Mr. Con- 5715

ALBERT D. HUTZLER, et al PLAINTIFFS VS.

NATHAN H. KAUFMAN, JR.,

J.R. IN THE CIRCUIT COURT BALTIMORE COUNTY AFLAW

nr 16 '64 4

BEFORE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

No. 5715

.

The petitioner proposes to erect a large shopping center surrounded by

The Board Listened to voluminous testimony regarding the extent and impac

The majority aginion is cognizant of the fact that without question proposed

In addition to the aforegoing testimony, the petitioner attempted to show

OPINION

apartment dwellings on the southeast side of the intersection of Reisterstown Road and

of increased traffic generated by such a proposal on existing facilities and proposed facili-

roads will be built in the coming years to handle increased traffic. However, the majority

of this Board cannot, by any stretch of the imagination, foresee what the impact of a shop-

ping center and an apartment development of this magnitude would have on future roads

and to compare the generated traffic as related to the existing roads would be out of the

both change and error in the existing map which would materially affect said petitioners

character of the neighborhood nor error in the map sufficient to grant a petition of the magnitude requested. The majority opinion, after careful consideration of the many days

granting of said petition and in conclusion the majority opinion of this Board is that it

would be useless to continue with the protestants case in view of its feelings as stated

above. Thereby at the completion of the petitioner's case granted a motion to dismiss

unded on behalf of the protestants and, in addition, dismissed the case in furtherance

property. The majority opinion takes issue and finds that there is neither change in the

testimony of the petitioner, feels that he has failed to provide a satisfactory basis for the

question. This was also the opinion of the petitioner's own witnesses.

of the administrative powers inherent in this 3oard.

ties in the neighborhood. The majority of the woard is convinced that the granting of

such a petition at this time would be premature traffic-wise and act to the detriment of

the Baltimore County Beltway in the Third Election District of Laltimore County.

OPINION

This Appeal is from the decision of the County Board of Appeals of Baltimore County dated November 12, 1963, by which Petitioner's request for reclassification of 20.13 Acres, more or less, from R-10 and R-20 Zones to an R-A Zone, and 59.71 Acres, more or less, from R-10 and R-20 Zones to a B-L Zone was denied.

The subject tract is located on the southwest side of the intersection of Reisterstown Road and the Baltimore County Beltway in the Third Election District of Baltimore County. Seven parcels of land awned by the Petitioners constitute the 80.01 Acres, more or less, sought to be re-zoned. Forcels ix and seven, originally Zoned R-10 and R-20 and now to be re-classified R-A are that part of the property fronting or the north side of Naylor's Lone, a narrow residential road. Patitioners seek to construct garden type apartmen's here which would serve as a buffer zone between the single family residences on the south side of Naylor's Lane and the proposed shooping center to the north. The remainder of the traci, consisting of Parcels one, two, three, four and five for which B-L zoning is sought is the proposed site of a large regional shapping center

In requesting re-zoning for the seven parcels of land, Petitioners claim error in the original 1957 comprehensive zoning map as well as numerous changes in the immediate vicinity which make the present zoning invalid. In addition to this argument they cite the need for a shopping center in the area, plus the fact that this is one of the three potential metrotown sites mentioned in the study of the Baltimore Regional Planning Council entitled "Metrotowns for the Baltimore Region". The Board heard extensive testimony by Petitioners' expert witnesses who explained in great detail all phases of the proposed plan and its impact on the neighboring community. In reviewing the testimony and the Board's subsequent Opinions (two members submitted one Opinion, while the third

RE: PETITION FOR RECLASSIFICATION

Parcels Nos. 1, 2, 3, 4 and 5, from "R-10" and "R-20" Zones

Parcels Nos. 6 and 7 from "R-10" and "R-20" Zones to "R-A" Zone

SW/S Reisterstown Road and

NW/S Naylors Lane

Albert D. Hutzler, et al

to "B-L" Zone;

the community at large.

SM/S of Naylors f Reisterstown Rd. 3rd 8571

reason for refusing the requested re-classification at this time was the existing traffic situation in and around Pikerville, and on the Reisterstown Road which bisects that suburb There was ampie testimony from Mr. Edwin Murk and Dr. Worthington Ewell, as well as witnesses representing the Department of Public Works, in addition to other officials of Baltimore County that a number of important changes involving the physical capacities of surrounding roads and traffic patterns thereon would have to be effected, before such a commercial center would be feasible. The addition traffic generated by the propo regional shopping center onto existing surrounding roads, they stated, would have a detrimental effect on the community. Granting the re-classification under these conditions would also violate Section 23-18 of the Baltimore County Code, 1961 Supplement

member of the Board filed a separate Opinion) it appears to the Court that the paramoun

Petitioners, citing the case of St. Marks etc. Church V. Doub, 219 Md. 387, argue that "volume should not be confused with conjection and that traffic is a police rather than a Zoning problem". In that case traffic volume was only one of six general objectives being considered by the Baltimore County Commissioners in adopting the new Zoning Use Map for the Third Election District. Coincidentally Reisterstown Road and under discussion, but in that case there was no evidence of conjection, but rather the evidence showed a heavy volume of traffic, which given proper traffic control, would present no major problem. It was the Board's opinion that existing roads in the area are at or near capacity at the present and that a large additional volume of traffic would cause chaotic conditions.

While it appears that Naylor's Lans, one of the roads fronting on the site is scheduled for future improvement, possibly in 1964, this has not yet been accomplished nor has a completion date been ascertained. The Testimony also showed that the traffic situation in the Pikesville area will not be remedied to any great degree even with improve ment of feeder roads until such time as sections of the proposed Northwest Expressway are completed. Provision has been made for that construction to take place sometime between July 1965 and 1970. The Maryland Court of Appeals held in Trustees of McDonaugh V. Baltimore County, 221 Md. 550, at pages 570-571, that the County Council in its deliberations on a recommended new Comprehensive Zoning Plan "was entitled to consider any proposed new highways, or proposed improvements to existing highways, that were asonably probably of fruition in the foreseeable future in determining the proper classification for the

for the subject property" later in the same Opinion the Court considered the decision of the Commissioners in light of the facts and circumstances rexisting at the time they passed their resolution. We cannot say that the Opinions of the Board were arbitrary, capricious or illegal based on the evidence before them of present road capacity and the expectation

- 3 -

We agree, however, with Patitioners that portions of their tract are no longer realistically Zoned under R-10 and R-20 Classifications due to changes which have taken place in recent years. The construction of the Baltimore Beltway has affected the subject property since the northorn boundary abuts the Beltway. There have been numerous Zoning re-classification in properties fronting on the Reisterstown Road, North from Naylor's Lane to the Bel tway interchange. Some of these were originally deeded out of the larger Hutzler tract. But significantly none of the char.jes made in the past few years is comparable in magnitude to that sought by the Petitioners, nor have they generated the kind of traffic w¹ ich would be attracted to a regional type shopping center. As was stated in <u>Furnace</u> Branch Land Company V. Board of County Commissioners of Anne Arundal County, 232 Md.536, "Change in conditions may justify the amendment of the existing Zoning Ordinance to reclassify a particular property, but it does not necessarily compel it. Even as in original Zoning, rezoning must be in the general public interest for the promotion of this health, safety and welfare of the community, as well as in the individual interest of the landowner". Annotated Code of Maryland (1957) Article 668, Section 21, Wakefield V. Kraft, 202 Md. 136; Huff V. Board of Zoning Appeals, 214 Md. 48. See also Price V. Cohen, 213 Md. 457, where rezoning to permit erection of a shopping center was held to have been properly denied, where it would materially increme the traffic hazard

The County Board of Appeals of Bottimore County based on the evidence before it, decided not to grant re-classification at this time. We find that evidence to have been fairly debatable and this Court may not rebstitute its judgment for that of the legislative body as to the wisdom of the action taken. For that reason the decision of the Board will be offirmed.

