TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

to we will be described in the description and plat attached bereto and made a part lieror. 2 B bereby petition (1) that the zoning status of the herein described property be re-classified, paramated to the property be re-classified. to the Zoning Law of Baltimore County, from an an ARCHzone; for the following reasons:

NW- 66 BL

HAMMOND B. PIERPONT S/S Liberty Rd. 676'

County, to use the herein described property, for worked a stopped a

and (2) fo. a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore

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

and and Place of

Legal Owner

Address SUZS Laborty Kens

Egyle 114 1

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Contract purchase

3 Holling . hom Le Uma 184 2226

6th day ORDERED By The Zoning Commissioner of Baltimore County, this 196.5 , that the sutject 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 26th to 24 day of January 196 6, at 11:00 o'clock

Zoning Commissioner of Baltimore County.

Pursuant to the advertisement, posting of preperty, and public hearing on the above petition and

the above Reclassification should be had; and it further appearing that by reason of.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this...

the same is hereby reclassified; from a... zone to a.... should be and the same is zone and/or a Special Exception for a granted, from and after the date of this order.

Zoning Commissioner of Baltimore County

Pursuant to the advertisement, posting of property and public hearing on the above petition egother by rooms of as the petitioner failed to prove error on the Zoning Map adopted by the County Council or that sufficient change had taken. place to warrant the rezoning,

the above re-classification should NOT BE HAD, applicant the above re-classification should NOT BE HAD.

...... 1066... that the above re-classification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and

Zoning MI GROFIL MED e Count

RE: PETITION FOR RECLASSIFICATION from an R.A. zone to a B.L. zone S/S Liberty Road 676 feet Southeast of Milford Mill Road, 2nd District Hammond B. Pierpont, et al, Petitionars

COUNTY BOARD OF APPEALS BALTIMORE GOUNTY 2-B No. 66-74-R WESTELH PREA NW-6-6 OPINION

BEFORE #66-174R

This case comes before the Board of Appeals on petition of Pierpont for the reclassification of a rectangular shaped tract of land, appr 1.104 acres in size, located on the South side of Liberty Road 676 feet Southeast of Milford Mill Road, in the Second District of Baltimore County,

The propert, East of the subject is zoned B-L to the South, and West are R-A zenes. Northerly, across Liberty Road, is B-L, and Northwestwardly is R-6. The section along Liberty Road extending from Abbie Place on the East to Rolling Road on the West, is predominantly commercial.

Mr. John E. Meyers, Assistant Development Engineer for the Maryland State Roads Commission, testified that funds had been allocated, contract has been let and work has started as of September 6, 1966 to widen Liberty Road to 60 feet of paving on an 80 foot right-of-way from the Beltway, westward to Randallstown. The project is estimated to be completed within 325 working days, which would be in the Spring of 1968.

Joseph Soley, President of the Jo-Bar Company, testified that his company is the Contract Lessee of the subject property, that it constructed the stores located on the adjoining parcel on the E. I side of the subject property and those across the street. It is the Company's intention to construct similar stores on the subject tract. Mr. Soley further testified that he is a builder of both commercial and apartment buildings.

Hammond B. Pierpont - No. 66-174-R

He does not consider the subject traci to be a suitable location for apartments. Based on experience, he stated that a tract with highway frontage between retail stores, is not a suitable location for apartmen' that there is no demand for offices in the area, but that there is a strong demand for retail stores by a growing population.

Mr. Frederick P. Klaus, a Realtor and Appraiser, appeared on behalf of the petitioner as an expert witness. He testified that in his opinion, the 1962 map was in error for zoning the 6 acre tract R-A. Because of its small size, irregular shape and being located in a "squeezed" position between two commercial tracts, it is impossible to use the land for R-A development, and that such zoning is confiscatory. He further cited seven cases of zoning changes since the adoption of the map which are set out in Petitioner's Exhibit No. 3.

Martin Schwartz, a nearby resident, protested the reclassification because there are no development plans for the remainder of the six acres, nor for the cutting through of the Rockdale Terrace Street, and because of creeping cor mercialization on

Counsel advised the Board that other protestants present would give cumulative and repetitious testimony as that given by Mr. Schwartz. However, the Board feels the subject property best lends itself to a commercial use in light of the existing zoning and useage to the East and West

The Board is of the opinion that the Petitioners have proven both change in the neighborhood and error in the original zoning map sufficient to warrant the reclassifi-

ORDER

For the reasons set forth in the aforegoing Opinion, it is this

\$66-174F 100P WESTERI

Hammond B. Pierpont - No. 66-174-R

NW-L. of January, 1967, by the County Board of Appeals, ORDERED, that the raclassification petitioned for, be and the same is hereby Granted

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

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

R. Bruce Alder

W. Giles Parker

Peti. Ex# 3

OUR CASE - 55-174 R

63-165-R ---

Property of William R. Brown
NE/S of Liberty Road and NW/S of Rockdole Terrace

Granted by Zoning Commissioner on Dec. 11, 1963

Proposed use 3,000 sq. ft. Building

Property of H. May Mansfield NE/S of Liberty Road - 12' N. of Rockdale Terrace

From R-6 to BL 0.75 Acres

Granted by Zonling Commissioner on July 30, 1964 Appealed on August 28, 1964 Order of Dismissal filst before Soar of Appealo Order of Dismissal issued by Board of Appeals on July 30, 1965

65-88-R ----

Property of Daniel C. Joseph NE/S of Liberty Road - 259' SE of Rockdale Terrace

From R-6 and BL to R.A.

