

No. 406
September Term, 1967

GOUCHER COLLEGE

v.

CURTIS E. DeWOLFE, et al.

Hammond, C. J.
McBury
McWilliams
Finan
Singley
Smith,
JJ.

Opinion by Hammond, C. J.

Filed: December 6, 1968

ZONING FILE 66-59-2

Goucher College, the appellant, found below that this case is legally a sow's ear which could not be made into a silk purse, despite the earnest, untiring and skilled efforts in its behalf to have rezoned from residential to business twenty-five acres of its land (the acreage) at the northeast corner of Dulaney Valley Road and Fairmount Avenue, north of Towson, in order to permit its sale to Hochschild Kohn and Sears Roebuck for the construction of the department stores, each embracing an automobile service center.

The application to rezone was turned down by the Zoning Commissioner, the Board of Appeals by a two to one vote, and by the Circuit Court; and in this Court the College becomes a four-time loser.

The campus of Goucher, a private college for girls consisting of several hundred acres, lies generally east of Dulaney Valley Road, south of the Baltimore Beltway, west of most of Campus Hills, a residential community of approximately four hundred homes (a few homes are situated along the north side of Fairmount Avenue immediately to the east of the southeastern corner of the acreage), and north of Fairmount Avenue - Goucher Boulevard. The comprehensive zoning map, adopted on November 14, 1955, with the acquiescence if not the consent of Goucher, placed the campus in a R-20 use district, except for a strip of R-10, one lot deep, along the east side of Dulaney Valley Road from Fairmount Avenue to the Beltway. At one time the entrance to the campus from Dulaney Valley Road was planned to be through the acreage but the college buildings actually were built north of an imaginary easterly extension of Southerly Road, which forms a T intersection from the west

with Dulaney Valley Road. At this imaginary intersection is the entrance to the buildings of the Peabody Institute (which are on Goucher's land), the southernmost of the buildings on the campus. To the south of the Peabody buildings is the acreage sought to be rezoned.

Immediately to the south of the acreage, in the southeast quadrant of Dulaney Valley Road and Fairmount Avenue, lie thirty-one acres of land zoned B-M on the 1955 map at Goucher's request, which extend southerly to Joppa Road. This land is still owned by Goucher but is occupied and used under leases given by the College. Nineteen acres are Towson Plaza, a community shopping center of forty-five stores and some 1800 parking spaces, and twelve acres are the parking lot of Hutzler's which is in central Towson on the south side of Joppa Road east of Dulaney Valley Road.

Diagonally across from the acreage in the southwest quadrant of Dulaney Valley Road at Fairmount Avenue is the Dulaney Valley Shopping Center on land zoned B-M. The principal store there is a large A. & P.

There are no business zones or uses north of Fairmount Avenue for a considerable distance, the prior uses and subsequent development having been in accordance with the 1955 zoning map. Directly across from the acreage, on the west side of Dulaney Valley Road, are the Dulaney Valley garden apartments and north of the apartments, up to the Beltway, is a line of individual homes on R-10 lots.

The Board of Appeals held that Goucher had not overcome the presumption of correctness of the comprehensive zoning map of 1955, that there had not been sufficient change in the character of the neighborhood to require the rezoning, that even if there had been sufficient change to justify rezoning, the granting of the rezoning would be detrimental to the health, safety and general welfare of the Campus

Hills community, Goucher College and the apartments and houses along the Dulaney Valley Road, and also a detriment to the commercial development of central Towson as envisioned by the Planning Staff. The Board was not persuaded by the evidence that the acreage was either the only or the best location in the Towson area. It felt that if the unanticipated "population explosion" in the Towson area required it, the County should comprehensively rezone the area and that comprehensive rather than piecemeal rezoning was the logical, appropriate and proper course of action.

Judge Turnbull found that there was "ample evidence in the record upon which the Board could come to the conclusion it did." We agree.

Goucher produced testimony by experts impressive in quality and quantity - both as to original error and subsequent change and on the need for additional department stores in northern Baltimore County, and as to the fact that the acreage was the best, if not the only, available site. There was testimony that it had been wrong in 1955 not to have foreseen the great increase in population in the Towson area which had contributed to a need for added commercial facilities and to a great increase in accessibility of the acreage as a result of the network of new highways in the County. It was said by Goucher's experts that it had been wrong in 1955 to use Fairmount Avenue as a dividing line between the commercial uses to the south and the residential uses to the north, because planners think that generally rear lot lines are the proper dividers - not major traffic arteries (although they admitted that roads sometimes are used). On the other hand, the expert testimony of the Director of Planning for Baltimore County, George Gavrellis, favoring the protestants, who were homeowners in Campus Hills, one of whose home was contiguous to the acreage, was that Fairmount Avenue

had intentionally and deliberately been used as a divider as a result of Goucher's persuading the County to zone the thirty-one acres south of the Avenue for business use and to retain the zoning of all the land to the north as residential. He also testified, as did another expert, that major roads can be and are properly used as dividers, and one expert said Fairmount Avenue had been and was a proper division line in the present case. Mr. Gavrellis also testified that in 1955 it was presumed that Goucher's land north of Fairmount Avenue would be used for educational purposes and that there was no need for a transition zone because the College controlled the uses on both sides of Fairmount Avenue. His testimony and that of two qualified and experienced engineers in favor of the correctness of the original zoning was that the acreage could be reasonably and economically developed in its present classification. Indeed, the engineer widely experienced in residential development testified, giving credible reasons, that it was more adaptable to R-20 development than to commercial or business development.

This Court has held that the drawing of lines between different zones is peculiarly the function of the legislative body that establishes the zones. We have repeatedly and emphatically said and held that a street or a road may be a proper dividing line. This was reiterated in *Brown v. Wimpers*, 250 Md. 200, 205, as follows:

"The Cabin John Plan comprehensive rezoning 1955 chose to use major highways as dividing lines between the four neighborhood quadrants at the intersection of Democracy Boulevard and U.S. Route 240. We have consistently recognized that this property and logically can be done. *Hovitt v. Baltimore County*, 230 Md. 46, 60 ('The Baltimore-Harvey Expressway now forms a substantial physical barrier between the property lying to the east of it and that lying to the west * * *. It would be difficult, to say the least, to think of a more logical line of demarcation between the industrial and commercial zones to the east and the residential zone to the west of this barrier.'). *Shadybrook Imp. Ass'n v. Molloy*, 232 Md. 265, 272; *Kaslow v. Roskville*, 233 Md. 199; *Stockfield v. Barrard*, 239 Md. 242; *Morley v. Baltimore*,

248 Md. 106, 110-11 (residential on one side of the street - commercial on the other - 'It is consonant with the procedure followed in zoning areas to have a street be the dividing boundary between zones of different classifications')." xxxxx xxxxxxxxxxxxx

The testimony before the Board left it at least debatable whether or not there had been original error in this comprehensive zoning map of 1955 and, this being so, it was for the Board to determine the correct answer. *Ameslane, Inc. v. Lucas*, 247 Md. 612, and cases cited.

