mr Core . Emet V. Hasting # 4.17. R ent A Old Ch Rosa x Carlon ABRAHAM H. GOLDKIN and JACK RUMN IN THE CIRCUIT COURT COUNTY SCARD OF APPEALS BALTIMORE COUNTY ROBERT MALCHODS and DAVID NACHMAN (Intervenors and Protostants) Miso, Dkt. 7/388/3025

MEMORANDITA

This is an Appeal by contract purchasers from a decision of the County Board of Appeals, denying reclassification of six (6) acres of land fronting on Old Court Road near Liberty Road. For purposes of this Memorandum Old Court Road will be considered as running east and west, and Liberty Road as running north and south. Both sides of Liberty Road for a considerable distance north and south ection with Old Court Road are soned for commercial or spartment usage. The four corners of the intersecting streets are somed for con purposes. The property that is the subject of these proceedings lies on the south side of Old Court Road at a point about 1250 feet west of Liberty Road; is approximately rectangular in shape; has a frontage on Old Court Road or about 355 feet; with a depth southerly of about 700 feet. The east boundary of the subject property borders a tract 9.6 sores in size presently soned R-6, but utilised as a Class A hospital, a use authorized under the R-6 classification. rdered on the west by Carlson Lane and by R-6 lands for a considerable distance. Beyond the hospital property previously referred to and further east subject is an area noned for apartment use and at the intersection of Old Court and Liberty an area zoned and used for commercial purposes. Opposits the subject property on Old Court Road and extending both east and west of the

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The Petition for Reclassification of the subject property from R-6 to RA stated that it was sought because of: "error in original soning, and for such other reasons at may be assigned at the hearing hereon." The Petition was granted by Appeals, in a decision concurred in by two of the three members of the Board (one of the members not sitting at the hearing) denied the re-wested realisatifica This Appeal is from that decision

Contentions as to Admissibility of Evidence

Counsel for the appellants have raised objections to the rulings of the Board as they relate to the admissibility of evidence. One of these contention is that the Board committed error in "taking judicial notice" of a decision in Zoni File #63-85-R, wherein the Board fthen comprising a different member or members made the decision. A caroful examination of the record leads this Court to the conclusion that the use of the words "taking judicial notice" as used by the Board had no other or different meaning or effect in this case than that the result of the decision in that case would be considered by the Board as a fact. Since that case dealt with property lying on Old Court Road near its intersection with Liberty Road, within a stone's throw of the subject property, it would be odd indeed if this Board no error in this ruling of the Board

A second contention is made that it was error for the Board to refuse to strike out the testimony of George E. Gavrelis, Acting Director of the Office of Planning and Zoning, who was called as a witness on behalf of the protestents.

RE: PETITION FOR RECLASSIFICATION from an R-6 Zone to an R-A Zon S/S CLA Court Road and E/S of Carleon Lane- 2nd District Ernest V. Hartig-Petitioner

DEPUTY ZONING COMPLESTORS

BALTIMORE COUNTY No. 64-17-R

......... The petitioners have requested their property be resoned from an R-6 Zone to an R-4 Zone. This property lies on the South side of Old Court Road and the East side of Carlson Lane and is adjacent to the Ealtimore County Coneral Hospital Lnc.

This hearing was hadd on Ammery 23, 1950, at 2 pas, during the midst of a server more storm; however, commend, for both indea instance on going through with the hearing and orally agreed to solute the case on the Sectors Asset Park, the Cries or the Gourny Board of Appeals under the new part of the Comment of the Comment of Appeals under the of Appeals under the date of Parch 2, 1951-dees No. 550,572 and on points raised in their oral arguments at the time of the hearing.

It would seem to the Deputy Soning Commissioner, the most appropriate and logical moning of the subject trace would be I-A as required. The operation of a general negatial cannot but help to generate certain inconventances such as the suiling of siness from ambalances, etc. in the surface of the suiling of siness from ambalances, etc. in the between the hospital on the East and the render is an excellent treated or Carloon Lane. The construction of the requested spartment units with curlificates offerteep paring should in no may adversely affect the surrounding residential development. For the foregoing reasons the reclassification mound be granted.

IT IS GENERAL by the Deputy Zoning Commissioner of Baltimore County this Soldy of Annary, 1954, that the herein described property are area that the second of the second second of the second Zoning.

August D. Harden EMARD D. HARDESTY Deputy Zoning Commissioner

Appellants assign as a ground or cause for the Motion to Strike his testimony a supposed acknowledgement by the witness that erroneous information held by him with relationship to the property adjoining to the east (Baltimore County Hospital) would destroy the worth of his testimony and render it inadmissible. The record does not support this contention. The ruling of the Board on the Motion to Strike

Contentions on the Merits of the Case

It is contended by the Appellants that the Board erred in refusing to consider whether there had been such changes in the neighborhood as would reasonably justify the re-wested rockselfication. Assuming, without deciding, that an issue of change in the neighborhood justifying reclassification was available to the in the form in which his Patition was phrased as heretofore set forth, this Court edopts the ruling of the Board that under the provisions of the Baltimore County Code, \$23-22(f) (Bill No. 80 - 1960) no reclassification upon such ground could be considered until two (2) years after November 15, 1962.

It would serve no useful purpose for the Court to engage in a lengthy recapitulation of the evidence produced in this case. The conflicting evidence in this case is well recognized by the witness Gavrelis, at page 10' of the Record:

"A The subject property, in all fairness, is certainly approaching the edge of this residential (apartment) area. If you would same that Liberty and acts as s, let us say, boundary between one set of residential neighborhoods, and because of the planned usages which exist between this property, and Liberty Road, which are either commercial or imperty, and Liberty Road, which are either commercial or imstitutional or apartments, I would say in all fairness the subject property is in an edge situation."

There is credible evidence that the planning recommendations and the Legislative policy in this area was: (a) not to extend apartment zoning (except as a buffer between commercial and residential areas) further to the west along Old Court Road; (b) that the residential appearance of Old Court Road should be maintained even by the creation of R-5 strip soning along its north side. The evidence shows also that there is land already soned for apartment usage in the

PETITION FOR ZONING RE-CLASSIFICATION L4-17 R AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

0

Western TO THE ZOUNCE COMMISSIONER OF HALTHOUSE COUNTY:

Dorothy L. Hartig, his wife

I, or we.... ETREAT V... Hartig and J.... legal owner. 3 of the property situate in Busine

County and which is described in the description and plat attached hereio and made a part see hereby petition (1) that the zoning status of the herein described property be re-classified, vant SEC. 2-B to the Zoning Law of Baltimore County, from an ______ R-6 an RA

-- zone: for the following re-Error in original zoning, and For such other and further reasons as may be assigned at the hearing

See Attached Description

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

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

Jack Rulin Ernest V. Harting Abraham H. Goldkind Contract Dorothy & Harting West Owner s Address 3612 N. Rogers Avenue Raltimore, Maryland Address Old Court Road

Smith & Harrison petitioner Attorney

104 Jefferson Building Towson 4, Maryland Va 3 6200

ORDERED By The Zoning Commissioner of Baltimore County, this 26th ..., 196.3., that the subject matter of this petition be advertised, as of acceptable to the Zoning Law of Baltimore County, in two newspapers of general circulation through-out Baltimore County, that 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, Baltimore County, on the NOV 26 63 13th day of January 196 li at 2:00 o'clock

Date 8

1113/64

Kendellstrum Tra

Protestant's Attorney

naighborhood that has not yet been put to such use

to this attraction it is very clear to this Court that the uestion whether the rejusted reclassification should or should not be granted is a matter for reasonable debate. On such a record this Court accordingly cannot substitute its

The Appeal is denied

W ALBERT MENCHINE, Judge

December 18, 1954

John C. Childs George W. Baddey Leonard M. Glass Norman P. Herrosan

Paul Lee Paul S. Smoon

1/4/64

Z, CHILDS & ASSOCIATES, INC. 2129 N. Charles St. - Baltimore, Maryland 21218 DESCRIPTION

Severage Drainage Highwaye Structures Development

Reports 64-1712

WESTERH

HARTIG PROPERTY, SECOND ELECTION DISTRICT,

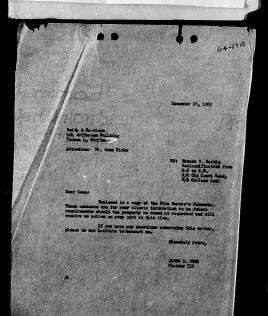
BALTIMORE COUNTY, MARYLAND Present Zoning: R-6

Proposed Zoning: R-A

AREA SEC.2-B Beginning for the same at the point of intersection of the sout side of Old Court Road and the east side of Carlson Lane, 30 feet wide said point of beginning being at the end of the second line of the land, which by deed dated June 20, 1946 and recorded among the Lanc Records of Baltimore County in Liber R. J. S. No. 1470, Folio 370 was conveyed by Robert W. Heacock and wife to Ernest V. Hartig and wife, running thence binding on lines in said Old Court Road and also binding on the third, fourth and fifth lines of said land the three following courses and distances, (1) N. 19° 15' W., 24.75 feet, (2) N. 74° 30' E., 315.5 feet and (3) N. 65° E. . 15 feet, thence binding on the sixth and first lines of said land the two following courses and distances, (1) S. 23° E., 722 feet and (2) S. 73° 30' W., 385.77 feet to said east side of Carlson Lane thence binding thereon and on the second line of said land N. 19* 15' W., 699.6 feet to the place of beginning.

CAVieles

J. O. #63241 11/12/63



	COUNTY OFFICE OF PL				ZONIN
T W CHECAPEAGE AVE. WSON, Mo. 21204 . A 2000	Hr. Melvin H. Colvin P. H. Bullders, Inc. 211 West Franklin Street Baltimore, Maryland 21201				
	D	late: J	une 29, 1	965	
MN G. ROSE	S.	ubject:	Approved Zoning fi 8ldg. * E/S Cld 5/S of P	Harford	4-37
	Gentlemen:				
	The Office of Planning and Zoning has approved conditioned in the Zoning Commissioner's Order	the abo	ve referenc 37	ed site	plan, as
	This plan has been inserted in our Zoning file			<u>.</u> .	
	If you are desirous of obtaining a signed plan for the site plan to this office.	your file	, please f	orward a	copy of
		Ve	ry truly y	ours,	
	JED/h	Perii	MES E. Dion and Pa	YER, C	yer met cessing

ERNEST V. HARTIG NO. 64-17-8 S/S Old Court Road & E/S Carlson Lane - 2nd District Reclassification from R-6 to R-A January 30, 1964 Order of Deputy Zoning Commissioner granting February 28. Order of Appeal to Board of Appeals May 28, Order of Board denying reclassification June 3. Order for Appeal filed in Circuit Court Board Affirmed - Judge W. Albert Meachine DENIED

mber 18, 1964

February 10, 1964

Milton S. Goldbloom, Esquire 1020 Fenney Building Beltimore 2, Maryland

Dear Mr. Coldblooms

conversation of this date I am enclosing a copy of my Order date.

Sincerely yours,

EDWARD D. HARDESTY Deputy Zoning Commissioner

ABRAHAM H. GOLDKIN and JACK RUSIN

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY AND

ROBERT MALCHODI and DAVID NACHMAN

Beel 3.0 PM

IN THE

CIRCUIT COURT

BALTIMORE COUNTY

Misc. Dkt. 7/388/3025

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subject property, there is R-6 classification. This R-6 classification along the north side of Old Court Road takes the form in part of properties with very considerable depth, and in part of a strip of R-6 zoned land leading to the commercial intersection of Liberty Road. To the north of the R-6 strip on the north side of Old Court Road is property that is zoned RA.

The Petition for Reclassification of the subject property from R-6 to RA stated that it was sought because of: "error in original zoning, and for such other reasons as may be assigned at the hearing hereon." The Petition was granted by the Deputy Zoning Commissioner, but on appeal from his decision the Board of Appeals, in a decision concurred in by two of the three members of the Board. (one of the members not sitting at the hearing) denied the requested reclassification, This Appeal is from that decision.

