

RE: PETITION FOR RECLASSIFICATION
from an "R-10" Zone to an "R-A" Zone,
NE/Cor. Providence Road., 9th Dist.
John A. Murray, et al-Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5265

AMENDED OPINION TO CORRECT CLERICAL ERROR

Whereas on the 1st day of March, 1962, the Board of Appeals issued an opinion regarding reclassification for the above caption and that the acreage contained within the opinion was incorrectly stated in that the Board through a clerical error stated in its opinion that the property in question was 11 acres and that the property in the petition should read "0.030 acres more or less".

It is hereby ORDERED on this 15th day of March, 1962, that the said petition be and hereby is amended to read as set forth in the correction as hereinbefore stated.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Chairman
Charles B. Murray
B. Mitchell Austin

RE: PETITION FOR RECLASSIFICATION
from an "R-10" Zone to an "R-A"
Zone, NE/Cor. Providence Rd.,
and Goucher Boulevard - 9th Dist.,
John A. Murray, et al-Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5265

This is a petition for reclassification from "R-10" to "R-A" on the Northeast corner of Providence Road and Goucher Boulevard, in the Ninth District of Baltimore County.

The total area of the subject tract is approximately 11 acres of which only 9 acres are usable for residential construction. The extension of Goucher Boulevard from its present termination at Providence Road in a northeasterly direction reduces the "M-R" zone along the south side of Goucher Boulevard to a small unusable piece of land. To the south of this "M-R" property to the Joppa Road is land zoned "M-L" and used by the Murray Corporation.

The petitioner presented to the Board through Mr. Elliott D. Russell, Civil Engineer for the Whitman Ragsdale & Sons, testimony that the development of the subject tract as "R-10" would produce only 8 lots, and that due to existing topography this was not a practical use of the tract. The property measures some 345 feet along Providence Road, 384 feet parallel to Goucher Boulevard and thence, some 290 feet back to Providence Road. The protestors testified that the topography of the subject property was quite similar to that which exists on the opposite side of Providence Road where a large number of homes was constructed by the petitioner in an area known as "Campus Hills".

There is no question in the Board's mind that the subject property could most definitely be developed under the existing "R-10" classification. The physical aspects of this tract of land are certainly similar to that which exists in the Campus Hills development, and it is apparent from the testimony that little problems were encountered in the development or the sale of homes in Campus Hills. On the other hand, when the extension of Goucher Boulevard is completed from Providence Road to Joppa Road, the subject property on the north side of Goucher Boulevard Extended will be adjacent to a major thoroughfare and will front direct across the road from existing industrial properties.

At the time of the adoption of the Land Use Map for the Ninth District on November 14, 1955, there was little demand for apartment house zoning in this area. The demand for the type of homes constructed in Campus Hills and other similar developments was so predominant that little or no consideration was given to the development of apartments. The Board is quite cognizant of the need for balanced zoning in Baltimore County. To place all apartments in any one locale would have a detrimental effect on the value of real estate in that area. Apartment zoning under existing Baltimore County Regulations does not overcrowd the land, rather they tend to allow for liberal open spaces in the development of properties. Considering the present "M-R" properties and the present "M-L" property between Goucher Boulevard and Joppa Road and further considering the use being made of the "M-L" property, it is the unanimous opinion of the Board that the granting of the "R-A" zoning as petitioned for in this application provides an adequate zoning balance in this area. In addition to this fact, it precludes the possibility of the extension of the existing industrial zoning. It is hard to visualize that the proposed zoning could have any detrimental effect on the residences of this area. These homes were sold despite the fact that industrial property existed on the East side of Providence Road, and with the full knowledge that such properties could be used for many types of manufacturing and industrial uses. Certainly, if the "M-R" and "M-L" zoning have had no detrimental effect on the "R-10" properties and did not deter their sales, it is rather difficult to conceive that the development of 11 acres for apartments would have any adverse effect in residential areas surrounding this property.

