

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Robert C. Gray and Lily F. Gray, his mother, 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an SE-1-E zone; for the following reasons:

1. To fill a need in the area.
2. To bring the zoning status of the property in conformity with zoning of surrounding areas.
3. To correct an error in the zoning map.

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 reclassification and/or Special Exception advertising, post, 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 of Baltimore County.

Contract purchaser
Address: Robert C. Gray
Address: 407 W. Penn. Ave., Towson, Md. 21204
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of June, 1970, 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 held before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of August, 1970, at 1:00 o'clock P.M.

RECEIVED FOR
PLANNING
DATE
OFFICE OF
PLANNING & ZONING

Thomas L. Hennessey, Esquire
407 W. Pennsylvania Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this 24th day of July, 1970.

Edward D. Hardisty
Zoning Commissioner

Petitioner Robert C. Gray and Lily F. Gray
Petitioner's Attorney Thomas L. Hennessey Reviewed by Edward D. Hardisty
Chairman of the Advisory Committee

REQUEST FOR RECLASSIFICATION
FROM R-6 TO B.L. OF LOT 536 IN
SECTION FOUR AS LAID DOWN ON A
PLAT OF GRACELAND PARK KNOWN AS
7203 EASTERN AVENUE LOCATED IN
THE TWELFTH ELECTION DISTRICT
OF BALTIMORE COUNTY, BY ROBERT
C. GRAY AND LILY F. GRAY, HIS
MOTHER, LEGAL OWNERS

MEMORANDUM

NOW COME Robert C. Gray and Lily F. Gray, his mother, legal owners of the above-captioned property, by Thomas L. Hennessey, their attorney, in accordance with Bill 72, Section 27 22(b) and state that the reclassification requested should be granted for the following reasons:

The proposed zoning is to correct an apparent oversight. The land here being a strip 25.7 x 125.5 on a corner and incapable of any practical application to an R6 use, its present zoning. The property to the East is all zoned B.L. and the dwelling to the rear is zoned R6. The major zoning consideration is Oaklawn Cemetery, approximately 125 feet from the subject property.

The changes in the area, the further development of Eastern Avenue and particularly the adjacent property at 7203 Eastern Avenue in the same ownership, being Zoning Application No. 5941-RV6358, substantiates the necessity to correct this error. It is well to consider the changing area, the traffic flow on Eastern Avenue and an ever-increasing need to create the proper aesthetic outlook in connection with zoning. A review of the zoning map and the surrounding zoning gives rise to the question why this proposed change was not automatically done in planning and the apparent oversight is easily recognized due to the small size of the lot.

Thomas L. Hennessey
Attorney for Petitioners
407 West Pennsylvania Avenue
Towson, Maryland 21204
Telephone: 823-7710

DOLLENBERG BROTHERS
Regional Professional Engineers & Surveyors
708 WASHINGTON AVENUE AT 10th ROAD
TOWSON, MD. 21204

April 22, 1970

Zoning Description

All that piece or parcel of land situate, lying and being in the Twelfth Election District of Baltimore County, State of Maryland and described as follows to wit:

Beginning for the same at the corner formed by the intersection of the southeast side of Eastern Avenue with the northeast side of 48th Street and running thence and binding on the southeast side of Eastern Avenue North 62 degrees 00 minutes East 25.07 feet, thence leaving said avenue and running the two following lines: 1st: South 23 degrees 30 minutes East 125.53 feet and South 66 degrees 30 minutes West 25 feet to the northeast side of 48th Street and thence binding on the northeast side of 48th Street North 23 degrees 30 minutes East 125.7 feet to the place of beginning.

Containing 0.07 of an Acre of land more or less.

Being Lot No. 536 as shown on the Plat of Section 4 of Graceland Park which plat is recorded among the Plat Records of Baltimore County in Plat Book W.P.C. No. 6 folio 122.

Being the land of the petitioners herein as shown on a plat filed in the Baltimore County Zoning Department.



