## BALTIMORE COUNTY, MARYLAND

\_\_\_ 196\_\_7, that the subject matter of this petition be advertised, as

pe

required by the Zoning Law of Baltimore County, in two newspapers of general circulation through out Baltimore County, that property be posted, and that the public hearing be had before the Zening

Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date July 27, 1967.

FROM George E. Gavrelis, Director

SUBJECT Patition 68-32-R. Reclassification from R-40 to R.A. East side of Falls Road 370 feet North of Coppermine Terrace. Being the property of Rockland Bleach and Dye Works Col. Inc.

9th District

County, on the 5 - 678pm

HEARING: Tuesday, August 9, 1967 (10:00 A.M.)

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

- This tract has variable topography which is far more suitable to large-lot cottage development than to apartment development.
- As an upartment site, the subject tract would have no desirable relationship to shopping opportunities or other commercial services.
- It was for the above reasons, among others, that the Comprehensive Zoning Map for the 9th District designated this land as R-40. We firmly believe that the map was and remains correct with respect to this property.

RE: PETITION FOR RECLASSIFICATION from an R-40 zone to an R-A zone E/S Falls Road 370' N. of nine Terroce Coppermine Terrace, 9th District Rockland bleach & Dye Works Company, Inc. Petitioner

COUNTY BOARD OF APPEALS Oi

BALTIMORE COUNTY

OPINION

This case comes before the Board on an appeal by the Petitioner from a decision of the Zoning Commissioner denying the subject petition. The Petitioner seeks a reclassification from an R-40 zone to an R-A zone on 15.07 acres of land. The subject property fronts along the east side of Falls Road 370 feet north of Coppermine Terrace, in the Minth Election District of Baltimore County. If successful in his petition, the Petitioner plans to construct 156 garden apartments (see plat, Petitioner's Exhibit #1).

Contiguous to the subject, on the south and east sides, is the Robert E. Lee Park, while adjacent to the subject, on the north and northeast sides, is the R-40 development known as "Ruxton Hills", with homes in the \$50,000 to \$100,000 range. A number of the Protestants live in this development.

The Board's hearing took three days of testimony from four witnesses on behalf of the Petitioner, and thirteen witnesses on behalf of the Protestants. Some thirty-four exhibits, submitted by both sides, were accepted in evidence. The Board reviewed the testimony, the exhibits, and with concurrence of opposing counsel, visited the site and neighborhood.

Admittedly, the subject has very rough topography. There was extensive restimony from witnesses on either side of the case regarding estimated costs to develop the Traffic conditions, existing and anticipated, were fully aired by both Petitioner and Protestants. The Board does not think it is necessary to go into detail on this testimony because, while the Petitioner claimed error in original zoning, there was testimony that the property could be developed in its present classification in harmony with the neighborhood. As to claim of change in the character of the neighborhood since the adoption of the zoning map in 1955, the Petitioner's expert witness cited three zoning

Rockland Bleach & Dye Works - #68-32-R

reclassification cases which he considered pertinent. These were cases #66-198-R, \$66-16-RX and \$64-41-R; all were reclassifications to R-A. However, the properties in these cases are not only located on the west sice of Falls, Road, they are even on the west side of Jones Falls Expressway. In the Board's opinion, these cases do not constitute change in the neighborhood of the subject property since they are out of view of the subject site, and the subject is not oriented to their area.

Therefore, without going into a lengthy discussion of the testimony, the Board finds that the Petitioner has failed to overcome the burden of proving error in original zoning or change in the character of the neighborhood to justify the petitioned reclassifica-

For these reasons and from all the testimony, the Board affirms the Zoning Commissioner's Order and hereby denies the requested petition.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 26th day of March, 1971, by the County Board of Appeals, OR DERED that the reclassification petitioned for, be and the same is hereby DENIED.

