

#4568 ✓
RE: PETITION FOR RECLASSIFICATION
From an "R-6" Zone to a "B-1" Zone - E. S. Eyring Avenue and
N. S. Franklin Ave., 15th Dist.,
Joseph F. Zimanski and Helen
Zimanski, Petitioners
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
No. 1568

OPINION

This is a petition for a reclassification of a parcel of land, approximately 3 acres in size located on the east side of Eyring Avenue and the north side of Franklin Avenue in the Fifteenth District.

The subject property is surrounded by alleys 10 feet wide with residences on two sides and commercial development on two sides. Access to the subject property, if reclassification were granted, would be through the present commercial area.

There were no protestants to the proposed reclassification.

Mr. George Gavalis, Deputy Director of the Office of Planning, testified the subject property is suitable for "B-1" zoning because of existing zoning in the immediate neighborhood and the existing land use on nearby Eastern Boulevard and that it would be a logical extension of present commercial uses on two sides of the property. He stated that the existing residential areas provide a logical stopping point for commercial zoning.

It is clear that there have been substantial changes in the neighborhood and the testimony showed that the land was not suitable for the erection of homes.

The petitioner is a builder and has owned the subject property for ten years. The Board is of the opinion that the reclassification, as requested by the petitioner, appears reasonable.

ORDER

For the reasons set forth in the foregoing opinion, it is this 28th day of May, 1959, by the County Board of Appeals, ORDERED that the reclassification petitioned for and the same is hereby granted.

Any appeal from this decision must be in accordance with Rule No. 1101 of the Rules of Practice and Procedure of the Court of Appeals of Maryland.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Bartholomew
John F. Zimanski

Notes: Mr. Daniel W. Hubers did not sit in the above case.

MAGUIRE AND BRENNAN
ATTORNEYS AT LAW

JOHN H. MAGUIRE
ALFRED C. BRENNAN
828 EASTERN AVENUE
EAST BALTIMORE, MARYLAND
MU 7-4344
MU 7-4345

February 6, 1959

JOHN A. BRENNAN
DOMINION BUILDING
TOWSON 4, MARYLAND
LO 8-8888

Mr. Wilsie H. Adams
Zoning Commissioner
of Baltimore County
County Office Building
Towson 4, Maryland

Re: Petition for Reclassification
from "B-1" (residential) zone to
"B-1" zone - E/S of Eyring Ave.
& N/S of Franklin Ave. -
15th District

Dear Mr. Adams:

Please docket an appeal to the Board of Appeals from your Order of January 30, 1959 pertaining to the above entitled matter.

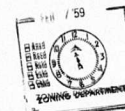
Thank you very much for your kind cooperation.

Very truly yours,

John H. Maguire

John H. Maguire

JHM:d



FEB 7 1959

#4568 ✓
RE: PETITION FOR RECLASSIFICATION
From "B-1" Residential Zone to
"B-1" Zone - E/S of Eyring Ave. & N/S of Franklin Ave.,
15th Dist. - Joseph F. Zimanski,
Petitioner
ZONING COMMISSIONER
OF BALTIMORE COUNTY
No. 1568

This petition for a reclassification from "B-1" (residential) zone to "B-1" (business local) zone in the Fifteenth District of Baltimore County constitutes a major change.

The Office of Planning, at the present time, is holding hearing on the proposed master plan which includes zoning for this district.

It is therefore, the opinion of the Zoning Commissioner that these major changes should not be made during the time these master plans are being considered.

The proper thing for the petitioner to do is to submit his request to the Planning Board for their consideration at this time.

ORDER

For the reasons set forth in the foregoing opinion, it is this 30th day of January, 1959 by the Zoning Commissioner of Baltimore County, ORDERED that the reclassification petitioned for be and the same is hereby denied.

William H. Stephens
Zoning Commissioner
of Baltimore County

#4568 ✓
Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County—

I, Joseph F. Zimanski, legal owner... of the property situate
MHP
15-B
BL
1/24/59

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. IN ASSOCIATION, INC.
ENGINEERS
8 HIGGINS AVENUE, TOWSON 4, MARYLAND

Description to Accompany Zoning Petition
Franklin and Eyring Avenues
Election District #15
Baltimore County, Maryland

December 3, 1958

Beginning for the same at the intersection formed by the east side of Eyring Avenue 50 feet wide, and the north side of Franklin Avenue 50 feet wide, as shown on a plat of the "Niquet Property" herein after referred to and running thence binding on the east side of said Eyring Avenue North 6° 14' West 145 feet plus or minus to intersect the south side of an alley 10 feet wide, thence binding on the south side of said 10 foot alley North 83° 46' East 455 feet to intersect the west side of an alley 10 feet wide, running thence and for part of the distance binding on the west side of said 10 foot alley and for part of the distance crossing said Franklin Avenue South 6° 14' East 345 feet plus or minus to intersect the centerline of an alley 10 feet wide, running thence and for part of the distance binding on the centerline of said 10 foot alley and for part of the distance on the dividing line between lots 15 and 16 South 83° 46' West 455 feet to the east side of said Eyring Avenue, running thence and binding on the east side of said Eyring Avenue North 6° 14' West 200 feet to the place of beginning.