Goucher's experts testified that within a radius of a mile and a half of the acreage there had been eighty-one zoning changes from 1955 to 1966 and some forty-five changes within a radius of a mile. The effort of the College was to expand the neighborhood of the acreage to include the whole Towson area because the changes in character upon which it relied were almost all, if not all, too remote to come within the confines of the ordinary concept of a neighborhood. On this aspect of the case, the Board correctly summarized the testimony as follows:

"However, it should be noted that the vast majority of these cases involved special exceptions for office buildings, or similar uses, or reclassifications to a residential apartment zone. [Many of these are uses of houses for professional offices near the Court House.] An examination of the exhibit shows that there are only six cases involving commercial, and only one commercial reclassification in close proximity to the subject tract, which was case No. 66-110-R, a reclassification from an R-A zone to a B-M zone east of Fairmount Avenue and north of Joppa Road, within the same general commercial area which comprises Hutzler's and Towson Plaza, and inside the Towson loop. Case No. 63-119-R was a reclassification from an R-6 zone to a B-L zone of a very small lot of ground on the west side of York Road north of Seminary Avenue, and is approximately 7500 feet from the intersection of Dulaney Valley Road and Fairmount Avenue. Case No. 5319-R is again a very small lot of B-L zoning more than one mile from the subject property. Case 3739-R is over 4000 feet from the property, and Case No. 4999-R which is a reclassification from B-6 to B-L, is more than one mile from the subject property, while Case No. 5391-R, a reclassification from R-10 and R-12 to B-M, is almost two miles from the subject property. The majority of the Board does not find that any of the above mentioned reclassifications have any effect on the subject property. There were no reclassifications north and east of Fairmount Avenue, nor any north of Fairmount Avenue along either side of Dulaney Valley Road."

The matter of the reaches of a neighborhood in a given case and how near a change must be to affect its character are primarily for the Board to determine. In *Woodlawn Ass'n v. Board*, 241 Md. 167, 198-200, we said:

"While what constitutes a neighborhood for the purpose of determining change under the law governing rezoning is not and should not be precisely and rigidly defined, but may vary from case to case, we think that prima facie the properties just referred to which were reclassified from R-55 to R-16 should not be considered to be within the neighborhood * * *."

The *Woodlawn* opinion went on to refer to *DeBay v. Crane*, 240 Md. 180, 185-186, and continued,

"* * * his property is on the opposite side of the Beltway, which, if not a complete shield against the apartments to be constructed, will serve as an adequate barrier." Of the other two protestants we said: "* * * both reside a considerable distance (more than four-tenths of a mile) and possibly out of sight of the proposed apartments. And, * * * none * * * were able to show that the value of their respective property would be adversely affected."

In the case before us there was no specific evidence why the general rule should not properly have been applied by the Board. While in a particular case the construction of a new road may be evidence of change, the mere increase in accessibility because of more roads and increased road capacity which permitted testimony for Goucher that the two stores to be built on the acreage would attract and serve customers up to a driving time of twenty-five minutes, would not suffice to increase the neighborhood to be used as a test. *Board of County Comm'rs v. Kines*, 239 Md. 119. If it could, the whole or most of the County could well be a neighborhood.

It was undisputed that the northeast quadrant of Dulaney Valley Road and Fairmount Avenue is residential and institutional (permitted and compatible uses in residential areas as *Shadybrook Imp. Ass'n v. Molloy*, 232 Md. 265 illustrates) in zoning and character to the Beltway

and well beyond (the Hampton development is north of the Beltway) and that Dulaney Valley Road on the west, north of Fairmount Avenue, is likewise residential. The protestants claim that this quadrant (with the addition of the west side of Dulaney Valley Road) is the neighborhood and point out, accurately, what the Board and the Circuit Court found significant, that if the proposed rezoning were granted the first non-residential use north of Fairmount Avenue since 1955 would come into existence and serve as the camel's head under the tent for future intrusions. The Board, weighing all the testimony, permissibly in our view adopted the protestants' concept of what should constitute the neighborhood.

The testimony on the more peripheral aspects of the case might well have been found more persuasive for Goucher's contentions than for those of the protestants, but we cannot say that the Board acted in an arbitrary, capricious or illegal way in deciding that it was not. The finding by the Board that the granting of the requested rezoning would have been detrimental to the health, safety and welfare of the adjoining and nearby residential zoning uses and to the feasible commercial development on a comparable scale of central Towson, even if some or all of the rezonings relied on by Goucher to show change were assumed to have affected the acreage was permissible under the evidence and the controlling law.

We pointed out in *Purnie Branch Land Co. v. Board of County Commissioners*, 232 Md. 536, 539, that there had been shown changes in then neighborhood, and a general need in the County for the use sought but that:

"Change in conditions may justify the amendment of the existing zoning ordinance to reclassify a particular property but it does not necessarily compel it. Even as in original zoning,

reasoning must be in the general public interest for the promotion of the health, safety and welfare of the community, as well as in the individual interest of the land owner."

There was a similar holding in Board v. Parr, 242 Md. 315, 321, which adopted the holding of County Council for Montgomery County v. Gendelman, 227 Md. 491, 498, that even if there were facts which would have justified rezoning, this would not of itself prove the denial was arbitrary or illegal. See also Friedman v. Montgomery County, 247 Md. 197.

The protestants offered evidence as to the detriment to the nearby residences in Campus Hills and to the apartments and houses on the west side of Dulaney Valley Road, which the Board justifiably chose to believe. There was also testimony for the protestants that there were other suitable department store sites in the Towson area, including sites in central Towson, the location favored by the County Planning Staff, which would support the finding by the Board that it was not persuaded that the acreage was the only, or even the best, location for a department store in the Towson area.

We conclude that, in the words of Board v. Oak Hill Farms, 232 Md. 274, 283: "[A] reasoning mind could reasonably have reached [the results the Board reached] upon a fair consideration of the fact picture painted by the entire record." Therefore, its denial of rezoning must be affirmed.

ORDER AFFIRMED, WITH COSTS.

Re & 1/15/67
9:30 a.m.

1 GOUCHER COLLEGE, IN THE
2 Appellant, CIRCUIT COURT
3 VS. FOR
4 BALTIMORE COUNTY
5 COUNTY BOARD OF APPEALS, AT LAW
6 ET AL, File No. 3680
7 Appellees, Docket No. 8
8 167
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December 10, 1967

Before: HONORABLE JOHN GRASON TURNBULL, Judge.

Reported by:
Paul G. Griffin



1 THE COURT (Orally): Gentlemen, I see no
2 point in belaboring this matter too much. One of my learned
3 colleagues once said that in an important zoning case the
4 circuit Court was simply a whistle stop on the way to the
5 Court of Appeals.

6 The principles of law are clear. If there
7 was before the Board evidence on which it reasonably could
8 have come to the conclusion which it did come to, then this
9 Court has no authority to disturb its conclusion. The
10 decision was by a two-to-one vote. It seems to me, however,
11 that the dissenter, Mr. Parker, couldn't have been too
12 serious about his dissent, because the appeal was filed in
13 this Court on January 24, 1967, and his dissenting opinion
14 was filed in this Court on October 27, 1967, at a time when,
15 of course, the Board had completely lost jurisdiction over
16 this matter. So it seems to me obvious that even though it
17 was a split decision, that Mr. Parker could not have been
18 very strong in his feelings about the majority's decision.

