

Petition for Zoning Re-Classification #4657

To The Zoning Commissioner of Baltimore County—
 I, JOSEPH J. NARDONE & WILHELM NARDONE, legal owners of the property situated in Baltimore County, being Lot No. 37 on the Northwest side of Sunberry Road as shown on a Plat of the property recorded among the Land Records of Baltimore County in Plat Book L.W.M.N. No. 10 folio 53. The improvements thereon being known as 1960 Sunberry Road, Dundalk, Maryland.
 All that parcel of land in the Twelfth District of Baltimore County on the West side of Sunberry Road beginning 180 feet North of Merritt Avenue thence Northly and blinding on the West side of Sunberry Road 100 feet with a rectangular depth Westerly of 140 feet to the place of beginning known as 1960 Sunberry Road

herely petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an B-L zone.
 Reason for Re-classification: Applicants desire to use the basement of said premises for a beauty salon.

Size and height of building: front 34 ft., feet; depth 29 ft., feet; height 26 ft., feet.
 Front and side set-backs of building from street lines: front 40 ft., feet; side 100 ft., 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.

Wilhelm Nardone
Joseph J. Nardone
 Legal Owners
 Address: 1960 Sunberry Rd

ORDERED by The Zoning Commissioner of Baltimore County, this 21st day of 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 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 Booked Bldg. in Town of Dundalk, Maryland, on the 27th day of May, 1959, at 10:00 A.M.

Attorneys: MARTIN & TAYLOR
 Address: 103 W. Chesapeake Ave. (4) Room 510
 Valley 5-6900

RECEIVED BY BALTIMORE COUNTY ZONING DEPARTMENT
 DATE OF RECEIPT: MAY 20 1959
 4657

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of _____

It is Ordered by the Zoning Commissioner of Baltimore County this _____ day of _____, 19____, that the above described property or area should be and the same is hereby reclassified, from and after the date of this Order, from _____ zone to a _____ zone.

Pursuant to the advertisement, posting of property and public hearing on the above petition _____ from the facts presented at the hearing there was no error in the original zoning nor have sufficient changes taken place in the character of the neighborhood to warrant the change in zoning, therefore, the reclassification should NOT be had.

It is Ordered by the Zoning Commissioner of Baltimore County, this 28th day of May, 1959, that the above petition be and it's same is hereby denied and that the above described property or area be and the same is hereby continued as and to remain an R-6 (residence) zone.

Approved: _____
 County Commissioners of Baltimore County
 Date: _____ By: _____ President

IN THE MATTER OF THE PETITION OF JOSEPH J. NARDONE AND WILHELM NARDONE, FOR RECLASSIFICATION FROM AN "R-6" ZONE TO A "B-L" ZONE OF PROPERTY ON THE WEST SIDE OF SUNBERRY ROAD 180 FEET NORTH OF MERRITT AVENUE, IN THE TWELFTH REACTION DISTRICT OF BALTIMORE COUNTY, MARYLAND

ORDER FOR APPEAL

PLEASE enter an Appeal to the Board of Appeals for Baltimore County from the Order of John G. Rose, Deputy Zoning Commissioner of Baltimore County, State of Maryland, passed in the above-captioned cause on May 28, 1959, and transmit all papers and records incident thereto to said Board of Appeals of Baltimore County.



Martin & Taylor
Paul Harelto
A. Frederick Taylor
 Attorneys for Applicants

OL 4-378

Deputy Director of Planning for Baltimore County, recommended "B-L" zoning for the subject property to match the nonconforming use directly across the street.
 Although the petitioner has failed to show a "substantial change in the neighborhood since the adoption of the land use map, the Board feels that he has conclusively proven an error in the original zoning of this property to justify reclassification.

ORDER
 For the reasons set forth in the foregoing opinion, it is this 28th day of December, 1959, by the County Board of Appeals, ORDERED that the re-classification petitioned for be 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
John G. Rose
Paul Harelto

#4657
 MAP #12
 BL

RE: PETITION FOR RECLASSIFICATION FROM AN "R-6" Zone to a "B-L" Zone - West side of Sunberry Road 100' N. Merritt Ave., 12th Dist. Joe J. Nardone, and Wilhelm Nardone, Petitioners

OPINION

The petitioner herein applies for a reclassification of his property at 1960 Sunberry Road from "R-6" to "B-L" in order that his wife may operate beauty salon in the club cellar of the home. The house which they have occupied since 1947 is located on a lot 100 feet wide and 165 feet deep. It was testified that there is sufficient space in the rear of the house to park 16 cars. The petitioner states that if the proposed beauty salon is permitted, the customers will use the rear entrance to club cellar.

A large used car lot adjoins the subject property to the south, and directly across the street is the side entrance to County Car Sales Company, a nonconforming commercial use which had been expanded since the petitioner acquired the subject property.

Several neighbors who reside on Midland Road, to the rear of Mr. Nardone's property stated that they had no objections to the proposed reclassification. On the other hand, several residents of Sunberry Road objected on the grounds that it would create a traffic hazard and would also constitute an extension of commercialism along Sunberry Road.

Mr. Bernard Willmain, a city planner, testified on behalf of the petitioner, stating that the subject property should have been zoned "B-L" on the land use map which was adopted in 1956. Mr. George Gavrellis,

50.00
 RECEIVED of Martin & Taylor, Attorneys, for Joe J. Nardone, et al, petitioners, the sum of \$50.00 being cost of Appeal to the County Board of Appeals from the decision of the Deputy Zoning Commissioner denying reclassification of property on the west side of Sunberry Road 180' north of Merritt Avenue, 12th District.

