

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, WILLIAM J. PERDUE, 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, do hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to a B-1 zone; for the following reasons:

Service Garage-located at 516 Riverside Drive, Baltimore 21, Maryland.

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 Service Garage.

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 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.

William J. Perdue
WILLIAM J. PERDUE
Legal Owner

Address 516 Riverside Drive
Baltimore 21, Maryland

Petitioner's Attorney
Robert J. Romadka
809 Eastern Boulevard
Baltimore 21, Maryland

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day of April, 1963, 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 100, County Office Building in Towson, Baltimore County, on the 12th day of June, 1963, at 2:00 o'clock P.M.



William J. Perdue
Zoning Commissioner of Baltimore County

WILLIAM J. PERDUE
516 RIVERSIDE DRIVE
BALTIMORE 21, MARYLAND

S573-RX

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; and it further appearing that by reason of

a Special Exception for a Service Garage should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 17th day of April, 1963, that the herein described property or area should be and the same is hereby reclassified, from a R-6 zone to a B-1 zone, and/or a Special Exception for a Service Garage 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 by reason of location and the petitioner's affidavit, that there has been sufficient change in the neighborhood or that the Zoning Map for that area is in error.

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17th day of April, 1963, that the above re-classification 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-6 zone; and/or the Special Exception for Service Garage be and the same is hereby DENIED.

Robert J. Romadka
Zoning Commissioner of Baltimore County

MICROFILMED

PHONE: HAMILTON 6-0372

KELLER & KELLER

City, Farm and
Topographical Services
Land Subdivisions
Earthwork Computations

State Registered Land Surveyors

Municipal Engineering
Construction Supervision
Road Location, Plans,
Plans and Specifications

3914 WOODLEA AVENUE
BALTIMORE 6, MARYLAND

DESCRIPTION

BEGINNING for the same on the Southwest side of Riverside Drive, 50' wide, at the Northwest corner of lot #2 Block "C" Revised Plat of the Property of The Taylor Land Company, which said plat is recorded among the Land Records of Baltimore County in Plat Book L.M.C.L. No. folio 74; and running thence from said place of beginning, leaving the said Southwest side of said Riverside Drive, at right angles thereto and binding on the Northwest outline of said lot #2, South 14°21' West 250' more or less to the Southwest corner of said lot #2 and to the waters of Back River; thence binding on the said waters of said Back River and running westerly 78' to intersect a line drawn parallel with and distant 25' westerly, measured at right angles from the Northwest outline of lot #1 on said plat; thence North 14°21' East, binding on a line so drawn, 279' more or less, to the said Southwest side of said Riverside Drive; thence binding on the said Southwest side of said Riverside Drive and running South 75°39' East 75' more or less, to the place of beginning.

BEING all of lot #1 Block "C" and the Easterly one-half of lot #2 Block "C" on the Revised Plat of the Taylor Land Company above referred to. BEING improved by a frame dwelling known as #516 Riverside Drive.

Robert J. Romadka

#5873 RX
MAP
15-B
EX A
6/3/63

BE: PETITION FOR RECLASSIFICATION : BEFORE #5873 RX
from an "R-6" Zone to a "B-1" Zone, : COUNTY BOARD OF APPEALS
SPECIAL EXCEPTION for a : OF
Service Garage : BALTIMORE COUNTY
516 Riverside Drive and the :
Waters of Back River : No. 5873-RX
15th District :
William J. Perdue, Petitioner :
MAP
15-B
EX A

OPINION

This is a petition for reclassification from an "R-6" Zone to a "B-1" Zone with a special exception for a Service Garage on a piece of property approximately 75 feet by 274 feet. The petitioner testified that he planned to erect a one-story building, 22 feet by 30 feet, for the purpose of repairing starters, generators, outboard motors, etc. in connection with boating operations.

It was testified that there are residences on both sides of the subject property and to the rear. The property fronts on the waterfront. The nearest commercial property is approximately 300 feet distant.

The protesters, who are residents of the area, objected to the reclassification but stated that they would have no objection to the petitioner operating a service establishment for the purpose of working only on small boats.

The Board is of the opinion that the use proposed by the petitioner falls within the category of a boat yard rather than a service garage and would, therefore, be a permitted use in an "R-6" Zone with a special exception.

The petitioner presented no testimony to prove an error in the original zoning nor did he prove sufficient changes in the neighborhood to warrant reclassification. The reclassification sought is therefore denied by the unanimous opinion of the Board and the special exception for a boat yard is granted, subject to the following restrictions:

1. That no parking of trucks or cars be permitted between the rear of the proposed building and the rear property line
2. That there be no doors or entrances on the rear side of the building other than one 3'6" door
3. That no boats be stored on the subject property on the outside of the building
4. That all repair work be conducted within the proposed building

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John A. Rose, Zoning Commissioner Date: May 29, 1963
FROM: Mr. George E. Gavrellis, Deputy Director
SUBJECT: S573-RX, R-6 to B-1 and Special Exception for Service Garage, Southeast side of Riverside Drive and the Waters of Back River, Being property of William J. Perdue.

