1. Change in character of the neighborhood

See attached description

and I2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore buthling and averages office suffices and office suilding. openy is to be posted and advertised as prescribed by Zoning Regulations

Property is to be posted and savertises as presented of comment and are special Except in advertising.

Lor we, agree to pay expenses of above re-classification and or Special Except in advertising. sting, etc., upon filing of this p tition, and further agree to and are to be bound by the roning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimor County.

William Andrew, Legal Comer A. Owen Hennegan, 406 Jefferson Bldg. - 21204

N

Fred El Waldrop, Masonic Building. Towson, Maryland - 21204

1 1 minutes

ORDERED By The Zoning Commissioner of Boltimore County, this. 9th required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property Le posted, and that the public hearing be had before the Zoning Commissioner of Baltimere County in Room 10s, County Office Building in Towson, Baltimore ul of January 1967 at 2:00 o'clock County, on the 5th

Zonivig Commissioner of Baltimore County.

LIGHTHOUSE ENTERPRISES, INC.

timore Maryland - 21228

SORDON M. HOZZAVIC

CATE ASSIGNE MEND

Address 411 Lee Drive

JERONE B. WOLFF. P. E.

W/S Rolling Balto. Mat.

DA-X

JEROME B. WOLFF AND ASSOCIATE Consulting Engineers

VALLEY 8-0600

Description to Accompany Zorine Petition from R-6 to R-A William Andrew and Wife Rolling Road and Old Frederick Road with Special Exception for one 4 story Elevator Apartment

Beginning for the same on the west side of Rolling Road as proposed to be widened at a point distant 900 feet more or less measured southerly from the south side of Baltimore National Pike said point of beginning being on the second or North 89° 16' 10" West 495.72 foot line of the land described in a deed dated October 6, 1958, from Henry C. Hoffman et al to Lighthouse Enterprises, Inc. and filed among the Land Records of Baltimore County in Liber G.L.B. 3428, folio 296 at a point distant 12 feet more or less from the beginning of said second line and running thence binding on the remainder of said second line North 89° 16' 10" West 484 feet more or less, thence North 70° 48' 50" West binding for part of the distance on the third or North 70° 48' 50" West 282.16 foot line in said deed and hinding for part of the distance on fifth or North 70° 48' 50" West 600.66 foot line of the land described in a deed dated October 6, 1958, from Lee W. Wolf et al to Lighthe to Enterprises. Inc. and filed among the Land Records of Baltimore County in Liber G.L.B. 3428 folio 299 in all 862.82 feet thence binding on the sixth and seventh lines in said last mentioned deed and binding for part of the distance on the east side of Lee Drive, 50 feet wide South 4° 13' West 531.27 feet, thence leaving the east side of said Lee Drive and binding on the first, second and third lines in said last mentioned doed the three following

Description to Accompany Zoning Petition from R-6 to R-A William Andrew and Wife Rolling Road and Old Frederick Road

#67-131RX th Special Exception for one 4 story vator Apartment urses and courses and distances viz: first South 89° 09' East 170.29 feet, second South 4° 13' West 47.30 fert and third North 77° 11' 22" East 425.83 feet, thence binding on the sixth through the tenth and part of the eleventh lines of the above first mentioned deed the six following courses and distances viz: first South 3° 58' 15" West 279.55 feet, second North 78° 07' East 169.08 feet, third North 3º 15' 30" East 68 38 feet, fourth North 889 47' 30" East 417.61 feet, fifth North 6° 57' 30" East 89.50 feet and sixth South 81° 01' 50" East 147 feet more or less to the west side of said Polling Road as proposed to be widered thence hinding on the west side of said Rolling Road North 6° 11' 50" East 300 feet more or less to the place of beginning.

Containing 12.33 acres of land more or less. Being all of that parcel of land described in a deed dated October 6. 1958. from Lee W. Wolf et al to Lighthouse Enterprises, Inc. and filed among the Land Records of Baltimore County in Liber G.L.B. 3428 folio 299 and part of that parcel of land described in a deed dated October 6, 1958, from Henry C. Hoffman et al to Lighthouse Enterprises, Inc. and filed among the Land Records of Baltimore County in Liber G.L.B. 3428, folio 296.



October 18, 1966 Sheet 2

AL OF MARK SEROME B. WELFF AND ASSOCIATES

Mary Breeze

BUITE 433, JEFFERSON BUILDI Description to Accompany Petition for Special Exception for Offices in an R-A Zone William Andrew and Wife Rolling Road and Old Frederick Road

October 18, 1966

Beginning for the same on the west side of Rolling Road as proposed to be widened at a point distant 900 feet more or less reasured southerly from the south side of Baltimore National Pike, said point of beginning being on the second or North 89° 16' 10" West 495.72 foot line of the land described in a deed dated October 6, 1958, from Henry C. Hoffman et al to Lighthouse Enterprises, Inc. and filed among the Land Pecords of Baltimore County in Liber G.L.B. 3428, folio 296 at a point distant 12 feet more or less from the beginning of said second line and running thence binding on the remainder of said second line North 89° 16' 10" West 190 feet more or less, thence for a line of division South 04° 57' 05" West 375 feet, more or less to intersect the minth line of said deed, and thence binding thereon and on the tenth and part of the eleventh line of said deed the three following courses and distances viz: first North 88° 47: 30° East 234 feet more or less, second North 06° 57' 30" East 89.50 feet, and third South 81° 01° 50° East 147 feet, more or less to the west side of said Rolling Road as proposed to be widened, thence binding on the west side of said Rolling Road North 06° 11' 50" East 300 feet more or less to the point of beginning.

Containing 3.00 acres of land, more or less.

Appellants VS. POR WALTER A. REITER, JF AME BALTIMORE COURTS JOHN A. MILLER. CONSTITUTION A MAJOURTY OF THE COUNTY BOAR AT LAW

The Petition of Hemry Hoffman, Jr . Raywood N. Brown Anthony Pete Ian Uzzi and Theodore Barnes by C. Victor McFarland Freuth & McFarland, their attorneys, pursuant to the Maryland tules of Procedure, respectfully represent:

PETITION OF APPEAL

- 1. That the P-titioners are all owners of properties located in the same neighborhood and community as the Annelles and as such eliber appeared, testified or both before the County Board of Appeals of Baltimore County in the instant case known as County Board of Appeals Case Ps. 67 131 RX. Petition of Lighthouse Enterprises, Inc.
- 2. That on or stoot July 15, 1969 the Appellants duly filed an appeal from the adverse decision of a majority opinion of the County Board of Appeals granting the reclassification fro
- 5. That the Appellants are "parties in interest because of the location of their properties in the close provinty of the Lighthouse Enterprises Inc. property sought to be reclassified to BA and "aggrieved parties" because of the Board of Appeals decision adverse to their interest as property owners and taxpayers.

4. That the said majority Order of the County Board of Appeals dated June 24, 1969 was improper, an abuse of Administra tive discretion, was illegal, arbitrary, caprictous and contrary to law for the following reasons:

(a) That the Decision and Order of the Cos. # Beard of Appeals is inconsistent with and contrary to the weight of all the evidence as disclosed by the entire record.

