PETITION FOR RY ASSIFICATION from an "R-6" Z J to a "B-L" Zone, and a SPECIAL EXCEPTION for Living Quarters N/S Belair Road, 103' NE Goettner St. - 11th District

Maud V. Miller - Petitioner

COUNTY BOARD OF APPEALS OF

BALTIMORE COUNTY

No. 5491-RX #11-6 BL-X

### OPINION

1 1 1 1 1 1 1

This is a petition for reclassification from an "R-6" Zone to a "B-L" Zone, and a special exception for Living Quarters on property located on the north side of Belair Road, 103 feet northeat of Goettner Street in the Eleventh District of Baltimore County.

The subject property has been conducted as a rural type restaurant for over one hundred years. The subject property is located on one of the main highways in the United States; namely, U.S. Route #1 - Belair Road, and serves a need which is both necessary and desirable. The petitioner presented a number of reclassifications which have taken place in the immediate vicinity to support their contention that this reclassification should be granted. The Board is unanimous in its opinion that this petition for reclassification from an "R-6" to a "B-L" Zone should be approved.

In regard to the special exception for one apartment on the premise, this is a reasonable request and in no way violates Section 502.1 of the Zoning Regulations. The Board is unar imous in its opinion that the special exception for one apertment on the premise should be granted.

#### ORDER

For the reasons set forth in the aforegoing Opinion, it is this  $18^{\circ}$ of September, 1962 by the County Board of Appeals, ORDERED that the reclassification and special exception petitioned for, be and the same is hereby granted.

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

BALTIMORE COUNTY, MARY AND

OFFICE OF FINANCE

Advertising and posting of property for Maud V. Miller

IMPORTANTI MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND

1-20-62 12-52 a . . III-

Division of Collection and Receipt

TELEPHONE

Hooper, Kiefer & Perrott Attorneys 100 St. Paul Street Baltimore 2, Md.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Zoning Department Baltimore County

No. 10381

DATE 2/28/62

\$16.00

46.00

00.6

5491-RX

HR: PETITION FOR RECLASSIFICATION : FROM NONCOMPORMING USE AND
"R-6" ZOME TO A RUSINESS LOCAL:
ZOME - N. S. Bel Air Red, 103'
N.E. Goettner St., 11th Dist.,: Maud V. Miller, Petitioner

MAP #11-C

#5431RXA

BL-A ZONTHO COMMISSIONER

Œ BALTIMORE COUNTY

No. 5491-RX

The petitioner in the above matter has requested a reclassification of property on the north side of Bel Air Road 103 feet northeast of Goettner Street, in the Eleventh District of Baltimore County, from a nonconforming use and "R-6" Zone to a "B-L" Zone for an Inn approximately 100 years old and a special exception for living quarters in a commercial

Five reclassifications have taken place at the nearby intersections of Bel Air Road, Jerusalem Road, Sunshine Avenue and Braishaw Road. Commercial zoning has also been granted across the etmet

It is the opinion of the Zoning Commissioner that the requested soning will preserve a longe stablished business which is a landmark in the community.

The request for a special exception for one apartment on the promises is not an unreasonable one.

For the above reasons the reclassification and special exception should be granted.

It is this 544 day of March, 1962, by the Zoning Commissioner of Baltimore County, ORDERED that the herein described property or area should be and the same is hereby reclassified from a nonconforming use and "R-6" Zone to a "B-L" Zone; and a special exception for living quarters in a convercial zone, should be and the same is granted from and after the date of this Order.

Zoning Commissioner of Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

MAPY I. or we, Mard V. Milled legal owner of the property situate in Balt County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the headin described property be re-classified. to the Zoning Law of Baltimore County, from an Nect-Confession Use - RL zo Business Local zone: for the following reasons: 2/15/62

See Attached Descritator

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for One Apartment Situate Therein

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, 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

Address Co JAMES A Peccott Attorney 100 ST Paul STREET BAITIMERE 2, Md.

Petitioner's Attorney P1-2-07F3 Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 5th required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 195, County Office Building in Towson, Baltimore

County, on the 1885-169 28th day of February

BALTIMORE COUNTY, MARYIOND OFFICE OF FINANCE

No. 11531 DATE 4/1/62

Division of Collection and Receipts
COURT HOUSE TOWSON 4, MARYLAND

Mesers, Proctor, Royston & Mueller, Campbell Building Torson b, Maryland

Office of Planning & Zening 119 County Office Building Tornon h, Maryland

TOTAL AMOUNT Cost of appeal to Board of Appeals \$70.00 No.5ks1-RX 70.00 · · 111-3--562 2555 ·

IMPORTANT! MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TODIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTMORE COUNTY, MARYLAND OFFICE OF FINANCE

Division of Collection and Receipt COURT HOUSE TOWSON 4, MARYLAND

James A. Perroti, Esq. 100 St. Paul Street Baltimore 2, Md.

BILLED BY: Zoning Department of Baltimore County

No. 10241

DATE 1/5/62

\$50.00 DEPOSIT TO ACCOUNT NO. 01622 Petition for Reclassification & Special Exception for Maud V. Miller 1--5-62 9 6 6 0 11L-

IMPORTANT: 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.

