JAMES ULRICH and JOSEPHISM ULRICH 925 Starbit Road Towson, Maryland et al

SATHAN H. KAUFMAN. G. MITCHELL AUSTIN and CHARLES STRINGOCK, JR., constituting the County Board of Appeals

5265

The above entitled case having been fully argued by counsel. this 20th day of November, 1962, it is: ORDERED by the Circuit ourt for Baltimore County at Law that the decision of the Count Appeals be, and the same is hereby reversed and the application of the Petitioner for R-A Zoning is denied.

I hereby certify that a copy of the aforegoing Order was mailed to Kenneth C. Proctor, Esq., Campbell Building, Towson 4 Marylan and to William P. Bolton, Jr., Esq., 201 W. Chesapeake Aten Towson 4, Maryland

mer 1109 22 M 1128 CLETA CE CIRCUIT COURT, BALTO, CO.

WILLIAM P. BOLTON, JR. ATTORNEY AT LAW 201 W CHESAPEAKE AVENUE TOWSON 4, MARYLAND

October 11, 1961



John G. Kose Zoning Commissioner of Baltimore County County Office Building Towson 4, Maryland

Re: Petition for Reclassification of property of John A. Murray, et al N.E. Gor. Providence Road & Goucher Boulevard, 9th Dist., from "R-10" Zone to "R-A" Zone

Dear Mr. Rose:

Please enter an appeal in the above entitled case to the Board of Appeals of Baltimore County.

William P. Bolton, Jr Eor Petition rs

CERTIFICATE OF POSTING IG DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland #5265 Posted to: Last B-12 Bary to an A-13 gare
Petitioner John A & Charolle B. Murry
Location of property of Foury of boarday Och & Souches Block

We say Substitute to the same of Location at Standard Magaz M. L. Commit Grandfull Port Spacely Blog, Angelly Joyn 150 minuted good Medle of Sandar Short on the Bodard Standard Hoods, Posted by Lay & Hummy Date of return: 8-24-61

> CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COU Towson, Maryland

#5205 Date of Posting 5-3-6/ router for the grand some some of posterior for the land of Marsales & Constant Foundation & Buttered Sunday Sunday Posted for CW R-10 gow to an R- A 3000 Location of Signal Marches 294 March Secretary Det January Grander Det of Sandar Blocker State of Comment of Special State State of Secretary State of Special Special State of Special Special State of Special Spe Posted by Allangt Sugrapher Hannes Date of return: 5.4-le,

OFFICE OF PLANNING AND ZONING

10:00 A.M.

Date ... May 12, 1961

Inter -Office Correspondence

The staff of the Office of Planning and Zening has reviewed the subject potition for reclassification from R-10 to R-A zone and has the following advisory comment to make with respect to pertinent planning factors:

1 The location of subject to portions planning factors:

1. The location of subject transt-subjects to the intersection of Providence Read and Geneber Collevant with interstal soning in close proximity is subject to the interstal soning in close proximity is subject to the interstal soning in close proximity and subject to the proposed resoning fit in with the general character to hake the proposed resoning fit in with the general character residential developent. The commence of staff opinion are residentially secured to subject to staff opinion and the subject to the subject to the control of the

To: John G. Hose, Zoning Commissioner

John A. Murray

9th District

From: George & Gavrelis, Deputy Director

Subject: #5265- R-10 to R-A Zone--SE/c Providence Rd. & Goucher Blvd.

5/24/61

CERTIFICATE OF PUBLICATION TOWSON, MD. Max 5....

THE IS TO CEPTIEV that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., occession concerremovement before the 24th appearing on the 5th day of May 19.61... THE JEFFERSONIAN,

Leant Streethin.

-- MA 16' 5" 1 CERTIFICATE OF PUBLICATION ATE AND TIME: WEDNESDAY, WAY 24th, 1901 OF 10 300 V.M. TOWSON, MD., -THIS AS TO CERTIFY, That the annexed advertisement was published in The COUNTY Paper, Inc., a weekly news-

paper printed and published in Towson, Baltimore County, Md., once in each of ____one successive weeks before the _____2h___day of ______18 61__the first publication appearing on the____hth

May h

The COUNTY Paper, Inc. Manager. 5

TELEPHONE VALLEY 3.3000

BALTMORE COUNTY, MATLAND OFFICE OF FINANCE

Division of Collection and Receipt COURT HOUSE TOWSON 4, MARYLAND

Mr. William P. Bolton, Jr.

RECLAMBELLION

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No. 4577

DATE 1/17/67

01622 TOTAL AMOUNT Petition for reclassification for John A. Murray 4-1861 7834 · · · TIL+ 4-1861 1634 * > + 1364 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.