(s) Harry E. Dyer, Jr. HARRY E. DYER, JR. JUDGE

BEFORE

COUNTY BOARD OF APPEALS

OF

RALTIMORE COUNTY

No. 5715

September 11, 1964

For the reasons set forth in the aforegoing Opinion, it is this day of July, 1963 by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby denied.

ORDER

Any appeal from this decision must be in accordance with Chapter 1?00, subtitle B of Maryl, ad Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS

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ORDER

For the reasons set forth in the aforegoing Opinion, it is this 12th day of November, 1963 by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby denied.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Kules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

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A motion was made by the attorney for the protestants asking for a

DISSENTING OPINION

dismissal of the petition. The majority of the Board ruled that the petition

should be dismissed. This member of the Board Jissents from the majority opinion.

BEFORE

COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

No. 5715

DATE: 24 4 15.1963

RE: PETITION FOR RECLASSIFICATION

Parcels Nos. 1, 2, 3, 4 and 5, from "R-10" and "R-20" Zones to "B-L" Zone;

Parcels Nos. 6 and 7 from "R-10" and "R-20" Zones to "R-A" Zone

SW/S Reisterstown Road and

NW/S Naylors Lane Third District

Albert D. Hutzler, et al Petitioners

This is a petition of Albert D. Hutzler, et al, for reclassification from "R-20" and "R-10" Zones to "B-L" and from "R-20" and "R-10" to "R-A" zoning. The requested "B-L" Zone, consisting of Parcels 1, 2, 3, 4 and 5, is the site of a proposed large regional shopping center. The remainder of the property, for which "R-A" zoning is sought, is to be used for garden-type apartments. The total acreage involved in this petition is approximately 81 acres. The subject tract is located on the southeast side of the intersection of Reisterstown Road and the Baltimore County Beltway in the Third Election District of

The Board heard voluminous testimony regarding the extent and impact of ased traffic which would be generated by the proposed shopping center and apartment development on both existing and proposed facilities in this area. The Board is convinced that the grenting of this petition at this time would act to the detriment of the community and is premature. The Board is cognizant of the fact that, in the coming years, improvements to existing roads and additional roads will be built to handle constantly increasing traffic. But the Board cannot foresee the effect of the development of this total tract would have on future roads which have not yet been designed. We can only consider the effect of such heavy traffic on existing roads. Traffic experts who testified for both the petitioner and the protestants agreed that Reisterstown Road in its present condition could not handle the proposed shopping center traffic. It was also stated that congestion would be created on surrounding residential streets and on the exit ramps leading from the Beltway.

The petitioner also attempted to show both change in the character of the neighborhood and error ir. the existing map which was adopted in 1957. The majority of the Board takes issue and finds that there is neither change nor error sufficient to grant a petition of this magnitude with its far reaching effect on the Pikesville community. After careful consideration of the many days of testimony in this case, the majority of the Board feels that the petitioner has failed to prove a satisfactory basis for the granting of said patition.

to "B-L" Zone Parcels Nos. 6 and 7 from "R-10" and "R-20" Zones to "R-A" Zone,

RE: PETITION FOR RECLASSIFICATION

Parcels Nos. 1, 2, 3, 4 and 5 from "!:-10" and "R-20" Zones

SW/S Reisterstown Road and NW/S Naylors Lane Third District Albert D. Hutzler, et al

.

OPINION

RE: PETITION FOR RECLASSIFICATION REFORE Parcels Nos. 1, 2, 3, 4 and 5 from "R-10" and "R-20" Zones COUNTY BOARD OF APPEALS to "B-L" Zone; OF Parcels Nos. 6 and 7 from "R-10" and "R-20" Zones to "R-A" Zone, BALTIMORE COLINTY SW/S Reisterstown Road and NW/S Naylors Lane No 5715 Third District Albert D. Hutzler, et al 1 1 1 1 1 1 1

OPINION

This is a petition of Albert D. Hutzler, et al, for reclassification of seven (7) different parcels of land located on the southwes, side of Reisterstown Road and the northwest side of Naylors Lane in the Third District of Baltimore County. Farcels Nos. 1, 2, 3, 4 and 5 seek reclassification from an "R-10" Zone and an "R-20" Zone to a "B-L" Zone. Purcels Nos. 6 and 7 seek reclassification from an "R-10" Zone and an "R-20" Zone to an "R-A" Zone.

With regard to Parcels No. 6 and 7 which is the property fronting on the north side of Naylors Lane for which the Petitioner seeks to reclass ify some 20 acres of land from its present classification to "R-A", this member of the Board can find nothing in the testimony to warrant such a ruclassification. Naylors Lane is still a quiet residential, country-type, road developed in large lot acreage with substantial houses. To destroy the character of this lane would be unrealistic and would have a detrimental effect on the adjacent property owners. It is the opinion of this member of the Board that the reclassification asked for an Parcels No. 6 and 7 should be denied.

With regard to Parcels Nos. 1, 2, 5, 4 and 5, this property is bounded by the Baltimore County Beltway on the north, the residential property to the west, the proposed line of demarcation between the "B-L" property and the proposed "R-A" property on the routh and Raisterstown Road on the east.

Beginning at the northwest corner of Naylors Lane and Reisterstown Road and going in a northerly direction on the west s (3) of Reisterstown Road there have been substantial changes in the zoning of the properties fronting on Reisterstown Road since the adoption of the Third District land use map on January 16, 1957. The Fringer-Byerly property was reclassified from "R-10" to "B-L" on September 18, 1961. The Kelly property was reclassified from "R-10" to "B-L" also on September 18, 1961. The Hirsch property was reclassified from "R-10" to "P-L" on July 17, 1961. In addition to these reclassifications on the west side of Reisterstown Road one finds five reclassifications from residential use to business use on the east side of Reisterstown Road. The three changes referred to on the west side, as

intersection with R. Isterstown Road on the south to the Baltimore County Beltway on the porth. Certainly these eight reclassifications have had a very substantial effect on the Reisterstown Road frontage included in this petition. It is the opinion of this member of the Board that all of the Reisterstown Road frontage on the west side of Reisterstown Road from Navlors Lane north to the Baltimore County Beltway should be zoned in a commercial classification. It is, therefore, the opinion of this member of the Board that all land which is a part of this petition fronting on the Reisterstown Road should be reclassified from its present electification to a "Bel" classification for a depth of 225 feet. The remaining acreage in Parcels Nos. 1, 2, 3, 4 and 5, which is actually

well as the five changes referred to on the east side, are in an area from the Navlors Lane

the main portion of this petitica, has to some degree been affected by the changes that have taken place on the east and west sides of Reisterstown Road between Naylors Lane and the Baltimore County Beltway

Prior to the reclassification of the Kelly tract, the Fringer-Byerly tract and the Hirsch tract one could stand on the Hutzler property and look in an eastwardly direction and see residential property developed with substantial residences. Since the reclassification of the above mentioned properties, standing in the same position on the Hutzler property and looking in an eastwardly direction you can see the construction of a modern gasoline service station and the back of a sign which offers additional commercial land for sale. These changes, along with the impact of the Baltimore County Beltway, have had some effect on the balance of the land in this petition.

