

# 70-72-R PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Rosedale Baptist Church 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 (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-A zone to an R-A zone, for the following reasons:

1. Change in character of neighborhood.
2. Error in the present zoning map.
3. Unable to use land in present classification.

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:

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 advertised, 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.

Calvin W. Kahler  
CALVIN W. KAHLER  
Edna E. Kahler  
EDNA E. KAHLER Contract purchaser  
Address 21 W. Susquehanna Avenue  
Towson, Maryland 21204

ROSEDALE BAPTIST CHURCH  
By: Simon D. Haislip  
SIMON D. HAISLIP, Pastor  
Address 21 W. Susquehanna Avenue  
Towson, Maryland 21204

Power and Mosner  
POWER AND MOSNER  
Petitioner's Attorney  
Address 21 W. Susquehanna Avenue  
Towson, Maryland 21204

Protestant's Attorney  
Protestant's Attorney  
Address 21 W. Susquehanna Avenue  
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of August, 1969, 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 15th day of October, 1969, at 2:00 o'clock.

Zoning Commissioner of Baltimore County  
Zoning Commissioner of Baltimore County  
(over)

ROSEDALE BAPTIST CHURCH OF BALTIMORE

Calvin W. & Edna E. Kahler, Contract Purchasers

70-72-R

SE/S Philadelphia Road 195' NE of Rustic Ave.

15th District

R-A to B.L. (0.43 acres)

|         |          |                                                                                                         |
|---------|----------|---------------------------------------------------------------------------------------------------------|
| August  | 25, 1969 | Petition filed                                                                                          |
| Dec.    | 31       | Reclassification GRANTED by Z.C.                                                                        |
| January | 29, 1970 | Appeal to County Board of Appeals by John J. Schuchman, Esq., Attorney for Protestants, Einchutz, et al |
| Dec.    | 3        | Reclassification GRANTED by the Board                                                                   |
| "       | 30       | Appeal filed in the Circuit Court by Mr. Schuchman                                                      |
| Feb.    | 1, 1971  | Petition to Extend Time to 3/1/71 filed in the Circuit Court                                            |
| July    | 12       | Dismissed by attorney for protestants-appellants                                                        |

GRANTED

RE: PETITION FOR RECLASSIFICATION  
from an R-A zone to a B.L. zone  
SE/S Philadelphia Road 195'  
NE of Rustic Avenue

IN THE

CIRCUIT COURT

15th District

FOR

BALTIMORE COUNTY

Case No. 70-72-R

Rosedale Baptist Church  
of Baltimore, Petitioner  
Calvin W. and Edna E. Kahler,  
Contract Purchasers

ORDER

Upon the foregoing Petition for Extension of Time, it is hereby

ORDERED, by the Circuit Court for Baltimore County, that the time for the transmission of record and other papers in the above entitled matter and Appeal may be and is hereby extended to the 1st day of October, 1971.

Judge

RE: PETITION FOR RECLASSIFICATION  
from an R-A zone to a B.L. zone  
SE/S Philadelphia Road 195'  
NE of Rustic Avenue

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY

15th District

Case No. 70-72-R

Rosedale Baptist Church

of Baltimore, Petitioner

Calvin W. and Edna E. Kahler,  
Contract Purchasers

ORDER TO DISMISS

MR. CLERK:

Please enter an Order to Dismiss the appeal in the above entitled case.

