JAMES KERLEY & MARY SCHINGER #5176-S/S of Eartern Blvd. 1557 W of Stemmers Dum Rd. 1541

RE: PETITION FOR RECLASSIFICATION from a "8-1." Zone to a "8-R" Zone, and SPECIAL EXCEPTION FOR A Used Motor Vehicle Out-Boor Sales Areo, and VARIANCE to Section 238.1 and Section 238.2 of the Zoning Regulations S.S. Eastern Poulevard, 455! west of Stemmers Run Road - 15th James W. Kerley, et al -

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BEFORE # 547 L R X 4

#547L RXM

COUNTY BOARD OF APPEALS MAP

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BALTIMORE COUNTY 15-B BR-XA No. 5476-RXV

OPINION

The rubject petition for reclassification from a "B-L" Zone to a "B-R" Zone, and a special exception for a Used Motor Vehicle Out-door Sales Area. A variance was also requested seeking front yard and side yard relief in accordance with Section 238.1 and Section 238,2 of the Zoning Regulations.

At the outset of the hearing the Protestants, who were represented by legal .o.msel, withdrew from the subject case advising the Board that they had come to a satisfactory agreement with the petitioner.

The petitioner sighted to the Board a number of zoning changes in the immediate vicinity of the subject property; such properties being closely relaized to the property now in question.

The Board also heard the restimony of Mr. George Gavrelis of the Department of Planning who stated in essence that the Planning Department was of the opinion that the subject petition for reclassification to a "B-R" Zone, and special exception for a Used Motor Vehicle Out-door Sales Area was in order. He further stated that the use requested would complement the automotive usages which now exist on the adjoining commercial land, as well as several other properties in the general area. Mr. Gavrelis also sighted the fact that the subject property, if used as a Used Car Lot would create an interim land use which could be desirable in the event that the proposed interchange between the proposed South-astern Boulevard and Eastern Avenue becomes a fait accompli-

At the conclusion of the hearing the petitioner requested that he be allowed to withdraw his request for variance to Section 238.1 and Section 238.2. The Board was unanimous in allowing the variance to be withdraws. The Board is unanimous in its opinion that there have been sufficient changes in the immediate vicinity to warrant the reclassification from a "B-L" Zone to a "B-R" Zone. With regard to the special

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date January 26, 1963. FROM Mr. George E. Gavrelis, Deputy Director

SUBJECT, \$51.76-EXV. B-L to 3-R, Special Exception for Used Car Let and Variance to permit a fruit yard of 33 feet instand of the required 50 feet and a side yard of 18 feet instead of the required 30 feet. Northanic of Batarn Bodl-eward his feet West of Seamore Bun Hoad. Being property

Westpenday, February 7, 1962 (1:00 P.M.) HEARTNO:

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following advisory comments to maker

- 1.- The present character of land usage along this portion of Eastern Avenue is such that bysiness readside zoning is in Accordance with the character of adjoining domescial land
- 2. The subject property may be in conflict with the future interchange between proposed Southeastern boulevard and Eastern arrane. Conversation of the unationg dealings and its lot for used car low purposes may be an appropriate inte, by that use power.
- 3.- With respect to the variance it ejecats that converted of the relating dealing for conserval, purposes within the 5-8 toning setbeds is indeed a situation of predictal hard-sity and unreasonable Miffoulty. If granted, newwork the variance should be intended and applicable to the scrining/ dealines and another to the pile to any new constrains on which may take place on the employ property.

exception for a Used Car Lot, the Board is unanimous in its opinion Regulations.

