

ORDER RECEIVED FOR FILING

DATE 1/22/66

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY

THE PETITION FOR RECLASSIFICATION AND VARIANCES... Donald King

The subject tract, consisting of 1 1/3 acres of land, is the subject of a Petition for re-zoning from R-10 to B.R. Several setbacks are also requested.

The tract is improved with a rather large home currently converted into six apartments. If re-zoning is granted, the apartment house would remain.

The area is described as one undergoing change. Just S are two homes and S of these is an industrial park. On the E is a farm and just to the N are several homes.

The Petitioner is a veterinarian and seemed to be most sincere in his desire to establish a first-class animal hospital at this location. He was most insistent that the operation would be conducted in such a manner that there would be no adverse effect on neighboring properties.

Edward D. Hardesty, Deputy Zoning Commissioner

66-176-RA

WILLARD M. LEE 460A MAINFIELD AVENUE BALTIMORE 14, MARYLAND Phone: HA 6-2813

November 22, 1965

No. 2331 York Road East side of York Road 100.88 feet southeast of Talbot Avenue 8th District Baltimore County, Maryland

Beginning for the same on the east side of York Road at the distance of 100.88 feet measured along the east side of York Road from the south side of Talbot Avenue and thence running and binding on the east side of York Road South 1 1/2 degrees 04 minutes East 211.83 feet thence leaving York Road for three lines of division as follows: North 85 degrees 31 minutes East 277.41 feet, North 4 degrees 28 minutes West 210 feet and South 85 degrees 31 minutes West 296.67 feet to the place of beginning.

Containing 1.36 acres of land.



66-176-RA MAP #8 SEC-3-D NW-15A BR 11/2/66

RE: PETITION FOR RECLASSIFICATION AND VARIANCES FROM AN R-10 ZONE TO A B-R ZONE, AND VARIANCES FROM SECTIONS 236.1, 236.3 AND 236.2, E/S OF YORK ROAD 100.88' SOUTH OF TALBOT AVENUE 9TH DISTRICT BALTIMORE COUNTY

OPINION

This matter comes before the Board of Appeals on the petition of Donald O. King, et al, for the reclassification from an R-10 zone to a B-R zone, on property located on the East Side of York Road approximately 100 feet South of Talbot Avenue, in the Eighth Election District of Baltimore County.

The petitioner based his case for reclassification on the grounds of "change in the character of the neighborhood", since the adoption of the Land Use Map. The Petitioner produced testimony to show changes in roads, such as the Pasadena Road, approximately 1750 feet to the North of the subject property, which is improved and relocated since the adoption of the Land Use Map, and which provides an interchange for access to the Baltimore-Harrisburg Expressway to the West of the York Road.

Donald O. King, et al - No. 66-176-RA

It is, however, the feeling of the Board that the Petitioner did not meet his burden of proving sufficient change to effect the character of the neighborhood, and we agree with the comments of Mr. George E. Gavrelis, Director of Planning and Zoning for Baltimore County, that the proposed reclassification would constitute improper spot zoning, in view of the fact that the subject property and all properties surrounding it are presently zoned R-10. It is, therefore, our feeling that the requested reclassification should not be granted.

Although our denial of the reclassification alleviates the necessity for any ruling on the requested Variances, we would like to point out that it is the feeling of the Board that, even if the proposed reclassification were granted, the petition for variance could not possibly be granted. Section 233.2 of the Baltimore County Zoning Regulations, which is incorporated by reference into Section 236.1 of the Use Regulations for B-R zones, contains (as a permitted use in a B-R zone) the following: "Animal hospital, when 100 feet from a residential zone." The Board feels that the 100 foot buffer requirement is a "use" regulation rather than an "area" regulation, and further feels that Section 307 of the Zoning Regulations specifically prohibits the granting of a variance from a "use" regulation.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 11th day of January, 1967, by the County Board of Appeals ORDERED, that the Reclassification petitioned for and the same is hereby DENIED; and that the Variances petitioned for be and the same are hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100,

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: January 18, 1966 FROM: Mr. George E. Gavrelis, Director Office of Planning and Zoning

SUBJECT: "Petition #66-176-RA, E/S York Road 100.88' S of Talbot Avenue. Petition for Variances for side and rear yards. Petition for Reclassification from R-10 to B.R. Donald King - Petitioner."

8th District

HEARING: Monday, January 31, 1966. (11:00)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

- 1. The subject property and property surrounding it are zoned R-10. It would appear that the petition requests a reclassification to a BR zone only because that zone happens to allow, under certain conditions, the use which the petitioner desires to establish. In view of the fact that we can see no other reason whatsoever for the reclassification requested, designation of the subject property as a BR zone would, in our view, constitute improper spot zoning. 2. The petition also requests variances that would appear to subvert the very purposes of those regulations authorizing the intended use. If the distance requirements for an animal hospital in a valid BR zone are assumed to be proper, we strongly question that lessening of these requirements - particularly to the degree requested - could be of all appropriate in this residential area. 3. We note that Section 307 of the Zoning Regulations would appear to prohibit granting one of the requested variances. The 100-foot buffer requirement is a "use" regulation (Sections 233 and 236 of the Zoning Regulations) rather than an "area" regulation. We must question, therefore, the validity of the petition.

SMALKIN & HESSIAN ATTORNEYS AT LAW 107 ALLEGANY AVENUE TOWSON, MARYLAND 21284



April 18, 1966

Mr. John G. Rose Zoning Commissioner of Baltimore County County Office Building Towson, Maryland 21204

Re: Petition for Reclassification and Variances E/S of York Road 100.88' S of Talbot Avenue, 8th District Donald King

Dear Mr. Rose:

On March 22, 1966, Edward D. Hardesty, Esq., Deputy Zoning Commissioner of Baltimore County, passed the Order approving the reclassification and the variances sought in the above entitled Petition. I represent Benjamin F. Perry, et al, one of the protestants.

Please note an appeal on behalf of said protestants to the Board of Appeals for Baltimore County and forward all papers in connection therewith to said Board for its action. A check payable to Baltimore County, Maryland, in the amount of \$70.00 is enclosed herewith.

Very truly yours,

John W. Hessian, III

JWH:vh

Enclosure

CC: Johnson Bowie, Esq.

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: King, his wife,

I, or we, Donald O. King and Gloria, legal owners 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-10 zone to a B-R zone; for the following reasons:

- 1. That there was an error in the original zoning. 2. That there have been changes in conditions in the area from the original zoning.

See attached description

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 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.

John A. Kell, Contract purchaser

Donald O. King, Gloria King, Legal Owner

Johnson Bowie - Petitioner's Attorney

Protestant's Attorney

Address 22 West Penna. Avenue Towson, Maryland 21204

117 Chesapeake Avenue Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of December, 1965 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 106, County Office Building in Towson, Baltimore County, on the 31st day of January, 1966, at 11:00 o'clock A.M.



