

RE: PETITION FOR RECLASSIFICATION
from an R-6 zone to a B-L zone
W/S Washington Avenue, 303'
South of 5th Avenue,
13th District
Charles E. Radcliffe,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 65-344-R

ORDER OF DISMISSAL

Petition of Charles E. Radcliffe for reclassification from an R-6 zone to a B-L zone on property located on the west side of Washington Avenue, 303 feet south of 5th Avenue in the Thirteenth District of Baltimore County.

WHEREAS, the petitioner-appellant was notified by letter dated July 8, 1966 by the Board of Appeals that the hearing on the within petition would be held Thursday, July 28, 1966, and

WHEREAS, the protestants and their counsel, H. Kemp MacDaniel, Esq., were present in the hearing room at 11 a.m. on July 28, 1966, and the Board and litigants waited until 11:30 a.m. for the petitioner-appellant to appear, and

WHEREAS, at 11:30 a.m. the Chairman of the Board called a recess and talked on the telephone with Mrs. Charles E. Radcliffe, wife of the petitioner, who advised the Chairman that they did not wish to proceed with the appeal and did not intend to appear at the hearing, and

WHEREAS, the Chairman requested, and was advised by Mrs. Radcliffe that a letter would be forwarded to the Board dismissing the appeal, and

FURTHER, Mrs. Radcliffe, wife of the petitioner-appellant, was advised by the Chairman of the Board of Appeals on the telephone that if the aforesaid letter was not received within five (5) days the appeal would be dismissed by Motion of the Board, and

WHEREAS, the Board has not received a letter or formal dismissal of the appeal, the Board, on Motion of counsel for the protestants, will dismiss the within appeal.

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, Charles E. Radcliffe, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and 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 B-L zone, for the following reasons:

(1) Change in use
(2) Change in area

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 as:

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.

Contract purchaser
Address
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of April, 1966, 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 3rd day of June, 1966, at 10:00 o'clock A.M.



Charles E. Radcliffe - #65-344-R

THEREFORE, it is hereby ORDERED this 9th day of August, 1966 that said appeal be, and the same is hereby DISMISSED, effective August 17th, 1966 provided a copy hereof is served on the petitioner-appellant by certified mail on or before the 12th day of August, 1966.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

John A. Slowik

Paul T. McHenry, Jr.

April 18, 1966

Description of that parcel of land located on the westerly side of Washington Avenue being 303 feet southerly from Fifth Avenue, District 13, Baltimore County, Maryland.

Beginning for the same at an iron pipe set in the westerly line of Washington Avenue, said beginning being south 03°28'12" east 303 feet from the corner formed by the southerly line of Fifth Avenue and the westerly line of Washington Avenue, thence binding on the westerly line of Washington Avenue south 03°28'12" east 67 feet to an iron pipe marking the division line between lots number 10 and 11 as shown on the recorded plat of HILLSIDE plat book 7 folio 255, thence binding on the division line between said lots 10 and 11, south 86°31'38" west 300 feet to an iron pipe, thence binding on part of the rear line of lot 10, north 07°23'12" west 67 feet to an iron pipe thence crossing through said lot number 10 north 86°31'38" east 300 feet to the place of beginning.

Known as number 612 Washington Avenue.

Being the same parcel of land described in a Deed from Clayton W. Bordley Inc. to Charles E. Radcliffe, recorded among the Land Records of Baltimore County in Liber G.L.R. 315 folio 271.



Chas. W. Hemler

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: May 20, 1966
FROM: George E. Gavrilis, Director of Planning
SUBJECT: Petition No. 65-344-R. "R-6 to B-L Zone West side of Washington Avenue 303 feet South of 5th Avenue. Being the property of Charles E. Radcliffe and Dorothy K. Radcliffe."

13th District

HEARING: Thursday, June 3, 1966 (10:00 A.M.)

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

This petition is, on its face, a request for a spot zone. It would result in the creation of land use potentials on the subject property greatly incongruous with the potentials of surrounding properties. The question should be asked whether the subject property is appropriate for any of the uses permitted in the B-L zone. We think not!

Mr. Edward Hardesty
Deputy Zoning Commissioner
of Baltimore County

Dear Sir
I would like to enter an appeal to your order of reclassification of 612 Washington Ave which was Denied. Enclosed check for \$70.00

Charles E. Radcliffe



INTER-OFFICE CORRESPONDENCE
DIVISION OF TRAFFIC ENGINEERING
Baltimore County, Maryland
Towson 4, Maryland

TO: Mr. James S. Dyer
FROM: Eugene J. Clifford
SUBJECT: Item 5 - Z.C. - April 14, 1965 - 612 Washington Avenue

Review of the subject plat dated April 11, 1964 results in the following comment.

Washington Avenue is a narrow residential street of 18 feet macadam paving which is not suited for commercial traffic.

Eugene J. Clifford
Baltimore County Traffic Engineer

Mr. Charles Radcliffe
612 Washington Ave.
Landsdowne, Md. 21227

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland

Your petition has been received and accepted for filing this

14th day of April, 1966.

Owners Name: Charles Radcliffe
Reviewed by: John G. Rose

JOHN G. ROSE
Zoning Commissioner

RE: PETITION FOR RECLASSIFICATION
R-6 Zone to B-L Zone
W/S of Washington Avenue, 303' South
S/A Avenue - 13th District
Charles E. Radcliffe et al-Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 65-344-R

The petitioner has requested his property be reclassified from an R-6 zone to a B-L zone to permit the operation of a small appliance repair service.

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 15 day of July, 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.