- (b) That the decision and Order is against the con substantial and material evidence as disclosed by the entire record.
- (c) That said decision and Order constitutes an arbitrary and caprictous act, and a gross abuse o. administrative discretion
- (d) That the decision of said County Boald of Appeals in denying the requested reclassification is not supported by any substantial testimony in the record portinent to the issue.
- (e) what the said County Board of Appeals misinterpreted the swidence before them and misapplied the law in reaching their
- (f) That there was no evidence to justify a conclusion that a substantial change had occurred in the neighborhood as to justify a reciaesification from R-6 to R-A, with special exception.
- (g) That there was competent evidence that the property could be developed R-6.
- (h) That there was evidence sufficient to prove that the reclassification will present a hazard to the health, rafety and welfare of the community.
- (i) For other and further reasons which will be set forth at the time of the argument on this Appeal.

5. That the Appelles failed to meet the burden of proof ential change in the neighborhood,

R. the Appellants--Potitioners respectfully reeald Color of the County Board of Appeals

> C. VICTOR MOPARIAND TREUTE & MCF 922 Frederick Rd., Balto.Md.21323

Attorneys for Petitioner

I HERRAY CERTIFY that a copy of the aforegoing Petition weel was mailed by me this day of July, 1969 to Fred E. equire and A. Owen Hennegan, Esquire, Attorney for County Board of Appeals, County Office Building and man. Require. County Solicitor for Beltimore County, Office Building, Towson, Maryland.

C. VICTOR NEPARLAND

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO. Mr. John G. Kose, Zoning Commissioner Date. December 21, 1965 FROM George E. Gavrelis

SURFECT. Petition (67-131-8X. Petition for reclassification from R-6 to R.A. Zone. Special Exceptions for Elevator Apartments and Offices and Office Building. West side of Boiling Bood 900 feet South of the Butthere National Pike. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

Period of the Property of Lighthouse Enterprises, c. **

**Period of the Property of Lighthouse Ent

1st District

HEARING: Thursday, January 5, 1967 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition on uniform or relating on the change has reviewed the subject particle for reclasification to R.A. zoning together with a Special Exception for efficies if notes that a similar perition (64-79-R) was denied earlier by the Zoning Commissioner and the Board of Appeals. From a planning viewopoint, conditions have not changed substantially since decision was reached in the earlier ca.e. to warrant reconsideration.

G.E.G.;bms

10-15-70

HHHMY HOFFIRM, JR., et al., Appallents

V. INCLINOUSE ESTERPRISES, INC., Appelled IN THE CERCUIT COURT FOR PRINTINGEN COURTS Rise, Dochet & folio 458

Cash no. 4261

Attorney for Appellants: C. Victor Reference
Attorney for Appellace: 1 A. Gwen Renn gan

STATEL F and Diggs or Court

The subject property, could by highthesse interprises, Inc., contains approximately 12 weres of land, located on the west side of Rolling Food, about 900 feet south of J.S. Route 40. The property is presently improved by an old house, which is rented, and the balance of the tract is wooded, and is generally level, but well dusined, eloping generally dominant right through the middle of the property in the vesterly direction many from Folling Rond.

It is bounded on the north by a large shopping center, and on the west and south by residential areas zoned for single family deallings. Directly across holling Read on the eact is a large tract of vacant land zoned for R.6 residential use and referred to by the witnesses as the Carvey tract. The tract of land on the east side of Relling Read between the Carvey tract and U.S. Route 40 is the Hentgemery Word Department Store property.

The Zoning Pap for a Portion of Pirat Election District, of which the subject property is a part, was approved by the County

c' 18 months from the Cate of the final Order thereon.

The final order was not stayed by the pendency of the firstlines Consens v. Becater, decided June 23, 1970, published in the Paily Record of July 30, 1970. Recordingly, the Mo-month period of July mendated in Scotion 500.12 of the Fealer Repulsitions commenced no of North 5, 1966, the date of the final order of the Board.

Who mus politica requested that the soming of the reducet property he reclassified from as R.6 rome to an R.A. some for the folly his reasons:

- (1) Change in character of neighborhood;
- (2) Proof in original soming; and

the rest politics (1) requested a Special Reception to the the subject property for clearing special building and offices and office building.

When the new polition came on for public bearing before the Moning Commissioner, (he having jurisdiction to hold the public bearing under and by wirtue of the powers vected in him by sections 22-22 and 22-23 of the Baltimore County Code, 1968), the politican offered so testimony, whereupon the Moning Commissioner desired to reclassification and desired the special exceptions requested in the political.

The positioner (Lighthoure Enterprises, Inc., Gener) than expended to the County Board of Appends under the provisions of Section 502 of the Baltimore County Chathan, and Section 50-27 of the Baltimore County Chathan, and Section 50-27 of the Baltimore County Code, 1850s

Council on April 5, 1930. Bill No. 44, 1960 Scasion, the subject property is wishing harper area sound on the map as R.S Residence Some, Cas and Two Penily, but the boundaries of the subject property were not delineated on the rap when it was adopted.

In the year 1984, the logal coner of the subject property (Lighthouse Enterprises, Inc.) applied to the loning Cosmissions for a reclassification of the realing statum of the subject property from an R.S Residence Zone to an R.A. Posidence Zone, Apartments. After a public hearing, the Zoning Cosmissioner found that the testimony did not indicate that there were may shower in the character of the neighborhood sines the Eduption of the map, and he found further that the County Cosmeil was not in array in sening the large area (or which the subject property was an uncellineated part) as R.S. Residence Zone.

On appeal, at a public hearing before the roard of hypeals, the cemen's application for a reclassification of his property was considered <u>for payo</u>.

On Herch 5, 1955 the Board found, as a fact, that the potitioner's case was completely laching in sufficient evidence to show <u>error</u> in the original soning or any <u>change</u> in the character of the neighborhood, since 1950, enough to warrant resoning at this time. <u>Lichthouse Enterprises</u>, Inc. v. William S. Baldwin, D. Giles Pather and B. Bruse Aldenna, constituting the Beard 9174 main, Missellansons And Docket 7, folio doi, Case No. 3217, of this Court.

then the matter came on for a public breaking of news before the County loand of Appeals or January 15, 1869. The protostants of the outset noved to limit the insue before said Found to the sole question of Chinny in the character of the neighborhood between March 5, 1955 (the date of the Simul order of the Found under the previous politics) and January 15, 1965.

Whe rotton the granted, and an exception was reserved to the property owner.

Pefore the public hearing was ever, the preparty enter (publishers) withdraw the request for epecial exceptions for elevator spartness building and for offices and office building, thus marreading the case to the one issue of whether or the thore was a charge in the character of the maintanahood since kneek 5,

The Beard by a vote of two to one decided that there had been a substantial charge in the character of the neighborhood since Harch 5, 1955, to warrant the reclaratification of the subject property from R.6 Residence Sone, One and Two Praily, to R.A. Residence Tone, Apartments.

The protestants timely fried an opposit to this court. The politices, Lighthouse Interpaises, Inc., filled no cross-apposit.

Under the Confession of the Court of Appende in the case of Paint, v. Buildings Courty Room of Arrents, 200 Ma. 187, it trains that the Board of Arrents asked purposity in Ministry the Arrent Chair to the sales question of charge in the character of the manipharmonical steam Parents, 1980. The property crass, the Lank, counts in applicant, harrent it old not special.

