

Open June 1939
17-100-100-16
Check prior petition
Court case
Non Wells
806 Bbs Ave

Albert D. Muller, Notary
D. Muller & Pw
Jos Brannan

When re-ordering, specify—
Oxford
STOCK No. 15314

It is the opinion of the zoning commission that this petition should be denied.
The location being in an exclusive residential neighborhood and in close proximity to a church. I also find that the present cabins have been built in violation to the zoning regulations and contrary to the order of the previous zoning commission dated March 24, 1947.

Red
OCT 19 1954
LAW OFFICES
WALTER I. WELLS
WILLIAM D. WELLS
111 S. CHARLES STREET
BALTIMORE 1, MD
October 19, 1954

Bulldage and Zoning Department of
Baltimore County
303 Washington Avenue
Baltimore 1, Maryland
ATTENTION: Mr. Wille H. Adams, Zoning Commissioner
Petition for Special Permit for Cabin Camp and/or Motel S. E. S. Reisterstown Road, 150 ft. S. E. S. Reisterstown Lane, 1st District, Edward A. Thompson and Virginia M. Thompson, Petitioners.
Dear Mr. Adams:
Please enter an appeal to the Board of Zoning Appeals on your order of October 11, 1954, denying the special permit in the above matter.
Yours very truly,
William D. Wells
Attorney for petitioners

PETITION FOR SPECIAL PERMIT

IN THE MATTER OF
EDWARD A. THOMPSON AND
VIRGINIA M. THOMPSON, HIS WIFE
For a Special Permit
To The Zoning Commission of Baltimore County

Edward A. Thompson and Virginia M. Thompson, his wife, of legal age, hereby petition for a Special Permit, Under the Zoning 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 certain parcel 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 Cabin Camp or Motel.
All that lot of ground and premises situated in the Third Election Dist. of Baltimore County, State of Maryland and described as follows:
Beginning on the southeast side of Reisterstown Road at a point 165 feet Southeast from Naylor's Lane and running thence Southeast along the said Southwest side of Reisterstown Rd., 150 feet; thence South 57 degrees 51 minutes West 200 feet; thence South 33 degrees 15 minutes East 75 feet; thence South 57 degrees 51 minutes East 25 feet; thence North 31 degrees, 15 minutes West 240 feet; thence North 57 degrees 51 minutes East 200 feet to the said Southwest side of Reisterstown Road and the place of beginning.

Virginia M. Thompson
Contract Purchaser
Address
William D. Wells
Attorney at Law
605 Reisterstown Road
Pikesville 8, Md.
9/21/54
1024
1-516N
Hen-6-7500

ORDERED by the Zoning Commissioner of Baltimore County this 27th day of August, 1946, 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 22nd day of September, 1946, at 10:00 o'clock A.M.

Zoning Commissioner
of Baltimore County

Upon hearing on petition for a Special Permit to use the property described above for Cabin Camp or Motel and it appearing from the evidence disclosed at the hearing the property is located in an exclusive residential neighborhood and is close proximity to a church. I have also learned that the present cabins were built in violation of the Zoning Regulations and contrary to the Order of the previous Zoning Commissioner dated March 24, 1947. The petition, therefore, should be denied.

It is this 11th day of October, 1954, ORDERED by the Zoning Commissioner of Baltimore County that the aforesaid petition for a special permit, be and the same is hereby denied.
Zoning Commissioner
of Baltimore County

EDWARD A. THOMPSON and
VIRGINIA M. THOMPSON, his wife
VS.
FOR
CHARLES H. DOING
CARL F. VOEDEN and
DANIEL W. HUBERS, being and
constituting the
BOARD OF ZONING APPEALS OF
BALTIMORE COUNTY
IN THE CIRCUIT COURT
FOR
BALTIMORE COUNTY
Misc. Docket No. 5, Folio 177,
Case No. 1454

This is an appeal from the action of the Board of Zoning Appeals in affirming an Order of the Zoning Commissioner of Baltimore County denying a Special Permit for a cabin camp and/or motel on the property of the petitioners, Edward A. Thompson and Virginia M. Thompson, his wife, located on the southwesterly side of Reisterstown Road about one hundred and sixty-five feet south-easterly from Naylor's Lane.

