

5944  
16-61

RE: PETITION FOR RECLASSIFICATION : BEFORE  
 from an R-6 Zone to an R-A Zone, : COUNTY BOARD OF APPEALS  
 W/S Jack's Lane, 414.60' South : OF  
 of Hazelwood Avenue, : 14th District  
 Bradley Wellbrenner, et al, : BALTIMORE COUNTY  
 Petitioners : No. 5944

ORDER OF DISMISSAL

Petition of Bradley Wellbrenner, et al, for reclassification from an R-6 Zone to an R-A Zone of property located on the west side of Jack's Lane, 414.60 feet south of Hazelwood Avenue in the Fourteenth District of Baltimore County.

Whereas the Board of Appeals is in receipt of a letter dated March 29, 1965 from the attorney representing the petitioner-appellant 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the said attorney for the said petitioner requests that the appeal filed on behalf of said petitioner, be dismissed and withdrawn as of March 29, 1965.

It is hereby ORDERED this 30th day of March, 1965 that said appeal be dismissed with prejudice as of the aforementioned date.

COUNTY BOARD OF APPEALS  
 OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Giles Parker

R. Bruce Alderman

Vertical stamp: JOHN & MORTIMER, W. J. & L. L. ...

JOHNSON BOWIE  
 ATTORNEY AT LAW  
 101 LEXINGTON BUILDING  
 28 WEST PENNSYLVANIA AVENUE  
 TOWSON, MARYLAND 21286

March 29, 1965

Board of Appeals  
 County Office Building  
 Towson, Maryland 21204

Re: Petition for reclassification from an "R-6" Zone to an "R-A" Zone, W/S Jack's Lane, 414.60' S. of Hazelwood Avenue, 14th District Bradley Wellbrenner, et al., Petitioners - #63-61

Gentlemen:

The property which was the subject of the above petition has been sold and transferred to the Board of Education of Baltimore County, Maryland.

Therefore, the appeal filed by the Petitioners is moot and should be dismissed.

Very truly yours,

John Bowie  
 Attorney for Petitioners

JB/mb  
 CC- Ernest A. Sciascia, Esq.

Handwritten note: Book 2306 65 7/2/65

5944

Letter Rec'd  
 J. C. Child  
 Associates  
 George W. Ballou  
 Robert W. Collins  
 Leonard M. Elton  
 Vernon F. Harman  
 Paul Lee  
 Paul S. Sinton

CHILDS & ASSOCIATES, INC.  
 Engineers - Surveyors - Site Planners  
 2129 N. Charles St., Baltimore 12, Maryland  
 HO Phone 7-2100

DESCRIPTION

PROPERTY ON BOTH SIDES OF JACK'S LANE, SOUTH OF HAZELWOOD AVENUE, FOURTEENTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

Present Zoning: R-6  
 Proposed Zoning: R-A

Beginning for the same at a point on the west side of Jack's Lane as laid out twenty-five feet wide, at the distance of 414.60 feet, as measured along said west side of Jack's Lane, from its intersection with the south side of Hazelwood Avenue, as laid out thirty feet wide, said point of beginning being at the beginning of the seventh line of the land which by deed dated June 29, 1944 and recorded among the Land Records of Baltimore County in Liber R. J. S. No. 1332, Folio 350 was conveyed by Spector Holding Company, Inc. to Louis Lee Wellbrenner and wife, and running thence, binding on the west side of said Jack's Lane and on a part of said seventh line, (1) S. 03° 31' W., 113.45 feet to the beginning of the land which by deed dated August 15, 1930 and recorded among the aforementioned Land Records in Liber C. W. B., Jr., No. 950, Folio 2 was conveyed by Stephen L. Zachar to Lawrence E. Young and wife, thence binding on the first, second and third lines of said land the three following courses and distances: (2) S. 76° 19' E., 264.00 feet, (3) S. 03° 31' W., 375.42 feet and (4) N. 66° 29' W., 259.83 feet to a point on the west side of Jack's Lane

