

**PETITION FOR (1) ZONING RECLASSIFICATION
(2) SPECIAL EXCEPTION**

To the Zoning Commissioner of Baltimore County:

By: Leonard M. Carpenter & Elmer R. Austin, legal owners
All that parcel of land in the 21st District of Baltimore County on the Northwest side of Dekey Avenue beginning 273 feet Southwest of North Point Road, thence Southwesterly and blinding on the Northwest side of Dekey Avenue 265 feet, thence North 50 degrees 30 minutes West 359 feet, thence North 9 degrees 43 minutes West 277 feet, thence Northwesterly 285 feet, thence South 50 degrees 30 minutes East 516.28 feet, thence South 11 degrees 00 minutes East 136 feet to the place of beginning.

hereby petition (1) that the zoning status of the above described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 Zone to an R-10 Zone, and
(2) for a Special Exception, under said Zoning Law and Zoning Regulations of Baltimore County, to use the above described property, for a Trailer Park.

(3) Variance
Property to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above reclassification and Special Exception, 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 for Baltimore County.

John M. Maguire
John M. Maguire

Leonard M. Carpenter
Leonard M. Carpenter

Elmer R. Austin
Elmer R. Austin

3701 Old North Point Rd., (22)
Adverse

(3) Variance
To the Zoning Commissioner of Baltimore County

We, Leonard M. Carpenter and Elmer R. Austin, legal owners of the property hereinafter described, hereby petition for a Variance to the Zoning Regulations of Baltimore County.

The Regulations to be excepted to are as follows:
Section 414.2 - area not less than 3,000 feet shall be allocated to each trailer.

The reason for variance:
To permit an area less than 3,000 feet for each trailer.

The Regulation to be excepted to is as follows:
Section 414.4 - No trailer or service building or structure used in connection therewith shall be placed or permitted within 100' of the road or within 75' of any boundary line.

The reason for variance:
To permit a set back of less than 100' and 75'. OVER -

September 26, 1960



Zoning Commissioner
of
Baltimore County
County Office Building
Townson 4, Maryland

Re: Petition for Reclassification from an "R-6" Zone to an "R-10" Zone; Special Exception for Trailer Park and Variance to the Zoning Regulations of Baltimore County - Leonard M. Carpenter and Elmer R. Austin, Petitioners

Dear Sir:

Please enter an appeal to the Board of Appeals in the above entitled matter wherein you passed an Amended Order denying the reclassification from an "R-6" Zone to an "R-10" Zone; the special exception for a Trailer Park and the variance to the Zoning Regulations of Baltimore County.

John M. Maguire
John M. Maguire, Brewster, Boone, Maguire, Brennan and Cook
Attorneys for Petitioners



Property situated: BEGINNING for the first thereof at an iron pipe driven in the ground on the west side of a road 15 feet wide said pipe being the beginning of the whole lot of ground, which by a deed, dated September 22nd, 1923, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 581, folio 35, and etc., was conveyed by John F. Deboy to Helen J. Deboy, thence blinding on said land north 66 1/2 degrees west 627 feet, more or less, to a gum tree a corner of the land formerly belonging to Mochel Czarnecki, thence southeasterly and running across a marsh 210 feet, more or less, to a locust tree on the east bank of Bear Creek, thence southeasterly along the north edge of a woods 359 feet to an iron pipe on the west side of the aforesaid 15 foot road, thence north 52 degrees and 6 minutes east and blinding on the west side of said road 235 feet, more or less, to the place of beginning. Containing 2 and 5/10 acres of land, more or less.

