September 29, 1964

#65-129 R

S/S Glen Rd.

. 3951

11oughby Rd.

HALTDHORE COUNTY OFFICE OF PLANNING AND ZONDA

COUNTY OFFICE BUILDING

Messrs. Martin 5 Taylor 203 W. Chesapeake Ave. Towson, Md. 21204

14th Dist.
Petition for Reclassification
SUBJECT: For R-6 to R-A for Carlo
Tarsi, located on the S/S/
dien Rd. 395* V of
Willoughby No.

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

BUREAU OF TRAFFIC ENGINEERING: Will submit written comments at a later date if necessary

FIRE BUREAU: Will submit written comments at a later date. OFFICE OF FLANNING & ZONING: Will review and comment at a later date if

No comments from the following Departments.

Health Department R & R Commission Buildings Departmo State Roads Commis Industrial Commiss

cc: &fibert Melson- Traffic Dept.
Albert Outmby-Office of Planning & Zoning

Yours year truly.

James E. Dyer Chief of Permit and

#65-129 R Leginning for the same at a point distance 395 feet more MAP or less from the intersection of Willoughby and Glen #11+14A Roads said point of beginning being also on the south RA side of Glen Road thence for lines of division viz: 3 340 E - 1,140 '± -- N560 E - 395'± -- N 340-15' N 10/14/4 377'± -- 8 559-45' × -135'± -- 11 340-15' × - 135'± . N 550-45' E - 135'+ -- N 340-15' W - 650'+ to the sout side of said Glen Road thence along the south side of said Clen Road S 43°-30° W - 394.68'± to the joint of beginning.

Containing 10.00 nc. +



BALTIMORE COUNTY, MARYLAND

INTER OFFICE CORRESPONDENCE

TO ... John G. Rose, Zoning Commissione Bate. October 23, 1964

FROM George E. Gavrelia Director

SUBJECT. MAST-129-R. R-6 to R-A. Southside of Glen Road 395 feet West of Willoughby Road. Being property of Carlo A. Tarsi.

14th District

GEG - bes

Thursday, November 5, 1964 (10:00 A.M.) UPARTNO:

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

- usage for the suppose property is located in the absolute back makers of its meighborhood. Access to it from major motorways is by means of devious and indequate locates. It meets none of the locational criterial lized by the Planning Board in reserve in the Country ment of spartment lead of the Planning Board in the Country oven on the proposed land use plan for the instant area.
- even on the proposed land use plan for the instant area.

 3. From a planning vicepoint, creation of gastrant conding on the subject property would meet tatte spot zoning. Such zoning would zoning would not be the property of coordance with the compression of the such as the property of the second control of the would establish land use potentials for the subject of the would establish land use potentials for the subject of the subject of

4. The planning staff does not believe that the present not coming for the subject property at all the present some present some present some the present some that the developed not such that the developed control of the present some pr

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Date September 30, 1964

TO Mr. James A. Dyer, Chairman Zoning Mdvisory Cosmittee FROM Capt. Paul H. Reincke

SUBJECT Carlo A. Tarsi
S/S Glen Road, 375; W. of Willoughby Road
District 15 - September 22, 1964

MAP #11 × 14 A RA

10/14/64

#65-12912

Locate fire hydrants throughout entire development supplied by water mains of adequate tire and designed by approved engineering practice. Spacing of fire hydrants is 500 feet apart as measured along an in-ed road and shall be located within 300 feet of any dwelling.

Contact Capt. Paul H. Reincke at Valley 5-7310 for additional information concerning above comments.

DUD/hhm

DET -2'64 M ZONING DEPARTA REFITTION FOR RECLASSIFICATION
From "Ref" Zone to "Ref" Zone
S.S. Clean Based, 14th District
Carlo A. Taret and Carolina A.
Tars, Fettilonary As attorneys for the Petitioners, Carlo A. Tarsi and Carolina A.

Tarsi, would you please enter an Appeal from your Order of November 5, 1964, denying the reclassification of the above mentioned property from R-6 to R-A

- NOV6-'64'

roning reclassification and forward allpapers relating to said case to the County Board of Appeals. Attached find check in the amount of \$80 for costs in

filine said Appeal.

January C.

Attorneys for Carlo A. Tarsi and Carolina A. Tarsi, Petitioners

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

10 In the ADNISON COMMISSIONER OF HALTMORIS COUNTY.

1. or we, CARDO A. TAKET a CARDINA TAKET.

1. or we, CARDO A. TAKET a CARDINA TAKET with the description and plat attached forerto and made a part hereof. Fig. (county and which is described in the description and plat attached forerto and made a part hereof. Fig. (county pettition (1)) that the routing status of the herein described property he receissioned, phrasmat. to the Zoning Law of Baltimore County, from an R-6 zone to an 10/14/64rone; for the following reasons: to build garden-type apartments

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, forgarden-type spartments.