The full text of the Peard's opinion filed Barch 5, 1965 in said case is as follows:

"This case is an application for a change face R.6 months to R.1. of a tract of land on the vest side of molling local communication could be sent of route of in the Cutomoville community. This land her been month of \$1.500. The science of the land were see a April 16, 1800. Yas potitionare desire to construct gardon-type apprehench houses on the tract.

"Betreen the subject property and U.S. Looke 60 in located a shopping center on land that is remarked in send as is a law 5 rate of the route 46 frenches in the wighting. The petitions bases his subjection on a theory that the original rounds was in error because it dealed him "reasonable use of his property," and because there was a remanable lark of represent roung in the mry are which fails to meet a basic need for rental heading.

"Lastimony was presented to show that while twriffer conditions are constructed at present the effection could be messaged by the uddening of Bolling Bood, and that altimosh there was no consequenced available when the potterson brought the property in 1958, the construction of new severe now under way would solve this problem. The pottioner's expect witness also indicated that he fold that nearby 11.1. and B.B. Forms might make the subject property characteristic way. Whe locate can see me remon why such configuous renday should be any more objectionable to R.G development than to other readdential use including soning for properties."

"This application was denied by the Zening Commissioner and this bowed finds, as a fact, that his decision was coursed in that the petitioner's caus is completely lacking in swiftscient evidence to shor error in the original roning or any change in the character of the neighborhood since 1950 enough to warrant reconing at this time, and further finds, as a fact, that the physical condition of the property and its location present no substantial reason why it cannot be decisioned as presently somed under uses a practited in an Inf. Colestification.

"To have not yet continued the protections' evidence which conducted of tentitiony by a number of property executing the neighborhood that recoming

0

The protestants enqued, at the hearing before this court on July 27, 1070, that the decision of the heard of Appends should be givened on the ground that the politicour failed to prove that a sampe in the character of the mainly-should have becomed since Hereb 5, 1886.

Who property owner proved that there two three coming changes in the neighborhood, and also a number of phyrical changes.

Fro protestants to not day the fact that these changes coursed, but they reise the question on this appeal of the legal sufficiency of the changes, individually or collectively, to cotablish a "substantial change in the change of the neighborhood".

Judge Barnes, in the case of Cheev Cheev Village, et al. v. Hontmoners County Council, desided bay 6, 1970, and published in the Daily Record of June 27, 1970, stated for the courts

"Unit can be determined by the circuit down and by us on appeal, however, is whether or not those was any ordermon below it is whether or not those was any ordermon below the literate Council, muffiched to enable it to first that the necessary sharper in the chemother of the mighborhood had cocurred. Built will place and cited in the opinion in that can. In we stated in the opinion in that can. In we stated in this printer in the first way in the control of country of the case. In we stated the first way in the case of the case

"On insuperable occursions, this court has been the best that the 'Close is a name of the best than the best than

here would affect adversely the value of their proposition, and that there had been no substantial changes in the magableshies, and that this limit could very eachly be developed for approved his property. One of the videous for the proteshies, for the proteshies, it have a few videous to the proteshies, it have a few proteshies in the planning field, proteshie appear without for the proteshies the planning field, proteshie appear without the third proteshies the third proteshies that the planning field, proteshies are proteshies to the planning field, proteshies and the planning field.

"The explication in this cose will, there'ere, be dealed and the subject property is hereby continued as and to result in an R.C Fone."

For the reasons set forth in its opinion (supra) the board ordared, on Earch 5, 1865, that the reclassification from R.6 to R.A. "be set the same is hereby desired."

The property owner (Lighthouse Interprises, Inc.) appealed to this Court on Harch 29, 1965, for a reversal of the Board's order, but did not press the appeal. About 17 months inter, on August 23, 1865, the appeal to this Court was disclosed by the property owner.

Thus, the date of the companionsive months of the subject property was April 5, 1960, and the first partition for raclassification was denied by final order of the County Beard of Appenie on March 5, 1965.

A new potition for reclassification was filed with the raning Commissioner on November 9, 1986, which was some than 10 months free the date of the final order on the cultur politics.

Section 500.1% of the Baltimore County Fouring Regulations provides that no new position for Baltimore contention that he categorisms by the toning Commissioner in any case which has been familed by the County Board of Appeals until the empiration

ACCOUNTS OF COME A STANDARD VILLEY OF SA ALL CONTROL VILLEY OF SA ALL CONTROL VILLEY ON SA ALL C

The burden of proof is upon the applicant secting a scaling reclassification to establish all of the Clemants of Mic case. January. Two. vs. Incom., 267 Mil. 612, 618, 233 2.26 757, 768 (2237).

In case at her, the heard of appeals decided that the puritioner had proved the following "changes":

1. Reading reclassification of a parcel to the north of the subject property from R.G to B.R., for Relling Read Realty Co.

 Posing reclassification of two portions of the tract to the northwest of the subject unoperty from R.6 and public land to B.R., for Hostgoosry Wand Co.

 Sending equation exception of a filling station site to marks of subject property, for Shall Gil action on marks side of Subjects.

4. Construction of Hardyoung Ward complet of buildings to mark-one of subject property.

- 5. Construction of filling station by the ' () to morth of subject property.
- 6. Construction of subsentity its . c wash, and warehouse in chapping carte (:: J. of subject property.
- 7. Construction of news trust line to serve subject processity by grave without the necessity of using a pumping static.
- Comparables of virtual of helling head binding on the control of subject property.

 The head of the control of the findings to the law, concluded that the control of the control of

of the neighbor . Two Hurch 5, 1955, the date of their carlier Call los.

The rect: Principle of land relicent to the north side of the subject; youty was granted by the Board of Appeals on April 27, 1957. In its opinion, the beard stated:

127, 1937. In its opinion, the board stated:

"whis replacation for reclassification of a
small trait of approximately two scenes of land was
filled by the holling head healty Company, which
come a weak larger traces of contingeous property
freing on the beltimore Designal like at or shows
its into vection with realing mend, in the First
Mitarice of Beltimore County. The same corner has
ound this proposity since 1255 and was unsware
that the brundary of the coding charaffications
one out discution that he proposity line until
1955. Find of his land was moned B.R. by the
coding may which was tachybed gard it, 1850, her
long navies strip on his conthemnest horders was
line detch the condang activated of the codition of a R.R. being a few feet heat of an anticomy
line detch the condang activated at the code
which the few his and line tensor the most
file of belefaces instead which as a strip namside of belefaces in tooth that of the active
Line, which is equal-to-sign and feet along the
Line, scaling, weake in tooth case of feet at its
later and be a glad of as either at the land
with the county has developed and ad this land

"Who protectioned Lain expendition is that they laid that the reclamedification have until constitute a "change is the laid to the the second that the second that they could consider out the protection which may need of land other than recent the consult near parent of land other than recent the consult near parent of land other than recent the consult near parent of land other than recent the third than the second that t

The find on a fact that the mentage on the oliver of property along the each boundary is commonate, as it was obviously the intension of the County Openail to more the children community of the property little of the first of the moyer alongation in the facts that the politicesor's contractive to the moyer alongation to the facts that the LaG county personality on the magnety would be confidently as the contractive that the confidently of the second that the confidently to some the constant the confidently to some the constant that the recognity creates. We also that the first that it is confidently to some the con-that arm growed at the confidently, and that the property characteristic property residently, and that the proper characteristic content which confidently is far that the wedge on this proced until common with the making on the behaviour of the relatedistication and distributing of these two well proceeds to far the meture of an algorithm of the confidently of the confidently

while the h.h. classification, using a large position of it bismoth for warehouse peopoet, and has constructed a coursel access read (amount as Colpe Read) at his one exposer, which read has now here declicated to the County and is in use. Surrequelled Jord was an the month are barely reading large and has replaced for the county and in a replaced to the foreign the barely reading the large probability of a three of large testing the foreign technologies. Surelying this issue, the probability of a resource of an abburght to remone part of the residential area now remode B-6 to R-A, or even so commercial reside.