BEGINNING for the second thereof at an iron pipe on the west side of a road 15 feet wide said pipe being at the end of the south 66 1/2 degrees east 695 feet, more or less, line of the land which by a deed, dated July 25th, 1924, and recorded among the Land Records of Baltimore County in Liber W.P.C. No. 599, folio 419, and etc., was conveyed by Rae L. Plinack to John F. Deboy and wife, said pipe being also at the northeast corner of Helen Deboy's land, thence north 52 degrees and 6 minutes east and blinding on the west side of said road 130 feet to a stake, thence north 51 degrees west 136 feet to an iron pipe set in the ground, thence north 52 degrees west 474 feet to a stake and to intersect the south 34 and 3/4 degrees west 290 and 5/10 foot line of the land formerly belonging to Mochel Czarnecki and at the distance of 22 feet from the beginning of said line, thence south 44 and 1/2 degrees west and blinding on the above line 268 and 5/10 feet to a gum tree on the edge of a marsh, thence south 64 degrees east and blinding on Helen Deboy's land 627 feet, more or less, to the place of beginning. Containing 2 and 6/10 acres of land, more or less.

MICROFILMED

CERTIFICATE OF PUBLICATION

TOWSON, MD., September 1, 1960

THIS IS TO CERTIFY, That the annexed advertisement was published in THE COUNTY PAPER, Inc., a weekly newspaper printed and published in Towson, Baltimore County, Md. once in each of 2 successive weeks before the 21st day of September, 1960, the first publication appearing on the 14th day of September, 1960.

The COUNTY Paper, Inc.
Ferdinand Koyser
for Heard & Shellen



RE: PETITION FOR RECLASSIFICATION from an "R-6" Zone to an "R-10" Zone; Special Exception for Trailer Park and Variance to the Zoning Regulations of Baltimore County - Leonard M. Carpenter and Elmer R. Austin, Petitioners

#5080RXV
MAP
15-B
7-10-RA-XV

OPINION

The petitioners seek a reclassification of the subject property (comprising approximately 3 acres) from an "R-6" Zone to an "R-10" Zone with a special exception for a Trailer Park and Variance to the Zoning Regulations in the 21st District of Baltimore County. The tract is bounded on the east by North Point Road, on the west by Bear Creek and on the south by Helen Deboy's land, on the north by an existing trailer park operated by the subject petitioners.

Said petitioners seek a 50 foot setback rather than 75 feet from the property lines on the basis that such variance would be in conformity with the now existing use and would not create any undue problems to the surrounding area.

Testimony was presented by Mr. Augustine J. Haller, a civil engineer, and a former Zoning Commissioner of Baltimore County, to the effect that there were slight changes in the surrounding area since the adoption of the original and that in his opinion the granting of this petition would in no way contravene Section 502.1 of the Baltimore County Zoning Regulations.

There was also testimony by a resident in the immediate area to the effect that the petitioners now operate a clean trailer park and there was no objection to the granting of this petition.

The Board from a careful examination of the evidence presented in this case is of the opinion that the granting of this petition would be in complete harmony with the surrounding area and is the normal sequent of a business performing what appears to be a needed service in the area. The granting of said petition would create a trailer park contiguous with a park now in operation and the added facilities necessary such as sewer and water appear from the evidence to be available.

It is, therefore, the unanimous opinion of the Board that said petition is in no way in violation of Section 502.1 of the Zoning Regulations and the granting of the reclassification, special exception and variance would not create any undue hardship upon the general community.

ORDERED by the Zoning Commissioner of Baltimore County this 2nd day of August, 1960 that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the 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, Maryland, on the 21st day of September, 1960, at 11:00 o'clock A.M.

Zoning Commissioner of Baltimore County

The petition in this case seeks the reclassification of the property described therein from an "R-6" Zone to an "R-10" Zone, that the aforesaid reclassification change in the character of the neighborhood to warrant the reclassification is requested, the reclassification should be denied.

Since the reclassification is denied the special exception and variance might not be considered at this time.

It is this 24th day of September, 1960, by the Deputy Zoning Commissioner of Baltimore County, ORDERED that the aforesaid reclassification from an "R-6" Zone to an "R-10" Zone is hereby denied and the property is continued as and remains an "R-6" Zone.

Deputy Zoning Commissioner of Baltimore County

AMENDED ORDER
Since passing my Order, in the above matter on September 21, 1960, I am now amending my Order during the reclassification, special exception and variance requested.

