

RE: PETITION FOR RECLASSIFICATION
from an R-6 Zone to an R-A Zone,
SW/3 Liberty Road 377' from the
intersection with the SE/5 of
Abbie Place
2nd District
Michael Seth, Julius Houff, et al
Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 64-182-R

OPINION

The above captioned case comes before the Board on appeal from a decision of the Deputy Zoning Commissioner denying the requested rezoning from an R-6 Zone to an R-A Zone.

The hearing before the Board began on May 4, 1965 and on that date the Board heard two witnesses: Mr. Houff, one of the property owners, and a Dr. Charles M. Miller who testified in favor of the requested rezoning. The case, on motion of counsel, was then continued to August 10, 1965. On the latter date the protestants produced testimony that there was not sufficient change in the character of the neighborhood nor did the County Council make an error in zoning the property R-6.

The Board finds, from the testimony before it in this case, that there was no error made by the County Council in the adoption of R-6 zoning here nor was there sufficient evidence of change in the character of the neighborhood to justify reclassification. Therefore, the Order of the Deputy Zoning Commissioner is affirmed and the reclassification is denied.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 10th day of August, 1965 by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby denied.

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

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Giles Parker

R. Bruce Alderman

THE LOYOLA BUILDING
TOWNSHIP, MD. 21204

W. LEE HARRISON

July 23, 1964

John G. Rose, Esq.
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: #64-182-R, R-6 to R-A, Southwest side of Liberty Road - 377 feet
Southeast of Abbie Place, Julius Houff, et al

Dear Mr. Rose:

Please note an appeal to the County Board of Appeals from the Order of the Deputy Zoning Commissioner dated July 9, 1964 in connection with the above captioned matter.

I have enclosed herewith my check in the amount of \$80.00 to cover the costs of the Appeal.

Sincerely yours,

W. Lee Harrison

W. Lee Harrison

b
Enc.



Leslie M. Hall
John C. Calk
Associates
George W. Buckley
Robert W. Calkins
Leonard M. Calkins
James F. Harrison
Paul Lee
Paul S. Stanton

MATZ, CHILDS & ASSOCIATES, INC.

Engineers - Surveyors - Site Planners

2129 N. Charles St., Baltimore, Maryland 21208

DESCRIPTION

PARCEL "B", PARCEL ON SOUTHWEST SIDE OF LIBERTY
ROAD, SOUTHEAST OF ABBIE PLACE, SECOND ELECTION
DISTRICT, BALTIMORE COUNTY, MARYLAND

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

Beginning for the same at a point on the southwest side of Liberty Road, as laid out sixty-six feet wide, at the distance of 377 feet, more or less, as measured southeasterly along said southwest side of Liberty Road from its intersection with the southeast side of Abbie Place, as laid out fifty feet wide, said point of beginning being the beginning of the land, which by deed dated April 13, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3829, Folio 511 was conveyed by Robert H. Fulks and wife to Equitable Trust Company, and running thence, binding on the first line of said land and on the southwest side of said Liberty Road, N. 55° 20' W., 120.0 feet, thence leaving said Liberty Road and binding on the second line of said land S. 34° 28' W., 143.1 feet, thence still binding on the outlines of said land S. 55° 20' E., 75.0 feet, and N. 52° 07' E., 150.0 feet to the place of beginning.



HGW:abr J. O. #63165 11/4/63

RE: PETITION FOR RECLASSIFICATION
SW/3 Liberty Road, 377' SE
of Abbie Place - 2nd District
Julius Houff et al - Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 64-182-R

Upon hearing on the above petition for reclassification from an R-6 zone to an R-A zone, the land lying on the Southwest side of Liberty Road, 377 feet Southeast of Abbie Place, in the Second Election District of Baltimore County, the testimony produced at the hearing did not indicate that the Official Zoning Map of Baltimore County was in error when adopted by the County Council.

For the reason stated above the reclassification should NOT BE MADE.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 9th day of July, 1964, that the above reclassification be and the same is hereby DENIED and that the above property or area be and the same is hereby continued as to remain an R-6 Zone.

