

5859 PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

#5859

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The Bern-Gar Development Company

is the legal owner 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 reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an R-A zone; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for:

Error in map

See Attached Description

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above reclassification and/or Special Exception advertising, etc., upon filing of this petition, and further agree to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law of Baltimore County.

THE BERN-GAR DEVELOPMENT COMPANY

By: *William S. Baldwin*

Contract purchaser Legal Owner

Address Address

Address 406 Jefferson Building, 19 Valley 5-7500

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Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of:

the above reclassification should be had; and it further appearing that by reason of:

a Special Exception for a should be granted.

IT IS ORDER

May 11, 1960

Tollon Construction Company
1175 Reisterstown Road
Baltimore 15, MarylandRe: SCOTTS LEVEL ACRES
2nd Election District**Outline:**

This is to advise that the preliminary plan of the subject subdivision has been reviewed and the following comments are furnished herewith for the information and guidance of you and your engineer.

These comments are based on such information as shown on the preliminary plan and are subject to change and/or addition with submission of a new complete plan. They shall not be construed to indicate tentative approval, which is obtained only with the signatures of authorized County officials on the plan itself.

OFFICE OF PLANNING:

In order that better access and circulation may be provided for Old Court Junior School and properties to the southwest, a revised road and lotting plan has been indicated on the preliminary plan and should be incorporated on the tentative plan prior to submitting it for comment.

It appears that an exchange of properties between the developer and the adjacent church will be necessary to obtain the best possible lotting layout. The developer should contact the church authorities regarding this matter.

Madison Spring Road should be renamed as Jamieson Road.

Present and proposed zoning should be indicated on all future preliminary plans.

STREET MARKING RECOMMENDATIONS:

Spring Court is a duplication.

RESULTS OF ENGINEERING:

The following comments are based on the plan entitled "Preliminary Subdivision of Scotts Level Acres," District 2, dated February 23, 1960.

SCOTTS LEVEL ACRES
2nd Election District

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May 11, 1960

RESULTS OF ENGINEERING CONT'D:

February 23, 1960, with line revisions of street alignment designed by the Office of Planning.

Highway Comments:

All streets in this subdivision, with the exception of Old Court Road and Scotts Level Road shall be improved with a 36" combination curb and gutter and macadam paving cross-section on a 60' right-of-way and shall be the Developer's full responsibility.

Scotts Level Road is an existing road which shall ultimately be improved with a 36" combination curb and gutter and macadam paving cross-section on a 60' right-of-way. Improvements in connection with this subdivision shall consist of curb and gutter and a minimum of 24" of macadam paving along the frontage of the subdivision. The Developer's Engineer shall be responsible to make engineering ties with that part of Scotts Level Road that falls within the development of Charwell for both alignment and grade.

Old Court Road is an existing road which shall ultimately be improved with a 42" combination curb and gutter and macadam paving cross-section on a 60' right-of-way. Improvements in connection with this subdivision shall consist of curb and gutter and a minimum of 24" of macadam paving along the frontage of the subdivision. The Developer's Engineer shall be responsible to make engineering ties with that part of Old Court Road that falls within the development of Charwell for both alignment and grade.

The Developer's responsibilities for Old Court Road and Scotts Level Road shall be as follows:

- The submission of detailed construction drawings to extend a minimum distance of 200' each side of the subdivision or as may be required to establish line and grade.
- The submission of cross-sections.
- The dedication of the widening at no cost to the County.
- If off-site road rights-of-way are required to make the necessary improvements, the Developer's Engineer shall furnish the right-of-way plat and the County will attempt to acquire the right-of-way.

SCOTTS LEVEL ACRES
2nd Election District

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May 11, 1960

Highway Comments Cont'd:

- The grading of the widening and existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for necessary repairs to these properties.

- The construction of combination curb and gutter in its ultimate location and a maximum of 16 1/2" of macadam paving adjacent thereto along the frontage of the property.