The Board is unanimous in its opinion that the Land Use Map adopted November 14, 1955 was in error in that more thought should have been given to the future residential needs of the County. Further, that more consideration should have been given in an effort to effect balanced residential zoning, and that it was unreasonable to require the petitioner to develop this parcel of land in an "R-10" category considering its proximity to the existing "M-R" and "M-L" properties.

ORDER

For the reasons set forth in the foregoing Opinion it is this day of March, 1962, by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby granted.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Chairman

Charles B. Murray
B. Mitchell Austin

RE: PETITION FOR RECLASSIFICATION
FROM AN "R-10" ZONE TO AN "R-A"
ZONE, NE/Cor. Providence
Road - Goucher Boulevard, 9th
Dist., John A. Murray and
Charlotte B. Murray, Petitioners

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5265

Upon hearing on the above petition for reclassification from an "R-10" Zone to an "R-A" Zone of property at the northeast corner of Providence Road and Goucher Boulevard, in the Ninth District of Baltimore County, the testimony of Mr. George F. Gavrulis, Deputy Director of Planning, and Mr. J. Walter Jones, appraiser, did not indicate sufficient change in the zoning map, or error, to warrant the reclassification from "R-10" to "R-A".

The testimony did indicate that apartment zoning would be "appropriate". This indicated that a workable plan for apartment zoning was possible, but not that "R-10" zoning was not appropriate also.

Visual inspection of the property discloses a terrain similar to that on the opposite side of Providence Road where homes now exist. The subject property has an affinity with the Providence Road housing and does not seem to be affected by the "M-L" and "M-R" zoning across the proposed Goucher Boulevard.

For the above reasons the reclassification should be denied.

It is this 15th day of September, 1961, by the Zoning Commissioner of Baltimore County, ORDERED that the above reclassification should be and the same is hereby denied and that the above property or area be and the same is hereby continued as and to remain an "R-10" Zone.

Zoning Commissioner of
Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, John A. Murray, et al, owners of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-10 zone to an R-A zone; for the following reasons:

Control apt House

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for:

Property is to be posted and advertised as prescribed by Zoning Regulations.

I or we, agree to pay expenses of above re-classification and/or Special Exception 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.

Contract purchaser
John A. Murray
Charlotte B. Murray
Legal Owners
Address: Paper mill Rd.
B. Co. Md.
Petitioner's Attorney
Address: 201 W. Chesapeake Ave. - Towson

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of April, 1962, 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 be held before the Zoning Commissioner of Baltimore County in Room 109, County Office Building in Towson, Baltimore County, on the 13th day of May, 1962, at 10:00 o'clock A.M.

