RE: PETITION FOR RECLASSIFICATION PETITION FOR RECLASSIFICATION from an "R-6" Zone to an "R-A" Zone, SPECIAL EXCEPTION for an Office, VARIANCES to Sections 217.2 and 217.3 of the Zoning Regulations – S/S Eastern Avenue, S.E. Comer S/S Eastern Avenue, S.E. Co of 45th Street - 12th Distr Elsie Baumgartner, Petitioner 12th District #12

SEC.4B

RXVA

COUNTY BOARD OF APPEALS

OF

RAI TIMORE COUNTY

No. 5591-RXV

. . . . . . . . . . . .

OPINION

This is a petition for reclassification from an "R-6" Zone to an "R-A" Zone, a special exception for an Office, and Variances to Sections 217.2 and 217.3 of the Zoning Regulations on property located on the south side of Eastern Avenue at

the southeast corner of 45th Street in the Twelfth District of Baltimore County.

It was testified at the time of the hearing that the petitioner desired a tion from an "R-6" to an "R-A" Zone, and a special exception for a doctors office on the first floor. Further, it was necessary that variances be granted for an 18 foot front yard instead of the required 30 feet, and a side yard of 23 feet and 1.5 feet instead of the required 25 feet.

Immediately to the east of the subject property is a store operating as Jay-F-Kay Bakery selling baked goods, ice cream, etc. The subject property is one house removed from the Crosse and Blackwell property in an area where a doctors' office would be most desirable. At the time of the hearing the petitioner presented an interoffice memo from Mr. George E. Gavrelis, Deputy Director of Planning for Baltimore County, dated June 22, 1962, to Mr. John G. Rose, Zoning Commissioner, in which he

"The Plunnin; Staff is in accord with the zoning, the special exception, and the variances sought by the petitioner. It feels that creatin of R-A zoning here limited to conversion to the existing dwelling for offices will place a 'tapper' on the spread of ribbon

The Board is unanimous in its opinion that in reclassifying the property from "R-6" to "R-A", that due to the size of the existing property, that the only possible use under an "R-A" Zone that could be made of the said property is for office use. The habits of people have changed since the adoption of the Twelfth District Land Use Map on May 1, 1756 and it is highly desirable today to provide for doctors offices in residential neighborhoods. It is, therefore, the unanimous opinion of the Board that the need and desires of the people should be met in this particular instance, and that an

1.

DOLLENBERG BROTHERS

Registered Professional Engineers & Land Surveyor

Zoning Description All that piece or parcel of land situate, lying and being in the Twelfth Election District of Saltimore County, State of Maryland and described as follows to wit:

TOO WARNINGTON AVENUE AT YORK ROAD TOWSON 4, MD.

Regining for the same at a point on the south side of Eastern Beginning for the same at a point on the south side of Eastern Avenue distant borth? So degrees to Einstea East 15.05 feat measured along the south side of Eastern Avenue with the east side of 15th Street and running thence and binding on the south side of Eastern Avenue with the east side of 15th Street and degrees to minutes East 50.10 feat, thence 18 Statern Avenue and running that three following course the side of 15th Street and 15th Stre

Being lots hos 826 and 827 as laid out on the Plat of Harbor View which plat is recorded among the Plat Records of Halthmore County in Plat Book W.P.U. No. 5 folto 80.

error was made in the adoption of the Land Use Map in not providing office space for such community needs. #12

#5591 RXVA

SEC.4B

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#5591RXV

April 30, 1962

With regard to the special exception and variances asked for, the Board s that the special exception subject to the restrictions that are being placed upon it will not in any way affect Section 502,1 of the Zoning Regulations.

The Board is also unanimous in its opinion that the variances should be granted as they will grant relief without any injury to the public health, safety or

It is, therefore, the unanimous opinion of the Board that the petition for reclassification from "R-6" to "R-A" is hereby granted. The variances as spelled out in the petition are granted, and that the special exception for office use is granted subject to the following restrictions:

- There may be one doctors! office on the first floor of said property and this shall be the only use other than that of residential that the property may be used for
- 2. There may be no offices in the basement, no offices on the second floor, and not more than one office on the first floor
- No outside structural change to the building will be allowed that would in any way increase the enclosed floor space of the first floor beyond that which is

## ORDER

For the reasons set forth in the aforegoing Opinion, it is this day of March, 1963 by the County Board of Appeals, ORDERED that the reclassification, special exception and variances petitioned for, be and the same is hereby granted subject to the aforementioned restrictions.

