

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Charles H. Deise, legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an RA zone; for the following reasons: Change

See Attached Description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for:

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above reclassification and/or 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.

Contract purchaser
Address
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 8th day of December, 1962, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 196, County Office Building in Towson, Baltimore County, on the 11th day of January, 1963, at 1:00 o'clock P.m.



Zoning Commissioner of Baltimore County.

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

No. 11602
DATE 1/25/62

TO: Mr. Charles H. Deise,
8322 Harford Road,
Baltimore 15, Md.
BILLED TO: Office of Planning & Zoning,
119 County Office Bldg.,
Towson 4, Md.

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Cost of appeal to the County Board of Appeals Re. 5470	\$70.00
1	Advertising and posting of your property	25.00
		95.00

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 Reclassification should be had; and it further appearing that by reason of:

a Special Exception for a should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 28th day of March, 1962, that the herein described property or area should be and the same is hereby reclassified; from a R-6 zone to a RA zone, and/or a Special Exception for a should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that ~~there have not been sufficient changes in the area or error in the zoning to warrant the requested changes~~

the above reclassification should NOT BE HAD, and/or a Special Exception for a should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 28th day of March, 1962, that the above reclassification 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 R-6 zone.

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: January 15, 1962
FROM: Mr. George E. Carvelis, Deputy Director
SUBJECT: Plat R-6 to R-A Northwest corner of Joppa Road and Dixon Avenue. Being property of Charles Deise.

9th District

HEARING: Wednesday, January 31, 1962 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following advisory comment to make:

- 1.- Examination of zoning and land use data indicates that the subject property is not contiguous or adjacent to property zoned for commercial or apartment purposes. No note, however, that a tavern, presumably non-conforming in its zoning status, exists on the easterly side of Dixon Avenue. It appears that creation of apartment zoning here would establish land use potentials not in harmony with those of adjacent properties.

0831ms

RE: PETITION FOR RECLASSIFICATION : BEFORE
from an "R-6" Zone to an "R-A" Zone, : COUNTY BOARD OF APPEALS
N/W corner Joppa Road and Dixon :
Avenue - 9th District : OF
Charles H. Deise, Petitioner : BALTIMORE COUNTY
: No. 5470

OPINION

The petitioner seeks reclassification of a tract of land 105' x 150' on the north-west corner of Joppa Road and Dixon Avenue in the 9th District of Baltimore County from an "R-6" classification to an "R-A" classification. The subject property is presently improved by a frame dwelling which is occupied by tenants. The petitioner plans to erect a six unit apartment house on the property.

The entire area in the vicinity of the subject property is zoned "R-6" and it was testified that the nearest "R-A" zoned property was more than one mile distant. The petitioner did not claim that there was any error in the zoning map when it was adopted in 1945 and also said he did not know of any zoning changes in the neighborhood. A realtor, testifying for the petitioner, admitted that the granting of this petition would constitute spot zoning.

The principal argument advanced by the petitioner was the fact that a nearby tavern, a non-conforming use which has been in existence a number of years before 1945, made the property economically unsuitable for sale as "R-6" property, even though one duplex residence could be erected on the land.

It is the unanimous opinion of the Board of Appeals that inasmuch as the petitioner presented no evidence showing that there was either an error in the original zoning or a change in the neighborhood, the reclassification sought for should be denied.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 8th day of November, 1962 by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby denied.

NO PLACE LIKE YOUR OWN HOME



Charles H. Deise
REAL ESTATE BROKER

8122 HARFORD ROAD - Baltimore 14, Md. - Northcald 5-9000
April 24, 1962

Baltimore County
Towson # 4 Md.

Dear Sir,

Inclosed you shall have the check for the appeal on the property at Joppa Road and Dixon Ave. Ninth District. I would like to have the appeal before Aug 8, 1962 or after Oct. 15, 1962. As I shall be out of town from the above dates mentioned. Hoping that this matter may be taken care of.