Granted by Deputy Zoning Commissioner on Sept. 21, 1964 Appealed to Board of Appeals on October 19, 1964 Order of dismissal by Board of Appeals on February 23, 1965

5619 --- XVA

100

John Euler Case - File #65 289

Luon Crope Cose - File #5747

66-182 -----

Property of Alvin Landar SE/S Langrehr Road - 150' from SW/S Liberty Road

From R6 to BL

Judge Berry - Fab. 10, 1964

Bring Fit, on this one.

Mr. John G. Rose,

COOK. MUDD & HOWARD



Re: Petition for Reclassification from R-A Zone to B-L Zone - 5/S Liberty Road 676 'S/E of Milford Mill Road, 2nd District - Hammond B, Pierpont and Wanda Pierpont, Petitioners -The Johar Corporation, Cont. Lessee No. 68-174-X.

66-1

- MAR 21 '66 ... -

On behalf of the petitioners, will you kindly note an appeal to c County Board of Appeals for Baltimore County from your decision and order denying the reclassification in the above entitled case dated March

I am enclosing herewith check payable to Baltimore County in the amount of \$70,00 to cover the cost of this appeal

VAN REUTH AND WEIDNER, INC. IVIL ENGINEERS AND SURVEYO DAOR HOAD DALTIMORE MARYLAND 21212 IDLE MOOD 8 2400

DESCRIPTION OF PROPERTY TO BE REZULED FROM BA TO EL

October 20, 1965

MAP

WESTER

NW-

NW-

AFFA

YION OF PACT LIT TO BE EXACTED BY THE JOHN THROGATION MICH HAMMADD B.
AND MICH, LOCA SO OF LIPREY HOLD TEAM APTER MEADS, SECOND SERVICES, PULLWARE SOUTHY, MARTIAND.

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BALLIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Mr. George E. Gavreiis, Director Office of Planning and Zoning

V #66-174R Date January 14, 1966

2-B

BL

Wester ARCA SUBJECT "Petition 66-174-R. S/S Liberty Road 676' SE of Milford Mill Road.

Reclassification from R.A. to B.L. Hammond B. Pierpont - Petitioner. NW-6-NW-5-4

2nd District

HEARING: Wednesday, January 26, 1966. (11:00 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

- 1. The present BL-RA zone line adjacent to the subject site lies within the right of way of "Proposed Rock-dale Terroce-Gaither Road," shown on the petitioner's plat. This line was affirmed by the Comprehensive Rezoning Map for the Western Planning Area, the RA zoning being applied, more gather reasons, to arrist the spread of strip-commercial development. To quote the Planning Board on the matter, "Curr current Maker Planning in the County should seek clearly to identify and to stabilize the outer limits of commercially-zoned strip frontage where further lengthening is undestrable JDy". The application of the County's Residential, Apertment Zone as a deterrent of commercial expansion (aspecially literally..." "Since the Map's adoption, further erasius of condide land by commercial zoning has occurred across the street from the subject property. Whatever "change" this reclassification barrought, however, is definitely distriby the establishment of an alignment for the connection between Rock-dale Terrace and Gaither Road; the road will reaffirm the logicality of the original zone boundary on the southwest side of Liberty Road.
- A second and equally important reason for placing the RA classification on the subject property was related to the size and depth of the overall tract. The tract is large and deep enough to be eminently suited for apartment development. Whereas many properties lining major roads are so shallow as to preclude anything but ribbon development (whether apartment houses, offices, or commercial facilities), this tract in its entirely presents on excellent potential for effective residential site planning. Commercial zuning of t'e frontage would reduce this potential significantly.
- In view of the above considerations, we must recommend that the petition not be granted.

*Planning Board Policy Statement, "Appendix "D," Report on the Master Plan and Comprehensive Rezoning Map, Western Planning Area, 1961.

BALT ORE COUNTY, MAIN AND No.35784 TELEPHONE 823-3000 OFFICE OF FINANCE DATE 2/25/66 Division of Collection and Receipt COURT HOUSE TOWSON, MARYLAND 21204 Maryland Commercial Contractors, Inc. 3 Hollins Ave. Baltimere, Nd. 21210 BILLED Zening Dept. of Balto. Co.

