

RE: Petition for Reclassification and Special Exception
S/S Westminster Road 350' W of Wolf Avenue - 4th Dist.
John H. Smith, et al
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY
NO. 67-42-RX
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The Petitioner seeks a Reclassification of a track of land, consisting of 1 1/2 acres, from an R-10 zone to a BR zone, and also seeks a Special Exception to use the subject tract for an used motor vehicle outdoor sales area.

Without reviewing the testimony in detail, the Deputy Zoning Commissioner is of the opinion the Petitioner has failed to meet the burden of proof in showing either error in the original zoning map or such substantial changes in the character of the neighborhood to justify the rezoning sought. It is likewise felt the Petitioner has failed to meet the requirements of Section 502.1 of the Baltimore County Zoning Regulations.

For the foregoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 22nd day of September, 1966, that the above Reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain an R-10 zone; and the Special Exception for an used motor vehicle outdoor sales area be and the same is hereby DENIED.

Edward D. Hardisty
DEPUTY ZONING COMMISSIONER

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

WE, JOHN H. SMITH, et al, 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an R-10 zone to a BR zone, for the following reasons:
THE TRAFFIC ON WESTMINSTER ROAD IS INCREASINGLY HEAVY AND MANY CHANGES HAVE TAKEN PLACE IN THE AREA.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for, USED MOTOR VEHICLE OUTDOOR SALES AREA

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.

Address: 115 Westminster Rd.
Address: 201 Courtland Avenue, Towson
Address: 201 Courtland Avenue, Towson

ORDERED By The Zoning Commissioner of Baltimore County, this 12th day of July, 1966, 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 12th day of August, 1966, at 1:30 o'clock P.M.

Edward D. Hardisty
DEPUTY Zoning Commissioner of Baltimore County.

(over)

OFFICE OF THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS
Ridderdown, Md.

THE HERALD - ARGUS
Catonsville, Md.

No. 1 Newburg Avenue CATONSVILLE, MD.

August 15, 1966

THIS IS TO CERTIFY, that the annexed advertisement of Edward D. Hardisty, Deputy Zoning Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of these weekly newspapers published in Baltimore County, Maryland, once a week for 19 consecutive weeks before the 15th day of August, 1966 that is to say the same was inserted in the issues of August 11, 1966.

THE BALTIMORE COUNTIAN

By Paul J. Morgan
Editor and Manager

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Edward D. Hardisty, Deputy Zoning Commissioner
FROM: George E. Gavelis

SUBJECT: Petition # 67-42-RX, Reclassification from R-10 to B.R. Zoning together with Special Exception for Used Motor Vehicle Outdoor Sales Area, South side of Westminster Road 350 feet west of Wolf Avenue. Being the property of John H. Smith, et al.

4th District

HEARING: Monday, August 29, 1966 (1:30 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-10 to B.R. zoning and has the following advisory comments to make regarding pertinent planning factors:

- The subject property is surrounded on all sides by properties which are limited to the use potentials of R-10 zoning. No nonconforming use exists in close proximity to the subject property. Creation of commercial zoning here constitutes spot zoning in that the rezoning would not be in accordance with the comprehensive plan affecting the area and that development potentials on the subject property would be created which are not compatible with those of adjoining properties.

GEG:jms

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 4th
Posted for: Reclassification from R-10 to B.R. Zoning together with Special Exception for Used Motor Vehicle Outdoor Sales Area.
Petitioner: John H. Smith, et al.
Location of property: 350' W of Westminster Rd. 350' W of Wolf Ave.
Location of Sign: 350' W of Westminster Rd. 350' W of Wolf Ave.
Remarks: J. E. Gavelis
Posted by: J. E. Gavelis

PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION

ZONING: From R-10 to B.R. Zone. Petition for Special Exception for Used Motor Vehicle Outdoor Sales Area.

LOCATION: Southside of Westminster Road 350 feet west of Wolf Avenue.

DATE & TIME: MONDAY, AUGUST 29, 1966 at 1:30 P.M. PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Deputy Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Proposed Zoning: B.R. Zone. Petition for Special Exception for Used Motor Vehicle Outdoor Sales Area, separated from sales area by building.

BEING: the same on the southside of Westminster Road 350 feet west of the centerline of Wolf Avenue, if extended southward, and at the beginning of the 2nd, or S 42 degrees W 242 feet line of the land described in the deed from E. Jane Shock, unmarried, to John H. Smith et al dated April 12, 1965 and recorded among the land records of Baltimore County in Liber REG 4445, Folio 12, and running thence and bounding on said aforementioned line S 42 degrees W 242 feet, thence N 48 degrees E 60 feet, thence S 48 degrees E 100 feet, thence N 48 degrees E 100 feet to the south side of the Westminster Road, thence bounding on the south side of said Westminster Road S 48 degrees E 100 feet to the place of beginning.

