0 FFB7 '63 4 LAW OFFICES A. OWEN HENNEGAN. JE SAMUEL KIMMEL February 7, 1963 Honorable John G. Rose, Zoning Conmissioner for Baltimore County County Office Building 4 8 5 ween 4. Maryland Re: Petition for Reclassification from R-6 to B-L Zone and Variance to Sec. 409, 2 (3) of Zoning Regulations - E. S. Dogwood Road 235 N. Allison St., lat District - Jerome Stein and Lenore Stein, Petitioners - No. 5672-RV

シス

Please enter an appeal to the Board of Zoning Appeals for Baltimore County from your Order denying the above Petition, said Order dated January 30, 1963.

Very truly yours,

A. Owen Hennegan, Jr.

OFF OF

THIS IS TO CERTIFY, that the annexed advertisement of

John G. Rose, Zoning Commissioner of Beltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of

three weekly newspapers published in Baltimore County, Mary-

land, once a week for One Week surrantive wasks before

THE BALTIMORE COUNTIAN

By Paul J. Morgan Editor and Manager

14th day of January,

January 11, 1963.

the same was inserted in the issues of

CATONSVILLE, MD.

1963, that is to say

January 14, 1963.

THE BALTIMORE COUNTIAN

No. 1 Newburg Avenue

AOHJr:m

PERTITION FOR ZONING MECLASSIFICATION AND A VARIANCE Linguistics Red 235 on the Control of the Control o

Boot seen.

The Zoning Commissioner of Baltimore County by such recognition of the second of the sec

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION 5762 TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 'larana I, or we will be the forest the following the first three to an anale a part hereof, and hereby pellion (1) that the sosing status of the herein described recents  $A_{\rm eff} = A_{\rm eff}$ hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant one to an SE (. 2 - B to the Zoning Law of Baltimore County, from an ...  $\mathcal{B}$  ...  $\mathcal{L}$ BL-V 13 - L- zone; for the following reasons: 1/17/63 brow in mags Spriance to Sent 409,2 To permit 18 packering spaces instead Dequied of Variance to Section 409.2 - to permit 18 parking spaces instead of req. 24 spaces and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for. 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 Levor Stein Jarone Stern Legal Owner Contract purchaser Address 6909 Relderent Rd Belto 15 ml. Medsal A Tooks Address 406 Jeffican dress 406 Jefferson Black
UA 5 354

ORDERED By The Zoning Commissioner of Baltimore County, this. 6th day of August 1962 that the subject matter of this petitica 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 u.2! the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the ... 198 a- 82 28th day of January 7 . 196 3, at 11:00 o'clock ( 17 h) Reco (9) OFFICE OF PLANISH & ZONING BALTIMORE COUNTY, MARYLAND TELEPHONE OFFICE OF FINANCE DATE 2/11/63 on of Collection and Receipts
COURT HOUSE TOWSON 4, MAR entito of Planning & Zoning 119 County Office Bldg., Truson h, Mc. COST Cost of appeal to County Board of Appeals petition of Jerome Stein No. 5762

TOTAL AMOUN 370.00 2-1563 3723 · · · III. · 7000 IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND INFURIARII MAKE CHECKS PAYABLE TO BALLIMURE COUNTY, MARTLANU MAIL TO DIVISION OF COLLECTION & RECEIPTS, COUNT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALLANDRE COUNTY, MANYIND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND

No. 20817

ACCO	INT NO. UI af 18	\$ 6.00
200	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
	Cost of Cartified Documents - No. 5762-EV Jerone State, et al E/S Degreed Band, 220° ME	\$4.00
	H. of Allian Street Court, the Other of Second	
	4600 2001 • 20817• HP	6.00
	# 4664 2001 • 20817- TIP-	6.00
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IMPORTANTI 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. #5762 RV We STEAN V SEL. BLV

August 28, 1962

Re: Petition for Reclassification o your property, located be Powhatan and Allison Street

Dear Sire

The Zoning Advisory Committee has reviewed the above referenced property and have the following comments to make

The six parkin, spaces along Degwood Read are not satisfactory. County Standards do not permit vehicles to back out directly on a public road. The plan should be revised to provide on site circulation for all 2k care.

If I can be of any further assistance in this matter, use do not nomitate to contact me.

