

RE: PETITION FOR RECLASSIFICATION
from an "R-C" Zone to an "R-A" Zone,
SE corner Eastern Avenue and
Lynnwood Road,
15th District
Woodcraft Realty Company,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 65-53-R

ORDER OF DISMISSAL

Petition of Woodcraft Realty Company for reclassification from an "R-C" Zone to an "R-A" Zone, on the southeast corner Eastern Avenue and Lynnwood Road in the Fifteenth District of Baltimore County.

Whereas the Board of Appeals is in receipt of a "Petition to Dismiss" dated January 6, 1965 from the attorney representing the protestants-appellants in the above entitled matter.

Whereas the said attorney for the said protestants requests that the appeal filed on behalf of said protestants, be dismissed and withdrawn as of January 6, 1965.

It is hereby ORDERED this 16th day of January, 1965 that said appeal be dismissed with prejudice as of the aforementioned date.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

G. Mitchell Austin, Chairman

W. Giles Parker

William S. Baldwin

RE: Petition of Woodcraft Realty Company, Southeast corner Eastern Avenue and Lynnwood Road, Fifteenth District
BEFORE
THE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 65-53-R

PETITION TO DISMISS

MR. CHAIRMAN:

As attorney for the Protestants, Glen Manor Apartments, I have been requested by them to ask the Board of Appeals to dismiss the appeal as they wish to withdraw same effective this date, subject to the further order of this Board.

January 6, 1965.

Robert J. Remaska,
Attorney for Protestants
809 Eastern Boulevard
Baltimore, Maryland (21221)
MURDOCK 6-8274

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Woodcraft Realty Co., Inc., 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 that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R.C. zone to an R.A. zone for the following reasons:

1. There is no present demand or need in the area for additional single family homes, but there is an urgent need and demand in the area for apartment dwellings, a circumstance which was not anticipated nor provided for at the time of adoption of the zoning map.
2. The public need and convenience requires reclassification of the subject property since the present classification thereof serves no useful purpose, benefit no one, and is out of character with current development, while the reclassification of the property to an R.A. zone is justified, appropriate and, in the public generally.
3. Since adoption of the zoning map for the area, the character and condition of the neighborhood of the subject property have so changed that a reclassification required under proper zoning standards and principals.

See Attached Description

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.

WOODCRAFT REALTY CO., INC.

Legal Officer Vice President

Address: c/o M. William Adelson, Esq.

1035 Maryland National Bank Bldg.

Baltimore, Maryland 21202

Protestant's Attorney

M. William Adelson
Petitioner's Attorney
103 Maryland National Bank Bldg.
Baltimore, Maryland 21202
Address - Phone 2-6682

ORDERED BY The Zoning Commissioner of Baltimore County, this 14th day of July, 1965, 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 108, County Office Building in Towson, Baltimore County, on the 19th day of August, 1965, at 10:00 o'clock A. M.

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

G. Mitchell Austin, Chairman,
TO: Baltimore County Board of Appeals

Date: September 24, 1964

FROM: John G. Pope

SUBJECT:

The attached petition was granted by the Zoning Commissioner on August 19, 1964. The 30 day appeal period expired at 4:50 P. M. on September 18, 1964. The appeal was not received until September 23, 1964, therefore the appeal was not accepted by the Zoning Commissioner.

In the meantime Mr. Robert J. Remaska, attorney, has filed an appeal from my refusal to accept the basic appeal and I am forwarding the appeal to your Board.

I am also attaching Mr. Remaska's appeal and my decision concerning petition No. 65-53-R.

Check No. 4470 filed with appeal is attached

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Office of Law

Date: October 5, 1964

FROM: County Board of Appeals

SUBJECT: Petition of Woodcraft Realty Co.,
SE corner Eastern Avenue &
Lynnwood Road, 15th District
No. 65-53-R

Gentlemen:

A question has arisen as to the legality of an appeal pending before this Board for the following reasons:

1. Protestants' attorney alleges that the mailing of the appeal from the Zoning Commissioner's order was accomplished one day prior to the expiration of the appeal date.
2. The Zoning Commissioner alleges that the appeal was not actually received by his office until three days subsequent to the appeal date, although the protestants' attorney's letter was postmarked on the day of the appeal.

We have scheduled a special hearing on this matter and we would like your opinion as to whether or not in view of the above stated facts, if proven, the appeal is timely. I suggest that the Assistant Solicitor who is to handle this matter contact Mrs. Eisenhart and review our file.

Yours truly,

G. Mitchell Austin, Chairman

GMA:ate

PROPOSED RA - ZONING IN SOUTHWOOD
BEGINNING for the same at the Southeast corner of Eastern Avenue 50 feet wide and Lynnwood Road 16 feet wide at the beginning of that tract of land which by deed dated April 13, 1960 and recorded among the Land Records of Baltimore County in Liber W.J.R. #3688 folio 589 etc. was conveyed by Middleview Manor, Inc. to Woodcraft Realty Co., Inc. thence binding on the South side of Lynnwood Road and running with and binding on the first and part of the second lines of said conveyance the two following courses and distances:

1. South 82 degrees 57 minutes 40 seconds East 416.20 feet and
2. North 76 degrees 41 minutes 46 seconds East 238.17 feet to the beginning of that tract of land which by deed dated May 15, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R. #3843 folio 371 etc. was conveyed by Woodcraft Realty Co., Inc. to Joseph H. Punte and wife, thence running reversely with and binding on the last and fifth lines of said conveyance the two following courses and distances:
 1. Southeasterly by a line curving to the South with a radius of 325.00 feet for a distance of 367.30 feet (the chord of said arc being South 59 degrees 00 minutes 35 seconds East 348.05 feet) and
 2. South 26 degrees 38 minutes 01 second East 231.82 feet to intersect the fifth line of the firstly mentioned Woodcraft conveyance thence running with and binding on part of said fifth line and on part of the sixth line the two following courses and distances:
 1. South 78 degrees 03 minutes 41 seconds West 77.18 feet and

CHARLES D. GRACE
PROFESSIONAL ENGINEER & LAND SURVEYOR
181 ALLEGHENY AVENUE
TOWSON 4, MARYLAND
VALLEY & SON
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2. South 21 degrees 57 minutes 11 seconds East 485.00 feet, thence for 15-B
lines of division the four following courses and distances:
1. South 68 degrees 02 minutes 49 seconds West 382.00 feet
 2. South 80 degrees 00 minutes 00 seconds West 410.00 feet
 3. South 0 degrees 20 minutes 42 seconds East 69.76 feet and
 4. South 61 degrees 10 minutes 29 seconds West 212.00 feet to intersect the eighth line of the said Woodcraft conveyance thence running with and binding on part of said eighth line and on the ninth and tenth and eleventh lines of said conveyance the three following courses and distances:

1. North 28 degrees 49 minutes 21 seconds West 500.00 feet
2. North 23 degrees 16 minutes 19 seconds East 493.96 feet and
3. North 66 degrees 43 minutes 41 seconds West 285.82 feet to the said Easternmost side of Eastern Avenue thence binding on said side of Eastern Avenue and running with and binding on the last line of the said Woodcraft conveyance North 23 degrees 17 minutes 49 seconds East 250.12 feet to the place of beginning.

CONTAINING 23.301 Acres of land more or less.

BEING part of that tract of land which by deed dated April 13, 1960 and recorded among the Land Records of Baltimore County in Liber W.J.R. #3688 folio 589 etc. was conveyed by Middleview Manor, Inc. to Woodcraft Realty Co., Inc.

4/3/64

