W. BRYCE SMITH and ALICE L. SMITH, his wife 115 Sudbrook Lane Pikeuville Maryland 21208 IN THE CIRCUIT COURT

FOR

BALTIMORE COUNTY Misc. Docket 8, folio 57 Case No. 3460

WILLIAM S. BALDWIN, W. GILES PARKER and R. BRUCE ALDERMAN, being and constituting the County Board of Appeals of Baltim

.... ORDER OF COURT

For the reasons set forth by the Court in its aral opinion delivered in open Court on this 9th day of June, 1966, it is ORDERED that the decision and Order of the County Board of Appeals of Baltimore County be and the same is hereby reversed, and it is further ORDERED that the property described in the description filed in these proceedings, prepared by Matz, Childs & Associates dated June 12, 1964, be and the same is hereby reclassified from "R-6" to "R-A" and a special exception for offices be and the same is hereby granted, subject to the conditions that fifteen feet of the existing hedge at the west edge of the said property be removed and the entrance on Sudbrook Lane be located as shown on plat of Dr. W. Worthington Ewell which was filed in these proceedings as an exhibit of the Board of Appeals, and to approval of the plot plan by the Bureau of Public Services and the Office of Planning and Zoning.

> /s/ John Grason Turnbull, Judge

in W. Campbell

JN 44-157RX PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we...W...Bryce. Smith and, legal water a of the property situale in Baltimore may be made and which is described in the description and pilat attached beauty and which is described in the description and pilat attached beauty and which is described in the description and pilat attached beauty and which is described in the description and pilat attached beauty and which is described in the description and pilat attached beauty and which is described in the description and pilat attached beauty and the description and pilat attached beauty attached beauty and the description and pilat attached beauty attached beauty attached beauty attached beauty and the description and pilat attached beauty a County and which is described in the description and plat attached hereto and made a part bereof, ified, pyrsuant SEC.24 hereby petition (1) that the zoning status of the herein described property be re-classi to the Zoning Law of Baltimore County, from an ... R-6. R-A ___zone; for the following reasons 5/15/64

(1) Error in the adoption of the Third District Map.

(2) Changes in the character of the general neighborhood.

(3) And for other and further reasons as may be shown at the hearing hereon.

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 offices

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

1

W. Bryce Smith Alice L. Smith Legal Owners Address 115 Sudbrook Lane Pikesville 8, Maryland

Muchael Kond In Michael Paul Smith Address ... 104 Jefferson Building

Jaugh Susan Jim Chy,

ORDERED By The Zoning Commissioner of Baltimore County, this 7th, 196.Ja., that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning

of Baltimore County in Room 106, County Office Building in Towson, Baltimo County, on the APR 7-64 3rd day of June 7---, 196_L., at_10:000'clock

4.25 Fre

RE: PETITION FOR RECLASSIFICATION from an R-6 zone to an R-A zone, and SPECIAL EXCEPTION for Offices

3rd Distric

REFORE COUNTY BOARD OF APPEALS

SE/S Sudbrook Lane 8471 West of OF BALTIMORE COUNTY

No. 64-157-RX

OPINION

The petitioner here seeks a reclassification from an R-6 zone to an R-A zon of a tract of ground of 1.7 acres situated on the south side of Sudbrook Lane 847 feet west of the Reisterstown Road in the Third District of Baltimore County. He also requests a special exception to permit the construction of an office building on the property. If the rezoning and special exception are granted the petitioner proposes to erect a two-story office building with 10,000 square feet of space per floor, and off-street parking for sixty-seven (67)

The zoning around the subject tract is as follows: On the north side of Sudbrook Lone, opposite the subject property, is a large tract of R-A which is the property of the St. Charles Church, School, and Convent. All of the property to the west and south of the subject tract is zoned R-6. The land east of the subject tract, between the subject tract and Reisterstown Road, is zoned R-6 to the rear of the Business-Local zoning approximately 150 feet in depth on the west side of Reisterstown Road.