Yours very truly,

# 5762 P.Ver Synty

5E1.2-B

James E. Dyer

Lester Mate John C. Childe George W. B., M. Robert W. Crahon Lennard M. Glass Norman F. Herrmann Paul Lee al S. Sueton

MATZ-CHILDS & ASSOCIATES, INC

Engineers - Surveyors - Site Planaria 2129 N. Charles St. - Baltimore 18, Maryland

DESCRIPTION

TO ACCOMPANY PETITION FOR REZONING OF PROPERTY WESTER

FROM "R-6" TO "B-E" Beginning for the first on the east side of The Franklin Turn

BL-V Road (Dogwood Road) at the distance of 235 feet, more or less from the in- 1/17/63 tersection of the north side of Allison Street and the east side of Dogwood Road; thence running northerly on the east side of Dogwood Road 120 feet, thence easterly at right angles to Dogwood Road 100 feet to Spring Street, thence bounding on Spring Street southerly 120 feet' thence westerly at right angles to Dogwood Road 100 feet to the place of beginning.

Beginning for the second at a stone at the northeast corner of Allison and Spring Streets, thence running and binding on the east side of Spring Street N. 11° 00' 00" W., 450 feet to a stone at the southwast corner of Spring and Powhatan Streets; thence running with and bounding on the southwest side of Powhatan Street S. 47 \* 00' 00" E., 220 feet to a stone at the northwest corne of Powhatan and Walnut Streets; thence running with and bounding on the west side of Walnut Street S. 02° 00' 00" E., 276 feet to a stone at the northwest corner of Walnut and Allison Streets, thence running with and bounding on the north side of Allison Street westerly 85 feet to the point of beginning

> RLS:sbr J. O. #62161



CERTIFICATE OF POSTING PARTMENT OF BALTIMORE COUNT

Posted by Signature

Towson, Maryland Date of Posting Way 271963 District... Petitioner Relacification Love R-6 10 At Var Sec. 409 Location of property: E/B Dog word Rec 235 North of alles on or Location of Signa Cut try, on Megword Rol, North Ensk Corner J. of parseel A. Date of return May 29 1963

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John C. Rose, Zoning Commissions, Date. January 18, 1963

PROM Mr. George M. Gavrelie, Deputy Director

SUBJECT #5762-WW. N-6 to N-6 and Variance to poreit
18 parking spaces instead of the required 2h spaces.
East aide of Posycod Road 235 feet North of Allison
Street. Being property of Jernas Stein.

1st district

HEARING: Monday, January 28, 1963 (11:00 A.M.)

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

- Resoning to B-L at this location would introduce a spot of commercial zoning which seems unwarranted, especially since the Wastern Planning Area Map has only recently been adopted by council.
- It is our feeling that Depress Read should be retained in a residential entegery except for the area close to Inglende 2me, which was recognized with H-E soning when the Map was adopted this past November.

BALTMORE COUNTY, MAINLAND OFFICE OF FINANCE DATE 1/24/63 Baltimore County 183- WHOUN STATE OF THE PETURN WITH YOUR REMIT 1-2463 4948 · · · ML · 5209 IMPORTANT! MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND INVALUE OF THE THE THE THE THE THE THE THE THE TOWN A MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BAL MORE COUNTY, MANYLAND OFFICE OF FINANCE

COURT HOUSE
TOWSON 4, MARYLAND

No. 12965

DATE 8/6/62

BILLET Zoning Department Hr. Jerome Stein 6909 Field crest Rose

	01622 (cesh)	\$50.00
DEPOSIT TO	ACCOUNT NO.  DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
_	Petition for Reclassification to your property	50,00
	P. (2)	
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MAIL TODIVISION OF COLLECTION & RECEIPTS, COUNTY, PRATTLAND PLASE RETURNUPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

RE: PETITION FOR RECLASSIFICATION : FROM "R-6" Zone to a "B-L" Zone and Variance to Sec. 409.2 (3) : of Zoning Regulations - E. S. Dogwood Road 235' N. Allison 2 St., 1st District - Jerome Stein and Lenore Stein, Tetitioners -

BEFORE

ZONING COMMISSIONER

BALTIMORE COUNTY

No. 5762-RV

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

The petitioners request a reclassification from an "R-6" Zone to a "B-L" Zone and a variance to the Zoning Regulations for parking. The property is located on Dogwood Road which at one time was zoned "Z" Commercial which became "Business Local". No one ever considered this commercial property and no commercial use ever existed on most of the property. A garage now existing was a charge-over from a blacksmith shop.

On the other side of Dogwood Road is a nursery which has been there in excess of 50 years. Under proper conditions a nursery is a permitted use in a residential zone.

The County Council evidently took all of this into consideration at the time of the adoption of the Land Use Map on November 15, 1962, when they removed all commercial coming except the continuing use of the blacksmith shop and garage. Therefore, the Council was not in error and the requested re-zening and variance are denied.

It is this 3044 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 be and the is hereby denied and the same is heraby continued as and to remain an "R-6" Zone.

