TO THE ZONING COMMISSIONER OF BALTIMOBE COURT.
Mitchell Gould and Ruth Landburg Court. Court. Venture. a partnership and Kee as Melvyn J., Goldman and / legal owner, so the property situate in Baltimore. County and which is described in the description and plat attached hereto and made a part hereof. # 3 hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an ... R. 40... NW - 7-F ...zone: for the following reasons

> There was a mistake in the original zoning and/or the character of orhood has changed to such an extent that the reclassification requested is proper,

> > See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for ........None

Property is to be posted and advertised as prescribed by Zoning Regulations. LOXMe, agree to pay expenses of above re-classification and or Special Exception advertising. posting, etc., upon fixing of this petition, and further agree to and are to be bound by the zoning posting, etc. upon ming of the periods, and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County

GREEN COURT VENTURE, a partner County

Philip E. Klein,

Ligarda Mitchell Goods Ruth L. Gould Cuntract purch

James D. Nolan
Petitioner's Attorney

Address 204 W. Penna. Ave. -21204

W. Les Harrison Esq. Protestant's Afterney TERROTE REXIVE T ORDERED By The Zoning Commissioner of Baltimore County, this. 8th

..... 196.8., that the subject matter of this petition be advertised, as of . October ... required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that properly be posted, and that the public hearing be had before the Zoning Commissioner of Baitimore County in Room .06, County Office Building in Towson, Baltimore County, on the 14 -4th day of November 1968 at 1:00 o'clock ...Ps ...M

> 1 was Zor ing Commissioner of Baltimore County

Philip E. Klein.

Partners, and legal owners of part of the partners, and legal owners of that part owned by contract. Attached Could and Buth I. Gould

1515 Reisterstown Road, Balto., Md. 21215

RE: PETITION FOR RECLASSIFICATION NW/corner of Old Court Road (Re-located) and Greenwood Road - 3rd Green Court Venture - Petitioner

NO. 69-108-R

DEPUTY ZONING COMMISSIONER

> OF BALTIMORE COUNTY

The Petitioner has requested a reclassification of his proper ty, consisting of nine and one-half acres, from a R-40 zone to a BL zone Pians call for the construction of a neighborhood shopping center.

The property was described as being bordered on the southeast by the relecated Old Court Road, on the northeast by Greenwood Road, on the orthwest by Old Court Road, and on the southwest by the bed of Gwynns Falls and the proposed Northwest Expressway. Rights-af-way for the Northwell Expressway at this location have already been obtained

The topography falls from Greenwood Road in a direction oried towards Gwynns Falls. The eastern portion of the tract is above ade whereas the western portion falls to a grade of twenty-two feet below ated Old Court Road. Over one-half of the total tract is a flood plain.

Just across Gre awood Road is an improved industrial tract bordered by the Western Maryland Railroad tracks. Just across Old Court tion. There will eventually be two hundred and fifty two units constructed

The proposed shopping center will have three hundred and thirty-seven parking spaces. Ingress and egress will be by relocated Old Court Road and Greenwood Road.

Mr. Philip Klein, owner, is a shopping center developer. He testified that the subject tract cannot be developed in its present R-40 classification because the development cost would be prohibited and also becau the general character of the neighborhood would not lend itself to a K-40

housing development. He feels there is a great need for commercial facilities in this area.

There was also testi, nony from an engineer that water and sewer facilities are available and adequate to serve a venture of this type.

A planner also testified in support of the Petition and, without reviewing his testimony in detail, he likewise feels that 1:40 zoning on the subject tract is in error. He also noted several physical changes - the con struction of relocated Old Court Road and the reinforcement of existing water

There were a number of agrieved parties who appeared in protest. Only one testified, and it is most interesting to note at this point that this Protestant said that he would not be opposed to having his own property

After considering the testimony and exhibits filed, the Deputy issioner agrees that the present zoning on the subject property in error and that the Petitioner is entitled to relief. The tract is more or ss sandwiched between apartments and industrial usages and the proposed forthwest Expressway. It is felt that a shopping center at this location is

For the aforegoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this \_\_\_\_\_\_ day of January, 1969, that the herein described property or area should be and the same is hereby reclassified from a R-40 zone to a BL zone, from and after the date of this Order, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

