LOCH LOMOND. INC. 8403 LOCH RAYEN BOULEYARD TOWSON, MARYLAND 21204 November 25, 1964

668-5335 more ager

Mr. James Hauswald Department of Planning Baltimore, County Office Building Towson, Maryland 21204

Re: Northwiew Shopping Center

Dear Mr. Hauswald,

As per our meeting with Mr. George Gavrelis, on Friday November 20, 1964, enclosed please find the planting plan for Northview Shopping Center.

already, the area that is marked in red is planted slready, the area that is marked in green, is now being prepared and will be planted with in one week, (weather permitting).

In the area marked in blue, they are now installing the side walks. As soon as these are completed we will immediately plant the balance of plants and grass.

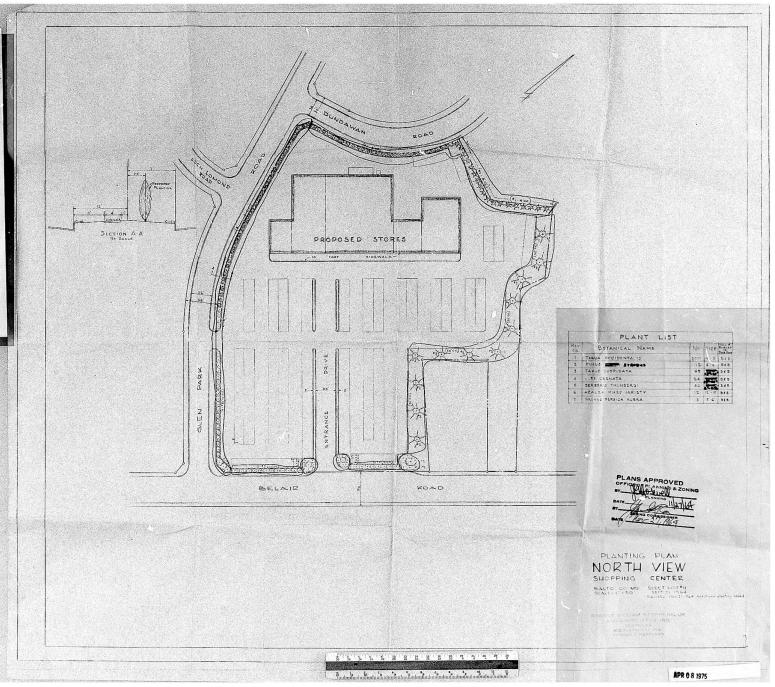
We will have everything completed by the 15th of December, unless the weather keeps us from this. If this happens we will complete as quickly as possible. Hoping this gives you the information you

want, I remain.

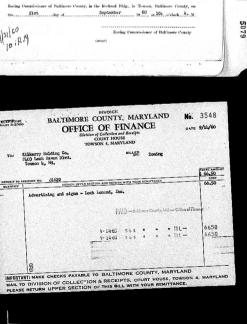
Richard G. Carter Jr.

RGCjr./ndg

reclassed to BL on 5079out 1960; not and appellation of appellation of a special appellation of a 18/01 which granted Bt richary of silver approved plan. Phinas 18bragel;



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Petition for	Zoning	Re-Classifi	ication -
To The Zoning Commissioner of			
			t the property signate an P
in the Eleventh Elect	tion District	of Baltimore Count	y, Maryland, and
in the Eleventh Elect more particularly des part hereof.	oribed on Ext	ibit "A" attached	hereto and made
part hereof,			/ BL
			8/24/6
			8/24/6
			/ '
hereby petition that the zoning s	status of the above of	described property be re-class	sified, pursuant to the
Zoning Law of Baltimore County	from an R-6	zone to nu	.ВЦ хонг.
Reasons for Re-Classification	. Because of	construction.of.st	ores.to.service
rapidly expanding pop	ulation		
Size and height of building: free			
Front and side set backs of build For above see prelimi Property to be posted as prescrib	ing from street lines nary plan of sed by Zoning Regul	shopping center at	tached
l, or we, agree to pay expe	ruses of above re-cla	assification, advertising, post	ting, etc., upon filing
of this petition, and further agree	to and are to be lo	and by the zoning regulation	us and restrictions of
Baltimore County adopted pursu	ant to the Zoning L	aw for Baltimore County.	
tiber in a mo		LOCH LOMOND . INC.	
WE 19 '60		By Chalan,	rouse, /
Okes Of Bar		LICE - DESTARAN	Legal Owner
DRICK STATE	1 .	210 E. Lexing	ton Street (2)
Othe Of	li		
POHNE DEPARTMENT	fr		
ORDERED By The Zoning !		timere County, this10	
August 19 60			
by the "Zoning Law of Baltimore		***************************************	
more County, that property be p			
Zoning Commissioner of Daltimor			
the 21st day of		otember 19.60 at	101 a eleck A.M.
1/60			
II a M		Zoning Commissioner of	Haltimore County
(M. 4: al	(aver		
			Section Section 1
		A CONTRACTOR OF THE PARTY OF TH	