It is this 29th day of September, 1960, by the Deputy Zoning Commissioner of Baltimore County, ORDERED that the aforesaid petition (1) for reclassification from an "R-6" Zone to an "R-10" Zone; (2) for a special exception for a Trailer Park; and (3) for variance to the Zoning Regulations of Baltimore County, should be and the same is hereby denied.

Deputy Zoning Commissioner of Baltimore County

ORDER

For reasons set forth in the aforesaid Opinion, it is that aforesaid petition for reclassification, from an "R-6" Zone to an "R-10" Zone with a special exception and variance to the Zoning Regulations is hereby granted.

Any appeal from this decision must be in accordance with Rule No. 101 of the Rules of Practice and Procedure of the Court of Appeals of Maryland.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John M. Maguire
John M. Maguire

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COUNT HOUSE
TOWSON 4, MARYLAND

To: Brewster, Boone, Maguire, Brennan & Cook, 825 Eastern Ave., Baltimore 21, Md.

REMIT TO ACCOUNT NO. 01622

DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE

Cost of appeal = N S Deboy Ave., 273' S.J. North Point Road

7-1960 1214 * * * TIL- 7.00
7-1960 1214 * * * TIL- 7.00

IMPORTANT! MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COUNT HOUSE
TOWSON 4, MARYLAND

To: John M. Maguire, Esq., 825 Eastern Ave., Baltimore 21, Md.

REMIT TO ACCOUNT NO. 01622

DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE

Advertising and signs - Ample & Carpenter, Baltimore County, Md. - Office of Finance

9-1360 490 * * * TIL- 9.00
9-1360 490 * * * TIL- 9.00

IMPORTANT! MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

TELEPHONE
VALLEY 3-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 3451

DATE 8/2/60

TO: Turnbull, Brewster, Booms,
Maguire & Neuman
105 W. Chesapeake Ave.
Towson 1, Md.

BILLED BY: Zoning

DEPOSIT TO ACCOUNT NO. 08602

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT COST
—	Petition for Reclassification, Special Exemption & Variance—Carpenter & Austin	50.00
	Paid—Baltimore County, Md.—Office of Finance	
	8-260 8888 • • • TIL •	50.00
	8-260 8888 • • • TIL •	50.00

3
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th Date of Posting 9-1-60
Posted for: Lot 1-6300 to Lot 1-10300 + Trailer Park + Warehouse
Petitioner: Leonard M. Carpenter & Elmer Guston
Location of property: M.W.S. of Highway Ave. 273 ft. S.W. North Point Road, etc. See Plat
Location of Signs: One sign 28 ft., another 32 ft., another 54 ft. Southwest of North Point Road on the M.W.S. of Highway Avenue.
Remarks: _____
Posted by: George R. Hummel Date of return: 9-2-60
signature

