

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County

Inter-City Land Co., legal owner, of the property situated on the northeast side of Cedar Ave., near Towson, in the 9th District of Baltimore, Co., beginning 411' northwest of the center line of York Road, thence southwesterly to said side of Cedar Ave., 100.2' to north side of a 10 foot right-of-way there situated, thence west with an average (irregular) depth westerly of 100', more or less, to the eastmost boundary of the "C" Residence Zone heretofore established,

lawfully petition that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an "A" RESIDENCE ZONE to an "A" RESIDENCE ZONE.

Reasons for Re-Classification

Character of use for which above property is to be used Apartment Building

Size and height of building front 100.2' to be approved by Building Dept.
Front and side set backs of building from street lines front 10' side 5' rear 10'.

I, or we, agree to pay expenses of above re-classification, 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 of Baltimore County.

Inter-City Land Co.
100' Cedar Ave., Baltimore, Md.
Signed: Mabel Haysen, Esq.
June 18, 1947

ORDERED BY The Zoning Commissioner of Baltimore County, this 17th day of April, 1947, that the subject matter of this petition be altered, as required by the Zoning Law of Baltimore County, in a respect of general circulation throughout Baltimore County that property be posted, and that the public hearing herein be held in the office of the Zoning Commissioner of Baltimore County, at the Richard Bldg., at Towson, Baltimore County, on the 10th day of May, 1947, at 10:00 o'clock A.M.

(over)

JAMES H. SPIGHER and YVON D. SPIGHER, his wife, IN THE
SAMUEL L. HANFIELD and MARY L. HANFIELD, his wife, CIRCUIT COURT
WILKINSON IMPROVEMENT ASSOCIATION, INC., Petitioners.
vs. FOR
SAMUEL S. BOYER, PAUL L. SIEGEL and WILLIAM A. HAYF, BALTIMORE COUNTY
Constituting the Board of Zoning Appeals of Baltimore County, Respondents.

APPEAL FROM A DECISION OF THE BOARD OF ZONING APPEALS

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of JAMES H. SPIGHER and YVON D. SPIGHER, his wife, SAMUEL L. HANFIELD and MARY L. HANFIELD, his wife, and WILKINSON IMPROVEMENT ASSOCIATION, INC., by CHARLES C. LYONS, their attorney, and any other person or persons aggrieved by the decision of the Board of Zoning Appeals and who may want to join in these proceedings, respectfully represents unto your Honor:

1. THAT James H. Spigher and Yvonne D. Spigher, his wife are residents and taxpayers of Baltimore County and are owners of property located at 13 Cedar Avenue, Towson, Baltimore County, Maryland.
2. THAT Samuel L. Hanfield and Mary L. Hanfield, his wife, are residents and taxpayers of Baltimore County and are the owners of property located at 6 Cedar Avenue, Towson, Baltimore County, Maryland.
3. THAT THE WILKINSON IMPROVEMENT ASSOCIATION, INC. is a civic organization incorporated to promote the public health, morals and welfare of the community known as WILKINSON, Baltimore County, said Association having about two hundred members.
4. THAT heretofore The Inter-City Land Co., William Searles Hall, President, petitioned the Zoning Commissioner of Baltimore County for a reclassification of certain property on Cedar Avenue in Towson.

All that parcel of land situated on the northeast side of Cedar Ave., near Towson, in the 9th District of Baltimore County, beginning 411' northwest of the center line of York Road, thence southwesterly to said side of Cedar Ave., 100.2' to north side of a 10 foot right-of-way there situated, thence west with an average (irregular) depth westerly of 100', more or less, to the eastmost boundary of the "C" Residence Zone heretofore established.

2. THAT after a hearing held on May 12, 1947, said reclassification was denied by Charles S. Deane, Zoning Commissioner of Baltimore County.

3. THAT an appeal was subsequently entered to the Board of Zoning Appeals of Baltimore County, on which appeal a hearing was held on June 12, 1947.