- Where existing utilities or poles must be relocated due to road improvements, the Developer shall be financially responsible for this work.

The end-of-see shall be improved with 16 1/2" paving radius with combination curb and gutter and macadam paving on a 100' diameter right-of-way and shall be the Developer's full responsibility.

Madison Spring Road will extend beyond the limits of the subdivision into an undeveloped area. Therefore, the Developer's Engineer shall be responsible to submit profiles for 500' or more beyond the limits of the subdivision or as may be required to establish road grade for these streets within this portion of the subdivision.

Sidewalks are required throughout this development. The sidewalks shall be 4' wide and installed to conform with Baltimore County Standards, which places the back edge of the sidewalk one foot off the property line. Driveways shall be constructed in accordance with Baltimore County Standards with standard depressed curb and 7" concrete apron within the right-of-way. Private of standard sidewalks and driveway construction are enclosed.

This plan has been referred to the St. & Roads Commission for their comments and approval. An answer has been received and they have no comment.

Storm Drain Comments:

An existing main sewer crosses the southeast corner of the property. The property should be so graded or other adequate drainage facilities provided to eliminate any accumulation of surface water due to this main.

SCOTTS LEVEL ACRES
2nd Election District

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May 11, 1960

Storm Drain Comments Cont'd:

The proposed storm drain in Scotts Level Road is shown to continue to an existing drain crossing Scotts Level Road. The Developer shall be responsible for the off-site engineering to extend the drain to the existing indicated 36" drain. The drain in both Old Court Road and Scotts Level Road shall be designed for ultimate development.

The proposed realignment of the subdivision, as shown in red, shall necessitate appropriate revisions in storm drains and easement areas.

The Developer shall be responsible for the cost of temporary structures and measures required due to sectional development.

A grading plan shall be required for processing construction plans.

Construction drawings are required. These drawings shall be designed in accordance with Baltimore County Standards and Specifications, and shall be submitted for review and approval by the Baltimore County Bureau of Engineering. Construction shall be accomplished under a County contract and inspection.

The Developer shall provide necessary drainage facilities, temporary or otherwise, to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters.

Lots of this subdivision shall be subject to drainage assessment. The cost of pipe in place up to and including 18" diameter within the development, including bordering streets for the limits of the property, shall be paid for by drainage assessment, providing the cost thereof does not exceed 2/3 the Developer's road paving costs. The Developer is also responsible for the difference in cost of installation between a 18" diameter pipe or equivalent roadway and the size to be installed. Secondly, the Developer is responsible for all engineering costs of the system both within and outside the development necessary to provide the proper storm drain facilities.

Sanitary Sewer Comments:

Sanitary Sewer is available. The subdivision will sewer into the Current Falls Interceptor. An extension of approximately 2,400' of sanitary sewer will be required. However, the possibility exists that the sewer may be extended from the existing sewer in the easement of the subdivision of Scotts Hill, adjacent to the proposed Baltimore County Parkway, shown on Drawing No. 57-76, A-10.

SCOTTS LEVEL ACRES
2nd Election District

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May 11, 1960

Sanitary Sewer Comments Cont'd:

Permission to cross the Parkway must be obtained from the State Roads Commission and acquisition of right-of-way may be required.

The Developer will be responsible for the full cost of all sewer necessary to serve the subdivision, and for the preparation of construction and right-of-way drawings.

TO: Mr. John G. Rose, Zoning Commissioner Date: May 10, 1963
 FROM: Mr. George E. Gavellis, Deputy Director
 SUBJECT: #5859, R-6 and R-4. Southeast corner of Old Court Road and Scotts Level Road. Being part of the Bern-Gar Development Company.

2nd District

HEARING: Wednesday, May 22, 1963 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to R-4. It has the following advisory comment to make with respect to pertinent planning factors:

1. The Planning staff expressed its viewpoint and attitude, concerning the validity of apartment zoning in this area, previously in connection with two petitions for zoning reclassification along Scotts Level Road. One was granted and appealed; the other was denied.