The Zoning Commissioner, in his Order denying the application, states that the property is located in an exclusively residential section and in close proximity to a Church.

The Board of Zoning Appeals, in its opinion, states that a tourist home or cabin camp is being conducted on the property as a non-conforming use which has been expanded to the limit permitted under the Zoning Regulations and Restrictions. The opinion further states that an extension of this use to the rear would be detrimental to the surrounding residential properties by allowing too dense a population on a small piece of land and would be a menace to the health, safety and general welfare of the community.

The testimony shows that the petitioners have been operating a motel on this property since 1939, several years before the passage of the Zoning Act. The original unit has been enlarged twice since that time by extensions to the rear and the petitioners now desire to construct additional units to the rear of the

LAW OFFICES
WALTER I. WELLS
WILLIAM D. WELLS
111 S. CHARLES STREET
BALTIMORE 1, MD

EDWARD A. THOMPSON and
VIRGINIA M. THOMPSON, his wife,
VS.
FOR
CHARLES H. DOING
CARL F. VOEDEN and
DANIEL W. HUBERS, being and
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BOARD OF ZONING APPEALS OF
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IN THE CIRCUIT COURT
FOR
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This matter came before the Court on a motion for rehearing, arguments were heard and briefs submitted by counsel for petitioners and intervenors.

After re-examination of the testimony and careful consideration of the arguments and briefs submitted in support of the motion, the Court is of the opinion that there is no substantial evidence to support the findings of the Board of Zoning Appeals as set forth in its decision of January 3, 1955, and, therefore, its action in denying the Special Permit applied for is arbitrary, discriminatory and illegal and the motion for rehearing or reargument must be overruled.

Dated - February 15, 1957
S/ Stewart Day
Judge

extensions previously made.
The testimony further shows that the property on the northwesterly side of the petitioners' property is zoned commercial and the property on the southeasterly side is being used for commercial purposes. There is a large cemetery directly across Reisterstown Road and the land immediately to the rear, although zoned residential, is undeveloped. There is a church located approximately one hundred feet in a southeasterly direction from the subject property and beyond that, preceding in a southeasterly direction toward the village of Pikesville, the properties are zoned commercial. It is obvious, therefore, that the property is not located in an exclusively residential section.

In view of these circumstances the Court feels that the denial of a Special Permit in this case would impose an unnecessary and unreasonable hardship on the petitioners.

For the reasons above set forth the Court is of the opinion that the action of the Board of Zoning Appeals was arbitrary, discriminatory and illegal and the Order denying the Special Permit must be reversed.

STEWART DAY
Judge

DATED - October 14, 1956

LAW OFFICES
WALTER I. WELLS
WILLIAM D. WELLS
111 S. CHARLES STREET
BALTIMORE 1, MD

PAID
OCT 19 1954
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
7100

September 22, 1954

\$20.00

RECEIVED of William D. Wells, attorney for petitioners, the sum of Twenty (\$20.00) dollars, being cost of petition for Special Permit, advertising and posting property, southeast side of Reisterstown Road, 3rd District, Baltimore County, Md.

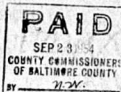
Zoning Commissioner of Baltimore County

Hearings:

Wednesday, September 22, 1954

at 10:00 a.m.

Reckord Building
Towson, Md.