Zoning Commissioner of Baltimore County

66-176-RA MAP #8 SEC-3-D NW-15A BR 11/2/66

Donald O. King, et al - No. 66-176-RA

subrule B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Baldwin, Chairman

R. Bruce Alderman

W. Giles Parker

11/28/65

December 29, 1965

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE, TOWSON, MARYLAND 21284

Johnson R. King, Esquire
22 West Pennsylvania Avenue
Towson, Maryland 21286

Reclassification from R-10 to R-15, 1500 and 1500-2000
Per Donald O. King, located at
1020 York Road, Towson, Maryland
P.A. 11-14-65
(Class 1, December 29, 1965)

Dear Sirs:

The Planning Advisory Committee has reviewed the subject petition and wishes the following comments:

PERMITS AND CONSENTS: The entrance will be subject to State Roads Commission approval. This office will review and submit any necessary comments at a later date.

UTILITY OF EXISTING UTILITIES: This office will review and submit any necessary comments at a later date.

ADJACENT PROPERTY: If the petitioner plans to continue the use of the apartment in the principal building and the existing pool as a non-commercial use, this should be indicated on the plan together with the number of apartments and appropriate parking slots.

Resending should be indicated in accordance with Section 109 a paragraph 1 of the Baltimore County Zoning Regulations.

The above comments must be complied with 15 days prior to the zoning commission hearing.

The above comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that the petitioner is aware of the problems that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations at the appropriation of the requested zoning 10 days before the zoning commission hearing.

The following members had no comment to offer:

Fire Bureau/Lane Review
Health Department
Industrial Development Commission
Board of Education
Planning Department

Very truly yours,
James S. Boyd
Zoning Technician

cc: Mr. John Rogers-Lane Roads Commission
Mr. G. Murray Woodruff of Fire Engineering
Mr. Charles Brown-Board of Education
Mr. Jesse B. Spivey-Administration Division

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21284

No. 37683
DATE 12/27/65

TO: John H. Kell, Esq.
117 County Office Bldg.
Towson, Maryland 21284

BILLED BY: Office of Planning & Zoning
119 County Office Bldg.
Towson, Maryland 21284

DEPOSIT TO ACCOUNT NO.	QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
01-622		Advertising and posting of property for Donald O. King #65-176-01	\$2.12
		Cost of appeal - property of Donald O. King No. 66-176-01	\$70.00
			70.00

4-2766 2122 • 37683 11P- 70.00

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.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21284

No. 33592
DATE 12/15/65

TO: John H. Kell
3233 Erdman Ave.
Baltimore, Md. 21211

BILLED BY: Zoning Dept. of Balto. Co.

DEPOSIT TO ACCOUNT NO.	QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
01-622		Petition for Special Exception 5 Variances for Donald King	\$50.00

21250 0024 • 33592 71M- 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.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21284

No. 37603
DATE 1/10/66

John H. Kell
3233 Erdman Ave.
Baltimore, Md. 21211

BILLED BY: Zoning Dept. of Balto. Co.

DEPOSIT TO ACCOUNT NO.	QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
01-622		Advertising and posting of property for Donald O. King #65-176-01	\$2.12

1-1066 2179 • 37603 11P- 5212

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 OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21284

Your petition has been received and accepted for filing this
28th day of December, 1965.

John G. Rose
Zoning Commissioner

Petitioner: Donald O. King
Petitioner's Attorney: Johnson Bowie
Reviewed by: *James S. Boyd*
Chairman of Advisory Committee

PETITION FOR RECLASSIFICATION AND VARIANCE
5TH DISTRICT

ZONING: From R-10 to R.R. Zone
Petition for Variance for side and rear yards.

LOCATION: East side of York Road
101.88 feet South of Talbot Avenue.

DATE & TIME: Monday, January 31, 1966 at 11:00 A.M.
PUBLIC HEARING: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

The Zoning Commissioner of Baltimore County, by authority of the Board of Commissioners of Baltimore County, will hold a public hearing on the following:

Present Zoning: R-10
Proposed Zoning: R.R.
Zoning Regulations of Baltimore County applicable to Baltimore County, Maryland, as amended, require that the minimum rear yard of 2 feet instead of the required 10 feet be permitted a side and rear yards of 2 feet instead of the required 10 feet.

The Zoning Regulations to be accepted as follows:

Section 232.2 - Side and Rear Yards - 20 feet.

All that parcel of land in the Eighth District of Baltimore County, beginning for the same on the east side of York Road at the distance of 100.88 feet from the south side of Talbot Avenue and thence running and binding on the east side of York Road South 12 degrees 04 minutes East 211.80 feet thence leaving York Road South 12 degrees 04 minutes East 211.80 feet North 4 degrees 28 minutes West 210 feet and South 85 degrees 11 minutes West 210.69 feet to the place of beginning.

Containing 1.36 acres of land.

Being the property of Donald O. King and Gloria King, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, January 31, 1966 at 11:00 A.M.
Public Hearing: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF:
JOHN G. ROSE,
ZONING COMMISSIONER
OF BALTIMORE COUNTY

TOWSON, MD. January 11, 1966.

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 day of January, 1966, the first publication appearing on the 13th day of January, 1966.

THE JEFFERSONIAN,
L. Leach Struth
Manager.

Cost of Advertisement, \$.....

PETITION FOR RECLASSIFICATION AND VARIANCE
5TH DISTRICT

ZONING: From R-10 to R.R. Zone
Petition for Variance for side and rear yards.

LOCATION: East side of York Road
101.88 feet South of Talbot Avenue.

DATE & TIME: Monday, March 7, 1966 at 1:00 P.M.
PUBLIC HEARING: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

The Zoning Commissioner of Baltimore County, by authority of the Board of Commissioners of Baltimore County, will hold a public hearing on the following:

Present Zoning: R-10
Proposed Zoning: R.R.
Petition for Variance from the Zoning Regulations of Baltimore County, Maryland, as amended, require that the minimum rear yard of 2 feet instead of the required 10 feet be permitted a side and rear yards of 2 feet instead of the required 10 feet.

The Zoning Regulations to be accepted as follows:

Section 232.2 - Side and Rear Yards - 20 feet.

All that parcel of land in the Eighth District of Baltimore County, beginning for the same on the east side of York Road at the distance of 100.88 feet measured along the east side of York Road at the distance of 100.88 feet measured along the east side of York Road from the south side of Talbot Avenue and thence running and binding on the east side of York Road South 12 degrees 04 minutes East 211.80 feet thence leaving York Road South 12 degrees 04 minutes East 211.80 feet North 4 degrees 28 minutes West 210 feet and South 85 degrees 11 minutes West 210.69 feet to the place of beginning.

Containing 1.36 acres of land.

Being the property of Donald O. King and Gloria King, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, March 7, 1966 at 1:00 P.M.
Public Hearing: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF:
JOHN G. ROSE,
ZONING COMMISSIONER
OF BALTIMORE COUNTY

TOWSON, MD. February 17, 1966.

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 day of February, 1966, the first publication appearing on the 21st day of February, 1966.

THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$.....

OFFICE OF THE BALTIMORE COUNTIAN
THE COMMUNITY NEWS
Ridestown, Md.
THE HERALD - ARGUS
Catonville, Md.

No. 1 Newburg Avenue
CATONVILLE, MD.

January 17, 1966.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, 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 one successive week before the 17th day of January, 1966, that is to say the same was inserted in the issues of

January 13, 1966

THE BALTIMORE COUNTIAN

By: *Paul J. Morgan*
Editor and Manager.

