### PETITION OR ZONING RE-CL. SIFICATION AND/OR SPECIAL EXCEPTION TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: ERNEST J. HARTIG and ERNEST J. HARTIG and X XX we DORUTHY L. HARTIG, legal owner a of the property situate in Baltimore Maj County and which is described in the description and plat attached hereto and made a part hereof. 2-B hereby petition (1) that the zoning status of the herein described property be re-class an AREA NW-6-H 1. To allow apartment construction as pro 2/2/66 attached hereto. and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimor County, to use the herein coscribed property, for. Property is to be posted and advertised as prescribed by Zoning Regulations I, or we, agree to pay expenses of above re-class...cation and/or Special Exception advertising. osting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning ons and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimor m Goldking Alraham MITTER DE MELLE. 3700 01/5 on for 2/107 Address 900 Reisterstown Road oner of Baltimore County, this 10th ORDERED By The Zoning Commis of January 1965, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-County, that property be posted, and that the public hearing be had before the Zoning County, on the 15th PM.

Appellants assign as a ground or cause for the Motion to Strike his textinenty a supposed acknowledgement by the witness that erroserue information hold by him with relationship to the property adjoining to the cast (Saltimore County Mospital) would destroy the worth of his testimony and render it inadmissible. The record does not support this contention. The ruling of the Board on the Motion to Strike

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#### Contentions on the Merits of the Case

64-17-R

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It is contended by the Appollants that the Board area in refusing to conutder whether there had been such changes in the neighborhood as would reasonably justify the requested reclassification. Assuming, without deciding, that an issue of change in the neighborhood justifying reclassification was available to the Potitioner in ... o form in which his Potition was phrased as herotofore set forth, this Court adopts the rating of the Board that under the previsions of the Baltimore County Code, 523-22(f) (bill No. 80 - 1850) no reclassification upon such ground could be considered until two (2) years after November 18, 1862.

It would corve no useful purpose for the Court to engage in a langthy recognization of the evidence produced in this case. The conditional evidence in this case is well recognized by the witness Gavelle, at page 101 of the Records

"A. The subject property, in all fairness, is cortainly approaching the edge of this residential (speciment) area. If you would ensure that Liberty Road ente est, just us may, boundary between one set of residential raisphocheods, and houses of the planned usages which craft between this property and Liberty Road, which are either commercial or institutional or speciments, I would say in all fairness the subject property is in an edge situation."

There is credible evidence that the planning recommendations and the Legislative policy in this area was: (a) not to extend apertment senting (except as a buffer between commercial and residential areas) further to the west along Old Court Road; (b) that the residential appearance of Old Court Road should be maintained even by the creation of R-6 strip sening along its menth side. The evidence shows also that there is land stready goned for apprehensit usage in the

RE; PETITION FOR RECLASSIFICATION from an R-6 zone to an R-A zone SE corner Old Court Road and Carlson Lone, 2nd District Ernest V. Varilg, Petitioner-Appellant

CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. 8/238/3822
Zoning File #66-180-R

ON REMAND FROM THE

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In regard to the above captioned case, the Board has received notification from counsel for the petitioner-appellant that his client is no longer a party in inturest in the property and the questions before the Board ure moot.

The appeal in this case is, therefore, dismissed and the Board's file will a closed.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Ala mie

Date: May 18, 1971

neighborhood that has not yet been put to such use.

In this effuction it is very clear to this Court that the susction whether the requested reclassification should er should not be granted is a matter for reasonable debate. On such a record this Court accordingly cannot substitute its judgment for the judgment of the Doard.

The Appeal is denied.

W. ALBERT MENCHINE, Judge

December 18, 1964

AURAVIAM H. GOLDKIN and : IN THE

IACK RUBIN

VS : CIRCUIT COURS

COUNTY BOARD OF APPEALS
OF EMITIMORS COUNTY : FOR

AND : PAITIMORS COUNTY

MORRET MALCHODI and
DWID BROTHAM
(Interveners and Protestants) : Misc. Dkt. 7/500/5025

MEMORANAUM

This is an Appeal by contract purchasers from a decision of the County Board of Appeals, denying reclassification of six (6) acres of land fronting on Old Court Road near Liberty Road. For purposes of this Memorandum Old Court Road will by considered as running east and west, and Liberty Road as running north and south. Both sides of Liberty Road for a considerable distance north and south of its intersection with Old Court Road are sened for commercial or apartment usage. The four corners of the intersecting streets are moned for commercial purposes. The property that is the subject of these proceedings lies on the south side of Old Ocure Road at a point about 1250 feet west of Liberty Road; is approximately rectangular in shape; has a frontage on Old Court Road of about 555 Post; with a depth southerly of about 700 fact. The east boundary of the subject property borders a raset 9.6 acres in size presently gened R-5, but utilized as a Class A hospital, a use authorized under the R-6 classification. It is bordered on the west by Carlson Lane and by R-6 lands for a considerable distance. Beyond the hospital property proviously referred to and further east of the subject is an area zoned for apartment use and at the intersection of Old Court and Liberty an area zonal and used for commercial purposes. Opposite the subject property on Old Court Road and extending both east and wast of the

subject property, there is I.-S classification. This A-S classification along the north side of Old Court Read takes the form in part of properties with very considerable depth, and in part of a strip of R-S sound line leading to the nonmarked intersection of Liberty food. To the north of the R-S strip on the north side of Old Court Read is property that is sound RA.

The Petition for Reclassification of the subject property least \$2.5 to \$3.5 to \$3.5 to \$3.5 to \$3.5 to \$4.5 to \$3.5 to \$4.5 to \$3.5 to \$4.5 t

### Contentions as to admissibility of Evidence

Counsel for the appellants have raised objections to the rulings of the Board as they relate to the admissibility of evidence. One of these contentions is that the Board committed error in "taking judicial notice" of a decision in Zening File 603-85-R, wherein the Board (then comprising a different member or members) made the decision, a pareful examination of the record back this Court to the conclusion that the use of the vectal "eximp judicial notice" as used by the Board had no other or different meaning or effect in this case than that the result of the decision in that case would be considered by the Board as a fact. Since that case dealt with guyarry lying on Old Court Road mear its intersection with Liberty Road, within a stone's threw of the subject property, it would be odd indeed if this Board ignored that decision as a factor bearing upon the present case. The Court finds no error in this ruling of the Board.

A second contention is made that it was error for the Board to rad us to strike out the testimony of George E. Gavrelle, Acting Director of the Office of Planning and Zening, who was called as a witness of behalf of the processants.

mr. Rose

ZONING FILE NO. 66-180-R

ERNEST V. HARTG

VS COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY IN THE CIRCUIT COURT
FOR BALTIMORE COULTY
Misc. #3822, Docket 8, Polic 238

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#### MEMORANDUM OPINION AND ORDER

The Potitioners in this case have requested that their property be reclassified from R-6 zoning to an EA zone. The record indicates that they heretofore filed a similar petition which was denied by the Board of Appeals by its Order dated May 28, 1964, and which decision was affirmed by the Circuit Court for Baltimore County.

However, the original polition was based solely on error in original zoning as established by the Comprehensive Zoning Map. This was necessarily to because Section 500.3b precluded any reclassification of the property based on the ground of change in the character of the neighborhood (See Section 500.3b). Since the issue of change was not before the Board in the hearing or the original polition, it must follow that the doctrine of res judicate as to this issue does not apply to the present polition and in this case the Board should have considered any changes in the neighborhood from the date of the adoption of the Comprehensive Zoning Map and not restrict its findings to changes which occurred solely from and after its Order of May 28, 1964.

It is obvious from the entire opinion of the Board in this case
that it considered only changes in the neighborhood since its Order of Mey 28,
1964. and the concluding paragraph of its Coinion states:

"The Board cannot find from the record that sufficient changes have taken place in the neighborhood since May of 1964 to justify the requested reclassification. Therefore the petition will be denied." , \_ .<sup>©)</sup>

It is, therefore, this day of December, 1967,
ORDERED by the Circuit Court for Baltimore County that this case be
rumanded to the Board of Appeals for further proceedings consistent with
the provisions of this Memorandum Opinion.