Any appe\_1 from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

- int 16 67 11 🚳-

RECLASSIFICATION

From R-40 Zone to R-A Zone E/S Falls Road 370° N. Coppermi Terrace, 9th District Rockland Bleach & Dye

ZONING COMMISSIONER

BALTIMORE COUNTY NO. 68-32-8

APPEAL

RE: PETITION FOR

Please enter an Appeal to the County Board of Appeals by the Rockland Blegch & Dye Work; Co., Inc., Frais Road, Brooklandville, Maryland 21022, from the Order of the Zoning Commissioner dated September 19, 1967 in the above

> Donald J. Gilmore 401 Washington Avenue Towson, Maryland 21204 828-9359 Attorney for Petitions

DESCRIPTION PARCEL ON EAST SIDE OF FALLS ROAD - NORTH OF COPPERMINE SECS-C

TERRACE - NINTH EUFCTION DISTRICT - BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point in the center line of Falls Road tocated

Present Zoning - R-40 Proposed Zoning - R-A

370 feet, more or less, as measured northerly along said center line from its intersection with the center line of Copperinine Terrace, running thence and binding on the center of Falls Road, (1) N 02\*37'E - 50 feet, more or less, and (2) N 00°32' E - 92 feet, thence leaving Fal'- Road, (3) S 89°28 E -230 feet, (4) N 07\*36'30" W - 90. 93 feet and (5) N 89\*28' W - 216. 2 feet to the center of Falls Road, thence binding on the center of Falls Road, (6) N 02\*28' W - 100 feet, (7) N 05°46' W - 100 feet, (8) N 12°03' W - 100 feet and (9) N 18°

or less, to the center of the Green Spring Branch of the Northern Central Railroad, thence binding on the center of said railroad, (11) southeasterly, by a curve to the left with the radius of 865 feet, more or less, the distance of 712 feet, more or less, and (12) S 89\*33' E / 216.76 feet, thence leaving the center of said tellroad, (i3) S 08\*00' W - 10.33 feet, (14) S 28\*30' W - 287 feet. (15) S 49° 15' W - 463.50 feet, (16) N 85° 15' W - 73.41 feet, (17) S 03°55' W -125.67 feet, (18) N 87\*56' W - 304.93 feet, (19) N 55\*26' W - 226.75 feet,

16' W - 100 feet, thence leaving Falls Road (10) N 71\*44' E - 355 feet, more

#68-32R

MPP

RA

2.

place of beginning.

J. O. #61088-A

Containing 15, 07 acres of land, more or less.

(20) S 87\*23' E - 192 feet, more or less, (21) N 16\*14' W - 21 feet,

(22) N 26\*13' 45" W - 81.50 feet, and (23) N 87\*23' W - 217 feet to the

June 7, 1967

#68-32 K



RECEIVED

mine Terrace

works #68-32-R s Rd. 370' N 9th

68-32

8

RE: PETITION FOR

RECLASSIFICATION

From R-40 Zone to

Road 370' N. Copp Road 370' N. Coppermin Terrace, 9th District Rockland Bleach & Dye Works, Patitioner -

R-A Zone E/S Falls

No. 68-32-R The petitioner has requested reclassification of property from as R-40 Zone to an R-A Zone, on the cast side of Falls Road 370 feet north of Coppermine Terrace, in the Ninth District of Balli-

BEFORE

ZONING COMMISSIONER

OF

BALTIMORE COUNTY

The various changes mentioned at the hearing have no real bearing on a change from an R-40 use to an R-A use. The only reason given for requesting change in zoning is that the owner felt that because of the difficulty of the terrain only apartments could be erected on the property. This is not sufficient reason to warrant the reroning of the subject property.

For the above reasons the above reclassification should

NOT BE HAD.

It is this day of September, 1967, by the Zoning Commissioner of Baltimore County, ORDERED that the above reclassification be and the same is bereby DENIED and that the above described property or area be and the same is hereby continued as and to remain an R-40 Zong.