PETITION FOR RECLASSIFICATION AND VARIANCE
5TH DISTRICT

ZONING: From R-10 to R.R. Zone
Petition for Variance for side and rear yards.

LOCATION: East side of York Road
101.88 feet South of Talbot Avenue.

DATE & TIME: MONDAY, JANUARY 24, 1966 at 11:00 A.M.
PUBLIC HEARING: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Board of Commissioners of Baltimore County, will hold a public hearing on the following:

Present Zoning: R-10
Proposed Zoning: R.R.
Petition for Variance from the Zoning Regulations of Baltimore County, Maryland, as amended, require that the minimum rear yard of 2 feet instead of the required 10 feet be permitted a side and rear yards of 2 feet instead of the required 10 feet.

The Zoning Regulations to be accepted as follows:

Section 232.2 - Side and Rear Yards - 20 feet.

All that parcel of land in the Eighth District of Baltimore County, beginning for the same on the east side of York Road at the distance of 100.88 feet measured along the east side of York Road at the distance of 100.88 feet measured along the east side of York Road from the south side of Talbot Avenue and thence running and binding on the east side of York Road South 12 degrees 04 minutes East 211.80 feet thence leaving York Road South 12 degrees 04 minutes East 211.80 feet North 4 degrees 28 minutes West 210 feet and South 85 degrees 11 minutes West 210.69 feet to the place of beginning.

Containing 1.36 acres of land.

Being the property of Donald O. King and Gloria King, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, January 24, 1966 at 11:00 A.M.
Public Hearing: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF:
JOHN G. ROSE,
ZONING COMMISSIONER
OF BALTIMORE COUNTY

OFFICE OF THE BALTIMORE COUNTIAN
THE COMMUNITY NEWS
Ridestown, Md.
THE HERALD - ARGUS
Catonville, Md.

No. 1 Newburg Avenue
CATONVILLE, MD.

February 01, 1966.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, 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 one successive week before the 01st day of February, 1966, that is to say the same was inserted in the issues of

February 17, 1966.

THE BALTIMORE COUNTIAN

By: *Paul J. Morgan*
Editor and Manager.

PETITION FOR RECLASSIFICATION AND VARIANCE
5TH DISTRICT

ZONING: From R-10 to R.R. Zone
Petition for Variance for side and rear yards.

LOCATION: East side of York Road
100.88 feet South of Talbot Avenue.

DATE & TIME: MONDAY, MARCH 7, 1966 at 2:00 P.M.
PUBLIC HEARING: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Board of Commissioners of Baltimore County, will hold a public hearing on the following:

Present Zoning: R-10
Proposed Zoning: R.R.
Petition for Variance from the Zoning Regulations of Baltimore County, Maryland, as amended, require that the minimum rear yard of 2 feet instead of the required 10 feet be permitted a side and rear yards of 2 feet instead of the required 10 feet.

The Zoning Regulations to be accepted as follows:

Section 232.2 - Side and Rear Yards - 20 feet.

All that parcel of land in the Eighth District of Baltimore County, beginning for the same on the east side of York Road at the distance of 100.88 feet measured along the east side of York Road from the south side of Talbot Avenue and thence running and binding on the east side of York Road South 12 degrees 04 minutes East 211.80 feet thence leaving York Road South 12 degrees 04 minutes East 211.80 feet North 4 degrees 28 minutes West 210 feet and South 85 degrees 11 minutes West 210.69 feet to the place of beginning.

Containing 1.36 acres of land.

Being the property of Donald O. King and Gloria King, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, March 7, 1966 at 2:00 P.M.
Public Hearing: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF:
JOHN G. ROSE,
ZONING COMMISSIONER
OF BALTIMORE COUNTY

OFFICE OF THE BALTIMORE COUNTIAN
THE COMMUNITY NEWS
Ridestown, Md.
THE HERALD - ARGUS
Catonville, Md.

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THE BALTIMORE COUNTIAN

By: *Paul J. Morgan*
Editor and Manager.

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5TH DISTRICT

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LOCATION: East side of York Road
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Hearing Date: Monday, March 7, 1966 at 2:00 P.M.
Public Hearing: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF:
JOHN G. ROSE,
ZONING COMMISSIONER
OF BALTIMORE COUNTY

OFFICE OF THE BALTIMORE COUNTIAN
THE COMMUNITY NEWS
Ridestown, Md.
THE HERALD - ARGUS
Catonville, Md.

No. 1 Newburg Avenue
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February 01, 1966.

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February 17, 1966.

THE BALTIMORE COUNTIAN

By: *Paul J. Morgan*
Editor and Manager.

PETITION FOR RECLASSIFICATION AND VARIANCE
5TH DISTRICT

ZONING: From R-10 to R.R. Zone
Petition for Variance for side and rear yards.

LOCATION: East side of York Road
101.88 feet South of Talbot Avenue.

DATE & TIME: Monday, March 7, 1966 at 1:00 P.M.
PUBLIC HEARING: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

The Zoning Commissioner of Baltimore County, by authority of the Board of Commissioners of Baltimore County, will hold a public hearing on the following:

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Containing 1.36 acres of land.

Being the property of Donald O. King and Gloria King, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, March 7, 1966 at 1:00 P.M.
Public Hearing: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF:
JOHN G. ROSE,
ZONING COMMISSIONER
OF BALTIMORE COUNTY

TOWSON, MD. February 17, 1966.

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 day of February, 1966, the first publication appearing on the 21st day of February, 1966.

THE JEFFERSONIAN,
Manager.

Cost of Advertisement, \$.....

NO PLAT
IN
THIS FOLDER

MICROFILM

DONALD O. KING and
GLORIA KING, his wife, and
JOHN H. KEIL and
JO ANN KEIL, his wife

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

Misc. Docket No. 8, folio 166

vs.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
and
ALFRED LARSEN, ET AL.

Case No. 3677

#66-176-RA

ORDER OF COURT

The above case was originally before this Court on appeal from the County Board of Appeals, an appeal having been taken by the Applicants, and it was ordered on October 19, 1967, that the case be remanded to the County Board of Appeals for further proceedings.

Further testimony was taken before the County Board of Appeals on December 5, 1967, and on June 19, 1967, the County Board of Appeals, without decision or comment, returned the Court file and additional record of proceedings to the Circuit Court for Baltimore County; and at the hearing on December 5, 1967, the Petitioners filed a copy of Bill No. 85 of the County Council of Baltimore County, Maryland, which act amended The Baltimore County Zoning Regulations in regard to new regulations and revised existing regulations for animal facilities including a "veterinarian".

The Court heard argument of counsel and the Petitioners' attorney requested that the matter re-remanded to the County Board of Appeals so that the Petitioners could file a new application in accordance with the aforesaid bill No. 85.

It is therefore this 26th day of November, 1968, by the Circuit Court for Baltimore County, ORDERED that this case be remanded to the County

NOV 26 1968

Board of Appeals for further proceedings, and that the Petitioners be allowed to file a new petition for reclassification and/or special exception as they deem appropriate.

Paul E. Barrett

Judge

DONALD O. KING and
GLORIA KING, his wife

and
JOHN H. KEIL and
JO ANN KEIL, his wife

vs.