LESTER L. BARRETT

Judgo

Recid 12/6/67

06-04-71

FRNIEST V HARTIC #44 100 D 22 ----- 211 C------ 22 2nd District Paslouification from P. 6 to P. A. Inn 10 1966 Reclassification DENIED by D.Z.C. luna Order of Appeal to C B of A Aug. 24 1967 Reclassification DENIED by County Board of Anne de Order of Appeal to Circuit Court filed by William D. Wells, Esq., Attorney for Petitioner (File #3822) Cant. 21 Case Remanded to the Board by Judge Barretr for further proceedings consistent with Opinion (mCount July) Order of the Board: "... the Board has received notification from counsel for the petitioner-appellant that his client is no longer a party in interest in the property and the questions before the Board are mout..."

PETITION FOR RECLASSIFICATION TH THE FROM R=5 ZONE TO R=A ZONE CTROUTT COURT SOUTHEAST CORNER OLD COURT BOAD ena AND PARISON LONG SECOND DISTRICT BALTIMORE COUNTY FRMEST V HARTTE Misc. Docket No.8-Folio 238

#### ...... PETITION FOR APPEAL

TO THE HONORABLE. THE JUDGE OF SAID COURT:

The annellants, Abraham H. Goldkind, Helen Goldkind, Nurray Goldkind, Joan Goldkind, Aeron S. Goldkind, Friede Goldkind, Jack Rubin and Evs G. Rubin, by their Attorney, William D. Wells, respectfully reprenanta

- 1. That they are the present owners and former Co-Petitioners as Contract Purchasers of the land for which reclassification is sought from 0-6 to 0-1 7ees to the ofthis sees
- 2. That they have heretofore filed, to wit, on September 21. 1967, an Order for Appeal from the final determination of the County Hoard of Appeals (hereinafter called the \*Spard\*) in the shows entitled matter pursuant to Gule 1101 (b) of the Gules of Grocedure are filled this Petition within ten (10) days of the filing of said Order of Anneel in accordance with enid Sules of Fromedure
- 3. That a hearing was held on May 10, 1967, before the said Spard on the shows Patition for Parlametfication from R-6 to R-1 Jone
- 4. That by its Opinion and Order dated August 24, 1967, the Board desired the reclassification satisfies for

5. That the action, decision, opinion and order of the Board was erroneous, illegal, orbitrary, capricious, and wenting in sufficient testification for the following reconst

- a. That the same is syminat the syldence.
- b. That the same is against the weight of the swidence.
- c. That the summary of the Petitioners' evidence as stated in the opinion upon which the decision was based is not complete and is not in accord with the evidence presented by the Petitioners.
- d. That the Board misinterpreted and ignored evidence presented and misepplied the law in reaching its decision, and the action taken based upon the Board's misinterpretation of evidence and -t----lienties of les use clearly erronyous.
- e. That the said action, opinion, decision and order of the Spard in the light of the evidence and low presented constitutes a gross abuse of the discretion exercised by the Scard.
- f. For such other and further ressons to be shown at the time of the hearing herson.

MANAGERORE WANT Petitioners pray that this Honorable Court issue its Order reversing the eforeseid action, decision and order of the Board of Appeals for Baltimore County and grant reclassification of the subject property as patitioned from R-6 to R-A Zone.

> Hill. DHell. FILLIAM O. BELLS, Attorney For Appellants Pikeswille Professional Building 7 Church Lane Pikeswille, Meryland 21206 484-D300

Zoning

Appealed 9/21/67 - Ernest V. Hartig, Pet. - File No. 66-180-R

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ERNEST V. HARTIG, IN THE CIRCUIT COURT Appellan FOR ve. BALTIMORE COUNTY WILLIAM S. BALDWIN. WALTER A. REITER, JR. and JOHN A. MILLER, ATIAW constituting the COUNTY BOARD OF APPEALS OF BELTIMORE COUNTY Misc. Cocket No. 238 3822

CERTIFICATE OF NOTICE

Ne. Clorks

Pursuant to the provisions of Rule 1101-8(4) of the Maryland Rules of Procedure, William S. Baldwin, Walter A. Reiter, Jr. and John A. Miller, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filling of the appeal to the representative of every party to the preceeding before it; namely, William D. Weils, Esq., 7 Church Lane, Pikesville, Maryland, 21208, Attorney for the petitioner, and Harry S. Swartzweider, Jr., Esq., 1709 Munsey Building, Baltimore, Maryland, 21202, Attorney for the protestants, a copy of which notice is ettached hereto and prayed that It may be made a part thereof.

Muriel E. Buddemeier County Board of Appects of Baltimere County County Office Building, Towson, Md. 21204 VAlley 3-3000, Ext. 570

I hereby certify that a copy of the aforegoing Certificate of Notice has been mailed to William D. Wells, Esq., 7 Church Lane, Pikesville, Maryland, 21208, Attorney for the petitioner, and Harry S. Swartzwelder, Jr., Esq., 1709 Munsey Bullding, Boltimore, Maryland, 21202, Attorney for the protestants, on this 25th day of Saptember, 1967.

Muriel E. Budde nier

RE: PETITION FOR RECLASSIFICATION : REFORE from an R-6 zone to an R-A zone from an R-6 zone to an K-A zor SE corner Old Court Road and Carlson Lane, 2nd District Ernest V. Hartig, Petitioner COUNTY BOARD OF APPEALS OF RAI TIMORE COUNTY No. 66-180-R 

### OPINION

The petitioner in this case seeks a reclassification of a six acre tract of land on the south side of Old Court Road and the east side of Carlson Lane in the Second Election District of Baltimore County, from an R-6 zone to an R-A zone.

The subject property is approximately rectangular in shape adjacent to R-6 property on the east side which is accupied by a hospital; on the south side is an R-6 residential development known as "Stevenswood"; and on the west side is undeveloped R-6 land. Across the Old Court Road from the subject property the frontage of the land along Old Court Road is zoned R-6.

This tract was the subject of a previous petition, Case #64-17-R. That petition also was for a reclassification from an R-6 to an R-A zone and was denied by the Board of Appeals on May 28, 1964. This decision was subsequently affirmed by the Circuit Court for Baltimore County on December 18, 1964, Case #3025, Misc. Docket 7, Folio 368

Without going into great detail as to the testimony presented before the Board, the petitioner alleges that substantial changes have occurred in the neighborhood since May of 1964 that warrant the rezoning of the subject tract. The particular changes relied on by the petitioner are the widening of Liberty Road and the proposed widening of Old Court Road. While the widening of Liberty Road has in fac occurred, the proposed widening of Old Court Road is somewhat nebulous as at the time of the hearing funds had not yet been allocated by the County Council for any right-of-way acquisition. Even if this has since been accomplished, the Board cannot find that this change and the widening of Liberty Road are sufficient "change in the character of the neighborhood" to justify the granting of this petition.

Mr. George E. Gavrelis, Director of Planning for Baltimore County, testified that, in his opinion, there were not any vicinal changes which have occurred since case 64-17-R which would justify the proposed reclassification. He further testified that even if the roads are widened as proposed, this would still not alter his opinion that the requested zoning is inappropriate, and that ne did not feel that the widening of the

T HEREBY CERTIFY that on this 39% day of Sectember, 1967, a copy of the formoning Patition for Appeal was mulled to Edith T. Elemphant Sucretary to the County Roard of Appeals. County Office Suilding Towern, Haryland 21204.

Trul 2 Hell.

I HEREBY CERTIFY that on this J. T. day of Scotamber, 1967, a goog of the forecoing Petition for Spougl was mailed to Harry S. Swartzwelder. Jr., Esq., 1709 Munsey Building, Haltimore, Maryland 21202, Attorney

Hul. D. Holl

- 2 -

Ernest V. Hartig - Case #66-180-R

mad alone would justify reclassifying the property to R-A.

The Board cornet find from the re-ord that sufficient changes have taken place in the neighborhood since May of 1964 to justify the requested reclassification, therefore, the petition will be denied.

#### ORDER

Eastha seasons say forth in the aforeming Oninion, it is this of August, 1967 by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby DENIED.