Pursuant to the advertisement, posting of property, and public heaving on the above petition It Is Ordered by the Zoning Commissioner of Baltimore County thin ______deth_______day of OCCULA 19.60 that the above described property or area should be and the same is Zoning Commissioner of Bultimore County Pursuant to the advertisement, posting of property and public hearing on the above perition and 19 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.... MICROFILMED County Commissioners of Baltimore County JOHN B. FUND.

CHARLE OF COMMISSION

AND PROSTOR OF HIS HOLD OF

MARKE J. BANETY

MARKE F. P. BRING-PIELD

LANGUAGE E. C. ADETT

THOMAS N. CAN STATE ROADS COMMISSION BALTIMORE I, MD-September 20, 1960 Mr. Wilnio H. Adams Zoning Commissioner County Office Building Townen 4, Maryland RE: Zoning Petition #5079 R-5 Zone to a E-L Zone Northwest side of Belair Read (Route 1) Northeast side of Glee Park Road This office has reviewed the subject polition and has no objection to the change, however, if the Zening Commissioner should see fit to great the polition, it is requested that the plans for egrees and ingress be made subject to the approval of the State Reads Commission. Thank you for your cooperation. Very truly yours, Charles Lee, Chief Development Engineer John J. Lucy

TELEPHONE D. James Ville, Ecq., 1821 Memony Building Memory Balto, 2, Md. To: Louis Carliner, Esq. 210 E. Lexington St. Ealthnore 2, Maryland JID/na

#50 RE: FETITION FOR RECLASSIFICATION FROM AN "R-6" ZOME TO A "B-1" ZOME - N. W. Side Bel Air Road and N. E. Side Glen Park Road, Uth District - Loch Lowend, In Fetitions BEFORE ZONING CONTESTORR BALTIMORE COUNTY No. 5079 Pursuant to the advertisement, posting of property and public hearing on the above potition for reclassification of property described in the within petition from an "R-6" Zone to a "B-L" Zone, in developing Perry Hall Estates this small port on of the development was set aside for a small shop ing center. In August of 1956 a petition was filed for moning similar to that which is now requested. This reclassification was denied by the Zoning Commissioner as being premature at that time. The area, however, has developed rapidly and there have been changes since 1956. It now appears from the testimony before the Zoning Commissioner that the reclassification requested should be granted, as there have been, as I stated before, many changes since 1956 to warrant this reclassification. For the above reasons the ruclassification should It is this 6th day of October, 1960, by the Zoning Commissioner of Baltimore County, CREERED 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 "R-6" Zone to a "B-L" Zone. BALTICORE COUNTY, MARCAND No. 4016 OFFICE OF FINANCE

Distilon of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND DATE 11/2/60 Zoning Department of Baltimore County 113 County Office Sldg., Tompon h, Md. DETACH UPPER SECTION AND RETURN WITH YOUR REMITTAL \$85.00 FARD-Edition Cover, 195 - Chicof Ram 35.00 11-3-60 2715 0 0 TIL-----IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND DIVISION LIPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. BALTIMORE COUNTY, MARTIAND No. '3468 OFFICE OF FINANCE DATE 8/10/60 irision of Collection and Receip COURT HOUSE TOWSON 4, MARYLAND BILLED Zoning