For the reasons set forth in the aforegoing Opinion, it is this Q of October, 1962 by the County Board of Appeals, ORDERED that the reclassification xception petitioned for, be and the same is hereby granted.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle 8 of Maryland Rules of Procedure, 1961 edition.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Dateshar

ROBERT J. ROMADKA

FR 27 '62 C #54

February 26, 1962

3 BR-XA

OFFICE 2

TELEPHONE

TELEPHONE VALLEY 3-3000

QUANTITY |

No. 5476-BTV

BR-

Mr. John G. Rose Zoning Commissioner County Office Building Towson 4, Maryland

Petition for Reclassification from a "B-L" Zone to a "B-R" Zone and Special Exception for Used Car Lot - S.S. Eastern Boulevard 455' N. of Stemmers Run Road, 15th District, James W. Read, Petitionzer - Petition No. 5475-RXV

D r Mr. Rose:

Please be advised that I have been requested by the Petitioner, James W. Kerley, to file an appeal to the Zoning Board of Appeals from your Grder of February 8, 1962, in which you denied the Petitioner's Petition for Re

Please find enclosed herewith check in the amount of \$70.00 for filing maid Appeal, with the request that you forward all papers and records to said Board of Appeals for further hearing.

RJR:br Encl.

1530 Pope Ave. Reltimore 28, Maryland

TELEPHONE

INVOICE BALTIL ORE COUNTY, MARY AND OFFICE OF FINANCE

No. 10323 Elie 2/6/52

Division of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND

BILLED Zoning Department of Baltimore County

EPOBIT TO A	ACCOUNT NO. 01622	\$a5.50	
	Advertising and porting of your property	15.50	
	PRD- was town out of Gentlema		
	20-662 532 0 - 4 711-	550	
PORTANT	I MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND		

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

PETITION FOR ZONING RE-CLASSIFICATION & VARIANCE #5476 POXE AND/OR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 1, or we have a state of the property situate in Baltimore MAP County and which is described in the description and plat attached hereto and made a part bytest, 15-B bereby petition (1) that the social status of the herein described property be re-classified, pursuant to the Zoning Law of Facilities. BR _zone; for the following reasons: To conclus used car bainer Section 238.1 - Front Yard 50 feet - Requesting 33 feet Section 238.2 - Side Yard 30 feet - Requesting 18 feet See Attached Description and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Bultimore County, to use the herein described property, for Used Can Lot Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, t, or we agree to pay expense or anove recussions and or opectar exception accordance, 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 Januar Today mary Achimer Address 1530 Pape on Baltimon 21 md. Mu. 6-2149 Secul Permanel Level Processant's Attorney ORDERED By The Z aing Commissioner of Baltimore County, this 12th day December ..., 1961..., that the subject natter of this petition be advertised, as ceculred by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, trat property be posted, and that the public hearing be had before the Zoning Commissioner of Balt'more county in Room 106, County Office Building in Towson, Baltimore day of February 1962, at 1,000 o'clock County, on the ... DEF: 1-2-61 ... 7th Zoning Commissioner of Baltimore County

BALTINDRE COUNTY, MARY LIAD

OFFICE OF FINANCE

COURT HOUSE TOWSON 4, MARYLAND

5. 38 1 518 \$ \$ 1 511 ≥

Cost of appeal to County Beard of Appeals

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COUNT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. BALTITORE COUNTY, MARYLAND

Petition for Faclassification, Special Exception & Works

OFFICE OF FINANCE

COURT HOUSE
TOWSON 4, MARYLAND

a Special Exception for a.	should be grante
IT IS ORDERED by t	the Zoning Commissioner of Baltimore County this.
	, 196, that the herein described property or area should be as
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	ception for ashould he and the same
granted, from and after t	
e ·	Zoning Commissioner of Baltimore County
Pursuant to the adve	ertisement, posting of property and public hearing on the above petitis
	reason of the fact that the Zoning Cossissioner held a bear
subject property and	reclassified the property from an "R-6" Zone to s "B-L" aring that there have been insufficient changes since that
time to warrant a ch	carge in the soning,
the above re-classification GRANTED.	should NOT BE HAD, and/or the Special Exception should NOT 1
IT IS ORDERED by t	the Zoning Commissioner of Baltimore County, this
of Rebruary	the Zoning Commissioner of Baltimore County, this
	ove described property or area be and the same is hereby continued as a
	zone; and the Special Exception for
a Used Car lot	be and the same is hereby DENIE
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ALC: A SPECIFICATION	Jan X Ta
	Zoning Commissioner of Baltimore County
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5476 Date of Posting 9-13-62 Date of return: 9-14-62