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

> OUNTY BOARD OF APPEALS OF BALTIMORE COUNT

William & Baldwin, Cyairma

06-04-1

neals of Baltimore County

Edith T. Elsenhart, Administrative Secretory

and of Appeals of Bultimore Co

CIRCUIT COURT

FOR

BALTIMORE COUNTY

ATIAW

Misc. Docket No. 8

238

3822

Folio No.\_\_\_

Ella No

directed against them in this case, herewith return the court file and additional record of

And now come Walter A. Peiter, Jr. and John A. Miller, constituting the County Board of Appeals of Rultimore County, and in answer to the Order to Remand

Case Remanded to the Board by Judge L. Barrett for further proceedings

Order of the Board: ". . . . the Board has received notification from ... we count has received notification from counsel for the patitioner-oppellant that his client to be longer a party in laterest in the property and the qualitars before the Board are most. The appeal in this case is, therefore, disnisse on the Board's file will be closed:

Record of proceedings filed in the Circuit Court for Boltimore County (Copy of Board's Order and Court File)

PE. PETITION FOR RECLASSIFICATION PETITION FOR RECLASSIFICATI
from an P-6 zone to an R-A zone
SE corner Old Court Road and
Cortison Lane
2nd District
Ernest V. Hartig,

Zonino File No. 66-180-R

TO THE HONORABLE, THE JUDGE OF SAID COURT:

proceedings had in the above entitled matter:

No. 66-130-R

Decc 5, 1967

Respectfully submitted

PETITION FOR RECLASSIFICATION : FROM AN R-6 ZONE TO AN R-A ZONE, E/S DLD COURT ROAD AND N/S CARLSON LONE econo niergici ERMEST J. HARTIG, Putitioner

prepar COUNTY BOARD OF APPEALS ON THORE POINTS

MD. 66-180-R

.. .. . .. .. ..

PETITIONERS' MEMURANDUM AND BRILE

This care is an appeal from the decision of the Daputy Zoning Commissioner dated May 4, 1966, denying reclassification of the subject property from R-6 to R-A. At the hearing before the Deputy Zoning Commissioner counsel for the Protestants moved for dismissal on the prounds that the matter was res judicate, since it had been decided by the Circuit Court on December 18. 1964 (See Memorandum and Opinion of Judge W. Albert Menchine, copy attached). This motion by counsel for the Protestents was decied by the Deputy Zoning Commission, who found that the princed Patition, of necessity, was based upon error in original zoning and that since the areaant Satision is based upon changes in the Characta of the malehborhand, the Langes are not the same (San Memorandum and Onleign of Edward D. Hardesty dated May A. 1966, conv attached). Counse for the Grotestants has made a similar motion before the Spard of Anneals

#### STATEMENT OF ISSUES:

- 1. Does the doctrine of res judicate apply to the case at bar?
- 2 What changes must be considered by the Sched?
- 3. Hes there been shown sufficient change in the character orhood to warrant the reclassification sought by the Peti-41 mmmm

#### ARGUMENT:

Section 500 3 h of the Holtimore County Zonian Reculations in offert at the time the earlier Petition was filed to reclassify the subtect property, precladed replandification of the property based upon the brounds of change in the character of the neighborhood. Therefore store the assess contition before the Sound to based solely upon chance and not upon error, as was the previous petition, the issues are not the same.

A review of the application of the doctrine of res judicate is found in the recent case of Lambert vs. Seabold et al. filed May 4,1967. In dealing with the application of this principle, the Court of Appeals cited the woodlawn case (woodlawn Assin, vs. Boad, 241 Md. 187, 216A 2d, 149); however, in the Woodlawn case the District Council and Circuit Court had considered both error and change at the hearing on the first Patition, and found that there was no mistake or error in the comprehensive zoning plan or any change in the character of the neighborhood since its adoption

The Court to appearly assists the articiple in this gass used on to say "We find it unnecessary to discuss or decide the various contention suse we conclude that the principle of res judicats were controlling and find in the record on outliers of electificant change in the naighborhood of the property between 196) (year in which first Petition was filed) and 1964." Although recent decisions by the Court of Appeals have autominate the continuation of the extendate of one indicate to the deal sions of the Sound of Annuals and Zonino Cosmissioner they have not channed the orinciple itself so as to make it applicable to the case at

Two points are significant to distinguish the Woodlawn case

- a. St the baseins on the First Datition in the Londinon tere both mistake and chance wars considered and adjudicated. It the earing on the first Petition in the case at her, only error in original reging could be considered on adjudicated because of the existence and application of Section 500.3 b of the Baltimore County Zonian Repulations which precluded reclassification based on change at that time. Therefore, the reclessification of the subject property has not been tried on change colon to the filles of the support lettiles em, before the Second
- b. The Court clearly states in the Woodlawn case that it considered only the change between the first and second hearings to determing if in fact the doctring of res judicate did apply. For only by considering possible changes during this period could the Court determing If the facts were the same. In the case at her, the Scard must conside all changes in the naiphborhood which have occurred whose the extention the fixed lies has for the area tourland store the requires Ortifico una not based upon change but error only.

The changes in the character of the netabborhood as presented by the Cotificens which have not wood since November 15, 1962 (the date of adoption of the Lend (se Kep) are both numerous and substantial, and

1. The olderine of Chesty Bood to a six land bishows as compared to its provious two less capacity. This chance, now in organical will be fully completed by September, 1967, and will allow for great increase in traffic valume and traffic efficiency, and will substantially roduce twaffir concestion

2. The County plans for oldering Old Count Read from a resemble two lane residential road to a forty-sight foot payed "collector road" located on a seventy foot Right of Way. The Patitioners have presented widenes to show the Countyte plans call for construction on this word to benin to July, 1968, the funds for which have been requested in the 1552-68 hydret, the engineering drawings having already been started by the County. This in itself is a substantial change which will have a profound effect upon the whole character of the neighborhood in which th subject property is located.

3. The County plans for construction and paving of Carlson tame, now undergrowed, to be constructed as a forty foot paved road with curb and outter located on a sixty foot Right of Way. This change will allow what is now a barely passable road to feed residential traffic into the second state of the second The Pointy class for this construction are already under you and the funds for the same are else included in the budget requests for the 1967-68 year. As to the authority for the Board to consider the above oronosed highway and road changes, see the case of Muhly vs. County Council for Moss gomery County, 147 A 2d. 735, 218 Nd. 543.

6. The exemption of institutional use on the land adjacent to the subject gromerty by Haltimore County Seneral Mospital. In November 1962 what is now Ballimore County General Massital was then a nursing ome. In April, 1964 it was converted to a public hospital which substantially altered and changed its use by intensification of both traffic and nationts. In Contember of 1964 an addition to the Hospital was constructed again unlarging he facilities, by adding an emergency wing. Since that time the Hospital has become fully accredited by Blue Cross and any assessment a full small small special possibility of the pure one hundred holds all of which has greatly increased the use of the facilities at the site and the volume of traffic it devalors.

5. Reclaration of the property on the South side of Old Court Road Letween the Hospital and Liberty Road on February 19, 1963 from B.L. to R-A Zone. By such reclassification, recognition was made not only of the fact that there is demand and need for scartment romino to the area but also that apartment zoning is desirable adjacent to institutional uses. The subject property being immediately adjacent to espital location is a proper location for spartment zoning.

6. The fact that a large tract of B.L. Zoned property in the immediate vicinity has been nonetheless developed as spartments is an indicator that the area is not being developed as the planners of the comprehensive map had enticipated and in itself constitutes a substantial change in the neighborhood even though it was accomplished without reclassification.

7 On gross evanination Mr. Cavarollia admitted that the County's plans for old Court Road would substantially change the type of road from a residential road to a collector road, designed to carry much more than reichborhood traffin. When presented with his testimony at the bearing on the first Petition recording criteria for determining proper locations for opertment zoning, he was unable to explain why th subject property did not meet the requirements which he himself established to wit.

- a. sccess to major highways.
- h. reasonable proximity to commercial.
- c. location at edge of remidential zone rather than

Rec's The

1. The doctrine of res ludicate cannot be applied to the case at her since neither the facts or issues are the same as at the previous bearings.

2. The Board must consider all changes in the character of the neighborhood occurring since November 15, 1962 (the date of adoption of the Western Area Map)since the subject property has not been considered for reclassification based upon change since that time

3. Sufficient changer, enumerated above, have occurred in the neighborhood to justify the Boards' reclassification of the subject property from R-6 to R-A as requested in the Petition in the case at bar. nectfully submitted.

> Hallen D. Helle WILLIAM G. WELLS, Pikenville Professional Building 7 Church Lene Pikenville, Maryland 21208 Minter 4-0300, Attorney for Patitioners

I HEREBY CERTIFY, That on this 1776 day of July, 1967 a copy of the foregoing Memorandum and Brief was sant regular mail to Harry S. Swartzwelder, Jr., Esquire, Attorney for Protestents, Nunney Building, Baltimore, Maryland 21202.

Hillen DHells WILLIAM D. WELLS,

RE: PSTITION FOR RECLASSIFICATION SE/corner of Old Court Road and Carlson Lane 2nd District Ernest J. Hartig

FOR | RECEIVED !