RE: PETITION FOR RECLASSIFICATION FROM AN "R-6" ZONE TO A "B-L" ZONE - N.W. Side Bel Air Road and N.E. Side Glen Fark Road, lith District - Loch Lomond, Inc., Petitioner REFORE ZONING COMMISSIONER OF BALTIMORE COUNTY No. 5079 NOTICE OF APPEAL Please enter an appeal in the above entitled case of the Order granting reclassification, dated October 6, 1960, to the Appeal Board of Baltimore County, and forward all necessary D. Vames Villa, Esqui 1821 Munsey Building Ballimore 2, Maryland 11th Dist. CERTIFICATE OF PUBLICATION 9/1/61 TOWSON, MD., Soptember 1st, 60 THIS IS TO CERTIFY, That the annexed advertisement was published in The COUNTY Paper, Inc., a weekly newspaper printed and published in Towson, Ralt'more County, Md., once in each of ______l, successive weeks before the . 21.... day of September ______19 60_,the first publication appearing on the _____day of September 18 60 The COUNTY Paper, Inc. Fenorick Kayser.
Manager. Per, Helen G. Sheldow

\$50.00 PARD-Fallence Carety, No. - Office of Rosers 8-10-60 9108 · · · IXL-\$0.00 5-1060 glos e e e HI.-0.00 IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND FLEASE RETURN LIPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. CARROLL DUNN and Appellants va.

MATHAN H. KAUPMAN, JR., CHARL'S STEINBOCK, JR. BOARD OF APPEALS OF BALTIMORE COUNTY, and LOCH LOROND, INC. 2011008

#5079 IN THE CIRCUIT COURT FOR

BALFIMORE COUNTY Misc. Docket 7, Polio

ORDER

It is hereby ORDERED by the Circuit Court for Baltimore day of Pebruary, 1962, that the Motion of Loch Lowond, Inc., intervening appellee, to dismiss the appeal in the above cause, be, and the same is, hereby overruled, with leave to said Loch Lomond, Inc. to answer the Petition of Appeal.

Loch Lowend, Inc., intervening appellee, having filed its answer immediately after passage of the aforegoing Order, the cause having been fully argued and submitted, and the Record having been fully considered, the Court finds that there was substantial evidence to support the order of the County Board of Appeals and hereby adopts the majority opinion of said Board, as the opinion of the Court herein

Upon the aforegoing, and in accordance with the opinion adopted as aforesaid, it is hereby CHRENED by the Circuit Court for Baltimore County, this 11th day of Pebruary, 1962, that the Order of the County Board of Appeals, dated June 8, 1961, which is the subject of appeal in these proceedings, be, and the same is, hereby affirmed, with costs to be paid by the appellants.

/s/ John Grason Turnbull

#5079

RE: PETITION FOR RECLASSIFICATION from an "R-6" Zone to a "B-L" Zone - N. W. Side Belair Road, lith District, Loch Lemond, In

#IItIAA BL REFORE COUNTY BOARD OF APPEALS

#5019

MAP

BALTIMORE COUNTY No. 5079

. OPINION

The potitioner meeks to reclassify approximately 5% acres in the Eleventh District of Baltimore County from an "R-6" Zone to a "B-L" Zone on which they propose to put a small naighborhood shopping center to service the area known as Perry Hall Estates. The subject tract is located in the heart of an area known as Perry Hall and consists of an irregular plot of ground on the west side of Belair Road, bounded on the west by Dundawan Road, on the southwest by Glen Park Road and on the east by Belair Road. It is immediately adjacent on the west to the Perry Hall Estates. To the north and on the west side of Belgir Road of the subject tract are several small local businesses, consisting of service stations, a building and loan association, restaurant, beauty salon, drug store and a medical center. To the east, on the east side of Belair Road, is a produce stand, a small manufacturing company, operating as a nonconforming use, a service station, grocery store and bakery.