Deputy Zoning Commissioner

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Michael Seth, his wife, legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an R-A zone, for the following reasons:

- An apartment house would be to the best use and the best economic use of the land.
- Error in original zoning map.
- An apartment construction would provide the county with an additional tax basis.
- That an RA use is more reasonable and practical than the R6 zoning now existing.

See Attached Consent

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 reclassification 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 County.

By Michael Seth
Harry Adelman, Attorney
1235 Maryland Nat'l Bank Bldg.
City 21202 Contract purchaser

Address 1235 Maryland Nat'l Bank Bldg.
Baltimore, Maryland 21202

Harry Adelman, Attorney
1235 Maryland Nat'l Bank Bldg.
Baltimore, Maryland 21202

ORDERED BY THE Zoning Commissioner of Baltimore County, this 6th day of May, 1964, 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 Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the 9th day of May, 1964, at 10:00 o'clock A.M.



Zoning Commissioner of Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Dorothy Houff, his wife, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an R-A zone, for the following reasons:

- An apartment house would be to the best use and the best economic use of the land.
- Error in original zoning map.
- An apartment construction would provide the county with an additional tax basis.
- That an RA use is more reasonable and practical than the R6 zoning now existing.

See Attached Consent

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

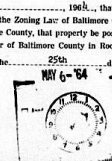
I, or we, agree to pay expenses of above reclassification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

By Julius Houff
Harry Adelman, Attorney
1235 Maryland Nat'l Bank Bldg.
City 21202 Contract purchaser

Address 1235 Maryland Nat'l Bank Bldg.
Baltimore, Maryland 21202

Harry Adelman, Attorney
1235 Maryland Nat'l Bank Bldg.
Baltimore, Maryland 21202

ORDERED BY THE Zoning Commissioner of Baltimore County, this 6th day of May, 1964, 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 Commissioner of Baltimore County in Room 104, County Office Building in Towson, Baltimore County, on the 9th day of May, 1964, at 10:00 o'clock A.M.



Zoning Commissioner of Baltimore County

RE: PETITION FOR RECLASSIFICATION
SW/3 Liberty Road, 377' SE
of Abbie Place - 2nd District
Julius Houff et al - Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 64-182-R

Upon hearing on the above petition for reclassification from an R-6 zone to an R-A zone, the land lying on the Southwest side of Liberty Road, 377 feet Southeast of Abbie Place, in the Second Election District of Baltimore County, the testimony produced at the hearing did not indicate that the Official Zoning Map of Baltimore County was in error when adopted by the County Council.

For the reason stated above the reclassification should NOT BE MADE.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 9th day of July, 1964, that the above reclassification be and the same is hereby DENIED and that the above property or area be and the same is hereby continued as to remain an R-6 Zone.

Deputy Zoning Commissioner

FOUR STAR
ONION SKIN
ANTISTATIC COPY
40% COTTON FIBER

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John D. Ross, Zoning Commissioner Date: June 12, 1964

FROM: Mr. George M. Gervais, Director

SUBJECT: Sub-B to Sub-C, Southeast side of Liberty Road
377 feet Southeast of Abbie Place. Being property of Julius Hoff.

2nd District

REMARKS: Thursday, June 25, 1964 (11:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from Sub-B to Sub-C zoning and has the following advisory comment to make with respect to pertinent planning factors:

1. The subject property in effect was "surrounded" on the north and the south by single family residential developments leaving a long, thin area between the lots on Abbie Place and Lynne Haven Road. As was noted by the planning staff in an earlier dealing with Special Reception for a nursing home here, the tract cannot be developed in its entirety for Sub-C purposes because of its limited width. The planning staff did feel that a nursing home would make sense here. The planning staff did feel that the frontage on Sub-C Road, could and should be utilized within the context of Sub-C residential uses. The planning staff does feel that creation of apartment zoning here would not be in accordance with the comprehensive plan.

