April 7, 1955

Wilsie H. Adems, Jonmissioner Buildings & Zoning Department 305 Washington Avenue Towson, 4, Varyland

Re: Petition for Reclassification from an "A" Residence Zone to an "E" Commercial Zone - S.E. Sir's Moridale Road, 250-15 feet N.E. Academy Lame, lat District Walter R. Smith and Nargaret E. Smith, Petitioners

3414

Dear Mr. Adams:

Please enter my appearance in behalf of the Protestants

BIMirera

Telephones Langua was sound and Mrs I . 5 m Rh I h

Julius G. Maurer Attorney at Law

452 346-347 Equiable Duilding
Cahert and Fagene Streets
Baltimore 2. Margland

March 14. 1955

MAR 1 5 1955

Wilsie H. Adams, Esquire Zoning Commissioner Buildings and Zoning Department 303 Washington Avenue Towson, 4, Maryland

Dann Sine

In re: Petition for Reclassification from an "A" Residence Zone to an "E" Commercial Zone - S.E. Side Meridale Road Beg. 250.43 feet N.E. Academy Lane, lat District - Walter R. Smith and wife, Fettionera.

Please enter an appeal to the Board of Zoning Appeals from the order passed in the above-entitled case on March 11th, 1955, denying the Petition for a reclassification.

Ey check in the amount of \$35.00 is enclosed herewith.

Please acknowledge receipt of this appeal.

Yours very truly, Julius G. Maurer

Jourha

110

February 23, 1955

825.00

RECEIVED of Walter R. Smith, petitioner, the sum of Twenty Five (\$25.00) Dollars, being cost of petition for reclassification, advertising and posting property, southeast side of Meridale Road, beginning 250.k3 feet northeast of Academy Lame, 1st District, Baltimore

The additional cost of additional posting is \$3.00. Please send us your check, payable to the County Commissioners of Baltimore County, for the same.

Zoning Commissioner of Baltimore County

BEAUTING: Monday, March 7, 1005 at 10:00 a.m.



March 9, 1955

RECEIVED of Walter R. Smith, petitioner, the sum of Three (\$3.00) follars, being additional cost of posting for re-classification of property, southeast side of Meridale Road, 1st District, Baltimore County, Maryland.

Thank you.

Zoning Commissioner of Baltimore County

Petition for Zoning Re-Classification

3415

MAP V Smith, his wife, 1-w wa Walter R. Smith and Margarat E. legal owner S. of the property

2/25/55 on Merridale Road, 1st Election District, Bultimore County,

about 250 feet south of Academy Lane and about 157feet by 270 feet lying east of Merridale Road.

All that parcel of land in the First District of Nationes County on the southeast side of Seridaks Road, beginning 50-13 into Seridaks Road, beginning 50-13 into Seridaks Road Seridaks

ereby petition that the soning status of the above described property be re-classified, pursuant to the coning Law of Baltimore County, from an A.N. SAGONNABALSone to and OF MONTENAL sone.
Reasons for Re-Classification: Property not usable for residential use
Size and height of building: front 300 plat /attached feet; height feet.
Front and side set backs of building from street lines; frontfeet; sidefeet.
Property to be posted as prescribed by Zoning Regulations.

J. 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.

Martin & Smith

Address	Baltimore,	28,	Maryland	

ORDERED By The Zoning Commissioner of Baltimore Coun	ty, thislQtbday of
February	s petition be edvertised, as required
by the "Zoning Law of Baltimore County," in a newspaper of gene	eral circulation throughout Baltimore
County, that property be posted, and that the public hearing here	on be had in the office of the Zoning
Commissioner of Baltimore County, in the Reckord Building, in	
	1955., at 101006'clock As M

3 7 55 10.A.M

Zoning Commissioner of Baltimore County

CERTIFICATE OF POSTING

zo	NING DEPARTMENT OF BALTIMORE COUNT	ry
	Towson, Maryland	#34/5
est	(c.)	
District 12	Date of	Posting 2-23-55
Posted for: an A Ser	dent rome to an i Commy	usal gone
Petitioner: Mallet of &	with + margent & Smith	
Location of property: 5, E.S.	I myridale Rt, by 250 wife	218. of Glading Same
Think to 8. 1 Sandy	on MISES I mendel X 24	9.72 All the Hab
Liceation of Signs Ont men	250fb, and 1499ff M. 8. of	Wadery Same on the
Southeast riclet	on Mis is a formable of life 25 pt and wift of life mundal	,
Remarks:		
Posted by George	Jummel Date of return:	2-24-55

curement to the advertisement, posting of property, and public hearing on the above petition

Pursuant to the advertisement, posting of properly and public hearing on the above potition and it appearing that by reason of location, being in a residential area and from the facts and testimony before the Zoning Constantener, it was disclosed that the Circuit Court for Baltimore County in a recent case concerning the preparty determined that a small part of the tract involved had a legal nonconforming use for industrial purposes, the only development which has taken place since the original soning has been in residential homes, therefore the granting of this reclassification would be detrimental to the safety and thegeneral welfare of the community and be "spot the above re-classification should NOT be had

It Is Ordered by the Zoning Commissioner of Baltimore County, this. 11 th. day of March 19.55, 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 a D. "A".

