COMMERCE, a body corporate

N. H. KAUFMAN, JR., S. T. AGNEW, and G. M. AUSTIN, constituting the County Board of Appeals of Baltimore

: FOR BALTIMORE COUNTY \*\*20

#4541

: IN THE CIRCUIT COURT

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 ope a court

It is thereupon, this the 23rd day of March, 1961, by the Cinquit Court for Baltimore County Jupon the authority of Southland 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

THE SAMFRED LAND Center of Timber Western Maryland

Grove Rd.

4541

THE REISTERSTOWN CHAMBER OF COMMERCE,

Appellan

NATHANH KAUPMAN IR SPIRO T. AGNEW and G. MITCHELL AUSTIN, County Board of Appeal County Office Building Towson 4, Maryland

va.

IN THE CIRCUIT COURT

FOR

BALTIMORE COUNTY

AT LAW Misc. Docket No. 7

Re: Petition for Reclassification for Reclassifica-tion 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 Appeal and Petition accompanying the same filed on behalf of The P isterstown 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", reas as follows:

FFR -2-61

Within thirty days after any decision by the County Board within thirty days after any decision by the County Board of Appeals is rendered, say party to the proceeding who is aggreed thereby may appeal such decision to the Circuit Gourt for Baltimore County, which shall have power the aftirm 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,

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

5. That the failure of the Appellant to comply with the Charter of Ballimore County and to comply with the Zoning Regulations of Baltimore County has resulted in prejudiced 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 aforegoing reasons.

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

I HEREBY GERTILY that copies of the within Motion to Dismiss Zoning Appeal were mailed this day of . 1961, to Messrs, Martin & Taylor, 203 W. Chesapeake Avenue, Towson 4 Maryland; James A. Gede, 612 Piper Road, Resterstown, Maryland, uttorney for Appellant; and John T. Welsh, Assistant Solicitor, County Office Building, Towson 4, Maryland, attorney for Board of Appeals for Baltimore

F Scott Moore

Petition for Zoning Re-Classification # 454 To The Zoning Commissioner of Baltimore County:

I, or we, THE SAMPORD LAND COMPANY SER ATTACHED DESCRIPTION

MAP SEC. I-D SEC. 2-D 2.6 12/5/58

brasons 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. Property to be posted as prescribed by Zoning Regulation

hereby petition that the zoning status of the above described property be re-classified

Zoning Law of Baltimore County, from an ... R - 10

of this patition, and further agree to and are to be bound by the suning regulations and re-

235 Equitable Building

ORDERED By The Zoning Commissioner of Baltimore County, this. 12th by the "Zoning Law of Baltimore County," in a newspaper of general circulation throughout Baltimore County, that property be posted, and that the public hearing hereon be had in the office of the Zoning Commissioner of Baltimore County, in the Leckord Bldg., in Towson, Baltimore County, on 19 58 at 10 o'clock At M ... 15th day of December

3/2/54

Zoning Commissioner of Baltimore County

NOV 12 1958

PETITION FOR RECLASSIFICATION OF

BEFORE THE ZONING COMMISSIONER PROPERTY OF THE SAMPORD LAND COMPANY, TIMEER GROVE ROAD NEAR WESTERN MARY-LAND RAILROAD, 4th ELECTION DISTRICT, FROM R-10 to R-6 OF RALTIMORE COUNTY Case No. h5h1

> ........... 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 L. Maryland Valley 5-8511

- 001 9'59 ZONING DEPARTMEN October 14. 1959

\$604.00

01,622

RECEIVED of B. 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 the Zoning Commissioner denying reclassification of property, Timber Grove Road near Western Haryland Railroad, bt District of Baltimore County.

