

RE: PETITION FOR RECLASSIFICATION :
FROM A "B-6" ZONE TO A "B-1" :
Zone and SPECIAL EXCEPTION FOR :
A GASOLINE SERVICE STATION - :
B-6. W. Gary Harford Road and :
Ontario Ave., 9th District - :
COUNTY BOARD OF APPEALS
Robert A. Garrett, Lillian T. :
Garrett and Robert T. Hanson, :
Petitioners :
OF BALTIMORE COUNTY
No. 4001-RX

OPINION

This is a petition for a reclassification from an "B-6" Zone to a "B-1" Zone and a special exception for a gasoline service station.

The petitioner asked for reclassification from an "B-6" Zone to a "B-1" Zone of a corner lot in a substantial residential neighborhood and used the argument that the increase of residential properties and future road relocation would require the change in reclassification and special exception for a gasoline service station.

The protestants asserted that the small nonconforming uses in the neighborhood were not objectionable when they purchased property with deed restrictions against commercialization and ably combatted the showing of any need for additional gasoline service station facilities. The Board finds that no error of the original was present and cannot see any change of character or need in this instance. The petition for reclassification and special exception is, therefore, denied.

ORDER

For reasons set forth in the aforesaid Opinion, it is this 16 day of May, 1957, by the County Board of Appeals, ORDERED that the petition for reclassification and a special exception be and the same is hereby denied.

COUNTY BOARD OF APPEALS

Charles P. Smith
John T. Gannon
William H. Keefe

PETITION FOR RECLASSIFICATION :
AND SPECIAL EXCEPTION FOR :
GASOLINE SERVICE STATION :
N.W. CORNER OF HARFORD ROAD AND :
ONTARIO AVENUE, :
Ninth District :
Robert A. Garrett and :
Lillian T. Garrett, Petitioners :
No. 4001-RX

BEFORE

DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
No. 4001-RX

ORDER TO ENTER APPEAL

Mr. Commissioner:

Please enter an Appeal in the above entitled case.

Samuel M. Almond, Jr.
SAMUEL M. ALMOND, JR.
ATTORNEY FOR PETITIONERS



RE: PETITION FOR RECLASSIFICATION AND :
SPECIAL EXCEPTION FOR GASOLINE :
SERVICE STATION - N.W. COR. :
Harford Road and Ontario Ave., :
9th Dist., Robert A. Garrett and :
Lillian T. Garrett, Petitioners :
OF BALTIMORE COUNTY
No. 4001-RX

Pursuant to advertisement, posting of property and public hearing on the above petition, after having seen the area, which is the subject of said petition, I can only conclude that the petition for reclassification and a special exception be denied.

To grant this request would only create "spot zoning", along the Harford Road, needless to say the poorest type of zoning.

In my opinion the petitioners failed to show any change in the area since the original zoning and also failed to prove that the original zoning was erroneous. Because of the various nonconforming uses, and, these being located in the basic area, is not justification for a reclassification.

Because of the poor alignment, both vertical and horizontal of the existing Harford Road and the proximity of the proposed Perring Parkway, make this location an extremely hazardous site for any commercial business.

It is therefore this 28th day of January, 1957, by the Deputy Zoning Commissioner of Baltimore County, ORDERED that the aforesaid petition, the first for reclassification and the second for a special exception, be and the same is hereby denied.

Charles P. Smith
Deputy Zoning Commissioner of
Baltimore County

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

To the Zoning Commissioner of Baltimore County:

I, we, Robert A. Garrett, Lillian T. Garrett, Legal Owner,

All that parcel of land in the Ninth District of Baltimore County on the Northwest corner of Harford Road and Ontario Avenue, there being and binding on the West side of Harford Road 1214.00 feet with a rectangular depth Westerly of 150 feet and binding on the North side of Ontario Avenue being Lots No. 27 to 32 inclusive, on Plat of Harford Farm.

County, from an Residential Zone to an B-1 Zone; and
(2) for a Special Exception, under said Zoning Law and Zoning Regulations of Baltimore County, to use the above described property, for a gasoline filling station.