CONTAINING 1.683 acres of land more or less.

BEING: the land described in the deed from E. Jane Shock, unmarried, to John H. Smith et al dated April 12, 1965 and recorded among the land records of Baltimore County in Liber REG 4445, Folio 12, and running thence and bounding on said aforementioned line S 42 degrees W 242 feet, thence N 48 degrees E 60 feet, thence S 48 degrees E 100 feet, thence N 48 degrees E 100 feet to the south side of the Westminster Road, thence bounding on the south side of said Westminster Road S 48 degrees E 100 feet to the place of beginning.

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OFFICE OF THE BALTIMORE COUNTIAN

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Ridderdown, Md.

THE HERALD - ARGUS
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No. 1 Newburg Avenue CATONSVILLE, MD.

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THE BALTIMORE COUNTIAN

By Paul J. Morgan
Editor and Manager

CERTIFICATE OF PUBLICATION

TOWSON, MD. 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 successive weeks before the day of August, 1966, the first publication appearing on the 11th day of August, 1966.

THE JEFFERSONIAN,

Cost of Advertisement, \$.....

By L. L. Smith, Jr.
Manager

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Mr. Augustine J. Miller
Miller, Raphael & Assoc.
201 Courtland Avenue
Towson, Maryland 21204

Reclassification from R-10 to B.R. Zoning together with Special Exception for Used Motor Vehicle Outdoor Sales Area. For John H. Smith et al, located 350' Westminster Road W of Wolf Avenue, 4th District (Item 1, July 18, 1966)

Dear Sir:

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

ADVISORY COMMITTEE: The frontage of the commercially used portion of the site must be served with an 8'x22' concrete curb. The face of the curb to be 20 feet from and parallel to the centerline of the road. The entrance must have a minimum of 15 feet.

STATE ROAD COMMISSION: The entrance must be constructed under a permit from the State Road Commission. The entrance must be constructed under a permit from the State Road Commission. The entrance must be constructed under a permit from the State Road Commission.

HEALTH DEPARTMENT: The means of sewage disposal must be indicated on revised plans prior to the hearing.

FOOD ADMINISTRATION DIVISION: A type of portable office must be indicated on the above mentioned revised plans. Lighting must be shielded in such a way as to prevent any reflection into the adjoining residential dwellings. Compact screening should be extended along the entire length of the south 1/2 west 1/2 lot line.

The above comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or 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 on the appropriateness of the requested zoning 10 days before the Zoning Commission's hearing.

The following members have no comment to offer:

Fire Bureau - Plans Review
Industrial Development Commission
Board of Education
Building Department
Bureau of Traffic Engineering

Very truly yours,
J. H. Smith, Jr., Principal
Zoning Technician

JH:yla

cc: Carole Brown-Bureau of Engineering
John Meyer-Water & Sewer Division
William Greenblatt-Health Department

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

To: John H. Smith, Jr.
115 Westminster Road
Ridderdown, Md.

REPORT TO ACCOUNT NO. 67-42-RX

DETAILS UPON REQUEST AND RETURN WITH YOUR REMITTANCE

Position for Reclassification & Special Exception
67-42-RX

5-966 3670 * 39661 RP- 5000

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.

Mr. Augustine J. Miller
Miller, Raphael & Assoc.
201 Courtland Avenue
Towson, Maryland 21204

July 18, 1966

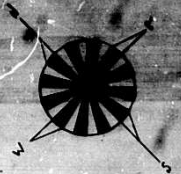
Your petition has been received and accepted for filing this

