

7/15/54 Granted exception.

Protestant - Mr. Chapeman 2 S. Bellegrova Rd. 28

12/18-4 - Full Board

3175-

Louis H Quen Ref-Petitimer Sefare Board & not m Monaham 3175 K

PETITION FOR EXCEPTION

ZONING REGULATIONS AND RESTRICTIONS

IN THE MATTER OF

BAIT IMORE COUNTY

For an Exception to the Zoning Regulations and Restriction

To the Zoning Commissioner of Baltimore County

of the property hereinafter described hereby petition for an

exception to the Zoning Regulations and Restrictions for Baltimore County.

The Regulation to be excepted is as follows:

Sec. III - "A" Besidence Kore, Pur. A, No. 13, Sub. Pur (a) - Accessory Building - In case of a corner lot where rear lot line abute on side line of Lo adjoining on rear, no accessory building shall be less than 10 feet from the rear lot line, or less than 25 feet from the side street line.

The reason for Exception:

To permit a rear yard set back of 2 feet instead of the required 10 feet and to permit a side yard set back from the street, of 15 feet instead of the required 25 feet.

Property situates [11] that parcel of land in the First District of all manners of military on the southeast corner of Military and Balletine Deliver. The manner of the Military of the manner of the

John Kum Address: 1 50 Bello Strongerd. - 28-

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

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Ostober 25. 1954

MOSIVED of J. Lee Chapman the sum of Phirty (830,00) Bollars, being cost of a peal to the Board of Zoning Appeals of Baltisore County from the decision of the Zoning Conmissioner granting an exception to the Zoning Regulations and Restrictions for Baltimore County, property at the northeast corner of Millview Drive and fulls Grove Soud, let District, John W. Keen, petitioner.

Zoning Comulesioner

PAID OCT 2 91954

County this 3rd day of September . 1949. that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore Zoning Regulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, karyland, on the 4th . 1954, at 10 00 o'clock

Zoning Commissioner of Baltimore County

Upon hearing on petition for a special acception to the Zening Regulations and Restrictions for Baltimore County as set forth in the within partition and is appearing the Table Section of the Section of the Section Section of the Section Section

THE Coming Constantons of Markets, territories and THE Coming Constantons of Markets occupy, that the aforemaid petition for an acception to the Repulations and Restrictions be and the same is hereby granted, which permits a very yard estback of two (2) feet instead of the required ten (10) and a sick part of from the side street of fifteen (15) feet instead of the required terror, the (25) feet.

ME: PETITION FOR AN EXCEPTION TO THE ZONING MEGULATIONS AND MESTRICTIONS - S. E. Cor. Hillvier' two and Belle Grove Road, First District of Raltimore County -John M. Keen, Petitioner

This is an appeal by John L. Chapman from the decision of the Zoming Commissioner of Baltimore County franting an Exception to the Zoning Regulations and Restrictions for Ealtimore County.

The case came on for hearing before the Board and testimo:

The property which is the subject of this petition is located at the southeast corner of Millview Drive and Belle Orove Road, in the First District of Baltimore County. The Exception requested is to permit a rear yard setback for an accessory building of two (2') feet instead of the required ten (10') feet.

Due to the shallowness of the lot and the location of the dwelling erected upon said lot, it is the opinion of the Board that to require the patitioner to comply with the Regulations and Restrictions would be an unnecessary and unreasonable hardship upon the petitioner. However, to grant the Exception would grant relief to the petitioner without substantial injury to the health, safety and the general welfare of the community.

It is this 15th day of December, 1954, ORDERED by the Board of Zoning Appeals of Baltimore County, that the aforesaid Order of the Zoning Commissioner granting the Exception is hereby

Fibruary 8, 1955

RECEIVED of John L. Chapman the sum of \$5.20 being cost of copies of petition and other papers filed in the matter of an Exception to the Zoning Regulations and Restrictions - Josn W. Keen, Petitioner, property at Southeast corner of Millview Drive and Bolle Grow

Zoning Counissioner

PAID COUNTY COMMISSIONERS
OF BALTIMORE COUNTY unty, Maryland

Petitioner vs. CHAS. H. DOING DATHER W. HUMSES CARL F. VONCEN being and constituting the Board of Zoning Appeals for Baltimore County, Reckord Building Towson, Maryland,

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY LAW NO.

Defendante

APPRAL PROM A DECISION OF THE BOARD OF ZONING

....

TO THE HONORABLE. THE JUDGE OF SAID COURT :

The Petition of John L. Chapman, proper person respectfully shows unto your Honors

I That John L. Chapman is the owner of the property located at 2 South Belle Grove Road in Baltimore County.