15th District
HEARINGS: Wednesday, June 12, 1963 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to B-1 zoning, together with a Special Exception for a Service Garage. It has the following advisory comment to make with respect to pertinent planning factors:

1. The Planning staff notes that the subject property is completely surrounded by residential zoning and that no non-conforming, non-residential uses occur immediately adjacent to the subject property. Creation of commercial zoning with the Special Exception for the service garage, would result in land use potentials for the subject property, which are entirely out of keeping with the character or use potentials of adjoining properties. Such commercial zoning would be detrimental to the use and enjoyment of abutting properties within their residential context and would constitute a classic example of spot zoning.

GEH:mas

#5873 RX
MAP
15-B
EX A

Baltimore County Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Branch of Public Services
GEORGE E. LEWIS, Chief

June 16, 1963

Mr. William Perdue
516 Riverside Drive
Baltimore, Maryland 21221

Res. Comm. Bldg. App. #213-64
Repair Shop
516 Riverside Drive
District 15

Dear Sir:

The Office of Planning has reviewed the captioned application and they are withholding endorsement for the following reasons:

OFFICE OF PLANNING

No parking spaces are permitted in the rear of the proposed building.

The front yard setback must be a minimum of 40 feet.

A copy of the order of the Board of Appeals granting a Special Exception for a boat yard, dated March 3, 1963, is being sent to you with these comments. The restrictions listed by the Board of Appeals must be adhered to.

An overlay is being returned to you with these comments. This suggests an acceptable plan for this operation.

Please conform with the aforementioned and submit three (3) revised plot plans for further review. Kindly contact Mr. James Hoswell in the Office of Planning (821-3000, Extension 635) for any additional information you may desire.

Very truly yours

George A. Roler
Associate Engineer
Branch of Public Services

GA:tpb
cc: Mr. Hoswell

ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
BALTIMORE 21, MARYLAND
MUNICIPAL 6-8274



June 28, 1963

Re: Petition for Re-classification and Special Exception for Service Garage-S. W. Side Riverside Drive, 15th District-William J. Perdue, Petitioner-No. 5873-RX

Dear Mr. Rose:

Please be advised that I have been requested by the Petitioner, William J. Perdue, to file for an appeal of your Order of June 18, 1963, denying the above mentioned re-classification and special exception.

Would you please, therefore, forward all papers in this matter relating thereto to the Board of Appeals for Baltimore County. I have enclosed my check in the amount of \$70 for cost of filing said papers.

Very truly yours,

Robert J. Romadka

RJR:prn
Enclosure

5. That the building be a one-story cinder block construction and painted to conform with the residential character of the neighborhood
6. That the only sign permitted shall be affixed to the building itself
7. The operation of this boat yard shall be within the hours of 7:00 a.m. to 9:00 p.m., on weekdays only

ORDER

For the reasons set forth in the foregoing Opinion, it is this 3rd day of March, 1964 by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby denied. It is also ORDERED that the special exception 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 OF BALTIMORE COUNTY

William J. Perdue
CHAIRMAN
A. Mitchell Hunt
Charles A. ...

#5873 RX

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

No. 17847
DATE 4/22/63

Robert J. Romdka, Esq.,
809 Eastern Blvd.,
Bosox 21, Md.

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. 01622

QUANTITY	RETAIL UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT COST
	Advertising and posting of property for Wm. J. Purdue	30.00
	#5873-IX	
	6-1263 9989 * * * TEL -	78.04

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

No. 16592
DATE 4/17/63

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Bosox 21, Md.

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QUANTITY	RETAIL UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT COST
	Petition for Reclassification & Special Exemption for Wm. Purdue	50.00
	6-1263 7351 * * * TEL -	50.00

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TOWSON 4, MARYLAND

No. 18439
DATE 6/26/63

Robert J. Romdka, Esq.,
809 Eastern Blvd.,
Baltimore 21, Md.

BILLED BY: Office of Planning & Zoning
119 County Office Bldg.,
Towson 11, Md.