The layer from the arms with this and cannot forcers any manifely input from the rain arms to the internative of market from this source to the internative of market in the rain verticed. It is already include the second control, except that spot all the part and the careful that applied for, and the band finds as a fact that there was an armor in the criticisal acadey by the last of including of this course strip of preparty in the wass classification and of his other hand, which windowledly was properly receal on hell and has been put to that was, text that the construction of design load, part of which arthurby reas through and taken up a portion of the strip which is the subject of this opidication. It would be a hurship to the comor and would deep the all recommissions of his property to hands that the rabject strip be retained in one 1-5 classification when these electroness.

The medien of the Feming Consistence will therefore 's efficient, and the property will be reclearfied from R-5 to P-T, subject to approval of the site plans and read screens by the State Roads Consisten, Instean of Pahlie Services and the Office of Flamming and Zoning.

The sentences underscoved for explants constitute a countrment to eners of evicinal R.6 individual boxes by the Exard of Appeals, including some of the periodicate in the case of box. In that it was wine for the Pound to the Constituent, or not, the feet remains that the constituent was made. It is

-26-

The mentioness unformered for cupinsis constitute mother constituent by the Denn' to vicinal owners of R.6 individual homes, including some of the protectants in the case at her, that the noning change could not be legally used to support replandification of the R.6 properties in the modelsbeckerd, this Court, on appeal, affilmed the decision of the Board.

Whis reclassification likewise should not have been considered an a legal messon for reclassification of the subject property. (See <u>Sunbarich v. bomb.</u> docided May 14, 1970, cappen.)

133, 27, y and yr.

There is undisputed evidence that substantial improvements have been unde in the R.H. tracks lying between the subject property and name 40, once and west of helling Road.

But all of this new examination is a consumed on lead cound B.R. by the County Council in 1960. The case at her is Continuousheble from such cases as <u>Microllabors v. Council</u>, Societ July C. 1970, and published in the builty Record of July 10, 1970. In the case at her there is no evidence that the neighborhest has negative a new character other than that Character which was planted for the neighborhead in 1960, and made possible by the register of the crystologists routing rep-

The cost of bur is not undergon on this point to the cost of figures and indicate the cost of figures and indicate the indicate the cost of the cost o

could be for the most to retrade the exemitment without rectaining the 1.6 remise. It is not to the kind of impermiseible change of wind or heart which was continued in the wind by Y. Donb. Scaled May 14, 1976, and political in the 1-11 in the first way 14, 1970 (see column 9).

the recleasification under discussion, therefore, should not have been considered by the Board as a resent for rinding a substantial change in the character of the neighborhood justisyling the rescaling granted by the Board in this case.

IY.

The removing of two pertions of the Postgoomy thee site was greated by the Board of Appeals on June 25, 1955. Booklet v. Billier S. Brickin, Chairman, H. Cilco Peries and Scho A. Stanke, Constitution the Courts Bound of Accounts, Parcellaneous Less Bocket S. 18150 452, Once Ec. 4270, in this Court. In its ordinion, the beard stated:

"The pelitioner in this case seeks ; reclemmification of two smell parcels of land from an R.C tons and an uncomed jusced (for erly public lend) to a B.R. sont, and also requests a CCC District be pinced on the parcels requested to be reclassified.

"The total area involved in the two percels is all ecre. The first percel is a very percel silver of lend at the enterment bondery of the potitioner's property, being at its "ideal point 15 feet, and extending rarcherly and marrowing to maper for a claimance of 757 feet. Whis percel contains all rows. In addition, the potitioner requested the real-smallest the most districting of 5.5 do not core of load at the most head at course of large property. The small contains a feet of the feet of the feet of the sea feet of the feet of

. 0

The aforegoing changes in the core at her are changes which were contemplated at the time the corportensive nonling map was adopted, hence it was unlawful, under the decisions above clock, for the heard in this case to stand on these changes as constituting substantial evidence of a change in the changes of the maighborhood.

VII.

The construction of the corer trush line to the edge of the subject property was held by the board to constitute evidence of a substantial charge in the character of the neighborhood. The board, in its epinion, mentioned the witness James Petrica, who testified that in October, 1969, a seven line in this area was extended through the Millers Row Strikes, and that are result of same, in his judgment, the subject property is "one of the conicst properties to sever that I have seen in a long time."

This 'che' o' is an consistent with increased R.6 Residential Doning, One and Two Penily, as it is with the building of Residential Aperiments. In <u>Protocolic v. County Paned</u>, 238 Md. 549, at page 556, Julys Co. minimum cold for the County

"The 50's Conceins of Suan Creak, the 188 authorization of while willing services for the Tentillo enterprise per pa considern with inserted rural realization of Conceins to the year with the State of the State of

of as64 Old Producted Load was closed by Billimean Coming and the propunty decidal to the politicans, the Hostqueen decidal matter than politicans, the Hostqueen the Manthage of the politicans and the theorem are considered by the politicans and the part of a buye 10.25 tree percel cannot by the politicans of the technique content of the politicans of the content of the politicans and political parts of the linear of the three three the politicans of the linear of the linear of the politicans of the linear of the politicans of the linear of the linea

The implantar tentifying for the perliferant stated that the proposed strending content with the proposed strending content on the form of the proposed strending tenter with county and State sutherfully content to the proposed of the entirence or them as reducted requested of the entirence or them as reducted formation for the county significant to improve the individual for the protection of the county proposed to provide a protection of the county and supercontent requested by individual to county and supercontent to proposed in which out-side to plan for the proposed in which out the plan for the proposed they in a further steed that the proposed shoping content out of the strength of the county along the content of the strength out to the proposition of the strength out to the strength out to the proposition of the strength out to the

"In expect recitive, teninfying as behalf of the petitioneer, should without controlletion that he fall (six the County introduct to place 1.8., nooing or the entire Brancaid treat then the many the adopted in 1000. Howevald was the cancer of the property then the map was adopted, and subsequently cold to the printers who proposes to construct the large chapping center. He studyer field that he have chapping center. He studyer field that the Pol cannot be used for snything. The tent the Pol cannot be used for snything. He further stated that it would be confinencery in that the Irid cannot be used for snything. He further stated that it would be confinencery in that the Irid cannot be used for sny thing. He further stated that it would be confinencery in that the Irid cannot be used for any use but business Rendalder and that the reclaim financial recognition to readential property nor did be considerable that a charge that cannot there a change in the time sould considerable that a charge that cannot be a change in the confinence of the infoliation to fitted the confinence of the infoliation of the infoliation to the confinence of the publication.