The petitioner testified that there is a great need for professional office buildings with adequate off-street parking in the Pikesville area and cited this need as one of the main reasons for his request. The need for additional offices is virtually undisputed; the only real question is whether or not this location is a proper one for reclassification for use as an office building. The need for office space was substantiated by Mr. William D. Wells, who is President of a company which is currently constructing an office building at 7 Church Lane, and his testimony indicated that the reception to his proposed building is excellent. Bernard Willemain, a noted expert in the field of land planning, testified that he felt the map adopted by the County Commissioners in 1957 was in error in that the Commissioners should have zoned the south side of Sudbrook Lane R-A, the same as the north side, and that he felt that Sudbrook Lane is an erroneous line of division between the R-A to the north and the R-6 to the south.
There has been very little, if any, change in the character of the neighborhood since the adoption of the map. M. Willemain cited only two cases in his testimony; the special exception granted for the construction of the office building at 7 Church Lane, and a special exception granted for the construction of a Post Office building in the area. There have been virtually no zoning reclassifications within a half-mile of the subject tract since 1957.

and also binding on the first and second lines of aid deed, the two following courses and distances is 6.5° 35° M 355.75 fost and (2) southeasterly, by ferror to the last with a specific state of the second secon for a special exception for offices. The amended plan submitted on plan in 1,3 106; prepared by Mats, dhise & Associates, me the requirements of Section 502.1 of the Saltiner County Coning Engulations and 15, therefore, granted.

The granting of the reclassification and special exception is subject to approval of the plot plan by the Bureau of Public Services and the office of Planning and Zoning.

and the office of Flanning and Zenning.

Gentlandour of Baltianer Odemsy, Odeskip that the property described in description prepared by Mels, Odeskip that the property described in description prepared by Mels, Odeskip that the property described in Diol, should be not the same is browly real-small first may be as 15 Mels as Associated Termina Section 15 Mels and the major to the Associated Company of the Mels and Mels

9H Fr Zoning Comissioner of

W. Bryce Smith - #64-157-RX

The protestants object generally to any reclassification and to office construction in the neighborhood stating that there have been no changes in the neighborhood since the adoption of the map with the exception of the expansion of the facilities on the property of the St. Charles School and Convent. This, to the Board, does not appear to be a sufficient change to warrant the rezoning here.

-2-

Since there have been virtually no changes in the character of the neighbor hood which, in the Board's mind, would justify the reclassification the petitioner must rely on showing error in the map with regard to his property. With regard to error, the Board feels that Mr. Willemain's testimony would have a great deal more weight if the subject petition encompassed all the property on the south side of Sudbrook Lane opposite the R-A property on the north side; that is, from the rear of the commercial on the west side of Reisterstown Road to the western boundary of the petitioner's property which is approximately opposite Glenbeck Road, the western boundary of the R-A zone across Sudbrook Lane. However, at this time to leap over the seven intervening properties and reclassify this 1.7 acre tract in the center of an existing R-6 development would, at best, be premature. It is obvious to the Board that the neighborhood has retained the same general character that it had in 1957 at the time of the adoption of the map by the County Com-Had the Commissioner seen fit in 1957 to zone the south side of Sudbrook Lane like the north side we would be unable to find any fault with their action. However, apparently they felt that Sudbrook Lane was a logical dividing line and we cannot find sufficient evidence to overcome the presumption of the correctness of their action.

There was some dispute in the testimony regarding traffic and sight distance However, since the Board feels the reclassification should be denied, there appears to be as season to comment on this subject.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this of January, 1966 by the County Board of Appeals, ORDERED that the reclassification and special exception 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.

RES PETITION FOR REGIASSIFICATION from "R-6" Zone to "R-A" Zone S. E. Side Sudbrook Lane 647' SERVER Reisterstown Read, 3rd Dist., Bryce Smith and Alice L. ZONING COMMISSIONER Mith, Petitioners-Special Exception for Offices OF BALTTHORE COINTY No. 64-157-RX

The netitioner has requested that certain property be reserve from No-6 Zone No-18 Zone. The rejustation that cortain property to reach the second to the the second that the rejustation consequence of the normal nature of the second that the vas propared by Mars, Othida & Associates, dated June 12, 1964, and was considered at a final bearing of June 19, 1964. This description described the land to be considered for reclassification from "Se-6" Zone to "June 2 Zone."

in edition thereto a new plat prepared by Nota, Childs 4 Associates, dated them 13, 1500, was substituted and considered endure 19, 1500, to consider whether er not a special exception overing property described in the new description should or should not be granted.

The first 100 feet on the north side of Sudbrock Lane or coeding westerly free Reistorstown Read is good "B-L", the remainder is zoned "R-A" to Glenback Read. This leaves the residential property on the south side of Sudbrock Lane in an unfavorable position as far on the nouth rule of Soubreck Lane in an unfavorable post tien as far use is concerned. Busically be may in in every, and the proper as use in the concerned. Busically the may in in every, and the proper basic of Suchreck Lane. Recewer, the Zozing Conclusioner can enly consider that its before his and it would seen logical to gove the soldiest property "Ne's thin the concentracy of a charge in the next property which will be concentrated to "Ne's". Property before the soldiest property with Subsections Conf. to "Ne's". Property before the soldiest property with Subsections Conf. to "Ne's".