WILLIAM S. BALDWIN,
R. BRUCE ALDERMAN and
W. GILES PARKER
constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

Miscellaneous Docket No. 8
Folio 166, Case No. 3677

PETITION

Donald O. King and Gloria King, his wife, and John H. Keil and Joann Keil, his wife, Petitioners, by Johnson Bowie, their attorney, respectfully represents:

1. That on January 18, 1967, your Petitioners, through Johnson Bowie, their attorney, filed an order of appeal to the Circuit Court for Baltimore County from the order of the County Board of Appeals dated January 3, 1967, denying the reclassification of the property, the subject of these proceedings, and also denying the variances petitioned for.

2. The County Board of Appeals committed an error in its action as follows:

a. That the County Board of Appeals in its opinion recites that testimony was produced to show changes in roads, such as Padonia Road, which has improved and relocated since the adoption of the Land Use Map and also provided an interchange for access to the Baltimore-Harrisburg Expressway, and also commercial development on the York Road, but said the Board felt that the Petitioner did not meet the burden of proving sufficient change to affect the character of the neighborhood, which is against the evidence produced.

Paul E. Barrett
2 AM

b. That the Board in its opinion stated they agreed with the comments of Mr. George E. Gavreila, Director of Planning and Zoning for Baltimore County, that the proposed reclassification would constitute improper spot zoning, but it is respectfully submitted that the comments were not properly before the Board for its consideration in view of the fact that, under the provisions of Section 23-22 (d), Baltimore County Code, 1961 Supplement, provides that the report of the Director of Planning should not be used for any purpose either before the Zoning Commissioner or in any subsequent proceedings unless summoned by one of the parties to the case, which was not done in this case.

c. That the opinion of the Board said that its denial of the reclassification alleviated the necessity for any ruling on the requested variances, but in fact its order denied the variances; and it is respectfully submitted that the Board's statement in its opinion that the 100 foot buffer requirement is a "use" regulation rather than an "area" regulation is not in accordance with the law.

Johnson Bowie
Attorney for Petitioners

I HEREBY CERTIFY that copy of the foregoing was mailed this 27 day of November, 1967, to the County Board of Appeals, County Office Building, Towson, Maryland 21284, and John W. Hessian, III, Esq., 117 Allegheny Avenue, Towson, Maryland 21294.

Johnson Bowie
Attorney for Petitioners

DONALD O. KING and
GLORIA KING, his wife, and
JOHN H. KEIL and
JO ANN KEIL, his wife

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

At Law 43677
Docket 80; Folio 166

vs.

COUNTY BOARD OF APPEALS and
ALFRED LARSEN, ET AL.

#66-176-RA

MEMORANDUM OPINION AND ORDER

The above case is on appeal to this Court, the appeal having been taken by the Applicants. The Opinion of the Board of Appeals, which denied the petition for reclassification, stated in part:

"It is, however, the feeling of the Board that the Petitioner did not meet his burden of proving sufficient change to affect the character of the neighborhood, and we agree with the comments of Mr. George E. Gavreila, Director of Planning and Zoning for Baltimore County, that the proposed reclassification would constitute improper spot zoning, in view of the fact that the subject property and all properties surrounding it are presently zoned R-10. It is, therefore, our feeling that the requested reclassification should not be granted."

However, the record of the proceedings, which was forwarded to this Court, does not contain the report of the Director of Planning and Zoning for Baltimore County and it is conceded by counsel that it was not introduced in evidence in the hearing before the Board.

It is, therefore, this 19th day of October, 1967, ORDERED by the Circuit Court for Baltimore County that this case be remanded to the Board of Appeals for further proceedings.

LESTER L. BARRETT

Judge

DONALD O. KING and
GLORIA KING, his wife

and
JOHN H. KEIL and
JO ANN KEIL, his wife

vs.

WILLIAM S. BALDWIN,
R. BRUCE ALDERMAN and
W. GILES PARKER,
constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

AT LAW

Misc. Docket No. 8
Folio No. 166
File No. 3677

ANSWER TO ORDER OF APPEAL TO
CIRCUIT COURT FOR BALTIMORE COUNTY
AND CERTIFIED COPIES OF PROCEEDINGS
BEFORE THE ZONING COMMISSIONER AND
BOARD OF APPEALS OF BALTIMORE COUNTY

MR. CLERK:

Please file, &c.

Muriel E. Suddemeyer
County Board of Appeals of Baltimore County

DONALD O. KING and
GLORIA KING, his wife

and
JOHN H. KEIL and
JO ANN KEIL, his wife

vs.

WILLIAM S. BALDWIN,
R. BRUCE ALDERMAN and
W. GILES PARKER, constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

AT LAW

Misc. Docket No. 8
Folio No. 166
File No. 3677

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William S. Baldwin, R. Bruce Alderman and W. Giles Parker, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING
COMMISSIONER OF BALTIMORE COUNTY

No. 66-176-RA

Dec. 28, 1965 Petition of Donald O. King and Gloria King for reclassification from an R-10 zone to a B-R zone, and variances from Sections 236.1, 236.3 and 238.2 of the Zoning Regulations of Baltimore County, on property located on the east side of York Road 100.88' south of Talbot Avenue, 8th District - filed

" " Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for January 31, 1966 at 11.00 am.

Jan. 13, 1966 Certificate of posting of property - filed

" " Certificate of publication in newspaper - filed

Feb. 31 Hearing before Zoning Commissioner postponed because of snow storm

Feb. 17 Certificate of posting of property - filed

" " Certificate of publication in newspaper - filed
Deputy

Mar. 7 At 2.00 pm hearing before Zoning Commissioner - case held sub curia

No. 66-176-RA

Mar. 22, 1966 Order of Deputy Zoning Commissioner granting reclassification and variances, subject to approval of the site plan by the Office of Planning and Zoning, Bureau of Public Services and the State Roads Commission.

Apr. 18 Order of Appeal to County Board of Appeals from Order of Deputy Zoning Commissioner

Dec. 1 Hearing on appeal before County Board of Appeals - case held sub curia

Jan. 3, 1967 Order of County Board of Appeals denying reclassification and variances petitioned for.

" 18 Order for Appeal filed in the Circuit Court for Baltimore County by Johnson Bowie, Esq., Attorney for Plaintiffs (Petitioners)

" 24 Certificate of Notice sent to all interested parties

" 30 Petition to accompany Order for Appeal filed in Circuit Court for Baltimore County

Feb. 9 Transcript of Testimony filed - 1 volume

Plaintiff's Exhibit No. 1 - Photos of existing animal hospital of Petitioner on Freeman Ave. (a thru i)

" " " " 2 - Plat showing proposed facilities

Protestants' Exhibit "A" - Photos (1, 2 and 3)

Feb. 17 Record of proceedings filed in the Circuit Court for Baltimore County.

Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, as are also the use district maps, and your Respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your Respondents will produce any and all such rules and regulations, together with the zoning use district maps, at the hearing on this petition, or whenever directed to do so by this Court.