4. THAT thereafter, on August 6, 1947, the said Board of Zoning Appeals reversed the decision of the said Zoning Commission, and granted the Petition for the reclassification.

5. THAT your Petitioners believe and therefore allege and aver that the aforesaid action of the Board of Zoning Appeals was illegal, arbitrary, capricious, and unconscionable in law, because it was not predicated on reasonable and substantial evidence at the hearing aforesaid, and for other reasons to be shown at the hearing of this Appeal.

TO THE HONORABLE,

6. THAT this Honorable Court may pass an Order allowing said Appeal, setting this case for hearing at some early date.

7. THAT this Honorable Court may direct original papers or certified or sworn copies thereof, transmitted and forwarded to it by the Board of Zoning Appeals of Baltimore County, all papers, memoranda, correspondence, orders and any or all other records relating to the application of the said Inter-City Land Co., mentioned in this Petition; all orders of the Zoning Commissioner of the Board of Zoning Appeals with reference thereto, and all proceedings both before and subsequent to the filing of said Appeal, including a transcript of the testimony taken at the aforesaid hearing before the Board of Zoning Appeals.

8. THAT the action of the Board of Zoning Appeals referred to herein may be reversed and the application of the said Inter-City Land

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of _____ the above re-classification should be had, it is Ordered by the Zoning Commissioner of Baltimore County this _____ day of _____, 19____, that the above described property or area should be and the same is hereby classified, from and after the date of this Order, from a _____ zone to a _____ zone.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of _____ the above re-classification should NOT be had,

It is Ordered by the Zoning Commissioner of Baltimore County, this 13th day of May, 1947, 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 "A" Residence Zone.

Charles S. Deane
Zoning Commissioner of Baltimore County
APR 18 AUG 5 1947

Upon hearing on appeal on June 12, 1947 from the Order of the Zoning Commissioner of Baltimore County, passed on May 13, 1947, and it appearing from the facts and evidence adduced at the appeal hearing that the application of the petitioner from an "A" Residence Zone to a "C" (apartment) Residence Zone should have been granted due to the fact of its somewhat isolated location, not adversely affecting adjoining or adjacent property, there being no valid reason from the standpoint of public safety, morals or general welfare of the community for the refusal of such application, there being no valid evidence of any congestion in the roads or streets or that there is a creation of a traffic hazard and, in further consideration, that the balance of the whole property of the petitioner, being that portion fronting on the York Road, had heretofore been reclassified from an "A" Residence Zone to a "C" Residence Zone and it being shown that additional housing facilities in the general vicinity of the property in question are necessary and desirable.

Therefore it is this 14th day of August, 1947, ORDERED by the Board of Zoning Appeals of Baltimore County that the above Order of the Zoning Commissioner in denying the petition in this matter should be reversed; and it is further ORDERED by this Board that the property mentioned in the aforesaid petition be and the same is hereby reclassified, from and after the date of this Order, from an "A" Residence Zone to a "C" Residence Zone, subject to such setbacks and other requirements as may be prescribed by the Zoning Regulations of Baltimore County.

Samuel S. Boyer
Paul L. Siegel
William A. Hayf
Board of Zoning Appeals
of Baltimore County

require.

AND AS IN DEED BOUND, etc.

Solicitor for Petitioners

STATE OF MARYLAND, COURT OF BALTIMORE, to wit:

I HERBERT GRIFFITH, that on this 14th day of August, 1947, before me, the undersigned, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared JAMES H. SPIGHER and YVON D. SPIGHER, his wife and made oath in due form of law that the facts set forth in the aforesaid Petition are true to the best of their knowledge, information and belief.

WITNESSED my hand and Notarial seal.