Contentions as to Admissibility of Evidence

Counsel for the appellants have raised objections to the rulings of the Board as they relate to the admissibility of evidence. One of these contention is that the Board committed error in "taking judicial notice" of a decision in Zoning File #63-85-R, wherein the Board (then comprising a different member or member made the decision. A careful examination of the record leads this Court to the conclusion that the use of the words "taking judicial notice" as used by the Board had no other or different meaning or effect in this case than that the result of the devision in that case would be considered by the Board as a fact. Since that case deah with property lying on Old Court Road near its intersection with Liberty Road, within a stone's throw of the subject property, it would be odd indeed if this Board ignored that decision as a fact or bearing upon the present case. The Court finds no error in this ruling of the Board

A second contention is made that it was error for the Board to refuse to strike out the testimony of George E. Gavrelis, Acting Director of the Office of Planning and Zoning, who was called as a witness on behalf of the protestants. Appellants assign as a ground or cause for the Motion to Strike his testimony a supposed acknowledgement by the witness that erroneous information held by his with relationship to the property adjoining to the east (Baltimore County Hospital) would destroy the worth of his testimony and render it inadmissible. The record does not support this contention. The ruling of the Board on the Motion to Strike

Contentions on the Merits of the Case

It is contended by the Appellants that the Roard erred in refusing to consider whether there had been such changes in the neighborhood as would reasonably justify the requested reclassification. Assuming, without deciding, that an issue of change in the neighborhood justifying re-classification was available to the Petitioner in the form in which his Petition was phrased as heretofore set forth. this Court adopts the ruling of the Board that under the provisions of the Baltimore County Code, \$23-22(f) (Bill No. 80 - 1950) no reclassification upon such ground could be considered until two (2) years after November 15, 1962.

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In this situation it is very clear to this Court that the question whether the requested reclassification should or should not be granted is a matter for reasonable debate. On such a record this Court accordingly cannot substitute its judgment for the judgment of the Board.

The Appeal is denied

W. ALBERT MENCHINE, Judge

December 18, 1964

ABRAHAM H. GOLDKIN and IN THE CIRCUIT COURT COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY FOR

AND ROBERT MALCHODE and DAVID NACHMAN (Litervenors and Protestants)

BALTIMORE COUNTY Misc. Dkt. 7/388/3025

MEMORANDUM

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ABRAHAM H. GOLDKIN IN THE CIRCUIT COURT FOR BALTIMORE COUNTY G. MITCHELL AUSTIN and WILLIAM S. BALDWIN AT LAW constituting the COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY Miss. Docket No. Fallo No. 388 File No. 3025 ANSWER TO ORDER OF APPEAL TO CIRCUIT COURT FOR BALTIMORE COUNTY AND CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND BOARD OF APPEALS OF BALTIMORE COUNTY MR. CLERK:

(s) Edith T. Elsenhart

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ABRAHAM H. GOLDKIN IN THE CIRCUIT COURT JACK RUBIN FOR BALTIMORE COUNTY G. MITCHELL AUSTIN and ATIAW WILLIAM S. BALDWIN constituting the COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY Misc. Docket No. Folio No. 388 File No. 3025

TO THE HONORABLE, THE JUDGE OF SAID COURTS

28

And now come G. Mitchell Austin and William S. Baldwin, constituting the County

ith return the record of proceedings had in the above entitled matter ag certified copies or original papers on file in the office of the
Itimore County:
ING ENTRIES FROM DOCKET OF ZONING
n
ion of Ernest V. Hartig and Darothy L. Hartig, his wife, for re- lification of property from an "R-6" Zone to an "R-A" Zone ad an the south side of Old Court Road and the sout side of an Lane, 2nd District — filled
or of Zoning Commissioner directing advertisement and posting of orty – date of hearing set for January 13, 1964 at 2:00 p.m.
ficate of Publication in newspaper - filed
ficate of Posting of property - filed
00 p.m. hearing held on petition by Deputy Zoning Commissioner - held sub curia
r of Deputy Zoning Commissioner granting reclassification
r of Appeal to County Board of Appeals from Order of Deputy ng Commissioner
ing on appeal before County Board of Appeals - case held sub curia

Order of County Board of Appeals denying reclassification Order for Appeal filled in the Circuit Court for Baltimore County Certificate of Notice sent to all interested parties

Appellants assign as a ground or cause for the Motion to Strike his testimeny a supposed acknowledgement by the witness that erroneous information held by him with relationship to the property adjoining to the east (Baltimore County Hospital) would destroy the worth of his testimony and render it inadmissible. The record does not support this contention. The ruling of the Board on the Motion to Strike

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lune 30, 1944 Petition and Order extending filing time for 30 days July 9, 1964 Transcript of Testimony filed - 1 volume

ESTERNIS S	ALTONOMISE STATE OF THE PARTY O	18 90 10 73	35156	890tml	KINDS	DOLLO FORMACIONALISMO CONTRACTOR PROGRAMMA CONTRACT
	Petitioners'	Exhibit	No.	. 1		Plat of property by Matz
				2		Zoning File #5608 - Kermisch
			•	3		Official Zoning Map
			•	4	•	Zoning File #5104-XV - Liberty CourtR Rehabilitation
	Protestants*	Echibit	A			Zoning File #63-85-R - Dreisen & Freedman
		•	8			Western Planning Area Map - signed copy
			C-1			Photo
		- Allega	C-2			
			C-3			
		• Carlo	C-4			
			C-5		7639	
		• 000	C-6			
100			C-7		1000	
			C-8			
			C-9			
		•	D			Planning comments dated 1/2/64

Record of proceedings filed in the Circuit Court for Baltimore County

Record of proceedings pursuant to which said Order was entered and sold Board acted are permanent records of the Zoning Department of Baltimore County as are also the use district maps and your Respondents respectively suggest that it would be repriate to file the same in this proceeding, but your Resp will produce any and all such rules and regulations together with the zoning use district saps at the hearing on this petition or whenever directed to do so by this Court.

Respectfully submitted

(s) Edith T. Elsenhart Edith T. Eisenhart, Secretary County Board of Appeals of Baltimore County neighborhood that hes not yet been put to such use.

In this situation it is very clear to this Court that the ruestion whether the requested reclassification should or should not be granted is a matter for reasonable debate. On such a record this Court accordingly cannot substitute its judgment for the judgment of the Board.

The Apreal is denied.

W. ALBERT MENCHINE, Judge

December 18. 1964

June 4, 1964

Re: Petition for reclassification from an "R-6" Zone to an "R-4" Zone, 5/5 Old Court Road and E/5 Carlson Lane, 2nd District - No. 64-17-R Emert V. Hartig, Petitioner

Dear Mr. Ricks

In accordance with Rule 1101 (b) of the Rules of Procedure of the Court of Appeal. Serequired to submit the record of proceedings of the zoning appeal which you now taken to the Circuit Court for Bullmare County, in the above matter, within 30 days.

The cost of the transcript of the record must be pold by you.

Cartified copies of any other documents necessary for the completion of the
record must also be at your expense.

The cost of the transcript, plus any other documents, must be poid in time to transmit the same to the Circuit Court not later than 30 days from the date of any peritism you might file in Court, in accordance with Rule 1101 (b).

Enclosed is a copy of the Certificate of Notice. Also bill in

Very truly yours,

Edith T. Else chart, Secretory

ADDRESS H COLDETS TH WHE ATBOTTO ACTION BALTIMORE COUNTY v. COUNTY BOARD OF APPRAIS NT 1.300 OF BATETHORY COUNTY Polio No. 388

ASSESSE TO POTITION FOR APPEAL

Now comes Robert Malchodi and David Hachman, Protestants and Intervenors, et. al. by their attorney, Harry S. Swartmenlder, Jr., and in answer to the Petition for Appeal heretofore filed in this

- 1. That they adult the allegations of Paragraph 1 of the Betition
- 2. That they admit the allegations of Paragraph 2 of the Petition.
- 3. That they admit the allegations of Paragraph 3 of the Potition
- 4. That the action, opinion, and order of the County Board of Appeals of Baltimore County is not erroneous, illegal, or arbitrary.
- 5. Purther answering the said Petition, the Protestants and Intervenors allege that the action of the County Board of Appeals appealed from, was supported by substancial evidence and was not invalid, illegal, or ultra-vires.

WHEREFORE, having fully answered said Petition said Petition for Appeal, your Intervenor prays that said Petition be dismissed

Burn as TH THEPY BOTTOM ALC.

Harry S. Swartswelder, Jr. 1708 Munsey Building Baltimore 2, Maryland 72/-4929

T HERRRY CEPTIFY that on this I mailed a copy of the aforegoing Answer to County Board of Appeals and to Eugene E. Ricks, Esq., Jefferson Building, Towson, Maryland, Attorney for Appellants.

Harry S. Swartzwelder, Jr.

ABRAHAM H. GOLDKIND IN THE CTRCUTT COURT JACK RUBIN BALTIMORE COUNTY G. MITCHELL AUSTIN --WILLIAM S. BALDWIN, CONSTITUTING the COUNTY FOARD OF APPEALS OF SALTIMORE COUNTY 7/388/3025

PETITION TO EXTEND TIME FOR FILING OF TRANSCRIPT OF RECORD

Petition of Abraham E. Goldkind and Jack Rubin, Appellants, by Eugene G. Ricks, their Attorney, pursuant to Maryland Rules of Procedure, Rule B7b, respectfully represents unto your Honor:

- 1. That heretofore on the 3rd day of June, 1964, your Petition ers filed their Notice and Petition for Appeal from the action, decision and order of the County Board of Appeals of Baltimore County dated May 28, 1964, in the matter of the Petition for Reclassification No. 64-17-R.
- 2. That a transcript of the proceedings before said County Board of Appeals of Baltimore County had been duly ordered from the reporter, C. Leonard Perkins, but your Petitioners have been informed by Mr. Perkins that due to his heavy case load that it will be impossible for him to complete the transcript of the proceedings for filing in this case within the 30 days prescribed by the Maryland Rules of Procedure.

WHEREFORE, your Petitioners pray this Honorable Court to pass its Order extending the time for filing the transcript of the proceedings on this appeal for an additional 30 days.

Eugene G. Ricks
104 Jefferson Building
Towson, Maryland 21204
VAlley 3-5200
ATTOREY FOR PETITIONERS

The aforegoing Petition having been presented and read by the Court, it is, therefore, on this 30 _ day of June, 1964, ORDERED by the Circuit Court for Baltimore County that the time for filing of the transcript of the proceedings before the County Board of Appeals in the above captioned case be and the

True Copy Test ROBERT R. GILL, Clerk

ORDER

same is hereby extended for an additional thirty (30) days.

I hereby certify that a copy of the within Petition To Extend Time For Filing Of Transcript Of Record was mailed this 2000 day of June, 1964, to the County Board of Appeals for Baltimore County.

Eugene G. Ricks

(s) Edith T. Elsenhart

ABRAHAM H. GOLDKIN IN THE CIRCUIT COURT JACK RUBIN FOR BALTIMORE COUNTY G. MITCHELL AUSTIN and ATIAW WILLIAM S. BALDWIN Mise, Docket No. constituting the 388 Etta Na 3025

ANSWER TO ORDER OF APPEAL TO CIRCUIT COURT FOR BALTIMORE COUNTY AND CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND BOARD OF APPEALS OF BALTIMORE COUNTY

MR. CLERKI

Please file, & c.

(4) Edith T. Fisenhart

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

ARRAHAM H. GOLDVIN IN THE CIRCUIT COURT FOL BALTIMORE COUNTY G. MITCHELL AUSTIN and WILLIAM S. BALDWIN AT LIW Mise, Docket No. constituting the OF BALTIMORE COUNTY 388 File No. 3025

TO THE HONORABLE, THE JUDGE OF SAID COURT

And now come G. Mitchell Austin and William S. Baldwin, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal director analysis them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER OF BALTIMORE COUNTY

No. 64-17-R

Nov. 26, 1963 Petition of Ernest V. Hartig and Dorothy L. Hartig, his wife, for reclassification of property from an "R-6" Zone to an "R-A" Zone located on the south side of Old Court Road and the east side of Carlson Lane, 2nd District – filed

Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for January 13, 1964 at 2:00 p.m. Certificate of Publication in newspaper - filed Deg. 30

Jan. 2, 1964 Certificate of Posting of property

13 At 2:00 p.m. hearing held on petition by Deputy Zoning Commissioner -30 Order of Deputy Zoning Commissioner granting reclassification

Feb. 28 Order of Appeal to County Board of Appeals from Order of Deputy

May 12 Hearing on appeal before County Board of Appeals - case held sub curia " 28 Order of County Board of Appeals denying reclassification

June Order for Appeal filled in the Circuit Court for Baltimore County

Certificate of Notice sent to all interested parties

July 10, 1964

IN THE ABRAHAM H. GOLDKIN CIRCUIT COURT IACK RUBIN FOR BALTIMORE COUNTY G. MITCHELL AUSTIN and WILLIAM S. BALDWIN AT LAW constituting the Man Docket No. BALTIMORE COUNT 388 3025 File No.