John J. Schuchman  
John J. Schuchman  
Attorney for Petitioner  
Legal Building  
7611 E. Fayette Street  
Baltimore, Maryland 21224  
342-4321

## BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BLDG.  
111 E. Lombard Ave.  
Towson, Maryland 21204

Oliver L. Myers  
XXXXXXXXXXXX  
Chairman

MEMBERS

BUREAU OF

ENGINEERING

STATE ROADS COMMISSION

BOARD OF EDUCATION

HEALTH DEPARTMENT

PROJECT PLANNING

ZONING DEPARTMENT

BOARD OF EDUCATION

ZONING DEPARTMENT

INDUSTRIAL DEVELOPMENT

August 1, 1969

Messrs. Power and Mosner  
21 W. Susquehanna Avenue  
Towson, Maryland 21204

RE: Type of Hearings: Reclassification  
from an R-A zone to an B.L. zone  
Location: SE/S Philadelphia Rd.,  
195' NE of center line of Rustic Ave.  
Petitioner: Rosedale Baptist Church  
Committee Meeting of July 22nd, 1969  
Item 12 15th District

Gentlemen:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The property as it exists is improved with a two-story stucco finish building with a masonry garage to the rear of the property. The property is currently being used as a storage area for school buses. There is no curb and gutter along Philadelphia Road at this point. It lies directly across the street from residences, and there is a residential use to the south. To the north of the property there is the Kenwood Bus Company.

BUREAU OF ENGINEERING:

Highways:

Philadelphia Road is a State road; therefore, this site will be subject to State Roads Commission review and all street improvements and entrance locations on this road will be subject to State Roads Commission requirements.

Rustic Avenue is an existing road which will be improved in the future as a 30-foot closed section with flexible paving on a 50-foot right-of-way. Highway widening, based on a line 25 feet off and parallel with the center line of the existing paving, will be required along the portion of the

Messrs. Power and Mosner

21 W. Susquehanna Avenue

Towson, Maryland 21204

Item 12 Page 2

August 1, 1969

Highways: (Continued)

subject property adjacent to Rustic Avenue. Highway improvements are not proposed at this time and access to the subject site from Rustic Avenue will not be permitted.

Storm Drains:

The Applicant must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or other drainage facilities, would be the full responsibility of the Applicant.

Philadelphia Road is a State road; therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Roads Commission.

Sediment Control:

Development of this property through stripping, grading, and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Sanitary Sewers:

Public sanitary sewerage is available to serve this property.

Water:

Public water supply is available to serve this property.

PROJECT PLANNING DIVISION:

This plat must be revised to show the widening on Rustic Avenue 25' from center line along with the indication of the 8' buffer strip between alley parking space and the street R.W. line.

Messrs. Power and Mosner

21 W. Susquehanna Avenue

Towson, Maryland 21204

Item 12 Page 2

August 1, 1969

BUREAU OF TRAFFIC ENGINEERING:

The subject site as BL could generate approximately 250 trips per day. While as RA it would only generate 50 trips per day.

BOARD OF EDUCATION:

Acres too small to have a bearing on student population.

FIRE DEPARTMENT:

Petitioner shall be required to comply with all Fire Department requirements when construction plans are submitted for approval.

BUILDING ENGINEER'S OFFICE:

Must meet all requirements of the Baltimore County Building Code.

HEALTH DEPARTMENT:

Since public water and sewers are available, no health problems are anticipated.

Prior to construction, renovation and/or installation of equipment for this food service facility complete plans and specifications must be submitted to the Division of Food Control, Baltimore County Department of Health for review and approval.

The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

STATE ROADS COMMISSION:

The minimum width for a commercial entrance is 25 ft. The entrance must be of a depressed curb type with 36" depression transitions.

The plan must be revised prior to the hearing.

The entrance will be subject to State Roads Commission approval and permit.

ZONING ADMINISTRATION DIVISION:

This office is withholding a hearing date until such time as revised plans are received that indicate there will be no eating within the proposed carry out shop or on the premises. The plot plan should also show the

Messrs. Power and Mosner

21 W. Susquehanna Avenue

Towson, Maryland 21204

Item 12 Page 4

August 1, 1969

the requirements as commented by the other departments.

Very truly yours,

Oliver L. Myers  
OLIVER L. MYERS, Chairman

OLM:JD

Enc.