12 day of July, 1966

John H. Smith, Jr.
Zoning Commissioner

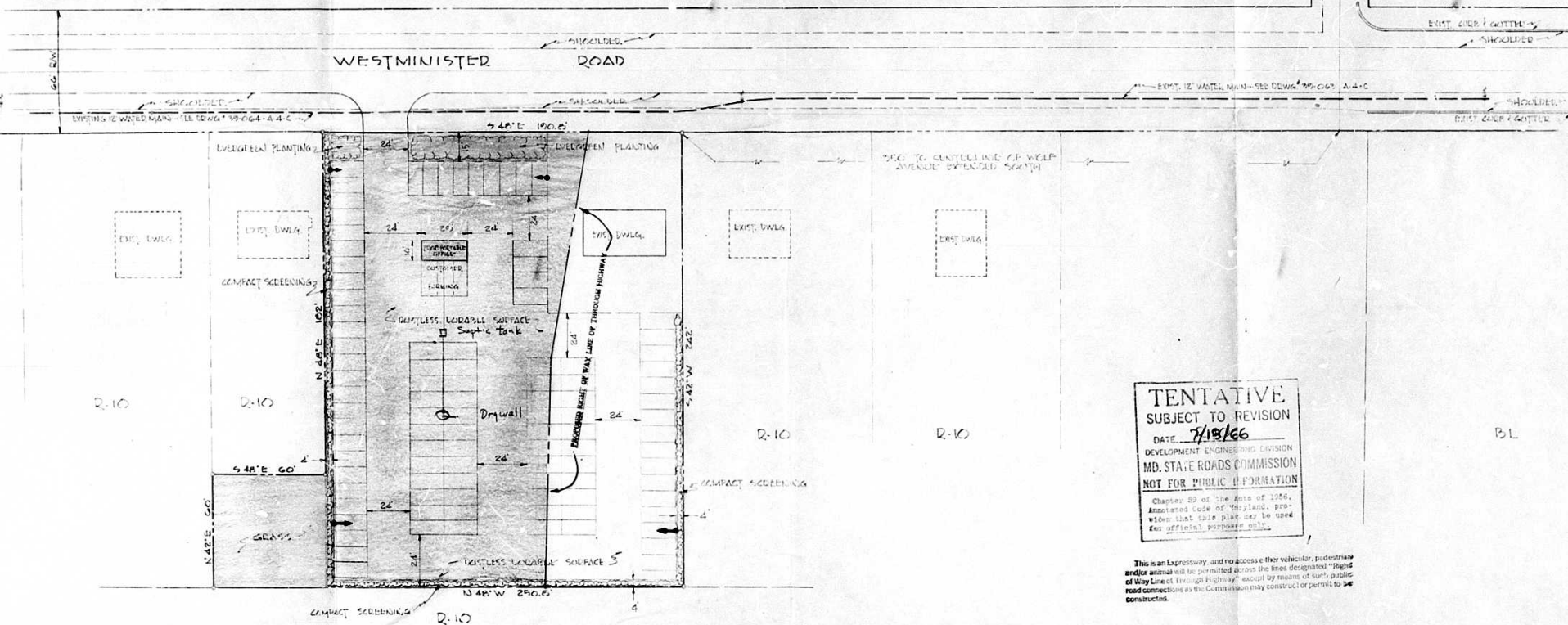
Petitioner John H. Smith et al

Petitioner's Attorney Reviewed by James E. Miller
Chairman of Advisory Committee



WOLF AVE.

WESTMINSTER ROAD



TENTATIVE
SUBJECT TO REVISION
DATE: 7/15/66
DEVELOPMENT ENGINEERING DIVISION
MD. STATE ROADS COMMISSION
NOT FOR PUBLIC INFORMATION
Chapter 23 of the Acts of 1956, Annotated Code of Maryland, provides that this plat may be used for official purposes only.

This is an Expressway, and no access either vehicular, pedestrian and/or animal will be permitted across the lines designated "Right of Way Line" through Highway, except by means of such public road connections as the Commission may construct or permit to be constructed.

NOTES:
AREA OF PROPERTY - 1.143 ACRES
EXISTING USE - VACANT
PROPOSED USE - RESIDENTIAL
EXISTING ZONING - R-10
PROPOSED ZONING - R-10
PROPOSED PARKING SPACES - 12
PARKING SPACES PROVIDED - 12

ROUTINE QUARTZ LIGHTS

MILLER RAYBURN & ASSOC. INC.
REGISTERED PROFESSIONAL ENGINEERS & LAND SURVEYORS
201 CROFTLAND AVENUE
TOWSON 4, MD.

PLAT TO ACCOMPANY ZONING PETITION
PROPERTY OF
JOHN H. SMITH ET AL
1ST ELECTION DISTRICT
BALTIMORE COUNTY, MD.
JUNE 24, 1966

R-10

R-10

BL

WOLF AV

WESTMINISTER ROAD

EXISTING 12" WATER MAIN - SEE DWG. 99-064-A-4-C

EXIST. 12" WATER MAIN - SEE DWG. 99-064-A-4-C

EXIST. 24" WATER MAIN - SEE DWG. 99-064-A-4-C

R-10

R-10

R-10

R-10

R-10

BL

OFFICE COPY

OFFICE COPY

NOTES:
 AREA OF PROPERTY - 1.44 ACRES
 EXISTING USE - VACANT
 PROPOSED USE - OFFICE BLDG. LOT
 EXISTING ZONING - R-10
 PROPOSED ZONING - R-10
 REQUIRED PARKING SPACES - 12
 PARKING SPACES PROVIDED - 12

100WATT QUARTZ LIGHTS



MULLER RAPHAEL & ASSOC. INC.
 REGISTERED PROFESSIONAL ENGINEERS & LAND SURVEYORS
 201 GORTLAND AVENUE
 TOWSON 4, MD.

PLAT TO ACCOMPANY ZONING PETITION
 PROPERTY OF
 JOHN H. SMITH ET AL
 4th ELECTION DISTRICT BALTIMORE COUNTY, MD.
 SCALE 1" = 50' CORNER 24" 1900