DEPOSIT TO	OCCOUNT NO. 01-522 DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	\$57.50 COST
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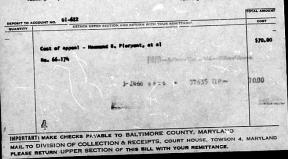
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTIMORE COUNTY, MARY AND OFFICE OF FINANCE

No.37635 DATE 3/23/66

COURT POUSE

MARYLAND 21204



COURT OFFICE OF PLANCE COURT OFFICE BUTLLION TORON, MACCIONE 21204 ter Homman' H. Pierpent at a Prested on the 1/2 Liberty % 17-18 of Milford Mill End One District (Item 1, Dovember 9, 1965) The Saing torinary Committee has reviewed the subject position and salars the following compacts: SAN OF TRAVETO PROTESSATED. This bureau is in agreement with the State Souds Constant They ware GO TESTUR: Yes owner also sups the migeorst sits to the eart which is supplied which he has requested an entrance in addition to the common entrance. The many also comm a sixty of last adjuscent to the work ride of the many ander site which he was a supplied for access to the property of the range of the property of the supplied of the supplied of the committudes four entrances to the property indicated the supplied of the supplied

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so into subject promoting, and are as follows:

We concur with the Office of Planning in that the property senser should subsite development plan for the entire lemmons. Here at property complying with the Saltimora county substitution regularly and the property complying with the Saltimora county substitution supplies that a plan recent indicates to the construction fraction of other lead of the large with the continuous countries of the co

of the Of Plantin and 2007M1 fee attached movements from the Scarge S. Or Erreton, Office of Planting and loning to Sr. George S. Seter, Chief, Sureau public devices.

The above community are not intended to indicate the supreoptiations of the coming action requested, but to assure that all parties are made share of p is up while that may have a bearing on this case. Who birector who have be the Bey lives of the other of Planning and Jenning util might recommendations on the Resultance of the requested coming 10 days before the Scaling Comminities is hearing.

very truly you James Abyer

no: Br. C. Hichard Horre-Bureau of Traffic Engineering Br. John Heyers-State Monte Constacton Br. Carlyle Bross-Sureau of Engineering

BALTIMORE COUNTY, MARYAND OFFICE OF FINANCE

No.35713

Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

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	DETACH UP-SA BEGTION AND BETURN WITH YOUR REMITTANCE		TOTAL AMOUNT
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BALTIMORE COUNTY, MARYLAND No. 44314 OFFICE OF FINANCE

Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

BILLED Office of Planning & Zenii 119 County Office Bidg., Beltimore, Rd. 21204

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IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

66-174-R CERTIFICATE OF POSTING PARTMENT OF BALTIMORE COUNT Towner, Maryland

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PETITION FOR RECLASSIFICATION 2nd DISTRICT ZONING: 2ros. R.A. to B.L.

Second District of Saltanare.
County
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muth hisle of Liberty County, Marymuth of Haltimare County, Marymuth his muth hi along the south Road South 65

Hearing Date: Ved., March 2, 1966 at 1:00 P.M. Public hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF JOHN G. ROSE, ZONING COMMISSIONER OF BALTIMORE COUNTY

THE BALTIMORE COUNTIAN

THE HERALD - ARGUS

CATONSVILLE, MD.

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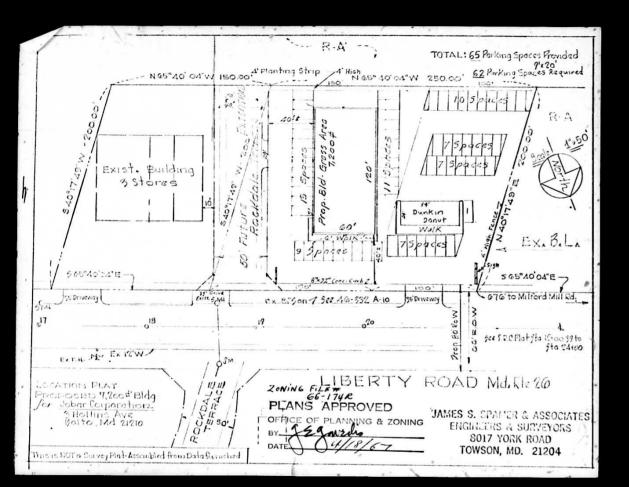
THIS IS TO CERTIFY, that the annexed advertisement of

John G. done, woning Contact nor or or or other or control was inserted in THE BALTIMORE COUNTIAN, a group of three: weekly newspapers published in Baltimore County, Maryone successive weeks before 14th day of Jenning, 1966, that is to say

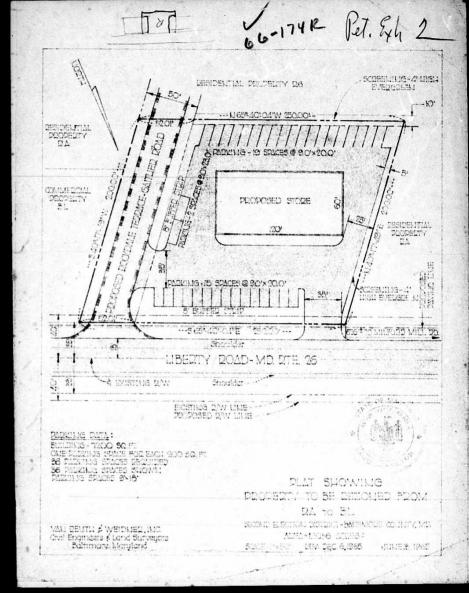
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THE BALTIMORE CCUNTIAN

By Paul J. Morray Editor and Manager N. 70.



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