOTICE OF HEARING
BOARD OF ZONING APPEALS
BALTIMORE COUNTY, MD., PETITIONER
FOR SPECIAL PERMIT—JUNK YARD

Pursuant to petition filed with the Zoning Commissioner of Baltimore County, for Special Permit, in the matter of Harry A. Smuck, et al, Contract Purchaser, for a junk yard, the Board of Zoning Appeals of Baltimore County, by authority of Article 3, Section 27, of the Baltimore County Zoning Regulations, will hold a public hearing in the Council Room, in the Courthouse, Towson, Maryland, on the 16th day of June, 1952, at 10 A. M.

At 11 A. M. the matter will be heard for the special permit published, for an order that it should be granted, the property involved being described as follows:

All that parcel of land at the end of a 30 ft. road 1700 ft. southeast of Old Washington Road (said road being 610 feet southwest of Sulphur Spring Road) thence the following courses and distances: north 42 degrees 55 minutes east 215 feet, thence [illegible] 75 feet, thence south 25 degrees 55 minutes east 75 ft. to beg.

Being the property of Harry A. Smuck and Joseph J. Hoch, as shown on the plat filed with the Board of Zoning Appeals.

By order of
BOARD OF ZONING APPEALS
BALTIMORE COUNTY

May 30—June 6.

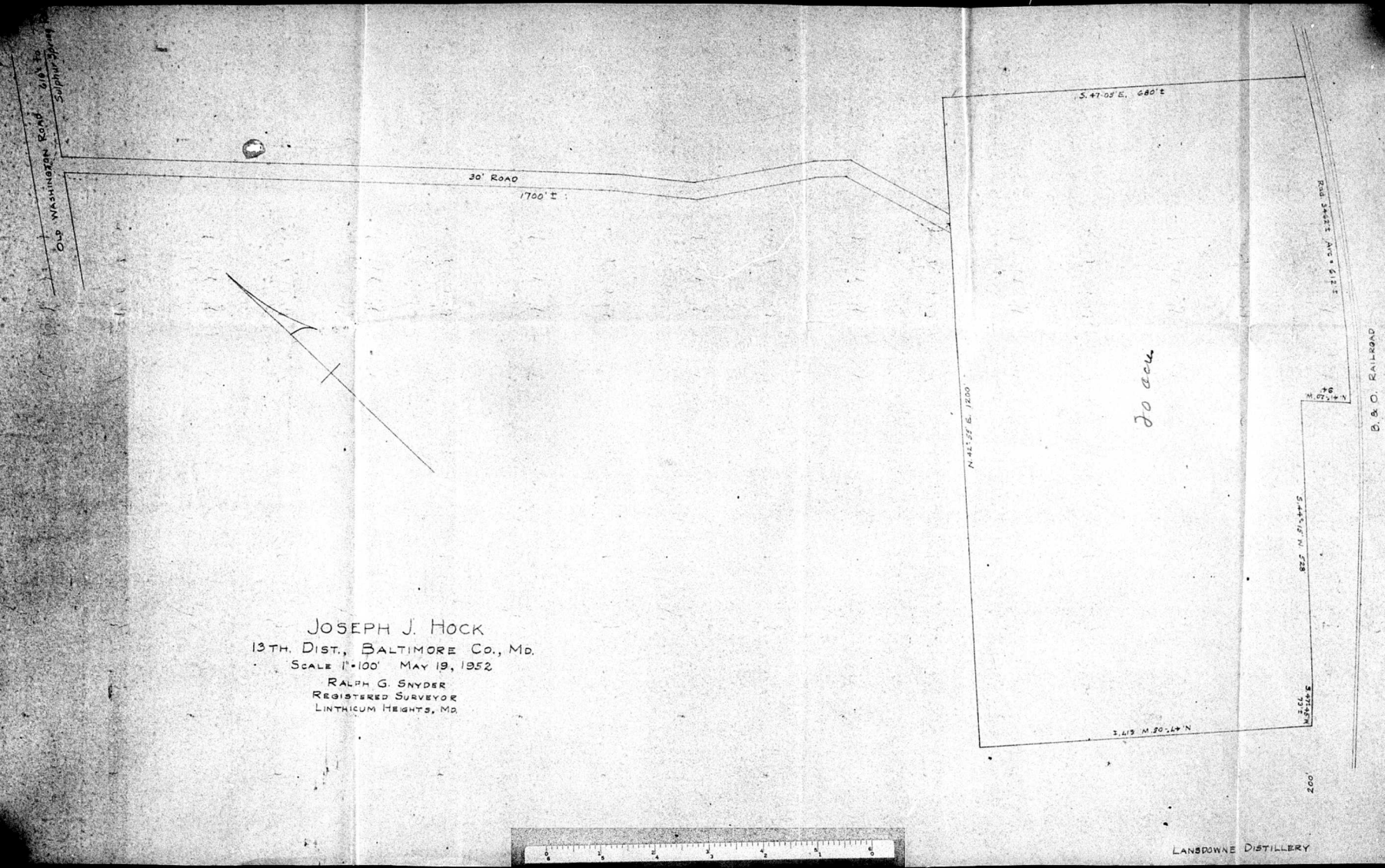
CERTIFICATE OF PUBLICATION

TOWSON, MD., June 6th., 1952 19....

THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once in each~~ ~~of one time before~~ ~~the 16th. June 19...~~ the first publication appearing on the 30th. day of May 19 52

THE JEFFERSONIAN,
Manager.

Cost of Advertisement, $.....



JOSEPH J. HOCK
13TH. DIST., BALTIMORE CO., MD.
SCALE 1" = 100' MAY 19, 1952
RALPH G. SNYDER
REGISTERED SURVEYOR
LINTHICUM HEIGHTS, MD.