

Wm. S. Hunter
1706 Hilltop Ave. Balto. 21, Md.
Part time building, 3 or 4 years

Mr. Hunter, et al. pet.
R. 6 H. B. No. 236-4
Exception for contractor's storage yard.
2-A + - grain operator.
Wm. S. Hunter, owner & applicant
John H. Nye
Ernest Young 1751 Hilltop Ave.
Balt. Moore.

Protestants
Emil M. Schaeffer, Hilltop Ave.
Helma Biehl 1745 Hilltop Ave.
Andrew Bauer 1742 " "
Swinger 1814 " "
Helen D. Hayden 1809 " "
Ira Krumm
Elizabeth Krumm

Charles Schwinges
1814 Hilltop Ave. (21)
Mrs. Ida Krumm Middleburg
2022 Fred Cook Rd. Imp. Ave.

Deemed
Location - strongly recommended, available
for spot 30 ft.
newly Emile Schaeffer 1744 Hilltop

3654-14
WILLIAM S. GUNTER
Middleborough Road, Sec. 15th Dist.

PETITION FOR (1) ZONING RECLASSIFICATION
(2) SPECIAL EXCEPTION

To the Zoning Commissioner of Baltimore County:

I, or we, William S. Hunter Legal Owner
Mildred B. Hunter

All that parcel of land in the Fifteenth District of Baltimore County, on the northwest side of Hilltop Avenue, beginning 199 feet north of Middleborough Road; thence northeasterly and binding on the northwest side of Hilltop Avenue 203.2 feet; thence north 53 degrees 17 minutes west 300 feet; thence south 36 degrees 43 minutes 4.477131, thence north 84° 19 minutes 4.405931 to place of beg. hereby petition (1) that the zoning status of the above described parcel lots #78 & 79 plat of Hilltop Park property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 Zone to an B-R Zone; and (2) for a Special Exception, under said Zoning Law and Zoning Regulations of Baltimore County, to use the above described property, for Contractors equipment storage yard.

Property, to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above reclassification and Special Exception, 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.

William S. Hunter

Mildred B. Hunter
Legal Owner

1706 Hilltop Ave.
Balto. 21, Md.

NOV. 9, 1955

11/4/55
ip m

OCT 3 1955

#3654RX

MAP
15-C
B.R.
10/21/55

ORDERED BY the Zoning Commissioner of Baltimore County this 1st day of October, 19 55, 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 2nd day of November, 19 55, at 1:00 o'clock P. M.

Zoning Commissioner
of Baltimore County

Upon hearing on petition (1) for reclassification of the property described in the within petition from an "R-6" Zone to a "B-R" Zone and (2) for a special exception to use said property for a Contractor's Equipment Storage Yard, the property being located in a strictly residential area to grant a reclassification and special exception as aforesaid would be detrimental to the health, safety and general welfare of the community and be "spot zoning", therefore, the petition should be denied.

It is this 16th day of November, 1955, ORDERED by the Zoning Commissioner of Baltimore County, that the petition for reclassification and a special exception be and the same is hereby denied and the property is continued as an "R-6" Zone.

William S. Hunter
Zoning Commissioner
of Baltimore County

October 13, 1955

\$38.00

RECEIVED OF William S. Gunter, petitioner, the sum of \$38.00 (Thirty Eight) Dollars, being cost of petition for Reclassification, Special Exception, advertising and posting property, northwest side of Hilltop Avenue, beginning 199 feet north of Middleborough Road, 15th District, Baltimore County, Maryland.

Zoning Commissioner of Baltimore County

RECEIVED

Wednesday, November 2, 1955

at 1:00 P.M.

County Office Building
121 N. Chesapeake Avenue
Towson, Maryland.

Room 164

PAID
OCT 14 1955
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY gjs

Nov. 30, 1955

BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

Assessments for Thursday, December 15, 1955 at 10:00 a.m. and 1:00 p. m. respectively:

#3654-IX Petition of William Gunter and wife for reclassification of property and special exception for Contractor's Equipment and Storage Yard - Northwest side of Hilltop Avenue, beginning 199 feet north of Middleborough Road, 15th District -

#3655-III Petition of Clarence F. Miller and Alice V. Miller, for reclassification and special exception for Gasoline Service Station, southeast corner of Old Harford Road and Puffy Hill Avenue, 9th District

May 1, 1956

\$7.00

RECEIVED OF James A. Piss, Attorney for William S. Gunter and Mildred B. Gunter, petitioners, the sum of Seven (\$7.00) Dollars being cost of certified copy of petition and other papers filed in the matter of special exception for Contractor's Equipment Yard, northwest side of Hilltop Avenue, 199 feet north of Middleborough Road, 15th District.

Zoning Commissioner

01.485 Zoning Service Charge

RECEIVED
NOV 2 1956
COUNTY CLERK'S OFFICE

November 25, 1955

\$60.00

RECEIVED OF William S. Gunter and Mildred B. Gunter the sum of Fifty (\$50.00) Dollars being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of the Zoning Commissioner denying reclassification of property on the northwest side of Hilltop Avenue, 199 feet north of Middleborough Road, 15th District.