CHARLES H. DOING
ZONING COMMISSIONER
ROLAND S. FIEL
BUILDINGS ENGINEER
CLARENCE C. GESS
CHIEF INSPECTOR
WILBUR H. ADAMS
DEPUTY ZONING COMMISSIONER

Buildings and Zoning Department of Baltimore County

303 WASHINGTON AVE. TOWSON 4, MARYLAND
Telephone Valley 3-3000-Extension 180 (Bldg. 181)

June 23, 1954

BOARD OF ZONING APPEALS

H. GUY CAMPBELL
CHAIRMAN
DANIEL W. HUBERT
CARL F. VOIGT

Mr. E. A. Thompson,
1630 Reisterstown Road,
Pikesville 8, Maryland.

Dear Sir:

On June 1, 1954 you made application to this Department for a Building Permit to erect nine motel units at the above address in the Third District.

This application has been reviewed by the Zoning Commissioner of Baltimore County and we are in receipt of the following information:

"Regarding the above application of Edward A. Thompson for a Building Permit, from information received from the Transfer Office, Edward A. Thompson and Virginia Thompson acquired the property from W. Herman Schwatka on May 6, 1946 consisting of the land and a dwelling. Since 1946 the Thompsons have created a Cabin Camp (Motel) and have obtained three Building Permits: No. 5908, dated November 1, 1950; No. 6546, dated April 27, 1951 and No. 20641, dated April 1, 1953.

As Mr. Thompson does not have a nonconforming use for the operation of a Cabin Camp (Motel) he is operating in violation of the Zoning Regulations and Restrictions, his application for a Building Permit is, therefore, denied."

We are therefore disapproving your application and refunding the fee of \$12.00 which was paid by you.

Very truly yours,

Roland S. Fiel
ROLAND S. FIEL,
Buildings Engineer.

RSP/b

RE: PETITION FOR A SPECIAL PERMIT FOR CABIN CAMP
AND/OR MOTEL - S. W. Side of Reisterstown
Road, 165 feet S. E. Maylors Lane, Third
District - Edw. A. Thompson and Virginia
N. Thompson, Petitioners -

This is an appeal filed by Edward A. Thompson and Virginia Thompson, his wife, from an Order of the Zoning Commissioner of Baltimore County, denying a special permit for a Cabin Camp and/or Motel on the property described in the petition.

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

The property which is the subject of this petition is a parcel of land on the southwest side of Reisterstown Road, beginning 165 feet southeast of Maylors Lane, in the Third District of Baltimore County, running southeasterly for a distance of 150 feet.

At the present time there is being conducted on the property of the petitioner, as a nonconforming use which has been expanded to the limit permitted under the Zoning Regulations and Restrictions, a Tourist Home or Cabin Camp. To extend this use to the rear would be detrimental to the surrounding residential properties by allowing too dense a population on a small piece of land and would be a menace to the health, safety and the general welfare of the community.

It is this 3rd day of January, 1955, ORDERED by the Board of Zoning Appeals of Baltimore County, that the aforesaid Order of the Zoning Commissioner of Baltimore County, denying the special permit, be and the same is hereby affirmed.

Charles D. Dang
Chairman
Carl F. Voigt
Board of Zoning Appeals
of Baltimore County

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

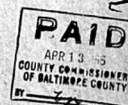
District: 3rd Date of Posting: 9-8-54
#3166
Posted for: Special Permit for a Cabin Camp
Petitioner: Edward & Virginia Thompson
Location of property: beg. on N. S. W. S. of Reisterstown Rd. at 165 ft. S. E. corner
Maylors Lane, running thence S. E. along S. W. S. of Reisterstown Rd. 165 ft.
Location of sign: Southwest side of Reisterstown Rd. 165 ft. S. E. corner of
Maylors Lane
Remarks: _____ Date of return: 9-1-54
Posted by: George R. Hummel

April 13, 1955

\$6.20

Received of William D. Wells, attorney for Edward A. Thompson, petitioner, the sum of \$6.20 being cost of certified copy of petition and other papers filed in the matter of a special permit for Trailer Camp, and/or Motel Reisterstown Road, 3rd District of Baltimore County

Zoning Commissioner



**NO PLAT
IN
THIS FOLDER**