ORDER I

SOME THE DEPUTY ZONING COMMISSIONER

CF BALTIMORE COUNTY NO. 66-180-R

The Petitioners have requested their property be resoned from an R-5 sone to an W sone. The property lies on the Southeast corner of Old Court Rood and Grainen lane and is edjecent to the Baltimore Gousty General Wospital, inc. Plans call for the construction of 96 garden-type apartments with 119 off-structs parking spaces.

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This case was originally heard by the Deputy Zoning Commissione or January 13, 1961, and an Order rezoning the subject tract to an RA zone or January 13, 1964, and an Order resoning the subject brack to an RA come was passed by the understipmed. An appeal was duly taken to the Board of Appeals and on May 26, 1964, the County Board of Appeals reversed the other county of the County of the County of Eathland County o

and Protestants attypulated that the facts and circumstances as originally presented in the first hearing on January 13, 1963, are basically the same period of the first hearing on January 13, 1963, are basically the same period of the facts of the fac Lane as being a substantial change in the character of the neighborhoof from that of January 13, 1964.

The cast of sensity 15, 1902.

E. Hom sking the Stiplation, counsel for the Protestants promptly good that the said Petition be denied because the matter war resignificants. The elements essential to the invoking of the doctrine fore judicate. We are to an action have been stated to be identify of parties and of Jasses and a final judgement determining the joints at lease by a competent year that was a state of the parties or subject matter. The doctrine year that was a sense of the parties of the parties of subject matter. The doctrine year of the parties of the partie

Counsel for the Fittiener agreed that the doctrine of res judicate does not apply to the Fittiener agreed that the doctrine of res judicate does not apply to the Fittiene heard o. April 1, 1960, because the issues are not the same. He pointed out the first soming Fattien as based on the theory that the contag map was in error. This was necessarily true because of the provisions of Section 500, b of the Baltimore County Zoning Regulations. Mio reclassification of the use to which a particular piece of property is subject, according to the appropriate conting map in effect at the time, shall, for a period of two years after such map may by an ordinance on the ground that the character of the neighborhood has changed," It follows then that the character of the neighborhood has changed, "It follows then that the character of the neighborhood has changed,"

atternay in this instance seeks a reclassification of the subject property on the theory that there has been a substantial change in the immediate chiracter of the mediate chiracter of the method and the substantial change in the A. here to be a substantial change in the chiracter of the chiracter of the method in the chiracter of the property of the chiracter of the chiracter

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However, after reviewing the evidence in the case, the Deputy Zonting Commissioner is of the opinion the Fetitioner has failed to meth his burden of verof in shexing error in the original anger such a substantial change in the character of the neighborhood that renoning ought properly be granted.

For the aforegoing reasons, IT IS CARREND by the Deputy Zonin-Commissioner of Balthore County, this day of May, 1966, that the above classification be and the same is nerely DERIDD and that the above described property or area be and the same is hereby continued as and to remain an R-6 zone.

MICROFILMED

06-04-71

MICROFILMED

June 7, 1966

2 signs

No. 66-180-P -- Front J Hartiz

Petition, description of property and Order of Deputy Zoning Commission

Certificate of posting

Certificates of advertisemen

Comments of Office of Planning

3 aerial photographs

Plat filed with petition

William D. Wells, Esq., 7 Churci Lane, Pikesvilla, Haryland 21208

Counsel for petitioner

Harry S. Swertzwelder, Jr., Esq. 1709 Hunsey Building Battimore, Maryland 21208

" " protestants

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

GEORGE E. GAVRES

JOHN G. ROSE

William D. Wells, Esquire 900 Heisterstown Road Baltimore, Maryland 21208

2/2/66 RE: Reclassification Vros 8-6 to 7A For Ernest J. Harthy located SE/Cer Old Court Ed and Carlson Le, 2nd District (Item 2, December 14, 1965)

The shows referenced petition is accepted for filling at of the date on the enclosed filling certificate. Notice of the bearing date and time witch will be heal not less than 10 days nor than 10 days after the date on the filling certificate will be forwarded to you in the hear future.

If you have any questions concerning this matter, please do not hesitate to contact me at VA 3-3000, Extension 353.

January 12, 1966

JAMES E. DYER, Principal

MAP

2-8 WESTERN ARCA

NW-6 H

RA

JEDrylb

660000

#66-180-R 5 Carlson 2nd

5

June 7, 1966

Harry S. Swartzwelder, Jr., Esq. 1709 Funsey Building Baltimore, Maryland 21202

Re: Petition for Reclessification S/E Cor. Old Court Road and Carlson Lung, 2nd District -Ernest J. Hartig, Petitioner No. 66-180-R

An appeal has been filed from the decision of the Deputy Zoning Commissioner denhing the reclassification

You will be duly notified of the date and time of appeal hearing when scheduled by the Joard of Appeals.

Very truly yours

Zoning Commissioner

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

February 4, 1966

William v. Wells, Euq. 900 R eiststown Road Baltimore, Nd. 21208

Dear Sire

The enclosed memorandum is sent to you in compliance with Section 23-22 of the 1961 Supplement of the Baltimore County Code

Any quertions of correspondence in regard to the enclused subject matter must be directed to the Director of Planning and Zoning (or his Deputy) and NOT to the Zoning Commissioner.

If you desire to have a member of the Planning Stoff testify, it will be necessary for you to summons him through the Sheriff's Office.

Yours very truly,

JOHN G. ROSE ZONING COMMISSIONER

JGR/ba

Encls:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date. February 4, 1966 Mr. George E. Gavrelis, Director FROM. Office of Planning and Zoning.

SUBJECT. ....Retition. \*\*66-180-R. .. SE/cor. of Old Court Road & Carlson Lane. Petition for Reclassification from R-6 to R.A. Ernsst J. Hartig-Petitioner.

2nd District

HEARING: Wednesday, February 16, 1966. (11:00 A.M.)

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

- The subject proposal was considered earlier under Retition #64-17-R. The Deputy Zoning Commissioner ordered the certifer petition granted, but the reclassification was denied by the Board of petal rad, on appeal, by the Circuit Court. Our comments on its petition was undervioolie.
- We do not see that any vicinal changes which have occurred since the earlier case was decided would now justify the proposed reclassification

William D. Wells, Esquiro 900 Reisterstown Road Jaltimore, Mar-land 21236

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Ch. sapeake Avenue Towson, Maryland 21204

Your petition has been received and accepted for filing this

10th day of January , 1965.

JOHN G. ROSE

JOHN G. ROSE

Commissione

Petitioner's Attorney William D. Wells Reviewed Chairman or Advisory Committee

February 7, 1966

William D. Wells, Esq. 900 Reinterstown Road Baltimore, Maryland 21208

Ret Putition for Recl\_ssification for Ernust J. Hartig

This is to advise you that \$49.75 is due for advertising and posting of the above property.

Please ' a check payable to Baltimore County, Md. and remit to Nra. Anderson, Zoon 121, Downty Office Building, before the hearing.

Yours very truly,

INW G. ROSE ZONING COMMISSIONER

Re: Patition for Reclassification for Srnest V. Harting #66-180-R

This is to advise yow that \$52.00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Md. and cemit to Mrs. Anderson, Room 121, County Office Building.

Yours very truly,

JOHN G. ROSE ZONING COMMISSIONER

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

GEORGE E. GAVRELI

JOHN G. ROSE

William D. Wells, Esquire 900 Reistorstown Road Baltimore, Maryland 21208

RE: Petition for Reclassification SE/corner of Old Court Road and Carlson Lame 2nd District Ernest J. Wartig NO. 56-180-R

May L. 1966

Dear Mr. Wellar

I have this date passed my Order in the above captioned ratter. Copy of said Order is attached.

Very truly yours,

EDAGED D. MARDESTY Deputy Zoning Commissioner

EDH/1dr

oc: Harry S. Swartzwelder, Faquire 1709 Munsey Building Baltimore, Maryland 21202

Dear Sire

The Coning Advisory Committee has reviewed the subject potition and makes the following convents:

MINIAU OF TRAFFIC MELICULES. This ourses will review and subset any mecencary customer's at a later date.

It by him with the late of the late.

on the Granton and the star in the Court code. Scienting 8° erter in Carloon Lone, Scienting 10° erter in Carloon Lone, there - painting 0° sever in Carloon Lone and up at the north property line of the

subdivision of Elevensucod.

