

Petition for Zoning Re-Classification #5146

To The Zoning Commissioner of Baltimore County—

I, or we, _____ legal owner... of the property situated

All that parcel of land in the Twelfth District of Baltimore County on the West side of Merritt Boulevard beginning 165 feet North of the centerline of Rabon Avenue thence Northerly and lining on the West side of Merritt Boulevard 154.52 feet; thence North 73 degrees 17 minutes West 59 feet; thence South 16 degrees 34 minutes East 59.71 feet; thence North 55 degrees 54 minutes East 154.60 feet to the place of beginning.

herby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-4G zone to an B-1 zone.

Reasons for Re-Classification:

Size and height of building: front _____ feet; depth _____ feet; height _____ feet. Front and side set backs of building from street lines: front _____ feet; side _____ feet. Property to be posted as prescribed by Zoning Regulations.

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 for Baltimore County.

Approved: Michael Paul Smith
Legal Owner
Address: 204 Washington Ave
Towson 4, Md.
By: Michael Paul Smith
Zoning Commissioner of Baltimore County
This _____ day of _____, 1960, that the subject matter of this petition be advertised, as required by the "Zoning Law of Baltimore County," in a newspaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing hereon be held in the office of the Zoning Commissioner of Baltimore County, in the Reckord Bldg., in Towson, Baltimore County, on the _____ day of _____, 1960, at 10 o'clock, A.M.

Zoning Commissioner of Baltimore County

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

TO: Messrs. Smith & Harrison
212 Washington Avenue,
Towson 4, Maryland
BY: Zoning Department of
Baltimore County
113 County Office Bldg.,
Towson 4, Maryland

QUANTITY	DEPOSIT TO ACCOUNT NO. 01,622	TOTAL AMOUNT
1	Cost of posting property for appeal hearing - W. S. Merritt Boulevard 165' N. Rabon Ave., H. Lee Brill and Sidney I. Fradkin.	5.00
1	1-31-61 5179 * * * TIL-	5.00
1	1-31-61 5179 * * * TIL-	5.00

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.

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 _____, 1960, that the above described property or area should be and the same is hereby reclassified, from and after the date of this Order, from _____ zone to a _____ zone.

Pursuant to the advertisement, posting of property and public hearing on the above petition _____ as indicated in the comments of Mr. George E. Gavrellis, Deputy Director of the Office of Planning, there have been no reclassifications or changes along Merritt Boulevard between Old North Point Road and German Hill Road, therefore, the changes which have taken place in the character of the neighborhood are insufficient to warrant this reclassification.

It is Ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, 1960, 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 an "R-4G" zone.

Approved: _____ County Commissioners of Baltimore County
Date: _____ By: _____ President

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MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

RE: PETITION FOR RECLASSIFICATION
from an "R-G" Zone to a "B-L" Zone,
W/S Merritt Boulevard, 165' N.
Rabon Avenue - 12th District
H. Lee Brill and Sidney I. Fradkin,
Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5146

ORDER OF DISMISSAL

Petition of H. Lee Brill and Sidney I. Fradkin for re-classification from an "R-G" Zone to a "B-L" Zone on the west side of Merritt Boulevard, 165 feet north of Rabon Avenue, in the Twelfth District of Baltimore County.

Whereas the Board of Appeals is in receipt of a letter dated September 19, 1963 from the attorney representing the petitioner in the above entitled matter.

Whereas the said attorney for the said petitioner requests that the appeal filed on behalf of said petitioner, be dismissed and withdrawn as of September 19, 1963.

It is thereby ORDERED this 24th day of September, 1963 that the said appeal be dismissed as of the aforementioned date.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

CHAIRMAN

OFFICE OF PLANNING

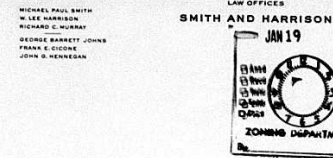
Inter-Office Correspondence

From: George E. Gavrellis, Deputy Director
To: Mr. John G. Rose, Deputy Zoning Commissioner
Subject: #5146 R. G. to B. L., West side of Merritt Boulevard beginning 1652 North of Rabon Ave. H. L. Brill and S. I. Fradkin 12th District
HEARING: Nov. 30, 1963 10:00 A.M.