GDB:ms

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 23368

DATE 5/4/64

Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLANDTO: Messrs. Adolph, Adolph & Paden
1215 Maryland National Bank Building
Baltimore, Md. 21202 BILL TO: Zoning Department of
Baltimore County

DEPOSIT TO ACCOUNT NO.	QUANTITY	DETAILED UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
64-02		Petition for Reclassification for Julius Hoff, et al	50.00
PAID - Baltimore County, Md. - Office of Finance			
5-000 3368 • 23368 TIF=			50.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 25218

DATE 5/7/64

Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLANDTO: Mr. Lewis Harrison, Rep.
Loyola Building
Towson 4, Md. BILL TO: Zoning Department of
Baltimore County

DEPOSIT TO ACCOUNT NO.	QUANTITY	DETAILED UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
64-02		Appeal from Julius Hoff, et al	50.00
PAID - Baltimore County, Md. - Office of Finance			
5-000 25218 • 25218 TIF=			50.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

May 26, 1964

#64-182R

Harry Adolph, Rep. BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

1215 Maryland National Bank Building

Baltimore, Md. 21202

Dear Sirs:

COUNTY OFFICE BUILDING

TOWSON 4, MARYLAND

WESTERN

AREA

SE-C-B

RA

6/1/64

Petition for Reclassification
SUBJECT: From Sub-B to Sub-C for
Julius Hoff, located
W/S Liberty Rd. S of
Abbie Place

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

OFFICE OF PLANNING & ZONING. This office will review the subject property and submit written comments, with respect to the following:

1. The status and effect of the existing service road which terminates at the south property line, with regard to the proposed development plans.
2. Degrees and agree to the site and other entrances or roads in the immediate area on both sides of Liberty Road.
3. The design of the parking arrangement along the private road.

DEPARTMENT OF ENGINEERING. The petitioner's engineer should indicate existing sewer lines and the means of covering this property.

TRAFFIC AND STATE ROAD COMMISSION. Will reserve comment until after the Office of Planning and Zoning has clarified the status of the service drive and entrances.

FIELD DEPARTMENT. This office will review and submit written comment at a later date.

No comments from the following Departments: Health, R & R Commission, Industrial Development, Buildings Department and Board of Education

Yours very truly,

cc: Albert Outsky-Office of Planning & Zoning
George Baker-Bureau of Engineering
Gilbert Holman-Traffic
John Dwyer-State Roads Commission

James C. Dwyer
James B. Dwyer
Chief of Permit and Petition
Processing

3b

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 23050

DATE 4/2/64

Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

TO: Messrs. Adolph, Adolph & Paden
1215 Maryland National Bank Building
Baltimore, Md. 21202 BILL TO: Zoning Department of
Baltimore County

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTIMORE COUNTY, MARYLAND

#64-182R

INTER-OFFICE CORRESPONDENCE

TO: James Dyer

Date: May 26, 1964

FROM: Albert V. Dwyer

SUBJECT: Julius Hoff, Property
S/S of Liberty Road

The subject application does not reflect the existing conditions along Liberty Road. It is necessary that the Liberty Road frontage of the subject property provide for the extension of the existing service drive. Precise details for the north side of Liberty Road must be shown on the plan. The method of parking on the proposed private drive represents a distinct hazard. In any case, the regulations require "off-street" parking. While it is not built to County standards, the proposed road must function as a through road, therefore, parking should be "off-street" with respect to the road.

It is suggested that some thought be given to a scheme that would relieve the directions of the road in question.

AVJ/sep

OFFICE OF
THE BALTIMORE COUNTEANTHE COMMUNITY NEWS
Baltimore, Md.THE HERALD - ARGUS
Catonville, Md.

No. 1 Newburg Avenue

CATONVILLE, MD.

June 9, 1964.

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

was inserted in the BALTIMORE COUNTEAN, a group of
three weekly newspapers published in Baltimore County, Mary-
land, once a week for One Week
the 9th day of June, 1964, that is to say
the same was inserted in the issues of

THE BALTIMORE COUNTEAN

By Paul J. Morgan
Editorial Manager

BALTIMORE COUNTY, MARYLAND

#64-182R

INTER-OFFICE CORRESPONDENCE

TO: Mr. James A. Dyer, Chairman

Date: May 26, 1964

FROM: Capt. Paul H. Reinecke

SUBJECT: Julius Hoff

3775 Liberty Road 2971 from 35/5 Abbie Place

Maplet 2 5/12/64

1. Water mains, meters, and fire hydrants shall be of an approved type and installed in accordance with the Baltimore County Standard design Manual. Spacing of hydrants shall be 500 feet distance apart as measured along an improved road, and within 300 feet from any dwelling. Hydrants shall be located in a pattern approved by the Baltimore County Fire Bureau.
2. Contact Capt. Paul H. Reinecke at Valley 5-7310 for information concerning above comments.