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

COUNTY BOARD OF APPEALS

MORE COUNTY, MARY AND OFFICE OF FINANCE of Collection and Receipts
COURT HOUSE

No. 12972

T. Bayard Williams, Jr., Eq., 6732 Holabird Avenue, Dunialk 22, Md.

PLEASE RETURN UPPE'S SECTION OF THIS BILL WITH YOUR REMITTANCE.

A REMITTANCE
R REMITTANCE COST
\$70.00
The second second
• • TXL- 7000
None has

J. Bayard Willian T. BAYARD WILLIAMS, JR. JACK H. WILLIAMS T. BAYARD WILLIAMS 1870-1983



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

Re: Petition for Reclassification, Special Exception and variance to Zoning Regulations - S.S., Eastern Ave., S.E. Cor., 45th St., 12th Dist., Elsic Baungartner, Petitioner - Pet, No., 5591-RXV

You will please enter an appeal to the Appeal Board from your decision of July 11, 1962 in the above case denying reclassification, special exception and

Enclosed you will find check in the amount of \$70.00 for costs.

Very truly yours, T. BAYARD WILLIAMS, JR.

TBW:cjb Enclosure

TER-OFFICE CORRESPONDENC

DEPARTMENT OF PUBLIC SAFETY Balttmore County, Margland

Date July 2, 1962

Walter J. Addison

Zoning Petition # 4690 RXV

The above captioned petition concerns the property on the south side of Eastern Avenue and east side of 15th Street, known as \$6503 Eastern Arenue.

It is the opinion of this Department that the proposed changes in the present usage of the aforementioned piece of property from residential to that of limited number of Medical Offices would have no adverse effects on traffic operations or safety.

Walter J. Addison, Chief Division of Traffic Engineering

WJA:WIH: 1mg

SUBJECT:



PETITION FOR ZONING RE-CLASSIFICATION

AND/OR SPECIAL EXCEPTION & VARIANCE #5541 PXV

THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

to an RXV hereby petition (1) that the zoning status of the herein described property be re-classified to the Zoning Law of Baltimore County, from an....R-6.... 0/27/02 BE RA .....zone; for the following reasons: That your Petitioner has a sale for the property and that the prospective prechaser desires to establish a physiciant's office in the bulling now erected on the bull property; that the said lot is immediately adjacent to a Ex sone; that the prospective purchaser if the property is re-zoned, plans to provide adequate parking facilities for his prospective patients as shown on the plat plan at ached hereto.

I, section. Eleie Baumgartner............legal "winer... of the property situate in Britimore P. County and which is described in the description and plat attached hereto and made a past bereof, SEC. 42

#12

Section 217.2 - Frort Yard -30' requesting 18' Section 217.3 - Side Yard - 25' - requesting 23' and 1.5

See Attached Description

CAROLANDER Special Exception for Office

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

I or we agree to pay expenses of above re-classification and/or finecials/fixeepign; 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

French Marian M.O	
Hilda maniere Contract purchaser	Elsie a Baumger tre
ddress 3503 Carlan Care	Address 69. 13 Caster live
	***************************************
J. Trames Jord	

Address 731 Munsey Bly
ORDERED By The Zoning Commissioner ..., 196.2., that the subject matter of this petition be advertised, as

required by the Zening 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 106, County Office Building in Towson, Baltimore

\_\_\_\_ WAY 10 825th \_\_day of \_\_ July \_\_

rsuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of.....

a Special Exception for a .... IT IS ORDERED by the Zoning Commissioner of Baltimore County this...

the same is hereby reclass fied; from a .... \_zone to a\_\_

zone and/or a Special Exception for a should be and the same is granted, from and after the date of this order,

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that be commont. that portion of Eastern Avanua on which the subject property is located is residential in character, it should remain so, therefore,

the above re-classification should NOT BE HADs and continue to a socious the special exception and variance to the goning regulations are denied.

... 196.2: that the above re-classification be and the same is zone; and/or the Special Exception i and variance to the Zoning Regulations are also

Zoning Commissioner of Baltimore County

MICROFILMED

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

#5591 Date of Posting 6-14-62 Pouted for Car B. b. b. B. A Jone & Office I. Manuscret to Joney Agrahon Politione Char Barry Jacker rouse of vegory As of Earlier art. + Mr. 5/5 of 115 think all Lee. Mat. Inner, we 6103 Earlien livered: rouses of sign III Mall regard all on property dineren are

6803 Eastern avenue

Posted by George A Jummel Date of return: 6-15-62

AND A VARIANCE

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LOCATION on the Section of the International Control

DATE & TRAILING: BOY, INTERNATIONAL CONTROL

W. Champanka Avenue, Turning and Int

Maryland,
The Zoning Regulations to excepted as follows:
Section 217.2 - Front Yard rt. Lion 217.3 - Side Yard -

he less section 37.3 - Bile Yard - Brettien 37.3 - Bile Yard - The Cooling Commissioner The Endinewy Courty by authorized the Statistics of Bullioner County, between the Statistics of Statis

