RE: PETITION FOR RECLASSIFICATION : from R-A and R-6 zones to B.R. and B.M. zones, and SPECIAL EXCEPTION for 168 Used Motor Vehicle S SE/S East Avenue 146 ford Road,

FASTERN

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P. P.

MEFORE COUNTY BOARD OF APPEALS

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CORP.

# 68-177 FX

BALTIMORE COUNTY No. 68-177-RX

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## ORDER OF DISMISSAL

R-6 zones to B.R. and B.M. zones, and a special exception for Used Motor Vehicle Sales on property located on the southeast side of East Avenue 146 feet east of Harford Road, in the Eleventh Election District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of Appeal filed November 20, 1968 (a copy of which is attached hereto and made a part hereof) from the attorney representing the protestants-appellants in the above entitled matter

WHEREAS, the said attorney for the said protestants-appellants requests that the appeal filed on behalf of said protestants-appellants be dismissed and withdrawn as of

It is hereby ORDERED this 27th day of November, 1968 that said appeal be and the same is dismissed.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Walter A. Reiter, Jr.

William S. Baldwin, Chairman

Registered Projessional Engineers & Land Suppose DO WASHINGTON AVENUE AT YORK ROAD TOWSON, MD. 21204 October 16, 1957

Zoning Description

Zonling Beacription

All those two pieces or parcels of land situate, lying and being in the Elevanth Election District of Saltimore Sounty, State of Maryland and described as follows to will be a second to the Elevanth Election District of Saltimore Sounty, State of Maryland and described as follows to will be a second to the Elevanth Saltimore Saltimor

Contining 1.27 Acres of land more or less.

Contining 1.27 Acres of land more or less.

Parcel 2 - R. 6 to R. M.

Regimning for the second thereof at a point on the east side of
the relocation of Eart Arenue as shown on State Foods Commission of Moryland
Flat Ro. 207R at the distance MoSTest measured southeasterly along the
northeast side of said Ayenue from the southeast sides of Herricot Road and
running thence and binding on the east and southeast sides of the relocation of East Avenue as shown on said plat the three following lines vizi
Southerly Wa line givering toward the right having a radius of 80 feet
in this tenno of 55590 feet time chord of said are bearing South 13 degrees
10 this tenno of 55590 feet the chord of said are bearing South 13 degrees
11 this tenno of 55590 feet the chord of said are bearing South 13 degrees
12 this tenno of 55590 feet the chord of said are bearing South 13 degrees
13 this tenno of 55590 feet and coult 1 depth 13 degrees 25 minutes
15.780 feet to the portheast side of Faut Avenue as originally laid out,
thence binding on the northeast side of said avenue South 55 degrees 16
simutes East 110.559 feet and thence leaving said avenue and Minding on the
outlaine of the land of the petitioners happin the three following conyres
and distances with North 31 degrees 26 minutes by the said outh 12 degrees 22 minutes
10 this degrees 26 minutes was 1 Lia 20 feet and South 12 degrees 22 minutes
10 this degrees 26 of minutes are 110 to 20 feet of Land south 12 degrees 22 minutes
10 this feet of Land south 12 degrees 22 minutes
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11 this feet of Land so

taining 0.88 of an Acre of land more or less.

Seing the land of the petitioners herein as shown on a plat filed in the Zoning Department.

PETITION FOR RECLASSIFICATIO PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION SE/S East Ave. 146' E. of Harford Road - 11th District Harford Warehouse Corporation, BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY NO. 68-177-RX V

## DISMISSAL OF APPEAL

Please enter the Appeal to the County Board of Appeals of Baltimore County in the above entitled matter:

"Dismissed without prejudice".

Jeorge Barrett Johns Smith, Bottom and Smith 104 Jefferson Building Towson, Maryland 21204 823-6200 Attorney for Protestants

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

#68-1771ex

Reclessification from R-A to R-6 to B.R. and B.H., for the Harford Marchouse Corp., located SM/S of East Avenue, Mest of Harford Road 11th District ( Item 59, January 2, 1968)

The Zaning Advisory Countities has reviewed the subject petition and has the ng essents to offers

many or theiresteems water in East Avenue
their - Ealisting D' sanitary sour in East Avenue
Adminy of uniting by sanitary sour in East Avenue
Administry of uniting still ties to be determined by developer or his engineer,
and - East Venues is to be developed as a crimum 30 read on a 50 R/M.