19 Unless the Board has acted in a fashion
20 which is illegal, arbitrary or capricious, it is the duty
21 of this Court to sustain the finding of the Board.

1 In my opinion there is ample evidence in
2 this record upon which the Board could come to the
3 conclusion it did. The Court of Appeals has held in many
4 cases that a natural or a man-made barrier is a proper
5 stopping place for the extension of zoning. In this
6 instance all the land on the north side of Fairmount
7 Avenue, which is a wide, dual lane divided highway at
8 this point, all north of it is zoned for residential
9 purposes. True, a large portion of the land on the
10 easterly side of Dulaney Valley Road is used for institu-
11 tional purposes - Feabody and Goucher College - but none-
12 theless it is zoned for residential purposes. The same
13 thing is true on the west side of Dulaney Valley Road, it
14 is zoned for residential purposes, and on the north side
15 of Fairmount Avenue west of Dulaney Valley Road. Fairmount
16 Avenue appears to be a logical point at which further
17 extension of commercial zoning should stop. Of course, on
18 the southerly side of Fairmount Avenue you have the Towson
19 Plaza area, and on the southwest side the place where the
20 A & P is.

21 I do not find that the Board overlooked the

1 fact that just to the northerly end of the area involved in
2 this particular case there is a ravine, which the applicants
3 advanced - and there was some evidence in support of their
4 position - as being a natural place for commercial zoning
5 to stop. But it seems to me that the Board in exercising
6 its legislative function, took that into consideration and
7 came to the conclusion that the really logical place for
8 commercial zoning to stop was at Fairmount Avenue. That
9 position is supported by numerous cases in the Court of
10 Appeals, including Shadybrook, and -- I can never remember
11 the title of the case, but it involved Mr. Gill's property
12 and Dr. Faubel's property on the west side of the Harri-
13 Expressway. In that case the Court of Appeals specifically
14 said that the Expressway was a natural place for the
15 extension of zoning to cease.

16 This case was ably presented, and obviously
17 well prepared by counsel for both sides, and I want to
18 complement them on their zeal and their intelligent approach
19 to this important, somewhat difficult, case. But feeling as
20 I do that there was evidence upon which the Board could have
21 come to the conclusion which it reached, it therefore

1 becomes my duty not to interfere with its legislative action;
2 it is not a judicial function to come or to reason. If
3 indeed there were a mistake as to this particular property,
4 then it would be my opinion that the way to correct the
5 mistake would be by way of the zoning map and not by way
6 of piecemeal application.

7 For those inadequately expressed reasons,
8 gentlemen, the action of the Board will be affirmed.
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COPY
1 GOUCHER COLLEGE, IN THE
2 Dulaney Valley Road, CIRCUIT COURT
3 Towson, Maryland 21204, Appellant, FOR
4 VS. BALTIMORE COUNTY
5 WILLIAM S. BALDWIN, IN EQUITY
6 W. GILES PARKER, and
7 R. BRUCE ALDERMAN, Constituting the
8 COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY, Misc. Docket No. 9
10 Appellees, Folio
11 File

ORDER FOR APPEAL

MR. CLERK:

Please enter an Appeal on behalf of Goucher College, owner, and Sears Roebuck and Co., and Hochschild Kohn & Co., contract purchasers, from the County Board of Appeals of Baltimore County, to the Circuit Court for Baltimore County, in the matter of a Petition for Reclassification from an R-10 and an R-20 zone to a BM zone at the northeast corner of Dulaney Valley Road and Fairmount Avenue, in the Ninth Election District of Baltimore County. This Appeal is from an Opinion and Order of the majority of the County Board of Appeals of Baltimore County in Case #66-59-R, dated January 4, 1967; and this Appeal is being filed pursuant to the provisions of Chapter 1100, sub-title B of the Maryland Rules of Procedure.

W. Lee Thomas
Attorney for Appellant

I HEREBY CERTIFY that a copy of the foregoing Order for Appeal was served upon the County Board of Appeals of Baltimore County, Maryland, County Office Building, Towson 4, Maryland, this 23 day of January, 1967.

W. Lee Thomas

1 GOUCHER COLLEGE, IN THE
2 Appellant, CIRCUIT COURT
3 VS. FOR
4 WILLIAM S. BALDWIN, BALTIMORE COUNTY
5 W. GILES PARKER, and Misc. Docket No. 8
6 R. BRUCE ALDERMAN, Folio 167 File 3680
7 Constituting the
8 COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY, Appellees

ORDER

UPON the foregoing Petition, it is this 15 day of January, 1968, by the Circuit Court for Baltimore County ORDERED that the Court Reporter, Clerk of Court, or other person having custody of Petitioner's Exhibits Numbers 10, 12, 13, 14, 17A, 17B, and 18 release the same to the Petitioner upon proper receipt for the period commencing on the date of this order and ending January 24, 1968.

181 J.C.T.
JUDGE

Rec'd 1-23-67
11:30 AM
ROBERTSON, MUELLER
THOMAS & McLEEN
COUNTY OFFICE BUILDING
TOWSON, MD. 21204
VALLI 3180

ROBERTSON, MUELLER
THOMAS & McLEEN
COUNTY OFFICE BUILDING
TOWSON, MD. 21204
VALLI 3180

GOUCHER COLLEGE, Appellant
vs. WILLIAM S. BALDWIN, W. GILES PARKER, and R. BRUCE ALDERMAN, Constituting the County Board of Appeals of Baltimore County, Appellees

IN THE CIRCUIT COURT FOR BALTIMORE COUNTY
Misc. Docket No. 8
Folio 167
File No. 3680

PETITION TO EXTEND TIME

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Goucher College, Appellant in the above entitled case, by W. Lee Thomas, its Attorney, represents unto your Honor:

1. That a Petition was filed in the above matter on February 1, 1967, pursuant to the Maryland Rules of Procedure, Chapter 1100, Rule B2.a.

2. That by virtue of Rule B 7 of the aforesaid Rules of Procedure, the transcript of testimony, among other records, is required to be transmitted to the Clerk of the Court within thirty days of the date of filing of such Petition.

3. That your Petitioner is informed by the Reporter for the Board of Appeals of Baltimore County that the testimony to be transcribed is voluminous and a transcript of testimony can not be completed during such thirty day period; but that an additional period of thirty days will be required by such Reporter to complete transcription of the aforesaid testimony.

WHEREFORE, your Petitioner prays that this Honorable Court, pursuant to Maryland Rules of Procedure, Chapter 1100, Rule B 7.b, order an extension of thirty days, accounting from March 4, 1967, within which time the requisite transcript of testimony may be transmitted to this Honorable Court.

