

JIT-1b

IN THE MATTER OF THE PETITION : BEFORE THE
OF RALPH W. SIMMONS AND WIFE : ZONING COMMISSIONER OF
FOR ZONING RE-CLASSIFICATION : BALTIMORE COUNTY
N.E.C. HANFORD ROAD, GROUP HOUSES :

Mr. John J. Timanus, Commissioner:-

Please enter an appeal from the order dated September 24th, 1942, granting the re-classification prayed for in the above entitled matter, on behalf of the protestants, as appellants.

Walter R. Haile
ATTORNEY FOR PROTESTANTS

OTIS W. BURBRIDGE and
MARIE C. BURBRIDGE,

Complainants

vs.

RALPH W. SIMMONS,

Defendant

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

IN EQUITY

WILL OF COMPLAINT

TO THE HONORABLE, THE JUDGES OF SAID COURT:

Your Orators, complaining, say:

1- That they reside in a restricted development known as "Oak Forest" situated on the northeast side of the Harford Road, in Parkville, Baltimore County, in a single-family dwelling house known as number 3099 Oak Forest Drive, erected on Lot number 34 which they own and purchased from the defendant Ralph W. Stinson, subject to and with the benefit of the aforesaid restrictions, on November 10, 1961, by a deed of assignment now recorded among the Land Records of Baltimore County in Liber C.H.N. No. 1191 folio 309, a certified copy thereof being filed herewith as Exhibits A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, and 1- That they, the undersigned, do hereby certify that the foregoing is a true and correct copy of the original as the same appears in the records of the Baltimore County Land Records.

2- That the restrictions of the development of Oak Forest were placed thereon by the defendant Ralph W. Simmers, owner and developer, on May 18, 1961, by two deeds of that date, recorded among the Land Records aforesaid in Liber C.W.K. No. 1161 at folios 290 and 293 respectively, certified copies thereof being filed herewith as Complainants' Exhibits B. and C. respectively, and prayed to be taken as a part hereof.

3- That prior to the sale and conveyance to your Grators of the aforementioned Lot number 31, the defendant Ralph W. Simmers placed a ground rent thereon, subject to the restrictions of the development, as will more fully appear by reference to a lease and a deed of assignment dated September

Petition for Zoning Re-Classification

To The County Commissioners of Baltimore County:—

On the northeast corner of Hartford Road and Dabola Ave., thence northerly, on the northeast side of Hartford Road, 346.1', with an average parallel depth southerly of 325.12', being lots 1, 2, 3, 4, 5, 6 and the northeast one-half of Lot No. 7 on the plat of "Oak Forest",

herely petition that the above described property or area, being within the Palmdale County Map
(as to zoning, pursuant to Zoning Act of 1941)
preparation District, be changed or re-classified (as to zoning) from a residential use area, district or
division to a commercial use area, district or division, to a group houses use area
Reasons for Re-Classification: need of additional housing in defense area

Character of commercial use for which above property is to be used: STAND HOUSES

.....
AC. FOUR (4) UNIT UNITS

 Material of Construction of Building: ..concrete foundation, brick walls, asphalt roof
 unit 10-0
 Size and height of building: front 31.0 feet; depth 70.0 feet; height 20 feet.
 Front and side set back of building from street lines: front 70.0 feet; side 7 feet.
 Property to be posted as prescribed by Zoning Department.

And we, agree to pay expenses of above re-classification, advertising, etc., upon filing of this petition, not to exceed \$500.00, and further agree to and are to be bound by the rules, regulations, provisions and requirements herein set forth and as set forth in the resolutions and orders of the County Commission of Baltimore County, pursuant to the Zoning Act for Baltimore County and as prescribed by or referred to in the "Applications for Building Permits now adopted and used in the Baltimore County Metropolitan District."

Robert J. Summers

Address

ORDERED by The County Commissioners of Baltimore County, this 2nd day of July, 1948, that the subject matter of this petition be advertised, as required by the "Zoning Act", in a newspaper of general circulation through the Merrifield Times of Baltimore County, that property be posted, and that the public hearing herein be held in the office of the County Commissioner of Baltimore County, in the Court House, in Towson, Baltimore County, on the 20th day of July, 1948 at 8 o'clock A.M.

County Commissioner of Baltimore County

Disapprove the granting of the above Re-Classification

(over)

.....
 [Zachary Clark]

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of location.....

.....the above re-classification should be had.
 It Is Ordered by the Zoning ~~Board~~ Commissioners of Baltimore County this 24 day of February, 1962, that the above described property or area should be, and the same is hereby changed and re-classified, from and after the date of this Order, from residential use area, residential to a commercial area, district commercial, subject to approval of plat by Zoning Commissioner and further subject to approval of building plans and specifications by Building Engineer.

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of.....

