

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Robert Milwee and Lillian C. Egner, legal owners 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to a B.R. zone; for the following reasons:

1. The mistake in the original zoning
2. Change in character of 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 Contractor's Equipment Storage Yard

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

And 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.

CHASE CONTRACTING CO., INC.

BY: *Robert E. Carney, Jr.*
Contract purchaser

Address: Chase, Maryland

Robert Milwee
Lillian C. Egner
Legal Owners

Address: Eastern Avenue

Chase, Maryland

Robert E. Carney, Jr.
Petitioner's Attorney
102 Jefferson Building
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 9th day of March, 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 106, County Office Building in Towson, Baltimore County, on the 19th day of April, 1965, at 10:00 o'clock



ROBERT E. CARNEY, JR.
ATTORNEY AT LAW
JEFFERSON BUILDING
TOWSON 4, MARYLAND
AREA CODE 301
833-2080

May 18, 1965

Zoning Commissioner of Baltimore County
County Office Building
Towson, Maryland 21204

Re: Petition for Reclassification
R-6 to B. R. Zone
S/E side of Eastern Avenue 940'
from the Southwest corner of
Brinkmans Road - 15th District
Robert Milwee - Petitioner
No. 65-283-RX

NOTICE OF APPEAL

Dear Sir:

In accordance with the provisions of Section 500.10 of the Baltimore County Zoning Regulations, Robert Milwee the owner and Petitioner, hereby appeals from the decision of the Deputy Zoning Commissioner in the above entitled case to the County Board of Appeals.

Robert E. Carney, Jr.
Robert Milwee,
by Robert E. Carney, Jr., Attorney

RECJr:cam



70.00
5.00 + 1.00
75.00

RE: PETITION FOR RECLASSIFICATION
R-6 to B.R. Zone and Petition for
Special Exception for Contractor's
Equipment Storage Yard - SE/S of
Eastern Avenue 940' from the South-
west corner of Brinkmans Road -
15th District
Robert Milwee-Petitioner

BEFORE THE

DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 65-283-RX

The petitioner has requested rezoning of his property, consisting of 3 3/4 acres, from an R-6 zone to a B.R. zone and a Special Exception for a Contractor's Equipment Storage Yard.

Without reviewing the testimony in detail, the Deputy Zoning Commissioner is of the opinion the petitioner failed to show an error in the original zoning or such a change in the character of the neighborhood to justify the rezoning sought.

For the foregoing reasons, it is ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 21 day of April, 1965, 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 an R-6 zone; and the Special Exception for a contractor's equipment storage yard be and the same is hereby DENIED.

Edward D. Hardy
Edward D. Hardy
Deputy Zoning Commissioner of
Baltimore County

CHARLES D. GRACE
PROFESSIONAL ENGINEER & LAND SURVEYOR
121 ALLEGHANY AVENUE
TOWSON, MD. 21204
VALLEY 8-8080

ZONING DESCRIPTION PROPERTY ON EASTERN AVENUE

BEGINNING for the same at a point on the Southeast side of Eastern Avenue, 40 feet wide, and on the Southwest side of a road 30 feet wide at the distance of 940 feet Southwesterly from the Southwest corner of Brinkmans Road, said point being the beginning of that tract of land secondly described in a deed dated January 27, 1947 and recorded among the Land Records of Baltimore County in Liber J.W.B. #1537 folio 291 etc., was conveyed by William A. Sullivan to Kate Lay, et al, thence binding on the Southeast side of Eastern Avenue and running with and binding on the first line of said conveyance South 41 degrees 38 minutes West 71.26 feet, thence leaving said side of Eastern Avenue and running with and binding on the second and third lines of said conveyance and reversely on the third and second lines of that tract of land fourthly described in a deed from William A. Sullivan to Kate Lay, et al, and recorded in said Land Records in Liber J.W.B. #1537 folio 293 etc., the three following courses and distances:

1. South 22 degrees 47 minutes West 617.86 feet to a stone heretofore planted
2. South 48 degrees 37 minutes East 250.00 feet and
3. North 22 degrees 47 minutes East 692.90 feet to the Southwest side of said 30 feet road, thence binding on the said Southwest side of said 30 feet road and reversely on the first line of the herein lastly mentioned conveyance and running with and binding on the fifth or last line of the herein firstly mentioned conveyance North 48 degrees 22 minutes West in all 226.83 feet to the place of beginning.

