

THE BOARD OF LIQUOR LICENSE COMMISSIONERS
FOR BALTIMORE COUNTY
TOWSON, MARYLAND

November 4, 1953

Mr. Marion Book
2410 Jersey Ave.
Baltimore 17, Md.

Dear Mr. Book:

I have been directed to advise you that this Board, upon further investigation, has been informed by the Zoning Board of Baltimore County, that the Special Permit granted you to use your property at 7201 Hunter Road for a backyard does not allow the sale of alcoholic beverages on the premises. Under the State Law of Maryland, this Board cannot consider your application as presented because your property is not correctly zoned.

BY ORDER of the Board,

Sincerely,

P. Louis Howe, Jr.

cc Mrs. L. Reistetter

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County—

I, or we, Mary V. and Marion Book, legal owner(s) of the property situate

and BEING known and designated as Lot No. 1, Section 8, on the Plat of Chesapeake Terrace, which Plat is recorded among the Land Records of Baltimore County in Plat Book A.P.C. No. 5, Folio 34.
All that parcel of land in the Fifteenth District of Baltimore County, beginning at the end of Hunter Avenue said being 71 feet west of Cross Avenue; thence westerly 129 feet to the East Shore line of Jones Creek; thence southerly and easterly and binding on the Shore line of Jones Creek, approximately 450'; thence northerly 210 feet to place of beginning, being all of Lot #1 on plat of Chesapeake Terrace.

hereby petition that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an A-Resident-1 zone to an E-Commercial zone.

Reasons for Re-Classification: That the property is being used as a Descriptive Club Meeting place and primarily as a boat yard, club location for yacht and other boat owners and their friends; there is no intention to substantially change the present use of the property with the exception that the owners would be allowed upon the granting of a license to sell food stuffs, etc., to those who now use the grounds.

Size and height of building: front.....feet; depth.....feet; height.....feet.
Front and side set back of building from street lines: front.....feet; side.....feet.
Property 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 Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Mary V. Book by David J. Jackson
Mary V. Book by David J. Jackson
Legal Owner (s)
Address: 2410 Jersey Ave. Baltimore 17

ORDERED By The Zoning Commissioner of Baltimore County, this.....th.....day of.....
January.....1954 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 Beekman Bldg. in Towson, Baltimore County, on the.....
8th.....day of.....February.....1954 at 1:00 o'clock P.M.

Zoning Commissioner of Baltimore County

RE: Petition for Re-Classification of property
from an "A" Residence Zone to an "E" Commercial
Zone, at the end of Hunter Ave., 77 ft. West
Cross Avenue, 15th District, Nelson and Mary
V. Book, petitioners.

The petition in the above entitled case is for a reclassification of the subject property from residential to commercial.

The Zoning Commissioner refused the petition for reclassification on the grounds that it would amount to "spot zoning".

We find that the original zoning was proper and that no changes have taken place since, which would warrant a reclassification of the property at this time. However, the Zoning Commissioner at the time that he refused a reclassification, granted a Special Permit to the applicants to use the subject property for a Private Club, and it is from the granting of this Special Permit that the appeal is taken.

The testimony shows that the applicants desire to conduct a restaurant and tavern on the premises under the authority of the Special Permit granted them.

It seems to us that this is merely a device or means of circumventing the Zoning Regulations which prohibit a commercial use in a residential area.

We find no authority in the Zoning Regulations or in the Law relating to Special Permits, which authorizes the Zoning Commissioner upon a hearing for a reclassification, to grant a Special Permit since the requirements of the regulations as to public notice and so forth have not been complied with.

Therefore the Order granting the Special Permit is hereby reversed.

Board of Zoning Appeals of Baltimore County

Date: JUL 10 1954

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
TOWSON, MARYLAND

District.....15th..... Date of Posting.....1-27-54
Posted for.....An A. Residence Zone to an E. Commercial Zone
Petitioner.....Marion Book & Mary V. Book
Location of property.....Big old lot of 1 1/2 acres at 77 ft. W. of Cross Ave. & 129 ft. W. of the East Shore line of Jones Creek, thence southerly and easterly and binding on the Shore line of Jones Creek, approximately 450'; thence northerly 210 feet to place of beginning, being all of Lot #1 on plat of Chesapeake Terrace.
Remarks.....
Posted by.....George J. Hammond..... Date of return.....1-28-54

CERTIFICATE OF PUBLICATION

TOWSON, MD., Jan. 27, 1954.
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. according to the requirements of the Zoning Law of Baltimore County before the.....
day of.....JANUARY.....1954, the first publication appearing on the.....
28th.....day of.....JANUARY.....1954.

THE JEFFERSONIAN
M. Reed
Manager

Cost of Advertisement, \$.....

LAW OFFICES
SMALKIN & HESBIAH
CHESAPEAKE BUILDING
TOWSON, M.D.
March 4, 1954

Wilem H. Adams, Esq.
Zoning Commissioner of Baltimore County
303 Washington Avenue
Towson 4, Maryland

Re: Marion Book, et al - Chesapeake Terrace
Zoning Reclassification

Dear Mr. Adams:

Please enter our appearance for the Protestants to the above captioned zoning matter presently pending on appeal before the Board of Zoning Appeals for Baltimore County, and advise date of hearing when set.

Thanking you for your courteous cooperation herein and with kind personal regards, we are

Yours very truly,

SMALKIN & HESBIAH

By: H. Richard Smalkin

HRS:ew

RE: PETITION FOR RECLASSIFICATION FROM AN "A" RESIDENCE ZONE TO AN "E" COMMERCIAL ZONE -
At the end of Hunter Ave., 77 ft. W. Cross Ave., 15th District, Nelson and Mary V. Book, petitioners

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of location, being in a residential zone, the granting of which would be detrimental to the general welfare of the community and be "spot zoning", the above reclassification should NOT be had.