RE: PETITION FOR RECLASSIFICATION IN THE  
from an R-A zone to a B.L. zone  
15th District  
15th District  
Rosedale Baptist Church  
of Baltimore, Petitioner  
Calvin W. and Edna E. Kahler,  
Contract Purchasers

PETITION FOR EXTENSION OF TIME  
TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petition of John W. Diegel, one of the Protestants  
in the above entitled case, by his attorney, John J. Schuchman,  
respectfully represents unto your Honor:

1. That the Notice of Appeal was filed in this Honorable  
Court on December 31, 1970, asking for review of the above cap-  
tioned case.

2. That the County Board of Appeals of Baltimore County  
has been served with a Notice of Appeal, and a Certificate of  
Notice pursuant to the provisions of Rule 1101-B & of the Mary-  
land Rules of Procedure has been served on all interested par-  
ties. However, the record, transcript and all other papers have  
not been filed in this Honorable Court, and thirty (30) days is  
about to elapse, and the Appellant herein does not wish to be  
in violation of the aforesaid Rule.

3. That the Appellant prays this Honorable Court to grant  
him and other Protestants and Appellants a reasonable extension  
of time in which this Appeal may be heard before this Honorable  
Court, and to have the record, transcript and other papers filed  
in accordance with the rules of practice and procedure.

And for such other and further relief as the nature of his

case may require.

John J. Schuchman  
John W. Diegel  
Cue of the Protestants  
John J. Schuchman  
Attorney for Appellants and Protestants  
Legal Building  
2611 E. Fayette Street  
Baltimore, Maryland 21224  
342-4321

STATE OF MARYLAND:  
CITY OF BALTIMORE: To Wit:

I HEREBY CERTIFY, that on this 29th day of January, 1971,  
before me, the subscriber, a Notary Public of the State of Mary-  
land, in and for the County of Baltimore, personally appeared  
John W. Diegel, and he made oath in due form of law that the  
matters and facts set forth in the foregoing Petition for Ex-  
tension of Time are true and correct to the best of his knowledge,  
and belief.

AS WITNESS my hand and Notarial Seal.

I HEREBY CERTIFY that a copy of the foregoing Petition  
For Extension of Time was mailed to Muriel E. Buddesier, County  
Board of Appeals of Baltimore County, County Office Building,  
Towson, Maryland, 21204, and Robert J. Rosedale, Esquire, 809  
Eastern Boulevard, Baltimore, Maryland, 21221, Attorney for  
Petitioner, this 29th day of January, 1971.

John J. Schuchman  
Attorney for Appellants and  
Protestants

RE: PETITION FOR RECLASSIFICATION IN THE  
from an R-A zone to a B.L. zone  
15th District  
15th District  
Rosedale Baptist Church  
of Baltimore, Petitioner  
Calvin W. and Edna E. Kahler,  
Contract Purchasers

NOTICE OF APPEAL

NR. CLERK:

Please note an appeal to this Court from the decision dated  
December 3, 1970, of the County Board of Zoning Appeals in Case  
No. 70-72-R pertaining to a petition for reclassification from R-A  
zone to B.L. zone in the above entitled matter.

John J. Schuchman,  
Attorney for Appellants  
2611 E. Fayette Street  
Baltimore, Maryland 21224  
342-4321

CERTIFICATE OF COMPLIANCE

This is to certify that pursuant to rules 206 (C) and 1103  
Subtitle B of the Maryland Rules of Procedure, this BP (C), a copy  
of the foregoing Notice of Appeal was served on the County Board of  
Zoning Appeals of Baltimore County, this day of December, 1970.

John J. Schuchman

Service of a copy of the Notice of Appeal in the above entitled  
case is admitted this 30th day of December, 1970.  
County Board of Zoning Appeals of  
Baltimore County  
BY: *John J. Schuchman, Attorney*

Rosedale Baptist Church - #70-72-R

followed by a tavern-restaurant (Photo Exhibits #8-A and #8-B) and three dwellings, the  
third of which has a welding shop in the rear. Recrossing to the south side of  
Philadelphia Road, at Rustic Avenue, and continuing eastwardly to the subject property,  
are two dwellings in an R-A zone; the last house is within five feet of the lot on the  
subject site (See Photo Exhibits #3-A and #3-B).

