. The appeal in the above entitled matter coming on for hearing on the 22nd day of October, 1953, before the Board of Zoning Appeals of Baltimore County from an Order of the Zoning Commissioner of Baltimot County dated August 31, 1953, denying the reclassification from an "F" Light Industrial Zone to a $^{\rm H}{\rm G}^{\rm H}$ Heavy Industrial Zone and the denial of a special permit for a Junk yard in regard to the property described therein; and it appearing from the facts and evidence adduced at the appeal that the granting of the reclassification would be detrimental to the general welfare of the community, the reclassification from an "p" Light Industrial Zone to a "G" Heavy Industrial Zone is denied and the special permit for a junk yard is also denied this 31 day of Accember , 1953 by the Board of Zoning Appeals of Baltimore County. However, the Board finds that the present operation on the property described in the petition is not the operation of a junk yard, and the appellants will be permitted to continue the same type operation as disclosed at the time of the hearing.

Extensive lands of heavy industrial soning already exist to th of the petitioner's property binding the Baltimore & Ohio Builtoned. This Rail mad has been considered by the zoning authorities of Baltimore County as a natural boundary between light and heavy industrial coning. Therefore to extend the goning to a small piece of land on the north side of the Railroad, the demarkation lime between heavy and light industrial, would represent the accommodation of an individual's desire and not an action in the interest of the general welfare.

If approval be given to the regoning of the tract of land in question the County will be in effect committed to the potential granting of heavy industrial soning for all of the Railroad frontage north of the Railroad and south of Pulaski Highway, which land appears to be correctly zoned light industrial. No change or changes in the community have been brought to my attention that now warrant a reclassification of said land from light industrial to heavy industrial, therefore, the request for resoning is hereby denied.

The retition for a special permit to operate a junk yard on the tract of land described in the petition for reclassification was filed simultaneously with the patition for reclassification on June 29, 1953. On July 2, 1953 the County Countssioners of Baltimore County passed certain amendments to the Zoning Regulations and Restrictions for Baltimore County which require that a junk yard may be allowed under a special permit in a heavy industrial some only.

OPINION OF THE BOARD OF ZONING APPEALS BALTIMORE COUNTY

This is an appeal by Champion Brick Company, Inc., and Tube City Iron and Metal Company from an Order of the Zoning Commissioner of Baltimore County dated August 31. 1953, denving the reclassification from an "P" Light Industrial Zone to a "G" Heavy Industrial Zone and the denial of a special permit for a junk yard in regard to the property described in

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

The Board agrees with the Zoning Commissioner that the railroad is a natural boundary between light and heavy industrial zoning, and there has been no showing on the part of the appellants to justify reclassification; and, therefore, the petition for reclastification from an "P" Light Industrial Zone to a "O" Heavy Industrial Zone will be denied.

However, from the testimony presented and from observetion of the subject property, the Board is of the opinion that the type of operation being conducted on the property described to the petition is not a junk yard. Practically every light industrial plant is required to dispose of waste material, and the products being handled on this land are solely and exclusively the by products or refuse in connection with the operation of a light industriel industry. There has been no ettempt to intermingle unclassified and miscellaneous junk. waste, used, or absolete materials which are ordinarily and usually known as junk. In Words and Phrases, Page 352, "Junk is defined as worn-out and discarded material in general that may be turned to some use, especially old rope, chain, iron, copper parts of machinery, and bottles, gathered up and bought

The hearing on the two foregoing petitions was held on the 10th day of August, 1953, and it is my opinion that I may not now grant a special permit for a junk yard in anything but a heavy industrial zone, therefore, the petition for the special permit is hereby denied.