PROCTOR, ROYSTON & MUELLER

TOWNON A MARKS AND

#5991 RX

August 14, 1362

County Board of Appeals County Office Building Towson 4, Maryland

> Re: Petition for Reclassification from R-6 to B.L. with a Special Exception for Living Quarters in a Commercial Zone--Maude ". Miller, Case #4591-R-6

Dear Mr. Chairman:

elr/d

Please dismiss the Appeal in the above entitled matter which was filed by George Langen-felder, and which appeal was set for hearing on Thursday, the 16th day of August, at 9:30 A.M.

Very truly yours,

Censa 7 Elmer L. Reese, Jr. Attorney for

George H. Langenfelder.

cc: Eugene Ricks, Esq.

PROCTOR, ROYSTON & MUELLER

TOWNON A MARYLAN

April 4, 1962 Pres

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

> Re: Petition for Reclassification and Special Exception - N.S. Bel Air Road 103' N.E. Guettner St.-11th District -Maud V. Miller, Petitioner.

Dear Mr. Rose:

On behalf of George H. Langenfelder, Protestant, please note an Appeal to the County Board of Appeals from your Order passed in the above captioned matter on March 5, 1962.

Enclosed is our check to the order of

Baltimore County, Md., in the amount of \$70.00, covering the cost of filing such Appeal.

Very truly yours, Eluxe F. 18555 Ju

Elmer L. Reese, Jr. Encl.-ck.

cc: James A. Perrott, Esq. 100 St. Paul Street Baltimore 2. Maryland Attorney for Petitioner

ADD -3 '62 AM UNING DEPARTMEN

## BALTIMORE COUNTY, MARYLAND

#### INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning CommissionerDate February 16, 1962

Mr. George E. Gavrelis, Deputy Director

SURJECT #5491-RX. R-6 to B-L and Special Exception for Living Quarters in a Commercial Building. Northwest side of Belair Road 103 feet Northeasterly from Goettner Street. Being property of Maud V. Miller.

11th District

Wednesday, Feb. uary 28, 1962 (11:00 A.M.)

The Planning staff will offer no comment on this petition.

GEG: bms



### CERTIFICATE OF POSTING

### ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

## CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

District\_ Posted for: Date of return: Signature

ETETION FOR RECLASSIFICATION AND SPECIAL EXCEPTION-11TH DISTRICT

ZONING: From R-6 Zone to B-L Zone. Pe-tition for Special Exception for Living Quarters in a Commercial Building. LOCATION: Nothwest side of Belair Road 103 feet, more or less, northeasterly from the center of Goettner Street, DATE & TIME: Wednesday, February 28, 1962, at 11:00 A. M. PUBLIC HEARING: Room 108, County

Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing concerning all that parcel of land in the Eleventh District of Baltimore County: Beginning for the same on he northwest

Beginning for the same on the northwest side of Belair Road (60 feet wide) as shown, on State Roads Commission Plat No. 962 at a point distant 103 feet more or less northeasterly from the center of Goetner, Street (as now constructed), said point of beginning being also at the end of the third or south 40 degrees 00 minutes east 189.59 feed dated March 28, 1936 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2901 folio 399. etc. was conveyed by Burdette S. Oles, et al, to Baltimore Gas and Ele tric Company and at a point distant 415.36 feet south and at a point distant 415.35 feet south 40 degrees, 09 minutes east from the begin-ning of the second or south 40 degrees 00 minutes east 419 foot line of that tract of land which by deed dated June 28, 1951 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2208, folio 392, etc. was conveyed by Miller Prothers Inn Company to Maud V. Miller. thence running with and binding on the northwest side of said Belair Road as shown on said Plat north 45 degrees 96 minutes east 345.08 icet to intersect the last or north 28 degrees 48 minutes west 382 foot line of said lastly described conveyance at a point distant 0.13 feet north 28 degrees 48 mirutes west from the beginning of said line, and to the cc. ter of a roadway leading to the prop-erty of Burdette S. Oles and Kingsville Nurseries, Inc., thence leaving the north-west side of said Belair Road and running with and binding on a part or said last line and in the center of said roadway feet to a stone heretofore planted at the end of said line, thence leaving said roadance south 52 degrees 22 minutes west t the end of said line, thence running with and binding on a part of the said second line of said lastly described conveyance south 40 degrees 60 minutes east 225.77 feet to a concrete monument herefore planted at the beginning of the said third line of said firstly described coneyance, thence continuing said course and unning with and binding on said third line outh 40 degrees 00 minutes east 189.59 feet to the place of beginning. Containing 3.455 acres of land more

Being the property of Maud V. Miller, as shown on plat plan filed with the Zoning

By order of JOHN G. ROSE Zoning Commissioner of Baltimore County

# CERTIFICATE OF PUBLICATION

TOWSON,	MD., February 9.	19_6
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THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., occercinopactic of 1 time \*\*\* \*\*\*\* before the 28th day of \_\_\_\_\_ February \_\_\_\_, 1962\_, the APST publication appearing on the 9th day of February 19.62

THE JEFFERSONIAN.

Manager

Cost of Advertisement, \$\_\_\_\_\_

