

RE: PETITION FOR RECLASSIFICATION, SPECIAL EXCEPTION AND VARIANCE TO SEC. 232.2 of Zoning Regulations - R-M, Side Harford Road and S.W. Side Erie Ave., 9th Dist., Edw.L. and Clara B. Franke, Petitioners

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5742-RXV

Upon hearing on the above petition (1) for reclassification of the subject property from an "R-6" Zone to a "B-1" Zone; a special exception to permit living quarters in a commercial zone and (3) for a variance to Section 232.2 of the Zoning Regulations to permit a side yard on the side street of 1.62 feet instead of the required 10 feet, from the facts presented at the hearing the subject property is immediately adjoining residential areas and it is the opinion of the Zoning Commissioner that the nonconforming status of the property should be maintained and to grant same would be "spot zoning", therefore the reclassification should be denied.

The special exception should also be denied.
The variance requested if granted would result in substantial injury to the public health, safety and the general welfare of the locality and, therefore, should also be denied.

It is this 26th day of January, 1963, by the Zoning Commissioner of Baltimore County, ORDERED that the above reclassification be and the same is hereby denied and that the above described property or area is hereby continued as and to remain an "R-6" Zone. The Special exception for living quarters in a commercial zone is denied and the variance requested to Section 232.2 of the Zoning Regulations to permit a side yard on side street side of 1.62 feet instead of the required 10 feet is also denied.

[Signature]
Zoning Commissioner of Baltimore County

TELEPHONE
VALLEY 3-3000

**BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE**
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 14299
DATE 2/14/63

To: Edward L. Franke
99th Harford Road
Towson 34, Maryland

BILLED BY: Zoning Department
Baltimore County Offices
Towson 4, Maryland

REPORT TO ACCOUNT NO.	01622	TOTAL AMOUNT
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	CERT
Advertising and Posting		\$39.00
1-1663 4653	• • • TIL-	\$9.00

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.

**PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

X We, Edward L. A. Franke, legal owner of the property situate in Baltimore 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 herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an "R-6" zone to an "B-1" zone; for the following reasons:

1. That the property has been commercial in nature before the enactment of the Baltimore County Zoning Law.
 2. That the property is a non-conforming use at the present time.
 3. That the property is not suitable for residential purposes as it is now zoned.
 4. That there exists a need in the community for the establishment of a Commercial Zone.
- Variances to permit a side yd. on side street of 1.62' instead of req. 10'
- and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for LIVING QUARTERS.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above reclassification 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 County.

See Attached Description

Contract purchaser

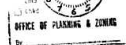
Address: 9944 Harford Road.

Baltimore 34, Maryland.

Protestant's Attorney

Address: 2000 N. Broadway

ORDERED BY the Zoning Commissioner of Baltimore County, his 19th day of January, 1963, that the subject matter of this petition be advertised, as 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 101, County Office Building in Towson, Baltimore County, on the 16th day of January, 1963, at 1:00 o'clock P.M.



(over)

TELEPHONE
VALLEY 3-3000

**BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE**
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 15321
DATE 2/10/62

To: Maurice Belkwin, Esq.
Dunham Building
Towson 4, Md.

BILLED BY: Zoning Department
Baltimore County
Towson 4, Maryland

DEPOSIT TO A "COUNT NO."	01622	TOTAL AMOUNT
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	CERT
Petition for Reclassification & Special Exception for Edward Franke		50.00
1-2062 2776	• • • TIL-	50.00

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.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: January 4, 1963

FROM: Mr. George E. Javrelis, Deputy Director

SUBJECT: #5742-RXV, R-6 to B-1, Special Exception for Living Quarters in a commercial building and Variance to permit a side yard on side street of 1.62 feet instead of the required 10 feet. North-west side of Harford Road and Southwest side of Erie Avenue. Being property of Edward L. Franke.

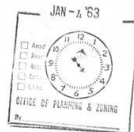
9th District

HEARING: Wednesday, January 16, 1963 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following advisory comment to make with respect to pertinent planning factors:

1. It is the understanding of the Planning staff that the subject property now enjoys a nonconforming commercial status. At the same time, all of the immediately adjoining land uses are residential. From a planning viewpoint it would appear that no zoning action is warranted and that the nonconforming status of the property should be maintained.

0910mas



**CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland**

District: 9th
Date of Posting: 12-27-62
Posted for: *[Signature]*
Petitioner: *[Signature]*
Location of property: *[Address]*
Location of Signage: *[Address]*
Remarks: *[Text]*
Posted by: *[Signature]* Date of return: 12-28-62

Registration No. 1577



William M. Magnadier
County Surveyor
Professional Engineer and Land Surveyor
Rosen Building
Calverton 4, Md.

For Purpose of Zoning Only

All that piece or parcel of land situate lying and being in the 9th Election District of Baltimore County, State of Maryland and described as follows:

BEGINNING for the same at the corner formed by the intersection of the north-west side of Harford Road with the southwest side of Erie Avenue running thence and binding on the northwest side of Harford Road south 38 degrees 15 minutes west 120.66 feet thence leaving the road and running north 45 degrees 45 minutes west (parallel to Erie Avenue) 186.80 feet thence north 44 degrees 15 minutes east (at a right angle to Erie Avenue) 120.00 feet to the southwest side of Erie Avenue thence binding on the southwest side of Erie Avenue south 45 degrees 45 minutes east 150.00 feet to the place of beginning.