Adomacy or existing thittier to be determined by the developer or his confihead - (LH Court cod is to be developed as a minimum of read on a 70° right
carleen star is to be developed as a minimum of read on a 60° sight or the
carleen star is to be developed as a minimum of read on a 60° sight or the

term therefore The two there is the plane must be revised to indicate the a

our above comments are not intended to indicate the appropriations of the votice action requested, but to assure that all parties are not source of plans or problems that may have a locating on this came. The liferator model or locating threator of the Office of vibrating and Jening will subset reconstructions on the appropriateness of the requested soming Dody, hefore the freining court, thousand soming Dody, hefore the freining court, thours's hearting.

the following memore had no comput to offers

Tolk My Principal

Copt. Paul Grincke-fire Bur sus-Flans Sovies Sr. Corlyle Brosm-Survau o' Sn insering Sr. Josep S. Sper-Zeeing Administration Divis

## PETITION OR ZONING RE-CIR SIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTILIORE COUNTY:

TO THE ZONNO COMMISSIONER OF BALLHOID COUNTY:

EREST J. HASTIG and

A. WWW. DUBUTHY L. HASTIG ... legal owner M of the property situate in Ballimore Mary

County and which is Gescribed in the description and plat attached hereto as 4 made a part hereof. 3-B. hereby petition (1) that the zoning status of the herein described property be re-classified, pursuan zone to an pres to the Zoning Law of Baltimore County, from an R-6

\_\_zone; for the following reasons:

NW-6-H 1. To allow apartment construction as proposed on the plat attached hereta. 2/2/66

See attached description

and (2) for a Special Exception, under the said Honing Law and Zoning Regulations of Baltimore County, to use the herein described property, for...

Property is to be pusted and advertised as prescribed by Zoning Regulations reoperty as to be pasted and anteriord as prescribed by doming fregulations.

L, or we, agree to pay series - of 250or 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

raham Goldking JACK KULL Contract purchase

EHNEST V. HARTIG Assettly Letter CORDITARYL. HANTIG. Legal Owner

11.00 MILLIAM D. WELLS, Petitioner's Attorney

Long loak lle 3700 01/8 on for 1/47

Address 900 Reisterstown Road

ORDERED By The Zoning Commissioner of Baltimore County, this 10th

of January ..., 196.6., that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-oct 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 16th pu day of February

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

GEORGE E. GAVEEL

William D. Wells, Esquire 900 Beisterstown Road Beltimore, Maryland 21208

FE: Roclassification From R=6 to For Ernest J. Hartig, locate BM/Cor Old Court Road and Carlson Lane, 2nd District (Item 2, December 11, 1965)

January 1. 1965

Due to an over-site by this office, it has been discovered that the check list which was mentioned in our original comments on the above subject site was not furwarded to you.

This check list has beer forwarded to your engineer so that the plot plans can be revised.

Very truly yours.

RECEIVED FOR FIL DATE RE: PETITION FOR RECLASSIFICATION SE/corner of Old Court Road and Carlson Lane 2nd District Ernest J. Hertig

BEFORE THE DEPUTY ZONING COMMISSIONER

BALTIMURE COUNTY

NO. 66-180-R

..........

an R-6 some to an Ak come. The property lies on the Southeast corner of Old Court Moad and Various Land and a disjoent to the Baltimore County General Goppital, Inc. Plans call for the construction of 96 garden-type spart

This cast was originally heard by the Deputy Joning Contasioner on January 13, 1906, and an Order resoning the subject treat to an RA some was passed on the Table 10 and 10 and

At the hearing held on April h, 1966, comes! for the Petitioner and Processing at the hearing held that the feets and circumstances as originally sense, the processing the remaining of Annany 13, 1961, are sensically the same with the except of the processing t

Upon swking the Stipulation, counsel for the frotestants promptly gowed that the said Fwittien be denied lecause the matter was res judicata. We element seasonthal to the invoking of the destrins of res judicata was a bar to an action have been stated to be identity of parties and of Janues and a final judgement determine the points at issue by a crops tent parties are received by the point of the point o

vs the Board, et al (Court of Appais of Maryland).

Counsel or the Fettiteors raped that the doctrine of res judicate does not apply to the Fettiton heard on April b, 1966, because the Issues are not the asso. He pointed out the first soning Fettiton was band on the theory that the moning map was in error. This was necessarily true because of the provisions of Section 500.1 b of the Baltimore County Zoning Fegilations. We reclassification of the ase to which a particular piece of property is subject, according to the appropriate coning map in effect of the County Council have been adapted as a provide by the Zoning Covediaioner on the grouns that the character of the approved by the Zoning Covediaioner on the grouns that the character of the approved by the Zoning Covediaioner on the grouns that the character of the approved by the Zoning Covediaioner.

atternay in this instance seeks a reclassification of the subject property on the thorn that there has been a substantial canner in the incodiate converte of the neighbor has been a substantial canner in the converte of the neighbor are not the same in the instance are in the converte of the neighbor are not the same in the instance case, it would follow that the doctrine of res judicate dres not apply, and the motion for districtable processes for the Pott-Lanta must be defined.

Borever, after raviewing the evidence in the case, the Deputy Zoning Cormissioner is of the column the fetitioner has falled to meet his burden of wrong in showing error in the original any or such a substantial change in the character of the neighborhood that rezoning count properly be granted.

For the aforegoing reasons. IT IS ORDERED by the Denuty For the aforegoing reasons, IT is OGREGED by the Deputy to the Commissioner of Balticre County, this & day of May, 1965, curt the above reclassification be and the same is hereby DENIED and the the above described property or area be and the same is hereby continued as and to remain an R-6 such

WELLS DURKEE & ALBERT

PIKESVILLE MARY AND SIROR

\* CC-16012

MAP

2-B

WESTERH

NW-LH

RA

2/2/66

AREA

Mr. John G. Rose, Zoning Commissione: Baltimore County Of.ice of Planning and Zoning County Office Building 111 W. Chesapeske Avenue Towson, Maryland 21204

NOTICE UT HEARING Res Patition for Roclassification for Ernest J. Hertig

TIME: 11100 A.H.

W doesday, February 16, 1966 PLACE: HOOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE

TOWSON, MARYLAND

FONTING COMMISSIONER OF

MATZ, CHILDS & ASSOCIATES, L Legiorer - Surecore - See Planers 2129 N. Ch. J., C., Bull., M., J. J. 21212 DESCRIPTION

HARTIG PROPERTY, SECOND ELECTION DISTRICT,

BALTIN RE COUNTY, MARYLAND Present Zoniaci R-A

Proposed Zoning: R-A

Beginning for the same at the point of intersection of the south

side of Old Cours Road and the cast side of Carlann Lane. 30 feet wide, said point of beginning being at the end of the second line of the land, which by deed dated June 20, 1946 and recorded among the Laud Rocords of Baltimore County in Liber B. J. S. No. 1470, Folio 370 was conveyed by Robert W. Heacock ar sile to Ernest V. Hartig and wife, running thence binding on lines in said Old Court Road and also binding on the third, fourth and fifth lines of eatd land the three following courses and distances, (1) N. 19\* 15' W., 24.75 (est. (2) N. 74\* 30' E., 315.5 (est and (3) N. 65° E., 15 feet, thence binding on the sixth and first lines of

said land the two following courses and distances, (1) S. 23" E., 722

fact and (2, 3, 73° 30° W., 385.77 fees to said east side of Carlson Lane, thonce binding thereon and on the second line of said land N. 19\* 15' W.,

499.6 feet to the place of barinning.

64-17-R

RA

DATE & TORA

PUBLIC HEARING

JED:ylb

#66-180 R

RA

PETITION FOR PECLASSIFICATION 2nd DISTRICT

orner of Old Court Road and Carlein Land AY, FEBRUARY 16, 1966 at 11:00 A.M.

nty Office Duitding, 171 16 G WESTERM

All that percet of land in the Second Platric's of Baltimore County

FREA RA

Western

MAP

J. O. #63241 11/12/63

A TY CHILDS & ASSOCIATES INC. Parlame - Samuel - Six Plane 2129 N. Charles St. - Baltimore, Maryland 71218 HOpkins 7-5700

DESCRIPTION

HARTIG PROPERTY, SECOND ELECTION DISTRICT. BALTIMORE COUNTY, MARYLAND

> Propent Zoning: R-6 Proposed Zoning: R-A

Beginning for the same at the point of intersection of the m side of Old Court Road and the cast aide of Carlson Lane. 3d feet wid said point of beginning being at the end of the second line of the land, which by deed dated June 20, 1946 and recorded among the Land Records of Baltimore County in Liber R'. J. S. No. 1470, Polio 376 was conveyed by Robert W. Heacock and wife to Ernest V. Hartis and wife, running thence binding on lines in said Old Court Road and also binding on the third. fourth and fifth lines of said land the three following courses and distances, (1) N. 19\* 15' W., 24.75 feet, (2) N. 74\* 30' E., 315.5 feet and (3) N. 65° E., 15 feet, thence binding on the sixth and first lines of said land the two following courses and distances, (1) S. 23° E., 722 feet and (2) S. 73° 30° W., 385.77 feet to said east side of Carlson Lane. thence binding thereon and on the second line of said land N. 19° 15' W. 699.6 feet to the place of beginning.