Zoning Commissioner

PAID -- Onlinere County, Md. -- Office of Sycarca

10-1459 6935 . . . TIL- 604.00 10:1459 6935 . . . TIL-60400

RS: PETITICH FOR RECLASSIFICATION from an "R-10" Zone to an "R-6" Zone - Timber Grove Road mear Western Maryland Railroad, ith idevice - The Sanfore Land Co., Auttionar,

COUNTY BOARD OF APPEALS BALTIMORES COUNTY No. 1511

#4541

MPPV

........... OPINION

This is a potition for the reclassification of a tract final located in the Relatorateon area of Emitteen Gennby, in the Fourth District, from an Wholf Zeno to an Web Zeno. The refiginal being the state of the Seno and Seno a

Figure 19. Seerge Gaveling Deputy Director of the Office of Figure 19. Seerge Gaveling Deputy Director of the Office of Figure 28, 1957 with Mailtoner County in septime the land iso Map on Norwaber 28, 1957 with the County of Figure 20, 1957 with check be allowed in the 1958 with the County of Figure 20, 1957 with check be allowed in the 1958 with the County of Figure 20, 1957 with check be allowed in the 1958 with the County of Figure 20, 1957 with check be allowed in the 1958 with the County of Figure 20, 1957 with the County of Figu

Mr. havid Februr, an engineer, testifying for the publisher, a lof inth service water alone that there is adequate water for the property a lof inth service water main not serving the area within well be extended to the subject property. We also stated that, in his opinion, the property would not over-tax the content of the model of the property would not over-tax the community.

Mr. vereme Welff, Assistant Harecter of Public Works, bestified his department is now increasing water facilities with a new promping station at Pleasant Hills and that he did not feel that a limited accust of "Re6" soming in the area would obversely affect the sewerage relations.

Simplificant we applied of the Land bee Map there has been one significant weak the control of the Land, a weaksailfication from an "B-10" Zene to a "B-10" Zene to

Pursuant to the advertisement, posting of property, and public hearing on the above petitler entrat vanantitização de la vanaga ordinação de la contraca de damento de damento de damento de damento de la contraca de la c

at and the contract of the con
Ale Tomorico Income No.
the above re-classification should be had
It Is Ordered by the Zoning Commissioner of Baltimore County this
, 19, that the above described property or area should be and the same i
hereby reclassified, from and after the date of this Order, from a
10 A

Zoning Commissioner of Baltimore Course

Pursuant to the advertisement, posting of property and public hearing on the above petition 2008 except the petitioner having failed to show that substantial changes have not taken place in the character of the neighborhood to justify the reclassi-fication, or that there an error at the time of the scoption of the soning map for the Fourth District, therefore,

the above re-classification should NOT be ba-It Is Ordered by the Zoning Commissioner of Baltimore County, this 30th September ...... 1959 , that the above petition be and the same is hereby denied and that the

Milsie N. Celleune

County Commissioners of Baltimore County

adoption of the Land Use Map but does feel that there was an error in the Accordance of the Land Use Map but does feel that the reclassification of Chartley, coupled with the improvement in the utility situation, the putting, therefore, is granted in part, a description of the property being reclassified accompanies the Order. ORDER For reasons set forth in the aforegoing Opinion, it is this day of December, 1960, by the County Board of Apps 15, Ordered that the aforesaid position for reclassification be and the same is hereby granted III PART from an Westley Zome to an Westley.

Meetran Klan

NOTE: Mr. Agnew did not sit in the above case.

DESCRIPTION OF PROPERTY OF THE SANFORD LAND COMPANY

BEGINNING for the same in the center line of Timber Grove Road at a point located 650 feet, more or less, measured southerly along the center line of Timber Grove Road from a point where said center line intersects the center line of the right-of-way of the Western Maryland Railway, said eginning being intended to be at a point where the center line of

\*4541

Timber Grove Road is intersected by the present Zoning Division Line between "Rasidential R-10"; thence in a westerly direction, binding on the above mentioned division line a distance of 170 feet, more or less, to a point; thence in a southerly direction and parallel to the center line of Timber Grove Road a distance of 2020 feet to a point on the first line of a deed dated October 15, 1951 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2027 folio 354 was conveyed by C. LeRoy Widerman to Maxwell Sugarman, and wife, and running thence and binding on part of the first, second, third and part of the fourth line of said conveyance, North 66 degrees 29 minutes and 20 seconds West 53 feet, more or less; North 7h degrees 1h minutes 20 seconds West 80.08 feet; South 13 degrees 18 minutes 30 seconds West 243.02 feet; and South 76 degrees 41 minutes 30 seconds East 130,00 feet to a point North 76 degrees al minutes 30 seconds West 170 feet from the center line of Timber Grove Road terein referred to; thence continuing along a line drawn from

of the last line of the 8th parcel of the land which by Deed dated October 8. 1958, and recorded among the aforesaid Land Records in Liber C.L.B. No. 3429, folio 212, was conveyed by Jerome J. Gebhart and Jeanette S. Gebhart, his wife, to Commoders Holding Corporation, and running thence and binding

said point and parallel with the center line of said Timber Grove Road

southerly and southwesterly 3190.57 feet to a point 170 feet from the end

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

#4541

4.5.1

Date of Posting 12-45.8.
Posted for Land of Control of Board of Posting 12-45.8.
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Little of Many of Land March 164.4. Mileters Many land of Many land of