/s/ W. Lee Thomas
W. Lee Thomas
Attorney for Appellant

ROBERTSON, MUELLER,
THOMAS & MCLEAN
CORPUSCLE BUILDING
TOWSON, MD. 21204
VALLEY 3-1800

I DO HEREBY CERTIFY that on this 27th day of February, 1967, a copy of the foregoing Petition to Extend Time was mailed to W. Lee Harrison, Esq., 607 Loyola Federal Building, Towson, Maryland 21204, Attorney for Appellees, and to the County Board of Appeals of Baltimore County, County Office Building, Towson, Maryland, 21204.

/s/ W. Lee Thomas
W. Lee Thomas

ROBERTSON, MUELLER,
THOMAS & MCLEAN
CORPUSCLE BUILDING
TOWSON, MD. 21204
VALLEY 3-1800

RE: PETITION FOR RECLASSIFICATION :
from R-10 and R-20 zone to B-M zone,
Northeast Corner Dulany Valley Road
and Fairmount Avenue,
9th District
Goucher College,
Petitioner

BEFORE :
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 66-59-R

OPINION

This is a petition for a reclassification from an R-10 and R-20 zones to a Business Major zone, of a tract of ground approximately 25 acres in size, owned by Goucher College, situated at the northeast corner of Dulany Valley Road and Fairmount Avenue, in the Ninth Election District of Baltimore County. The property is roughly rectangular in shape, and has frontage along the north side of Fairmount Avenue, the east side of Dulany Valley Road, and the north side of Goucher Boulevard. The parcel is located in the southwest corner of the Goucher College Campus. East of the subject tract along both sides of Goucher Boulevard the land is zoned R-6 and is developed as a fine residential community known as Campus Hills. North of the subject tract is a large area of R-20 zoning, which is owned by Goucher College and used as its campus. West of the subject tract, across the Dulany Valley Road, the land is zoned R-A and R-10, and is developed with a garden apartment complex known as the Dulany Valley Apartments, and cottages. South of the subject property, across Fairmount Avenue, is a large tract of Business Major zoning, which is developed with the existing Towson Plaza Shopping Center.

The contract purchasers of the parcel of land in question, Hochschild, Kohn & Company and Sears Roebuck Company, in the event that the reclassification is granted, propose to develop the property with two large stores, two auto centers and a garden shop. A witness for the petitioner testified Hochschild, Kohn proposes to erect a 167,000 square foot department store, with a 7,000 square foot auto service center. Sears proposes to erect a 161,000 square foot department store, a 19,700 square foot auto service center, and a garden shop.

Goucher College - No. 66-59-R

The Board conducted six days of hearings in the instant case, and heard the testimony of numerous witnesses, both for the petitioner and the protestants, and received numerous exhibits in evidence. It will be impossible in this Opinion to review the testimony of each and every witness. However, the Board has carefully considered the testimony of each witness and has carefully studied all of the exhibits introduced.

The Comprehensive Zoning Map for the Ninth District, which includes the Towson area, was adopted by the County Commissioners in November of 1955. Prior to the adoption of this map, representatives of Goucher College had numerous discussions with the Planning Office of Baltimore County concerning the zoning of the Goucher College property. The map, as finally adopted, zoned nearly all of the College property south and west of Fairmount Avenue Business Major. Portions of the property along the Joppa Road were also zoned commercially. The property to the east of Fairmount Avenue along both sides of Goucher Boulevard was zoned R-6; the balance of the Goucher College property was zoned R-20, with the exception of the frontage along the east side of Dulany Valley Road, which was zoned R-10. H. Vernon Eney, Trustee of the College and also legal counsel to the College, testified that he had numerous discussions with Mr. Malcolm Dill, then Director of Planning for Baltimore County, in the early Spring of 1955, regarding the zoning on the Goucher property. He also testified that Goucher College originally owned 421 acres extending from Sheeley Avenue on the south to Hampden Lane on the north, and that the College has sold the property to Hutzler's, where the present Hutzler store exists; it also leased 19 acres to Hutzler's north of the Joppa Road for parking in conjunction with its store in 1946. He further testified to various sales and land leases and land swaps the College entered into between 1946 and the present time. The Baltimore County Planning Department originally planned 12 acres of commercial zoning on the south side of Fairmount Avenue to accommodate the Hutzler parking lot. After discussions with Mr. Eney, as a representative of Goucher College, it ultimately recommended that the entire 31 acres south

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and west of Fairmount Avenue be zoned Business Major, and the map, as adopted by the County Commissioners in November of 1955, followed the recommendations of the Planning Department in zoning the 31 acres tract Business Major, and left all of the property north of Fairmount Avenue in residential classifications. The witness further testified that he requested some sort of commercial zoning for the north side of Fairmount Avenue, but was not specific in his request, and neither he nor anyone else appeared before the County Commissioners to request any commercial zoning north of Fairmount Avenue. Petitioner's Exhibit No. 24-B, which was introduced at the hearing and is an architect's plan of the development for the Goucher College property which was revised in November of 1954, shows the main entrance to the Goucher Campus complex to be in the identical location as the Dulany Valley Road entrance to the proposed Shopping Center site, which is the subject of this hearing.

W. Worthington Ewell, a recognized traffic expert testifying on behalf of petitioner, testified to numerous road improvements and construction in the Towson area since 1955. He also stated that in his opinion the proposed shopping center would create undue congestion in the roads. However, he did state that the traffic at the intersection of Dulany Valley Road and Fairmount Avenue would reach service level E (which is one hundred percent capacity), but would periodically clear itself of this congested situation. The witness stated that in 1955 the County had no plans for an inner beltway. However, the route of Fairmount Avenue and Goucher Boulevard was fixed prior to 1955, the route of the Towson loop from the York Road to the Joppa Road was known in 1955, and that the construction of Fairmount Avenue was begun in 1955 prior to the adoption of the Comprehensive Map for the Ninth District. The witness prepared and introduced an impressive exhibit showing the road constructions between 1955 and 1966. He testified correctly, the Board believes, that the road improvements served to make the site more accessible now than it was at the time that the map was adopted.

George E. Gavelis, Director of Planning for Baltimore County, testified

Goucher College - No. 66-59-R

that the Planning Staff was not making any recommendation with regard to the present petition. Indeed, his comments seemed to take a "middle of the road" position. He did state, however, that Fairmount Avenue is the line of demarcation between the commercial uses to the south and the residential uses to the north, and that the present zoning was set after numerous conferences with representatives of Goucher College. He further stated that the proposed reclassification would have a detrimental effect on the Campus Hills development because, in his opinion, it would constitute a change in the character of the area, and that it was in close proximity to the Campus Hills development, and felt that it might be the opening wedge to other reclassification requests on the north side of Fairmount Avenue.