Reclassification from R-hD to to R-h, for the Houkland Eleach and Dye Works Co., The Located A/F of Falls Road, N. of Coppermine Terrace 9th Electrict (Item 1 July 5, 1967)

Door Sire

The Zoning Advisory Committee has reviewed the subject petition and makes the

WHEAU OF EMPLIANCE INC.

Natur - Existing 16" water in Talls Road
Adequacy of existing utilities to be determined by developer or his engineer.

Cover - Existing 27" samilary sever adjacent to Jones Falls.

FIRE BUREAU: This office will review and make any necessary comments at a later date.

MEANIN DEPARTMENT: Since public water and sewer are available to the subject site, this office has no comment.

SYATE HOADS CONTRAINED: A development of this type does not warrant a noncommental entrance. An entrance of 30 width with 15 regime curve returns would be sufficient. The frontage of the property wast be curved with 0° ZE occurve curve. The readside face of curve to be 20' from and parallel to the contention of Talla Hood. Entrance is subject to State Boose Countrains approved and person.

TRAFFIC ENGINEERING: As N=40 the proposed site can be expected to generate 150 trips per day, but as Na the proposed (the could be expected to generate 150 trips per day. One access point by use of a bridge in undesirable because of the fire and points protection.

The above comments are not intended to indicate the oppropriateness of the sening setion requested, but to secure that all parties are and seare of plans or problems that my have abserting on this cases. The Director the lopety Eirector of the Office of Planning and Joning will webmit recommendations on the appropriateness of the requested sounts I days before the Coning Committationer's hearthan

Very truly yours,

Date. Jely 5, 1967

BAL, MORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO Mr. James A. Dyer, Chairman Sening Advisory Consultee FROM Lieutomant Charles F. Herris, Sr. Fire Burses

Figure 1 Property Jones: Rockland Bleach and Dys works Co.

E/S Falls Read, N. of Copparatise Terrace.

Districts

Present Loning 8 8-80

Proposed Loning 8 8-80

Loning 1 8-80

Loning 1 8-80

Loning 1 8-80

Loning 1 8-80

It shall be necessary to provide water mains and approved type fire hydrante in accordance with Baltimere County Standard Design Marmal, 1966, Edition.

2. A second way of egraph must be installed to this site.

-1 -7 57 FN =

HALTIMORE COUNTY OFFICE OF PLANNING AND SONING GODMY OFFICE DITLORM TOWNER, MARYLAND 21204

Donald J. Gilmore, Esq., 401 Washington Avenue Towson, Maryland 2120h

Heclassification from H. hO to MA, for Rockland Dye Works Co., Inc., E/S Falls Md., N. of Coppermine Terrace 9th District (Ytem 1 June 27, 1967)

Addendum to Zoning Advisory Corwittee comments of June 27th:

HAMING: This office questions adequacy of 150° storm drainage exceemt to catchia a foreast of the stress falls. A proper empirical study should be a part of this submatter of the frame falls. A proper empirical supervisor approach repersisted from the main body of this tract by fall they are the fall of t

The 9th District master plan shows the Jones Falls as a stream valley park. The 3rd District master plan indicates this specific to as part of a stream valley park.

Very troly yours,

JAMES E. DYER, Principal Zoning Technician

oo: Albert V. Cuishe

68-32-R

CERTIFICATE OF POSTING ZONING DEPLATMENT OF BALTIMORE COUNTY

District 9th	Date o	of Posting Oct 26,1967
Posted for HPPEAL		
Petitioner: POCKLAND	Bleach & LIVE WORK	Co. INC
Location of property: 8/5 /	Bleach & IlvE Works Als Read 370' Not	Coffermine ferries
	Not CoppermiNeTerrose	
Remarks:		16.11: 10/7
Posted by Signature	ook Date of reti	m_/201.sty/1.76/
	( - )	

68-32-R

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

	towion, maryland
District 9th	Date of Fosting July 22,1947
	in from R. 40 to RA
Petitioner Rockland De	luch + Alye Works Co. Inc.
Location of property: \$ /3. of . A	alle Rd 370'N of loppirmen terrapa
Levelin of Signs O E /s Jalle	Ex 400'N of Copperment Terrace
& E/s Falle	Rd 100' N of Copperment Terrare.
Remarks:	
Posted by Signature	Date of return July 27, 1967
	2 segns

ZONING From B-to to R.A. Zone, LOCATION: East side of Falls Boad 110 feet North of Co-permise

THE COMMUNITY NEWS

CATONSVILLE, MD.