Respectfully submitted,

Muriel E. Suddemeyer
County Board of Appeals of Baltimore County

JAN 30 1968

DONALD O. KING and GLORIA KING, his wife : IN THE CIRCUIT COURT
 and : FOR BALTIMORE COUNTY
 JOHN H. KEIL and Jo Ann Keil, his wife : Misc. Docket No. -
 vs. : Folio -
 COUNTY BOARD OF APPEALS : Case No. -
 County Office Building
 Baltimore, Maryland 21204

ORDER FOR APPEAL

Mr. Clerk:
 Please enter an appeal to the Circuit Court for Baltimore County on behalf of DONALD O. KING and GLORIA KING, his wife, and JOHN H. KEIL and JO ANN KEIL, his wife, from the Order of the County Board of Appeals dated January 3, 1967, said Plaintiff's having been parties to the proceedings and are aggrieved thereby.

John Bowe
 Johnson Bowe
 Attorney for Plaintiffs
 22 West Penna. Avenue
 Towson, Maryland 21204
 Phone: 825-6014

I HEREBY CERTIFY that on January 18, 1967, copy of the foregoing was mailed to John W. Hesain, Esq., 117 Alleghany Avenue, Towson, Maryland 21204, Attorney for Petitioners, and County Board of Appeals, County Office Building, Towson, Maryland 21204.

John Bowe
 Johnson Bowe
 Attorney for Plaintiffs

JOHNSON BOWE
 ATTORNEY AT LAW
 TOWSON, MD. 21204

RE: PETITION FOR RECLASSIFICATION AND VARIANCES : REPOSE THE
 E/S of York Road 100.88' S of Talbot Avenue, 8th District : DEPUTY ZONING COMMISSIONER
 Donald King : OF
 : BALTIMORE COUNTY
 : 66-176-RA

The subject tract, consisting of 1 1/3 acres of land, is the subject of a Petition for re-zoning from R-10 to BR. Several setback variances are also requested. The Petitioner desires to use the said property as an animal hospital.

The tract is improved with a rather large home currently converted into six apartments. If re-zoning is granted, the apartment house would remain. There are also five concrete block garages which would remain and which would be converted into examination rooms and housing for animals. The aforementioned block garages would be air-conditioned and all animals would be kept on the inside.

The area is described as one undergoing change. Just S are two homes and S of those is an industrial park. On the E is a farm and just to the N are several homes. To the W on the opposite side of York Road is a liquor store and service station. The zoning map was introduced into evidence for the purpose of showing various zoning changes in the immediate area.

The Petitioner is a veterinarian and seemed to be most sincere in his desire to establish a first-class animal hospital at this location. He was most insistent that the operation would be conducted in such a manner that there would be no adverse effect on neighboring properties. He introduced various photographs of another animal hospital operated by him - certain Avenue in Baltimore City. He testified that the certain Avenue facility which is bordered on both sides by group homes, which has been in operation for a number of years has yet to receive a complaint from either neighbor. He gave the impression he was just as concerned with the welfare of the neighbors as well as the welfare of the animals to be treated by him.

In conclusion, the Deputy Zoning Commissioner is of the opinion that the neighborhood has undergone a steady change in character and that an animal hospital at this location would not be detrimental to the general area.

Practical difficulty having been shown, the variances should be granted.

For the foregoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 22nd day of March, 1967, that the herein described property or area shall be and the same is hereby reclassified from an R-10 zone to a BR zone and the variances to permit side and rear yards of 2 feet instead of the required 100 feet, to permit a rear yard of 2 feet instead of the required 50 feet and to permit a side and rear yards of 2 feet instead of the required 30 feet should be and the same is granted, also subject to approval of the site plan by the Office of Planning and Zoning, Bureau of Public Services and the State Lands Commission.

Edward D. Hardesty
 EDWARD D. HARDESTY
 Deputy Zoning Commissioner

MICROFILMED

RE: PETITION FOR RECLASSIFICATION : BEFORE
 from an R-10 Zone to a B-R Zone, and : COUNTY BOARD OF APPEALS
 VARIANCES from Sections 236.1, : OF
 236.3 and 236.2, : BALTIMORE COUNTY
 E/S of York Road 100.88' South of : No. 66-176-RA
 Talbot Avenue
 8th District
 Donald O. King, et al,
 Petitioners

OPINION

This matter comes before the Board of Appeals on the petition of Donald O. King, et al, for the reclassification from an R-10 zone to a B-R zone, on property located on the East Side of York Road approximately 100 feet South of Talbot Avenue, in the Eighth Election District of Baltimore County. Mr. King also seeks Variances from certain Sections of the Baltimore County Zoning Regulations to permit side and rear yard setbacks of 2 feet. To the South of the subject property, approximately one quarter of a mile, and on the opposite side of York Road, exists a large tract of land which is one of the most well-known locations in the State of Maryland - the site of the annual Maryland State Fair. The property itself fronts along the East side of York Road, and is bounded on the North, East and South by residential zoning.

The petitioner based his case for reclassification on the grounds of "change in the character of the neighborhood", since the adoption of the Land Use Map. The Petitioner produced testimony to show changes in roads, such as the Padonia Road, approximately 1750 feet to the North of the subject property, which was improved and relocated since the adoption of the Land Use Map, and which provides an interchange for access to the Baltimore-Harrisburg Expressway to the West of the York Road. The Petitioner's witnesses also cited scattered commercial development along the York Road, and relied heavily on case No. 44-264X, which involved a reclassification and special exception not far to the South of the subject property.

December 29, 1965

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
 COUNTY OFFICE BUILDING
 2000 N. WASHINGTON STREET

Johnson Bowe, Esquire
 22 West Pennsylvania Avenue
 Towson, Maryland 21204

RECLASSIFICATION FROM R-10 TO B-R ZONE AND REAR YARD VARIANCES FOR DONALD O. KING, LOCATED AT YORK ROAD 100' S OF TALBOT AVENUE, 8TH DISTRICT (ITEM 4, DECEMBER 23, 1965)

Dear Sir:

The Zoning Advisory Committee has reviewed the subject petition and wishes the following comments:

STATE BOARD COMMISSION: The entrance will be subject to State Board Commission approval. **REAR YARD VARIANCES:** This office will review and submit any necessary comments at a later date.

PLANNING AND ZONING DIVISION: If the petitioner plans to continue the use of the lot for the proposed building, building and the existing pool as a non-conforming use, this pool is indicated on the plan together with the number of apartments and appropriate parking area.

CREATING A PUBLIC CONCERN: If the petitioner plans to continue the use of the lot for the proposed building, building and the existing pool as a non-conforming use, this pool is indicated on the plan together with the number of apartments and appropriate parking area.

The above comments are not intended to be a final determination of the zoning action requested, but to assure that all pertinent issues are brought to the attention of the Office of Planning and Zoning and will submit recommendations to the Board of Appeals of the requested zoning 10 days before the zoning commission's hearing.

The following agencies had no comment to offer:
 Fire Bureau - Line Review
 Health Department
 Industrial Development Commission
 Board of Education
 Public Works Department

Very truly yours,

James S. Miller
 James S. Miller
 Zoning Commissioner

Sincerely,

cc: Mr. John Rogers - State Board Commission
 Mr. Richard Brown - Bureau of Traffic Engineering
 Mr. Charles Brown - Bureau of Engineering
 Mr. James H. Brown - Planning Administration Division

MICROFILMED

Donald O. King, et al - No. 66-176-RA

It is, however, the feeling of the Board that the Petitioner did not meet his burden of proving sufficient change to affect the character of the neighborhood, and we agree with the comments of Mr. George E. Gavrelis, Director of Planning and Zoning for Baltimore County, that the proposed reclassification would constitute improper spot zoning, in view of the fact that the subject property and all properties surrounding it are presently zoned R-10. It is, therefore, our feeling that the requested reclassification should not be granted.