Zoning Commissioner

PAID
NOV 25 1955
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY gjs

IN THE MATTER OF
PETITION FOR RECLASSIFICATION
AND SPECIAL EXCEPTION FOR CON-
TRACTOR'S EQUIPMENT & STORAGE
YARD - 141-143 HILLTOP AVENUE
199 FEET N. W. MIDDLEBOROUGH ROAD -
W. J. GUNTER and MILDRED S.
GUNTER, PETITIONERS

OPINION AND ORDER

This case comes before us on an appeal from the Order of the Zoning Commissioner refusing the reclassification from an R-6 Zone to a B-1 Zone and for a Special Exception for a contractor's equipment storage yard of a tract of land on the west side of Hilltop Avenue, north of Middleborough Road.

The Applicant states that it is his intention to store a crane and other construction equipment on the lots in question adjacent to his residence.

The property is entirely surrounded by residential property. To grant this Application would constitute "spot zoning" in its worst form because we would be selecting a small tract of land completely surrounded by residential properties and permitting a commercial use of a type which might readily become extremely annoying to neighboring residential properties. It should also be noted that we would be giving the owner the right to use his property for any purpose permitted in a "B-1" Zone.

It is our feeling that these types of commercial use should be restricted to commercial zones and under no circumstances should be permitted in clearly residential areas.

For these reasons, we will sign an Order denying the reclassification and the Special Exception.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 17th day of January, 1956, by the Board of Zoning Appeals of Baltimore County ORDERED that the reclassification and the special Exception applied for herein be and the same are hereby denied.

BOARD OF ZONING APPEALS OF BALTIMORE COUNTY

Spencer M. Balaban
Chairman

WILLIAM S. GUNTER and
MILDRED S. GUNTER, his wife
vs
CHARLES H. DEING
DANIEL W. DEING and
CARL F. VEBLEN,
constituting the
Board of Zoning Appeals
of Baltimore County

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

ANSWER TO WRIT OF HABEAS CORPUS AND ORIGINAL
AND SUBSTITUTED COPIES OF PROCEEDINGS BEFORE
THE BOARD OF ZONING APPEALS OF BALTIMORE
COUNTY AND THE ZONING COMMISSIONER

Mr. Clerk:

Please file, etc.

Secretary to
Board of Zoning Appeals
of Baltimore County

WILLIAM S. GUNTER and
MILDRED S. GUNTER, his wife
vs
CHARLES H. DEING,
DANIEL W. DEING and
CARL F. VEBLEN,
constituting the
Board of Zoning Appeals
of Baltimore County

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come Charles H. Deing, Daniel W. Deing and Carl F. Veblen, constituting the Board of Zoning Appeals of Baltimore County, and in answer to the writ of certiorari directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

No. 3654
XENING ENTRIES FROM TICKET OF ZONING
COMMISSIONER OF BALTIMORE COUNTY
Oct. 3, 1955 Petition of William S. Gunter and Mildred S. Gunter, his wife, for reclassification of property on northeast side of Hilltop Avenue, 199 feet north of Middleborough Road, 15th District and special exception to use said property for Contractor's Equipment Storage Yard, filed.
" " Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for November 2, 1955 at 1:00 p.m.
Oct. 19, " Certificate of posting of property, filed.
" 25, " Certificate of publication in newspaper, filed.

Nov. 2, 1955 At 1:00 p. m. hearing held on petition by Zoning Commissioner, case held and curia.
" 16, " Order of Zoning Commissioner denying the reclassification and special exception.
" 25, " Order of appeal to the Board of Zoning Appeals of Baltimore County from Order of Zoning Commissioner, filed.
Dec. 15, " Hearing on appeal before the Board of Zoning Appeals.
Jan. 19, 1956 Order of Board of Zoning Appeals affirming the Order of the Zoning Commissioner denying the reclassification and special exception.
Feb. 17, " Writ of certiorari and appeal to the Circuit Court for Baltimore County served on the Board of Zoning Appeals.
April 16, " Transcript of testimony taken at the appeal hearing before the Board of Zoning Appeals, filed.
Petitions in favor of reclassification filed as Petitioners' Exhibit No. 1.
Photographs filed as Petitioners' Exhibits Nos. 2, 3, 4, 5 and 6.
Sketch showing properties filed as Petitioners' Exhibit No. 7.
Plat filed with petition.
Letter of protest.
Record of proceedings filed in the Circuit Court for Baltimore County.
Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County as are also the use district maps and your Respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your Respondents will produce any and all such rules and regulations together with the zoning use district maps at the hearing on this petition or whenever directed to do so by this Court.

Respectfully submitted

Secretary to the
Board of Zoning Appeals of
Baltimore County

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#3654
District: 15th Date of Posting: 10-18-55
Posted for: An R-6 Zone to an B-1 Zone, together with Contractor's Equipment Storage Yard.
Petitioner: William S. Gunter and Mildred S. Gunter.
Location of property: 199 ft. N. of Hilltop Ave. 15th Dist. of Middleborough Rd. etc.
Location of Sign: Posted on property known as 1706 Hilltop Avenue.
Remarks: *George P. Hammond*
Posted by: *George P. Hammond* Date of return: 10-20-55

HOPEWELL

CREEK

FLAT OF
HILLTOP PARK 8/32
 FIFTEENTH DISTRICT
 BALTIMORE COUNTY
 THE FELCIAR REALTY CORP.
 1702 EASTERN AVENUE
 CITY.

THIS SYMBOL SHOWS
 LOCATION OF STONES.

SCALE 1"=100' JAN 20 1926
 E. V. COGNAN & CO.
 SURVEYORS & CIVIL ENGRS.
 231 COUNTRYLAND ST.
 BALTIMORE, MD.

#3654-R4
 map