It does not seem realistic to this member of the Board to categorically state that all of the property in Parcels No. 1, 2, 3, 4 and 5, other than the Reisterstown Road frontage which has been referred to, should remain in an "R-10" and "R-20" Zone. It may well be true that some parts of this acreage could carry a higher residential density at this time. However, when the request for this land is not for a higher residential density but is, in fact, for business uses an entirely different set of facts must be considered. Reisterstown Road is a main thoroughfare leading from Baltimore City to the community of Reisterstown as well as a main route leading to Carroll County and counties to the north, and to the State of Pennsylvania as it abuts the northwest boundaries of our State. Conditions that exist at the present time in the community of Pikesville, some one mile to the south of Naylors Lane, have been described in the testimony as a most congested area.

While the opening of the new Sudbrook Lane extending from Reisterstown Road to Old Court Road has offered some relief to this business community there still remains at the present time a most congested traffic situation. The petitioner has referred a number of times to the possibility of eliminating parking on one or both sides of the Reisterstown Road in the business area of Pikesville in order to alleviate the congested traffic. In so doing it would seem that even the petitioner recognizes the traffic problems in this area. Proposed Old Court Road (relocated) would certainly seem to offer improvement to traffic conditions but even the

Here the property expers gave of their property so that a service road could be constructed.

Mr. Gerge Gavelis, Deputy director of Planing, commented on the liness. He said the Planning Staff is not ready to recommend exactly what change chould be made. He believes the Northwest Empressivas is necessary infore various traffic conflicts can be sorted out, Judgment on the potition from a Flanning viscopie's should small definition study of various questions and avaluation of alternative land use possibilistics on the subject property.

Plans for a project as monumental as the potitioners' she be previously approved or disapproved by the Office of Planning and the Department of Public Works of Baltimer County.

recommendation of the State Hoads Commission has made certain comments upon recommendation of the State Hoads Commission Traffic Engineer and Envisopement Engineering Section. The Heaton, a Heaton of the Heaton Heaton of the H

It would appear that no matter how such thought and proporty is so located that it would be insufficient again and are changes until and unless such soning will neet and not violate the promoto component we plan, regulations for which are at Jorch In part in Sec. 23-15 of the Baltimore County Code, 1961 Supplement, which can be closed in the provises are follows:

"They shall be designed to reduce congestion in the roads, streets and allays; se premote safety from fire, push can debur danger; to promote health and general welfars; to provide adequate 10 world under concentration of population; to facilitate adequate provision for schools, parks, water, severage, transputation and other public requirements, conveniences and improvements, including gas and alectory-construction and refulficience, (this for \$0, 2000, not 23-18)".

It is this ### day of muary, 1963, by the Zoning Commissions of Batthore County, OCONECO that the berein described property or area is continued as and to remain "B-10" and "B-20" Zones.

For the above reasons the reclassification should not be had

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To sum up, the petitioners' exper's have done their t however, County and State roads to service the petitioners' propor properly do not exist.

traffic that would use this new road would, when going in an eastwardly direction, empty into a parrow two-lane road from its intersection with Sudbrook Lane until it reaches the traffic signal at its intersection with Park Heights Avenue. The contemplated immovements of Glenback Avenue, which will carry this street from its present dead-end at Church Lane to a point where it will intersect with the new Old Court Road (relocated), will also offer some relief to the present traffic concession in the Pikesville area. However, all of these improvements are needed at the present time to handle the present traffic load and it seems inconveivable to believe that a 51 acre commercial development would nut produce traffic in such a degree as to cause traffic chaps in the area and be detrimental to the entire com munity.

There can be no doubt that there have been changes in the character of the od which have had an effect on the subject property. However, it is the opinion of this member of the Board that the petitioner has not justified a reclassification of a substantial part of his property to a commercial use and that to do so would have a deterrent effect upon the value of properties adjacent to and in the immediate vicinity of the subject

For the reasons stated above, the petition for reclassification on Parcels No. 1 2 3 4 and 5 from "R-10" and "R-20" Zon 4 to a "B-L" Zong is denied with the exception of that portion of the property fronting on Reisterstown Road for a ceptin of 225 feet and, further, the petition for reclassification on Parcels No. 6 and 7 from "R-10" and "2-20" Zones to an "R-A" Zone is likewise denied.

COUNTY ROADD OF APPEALS

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DATES /111 LL 1912, 1963

KCP/lg (4)



RE: PETITION FOR RECLASSIFICATION PAR BEFORE THE PETITION FOR RECLASSIFICATION OF PArcels Nos. 1, 2, 3 4 and 5, from "R-10" and "R-20" Zones to "B-L" Zones; Parcels Nos. 6 and 7 from "R-10" and "R-20" Zones to "R-A" Zone - S.W. Side ZONTING COMMISSIONE Reisterstown Road and N.W. Side BALTIMORE COUNTY Naylors Lane, 3rd District Albert D. Hutzler, et. al. Petitioners.

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ORDER FOR APPEAL

Please note an Appeal, on behalf of the Petitioners in the above captioned matter, from the Order of John G. Rose, Zoning Commissioner of Baltimore County, dated January 4, 1963, to the County Board of Appeals of Baltimore County.

Charles Markell, Jr.
Attorneys for Petitioners.

I HEREBY CERTIFY that a copy of the foregoing Order for Appeal was mailed by me this 7th day of January, 1963, to W. Lee Harrison, Esq., Jefferson Building, Towson 4, Maryland, Attorney for Protestants

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Ross, Zoning Commissioner Date. Hovember 30, 1962

SUBJECT. \$2155. Parcels Now. 1.2.1.1 and 5 - From R-10 and R-20 Zoose to B-1 Zones. Parcels Nos. 6 and 7 - From R-10 and R-20 Zones to Eat. Zones. Southwest side of Relaters town Road and the Northwest side of Relaters town Read and the Northwest side of Reploys Lane. Being property of Alver intuine; et al.

HEARING: Thursday, December 13, 1962 (10:00 A.M.)

The staff of the Office of Planning and Zoning has raviewed the subject petition for Zuning Reclassifications and has the following advisory comments to make with respec

The Hamming stiff questions the timeliness of the subject petition from the visepoint of need and the capability of Deistersteen Read to handle the traffic generated by commercial activity in the scale indicated on the pathwest site plan. Access to the proposed shopping center would be principally by maner of Satterstein Read and, to a nuch lesser extent by means of Galterstein Read and, to a nuch lesser extent by means of Galterstein Commercial C

Judgments with respect to creatice of soming extently for a commercial center of the size proposed here should be made on the basis of a thorough immediate of all of the facts. What impact tall onto a court made on established commercial areas to the worth and on some but unbuilt commercial court of the size of the south and the size of the

FROM Mr. George E. Gavrelis, Deputy Director

INTER-OFFICE CORRESPONDENCE

Mr. G. Mitchell Austin Date May 23, 1963 FROM James D. Nolan SUBJECT

administrative proceedings and are not as strict as rules in a judicial court proceeding.