TELEPHONE
VALLEY 3-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 3708

DATE 10/3/60

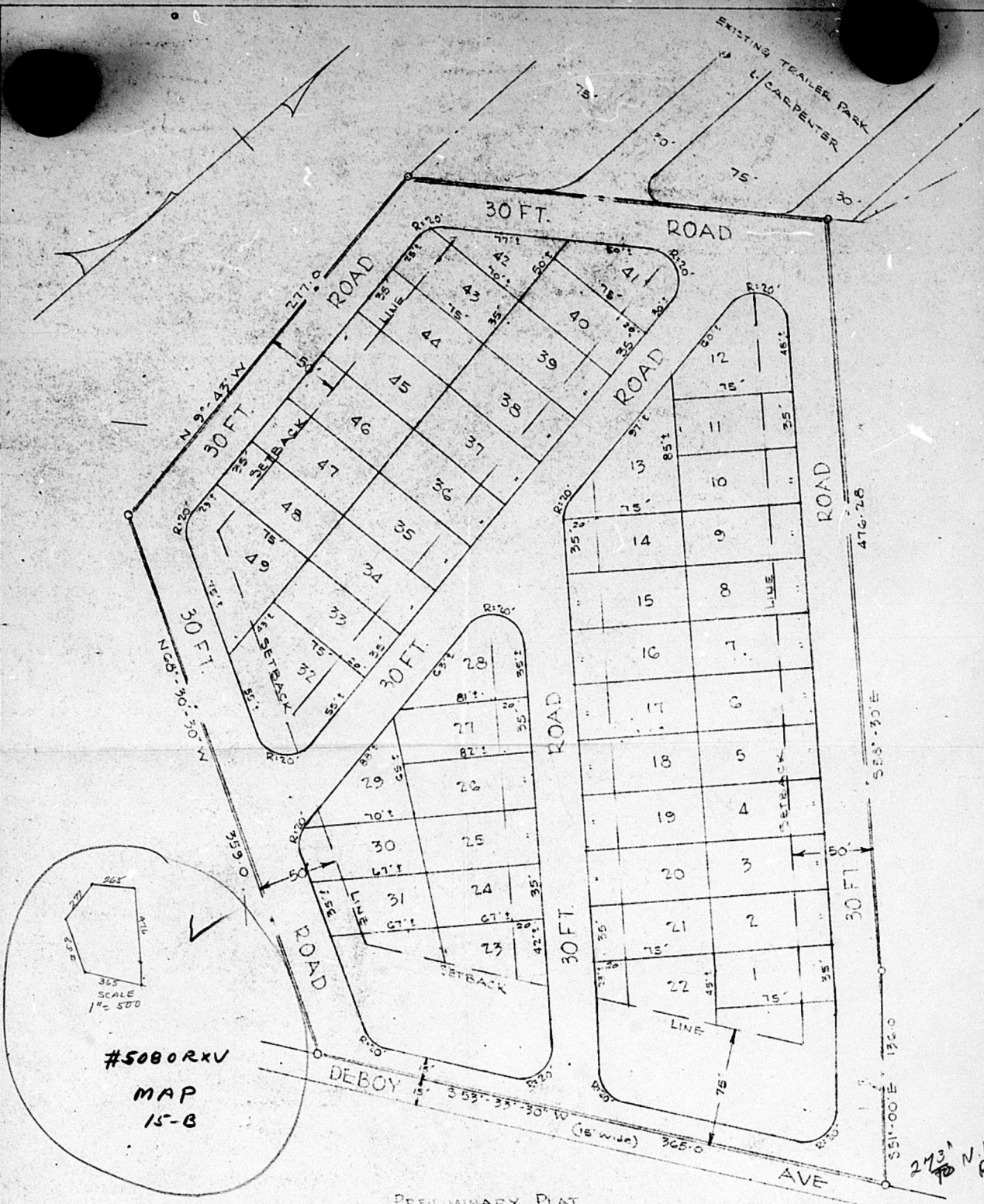
TO: Messrs. Brewster, Booms, Maguire,
Neuman & Cook,
825 Eastern Avenue,
Baltimore 21, Md.

BILLED BY: Zoning Department
Baltimore County
113 County Office Building
Towson 1, Md.

DEPOSIT TO ACCOUNT NO. 01-632

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT COST
—	Cost of posting property for appeal hearing \$50.00	50.00
	Paid—Baltimore County, Md.—Office of Finance	
	10-360 1409 • • • TIL •	5.00
	10-360 1409 • • • TIL •	5.00

3
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.



#5080RXV
MAP
15-B

PRELIMINARY PLAT
PROPOSED TRAILER PARK

L. Carpenter - Owner
3701 Old North Point Rd. - Balto. 22
12th District Baltimore Co., Maryland
Scale: 1"=50'
Date: 6-27-60

Present Zoning - R-G
Proposed Zoning - R-10

NOTE
Typical lot size - 35' x 75' = 2,625 sq. ft.
Setback from property line - 50 ft.
Setback from Deboy Ave. - 75 ft.

APPROVED FOR FILING
Reviewed By: [Signature]
Date: 8/2/60



[Signature]
REG. CIVIL ENGR.

HA-C
2813