ICTRESS my hand and seal this 31st day of August, 1953.



by tradesmen, called 'Junk Dealers'; hence rubbish of any kind, odds and ends." Also "dealer in soran from and steel, which, purchased iron and steel in carload lots and prepared the same for market and made sales in large quantities only and did not handle any of the items commonly designated as junk, held not 'junk dealer' and not engaged in junk business within municipal ordinance requiring license." In 1953 Focket Supplement, Page 138, "Junk as the term is ordinarily understood means articles that have outlived their usefulness in their original form, and are commonly gathered up and sold to be converted into another product, either of the same or of a different kind by some manufacturing process."

The Board is, therefore, of the opinion and so holds that the appellants may continue to use the property described in the netition for the purposes for which it has been used. namely, for the handling and disposing of waste material from a light industrial plant.

Petition for Zoning Re-Classification

hereby petition that the zoning status of the above described property be re-classified, pursuant to the Industrial Indu

easons for Re-Classification. So that a special permit may be obtained for the operation of a junk yard on the property described above, the junk yard to be used as a point of trans-shipment of scrap metal.

Size and height of building: front ______feet; depth _____feet; height _____ Front and side set backs of building from street lines: front.______feet; side_ erty to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification, advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of

ORDERED By The Zoning Commissioner of Baltimore County, this 29th

by the "Zoning Law of Baltimore County," in a new spaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing hereon be had in the office of the Zoning oner of Baltimore County, in the Reckord Bldg., in Towson, Baltimore County, on the 1014 day of august 15 , at 10 o'clock A.M. ble A o ing

> 2-31GNS- F109. 11 SPL. PMT.

FILED SEP 8 1953

BALTIMORE COUNTY

*********** NOTICE OF APPEAL

Please note an appeal in the above entitled case to the Board of Zoning Appeals of Baltimore County on behalf of Champion Brick Company, Inc. and Tube City Iron & Motal Company.

Petition for Zoning Re-Classification

8 + 980 * SW of Red House Run

hereby pet	ition that the zoning status of the above described property be re-classified, pursuant to the
	w of Baltimore County, from an "F" Light zone to an "Q" Bray : rone
Zening La	w of Baltimore County, from an T. Light zone to an C. Beavy zone.
Reason	ss for Re-Classification; So that a special permit may be obtained for the
operat	ion of a junk yard on the property described abown, the junk yard to be
	a material and terror substances of comments of

Size and height of building: front. ____feet; depth_____ Front and side set backs of building from street lines; front. ty to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification, advertising, posting, etc., upon fling this petition, and further agree to and are to be bound by the zoning regulations and restrictions of

Lee Winkel

ORDERED By The Zoning Commissioner of Baltimore County, this 29th June 1963 that the subject matter of this petition be advertised, as required ing Law of Baltimore County," 's a new spaper of general circulation throughout Baltimor 15, at 10 o'clock A. M. blest to ing

2-31GMS- Frog.

PETITION FOR SPECIAL PERMIT

THE HATTER OF Champion Drick Company, Inc. : Legal Owner, and Tube City Iron and Metal Company -Application for a special permit to operate a junk

7/24/53

To The Zoning Cormissioner of Bultimore County

Legal Owner Tube City Iron and Metal Company, a body corporations Lessee

hereby petition for a Special Permit, Under the Zoring 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 1943, for a cortain 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 a junk yard under

building at a point to ded on the north tide of the right of we of the latticers County, building at a point to ded on the north tide of the right of we of the latticers and code matter and the same of the seasons of the seasons of the control of the code of the latticers and the same of the seasons of the seasons of the seasons of the code of the code of the lattice of the seasons of the seasons wet 150-07 feet, there south \$6 degrees of simutes 15 seconds wet 500 feet these senth \$5 degrees of simutes 16 seconds east 150 feet to the place of bedindrap being part of the property of the company as them to place that Tild with the Coming the seasons of the code of the co

General, a body corporate

Grant Control Control

Grant Control

G

PETITION FOR SPECIAL PERMIT

IN THE NATTER OF

MAP V

7/24/53

For a Special Permit

To The Zoning Commissioner of Baltimore County

Legal Owner_ Champion Brick Company, Inc. Tube City Iron and Natal Company, a hody corporationscook Less

hereby petition for a Special Permit, Under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore

County, agreerble to Chapter 877 of the Acts of the General: Assembly of Maryland of 19k3, 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 a junk yard under

Tube City Iron and Metal Champion Brick Company, Inc.