JDN:lp:mr

protestants

lishment of a fact, that would assist the board, then it should be admitted. When testimony is admitted, the board members may give whatever weight it deems such testimony requires.

you to discuss the same, however, the final decision on whether or not it is admissible will be that of the board and not of this office.

James D. Nolan & Slave Assistant County Solicitor

OWI+he

The Planning soulf does not protend to have the answers to these questions at this time. In collaboration with other agencies it does intend to find those answers, Judgment on this pretition from a Planning Yespoint should small definitive study of these questions and evaluation of alternative land use possibilities for the subject property.

[87.7-62]

Partice For Haddassirication Parcels Nos. 1,23,3,4 and 5 from "R-10" and "R-20" Zones to "B-L" Zones; Parcels Nos. 6 and 7 from "R-10" and "R-20" Zones to "B-A" Zone - S.M. Side Reisterstown Road and N.M. Side TONTHO COMMISSIONES OF Naylors Lane, 3rd District -Albert D. Hutzler, et al, BALTIMOSE COUNTY

RE: PETITION FOR RECLASSIFICATION

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No. 5715

The patitioners, in the above matter, requested the reclassification of five pursuls of land described in the within patition from TB-10° and TB-0° Comes to TB-10° and TB-10° A

Every effort was made by the petitioners to present clear and concise testimony so that all phases of the requested changes in zoning would be clear.

Mr. Lawrence Patton Smith made a masterful presentation aining to market availability. There is no question but that the chosen in anticipation of future trade is one of superior worth.

Mr. Elvin Murk of Milbur Saith & Annociates, gave an unbiase, report on traffic. He plan for handling traffic is will thought out and is certainly the best under difficult of countainnose. He report left no doubt that come of the present reads are asturated and all reads are rarrying heavy traffic. He plan attempted to solve traffic problems right at the proposed site, but could "at and did not solve traffic problems care."

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BALTIMORE COUNTY, MARYLAND

Reference is made to your inquiry dated May .2, 1963, relative to proffers of evidence by Mr. Proctor, attorney for the applicant, Hutaler. and the objective by Mr. Harrison, attorney for the

It is my understanding that the question is, may Mr. Gavrelis be permitted to refresh his recollection by reviewing zoning files in three previous cases wherein he had made certain specific state-ments concerning the adoption of the zoning map.

As we know, the rules of evidence are generally relaxed in

In contested cases before the board, it should admit all tectimony having reasonable value and evidence that is material, relevant, as well as competent. If the testimony of Mr. Gavrelis has some relevancy to the question at issue and some value toward the estab-

If this letter is not satisfactory, I will be happy to meet with

County, as Tollows:

PETITION FOR ZONING RE-CLASSIFICATION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

#5715 MAP SE(.2-BL-RA

We, Albert D. Hitzler and Gretchen H. Hutzler, owners of Parcels Nos. 1, 2, and 6, and Jerome Markman and Diane H. Markman, his wife, owners of Parcel No. 3, and Albert D. Butzler, Jr., and Bernice L. Mutzler, his wife, owners of Parcel No. 4, and Michael J. Kelly and Sarah D. Kelly, his wife, owners of Parcel No. 5, and Marcus M. Bernstein, Jr., and Caroline H. Bernstein, his wife, owners of Parcel No. 7, all of which parcels are more particularly described in the descriptions and shown on the plats which are filed herewith and made a part hereof, such parcels being situate in the Third Election District of Baltimore County, Maryland, hereby petition that the zoning status of such parcels be reclassified, pursuant to the Zoning Laws of Baltimore

Parcels Nos. 1, 2, 3, 4, and 5 - from R. 10 and R. 20 zones to a B. L. Zone

Parcels Nos. 6 and 7 - from R. 10 and R. 20 zones to an

for the following reasons: Because of changes in the area, and because of error on the Comprehensive Zoning Map currently in effect for this area.

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

We agree to pay expenses of the above re-classification, advertising, posting, etc., upon filing of this petition, and

> 10:00 A.m 12/13/62 4- Sugar

ESTABLISHED 1849

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S. J. MARTENET & CO. SURVEYORS AND CIVIL ENGINEERS 9 E. LEXINGTON STREET BALTIMORE 2, MD. I EVINGTON 9-4263

. . HARRY G. JAVING 1070-1921 J. HOWARD SUTTON -----1007-1931 SAMUEL A. THOMPSON GEORGE E WIMMER 1907-1643 HOWARD D. TUSTIN 1907-186 #5715 Page 2

Parcel No. 1

No. 1540 folio 395 etc. and the second dated February 25, 1931 and recorded in Liber L.McL.M. No. 876 Colio 223 etc., thence parallel with and 50 feet Easterly from said Westernmost outline, North 11 degrees and OS minutes West 1293 feet, more or less to the Southeasternmost Right of Way lines of the Baltimore Beltway as shown on Plats Nos. 17779 and 17780 prepared by the State Roads Commission of Maryland thence binding on said Right of Way lines, Northeasterly, 181.5 feet more or lass to a point distant 70 feet Southeasterly from Station 101 + 00 on Base Line of Right of Way, Ramp A as shown on said plats, thence still Northeasterly 661 feet, more or less to a point distant 95 feet Southeasterly from Station 107 + 50, thence still Northeasterly 220 feet more or less to intersect the seventh line of the land described in a deed from Albert D. Hutzler and Gretchen H. Hutzler, his wife to Albert D. Hutzler, Jr. and Bernice L. Hutzler, his wife, dated August 25, 1942 and recorded among said Land Records in Liber C.H.K. No. 1249 folio 357 etc., thence, binding reversely on part of the seventh, the sixth and fifth lines of said land the three following courses and distances:

South 16 degrees and 53 minutes East 150 feet, more or less South 43 degrees and 20 minutes East 276 feet and South 75 degrees and 36 minutes East 87.50 feet to the

outlines of the parcel of land described in the deed from Mabel Hutzler Schaefer and husband to Albert D. Hutzler and wife first herein referred to, thence binding reversely on said outlines of said land as follows: South 75 degrees and 36 minutes East 443.83 feet, South 78 degrees, 30 minutes East 82.00 feet; North 54 degrees and 22 minutes East 269 feet to the Southwest side of Reisterstown Road,

#5715

further agree to and are to be bound by the Zoning Regulations and restrictions of Baltimore County adopted pursuant to the Zoning Laws for Baltimore County.

> Nos. 2, and 6. H. Mark of Parcel No. 3

wners of Parcel No. 4

Campbell Building Towson 4, Maryland VA 3-1800

Charles Markell, Jr. 929 N. Howard Street Baltimore 1, Maryland LE 9-3240 Petitioners' Attorneys

Parcel No. 1

No. 1174 folio 267 etc.

Stee Houson cetty for Protectionto

1049-1692

1870-1921

1004-1940

1007-1931

1000-1044

#5715

ORDERED by the Zoning Commissioner of Baltimore County, this 31st day of October, 1962, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through out Baltimore County, that the property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County, in Room 106, County Office Building in Towson, Paltimore County, on the _____ day of ____ December 1962, at 10:00 o'clock, _A.M.