The petitioner produced an expert land planner, Fred W. Tuemmler, who testified that in his opinion the present R-20 zoning is in error, and assigned as the reason therefor the failure of Baltimore County to eliminate the future potential growth of the Towson area in 1955 when the map was adopted. He introduced Exhibit No. 15, which is a list of eighty-one zoning cases in the Towson area from November of 1955 until June of 1966. However, it should be noted that the vast majority of these cases involved special exceptions for office buildings, or similar uses, or reclassifications to a residential apartment zone. An examination of the exhibit shows that there are only six cases involving commercial, and only one commercial reclassification in close proximity to the subject tract, which was case No. 66-110-R, a reclassification from an R-A zone to a B-M zone east of Fairmount Avenue and north of Joppa Road, within the same general commercial area which comprises Hutzler's and Towson Plaza, and inside the Towson loop. Case No. 63-119-R was a reclassification from an R-6 zone to a B-L zone of a very small lot of ground on the west side of York Road north of Seminary Avenue, and is approximately 7500 feet from the intersection of Dulany Valley Road and Fairmount Avenue. Case No. 5313-R is again a very small lot of B-L zoning more than one mile from the subject property. Case No. 3239-R is over 4,000 feet from the property, and Case No. 4959-R, which

Goucher College - No. 66-59-R

is a reclassification from R-6 to B-L, is more than one mile from the subject property, while case No. 5391-R, a reclassification from R-10 and M-1 to B-M, is almost two miles from the subject property. The majority of the Board does not find that any of the above mentioned reclassifications have any effect on the subject property. There were no reclassifications north and east of Fairmount Avenue, nor any north of Fairmount along either side of Dulany Valley Road. He further admitted that at times it is quite proper to use a dual lane highway as a line of demarcation between commercial and residential uses. A later witness for the petitioner, Mr. Wahbe, also testified that from a planning viewpoint roads are often used as dividing lines between different types of zoning.

Bernard M. Willenain, a recognized expert in the field of land planning, disagreed with Mr. Tuemmler, in that he felt Fairmount Avenue is a logical line of demarcation between the commercial uses to the south and west and the residential uses to the northeast. He further stated that the only changes in the area north and east of Fairmount Avenue have been within the permitted limits of the zoning that was adopted on the 1955 map, with the exception of one commercial reclassification at the corner of Fairmount Avenue and Joppa Road inside the loop. Further, that Goucher owns the land on both sides of Fairmount Avenue, and that when he was employed in a consultant capacity to Towson Plaza, that Goucher had taken the position that Sears was an unsuitable tenant for the College in the shopping center, and that he could find no documentary evidence to support the contention that the subject tract is "surplus land". He further stated that the construction of the Towson Plaza Shopping Center did not, in his opinion, constitute a change in the character of the neighborhood in that it was an improvement on the land within its existing zone, and also, that the leasing, etc., of the shopping center was under the direct control of the College and they exercised strict control over the tenants, etc., so as to lessen the effect of the shopping center on the balance of its property. He further stated that there have been

Goucher College, No. 66-59-R

no zoning changes with the exception of one apartment reclassification north of Fairmount Avenue and Cromwell Bridge Road all the way to the Loch Raven Water Shed, nor any north of Fairmount along Dulany Valley Road; and that even if the R-20 zoning is in error, it would be a greater error to reclassify the property to Business Major; that the buildings here would be too large to screen with trees, and that an extension of the Business Major zoning north of Fairmount Avenue would make the extension of commercial zoning all along the east side of the Dulany Valley Road from Fairmount Avenue north to the Baltimore County Beltway just as logical. He further stated he could find no evidence of any plans or proposals submitted by Goucher to Baltimore County for the use of its land north of Fairmount Avenue commercially, and the first time he heard of any plans by Goucher to extend the commercial north of Fairmount Avenue was in September of 1963.

Hugh E. Gelston, an expert realtor, testified that in his opinion the reclassification here would not have any adverse effect on the Campus Hills development; however, he did agree that the DeWolfe property would be adversely affected to some extent. There was also an indication that he attempted to purchase the DeWolfe property to lessen the effect of the proposed shopping center on the residential development to the east.

An expert realtor appearing on behalf of the protestants differed with Mr. Gelston, and stated that in his opinion Business Major zoning would depreciate the homes in Campus Hills, as well as the Dulany Valley Apartments westerly across the Dulany Valley Road, and the cottage homes on the west side of Dulany Valley Road across from the Goucher tract. He further felt that if the subject tract is reclassified outside the Towson loop, that real estate values within the Towson zone would depreciate. He agreed with Mr. Willenain that Business Major zoning is improper, and gave as reasons -

Goucher College - No. 66-59-R

- (1) that there is already a good deal of commercially zoned land within the Towson core that is not being used;
- (2) that it is possible to assemble enough properties in the already zoned area within the Towson core to build at least one department store; and
- (3) that if the commercial zoning crosses Fairmount Avenue, it could quite possibly lead to a further expansion of commercial zoning here.

A very vociferous witness for the protestors, Hilda Wilson, a business woman in the Towson area since 1921, testified in opposition to the reclassification, and gave as her reasons that the reclassification here would violate the planning principles that had been laid down for the Towson core area, and that the department stores should be inside the loop road within the Towson core. She stated she thought it was poor planning to go outside the Towson core because then the stores would be out of the center of the community, and that the center of Towson would then never become a real commercial center as has been planned. She further felt that the stores could be constructed within the Towson core by "going up in the air" rather than spreading out. Most of the other witnesses for the protestors were property owners living in the Campus Hills development who fear that twenty-five acres of additional Business Major zoning will increase traffic congestion, be detrimental to their homes, and that a reclassification north of Fairmount Avenue would be the entering wedge for further commercial requests in the future.

While the instant case is close, the majority of the Board does not find the petitioner has overcome the presumption of correctness of the Comprehensive Zoning Map, nor has there been sufficient change in the character of the neighborhood to require the

Goucher College - No. 66-59-R

rezeasing of this tract. Even if there had been sufficient change in the neighborhood (and we do not so find), the granting of this petition would be detrimental to the health, safety and general welfare of the Campus Hills community, Goucher College itself, and the apartments and cottage houses along the Dulany Valley Road, and further would be a detriment to the development of central Towson as envisioned by the Planning Staff (see Gavrellis' comment No. 5). Further, the evidence leaves us unconvinced that this location is the only location or the best location available for a department store in the Towson area. Perhaps the unanticipated population explosion in the Towson area should require the County to completely re-survey the Towson area and adopt a new comprehensive map. We feel that this would be the more logical procedure to follow, rather than to piecemeal rezone parcels of land by petition. In the case of Furnace Branch Land Co. vs. Board of County Commissioners, 232 Md. 536, 194A(2d) 640, the Court of Appeals noted:

"The Board concedes that there had been shown changes in the neighborhood, and a general need in the County for the use sought....."

However, later in the opinion the Court (194A(2d), p. 642) stated:

"Change in conditions may justify the amendment of the existing zoning ordinance to reclassify a particular property but it does not necessarily compel it. Even as in original zoning, rezoning must be in the general public interest for the promotion of the health, safety and welfare of the community, as well as in the individual interest of the land owner."

ORDER

For the reasons set forth in the foregoing Opinion, it is this 47th day of January, 1957, 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.

Goucher College - No. 66-59-F

subtitle B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

R. Bruce Alderman

RE: PETITION FOR RECLASSIFICATION :
from R-10 and R-20 zone to B-M zone, :
Northeast Corner Dulaney Valley Road :
and Fairmont Avenue, :
9th District :
Goucher College, :
Petitioner :

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY

No. 66-59-R

DISSENT

The undersigned member of the Board of Appeals dissents from the decision of the majority in this case, and will file an opinion in greater length at a date in the near future, because of the exigencies of time involved.