Inother reason emists for relian out the sease change as a bonds for this reclassification. On page 158 of the transchipt Fr. Petric testified that the secen was built in two stages, and the first stage was completed in June, 1963, which date is pair to the cut-off date for caldence of "changes" in the matchibacheed of the number's requests. On large 5, 1955 the

0

neighborhood of the rubject preparty. On Herch 5, 1985 the board stated that: "Prestingny was presented to show that each although there was no powerage; sailable when the positionar bought the property in 1856, the construction of rew screen new under very would solve this problem." The board concluded that the poistioner's came was completely lacking in smalledent evidence to show any change in the character of the neighborhood since 1850 shough to warrant removing. What decision to 185

infinite as to the second issue, insofer as the subject success; is concerned. See also County Counts, x, Kines, 239 Md. 119.

VIIX.

The widening of Relling Road, which binds on the cost side of the subject property, was completed in July of 1965, according to the testimony of Nr. Brell, called by the petitioner. On page 52 of the transcript, Nr. Brell, while under cross-examination, was called:

Q. Do you know how long the proposed videning of Rolling Road free Old Proderick Road to Proderick Pood has been?

 I quite it is access or citie years old now, in my opinion. I in Year questing, her it has been prepared for a long time.

It may reasonably be infedered from this testimony that the plans for vicening of Rolling Road were considered by the County Countil when in 1950 it somed the land on both side of holling boad "R.6 Rouidouse Zone, One and Two Pamily," including the subject property. The burden is ween the patitioner to prove that the Courty Owneall did not consider the widening of Rolling Road when it adopted the comprehensive resing a p i. 1950. Chart Chara Village v. Engineery Comply (-- : II. decided Pay 6, 1970, published in the Daily I cond of June 27,

the widering of Relling Read po . "My was covisioned in the comprehensive monie; p. . one . . by the legislative body in 1950. As was still i ['- 's'; v. Donb, docided Pay 16, 2970, published in the Dell I am & of July 16, 1970, by Judge Smith for the Court:

that the network of highways here "50 E1. that the newbork of magneys here is a circum of change in the meighteen of the property is not the fact that is local of highly was a lade down on the notice reading say was adopted. Surely, the reading say was adopted. Surely, an other content of these higherys. An other was contemplated in change that was contemplated. hood in t at the time the map was adopted."

A controlling procedent on this point is the case of Miller v. Abrilana, 257 Md. 126, wherein, on page 131, the following language appears:

> Waterbook on lands attack hall handedly, that passure to a change in conditions which in turn, effected a substractal change in the character of the neighborhood. The same argument in respect of an elect identical situation was raids, and rojentod. in College, v. Margant, 260 Hd. 554."

It poins clear to this Court that the viceming of Rolling / Bond, completed in July of 1955, nomid not have been entitiere! a change show as would constitute locally suffici t or famous of a chunge in the churacter of the weighborhood of weighted 5, 1955. I then Vivi

Ex. Covrelia, the Director of Pitaning and Foning, testified that as a scrult of the filing of the patition, his office made a study of the proposed resoning, and the written opinion of his

> "The staff of the Office of Planning and Soning has reviewed the subject position for reclassification to R.A. soming together with a smelled cation to M.A. soming together with a reading trooption for offices. It notes that a dailing polition, 64-70-M, was desired earlier by the Zoning Commissioner and the Dend of Appeals. Prom a planning wirespoint, conditions have not changed substantially almo Coalsion was reached in the corder case to warrant reconsideration.

He testified that the subject protucty could be subdivided for single family R.6 development in a conventional way. He testified that the reclassification of the lot adjaining the subject property on the north, for Rolling head Realty Company, did not change the character of the neighborhood. To charactorized the charge as an adjustment of the some boundary to reflect property comprehip.

Ec tentified that the only other changes in the very immediate area, vicinal to the subject property, were changes which occurred uithing the content of the mordry or in emisted, and all wes mustcloated in the Secious process leading to the adoution of the coming map for the suce.

the petition respect in his written necessariles filed in tite con colonia to issue the analyticity to the colonia colonia. the decision of the Board "fairly debatable", citing the testimony of Predomick P. Klaus and Fernard Lille oin, experts, among others. These two rentlemen testified in the case at ber, before the Board, on January 15, 1959, and they are mentioned in the opinion rendered in the case of Miller v. Abrahams, 257

If there editated some evidence of a substantial change in the character of the neighborhood, an affingence of the Board's decision would be required, on the ground that it is "fairly debetable" whether the maighborhood had required a new character ofter Harch 5, 1965

However, this court is fully persuaded, on this second, that there is no evidence which can be relied upon to make the issue fairly debutable (to borrow a phrase from the end of Judge Remillions' opinion for the Court of Appeals in the case of Embliston v. Salisbury, Seciend June 3, 1970, and published in the Daily Record of July 13, 1970);

For the remons hereinbefore set forth, the decision of the Board of Appeals is reversed by this Court, this ______ day of August. 1970.

> /s/ Walter R. Haile JUDGE

> > 0

from an R-6 zone to or R-A zone, and SPECIAL EXCEPTION for Elevator Apartment Bullsting and Offices and Office Building,

RE: PETITION FOR RECLASSIFICATION : MEFORE COUNTY BOARD OF APPEALS BALTIMORE COUNTY

No. 67-131-RX

OPINION

This member of the Board respectfully dissents from the Opinion of the

There is no point in this Opinion in going into the details of the surrounding and usas, etc. us this has been more than adequately covered in the Majority Opinion of the Board. I agree with the majority of the Board that there have been changes that have occurred in the immediate neighborhood since March of 1965, and rticularly the proposed construction of a large shopping center on the southeast corner of the Baltimora National Pike and Ra'ling Road, and the improvements to Rolling Road at the subject site that have occurred since March of 1965. However, these changes, and others cited in the Majority Coinion, are not in my apinion substantial enough to grant the

I feel constrained to follow the Board's decision in the prior case which plyed the identical property, being case No. 64-79-R decided by the Board on March 5. 1965 and, therefore, would deny the petition for re-lassification and special exception.

June 24, 1969

PETITION FOR RECLASSIFICATION from an R-6 zone to on R-A zone, and SPECIAL EXCEPTION for COUNTY BOARD OF APPEALS Elevator Apartment Building and Offices and Office Building OF V/S Rolling Road 960° S. of BALTIMORE COUNTY No. 67-131-RX

OPINION

a before the Board from a decision of the Zaning Commis ng a reclassification of the subject property from R-6 to R-A, with a special exception for elevator apartments and office building. The patitioner offered little cience concerning the special exception, and some will not be further considered. The subject preparty centains 12.33 acres and is located on the west side of Rolling Road. mately 900 feet south of the Baltimare National Pike (U. S. Route 40), in the First Election District of Baltimore County. The tract is mastly wooded and improved by an old dilapidated frame dwelling.

The zoning and land uses surrounding the property are generally as follows: Abutting the north boundary of the subject property is a B.R. zoned tract running from this contig-out line northerly to U. S. Raute 40, presently improved by a large suburban shoop! enter, including a casaline filling station, and movins and storage warehouse facilities. The wastern and southern boundaries abut lands zoned R-6, and developed as single family On the east side of Rolling Road, 'mmediately across from the subject property. is a large undeveloced tract of R-6 land, which abuts the B.R. zaned corner of U. S. Raute 40 and Polling Road. This land was recently purchased, and is now being laced, by the Montgemery Word Company.