To support his request for reclassification, the Petitioner cites error in  
original zoning (Zoning Map 4-B, adopted by the County Council on August 1, 1966), and  
he also claims change in the character of the neighborhood. He cites that his lot is  
only 65 feet wide, and since Section 217.3 of the Zoning Regulations requires side yard  
setbacks of 25 feet on each side in an R-A zone, he could erect an apartment building  
only 15 feet wide, which he claimed to be impractical and, therefore, it was erroneous to  
zone his lot as R-A. Two zoning changes were cited: Cases #70-205-RA and #69-51-R  
which were re-classifications from residential to commercial zones. Testimony revealed  
that the neighborhood is mixed with commercial and residential uses.

The Protestants objected to granting the reclassification claiming traffic  
would be increased; their property values would be adversely affected, and the neigh-  
borhood would be opened to further commercialization.

The Board is impressed with the testimony of the Petitioner's expert witnesses,  
Dr. W. Ewell and Mr. Frederick Klaus, who testified respectively that the traffic generated  
would be in the range of twenty cars per hour at off peak hours and would not overburden  
the carrying capacity of the roads, and that the existing R-A classification is indeed in  
error as stated above. The Board feels that one reclassification does not arbitrarily  
beget another as each petition must stand or fall on its own merits. Also, because of  
the existing mixed uses of the neighborhood and the small size of the subject property, the  
Board does not believe that granting the petition will adversely affect nearby residential  
values.

For these reasons and from all the testimony presented, the Board will  
affirm the decision of the Deputy Zoning Commissioner and grant the requested petition.

Rosedale Baptist Church - #70-72-R

ORDER

For the reasons set forth in the foregoing Opinion, it is this 3rd day  
of December, 1970, by the County Board of Appeals ORDERED, that the reclassification  
from R-A to B.L. petitioned for, be and the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Chapter 1100, sub-  
title B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

John A. Slowik, Chairman

Walter A. Keiter, Jr.

John A. Miller

JOHN J. SCHUCHMAN  
ATTORNEY AT LAW

210 MURRAY BUILDING  
FAYETTE AND CALVERT STREETS  
BALTIMORE, MARYLAND 21202  
AREA CODE 301 727-4014  
727-4128

2611 E. FAYETTE STREET  
BALTIMORE, MARYLAND 21224  
AREA CODE 301 342-4321

October 13, 1969

Edward D. Hardesty, Esq.  
21 West Susquehanna Avenue  
Towson, Maryland 21204

RE: Petition for Reclassification of 15th  
District from R. A. to B. L. Zone #70-72-R

Dear Mr. Hardesty:

This office represents the following property owners and  
residents in the area of the property of the Rosedale Baptist  
Church on which rezoning has been petitioned:

1. John and Varney Diegel  
1224 Rustic Avenue
2. Raymond and Helen Windisch  
1216 Rustic Avenue
3. Vernon and Betty Reeger  
1405 Philadelphia Road
4. Mrs. Joan Colder (widow)  
1339 Philadelphia Road
5. Mrs. Violet Gato (widow)  
1225 Rustic Avenue
6. Adam and Viola Renneroff  
1227 Rustic Avenue
7. Bert and Edith Linscome  
1229 Rustic Avenue
8. Vernon and Helen Maddox  
131 Rustic Avenue

The above named are a partial list of the protestants who will  
appear at the scheduled zoning hearing to be held in the above  
matter on October 15, 1969. The writer will also represent  
considerable additional protestants and possible several improvements  
associations regarding the Petition for Reclassification.

Please enter my name as attorney for the protestants in this  
matter.