STARTARTI MAKE CHECKS PAYABLE TO BALTIMORE COUNTY MARYLAND MAIL TODIVISION OF COLLECTION S-RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS ALL WITH YOUR REMITTANCE.

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PETITION FOR ZONING DECLASSIFICATION, SPEC EXCEPTION AND A ZONIS VARIANCE 15th DISTRICT

ZONING: From B. L. Zône to B.K. Zône, Patition for Special Ex-ception for Used Car Lat. Peti-tion for a Variance to Permit's front yard 33 feet instead of required 50 feet; and to permit side

yard of 18 feet instead of the re-quired 30 feet. LOCATION: South side of Eastern Blvd, 455 feet West of Stemmers

Blvd. *50 feet Run Road. DATE AND TIME: WEDNESDAY, FEBRUARY 7, 1962 AT 1 see M. PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson.

Chesapeare
Maryland.
The Zoning Regulations to be excepted as follows:
Section 238.1—Front Yard—56 feet.
Section 138.2—Side Yard—39 feet.
The Zoning Cogmissioner of Baltmore County, by authority of the

Zening Act and Regulations of Bal-timore County, will hold a public

hearing:
Concerning all that naccel of land
in the Fifteenth District of Entipore County.

BEGINNING for the same at a
point on the Northweet side of Pone
Avenua, as laid out a feet wide
and shewn of the Ca antitied
by J. Spence Howard and reparted
by J. Spence Howard and reparted
among the Land Records of Saiti-

more County in Plat Book W.P.C. No. 7, Folio 21 said point of beginning beins located 454.24 feet measured Southwesterir along the said Northwest side of Pope Aver is from the Southwest side of Stemmers Run Road (formerly called Rack River Neck Road) said beint of beginning being intended to be af the dividing line between Lots Nos. 16 and 17 as shown on the dioresaid plat there evaluating and Nos. 16 and 17 as shown on the iforesaid plat, thence running and binding on the said Nosthwest side of Pope Avenue (1) S. 63° 56° 90° W., 100.00 feet to the dividing line between Lots Nos. 18 and 19, as shown on said plat, thence binding along part of said last mentioned dividing line (2) N. 21° 04′ 00° W., 22.62 feet to intersect the Southeast side of Rastern Avenue at laid out side of Eastern Avenue, as laid out 150 feet wide thence binding thereon (3) N 58° 12° 97° E. 101.73 feet to intersect the divising line first herein referred to, thence bind-ing on part thereof (4) S 21° 64' 00° E. 111,57 Seet to the point of beginning.

beginning.
Containing 0.2344 Acres of Land.
Being part of Lots Nos. 17 and 18
as shown on the plat entitled "Subdivision of Lot No. 7. Block "H",
Section B; ESSEX" as pre-ared by
Spence Howard and recorded
among the Land Records of Baltimote County in Plat Book W.P.C.
No. 7: Polio 21.
Being the property of James
Kerley, et al., as shown on plat plan
filed with the Zoning Department,
BY ORDER OF
JOHN C. ROSE

JOHN G. ROSE. Zoning Commissioner of County. 1-18-1t

CERTIFICATE OF PUBLICATION

January 18 19 62 TOWSON, MD., THIS 'S TO CERTIFY, That the annexed advertisement was published in The COUNTY Paper, Inc., a weekly newspaper printed and published in Towson, Baltimore County, Md. once in each of one successive weeks before the 7th day of February 19 62 the first publication appearing on the 18th day of January

The COUNTY Paper, Inc.

Manager

