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RAISTERSTOWN CHAMBER OF
COMMERCIAL, a body corporate
vs.
N. H. KAUFMAN, JR., S. T. AGNEW,
and G. M. AUSTIN, constituting the
County Board of Appeals of Baltimore
County

ORDER OF COURT

The above cause having been presented to the Court, the
papers having been read and considered, and argument of counsel
having been heard in open court:

It is thereupon, this the 23rd day of March, 1961, by the
Circuit Court for Baltimore County (upon the authority of Southern
Hills vs. Raine, 220 Md. 213, 151 A2d 734) ORDERED that the
Petition herein filed be and the same is hereby dismissed, the
Petitioner to pay the costs of this proceeding.

s/ JOHN GRASON TURNBULL
JUDGE

MAP
#4
SEC. 2-D
R-6

THE RAISTERSTOWN CHAMBER
OF COMMERCIAL, a body corporate,
Raisterstown, Maryland.
Appellant
vs.
NATHAN H. KAUFMAN, JR.,
SPIRO T. AGNEW and
G. MITCHELL AUSTIN,
County Board of Appeals
of Baltimore County
County Office Building
Towson 4, Maryland
Defendant
IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 7
Folio 51
Re: Petition for Reclassification
from an "R-10" Zone to
an "R-6" Zone - Timber
Grove Road near Western
Maryland Railroad, 4th
District - The Sanford Land
Co., Petitioner
Board of Appeals of
Baltimore County #4541

MOTION TO DISMISS ZONING APPEAL

TO THE HONORABLE THE JUDGE OF SAID COURT:

Now comes The Sanford Land Company, a body corporate, and moves
this Honorable Court to dismiss the Order for Petition and Petition
accompanying the same filed on behalf of The Raisterstown Chamber of
Commerce, a body corporate, for the following reasons:

1. That this proceeding is an appeal from an order of the County
Board of Appeals for Baltimore County, the order of said Board having been
passed on December 19, 1960, as affirmatively appears from the face of
the order for appeal and petition accompanying the same.
2. That the said order for appeal was filed on January 18, 1960, and
the petition to accompany the order for appeal was filed on January 26, 1961.
3. That Section 604 of the Charter of Baltimore County, entitled,
"Appeals from Decisions of the Board", reads as follows:

-2-



Within thirty days after any decision by the County Board
of Appeals is rendered, any party to the proceeding who
is aggrieved thereby may appeal such decision to the
Circuit Court for Baltimore County, which shall have power
to affirm the decision of the Board, or, if such decision is
not in accordance with law, to modify or reverse such
decision, with or without remanding the case for rehearing,
as justice may require.

4. That The Raisterstown Chamber of Commerce, a body corporate,
is not a party aggrieved, and, therefore, has no standing to maintain its
appeal.

5. That the failure of the Appellant to comply with the Charter of
Baltimore County and to comply with the Zoning Regulations of Baltimore
County has resulted in prejudicial delay, harm and interference with the
property rights of this party.

WHEREFORE, The Sanford Land Company moves this Honorable
Court to pass its order dismissing the order for appeal and petition filed
by the Appellant for the foregoing reasons.

E. Scott Moore,
Attorney for Sanford Land Company,
Duncan Building
Towson 4, Maryland
Valley 5-8511

I HEREBY CERTIFY that copies of the within Motion to Dismiss
Zoning Appeal were made this _____ day of _____, 1961, to
Messrs. Martin & Taylor, 203 W. Chesapeake Avenue, Towson 4, Mary-
land; James A. Gode, 612 Piper Road, Raisterstown, Maryland, attorney
for Appellant; and John T. Walsh, Assistant Solicitor, County Office
Building, Towson 4, Maryland, attorney for Board of Appeals for Baltimore
County.

E. Scott Moore

Petition for Zoning Re-Classification #4541

To The Zoning Commissioner of Baltimore County:-
I, or we, _____, legal owner... of the property above

SEE ATTACHED DESCRIPTION

herby petition that the zoning status of the above described property be re-classified, pursuant to the
Zoning Law of Baltimore County, from an _____ R-10 _____ zone to an _____ R-6 _____ zone.
Reasons for Re-Classification: The adjoining area is zoned manufacturing
restricted and other land adjoining is now being developed by apartments.

Size and height of building: front _____ feet; depth _____ feet; height _____ feet.
Front and side setbacks of building from street lines: front _____ feet; side _____ feet.
Property to be posted as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above re-classification, 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.

THE SANFORD LAND COMPANY
MORTON J. MOORE, Vice-President
Address: 235 Equestrian Building
Baltimore 2, Maryland

ORDERED BY The Zoning Commissioner of Baltimore County, this _____ 12th _____ day of
November, 1959, that the subject matter of this petition be advertised, as required
by the "Zoning Law of Baltimore County," in a newspaper of general circulation throughout Bal-
timore County, that property be posted, and that the public hearing herein be had in the office of the
Zoning Commissioner of Baltimore County, in the Leckford Bldg., in Towson, Baltimore County, on the
_____ 15th _____ day of _____, 1959, at _____ o'clock _____ A. M.