It is further ORDERED that the variance requested is hereby denied.

Baltimore County

RE: PETITION FOR RECLASSIFICATION from an "R-6" Zone to a "B-L" Zone. VARIANCE to Section 409.2 (3) of the Zoning Regulations E/S Dogwood Road, 235' north of

Allison Street

Jerome Stein, et al. Petitioners

1st District

BEFORE

COUNTY BOARD OF APPEALS

BALTIMORE COUNTY

No. 5762-RV

## OPINION

The petitioner in the instant case is seeking a reclassification from a residential "R-6" zoning to a "business-local" zoning, and a variance to the Zoning Regulations for parking on the east side of Dogwood Road, 235 feet north of Allison Street in the First Election District of Baltimore County.

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

The instant property, prior to the adoption of the recent land use map, was classified in an "E" commercial or "business-local" zone. The property was unimproved and was never used in the commercial category. On or about November 15, 1962, the new zoning map was adopted and placed the property to a lessor classification in the residential category. The petitioner now seeks to reinstate the prior classification alleging that the Baltimore County Council was in error on the new map.

The opposite side of Dogwood Road is improved by a nursery which has been there in excess of fifty years thereby placing it in a nonconforming use category. The balance of the neighborhood is essentially improved by residential dwellings. The Board is placed in a situation in which they find themselves in sympathy with the petitioner, but conversely must necessarily find that the Council was not in error when the reclassification was accomplished by the adoption of the new map. The map in the instant case is apparent on its face as to the intentions of the Council since the said map in its present condition seems to have straightened out a rather mixed up combination of residential and business uses which existed prior to its adoption.

The Board of Appeals can find no basis, either in change or in error since November 15, 1962, to grant the petitioner's request.

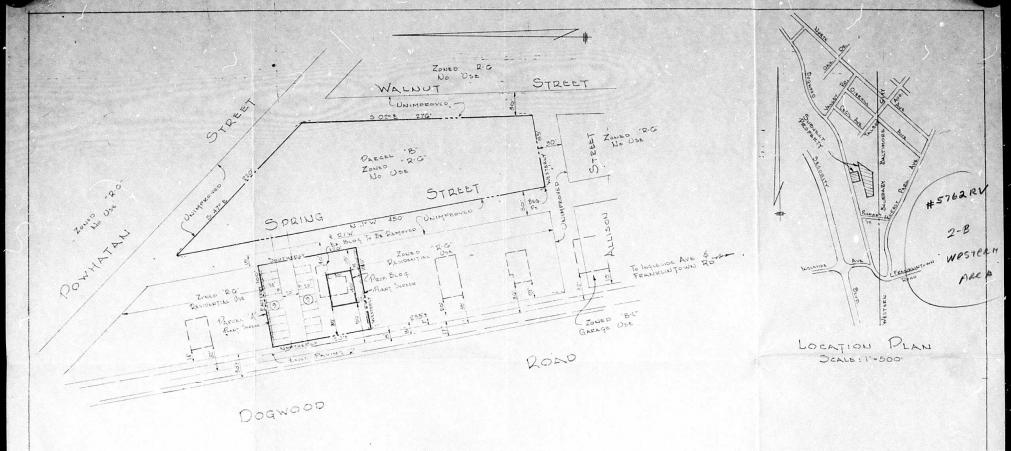
## ORDER

For the reasons set forth in the aforegoing Opinion, it is this day of March, 1964 by the County Board of Appeals, ORDERED that the reclassification and variance petitioned for, be and the same is hereby denied.

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

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Note: Mr. Kaufman did not sit at this hearing.



## NOTE

1 Existing Zowing PRECEL "A"-R-G

2 Existing Use PARCEL " N'- None

3. AREN PARCEL "A" EQUALS 0.876 ACRES +

4. PROPOSED ZONING PARCEL "A" B.L

5. PROPOSED USE PARCEL "A" TAVERN

1 REQUIRED PARKING = 84 SPACES 9'x20' & PROTOSED PARKING = 18 SPACES 9'x20'

9 AREA PARCEL "B" EQUALS 0.939 ACREST 10. PROPOSED ZONISQ PRECEL "B" B.L

PLAT TO ACCOMPANY PETITION FOR REZONING & VARIANCE COVICINITY CO

DOGWOOD ROAD AND PLEASANT STREET BALTIMORE COUNTY, MD. ELECTION DISTRICT 1

SCALE: 1" -50"

JULY 27, 1962 Revises SEPT. 25,1962



MATZ, CHILDS & ASSOCIATES 2879 N. CHARLES STREET BALTIMORE 16 MARYLAND GRIGI PLS

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