It Is Ordered by the County Commissioners of Baltimore County, this.....day of, 19....., that the above petition 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 a residential use area, district or division, subject, however, to the further order of the County Commissioners of Baltimore County.

County Commissioners of Baltimore County.

To County Commissioners for
Baltimore County

**PETITION FOR
ZONING RE-CLASSIFICATION**

PETITION NO.

Location

TO THE END, THEREFORE:

(1) That the said Ralph W. Slummers, his agents, servants and employees, they and each of them, may be enjoined from creating a group house or houses of four 2-family units, or any other multiple family structures, upon Lots numbers 1 to 6 and the northwest one-half of Lot number 7, or upon Lots numbers 50 to 55 in the Oak Forest development, in violation of the restrictions thereof.

(2) That your Orators may have such other and further relief as his case may require.

AND as in duty bound, etc.

SOLICITOR FOR COMPLAINANTS

COMPLAINTS

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY that on this ____ day of September, 1962, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared Otis W. Burbridge and Marie C. Burbridge, his wife, the within Complainants, and they severally made oath in due form of law that the matters and facts contained in the foregoing Bill of Complaint are true.

WITNESS my hand and Notarial Seal.

NOTARY PUBLIC

285

0288

288

July 2, 1942.

\$8.00

RECEIVED of Ralph W. Zimmers & Mary E. Zimmers

the sum of Eight (\$8.00) Dollars, being cost of advertisement and posting of property, Harford Road and DuBois Avenue, 14th district, pursuant to petition filed for re-classification.

Zoning Commissioner.

PAID
JUL 7 1942
COUNTY COMMISSIONERS OF
BALTO. COUNTY.

Wacker

**NOTICE OF ZONING
RECLASSIFICATION.**

Pursuant to petition filed with the Zoning Commissioner of Baltimore County, for change or reclassification from a cottage type use area to a group house use area of the property hereinafter described, the Zoning Commission, by authority of the "Zoning Act of 1941," will hold a public hearing in the Zoning Office, in the Rickard Building, Towson, Baltimore County, Maryland.

On Monday, July 20, 1942,

at 10:30 o'clock A. M.
to determine whether or not the following mentioned and described property should be changed or reclassified as aforesaid; (If reclassified, group houses will be erected to wit:

All that parcel of land situate on the east westernmost side of Harford Road, at Parkville, in the 14th Election District of Baltimore County, beginning 200' northeasterly from the northeast corner of Harford Road and DuBois Avenue, thence northeasterly to the southeast side of Harford Road, 242.5' w. & an average parallel depth southeasterly of 22.12'. Being Lots Nos. 1 to 5, 26 to 35, and the northwest one-half of Lot No. 2, on the Plat of "Oak Forest".

By Order of
ZONING COMMISSIONER OF
BALTIMORE COUNTY.
July 2-18.

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 10/42 1942

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~~ ^{3 times} ~~successive weeks~~ before the 30th day of July 1942, the first publication appearing on the 3rd day of July 1942.

THE JEFFERSONIAN,

P. J. Smith

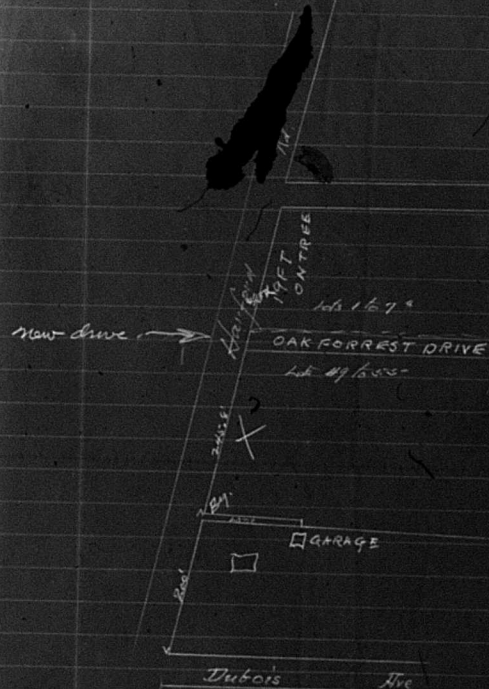
Manager.

Cost of Advertisement, \$.....

ZONING DEPARTMENT—BALTIMORE COUNTY, MD.

Certificate of Posting of Re-Classification Notice

14 District Date of Return 7/3 1942
Date of Posting Property 7/3/42
Location of Sign on Property 4 1/2 feet from front Street or Road.
Location of property E S O F HARFORD AVE
19 FT N O F OAK FOREST DRIVE
Re-Classification Petitioned for GROUP HOUSES
Petitioner: _____
Remarks: Was talking to foreman or builder
and got the date and time for sign on this side
of Oak Forest drive H. E. Bertala
Inspector making return _____



APPROVED PLAN