Zoning Commissioner of Baltimore County
(over) NOV 12 1959

MAP
#4
SEC. 1-D
SEC. 2-D
R-6
12/5/58

PETITION FOR RECLASSIFICATION OF
PROPERTY OF THE SANFORD LAND COMPANY,
TIMBER GROVE ROAD NEAR WESTERN MARY-
LAND RAILROAD, 4th ELECTION DISTRICT,
FROM R-10 TO R-6
BEFORE THE ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 4541

NOTICE OF APPEAL

Mr. Clerk:

Please enter an appeal in the above-entitled cause to the County
Board of Appeals.

E. Scott Moore, Attorney
Duncan Building
Towson 4, Maryland
Valley 5-8511



October 18, 1959

\$604.00
REQUIRED OF E. Scott Moore, Attorney for Sanford Land
Company, the sum of Six Hundred and Four (\$604.00) dollars,
being cost of appeal to the County Board of Appeals from the
decision of the Zoning Commissioner denying reclassification of
property, Timber Grove Road near Western Maryland Railroad, 4th
District of Baltimore County.

Zoning Commissioner

PAID - Baltimore County, Md. - Office of Assess

10-14-59 6935 * * * TAX - 604.00
10-14-59 6935 * * * TAX - 604.00

RE: PETITION FOR RECLASSIFICATION
from an "R-10" Zone to an "R-6"
Zone - Timber Grove Road near
Western Maryland Railroad, 4th
District - The Sanford Land Co.,
Applicant,
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 4541

OPINION

This is a petition for the reclassification of a tract
of land located in the Raisterstown area of Baltimore County, in the
Fourth District, from an "R-10" Zone to an "R-6" Zone. The original
petition seeks reclassification for some 300.51 acres and was amended
to reduce the acreage some 28 acres to the northern end of the property.

Mr. George Gavallia, Deputy Director of the Office of
Planning, stated that Baltimore County in adopting the Land Use Map on
November 29, 1957, this property was in an "R-10" Zone category primarily
because the Office of Planning attempted to adequately distribute
sewerage facilities in the area and in order to do so it was felt that
no lesser classification than "R-10" should be allowed in the area.

Mr. David Fehner, an engineer, testifying for the petitioner,
stated that in his opinion that there is adequate water for the property,
a 16 inch service water main now serving the area which would be extended
to the center of the subject property. He also stated that, in his opinion,
the reclassification of this property would not over-tax the sewerage
facilities.

Mr. Jerome Wolff, Assistant Director of Public Works,
testified his department is now increasing water facilities with a new
pumping station at Pleasant Hills and that he did not feel that a limited
amount of "R-6" zoning in the area would adversely affect the sewerage
facilities.

Since the adoption of the Land Use Map there has been one
significant reclassification in this area, a reclassification from an
"R-10" Zone to an "R-6" Zone in the Chantley development located within
a half mile of the subject property. The Board feels that the petitioner
is justified in asking for a reclassification for his property which is
located around a newly completed major shopping center. A similar situation
existed in the Chantley reclassification where there was also a partially
completed shopping center. The existence of this type of commercial
zoning is comparable with a limited amount of "R-6" property.

#4541
MAP
#4
SEC. 2-D
R-6

Pursuant to the advertisement, posting of property, and public hearing on the above petition
and to the testimony of the petitioner and the witnesses, the following is the opinion of the
Zoning Commissioner of Baltimore County:

Since the petitioner has failed to show that substantial changes
have not taken place in the character of the neighborhood to justify the reclassi-
fication, or that there is an error at the time of the adoption of the zoning map for
the Fourth District, the reclassification is denied.

the above reclassification should be had.

It is Ordered by the Zoning Commissioner of Baltimore County, this _____ day of
November, 1959, that the above described property or area should be and the same is
hereby reclassified, from and after the date of this Order, from _____ zone to
_____ zone.

Pursuant to the advertisement, posting of property and public hearing on the above petition
and to the testimony of the petitioner and the witnesses, the following is the opinion of the
Zoning Commissioner of Baltimore County:

Since the petitioner has failed to show that substantial changes
have not taken place in the character of the neighborhood to justify the reclassi-
fication, or that there is an error at the time of the adoption of the zoning map for
the Fourth District, the reclassification is denied.

the above reclassification should NOT be had.

It is Ordered by the Zoning Commissioner of Baltimore County, this _____ day of
September, 1959, that the above petition 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 in "R-10"
(residence) zone.

William S. Adams
Zoning Commissioner of Baltimore County

Approved _____
County Commissioners of Baltimore County

By Order of
WILFIE H. ADAMS
Zoning Commissioner
of Baltimore County
Nov. 12 - Dec. 6