The Zoning Commissioner of Baltimore County, by authority of tie Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Present Zoning; R-40
Proposed Zoring; R,A,
All that parcel of land to the Ninth District of Baltimore County.

LOCATION: East side of Valls road 370 feet North of Connermine Terrace,

And the detected of another hands the detected of the himsence County.

Bedfring for the same at a point in the center line of a point in the center line of a country large state of the center line of a country large state of the center line of Copper-line Terrare, runting these and listing on the center of and large state of Copper-line Terrare, runting the center line of Copper-line Terrare, runting the center line of Copper-line Terrare, runting the center line of Copper-line Terrare, large state of Copper-line Terrare, large state of Copper-line Country line of Copper-line Country line of the Co

CERTIFICATE OF PUBLICATION

TOWSON, M.O. July 20 19 67

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each day of \_\_\_\_\_\_ August \_\_\_\_\_\_ 19\_67\_, the first publication appearing on the 20th day of July

THE JEFFERSONIAN, Cost of Advertisement, \$\_..

ORIGI NAL OFFICE OF

THE BALTIMORE COUNTIAN

No. I Newburg Avenue

July 24, 19 5

THIS IS TO CERTIFY, that the annexed advertisement of

John G. Ross, Zoning Commissioner of Beltimore County was inserted in THE BALTIMORE COUNTIAN, a group of weekly newspapers published in Baltimore County, Maryland, once a week for One secretary weeks before the 24th day of July, 1967, that is to say the same was inserted in the issues of

July 20, 1967.

THE BALTIMORE COUNTIAN

By Paul J. Morgan Editor and Manage BAL' MORE COUNTY, MAR LAND OFFICE OF FINANCE

To: Honshitt Gilmone, Esq/ 401 Washington Avenue Towson, Md. 21204

No. 49637 Date10/18/57

No. 48411

DATE AVR. 9. 1967

\$64.38 COST

64.38

District and Receipts
District and Receipts
DOWN HOLES
TOWNON, MARYLAND 2120TOWNON, MARYLAND 2120TOWNON, MARYLAND 2120TOWNON, MARYLAND 2120TOWNON, Maryland 21204

DEPOSIT TO ACCOUNT NO. 01-622 Cost of appeal - Rockland Bleach & Dye Works

IMPORTANT: MANE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21200

BALTIMORE COUNTY, MARY AND

G. FICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
200169 Sept. of Salto. Co.

1-90 500 4 4000 00-

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

BALTT ORE COUNTY, MARY AND

No. 44264 OFFICE OF FINANCE DATE July 17, 1967

Division of Collecti wand Receipts COURT HOUSE TOWSON, MARYLAND 21204

ToRockland Bleach 5 Dye Works, Inc. 7.0. Box 5743 Unitimore, Nd. 21208

POSIT T	0 ACCOUNT NO 01-622	RETURN THIS PORTION WITH YOUR FEMITTANCE O'IN ALONG PERFORATION AND SEEP THIS PORTION FOR TOUR SPCORES	\$50.00
	Patition for Anciessification #68-32-2		50.00
		the seek some se	san
		1-120 to the term	Lac

BALTIMORE COU. Y OFFICE OF PLANNING AN CONING County Office Building

Your petition has been received and accepted for filing this

66 25 Fre

Petitioner's Attorney Deneld J. Gilmore

05-07-71