WesTerr ARCA

NW - 6-H RA

#### BALTIMORE COUNTY MARYLAND

WITER OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date February 4, 1966 Mr. George E. Gavrelis, D'reutor

SUBJECT. Petition 666-180-R. SE/car. of Old Court Road & Carison Lane. Petition for Reclassification from R-6 to R.A. Ernest J. Hartig-Petitioner.

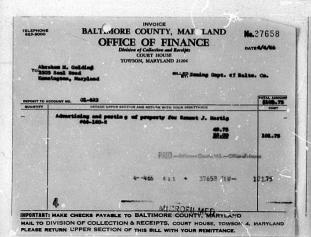
2nd District

HEARING: Wednesday, February 16, 1966, (11:00 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject

- The subject proposal was considered earlier under Petition #64-17-R. The Deputy Zoning Commissioner ordered the earlier petition granted, but the reclassification was denied by the Board of Appeals and, on appeal, by the Circuit Court. Our comments on the petition were unforwable.
- We do not see that any vicinal changes which have occurred since the earlier case was decided would now justify the proposed reclassification.

MICROFILMED



823-3000	OFFICE OF 1  Distribution of Collection COURT HO TOWNSON, MARYL	FINANCE DATE 6/6/66
To:	William D. Wallor Engo 7 Church Long, Pilesvil-o, Paryland 21208	Office of Planning & Zoning 119 County Office Bidge, Tomon, Paryland 21204
DEPOSIT TO A	ECCOUNT NO. 07-622	TOTAL AHOL
QUANTITY	DETACH UPPER SECTION AND RETURN W	VITH YOUR REMITTANCE COST
	Cost of appeal - property of Errest J No. 66-100-R . 2 signs	1, Mortiz \$70.60 10.60 \$80.00
		9) - termestone, demostravithera
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		MICROFILMED	

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLPLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

LEPHONE 1942413	BALTI CRE COUNTY, MARY AND	4004
	OFFICE OF FINANCE DATE 100	22/70
To:	Remov Disting COURT HOUSE COUNTS DATE TOWSON, MARYLAND 21204 County band of A (Control) Sun Life Building	
DEPOSIT TO	Charles Control  Bullinosop, Nol. 21201  ACCOUNT VA. 01.712  OCTACH ALONG PERFORMING AND XEEP THE PORTION WITH YOUR RESITTANCE  COTTACH ALONG PERFORMING AND XEEP THE PORTION FOR YOUR RECORDS.	TOTAL AMOU \$9.00 COST
R D	Cost of contilled documents — Coso No., 79–179-V Art Damph Less 2/10 of mile West of Relatestown Reed 3rd District Ates, Descript Stewart, Defendant	\$9.66

Doobse 16, 1966

ENLYINGE COUNTY OFFICE OF FLARNING AND ROWING CLARITY OFFICE BUILDING YOUNGE, WARTING 2120h

164 A 200

CONFEST: Reclassification From N-6 to NA For Ernest J. Nortig, located Cafter of Old Court Noed and National Lane, 2nd District (Tien 2, Necessar 18, 1965)

The Ecning Seviency Sewrittee has reviewed the subject petition and makes the following comments:

SUREAU OF THATFIG HUMINESHING: This bureau will review and submit any necessary

FIRE SUREAU-LAND NAVISH: This burner will review and submit any measurery comments

NOTIFE OF SHOTHERNING.

Catter - Editing 10° water in Gld Court Bood. Editing 5° water in Carlson fame.

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Adequacy of editing willitties to be determined by the developer or his continuer.

Seed - Cld Court food in the be developed as a minimum 30° road on a 70° right of way.

Carlson Lane is to be developed as a minimum 30° road on a 60° right of way.

The above community are not intended to indicate the appropriateness of the soning action requested, but to essure that all parties are not source plans or problems that may have a learning as this case. In education and/or the inquiry 54-sector of the office of Planning and Foning will solut recommunitations on the appropriateness of the requested soming 10 days before the caming constantations on the appropriateness of the requested soming 10 days before the caming constantations.

The collected newless had no occuped to offer-

Jabrylb

co: Mr. Wichard Moore-Dureau of Traffic Engineering Capt. Faul Meinche-Tire Sureau-Flans Sevice Nr. Carlyla Brown-Bureau C. Engineering Nr. James E. Sper-Bouing Administration Division

MICROFILMED

BALTIN JRE COUNTY, MARY AND TELV.PHONE No.41094 OFFICE OF FINANCE Division of Collection and Receipt COURT HOUSE TOWSON, MARYLAND 21204 DATE 10/15/67 IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 1, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

	ZONING DEPARTMENT	OF BALTIMORE COUNTY
	Tours	m, Maryland
District. 2 ND	<del>-</del>	Date of Posting June 11,1960
Posted for:	rial	
Petitioner: Emiss	T & Harting	
Location of property: 50	Con Ald Court	ld & Caston Lane.
Location of property: 26		
Location of property: 26		
Location of property: 26		Let & Castom Land & G. Castom Land & South of the Court Rec

0 -----DEPARTMENT OF BALTIMORE COUNTY

District I District Provider And Posting An 28, 1, Provider for Rellazorfication P-6 to RA Provider Annual Pressioner Exercist I Housing acasism of property 36 law of Old Court Let 3 Carlows Love Location of Signer 36 floor of Old Court Red & Carlson Lone (2) E/S Carlson Lake 300 & of Deld' Court Red Date of return - 16 3 , 1966

MICROFILMED

66-180 R 0

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY

Posted for Rec	Carrification for	m R-6 to	Date of Po	sting March 19,	196
Petitioner: Em	t Hartig		63-61		
Location of property:	SE/con Oca	Cout Rd +	Carlem L	enc.	
	and the second				
Location of Signs:	Is Old Court Rd	50 Smith of	Carlom J.	me (2) w/s (an	Con
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Location of Signs: E.	ts old court ld of old Court	50 Smith of ld	Carlom A	- (9)0/s(an	lem
	ls Old Court Rd of Old Court Besse			mach 24,	

ORIGINAL OFFICE OF THE BALTIMONE COUNTIAN

THE COMMUNITY NEWS

THE HERALD - ARGUS

No. I Newburg Avenue

Second District or County.

Beginning for the same at the point of intersection of the south side of Old Court Road and the next side of Carlson Lane, 30 and of beginning the south of beginning the south of beginning the south of beginning the south of the south of

CATONSVILLE, MD

March 21. 19 66.