Although our denial of the reclassification alleviates the necessity for any ruling on the requested Variances, we would like to point out that it is the feeling of the Board that, even if the proposed reclassification were granted, the petition for variance could not possibly be granted. Section 233.2 of the Baltimore County Zoning Regulations, which is incorporated by reference into Section 236.1 of the Use Regulations for B-R zones, contains (as a permitted use in a B-R zone) the following: "Animal hospital, when 100 feet from a residential zone." The Board feels that the 100 foot buffer requirement is a "use" regulation rather than an "area" regulation, and further feels that Section 307 of the Zoning Regulations specifically prohibits the granting of a variance from a "use" regulation.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 22nd day of January, 1967, by the County Board of Appeals ORDERED, that the Reclassification petitioned for be and the same is hereby DENIED; and that the Variances petitioned for be and the same are hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100,

Donald O. King, et al - No. 66-176-RA

subtitle B of the Maryland Rules of Procedure, 1961 edition

COUNTY BOARD OF APPEALS
 OF BALTIMORE COUNTY

William S. Baldwin, Chairman

R. Bruce Alderman

W. Giles Parker

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: January 18, 1966
 Mr. George E. Gavrelis, Director
 FROM: Office of Planning and Zoning

SUBJECT: "Petition #66-176-RA, E/S York Road 100.88' S of Talbot Avenue. Petition for Variances for side and rear yards. Petition for Reclassification from R-10 to B-R, Donald King - Petitioner."

8th District

HEARING: Monday, January 31, 1966. (11-00)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

1. The subject property and property surrounding it are zoned R-10. It would appear that the petition requests a reclassification to a BR zone only because that zone happens to allow, under certain conditions, the use which the petitioner desires to establish. In view of the fact that we can see no other reason whatsoever for the reclassification requested, designation of the subject property as a BR zone would, in our view, constitute improper spot zoning.
2. The petition also requests variances that would appear to subvert the very purposes of those regulations authorizing the intended use. If the distance requirements for an animal hospital in a valid BR zone are assumed to be proper, we strongly question that lessening of these requirements - particularly to the degree requested - could be at all appropriate in this residential area.
3. We note that Section 307 of the Zoning Regulations would appear to prohibit granting one of the requested variances. The 100-foot buffer requirement is a "use" regulation (Sections 233 and 236 of the Zoning Regulations) rather than an "area" regulation. We must question, therefore, the validity of the petition.

WILLARD M. LEE
 4604 MAINFIELD AVENUE
 BALTIMORE 14, MARYLAND
 Phone: HA 6-2813

#66-176-RA

November 22, 1965

No. 2331 York Road
 East side of York Road 100.88 feet southeast of Talbot Avenue
 8th District Baltimore County, Maryland

Beginning for the same on the east side of York Road at the distance of 100.88 feet measured along the east side of York Road from the south side of Talbot Avenue and thence running and binding on the east side of York Road South 12 degrees 04 minutes East 211.83 feet thence leaving York Road for three lines of division as follows: North 85 degrees 31 minutes East 271.41 feet, North 4 degrees 28 minutes West 21.0 feet and South 85 degrees 31 minutes West 296.69 feet to the place of beginning.

Containing 1.36 acres of land.

MICROFILMED



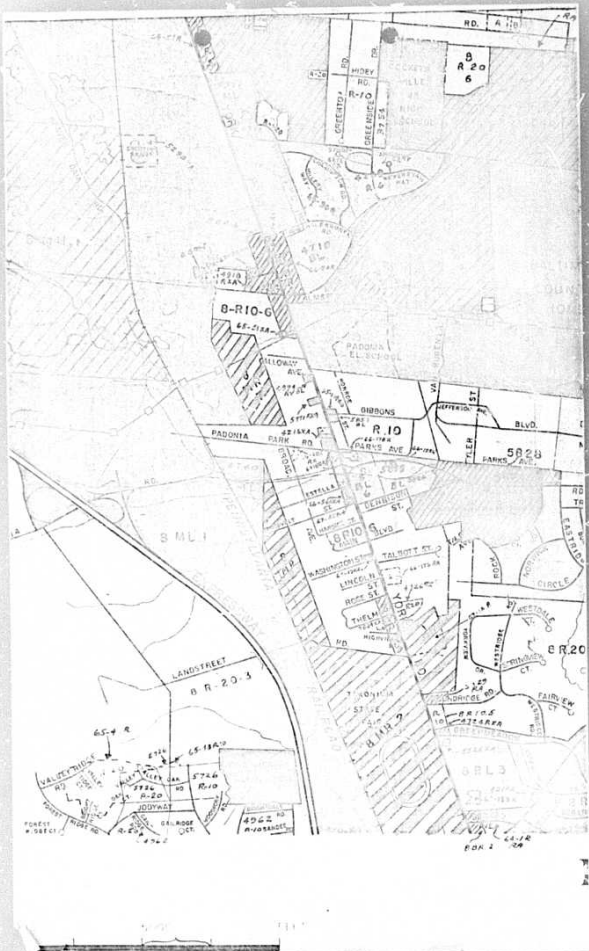
MICROFILMED

JAN 30, 1975

ORDER RECEIVED FOR FILING

DATE 3/23/67

BY J. S. Hardesty



PETITION FOR RECLASSIFICATION AND VARIANCE
 SUB-DISTRICT
 ZONE: From B-10 to B.R. Zone. Petition for Variance for side and rear yards.
 LOCATION: East side of York Road 100.88 feet south of Talbot Avenue.
 DATE & TIME: MONDAY, JANUARY 31, 1966 at 11:00 A.M.
 PUBLIC HEARING: Room 106, 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.
 Present Zoning B-10
 Proposed Zoning B.R.
 Petition for Variance from the Zoning Regulations of Baltimore County to permit side and rear yards of 2 feet instead of the required 100 feet to permit a rear yard of 2 feet instead of the required 50 feet to permit side and rear yards of 2 feet instead of the required 30 feet. The Zoning Regulations to be excepted as follows:
 Section 226.2 & 226.1 - Animal Hospital 100 feet from residential zone.
 Section 226.3 - 50 feet from residential zone boundaries at the ends of the commercially zoned frontage.
 Section 226.2 - Side and Rear Yards - 30 feet.
 All that parcel of land in the Eighth District of Baltimore County.
 Beginning for the same on the east side of York Road at the distance of 100.88 feet measured along the east side of York Road at the distance of 100.88 feet measured along the east side of York Road from the south side of Talbot Avenue and thence running and binding on the east side of York Road South 12 degrees 41 minutes East 211.63 feet thence leaving York Road for three lines of division as follows: - North 83 degrees 21 minutes East 271.41 feet, North 4 degrees 28 minutes West 210 feet and South 85 degrees 31 minutes West 206.69 feet to the place of beginning.
 Containing 1.26 acres of land. Being the property of Donald O. King and Gloria King, as shown on plat plan filed with the Zoning Department, hearing date Monday, January 31, 1966 at 11:00 A.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
 BY ORDER OF
 JOHN G. ROSE,
 ZONING COMMISSIONER OF BALTIMORE COUNTY
 Jan 13

OFFICE OF THE BALTIMORE COUNTIAN
 THE COMMUNITY NEWS
 Baltimore, Md
 THE HERALD - ARGUS
 Catonsville, Md.
 No. 1 Newburg Avenue CATONSVILLE, MD.
 January 17, 1966.
 THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, 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 one successive week before the 17th day of January, 1966, that is to say the same was inserted in the issues of January 13, 1966.
 THE BALTIMORE COUNTIAN
 MICROFILMED By Paul J. Morgan
 Editor and Manager, Inc.

