TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

I. or we. FREDERICK E. ZERRLAUT And MARY M. ZERRLAUT, His wife

I. or we. FREDERICK E. ZERRLAUT Legal contert. of the property situate in Baltimore (Inc.)

County and which is described in the description and plat attached berefo 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-A zone: for the following reasons SW-2-9

Changes in the character of the neighborhood

Error in the original zoning map.
 Land cannot be used in its present classification.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore

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

LOUIS TARASCA TARASCA MARY TARASCA MARY TAKASCA Contract purchaser MARY M. CERRLAUT Legal Owner Address 16 3 1 Secretary Address 16 16 Campfell BK

POHER AND MOSNER
34 West Chesapeake Avenue
Towson, Maryland 21204
Petitioner's Attorney

21207

FREDFRICK B. ZERPLAUT

MARY M. CEPALAUT Legal Owner

ORDERED By The Zoning Commissioner of Baltimore County, this. 13th of February 196. 8 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 Zoring Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County; on the 20 PM - 18th day of March 1968 at 11:00 o'clock

Zoning Commissioner of Baltimore County.

Rebert C.Merris, Reg. Surveyor Old Court Food, Easte. 21207, Md.

+69-212R

Description for apercel of land on Helvin Ave., Catensvalle, Nd.

Deginning for the same at a point on the East side of Malvin Ave., South 10 degrees 10 minutes West 20 ft. from the South side of the Soltimore National Pike, said point being on the division line between lets 25 and 26,Block A.es shown on the Plat of holonough Heights, said plat being recorded in the Land R cords of Balto.Co.in Plat So k se.5, felio 69, thence running South 79 degrees 50 minutes East 100 ft.; Thence running South 10 Jegrees 10 minutes West 100 ft.; Thence running North 79 degrees 50 minutes West 10) ft. to the last side of Helvin Ave.; Thence running along Melvin Ave. North 10 degr as 10 minutes East 100 ft. to the point of beginning.

Centaining 0.23 of an acre move or less and being Lots 21 to 25 inc. of 81k.A.es shown on the Plat of McDenough neights...

Robert Comico Robert C. Herris.

IN TH DANNAH LINDSAY 26 Cargil Avenue Baltimore, Maryland BALTIMORE COUNTY NETTIE PAGE * 415 Melvin Avenus Beltimore, Maryland 21228 * CASE #4119 Misc. Docket #8 vs. WILLIAM S. BALDWIN, CHAIRMAN * Polin 387 W. GILES PARKER and JOHN A. SLOWIK, constituting the County Board of Appeals of Balt more County ORDER

The above matter having come on for hearing on April 13, 1969, and after having read the record and examined the exhibits, and having considered argument of counsel, it is, this /4 day of April, 1969, for the reasons recited at the conclusion of the hearing aforesaid,

ORDERED, ADJUDGED and DECREED, that the Order of the County Board of Appeals of Baltimore County in its Case No. 68-212-R dated November 29, 1968, be and the same is hereby affirmed

Costs to be paid by the appellants.

5/ John & Rawe 41

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3/ 1/68 24 12 lulyn

> PETITION FOR RECLASSIFICATION from an R-A zone to a B.L. zone E/S Melvin Avenue 20'S. of Baltimore National Pike Prederick E. Zerrlaut, et al

No. 68-212-F

ORDER FOR APPEAL

Please enter an appeal in behalf of Mrs. Hannah Lindsay, one of the protestants, to the opinion and order of the County Board of Appeals of Baltimore County dated November 29, 1968.

STANLEY SOLLINS Attorney for: Hannah Lindsay, Protestant 111 N. Charles St. altimore. Maryland, 21201

I HEREBY CERTIFY that on this 26th day of December, 1968. a copy of the aforegoing Order For Appeal was delivered to the County Board of Appeals, County Office Building, Towson, Maryland, 21204.