John J. Schuchman

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: October 10, 1969

FROM: Mr. George E. Gavell, Director of Planning

SUBJECT: Petition #70-72-R. Reclassification from R.A. to B.L.  
Southwest side of Philadelphia Road 195 feet northeast  
of Rustic Avenue. Rosedale Baptist Church, Petitioners

15th District

HEARING: Tuesday, October 15, 1969 (2:00 P.M.)

This request does not correspond to the recommended East-Northeastern  
Sector Master Plan and Comprehensive Zoning Map approved September 30,  
1969 for public hearing scheduled for November 5, 1969. This office  
feels that a use of this type is not in keeping with the residential  
character presently established in this neighborhood.

In any event, this request should be evaluated and decided through the  
Planning Board - County Council Public Hearings process.

RE: PETITION FOR RECLASSIFICATION  
From RA Zone to BL Zone  
SE/3 Philadelphia Road  
195<sup>th</sup> NE of Rustic Avenue  
15th District  
Rosedale Baptist Church  
Petitioner

BEFORE THE  
DEPUTY ZONING  
COMMISSIONER  
OF  
BALTIMORE COUNTY  
70 - 72 - R

#### K2. COMMISSIONER:

Please enter an Appeal from the Order in the above entitled matter and remand the case to the Baltimore County Board of Zoning Appeals on behalf of the following named Protestants:

1. Mrs. Nellie Einschutz  
8337 Philadelphia Road  
Rosedale, Maryland 21237
2. Mrs. Joan Colder  
8338 Philadelphia Road  
Rosedale, Maryland 21237
3. Mr. and Mrs. Vernon Reeger  
8405 Philadelphia Road  
Rosedale, Maryland 21237
4. Mr. and Mrs. Fred Vogtman, Jr.  
8339 Philadelphia Road  
Rosedale, Maryland 21237
5. Mr. and Mrs. John Diegel  
1228 Rustic Avenue  
Rosedale, Maryland 21237
6. Mrs. Charles Galt  
1228 Rustic Avenue  
Rosedale, Maryland 21237
7. Mr. and Mrs. A. Benhoff  
1227 Rustic Avenue  
Rosedale, Maryland 21237
8. Mr. and Mrs. Bert Lipscomb  
1228 Rustic Avenue  
Rosedale, Maryland 21237
9. Mr. and Mrs. Howard Vandouren  
1228 Rustic Avenue  
Rosedale, Maryland 21237
10. Mr. and Mrs. Raymond P. Windisch  
1228 Rustic Avenue  
Rosedale, Maryland 21237
11. Mr. A. Miska  
1228 Rustic Avenue  
Rosedale, Maryland 21237



RE: PETITION FOR RECLASSIFICATION  
From RA zone to BL zone  
SE/3 Philadelphia Road  
195<sup>th</sup> NE of Rustic Avenue  
15th District  
Rosedale Baptist Church  
Petitioner

BEFORE THE  
DEPUTY ZONING  
COMMISSIONER  
OF  
BALTIMORE COUNTY  
70-72-R

The petitioner seeks a Reclassification of his property, consisting of .43 acre, from a Residential Apartment zone to a Business Local zone. Plans call for the construction of a Carry-out Seafood Store. The proposed building would be thirty-four (34) feet wide by fifty-six (56) feet long.

The subject property lies on the south side of Philadelphia Road, 195 feet northeast of Rustic Avenue in the Fifteenth Election District. The tract measures sixty (60) feet by a mean of 276 feet. Across Philadelphia Road lies a nonconforming weld shop situated on the southwest side of Eversing Avenue. Going in an easterly direction from the welding shop are several residences and then a ballfield and a tavern. Just on the other side of Eversing Avenue are situated a gasoline service station and a super market.

As stated before, the petitioner's property lies on the south side of Philadelphia Road. All of the property from the east boundary line of the petitioner's tract in a westerly direction to Rustic Avenue is zoned RA and is improved with residences. Immediately next door on the east side is a long, narrow strip of land which is zoned RA in the front and BL in the rear. The BL portion is currently used for the storage and repair of buses.

