

RE: PETITION FOR RECLASSIFICATION
FROM "B-2" ZONE TO "B-1" ZONE -
Property Map at N. End of
Fulbrook Road N. German Hill
Road, 12th District - Lohay W.
and Jane Armstrong,
Petitioners

BEFORE
BOARD OF APPEALS OF BALTIMORE
COUNTY
No. 4888

OPINION

This is a petition for a reclassification of property located on Fulbrook Road north of German Hill Road, in the Twelfth District of Baltimore County.

The petitioner seeks a reclassification from an "B-2" Zone to an "B-1" Zone. It is difficult to find justification for reclassification of this property by either the text of an error in original zoning or a change in the character of the neighborhood.

The petitioner endeavored to show that the "B-2" classification would not be materially affected by a change to apartment house use and that it would be a suitable and harmonious use of the subject property. Both Mr. Edward Dossie, principal planner, of the Office of Planning and Mr. George C. Garvold, Deputy Director of Planning, testified in this case. Mr. Dossie testified that it was the opinion of his office that apartments would fit harmoniously. Mr. Garvold testified that in the opinion of his office that there was no error in the original zoning, that there was need for apartments in Baltimore County and to quote "this property could go either way."

It is the unanimous opinion of the Board that it would be "spot zoning" of the worst character to pick out a small isolated tract of land in the middle of a completely group house area and place apartment units on a small parcel in the middle of such an area.

The Board finds no error in the original zoning and could not possibly construe that there have been any changes presented in the testimony since the adoption of the Land Use Map on May 1, 1956, which would justify reclassification.

For the above reasons the reclassification is hereby denied.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 3rd day of November, 1960, by the County Board of Appeals, ORDERED that the reclassification petitioned, be and the same is hereby denied.

Any appeal from this decision must be in accordance with Rule No. 1101 (b) of the Rules of Practice and Procedure of the Court of Appeals of Maryland.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Open 7-10-60
G. Garvold
D. Dossie

TELEPHONE VALLEY 3-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 2481
DATE 5/27/60

TO: Richard C. Shaw,
765 Fulbrook Road,
Baltimore 22, Md.

BILLED BY: Zoning Department
313 County Office Bldg.,
Towson 4, Md.

DEPOSIT TO ACCOUNT NO. 03-622

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Cost of appeal to Board of Appeals (Fulbrook Road)	\$70.00
5-3160 5710	• • • TIL -	70.00
5-3160 5710	• • • TIL -	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.

TELEPHONE VALLEY 3-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 2875
DATE 6/27/60

TO: Richard C. Shaw,
765 Fulbrook Road,
Baltimore 22, Md.

BILLED BY: Zoning Department of
Baltimore County
313 County Office Bldg.,
Towson 4, Md.

DEPOSIT TO ACCOUNT NO. 03-622

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Cost of posting property Fulbrook Road & German Hill Road	\$5.00
6-2860 7301	• • • TIL -	5.00

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.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON 4, MARYLAND
VA. 3-3000

MALCOLM H. DILL
DIRECTOR

WILFRED H. ADAMS
DEPUTY COMMISSIONER

NOTICE OF HEARING

Re: Mr. & Mrs. Leroy W. Armstrong
765 Fulbrook Rd. #2

Re: Mr. & Mrs. Fulbrook M.N. From German Hill
Road - 12th District
Leroy & Jane Armstrong

TIME: 3:00 P.M.

DATE: Wednesday, March 2, 1960

PLACE: Room 106, County Office Building, 111 W. Chesapeake Avenue
Towson, Maryland

William H. Adams
Zoning Commissioner
of Baltimore County

RECEIPT

PAID - Baltimore County, Md. - Office of Finance

RECEIVED OF: GEORGE D. SALVENDY, Esq.

LOCATION OF PROPERTY: 765 Fulbrook Road

AMOUNT: \$5.00

DATE: 6/27/60

06/27/60 * 40.00

06/27/60 * 40.00

Petition for Zoning Re-Classification

To The Zoning Commissioner of Baltimore County:-

I, or we, Leroy W. and Jane Armstrong, legal owner(s) of the property situated

in the Twelfth Election District of Baltimore County, Southeast of Alderly

and All that parcel of land in the Twelfth District of Baltimore County beginning for the same at the W. end of Fulbrook Road (said Fulbrook Road runs Northerly from German Hill Road); thence the following courses and distances: North 22 degrees 10 minutes East 255.0 feet, North 60 degrees 40 minutes East 165 feet, South 22 degrees 23 minutes East 176.35 feet, South 67 degrees 50 minutes East 165.5 feet, North 22 degrees 10 minutes East 210 feet to the place of beginning.

hereby petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an "B-2" zone to an "B-1" zone.

Reasons for Re-Classification: To permit 8 unit apartment

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 reclassification, advertising, posting, etc., upon filing of the 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.

Jerry W. Armstrong
Jane Armstrong
Address: 765 Fulbrook Road.
Towson 4, Md.

19th day of January, 1960, 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 Baltimore County, that property be posted, and that the public hearing herein be held in the office of the Zoning Commissioner of Baltimore County in the Beckford Bldg. in Towson, Baltimore County, on the 2nd day of March, 1960, at 3:00 P.M.

Notified: George D. Salvendy
219 Rutland City
Balt. 22 Md.
Zoning Commissioner of Baltimore County
(over) 3/2/60

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of location, the safety, health and the general welfare of the locality involved not being detrimentally affected.

It is Ordered by the Zoning Commissioner of Baltimore County this 29th day of May, 1960, that the above described property or area should be and the same is hereby reclassified, from and after the date of this Order, from an "B-2" (group) zone to an "B-1" (apartment) zone, subject, however, to approval of plans for the development of said property by the Office of Planning of Baltimore County, said plans being made a part hereof.