For the above reasons the property described in the following description prepared by Matz, Childs & Associates, dated June 12, 1964 should be granted:

EGUNING for the same at a point on the southwart side of Sudbrook Lans, 60 feet vide, at the distance of St. feet, southwasterly the new forms of the state of th

RE: PETITION FOR RECLASSIFICATION from "R-6" Zone to "R-A" Zone-s. E. Side Sudbrook Lane 847' W. Reisterstown Road, 3-rc Dist. W. Bryce Smith and Alice L. Smith, Petitioners -Special Exception for Offices

W. Bryce Smith - #64-157-RX

COUNTY BOARD OF APPEALS

William S. Boldwin, Chair

REFORE ZONING COMMISSIONER

BALTIMORE COUNTY

APPPAT

Mr. Clerk.

Please enter an Appeal from the Order of the Zoning Commissioner entered in this case on June 19, 1964, on behalf of Raymond English, John A. Collom, and Irwin S. Eigenbrun, the Protestants herein.

> nsey Building Baltimore, Maryland 21202



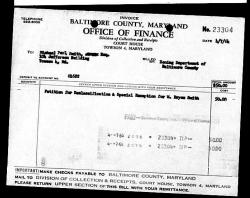
MATZ, CHILDS'& ASSOCIATES, IXC. Engineers - Surveyors - Size Planners 2129 N. Charles St. - Baltimore, Marriand 21218

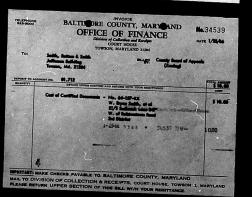
HOphine 7-5700 DESCRIPTION TileCo. 64-157

PART OF SMITH PROPERTY, SOUTH SUDBROOK LANE, NORTHWEST WALDRON AVENUE, WEST REISTERSTOWN ROAD, THIRD ELECTION DISTRICT, BALTIMORE CO., MD.

Present Zoning: "R-6"
Proposed Zoning: "R-A with Special Exception"

Beginning for the same at a point on the southeast side of Sudbrook Lane, 60 feet wide, at the distance of 847 feet, southwesterly as measured along said southeast side of Sudbrook Lane from its intersection with the southwest side of Reisterstown Road, said point of beginning being the beginning of the land, which by deed dated April 18, 1957 and recorded among the Land Records of Baltimore County in Liber G. L. B. No. 3142, Folio 156 was conveyed by Laura A. Mohan, widow, to W. Bryce Smith and wife, running thence binding on the southeast side of Sudbrook Lane and also binding on the first and second lines of said deed, the two following courses and distances: (1) S. 61* 38' W., 295.75 feet and (2) southwesterly, by a curve to the left with a radius of 300.00 feet the distance of 113.25 feet, thence leaving said southeast side of Sudbrook Lane and binding on the third, fourth and fifth, lines of said deed the four following courses and distances: (1)
5. 56* 03' E., 142.67 (set, (2) S. 63* 45' E., 02.50 (set, and (3))
N. 61* 35' E., 291 (set, more or less and (4) N. 28* 10' W., 215 (set) 6/12/64 RWB:sbr J. O. #64041 to the place of beginning.







BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING

TOWSON 4. MARYLAND

The Zoning Advisory Committee has reviewed the subject potition and makes the following comments:

Office of Planning & Zoning: The perking plan is not satisfactory and should be revised to provide a sourt type parking area off the connector road between Waldrox Avenue and Sudbrook Lane.

Traffic Departments All access to this property will be subject to approval of this

Health Departments All utilities must be tied into public utilities.

oo: Albert Quirby-Office of Planning & Zoning Oilbert Helson-Traffic Thomas Devlin-Health Department

Yours very truly,

James C. Quer James E. Dyer Chief of Permit and Petition Processing

BATIMORE COUNTY, MARYLAND OFFICE OF FINANCE TELEPHONE 823-3000 No. 23294 DATE 7/15/64 SILLED Office of Plenning & Zoning 119 County Office Eldges Toron b. His COST £ 70.00 No 61-157-07 \$75.00 7-1764 6133 . 23294 HP-75.00 IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TO DIVISION OF COLLECTION & RECEIPTS COURT HOUSE TOWSON A MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

To: Hishael Jacture Larger L	BALT ORE COUNTY, MAR AND OFFICE OF FINANCE Ditains of Statistics and Straight COUNT HOUSE TOWSON 4. MANYLAND BALMER	No. 23007
DEPOSIT TO ACCOUNT IN	Older	1874.88° unit
- law	Mering and posting of property for 8. Bryon Saith #G-157 [AN] - Lange Court, Co. Co.	73.00 -
	\$-388 3012 : 23897 HB=	
3	CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAI	- Constant