Standy Sollin

RE- PETITION FOR RECLASSIFICATION : from an R-A zone to a B.L. zone E/S Melvin Avenue 20' S. of Boltimore National Pike, lst District Frederick E. Zerrlaut, et al

BEFORE COULTY BOARD OF APPEALS OF

BALTIMORE COUNTY No. 68-212-R

OPINION

The petitioner in this case seeks a reclassification of a .23 acre parcel of ground from K-A to B.L. (Business Local). The subject property is situated on the cast side of Melvin Avenue; the northwest corner of the property being only 20 feet south of the Baltimore National Pike, in the First Election District of Baltimore County

The zoning to the north of the subject property is Business Local, and is occupied by a Sinclair gasoline station. The zoning across Melvin Avenue from the subject property is Business Local, and is also used as a gasoline survice station. The zoning to the south of the subject property is R-A, and is presently improved with a single family dwelling. The zoning to the east of the subject property, between the subject property and Winters Lane, is Business Local and a small portion of this property, approximately 40 feet by 100 feet (as shown on Petitioner's Exhibit *2), is awned by the petitioner Melvin Avenue deadends at the northwest corner of the subject property, and there is no vehicular access from Melvin Avenue anto Baltimore National Pike.

The petitioner proposes to construct on the property a retail furniture store, 70 feet by 45 feet, and proposes entrances from Winters Lane and Melvin Avenue; the primary entrance will be through Winters Lane.

The petitioner produced expert testimony that there had been numerous zoning changes in the immediate neighborhood since the adoption of the comprehensive zoning map in 1960. He further testified that the property ', almost entirely surrounded by commercial uses which were not in existence at the time of the adoption of the map in He also testified that the reclassification to Business Local would not have any adverse effect on the neighborhood because the subject property now has Business Local zoning on three sides. He further stated that he did not believe that the existing R-A zoning on the subject property to be correct in that it is too close to Baltimore National Pike with its heavy commercial uses and traffic to be a good site for apartment development, and also that the size of the property being only .23 acres is too small to properly develop in its R-A classification

E/S Melvin Avenue 20 feet S of Battimore National Pike - 1st District : DEPUTY ZONING 68-212-R RE: PETITION FOR RECLASSIFICATION : BEFORE THE

HI H. HI

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: BALTIMORE COUNTY

The Petitioner seeks a reclassification of his property consisting of .23 acres from an RA zone to a BL zone. Plans call for the tion of a retail furniture store.

This parcel of land fronts 100 feet on Melvin Avenue and lies only 20 feet from the edge of Baltimore National Pike (Route 40 W.). Across Melvin Avenue is a gasoline service station, immediately to the 15th is another gasoline service station, on the east and southesst are 15th zoned tracts, part of which is also owned by the Petitioner. On the ignit is RA zoned property improved with a dwelling house. Since the legition when the property immediately to the east, the overall fact would have access to both Melvin Avenue and Vinters Lane, the 2ster intersecting the aforementioned Route 40.

The Zonine Advisory Committee comments the The Zoning Advisory Committee Confine and a 40 feet right-of-nue will soon be developed into a 30 foot paved road on a 40 feet right-of-way and apparently will be opened through to Route 40. The Office of Plan-ning and Zoning offered an adverse comments on this Petition.

Numerous zoning changes were also introduced into evidence. There is little doubt that the Petitioner's request is reasonable and should

Neighborhood fears of traffic congestion on the adjacent streets are not supported by the facts in as much as traffic ingress and egress will be principally by means of Melvin Avenue. Winter Lane and

For the aforegoing reasons, IT IS ORDERED by the Deputy 20 for Commissioner of Baltimore County, this 1968, that the herein described property or area should be and the same is hereby reclassified from an RA zone to a BL zone from and after the date of this Order, subject to approval of the site plan Buzzau of Public Services and the Office of Plannirg and Zoning.

Placed D. Harder

Frederick E. Zerrlaut - #68-212-R

The residents of the nearby neighborhood apposed the petition citing the possibility of increased traffic, and the possible depreciation of their homes by the reclassification of this property to commercial use

- 2 -

The Board, from the evidence presented, finds that the property could not be reasonably used in its existing R-A zoning due to the effect of the heavy commercia! uses adjoining the property on three sides, and further, that there have been more than ufficient changes from residential uses to commercial uses in the immediate neighborhood to warrant the reclassification of this property.

Fur the reusens set forth in the aforegoing Opinion, it is this 29th day of November , 1968 by the County Board of Appeals, OR DERED that the reclassification petitioned for, be and the same is hereby GRANTED.