It might be noted that this same property was the subject of a similar petitio cation frem R-6 to R-A, which was denied by this Board on March 5, 1965. peritioner took no appeal from this decision.

Coursel for the protestants filed with the Board a Preliminary Motion, ing that any testimony concerning error in the original map is not admissible: the Board ring decided in the previous case involving the same property in March of 1965, that the R-6 zoning on the property was not error. The Board carees with counsel for the protends and ruled that no testimony would be heard with regard to error in the original g, and that the only testimeny that would be heard with regard to change in the erhood would be changes that occurred after the last hearing day of case #64-79-R. fore, the Board considered in this case no evidence and/or arguments as ... original error, nor did me Board consider any evidence and/or argument concerning change in the barhead accurring prior to the last hearing date in the previous case.

Lighthouse Enterprises, Inc. - 967-131-RX

The first annest witness to testify for the notitioner was the well tent. Dr. W. W. Evell. Impressive to this floord was Dr. Evell's testime that Rolling Road has been physically widehed to 46 feet, paved, on a 70 feet right-of-way from U. S. Route 40, 1500 feet south beyond the entrance to the subject . party. It was change physically widehed the road in front of the subject property from 24 feet, without nuls and aution. In the above mentioned 48 feet paved surface on the 70 feet right-of-way with curbs, auttern, stallized area, and median strip. This physical change has taken place since the conclusion of the prior case. This traffic expert further stated it was his judgment that, as a result of this widening, any traffic generated by the proposed spartment would have a great tendency to turn northerly onto this dualized road to U. S. Route 40 and the Baltimore Beltway, rather than southerly toward a primarily residential The Board agrees with this conclusion.

The next expert celled by the petitioner was Bornard Willemain, a noted Site Planner and Zoning Consultant, who has qualified to testify before this Mr. Willemain went into great detail to describe the shoppi ster immediately north of the subject property. He also testified that subsequent to the last hearing, the Mantgamery Word Company had purchased the corner on the east side of Rolling Road, northeast of the subject property, and that a building permit was acquired om Beltimore County on January 2, 1969 for a 250,000 square foot structure and auto service center, which will be one of the largest commercial completes in the east. He further testified that to the north of the subject property, towards the 40 West Shapping Center, a zoning reclassification was acquired by the Rolling Read Realty Company, Case No. 66-259, which changed that parcel from R-6 to B.R. This reclassification is on the south side of Geipe Road, and is contiguous to the subject property. Mr. Willemain also indicated that water and sewer are now available to the subject site, and concluded that this, along with the widening of Rolling Road; the change of the contiguous land from R-6 to B.R.; the development and building of the Montgomery Ward complex; and certain special exceptions which were granted subsequent to the last hearing, are significant changes in the character of the neighborhood, and that the rezoning of the subject property would be a good transitional change

The next expert witness called by the petitioner was Frederick W. Klaus, a ted real estate expert, realtar, and appraiser. He cited the various changes that have occurred within the area or immediate neighborhood since January 26, 1965, the last date of the prior hearing before this Board. His testimony basically corroborated that of the prior witnesses, that the physical development of the surrounding neighborhood has significantly changed the character of the neighborhood, and that the proposed rezoning

se Enterprises, Inc. - 167-131-RX

The last witness for the petitioner was James Petrico, a consulting engineer ied that the entire subject tract was sewerable by gravity. In October, 1965, a wer line in this area was extended through to the Millers Kun Station, and that as a result some, in his judgment, this property. "Is one of the essist properties to sever that I have en in a long time"

-3-

George E. Gavrelin, Director of Planning for Baltimore County, appased the and stated that the subject property was never formally planned by his department public source was not then available to the subject site. It was also his acinion that, on a planning viewpoint, conditions have not changed substantially since the decision wa ed in the earlier case to warrent reconsideration. However, he admitted under extion that it had been one year since he had seen the subject property. In sees to a question from a member of the Board. Mr. Gavralis stated that, from a land as standpoint. R-A is an accountable transitional zone between a developed shapping cent and individual late. Eurober he stated that ardinarily this present, would meet the

raffic congestion on streets in the neighborhood; that it would constitute a change in the relighberhood that might lead to further requests for change; and that their property might he devenieted by the appropert project.

David G. Hyman, a registered enginee: and land utilization expert, restified hat in his opinion the property co. 'd be developed in its present R-6 classification, and that in his judgment the highest and best use of the property would be #-6. He further gave argument that generally rebutted that of the witnesses for the petitioner

The Board's hearing consisted of two full days of testimon; from num nd it is impossible in this opinion to go into the testimony of each and every However, the Board has reviewed all of the testimony and exhibits, and has that there has been substantial change in the character of the neighborhood to warrant the reclassification of the subject property from R-6 to R-A. The Board further finds that the zaming of the subject property to apartments could well serve the area as a transitional zone between the existing R-6 residential property to the south, and the contiguous commercial to the immediate north of the subject property

CRDER

For the recesses set forth in the aforegoing Opinion, it is this 24th day June, "969 by the County Board of Appeals, OR DFRED that the reclassification d for, be and the same is hereby GRANTED, and

FURTHER, that the special exception petitioned for, be and the same is hereby DENIED

Any appeal from this decision must be in accordance with Chapter 1100, batele 8 of Manyland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS

10-15-70

RE: Petition for Reclassification : and Special Exception
W/S Rolling Road 900' South : of the Ba'timore National Pike 1st District Lighthouse Enterprises, Inc.,

BEFORE THE ZONING COMMISSIONER

BALTIMORE COUNTY

NO. 67-131-RX

111111111

The Petitioners produced no evidence at the hearing in order to prove change in the character in the neighborhood or error in original zoning, preferring to present their caue to the County Board of Appeals. No evidence was given pertaining to the consideration for a Special Exception for offices and office building.

For the aforegoing reasons, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day of January, 1967, that the above reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain an R-6 cone; and the Special Exception for offices and office building be and the same is hereby DENIED,

TO: ZONING COMMISSIONER

SUBJECT: #67-131-RX Lighthouse Enterprises, Inc. (Denied)

M.E.B.

September 30, 1970

FROM: COUNTY BOARD OF APPEALS

Attached is completed file for your records

combar 15 1966

BALFINORS COURTY OFFICE OF PLANNING AND ZONING

5'S.ECT: Declaration from

R-6 to R-4 Coning, Special
Emosphica for Elector
Apariment Building, Offices
and Office Building,
Located W/S Boiling Rd.,
South of Baltimore
Mational Films. For
Lighthouse Enterprises, Inc. 13th District.

The Seming Advisory Committee has reviewed the subject petition and makes

MURBAU OF MOTHERSHIPS,
Maker - Marking 12 sater mains in Deime Ri., Relling Roed and Old Frederick Roed.
Maker - Marking 25 sever in Old Frederick Roed.
Ministing 25 sever in Old Frederick Roed.
Ministing 25 sever in Old Frederick Roed.
Management of activiting whilese to be determined by developer or his engineer.
Roed - Drewfage have been prepared by the Barwan of Engineering for the
improvement of Ralling Roed. The plans smalltded with this petition should be
revised accordingly. For information on this subject contact Nr. John Stamm,
Room 200, Maltimer Omerly "Afice Schilding. Lee Drive is to be improved as a
stniams 50' Roed on a 50' right-of-sery.