The petitioner contends that zoning on his property is erroneous and that he is being deprived of the proper use of his land. This contention is based on the premise that he would only be able to construct a fourteen (14) foot wide apartment house if side yard setbacks are met. It is also contended that the school bus operation immediately next door precludes residential usage of the subject property and that BL zoning here would be reasonable and appropriate. There is no question but that public utilities are available and equipped to serve the proposed seafood store. The Deputy Zoning Commissioner so agrees.

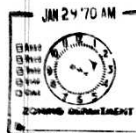
12. Mr. and Mrs. Ferd Einschutz  
8338 Rustic Avenue  
Rosedale, Maryland 21237
13. Mr. Stanislaus K. Manger, Past President  
Berkfield Improvement Association  
1217 Berkwood Road  
Baltimore, Maryland 21206
14. Mr. and Mrs. Nick Brown  
1217 Rustic Avenue  
Rosedale, Maryland 21237
15. Ethel J. Boone  
8419 Philadelphia Road  
Rosedale, Maryland 21237
16. Mr. and Mrs. Carl M. Schultz  
8501 Philadelphia Road  
Rosedale, Maryland 21237
17. Mr. and Mrs. George Isenhour  
8509 Philadelphia Road  
Rosedale, Maryland 21237
18. Mr. and Mrs. Henry J. Mass  
8515 Philadelphia Road  
Rosedale, Maryland 21237
19. Mrs. Shirley Muers  
8547 Philadelphia Road  
Rosedale, Maryland 21237
20. Emma Hammer  
8533 Philadelphia Road  
Rosedale, Maryland 21237
21. Mr. and Mrs. Edward N. Clingan  
8524 Philadelphia Road  
Rosedale, Maryland 21237
22. Mr. and Mrs. Joseph Wilczynski  
8402 Philadelphia Road  
Rosedale, Maryland 21237
23. Mr. and Mrs. Oliver T. Kenney  
8404 Philadelphia Road  
Rosedale, Maryland 21237
24. Mary Koenig  
8511 Philadelphia Road  
Rosedale, Maryland 21237
25. P. Jerome Ruzicka  
Vice President and Chairman of the  
Zoning Committee  
Greater Rosedale Community Council, Inc.  
8012 Caradoc Drive  
Rosedale, Maryland 21237
26. Red House Run Civic Improvement  
Association  
c/o Howard Bowen  
8314 Annie Avenue  
Rosedale, Maryland 21237
27. William B. Burgess, President  
Hillbrook - Camelot Improvement  
Association  
Edwill Avenue  
Rosedale, Maryland 21237

Some of the neighbors appeared in protest, which was based on possible property depreciation, traffic congestion, unpleasant odor, and fear that the petitioner would serve alcoholic beverages.

With respect to the property depreciation, it would appear that there is now a mixture of residential and business usage in the immediate neighborhood and a reclassification to business use of a .43 acre tract would have little or no effect on property values. Emission of food odors is a matter to be properly handled by the Health Department. As to traffic congestion, it appears that Philadelphia Road is capable of handling any additional traffic from a seafood store. As concerns alcoholic beverages, the petitioner testified that he will not operate a tavern, and even if he so desired to serve alcoholic beverages he would have to obtain the proper license from the Baltimore County Liquor License Commissioners. It should be pointed out that the office of Planning and Zoning is a separate body from the Baltimore County Liquor License Commissioners and is not authorized under law to issue any type of alcoholic beverage permit.

For the foregoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 31 day of December 1969, that the herein described property or area should be and the same is hereby reclassified; from a RA zone to a BL zone, from and after the date of this Order, subject to approval of the site plan by the State Roads Commission, the Bureau of Public Services and the Office of Planning and Zoning.

