

ORDER

Upon the foregoing petition and Affidavit, it is this 24th day of July, 1954, by the Circuit Court for Baltimore County,

ORDERED that a writ of Certiorari be issued to the Board of Zoning Appeals of Baltimore County, to review the decision and Order of said Board of Zoning Appeals dated July 1, 1954, and requiring said Board to return to this Court all papers, records and proceedings, in said matter and a transcript of all testimony presented before the Board in connection with said proceedings and a copy of any and all rules and regulations pursuant to which said Order was entered and said Board acted, to enable this Court to review said Order and decision of the Board and that a return to this petition shall be made and served upon the Defendants' Attorney within ten days from the date of this Order; and

It is further ordered that the said Board of Zoning Appeals of Baltimore County shall return to this Court all the original papers, or certified or sworn copies thereof and the return shall containly set forth such other facts as may be pertinent to show the grounds of the decision and Order appealed from, together with a transcript of all testimony taken at the hearing and copies of the exhibits filed therewith.

True Copy Test
[Signature]
 Clerk

[Signature]
 Judge

Re: Petition for Re-classification of property, northwest side of Leads Avenue, beginning 264 feet southwest of Beachfield Avenue, 13th District, William A. King and Evelyn D. King, petitioners

The subject property is on the west side of Leads Avenue between Beachfield Avenue and Elmdale Avenue. It enjoys a non-conforming commercial use and its owners desire to have it reclassified so that they may expand the non-conforming use.

The difficulty is that there are no commercially zoned properties on the west side of Leads Avenue from East Drive to where Leads Avenue ends at Linden Avenue, a distance of considerably over a mile, all of which is built up with splendid individual homes.

To reclassify this one lot would not only be "spot zoning", but would have a depreciating effect upon the residential property to either side of it.

Therefore the petition for reclassification is denied and the decision of the Zoning Commissioner is hereby affirmed and the property is to remain an "A" Residential Zone.

[Signature]
 Board of Zoning Appeals of Baltimore County

Date: July 1, 1954

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County—

I, or we, William A. King & Evelyn D. King, legal owner(s) of the property above described, hereby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an "A" Residential Zone to an "A" Commercial Zone.

All that parcel of land in the Thirteenth District of Baltimore County, on the northwest side of Leads Avenue, beginning 264 feet southwest of Beachfield Avenue, thence southeasterly and binding on the northwest side of Leads Avenue 50 feet thence north 41 degrees 00 minutes west 125.45 feet, thence north 12 degrees 00 minutes east 50 feet, thence south 41 degrees 00 minutes east 122.75 feet to place of beginning.

Reson for Re-Classification:

Size and height of building: front _____ feet, depth _____ feet, height _____ feet.
 Front and side set backs 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.

[Signature]
 Legal Owner
 Address: 4300 South Ave.
 c/o Michael Paul, with
 115 Cambridge Avenue
 Towson 4, Maryland

ORDERED By The Zoning Commissioner of Baltimore County, this 1st day of July, 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 Reckord Bldg., in Towson, Baltimore County, on the 10th day of July, 1954, at 3:00 o'clock A.M.

Zoning Commissioner of Baltimore County
 (over)

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of _____

It is Ordered by the Zoning Commissioner of Baltimore County this _____ day of _____, 1954, that the above described property or area should be and the same is hereby reclassified, from and after the date of this Order, from a _____ zone to a _____ zone.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that _____ the above property, being in an "A" Residential Zone, is not the logical location for commercial use; further, as there is considerable land zoned for commercial use to the north, south, and within a quarter mile of property, there is no need for any further commercialization, therefore, _____

It is Ordered by the Zoning Commissioner of Baltimore County, this 1st day of July, 1954, 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 to remain an "A" Residential Zone.

[Signature]
 Zoning Commissioner of Baltimore County

Approved _____ County Commissioners of Baltimore County

Date _____ By _____ Per _____

MAY 24 1954

May 24, 1954.

Wilton H. Adams, Esq.
 Zoning Commissioner
 Towson 4, Maryland

Re: Petition for Reclassification from an "A" Residence Zone to an "A" Commercial Zone - N.W. side Leads Avenue, 264 feet N.W. Beachfield Ave., 13th District - Wm. A. & Evelyn D. King, Petitioners

Mr. Commissioners:
 In behalf of the Petitioners Please enter an appeal to the Board of Zoning Appeals of Baltimore County from the Order of the Zoning Commissioner dated May 18th, 1954 in the above application for reclassification, and forward transcript of record to the Board of Zoning Appeals of Baltimore County.

[Signature]
 Attorney for Petitioners

Dated May 24, 1954.

Petition No. 3007 District No. 13

Processed by DJS

Hearing Scheduled May 10, 1954

Attention: Mr. Adams

Subject of Petition: Change or reclassification from an "A" Residence Zone to an "A" Commercial Zone of property on the northwest side of Leads Avenue, in the 13th District.

Comments:

It is considered that this property is not a logical location for commercial use and that such a change would be "spot zoning". There is no commercial zoning along this side of Leads Avenue. All of the properties are zoned for residential use and it is felt that this is the appropriate use for the land.

There is considerable land zoned for commercial use both to the north and south of the property, and within a quarter mile of it and it is suggested that these areas are the logical ones for further commercial zoning. Furthermore, the site under consideration is too small to provide the off-street parking and loading facilities which are coming to be recognized as a necessary adjunct to commercial use. It is recommended that the petition be denied.

B.C. *[Signature]*

May 3, 1954

\$60.00

THIRTEEN of King Tile Co., the sum of Twenty (\$20.00)

Baltimore, being cost of petition for Reclassification, advertising and posting property, northwest side of Leads Avenue, beginning 264 feet southwest of Beachfield Avenue, 13th District, Baltimore County, Maryland.

Zoning Commissioner

Received
 Monday, May 10, 1954
 at 3:00 a.m.

Received Building
 Division, May 10, 1954



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

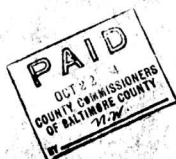
#3007

District... 13th Date of Posting... 4-28-54
 Posted for: Ans. A. Residential zone to ans. C Commercial zone
 Petitioner: William A. & Evelyn R. King
 Location of property: W. S. of Leeds Ave. by 25 ft. S. of Beachfield, about S. of
Leeds Ave. by 25 ft. S. of Beachfield, about S. of
 Location of sign: Westward side of Leeds Avenue 25 ft. Southward of
Beachfield Avenue
 Remarks: _____
 Posted by: George A. Diamond Date of return: 4-28-54
 Signature

October 15, 1954

\$5.00

RECEIVED of William A. King the sum of \$5.00 being
 cash of certified copy of petition and other papers filed in
 the matter of reclassification of property on Northwest side
 of Leeds Avenue, 25 ft. Southward of Beachfield Avenue,
 13th District.



**NO PLAT
 IN
 THIS FOLDER**