Company, a body corporate

Contract Produced

Legisla

C/o Kenneth C. Proctor

my Lee ali

103 W. Chesapeake Avenue, Towson 4, Nd.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#2660

7-29-53 marin 15" "Light of colorinal Jane & S. Heavy Including from land.

Population for first of the Colorinal Jane & S. Heavy Including from land.

Verification of regard for a part landed on them of for the lander of the Colorina of the Colo

Date of return: 7-30-53

PERMIT-LITH DISTRICT.

Extensive lands of heavy industrial soning already exist to the south of the ititioner's property. Therefore, a decision to extend the total small piece of lind on the north side of the relivant (the desarration line between heavy and light industrial to the accommodation of swifters. Purker, it opportunis given the County will be in effect, committing their to the potential granter of heavy industrial county for all of the relivant property of the relivant, including aparents to be correctly some@for light of instattink upon

Present Zoning - "F" Light Industrial Proposed Zoning - "G" Heavy Industrial

PETITION FOR ZONING RECLASSIFICATION

#2660

Location - N.s. B&O RR, S. of Pulaski Highway, 15th Dist.

TO: CHARLES H. DOTING

Owner - Champion Brick Co.

(note for information: In the proposed zoning regulations soon to be completed, a junk yard must locate only in a heavy industrial zone; no special permit will be needed.)

It is suggested that the distance between the tourist cabin casp located some 700' - 500' to the north of the proposed just yard may hire some bearing in the case as regards potential dust and notes mease and marbetic considerations.

menen Fice

From: Malcolm H. Dili

Special Permit - Junk Yard

Malcolm H. Dill, Director Balto, Co. Plann. Comm.

CERTIFICATE OF PUBLICATION

2660-5

TOWSON MD July 31, 19.53 THIS IS TO CERTIFY, That the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., xxxxxxxxxxxxx of 2. times personners before the 19th hat marret of land to the 11 t of Hallimore County, beg t a point deraied on the nor the rightful way of the Bal day of August 19.53, the first publication appearing on the 24th day of July 19.53 THE PEFERSONIAN,

Cost of Advertisement, \$...

FILED AUG &3 1953

EXHIBIT A

Beginning at a point located on the north side of the right of way of the Baltimore and Chio Railroad which point is 1159.44' more or less southerly from the south line of the Pulaski Highway, and running thence north 62° 35' 1h" east 150.05', thence north 25° 53' h6" west 196.07', thence south 64° 06' 14" west 500' thence south 25° 53' h6" east 200 feet, thence north 64° 06' 14" east 350' to the place of beginning, being part of the property of the Champion Brick Company

Omigned by the Zoning Commissioner of Baltimore County this 29th day of June 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 heering thereon be had in the office of the Zening Constitutioner of Baltimore County, haryland, on the 10th day of August . 150, at 10:00 o'clock

Zoning Countestoner of Baltimore County

July 1745. 10

RECEIVED of Kenneth C. Proctor, to sun of Tuenty Champion Brick Company, Inc., for reclassification and special right of way of Baltimore and Chie Rathroad, 15th District

PAID JULEO 3 OF BALTINORE COUNTY

Sept. 25, 1953

2110-5

ASCRIVED of Kenneth G. Proctor, Attorney for party, petitikner, the sum of Thenty Two (222,00) Dollars cost of appeal to the loard of Zoning Appeals from the Decision of the Zoning Commissioner denying reclassification and special permit for junk yard, N. S. Right-of-way of S. & O. Bilrond, 1160 ft. S. Pulaski Sighway, 15th District.

Zoning Completioner



8-5-53