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardisty, Zoning Commissioner
FROM: Mr. George E. Gavelly, Director of Planning
Date: August 21, 1970

SUBJECT: Petition #71-58-R, Southeast corner of 45th Street and Eastern Avenue
Petition for Reclassification from R-6 to B.L.
Robert Gray - Petitioner

12th District

HEARING: Monday, August 24, 1970 (1:00 p.m.)

The Staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to B.L. zoning.

We note that the map approved by the Planning Board preliminarily last winter did recommend extending the commercial zoning here to embrace all of the subject property. We regard this petition as one dealing with a minor and proper adjustment in zone boundaries.

GEG:msh

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

July 30, 1970

Thomas L. Hennessey, Esquire
407 W. Pennsylvania Avenue
Towson, Maryland 21204

RE: Type of Hearing: Reclassification
Location: 45th Eastern Avenue at int. with 12th Street
Committee Meeting of May 12, 1970
Petitioners: Robert C. Gray and Lily F. Gray
12th District
Item 296

Dear Mr. Hennessey:

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 subject property is a section of tract of land which abuts a tract owned by and improved with a housing project. The petitioners own both tracts of land. The subject property is bounded on the north with Western Boulevard, the south with residential area, to the east by commercial tract of land and a cemetery. The property to the west is zoned R-6 which is approved with existing commercial use and with street are improved as far as concrete curb and gutter are concerned.

REASON FOR RECOMMENDATION:

1. Location

Forty-fifth Street and Eastern Avenue are existing curbed roadways of which no additional improvements are contemplated.

2. Street Frontage

The petitioner must provide necessary drainage facilities (sewerage or storm) and maintain the drainage system to the satisfaction of the County Engineer. The subject property is bounded on the north with Western Boulevard, the south with residential area, to the east by commercial tract of land and a cemetery. The property to the west is zoned R-6 which is approved with existing commercial use and with street are improved as far as concrete curb and gutter are concerned.

3. Surrounding Area

The subject property is a section of tract of land which abuts a tract owned by and improved with a housing project. The petitioners own both tracts of land. The subject property is bounded on the north with Western Boulevard, the south with residential area, to the east by commercial tract of land and a cemetery. The property to the west is zoned R-6 which is approved with existing commercial use and with street are improved as far as concrete curb and gutter are concerned.

Thomas L. Hennessey, Esquire
Item 296

building 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 permit.

Water and Sewer

Public water and sewer services are available to serve this site.

OFFICE OF PLANNING AND ZONING

This office has reviewed the subject site-plan and has no comments.

OFFICE OF PLANNING AND ZONING

Petitioner to comply with requirements of parking lots "Section 109.101."

OFFICE OF PLANNING AND ZONING

The subject petition should state no major change in trip density since it only contains 0.07 acres.

OFFICE OF PLANNING AND ZONING

The Fire Department has no comment at this time.

OFFICE OF PLANNING AND ZONING

No hearing on student population.

OFFICE OF PLANNING AND ZONING

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 60 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Edward D. Hardisty
Chairman

Enclosure

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver Myers
FROM: Mr. J. J. Forrester
Date: May 14, 1970

SUBJECT: Item 296 - Zoning Advisory Committee Meeting, May 12, 1970

296. Property Owner: Robert C. & Lily F. Gray
Location: S/S Eastern Ave. at int. with 48th Street
Present Zoning: R-6
Proposed Zoning: Reclass. to B.L.
District: 12th
No. Acres: 0.07 acres

Since this petition is for parking, no health hazards are anticipated. However, a revised plan must be submitted prior to the hearing date showing how property is served with water and sewers.