Zoning Commissioner

PAID - Baltimore County, Md. - Office of Finance

6-15-59 1634 • • • TIL - 5000
 6-15-59 1634 • • • TIL - 5000

ZONING DEPARTMENT OF BALTIMORE COUNTY

NOTICE OF HEARING

Joseph J. Nardone

Re: West side of Sunberry Rd. beg. 180' North of Merritt Avenue-12th Dist.

TIME: 2:00 P.M.
 DATE: Wednesday, May 27, 1959
 PLACE: Room 103, County Office Building, 111 W. Chesapeake Avenue - Towson, Maryland

PAID - Baltimore County, Md. - Office of Finance

RECEIVED of: Martin & Taylor
 LOCATION OF PROPERTY: West side of Sunberry Rd. beg. 180' North of Merritt Avenue.
 AMOUNT: \$40.00

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 12-16 Date of Posting: 5-14-59

Posted for: Joseph J. Nardone & Wilhelme Nardone

Petitioner: Joseph J. Nardone & Wilhelme Nardone

Location of property: West side of Sunberry Rd. beg. 180' north of Merritt Ave., 12th Dist. Dundalk, Md.

Location of Signs: Subject property - Baltimore 1960 Sunberry Road

Remarks: Charge of Hoffman Date of return: 5-18-59

OFFICE OF THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS THE COMMUNITY PRESS
 DUNDALK, MD. DUNDALK, MD.

No. 1 Newburg Avenue CATONSVILLE, MD.

May 16, 1959.

THIS IS TO CERTIFY, that the annexed advertisement of Wilsie H. Adams, Zoning Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for two successive weeks before the 16th day of May, 1959, that is to say the same was inserted in the issues of

Issues of May 8-15, 1959.

THE BALTIMORE COUNTIAN
 By Paul J. Morgan
 Editor

1. ELECTION DISTRICT - 12

2. AREA OF PROPERTY - 900 SQ. FT.

SCALE 1/8" = 1 FOOT

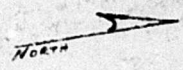
3. EXISTING USE OF PROPERTY - DWELLING

4. PROPOSED USE OF PROPERTY - BEAUTY SALON IN BASEMENT

5. PRESENT ZONING - R6

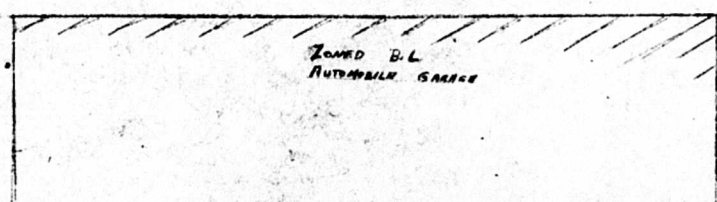
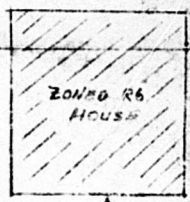
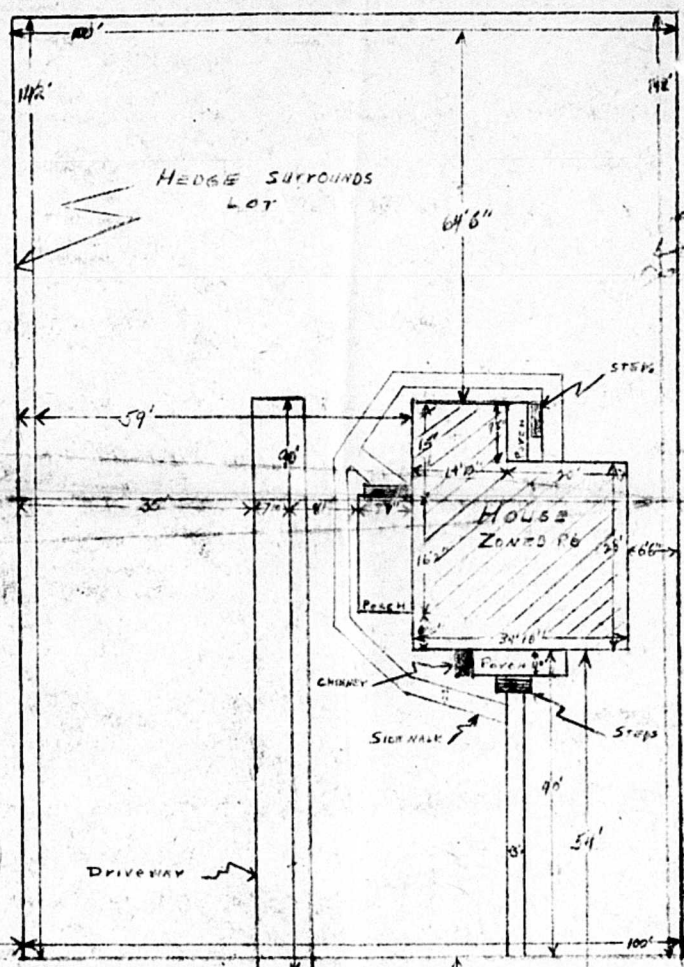
6. PROPOSED ZONING - B.L.

7. SCALE - 1/8" = 1 FOOT



#4657
MAP #12

ZONED R6
HOUSE



HERCULET AV.

SULLY ROAD

CENTER LINE

100'

1180'

ZONED B.L.
USED CAR LOT

100'

142'

142'

142'

142'

142'

142'

142'

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Steps

54'

54'

54'

54'

54'

54'

54'

54'

ZONED B.L.
AUTOMOBILE GARAGE