<u>TH BEPARTMENT:</u> a mubilic water and sower are evallable to the subject site, this effice has no

ted by the State Roods Commission, the old East Arenue of deed ends at the rear of the service station of motor vehicles must be indicated on revised plans

shows comments are agrintended to firsting the appropriatement of a required best to essure that off parties are made means of pict any have a bearing on this case. The Director end/or the Bayer the Office of Planning and Zoning will adopt transmendations on a of the required bearing of the picture the Zoning comments to the Conference of the required bearing to day to before the Zoning comments of the Conference of the required bearing the conference of the required bearing the conference of the Conference of



April 11, 1968

Edward D. Hardesty, Esq. Deputy Zoning Commissioner Baltimore County Office Building Towson, Maryland, 21234

Re: No. 68-177-RX No. to-177-AA Fetition for Reclassification and Special Expertion - SE/S Bast Ave. 146° 3 of Harford Road - Harford Worehouse Company, Petitioner

Dear Mr. Commissioner.

Please note an angeal to the Jointy Board of Angeals of Baltimore Jounty from your decision and order passed in the above-referenced matter on March 14, 1988, by the following named aggrieved protestants:

Ers Frank Chlumsky, 3032 East Avenue, Haltimore County, Nd., 21234

Mrs. Joseph Ramming, 9134 Sperl Avenue, Baltimore Jounty, Mi., 2:234

Mrs. Prancis 7. Pry, 3028 Sunt Avenue, Bulcisure Jounty, Mi. 21234

Mr. and Mrs. Glenn V. Tockrell, 3017 East Avenue, Saltimore, Md., 21/34

Mrs. Margaret Hyers, 3018 Sast Avenue, Baltir Mi., 31234. Mrs. Susan DiMenna, 9137 Sperl Avenue, "hittmare County.

Mrs. Delmn A. Schulte, 3324 Bust Averue, Faltimore Jointy, Mi. 21234

South Curney Improvement Agen.

CO: Richard C. Murray, Gan.

The Laviet How

BARMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. John G. Rose, Zoning Commissioner Date

George E. Gavrelis, Director of Planning

SUBJECT Petition #66-177-RX. Southeast side of East Avenue 146 feet East of Harford Road. Patition for Reclassification from R.A. & R-6 to 8.R. and 8.M. Zones. Petition for Special Exception for Used Motor Vehicle Sales. Harford Werehouse Composition - Petitioners

11th District

HEARINGs Monday, February 5, 1968. (2000 P.M.)

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

- The petition lists "Change in conditions" or a tracen for reclassification. The comprehensive zeroing map for the Northeastern Planning Area was adopted on September 1, 1966, however, and this reason, therefore, does not constitute proper grounds for reclassifications.
- In its initial recommendation to the Planning Seard with respect to the Northeastern Assa Map, the planning staff propased the current R.A. Zoning as a means to provide for transitional development between commencial uses and cortage residential coning and development to the southeast. This zoning pattern was diffirmed by the Planning Board and adapted by the County Council
- on earlier patition for reclassification of the subject tracts as 8. L. was denied by the Zoning Commissioner on April 24, 1963 (Petition § 3807).

RE: PETITION FOR RECLASSIFICATION : BEFORE THE AND SPECIAL EXCEPTION : DEPUTY ZONING SE/S East Avenue 146' E of Harford Road - 11th District Harford Warehouse Corporation NO. 68-177-RY

: BALTIMORE COUNTY

The Petitioner has requested a reclassification of his property consisting of two parcels, from an RA and R-6 some to a BR and BM zone, BR is requested for Parcel 1 consisting of 1.7 acres and BM zoning is requested for Parcel 2 which contains 0.88 of an acre. A Special Exception to use Parcel 1 for an outdoor motor which sales area is also requested.

There is no question that the Petitioner is entitled to relief. His property is bordered on the North by BL land, on which is a gasoline cervice station; on the East across East Avenue by BR and BM somed land, on which are a used car lot and warehouses; or, the West by BL land on which is a large bakery distribution center. It is obvious to the Deputy Zoning Commissioner the present zoning on the subject property is in error.

After considering all evidence and arguments by Counsel, the Deputy Zoning Commissioner feels that the best solution would be to recone Parcel to BM and to grant a use permit for cit-street parking in a residential zone on Parcel 2. In adopting this procedure, it is not necessary to discuss the merit of a Special Exception for an outdoor motor vehicle sales area on Parcel 1 since the same would not be necessary.

For the aforegoing reasons. IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this / Y day of March, 1968, that the herein described property or area known as Parcel 1 should be and the same is hereby reclarsified from an IA, zone to a 1M zone and a use permit for off-street parking in a residential zone on Parcel 2 should be and the same is hereby granted, subject to the requirements of Section 409 of the Baltimore County Zoning Regulations; all subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning. The Special Exception requested for Parcel 1 should be and the same is DENIED.