CERTIFICATE OF NOTICE

Mr. Clorks

Pursuant to the provisions of Rule 1101-B (4) of the Maryland Rules of Procedure: G. Mitchell Austin and William S. Baldwin constituting the County Board of Appeals of Baltimore County has given notice by mail of the filling of the Appeal to entative of every party to the proceeding before it; namely, Eugene G. Ricks, Esq., The Jefferson Building, Towson, Maryland 21204, Attorney for the Patitioner, and Harry S. Swartzwelder, Jr., Esq., 1709 Munsey Building, Baltimore, Maryland 21202 and Raigh E. Deltz, Esq., 212 Washington Avenue, Towson, Maryland, 21204, Attomoya for the Protestants, a copy of which notice is attached hereto and prayed that it may be made a part thereof. (s) Edith T. Elsenhart

> County Board of Appeals of Baltimore County County County Cffice Building, Towson, Md. 21204 VAILey 3-3000, Ext. 570 Edith T. Elsonhart, Secrete

I hereby certify that a copy of the aforegoing Certificate of Notice has been mailed to Eugene G. Ricks, Esq., The Jefferson Building, Townen, Maryland 21204, Attorney for the Petitioner, and Harry S. Swortzwelder, Jr., Esq., 1709 Munsey Building, Baltimore, Maryland 21202 and Raiph E. Deltz, Esq., 212 Washington Avenue, Towson, Maryland 21204, Attorneys for the Protestants, on this 4th any of June, 1964.

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

• Petition and Order extending filling time for 30 day Transcript of Testimony filed - 1 volume July 0: 1044 Petitioners' Exhibit No. 1 Plat of property by Matz . 2 Zonion File #5608 - Kermisch . 3 Official Zoning Map Zoning File #5104-XV - Liberty Zoning File #63-85-R - Dreisen ate! Eulithia A Western Planning Area Map slaned copy C-1 Photo C-2 C-3 C-4 C-5 C-7 C-8 C-9 Record of proceedings filed in the Circuit Court for Baltimore County

Record of proceedings pursuant to which said Ordes was entered and sold Board acted are permanent records of the Zoning Department of Baltimore County as are also the use district maps and your Respondents respectively suggest that it would be Inconvenient and inappropriate to file the same in this proceeding, but your kaspondents will produce any and all such rules and regulations together with the zoning use district maps at the hearing on this petition or whenever directed to do so by this Court.

Respectfully submitted

(s) Edith T. Eisenhort

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

Bea anderson . Ernest V. Hard, # 64-17. R IN THE BRAHAM H. GOLDKIN and TACK BUEIN CIRCUIT COURT COUNTY BOARD OF APPEALS

AND ROBERT MALCHODI and DAVID HACHMAN BALTIMORE COUNTY Misc. Dkt. 7/380/3025

MEMORANDUM

This is an Appeal by contract purchasers from a decision of the County Board of Appeals, denying reclassification of six (6) acres of land fronting on Old Court Would near Liberty Road. For purposes of this Memorandum Old Court Road will be considered as running east and west, and Liberty Road as running north and south. Both sides of Liberty Road for a considerable distance north and south of its intersection with Old Court Road are zoned for commercial or apartment usage. The four corners of the intersecting streets are zoned for commercial purposes. The property that is the subject of these proceedings has on the south side of Old Court Road at a point about 1250 feet west of Liberty Road; is approximately rectangular in shape; has a frontage on Old Court Road of about 355 feet; with a depth southerly of about 700 feet. The east boundary of the subject property borders a tract 9.6 agres in size presently zoned R-6, but utilized as a Class A hospital, a use sutherized under the R-6 classification. It is bordered on the west by Carlson Lane and by R-6 lands for a considerable distance. Beyond the hospital property previously referred to and further east of the subject is an area sened for apartment use and at the intersection of Old Court and Liberty an area zoned and used for commercial purposes. Opposite the subject property on Old Court Road and extending both east and west of the

ABRAHAM H. GOLDKIN	- 1	IN THE
and		CIRCUIT COURT
JACK RUBIN		FOR
и.		BALTIMORE COUNTY
G. MITCHELL AUSTIN and WILLIAM S. BALDWIN	7.	ATLAW
constituting the COUNTY BOARD OF APPEALS		Misc. Docket No. 7
OF BALTIMORE COUNTY		Follo No. 388
		File No. 3025

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come G. Mitchell Austin and William S. Roldwin, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed again them in this case, herewith return the record of proceedings had in the above entitled matter consisting of the following certified copies or original por as on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF YONING

	COMMISSIONER OF BALTIMORE COUNTY
No. 64-17-R	
Nov. 26, 1963	Petition of Ernest V. Hartig and Doroth [*] L. Hartig, his wife, for re- classification of property from an "R-4" Zone to an "R-4" Zone located on the south side of Old Court boad and the cost side of Carlson Lane, 2nd District - N'ed
• •	Order of Zening Commissioner directing advertisement and posting of property – date of hearing set for January 13, 1964 at 2:00 p.m.
Dec. 30	Certificate of Publication in newspaper - filed
Jon. 2, 1964	Certificate of Posting of property - filed
• 13	At 2:00 p.m. hearing held on petition by Deputy Zoning Commissioner- case held sub curio
* 30	Order of Deputy Zoning Commissioner granting reclassification
Feb. 28	Order of Appeal to County Board of Appeals from Order of Deputy Zoning Commissioner
May 12	Hearing on appeal before County Board of Appeals - case held sub curia
1 28	Order of County Board of Appeals denying reclassification
June 3	Order for Appeal filed in the Circuit Court for Baltimore County

Certificate of Notice sent to all interested partie

subject property, there is R-6 classification. This R-6 classification along the north side of Old Court Road takes the form in part of properties with very conside able dorth and in part of a strip of 9-5 wored land leading to the commercial intersection of Liberty Road. To the north of the R-6 strip on the north side of Old Court Road is property that is sound RA.

The Petition for Reclassification of the subject property from R-6 to RA stated that it was sought because of: "error in original soning, and for such other reasons as may be assigned at the hearing hereon," The Petition was granted by the Danuty Zoning Commissioner, but on appeal from his decision the Board of Appeals, in a decision concurred in by two of the three members of the Board, (one of the members not sitting at the hearing) denied the re-uested realissification This Appeal is from that decision.

Contentions as to Admissibility of Evidence

Counsel for the appellants have raised objections to the rulings of the Board as they relate to the admissibility of evidence. One of these contentions to that the Board committed error in "taking fullclul notice" of a decision in Zonico File \$63-85-3, wherein the Board fthan comprising a different member or members) made the decision. A compil evamination of the record leads this Court to the conclusion that the use of the words "taking judicial notice" as used by the Board had no other or different meaning or effect in this case than that the result of the decision in that case would be considered by the Board as a fact. Since that case dealt with property lying on Old Court Road near its intersection with Liberty Road, within a stona's through the subject property. It would be add indeed if this Roard tenered that decision as a fact or bearing upon the present case. The Court finds no armor in this cultur of the Found

A second contention is made that it was error for the Board to refuse to strike out the testimony of George E. Gayrelis, Acting Director of the Office of Planning and Zoning, who was called as a witness on behalf of the protestants.

June 30, 1964	remon dis	Cidei	avie.	rolling i	ming .	lime for 30 days
July 9, 1964	Transcript o	f Testim	ony	filed	- 1 w	olume
e di e	Petitioners'	Exhibit	No.	1		Plat of property by Matz
			٠	2		Zoning File /5608 - Kermisch
		•		3		Official Zoning Map
	•		•	4		Zoning File #5104-XV - Liberty CourtR Rehabilitation
	Protestants*	Enhibit	A		•	Zoning File #63-85-R - Dreisen & Freedman
	•	•	B		i	Western Planning Area Map - signed copy
		•	C-1			Photo
			C-2			
			C-3			
			C-4			
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		e de	C-6			
		980	C-7			
			C-8		12.0	A Victoria de la compansión de la compan
			D		24 C	Planning comments dated 1/2/6

ard acted are permanent records of the Zonlina Department of Baltimore County as are also the use district maps and your Respondents respectively suggest that it would be

ent and inappropriate to file the same in this proceeding, but your Respondents will produce any and all such rules and regulations together with the zoning use district maps at the hearing on this petition or whenever directed to do so by this Court.

Respectfully submitted

(s) Edith T. Eisenhart Edith T. Elsenhart, Secretary

Appellants assign as a groupd or cause for the Motion to Strike his testimony supposed acknowledgement by the utiness that appropriate information held by him with relationship to the property adjoining to the east (Baltimore County Hospital) would destroy the worth of his testimony and render it inadmissible. The record does not support this contention. The ruling of the Board on the Motion to Strike

Contentions on the Merits of the Case

It is contended by the Appellants that the Board erred in refusing to consider whather there had been such changes in the neighborhood as would reasonably justify the re uested rockssification. Assuming, without deciding, that an issue of change in the neighborhood funtifying reclassification was available to the Petitioner in the form in which his Petition was phrased as heretofore set forth, this Court adopts the ruling of the Board that under the provisions of the Saltimore County Code, \$23-22(f) (Bill No. 80 - 1960) no reclassification upon such ground could be considered until two (2) years after November 15, 1962.

It would serve no useful curpose for the Court to engage in a lengthy recapitulation of the evidence produced in this case. The conflicting evidence in this case is well recognized by the witness Gavrelis, at page 10' of the Record;

"A The subject property, in all fatmess, is certainly approaching the odge of this residential (apartment) area. you would assume that Liberty Road acts as a let us say. boundary between one set of residential neighborhoods, and because of the planned usages which exist between this proporty and Liberty Road, which are either commercial or institutional or apartments, I would say in all fairness the subject property is in an adde situation."

There is credible evidence that the planning recommendations and the Legislative policy in this area wes: (a) not to extend apartment zoning (except as a buffer between commorpial and residential amost further to the usest alone Old Court Road: (b) that the residential appearance of Old Court Road should be maintained even by the creation of R-6 strip soning along its north side. The evidence shows also that there is land already soned for anythrent usage in the

Qualitation - Harting + 4-17- R. acquired 1/3

ABRAHAM H. GOLDKIN		IN.	THE
JACK RUBIN		CIRCUI	T COURT
VI.			OR
G. MITCHELL AUSTIN and		BALTIMOR	E COUNTY
constituting the		. A	r LAW
OF BALTIMORE COUNTY		Misc. Docket	No. 7
	1	Folio No	388
		File No.	3025
1.1.1.1			1 1 1

CERTIFICATE OF NOTICE

Mr. Clerks

Pursuant to the provisions of Rule 1101-B (4) of the Maryland Rules of G. Mitchell Austin and William S. Raldwin constitution the County Board of Appeals of Baltimore County has given notice by mail of the filling of the Appeal to the representative of every party to the proceeding before its namely, Eugene G. Ricks, Esq., The Jefferson Building, Towson, Maryland 21204, Attorney for the Petitiones and Harry S. Swartzwelder, Jr., Esq., 1709 Munsey Building, Baltimore, Maryland 21201 and Ralph E. Deltz, Esq., 212 Washington Avenue, Towson, Maryland, 21204, Attorneys for the Protestants, a copy of which notice is attached hereto and prayed that it may be made a part thereof.

(s) Edith T. Elsenhar

I hereby certify that a copy of the aforegoing Certificate of Notice has be mailed to Eugene G. Ricks, Esq., The Jefferson Building, Townon, Maryland 21204, orney for the Petitioner, and Harry S. Swartzwelder, Jr., Esq., 1709 Munsey Building, Imore, Maryland 21202 and Raigh E. Deitz, Esq., 212 Washington Avenue, Towson, Maryland 21204, Attorneys for the Protestants, on this 4th day of June, 1964.

> (s) Edith T. Fisenbor Edith T. Elsenhart, Secretary County Board of Appeals of Baltimore County

neighborhood that has not yet been put to such use.

In this situation it is vary clear to this Court that the question was the the requested reclassification should or should not be granted is a matter for reasonable debate. On such a record this Court accordingly cannot substitute its judgment for the judgment of the Board.