It is this 24th day of February, 1954, ORDERED by the Zoning Commissioner of Baltimore County that the above petition be and the same is hereby denied and that the above described property or area be and the same is hereby continued as and to remain an "A" Residence Zone.

However, in accordance with the power and authority in me vested as Zoning Commissioner of Baltimore County, I hereby grant, to the said petitioners, a special permit for the operation of a Private Club (Boat Club), provided, however, the area of such land so to be used and the setbacks of any buildings or structures to be erected shall be subject to approval of the Zoning Commissioner of Baltimore County.

William H. Adams
Zoning Commissioner
of Baltimore County

January 20, 1954

\$20.00

RECEIVED of Dorothy T. Jackson, attorney for Marion Book and Mary V. Book, petitioners, the sum of Twenty (\$20.00) Dollars, being cost of petition for Reclassification, advertising and posting property, and of Hunter Avenue, 15th District, Baltimore County.

Zoning Commissioner

Meetings
Mon'ay, February 8, 1954
at 1:00 p.m.
Richard Building
Towson, Md.

PAID
JAN 20 1954
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY: J. H. Jackson

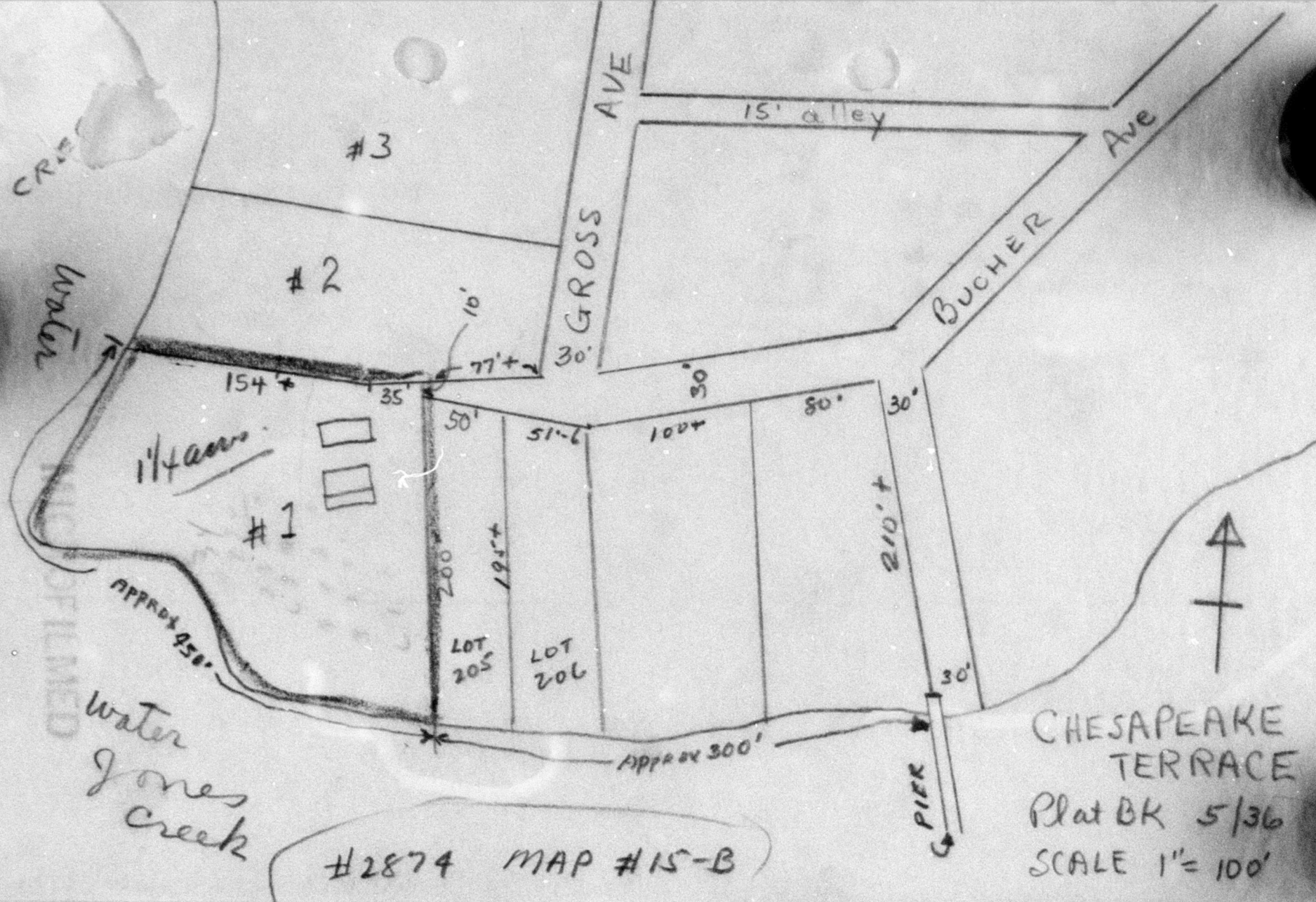
March 1, 1954

\$20.00

RECEIVED of George H. Reistetter, Jr., the sum of Thirty (\$30.00) Dollars, being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner granting a special permit for a Private Club, at end of Hunter Avenue, 15th District of Baltimore County.

Zoning Commissioner

PAID
FEB 28 1954
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY: J. H. Jackson



#2874 MAP #15-B