*David O. Hendry*  
Deputy Zoning Commissioner of  
Baltimore County



John J. Schuchman  
Attorney for Protestants  
916 Munsey Building  
Baltimore, Maryland 21202  
Saratoga 7 - 8014

James S. Sfikas  
Attorney for Protestants  
916 Munsey Building  
Baltimore, Maryland 21202  
Saratoga 7 - 5259

I HEREBY CERTIFY, that on this \_\_\_\_\_ day of \_\_\_\_\_, 1970, a copy of the Appeal herein was mailed to Gordon G. Power, Attorney for Plaintiff, Messrs. Power and Mosner, 21 West Susquehanna Avenue, Towson, Maryland 21204.

*John J. Schuchman*  
Attorney for Protestants

E. F. RAPHEL & ASSOCIATES  
Registered Professional Land Surveyors  
201 COURTLAND AVENUE  
TOWSON, MARYLAND 21204

REFERENCE 17-12-2  
July 9, 1969

DESCRIPTION TO ACCOMPANY PETITION FOR RECLASSIFICATION  
RA to BL 8407 PHILADELPHIA ROAD

BEGINNING for the same at a point in the centerline of Philadelphia Road (Route 7) 195<sup>th</sup> Northeast of the centerline of Rustic Avenue in the fourth or 155<sup>th</sup> 248 ft. line of the land which by deed dated April 10, 1964 and recorded among the Land Records of Baltimore County in Liber WJR 4291, folio 201 was conveyed by Bryant M. Nelson and wife to The Rosedale Baptist Church of Baltimore, said point being also the end of the second line of the land which by deed dated September 1943 and recorded among the Land Records of Baltimore County in Liber RJS 1305, folio 532 was conveyed by Joseph Hanalik to Cyrus D. King and wife, thence leaving the centerline of Philadelphia Road and the fourth line in first mentioned deed and binding reversely to the second line of the land which by deed dated April 10, 1964 and recorded among the Land Records of Baltimore County in Liber WJR 4291, folio 201, running thence and binding on the first line in last mentioned deed and on the second and third lines in the first mentioned deed N36°W 284.0 ft. to the centerline of Philadelphia Road running thence and binding on part of the fourth line of the first mentioned deed and on the centerline of Philadelphia Road S55°W 64.74 ft. to the place of beginning.