The majority opinion takes in consideration two major factors in the following decision. A list of 12 commercial zoning changes since 1966 was introduced by the potitioner through Mr. Bernard Willemain, an expert consultant in city planning and soming. His testimony was to the effect that since the War years, more specifically 1946, the area of Belair *5079

MAP

#II+/+A

The advent of the White Marsh Interceptor sewerage system which began service in this meighborhood approximately a year and a half ago, opened the doors for growth in this community at a rapid rate. This is evidenced by the rapid development of this once rural neighborhood. Mr. Willemain stated that Belair Road was a first class arterial highway servicing the City of Baltimore and Harford County, and that this particular section, because of the constant traffic fice, makes the area fronting on Balair Road less desirable for the building of residences. Perry Hall has for many years been a focal point for various guall local businesses and is at the present time expanding rapidly.

Road, which is the subject of this patition, has taken on an urban char

It might be mid at this time that the changes aforementioned were substantiated by at least one of the protestants' witnesses. The protestants as a basis for their argument stated that the building of anything of a commercial character in this area at the present time would create a traffic hazard by vehicles entering and leaving the frontage on the west side of Belair Road. Dundawan Road, the entrance to the homes behind the proposed commercial area, was not involved as a means of entrance or egress to the convercial area. The uncontradicted evidence showed that the developer was required under binding agreements with the Federal Housing Administration to dony access to the proposed contorcial area from Durdawan Road, or any other part of the residential area,

The majority of the Board Circle that the testimons of Dr. Walter W. Ewell, an expert traffic consultant and engineer. is convincing that the development of the subject property for commercial uses would not cause any undue traffic hazard in the general vicinity. Dr. Ewell's conclusion that no traffic hazard would occur by the granting of this petition was based on facts that he himself gathered in taking traffic counts at

various times and was greatly strengthened by the fact that they ample sight distances available both to the north and south of the subject

The Board must further consider that no effort was made beyond that of the present opinion of the protestants to contradict Dr. Escall's testimony, in fact, Mr. George Gavrelis, Deputy Director of planning, testifying as a witness for the protestants concurred in the coinion that there was no traffic hazard involved in this case.

There was further testimony by Mr. J. Walter Jones, a realter and appraisor, that the community had experienced rapid development since the advent of public sewerage and other public facilities, and that these factors coupled with the zoning changes as herein mentioned, constitute the change not heretefore anticipated, Mr. Jones gave his unqualified opinion that the zoning reclassification requested would constitute a logical and harmonious use with the surrounding property that now exists.

The major objection of the protestants, other than traffic conditions, were based on the fears that the development of the subject property for a commercial use would be greatly detrimental to the value of their homes. The Federal Housing Administration was cognizant of the possible use of this tract of land for commercial use at the time it agreed to the financing of the residential properties. It would be have to conceive that if this agency had any fears that compercial development would cause a detrimental affect on property values, they would have been willing to insure substantial leans for the development of the residential

In conclusion, it is the majority opinion of the Board that due to the White March Interceptor installation and the present use of M.S.

#5079

RE: PETITION FOR RECLASSIFICATION OF PROPERTY OF LOSH LONGED, INC. N.M. Side Belair Road and N.E. Side of then Park Road - WA-5 Zone to WALF WOOD ACC.

COUNTY BOARD OF APPEALS

CF DATEDIORE COUNTY

No. 5079

DISSERTING OPDITOR

The petitioner herein seeks to reclassify an area of approximately 5% acres for the purpose of erecting a neighborhood shopping center. The plans exhibited by the potitions call for a large grocery super-market of 20,000 square feet and 11,000 square feet for various other stores. The plans provide for a parking area for 280 cars.

The subject property is surrounded on three sides and also directly across Belair Road by residential property. Sixty houses have already been erected to the west of the subject property with plans for the more. The rear of the proposed store buildings would be directly across the street from homes in the 9600 block of Dundawan Read. Deliveries would be made to the stores from this street.

As the property is not located at an intersection, ingress and egress to the parking lot would be by two 2h foot openings in the 9600 block of Belsir Road with a h foot median strip between the roadways. The speed limit in this section of Belair Road is 40 miles per hour.