II That on or about September 3, 1954, John W. Keen, as legal owner, filed his petition with the Zoning Commissioner of Baltimore County to obtain an exception to the Zoning Regulations of Baltimore County in connection with a garage located on the premises known as No. 2 Hillyiew Drive, Catonaville, Baltimore County, Maryland,

TIT That on or about October 8, 1954 the said Zoning Commissioner passed an order wherein he granted to the said John W. Keen an exception which authorized the said John W. Keen to build a garage within 15 feet of a side street instead of 25 feet and also within 2 feet of the back lot line instead of 10 feet as required by the existing Zoning Regulation

IV That your Petitioner took an appeal to the Board of Zoning als of Baltimore County from the said order and that, after a hearing before the said board, the following order was passed:

"RE: PETITION FOR AN EXCEPTION TO THE COMING REGULATIONS AND RESTRICTIONS - S.E. Cor-Millylev Drive and Belle Grove Road, First District of Baltimore County -

This is an appeal by John L. Chapman from the decision of the Zoning Commissioner of Baltimore County franting an Exception to the Zoning Regulations and Restrictions for Baltimore County.

on Enception to the Boning Regulations and Restrictions for Malizace Constant, Bearing before the Board and cestimony was taken. The property which is the subject of this pesition is coasted at the southeast corner of Milities Price and coasted at the southeast corner of Milities Price and Coasted at the southeast corner of Milities Price and Coasted at the southeast corner of Milities Price and Coasted at the southeast corner of the Price and Coasted at the Coasted Coasted

required tem (10') feet. Due to the shallowess of the lot and the location of the dwelling scretch upon said lot, it is the opinion of the dwelling scretch upon said lot, it is the opinion of the Barnitation said Beartisticos would be an unnecessary and representations and Beartisticos would be an unnecessary and opinion of the said of the

general veltare of the community.

It is this 15th day of becember, 1954, ORIGINED by the Board of Zoning Appeals of Baltimore County, that the aforesaid Order of the Zoning Commissioner granting the Exception is hereby affirmed.

(Signed) Chas. H. Doing Chairman (Signed) Daniel W. Hubers

(Signed) Carl F. Vohden
Foard of Zoning Appeals

V The said order constitutes arbitrary, unreasonable and capricious action on the part of the said Roard in that is is a gross abuse of any discretion with which it is vested under the Zoning Regulations of Baltimore County.

(a) There was no evidence adduced at the hearing before the said Board that the granting of the said exception was necessary because of any peculiar hardship upon the part of the applicant, John W. Keen, as contrasted with other property owners in the same neighborhood.

(b) The Zoning Commissioner and the Board of Zoning Appeals discriminated in this case in favor of the applicant by waiving the fee

required in connection with the filing of an application for a special exception.

- (a) The Order of the Board of Zoning Appeals of Baltimore County was against the weight of the evidence adduced at the hearing with reference to the fact that alothes could be mechanically dried indoors and the exception therefore not required.
- (d) The said Order of the Board of Zoning Appeals was in defiance of the ruling of the Court of Appeals of Maryland as sited in No. 140, October Term, 1947, Heath vs. Mayor and City Council of Baltimore City et al.
- (e) That the said Order of the Board of Zoning Appeals was contrary to the expressed opinion of this Honorable Court that too many mistakes were taking place in Baltimove County.
- (f) That the said Order of the Board of Zoning Appeals overlooked that the Defendants deliberately constructed the building after knowing the location was in error.
- (g) That the action of the Board of Zoning Appeals by virtue of its said Order of December 15, 1954 was arbitrary, capricious, unreasonable and illegal, as aforesaid, for the reason that it was not predicated on substantial evidence adduced at the said public hearing held on December 2, 1954.

TO THE EED THEREPORE.

- (a) That this Honorable Court may pass an Order allowing said appeal and setting this cause down for hearing at some early date;
- (b) That the Order of this Honorable Court may direct that the following original papers or certified or sworn copies thereof may be transmitted and forwarded to it by the Board of Toning Appeals of Baltimore
- (1) All papers, memoranda, correspondence, orders, plats and any and all other records relating to the application of John W. Keen filed on September 3, 1954; the Order of the Zoning Commissioner thereon

ORDER

Upon the aforegoing Petition and affidavit, it is this /5 4 day of January, 1955.