All as shown on Subdivision Plat of Property of Charles R. and Lottie D. Niquet recorded among the Plat Records of Baltimore County in Liber W.P.C. #8 folio #41.

hereby petition that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an A-1 Residential zone to an B-1 zone.
Reasons for Reclassification: To conform with surrounding land use
and zoning.

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.

Joseph F. Zimanski
Helen Zimanski
Legal Owner

Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of December, 1958, 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 Becker Bldg., in Towson, Baltimore County, on the 28th day of January, 1959, at 2 o'clock, P. M.

Zoning Commissioner of Baltimore County
(over)

February 9, 1959

\$50.00

RECEIVED of Maguire & Brennan, attorneys for petitioner, the sum of Fifty (\$50.00) dollars, being cost of appeal to the County Board of Appeals from the decision of the Zoning Commissioner denying the reclassification, property situate - E/S of Eyring Ave. and N/S of Franklin Ave. - 15th District - Joseph F. Zimanski, petitioner.

Zoning Commissioner
of Baltimore County

PAID - Baltimore County, Md. - Office of Finance

2-959 6246 • • • TIL- 5000

01.621

January 7, 1959

\$40.00

RECEIVED of George William Stephens, Jr. and Associates, Inc., for petitioner, Joseph F. Zimanski, the sum of Forty Dollars (\$40.00) to cover cost of petition, advertising and posting property situate on the East side of Eyring Avenue and the North side of Franklin Avenue.

Four signs are required for posting this property, therefore a balance of Nine Dollars (\$9.00) is due.

Thank you.

PAID - Baltimore County, Md. - Office of Finance

Zoning Commissioner
of Baltimore County
1-859 5296 • • • TIL- 4000

MAILED:
Wednesday, January 28, 1959
at 2:00 P. M.

Room 108
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland

01.622 - \$40.00

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting #4568
1-15-59
 Posted for: Am B-6 Zone to an B-1 Zone
 Petitioner: Joseph F. Ziemski
 Location of property: East side of Eyring Avenue and the north side of Franklin Avenue, etc. Mc Millan
 Location of Signs: On sign N.E. corner of Eyring Ave. & Franklin Ave. another S.E. corner of Eyring & Franklin Avenue, another 300 ft. E. of Eyring Ave. on the N.E. & S.E. of Joseph Ave.
 Remarks: _____
 Posted by George R. Hemmel Date of return: 1-16-59
 Signature

**NOTICE OF ZONING PETITION
 FOR RECLASSIFICATION**

...from a B-6 Zone to a B-1 Zone of the property hereinafter described, the Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Room 163, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland:
 On Wednesday, January 28, 1959
 at 2:00 P.M.

to determine whether or not the following mentioned and described property should be changed or reclassified as aforesaid for Business Local to wit:
 All that parcel of land in the Fifteenth District of Baltimore County, beginning for the same at the intersection formed by the East side of Eyring Avenue 2 feet wide, and the North side of Franklin Avenue 20 feet wide, as shown on a plat of

...Avenue, North 6 degrees 14 minutes West 145 feet, plus or minus, to intersect the South side of an alley 10 feet wide; thence binding on the South side of said 10 foot alley, North 83 degrees 46 minutes East 455 feet to intersect the West side of an alley 10 feet wide, running thence and for part of the distance binding on the West side of said 10 foot alley and for part of the distance crossing said Franklin Avenue, South 6 degrees 14 minutes East 245 feet, plus or minus, to intersect the centerline of an alley 10 feet wide; running thence and for part of the distance binding on the centerline of said 10 foot alley and for part of the distance on the dividing line between lots 15 and 16 South 83 degrees 46 minutes West 455 feet to the East side of said Eyring Avenue; running thence and binding on the East side of said Eyring Avenue, North 6 degrees 14 minutes West 200 feet to the place of beginning, as shown on plat filed with the Zoning Department, being property of Joseph F. Ziemski

By order of
 WILKIE H. ALLEN, M.E.
 Zoning Commissioner
 of Baltimore County
 1-8-59

order E 4977 Req J 2473

Certificate Of Publication

ESSEX, MD., January 14 1959

THIS IS TO CERTIFY, That the annexed advertisement was published in THE EASTERN ENTERPRISE, a weekly newspaper published in Essex, Baltimore County, Md., once in each of 2 successive weeks before the 28th day of January 1959, the first publication appearing on the 8th day of January 1959.

THE EASTERN ENTERPRISE, INC.
Thelma G. Sheldon
 Office Manager

#4568