Wileie N. adams

County Commissioners of Baltimore County

Protistanta Burnel J. Meding J. atty. Francis bellione Fol.

From testimony befor the going Come it was diteriment that a recent order of the Circl Court a small part of this tred has a non confing were for industrial superior. and the only change since the original going was the development of residential homes. Therefor the petition is dening no bing Sport gonny . moto

Court Costs

County transmit to this Homorable Court the following or, ginal papers, or certified or sworm copies thereof, including the followings

(1) All payers, manoranda, correspondence, orders, plats, photographs and any and all other records relating to the Patition for Ruclassification of your Petitioners, at the purported wder of the Board of Zoning Appeals dated

(2) a cortified copy of all Zoning Regulations and Agetrications for Mall Labore County applicable to all petitions for reclassification.

(c) Reverse or invalidate the purported order of the Board of Jonies appoint dated June 2d, 1955.

((1) Grant to the Petitioners such other and further relief as their case my require.

lief as their case my require.

Julius G. Maurer,

HIN 9 9 10EE

idule Road, IN THE CARL F. VORDER, being and constituting the Board of Coning Appeals of Maletmore County, Townen, Maryland, CTROUTS COMM BALTIMORE COUNTY being and constituting Board of County Commiss of Baltimore County, or Baltimore County, Yowson, Maryland. Defendants 1111111111

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petitioners, Malter R. Smith and Margaret E. Smith, his wife, are aggrieved by a purported order of the Board of Zoning Appeals for Baltimore County, dated June 2d, 1955, and they, by Julius G. Maurer, their attorney, respectfully represent unto your Honor:

1. That they are the owners of and have an in-3, rest in the property which is the subject matter of the purported order of the Board of Zoning Appeals of Baltimore County dated June 2d, 1955, denying the reclussification of your Petitioners' property from an "A" Residence Zone to an "E" Commercial Zone.

2. That this Honorable Court has jurisdiction to receive this Petition and to allow a writ# of certiorari directed to the Hoard of Zoning Appeals under the provisions of Chapter 502 of the Acts of 1945, passed by the General Assembly of Maryland, and amendamenta thereto.

ALTIR R. SMITH, and MATTER S. DELTH, H. MATTER S. DELTH, H. MATTER S. Baltimore 28, Maryland, Petitioners ¥8. CHARLES R. BOIRD, BANIEL W. HUERE, and CARL F. VCEDER, being and constituting the Board of Forms Appeals CINCUIT COURT BALTICES COUNTY and RICHAR J. BURRINGHAM EGUSIER J. HULLER. being and constituting the Board of County Commissioners of Bultimore County, Towson, Maryland, Defendants 1 1 111 1 1

ORDER OF COURT

Upon the aforegoing Appeal and Petition it is this 27th day of June, 1955; by the direct fourt of Bult Laore County (At Law);

DESCRIBE, that a writ of certioneri be issued and directed to Charles H. Deing, Daniel W. Cabero, and Carl F. Voliden, constituting the Board of Zoning Appeals of Saltimore County, to review the purcorted order of the soid Board dated June 20, 1955, and that the return thereof be hade by service upon the relators' afterney within 15 days from the date of this Ore ir. AND IT IS FURTHER CADENID, That said Pourd of Coning

appear shall return to this court sitter the original acted upon by it or certified or morn copies thereof including a transcript of all testimony and a certifled copy of all Koning Rules, Regulations, Restrictions, lowers, etc., issued or approved by the County Completion of Balti ore County and in effect on the date of your Fetition ers' application for a reclassification of their property.

2 There were Partitionary are anguest to the woodsorking and cabinet business on their said property and that on February 17th, 1955, the Circuit Court for Baltimore County, in a cause entitled hichard . Sgavero, et al, vs. Welter H. Smith, ot al, passed a decree which held that your Petitioners enjoy a non-conforming use of

we men of their said property for the conduct of their raid amedianting and mahinet buniness.