(3)lms

JULIUS ROSENBERG and
 MARGARET KENHOFER

vs.

WILLIAM S. BALDWIN,
 W. GILES PARKER and
 R. BRUCE ALDERMAN
 Constituting the
 County Board of Appeals
 of Baltimore County

BERN-GAR DEVELOPMENT CO.
 (Intervenor)

IN THE CIRCUIT COURT
 FOR BALTIMORE COUNTY
 AT LAW
 Misc. Docket 8
 Folio 40
 Case No. 3427

MEMORANDUM OPINION
AND ORDER OF COURT

This case involves an appeal from the County Board of Appeals of Baltimore County (hereinafter referred to as the "Board") which by its Order dated November 8, 1962, granted a reclassification of the property described in this proceeding from an R-6 Zone (Residence, 1 and 2 Family) to an R-4 Zone (Residence, Apartments). The Zoning Commissioner of Baltimore County by his Order dated May 22, 1963, had denied the reclassification for the reason that, in his opinion, the testimony produced before him was insufficient to prove error in the original zoning. The Board found that the evidence before it was sufficient to substantiate a finding of error and, consequently, granted the reclassification.

The Petitioner in the application for reclassification is The Bern-Gar Development Company, legal owner of the tract of land in question. The property contains 14.8 acres of land, more or less, and is unimproved. The shape of the property is roughly that of a parallelogram situated on the southerly side of Old Court Road and the Easterly side of Scotts Level Road in the Second Election District of Baltimore County, Maryland. The property has a frontage on Old Court Road of 739.03 feet and a frontage on Scotts Level Road of approximately 700 feet, and the northeasterly portion of the tract encompasses the roadbed of Scotts Level Road. On the north side of Old Court Road is a development known as

Autumnwood containing approximately 100 semi-detached homes which extend on both the west and east sides of Scotts Level Road. On the south side of Old Court Road extending easterly from Scotts Level Road to the Baltimore County Beltway are 10 individual one-family residences, some on R-6 land and some on R-10 land. The Beltway is approximately 300 feet by way of Old Court Road from the subject property, but by air line is only approximately 400 feet from the southeast corner of the property. Adjoining the parcel on the west is the Colonial Baptist Church and then the Old Court Junior High School. Adjoining on the south on the westerly side of Scotts Level Road are several individual homes of inexpensive construction which have been in existence for sometime and entrance to which is provided by a dead end dirt road, Chickory Hill Lane. The 2 protestants appearing before the Board were Mr. Julius Rosenberg who resides in one of the semi-detached homes on the north side of Old Court Road, and Mrs. Margaret Kenhoffer who resides in an individual home situate at the southeast corner of Old Court Road and Scotts Level Road.

The subject property was zoned R-6 (Residence, 1 and 2 Family) on the Western Area Comprehensive Zoning Map adopted by the County Council of Baltimore County on November 15, 1962. The Petitioner in this case claims that there was "error" in the classification of this property as shown on said zoning map. To substantiate this contention, it produced the following witnesses at its hearing before the Board on June 9, 1963: Philip Talles, President of the corporate owner of the property Bernard M. Willemain, an engineer and planning consultant and former Deputy Director of the Baltimore County Planning Commission; William B. Guy, Jr., a realtor; and Walter Worthington Ewell, a Consulting Engineer in Highway Design and Highway Traffic Problems.

Mr. Talles testified that he planned to develop the subject tract in garden type apartments comprising approximately 232 units. He also stated that water and sewer facilities are available and adequate for this proposed use of the property and this fact is conceded. Mr. Willemain testified that, in his opinion, there was error in the Comprehensive Zoning Map chiefly because it

Sanitary Sewer Comments: (Cont'd.)

The Developer will be responsible for the full cost of all sewers necessary to serve the subdivision, and for the preparation of construction and rights-of-way drawings.

Sewer Area Connection Charges will not be applicable to the subdivision.