W. Giles Parke

Dated 20/02/1967

RE: PETITION FOR RECLASSIFICATION : BEFORE
from R-10 and R-20 zone to B-M zone :
Northeast Corner Dulany Valley Road : COUNTY BOARD OF APPEALS
and Fairmount Avenue :
9th District : OF
Goucher College, :
Petitioner : BALTIMORE COUNTY
 :
 : No. 66-59-R

DISSENTING OPINION

At the time of the signing of the Order by the majority of the Board the undersigned member of the Board dissented from such action, and is herein stating briefly his reasons for so doing.

Between the date the Dissent was filed and the time of the writing of the Opinion, an appeal was taken to the Circuit Court for Baltimore County by the Petitioner. I therefore deem it unnecessary to go into the facts as shown by the record, as it will be necessary for the Court above to read the entire record in any event. To begin with, I should like to point out that the power of the County Board of Appeals to rezone is in itself a part of the comprehensive planning in Baltimore County. As very aptly stated by Judge Hammond's Dissenting Opinion in *Finney v. Halle*, 241 Md. 224, at p. 243:

"The right and power of the Board to make individual reclassifications is to enable the rectification of mistakes, original or subsequently developed, which a reasoning mind reasonably could find to have been proven and which have made the classification on the particular property incompatible with that of the adjacent or close community, so that its use under its existing classification would be inappropriate and inharmonious in relation to the other actual uses in the neighborhood."

A reading of the record to my mind discloses that the Petitioner made a very strong case of both error in the original zoning and changes in the character of the neighborhood sufficient to warrant the rezoning requested. Both the amount and the quality of the testimony was outstanding as to the above facts, plus the effect that

the proposed rezoning would present no detriment to the general welfare of the neighboring community and would present great benefits to the general public in the entire district of north Baltimore County to be served by the proposed use, and would be of great benefit to Goucher College, an institution which is one of Maryland's outstanding institutions, of which we can all be proud.

To the contrary, the expert testimony produced by the protestors rested almost entirely upon the testimony of Mr. Bernard Willemain, an assiduous witness of the planning persuasion, which in my opinion was entirely discredited upon cross-examination in this particular case, which also, in my opinion, appears clearly in the record without going into details in this Opinion. In addition to this, a case which was pending at the time of the within decision, i.e. Bosley v. Hospital (Eudowood), 246 Md. 197 (Adv. Sheets), which Opinion was filed on April 6, 1967 and involves a tract of land in a situation almost directly similar to the one involved in the present case, has been decided. In the Bosley case Opinion, Mr. Willemain's testimony is cited at length, and indicates that his opinion in that case was entirely opposite to the one expressed by him in the within case on a substantially similar factual situation.

In addition to the above, it is important to note that almost every witness for the protestors conceded that there had been error, change or both, but felt that reclassification should be to some other use than the B-M zone proposed by the petition. With this I cannot possibly agree, in view of the location of the land directly across the street from the present large B-M zone, which is completely filled with legitimate B-M uses, and I do not believe anyone could come to the conclusion reasonably that the subject tract of land would be compatible with surrounding uses under any development possible under its present classification.

It is therefore my opinion that the decision of the majority of the Board is

unsupported by any substantial evidence sufficient to warrant the denial of the petition, and that the Petitioner has supported its case with about as strong evidence as it is possible to produce in a reasonable request for zoning reclassification.

W. Giles Parke

Date: Oct. 27, 1967

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: August 23, 1965

FROM: George E. Gavrelis

SUBJECT: #66-59-R. Reclassification from R-10 and R-20 to B.M. Zoning.
Northeast corner of Dulaney Valley Road and Fairmount Avenue.
Being the property of Goucher College.

9th District

HEARING: Thursday, September 2, 1965 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-10 and R-20 to B.M. zoning. It has the following advisory comments to make with respect to pertinent planning factors:

1. When the Zoning Map for the 9th District was being processed by the planning staff and the Planning Board or Commission, larger lot zoning petitions were recommended for the Goucher tract, based on the R-10 zoning was recommended alongside Dulaney Valley Road. A R-20 was recommended for the remainder of the Goucher tract. The R-20 was responsive to the open character of the Goucher tract. The plans and also was responsive to the large lot development which was occurring on the college. Residential development within the context of R-10 or R-20 zoning was not anticipated by the planning staff for the Goucher tract; the college was firmly established at its present site to imagine its moving elsewhere.
2. At the time of the Zoning Map's processing, an area along the southerly edge of the campus - adjacent and immediately north of what is now Goucher Boulevard and First Avenue, was identified by the college as "surplus property." Essentially "surplus property" is embraced by the subject petition. The spectrum of uses which were envisioned by the planning staff - related to institutional uses (such as Park Institute, a community center, institutional uses related to the college or to Towson University), higher density housing related to the college or to Towson, commercial uses, or other uses - was not anticipated by the college, its officials or by the planning staff and the R-20 recommendation stood.
3. In terms of private development of the Goucher "surplus tract", it is unlikely that its development for half-acre lots can be considered to be either realistic or reasonable.
4. The real issue in the subject petition is not whether or not the present zoning is in error. From a planning viewpoint, the issue is whether or not the use of several alternatives represents the best use for the Goucher tract. The alternatives represent the total development of the Towson business and residential complex as a whole.

UNCLASSIFIED

GARRICK W. ROYSTON
H. ANTHONY MUELLER
W. LEE THOMAS
A. J. HARRISON
EDWARD L. HARRISON
ALFRED J. HARRISON
J. HARRISON STONE

ROYSTON, MUELLER, THOMAS & McLEAN
ATTORNEYS AT LAW
CAMPBELL BUILDING
TOWSON, MARYLAND 21204

November 1965

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

RE: RECLASSIFICATION OF NORTHEAST
CORNER OF DULANEY VALLEY RD.
AND FAIRMOUNT AVENUE,
9TH ELECTION DISTRICT
GOUCHER COLLEGE - PETITIONER 60-50-R

Dear Mr. Rose:

Please note an Appeal from your Order of
November 2, 1965 in the above captioned matter to
the County Board of Appeals.

Enclosed is a check in the amount of \$70.00
to cover costs of said Appeal.

Yours very truly,

W. Lee Thomas
Attorney for Goucher College
Petitioner

GOUCHER COLLEGE

BY: Nolan P. Chipman, Esq.
W. Lee Harrison, Esq.



MICROFILMED

GRG:bms

MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John G. Rose, Zoning Commissioner Date: August 23, 1965
FROM: GEORGE E. GARRETT
SUBJECT: Petition #66-55
9th District
HEARING: Thursday, September 2, 1965 (1:00 P.M.)