The Annual (s desired

. ALBERT A ENCHINE, Indge

December 18 1905

entA to an "R-6" Zone, 5/5 Old Court Road and E/5 Carlson Lone, 2nd District - No. 64-17-R Emest V. Harrig, Patitioner Enclosed is a copy of the Opinion and Order passed be the Board of Appeals today in the above sees. Very truly yours Edith T. Elsenhart, Secretary

RE: PETITION FOR RECLASSIFICATION from an "R-6" Zone to an "R-A" Zone, S/S Old Court Road & COUNTY BOARD OF APPEALS Second District Emest V. Hartig, Petitioner BALTIMORE COUNT No. 64-17-R

OPINION

The petitioner in this case requests a reclassification of a six (6) acre tract of land on the south side of Old Court Road and the east side of Carlson Lane in the Second District of Baltimore County, from an "R-6" Zone to an "R-A" Zone.

This property was zoned on the Western Area Map which was adopted by the County Council in November of 1962. The petitioner alleges error in the original map, and the protestants contend that no error was made.

The subject property is approximately rectangular in shape adjacent to "R-6" property on the east side, presently being used as a hospital, on the south side by the residential development of Stevenswood, and on the west side by residentially zoned land. On the north side of the property across Old Court Road, the frontage along Old Court Road is zoned "R-6".

Testimony produced by the petitioner showed that there is no utility problem in connection with the proposed rezoning of this tract. There was testimony however, that Carlson Lane is an unimproved road approximately ten (10) feet in width, and that the existing paving on Old Court Road to the north of the property is only twenty (20) to twenty-two (22) feet wide. The protestants, mostly residents of the Stevenswood development adjacent to the subject property on the south side, fear traffic congestion on their streets if the property were developed in an apartment context. There was testimony that Old Court Road would be widened; however, such contemplated improve ments are not in the capital program nor recommended in any capital budget to the year 1970. Improvements are programmed for Old Court Road on the northeast side of Liberty Road.

The petitioner, through an expert witness, alleged that the County Council made an error in zoning this property "R-6" in that the Council did not follow the recommendations of the Planning Board to zone the frontage along Old Court Road "R-6", but brought the commercial down Old Court Road nearer the residential properties. However, Mr. George E. Gavrelis, Acting Director of Planning for Baltimore County, testified that he can ascertain no difference between the Planning Board's proposed map and the map as

ultimately adopted by the County Council. Further testimony from Mr. Gavrelis, testifying on behalf of the Planning Staff, was that the western area map affirmed the need for rental housing in the Second District; that the vicinal area zoning created by the Country Council was in accordance with the master plan; that in the immediate area there was an additional area reclassified from commercial to apartment zoning on the basis of error; that the subject property does not abut any land zoned for either apartment or commercial uses; and that the use of the 9.6 acre hospital tract on the east side of the property serves as a transitional measure between the commercial and the residential.

It should be noted that this Board in two prior cases has affirmed the retention of the Old Court Road frontage as "R-6"; these being, the Kermisch property, File No. 5608 which was introduced at the Board hearing, wherein the Board granted the rezoning of Parcel One on the south side of Old Court Road based mainly on Mr. Gayrelis' testimony that there was error, but denied rezoning the property on the north side of Old Court Road opposite the Liberty Manor development; further, the Dreisen case, No. 63-85-R, a petition for rezoning from "R-6" to "R-A" was denied by the Board on April 1, 1964, the Board finding no error and retaining the present "R-6" zoning.

For the aforegoing reasons, we are of the opinion that the petitioner's case does not meet the burden of overcoming the presumption of correctness of the comprehensive map. Therefore, the Order of the Deputy Zoning Commissioner of Baltimore County granting the requested reclassification from an "R-6" Zone to an "R-A" Zone is reversed.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this day of May, 1964 by the County Board of Appeals, OR DERED 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 Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS

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116/64

Note: Mr. Parker did not sit at this hearing.

IN THE CIRCUIT COURT POR BALTIMORE COUNTY COURT BOARD OF APPRALE APPEAL

Please note an appeal by Abraham H. Goldkin and Jack Rubin, igens G. Ricks, their attorney, from the action, decision and order of the County sound of Appeals of Baltimore County, dated May 28th, 1964, in the matter of the Petition for Reclassification of said Appellants, being Petition No. 64-17-R.

> Mi. V. Eugene G. Ricks 104 Jefferson Building Towson, Maryland 21204 Valley 3-6200

I hereby certify that on this 3rd day of June, 1964, a copy of the within Appeal was delivered to the County Board of Appeals of Baltimore

Bugene G. Ricks ATTORNEY FOR APPELLANTS

PETITION FOR WHOLADSHIPLANTON from an R.6 Tone to an R.4 Zone 8/8 ONE Court Road and E/S of Carlson Lane - 2nd District Expest V. Hartig-Petitioner

DEPUTY SCHOOL CONTESTIONER BALTINO E COMMITT

.

The petitioners have requested their property he reserved from an R-5 force to an R-4 force. This property lies on the South side of GLI Court Road and the Sant side of GLI Court Road and the Sant side of GLI Court (near 1 Septiment Road and La signeent to the Faltimere Court) feman's Shoppital force.

This heating we held on Junery 13, 19th at 2 pus, during the mind of the versions along however, commend for both sides institute on since therein with the heating and certily agreed to subset the case on the Merson have Map, the Order of the Courty heating the Courty heat date of February 13, 1950, deep 100, 1950, 1950, 1950, 1950, 1950, 1950, and the Courty heat of Appendix and the Courty heat of Appeals mader the appearance of the Courty heating the court of the Description of the

The evidence produced and used name to use name and the extreme produced indicated consecuted, and and not likely lead at the intervention of Mod Goard Road. See, so this consecred souther is belowable. Described the set of this consecred souther is a below the set of the control of the set of the large with the set of the large that however, the set of the large of the large that how the large that have the large that hav

It would seem to the Depty Jonne Goratalioner, the most appropri-te and layed seems to the Depty Jonne Goratalioner, the most appropri-te and layed seems of the subject treat would be ReA as requested. The operation of a meanth bought cannot but help to penerse created in mea-vershops such as the action of eigens from the second termitten insulting same, and to the case of the residential development were of Garlion face. The construction of the requested spartners unlike using articles of gritten princip choosing in the proposed apartners unlike as surrounding residential and deposed. For the foregoin; reasons the realiza-striction when the presidential

T IS GROWN by the Paperty Zoning Commissioner of Baltimers County, this Solday of Amenty, 1984, that the bearin described property or area shall be not the same in ferrely reducedors, subject to an Bal force, from the Solday S

Munich factor EMAND D. HANDESTY Depaty Zoning Commissioner

BALTIMORE COUNTY MALL MAL

A VIR OFFICE CORRESPONDENCE

To Mr. John G. Mose, Zoning Constantioner po Jacobs ... HEROT Mr. George E. Gavrelia, Deputy Missettor

STREET FOLITH. R-6 to R-A. South side of Old Court Re and the East side of Carlson Lane. Being property

2nd District

Honday, January 13, 1964 (2:00 i.M.)

The staff of the Office of Plannin; and Joning has reviewed the subject petition for reclassification from hed to see soming and has the following salvisory except to cake with restrict to pertinent

- 1. The Western Flanning Area Haster Flan affirmed . At sental he The determ limining area (matter bian affilimed that sensit bounding are needed in the add District and consent), is with a blooming area where apparent moding was appropriate. In the surject was subject to the subject property, another such, who can be also as violated to the subject property and the surject subject to the convertibility-somed complex at Old Goart and Likerty Ready, was replaced for an additional term of some and successful was replaced for the surject to suprate to adopt on the bars of error and convertibility of the surject to suprate the surject and successful and control of the surject of the surject property one and does not function in any way as a transitional sometime between connectional and reported to suprate of the surject property ones after a treat value has seen special excepted for a boundariest base and is seeing under for magnitude to appear.
- In order to have been granted, the Special Exception for the Convalescent Hope (hospital) had to be based on an affirmative Convariance that the proposed use would not adversely affect the health, safety, or general welfare of the locality. In itself, who weaking marray or softend remains or off commandation in the hospital series as a further transition to convertic tops at Liberty Road, Austreant development is taking given in the area. The climning sharf does not select that which the laming here arisen as a result of two boupland development would not sent within the counted of chaining quarteent sening.
- The Flanning staff does not relieve that the subject property meets the criteria established by the Flanning board for local apartments in the Western Flanning Area.

March 3, 196h

No.6h-17-R - Ernest V. Hartig -----

Petition, description of property and Order of Deputy Zoning

Certificate of posting Certificates of givertisement

Comments of Office of Planning

Letter dated Feb. 6, 1964 from Stevenswood Improvement Ass'n., " " h, " " Milton S. O'ldbloom

" " li, " " Harry S. Swartswelder, Jr. Annes?

Photogrammetric Man

Plat filed with metition

Sugare G. Ricks, Eeq., Jefferson Building Counsel for petitioners

Harry S. Swartswelder, 1709 Nunsey Bldg., Baltimore 2, Md.

counsel for protestar

. protestents

(a) That the County Board of Appeals for Baltimore County misinterpreted the evidence and mis-applied the law in reaching its opinion, action and order

- (b) That said action, opinion and order of said Board was arbitrary and capricious and against the weight of the evidence.
- (c) That the said action, opinion and Order of the Board was contrary to the substantial evidence.
- (d) That the said action, opinion and order was against the weight of the evidence
- (e) That it is apparent on the face of the record and in the opinion of the County Board of Appeals that its action was contrary to the evidence in this case in that it followed the decision of a previous Board in two court cases without having read the evidence in said cases and that said action, therefore, is invalid, illegal and ultra vires.
- (f) And for such other and further reasons to be shown at the hearing on this appeal.

WHEREFORE, your Appellants pray that this Honorable Court review action, opinion and order of the County Board of Appeals and to issue its order reversing the aforesaid action and order of the County Board of Appeals and grant the reclassification from an R-6 zone to an R-A

AND AS IN DUTY BOUND, etc.

HAM H. GOLDICTH

COUNTY BOARD OF APPEA

following language:

TO THE HOMORABLE, THE JUDGE OF SAID COURT

respectfully represents unto your Honor:

an R-A zone being known as file number 64-17-R.

TACK DITTE

IN THE CURCUIT COURT

FOR BALTIMORE COUNTY

PETITION

The Petition of Abraham H. Goldkin and Jack Rubin, Appellants,

owned by Ernest V. Hartig and as such were parties of record before the

County Board of Appeals of Baltimore County in connection with an appli-

cation for reclassification of property located on the southside of

old Court Road and the eastside of Carlson Lane in the Second Election

District of Baltimore County for a reclassification from an R-6 zone to

2. That this is an appeal from the action, decision and order of

the said County Board of Appeals of Baltimore County dated May 28th, 1964,

3. That your Appellants have filed an order for appeal within thirty (30) days of the opinion and order of said County Board of Appeals of

denying the reclassification from an R-6 zone to an R-A zone in the

"For the reasons set forth in the aforegoing opinion, it is this 28th day of May. 1964 by the County Board of Appeals ORDERED, that the reclassification petitioned for be and the same is hereby denied."

Baltimore County and are filing this petition simultaneously with their

4. That the said action, opinion and order of the County Board

order for appeal pursuant to B2e of the Maryland Rules of Procedure.

of Appeals of Baltimore County is erroneous, illegal, arbitrary and

capricious and contrary to law for the following reasons:

1. That your Appellants are contract purchasers of a tract of land

by Eugene G. Ricks, their attorney, pursuant to Maryland Rule B2e,

Eugene G. Ricks 104 Jefferson Building Towson, Maryland 21204 VAlley 3-6200 FOR APPRILANTS

earshy certify that a copy of the within Petition was delivered this day of Mey, 1964, to the County Board of Appeals of Baltimore may, Juy.

ATTORNEY FOR APPRILANTS

CETTORS

RE: Potition for Reclassification Petition for Reclassification from an R-6 zone to an R-A zone 8/8 Old Court Road and E/8 of Carlson Lane - 2nd District Ernest V. Hartig - Petitioner

Dear Mr. Hardesty:

I have received a copy of the order passed by you on January 30, 1964, in case number 6417-R.

February 4, 1964

Certain statements which are made in this order are incorrect and there are certain items which are not referred to which were presented it wish to draw these to your attention if only for purposes of correcting the order in these respects.