PUB/br

cc: file



CERTIFICATE OF PUBLICATION

TOWSON, MD. JUNE 5, 1964.

THIS IS TO CERTIFY, that the annexed advertisement was
published in THE JEFFERSONIAN, a weekly newspaper printed
and published in Towson, Baltimore County, Md. 21204
on the 5th day of June, 1964, the 19th day of June publication
appearing on the 5th day of June, 1964.

THE JEFFERSONIAN
By Frank Smith
Manager

Cost of Advertisement, \$.

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 23050

DATE 4/2/64

TO: Messrs. Adolph, Adolph & Paden
1215 Maryland National Bank Building
Baltimore, Md. 21202 BILL TO: Zoning Department of
Baltimore County

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

DEPOSIT TO ACCOUNT NO.	QUANTITY	DETAILED UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
64-02		Advertising and parking of property for Julius Hoff, et al	66.00
PAID - Baltimore County, Md. - Office of Finance			
5-000 23050 • 23050 TIF=			66.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

PETITION FOR
RECLASSIFICATION
Sub DISTRICT

ZONING: From Sub-B to Sub-C

LOCATION: Southwest side of

Liberty Road 277 feet from in-

tersection with southern line

of Abbie Place.

DATE & TIME: THURSDAY,

JUNE 10, 1964 at 1:00 A.M.

PUBLIC HEARING

105 County Office Building, 111

W. Chesapeake Avenue, Towson,

Maryland

The Zoning Commissioner of

Baltimore County, by

James B. Dwyer, Chief of

Permit and Petition

Processing, held a public hearing

concerning all that parcel of

land in the Second District of

Baltimore County, known as

PARCEL "A"

Parcel Sublot B-4

Proposed Sublot B-4

Beginning for the same on the

southeast side of Liberty Road

277 feet wide, at the distance of

257 feet, more or less, from the

intersection of Liberty Road and

Abbie Place, and containing

approximately 1.5 acres, more or

less, the intersection of Liberty

Road and Abbie Place, and

containing all that parcel of

land in the Second District of

Baltimore County, known as

PARCEL "A"

Parcel Sublot B-4

Proposed Sublot B-4

Beginning for the same at a

point on the southeast side of

Liberty Road, at the distance of

277 feet, more or less, from the

intersection of Liberty Road and

Abbie Place, and containing

approximately 1.5 acres, more or

less, the intersection of Liberty

Road and Abbie Place, and

containing all that parcel of

land in the Second District of

Baltimore County, known as

PARCEL "A"