ORDERED by the Circuit Court for Baltimore County, that a writ of certiorari be issued and directed to Chas. H. Doing, Daniel W. Bubers, and Carl F. Vohden, constituting the Board of Zoning Appeals of Baltimore County, to reverse the Order of said Board, dated December 15, 1954 and that the return thereof be made and served upon the relator's attorney within /5 days from the date of this Order.

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

1- All papers, memorands, correspondence, orders, plate and any and all other records relating to the application filed by about M. Ease, on September 3, 195%; the Crear of the Zoning Commissioner thereon dated October 8, 195% and the appeal, and the second of the Commissioner thereon dated October 8, 195% and the appeal, appeals (including a transcent all offer to the Board of Zoning Appeals (including a transcent all offers of the Board of Zoning Appeals (including a transcent filed of the Commissioner South of the Zoning Appeals (including a transcent South of Toning Appeals (inc

George J. Byely

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Service of copy of the aforegoing Petition and Order admitted this day of January, 1955.

Relator's Attorney

dated October 8, 1954 and the appeal from said Order to the Board of Zoning Appeals, (including a transcript of the testimony taken at the hearing on December 2, 1954) and the Order of the Board of Zoning Appeals dated Lecember 15, 1954.

- (2) A certified copy of the "Zoning Regulations and Restrictions for Bultimore County", approved by the County Commissioners of Raltimore County on January 22, 1945 and all subsequent amendments, if any, thereof or thereto.
- (c) That the action of the Board of Zoning Appeals referred to herein may be raversed and the application of the said John W. Keen, denied:
- (d) And for such other relief as your Petitioners' cause may require.

AND AS IN DESTY BOSING, etc.

den L. Elisaman

I HERREY CERTIFY, That on this /# day of January, 1955. before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore City, personally appeared JOHN L. CHAPMAN, and after being duly sworn according to law, declared that the matters and facts set forth in the aforegoing Petition are true and correct to the best of his information, knowledge and belief.

WITHERS my hand and Notarial seal

marquerite E. Holy

My Commission expires Man 3,1953



PROPERTY SALES

ADMINISTRATORS' SALE

OF

VALUABLE

LEASEHOLD PROPERTIES

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JAMEN K. CULLEN. WARREN N. ARNOLD.

REALTY TRANSACTIONS

TRANSPERS OF PROPERTY, MORTGAGES, JUDGMENTS, LEASES, ETC.

Deeds.

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Court of Appeals of Maryland

No. 140, October Term, 1947-Filed May 19, 1948 JOHN P HEATH

MAYOR AND CITY COUNCIL OF BALTIMORE, THE SCOTT INVESTMENT COMPANY AND WALTER SCOTT.

Appeal from the Baltimore City Court. E. Paul Mason, Judge.

Argued by John F. Health for appoilant.

Argued by Wilson K. Barnes (Carusan, Anderson & Harses on the
field for Scott Arcestamet Co. and Walter Scott; The M. & C. C. subtitled on brief; Thomas X. Biddison, City. Solicitor, and Mar R. Irracin. Assistant City Solicitor, on the brief for M. & C. C. appelled

A REGIO DEFORM MARBERT, C. S. J. DELAPALANE, COLLINS, GRA-SON, HENDELISON and MARKELL, SI.

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OPEN TO SHARE THE PROPERTY OF THE

OWNER'S SALE
IRABLE THREE C KHOWH AS

1254 WOODBOURNE AVE

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MONDAY, JUNE 7, 1948

AT 3 O'CLOCK P. M.

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At 3 O'LLOUCK F. M.

At 5 O'LLOUCK F. M.

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Baltimore County Deeds, Mortgages, Etc.

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Removal Notices

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Supreme Court

Wants Employers Exempted From Compulsory Pension Plan Bargaining

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E. T. Newell & Co., Inc.:

No. 511 Cherry Hill road premises at 2 P. M. (Adv.

Culeb B, Kelly, Jr., Attorney, 411 Munsey Building.

John A. Dewicki, Sol

JOHN S. CLARKE.

SMALL ESTATE NOTICE

HIS IS TO GIVE NOTICE to may person having any claim against the estate of LOUIS KLEINMAN

CATHERINE M. ZARAS Executris

MILDRED T. BLIGHT.

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URGENT!! Tonight-RALLY FOR ISRAEL FIFTH REGIMENT ARMORY 8 30 P M

THOMAS G. GRAY.

American League for a Free Palestine (JOSEPH L PAPER, Local Charter Member)

Court of Appeals of Maryland

Filed: May 21, 1948.

STATE OF MARYLAND, EX REL. MARSH V. WILSON, WARDEN OF THE MARYLAND PENITENTIARY.