PROMET FIRSTED DIVISION:

When the plat was considered for the Barafort Property at the western end of this property, he between extended along the common boundary. Therefore, there will be a responsibility of this property for Lee Drive Extended. At the same time, the same time, the responsibility of this property was considered and it was described that second the responsibility of the property and the same time, as common to the second from the second from the second from the second for the second that the second that second the second from the seco

As a note on design
While I find this design to be shows the general order of spartment site plans,
still I would like to make note of the fact that there appears to be a great deal
of an ages area; i. e., that not covered by paring or building; and yet, not much
of this open area bands itself to the kind of space that could be obtained rite a
general tightening up of buildings on to the other.

LORIDO ADMINISTRATION: This office is withholding any further processing of the subject petition until such time as the Bureau of Engineering comments have seen compiled with.

The ebems comments are not intended to indicate the appropriateness of the seming action requested, but to assure that all parties are note source of plans people the comment of the people blavelor of the Office of the Office

3 8

continued from page 1:

The following members had no comment to offer:

Surreu of Traffic Engineering State Roeds Commission Health Department Fire Prevention Bureau Esard of Education Bureau of Permits and Licens Industrial Development

Very truly yours,

cor Fred E. Waldrop, Sequire Carlyle Brown, Burwau of Engineering Albert V. Quimby, Project Planning Division

A. OWEN HENNEGAL

January 12, 1967

ZONING LEPANIMENT

- ME 13 E7 5H --

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

Re: No. 67-131-RX Petition of Lighthouse Enterprises, Inc. for Reclassification and Special Exception W/S Rolling Road, 900 feet south of the Baltimore National Pike - First District

Dear Mr. Rose:

Kindly note an Appeal to the Baltimore County Board of Appeals from your decision and order of January 5, 1967, denying the above captioned Petition.

A. Owen Hennegan /
Actorney for Petitioner

AOH:mf

Enclosure (Check in the amount of \$70.00, for cost of filing appeal)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

When the plat was considered for the Barefoodt Property at the western end of this groperty, Lee Drive was extended along the cameon boundary. Therefore, there will be a responsibility of this property for Lee Drive Extended. At the same time, development of the subject property was considered and it was determined that access from Lee Drive Extended. At the same time, development of the subject property was considered and it was determined that access from Lee Drive through to Rolling Road should not be permitted and that access to this should be by way of Geipe Poad. We are aware that, because of the bend in Geipe Road, an unusable slive: of property exists between the road and subject property. A proper connection through that the property is a property of the property of the property of the constant under the child of the control of the property of the property of the property of the property of the constant under the direct access to Rolling Road because of the closeness of Geipe Road to Cld Frederick Road.

While I find this design to be above the general order of apartment site plans, still I would like to make note of the fact that there
appears or building and yet, not much of this open area lends itself to
the kind of space that could be obtained with a general tightening up
of buildings one to the other.

SUBJECT 12.3 Acre Tract, Rolling Road at Geipe Avenue (LIGHTHOUSE ENTERPRISES, INC.)

Date November 7, 1966

ALBERT V. QUIMBY, Chief Project Planning Division

Fred E. Waldrop, Esq. Masonic Building Towson, Maryland - 21204

JAMES E. DYER TO Office of Planning & Zoning

FROM ALBERT V. QUIMBY

AVO: vh

J. WILLIAM TREUTH JR.

TREUTH AND MCFARLAND July 15, 1965

744-0931

Board of Appeals County Office Building Towson, Maryland 21204

RE: LIGHTHOUSE CASE No. 67 131 RX

Gentlemen:

Enclosed please find an extra copy of the Appeal in the subject matter for your purposes.

Thank you for your cooperation.

Very truly yours. TICTOR MCFARLAND

CVMCF:GA CC: R. Bruce Alderman, Esq. County Solicitor
A. Owen Hennegan, Esq.
Fred E. Waldrop, Esquite Ted Barnes

Rec'd 7/17/69 01.30 a

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building 111 W. Chesapeake Avent Towson, Maryland 21204

day of NOV 1965

3

Petitioner's Attorney A. Coun Hos

No. 42947

BALT MORE COUNTY, MAR' LAND OFFICE OF FINANCE Division of Collection and Receipts
LOURT HOUSE
TOWSON, MARYLAND 21204

