

Petition for Zoning Re-Classification #5097

To The Zoning Commission of Baltimore County—
I, or we, Brighton Land Company legal owner... of the property situate

See Attached Description

herely petition that the zoning status of the above described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an R-A zone.

Reasons for Re-Classification:

Size and height of building: front 100 feet, depth 100 feet, height 10 feet.
Front and side set backs of building from street lines: front 10 feet, side 10 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 of Baltimore County.

Brighton Land Company
By Samuel M. Travis, Vice Pres.
Address: 113 County Office Bldg., Towson 4, Md.
Baltimore 1, Maryland
Zoning Commission of Baltimore County

ORDERED by The Zoning Commission of Baltimore County, this 25th day of August, 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 had in the office of the Zoning Commission of Baltimore County, in the Backlot Bldg., in Towson, Baltimore County, on the 25th day of September, 1960, at 3:00 o'clock, P.M.
Attorney: Samuel M. Travis
Tel. No. SA 7-6086
Zoning Commission of Baltimore County

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

To: Ernest C. Trishala, Esq.,
113 York Road,
Towson 4, Maryland
Zoning Department of Baltimore County
113 County Office Bldg., Towson 4, Md.

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Cost of posting property for appeal hearing - property on east side of Loch Raven Boulevard - Brighton Land Co., petitioner 2 signs PAID - Baltimore County, Md. - Office of Finance 1-2461 4400 * * * TIL -	\$10.00 10.00

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

RE: PETITION FOR RECLASSIFICATION FROM AN "R-6" ZONE TO AN "R-A" ZONE - S. S. Hillen Road and Loch Raven Boulevard, 9th District - The Brighton Co., Petitioner
BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5097

The above petition of the Brighton Land Company is for the reclassification of property on the east side of Hillen Road and Loch Raven Boulevard, in the 9th District of Baltimore County. The petitioner seeks to reclassify the subject property from an "R-6" zone to an "R-A" zone.

On March 9, 1961 a hearing was scheduled before the County Board of Appeals and at that time the Brighton Land Company, through its attorney, Mr. Samuel M. Travis, advised the Board that the Brighton Land Company had decided not to proceed with the case and wished to abandon any further proceedings.

On behalf of the protestants, Mr. Ernest C. Trishala, moved that inasmuch as there was no evidence to support a reclassification, that the Board give a directed verdict denying the reclassification.

It is, therefore, the unanimous opinion of the Board that inasmuch as the petitioner presented no evidence showing that there was either an error in the original zoning or a change in the neighborhood the reclassification should be denied.

It is this day of October, 1960, by the Zoning Commission of Baltimore County, ORDERED 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 an "R-A" zone.

Zoning Commission of Baltimore County

RE: PETITION FOR RECLASSIFICATION FROM AN "R-6" ZONE TO AN "R-A" ZONE - S. S. Hillen Road and Loch Raven Boulevard, 9th District - Brighton Land Company, Petitioner
BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5097

Pursuant to the advertisement, posting of property and public hearing on the above petition for reclassification of the property described therein from an "R-6" zone to an "R-A" zone, testimony by the petitioner showed that the subject tract is bounded on the north by the Hillendale Apartments, by Spring Run Flood Plain and the elementary school site on the east and beyond there, land owned "R-6" and on the south by the City's Mt. Pleasant Park.

The petitioner also testified that there was an error in the original zoning approved by the County Board of Appeals in 1955 when they zoned the subject tract "R-6" instead of "R-A". The "R-6" zoning was placed on the tract to the north after the map left the Office of Planning without consideration being given to the impact of this change on the subject tract. The petitioner has shown, by expert testimony, that the land is suitable for the construction of apartments and that such a development would be the best use for the land. The petitioner has further shown that if the land is reclassified to "R-A" that the impact upon the reclassification will be a fraction of what it would be if the land were developed with semi-detached houses.

The petitioner also referred to the comments furnished by the Office of Planning and the Department of Public Works of Baltimore County. The Public Works Department verified in its comments that adequate coverage and water will be available to the property as it is developed. The comments of the Office of Planning favored the proposed change from "R-6" to "R-A" and acknowledged that the Hillen Road District Zoning Map was in error not to have zoned the subject tract "R-A" to "R-A".

In conclusion, the petitioner contends that if the property is reclassified there will be no adverse effect on the neighborhood and it will be good, logical zoning. The residents will receive all municipal and cultural services from facilities now in existence. It will not hurt the overall zoning scheme, but will, in fact, improve it and represents good, comprehensive zoning.

For the above reasons the reclassification should be granted.