PETITION FOR ZONING METERNIER IN THE AT LOS

THIS IS TO CERTIFY, That the annexed advertisement was published in The COUNTY Paper, Inc., a weekly newsraing all that parcel of laxe paper printed and published in Towson, Baltimore County. Md., once in each of _____successive weeks before the 13th day of September 19 61 the first

publication appearing on the 21th day of Avgust 19 61. The COUNTY Paper, Inc.

CERTIFICATE OF PUBLICATION

TOWSON, MD.



Manager.

TION FOR ZONING RECLAS ZONING: From B-10 Zone to R-A Zon.

DATE AND TIME Wednesday, September
LOCATION: South AUG 28 '61 AM LOCATION: Northeast corner of Pro-dence Road and Goucher Senievard. PUBLIC HEARING: Room 109 Cotto Office Building, 111 W. Christ peaks A. Sine, Towson, Maryland.

CERRIFICATE OF PUBLICATION TOWSON, MD August 25. 1961

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., SECONDERED ex ___1 time ____ exceptexerence before the ___13th ___ day of ______September _____19.61_, the GREF publication appearing on the ___25th____Gay of _____August

> THE JEFFERSONIAN. Frank Strucktinger.

Cost of Advertisement. \$

BALT DRE COUNTY, MAR PAND

OFFICE OF FINANCE

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TOWSON 4, MARYLAND

William P. Bolton, Jr., Egg.,

Sonin, Department of dalkinger County 113 County Office Nidge, Toward h, Md.

No. 8124

\$ 70.00 3 algm 85.00 15.00 No.5265 1616 0323 + + * TEL-

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

OFFICE OF PLANNING AND ZONING TOWSON 4. MARYLAND

5-12-61

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

COUNTY BOARD OF APPEALS

CF

BALTIMORE COUNTY

No. 5265

AMENDED OPINI ON 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 "3.030 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

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

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 ai-Petitioner

BEFORE

COUNTY BOARD OF APPEALS

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. Elliatt D. Russell, Civil Engineer for the Whitman Requard: & Sons, testimony that the development of the subject tract us "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 protestants 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 "Compus 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 Gaucher Boulevard is completed from Providence Road to Joppa Road, the subject property on the north side of Go other Boulevard Extended will be adjacent to a major thoroughfare and will front direct' across the road from existing industrial

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 develop ments 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 apartmen's 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 Baulevard 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 me 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

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.

apartments would have any adverse effect in residential areas surrounding this property.

ORDER

For the reasons set forth in the aforegoing Opinion it is this day of March, 1762, 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 Coart of Appeals of Maryland.

RE: PATITION FOR REGLASSIFICATION FROM AN "R-10" ZONE TO AN "R-A" ZONE, N.E. Cor. Providence Road & Goucher Boulevard, 9th BEFORE hoad Goucher Boulevard, 9th ZONDIG COMMISSTONED BALTDICKE COUNTY No. 5265

Upon hearing on the above petition for reclassification from an "R-10" Zene 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. Cavrelis, 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-4".

............

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

Visual inspection of the property direlesses 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

It is this 15-14 day of September, 1961, by the Zoning Commissioner of Baltimore County, CEDERED that the above reclassiproperty or area be and the same is hereby continued as and to remain an "R-10" Zone.

PETITION FOR ZONING RE-CLASSIFICATION #5265 AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 1, or we let A Musery of Charletter Sowners of the property situate in Baltimore County and which is described in the description and pil: 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

R-A zone; for the following reasons:

Contract aft 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 Regulation

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

Aldress Paper mil Rd Po Co mil

.. 196.1... that the subject matter of this petition be advertised, as d 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 had before the Zening oner of Baltimore County in Room 106, County Office Building in Tewson, Baltimore N:00 P. MM.

Spe

- a Murray

TELEPHONE

BAL'RODRE COUNTY, MARGAND

OFFICE OF FINANCE

Division of Collection and Receip COUNT HOUSE TOWSON 4, MARYLAND

BILLED County Board of Appeals

01 51 01 05 \$ 12.00 Cost of Certified Documents - John Murray property, NE/cor. Provand Goucher Blvd. 9th Dist.

> 4-10-52 2765 0 0 0 TY1-1200

IMPORTANT! MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MEDITARIE MARE CHECAS PATABLE IN DALIMONE COURT IN MART LAND
MAIL TODIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURNUPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. COUNTY BOARD OF APPEALS

CERTIFICATE OF POSTING

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