Zoning Commissioner of Baltimore County

TELEPHONE
VALLEY 3-3000

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

No. 10755
DATE 4/10/62

TO: Richard C. Murray, Esq.
Jeffers on Building
Towson 4, Maryland

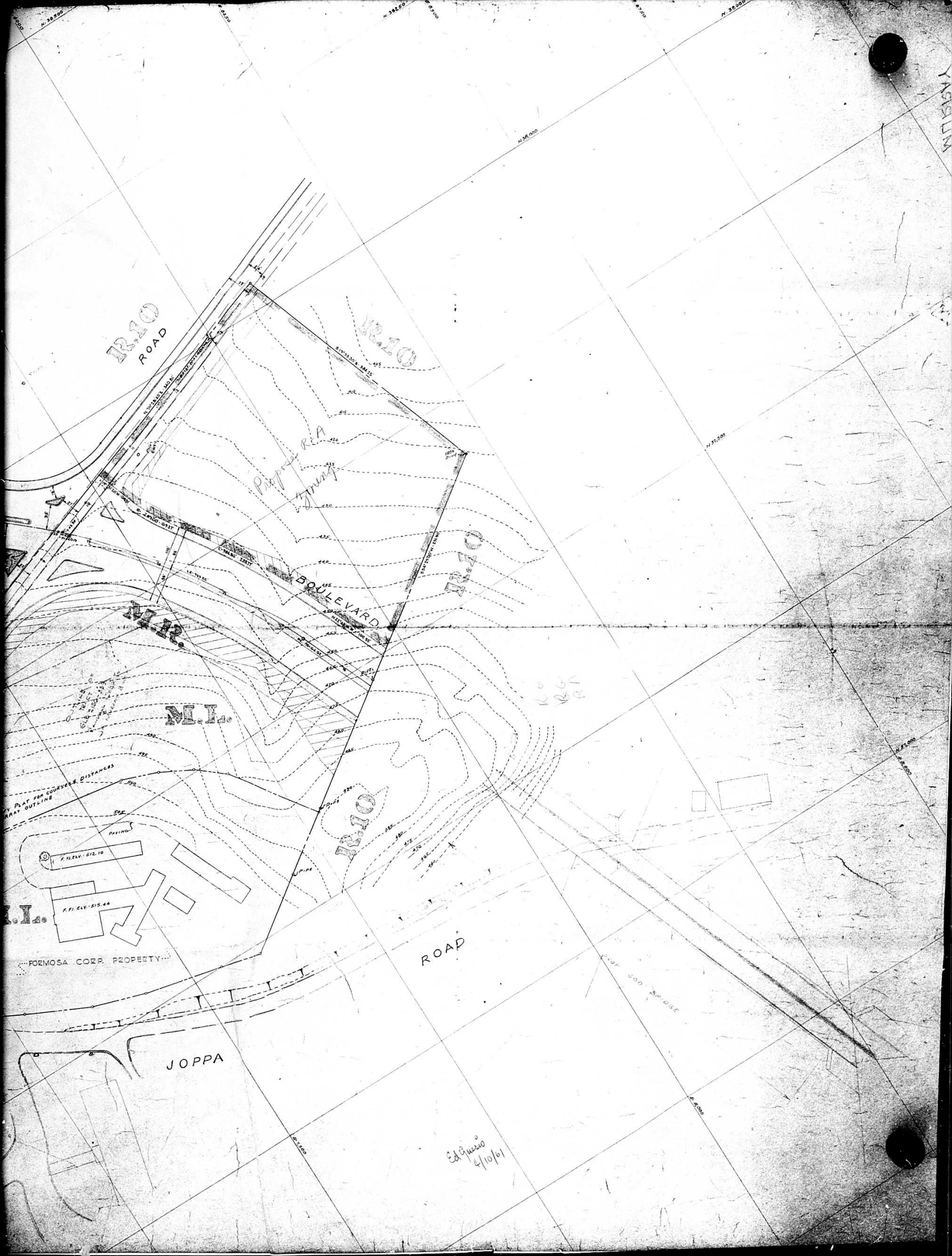
BILLED BY: County Board of Appeals

DEPOSIT TO ACCOUNT NO. OF SI OF OS	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT \$12.00 COST
		Cost of Certified Documents - John Murray property, NE/Cor. Providence and Goucher Blvd. 9th Dist.	12.00
			12.00

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.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th
Posted for: George F. Gavrulis
Petitioner: John A. Murray, et al
Location of property: NE/Cor. Providence Rd. & Goucher Blvd.
Location of Signatures: 201 W. Chesapeake Ave. - Towson
Posted by: George F. Gavrulis
Date of Posting: 4-17-62
Date of return: 4-18-62



REVISED MARCH 24, 1961 To show current fortification of Goucher Blvd.