> John 3. Rose Zoning Commissioner of Baltimore County

HOWARD C SUTTON 1904-1916

ESTABLISHED 1849

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S. J. MARTENET & CO. SURVEYORS AND CIVIL ENGINEERS E. LEXINGTON STREET BALTIMORE 2, MD LEXINGTON 9-4263

249-1092 HARRY G. JAVING 1871-1884 SEPTIMUS P. TUSTIN 1870-1921 HOWARD SUTTON WILLIAM O ATWOOD 1007-1931 SAMUEL A. THOMPSON GEORGE E. WIMMER 1907-1943 #5715

PARCEL NO. 2

All that parcel of land situate in the Third Election District of Baltimore County, bounded and described as follows: BEGINNING for the same in the Southwesternmost Right of Way

Line of Reisterstown Road as shown on Plat No. 23202 prepared by the State Roads Commission of Maryland at a point opposite to Station 35 + 80.75 on the Base Line of Reisterstown Road as shown on said plat, said place of beginning being distant 1,672 feet more or less Northwesterly measured along said Southwest side of Reisterstown Road from the corner formed by the intersection of said Southwest side of Reisterstown Road with the Northwest side of Naylors Lane and in the minth line of the land described in a deed from Albert D. Hutzler and Gretchen H. Hutzler, his wife, to Albert D. Hutzler, Jr. and Bernice L. Hutzler, his wife, dated August 25, 1942 and recorded among the Land Records of Baltimore County in Liber C.H.K. No. 1249 folio 357 etc., and running thence, binding reversely on a portion of said minth line, South 75 degrees and 36 minutes West 302 feet, thence reversely on a portion of the eighth line of said land described in said deed South 78 degrees and 16 minutes West 310 feet more or less to the Southeasternnost Right of Way Lines of the Baltimore Beltway as shown on Plat No. 17780, prepared by the State Roads Commission of Maryland, thence, binding on said Southeasternmost Right of Way Lines, Northeasterly 142 feet more or less to a point distant 80 feet Southeasterly, measured radially from Station 111 + 50 on Base Line of Right of Way, Ramp A as shown on said plat, thence still Northeasterly, binding on said Right of Way Line, 168 feet more or less to a point in the twelfth line of the parcel of land described in a deed from Calvert Bank to Albert D. Hutzler

ROBERT B. SUTTON HOWARD D. TUSTIN, JR. RICHARD P. TUSTIN

ESTABLISHED 1849

S. J. MARTENET & CO. SURVEYORS AND CIVIL ENGINEERS 9 E. LEXINGTON STREET BALTIMORE 2, MD. LEXINGTON 9-4263

HARRY G. JAVINE 1671-1894 HOWARD SUTTON 1884-1940 WILLIAM O. ATWOOD GEORGE E. WINNER 1907-1945 #5715

MPP

#3

PARCEL NO. 1

All that parcel of land situate in the Third Election District of Baltimore County, bounded and described as follows:

SEC.2-C BEGINNING for the same at the corner formed by the intersection of the Southwest side of Reisterstown Road, 66 feet widd, with BL-RA the Northwest side of Naylors Lane, 30 feet wide, said place of beginning being at the beginning of the parcel of land described in a deed from Mabel Hutzler Schaefer and husband to Albert D. Hutzler and Gretchen H. Hutzler, his wife, dated May 8, 1928 and recorded among the Land Records of Baltimore County in Liber W.H.M. No. 657 folio 151 etc. and running thence, binding on said Northwest side of Naylors Lane, South 58 degrees and 39 minutes Tast 197.20 feet to a point distant 225 feet Southwesterly, messured at Right Angles, from the center line of Reisterstown Road, thence running for lines of division, now made, across lands owned by Albert D. Hutzler and wife the five following courses and distances

- 1) Perallel with and 225 fest Southwesterly from the center line of Reisterstown Road, North 33 degrees and 58 minutes West 275 feet.
- 2) South 58 degrees and 39 minutes West 100 feet.
- 3) North 71 degrees, 26 minutes and 30 seconds West 280.55 feet,
- 4) South 65 degrees and 42 mirutes West 1500.0 feet and
- 5) Parallel with and distant 380 feet Northerly from the North side of Naylors Lane, South 82 degrees and 16 minutes West 310.44 feet to a point distant 50 feet Easterly, measured at Right Angles from the Westernmost outline of the land described in two deeds from Mabel Hutzler Schaefer and husband to Albert D. Hutzler and wife the first dated February 6, 1947 and recorded in Liber J.W.B.

. HOWARD C. SUTTON 1904-1916 ROBERT B. SUTTON HOWARD D. TUSTIN. JR. RICHARD P. TUSTIN

ESTABLISHED 1849

S. J. MARTENET & CO. SURVEYORS AND CIVIL ENGINEERS 9 E. LEXINGTON STREET BALTIMORE 2, MD. LEXINGTON 9-4263

1649-1892 HARRY G. JAVING 1870-1821 1884-1940 J. HOWARD SUTTON WILLIAM Q. ATWOOD ANUEL A. THOMPSON 1009-1944 GEORGE E WIMMEN 1907-1900

#57.15

Page 2

Parcel No. 2

and Gretchen H. Hutzler, his wife, dated July 1, 1941 and recorded as aforesaid in Liber C.H.K. No. 1174 folio 267 etc., thence binding on part of said twelfth line and on part of the thirteenth line of said land the two following courses and distances; South 37 degrees, 19 minutes and 30 seconds East 95 feet, more or less and North 56 degrees and 38 minutes East 257.5 feet more or less to said Southwesternmost Right of Way Line of Reisterstown Road as shown on said Plat No. 23202 and thence, binding on said Right of Way Line South 33 degrees and 56 minutes East 139.75 feet to the place of beginning.

Containing 1.06 Acres of lard more or less.

The courses in the above description are referred to the Magnetic Meridian of 1941.

Being part of the land described in the above mentioned deed from Calvert Bank to Albert D. Hutzler and wife.

October 18, 1962 Richard Tustin





S. J. MARTENET & CO. SUBVEYORS AND CIVIL ENGINEERS 9 E. LEXINGTON STREET BALTIMORE 2. MD. LEXINGTON 9-4263

HARRY G. JAVINE SEPTIMUS P. TUSTIN WILLIAM O. ATWOOD GEORGE E. WIMNER

HOWARD D. TUSTIN 1907-1940 #5715 Page 3

thence binding on said Road South 33 degrees and 58 minutes East 22 feet, thence leaving said Road, South 53 degrees and 43 minutes West 265.83 feet, thence South 37 degrees and 59 minutes East 300.92 feet, thence North 53 degrees and 24 minutes East 244.67 feet to the Southwest side of Reisterstown Road and thence, binding on said Southwest side of said Road South 33 degrees and 58 minutes East 697.67 feet to the place of beginning.

Containing 50.96 Acres of land, more or less. Saving and Excepting from the above described parcel of land

so much of the same for a depth of 225 feet Southeasterly from the center line of Reisterstown Road as is currently zoned BL. The courses in the above description as referred to the

Magnetic Meridian of 1941. Being part of the land described in three deeds from Mabel Hutzler Schaefer and husband to Albert D. Hutzler and wife dated and recorded as follows:

Liber W.H.M. No. 657 folio 151 May 8, 1928 Pebruary 25, 1931 Liber L.McL.M. No. 876 folio 223 February 6, 1947 Liber J.W.B. No. 1540 folio 395 and part of the land described in a deed from Calvert Bank to Albert D. Hutzler and wife dated July 1, 1941 and recorded in Liber C.H.K.