Containing 20,208.00 Square feet more or less



[Signature]

PETITION FOR ZONING RECLASSIFICATION AND A VARIANCE, 9TH DISTRICT

ZONING: From R-6 to B-1. Zone. Petition for Special Exception for Living Quarters in a commercial building. Variance to permit a side yard on side street of 1.62 feet instead of the required 10 feet. LOCATION: Northwest side of Harford Road and the southwest side of Erie Avenue. Being property of Edward L. Franke, as shown on plat filed with the Zoning Department.

CERTIFICATE OF PUBLICATION

TOWSON, MD., December 26, 1962.
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 11 consecutive weeks before the 16th day of January, 1963, the date publication appearing on the 20th day of December, 1962.

THE JEFFERSONIAN
[Signature]
Manager

Cost of Advertisement, \$.....

PETITION FOR ZONING RECLASSIFICATION AND A VARIANCE, 9TH DISTRICT

ZONING: From R-6 to B-1. Zone. Petition for Special Exception for Living Quarters in a commercial building. Variance to permit a side yard on side street of 1.62 feet instead of the required 10 feet. LOCATION: Northwest side of Harford Road and the southwest side of Erie Avenue. Being property of Edward L. Franke, as shown on plat filed with the Zoning Department.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 20th day of December, 1962.
THIS IS TO CERTIFY, that the annexed advertisement was published in THE COUNTY NEWS WEEK, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 20 successive weeks before the 16th day of January, 1963, the first publication appearing on the 26th day of December, 1962.

THE COUNTY NEWS WEEK
[Signature]
Manager

FLOOR SPACE - 2562 SQ. FT. COMMERCIAL
PARKING SPACES - 23 - 9'x18'

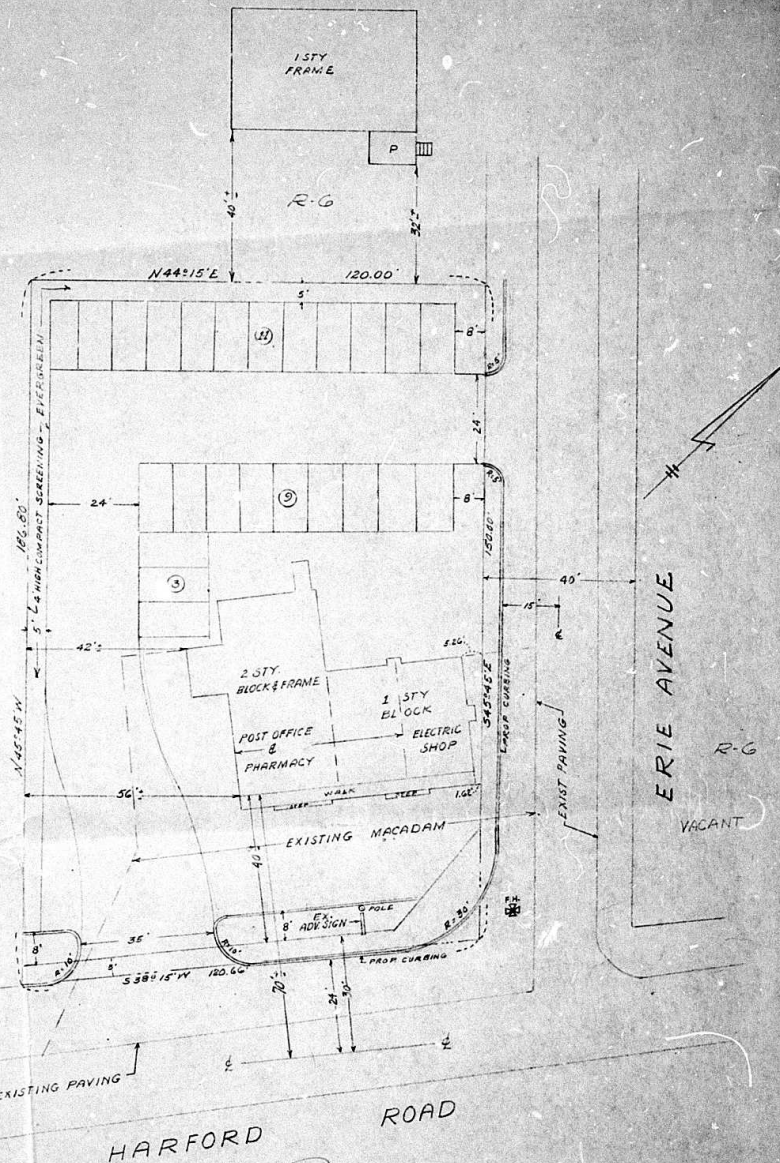


1 STY.
BLOCK

R-6

R-60

YACANT



FOR PURPOSE OF ZONING ONLY

ZNG

WILLIAM M. MAYNADIER
COUNTY SURVEYOR
CIVIL ENGINEER & LAND SURVEYOR
COURT HOUSE TOWSON, MD.
SCALE 1"=20' DATE SEPT.

SCALE 1"=20' DATE-SEPT.

DATE-SEPT.