DEPOSIT TO ACCOUNT NO. 01622

QUANTITY	RETAIL UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT COST
	Cost of appeal - Wm. M. Purdue, petitioner	870.00
	No. 5873-IX	
	6-2863 834 * * * TEL -	70.00

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CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 1574 Date of Posting: _____
Posted for: Hearing Wed June 12 1963 at 7:00 am
Petitioner: William J. Purdue
Location of property: Shiloh Riverside Drive and Park on Forest Brook River
Location of Sign: 2 1/2 x 3 1/2 ft. from drive way to house front 36" ft. from west fence sign are 96" high and 100" wide
Remarks: PROPERTY SIGN ARE FACING RIVERSIDE ON TAYLOR AVE.
Posted by: Robert L. Child Date of return: 7/2/63

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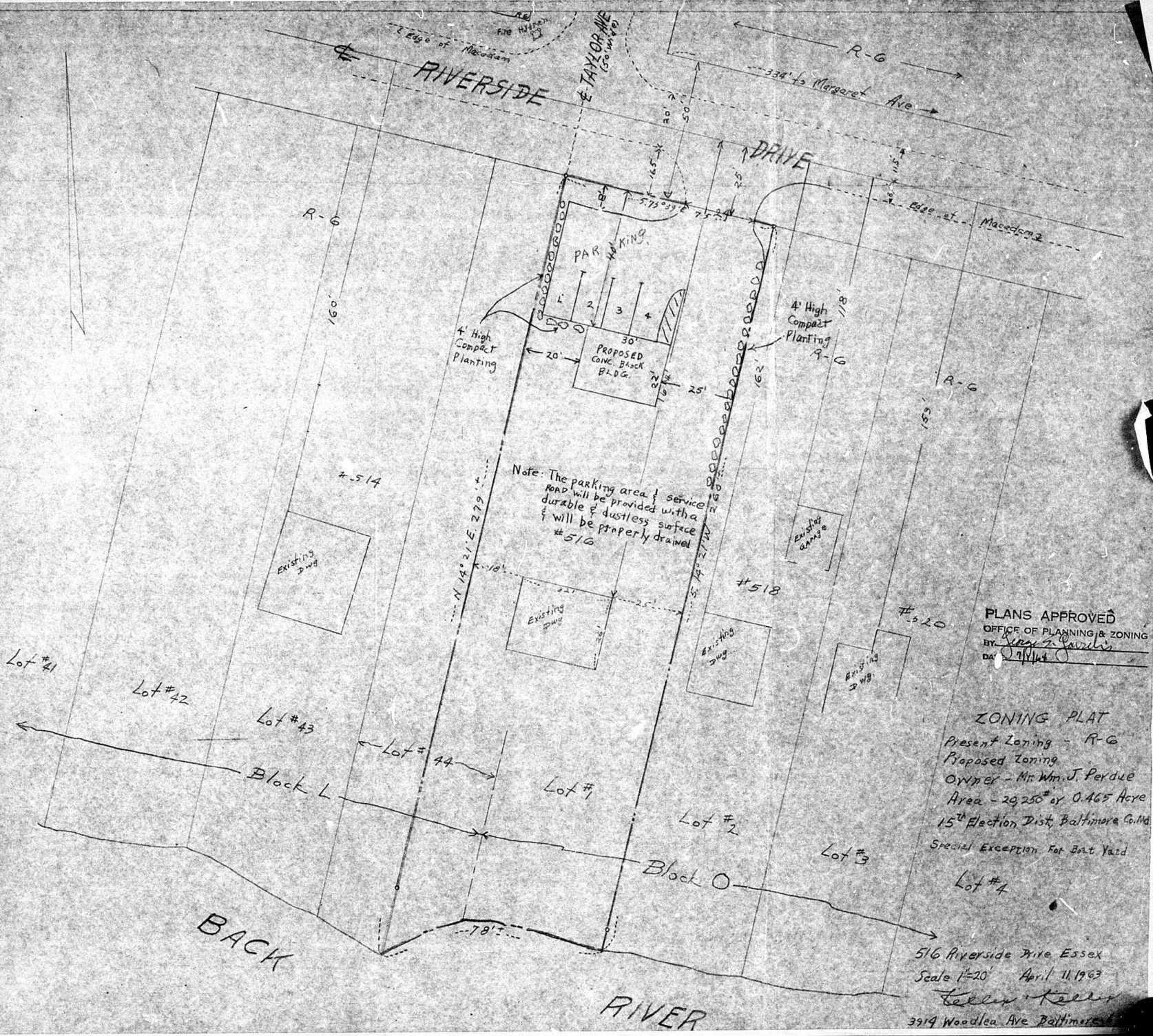
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Note: The parking area & service road will be provided with a durable & dustless surface & will be properly drained #516

PLANS APPROVED
 OFFICE OF PLANNING & ZONING
 BY *[Signature]*
 DA *[Signature]*

ZONING PLAT
 Present Zoning - R-G
 Proposed Zoning
 Owner - Mr. Wm. J. Perdue
 Area - 29,250^{sq} or 0.465 Acre
 15th Election Dist. Baltimore Co. MD.
 Special Exception For Back Yard

516 Riverside Drive Essex
 Scale 1"=20' April 11, 1963
[Signature]
 3914 Woodlea Ave. Baltimore