William H. Adams
Deputy Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition and it appearing that by reason of

It is Ordered by the Zoning Commissioner of Baltimore County this 19th day of June, 1960, 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 a "B-2" zone.

William H. Adams
Zoning Commissioner of Baltimore County

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

#4888
2-18-60

District 12th Date of Posting 2-18-60

Posted for: an R-A Zone to an R-A Zone

Petitioner: Leroy + Jane Armstrong

Location of property: "N" end of Fulbrook Rd. N. from German Hill Road. 46' x 160'

Location of Signs: Posted at the north end of Fulbrook Road.

Remarks: _____

Posted by George R. Hermann Date of return: 2-19-60
Signature

**NOTICE OF ZONING
 PETITION FOR
 RECLASSIFICATION
 -12th DISTRICT**

Pursuant to petition filed with the Zoning Commissioner of Baltimore County for change or reclassification from R-G Zone to an R-A Zone of the property hereinafter described, the Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland, on Wednesday, March 2, 1960 at 3:00 P.M. to determine whether or not the following mentioned and described property should be changed or reclassified as aforesaid for Residential Apartments to W11:

All that parcel of land in the Twelfth District of Baltimore County, beginning for the same at the "N" end of Fulbrook Road (said Fulbrook Road runs North-easterly from German Hill Road); thence the following Courses and distances: North 22 degrees 40 minutes West 235.8 feet, North 60 degrees 49 minutes East 165 feet, South 22 degrees 23 minutes East 476.35 feet, South 67 degrees 59 minutes West 165.5 feet, North 23 degrees 10 minutes West 200 feet to place of beginning, as shown on plat plan filed with the Zoning Department, being property of Leroy and Jane Armstrong.

BY ORDER OF
 WILSIE H. ADAMS
 ZONING COMMISSIONER
 OF BALTIMORE COUNTY
 Feb. 12-19.

**OFFICE OF
 THE BALTIMORE COUNTIAN**

THE COMMUNITY NEWS
 Reisterstown, Md.

THE COMMUNITY PRESS
 Dundalk, Md.
THE HERALD-ARGUS
 Catonsville, Md.

No. 1 Newburg Avenue

CATONSVILLE, MD.

February 20, 1960.

THIS IS TO CERTIFY, that the annexed advertisement of
 Wilsie H. Adams, Zoning Commissioner
 of Baltimore County

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 20th day of February, 1960, that is to say
 the same was inserted in the issues of
 February 12 - 19, 1960.

THE BALTIMORE COUNTIAN

By Paul J. Morgan
 Editor and Manager.

FULBROOK ROAD
(EXISTING)

EXISTING TWO STORY BRICK
GROUP HOMES

EXISTING TWO STORY BRICK
GROUP HOMES

EXISTING 10' ALLEY

BEVERLY HILLS SUB-DIVISION

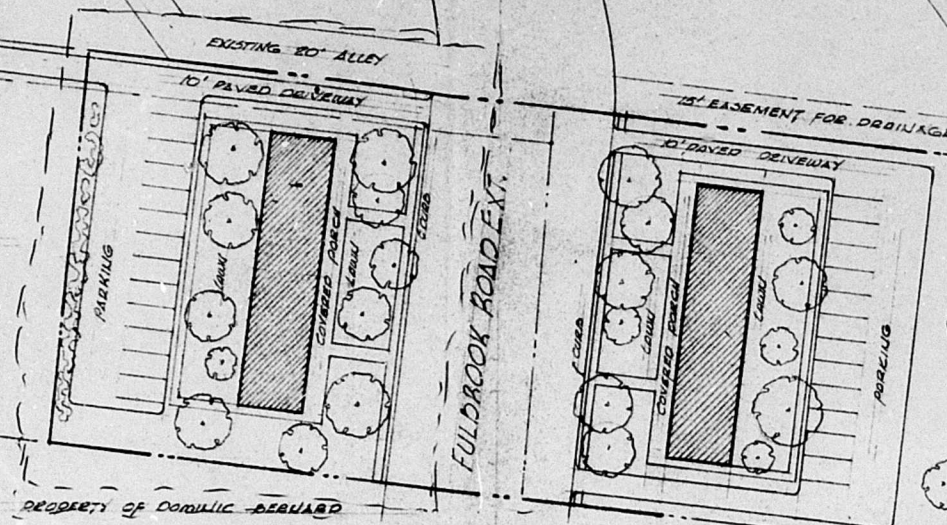


BEVERLY HILLS
SUB-DIVISION

EXISTING 10' ALLEY
(BACK OF EXISTING TWO STORY BRICK GROUP HOMES)

EXISTING 15' R/W
TO CERMATI HILL ROAD

PROPERTY OF JOSEPH ARMSTRONG



PROPERTY OF DOMINIC BERNARD

PROPOSED TWO STORY EIGHT UNIT
APARTMENT BUILDINGS FOR
MR. & MRS. LEROY ARMSTRONG
FULBROOK ROAD "GRAY MANOR"
BALTIMORE COUNTY, MARYLAND

DATE APRIL 15, 1960 Scale 1"=30.0'

APARTMENTS TO CONSIST OF KITCHEN-DINING ROOM
COMBINATION, LIVING ROOM, BATH ROOM & TWO
BED ROOMS PLUS NECESSARY CLOSETS.
INFORMATION ON THIS PLAT OBTAINED FROM
PLAT SURVEYED BY WILLIAM M. LEE, REG. CIVIL ENG.

Walter S. Kuntz
WALTER S. KUNTZ

EXISTING
COMMERCIAL
BUILDING

EXISTING 10' ALLEY
Set
EX. #1