THIS IS TO CERTIF!, that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimose County

was inserted in THE BALTIMORE COUNTIAN, a group of Marau weekly newspapers published in Baltimore County, Maryland, once a week for One www.wivenweeks before the 21st day of March, the same was inserted in the issues of

THE BALTIMORE COUNTIAN

By Paul I Morgary Editor and Manager & A

06-04-71

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Depue area - no change : - want to Juseuse more -

66-180 13

TELEPHONE 823-3000

TELEPHONE 823-3000

ACCC INT NO. 02-622

Abrehen H. Golding 3303 Saul Road Kensington, Maryland

CENTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Town, Maryland

District Does of Post of Post of Post of Post of Post of Post of Fort of the State of Post of Dain of Posting March 19, 1965 Petitioner Ales 1 Nashing

Location of property 5 8 Act and Court let y Coulem Love

Location at Same of ordinal Pat 50 both of Carlen Some Bull Carlen Low 100 1 4 11 Cont 12 1

BAL MORE COUNTY, MANYLAND

No.38666 OFFICE OF FINANCE DATE 6/6/66

Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

William D. Wells, Esq., Cherch Lane, Pikesville, Maryland 21208

Dela de moro Hearth 24, 1966

COST appeal - property of Street J. Hertis 10.00 No. 66-180-P PLB actions Contains addition to 6--666 4154 4 38666 DL-

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, M. PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. Kanting 66-180 R

Celebra PHILP SHERMAN 8529 STEVENSWOOD RO. THILLY Susemal 8529 STEVENSWOOD RD. 922-6959 Harry Morganstein 8538 STEVENSWOOD RD. 922-3472 Leonard E Albert 84" + Carlson La. 911-1979 Morris Schaffer 8523 Stevenswood 655.3228 Parts Hother 3316 Greenmed Rd 922-4054 Gran Vigtum 3316 Greenmet Por Jana Varmay 3239 Southgran Ed Farrest B. Vannoy 3239 Southgran Ed. 922-4054 922.3593 922-3593

BALTMORE COUNTY, MAI LAND

OFFICE OF FINANCE

Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

Advertising and posting of property for Graest J. Hartig

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

IMPORTARTI MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND IMPURISHENANC CHECKS PAYABLE TO BACHMONE COUNTY, MANYLAND AND TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PALASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

4-460 111 \* 37658 114-

1-196/ 11+0 2 25/43 TIP-

BALTICORE COUNTY, MARYAND OFFICE OF FINANCE

COURT HOUSE TOWSON, MARYLAND 21204

PETETEON FOR RECLASSIFICATION

2nd DISTRICT

CONTRICA

LOCATIONS

Southeast corner of Old Court Road and Carlson Lake

DATE & TIME

MONERY, APRIL 4, 1966 at 11:60 A.M.

PURETO HEARINGS

Room 108, County Office Buildeling, 111 W. Chesapteke Avenue, Towson, Heryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Segulations of Baltimore County, will hold a public hearings

All that percel of land in the Second District of Baltimore County

Being the property of Treat J. Hartig and Torothy L. Hertig, as shown on plat plan filed with the Zoning Department.

Hearing Dates Honday, April 4, 1966 at 11:00 A.M. Public Hearings Apon 108, County Office Building, 111

BY ORDER OF JOHN G. ROSE ZOUDE COMMISSIONER OF BELTIMORE COUNTY

PETITION FOR
RECLASSIFICATION
2nd DISTRICT
ZONING: From R -6 to R.A.

ZONNEL JOHN L. 4 to R.A.
ZONNEL JOHN L. 4 to R.A.
ZON.
LOCATION Somemat corner
LOCATION Somemat corner
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LONG LOCATION
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L

OFFICE OF
THE BALTIMORE COUNTIAN

No. I Newburg Avenue

CATONSVILLE MD.

1966 , that is to say

January 3. 1966.

THIS IS (O CERTIFY, that the annexed advertisement of John G. Hose, Loning Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of three: weekly newspapers published in Baltimore County, Maryland, once a week for Osa successive weeks/before

the Slat day of the scine was inserted in the issues of

THE BALTIMORE COUNTIAN

By I and I Morgey Editor and Manager. A. D.

William D. Wells, Esq. 900 Reistärstown Road Baltimore, Hd. 21208

TOWSON, MARYLAND

NOTICE OF HEARING

Res Petition for Reclassification for Ernest J. Hartig
#66-180-R

Honday, April 4, 1966 PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE

ZONING COMMISSIONER OF BALTIMORE COUNTY

TION—2ND DISTRICT
ZONING: From R-4 to R.A. Zone.
LOCATION: Southeast curner of Old
Cuirt Rand and Carleon Lane.
LATE & ITME: Mondy, April 4.
1946 at 11:00 A.M.
PUBLIC HEARING: Room 108. County Office Bulleting. Towner, Maryland.
peake Arming, Towner, Maryland. CERTIFICATE OF PUBLICATION

PETITION FOR RECLASSIFICA-

and 119 8, 13<sup>4</sup> PP W, 18.5.T1 set to cald east side of Carlson Laien teners binding thereon and not be the call of the Harring Date Monday, April 1, 126 at 119 A. Rosen 184, County Office Pauldine, 111 W. Cheaspeaks Awson, Towns, M.

Rv order of JOHN G. ROSE, Zoning Commiss Railing

to define shielding, 111 W. Chesser, The Zonice Control, but and the Lance Court, but and the Lance Lance Court, but and the Lance THIS IS TO CERTIFY, that the annexed advertisement was

appearing on the 17th day of 1960

> THE JEFFERSONIAN, D. Leanh Strutter

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNT

	word working
District J ND -	
District	Date of Posting an 28 196
Posted for Reclassifiation	
Petitioner Enget (). Hat	
Location of property: 5 E/ Con 4 DE	d Court Rel & Carleon Lane
Location of Signe 36 flow of Old (	aust Rol & Carlson Lane
Remarks O 0 0	old Court Rd
Fosted by Signature	Da e al return - 1 3, 1966

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR RIMITTANCE. No. 35743 DATE 1/19/66

No.37658

101.75

EILLED Zoning Dept. of Balto. Co.

PETITION FOR BECLASSIFICA-
ZONING: From R4 to R.A. Zone.
Court Read and Carbon Lane. DATE & TIME: Monday, April 4.
1966 at 11:00 A.M.
ty Office Building, 111 W. Chesa- peake Avenue, Townen, Maryland.
The Zening Commissioner of Bal-

W., 850.4 feet. by the place of be-jaming, the property of Ernest J.
Badia and Derriby L. Hartig, as there as place like the like the like and Derriby L. Hartig, as there as place like disc, April 4, 13 to 15 to 15

### CERTIFICATE OF PUBLICATION

		THE STREET
TOWSON,	MD. March 17,	19_6

THE IS TO CEPTEV that the appeared advertisement was published in THE IEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., execcisecesch day of April 19 66 the first publication oppearing on the 17th day of March

THE IFFFERSONIAN.

Manager

Cost of Advertisement, \$....

19 66

OFFICE OF

PETITION FOR

2 PETRICT

LOCATION: Southeast corner of OM Court Road and Carlson

Lane. PERPUTATIV IS 1966 at 11-00

DUTE IC HEARING: Room 108. PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Comm'ssioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing: Present Zoning: R-6

Present Zoning: R-6
Proposed Zoning: R-A
All that parcel of land in the

Regioning for the same a the soint of intersection of the the point of intersection of the and the east side of Carlson and the east side of Carlson Lane, 30 feet wide, said point of beginning being at the end of the second line of the land, which by deed dated June 20, 1946 and by deed dated June 20, 1946 and recorded among the Lam Records of Baltimore County in Liber R.J.S. No. 1470, Folio 370 was conveyed by Robert W. Hescock and wife to Ernest V. Hartig and wife, running thence binding on lines in said Old Court Road and also binding on me third, fourth and fifth lines of said land the three following courses and dis-tances, (1) N. 19 degrees 15' W., 24,75 feet, (2) N. 74 degrees 30' F. 315.5 feet and (3) N. 65 degrees E., 15 teet, thence birding on the sixth and first lines of said land the two following courses and distances, (1)S, 23degrees E... 722 feet and (2) S. 73 degrees 30' W., 385,77 feet to said east side of Carlson Lane, thence binding thereon and on the second line of said land N. 19 degrees 15' W.,

699.6 feet to the place of begirning.

Being the property of Ernest J.

Hartig and Dorothy L. Hartig, as shown on plat plan filed with the Zoning Department,
Hearing Date: Wednesday,
February 16, 1968 at 11:00 A.M. Public Hearing: Room 108. County Office Building, 111 W.

Clesapeake Avenue, Towson, Md. BY ORDER OF TOUN G POSE ZONING COMMISSIONER OF BALTIMORE COUNTY.

THE RAI TIMORE COUNTIAN

THE COMMUNITY NEWS Reidentown, Md

THE HERAID - ADDIES

Mr. I Mandage Avenue

CATONSVILLE MD

ORIGINAL.

January 3.

THIS IS TO CERTIFY that the annexed advertisement of John G. Ross. Zonine Commissioner of Baltimore County

was inserted in THE BALTIMORE COUNTIAN. a group of thour weekly newspapers published in Baltimore County, Mary land, once a week for 1916 that is to say Tannary

day of the 31st the same was inserted in the issues of January 27, 1966.