J. J. Forrester
Chief
Water and Sewer Section
BUREAU OF ENVIRONMENTAL HEALTH

IJF/ca

the above Reclassification should be had; ~~and to further appearing that by reason of~~XXXXXXXXXXXX

1st IS ORDERED by the Zoning Commissioner of Baltimore County this 25th day of AUGUST, 1967, that the herein described property or area should be and the same is hereby reclassified: from an R-6 zone to a BL zone, ~~and a Special Exception for a~~ and the same is hereby granted and after the date of this order, subject to the approval of the site plan by the State Roads Commission, the Board of Public Service and the Board of Planning and Zoning. DEPUTY Zoning Commissioner of Baltimore County

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

IT IS ORDERED by the _____, as Commissioner of Baltimore County, this _____ day
of _____, 196____, that the above re-classification 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 _____ zone; and or the Special Exception for _____
_____ be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MICROFILMED

71-58-A
#296

ROBERT GRAY 71-58-A
SE/cor. of 48th St. and Eastern
Ave. 12th

[illegible][illegible][illegible]

THIS IS TO CERTIFY, that the annexed advertisement of
Edward D. Hardisty
Zoning Commissioner of Baltimore County
was inserted in THE DUNDALK TIMES, a weekly newspaper published
in Baltimore County, Maryland, once a week for one ~~xxxxxx~~
week before the 10th day of August 19 70, that is to say, the same
was inserted in the issue of August 6, 1970.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

TOWSON, MD. August 5 1970.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 998,150 ~~xxxxxx~~ before the 24th day of August, 1970, the first publication appearing on the 5th day of August 1970.

THE JEFFERSONIAN.
L. L. Lusk, Jr.,
Manager.

Cost of Advertisement, \$.....

TOWSON, MD., August 6, 1970.

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of one time ~~times~~ before the 26th day of August, 1970, the first publication appearing on the 6th day of August, 1970.

THE JEFFERSONIAN
L. Leank Street
Manager

Cost of Advertisement, \$

TO: Thomas L. Monahan, Esq.
107 W. Penna. Ave.
Towson, Md. 21204

DEPOSIT TO ACCOUNT NO. 01-632		RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT
QUANTITY	DETAILS ALONG PERFORATION AND REP. THIS PORTION FOR YOUR RECORDS		COST
-	Advertising and posting of property for Robert Gray #71-58-2		47.50

Advertising and posting of property for Robert Gray
#71-58-2

MAIL TO OFFICE OF FINANCE, REVENUE DIVISION
COURTHOUSE, TOWSON, MARYLAND 21204

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

71-58-R

Date of Posting Aug. 6 - 22
Monday Aug. 24 - 1928
Aug. 27 - 1928
Sept. 7 - 48 - 58 - 1 Eaton Ave.
Nov. 4 - 1927
Canton, Md.
Date of return: Aug. 13 - 20

WEST BOUND LANE
TO BALTIMORE
EAST BOUND LANE
EASTERN BOULEVARD
SERVICE ROAD
EASTERN AVENUE
NORTH
ZONED B6
RESIDENTIAL USE
ZONED B6
COMMERCIAL USE
EXISTING BROADY SHOP
TO BE PARCELS
NEARLY
QUARTER
SURFACE
ZONED B6
RESIDENTIAL USE
OFFICE COPY
1st SECT 43
SE 1E
ZONING PLAT
PROPERTY LOCATED
IN
12TH DISTRICT BALTO. CO. MD.
0.07 ACR ±
#71-58
#14
SEC. 4-1
SE 1-E
BL
EXISTING ZONING B6
PROPOSED ZONING BL
EXISTING USE UNIMPROVED
PROPOSED USE PARKING
PARKING DATA
120' x 200' - 5 SPACES EXPANDED
8 SPACES PROVIDED
WATER & SANITARY SERVICE AVAILABLE
IN EASTERN AVE.
STATE OF MARYLAND
COUNTY OF BALTIMORE
CITY OF BALTIMORE
APRIL 21, 1970
DOLLENBERG BROTHERS
SURVEYORS & CIVIL ENGINEERS
709 WASHINGTON AVE. TOWSON MD