

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE AND SPECIAL PERMIT FOR GASOLINE SERVICE STATION - two parcels - S. S. Milford Hill Road, 145 Feet E. Cloudy Fold Road, Eastern Bag Service, Petitioner

The appeal in the above entitled matter coming on for hearing on July 9, 1953, before the Board of Zoning Appeals of Baltimore County from an Order of the Zoning Commissioner of Baltimore County dated March 12, 1953, denying an application for reclassification from an "A" Residence Zone to an "E" Commercial Zone and for a Special Permit for part of the land for a gasoline service station; and it appearing from the facts and evidence adduced at the appeal that the reclassification and Special Permit would be detrimental to the safety and general welfare of the community and for reasons set forth in said opinion, therefore,

It is this 18th day of October, 1953, Ordered by the Board of Zoning Appeals of Baltimore County that the petition for reclassification and Special Permit be denied.

Chairman

Board of Zoning Appeals of Baltimore County

OPINION OF THE BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

This is an appeal by the Eastern Bag Service from an Order of the Zoning Commissioner of Baltimore County dated March 12, 1953, denying the reclassification from an "A" Residence Zone to an "E" Commercial Zone and a Special Permit as to part of the lot for a gasoline service station in regard to the property described in the petition.

The case came on for hearing before the Board, testimony was taken, and counsel heard.

The property which is the subject of this petition is located on the South side of Milford Hill Road opposite Cloudy Fold Road in the Third Election District of Baltimore County. This property is located in a distinctly residential neighborhood with numerous cottages overlooking the subject property. The small commercial property, which bears a non-conforming use, is located in such a place as not to be particularly objectionable from the residential standpoint and is certainly not of sufficient size to designate the neighborhood as a growing commercial area. The road is exceedingly narrow, on a grade, and with a sharp curve nearly in the middle of the northern boundary of the petitioner's property. There is a high bank on the north side of the Milford Hill Road and a narrow bridge west of the subject property.

The Board is of the opinion that the operation of any additional commercial enterprises in this section would create a serious traffic hazard, would be detrimental to the safety and general welfare of the community, and that the erection of a gasoline service station on the easterly portion of the subject property should not be granted; and the Board

will, therefore, pass its Order denying the reclassification from an "A" Residence Zone to an "E" Commercial Zone and denying the Special Permit for a gasoline service station.

Chairman

Board of Zoning Appeals of Baltimore County

FILED MAR 21 1953

Charles H. Deang
Zoning Commissioner of Baltimore County
Towson-4, Maryland

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE AND SPECIAL PERMIT FOR GASOLINE SERVICE STATION - two parcels - S. S. Milford Hill Road, 145 Feet East Cloudy Fold Road, Eastern Bag Service, Petitioner

Mr. Commissioner:

Please enter an appeal to the Board of Zoning Appeals of Baltimore County from the order of the Zoning Commissioner dated March 12, 1953 in the above application denying zoning reclassification from an "A" Residence Zone to an "E" Commercial Zone, and Special Permit for Gasoline Service Station, and forward transcript of record to the Board of Zoning Appeals for Baltimore County. Enclosed herewith is a check for \$25.00 covering the cost of said Appeal.

Charles H. Deang
Zoning Commissioner of Baltimore County
Towson-4, Maryland

Dated March 21, 1953

FILED MAR 21 1953

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE AND SPECIAL PERMIT FOR GASOLINE SERVICE STATION - two parcels - S. S. Milford Hill Road, 145 Feet E. Cloudy Fold Road, Eastern Bag Service, Petitioner

Upon hearing on petition (1) for reclassification of the parcel of land described therein from an "A" Residence Zone to an "E" Commercial Zone and (2) for a Special Permit to use said property for a gasoline service station, and it appearing that by reason of location, being situated on the south side of Milford Hill Road, directly opposite Cloudy Fold Road, said area being strictly residential and developed with cottage type dwellings, the granting of same would be detrimental to the general welfare of the community.

The location of the proposed gas service station on the extreme easternmost portion of the property, covered by this petition, would be situated directly across the street from the existing dwellings facing Milford Hill Road and with residences on the easternmost side of the proposed station.

It is the opinion of the Acting Zoning Commissioner that the granting of this petition for reclassification, from an "A" Residence Zone to an "E" Commercial Zone together with the granting of a special permit for a gasoline service station would be a case of "spot zoning" and also be detrimental to the general welfare of the community and said petition should be denied.

It is this 18th day of March, 1953, ORDERED by the Acting Zoning Commissioner of Baltimore County, that the aforesaid petition, the first for reclassification, from an "A" Residence Zone to an "E" Commercial Zone and the second, for a special permit for a gasoline service station, be and the same are hereby denied and the property remains an "A" Residence Zone.