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, Harford Warehouse Corpe legal owner of the property situate in Baltimore ma County and which is described in the description and plat attached hereto and made a part hereof. nereby petition (1) that the ze ding status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an ... R. A. and R. 6 B, R, and B, M, zone; for the following reasons

(1) Error in the adoption of the zoning map.

ORDER REC'IVED FOR FILING	See attached description	
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-		oning Law and Zoning Regulations of Baltimore
5 /	county, to be the herein described property, for	Used Motor Vehicle Sales
0	\$1	
5 4	Property is to be posted and advertised as p	
S 3		assification and/or Special Exception advertising.
2	posting, etc., upon filing of this petition, and fur	ther agree to and are to be bound by the zoning dopted pursuant to the Zoning Law for Baltimore
~ W	County	sopied pursuant to the soning taw for Battimore
8 E	,	
0 8	<u>≽</u> .	HARFORD WAREHOUSE CORPORAT
		BY: Oal Mille
	Contract purchaser	Legal Owner
	Address	Address P. O. Box 8615, Baltimore 21
	P1-101	***************************************
	Petitioner's Afterney	Protestant's Attorney
	Richard C. Murray	Trocality Amonthy
	Address 22 W. Pennsylvania Avenue Towson, Maryland 21204	***************************************
	ORDERED By The Zoning Commissioner of I	Saltimore County, this 2nd day
75	of	eject matter of this petition be advertised, as
	required by the Zoning Law of Baltimore County,	

196. B., at \_2,00 o'clock

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After discussing the pros and cons of the case at the hearing, it was decided by all involved that relief should be granted but not in accordnce with the original request.

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ONS PAYABLE TO BALTIMORE COUNTY, MARYLAN

MAL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWN

enTA RE: PETITION FOR RECLASSIFICATION :
from R-A and R-6 zones to B.R.
and B.M. zones, and :
SPECIAL EXCEPTION for BEFORE COUNTY BOARD OF APPEALS Used Motor Vehicle Sales SE/S East Avenue 146' East of Harford Road, 11th District Harford Warehouse Corporation OF BALTIMORE COUNTY No. 68-177-RX ORDER OF DISMISSAL Petition of Harford Warehouse Corporation for reclassification from R-A and R-6 zones to B.R. and B.M. zones, and a special exception for Used Motor Vehicle Sales on property located on the southeast side of East Avenue 146 feet east of Harford Road, In the Eleventh Election District of Boltimore County. WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of Appeal filed November 20, 1968 (a copy of which is attached hereto and made a part hereof from the attorney representing the protestants-appellants in the above entitled matter. WHEREAS, the sold attorney for the said protestan's appellants requests that the appeal filed on behalf of said protestants-appellants be dismissed and withdrawn as of November 20, 1968. It is hereby ORDERED this 27th day of November, 1968 that said appeal ite and the same is dismissed. COUNTY BOARD OF APPEALS OF EALTIMORE COUNTY William & Baldwin, Chairmer

Walter A. Seiter, Jr.

BALTIMOR COUNTY, MARYLAN OFFICE OF FINANCE DATE ME. 15, 1968 Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204 Patition for Ball Corp. (68-177-55 IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND IANE TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

PETITION FOR RECLASSIFICATION \* AND SPECIAL EXCEPTION SE/S East Ave. 146' E. of Harford Road - 11th District Harford Warehouse Corporation,

BEFORE THE COUNTY BOARD OF

## DISMISSAL OF APPEAL

TO THE HONORABLE MEMBERS OF SAID COMMISSION:

Please enter the Appeal to the County Board, of Appeals of Baltimore County in the above entitled matter:

George Barrett Johns Smith, Bottom and Smith 104 Jefferson Building Towson, Maryland 21204 823-6200 Attorney for Protestants

SONING: Press R.A. and R-4 to B.R. and R.H. Sonne. Petition for Special Exception for Used Motor Valide Sales. Used Motor Vehicle Salas
LOCATION: Sandpoint and of Bost
Avenue 166 Spot Bost or Harford
Root.
DATE & THEE Monday, Pobroscy 5,
1946 et 2:10 P.M.

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## CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was day of February 1958, the first publication appearing on the 5th day of February THE JEFFERSONIAN.

Cost of Advertisement, \$ .....

No. I Newburg Avanue

- RA to RR and

CATONSVILLE, MU.

January 22, 1968

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 weekly newswas inserted in The DALLHBUKE COUNTIAM, a group or wearly news-papers published in Baltimore County, Maryland, once a week for One sudansing weeks before the 22nd day of Jan., 19 68, that is to say the same was inserted in the issues of January 18, 1968.

THE BALTIMORE COUNTIAN

THE BALTIMORE COUNTIAN

By Paul J. Morgan