The Community Press

DUNDALK, MD., June 13

19 62

THIS IS TO CERTIFY, that the annexed advertisement of Else Baumgartner was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week

successive weeks before the 12 day of Dune 1962; that is to say,

the same was inserted in the issues of

ESTATE OF P. G. STROMBERG,

Publisher. Stromber Botter Price

6-13-62

AND A VARIANCE—15TH DIFFRACT
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DATE AND THEE Thirdsay, 247 5, 1322
URLEG HEALON, Soon 105, 10-000-10ties Building, 111 W. Chempeake Avenue,
Treveno, Maryland. of most in the Preventh Massive of Enablance of Enablance for the came at a point, an Englishance for the came at a point, an Englishance for the came at a second for the

recorded among the Plat Records of Pat-limine County in Plat Book W.P.C. No. 5 fello 48. Being the property of Elife Baumgattner, as shown on plat plan filed with the Zening Department. By order of

CERTIFICATE OF PUBLICATION

June 15, 19 62

THIS IS TO CERTIFY, that the annexed advertisement was day of \_\_\_\_July 19 62

> THE JEFFERSONIAN. Frank Struction

Cost of Advertisement, \$\_

TELEPHONE VALLEY 3-3000

BALTH ORE COUNTY, MARYAND OFFICE OF FINANCE

DATE 7/5/62

No. 12901

ivision of Collection and Receip COURT HOUSE TOWSON 4, MARYLAND To: J. Frencis Ford, Esq. 731 Numsay Building Baltimore 2, Md.

Advertising and posting of property for Baussartner 41.35

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TODIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURNUPPER SECTION OF THIS BILL WITH YOUR REMITTANCE."

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John C. Rose, Zoning Commissioner Date. June 22, 1962

FROM Mr. George E. Cavrelis, Deputy Director

SUBJECT. #5591-WAY. R-6 to M-4, Special Exception for Offices and Variance to permit front yard of 15 feet instead of the required 30 feet; and to permit side yard of 23 feet and 1,5 feet instead of the required 25 feet. Southaids of Eastern Awaren 15 feet Fast of 15th Street. Seling property of Elis Bamagartner.

12th District

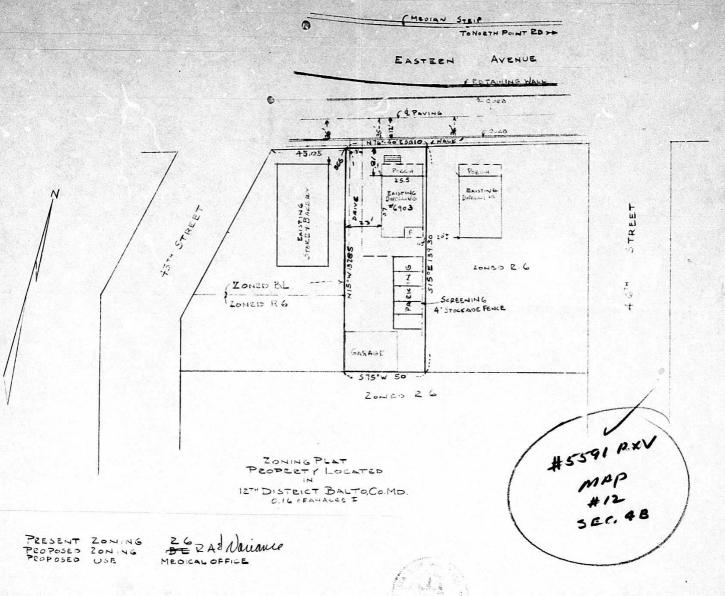
Thursday, July 5, 1962 (1:00 P.M.)

The Planning staff is in second with the zoning, the special exception, and the variances cought by the petitioner. It feels that creation of Rea zoning have limited to conversion to the exi-ting dealling for offices will place a "stopper" on the spread of ribbon newarrill normal.

George E. Cavrelis Deputy Director of Planting



BALTIMORE COUNTY, MARMAND TELEPHONE No. 11650 OFFICE OF FINANCE DATE 5/10/62 rision of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND \$50.00 COST Petition for reclassification for Elsis Boungartas 50,00 ->- 1062 4093 . . O TIL-0.00 IMPORTANTI 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.



SCALE-1: 30 APRIL 30, 1962
DOLLENBERG BROTHERS
SURVEYORS & CIVIL ENGINEERS
TOO WASHINGTON AVE TOWSONMD