October 18, 1962

ESTABLISHED 1849

SEPTIMUS P. TUSTIN 1724-1940 SAMUEL A. THOMPSON 1000-1044 #5715

S. J. MARTENET & CO. SURVEYORS AND CIVIL ENGINEERS 9 E. LEXINGTON STREET BALTIMORE 2. MD

PARCEL NO. 3

All that parcel of land situate in the Third Election District of Baltimore County, bounded and described as follows:

BEGINNING for the same at the end of the fifth line of the land described in a deed from David L. S. Fringer et.al. Executors to Michael J. Kelly and Sarah D. Kelly, his wife, dated February 4, 1956 and recorded among the Land Records of Baltimore County in Liber G.L.B. No. 2873 folio 243 etc., said place of beginning being also North 33 degrees and 58 minutes West 1017.41 feet, South 53 degrees and 44 minutes West 265.73 feet and North 75 degrees and 46 minutes West 26 feet from the corner formed by the intersection of the Southwest side of Reisterstown Road, 66 feet wide, with the Northwest side of Naylors Lane, 30 feet wide, and running thence North 76 degrees and 42 minutes West 60.87 feet, thence North 75 degrees and 36 minutes West 443.83 feet, thence North 74 degrees and 55 minutes East 358.34 feet, thence South 24 degrees and 39 minutes East 3.30 feet, thence North 52 degrees and 04 minutes East 32.60 feet and thence South 26 degraes and 24 minutes East 263.88 feet to the place of beginning.

Containing 1.14 Acres of land, more or less.

The courses in the above description are referred to the Magnetic Meridian of 1941.



ESTABLISHED 1849 S. J. MARTENET & CO.

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SEPTIMUS P. TUSTIN 1870-1421 SURVEYORS AND CIVIL ENGINEERS WILLIAM O. ATWOOD 1007-1031 HOWARD D. TURTIN #5715

PARCEL NO. 4

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All that parcel of land situate in the Third Election District of Baltimore County, bounded and described as follows:

9 E. LEXINGTON STREET

BALTIMORE 2. MD.

BEGINNING for the same on the Southwest side of Reisterstown Road at Station 37 + 44.72 on Plat No. 23202 prepared by the State Roads Commission of Meryland, said place of beginning being also at the distance of 1508.19 feet Northwesterly, measured along said Southwest side of Reisterstown Road from the corner formed by the intersection of said Southwest side of Reisterstown Road with the Northwest side of Navlors Lane and running thence, binding on part of the second line of the land described in a deed from William A Grasiam to Albert D. Hutzler, Jr. and Bernice L. Hutzler, his wife, dated June 13, 1947 and recorded among the Land Records of Baltimore County in Liber J.W.B. No. 1572 folio 170 etc., South 55 degrees, 59 minutes and 30 seconds West 277.41 feet to a point in the second line of the land described in a deed from Albert D. Eutzler and Gretchen H. Hutzler, his wife to Albert D. Hutzler, Jr. and Bernice L. Hutzler, his wife, dated August 25, 1942 and recorded among said Land Records in Liber C.H.K. No. 1249 folio 357 etc., at the distance of 90.13 feet Southeasterly from the beginning of said second line, thence binding on the remainder of said second line and on the third to sixth lines, inclusive, of said last mentioned deed the five following courses and distances:

South 37 degrees and 07 minutes East 181.40 feet South 37 degrees and 07 minutes East 36.60 feet South 74 degrees and 55 minutes West 357.19 feet North 75 degrees and 36 minutes West 87.50 feet and North 43 degrees and 20 minutes West 276.00 feet to the beginning of the seventh line of the land described in said last

WARD C. SUTTON 1904-1916 ROBERT B. SUTTON HOWARD D. TUSTIN, JR. RICHARD P. TUSTIN

S. J. MARTENET & CO. SURVEYORS AND CIVIL ENGINEERS 9 E. LEXINGTON STREET BALTIMORE 2, MD. LEXINGTON 9-4263

ESTABLISHED 1849

SEPTIMUS P. TUSTIS

1884-1940 J. HOWARD SUTTON SANUEL A. THOMPSON 1000-1044 HOWARD D. TUSTIN #5715

1049-1092

Page 2

Parcel No. 4

mentioned deed; thence binding on a portion of said seventh line, North 16 degrees and 53 minutes West 150 feet more or less to the Southeasternmost Right of Way Line of Baltimore Beltway, as shown on Plat No. 17780 prepared by the State Roads Commission of Maryland, thence Northeasterly, binding on said Right of Way Line, 50 feet, more or less to a point in the eighth line of the land described in said last mentioned deed, thence binding on the remainder of said eighth line North 78 degrees and 16 minutes Eas : 310 feet more or less to the beginning of the minth line of the land described in said deed, thence binding on a portion of said minth line North 75 degrees and 36 minutes East 302 feet to the Southwesternmost Right of Way Line of Reisterstown Road as shown on said Plat No. 23202, thence binding on said Right of Way Line as shown on said plat the three following courses and distances:

South 33 degrees and 56 minutes East 69.25 feet North 56 degrees and 04 minutes East 40.00 feet and South 33 degrees and 56 minutes East 94.72 feet to the place of beginning.

Containing 5.58 Acres of land, more or less.

The courses in the above description are referred to the Magnetic Meridian of 1941.

Being all of the land described in the two deeds to Albert D. Hutzler, Jr. and Bernice L. Hutzler, his wife, hereinabove mentioned, saving and excepting therefrom so much as was deeded to State Roads mmission of Maryland for construction of the Baltimore Beltway.

October 18, 1962

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Kichard Tustin Reg# 3460

1849-1892

1070-192

1808-1244

ESTABLISHED 1849

BALTIMORE 2, MD. LEXINGTON 9-4263

S. J. MARTENET & CO. SURVEYORS AND CIVIL ENGINEERS 9 E. LEXINGTON STREET

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SEPTIMUS P. TUSTIN 1870.1881 WILLIAM G. ATWOOD 1007-1001 SAMUEL A. THOMPSON 1007-100 #5715

SIMON J. MARTENET

PARCEL NO. 5

All that parcel of land situate in the Third Election District of Baltimore County, bounded and described as follows:

BEGINNING for the same at the end of the sixth line of the land described in a deed from Clara I. R. Faulstick et.al. to Michael J. Kelly and Sarsh D. Kelly, his wife, dated April 26, 1947 and recorded among the Land Records of Baltimore Courty in Liber J.W.B. No. 1559 folio 211 etc., said place of beginning being also North 33 degrees and 58 minutes West 1017.41 feet and South 53 degrees and 44 minutes West 244.13 feet from the corner formed by the intersection of the Southwest side of Reisterstown Road, 66 feet wide with the Northwest side of Naylors Lane, 30 feet wide, and running thence, South 53 degrees and 44 minutes West 21.60 feet, thence North 75 degrees and 46 minutes West 25 feet, thence North 26 degrees and 14 minutes West 263.88 feet, thence North 52 degrees and O4 minutes East 32.60 feet, thence South 30 degrees and 11 minutes East 104.80 fret, thence South 16 degrees and 34 minutes East 80.8 feet and therse South 35 degrees and 36 minutes East 100.4 feet to the place of beginning.