Mr. Bernard Willemain, Planning Consultant, testified for the patitioner and stated that in his opinion, the highest and best use for the subject land would be connercial. He admitted, however, that

#5019

there were no physical reasons why the tract could not be used for residences. Mr. George E. Gavrelis, Deputy Director of Planning, stated that the staff of the Planning Department met in September 1960 to discuss the petition. They arrived at the following conclusions:

- 1. That shopping centers should be at the intersection of
- 2. The proposed reclassification is not a continuation of any compared and any compared and any compared and any compared any compared any compared and any compared any compared and any compared any compared and any compared any compared and any compared and any compared and any compared any compared any compared any compared any compared and any compared and any compared any compared and any compared any compared any compared and any compared and any compared and any compared any compared and any compared and any compared and any compared any compared and any compared any compared any compared any compared any compared and any compared any compared any compared any compared any compared any compared and any compared any compa
- The site is one of the few remaining sections of residen-tial footage along Belair Boad.
- 4. Nothing in this area that would commend itself to use as
- 5. That the land is suitable for "R-6" homes and should remain

Mr. Gavrelia stated that the land, in his coinion, was muitable for "R-6" development.

Several residents of the area testified that the proposed shopping center would advergely affect the value of their homes by reaso of heavy traffic, deliveries by large tractor trailers using residential streets, lights, debris, trash, rats, etc.

The Protestants stated that a former Zoning Board of Appeals in December, 1956, denied a petition for similar reclassification of this property. The Board, at that time, commented that the tract did not adjoin any existing commercially zened land and that to single out the property for a special consideration would be "spot zoning".

This member of the Board is of the opinion that the petitioner has failed to show an error in the original sening of this property or that a substantial change has occurred in the area as might justify reclassification from "R-6" to "B-L". In fact, testimony was to the effect that the

major change in the character of this Porry Hall area has been from rural to residential. It is further believed that a reclassification of this property would adversely affect the value of surrounding residential properties. The subject property is an integral part of a large wellplanned residential development. It is also felt that ingress and egress to the proposed site from the frontage on Rel Air Road would constitute a traffic hexard because of 2 left hand turn movements on a major highway. The delivery of merchandise by large trucks from Dundawan Road in the tial street to say nothing of the noise and annoyance to home owners. This marker of the Board faels that the made of the residents of the area will be adequately serviced by a large regional shopping center at the intersection of Belair Road and Joppa Road, to the south of the subject property.

For the reasons set forth above, it is the opinion of this member of the Board of Appeals that the reclassification petitioned for should be denied.

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For the reasons set forth in the aforegoing Opinion, it is

day of June, 1961, by the County Board of Appeals, CRDSHED that the aforesaid reclassification from an "R-6" Zone to a "B-L" Zone is boreby granted.

Route 40, rather than U. S. Route 1 as the major truck thoroughfare in this

area, that the Perry Hall area will continue to mushroom into a substantial

residential area, Whenever this occurs, suitable connercial services go

pervices are the frontage which are available for such services adjacent

evidence by the petitioner are certainly of such nature as to be considered

1945, indeed, there have been substantial changes in the immediate vicinity

within the past few years, and even up to the date of the hearing in this

Appeals that there have been substantial changes in the meighborhood to

warrant the reclassification of the subject property from "R-6" Zone to

ORDER

It is, therefore, the majority opinion of the Board of

substantial changes in the area since the adoption of the Zoning Map in

hand-in-hand with residential development. The logical place for such

to the main traffic artery. The changes which have been produced in

NOTE: Any appeal from this decision must be in accordance with Rule 1101 of the Practice and Procedure of the Court of Appeals of Maryland.

TELEPHONE VALLEY 3-3000

BALTIORE COUNTY, MARYAND OFFICE OF FINANCE

No. 7379

DATE 7/13/61

Division of Collection and Receipts
COURT HOUSE
TOWSON 4. MARYLAND

To:

Heners. Brownter, Booms, Maguire, Brownen & Cooks 305 We Chempenke Avenue Tousen he Md.

HLL TOP

Zoning Department of Baltimore County 113 County Office Bldge,

Towson he Me

DEPOSIT TO A	ACCOUNT NO. 01.652	**	TOTAL AMOUNT	
QUANTITY	· · · · · · · · · · · · · · · · · · ·	PER SECTION AND RETURN WIT: YOUR REMITTANCE	REMITTANCE	
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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.