5. From a planning viewpoint, the staff would find it easier to recommend continued commercial development take place in Towson within the context of reuse or more intensive use of the commercial zoning which now exists. From a planning viewpoint, the fantastic growth potentials for Towson as a strong multi-purpose center should not be diluted by dispersing activities which should take place in Towson to locations elsewhere.
6. The dilemma of the planning staff is that a mechanism does not exist to assure cohesive and planned development within the existing confines of the Towson business district. Planning presently is an advisory function - guiding, advising. Zoning is a regulatory function. By themselves, they do not and cannot force private investors to initiate development. In Towson, the market potentials exist for commercial expansion. In Towson, assembly of land for large scale private development is difficult. In Baltimore County, public powers to assemble blighted or substandard areas for reuse by private investors do not exist. Other alternatives to the kinds of treatment which was possible under urban renewal measures loom, but may be some years away.
7. With appropriate tools, solutions regarding cohesive development of the Towson business district would be possible. At the moment, such tools do not exist within the public or private sectors and its future remains clouded.
8. Notwithstanding previous comments, it would appear that proper consideration has not been given by the petitioner with respect to the relationship between his proposed commercial activity and the Campus Hills development. If commercial development were to occur, better buffering or transition should be provided at the southeasterly corner. Certainly, the access points are too close to the Campus Hills development.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. James Dyer, Chairman
Zoning Advisory Committee
Captain Paul H. Reinken, Fire Bureau
Goucher College
15000 Dulane Valley Road & Fairmount
Dist. 9 6/9/65

The proposed construction planned for this property will require additional water supply and fire hydrants for fire protection. We feel, however, if this proposal receives funding it will not be a fire hazard.

Spacing of fire hydrants is 300' apart as measured along an improved road. In addition, evaluation is made according to the National Board of Fire Underwriters water supply requirements for the structures involved.

Please contact the Fire Review section of the Fire Prevention Bureau for further information or assistance.

WHL:jls



Mr. John G. Rose, Zoning Commission
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Rose:

The applicant's Engineers - Swell, Bonhart & Nelson, have contacted this office relative to our comments concerning the proposed entrance onto the State Highway.

Upon review we wish to add the following to Jack Dyer's previous comments to your office:

The plans produced by the Engineers lacked sufficient details for issuance of a State Roads Commission entrance permit. However, in general a dual type facility (24' lanes plus a 6' median divider) with adequate radius returns would be acceptable to the State Roads Commission.

The proposed entrance should be in the same approximate location as the existing entrance.

Should it be necessary to encroach on our property immediately to the south of the proposed entrance in order to provide sufficient frontage for such entrance, we will allow the petitioner to do so provided that they make the necessary addition and adjustments to the existing storm drain structures and also provide for any required additional easements.

For a large generator, such as proposed, a left-turn lane in the median strip should be constructed by the applicant.

Thank you.

Very truly yours,

Charles Lee, Chief
Development Engineering Section

Clark

MICROFILMED

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 12-2-65
Posted for: Goucher College
Petitioner: NE corner Dulane Valley Rd and Fairmount Ave
Location of property: NE corner Dulane Valley Rd and Fairmount Ave
Location of Sign: NE corner of Dulane Valley Rd and Fairmount Ave
Remarks: See attached map of the property showing the location of the sign.
Posted by: Robert L. Smith Date of return: 12-2-65

from the University of Peabody Institute of Music

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 8-10-65
Posted for: Hearing Thursday Sept. 2 at 7:00 P.M.
Petitioner: Goucher College
Location of property: NE corner Dulane Valley Rd and Fairmount Ave
Location of Sign: On marked on the map
Remarks: On Fairmount Ave.
Posted by: Robert L. Smith Date of return: 8-10-65

CERTIFICATE OF PUBLICATION

OFFICE OF
The Community Press
DUNDALK, MD., August 11, 1965
THIS IS TO CERTIFY that the annexed advertisement of "Goucher College" was inserted in THE COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week successive weeks before the 10th day of August 1965; that it is to say, the same was inserted in the issues of 8-11-65

Stromberg Publications, Inc.
Publisher.

By: Mrs. Palmer E. Stromberg

INVOICE
BALTIMORE COUNTY, MARY AND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
No. 41075
DATE 1/21/67
TO: W. Lee Thomas, Esq.
Campbell Building
Towson, Md. 21204
BILL TO: County Board of Appeals
(Zoning)
REPORT TO ACCOUNT NO. 64-712
TOTAL AMOUNT \$20.00
QUANTITY
Cost of certified documents - NE corner Dulane Valley & Fairmount Ave. - 9th Dist. (File #66-55-1) Goucher College \$20.00
1-3061 20.00
1-3062 20.00
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.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
No. 33555
DATE 1/30/65
TO: W. Lee Thomas, Esq.
Campbell Building
Towson, Maryland 21204
BILL TO: Office of Planning & Zoning
119 County Office Bldg.
Towson, Maryland 21204
DEBIT TO ACCOUNT NO. 61-622
QUANTITY
Cost of posting property for appeal hearing - 4 signs \$20.00
Goucher College - 66-551
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IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPFR SECTION OF THIS BILL WITH YOUR REMITTANCE.

Containing 28,713 Acres of land more or less.

To be returned to the above description, they are referred to the true and correct copy of the same.

Being a part of the land which, by a deed dated September 1, 1921 and recorded among the Land Records of Baltimore, to the Liberator Wm. S. 545, false 261 was conveyed by Harriet R. Chew et al to George C. Colver.

Signed the property of George C. Colver and shown on plot plan filed with the Zoning Department.