Handwritten notes: #5944 #11144 63-61 MAP #11144 RA 8/20/63

CHILDS & ASSOCIATES, INC.  
 2129 N. Charles St., Baltimore 12, Maryland

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herein referred to and in the seventh line of said first mentioned land, thence binding on said west side of Jack's Lane and on a part of said seventh line, (5) S. 03° 31' W., 93.03 feet to the end of said seventh line, thence leaving said Jack's Lane and binding on the eighth and ninth lines of said first mentioned land the two following courses and distances: (6) N. 85° 34' W., 386.43 feet, and (7) N. 03° 40' E., 183.00 feet to the beginning of said first mentioned land, thence binding on the first line thereof (8) N. 01° 33' E., 833.2 feet, more or less, to the southeast side of Hazelwood Avenue herein referred to, thence binding thereon along the second line of said first mentioned land and along the fifth line of the first parcel of the land which by deed dated September 15, 1960 and recorded among said Land Records in Liber W. J. R. No. 3757, Folio 291 was conveyed by Spector Holding Company, Inc. to Bradley St. C. Wellbrenner and wife, in all, (9) N. 60° 14' E., 52.50 feet, said last bearing being as called for in said last mentioned deed, thence binding on the sixth line of said first parcel and still binding on the south side of said Hazelwood Avenue, as called for in said last mentioned deed, (10) S. 85° 37' E., 72.30 feet, thence leaving Hazelwood Avenue and binding on the first line of said first parcel, as called for in said last mentioned deed, (11) S. 01° 20' W., 200.50 feet to the end thereof and to the beginning of the fifth line of the land first herein referred to, thence binding on the fifth and sixth lines of said first mentioned land, (12) S. 02° 42' W., 213.20 feet, and (13) S. 84° 20' E., 297.10 feet to the place of beginning.

HGW:abr 6/4/63



5944

IN THE MATTER OF THE PETITION FOR RECLASSIFICATION FROM AN "R-6" Zone to an "R-A" Zone - West side of Jack's Lane 414.60' S. Hazelwood Avenue, 14th Dist., Bradley K. Wellbrenner, et al., Petitioner, Western Associates, Contract Purchaser - No. 63-61

Dear Mr. Commissioner:

Please encare an appeal to the Board of Appeals of Baltimore County on behalf of Western Associates from your Order dated September 13, 1963, denying the reclassification.

John Bowie  
 Attorney for Petitioners

I HEREBY CERTIFY that on September 24, 1963, copy of the foregoing was mailed to Ernest A. Sciascia, Esq., 433 Title Bldg., Baltimore 2, Md., Attorney for Protestants.

John Bowie  
 Attorney for Petitioners

JOHNSON BOWIE  
 ATTORNEY AT LAW  
 TOWSON, MD.

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Bradley Wellbrenner & Sons, legal owner, of the property situated 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 R-A zone; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for the following reasons:

- There was an error in the original zoning.
- There has been a change in the neighborhood.

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 the following reasons:

Property to be posted and advertised as prescribed by Zoning Regulations. If 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: Ernest A. Sciascia  
 Attorney: John Bowie  
 Address: 433 Title Bldg.

ORDERED BY THE Zoning Commissioner of Baltimore County, this 25th day of June, 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 106, County Office Building in Towson, Baltimore County, on the 11th day of September, 1963, at 1:00 o'clock P. M.

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John S. Hote, Zoning Commissioner Date: August 30, 1963

FROM: Mr. Joseph A. Gwynn, Deputy Director

SUBJECT: #5944-63-61, Re: to Recl. West side of Jack's Lane 414.60 feet South of Hazelwood Avenue, Being property of Young and Wellbrenner.

14th District

REMARKS: Wednesday, September 11, 1963 (1100 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to R-A zoning and has the following advisory comment to make with respect to pertinent planning factors:

- Analysis of the subject petition, with respect to the physical area and the pattern of subsequent zoning, indicates that there is nothing inherent to suggest either the logic or the appropriateness of apartment zoning. The subject property does not meet any of the standards which the Planning staff has utilized in locating new apartment areas. The property is not situated on or in close proximity to a major roadway, it is removed from neighborhood or community shopping facilities, and it is not well related to any other community facilities.

URB:baa

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of \_\_\_\_\_

the above Reclamation 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 \_\_\_\_\_ day of \_\_\_\_\_, 1963, that the herein described property or area should be and the same is hereby reclassified, 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.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property, and public hearing on the above petition, and it appearing that by reason of \_\_\_\_\_ the petitioners did not prove that there had been sufficient change in the area to warrant the reclassification from R-6 to R-A. Some of the 119 R-6's in error in that apartment zoning had not been planned. GO THE R-6'S