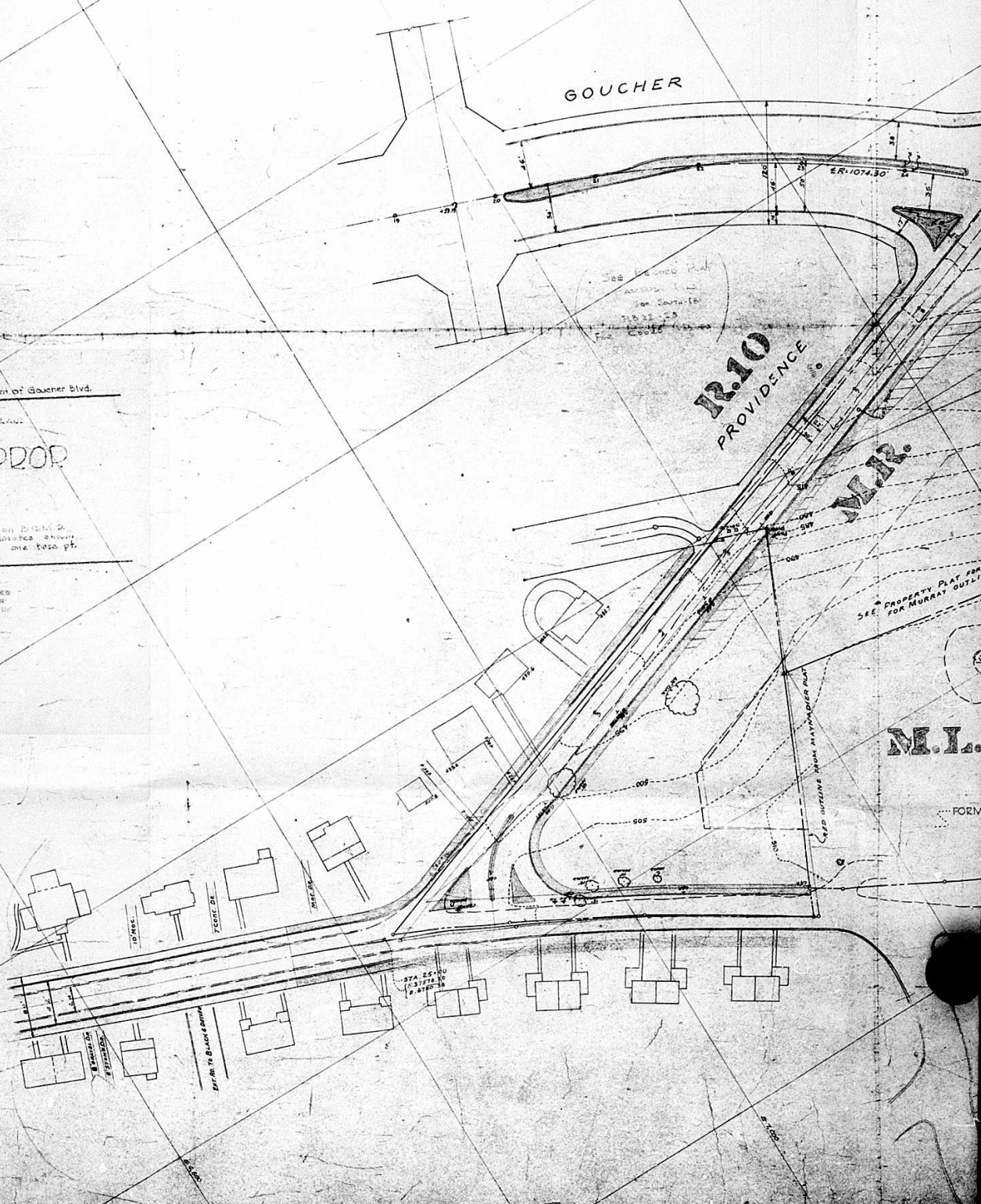
COMPILATION OF PLATS AND PLANS
FOR THE

JAMURRAY PROP

DEC 1955
SCALE 1" = 50'

NOTE: Coordinate grid is based on NAD 83. All plat maps were plotted from coordinates shown on each plat and are intended to be used as a guide.

JAMES E. SPANER & ASSOCIATES
ENGINEERS AND ARCHITECTS
2000 22ND AVENUE
TORONTO 4, ONT.



105-1

N. 38.500' E. 1250'

N. 38.500'

REVISED: MARCH 24, 1961: To show current tentative alignment of Goucher Blvd.

COMPILED OF PLATS AND PLANS
FOR THE

JAMURRAY PROP

DEC 1958
SCALE: 1" = 50'

NOTE: Coordinate grid is based on P.M.D.
but plots were plotted from coordinates shown
on each without interrelation to one base pt.

JAMES B. SPANER & ASSOCIATES
REGISTERED ENGINEER NO. 2191
VAN KLEEF & CHANDLER AVENUE
TORONTO 4, ONT.



N. 38.500'

N. 38.500'

FROM ACCESSION C. READING