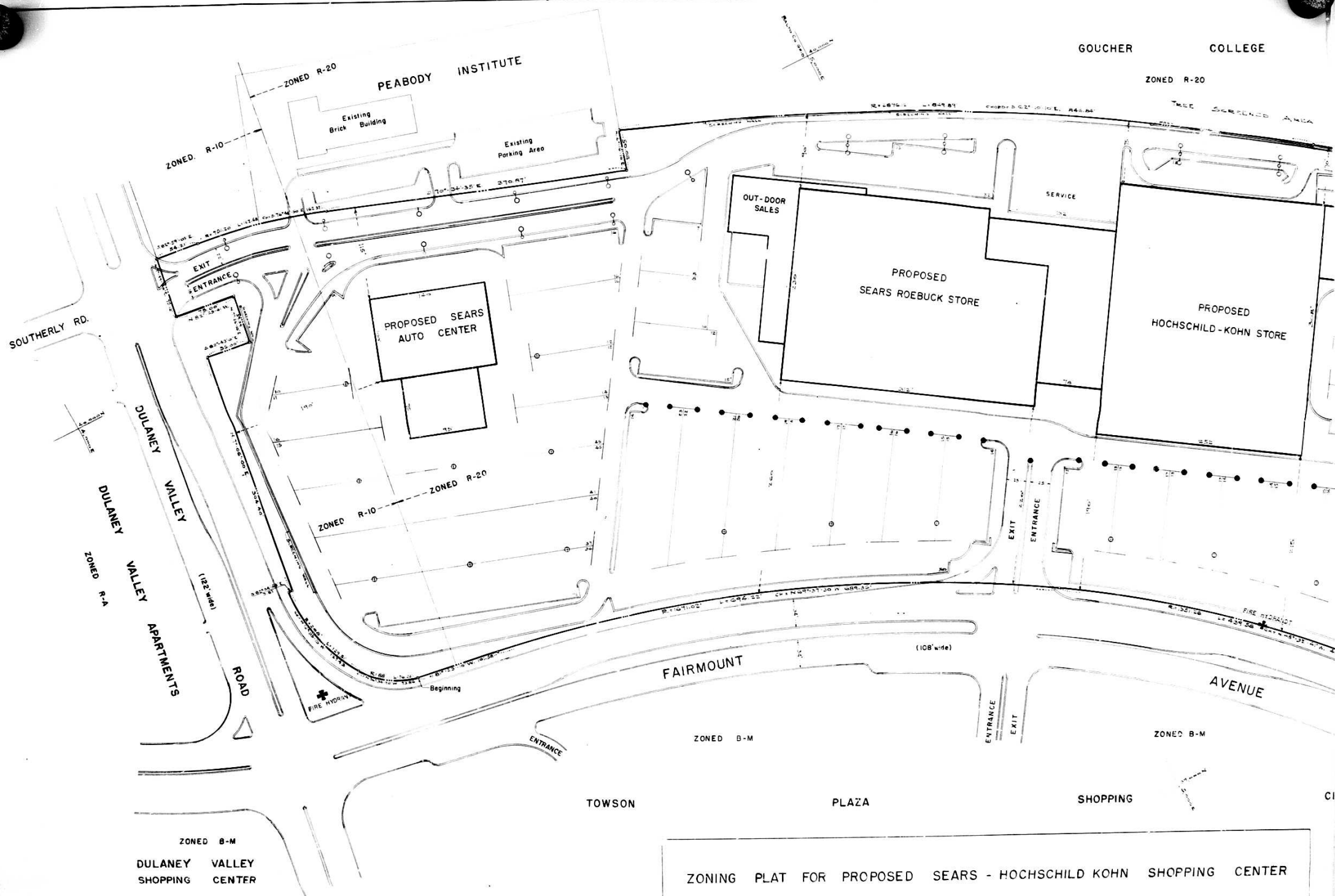
Hearing Date: Thursday, September 2, 1932 at 10:00 P. M.

Public Hearing Room, Room 148, County Office Building, 111 W. Chesapeake Avenue, Tysons, Md.

By order of

JOHN C. ROSE,
Planning Commissioner of Baltimore County.

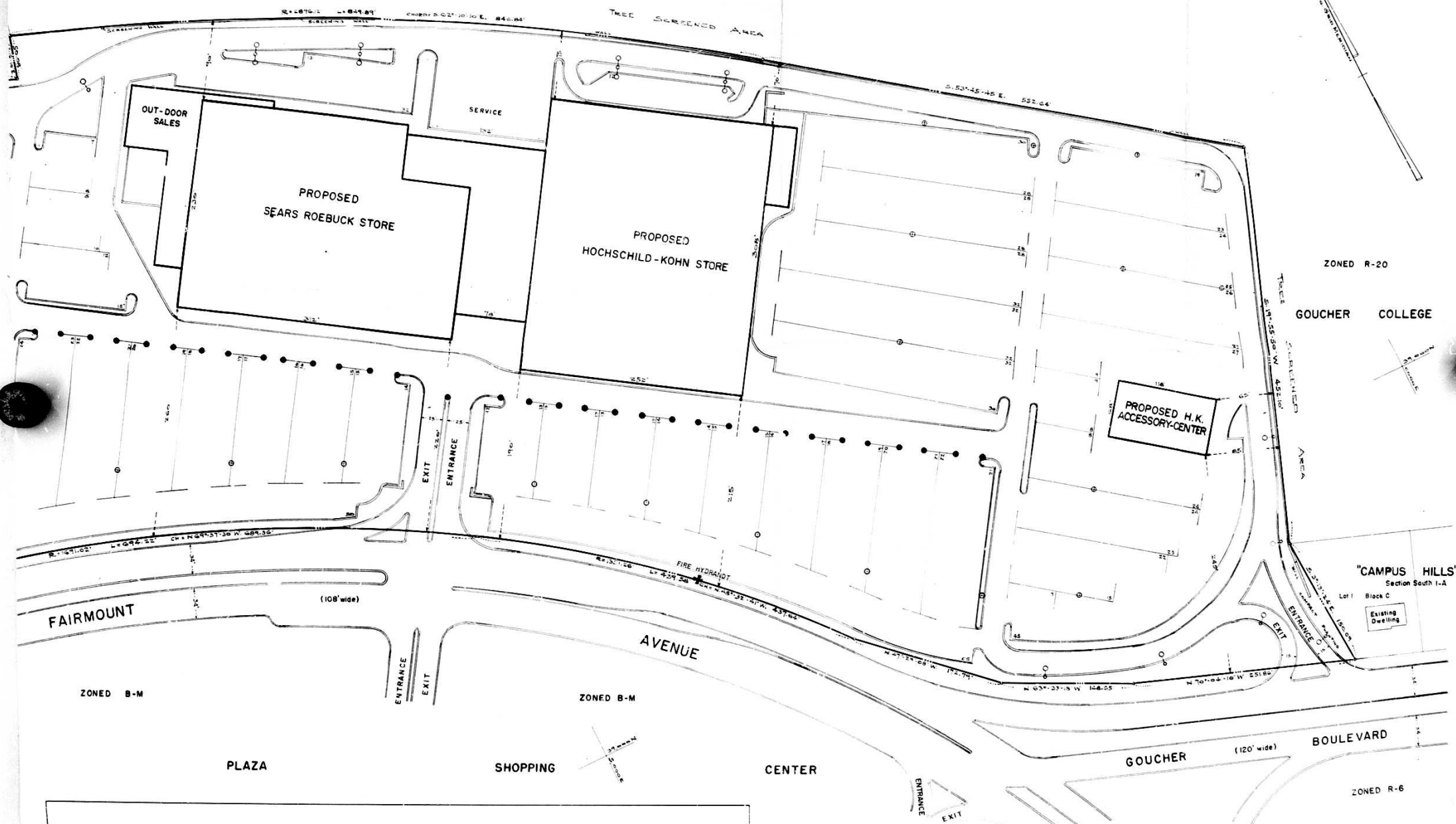
Ans. 12.



SCALE: 1" = 50'
APRIL 9, 1965
DOLLENBERG BROTHERS
SURVEYORS & CIVIL ENGAS
709 WASHINGTON AVE. TOWSON, MD.

GOUCHER COLLEGE

ZONED R-20



ZONING PLAT FOR PROPOSED SEARS - HOCHSCHILD KOHN SHOPPING CENTER

LOCATED AT

TOWSON - NINTH DISTRICT - BALTIMORE COUNTY - MARYLAND.

25.712 ACRES±

EXISTING ZONING	R-10 and R-20
PETITIONED ZONING	B-M
PARKING DATA	
USE	RETAIL TRADE
TOTAL FLOOR AREA	366,000 SQ. FT. - INCLUDES BASEMENTS & ALL FLOORS
NO OF SPACES REQUIRED	366,000 - 200'1830
NO OF SPACES PROVIDED	1878

FD