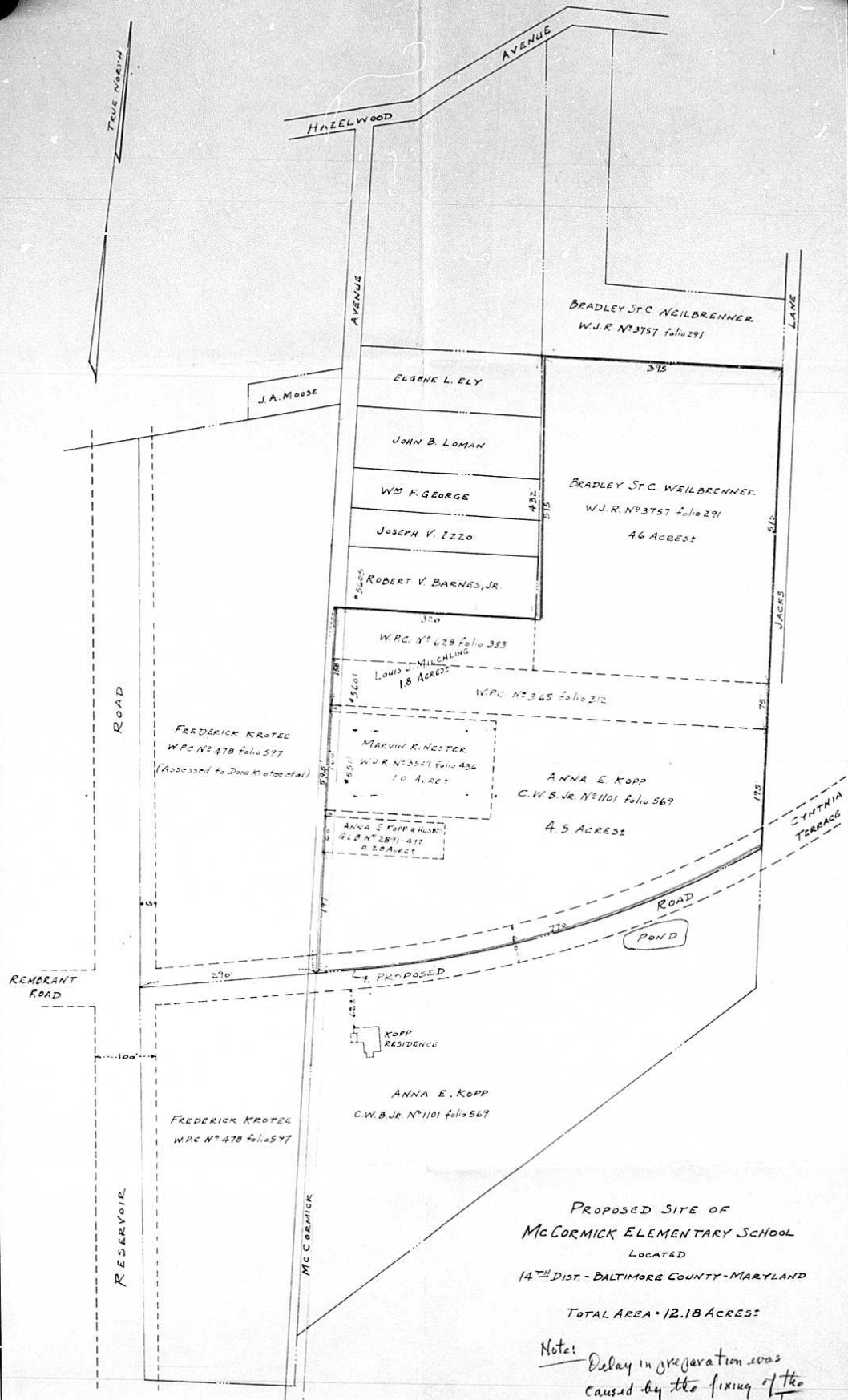
the above re-classification should NOT BE HAD, and a Special Exception should NOT BE GRANTED.

IT IS ORDERED BY THE Zoning Commissioner of Baltimore County, this 13th day of September, 1963, 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, and the Special Exception for a \_\_\_\_\_ should be and the same is granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

MICROFILMED



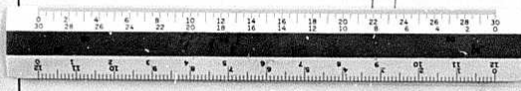


PROPOSED SITE OF  
 MCCORMICK ELEMENTARY SCHOOL  
 LOCATED  
 14<sup>TH</sup> DIST. - BALTIMORE COUNTY - MARYLAND  
 TOTAL AREA - 12.18 ACRES

Note: Delay in preparation was caused by the fixing of the alignment of Cynthia Terrace. An appraisal is underway. When completed, negotiations will begin.

REVISED AUGUST 13, 1963  
 SCALE - 1" = 100' AUGUST 2, 1963

DOLLENBERG BROTHERS  
 SURVEYORS & CIVILIANS  
 709 WASHINGTON AVENUE  
 TOWSON, MARYLAND



Note: Compiled from deeds and plats.  
 Dimensions and areas are approximate.