ORDER

For reasons set forth in the foregoing Opinion, it is this 13th day of April, 1961, by the County Board of Appeals, ORDERED that the aforesaid reclassification should be and the same is hereby denied.

Any appeal from this decision must be in accordance with Rule 1101 (b) of the Rules of Practice and Procedure of the Court of Appeals of Maryland.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Ernest C. Trishala
Samuel M. Travis

OFFICE OF PLANNING Inter-Office Correspondence

From: George F. Gervelli, Deputy Director
To: Mr. Willis Adams, Zoning Commissioner
Subject: #5097 - R-6 to R-A, east side of Loch Raven Boulevard North of Mount Pleasant Park 10.576 acres and the petitioner is Brighton Land Company, 9th District
HEARING: Sept. 28, 1960 - 3:00 P.M.

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to R-A, zoning and has the following advisory comments to make with respect to pertinent planning factors.

(1) In making recommendations for the previous zoning petition seeking R-G zoning here, this office firmly went on record as favoring apartment zoning for this tract. Our recommendation for R-A zoning is based on the fact that we believe apartment zoning is logical and appropriate for this property.

At the time of the adoption of the 9th district map R-A zoning was recommended for the tract immediately to the north. The recommendation of planning at that time was for R-G zoning there simply because the property had been planned for single family development. If, at the time we made our original recommendations for zoning in the 9th district, the property now known as Hillendale View Apartments had been proposed for R-A zoning, so would the subject tract. We believe that the 9th district zoning map was in error not to have zoned the subject tract for R-A zoning.

CEG:h



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

To: Ernest C. Trishala, Esq.,
113 York Road,
Towson 4, Maryland
Zoning Department of Baltimore County
113 County Office Bldg., Towson 4, Md.

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Cost of posting property for appeal hearing - property on east side of Loch Raven Boulevard - Brighton Land Co., petitioner 2 signs PAID - Baltimore County, Md. - Office of Finance 1-2461 4400 * * * TIL -	\$10.00 10.00

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.

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

No. 3740
DATE 10/19/60

TO: Ernest C. Trimble, Esq.,
444 York Road,
Towson 4, Md.
BILLED BY: Zoning
Sending Department of
Baltimore County
113 County Office Bldg.,
Towson 4, Md.

DEPOSIT TO ACCOUNT NO.	01.622	TOTAL AMOUNT
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
1	Cost of appeal to Board of Appeals and posting property for appeal hearing - 5097 PRD - Baltimore County, Md. - Office of Finance	\$80.00
101960 2124	* * * TIL -	\$0.00
101960 2124	* * * TIL -	\$0.00

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.

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

No. 3503
DATE 8/25/60

TO: Brighton Land Co.
Charles & Saratoga Sts.
Baltimore 1, Md.
BILLED BY: Zoning

DEPOSIT TO ACCOUNT NO.	01.622	TOTAL AMOUNT
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
1	Petition for Reclassification - Brighton Land Co. PRD - Baltimore County, Md. - Office of Finance	\$50.00
8-2660 9866	* * * TIL -	\$0.00
8-2660 9866	* * * TIL -	\$0.00

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.

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

No. 3556
DATE 9/16/60

TO: Brighton Land Company
1000 Meyerhoff Bldg.
Charles & Saratoga Sts.
Baltimore 1, Md.
BILLED BY: Zoning

DEPOSIT TO ACCOUNT NO.	01.622	TOTAL AMOUNT
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
1	Advertising and signs - Brighton Land Co. PRD - Baltimore County, Md. - Office of Finance	\$38.50
9-1660 707	* * * TIL -	\$8.50
9-1660 707	* * * TIL -	\$8.50