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.

TEST:

Robert A. Garrett
Lillian T. Garrett
Robert T. Hanson
Legal Owners

2922 Knoll acres Road, Baltimore County
Address 30, Maryland

ORDERED BY the Zoning Commissioner of Baltimore County this 8th day of November, 1956 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 10th day of December, 1956, at 3 o'clock P.M.

Zoning Commissioner
of Baltimore County

April 4, 1957

\$50.00

RECEIVED OF Saunders M. Almond, Jr., Counsel for Garrett & Hanson, petitioners, the sum of Fifty (\$50.00) Dollars, being cost of appeal to the Board of Appeals from the decision of the Zoning Commissioner denying reclassification and special exception for a gasoline service station, Northwest corner of Harford Road and Ontario Avenue, 9th District.

Zoning Commissioner

01.623

RECEIVED
APR 4 1957
COMPLAINTS OFFICE

Department of Public Works
BUREAU OF LAND DEVELOPMENT
Inter-Office Correspondence

From: GEORGE R. LEWIS
To: CHARLES J. VITTAIR
Subject: Special Exception File # 4001-RX
Gasoline station at Northwest corner of Ontario Avenue and Harford Road

This office has processed the above referenced Special Exception and has the following comments from the Office of Planning:

"The gasoline station site is in conflict with the tentative line for the extension of Perring Parkway northerly and easterly from Joppa Road and the Beltway. Thompson & Grace has been engaged by the County to engineer this important road extension. Their centerline is approximately 160 feet south of Ontario Avenue. It is anticipated that all or part of the gasoline station site will be taken up by Perring Parkway or its intersection with Harford Road. We, therefore, recommend that action on this zoning petition be withheld pending the completion of more detailed plans for Perring Parkway."

George R. Lewis
GEORGE R. LEWIS
Chief - Permit Section

GRL:le

cc: Mr. Stirling (Planning)

\$2.75

Thank you.

Zoning Commissioner
of Baltimore County

01.622-2.75

RECEIVED
OFFICE OF THE
DIRECTOR OF THE
BY MM

4001

District 9th Date of Posting 11-28-56
 Posted for: W.B. Lane to W.B. Lane and Harold Lewis Station
 Petitioner: Robert A. Lichen, J. Barrett & Norman J. Morrison
 Location of property: N.W. Corner of Harford Rd and Ontario Avenue etc.
See Plat
 Location of Signs: Northwest Corner of Harford Road and Ontario Avenue
 Remarks: _____
 Posted by: George R. Hummel Date of return: 11-28-56
 SIGNATURES

[illegible]

NOV 28 1956
4001-RV

TOWSON, MD., November 30 1956

THIS IS TO CERTIFY, That the annexed advertisement
was published in THE UNION NEWS, a weekly newspaper
printed and published in Towson, Baltimore County, Md., once
in each of two successive weeks before the 10th
day of December 1906, the first publication
appearing on the 23rd day of November
1906.

The UNION NEWS
H. G. K...
Manager.

November 19, 1956

\$1.00

RECEIVED of Irving Kate, for petitioners, Garrett and Munson, the sum of Thirty-eight (\$38.00) dollars, being cost of petition for Zoning Reclassification and Special Exception, advertising and posting property on the Northwest corner of Maryland Road and Ontario Avenue, Ninth District of Baltimore County.

Thank you.

Zoning Commissioner
of Baltimore County

HEARING:

Monday, December 10, 1956
at 3:00 P. M.

Room 106
County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland

RECEIVED
NOV 10 1964
BIOLOGICAL SERVICE

01620 - \$10.00
01623 - \$28.00

5' SIDE FACE EACH SIDE

121.08' R.

ONTARIO AVE

North

NEW R/W LINE

SRE has already acquired this.

OLD R/W LINE

EDGE OF PAVING

HARFORD

ROAD

PROPOSED USE OF LOTS

27. TWO 32

HARFORD FARMS

BALTIMORE COUNTY MD.

SCALE 1" = 40'
11/27/54 JGR