PETITION FOR RECLASSIFICATION AND VARIANCE
 SUB-DISTRICT
 ZONING: From B-10 to B.R. Zone. Petition for Variance for side and rear yards.
 LOCATION: East side of York Road 100.88 feet south of Talbot Avenue.
 DATE & TIME: MONDAY, MARCH 7, 1966 at 2:00 P.M.
 PUBLIC HEARING: Room 106, 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.
 Present Zoning: B-10
 Proposed Zoning: B.R.
 Petition for Variance from the Zoning Regulations of Baltimore County to permit side and rear yards of 2 feet instead of the required 100 feet to permit a rear yard of 2 feet instead of the required 50 feet to permit side and rear yards of 2 feet instead of the required 30 feet. The Zoning Regulations to be excepted as follows:
 Section 226.2 & 226.1 - Animal Hospital 100 feet from residential zone.
 Section 226.3 - 50 feet from residential zone boundaries at the ends of the commercially zoned frontage.
 Section 226.2 - Side and Rear Yards - 30 feet.
 All that parcel of land in the Eighth District of Baltimore County.
 Beginning for the same on the east side of York Road at the distance of 100.88 feet measured along the east side of York Road from the south side of Talbot Avenue and thence running and binding on the east side of York Road South 12 degrees 41 minutes East 211.63 feet thence leaving York Road for three lines of division as follows: - North 83 degrees 21 minutes East 271.41 feet, North 4 degrees 28 minutes West 210 feet and South 85 degrees 31 minutes West 206.69 feet to the place of beginning.
 Containing 1.26 acres of land. Being the property of Donald O. King and Gloria King, as shown on plat plan filed with the Zoning Department, hearing date Monday, March 7, 1966 at 2:00 P.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
 BY ORDER OF
 JOHN G. ROSE,
 ZONING COMMISSIONER OF BALTIMORE COUNTY.
 Feb. 17

OFFICE OF THE BALTIMORE COUNTIAN
 THE COMMUNITY NEWS
 Baltimore, Md
 THE HERALD - ARGUS
 Catonsville, Md.
 No. 1 Newburg Avenue CATONSVILLE, MD.
 February 21, 1966.
 THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, 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 one successive week before the 21st day of February, 1966, that is to say the same was inserted in the issues of February 17, 1966.
 THE BALTIMORE COUNTIAN
 MICROFILMED By Paul J. Morgan
 Editor and Manager, Inc.

PETITION FOR RECLASSIFICATION AND VARIANCE
 SUB-DISTRICT
 ZONING: From B-10 to B.R. Zone. Petition for Variance for side and rear yards.
 LOCATION: East side of York Road 100.88 feet south of Talbot Avenue.
 DATE & TIME: Monday, March 7, 1966 at 2:00 P.M.
 PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.
 The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing.
 Present Zoning: B-10
 Proposed Zoning: B.R.
 Petition for Variance from the Zoning Regulations of Baltimore County to permit side and rear yards of 2 feet instead of the required 100 feet to permit a rear yard of 2 feet instead of the required 50 feet to permit side and rear yards of 2 feet instead of the required 30 feet. The Zoning Regulations to be excepted as follows:
 Section 226.2 & 226.1 - Animal Hospital 100 feet from residential zone.
 Section 226.3 - 50 feet from residential zone boundaries at the ends of the commercially zoned frontage.
 Section 226.2 - Side and Rear Yards - 30 feet.
 All that parcel of land in the Eighth District of Baltimore County.
 Beginning for the same on the east side of York Road at the distance of 100.88 feet measured along the east side of York Road from the south side of Talbot Avenue and thence running and binding on the east side of York Road South 12 degrees 41 minutes East 211.63 feet thence leaving York Road for three lines of division as follows: - North 83 degrees 21 minutes East 271.41 feet, North 4 degrees 28 minutes West 210 feet and South 85 degrees 31 minutes West 206.69 feet to the place of beginning.
 Containing 1.26 acres of land. Being the property of Donald O. King and Gloria King, as shown on plat plan filed with the Zoning Department, hearing date Monday, March 7, 1966 at 2:00 P.M.
 Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
 BY ORDER OF
 JOHN G. ROSE,
 ZONING COMMISSIONER OF BALTIMORE COUNTY.
 Feb. 17

CERTIFICATE OF PUBLICATION
 TOWSON, MD. February 17, 1966
 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. 9999 JB 9999 on 2 days successive weeks before the 17th day of February, 1966, the first publication appearing on the 13th day of February, 1966.
 THE JEFFERSONIAN,
 Manager.
 Cost of Advertisement, \$.....
 MICROFILMED

Appeal # 66-176RA
CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 District 8th Date of Posting 5-12-65
 Posted for: *Robert A. Paul*
 Petitioner: *Donald O. King*
 Location of property: *6 1/2 Janket Lane SE of Talbot Ave.*
 Location of Signs: *2 signs on the east side of road facing SE property of 2331 York Rd.*
 Remarks: *Robert A. Paul*
 Posted by: *Robert A. Paul* Date of return: *5-12-65*

66-176 RA
CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 District 8th Date of Posting 5-13-66
 Posted for: *Robert A. Paul*
 Petitioner: *Donald O. King*
 Location of property: *6 1/2 Janket Lane SE of Talbot Ave.*
 Location of Signs: *2 signs on the east side of road facing SE property of 2331 York Rd. and one sign on SE property of 2331 York Rd. facing east to town.*
 Remarks: *Robert A. Paul*
 Posted by: *Robert A. Paul* Date of return: *5-13-66*

66-176 RA
CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland
 District 8th Date of Posting 5-17-66
 Posted for: *Robert A. Paul*
 Petitioner: *Donald O. King*
 Location of property: *6 1/2 Janket Lane SE of Talbot Ave.*
 Location of Signs: *2 signs on the east side of road facing SE property of 2331 York Rd. and one sign on SE property of 2331 York Rd. facing east to town.*
 Remarks: *Robert A. Paul*
 Posted by: *Robert A. Paul* Date of return: *5-24-66*

TELEPHONE
823-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 37603

DATE 3/10/66

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

John H. Kell
3233 Erdman Ave.
Baltimore, Md. 21213

BILLED BY Zoning Dept. of Balto. Co.

DEPOSIT TO ACCOUNT NO. 01-622		TOTAL AMOUNT
DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE		\$62.12
QUANTITY	COST	
Advertising and posting of property for Donald O. King #66-176-8A	\$2.12	
	\$2.12	

PAID - Baltimore County, Md. - Office of Finance
3-10-66 2124 * 37603 TTP-
MICROFILMED

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.