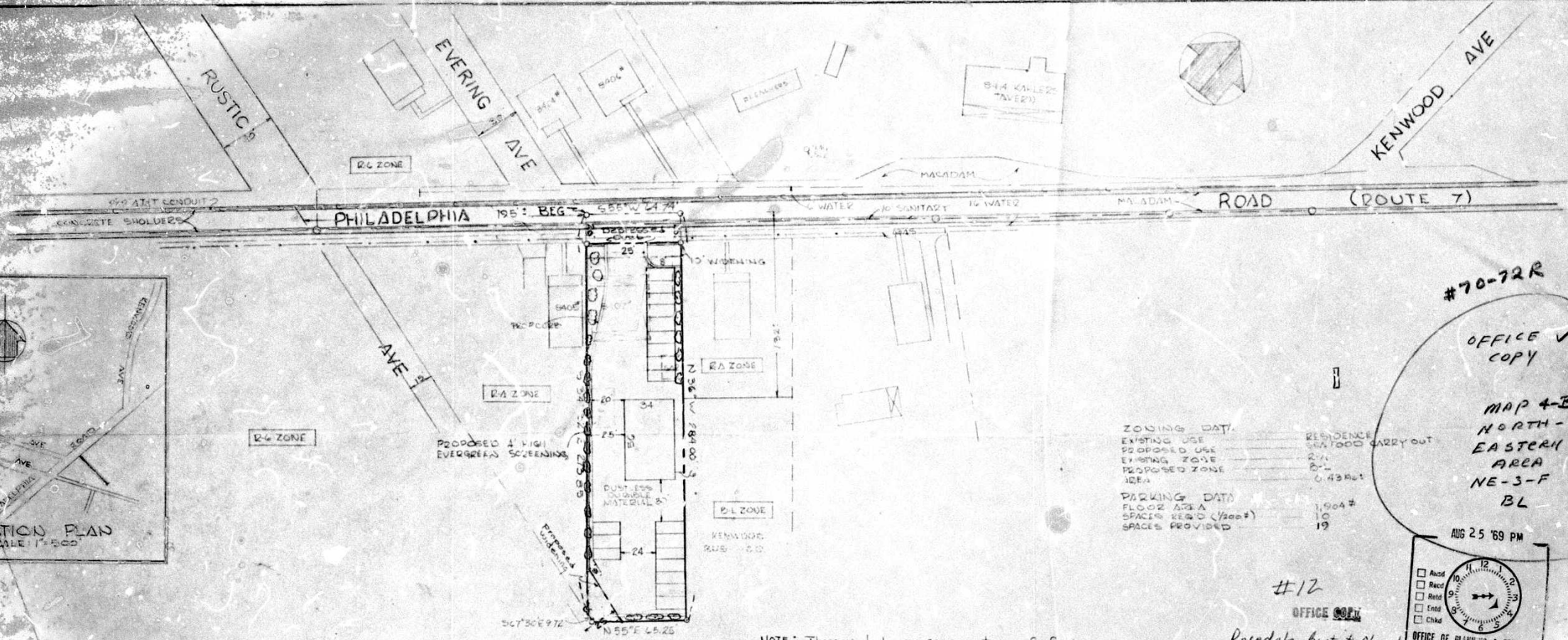
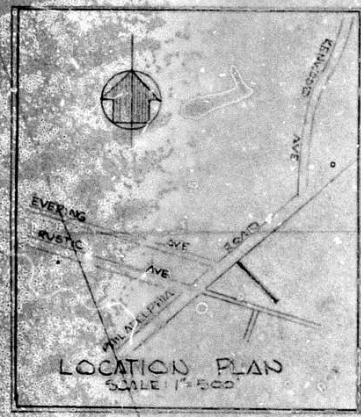
CONTAINING 0.43 Acres of land more or less.

BEING all of the land which by deed dated April 10, 1964 and recorded among the Land Records of Baltimore County in Liber WJR 4291, folio 201 was conveyed by Bryant M. Nelson and wife to The Rosedale Baptist Church of Baltimore.



*E. F. Raphael*  
Eugene F. Raphael  
Reg. Prof. Land Surveyor





E. F. DANIEL & ASSOCIATES  
Registered Land Surveyors  
201 COURTLAND AVENUE  
TOWSON 3 MARYLAND

NOTE: EX. STRUCTURE IS TO BE RAISED

NOTE: NOT A SURVEY PLOTTED FROM  
DEEDS, PLATS & OTHER SOURCES

*E. F. Daniel*  
Surveyor

NOTE: There is to be no consumption of food  
permitted on premises

|                       |                      |
|-----------------------|----------------------|
| ZONING DATA           |                      |
| EXISTING USE          | RESIDENCE            |
| PROPOSED USE          | RESTAURANT CARRY OUT |
| EXISTING ZONE         | R-6                  |
| PROPOSED ZONE         | RA                   |
| AREA                  | 0.43 Acs             |
| PARKING DATA          |                      |
| FLOOR AREA            | 1,904 sq ft          |
| SPACES REQ'D (1/2000) | 10                   |
| SPACES PROVIDED       | 19                   |

#70-72R

OFFICE COPY

MAP 4-B  
NORTH-  
EASTERN  
AREA  
NE-3-F  
BL

AUG 25 '69 PM



#12

OFFICE COPY

Rosedale Baptist Church

PLAT TO ACCOMPANY ZONING PETITION  
8407 PHILADELPHIA ROAD

ELECTION DISTRICT 15 BALTIMORE, CO MD  
SCALE 1"=50'  
Revised as per comments Aug. 21-69  
JULY 3, 1969