Water Comments:

A preliminary print of this subdivision has been referred to Baltimore City, Bureau of Water Supply, for review and comments in regard to adequacy of water-pressure in this development. Further comments concerning water shall be forthcoming after a reply from Baltimore City has been received.

This development is in the Pineville 4th Town of water service and a connection area R-4. There will be connection charge of \$170.00 per lot in addition to the regular front foot assessment.

The Developer must execute a Public Works Agreement for the above mentioned improvements.

Edward L. Diver
 EDWARD L. DIVER, Chief
 Bureau of Engineering

RECEIVED: (S) (S) (S) (S) (S)
 Room 111 Print
 CC: Mr. Walter L. O'Connell
 Mr. George Lewis
 Mr. John A. Somers
 File

failed to meet the basic statistical needs for rental housing in this area compatible with the population. In his opinion, a third of the population in an urbanized area such as this should be placed in rental housing areas. The proposed zoning map provides rental units for a maximum of 5 or 6%. He further expressed the opinion that he thought it was error in the thinking of the planning staff of Baltimore County to limit apartment zoning to primary arterial or radial highways provided the location of such zoning on secondary highways did not overload the facilities for water supply, sewerage, school facilities or trafficways.

Mr. Willemain summarized his opinion at pages 77-78 of the transcript in the following language:

"A It is my opinion that this zoning map has to be based upon a reasonable comprehensive plan, that the only comprehensive plan this zoning map is based upon is the one recommended by the Planning Office. The Planning Office has no record of having made any statistical study of population need for apartments, and any attempts to relate their recommendations to this community, or this neighborhood, or to the entire area, in my opinion, show inadequacy of rental houses and appropriate locations, such as on the subject property."

Mr. Guy testified that the use of the subject tract for apartment development did not in any manner decrease the value of other residential properties in the neighborhood and that an apartment development for the subject property would be economically sound. Dr. Ewell testified as to the traffic pattern in the area and that no traffic safety hazard would result from the development of the subject property in the number of apartment units specified.

The Protestants produced, in addition to their own testimony in opposition to the proposed reclassification, George E. Gavellis, Director of Planning in the Baltimore County Office of Planning and Zoning. Mr. Gavellis admitted that the ratio figure of 15% of rental housing as compared to population was the figure used by the planning staff at the time of the adoption of the zoning map (transcript, page 169) and that 20 to 25% would be the "absolute high" standard (transcript, page 170). Mr. Gavellis did state that, in his opinion, there was insufficient apartment land provided for on the zoning map in November, 1962. His testimony at pages 161-162 of the transcript is as follows:

"C So then, my question would be directed to you from the Planning staff viewpoint. Wasn't there, in fact, not enough apartment land placed on the map when it was adopted?"

"A I would say, as Director of Planning, that the trends of events since the adoption of the map has indicated that certainly from a developer's and a market viewpoint there should have been more apartment zoning created on the map than the map actually did create."

He did further qualify his answer, however, to the effect that he thought the additional apartment land should have been provided along the Liberty Road corridor in close proximity to services and public transportation. This thinking was not, however, followed by the County Council in its adoption of the zoning map for this area since it did not provide apartment zoning on roadways not considered to qualify as being in the arterial highway category.

The Board considered all of the evidence before it and concluded that there was error

of a substantial nature supporting the Board's action. In *Motherhead v. Bd. of Comm'rs*, 240 Md. 355 (decided November 18, 1965), the Court in quoting from Judge Hammond's opinion in *Board v. Oak Hill Farms*, 232 Md. 274 p. 283 stated at pages 371-372 as follows:

"* * * the courts have exercised restraint so as not to substitute their judgments for that of the agency and not to choose between equally permissible inferences or make independent determinations of fact, because to do so would be exercising a non-judicial role. Rather, they have attempted to decide whether a reasoning mind could reasonably have reached the result the agency reached upon a fair consideration of the fact picture painted by the entire record.