de 67-131-00 70.00 7000

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

CERTIFICATE OF PUBLICATION TOWNSON, MD. According to the control of the control		
TOWSON, MD. ACCOUNTS. 19.6.6. THIS IS TO CERTIFY, that the annexed advertisement was more affected and a probability of the control of the c	DEFINITION FOR RECLASSIFICA- INT DISTRICT	Ç
TOWSON, MD. ACCOUNTS. 19.6.6. THIS IS TO CERTIFY, that the annexed advertisement was more affected and a probability of the control of the c	NING: From R-4 to R-A Inc. Petition for Special Exception for Davoler Apartment Building and Springs and Office Building	- PUBLICATION
THIS IS TO CERTIFY, that the annexed advertisement was more and the control of th	CATION West side of the Bai- land ton feet South of the Bai- timere National Pizz.	CERTIFICATE OF PUBLICATION
THIS IS TO CERTIFY, that the annexed advertisement was more and the control of th	E. 1847 21 2:00 P.M. DELEC MEANING: Room 10*, Coun- ty Office Building 111 W. Chest-	
Section 19 and 1	Peake Avenue, Towson, Maryland. The Zoning Commissioner of Bai-	TOWSON, MD. December 5
Section 19 and 1	nere County, by Regulations of Bar- mane County, will hold a public	THIS IS TO CERTIFY, that the annexed advertisement was
Section of some formers of the control of the contr	Present Zoning: R. A. Proposed Zoning: R. A. Prestian for Special Caceptian for	THE THEFERSONIAN, a weekly newspaper printers
See Borden of Shall-ware beautiful statements of Sh	Pullian for Special Exception for Offices and Office Building.	Raltimore County, Md., x 100 to Rate
STREAMS 19. THE BETT PERSONAN, THE STREAMS 19. THE STREAMS 19	All that property of Baltimore County- irst District of Baltimore County- From R-1 to B-A, with Special Properties for one 4 story Elevator	
THE JEFFERSONIAN. THE JEFFERSON	Peginning fol the same on the Beginning fol the season as pro-	day of
THE JEFFERSONIAN. THE JEFFERSON	hatast bits feet more or less mea- listant bits feet more or less mea- ired south to from the south side of Saltimore National Pike, said	appearing on the day of day of
Co.1 of Advertisement. \$	seint of beginning being on second or North 65 16 10" West second or North 65 16 10" West 95.72 for time of the land de-	46
Land of the other parts of the control of the contr	poly, from Henry C. Buffman et al. 1958, from Henry C. Buffman et al. 1968, from Henry Co. Buffman and lecords of	
See that the board of the board	Ballmore Crunty in Liber G.L.B. 341%, fails 194 at a point distant 12 feet more or less from the be-	Manager.
See that the board of the board	guning of said second on the re- tunning themre binding on the re- mainder of said second line North mainder of said second line North	1.0 0.0 x
Dutrict. District. D	ice, thence North 10" as 10" West the distance on the distance on the distance of the third or North 10" as 10" West	Co.1 of Advertisement,
Dutrict. District. D	tending for part of the distance on tinding for part of the distance on fifth or North 's' to "West fifth or North of the land de-	
Dutrict. District. D	scribed in a deed dated October 1, 1858, from Lee W. Wolf et al to 1858, from Lee W. and 118'liboure Enterprises, Inc. and	
Dutrict. District. D	filed armona the Land Return G.L.B. Ballimore County in Liber G.L.B. Land folio 195 in all MCL M. fact Land folio 195 in the sixth and	
Dutrict. District. D	eventh fines to said test mentioned and binding for part of the distance on the east side of Len distance on the cast side of Len di	
Dutrict. District. D	West 131:17 feet, thence leaving the east side of said Lee Drive the east side of said Lee Drive and hinding on the first, second and	
Dutrict. District. D	third lines in said last mentioned deed the Circe fullowing courses and distances visi first South 1)"	5,94
District.	4" 12" West 47.30 feet and third North 17" 11" 22" East 425.83 feet, thance binding on the sixth through	1 4 1 2 0
District.	the tenth and part of the extensioned lines of the above first mentioned deed the six following courses and deed the six following courses and	
Figure 1. The state of the stat	West 279.55 feet, second North 15' 67' East 161.55 feet, third North 17' 19' Las' East 161.25 feet, fourth	DEPARTMENT OF BAL
Posted 19 Contained to the control of the control	North 85 47 10 East 55 10 East 55 10 feet and sixth South 51 51 10 15	Toursen, Maryla
Posted 19 Contained to the control of the control	west side of said Rolling Road as gruposed to be widered themce binding on the west side of said Rolling on the west side of said Rolling	
Posted 19 Contained to the control of the control	ing Road North 6 15 the place of beginning	District
Location of property Figure 1 and 1	more or less. Being all of that parcel of land feartibed in a deed dated October	Posted for
Lincalion of Signs: Lincalion and Districtions to the Lincalion of Signs: Lincalion of Sign	to Lighthouse sinterprises, Inc. and filed among the Land Records of filed among the Land Records of	Petitioner Light Actual Rolling Ko
In the Gale 1 the the property of the Common	Salt follo 100 and part of that parcel of land described in a deed dated October 6, 1015, from Heavy	Location of property
Received by the same of the water of o	C. Sinffman et al to Lighthouse Li- terprises, Inc. and filed among the Land Records of Baltimore County Land Records of Baltimore County	20 Sot Nalte Nat Die
of the control Notice of the Control	Description for Special Exception for Offices in an R.A. Zota	Location of Signa-
of the control Notice of the Control	west side of Rolling Road as pro- road to be widered at a point road to be widered at a point	Demarks
the control of the co	ured southerly from the south side of Baltimore National Pike, said point of beginning being on the sec-	Posted by Signature
OFFICE OFFICE	ond of North Line of the land de- scribed in a feed dated October 4.	
OFFICE OFFICE	to Lighthouse Enterprises, Inc. and filed among the Land Records of Baltimore County in Liber G.L.B.	
OFFICE OFFICE	12 feet more 6; less from the be- ginning of said second line and running theore binding on the re-	
OFFICE OFFICE	mainder of said second lite North sp" 16" West 120 feet more or less, thence for a line of divi-	TELEPHONE 823-3000
To: Contained to the North of the Contained to the Conta	feet, more or less to intersect the ninth line of said deed, and thence binding thereon and on the tenth	EALI OR
TO: The most of the best of th	and part of the eleventh line of said deed the three following courses and distances vir. first North as at	
very set of well hallound, black of the control of	second North 64° 57° 10° East 19.50° feet, and third South 81° 61° 10° East 14.50° East 14	
heining hand borts of 11 feet and of the special of	were side of said Rolling Road as proposed to be widered, thence hinding on the west side of said	
Seing the property of Lichthonia Longrights and Lichthonia Longrights in the Lichthonia Committee and the Lichthonia Committee and the Lichthonia Committee and Lichthonia Committee and Lichthonia Committee and Lichthonia	Rolling Road North 6(* 11 10" East 100 feet more or less to the point of beginning	C. Victor Mr Forland, Esq. 922 Freederick Avenue
Hearing Date: Thursday, January QUANTITY QUANTITY		00
A THAT M THE PM		DEPOSIT TO ACCOUNT NO. 01.712
Public Hearing Room 108, County Oftice Building, 111 W. Chesapeake	1947 at 200 P.M. Public Hearing: Room 104, County Oft. os Building, 111 W. Chesapeake Aven. Towston. Md.	- DETA

E.CT. 387	BA	IMORE COUNTY, MA YL OFFICE OF FINANCE Division of Celliciton and Receipts COURT HOUSE TOWSON, MARYLAND 21204	BULED BOTE JA	m. 11, 1
To: M	I Lan Erion I Lan Erion Icimore, Hd. 21228		don with your remittang partion for your record	TOTAL AS
QUANTITY		posting of property for Lighthouse Into		137.25
		To Provide the second		- Edition
	4	CHECKS PAYABLE TO BALTIMORE C		

0 67-131- RX

67-131 RX

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

Nether /5/	Date of Posting 3162, 1967
Posted for Opping	
+.1040 S	nto preses, Inc
Location of property: W.S. Rolling	Ad 900's of Bailman Hat'l Pobe.
C. 1. D. N	Os and a of Belling Hatt File
Location of Signs (1945)	ld 906 5 of Balline Math Tible Now (3. Sebud 1918 Old Fuduch Kel
,	.mm.v.cg
Posted by She zu-	Date of return Fat 2 1967
Signature	
0 3	s algori

67-131-RX CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY Light house Cutopriars Inc Posted by Signature Date of return.

> > Date of Posting Aug. 10,1966 Posted for Bulase specation 2-64 RA Low Scriptor Elev Act & offer Selly Location of Signa 1815 Relieve Rd. 110 2 5 of Barte Hat 1 Pake (2 East ande of the north deed and of the Fries @ 2 upon - Behard 1918 NA Frederick Bed Corporty of Posted by Date of return Add 15, 1966 6 signs

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

No. 57818 PALT ORE COUNTY, MAR! AND OFFICE OF FINANCE DATE 7/23/69 Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204 \$12.00 1200% IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

EPHONE 13-3000	BALTT ORE COUNTY, MAR'T AND OFFICE OF FINANCE Distinct of Collection and Receipts COURT HOUSE TOWNON, MARILARY 21204	re 12/6/66
10	Comm Hennings, Jr., Enq. Forsin Stilling and, Hd. 27204 COURT NO. 41.579	TOTAL AMOUNT
VANTITY	OF TACH UPPEL SECTION AND RETURN WITH YOUR REMITTANCE	
	Petition for Auclassification o Special Escaptions for Lighthouse Discreptions, Inc. 807-131-EX	50.00
	PATO miles and South and College of	Cineett
	Ze-666 3216 * 72280 TIW-	50,00

BECLASHICATION AND
SPECIAL EXCEPTION
SPECIAL EXC

described in a deed dated October 6, 1958, from Lee W. Wolf et al to Lighthouse Enterprises, Inc.

OFFICE CF