In only too perpense. A three acts of the content to the content of too bit alone a send of the order states that the "counsel for both alone had and and on poing through with the hearing." This concerns to me hearing the content on the hearing that the protestants. It is a send to the content of the protestants who called that the protestants who called that the protestants who called that forward with the postponed. I did, however, and, with the reservation hearing if the petitions and of the thread with the hearing if the petitions and the content of the protestant at a later did not be content of the content of the protestant at a later did not will recall that they did not produce any testimony at this hearing.

secondly, the items on which this case was submitted fails to mention that deerge E. Gravelis, Deputy Director of Planning was present in the hearing room and commented

Mr. Edward D. Hardesty

February 4, 1964

upon the proposed re-classification. In fact, these were the only comments received that day from a witness who was personally present and competent to testify.

Bo legally sufficient evidence was produced to prove licenainy of the hospital referred to, nor dose your order indicate when the licenainy was done. There was no evidence produced as to the size of this operation.

Finally the order passed does not indicate the error committed by the Baltimore County Council in adoption of the soning map nor does it indicate the changes in the area upon which this order is passed.

I respectfully request that you raview the subject order with a view toward pearing an amended order and encompassing or pearing an amended order and contentions are content or that you derive see inseedletaly, first, and with the pearing of the contention are contentions are contentions and the contention of the con

Lang I twatevelle je Harry S. Swartzwelder, Jr.

MES/TT CC: Eugene Ricks, Esq. Robert Malchodi Liberty Manor Improvement Assn.

922-6339 FFB -5 '64 4 12 CONING DEPARTMENT

PL AZA 2-2976

Dear Mr. Rose:

I am enclosing herewith copy of letter mailed today to Edward D. Hardesty, Deputy Zoning Commissioner, concerning hearing on application

for Apartment Zoning at Old Court Road and Carlson Lane.

Milton S. Goldbloom

I have been wable to assorbatin whether or not anyone in my office gove you minimize them. If you did receive minimizes the government of the property of legally I do not believe in a few so supplying to manta you except call your starting to the fact but by you must like you appeal within 10 days from the date of Mr. Markety's Order. Very truly yours

I received your latter of February 1, 1965, ming a bearing held by Mr. Herdesty, Deputy Zoning stoner on January 13, 1965, at 2000 p.m.

Baltimere County Zening Regulations; the Jening Commissions checkulated public bearings. Once these bearings are earlied the Zening Commissions the Zening Commissions or Deputy Zening Commissions may protopen or centimes the bearing.

recipene of the hearing yes matter. I satherined any matter on the hearing yes matter. I right aid that he there is not the fill three Comity explanes as working or not has no affect on the content of the scaling hearing. See the 1800 to 1800 he no bearing to the 1800 to 1800 he no bearings of the 1800 to 1800 he no bearings of the total the 1800 hearings are the set of the 1800 hearings are the 1800 hearings are then the they can into the later hours of the day.

is you say boos I held seet of the hearings for several years by squalf, feasing and there was no deputy forcing Constitutions and the cuty time a hearing was called off was out the when I was III.

Zoming Gominatomr

Rivard D. Hardesty, Req., Deputy Zoning Commissioner

MILTON S. GOLDBLOOM

February 4, 1964.

John Rose John Rose, County Zoning Commissioner, County Office Building, Baltimore, Maryland 21204.

Very truly yours, Operation of goldbloom

> Kilton S. Goldbloom c.c.: Spiro T. Agnew, County Executive John Rose, Zoning Commissioner

PLASA 2-2976 Liseary 2-6131 922 - 6339

922 - 6990

MILTON S GOLDBLOOM MORE 2 MD February 4, 1964.

Edward D. Hardesty Deputy Zoning Commissioner County Office Building Towson, Maryland, 21204

99

TTE AND CALVERT STREET

Dear Mr. Hardesty:

News_American that a hearing was held on the 13th day of manary, 1984, at 2:00 P.M., concerning an application for Apartment Zoning at Old Court Road and Carleon Lane.

Building that day and was savised that the building was closely as 2 100 r.W. due to the secondingly saving as 2 100 r.W. due to the secondingly saving as 2 100 r.W. due to the secondingly saving as 2 100 r.W. but a considerable of the saving would be held. I so advised that no bearing would be held. I so advised that has put of the wanter, our sufphorhead had had 100 put of the wanter, our personally protest at the hearing.

As a property owner residing in this maighborhood, I feel strongly that we should have had a supermutity to present our objection. Furthermore that the control of the cont

The community of Stavenswood is very resentful. Very truly yours,

Milton S. Goldbloom c.c.: Spiro T. Agnew, County Executive John Ross, Zoning Commissioner

February 4, 1964.

I was anased to learn from today's News-American that a hearing was held on the 19th day of January, 1964, at 2:00 P.M., come ning an application for Apartment Zoning at 01d Court Road and Carlson Lame.

I had telephoned the County Office Ballding that day and was advised that the building was closing at 2000 FM. do set the exceedingly heavy snowfull and that no hearing round be held. I see white others. In split of the weather, our that is a large delegation propered to percessily protect at the hearing.

As a property owner residing in this mesiphorhood, I feel atrongly that we should have hed an opportunity to present our objections. Parthernore, we are entitled to an explanation as to why the hearing was hed at \$100 P.M. when it was devertised publicity that the County office helicifing would close at \$100 P.M.

The community of Stevenswood is very

Very truly yours,

Edward D. Hardesty Deputy Zoning Commissioner County Office Building Towson, Maryland, 21204

Dear Mr. Mardesty:

BEA ANDERSON

ABRAHAM H. GOLDKIN

CC: Spiro Agnew

John G. Rose Sunpapers

ws American

Deputy Zoning Commissioner - Mr. Hardesty Baltimore County Board of Zoning Appeals County Office Building 111 West Chesspeake Avenue Townon. Maryland

is president of the Stvenswood Improvement Association, and spakesman for the terminal results in the stand spakesman for the spakesman spakesman

Is a sure you recall that on the acheduled date for this hearing, January 13, 1964 at 200 F. M., there was a sure of the community of the comm

On the basis of the above facts, we urge that you void your previous decision, reschedule the hearing, and give all parties an opportunity to be represented.

It is sincerely hoped that in view of its importance, you will give this your prompt attention and, at the same time, will inform me of your decision.

York truly,
David Machiner
David Machiner
President, Stevenswood Improvement Association

Towson, Maryland

Dear Sir:

entA IN THE

CIRCUIT COURT

FOR

388

CC: Liberty Road Community Council . Liberty Manor Improvement Association Jeffersonian

JACK BURIN

BALTIMORE COUNTY G. MITCHELL AUSTIN and AT LAVE WILLIAM S. BALDWIN
constituting the
COUNTY BOARD OF APPEALS

Misc. Docket No._ OF BALTIMORE COUNTY

3025

ANSWER TO ORDER OF APPEAL TO CIRCUIT COURT FOR BALTIMORE COUNTY AND CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND BOARD OF APPEALS OF BALTIMORE COUNTY

MR. CLERK

Please file, & c.

(s) Edith T. Eisenhart

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

Stavenswood Improvement Association 3304 Kenjac Road Baltimore, Maryland 21207 February 6, 1964

SALTIMORE COUNTY OFFICE OF PLANNING AND ZONING TO W COLLEGE AND THE STREET & Pobruary 5, 196h

MALCOLM H OILL

JOHN G ROSE

JOHN G. ROSE Hilton S. Galdbloom, 1020 Munesy Smilding Baltimore Z. Maryland

I received your latter of February h, 1964 wing a hearing held by Nr. Rerdesty, Deputy Zoning elemer ou Jessery 13, 1964 at 200 p.m.

In sourclasse with Seation 500.2 of the Salithers County Zoning Septlations, the Zoning Commissioner whether public hearings. Once these bearings are set early be Zoning Commissioner or Experty Zoning Commissioner and postpone or continue the hearing.

Possession of the heartest yes a numberised and post-possession of the heartest yes mutican. I night and that whather seem the fall times foounly employees are working to manifesty, as affect on the center of the satisfacting of these heartest (30) to him has besselve most because 190 and 190 but there has been also been also become 190 and 190 but there has the been the besselve of the heart shown that the pro-ser these when they run into the later hours of the day.

for several years by specify leads the bearings for several years by specify leadersh as there was no depay leading Commissioner and the endy time a hearing was called off was one time when I was ill.

I have been mable to ascertain whether or not expens in my office grow you atsisteration. If yes did receive whatever my consecutionly marry had legally it do not believe the first of can do empthing to assist you can still you will not be forth that you may fill your appeal within yo days from the date of Rr. Kardes by's Order.



Breard D. Heardesty, Ecq., Deputy Homing Commissioner

Palarmary 5, 1964

BALTIMORE COUNTY OFFICE OF PLANEING AND ZONING

COURTS CATHER BALLING 111 W. CHELLEGARE AND CAROL A. MARTLAND L. 3-3000

MALCOLM H. DILL

In occurdance with Sporting Spot, 2 of the Shaltharm's Occurdance Spot, 2 of the Scaling Complexions scheduled publis hierings. Once these hearings are sat early the Standag Counterinour or Espety Seeing Combissions may perhapse or continue the hearing.

Betther Mr. Bereletty or I authorized any pos-phonomies of the hearing you meetine. I night sell that the later or not the hit timeso denty explayees are vertice; or not he to efficie on the content of the senting horizon. The sell of the high has bettering on the substicking of the high has been been and the substicking of the try has been been the substicking on the sell of the sell o

is you may have I baid ment of the hearings for assural years by squalf, immanch as there was no departy Sandary Complexioner and the only time a hearing was called off one one then then I was Ill.

not organ to by affice gree models to convolate statute or any angular to be a supported by the support of the



RE: PETITION FOR REDUASSIFICATION from an R-5 Lone to an R-4 Lone S/B Cld Court Reed and E/S of Carlson Lane- 2nd District Ernest 7. Eartig-Totitioner

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

March 3, 1964;

Sugene C. Ricks, Esq., Jefferson betteing Tomen h, Peryland

No. Spelassification of property of Ermest V. Hartig, et al -5.5. Old Court Wood and E.S. Garlson Lane, 2nd District -No. Gi-17-N

Please be advised that counsel for the protestants has filed an appeal from the decision rendered by the Deputy Zoning Gozzisaioner in the above matter.

Very truly yours

Zoning Commissioner

oe: Milton S. Goldbleen, Esq., 1021 Munsey Building Baltimore 2, Md.

Halph S. Doits, Esq., 212 Washington Avenue, Tousen h, Md.

He: Reclassification of property of Ermset V. Hartig, et al -S.S. Cid Court Read and E.S. Carlson Lans, 2nd District -He. Gi-17-D

Please be givised that counsel for the protestants hes filed an appeal from the decimien remiered by the Coputy Zeming Commissioner in the above matter.

Very truly yours

Zening Complesioner

oc: Milton S. Goldbloom, Esq., 1021 Munsoy Building Baltimore 2, Md.

Salph E. Deits, Esq., 212 Vashington Avenue, Toweon h, Md.

HARRY S. SWARTZWELDER, JR.





Mr. Edward D. Hardesty Deputy Zoning Commissioner Court House son 4, Maryland

Lock Wated With.

February 19, 1964

Hernan Berlin, Eq., 601-3 Kats Bullding 111 North Charles Street Baltimore, Maryland 21201

Re: Petition for Reclassification from an "B-6" Zone to an "R-A" Zone - S. S. Old Court Bead and E. S. Carlson Lane, 2nd Diet., Ernest V. Hartig, Petitioner -No. 6h-17-R

As the appeal fee has not been received from you concerning the above matter, your appeal is being returned.

Very truly yours

Zoning Commissioner

TER 28 '64 1 PAKIMENT

Re: Case No. 64-17-R Reclassification, R-6 to R-A Ernest V. Hartig, Petitioner

Honorable Edward Hardesty Deputy Zoning Commissioner County Office Building Towson 4, Maryland

Please enter an Appeal to the Board of Appeals on behalf of the Protestants from the decision rendered in this case on January 30, 1964.

I am enclosing, herewith, my check to cover the costs of this filing.

Lary Swarfwell ye HARRY SWARTZWELDER, JR.