"In the cases dealing with consideration of the weight of the evidence, the matter seems to have come down to whether, all that was before the agency considered, its action was clearly erroneous or, to use the phrase which has become standard in Maryland zoning cases, not fairly debatable."

See also the following recent cases: *Finney v. Halle*, 241 Md. 224 (decided February 2, 1966); *Dill v. The Jobar Corp.*, 242 Md. 16 (decided March 15, 1966); *Bonnie View Club v. Glass*, 242 Md. 46 (decided March 22, 1966); *Beth Tilgh v. Elm*, 242 Md. 84 (decided March 29, 1966); *Board v. Parr*, 242 Md. 351 (decided April 26, 1966); and *Vogel v. McCosh*, 242 Md. 371 (decided April 28, 1966).

The Petitioner in the instant zoning case does not suggest that the existing zoning would result in confiscation and thus require reasoning, but the element of confiscation need not be present to support the finding of original error by the County Board of Appeals of Baltimore County, the designated agency. As was stated by the Court of Appeals in *Dill v. The Jobar Corporation*, supra at page 23:

"Even though the existing zoning does not result in confiscation and thus require reasoning, original error may permit the agency to which the controlling legislative body has entrusted individual reasoning property to change a classification. *Cyrenson v. Co. Commissioners*, 225 Md. 212, if it does so on evidence before it which is substantial enough to permit reasoning minds reasonably to conclude that the strong presumption of the correctness of the original zoning or comprehensive reasoning has been overcome."

The Court continued in the concluding paragraph of the opinion in this case as follows:

"In the case before us there is no need to consider whether as a matter of law the residential reasoning was contradictory and compelled reasoning and we do not do so. We think the testimony of the president of the Jobar Corporation and the expert, which we have heretofore detailed, as to the reasons the County Council hid error in putting the D'Almeida land in residential classifications in 1912 was strong, substantial and persuasive enough to justify the Board in the exercise of its expertise in finding that there had been original error. *Rassa v. Mandel*, 224 Md. 131; *Cyrenson v. Co. Commissioners*, supra. The reasoning to business local was not arbitrary, capricious or illegal, and, having determined this, we have at the same time fulfilled and exhausted our judicial function in reviewing zoning appeals of this nature."

The situation of the trial Court in passing on appeals in zoning cases is somewhat analogous to its function in the trial of an automobile negligence case before a jury. If there is legally sufficient evidence of negligence on the part of a Defendant, the Court is required to submit this issue to the jury's determination. It may not always be in agreement with the jury's verdict on such issue. If a trial judge had been sitting in the instant case with the three members of the County Board of Appeals, acting in the capacity of a jury, the question is posed as to whether or not there was legally sufficient evidence presented to require the judge to submit the issue of original error to the Board for its determination as a jury and upon which it could base a verdict. The Court is of the opinion that it would have been required to do so and would not have been entitled to withdraw the case from the consideration of the Board as jury because of the lack of legally sufficient evidence on this issue. It is undoubtedly true if such were the practice, there would be occasions when the trial judge would disagree with the Board's verdict or finding as a jury, the same disagreement as is prevalent in the trial of negligence cases. Once a jury's verdict is returned, however, it is not within the province of the trial judge to substitute his judgment for that of the jury in ruling on a motion for new trial or judgment N.O.V. provided there was a legal basis for the jury's decision.

In a zoning appeal case such as the one at bar, the Court, in its limited function of judicial review, may not substitute its judgment for that of the Board; and if the evidence supporting the decision of the Board is substantial and renders the question of its action fairly debatable, the Board must be affirmed.

The Court is of the opinion that, considering the entire record before the Board, and the Board's action was not clearly erroneous and was not arbitrary or capricious or illegal, but on the other hand was fairly debatable. Having determined this, the Court has fulfilled and exhausted its limited judicial function in reviewing a zoning appeal.

For the reasons stated and in conformity with the foregoing opinion, It is this 27th day of July, 1966, by the Circuit Court for Baltimore County ORDERED that the Order of the County Board of Appeals of Baltimore County dated November 8, 1965, be and the same is hereby affirmed.

