Petition for Zoning Re-Classification, 4651 To The Zoning Commissioner of Baltimore County:-I or we Walter F. & Anna H. Knox. at the south west corner of the intersection of Loch Raven Boylevard and Taylor Avenue in the ninth election district and containing SEC. 3-C armen of land more or less; acquired by deed recorded among 8 M on the Southern of Land in the Minth Catrict of Matthews County
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of Matth Minth ~ hereby petition that the zoning status of the above des Zoning Law of Baltimor- County, from an Be Le zone to an Be Me zone Reasons for Re-Classification; to use property in manner not permitted under present classification - SPECIFICALLY AN AUTOMOBILE SALES ROOM AND ADJOINING OUTDOOR STLES AREA. Size and height of building front feet death feet height Front and side set backs of building from street lines: front.... Property to be nested as prescribed by Zoning Regulations I, or we, agree to pay expenses of above re-classification, advertising, posting, etc., upon filing of this actions and further agree to and are to be bound by the round regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore Cou Heller F. Knyt Lucal o Jame Blutitle Attorney for Petitioners Duncan Building 6730 Queens Ferry Road Touson 4, Maryland Valley 3-6992 Address Baltimore, 12, Maryland April 1959 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 hourty, that property be posted, and that the public hearing hereon be had in the office of the ore County, in the Reckord Bldg. in Towson, Baltimore County, on 1 20 ay 1:59 at 1 o'clock P.M. Zoning Commissioner of Baltimore County

RE: PETITION FOR RECLASSIFICATION from a "B-L" Zone to a "B-K" Zone - S. W. Cor. Loch Raven Boule ward and Taylor Avenue, 9th District - Walter F. Knox and Ann H. Mnox, Petitioners

SEROR H COUNTY BOARD OF APPLAIS

OF BATTIMORE COUNTY

No.h651

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## GPINION

This reclassification from a "B-L" Zone to a "B-N" Zone is requested by the petitioners to allow the subject property to be used as an automobile sales agency and adjoining outdoor sales area. The petitioners the novel argument, and considerable statistical testimony in support thereof, that the immediate neighborhood is already saturated with business local uses which result in a duplication of facilities to the detriment of the community. They argue that this saturation deprives them of adequate utility of their property, and that the business major rezoning would both relieve them and be an asset to the community.

The protestants contend that the domegrading sought would depress the value of their properties; further, that many uses allowed under business major are not compatible with the overall plan for the area. They further maintain that the existing traffic is extremely heavy and that the down-grading will create additional vehicular basards. Finally, they stated that this reclassification will operate as a basis for other reclassifications in the future, all to their detriment.

// There is a strong presumption in favor of the validity of the existing soning. To justify reclassification, it must be shown that the original zoning is in error or that there has been a substantial change in the neighborhood. Without doubt, the neighborhood has not changed other

January 18, 1960

than to develop in the orderly way anticipated by the mappers.

As to error, we find no such saturation as the petitioners allege.Although the area is admittedly heavily developed with local businesses, there are several categories as yet unfilled. Moreover, the subject property is currently, and apprently productively being used as a drive-in restaurant as permitted under the existing zoning.

The Board believes that the granting of this reclassification would amount to "spot zoning" of the worst character.

For the reasons set forth above the petition is hereby

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 Marylard,

denied.

It is this 22nd day of December, 1959, by the County Board of Appeals, ORDERED that the recla sification from a "B-L" Zone to a "B-K" Zone is hereby denied.

\$4651

EE: PETITION FOR REGLASSIFICATION : FROM FR-LA ZONE TO WR-M\* ZONE S. W. Cor. Taylor Avanue and t Loch Ravon Boulevard, 9th Distric\* - Malter F. & Anna H. : Enox - attitioners

REFORE DEPUTY ZONING COMMISSIONE OF BALTIMORE COUNTY No. 1651

. . . . . . . . . . . . . .

Personnt to the advertisement, posting of property and public hearing on the above petition, from the evidence presented at the hearing it is apparent that there is no error in the original soning of the subject property nor has there been sufficient change in the surrounding property to warrant a change in zoning. The petitioner contends that the requested use of the property as an automobile males area is consistent with the uses in a "B-L" Zono. The fact remains that when the Baltimore County Zoning Regulations were adopted such a use was considered different and was not put in the "B-L" Zone. A portion of the property under consideration is already being used a drive-in restaurant and other permitted uses in a "B-L" Zone should provide adequate use of the land.

