

KENNETH C. PROCTOR
ATTORNEY AT LAW
105 WEST CHESAPEAKE AVENUE
TOWSON 4, MARYLAND

June 26, 1956

Mr. Wilsie H. Adams
Zoning Commissioner of Balto. Co.
County Office Building
Towson 4, Maryland

Dear Mr. Adams:

I represent W. Ralph Paddy and wife, proprietors of Miami Beach, located in Bowleys Quarters. Recently they have had considerable difficulty in connection with parking by persons using the facilities of the beach.

They have acquired a tract of approximately five and one-half acres of land, more or less, from Bowleys Quarters Company, to be used for off-street parking, which tract is located directly across Bay Drive from the rear of the Miami Beach property, and is described as follows:

BEGINNING at the Northwest corner of Whye Road and running thence in a Southwesterly direction along the Northernly side of Bay Drive 400 feet, more or less; thence running in a Northwesterly direction 400 feet, more or less, to a point 400 feet, more or less, from the West side of Whye Road; and thence by a line parallel to the first line of this description 400 feet, more or less, to the Westernly side of Whye Road, which point is 50 feet, more or less, Southerly from the South side of a 20 foot road which intersects Whye Road from the East; and thence following the Westernly line of Whye Road to the point of beginning.

Pursuant to the provisions of the Zoning Regulations of Baltimore County, effective March 30, 1955, Sections 500.4 and 409.4, I hereby request that you issue a use permit to W. Ralph Paddy and wife, so that the above described parcel may be used for off-street parking in connection with the operation of Miami Beach.

This parcel will not be used to expand the facilities of the beach. My clients are, of course, willing to comply with the special provisions of Section 409.4, and such conditions as you may impose in connection with the issuance of the use permit.

Mr. Wilsie H. Adams
June 26, 1956
Page No. 2

As the issuance of this permit will greatly alleviate the parking problem in the vicinity of the beach, to the benefit of not only those using the beach but also of property owners in the neighborhood, and as the season is now beginning, it is hereby requested that you give this matter your earliest possible consideration and issue the use permit.

Sincerely yours,

Kenneth C. Proctor
Kenneth C. Proctor.

KCP:lg

RECEIVED
BALTIMORE COUNTY
JUN 27 1956
ZONING DEPT.

5333

Buildings and Zoning Department of Baltimore County

303 WASHINGTON AVE., TOWSON 4, MARYLAND
Telephone Valley 3-3000 - Extension 1 (Building 10)

WILSIE H. ADAMS
Zoning Commissioner
CHAR. L. FITZPATRICK
Deputy Zoning Commissioner
WILLIAM L. SCHOTT
Zoning Engineer
ROLAND S. FIEL
Building Engineer
JOHN D. DETTRICH
Deputy Building Engineer
CLARENCE C. GIERH
Chief Inspector
Board of Zoning Appeals
CHAR. H. DOING
Chairman
DANIEL W. HUBBARD
CARL P. VOHRER

IN THE MATTER OF THE APPLICATION OF
W. RALPH PADDY and wife, Proprietors of MIAMI BEACH
For use permit for off-street parking, for parcel directly across Bay Drive from the rear of the Miami Beach property, containing approximately 5-1/2 acres of land.

BEFORE CHARLES L. FITZPATRICK,
Deputy Zoning Commissioner
for
Baltimore County

The application of W. Ralph Paddy and wife, proprietors of Miami Beach, for use permit for off-street parking on the parcel of land referred to above, came on for hearing on June 29, 1956. The applicants and protestants appeared and were heard. The Deputy Zoning Commissioner is of the opinion that the object of Section 409.4 of the Zoning Regulations of Baltimore County was to alleviate parking along streets and highways in Baltimore County; that it was intended that the off-street parking contemplated by such Section should apply to any land adjacent to land being used for business or industrial purposes, regardless of whether such use was in a zone actually classified for business or industrial use or in a zone where the business or industrial use was non-conforming.

In view of the foregoing, it is this 26th day of July, 1956, ORDERED by the Deputy Zoning Commissioner of Baltimore County:

Buildings and Zoning Department of Baltimore County

303 WASHINGTON AVE., TOWSON 4, MARYLAND
Telephone Valley 3-3000 - Extension 1 (Building 10)

WILSIE H. ADAMS
Zoning Commissioner
CHAR. L. FITZPATRICK
Deputy Zoning Commissioner
WILLIAM L. SCHOTT
Zoning Engineer
ROLAND S. FIEL
Building Engineer
JOHN D. DETTRICH
Deputy Building Engineer
CLARENCE C. GIERH
Chief Inspector
Board of Zoning Appeals
CHAR. H. DOING
Chairman
DANIEL W. HUBBARD
CARL P. VOHRER

IN THE MATTER OF THE APPLICATION OF W. RALPH PADDY and WIFE, PROPRIETORS OF MIAMI BEACH

ORDERED that a use permit be and it is hereby issued under Section 500.4 of the Zoning Regulations of Baltimore County to W. Ralph Paddy and wife, Proprietors of Miami Beach, for off-street parking on the tract containing approximately 5-1/2 acres located in Bowley's Quarters and at the rear of the Miami Beach property and described as follows:

BEGINNING at the Northwest corner of Whye Road and running thence in a Southwesterly direction along the Northernly side of Bay Drive 400 feet, more or less; thence running in a Northwesterly direction 400 feet, more or less, to a point 400 feet, more or less, from the West side of Whye Road; and thence by a line parallel to the first line of this description 400 feet, more or less, to the Westernly side of Whye Road, which point is 50 feet, more or less, Southerly from the South side of a 20-foot road which intersects Whye Road from the East; and thence following the Westernly line of Whye Road to the point of beginning and it is further ORDERED that such use permit shall be subject to the provisions of Section 409.4 of the Zoning Regulations of Baltimore County.