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

FROM Capt. Paul H. Reincke Fire Stream
SURJECT. W. Reyce South
SUS Southrook Lane Styl' W. Reisterstown Road
District 3 - 5/1/64

Mr. James A. Dyer, Chairman Zoning Advisory Committee

MAP SEC. 2-C RA 5/15/64

#64-157PX

A fire hydrant shall be located within 300 feet of the proposed building. This installation will conform to the Ealtimore County Standard Design Manual, 1954 edition.

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY

Posted for O. RED/ASSIFICATION FROM R. L. TO RA OSpec Ly, OFFICES

Location of property 25/2 SUBBROOK LANE 547' W. OF REISLERTOWN RA

Location of Signa SELS SUBBROOK LANE AT INTERSECTION OF W.B. SMITH DRIVEWAY (LEACH) ALS WALDRON AVE OPPOSITE IN IN ALDRON AVE

4 516NS

Date of Posting MAY 16 1964

Date of return May 21, 1964

Contact Capt. Paul H. Reincke at Valley 5-7310 for information.

Petitioner: W. BRYCE SMITH

OS Bosse

Starpine. Townsteam of the Starpine Sta

ORIGINAL

THIS IS TO CERTIFY, that the annexed advertisement of

was inserted in THE BALTIMORE COUNTIAN, a group of

three weekly newspapers published in Beltimore County, Maryland, once a week for One Week acceptation was before the 18th 'day of 1964 . that is to say the same was inserted in the issues of

By Paul J Moyay

THE BALTIMORE COUNTIAN

BALTIMORE COUNTY, MARYLAN

INTER-OFFICE CORRESPONDENCE

SURJECT. 561-157-KR. R. 6. to Ret. Special Ecoption for Offices. Southwart side of Sedbrook Lane, Sky feet West of Reinterstorn Road. Being property of W. Bryce and Alice L. Smith.

Sontinued Hearing - June 19, 1964 (1:00 P.M.) The staff of the Office of Planning and June 29, 200 (LND PAL).

The staff of the Office of Planning and Junius has revised the retried to the part of the part of

TO Mr. John C. Rens, Voning Countssioner Date. June 19, 196h

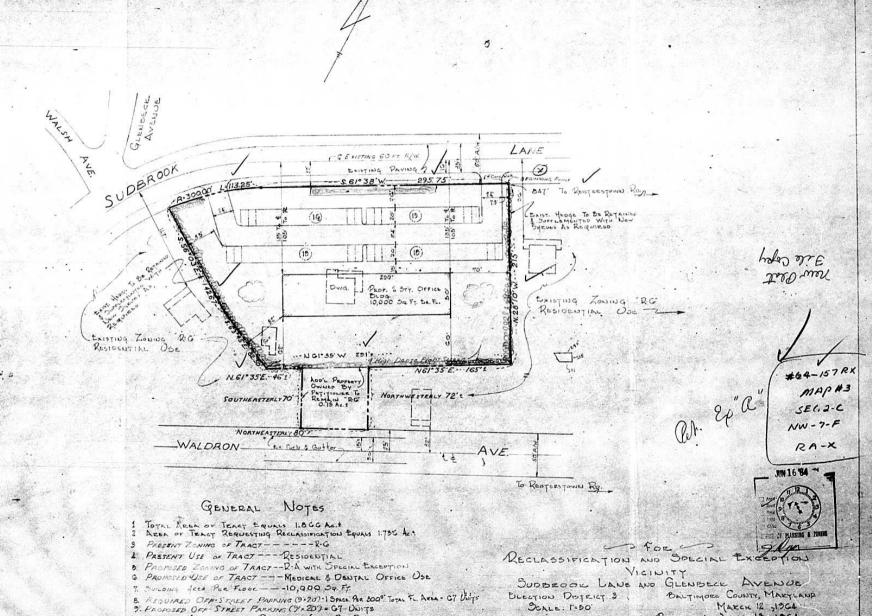
FROMMr. George E. Cavrelis, Director

CATONSVILLE, MD.

May 18, 19 64.

John 9. Rose, Zoning Commissioner of Baltimore County

May 15, 1964. THE BALTIMORE COUNTIAN



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10 Existing STRUCTURES ON PROPERTY SHALL BE REMOVED.

SCALE: 1:50

MARCH 12 31964

REVISED: JUNE 13, 1964