MARBURY, C. J., and DELAPLAINE, COLLINS, GRASON, HENDERSON and MARKELL, JJ. PER CURIAM-

United States District Court TUDGES COLEMAN and CHEBRUT.
(Rhoom 50%, United States Fost Office, and Court House Shathing).
CHABLES W. EIMMERMANN, Circl.
Flees, Statega 608.

The following certificates of incorporation have been received at the office of the State Tax Commission:

of the State Tax Commission:

Flees, Statega 608. JUDGE COLEMAN.

Board of Municipal and

Board of Municipal and Zoning Appeals 2000 Municipal Office Building. WILLIAM O. BLOOM. Chairman; WILLIAM O. BLOOM. CHAIRMAN EXCELLAN SAME SE CULLIAN SAME SE CULLIAN SAME SE CULLIAN SAME SE CULLIAN SAME SECTION OF LONG SET OF SAME SECTION OF SAME SAME SAME SECTION OF SAME SECTION OF SAME SECTION OF SAME SECTION OF SA

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Baltimore and Annapolis Railroad Con17 25
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18 48 operation of motor vehicles for public use
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18 20 Annapolis, Maryland, and intermediate
20 Annapolis, Maryland, and intermediate

VALUABLE 222 N. MONTFORD AVE.

MICHAEL FOX, Auctioneer.

AUCTION SALE N. E. Corner Argyle Ave. And

On The Premises

SAM W. PATTISON & CO.,

DESIRABLE LEASEHOLD 124 & 122 N. AMITY ST. On The Premises TUESDAY, JUNE 15, 1948

Paul's, Inc., Baltimore, has changed its place of an each property at time and place of an each place of

Willia B. Jeass, Attorney, 200 Davison Building. OWNER'S SALE OF VALUABLE BUSINESS PROPERTY

1304 GREENMOUNT AVE. Near Preston Street On The Premises THURSDAY, JUNE 17, 1948 AT 4 O'CLOCK P. M.

Lot 15'x79', more or less. Subject to th-Ground Rent of 884. of the parent of the parent of the parent of the parent of transfer.

WILLIS R JONES.

Alterney for Owner.

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est Main Provisions Of Mundt-lon Nixon Control Bill As

Approved By House seroul panel d'aussileur en The Lege moit d'Alliance d'Archive (French Charles annuel d'Alliance (French Charles annuel d'Alliance (French Charles annuel an

Appellate Court Decision On

Chandler Appeal Is Deferred

Civic News

ny ALFRED LEECH
(United Press Staff Correspondent)
Chicago, June 2 — After his sixth
ink the average driver is a death
nace on the highway, intoxication

premises at 2 P. 3. (Adv. Page 3, Col. 4); No. 1254 Woodhourne avenue, on the premises at 3 P. M. (Adv. Page 3, Col. 4); No. 3191 Ravenwood avenue, on the premises at 4 P. M. (Adv. Page 3, Col. 5).

d said estate,

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615 West North Avenue,

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MARGARET CARPENTER SHERRICK, 103.10.17.24 Executive

TRUSTEE'S SALE LEASEHOLD PROPERTY

Mosher St.

on capital store, 200 shares, par value-one each, incorporators, David S. Sykos, Eleo C. Dunn and Doetl Claire Liberles, it of this city,

tre Marie C De Orge vs Andrew

JUDGE TIPPETT.

DESIRABLE FEE-SIMPLE COLORED HOTEL AND TAVERN PROPERTY Together With Furniture And ATTORNET-LAW OFFICE IN Equitable Raillane, Call Plans 6158. Fixtures Contained Therein 1501 ARGYLE AVENUE

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The Cedar Cabins, Inc., 717 Washing-on Bird.; to operate tourist cabins, etc.; and incorporators, Chan E. Wilkinson of Giridge, Md.; Surris, Petrushansky and Olward B. Blum.) oth of this city. AT ".30 O'CLOCK P. M.

FORMAL CASES ASSIGNED FOR HEARING BEFORE PUBLIC SERVICE COMMISSION

People's Court Judgments
(Interest in Control Sons, Superior Courts)
(Interest in Control Sons, Superior Sons, Superi

sequent titles

SALE UNDER BULK ACT.

JACOB P. CLAYMAN, LEONARD R. KRAMER,

ATTORNEY, 30, EXPERIENCE, J. H. U. graduate, desires position with law firm, Address. Box 862, The Daily Escord, jel-3t

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AT 4 O'CLOCK P. M.

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Opinion From

Attorney-General

Of Maryland

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