4. That on June 2d. 1955, the said Board of Coning Appeals, in affirming a prior order of the Joning Commissioner of Baltimore County, passed the following order:

RE: POTITION FOR REGLASSIFTS FIOR FROM AN FREE DATE SOME TO USE TO USE COMMITTED FROM THE POSITION FOR THE POSITION OF THE POS

The subject property sought to be reclassified is entirely surrounded by residentially stand propthe result of the contains of the contains of the twi-tings before it falled to show that the property was erroneously smed residential of the class of the acoption of the comprehensive cosing plan for Rui-which warrent and necessitate a reclassification of the property at this time.

The Petitioner is conducting a wood-working shop in an old bury on the lot under a nonconforming use. This nonconforming use, we believe, here bearing whitever upon the updication and a reclassification of the property would be "anot soming", therefore the reclassification is refused and the decision the Zoning Commissioner is hereby affirmed.

by the Sourd of Zoning Appeals of Sultisors County, by the Sourd of Zoning Appeals of Sultisors County, some County despite the Source County despites the Source County despites the Source Source to an "FE" Conservation from a "A" Beadforce Fore to an "FE" Conservation of the Source Fore to a source Fore to

Charles N. Doine

Carl F. Vohden

Daniel W. Hubers

AND IT IS FURTHER CEDERAD. That the Defendants, Charles H. Doing, Deniel V. Hubers and Carl F. Vohden, constituting the Board of Zoning Appeals for Baltimore County; Michael J. Birmingham, Robert B. Hamill and Austine J. Muller, constitutive the Board of County Commissioners for Saltimore County, file their resective answers herein as required by law and by the Rules of Court, or show cause within 15 days from the date of this order why the relief prayed for should not be grants; provided, a copy of the appeal and the Potition be served on the said Defendants or their respective attorneys on or before the 5th day of left 1955.

contract to the contract the state of the same

MADE IN USE

5. That year Petitioners allege that the order of the said Sound of loning Appeals in arbitrary, bureasenable, discriminatory, capricious and illegal for the following rouse as: (a) The tabiliony was uncontradicted that your Pet-

itioners and their preder more in title have for a number of years used a large purcion of the said preparty for comercial purposes

(b) That it was undealed that the portion of their said property which was originally cleadif on for was residence use is incapable of such use because of its contour and also because is camnot be hald out in compliance with the Koning Regulations and Restrictions for residence

(c) That the denial of your Fetitioners' application for a reclassification of their said property constitutes a confiscation of that portion thereof which they are prevented from using for my purpose whatsoever.

6. Your Petitioners request this Homorable Court to issue a writ of vertioners so the Board of Zening Appeals so that the record of facts in this mater say be reviewed and a determination made as to muther or not the said Board of Zoning Appeals in passing its order as aforessid did set arbitrarily, unreasonably, electiminanority, capriciously and illegally.

TO THE CHO, THER STORE, That this Remorable Court by its order or Orders may:

(a) Great on appeal herein from the cafe purported order of the Board of Zening Appeals dated June 24, 1955, and set the cause down for hearing.

(b) Grant a writ of certifrari directed to the Board of Zoning Appeals of Baltimore County to review the purported order of said Board, dated June 2d, 1955, and direct that the Board of Toming Appeals of Baltimore

HE: PETITION FOR RECLASSIFICATION FROM AN "A"

The subject property rought to be reclassified is entirely surmumded by residentially goned property. This Board is of the epinion that the testimony before it failed to show that the property ame assumentally sound wasidential at the the time of the adoption of the comprehensive zoning plan for Baltimore County or that changes have taken place since which warrant and necessitate a reulassifica-

The petitioner is conjucting a wood-working shop in an old bern on the lot under a nonconforming use. This nonconforming use, we believe, has no bearing whatever upon the application and reclassification of the argenty would be "snot zoning", therefore, the reclassification is refused and the decision of the Zoning Commissioner is become affirmed.

It is this 2nd day of June, 1955, ORDERED by the Board of Zoning A peals of Baltimore County, that the Order of the Zoning Commissioner of Baltimore County denying the reclassification, from an "A" Residence Zone to an "E" Commercial Zone, is hereby affirmed.

December 28, 1955

86.00

MEXICUTED of Julius O. Nauver, Attorney for Valter R. Smith, and ulfo, the sum of Six (%6.00) Dollars being cost of certified copies of papers filed in the matter of reclassiification of property, southeast side of Noridale Road, Lat District of Maltimore County.

> Zoning Commissioner of Baltimere County

> > JERVED JERU 1 1 1956 WWW OFFICE

March 29, 1955

235.00

RECKIPD of Julius G. Hauser, Require, the sun of Thirty Pive (25.00) Bollars, being cost of appeal to the Lourd of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner Country reclassification of property on the noutheast side of Navionale Rent, Int Margint.

Zoning Comissioner



NO PLAT IN THIS FOLDER