Location of Stems Contexion 2014 ft., and the eggs 2 20 ft. people the on Soft Low by adjust from final the Left, fave the poorly sandbusseff chi of the on the 125. Posted by Glasal R. Hater of Late of return: 12-51-58

> CERTIFICATE OF POSTING ING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting Dec. 4, 1958

Posted for: ... "R-10" Zone to an "R-6" Zone

Petitioner: ....The Sanford Land Company. Location of property: ... C/L of Timber Orone Read & Mentaro Maryland B.R., atc. See Plat

Location of Signs. One sign 2010; a mother 2400; W. of Railroad on S. S. Timber Grove Road; another 700's enother 1200's another 1500' west of Bailroad on N.S. Timber Grove Boad ....

Posted by \_\_\_\_George Re Bursed \_\_\_\_\_ Date of return: \_\_\_\_Deca\_ha\_1958\_ True copy-test:

Zoning Commissioner of

Department Of Bublic Works BUREAU OF LAND DEVELOPMENT Inter-Office Correspondence

From George R. Lewis December 12, 1958 To Wilsie H. Adams Subject Zening Pointion AUSU Buclassification R.10 to R.6 Zone Section 1, Academy Acros District 4

Hearing Date: Monday, December 15, 1957 at 10:00 a.m.

In lieu of written corrents, the Department of Public Morks will have someone to testify at the hearing on the referenced roning potition.

Genze & Seur George J. Lends Chief Permit Section Division of Land Development

GRI-13

co: Planning (Mr. Stirling)

THE COMMUNITY NEWS

No. 1 Newburg Avenue

day, December 15, 1958 at 10:00 A.M.

13th lines of said last mentioned land, North 8 degrees 35 minutes 10 seconds East 559.89 feet; South 66 degrees 05 minutes 00 seconds East 208.26 fest; North 43 degrees 15 minutes 00 seconds East 660.00 feet; and North 2 degrees 45 minutes 00 seconds West 1167-47 feet to the beginning of the second line of the first percel of the land last above referred to; thence binding on the second and third lines thereof South 65 degrees 20 minutes 40 seconds West 1551.20 feet and North 15 degrees 24 minutes 50 seconds East 1071.87 feet to the southernmost boundary of Plat No. 2, Section One "Suburbia", recorded among the aforesaid Land Records in Plat Book W. J. R. No. 26, folio 89; thence North 56 degrees East 1160 feet, more or less, to a point; thence North 50 degrees East 875 feet to a point and thence North 88 degrees East 559 feet, more or lass, to the place of beginning. ............

OFFIC OF

THE BALTIMORE COUNTIAN

THE HERALD - ARGUS

THIS IS TO CERTIFY, that the annexed advertisement of Wilsais N. the dame for princy Commissioner of Bottomical Country of Bottomical Country was inserted in THE BALTIMORE COUNTIAN, a group of

three weekly newspapers published in Baltimore County, Mary-

land, once a week for 2 successive weeks before the 6th day of December 1957, that is to say

November 28 and December, 5, 1958 THE BALTIMORE COUNTIAN

By Paul J. Margay Editor and Margar.

the same was inserted in the issues of

Zoning Commissioner of Baltimore County

CATONSVILLE, MD.

Secure 6 1958.

reversely on part of the last, and on the 15th, 14th, and part of the

November 25, 1958

\$302.00

RECEIVED of The Sanford Land Company, petitioner, the sum of Three Hundred and Two Dollars (\$302.00) being cost of petition, advertising and posting property situate on Timber Grove Read, Fourth District of Baltimore County.

HEARING:

Monday, December 15, 1958 at 16:00 A. M.

Room 108 County Office Building 111 W. Cl-papeaks Avenus Towson, Karyland 01.620-10000

COMPTROLLER'S OFFICE