Charles H. Deang
Acting Zoning Commissioner of Baltimore County

PETITION FOR (1) ZONING RECLASSIFICATION (2) SPECIAL PERMIT
To the Zoning Commissioner of Baltimore County:
I, or we, Eastern Bag Service, Legal Counsel

All that parcel of land in the 3rd District of Baltimore County on the south side of Milford Hill Road containing 145 feet east of Cloudy Fold Road, thence westerly and ending on the south side of Milford Hill Road 145 feet, thence South 75 degrees 10 minutes West 133 feet, thence South 75 degrees 00 minutes East 100.00 feet, thence South 75 degrees 10 minutes West 61 feet, thence South 75 degrees 10 minutes North 23 degrees 56 minutes East 135 feet, thence North 15 degrees 19 minutes West 99 feet to place of beginning.

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.

John L. Koenig
Walter C. Koenig

Eastern Bag Service
Legal Office

Box 140 Milford Hill Rd.
Pikesville, B. Md.

P 1 3140

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE AND SPECIAL PERMIT FOR GASOLINE SERVICE STATION - two parcels - S. S. Milford Hill Road, 145 Feet E. Cloudy Fold Road, Eastern Bag Service, Petitioner

RECLASIFIED by the Zoning Commissioner of Baltimore County this 18th day of February, 1953, that 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 21st day of March, 1953, at 10:00 o'clock A.M.

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.

John L. Koenig
Walter C. Koenig

Eastern Bag Service
Legal Office

Box 140 Milford Hill Rd.
Pikesville, B. Md.

P 1 3140

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 3rd Date of Posting: 2-18-53 # 2488
 Posted for: Paul J. Morgan, Eastern Bag Service Station
 Petitioner: Eastern Bag Service
 Location of property: S.S. Milford Mill Rd. by 145' E. of Cloudy Fold Rd. Sec 3
 Location of Signs: on S.S. Milford Mill Rd. by 145' E. of Cloudy Fold Rd. Sec 3
 Remarks: 30' off road, on S.S. Milford Mill Rd. by 145' E. of Cloudy Fold Rd. Sec 3
 Posted by: George S. Hammond Date of return: 2-19-53
 Signature

ZONING DEPARTMENT OF BALTIMORE COUNTY
PETITION FOR RECLASSIFICATION
SPECIAL PERMIT
3rd DISTRICT
 Pursuant to petition filed with the Zoning Commissioner of Baltimore County for change of classification from an "A" Residence zone to an "E" Commercial zone of the parcel of land hereinafter first described in form SPECIAL PERMIT to use the land hereinafter secondly described for a Gasoline Service Station, the Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations for Baltimore County, will hold a public hearing in the Board Room, in the basement of the Backford Building, Towson, Maryland:

On March 2, 1953
 at 10:00 A. M.
 to determine whether or not the following mentioned and described land should be changed and reclassified and whether or not a SPECIAL PERMIT should be granted as stated for the property hereinafter secondly described, (it is reclassified the first described parcel to be for Approved Commercial Use and the secondly described parcel to be for Gasoline Service Station) to wit:

All that parcel of land in the 3rd District of Baltimore County on the south side of Milford Mill Road beginning 145 feet east of Cloudy Fold Road, thence westerly and ending on the south side of Milford Mill Road 722 feet, thence South 2 degrees 39 minutes West 113 feet, thence South 66 degrees 00 minutes East 100.02 feet, thence South 60 degrees 36 minutes West 61 feet, thence South 77 degrees

FILED FEB 17 1953
 OFFICE OF
THE BALTIMORE COUNTIAN
 THE COMMUNITY NEWS Registertown, Md. THE COMMUNITY PRESS Dundalk, Md.
 THE HERALD-ARGUS Catonsville, Md.
 No. 1 Newburg Avenue CATONSVILLE, MD.

February 21, 1953

THIS IS TO CERTIFY, that the annexed advertisement of Augustine J. Muller, Zoning Commissioner of Baltimore County was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for 2 successive weeks before the 21st day of February, 1953, that is to say the same was inserted in the issues of February 13 and 20, 1953.

THE BALTIMORE COUNTIAN

By Paul J. Morgan
 Editor and Manager.

March 23, 1953

\$22.00

RECEIVED of Maurice W. Baldwin, Attorney for Eastern Bag Service, Petitioner, the sum of Twenty Two (\$22.00) Dollars being cost of appeal to the Board of Zoning Appeals from the decision of the Acting Zoning Commissioner denying reclassification and a special permit for a gasoline service station, S. S. Milford Mill Road, 145 feet East Cloudy Fold Road, 3rd District of Baltimore County.

Zoning Commissioner

PAID
 MAR 23 '53
 COUNTY COMMISSIONERS
 OF BALTIMORE COUNTY
 BY th. [signature]

February 19, 1953

\$36.00

RECEIVED of Eastern Bag Service, the sum of Thirty Six (\$36.00) Dollars, being cost of petition reclassification and special permit for gasoline service, advertising and posting property, south side of Milford Mill Road 145 feet east of Cloudy Fold Road, 3rd District.

Zoning Commissioner

Hearing:
 Monday, March 2, 1953
 at 10:00 a.m.
 basement of
 Backford Building
 Towson, Md.

PAID
 FEB 19 1953
 COUNTY COMMISSIONERS
 OF BALTIMORE COUNTY
 BY th. [signature]