/s/ Walter M. Jenifer
Walter M. Jenifer
JUDGE

Zoning File #5859 - Bern-Gar Development Co. - Appealed 8/65
JULIUS ROSENBERG
and
MARGARET RENGHOFFER
vs.
WILLIAM S. BALDWIN,
W. GILES PARKER and
R. BRUCE ALDERMAN,
Constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 8
File No. 40
File No. 3427

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule 1101-8 (4) of the Maryland Rules of Procedure, William S. Baldwin, W. Giles Parker and R. Bruce Alderman, constituting the County Board of Appeals of Baltimore County, has given notice by mail of the filing of the Appeal to the representative of every party to the proceeding before it; namely, A. Owen Hennegan, Jr., Esq., Jefferson Building, Towson, Maryland 21204, Attorney for the Petitioner; and Walter I. Self, Esq., 1400 Court Square Building, Baltimore, Maryland 21202 and Bertram M. Goldstein, Esq., 712 Garrett Building, Baltimore, Maryland 21202, Attorneys for the Protestants, a copy of which notice is attached hereto and prayed that it may be made a part thereof.

Edith T. Eisenhart, Secretary
County Board of Appeals of Baltimore County
County Office Building, Towson, Md. 21204
Valley 3-3000, Ext. 270

I hereby certify that a copy of the foregoing Certificate of Notice has been mailed to A. Owen Hennegan, Jr., Esq., Jefferson Building, Towson, Maryland 21204, Attorney for the Petitioner; and Walter I. Self, Esq., 1400 Court Square Building, Baltimore, Maryland 21202 and Bertram M. Goldstein, Esq., 712 Garrett Building, Baltimore, Maryland 21202, Attorneys for the Protestants, on this 6th day of December, 1965.

Edith T. Eisenhart, Secretary
County Board of Appeals of Baltimore County

JULIUS ROSENBERG
and
MARGARET RENGHOFFER
Petitioners
vs.
WILLIAM S. BALDWIN,
W. GILES PARKER and
R. BRUCE ALDERMAN,
Constituting the County
Board of Appeals of
Baltimore County
Defendants

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. No. _____

ORDER FOR APPEAL

Mr. Clerk:

Please note an Appeal on behalf of Julius Rosenberg and Margaret Renghofer, from the County Board of Appeals of Baltimore County to the Circuit Court for Baltimore County, in the matter of a Petition for Reclassification from an "R-5" Zone to an "R-A" Zone, located on the southwest corner of Old Court Road and Scotts Level Road, in the 2nd Election District. This Appeal is from the decision of Petition No. 5859, of the County Board of Appeals of Baltimore County, dated November 8, 1965, granting the request for Reclassification. This Appeal is filed pursuant to the provisions of Maryland Rules B2 and B4.

WALTER I. SELF, JR.
Attorney for Petitioners
1605 Court Square Building
Baltimore, Maryland 21202
FLass 2-8415

I HEREBY CERTIFY that on this 3rd day of December 1965 a copy of the foregoing Order for Appeal was mailed to A. Owen Hennegan, Jr., Esquire, Bertram M. Goldstein, Esquire, and to the County Board of Appeals of Baltimore County.

WALTER I. SELF, JR., Attorney for Petitioners

JULIUS ROSENBERG
and
MARGARET RENGHOFFER
Petitioners
vs.
WILLIAM S. BALDWIN,
W. GILES PARKER and
R. BRUCE ALDERMAN,
Constituting the Board of Appeals of
Baltimore County
Defendants

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
Misc. Docket
8/40/3427

PETITION TO INTERVENE

The Petition of the Bern-Gar Development Company, by A. Owen Hennegan, its attorney, respectfully shows:

- That on May 22, 1963, a hearing was held before the Zoning Commissioner on the Petition for Reclassification from R-6 to R-A on the property owned by the Bern-Gar Development Company, said

TELEPHONE VALLEY 3-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 34531

DATE 12/14/26

TO: Walter I. Self, Jr.
1085 Court Square Building
Baltimore, Maryland 21202

BILLED BY: County Board of Appeals (Zoning)

DEPOSIT TO ACCOUNT NO. 01622

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT COST
1	Cost of Certified Documents - No. 2889 The Barn-Oar Development Co. SW corner Old Court Road & South Level Road 2nd District	\$7.00
1	1-1040 5792 * 34537 T1P-	9.00

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.