I Remain Yours

Chas. H. Deise

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Chairman

Michael Austin

Charles H. Deise

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

No. 9775
DATE 12/8/61

TO: Charles Deise
9501 Harford Road
Baltimore 14, Md.
BILLED BY: Zoning Department of
Baltimore County

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Petition for Reclassification to your property	\$0.00
1	Advertising and posting of your property	25.00
		25.00

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
COURT HOUSE
TOWSON 4, MARYLAND

No. 10278
DATE 1/22/62

TO: Mr. Charles Deise
8322 Harford Rd.
Baltimore 15, Md.
BILLED TO: Zoning Department of
Baltimore County

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Advertising and posting of your property	25.00
		25.00

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.

**PETITION FOR ZONING
RECLASSIFICATION
IN DISTRICT**

ZONING: From R-6 Zone to R-A Zone.

LOCATION: Northwest corner of Joppa Road and Dixon Avenue.

DATE AND TIME: WEDNESDAY, JANUARY 31, 1962 AT 1:00 P.M.

PUBLIC HEARING: Room 168, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Concerning all that parcel of land in the Ninth District of Baltimore County.

BEGINNING for the same on the Northernmost side of Joppa Road heretofore laid out at a point where said side of said Road is intersected by the westernmost side of Dixon Avenue 30 feet wide as laid out on a plat of Carney View and recorded among the plat records of Baltimore County in Plat Book No. 7, folio 50, running thence and bounding on the Northernmost side of Joppa Road as relocated 105 feet more or less to a point where said side of said Road is intersected by the division line between lots numbered 30 and 21 as laid out on said plat of Carney View thence leaving said Joppa Road and bounding on said division line north 10 degrees 32 minutes east 140 feet more or less to the southernmost line of lot 112 as shown on said plat of Carney View thence bounding on said line south 75 degrees 28 minutes east 105 feet to the westernmost side of Dixon Avenue thence bounding on the westernmost side of said Avenue south 10 degrees 32 minutes west to the place of beginning.

Being the property of Charles Daise, as shown on plat filed with the Zoning Department,

BY ORDER OF:
JOHN O. ROSE,
Zoning Commissioner of Baltimore County.

1-11-62

CERTIFICATE OF PUBLICATION

TOWSON, MD., January 11 19 62

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 31st successive weeks before the 31st day of January 19 62, the first publication appearing on the 11th day of January 19 62.

The COUNTY Paper, Inc.

M. F. Kasper
Manager

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District *9th*

Posted for: *From R-6 Zone to an R-A Zone*

Date of Posting *1-10-62*

Petitioner: *Charles H. Daise*

Location of property: *N.W. Corner of Joppa Road & Dixon Ave. etc. See Plat*

Location of Signs: *Northernmost Corner of Joppa Road and Dixon Avenue*

Remarks:

Posted by *George N. Hummel*

Signature

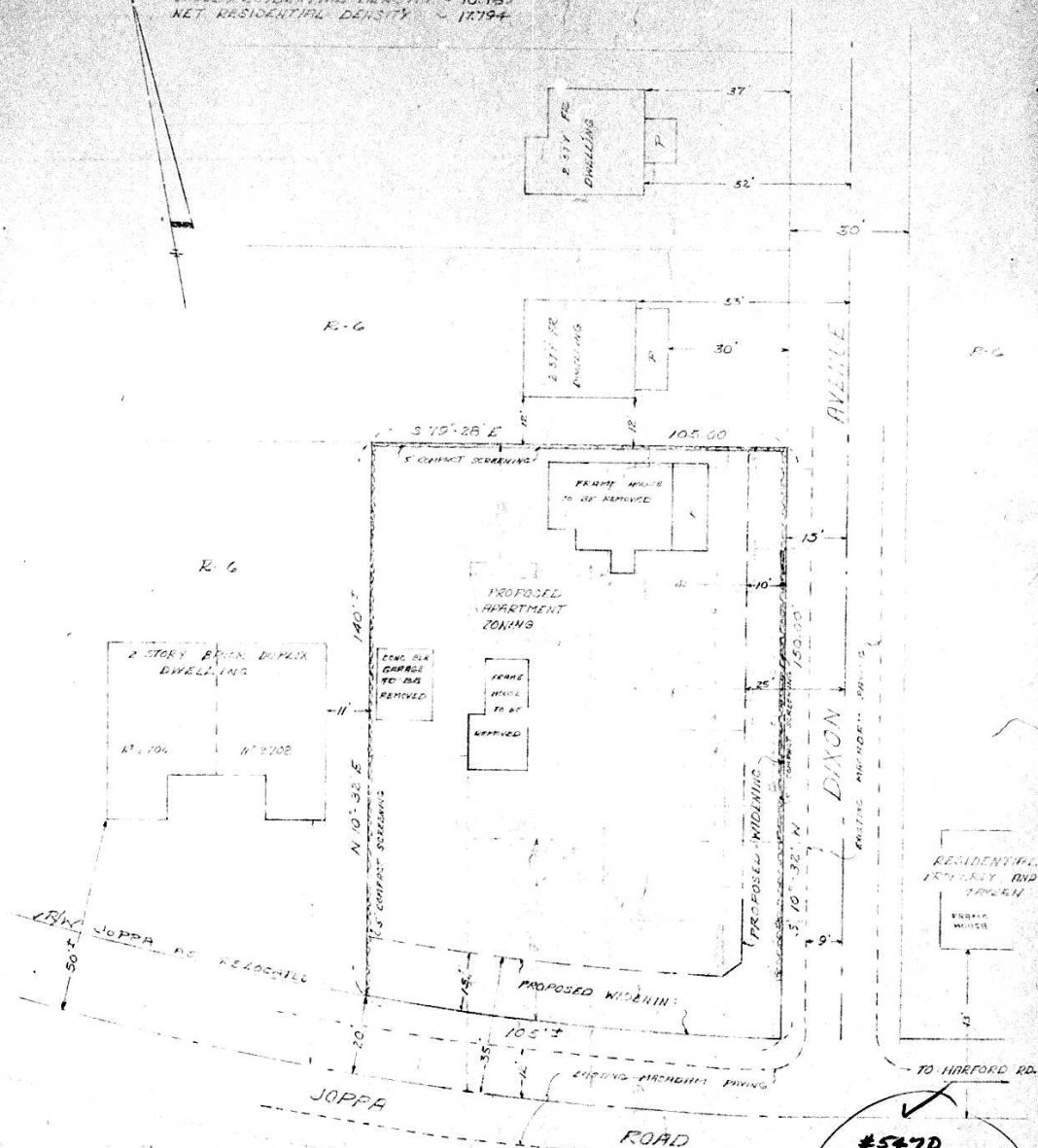
Date of return: *1-11-62*

#5470

NINTH ELECTION DISTRICT OF BALTIMORE COUNTY, MD.
PROPOSED ZONING PLAT AND REVISIONS TO EARLIER MAPS

PRESENT ZONING R-2
PROPOSED ZONING R-6
AREA OF LOT 15,825 sq. ft.

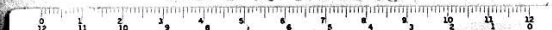
DENSITY
GROSS RESIDENTIAL ~ 0.455
MAX. RESIDENTIAL ~ NONE
GROSS RESIDENTIAL ~ 0.455
RHOOS or HOUSING ~ 0.105
NET RESIDENTIAL ~ 0.281
TOTAL NO. OF UNITS ~ 5 (PROBABLE)
GROSS RESIDENTIAL DENSITY ~ 10.983
NET RESIDENTIAL DENSITY ~ 17.794



FOR THE PURPOSE OF ZONING ONLY



William B. Welch Jr.



WILLIAM B. WELCH JR.
REGISTERED LAND SURVEYOR
18 FULLERTON, HST. WARE, BALTO. 6, MD.
SCALE 1" = 20' NOV. 17, 1961

#5470
OLD MAP
#9
RA