The land in question lies in the Ninth District of Baltimore County and the Ninth District contains more "B-K" soming at the present time than any other district in Baltimore County, therefore the potitioner should seek the property now already zoned rather than make the property fit the use.

It is CRIMERED by the Deputy Zoning Commissioner of Baltimore County, this 26th day of May, 1959, 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 Depthy Zoning Commissioner

4651

of Baltimore County

LUIE H. ADAMS

--- G. Rose

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NOTICE OF HEARING

Walter F. Know

ZONING DEPARTMENT OF BALTIMORE COUNTY

Southwest corner of Taylor Ave. and Lock Raven Boulevard-9th Dist.

TIME: 1:00 P.M. DATE: Wednesday, May 20, 1959 PLACE: Room 106, County Office duilding, 111 W. Chesapeake Avenue

Towsen, Maryland

Zoning Commissioner PAID - Saltimore County, Md. - Office of Finance. RECEIPT

#= 2759 9298 Bate: 8 8,811 27, 1959 1880

RECEIVED of: Malter & Japan LUCATION OF TACKERTY: Southment corner of Taylor Avg. and Loch \_\_\_\_

AND INTO MOUNT : SHOULD .....

0/622 \$ 40.00 1/27/59 Wrote to Jim Wheatley requested additional \$6.00 to cover cost of 2-signs.

Zening Cramissioner of Baltimore County

April 28, 1959

86.00

Received of James Wheatley Six Dollars (\$6.00) cover cost for two additional signs posted on property of Walter F. Knox, Southwest corner of Taylor Ave., and Loch Raven Boulevard.

> Thank you. PAID-Business County, Mid. -- Office of Rosacs

0162 86.00

01.622-50.00

250.00

Loch Raven Boulaward, 9th District.

June 3, 1959

RECEIV D of James B. Wheatley, Attorney for

Walter F. Knox, and wife, the sum of Fifty (\$50.00) Pollars

being cost of appeal to the County Board of Appeals from the

decision of the Deputy Zoning Commissioner denying reclassifi-

cation of property at the southwest corner of Taylor Avenue and

6-859 1262 · · · TIL+ 5000

Zoning Commissions:

PAID - Bultimare County, Mid. - Office of Flasson

1-1960 304 · · TXL-1-1960 304 . . IKL-01.622

Zoning Conmissioner

PATO - Saltimore County, Mil. - Office of Reserve

RECEIVED of James B. wheatley, Attorney for Walter F.

Knox, et al, patitioners, the sum of Right (\$8.00) Bollars being

cost of certified copies of documents filed in the matter of

reclassification of property at the southwest corner of loch

Raven Boulevard and Taylor Avenue, 9th Distret.

\$8.00

## BALTIMORE COUNTY DEPARTMENT OF BURBAU OF FUBLIC SERVICES

From	George R. Levis	May 12, 1959
То	Wilsie H. Adws	
Subject .	Zoning Petition #4651  Reclassification BL to EM Know Property S/W Corner Loch Raven Hlvd & Taylo District 9	or Avenue

The Bureau of Land Acquisition is preparing right of way plats and leeds in order to approach the owners of the referenced property to acquire the right of way for improvements to Taylor Avenue adjacent to this site.

It is requested that if the zoning is granted for this property, the parcel required for improvements to Taylor Avenue be excepted from the zoning.

Contact for the acquisition of this right of way shall be made as soon as property discrepancies have been corrected and should be within several weeks.

> Chief - Permit Section Davision of Land Development

GRL:1s

cc: Planning (Mr. Stirling)

## CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

PROPERTY OF
WALTER F. KNOX & WIFE
9TH DISTRICT - BALTO. CO. - MD.

STONE

SCALE: 1""-JO" OCTOBER 8, 1958.

DOLLENBERG BROTHERS
SURVEYORS B CIVIL ENGINEERS
709 WASK."IGTON AVE. TOWSON, MU.

CROSSCUT ON CURB N. 62°- 33'W

5.62 39'E. 304.91

B-L