TELEPHONE VALLEY 3-3000

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

No. 17792

DATE 5/12/63

TO: The Barn-Oar Development Co.
1123 Heisterston Road
Baltimore 15, Md.

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. 01622

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT COST
1	Advertising and posting of your property #5859	\$1.00
1	1-1363 8868 * * * T1L-	5.00

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.

TELEPHONE VALLEY 3-3000

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

No. 17812

DATE 5/12/63

TO: A. Owen Hargrett, Jr., Esq.,
1085 Court Square Bldg.,
Towson 4, Md.

BILLED BY: Office of Planning & Zoning
112 County Office Bldg.,
Baltimore 15, Md.

DEPOSIT TO ACCOUNT NO. 01622

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT COST
1	Cost of appeal in matter of reclassification of property of The Barn-Oar Development Co. No. 5859	\$70.00
1	1-1363 9499 * * * T1L-	7.00

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.

TELEPHONE VALLEY 3-3000

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

No. 16524

DATE 3/22/63

TO: The Barn-Oar Development Co.
1123 Heisterston Rd.
Baltimore 15, Md.

BILLED BY: Zoning Department of Baltimore County

DEPOSIT TO ACCOUNT NO. 01622

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT COST
1	Petition for Reclassification	\$0.00
1	1-4563 6497 * * * T1L-	5.00

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: 2nd Date of Posting: May 1, 1963

Posted for: Reclassification from R-6 to R-8

Petitioner: The Barn-Oar Development Co.

Location of property: SE corner of Old Court Rd. & South Level Rd.

Location of Signs: 15 on E. Old Court Rd. on South Level Rd. on E. Old Court Rd. on South Level Rd. on E. Old Court Rd. on South Level Rd.

Remarks: 1-1363 8868 * * * T1L-

Posted by: J. H. Jones Signature Date of return: May 1, 1963

CERTIFICATE OF PUBLICATION

TOWSON, MD. May 1, 1963

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. Vol. 112, No. 1, 1963, before the 1st day of May, 1963, the 1st publication appearing on the 1st day of May, 1963.

THE JEFFERSONIAN
Frank Hamilton Manager

Cost of Advertisement, \$.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: May 5, 1963