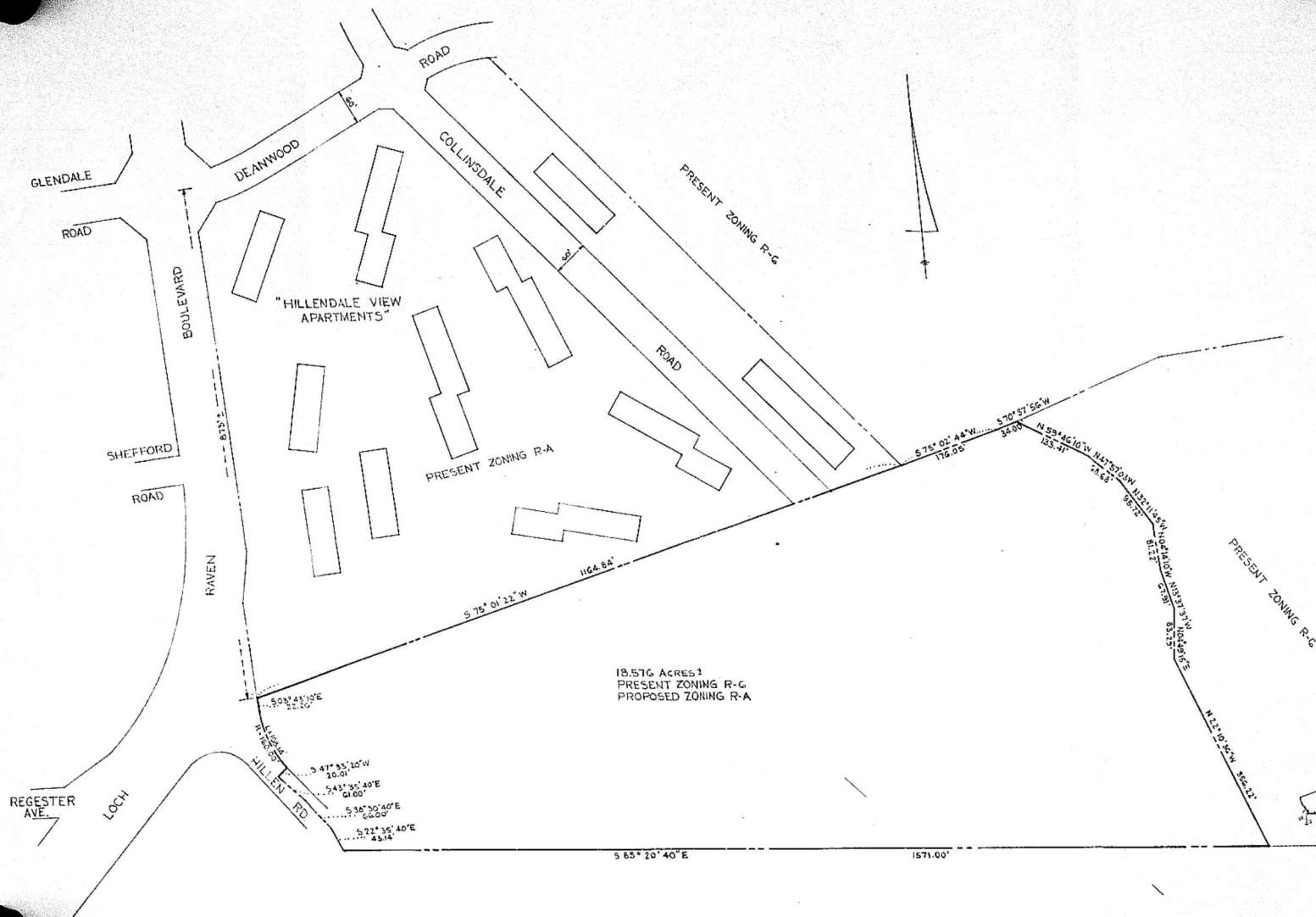
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

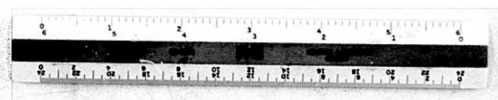
District: 9th
Date of Posting: 9-7-60
Posted for: Charles C. Trimble, Esq., 444 York Road, Towson 4, Md.
Petitioner: Brighton Land Co.
Location of property: 855 Park St. at Baltimore Blvd. etc.
Location of signs: signs at the end of Baltimore Blvd. road, south of 855 Park St. and at the 165 ft. depth of street on the east side of Baltimore Blvd. and at the 165 ft. depth of street on the east side of Baltimore Blvd.
Remarks: Signs at the end of Baltimore Blvd. road, south of 855 Park St. and at the 165 ft. depth of street on the east side of Baltimore Blvd. and at the 165 ft. depth of street on the east side of Baltimore Blvd.
Posted by: Harry M. Johnson
Date of return: 9-8-60



9th., Dist
CERTIFICATE OF PUBLICATION
TOWSON, MD. Sept. 8th. 19 60.
THIS IS TO CERTIFY, That the annexed advertisement was published in The COUNTY Paper, Inc., a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of 1 successive weeks before the 28th day of September 19 60, the first publication appearing on the 8th day of Sept. 19 60
The COUNTY Paper, Inc.
Fenwick Keyser, Manager.
Per Helen Sheldon



MAYOR & CITY COUNCIL OF BALTIMORE CITY



WILSON F. OUTEN
c/o JACK MEYERHOFF & SONS CO.
MEYERHOFF BUILDING
CHARLES & SARATOGA STREETS
BALTIMORE-1, MARYLAND

APPROVED FOR FILING
Reviewed By: *[Signature]*
Date: *[Signature]*

NINTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1"=100'
AUGUST, 1960