

RE: PETITION FOR A SPECIAL PERMIT FOR ADVERTISING
 STRUCTURE - W. S. Bel Air Road, 150 feet S.
 Overlea Ave., 11th District - The Baltimore
 Transit Co., Petitioner - The Maryland Adver-
 tising Co., Licensee

The property which is the subject of this petition is located on the west side of Bel Air Road 150 feet south of Overlea Avenue, Fourteenth District. The property is owned by the Baltimore Transit Company and is a part of the land used for the parking at Overlea. The property is zoned "R-1 Commercial". All of the property from the City line to the house is zoned "R-1 Commercial" and the use of this property is developed commercially. In the immediate vicinity of the property in question all of the commercially zoned property is developed for commercial uses. There are located a restaurant, a drug store, bank, filling station, moving picture parlor, food market, lumber yard and various other commercial enterprises.

The Maryland Advertising Company, the licensee, maintains that the use of this property for an advertising structure will in no way be detrimental to the general welfare of the community but would, in fact, be beneficial in that the lights from the sign would illuminate an otherwise dark and dangerous location.

Dr. and Mrs. Edward H. Hansen, 1 Overlea Avenue, the owners of the property immediately to the west of the Transit Company's property and fronting on Overlea Avenue contend that the operation of this sign at the proposed location would be detrimental to the proper enjoyment of their property for residential use. The Hansen property begins approximately 100 feet west of Bel Air Road. The commercial zoning extends to a depth of 150 feet on the west side of Bel Air Road, which would mean that Dr. Hansen's property is zoned commercially. Dr. Hansen testified that his house does not face upon Overlea Avenue but faces to the east on to Bel Air Road overlooking the Transit Company building. An examination of the property corroborates this statement. Dr. Hansen feels that the operation of this sign in front of his house, so to speak, would be unsightly and detrimental to his property.

The fact of the matter is that both the Transit Company property and the Hansen property are zoned commercially. If the Transit Company saw fit to install signs on the No. 15 line or for some other reason would decide to do away with the loop, together with the buildings thereon and decided to use the property for non commercial use, under the zoning regulations and restrictions for Baltimore County, the Transit Company would apply for a building permit and would be granted a permit for the erection of a building of unlimited height. In addition the Regulations state that in a commercial zone a commercial building may be built on the rear property line, provided access is had to the property by side street or side alley. This means that the view, as well as the light and air of the Hansen property would be cut off on the east side.

In view of the fact that the owner of the property in question has such rights relegated to him under the regulations, it would appear that the use of this property for an advertising structure, which does not do anything like the harm a commercial building would do, that the owner should have the right to construct such a sign.

It does not appear that any other properties are affected by the construction of this sign. In view of the foregoing, it is the opinion of the Zoning Commissioner of Baltimore County that the special permit should be granted.

It is this 16th day of January, 1952, ORDERED by the Zoning Commissioner of Baltimore County that the aforesaid special permit be and the same is hereby granted for a period of two (2) years from the above date.

James H. Spiller
 Zoning Commissioner
 of Baltimore County

IN THE MATTER OF
 THE BALTIMORE TRANSIT COMPANY
 For a Special Permit
 To the Zoning Commissioner of Baltimore
 Baltimore Transit Co.
 THE MARYLAND ADVERTISING COMPANY

hereby petition for a Special Permit, under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, agreeable to Chapter 877 of the Acts of the General Assembly of Maryland of 1942, for a court in permit and use, as provided under said regulations and Act, as follows:

A Special Permit to use the land (and improvements now or to be erected thereon) heretofore described for one illuminated
ADVERTISING STRUCTURE

All that parcel of land in the 11th District of Baltimore County beginning 150 feet south of Overlea Avenue, thence southerly and ending on the west side of Bel Air Road 25 feet with a rectangular depth westerly of 100 feet.

THE BALTIMORE TRANSIT COMPANY
 THE MARYLAND ADVERTISING COMPANY
 1025 MATTHEWSON BLVD., BALTO., MD.
 1514 Washington Blvd., Balto. 30, Md.

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District 14th Date of Posting 11-26-52
 Posted for Special Permit - Illuminated Structure
 Petitioner: Baltimore Transit Co.
 Location of property W. S. Bel Air Rd. 150' S. of Overlea Ave. 11th Dist.
 Location of Sign West side of Bel Air Rd. 150' S. of Overlea Ave.
 Remarks: George P. Spencer
 Posted by George P. Spencer Date of return 11-26-52

FILED DEC 1 1952

CERTIFICATE OF PUBLICATION

TOWSON, MD. November 26, 1952.

THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. between
Nov. 2 times between before the 8th
 day of December, 1952, the first publication
 appearing on the 21st day of November
 1952.

THE JEFFERSONIAN
R. J. Sander
 Manager

Cost of Advertisement, \$.....

November 13, 1952

\$20.00

RECEIVED of The Maryland Advertising Company the sum of Twenty (\$20.00) Dollars, being cost of posting for special permit, advertising and posting at property W. S. Bel Air Road, 150' South of Overlea Avenue, 11th District.

Zoning Commissioner

PAID
 NOV 17 1952
 COUNTY COMMISSIONERS
 OF BALTIMORE COUNTY

Deputies:
 Monday, November 8, 1952
 at 1:15 p.m.
 Roomment of the Rackard Building
 Towson, Maryland