- 2 -

Edward D. Harder Deputy Zonine Co

James B. Helan, Esq., 204 W. Penna. Ave., Tousen, Heryland 21204

SUBJECT: Reclassification from an R-40 to a BL zone, for Mallym J. Baldman, et al, lecated ML Cor. Old Court Rd. & Greenum 3rd District (Item 65, September 17, 1968)

The Zoning Advisory Committee has reviewed the subject petition and has the mg comments to offers

NUMBER OF EMPTHEETING.
Whiter - Limiting left unter in Old Court Read
Adoquacy of entating utilities to be determined by developer or his angineer.
Sensor - Estating 12" sentrary some rejocent to reslocated bid Court Send
Read - All rooks are to be developed as indicated the submitted plan.

NAMEAU OF TRAFFIC INSILERING.
The proposed is to I a presently scheduled as a 730 parking space lot for the 01d Court
mass transit sterion, which will be in the median of the Northeast Expressory,
me entrance on 01d Court Read, immediately opposite the median entrance the Britteny
Apartments, opposers to be sufficient for 01d Court Read. There is less than
500' on Greenmond Ead. - therefore, only one entrance will be allewed.

FIRE BURGAUS Guners shall be required to conferm to all Fire Prevention Standards of M.F.P.A., 181 Suffeling Exits Code, Section 25 - Mercentile Occupancies.

ZOMINE ADMINISTRATION DIVIDION: In view of the above comments by the Sureau of Treffic Engineering, revised plans must be received in this office in acceptance with these comments prior to a hearing date being assigned.

The above comments are not intended to indicate the appropriateness of the zening setion requested, but to assure that all parties are much searce of plans or problems that may have a bearing on this case. The Birector and/or the Deputy Birector of the Office of Planning and Zaning will subsit recommendations on the paperporteness of the requested zoning 10 days before the Zaning Commissioner's appropriate page 200 per 20

Project Planning Division Health Department State Roads Commission

JEBs 39 ccs Carlyle Brown-Bur. of Engr.; C. Richard Moore-Bur. of Traffic Engr.; Capt. Charles Marris-fire Prevention

MCA LDS & ASSOCIATES, INC. CONSULTING ENGINEERS

more Md 21204 Tel 301 623-090

#69-108R

N11-7-1

DESCRIPTION

9.5 ACRE PARCEL, NORTHWEST CORNER OF OLD COURT ROAD RELOCATED AND GREENWOOD ROAD, THIRD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for "B-L" Zoning

Beginning for the same at the southwest end of a gusset line connecting the northwest side of Old Court Road Relocated ... I the southwest side of Greenwood Road, 70 feet wide, running thence binding on the northwest side of said Old Court Road Relocated (1) S 41° 55' 23" W - 1102 feet, more or less, to the northeast right of may line of the Northwest Expressway, as proposed, thence binding thereon on two courses: (2) N 48\* 04' 47" W - 249, 31 feet and (3) N 26\*,53' 10" W -173.09 feet to southeast side of Old Court Road thence binding thereon five courses: (4) N 48° 21' 50" E - 358, 93 feet, (5) N 34° 11' 50" E - 201, 00 feet. (6) N 41\* 50' 50" E = 66, 67 feet, (7) northeasterly, by a curve to the right with the 833.50 feet, the distance of 283 feet, more or less, and (8) northeasterly -124 feet, more or less, thence (9) southeasterly, by a curve to the right with the radius of 50 feet, the distance of 60 feet, more or less, to the southwest side of od Road, 30 feet wide, thence binding thereon (10) southwasterly, by a curve to the left with the radius of 2580 feet, the distance of 50 feet, more or less, thence (11) S 36° 31' 36" W - 15 feet, more or less, to the southwest side of said Greenwood Road, 79 feet wide, thence binding thereon (12) S 53\* 28' 24" E -

Water Supply . Sewerage . Granage . Highways . Structures . Developments . Homens . He

190 feet, more or less, thence binding on the aforementioned gusset line (13) southerly - 26 feet, more or less to the place of begin, ag-

Containing 9, 5 acres of land, more or less

PPK:bmb

ORDER RE

Job Order 63195

August 28, 1968

W. LEE HARRISON TOWSON, MARYLA (D. 01204)

January 9, 1969

Mr. John G. Rose Zoning Commissioner County Office Buildin

> NW/corner of Old Court Road (Relocated) and Greenwood Road 3rd District Green Court Venture - Petitione