Parcel Sublot B-4

Proposed Sublot B-4

Beginning for the same at a

point on the southeast side of

Liberty Road, at the distance of

277 feet, more or less, from the

intersection of Liberty Road and

Abbie Place, and containing

approximately 1.5 acres, more or

less, the intersection of Liberty

Road and Abbie Place, and

containing all that parcel of

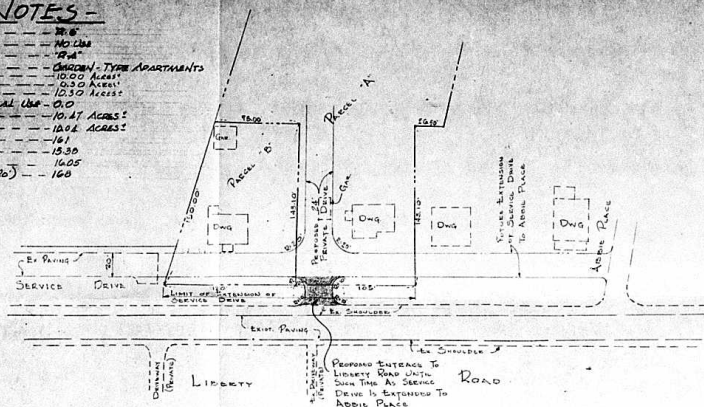
land in the Second District of

Baltimore County, known as

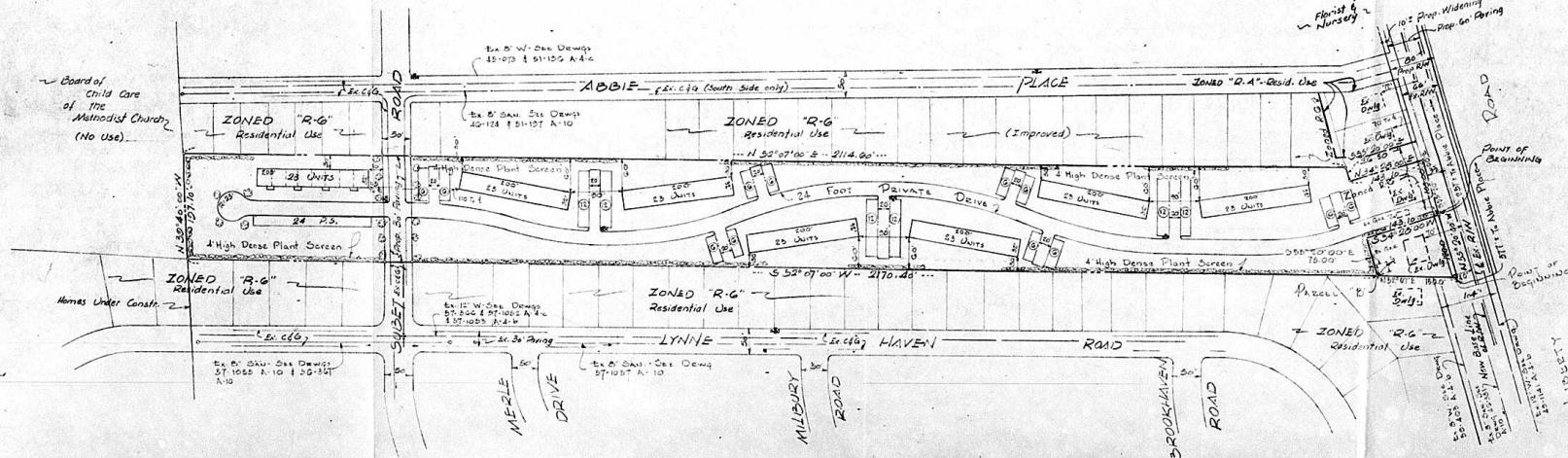
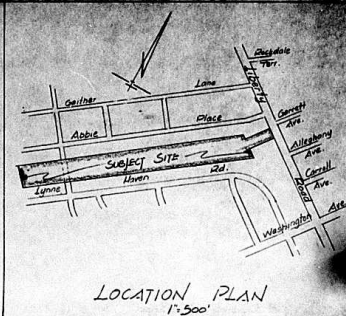
PARCEL "A"

GENERAL NOTES-

PRESENT ZONING OF TRACT	R-6
PRESENT USE OF TRACT	NO USE
PROPOSED ZONING OF TRACT	"R-6"
PROPOSED USE OF TRACT	CHILDREN - TYPE APARTMENTS
AREA OF TRACT	10.80 ACRES
AREA OF PARCEL "A"	0.30 ACRES
AREAS ACQUIRED BY TRACT	10.50 ACRES
AREAS PROPOSED FOR NON-RESIDENTIAL USE	0.0
AREAS "RESIDENTIAL" ACRES	10.47 ACRES
NET RESIDENTIAL ACRES	10.47 ACRES
TOTAL NO. OF APARTMENT UNITS	161
GROSS RESIDENTIAL DENSITY	15.30
NET RESIDENTIAL DENSITY	16.05
TOTAL NO. OF PARKING SPACES (P+26)	160



DETAIL OF ENTRANCE TO LIBERTY ROAD
SCALE: 1"=50'



PLAT TO ACCOMPANY PETITION FOR REZONING OF PROPERTY -VICINITY- LIBERTY ROAD AND ABBIE PLACE

SECOND ELECTION DISTRICT
SCALE: 1"=100'

BALTIMORE COUNTY, MARYLAND
OCTOBER 11, 1963
REVISED: JUNE 24, 1964



MATZ, CHILDS & ASSOCIATES
2120 N. CHARLES ST.
BALTIMORE 10, MARYLAND
REGISTERED PROFESSIONAL ARCHITECTS