TELEPHONE
823-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 37689

DATE 4/27/66

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

To: John V. Hossain, III, Esq.,
117 County Office Bldg.,
Towson, Maryland 21204

BILLED BY Office of Planning & Zoning
119 County Office Bldg.,
Towson, Maryland 21204

DEPOSIT TO ACCOUNT NO. 01-622		TOTAL AMOUNT
DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE		\$70.00
QUANTITY	COST	
Cost of appeal - property of Donald O. King No. 66-176-8A	\$70.00	
	\$70.00	

PAID - Baltimore County, Md. - Office of Finance
4-27-66 2124 * 37689 TTP-
MICROFILMED

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.

TELEPHONE
823-3000
EXT. 307

INVOICE
BALTIMORE COUNTY, MARY AND
OFFICE OF FINANCE

No. 57817

DATE 7/3/69

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

To: William Janson, Esq.,
112 E. Lexington Street
Baltimore, Md. 21202

BILLED BY County Board of Appeals
(Zoning)

DEPOSIT TO ACCOUNT NO. 01-712		TOTAL AMOUNT
DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE		\$5.00
QUANTITY	COST	
Copies of documents - Case No. 66-176-8A Donald O. King, et al E/S York M. 100,88' S. of Talbot Ave. BH District	3.00	
	3.00	

PAID - Baltimore County, Md. - Office of Finance
MICROFILMED

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

TELEPHONE
823-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 33592

DATE 12/15/65

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

To: John H. Kell
3233 Erdman Ave.
Baltimore, Md. 21213

BILLED BY Zoning Dept. of Balto. Co.

DEPOSIT TO ACCOUNT NO. 01-622		TOTAL AMOUNT
DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE		\$50.00
QUANTITY	COST	
Petition for Special Exception & Variance for Donald King	\$50.00	
	\$50.00	

PAID - Baltimore County, Md. - Office of Finance
12-15-65 8924 * 33592 TPA-
MICROFILMED

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.

Johnson Bowls, Register
82 West Pennsylvania Avenue
Towson, Maryland 21286

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this

28th day of December, 1965.

John G. Rose
JOHN G. ROSE
Zoning Commissioner

Petitioner Donald O. King

Petitioner's Attorney Johnson Bowls

Reviewed by *James S. Ryan*
Chairman of
Advisory Committee

PRESENT USE - HOME
 PROPOSED USE - ANIMAL HOSPITAL KENNEL
 PRESENT ZONING - R-10
 PROPOSED ZONING - B-2 WITH SPECIAL
 VARIANCE UNDER TYPE B LOCAL YARD FOLDING
 PERMITS
 AREA OF EXISTING BLDG 1,210 SQ. FT.
 AREA OF PROPERTY 1.36 AC.

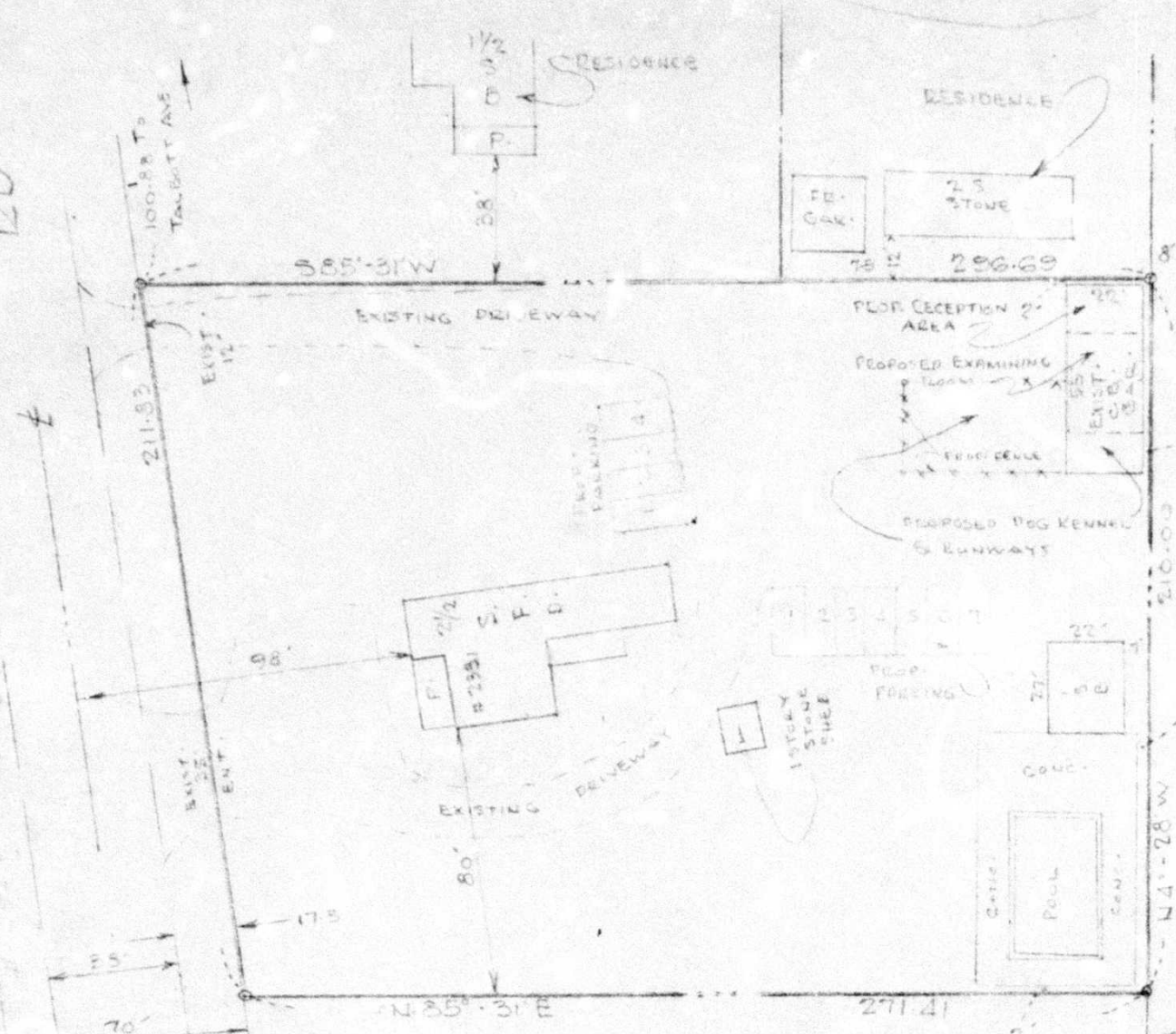
PARKING DATA

NO. SPACES SHOWN - 11 @ 10' X 20'

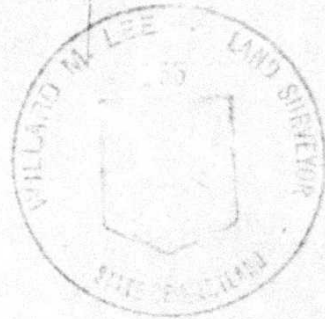
8TH DIST.
 3D
 W 1/2 S A
 BR

RD.

212'-0" E



No. 2331 YORK RD.
 8th District Baltimore Co, Maryland
 Scale: - 1" = 50'
 Date: - 11-22-65



Willard M. Lee
 P.E.
 CIVIL
 ENGR.