Posted for: Reclassification from R-6 to R-8

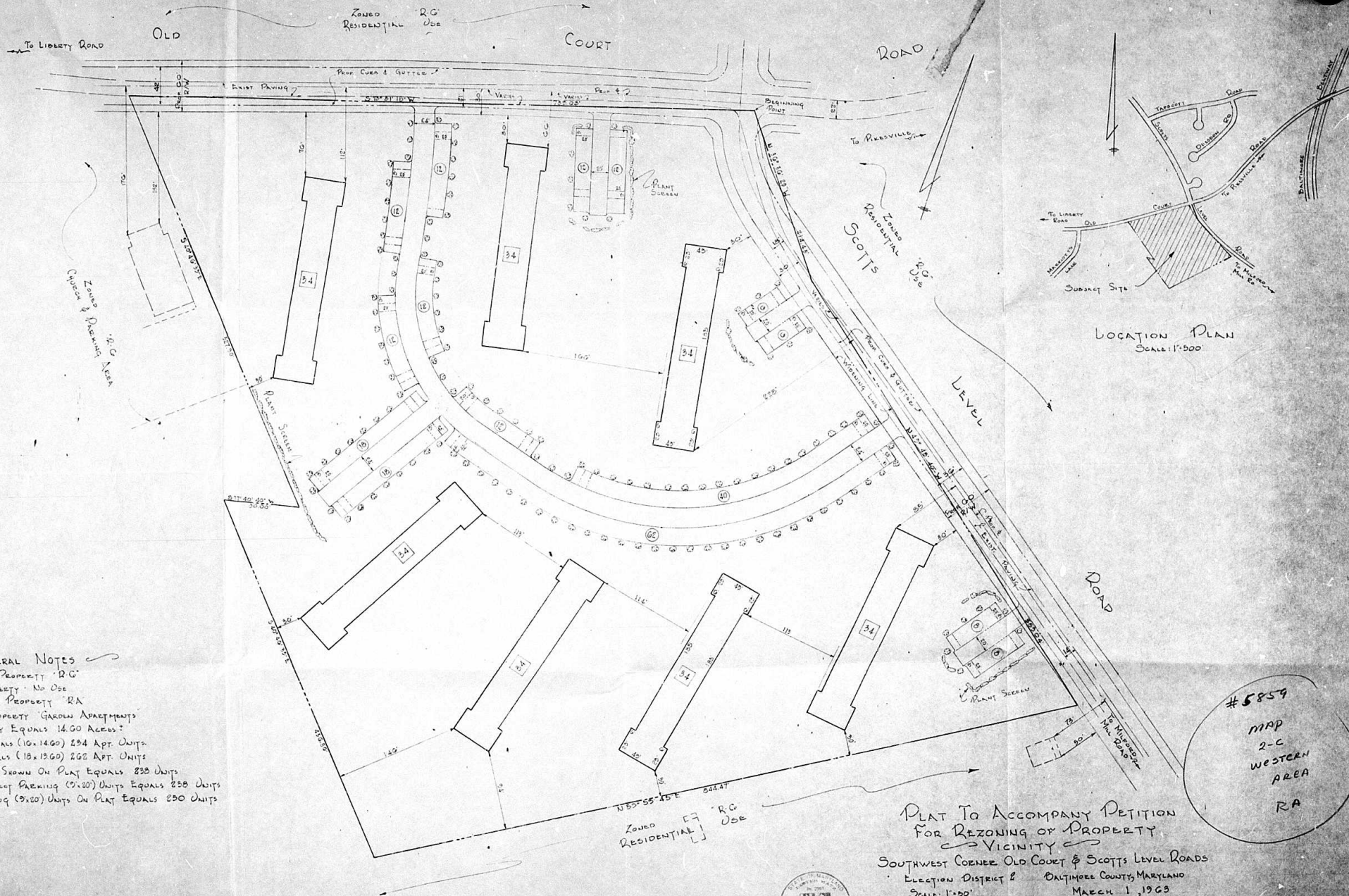
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Remarks: 1-1363 8868 * * * T1L-

Posted by: J. H. Jones Signature Date of return: May 5, 1963



- GENERAL NOTES**
1. Present Zoning of Property "R.C."
 2. Present Use of Property "No Use"
 3. Proposed Zoning of Property "RA"
 4. Proposed Use of Property "Garden Apartments"
 5. Area of Property Equals 14.60 Acres
 6. Gross Density Equals (10 x 1460) 294 Apt. Units
 7. Net Density Equals (10 x 1360) 292 Apt. Units
 8. Apartment Units Shown On Plat Equals 238 Units
 9. Required Off Street Parking (0.20) Units Equals 238 Units
 10. Off Street Parking (0.20) Units On Plat Equals 230 Units

PLAT TO ACCOMPANY PETITION
FOR REZONING OF PROPERTY
VICINITY
SOUTHWEST CORNER OLD COURT & SCOTTS LEVEL ROADS
ELECTION DISTRICT 2 BALTIMORE COUNTY, MARYLAND
SCALE: 1"=50'
MARCH 1, 1963

#5859
MAP
2-C
WESTERN
AREA
RA