Charles L. Fitzpatrick
Charles L. Fitzpatrick,
Deputy Zoning Commissioner.

IN THE MATTER OF APPLICATION OF W. Ralph Paddy and wife, Proprietors of Miami Beach For use Permit for Off-Street Parking - 15th District
BEFORE
BOARD OF ZONING APPEALS
OF BALTIMORE COUNTY
No. 385

OPINION

For a number of years the petitioners have operated a public bathing beach known as Miami Beach as a non-conforming use in a residence zone.

They acquired a tract of 5 1/2 acres, also zoned residential, directly across Bay Drive from the rear of the property so used as a public beach and requested a Use Permit to use this tract for parking of automobiles in connection with their operation of the beach.

Section 409.4 of the Zoning Regulations provides that "Land in any residential zone may be used for parking areas - - - provided that:

a. The land so used immediately adjoins or is directly across an alley or street from the business or industrial zone for which such off-street parking space is required - - -"

The Zoning Commissioner construed this Section to mean that it should apply to any land adjacent to land being used for business or industrial purposes whether such use was in an area actually zoned for business or industrial use or was a non-conforming business or industrial use and granted the Use Permit.

From this Order the protestants have appealed. Keeping in mind the fact that it is the duty of the zoning authorities to discourage the continuance of non-conforming uses we think the

Regulations should be construed against a non-conforming user. We think the Regulations should be held to mean exactly what they say i.e. land in a residential zone may be used for parking when adjoining a "business or industrial zone". The petitioners' beach property is not in a business or industrial zone but is a residence zone and we conclude that the Use Permit granted by the Zoning Commissioner was in error and should be revoked and refused.

ORDER

For the reasons set forth in the foregoing Opinion it is this 11th day of December, 1956, ORDERED by the Board of Zoning Appeals of Baltimore County that the Use Permit heretofore granted by the Zoning Commissioner be and the same is hereby revoked and the petition therefore denied.

Charles L. Fitzpatrick
Board of Zoning Appeals
of Baltimore County

at Baltimore

Complaint No. _____
Appl. No. _____
Type of Case _____
District 15th
Date June 20 1956

Mr. William H. Gisin, Jr., 3000 1/2
330 1/2 Belair Road

Name Mr. W. Ralph Paddy
Address 1414-15-16-17-18-19-20-21-22-23-24-25-26-27-28-29-30-31-32-33-34-35-36-37-38-39-40-41-42-43-44-45-46-47-48-49-50-51-52-53-54-55-56-57-58-59-60-61-62-63-64-65-66-67-68-69-70-71-72-73-74-75-76-77-78-79-80-81-82-83-84-85-86-87-88-89-90-91-92-93-94-95-96-97-98-99-100-101-102-103-104-105-106-107-108-109-110-111-112-113-114-115-116-117-118-119-120-121-122-123-124-125-126-127-128-129-130-131-132-133-134-135-136-137-138-139-140-141-142-143-144-145-146-147-148-149-150-151-152-153-154-155-156-157-158-159-160-161-162-163-164-165-166-167-168-169-170-171-172-173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000-1001-1002-1003-1004-1005-1006-1007-1008-1009-1010-1011-1012-1013-1014-1015-1016-1017-1018-1019-1020-1021-1022-1023-1024-1025-1026-1027-1028-1029-1030-1031-1032-1033-1034-1035-1036-1037-1038-1039-1040-1041-1042-1043-1044-1045-1046-1047-1048-1049-1050-1051-1052-1053-1054-1055-1056-1057-1058-1059-1060-1061-1062-1063-1064-1065-1066-1067-1068-1069-1070-1071-1072-1073-1074-1075-1076-1077-1078-1079-1080-1081-1082-1083-1084-1085-1086-1087-1088-1089-1090-1091-1092-1093-1094-1095-1096-1097-1098-1099-1100-1101-1102-1103-1104-1105-1106-1107-1108-1109-1110-1111-1112-1113-1114-1115-1116-1117-1118-1119-1120-1121-1122-1123-1124-1125-1126-1127-1128-1129-1130-1131-1132-1133-1134-1135-1136-1137-1138-1139-1140-1141-1142-1143-1144-1145-1146-1147-1148-1149-1150-1151-1152-1153-1154-1155-1156-1157-1158-1159-1160-1161-1162-1163-1164-1165-1166-1167-1168-1169-1170-1171-1172-1173-1174-1175-1176-1177-1178-1179-1180-1181-1182-1183-1184-1185-1186-1187-1188-1189-1190-1191-1192-1193-1194-1195-1196-1197-1198-1199-1200-1201-1202-1203-1204-1205-1206-1207-1208-1209-1210-1211-1212-1213-1214-1215-1216-1217-1218-1219-1220-1221-1222-1223-1224-1225-1226-1227-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July 19, 1956

\$30.00

RECEIVED OF John N. Maguire the sum of Thirty (\$30.00)
Dollars being cost of appeal to the Board of Zoning Appeals of
Baltimore County retaining to property of Ralph Paddy - Miami
Beach - Bowleys Quarters, 15th District of Baltimore County.

Zoning Commissioner

01.623 - Zoning Services Charge

RECEIVED

JUL 20 1956

COMPTROLLER'S OFFICE

8712

NO PLAT
IN
THIS FOLDER