HSS, JR: mah

Enclosure - check cc: Eugene Ricks, Esquire Jefferson Building Towson 4, Maryland

FFR 28 '84 M ONING DEPARTMENT

The jetiticence have requested their property be resound from an R-5 Ecos to an R-4 Ecos. Year property lies on the South side of Mid Court Rand and the Part side of Centern Lane and is adjacent to the Saltimere County Operai Scrittal Loc.

This searcher was being to denote 13, 156, at 2 pass, before the statis of a correct solve attrop, however, commend for two this disk mind-test on going through with the hearing and creally agreed to eshablt the case on the Mechan ranks My, the three of the Going Fourier of Appeals and order the case of the contract of the Contract of the Contract of Appeals and the Contract of Appeals and the detect of Merch 2, 1001-date 50, 1001-37 and on points raised in that oral arguments at the time of the hearing.

The widenes produced initiated conserval scain, on liberty Road at the informerium of the conservation of the formerium of the first section of the first large private heaptile income as the hittener County Section 10 most large. This heaptile was recently licensed by the first of Keyland to conduct first section of the first large first section first large first section for the conduct of the co

It would seem to the Departy Tomine Commissioner, the most appropriate and logical scaling of the subject treat would be feed as requested. The operation of a general hospital count but help "momerals contain incomparisoner such as the wellimy of sirems from an ilmost stop, in the estimate the subject to the containing the subject to the containing the containing the containing the subject to the containing the containing

Mused & Harlest HOMEN D. HARDSTI Deputy Zoning Counterform

BEFORE DEPUTY ZONING COMMISSIONER CF. BALTIMOR COUNTY No. 65-17-R

February 7, 1964

Herman Berlin, Eeq. 601-3 Kats Building

Re: Potition for Reclassification from an "R-6" Zone to an "R-A" Zone - 5. 5, Old Court Boad and E. 5. Garlson Lame, 2nd Dist., 2rmost V. Hartig, Potitioner -No. 60-17-R

I am in receipt of your letter of February 6, 196h enclosing an appeal from the decision of the Deputy Zoning Commissioner rendered in the above matter on January 30, 196h.

The cost of appeal is \$70.00 plus \$5.00 for one sign for posting property for the appeal hearing

Please forward check in the amount of \$75.00, payable to Baltimore County, Naryland, prior to the time of the sprintion of the appeal period which is 30 days from January 30g 196h.

Very truly yours

Zoning Comissioner

As president of the Stavenswood Improvement Association, and the same for the 128 femilies living in this are present. I wish to express the uter shock of all one present. I wish to express the uter shock of all on realisatify from R-S to are supproved the patton or realisatify from R-S to are county located on the south of the same should be all the same should be suppressed in the same should be suppressed to the same should be same and the same should be same same should be same

I am sure you recall that on the scheduled date for this hearthm, shamery 13, 1964 at 2:00 P. M., there was a way the state of the seminary was a many families of this community were prepared to appear at this hearing; however, bufore leaving for the County or ask whether onto the hearing was attill going to be held. Everyone was informed that the hearing was pastponed. This direct community was considered that your office, out the county of the state of the county of th

On the basis of the above facts, we urge that you void your previous decision, reschedule the hearing, and give all perties an opportunity to be represented.

It is sincerely hoped that in view of its importance, you will give this your prompt attention and, at the same time, will inform me of your decision.

Yours truly, Machan David Machinan President, Stevenswood Improvement Association

CC: Spiro Agnew News America

INDO MUNICY BUILDIN

Edward D. Hardesty

resentful.

Deputy Zoning Commissioner County Office Building Towson, Maryland, 21204

Old Court Road and Carlson Lane.

LAW OFFICES

MILTON S. GOLDPLOOM

February 4, 1964.

I was amazed to learn from today's News-American that a hearing was held on the 13th day of January, 1964, at 2:00 P.M., concer-ning an application for Apartment Zoning at

I had telephoned the County Office Building that day and was advised that the building

Building that day and was accessed that the building was closing at 2:00 F.M., due to the exceedingly heavy snowfall and that no hearing would be held. I so advised others. In spite of the weather, our neighborhood had had a large delegation prepared to personally protest at the hearing.

As a property owner residing in this neighborhood, I feel strongly that we should had an opportunity to present our objections. Purthernore, we are entitled to an explanation sto why the hearing was heal at 2:00 P.M. when it was advertised publicly that the County Office Building would close at 2:00 P.M.

The community of Stevenswood is very

Very truly yours,

CC: Liberty Road Community Council Liberty Manor Improvement Association Jeffersonian

PL AZA 2-2976

| Larary 2-6131

922 - 6339

HARRY S. SWARTZWELDER, JE ATTORNEY AT LAW

Pebruary 4, 1964

Mr. Edward D. Hardesty Deputy Zoning Commissioner Court House Towson 4, Maryland

> RE: Petition for Reclassification from an R-6 zone to an R-A zone s/s Old Court Road and E/s of Carlson Lane - 2nd District Ernest V. Hartig - Petitioner

I have received a copy of the order passed by you on January 30, 1964, in case number 6417-R.

Certain statements which are made in this order are incorrect and there are certain items which are not referred to which were presented. I wish to draw these to your attention if only for purposes of correcting the order in these respects.

In paragraph 2, lines 2 and 3, the order states that In paragraph 2, lines 2 and 3, the order states that the "counsel for both sides insisted on going through with the hearing." This is not correct. On behalf of the pro-testants, I did not insist on going on with the hearing, particularly in view of the fact that your office had advised the protestants who called that the case would be postponed. I did, however, agree to go forward with the hearing if the petitioner desired, with the reservation hearing ir the petitioner desired, which is the testimony that I would have the right to produce testimony from the protestants at a later date. You will recall that they did not produce any testimony at

Secondly, the items on which this case was submitted fails to mention that George E. Gravelis, Deputy Director of Planning was present in the hearing room and commented

Mr. Edward D. Hardesty

February 4, 1964

upon the proposed re-classification. In fact, these were the only comments received that day from a witness who was personally present and competent to testify.

No legally sufficient evidence was produced to prove licensing of the hospital referred to, nor does your order indicate when the licensing was done. There was no evidence produced as to the size of this operation.

Finally the order passed does not indicate the error committed by the Baltimore County Council in adoption of the zoning map nor does it indicate the changes in the area upon which this order is passed.

I respectfully request that you review the subject order with a view toward passing an amended order and encompassing the items noted above if you find that my contentions are correct or that you advise me immediately; first, as to why they are not correct, and secondly, as to the facts of error or change upon which this decision

Stevenswood Indivement Association 3304 Kenjac Road Baltimore, Maryland 21207 February 6, 1964

HSS/rr CC: Eugene Ricks, Esq. Robert Malchodi Liberty Manor Improvement Assn. HARRY S. SWARTZWELDER, JR. ATTORNEY AT LAW

February 4, 1964

Mr. Edward D. Hardesty

Deputy Zoning Commissioner Towson 4. Maryland

> PR. Patition for Reclassification from an R-6 zone to an R-A zone 8/8 01d Court Road and E/S of Carlson Lane - 2nd District Breest V. Hartig - Petitioner No. 64-17-R

Dear Mr. Hardesty:

Court House

I have received a copy of the order passed by you on January 30, 1964, in case number 6417-R.

Certain statements which are made in this order are incorrect and there are certain items which are not referred to which were presented. I wish to draw these to your attention if only for purposes of correcting the order in these respects.

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Mr. Roward D. Hardesty

February 4, 1964

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Yours very smilt, found weller ju Harry 8. Brantwelder, Jr.

HAR/rr

CC: Bugene Ricks, Maq.

Robert Malchod! Liberty Manor Improvement Assn.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONIKE

Fahrury 10, 1964

cc: Eugene C. Ricks, Sec., Jefferson building Towson 4, Md.

1709 Muney Blog., Ealtimore 2, Md.

Milton S. Goldbloom, Mon., 1021 Muney Building Baltimore 2, Md.

Mr. Edward D. Hardenty, Deputy Zoning Commission Ralph E. Deitz, Ecq., 212 Washington Avenue, Tousen b, Hd.

Milton S. Goldbloom c.c.: Spiro T. Agnew, County Executive John Rose, Zoning Commissioner

Mr. David Nachman, Pres., Stevenswood Emprovement Assin., 3303 Menjac Ress, Baltimore, Maryland 21207 MALTON H DAL

He: Petition for Euclassification of Property of Ermst 7. Harting -Same No. 68-17-5

Dear Mr. Nachman:

I did not receive your letter of recrumy 6, 1964, until this morning. I also receives a letter from Allton 5. Colchicon, Eq., on the same matter which I have answered.

Colly the Jening Denviscioner, or the department.

Control Commissioner, any reschedule scalar baselings. The Last that the employees are excused has no connection with sublic hearings.

of confusion whether or not the hearing was to be send a great real scheduled. I do not believe that appeals can be one by you other than to appeal to the send of Appeals since a first decision has been race by the Charcets?

Resever, I shall be glad to meet with the attorneys on both sizes at our nutual convenience if it is your

Mr. Spire T. Agraw, County Executive

Harry S. Swartzwelder, Jr., Esq.

TER 10 '64 '4 -

Deputy Zoning Commissioner - Mr. Hardesty Baltimore County Board of Zoning Appeals County-Office Building 111 West Chesapeake Avenue Towson, Maryland

As President of the Stevenswood Improvement Association, and President of the 12 feeliles living in this development, I of the 12 feeliles living in this sill our members upon learning that you approved the petition our members upon learning that you approved the petition so the sill of the si

I om sure you recall that on the scheduled date for this hearing, January 13, 1964 at 2:00 P. M., there was a very heavy move storm. Many Zealize of this community was the propered to appear at this hearing; however, before the property of the community was still going to be held. Swentyne or not the hearing was still going to be held. Swentyne or not the hearing was atill going to be held. Swentyne or not the hearing the hearing with a radio broadcast informing the hearing with a radio broadcast informing 12:00-P. M. precludes by Office Building would close at hearing at that time. It necessarily of there being a hearing at that time. It necessarily of these being a hearing at that time of the proposed that the place would be a largest violation of our constitutional rights of representation.

On the basis of the above facts, we urge that you void your previous decision, reschedule the hearing, and give all parties an opportunity to be represented.

It is sincerely hoped that in view of its importance, you will give this your prompt attention and, at the same time, will inform me of your decision. Your truly

Man Manham Bavid Nachman President, Stevenswood Improvement Association CC: Spiro Agnew John G. Rose

Sunpapers

CC: Liberty Road Community Council Liberty Manor Improvement Association Jeffersonian

February 5, 196h

Baltimore County Zening Regulations, the Zening Commissioner schedules public hearings. Once these hearings are set only the Zening Commissioner or Deputy Zening Commissioner may prospore or continue the hearing.

Nother Pr. Hardesty or I authorized any post-possment of the hearing you mention. I might add that who have or not the Halting you mention. I might add that who have or affect on the consuct of the saming hearings. The week-day, 8:30 to 1:30 has no bearing on the scheduling of these hearings, to try to consuct that scownithe bettern 9:10 and 1:30 but the are times when they run into the later hours of the day

As you may know I held most of the hearings for several years by myself, inssuch as there was no deputy Toning Commissioner and the only time a hearing was called off was one time when I was ill.

not seyone in my office gave you stainformation. If you did receive mind for my office gave you stainformation. If you describe you can be a second to the party of the party of the not believe that I can do anything to assist you except call your attention to the fact that you must file your appeal within 30 days from the date of Mr. Hendevily Order.

Very truly yours MAX. Zoning Comissioner

Edward D. Hardesty, Esq., Deputy Zoming Commissioner

0

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

111 W C-4147144 A-

Milton S. Goldbloom, Kaq., 1020 Homey Building Baltimore 2, Maryland

I received your latter of February h, 1964, ruing a hearing held by Nr. Hardesty, Deputy Youing animor on January 13, 1964 at 2:00 p.m.

In secretame with Section S(x),2 of the Schwidzles publis bearing. Once these bearings are set only the Zening Counts issuer or Dupty Secting Counties only the Zening Counts issuer or Dupty Secting Counties issuer may per

Princettle of the hearing yes matter. I suther find my post-er mat the Baltimers County enginees are writing or and the no affect on the centre of the scaling hearings. 250 to 4 x 10 has no hearing to the best longs there is no affect on the centre of the scaling hearings, there have in the second to the sec

for several years by speak, inseath and meat of the hearings for several years by speak, inseath as there was no deputy landing Constantoner and the only time a hearing was called off was one time when I was till.

not anymos in M for save you make to ascertain whether or receive statements I as recordingly sorry, but legally I do not believe that I can do saything to satisfy one camps call your statement to the fact that you must relieve you will within 30 days from the date of Mr. Bardesty's Order.

