

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE - N. W. Side Eastern Boulevard, 200 Ft. S. W. Bennett Road, Eugene and Kate Secret, Petitioners.

The appeal in the above entitled matter coming on for hearing on the 17th day of September, 1953, before the Board of Zoning Appeals of Baltimore County from an Order of the Zoning Commissioner of Baltimore County dated June 6, 1953, denying application for reclassification from an "A" Residence Zone to an "E" Commercial Zone in regard to the property described therein; and it appearing from the facts and evidence adduced at the appeal that the said reclassification would not be detrimental to the health, safety, and general welfare of the community and for reasons set forth in said opinion; therefore,

It is this 31st day of September, 1953, Ordered by the Board of Zoning Appeals of Baltimore County that this property be reclassified from an "A" Residence Zone to an "E" Commercial Zone on Eastern Avenue only, for a depth of 50 feet from northerly side of said avenue.

H.B. Campbell
Chairman
James D. Williams
Council of Zoning Appeals of Baltimore County

OPINION OF THE BOARD OF ZONING APPEALS
OF
BALTIMORE COUNTY

This is an appeal by Eugene D. Secret and Kate B. Secret from an Order of the Zoning Commissioner of Baltimore County dated June 6, 1953, denying application for reclassification from an "A" Residence Zone to an "E" Commercial Zone 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 a tract of land 50 ft. wide on the northwest side of Eastern Boulevard with a rectangular depth northwesterly of 122 feet binding on the southeast side of Barbart Road.

In this general area there is both commercial and residential properties; and although the subject property and adjoining lands have been developed with cottages it does not necessarily mean that this is the best or most desirable use of the land in view of the fact that it lies between Barbart Road and Eastern Avenue, said avenue being a dual highway with a heavy flow of traffic. The change of classification of this property would not be detrimental to the health, safety, and general welfare of the community; and the Board will, therefore, pass its Order granting the reclassification from an "A" Residence Zone to an "E" Commercial Zone on Eastern Avenue only, for a depth of 50 feet from northerly side of said avenue.

APPROVED:
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

By *Walter A. Haffner*

Date: APR 21 1954

PETITION FOR ZONING RECLASSIFICATION

#2590

TO: CHARLES H. DOING

From: Malcolm H. Dill

Location - N.W. Eastern Blvd., 200' S.W. of Bennett Rd., 15th Dist.

Present Zoning - "A" Residence Proposed Zoning "E" Commercial

This property is located between Eastern Boulevard and Barbart Road. The 50' x 122' lot already contains a 1 1/2 story dwelling. Examination of the zoning map (see sketch) indicated that there is extensive commercially-zoned land in the vicinity, but none in the cottage area in which this rezoning is desired.

It is recommended that this petition be denied for the following reasons:

1. That reclassification of this property would be an intrusion of commercial use in an exclusively cottage-type subdivision and would result in "spot zoning."
2. That reclassification of this property would add further to the traffic hazards and would reduce further the safety and efficiency of Eastern Boulevard as well as possibly introducing commercial traffic into the residential street of Barbart Road.
3. Furthermore, that reclassification of this property is not justified in view of the obvious inadequacies of the site (small, no access, already developed in residential use, etc.) and the presence of an existing shopping center to the northeast of Bennett Road.

cc: H. W. Hartman

May 22, 1953

FILED JUN 11 1953

Re: Petition for Reclassification from : Charles H. Doing,
an "A" Residence Zone to an "E" Commercial Zone - N. W. Side Eastern : Zoning Commissioner,
Boulevard, 200 Ft. S. W. Bennett Rd., : Baltimore County
Eugene and Kate Secret, Petitioners :

Mr. Charles H. Doing, Zoning Commissioner for Baltimore County:

Please enter an appeal in the above entitled matter to the Board of Zoning Appeals of Baltimore County.

James D. Williams
Haffner and Brennan,
Attorneys for Petitioners

Eugene Secret
Eugene Secret, Petitioner

Kate Secret
Kate Secret, Petitioner

MAQUIRE & BERENSON
ATTORNEYS AT LAW
BOSTON & TOWSON, MD.

Petition for Zoning Re-Classification

To the Zoning Commissioner of Baltimore County -

Eugene and Kate Secret Legal owner of the property situate
Northwest side of Eastern Boulevard 200 feet southwest of
Barbart Road, 15th District Baltimore County.

Northwest side of Eastern Boulevard, 15th District of Baltimore County, beginning 200 feet southwest of Bennett Road, thence southeasterly, on the northwest side of Eastern Boulevard, 50 feet with a rectangular depth northwesterly of 122 feet and binding on the southeast side of Barbart Road. Property known as 1739 Barbart Road

herely petition that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an "A" Residence Zone to an "E" Commercial Zone.
Reasons for Re-Classification: The applicants wish to use the property for storage, maintenance and fueling of taxi cabs now owned by the applicants.

Size and height of building front 36 feet; depth 36 feet; height 10 feet
Front and side set backs of building from street lines front 0 feet; side 9 feet
Property to be posted as prescribed by Zoning Regulations.

We, the undersigned, agree to pay expenses of above reclassification, advertising, printing, 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.

Eugene B. Secret
Kate B. Secret
Legal Owner
Address 1739 Barbart Road Baltimore

ORDERED By The Zoning Commissioner of Baltimore County, this 31st day of April, 1953, that the subject matter of this petition be advertised, as required by the "Zoning Law of Baltimore County," in a newspaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing herein be had in the office of the Zoning Commissioner of Baltimore County, in the Breckard Bldg., in Towson, Baltimore County, on the 15th day of May, 1953, at 2:00 P.M.

Zoning Commissioner of Baltimore County

(over)

FILED MAY 20 1953

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 18, 1953

THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 18th day of May, 1953, before the 21st day of May, 1953, the first publication appearing on the 18th day of May, 1953.

W. J. Jeffersonian
Manager

Cost of Advertisement, \$.....

NOTICE OF ADVERTISING CONTRACT
The undersigned, W. J. Jeffersonian, Manager of the JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 18th day of May, 1953, before the 21st day of May, 1953, the first publication appearing on the 18th day of May, 1953.

\$24.00

RECEIVED OF John H. Maquire, Attorney for Eugene and Kate Secret, petitioners, 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 reclassification of property on the northwest side of Eastern Boulevard, 15th District.

Zoning Commissioner

PAID
JUN 1 1953
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY

May 6, 1953

\$20.00

RECEIVED of John J. Maguire, Attorney for Eugene and Kate Secrest, petitioners, the sum of Twenty (\$20.00) Dollars being cost of petition for reclassification, advertising and posting property, northwest side of Eastern Boulevard, 15th District.

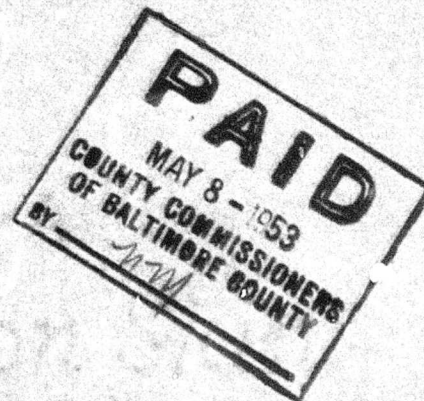
Zoning Commissioner

Hearings:

Monday May 25, 1953

at 2:00 p.m.

basement
Reckord Bldg.,
Towson, Md.



BENNET
ROADBARHART ROAD
(50' wide)20 Ft Building
Restriction LineProperty To
Be Zoned

(84)

Reservation

EASTERN AVE - DUAL HIGHWAY

Planting