CONTAINING 3.75 Acres of land more or less.

RE: PETITION FOR RECLASSIFICATION
from an R-6 zone to a B.R. zone,
SPECIAL EXCEPTION for a
Contractor's Equipment
Storage Yard
SE/S Eastern Avenue 940' from the
SW corner of Brinkmans Road,
15th District
Robert Milwee and Lillian C. Egner,
Petitioners

BEFORE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

No. 65-283-RX

ORDER OF DISMISSAL

Petition of Robert Milwee and Lillian C. Egner for reclassification from an R-6 zone to a B.R. zone, and special exception for a Contractor's Equipment Storage Yard on property located on the southeast side of Eastern Avenue 940 feet from the southwest corner of Brinkmans Road in the Fifteenth District of Baltimore County.

Whereas, the Board of Appeals is in receipt of a Letter of Dismissal of Appeal filed October 26, 1966 from the attorney representing the petitioners-appellants in the above entitled matter.

Whereas, the said attorney for the said petitioners-appellants requests that the appeal filed on behalf of said petitioners be dismissed and withdrawn as of October 26, 1966.

It is hereby ORDERED this 27th day of October, 1966 that said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin
William S. Baldwin, Chairman

W. Giles Parker
W. Giles Parker

John A. Slawik
John A. Slawik

ROBERT E. CARNEY, JR.
ATTORNEY AT LAW
JEFFERSON BUILDING
TOWSON 4, MARYLAND
AREA CODE 301
833-2080

October 27, 1966

County Board of Appeals
Room 301
County Office Building
Baltimore, Maryland 21204

RE: ROBERT MILWEE, ET AL.
SE/S Eastern Ave. 940' from
SW corner of Brinkman Road
15th District

Dear Gentlemen:

Please be advised that the Petitioners are not going to proceed with the appeal.

Very truly yours,

Robert E. Carney, Jr.
Robert E. Carney, Jr.
Attorney for Petitioners

REC/mlm

CHARLES D. GRACE
PROFESSIONAL ENGINEER & LAND SURVEYOR
121 ALLEGHANY AVENUE
TOWSON, MD. 21204
VALLEY 8-8080
-2-

BEING those two tracts the first being secondly described in a deed dated January 27, 1947 and recorded among the Land Records of Baltimore County in Liber J.W.B. #1537 folio 291 etc., was conveyed by William A. Sullivan to Kate Lay, et al, and the second being that tract of land fourthly described in a deed from William A. Sullivan to Kate Lay, et al, and recorded in said Land Records in Liber J.W.B. #1537 folio 293 etc.

12/11/64

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: April 1, 1965

FROM: George E. Gavrelis, Director

SUBJECT: Petition #65-283-RX. R-6 to B.R. Special Exception for contractor's equipment storage yard. Southeast side of Eastern Avenue 940 feet from Southwest corner of Brinkmans Road. Being the property of Robert Milwee and Lillian C. Egner.

15th District

HEARING: Thursday, April 15th, 1965 (10:00 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

1. The Composite Guideplan proposed by the staff recommends that the subject property be devoted to industrial use, the proposed zoning map showing the M.L.R. classification. The decision as to zoning was based on the need to provide an appropriate transition from M.L. zoning on the north side of the Pennsylvania Railroad to the future park land south of the subject property. In view of this we feel that the subject proposal should not be allowed.
2. Creation of a B.R. Zone for the subject parcel would result in use potentials grossly out of character with those of surrounding properties as currently zoned. The B.R. Zone would, in short, be a spot zone.

PROPERTY OF
CHASE CONTRACTING CO.
 15TH ELECTION DIST. BALTO. CO. MD.
 SCALE: 1"=50' DECEMBER 11, 1954
CHARLES D. GRACE
 ENGINEER-SURVEYOR
 121 ALLEGHENY AVENUE
 TOWSON 4, MD.



Charles D. Grace