Very truly yours

Zoning Comissioner

February 5, 1964

Stuard D. Hardesty, Eq., Deputy Zoming Commissione:

RB: PETITION FOR RECLASSIFICATION from an R-6 Zone to an R-A Zone 8/8 Cld Court Read and R/S of Carlson Lane-2nd District Ernest V. Hartig-Petitioner

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

MALCOLM H DILL

JOHN G ROSE

February 5, 1964

Milton S. Cobbbloom, 1 1020 Massey Building Bultisters 2, Maryland

As yes may knew I hald must of the hearings for nevertal years by spealf, insemble as there was no deputy leading Consistences and the only time a hearing was called aff was one time when I was ill.

and mayon in my officer means to assortion the har re-maining officer productions without If yet did resists matheters time I as exceedingly serry, but legally I do not builten that I can do anything to actual you empay call your attention to the feet that you more. The your appeal within D days from the Cat of IV. Button by a Crede.

est Mr. Spire 7. Agmru, Ocunty Resonative

Rivard D. Hardesty, Esq., Dapaty Zeming Commissioner

Bugens G. Ricks, Esquire 10h Jefferson Building Townon h, Maryland

Harry S. Smartswelder Jr., Esq. 1709 Monsey Bldg Balto 2, Maryland

Ralph E. Beits, Esquire 212 Washington Ave. Towson b, Maryland

I received year latter of February h, 1960, economising a hearing hald by Rr. Hardesty, Dapaty Leading Commissioner on Jacobsry 13, 1960, at 2:00 p.m.

Hat meerdamee with Jostica \$60.2 of the schooling would be stand Regulations, the Lending Commissioner schooling public hearings, Coce these bearings are set only the Euring Goedia since or Depthy Sending Commissioner may position or excellent the bearing.

Reither Nr. Harderly or I atherized any jost-posisions of the harder yes matten. I night and that whether or any the haldman form to engages are weight or mat has no ather on the content of the smales hardage. The swelches high to high has no hearing and hardage. The swelches high the small has been been to be those of you do not have the been the small state of the small property of the small property or those when they can into the later hours of the day.

Fory truly yours

1743. Loning Commissioner

January 30, 196h

I have this date passed my Order ting the above reclassification for the reasons stated in the attached

Sincerely yours,

EDWARD E. HARDRETT

RET Petition for Reclassification from an R-6 Zone to an R-8 Zon a/8 Old Court Read and R/8 of Carlson Lane 2nd District Ernset V. Hartig-Petitioner No. 60-17-8

Harry S. Seartswelder, Jr., Esq. 2709 Humsey Blog., Baltimore 2, Md. Milton S. Goldbleon, Mar., 1021 Humony Building Baltimore 2, Hd.

ons Engane G. Micks, Esq., Jefferson building Towson b, Md.

January 7, 1964

BALTIMORE COUNTY OFFICE OF PLANNING AND ZOHIE

I did not receive your letter of Meroury 6, 1964, until this scruing. I also receive a latter from Milton 5, Goldbloom, Bane, on the same matter which I have answered.

There certainly must have been a great call scheduler. The certainly must have been a great call scheduler. I do ther to not the hearing was to be half as scheduler. I do the control that appeal along can be one by you other than to a speak along the centre of Aspeals since a final decision has been made by the increasy.

However, I shall be glad to most with the attorneys on both sides at our notual convenience if it is your desire.

Ealph E. Deitz, Eeq., 212 Mannington Avenue, Torson L., Md.

Very truly yours Zoning Jammissioner

No David Nacham, Prus., Surmassoul Improvement Ass'n., 2303 Hanjar Ross, Baltimore, Maryland 21207

February 10, 1964

Hes Petition for Feclassification of Property of Ernst V. Harttig -Case No. 60-17-2

Eugene O. Ricks, Esq. Jefferson Building Towson h, Maryland

Re: Petition for Reclassification for Ermest V. Hartig #6h-17-E

This is to advise you that \$11.00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Md. and remit to Mrs. Anderson, Room 119, County Office Building, before the hearing.

Yours wry truly,

Am A

JOHN G. ROSE ZONING COMMISSIONER

February 10, 1964

Hr. David Nachman, Pres., Stevenswood Improvement Ass'n., 3303 Kenjae Rosi, Baltimore, Maryland 21207

He: Petition for Reclassification of Property of Ermst V. Hartig -Case No. 6b-17-R

I did not receive your letter of February 6, 1964, until this morning. I also received a letter from Milton S. Goldbloom, Eq., on the same matter which I have answered.

Only the Zoning Commissioner, or the Deputy Zoning Commissioner, may reached a soning hearings. The fact that the employees are excused has no commetten with public hearings.

There certainly must have been a great deal of confusion whe ther or not the bearing was to be held as scheduled. I do not believe that anything can be done by you other than to appeal to the Source of Appeals since a final decision has been made by We Enrichetty.

However, I shall be glad to meet with the atterneys on both sides at our mutual convenience if it is your

Very truly yours

oc: Eugene G. Frake, Esq.,

Ralph E. Deits, Esq., Mr. Edward D. Hardesty, 212 Washington Avenue, Deputy Zoning Commission Torson u, Md.

Harry S. Suartawelder, Jr., Esq. \$709 Hammey Blog., Baltimore 2, Md. Milton S. Goldbloom, Esq., 1021 Mussey Building Baltimore 2, Md.

Zoning Countssioner

DEPUTY ZONING COMUSSIONER BALTIMOR COUNTY No. 6h-17-R

.........

The petitioners have requested their property be removed from an R-6 Zone to an R-4 Zone. This property lies on the South side of Old Court Reed and the East added of Carlson Lane and is adjacent to the Ealtimore County General Monday.

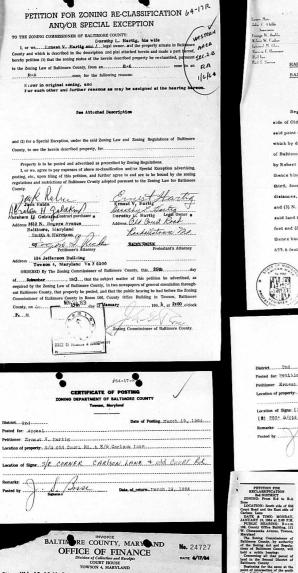
This hearing was held on Annary 13, 1966 at 2 pas, during the midst of a severe snow storm; however, counsel for both sides institute on pulse with the hearing and orally agreed to sobut the case on the Mess February 19, 2008 - other of the Genty Board of Appeals under the date of February 19, 2008, 2008, 1908 of the Good of the other of Appeals under the date of Rev. 2008, 1908 of the Good politic raised in their oral arguments at the time of the hearing.

The evidence promoted indicated commercial senting on liberty Road at the interson. Birectly used of this commercial senting is has notice. Birectly used of this this continue in the promote hospital known set he hitchere County General Rospital Road at an executly licensed by the State of Brytand to connect intend as at an executly licensed by the State of Brytand to connect intend as at the second like the second sec

It would seem to the Deputy forming Counterformer, the most proposition as an incisal noming of the subject tract would be led as requested, the operation of a general monotial cannot be thelp to generate contain incomparation of the subject tract and the contract of th

If IS GENERA by the Deputy Loning Commissioner of Baltimore County this Theorem and the State of Amenty, 1950, that the havein described property to the Baltimore and the Baltimore and Baltimore of Fablic Department and Tamino.

Mond O. Hay bu & Strong Deputy Zoning Consissioner



DEPOSIT TO ACCOUNT NO. 01.712 10TAL MOUNT Cost of Contifled D \$ 5.00 Ernest V. Hartig S/S Old Court Reed & E/S Carloon La 0-1760 5551 . 20727 IYP-5.00 6-1764 5531 + 24727 TYP-IMPORTANTI MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWS
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE

John C. Chille Associates Groupe W. Bookley Release W. Conhan Paul S. Santa

ATZ, CHILDS & ASSOCIATES, INC. Engares - Serveyors - Sar Planers DESCRIPTION

2129 N. Charles St. . Babtioner, Marshaul 21218

64-17R HARTIG PROPERTY, SECOND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND WESTERN

Helen

ARCA

Present Zoning: R-6 Proposed Zoning: R-A

SE C. 2-8 PA Beginning for the same at the point of intersection of the south 116/64 side of Old Court Road and the east side of Carlson Lane, 30 feet wide

said point of beginning being at the end of the second line of the land, which by deed dated June 20, 1946 and recorded among the Land Records of Baltimore County in Liber R. J.S. No. 1470, Folio 370 was conveyed by Robert W. Heacock and wife to Ernest V. Hartig and wife, running thence binding on lines in said Old Court Road and also binding on the third, fourth and fifth lines of said land the three following courses and distances, (1) N. 19* 15' W., 24.75 feet, (2) N. 74* 30' E., 315.5 feet and (3) N. 65° E., 15 feet, thence binding on the sixth and first lines of said land the two following courses and distances, (1) S. 23° E., 722 feet and (2) S. 73 * 30' W., 385.77 feet to said east side of Carlson Lane. thence binding thereon and on the second line of said land N. 19* 15' W., 699, 6 feet to the place of beginning

J. O. #63241

Date of Posting., Unc., 28, 1963.

CATONSVILLE MD

1963 , that is to say

December 30. 1963

By Paul J. Morgan Editor and Mar

11/12/63

Posted for Postition for Sealonaification from Ref. to ... B.A.

Location of property: \$/\$.014 Court Rd. 4.8/8.01 Sarlann Lone

Location of Signs. (1) 3/5 Old Court 8d. 1 F/S of Carl con Lane

No. I Newburg Avenue

(8) 200 S/Old Court Rd. E/S Carlson Land

2nd

Nading thereon and or and line of said land N ses 15' W., 699.6 feet b

BY ORDER OF JOHN G. ROSE

Petitioner: Ernest Hartig

CERTIFICATE OF POSTING

Towson, Maryland

Date of return Tempory 2, 1964

OFFICE O

THE BALTIMORE COUNTIAN

THIS IS TO CERTIFY, that the annexed advertisement of

John G. Rose, Zoning Commissioner of Beltimore County was inserted in THE BALTIMORE COUNTIAN, a group of

three weekly newspapers published in Baltimore County, Mary-

THE BALTIMORE COUNTIAN

the 30th day of December,

December 27, 1963.

the same was inserted in the issues of

ZONING DEPARTMENT OF BALTIMORE COUNTY



Re: Case Fo. 64-17-2 Reclassification, H-6 to X-

Menorable Edward Sardonty

please enter am Appent to the Board of Appends on behalf of the Protestante from the desiston rendered to this case on Japanery 30, 1964.

I am emplosing, herewith, my check to dower the seein of this filing.

Lang Swatwell y MARRY A. SHAPTZBELDER, JR.

gas . Brank

Pet Est

It!

Encleaure - check co: Engune Ricks, Require Jefferson Evilding Towson b, Earyland



on "R-A" Zone, \$/5 Cld Court Road and E/5
Derison Lume, 2nd District - No. 64-17-R
Imost V. Hartig, Petitioner

ed is a copy of the Opinion and Order passed by

Edith T. Flambout, Sacrator

planning raterys

1. The Western Planning Area Master Plan affirmed that restal Deserting
was needed in the Ind Histrict and carefully sought to identify
at a many partners owning was appropriate. In the area wichail
was proved to the provide the provide and the provide and the consential accordance with the Master Plan in areas adjacent to
the consentially-sensed complex at Gid Gourt and Liberty models,
was reclassified to spartners toning on the basis of error in
our limit sounds. The subject property does not shart any other land
does not function in any way as a transitional sensors between
commercial and residential user. The subject property does not
and and residential user. The subject property does not
and is being used for hospital purposes.

2. In order to have been granted, the Opecial Ecoption for the Commission: How (Loopital) had to be based on an diffrastive the Death of the Commission of the Commission of the Commission of the the health, safety, or personal sudface of the locality, in Itself, the heaptial serves as a further transition to conserval core at the Commission of the Commission of the Commission of the Commission of the The Fannise fatif Come not believe that delication levels for read, housing have existen as a result of the hospital development which could not be not tithin the concent of existing quarteent config-needs not be not tithin the concent of existing quarteent config.