Edward D. Hardesty
EDWARD D. HARDESTY
Deputy Zoning Commissioner of Baltimore County

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON 4, MARYLAND

Mr. and Mrs. Charles Radcliffe
Washington Avenue
Landsdowne, Maryland 21227

Reclassification from R-6 zone to B-L zone, located on the west side of Washington Avenue, 303' South of 5th Avenue, 13th District

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:

The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commissioner's hearing.

OFFICE OF PLANNING AND ZONING: The subject property is located in the heart of a residential neighborhood. The only means of access is by way of residential streets which were not designed or intended to be used for commercial traffic. This Office strongly questions the wisdom of these streets with regard to commercial traffic which would be generated by the type of zoning requested. While the subject property has been used as a lawn mower repair business for years, and apparently has not caused any great amount of traffic problems, the writer is concerned with other uses which would be permitted in a B-L zone and could cause traffic problems.

The following members had no comment to offer:

Traffic Engineering
State Roads Commission
Bureau of Engineering
Board of Education

Fire Department
Health Department
Industrial Commission
Buildings Department

Yours very truly,

cc: Albert Quinley, Office of Planning & Zoning

James S. Dyer
James S. Dyer
Chief of Permit and
Petition Processing

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 13th Date of Posting: May 15, 1965
Posted for: Reclassification from R-6 to B-L
Petitioner: Charles E. Radcliffe
Location of property: W/S Washington Ave. S/A of 5th Ave.
Location of Sign: on lawn of 612 Washington Ave.
Remarks: See above
Posted by: J. Rose Date of return: May 20, 1965

65- 344 R

sign

BALTIMORE COUNTY, MD. May 13, 1965

19-65

Purchase Order B0111
Registration No. 7453

No. 30638

BILLED Zoning Dept. of Balto. Co.

Advertising and posting of property
#65-344-2

9-2865 6267 • 30659 IXP- 4350

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No. 30572

WILLIAMSON Department of Public Co.

ACCOUNT NO. **10-10** DETACH UPPER SECTION

2-1065 4985 * 30572 TTP-- 50.00

1

TOWSON, MD.....May 11, 1964

1922

THE JEFFERSONIAN.

THE JEFFERSONIAN,
G. Frank Whipple
Manager.

ZONING: From R-4 to R.L. Zone.
LOCATION:—West side of Wash-
ington Avenue 101 feet South of 15th
Avenue.
DATE & TIME: Thursday, June 2,
1945 at 10:00 A.M.
PUBLIC HEARING: Room 104,
County Office Building, 111 W.
Main St.

The Acting Commissioner of Baltimore County, by authority of the Board of Commissioners of Baltimore County, will hold a public hearing:

Present Zoning: R-4
Proposed Zoning: B.I.
All that parcel of land in the Thirteenth District of Baltimore County, Maryland, containing an area of approximately 0.6 acres, more or less, bounded as follows: On the west by the westerly line of Washington Avenue, said point south 83° 17' 12" east 24 feet from the corner of the intersection of the westerly line of Fifth Avenue and the westerly line of Washington Avenue, thence bearing S 89° 50' 00" E 100 feet to the intersection of Washington Avenue, south 83° 17' 12" east 67 feet to an iron pipe marker set at the corner of the intersection of Washington Avenue and the westerly line of Washington Avenue, north 83° 17' 12" east 67 feet to an iron pipe marker set at the corner of the intersection of Washington Avenue and the westerly line of Washington Avenue, north 83° 17' 12" east 67 feet to an iron pipe marker set at the corner of the intersection of Washington Avenue and the westerly line of Washington Avenue, north 83° 17' 12" east 67 feet to an iron pipe marker set at the corner of the intersection of Washington Avenue and the westerly line of Washington Avenue.

on the recorded plat of Middle
platt book 1 folio 165, thence begin-
ning on the corner of the lot
made late 10 and 11, south 54° 51'
15" west 289 feet to S. 1/2 true pier
on the corner of the lot made late
line of lot 14, north 61° 15' 21" E
west 67 feet to an iron pipe placed
on the corner of the lot made late
north 54° 51' 21" east 330 feet to
the place of beginning.

Be it remembered that on the 21st Washington
Avenue.

Being the same parcel of land
described in the deed from Charles
W. Bentley Inc. to Charles R. Rad-
cliffe, recorded among the Land
Records of the County of Baltimore
Lib. 61.8. 315 folio 371.

Being the property of Charles R.
Radcliffe, deceased, the Radcliffe
as shown on plat plan filed with the
Selling Department.

Witness my hand and seal, June 1,
1943 at 10:00 A.M. Public Hearing:
Rosa L. Hall, A. J. Office Building:
Wm. W. Chesapeake Avenue, Towson,
Md.

By Order of
GEO. ROSE,
Selling Commissioner of
Baltimore & County

By Order of
JOHN G. ROSE,
Eating Commissioner of
Baltimore County.

No. 32058

Office of Planning & Zoning
179 County Office Bldg.,
Towson, Maryland 21204

DETACH UPPER SECTION AND RETURN WITH YOUR PERMITTANCE

Cost of appeal - No. 65-344-11

8-1965 592 * 30058 ZIP- 70.00

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.



S 1/2 OF LOT 10
HILLSIDE PLAT BOOK 2-305
DIST. 13, BALTO. CO. MD.
SCALE 1" = 50' APRIL 11, 1964.
CHAS. W. HEMLER.

28' ✓ Charles W. Hemler

N03°28'22" W

120'

67'

AVENUE

AVENUE

S 1/2 OF LOT 10
HILLSIDE 2-305

20
✓
#65-344R
MAP
#13
SEC. 2-A
33A
SW-6-C
BL

20
✓
MAP
#13
SEC. 2-A 33A
SW-6-C
BL

WINIFRED

FIFTH



WASHINGTON macadam AVENUE

50'

50'