Notary Public

RECD MAY 20 1947

RE: PETITION FOR RE-CLASSIFICATION
OF INTER-CITY LAND COMPANY,
FROM "A" RESIDENCE ZONE TO "C"
COMMERCIAL ZONE - TOWSON
SIDE OF CEDAR AVENUE, MD.
421' N. E. of Center Line of
YORK ROAD, 9th DISTRICT

REPORT
THE ZONING COMMISSIONER
OF
BALTIMORE COUNTY

Fr. Commissioner:

Please enter an appeal to the Board of Zoning Appeals in the matter of the Order of the Zoning Commissioner passed in the above entitled matter and transmit all records and papers incident thereto to said Board.

INTER-CITY LAND COMPANY
BY: *W. S. Searles*
President

Petitioner (Applicant)

MICROFILMED

22222

Upon the aforesaid Petition and Affidavit, it is this 14th day of August, 1947.

ORDERED by the Circuit Court of Baltimore County that a writ of certiorari be issued directed to SAMUEL S. BOYER, PAUL L. SIEGEL and WILLIAM A. HAYF, constituting the Board of Zoning Appeals for Baltimore County to reverse the Order of said Board contained in those proceedings and dated August 6, 1947 and that the return thereof be made and served on the petitioner's attorney within ten days from the date of this Order.

IT IS FURTHER ORDERED, That said Board of Zoning Appeals return to this Court either the original papers acted upon by it or copies and certified copies thereof and particularly the following:

1. All original papers or certified or sworn copies thereof, transmitted and forwarded to it by the Board of Zoning Appeals of Baltimore County.
2. All papers, memoranda, correspondence, orders and any or all other records relating to the application of the said Inter-City Land Co. mentioned in this Petition.
3. All orders of the Zoning Commissioner and the Board of Zoning Appeals with reference thereto, and all proceedings both before and subsequent to the filing of said Appeal, including a transcript of the testimony taken at the aforesaid hearing before the Board of Zoning Appeals.

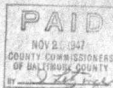
True Copy Test
John W. Searles
Secretary of Zoning Appeals
Service of copy of the aforesaid Petition and Order submitted this 14th day of August, 1947.

November 26, 1947

\$4.80

RECEIVED of Charles C. Lyons, Attorney at Law, the sum of Four Dollars and Twenty Cents (\$4.80) being cost of making certified copies of papers in the matter of petition of Inter-City Land Company, property on northwest side of Cedar Ave., 6th District.

Zoning Commissioner.



Charles C. Lyons, Esq.,
Offutt Building,
Towson - 4, Md.

to Sept. 25, 1947

County Commissioners of
Baltimore County,
Zoning Department of
Baltimore County,
Towson - 4, Md.

Certified copies of matter in the matter of
Appeal of Inter-City Land Company, for
reclassification of property on northwest
side of Cedar Ave., Towson

\$ 4. 20

Paid 11/26/47

April 11, 1947

\$18.00

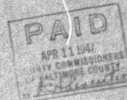
RECEIVED of Inter-City Land Company the sum of
Eighteen (\$18.00) Dollars, being cost of petition for re-
classification, advertising and posting of new ZTY, north-
west side of Cedar Avenue, 6th District of Baltimore County.

Zoning Commissioner.

Hearing:

Monday, May 5, 1947

at 10:00 o'clock a.m.



May 28, 1947.

\$28.00

RECEIVED of Inter-City Land Company the sum of
Twenty Two (\$22.00) Dollars, being cost of appeal to the
Board of Zoning Appeals of Baltimore County from a decision
of the Zoning Commissioner denying the petition for reclassi-
fication of property, northwest side of Cedar Avenue, beginning
401' northeast of center line of York Road, 6th District of
Baltimore County.

Zoning Commissioner.



CERTIFICATE OF PUBLICATION

TOWSON MD.

THIS IS TO CERTIFY That the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md. on the
day of Monday the 11th day of April
1947

THE JEFFERSONIAN,
Manager

Cost of Advertisement, \$.....

True Copy-Test;

Zoning Commissioner
of Baltimore County.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson Maryland

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Date of Posting April 13/47

Posting by

Date of

Location of property

Location of property

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YORK ROAD
471 CEDAR AVE