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

Scontract purchaser Address 2404 Taney Rd., Balto., rdd. 21209

Carlale Tain Carolina a Jarri Carolina A. Tarsi Legal Owner

Address End of Willoughby Road, Balto., Md.21234

Martin & Taylor Aurusy (Julia H. A. Frederick Taylor, Marvey L. Fones, 11 Petitioner's Attorphy)

Protestant's Attorney

....., 196...., 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 106, County Office Building in Towson, Baltimore

County, on the SEP 28 64 day of November 196 at 101AQ ock Zoning Commissioner of Baltimore County.

RE: PRITTON FOR RECLASSIFICATION From File? Zone to "R-A" Zone S. S. Glen Road 955 W. of Milloughby Road, lith Dist. Carlo A. Tarai, and Carolina A. Tarai, Faititners BEFORE ZENING CONSUSSIONER OF BALTIMORE COUNTY No.65-129-R

The publicers are requesting a recuing of property on the south side of Olen Road 395 feet west of Willoughby Road, in the Four teenth District of Baltimore County.

The property is bounded on the wast by Olan Rost; the north by the Ballmark cottage development, constitute of detached and cont-datached home; the east a quarry and the scuth by Double Rock Fark.

The developer promised fire construction, and water and sower were certified to by a compount witness. The site plan, as proposed, was compountly prepared.

The question of traffic was not resolved sufficiently. It is doubtful however, that any sewere traffic problem would arise because of the addition of 165 units.

The existing soning map dates back to approximately 1965 and, therefore, is not of a great coal of assistance in modern soning problems pertaining to spartments.

Sec. 23-38 of the Baltimare County Code 1963 Supplement (BILL No. 30, 1960) indicates considering bealth, safety, morals and general walture of the community and also the general walfare of Baltimore County.

The Court of Appeals has indicated that the politioners must prove an error in the existing map or a change in the area.

As has been mentioned herein proof of error is most difficult because of the age of the map.

As for change, such changes as have taken place have been an increase in cottage development,

An education of Sec. 23elS is that "Such rowing maps and regulations shall be read in accordance with a comprehensive plant, as the present than there is no comprehensive plan although one is expected measurarily."

Therefore it is encumbent upon the Zening Jourissioner to chings a zone in such an instance as the present one only if the sorm major change the wealth warrant the relationer's request. We such change was submitted at the public hearing.

For the above reasons the reclassification should be

In is bits Aday of Armshor, 1965, by the Zening Coerdantener of Sildhow Storing, Citalian Has the above reclassification be and the same is breaky SIRIDI and that he above sheer their property or area be and the same is breaky construct as and the cased an index of the same in shorely construct as and the cased an index same is breaky construct as and the cased an index same in breaky construct as and the same in breaky construct as a case of the case of the

Entry Comissioner of

COUNTY BOARD OF APPEALS

BALTIMORE COUNTY

ing to R-A of a tract of land located in the Fourteenth Election District of Baltimore County The subject tract fronts approximately 395 feet along the east side of Glen Avenue (considering Glen Avenue to be running north and south) and 1.3s a depth of approximately 1150 feet, the entire tract containing approximately ten (10) acres. The property is bounded on the north by an R-6 development of semi-detached homes known as the Hallmark development; on the south by a public park consisting of approximately fifty-three acres known as Double Rock Park; to the west, and across Glen Avenue, by R-6 development of small cottages; and to the east by more R-6 land and an old quarry.

tion of the map in 1945. When this map was adopted it was primarily a recognition of the existing usage of the land in the area of the subject tract as it was shown on old subdivision plats (see protestants' exhibits "8" through "F"). It is also the finding of the Board that no substantial changes in the character of the neighborhood have occurred so as to werrant the proposed reclassification. The only zoning changes that were disclosed by the petitioners' testimony were reclassifications for business uses along the Harford Road (approximately a half mile from the subject property) in accordance with the commercial development along this major artery. Any other changes in the surrounding area have been in accordance with natural growth and development such as the establishment of new schools and the extension of utilities into the area.

was in the process of being adopted. He further testified that it was his personal feeling Fourteenth Election District, however, it was felt that the subject tract did not satisfy the Corlo A. Tarsi - #65-129-R

criteria for R-A development. Apartment zones are proposed on the new map between

- 2 -

Belair and Harford Roads, and between Jappa Road and the Baltimore City Line in other areas which would satisfy the locational criteria. Even if the Board felt there was either error in the adoption of the map or

sufficient change to warrant the reclassification of the subject tract to R-A, it is the further feeling of the Board that traffic problems exist which would make the proposed reclassification a safety problem and thereby affect the general health, safety, and welfare of this community. There are several small roads, running approximately east and west, which connect Glen Avenue (and the area of the subject tract) with Harford Road. These roads are quite narrow and the testimony describes the present traffic congestion along Texas and Hiss Avenues, and Acton and Willoughby Roads as "horrible". Only approximately twothirds of the homes built along these roads have driveways to provide for off-street parking thereby requiring the residents to park along the avenues and roads themselves and further complicate traffic congestion. The Board finds this testimony to be accurate from its physical inspection of the subject tract and the surrounding neighborhood.