> Containing 0.21 of an iore of land, more or less. The courses in the above description are referred to the

Charle Tustin October 18, 1962

ESTABLISHED 1849

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HARRY G. JAVING 1871-1884 S. J. MARTENET & CO. J. HOWARD SUTTON SURVEYORS AND CIVIL ENGINEERS 9 E. LEXINGTON STREET BANUEL A. THOMPSON BALTIMORE 2, MD.

1804-1940 1907-1843 #5715

PARCEL NO. 6

All that parcel of land situate in the Third Election District of Baltimore County, bounded and described as follows:

REGINNING for the same on the Northwest side of Navlors Lane. 30 feet wide, at the distance of 192,20 feet Southwesterly from the corner formed by the intersection of said Forthwest side of Naylors Lane with the Southwest side of Reisterstown Road, 66 feet wide, and running thence, binding on said Northwest side of Naylors Lane South 58 degrees an' 39 minutes West 639.11 feet to the end of the fifth line of the land described in a deed from Albert D. Hutzler and wife to Marcus M. Bernstein. Jr. and Caroline Hutzler Bernstein. his wife, dated July 1, 1941 and recorded among the Land Records of Baltimore County in Liber C. F. B. Jr. No. 1174 folio 266 etc., thence binding reversely on the fifth, fourth and third lines of said land described in said deed, the three following courses and distances:

South 49 degrees and 06 minutes West 322 feet and South 16 degrees and 53 minutes East 240.5 feet to said Northwest side of Naylors Lane; thence binding on said Northwest and North sides of Naylors Lane South 60 degrees and 46 minutes West 256.42 feet and South 82 degrees and 16 minutes West 100 feet to the beginning of the land described in a deed from Myrris S. Lazaron, Jr. et.al. to Harry Merowitz and Mildred Merowitz, his wife, dated October 21. 1950 and recorded among said Land Records in Liber G.L.B. No. 1912 folio 54 stc., thence binding reversely along the outlines of said land described in said deed the eight following courses and

North 22 degrees and 36 minutes West 297 feet

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ESTABLISHED 1849

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S. J. MARTENET & CO. SURVEYORS AND CIVIL ENGINEERS 9 E. LEXINGTON STREET BALTIMORE 2, MD. I FYINGTON 9-4263

SIMON J. MARTENET 1849-1892 SEPTIMUS P. TUSTIN 1070-1021 SANUEL A. THOMPSON 1000-1044 HOWARD D. TUSTIN 1507-1880

Page 2 #5715

Parcel No. 6

1) North 5 degrees and 59 minutes West 317.97 fc.t

2) North 50 degr.es and 03 minutes West 139.85 feet

3) North 27 degrees and 53 minutes West 67.87 feet 4) South 65 degrees and 42 minutes West 222,38 feet

5) South 50 degrees and 06 minutes West 56.48 feet

6) North 39 degrees and 54 minutes West 19.80 feet

7) South 50 degrees and 48 minutes West 16.14 feet and

8) South 6 degrees and 46 minutes East 400.46 feet to the North side of Naylors Lane, thence binding on said North side of Naylors Lane, South 82 degrees and 16 minutes West 608.94 feet to the Westernmost outline of the land described in a deed from Mabel Hutzler Schaefer and husband to Albert D. Hutzler and Gretchen H. Hutzler, his wife, dated February 6, 1947 and recorded as aforesaid in Liber J.W.B. No. 1540 folio 395 etc., thence binding on a portion of said last mentioned outline, North 11 degrees and 08 minutes West 380.67 feet to a point distant 380 feet Northerly, measured at Right Angles, from said North side of Naylors Lane; thence leaving said outline and running for lines of division now made across lands owned by Albert D. Hutzler and wife the five following courses and distances:

- 1) Parallel with and 380 feet Northerly from said North side of Navlors Lane, North 82 degrees and 16 minutes East, 360.53 feet.
- 2) North 65 degrees and 42 minutes East 1500.00 feet, 3) South 71 degrees, 26 minutes and 30 seconds East 280.55 feet,
- 4) North 58 degrees and 39 minutes East 100.00 feet and
- 5) Parallel with and 225 feet Southwesterly from the center line of Reisterstown Road, 66 feet wide, South 33 degrees and 58 minutes East 275 feet to the place of beginning.



ESTABLISHED 1849

S. J. MARTENET & CO. SURVEYORS AND CIVIL ENGINEERS 9 E. LEXINGTON STREET BALTIMORE 2, MD. LEXINGTON 9-4263

BANUEL A. THOMPSON ----HOWARD D. TUSTIN #5715 Page 3

SEPTIMUS P. TUSTIN

WILLIAM O. ATWOOD

Parcel No. 6

Containing 18.32 acres of land, more or less.

The courses in the above description are referred to the

Being part of the land described in three deeds from Mabel Hutzler Schaefer and husband to Albert D. Hutzler and wife, dated and recorded as follows:

> Liber W.H.M. No. 657 folio 151 etc. February 25, 1931 Liber L.McL.M. No. 376 folio 225 etc. February 6, 1947 Liber J.W.B. No. 1540 folio 395 etc.

> > October 18, 1962



Magnetic Meridian of 1941.

- ESTABLISHED 1849

S. J. MARTENET & CO. SURVEYORS AND CIVIL ENGINEERS 9 E. LEXINGTON STREET BALTIMORE 2, MD. LEXINGTON 9-4263

SEPTIMUS P. TUSTIN ----1888-1944 ---HEWARD D. TURTIN #5715

1870-192

1884-1840

1887-193

PARCEL NO. 7

All that parcel of land situate in the Third Election District of Baltimore County, bounded and described as follows:

BEGINNING for the same on the Northwest side of Naylors Lane 30 feet wide at the distance of 831.30 feet Southwesterly from the corner formed by the intersection of said Northwest side of Naylors Lane with the Southwest side of Reisterstown Road, 66 feet wide and running thence, binding on said Northwest side of Naylors Lane South 58 degrees and 39 minutes West 141 feet and South 60 degrees and 46 minutes West 191.4 feet, thence leaving said Naylors Lane North 16 degrees and 53 minutes West 240.5 feet, thence North 49 degrees and O6 minutes East 322 feet and thence South 22 degrees and 34 minutes East 297 feet to the place of beginning.

Containing 1.948 Acres of land, more or less.

The courses in the above description are referred to the Magnetic Meridian of 1941.