The Planning staff does not believe that the subject property meets the criteria established by the Planning board for locating apartments in the Western Planning Area.

map. Oscar Preise & Gerald Vilit C3-85-R Western slanning area sup se Partal

Exilato

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

64-17R

Western

AREA

501.2-B

1/6/64

TO Mr. John G. Rose, Zoning Commissioner Date. January 2, 1964 FROM Mr. George E. Gavrelis, Deputy Director

SURJECT #64-17-R, R-6 to R-A. South side of Old Court Road and the East side of Carlson Lane. Being property of Ernest Hartig.

HEARING: Monday, January 13, 1964 (2:00 P.M.)

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

GEG: bms

#64 -7-K

CERTIFICATE OF POSTING ZONNIG DEFARTMENT OF BALTIMORE COUNTY Toman, Marriand

District£nd	Date of Posting Han 28, 1963
Posted for: Estition for Menis maification fr	on H-6. to R-A
Peditioner: Ernest Hertig. Location of preperty: S/S Old Court Rd. & E/S o	
Location of Signr. (1). 8/5.01d. Court. 84. 4. 7/9 (8) 200. 3/01d. Court. 84. 7/8 Carlson. Lon	4
Posted by Signature STURE	Date of return. Jonnery 2, 1264

ELEPHONE 823-3000	OPPICE OF FINANCE	21563
Let DEPOSIT TO		10762.4500
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	CONT
	Advertising and posting of your property	12.00
	/61-30-8	
	PAID - Entered County had - Other Street	
	1-2464 8009 • 21563• HP-	12.00
	1.540 51203- HL-	
	7.5400 - 51203- 111-	

BALT FORE COUNTY, MARCLAND Ma. 21545 TELEPHONE OFFICE OF FINANCE COURT HOUSE

MARYLAND BILLIO Realing Department ECTION AND RETURN WITH YOUR REMITTANCE 12.00 PAID-telemon Coordy, Lin. - Cilicrat France 1-2164 6871 . 21545. HP-PORTANTI MAKIL CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND OF THE PROPERTY OF THE STATE OF RS: PRITTED FOR SPECIAL ACCEPTED FOR CONVALNACION NOME and VARIABLE TO Section 107.1 of Zoning Regu-lations - S. S. Sinc Chi Court Rot 850; A. Liberty Ross; 2nd Edurict - Liberty Court Behillitation Center, Inc., Positions

WESTER ! PACA SE1.2. B 32..... CONTY BOARD & APPRILE Bateriere corre

#5104 XVA

No. 5104-17

OPINION

This is a petition of Liberty Court Pehabilitation Center for a special exception for a Convalencent None and a viriance to the Zoning Regulations on properly located on the acubicant side of Chd Court Read BSO feet southeast of Liberty Read, in the Scoond District of Baltimore Courts.

the property, was that the hospital would be primarily established repaired by the property as that the hospital would be primarily established repaired by the primary and th

Under direct questioning Dr. Kaling testifies that this hospital would not prinarily treat corunicable diseases, incame, Seeble-admode, epileptics, drag saides or alcoholic patients, and would not in any way be a peral or correctional insulvation.

opinion of the Board has such a heapting califies as a foliase at heapting opinion of the Board has such a heapting califies as a foliase at heapting under the Baltimore County of the Baltimore County on North No. appended by the County Cornisioners of Baltimore Doubly on North No. appended by the County heapting as a consistency of the County on North No. appendix on North No. and the Baltimore County of North North

in Section 1071, but regard to the request for the variance as covered condition (no part of any philing palls be less than 100 feet from any Mounting lot or street line) amenies to allow for a 50 feet outback instead of the required 100 feet.

Testinon was resemted that the property dress sharply the Go Gours had not by alleving the variance the unitary flow would be by gratifu. It was not represent some not greater the sunitary flow would have to be present over not greater the sunitary flow on the present would not be good to the present would not be good to the general would not be good to the goo

PETITION FOR RECLASSIFICATION IND DISTRICT 2ND DISTRICT
ZONING: From R-4 for R-4 Zone
LOCATION: Seeth side of Old Court Read
and the East side of Carloon Lane
DATE & TIME: Monday, Jennary 12, 1944
at 2ree F. M.
PURILCY BLARING: Recom 104, County
Office Bubbles, 111 W. Chesapenke Aveuser, Towns, Mary Isod.

and Regulations of Baltimore County, will hold a public hearing concerning all the parcel of land in the Second Dilatrict of Baltimore County;

erres and distances: (1) S. 21° E.
et and (2) S. 21° 20° W. AS.77 feel
east side of Carlson Lane, thence
thereon and on the second Ene
land N. 19° 10° W. 699.6 feet to

€ 64-17-R

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., omoecinomach day of ______January______, 196l__, the first publication appearing on the 27th day of December 1963

THE JEFFERSONIAN. Land Stutter

Cost of Advertisement, \$____

Certainly the granting of this variance would be in strict harmony with the intent of the Zoning Regulations of Baltimore County. For the reasons stated above the variance is hereby

CRDER

this A day of March, 1961, by the County Board of Appeals, OREGED that the aforesaid special exception and variance to hereby granted.

Rale No. 1101 of the Rules of Fractice and Fracedure of the Court of Appeals
of 'aryland.

County Board of Appeals of Baltimore County Water 1) Kandyou

ORIG DIAL OFFICE OF GOUNTIAN 64-17-

THE HERALD - ARGUS

(0)

PETITION FOR
RECLASSIFICATION
Sed DISTRICT
ZONING: From R-6 to R-A

LOCATION: South side of Old ourt Road and the East side of

Court Road and the East employed Carleon Lane
DATE & TIME: MONDAY,
JANUARY 13, 1984 at 2:00 P.M.
PUBLIC HEARING: Room
108, County Office Building, 111
W. Chesspanke Avenue, Townon,

Maryland
The Zoning Commissioner of
Ballimore County, by authority
of the Zoning Act and Regulations of Ballimore County, will
hold a wublic hearing:
Concerning all that parcel of
land in the Second District of
Ballimore County

December 30, 1963

CATONSVILLE, MD.

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

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for One Teak the 30th day of December, the same was inserted in the issues of December 27, 1963.

THE BALTIMORE COUNTIAN

By Paul J. Morgan Editor and Manager

Committee of their papers of the Emission Country of t

BALTIMORE COUNTY, MARYIND TELEPHONE OFFICE OF FINANCE court House TOWSON 4. MARYLAND

No. 20272 DATE 31/26/63

Zening Depart

DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE on for Resissuification for Errost V. Hartis PAR - Entirene Courty, Mr. - Chicast & 11-2763 7169 · · · IIL-000

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND BE: PETITION FOR MICLASSIFICATION mid New on "No. 2 Zem - Person No. 2 Person No. 1 = 5/5 Old Court Read, 680* S/W of Liberty Read, Famed No. 2 = N/5 Old Court Read Famed No. 2 = N/5 Old Court Read

COUNTY BOARD OF APPEALS BALTIMORE COUNTY

MECH

. OPINION

Alsh we shall refer to as Percel No. 1 and Percel No. 2,

strin of "2-6". It has a frantage of 236 foot on Old Court Road, a of and a rear width of 223 feet. It is 9.3 cores in area. A large along Liberty food is configurat on the northeast side. A forests market

No. 1. Mr. George E. Gerrolls, Deputy Director of Planning, testified d. It is the opinion of the members of the Searci of Appeals that this exists the part of the Deputy Director of Planning, Indicates insufficient considers ion of the subject treat of the time the map was excepted and funds to sup of the potitioner that there was an over in original saming

of Southgroon Road. This property is presently moved "R-6" and is directly from Liberty Manor, a development of approximately 250 homes.

nts objected to the reclassification of Parcel No. 2 on the would increase traffic on Cld Court Read at this point. They stated of there was a curve in the highway where the subject property fronts with a cultum short eight distance along Old Court Bood.

oner was unable to present any testimeny to as or to show any zoning changes in the neighborhood.

ent error in original zoning on Parael No. I so as to justify realization Han but that regarding Pares! No. 2, there have been no changes which of a realizatification and there was no proof of error in original zoning.

ORDER

For the remains set forth in the aforegoing Opinion, It is this 19th very, 1963, by the County Board of Appeals ordered that the realization for for Percel No. 1, be and the same is hereby granted and the ion potitioned for for Parcel No. 2, be and the same is harsby dealed.

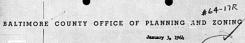
Any appeal from this decision must be in assertance with Chapter 1100, subtitle 8 of Maryland Rules of Precodure, 1961 adition.

COUNTY BOARD OF APPEALS

G. Mitchell Austin

Charles Steinbock, Jr.

Nate: Nr. Kaufman did not all at this hearing.



Eugene G. Ricks, Esq. Jefferson Building Towson h.Md.

Dear Str

WESTERM AREA SEC. 2-B 2 A

116/64

The enclosed memorandum is sent to you in Compliance with Section 23-22 of the 1961 Supplement of the Baltimore County Code.

Any questions of correspondence in regard to the enclosed subject matter must be directed to the Director of Planning and Zoning (or his Deputy) and NOT to the Zoning Commissioner.

If you desire to have a member of the Planning Staff testify, it will be necessary for you to summons him through the Sheriff's Office.

Yours very truly.

ING COMMISSIONER

ICP-bar

PETITION FOR RECK SSIFICATION

64-17 R

Eugene G. Ricks, Esq. 10h Jefferson Building Townen h. Me.

LOCATION

rming all that parcel of land in the Second District of Baltimore Cor

ZONTING COMMISSIONER OF

ber 19, 1963

NOTICE OF HEARING

2:00 P.M.

Honday, January 13, 1964 PLACE ROOM 106 COUNTY OFFICE BUILDING, 111 W. Chesapeake Avenue,

Towson, Maryland

Res Petition for Reclassification for Ernest V. Hartig

64-17R

WESTERH

ARCA

SEC. 2-B

RA 1/6/64

CHECKLISTOR INFORMATION TO BE SHOWN ON BUT PLANS

This checklist shall serve as a guide in preparing plot plans for building permits and all types of Zoning Petitions so that an application may be processed in the most efficient nanner, all items listed below which are applicable to your application must be indicated. Seven (7) copies of the plot plan must accompany a Zoning Petition. Six (6) copies of the yilds plan must accompany a point plant of the plant p

North arrow, indicating the direction of north

B. Scale of drawling: 1"-10'; 1"-50'; if acreage of property exceeds to acres, scale of drawling should be 1"-100'

C. Election District

D. Dimensions of property (including bearings and distances)

E. Relation of tract in question to additional property owned

F. Area of property in question (acres of square feet)

G. Name (a) of adjoining street (a)

H. Location of existing building (a) on this tract

I. Distance from present property line to centerline of street (s)

J. Distance from edge of paving or curb to center line of street (s)

K. Distance from property to nearest intersection of a State of County Road

L. Location of streams or drainage courses within or within 50 feet of property

M. Existing uses and zoning of adjacent properties N. Distance from centerline of street to all buildings located within 100 feet of each of your side property lines. (to establish settack line) X

O. Location and size of proposed building (s)

P. Distance from proposed building to centerline of street (2)

Q. Distance from sides of proposed building to property lines

R. Location and width of proposed entrance (s) to property

S. Indication of proposed slopes (not to exceed 2:1) and type of stabilization

to prevent erosion.

Off-street parking requirements

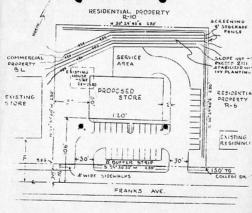
1. Required number of spaces indicated (spaces size 9' x 18") and date used for determination, such as no. of employees, total floor area or no. of

Indication of eitht (8) foot buffer strip between parking spaces and street property line to be established

Indication of screening (size and type) for parking and service areas adjoining or across a street from residential zoning

4. Indication of lighting standards, including direction of lighting and approximate heights of light standards.

(SEE SAMPLE PLOT ON THE REVERSE SIDE)



PROPERTY ZONE BE PROPERTY 12: AC SCALE ".50"

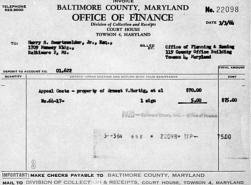
-

-

V

+ LIGHT STANDARDS AND DIRECTION OF LIGHT PASSING DATA

MICROFILMED



PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

_day of Dk, 1963