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

William S Boldwin Chairman

F: |Jary 19, 1968

Reclassification from R-A to B-L, fcr Frederick E. ZarfBut, located E/S Melvin Avenue, S/M/Ccr. Baltimore National Turnpike Ist District (Item 100, February 13, 1968)

The Zoning Advisory Committee has reviewed the subject petition and has the following comments to offers

BUREAU OF ENGINEERING.
MEET - [Littling 3" dater in Melvin Avenue
Mater - Littling 3" dater
Madequacy of existing utilities to be determined by developer or his engineer.
Seamer - Ex isting 6" sentiary sower in Milvin Avenue
Reed - Both Hilvin Ave. and Winters Lene are to be improved as minimum 30' roads on 60'
It appears that the State prod sign on 81 inliners intended 1 Pice must be relocated to

SUREAU OF TRAFFIC ENGINEERING: This office will review and make any necessary comments at a later date.

STATE ROADS COMMISSION:

ZORING ADMINISTRATION DIVISION:
If the peffice is granted, no occupancy may be made until such time as plans have
been substitude and approved and the property inspected for compliance to the approved

The above comments are not intended to indicate the appropriateness of the ground settlen requested, but to assure that a 11 parties are made searce of plane or problems that may have a bearing on this cases. The Director end/or the Spotty Director of the Office of Planning and Zening will subset recommendations on the appropriateness of the requested zening 10 days before the Zening Commissioner's Zetring.

The following members had no comment to offer

Project Finning Division Health Department Sureau of Fire Privention Building Engineer Seard of Education

Very thruly yours,

of Melvin

TERRUAUT Ave. 201

P. B.

Property is to be posted and advertised as prescribed by Zoning Regulations.

regulations and restrictions of Beltimore County adopted pursuant to he Zoning Law for Baltimore

TO Mr. John G. Rose, Zoning Commissioner Date Morch 8, 1968

FROM George E. Gavrelis, Director of Planning

SUBJECT Petition 68-212-R East side of Meivin Avenue 20 feet South of Baltimore National Pike Petition for Reclassification from R.A. to B.L. Frederick E. Zerrlaut-Petitioner

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HEARING: Menday, March 18, 1968 (11:00 A.M.)

In view of the reclassification of adjacent property, the planning staff of the Office of Planning and Zoning will offer a no comment on the subject petition.

CERTIFICATE OF PUBLICATION

appearing on the 29th day of February 19 68

Cost of Advertisement, \$....

TOWSON, MD. FEB 2 1 1968 19.... THIS IS TO CERTIFY, that the annexed advertisement was and published in Towson. Baltimore County, Md., once in each of one time opposite before the 19th

...... 19....., the first publication

THE JEFFERSONIAN,

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In Name 20 Feb Such of the Baltimore National Pile.

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OFFICE OF THE BALTIMORE COUNTIAN

THE HERALD - ARGUS Cotonsville, Md.

No. I Newburg Avenue

CATONSVILLE, MD.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning dommissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of weekly newspapers published in Baltimore County, Maryland, once a week for One successful weeks before the 4th day of March, 188, that is to say the some was inserted in the issues of

February 28, 1968.

THE BALTIMORE COUNTIAN

By Paul I Morgan Editor and Manager 74.

	COUNTY OFFICE OF PLANNING AND ZONING County Office Building
William F. Mooner, Eng.,	III W. Chesapeake Avenue
Toron, Horyland 21204	Towson, Maryland 21204
Your Petition	has been received and accepted for filing this
130	day of Sabaser , 1968.
	1100
	W 996.
	OHN G, ROSE
	Zoning Commissioner
Della	
Petitioner's Attorney	Reviewed by Mess L Nam.

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IG DEPARTMENT OF BALTIMORE COUNTY

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april 23,1,68

County Bffice Building III W. Chesen proper ale

Dear Tra Rose I would Like To keyvast an appeal ON Case No - 68-212-R INChange 13 a Chock for the sum of \$500.

> Hannah Lindsey 26 Cargel asof Balto. My 21728 - APR 25 "ER =41 -