The petitioners also attempted to show hardship in the development of the subject tract with R-6 homes due to its physical terrain, rock, and the existence of lighting standards near the southern boundary of the subject tract on the ball fields located in Double Rock Park. There was no testimony to substantiate the existence of rock. There was, however, testimony to show that the Hallmark development, along the northern boundary of the subject tract, containing approximately twenty-five acres and developed with 113 semidetached units (40% of which were buil: without basements) were readily sold in the \$15,000 to \$18,000 price range. This tract was all developed and sold approximately three years ago and there was still a waiting list after the last house was sold.

It is also the finding of the Board that the existence of the public park and playground to the south of the subject property does not present any hardship to the development of the subject tract with individual or semi-detached homes and might very well be an asset to such development.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this______dey of December, 1965 by the County Board of Appeals, OR DERED that the reclassification petitioned for, be and the same is hereby DENIED.

CERTIFICATE OF PUBLICATION

OFFICE OF The Community Press

DUNDALK, MD., 10-14-64

THIS IS TO CERTIFY, that the annexed advertisement of

was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week successive weeks before the

1964 ; that is to say, 13th day of October the same was inserted in the issues of

Stromberg Publications, Inc. Publisher.

By Mrs. Palper Price

mrs. Palmer Price

Carlo A. Tarsi - # 65-129-R

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

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Baldwin, Chai

#65-129-K CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

Date of Posting 10-15-64 Posted for Mariagon Than There 5 by at Rice A. m. Petitioner Carlo Taris.

Location of property I.S. Then Mil. 395 to of helloughly the Location of Signe 2 1 assorts from from the 3246 ylen 165

Hr april 60th from signer #1 Posted by Robert Ja March San Bate of return 10 - 22-64

PETITION FOR RECLASSIFICA-CERTIFICATE OF PUBLICATION

TOWSON MD Catalan 16, 1975

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each; of 1 time successive weeks before the 5th

> THE JEFFERSONIAN. G. Leanh Street

Cost of Advertisement, S.

OFFICE OF FINANCE

DATE 11/5/64 COURT HOUSE TOWSON 4, MARYLAND

No. 27553

dvertising and posting of property for Carlo Tarai 11-664 0307 0 27553 TIP-

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MINISTRATE PROPERTY OF THE BELL WITH YOUR REMITTANCE.

PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE Dirition of Collection and Receipt COURT HOUSE TOWSON 4, MARYLAND

203 W. Chesape Towson 4, Md.

Office of Planning & Zoning 119 County Office Bldg., Yourson 4, Md.

No. 27567

DATE 11/10/64

COST Cost of appeal - Carlo A. Tarsi, et al 10.00 \$80.00 11:1264 04 22 · 27567 TIP-

IMPORTANT: 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.

BALTOTORE COUNTY, MARS LAND

OFFICE OF FINANCE No. 25381 Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND DATE 10/7/64

LLED Zoning Department of Baltimore Co.

OUNT NO. 01-625 \$50.00 Petition for Reclassification for Carlo Tarsi #65-129-R 50.00 10-964 6301 # 25381 TIE-

IMPORTANTI 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.

> appeal # 65-129-12 CERTIFICATE OF POSTING G DEPARTMENT OF BALTIMORE COUNTY

Towson, Maryland

Date of Posting //- 19-64

Posted for:
Petitioner: Carlo C. Tarish of al.
Location of property: 5/5 Flore 101. 395' West of willoughby of

Location of Signe Don perpetually sources from 3346 Honto His agetter to the sign the both sugar on on Remarks: Willoughby Rd Posted by Hobert La Bull h

appearing on the 15th day of Scipler

Willoughby Road, 14th District Carlo A. Tarsi, et al,

BEFORE

OF

No. 65-129-R

OPINION

The petitioners in this case seek a reclassification from the present R-6 zon

The zoning map applicable to the area in question is the original zoning map for this area of Baltimore County which was adopted on January 2, 1945. The petitioners have attempted to show both "ERROR" in the adoption of this 1945 zoning map and "CHANGE" in the character of the neighborhood so as to justify the proposed reclassi-

It is the feeling of the Board that there was no error committed in the adop-

George E. Gavrelis, Director of Planning for Boltimore County, testified that there was a new comprehensive land use map comprising the area in question which and that of the Planning Department, that new R-A zones should be established in the

LOCATION: South side of ilen Road 395' West of Wil-UBLIC HEARING: Room County Office Building, 111

M a public hearing:

R-6 to R-A Zone

All that parcel of land in the surfeenth District of Haltimore

ing for the same at a tance 395 feet more or the intersection of Wil-mf Glen Roads said

DOUBLE ROCK APARTMENTS