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification to commercial zoning and has the following advisory comments to make:

- (1) Examination of the 12th District Zoning map indicates to us two factors which have a bearing on this case.
 - (a) A plentitude of presently zoned commercial land alongside Merritt Boulevard.
 - (b) The fact that no reclassifications or changes have occurred along Merritt Boulevard between old Northpoint Road and German Hill Road.
- (2) We believe that it would be difficult to demonstrate the need for more commercial land here. The street pattern in adjoining residential developments was conceived and built to provide for residential development of this tract. Creation of commercial zoning here would introduce commercial tract into an otherwise residential area.
- (3) The shape of the tract together with a major storm drainage channel - Broad and Cheese Creek flowing through it predated residential development of this tract. If the zoning map is found to be in error for having zoned it R-6, we believe that the error would be that the property was not zoned for more intense residential use rather than for commercial purposes.

GEG:h



Mr. John G. Rose
Zoning Commissioner
County Office Building
Towson 4, Maryland

Re: Petition for Reclassification from an "R-G" zone to a "B-L" Zone - W.S. Merritt Boulevard 165 ft. N. Rabon Avenue, 12th District, H. Lee Brill and Sidney I. Fradkin, Petitioners

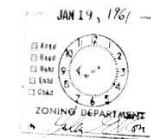
Dear Mr. Rose:

Will you please enter an appeal on behalf of the Petitioners to the County Board of Appeals from your decision of December 30th, 1960 in the above matter. Our check for \$70.00 costs is enclosed herewith.

Very truly yours,

Michael Paul Smith
Michael Paul Smith,
Attorney for Petitioners

mps/d



OFFICE OF PLANNING AND ZONING
Inter-Office Correspondence

Date: April 3, 1963

To: Mr. Robert L. Snyder, Director
From: Department of Recreation and Parks
Malcolm H. Bill
Subject:

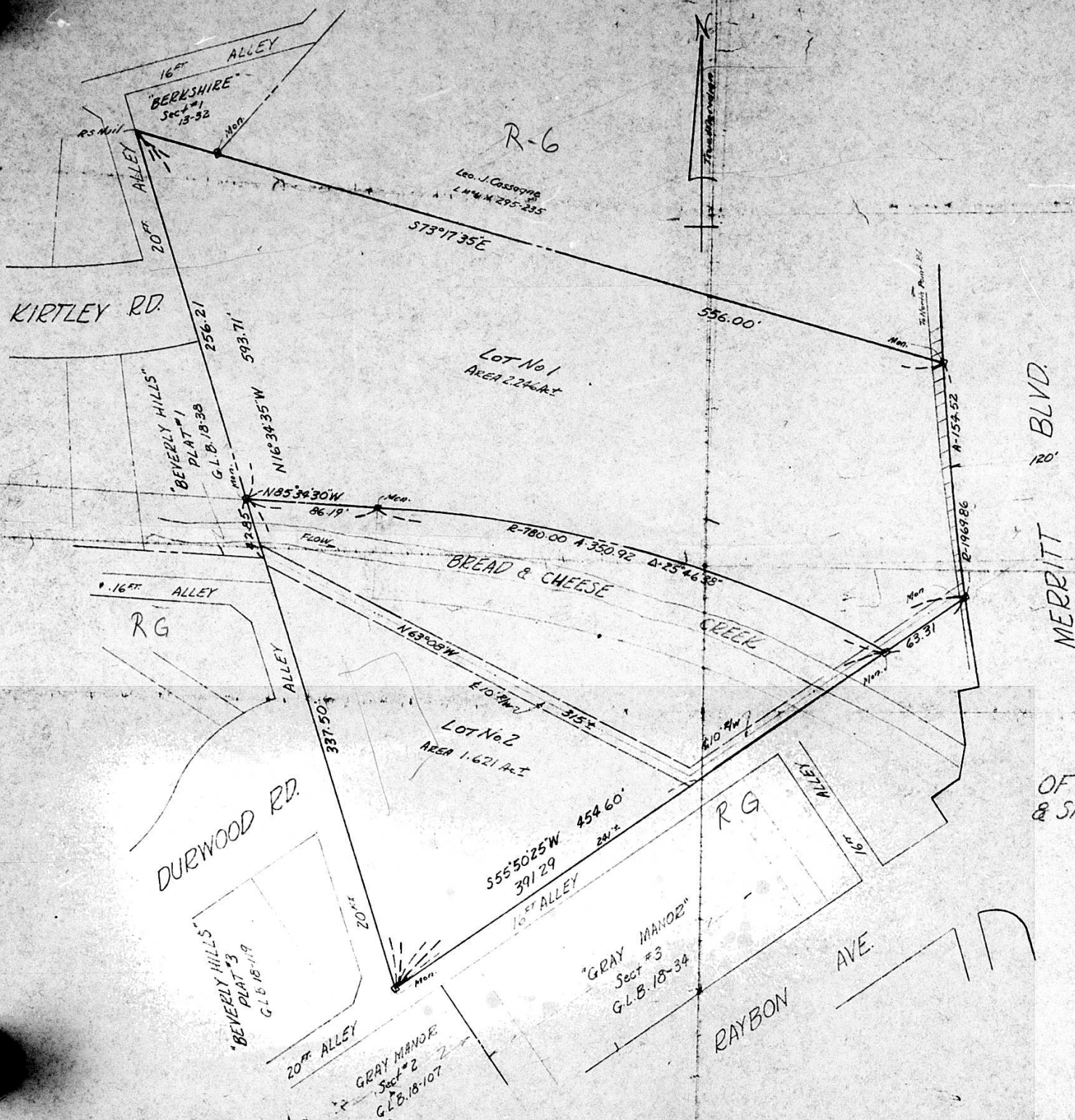
This is in response to your request for comment by this Office on the proposed park and recreation area comprising several acres on the west side of Merritt Boulevard on both sides of Broad and Cheese Creek. I am in complete accord with the idea of such acquisition to provide a park and recreation area for residents of the extensive group house developments which surround the tract. Access to this site by car would be possible from Kirtley Road and Durwood Road, on opposite sides of the Creek and probably by way of Rabon Avenue at the southeast corner. The latter point may be significant because of the fact that Rabon Avenue has the only cut in the median strip of Merritt Boulevard between Old Northpoint Road and German Hill Road. I think that if right turning movements along Merritt Boulevard into and out of the tract should appear to be needed they could be allowed, but any further median strip cut is doubtful and undesirable.

As you know, at the present time a petition for rezoning to B.L. the southerly portion of the desired tract is being held up by the Board of Appeals pending a decision on acquisition by your Department. I feel that this would be spot zoning of the worst kind and would be of limited value without access to Rabon Avenue, in order for commercial traffic to be able to use the existing median strip cut. In any case I see no significant problem about access to this tract for recreational use, which I understand is the main point that you wish to have clarified by this Office.

MHD:h

MALCOLM H. BILL
Director
Office of Planning and Zoning

This will be discussed at Recreation & Parks Mt. Meeting May



#5146 ✓
MAP
#12
SEC. 4-B
" 4-A
BL

PLAT OF SURVEY
OF THE PROPERTY OF H. LEE BRILL
& SIDNEY I. FRADKIN 12TH ELECT. DIST.
BALTIMORE CO., MD.

EDWIN J. KIRBY R.S. 1100
1711 E. 32ND STREET
BALTIMORE-18, MD
Scale 1" = 50' Date June 27, 1960



DE 820 10/4/60