> THE BALTIMORE COUNTIAN mand Manager

MICROFIL MG

William D. Welly, Enquire 900 Relatemators Food Baltimore, Heryland 21206

RAILTIMORE COUNTY OFFICE OF PLANNING AND ZONTHO

County Office Building 111 W. Chesapeake Avenue Towson, Maryland 2120h

Your petition has been received and accepted for filing this

10th day of James

Zoning Commissioner

Petitioner Bress J. Martie Putitioner's Attorney William D. Welle

Reviewed by Chairman Advisory Committee

TITION FOR BECLASSIFICATION

### CERTIFICATE OF PUBLICATION

rowson, MD. January 27, 1966 THIS IS TO CERTIFY, that the annex d advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., sare in each

of 1 1100 successive weeks before the 15th day of February 19.66, the first publication appearing on the 27th day of January....

Cost of Advertisement, \$\_\_\_\_\_

THE JEFFERSONIAN,

Manager.

PETITION FOR RECLASSIFICATION IND DISTRICT ZONING From #4 to B LONGATION Senthers comer of Old Court Read and Carlant Lase. ATE & THEE Wednesday, February 16, 1946 at 11:00 Ab., Committee Court Court

union Coming. by submers of the control of the cont

# CERTIFICATE OF PUBLICATION

TOWSON, MD. January 27, 1966 THIS IS TO CERTIFY, that the annexed advertisement was

published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., SHECKER M. 1 1109 Merchanic Merchanic before the 16th day of 19.66, the AMP publication appearin on the 27th day of January

THE JEFFERSONIAN,

Cost of Advertisement, \$----

THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS

THE HERALD - ARGUS Cotonsville, Md.

DUPLICATE

CATONSVILLE, MD.

No. I Newburg Avenue

March 21. 19 65.

THIS IS TO CERTIFY, that the annexed advertisement of

John G. Rose, Lowing Commission of Balticom, Go mty was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Mary

successive weeks before land, once a week for Onc 1966 , that is to say day of March, the Elst

the same was inserted in the issues of

THE BALTIMORE COUNTIAN

By Paul I Morgany Editor and Monager & M.

PETITION FOR
RECLASSIFICATION
2nd DISTRICT
NNING: From R.-6 to R.A.

EOCATION: Southeast corner Old Court Road sad Carlson

DATE & TIME: WEDNESDAY, ERRUARY 16, 1966 at 11:00

unexpease Avenue, Towson, Maryland,
The Zoning Commissioner of the Zoning Act and Regulations of Battmore County, will hold a public hearing:
Present Zoning: R-6.
Proposed Zoning: R-6.
All that parcel of land in the Second District of Baltimore County.

All they parrel of land in the County Section of Pattimone County Beginning, for the same at Management of the County Beginning, for the same at the County Beginning, and the Section of the County Beginning, and the second line of the land, which we could like the second line of the land, which we do that the second line of the land, which we do the land of Bullimore County in Liber 18, No. 11, 117, 169 at 270 was and write to Errest V, Harting and Libert 18, No. 117, 169 at 270 was and write to Errest V, Harting and Libert 19, 160 at 180 at

OFFICE OF
THE BALTIMORE COUNTIAN THE HERALD - ARGUS

CATONSVILLE, MD. No. I Newburg Avenue

19 66.

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

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryek for One day of land, once a week for successive weeks before 196 , that is to say January the 31 at the same was inserted in the issues of

THE BALTIMORE COUNTIAN

By Paul J. Morgany.

Editor and Manager & m.

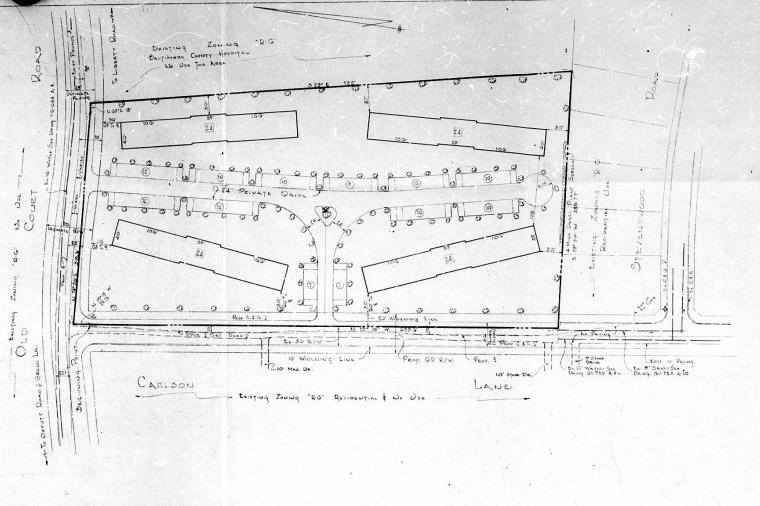
PETITION FOR RECLASSIFICATION 2nd DISTRICT NING From R-6 to R.A.

ocation: Southeast corner old Court Road and Carlson

and.

Zening Commissioner of
Zening Commissioner of
source County, by aethority
of Baltimore County, will
spublic hearing:
Present Zoning: B-6
Proposed Zoning: IAA,
that parcel of last in the
the District of Baltimore.

tig and Dorothy L. Hartig, wn on plat plan filed with along Depertment. ing Date: Monday, April 4, i 11:00 A.M. ic Buaring: Room 108,



MAP 2-B WESTERN ARCA NW-6-H

GENERAL NOTES

CHARL MOTES

1. TOTAL ACREMAE OF TRANS TOWNS GOO ACRES 1

1. PRESENT TOWNS OF PROPERTY NO USE

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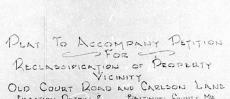
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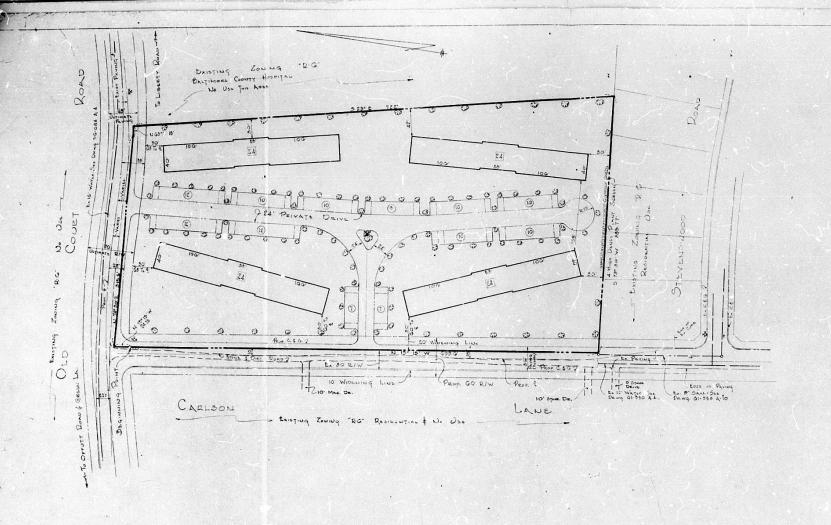




LOCATION 1-SCALE 1-800

Direction Organic 2 Bartmore County, Ma Dece 7:300 Revised Jan. 10, 1966





LOCATION 1-SCALE 1-800

GENERAL NOTES

TOTAL ACREMAE OF TRAIT LOUNCE GOO ACRES !

1 PRESENT TOWNING OF PROPERTY "RG"

2 PRESENT TOWNING OF PROPERTY "NO COE"

4 PROPOSED LOWING OF PROPERTY "RAW APRETMENTS.

5 PROPOSED OBE OF PROPERTY "RAW APRETMENTS.

6 GROSS ACREMAE OF TEMPE TOWNING SOUTH ACRES, t.

7 NATA ACREMAE OF TEMPE TOWNING (GELATIC) - 95 Junys.

8 GROSS NUMBER OF APT JUNYS ALLOWED (5.53 & 13) (22 Junys.)

9 NAT JUNYS SHOWN THIS PLAT IS 30 JULYS.

10 APT JUNYS SHOWN THIS PLAT IS 30 JULYS.

11 REQUIRED OFF STEET PREMING (5.20) THIS PLATS TO JUNYS.

12 PROPOSED OFF STEET PREMING (5.20) THIS PLATS TOWNING.

MAP 2-B WESTERN AREA NW-6-H

> PLAT TO ACCOMPANY PETITION
>
> RECLASSIFICATION OF PROPERTY
>
> VICINITY
>
> OLD COURT ROAD AND CARLSON LAND
>
> BLECTION DISTRICT & BALTIMORE COUNTY, MR
>
> 3 CALLE 1750 PROPERTY JAN. 10, 1966 REVISED JAN. 10, 1966



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OFFICE COPY