October 18, 1962 Reclared Tueting # 3460



DATE 7/19/63 County Journ of Appeals
(Tening) Mesars. Frector, Royston & Hueller Compbell Building Towen h, Ed. Dividen of Collection and Received
COURT HOUSE
TOWSON 4, MARYLAND Kenneth C. Proctor, Esq. Compbell Building Enters Towner 4, Maryland To: Kenneth C. Proctor, Esp. Compbell Building Towson 4, Maryland \$ 2.00 870,00 Advertising and posting of property for Albert Butsler, et al \$ 2.00 01.712 \$ 22.00 Cost of Certified Documents -No. 5715 Albert D. Hutzler, et al SW/S Relatestown Road and NW/S Newylors is no. as Carel 3rd District Cost of Certified Dog No. 5715 \$ 22,00 Albert D. Hutzler, et al SW/S Relaterstown Road & NW/S Naylors Lane 3rd District 101161 3573 * a * HL-2.00 000 12-463 7458 . . . TIL-1-2263 1608 = 0 = TIL-2200 IMPORTANT: MAKE CHECKS PAYABLE TOBALTIMORE COUNTY, MARYLAND ORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNT!, MARYLAND IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TODIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWS-IN 4, MARYLAND PLEASE RETURNUPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIP S. COURT H PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWISON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. BALTIME COUNTY, MARYLAND No. 14262 OFFICE OF FINANCE DATE 10/31/62 Division of Collection and Recei COURT HOUSE TOWSON 4, MARYLAND Merars. Proctor, Reyston & Muslier Campbell Building Touson h, Md. CERTIFICATE OF POSTING BILLED Zoning Department of Baltimere County CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY TONING DEPARTMENT OF SALTIMORE COUNTY Towson, Maryland # 5715 150.00 OUNT Date of Posting //- 2 0 - 6 2 Posted for law B-10+ B-20 to B-1+ B-10+ B-20 to B- A granes Date of Posting Land 30 1963 Postea for: R-10 - R-20 Petitioner allust History set al Petition for Seclassification for Albert Hutaler, et al 50.00 Location of property S. M. S. of Maybeaca. Set. + M. W. S. of Maybeaca. Jane Mile Set Steel See S. Petitioner: aller D. Hutalin Location of property Swift Resistantines Rol & NW/2) laylow Lane Location at signe less freques of soft years that sogne 145 of the half Scientification a Mile graph Mile of Mily less from the souther sogne 35 of 196 of Miles and the souther souther soft week of the less with a souther soft week of the less with one the return of the souther soft on the Posted by Standard for the souther Location of Signes Taiper (naylow Lone) 2 Rustisation ld + Belling 3. dign. on Amount at Burtington ld & Proviled to Personal. (Holy some) (pale Jaga each on Parelle 1, 2, 3, 4, 5, 6, 7 11-102 2076 . . . TIL-Date of return May 2 1963 Signature 5 adoletour ngirs posted by reguest of thatterny IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF ,OLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE Mr. Walter Addison, Chief Division of Traffic Engineer It should be brought to the attention of all those concerned that any/and all necessary construction, rehabilitation, signalisation, illustration right of way sequisition etc. shell be the full responsibility of the adjacent developers. STATE ROADS COMMISSION BALTIMORE 1, MD. Very truly yours, November 28, 1962 Charles Lee, Chief Development Engineering Section Mr. Walter Addison, Chief Division of Traffic Engineer Jefferson Building Towson 4, Maryland RE: Route 140 Route 140 Nest side of Reisterstown Road Between Ealtimore Beltway & Naylors Lame Proposed Pomona Shopping Center BY: John L. Duerr Asst. Development Engineer

No. 20806

DATE 2/4/63

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

COURT HOUSE
TOWSON 4, MARYLAND

sers. Pronter. Revains & Manifer.

No. 15413

DATE 3/31/63

Encl.
JID/nls
co: Mr. David H. Fisher
Mr. C. A. Goldeisen
Mr. George H. Lewis
Mr. Edmard Murk
Mr. Edmard Murk
Mr. Enneth Proptor
Mr. John Rose

Mr. George Gaverilis

BALTIMORE COUNTY, MARYAND

OFFICE OF FINANCE

BALTIMORE COUNTY, MARY AND

OFFICE OF FINANCE

This office reviewed the subject plan of channelization and entrances and the following comments are with respect thereto: Indicated in red are various changes to the channelization as proposed by your office. These changes were made upon recommendations of the State Roads Commission Traffic Engineer and Development Engineering Section. The left turn movement from the northbound lame of Route 140 into the North entrance and a double left turning movement at the South entrance has been provided.

The median treatment at Naylors Lame has been changed on the assumption that median channelization and road construction will not extend to the South of Naylors Lame at this time. A modian break has been provided for left turn movement into the existing service road (inteded orange) and the proposed motel-spectment site as a temporary zer ire only. At such time as the adverse residential ownership ceases then the service read and modian break should be closed.

The design of the charmelization between the proposed entrances to the shopping is based on the fact that all service and access to these adverse ownership properties will be by way of the rear service road.

No. 17418

TOWSON 4, MARYLAND

DATE 12/11/62

"Witt:"66" 311,00

MORE COUNTY, MAYLAND

OFFICE OF FINANCE

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OFFICE OF THE BALTIMORE COUNTIAN

THE HERALD - ARGUS

No. 1 Newburg Avenue

THE COMMUNITY NEWS

CATONSVILLE, MD.

November 27, 1962

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Ealtimore County

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for one Week arranter weaks before the 27th day of November, 1982, that is to say

the same was inserted in the issues of November 23, 1962.

THE BALTIMORE COUNTIAN

By Paul J. Morgan Editor and Manager

THE BALTIMORE COUNTIAN THE HERALD - ARGUS Coloneville, Md. No. I Newburg Avenue CATONSVILLE MD

November 26, 19 62.

THIS IS TO CERTIFY, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County

OFFICE OF

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Mary-

the 26th day of November, 1962, that is to say the same was inserted in the issues of

November 23, 1962.

THE BALTIMORE COUNTIAN

By Paul I Morgany Editor and Manager A.

CERTIFICATE OF PUBLICATION TOWSON, MD. Rovenber 23, 19 62 Com TOWSON, MD. ROYERGE WAS A SECOND THIS IS TO CERTIFY, that the annexed advertisement was confirmed the control of the confirmed t published in THE JEFFERSONIAN, a weekly newspaper printed and the second s and published in Towson, Baltimore County, Md., SKEWNIKKERAS, 19.62 THE JEFFERSONIAN, Leank Strick SINBLISH CHOLINA

PETITIC'S FOR ZONING
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rourses in the above den are referred to the alag-

A. 1 S 825 16 W. 11:08:4 1293.7 Ting. 8 Been. PARCEL Nº 8 3.79 AF 15,50.01 W 56.48 PROPOSED blili 3N No 122 M. W. 150 S. . . . N. 5:59 W. 317.97 ALBERT D. HUTZLER PARCEL Nº1-5096 ACREST 0 Svino N. 65. 42. E BALTIMORE 256.42 W PARCEL 11.6 - 18.32 S-650 AZ X into Rainia INFREMENTIAN AND ONTHINES OF FRANCES REARD CET 19 1962 LI MONTANT + CO. C. France of Trackin, Poly 3960 PARCEL Nº 7 - 1.948 H 5/1 N. 49.06 E 322' -RA Acres + -78 47 + 5. 58: 39 W. THIRD ELECTION DISTRICT
BALTIMORE COUNTY MARYLAND Souls = 100 FEET TO ONE MOTH IN MOSTER WIND ELEGAN JUNE JOSEPH 12, 1962 GLASHOWAN C. SCHILLER RIVETSE GLASHOWAN C. SCHILLER RIVETSE BELTWAY 17231 LAME 1.14 At 5.58 ACRES 50 N.SC.38 E 251.5 1

FARCAL Z - 1.06 RE

PARCAL Z - 1.06 RE £ 355 PLAT 14" 23201 # 25.25.45 A. _ 3.02.52 THE JOBAR CARPOLATION H. 53" ZA E. ZAA.61 2.5¢ A. COXP. 11881 11881 5 R.C. + 5. 33.58 E. 697.67 HE 23202 BASE H. 35"-56"W LREISTERSTOWN ROAD