Please note an appeal to the County Board of Appeals from ecision and order dated January 7, 1969 in the er. Tenclose my check in the amount of \$75.0 ount of \$75, 00 to cover the same. I represent Mr. Morton Fisher and Raymone

J X .. Tamer W. Lee Harrison

cc Raymond Femberg, Esq. Clark View Road at 6200 Falls Road Baltimore, Maryland 21208





BALTIMORE, MD. 2120

November 6, 196

John G. Rose, Esquire Zoning Commissioner 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: File No. 69-108 R
Petition for Rezoning
Old Court Road and Greenwood Road

Dear Mr. Rose:

Please enter my appearance as a protestant against the above captioned application for rezoning of a nine and one inalf (94) acre lot, more or less, located at the northwest corner of Old Court Road (relocated) and Greenwood Road, in Pikesvillo, Baltimore County, from R-0 to B.L. 1 own my home residence at 1321 Marden Lane, very near the subject lot. The hearing before you on this petition is scheduled for Thursday, November 14, 1968, Kindly keep me apprised of all developments in this matter, and forward will communications to be at

Very truly yours,

NEEDLE, WILLEN & NEEDLE

James : Stage ( Howard J. Needle

HJN/dz

## BALTMORE COUNTY, MARYLAN

TO Mr. J.	ames E. Dyer, Char Advisory Commit	rman Date	September 17, 1968
	ptain Charles F. M re Bureau	corris, Sr.	
SUBJECT	Property Owner: Location:	Melvyn J. Goldman N/W Croner - Old Court	Rd. & Greenwood Road

District: 3rd Present Zoning: R-40 Proposed Zoning: BL No. Acres: 9.5

Owners shall be required to conform to all Fire Prevention Standards of N.F.F.A., 101 Building Exits Code. Section 25. Mercantile

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date. October 31, 1958

FROM George E. Gavrelis, Director of Planning

SUBJECT Petition 69-108-R. Reclassification from R-40 to B.L. Zone. Northwest corner of Old Court Road (Relocated) and Greenwood Road. Green Court Venture, a partnership., Petitioner

3rd District

HEARING:

Thursday, November 14, 1968 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-40 to B.L. zoning. It has the following advisory comments to make with respect to pertinent planning factors:

Since this property is in conflict with the recent Mass Transit report's recommendation for facilities on the N.W. line, this issue should be disposed of first. As much as the Office of Planning and Zoning is in favor of rapid transit and of the line out of Western Maryland - N.W. Expressway corridor, we do not see how anything can yet be counted on for a mass transit system since no official action has yet been taken. We intend to propose mass transit on our forthcoming master plan for Baltimore County but it will be from three to six months before such is approved.

The question of appropriateness for 8-L zoning  $\pi$  this location should therefore be judged on the basis of a non-transit set of land uses in the vicinity of this tract.

- The request for 9.5 acres of B-L zoninn at the proposed location is completely out of character and scale with the realities of axisting future development of land in the immediate neighborhood. The Office of Planning and Zoning sees this sub-neighborhood area between the proposed N.W. Expressway and Western Maryland Railroad as a part of the residential area oriented toward: Reisterstown Road which is served by the "Community Center" commercial services of Pikesville proper. We do not feel that there is an error in the Map by its ammission of commercial zoning on the subject property. Changes in the character of the neighborhood have not occurred which would warrant commercial classification here. Such zoning would not be in accordance with a comprehensive plan and would constitute spot zoning.
- As of further reason to look unfavorably upon this petition, non-residential rezoning here would cause the likely rezoning of land westerly from Reisterstown Road over to the subject property relocated Old Court Road. Such pressure should not even be invited.

GEG-hms

OCOMMUNITE LIMES

RANDALLSTOWN, MD. 21133 000. 48, 19 68

Zone Carlon: Northwest comer of LOCATION: Northwest comer of Greenwood Road, Resociated and Greenwood Road, Edit THURSDAY, NOVEMBER 14, 1964 at 1,00 PM. PUBLIC HEARING: Room 10s. Courty Office Building, 111 W. Officialis

The state of the s

THIS IS TO CERTIFY, that the annexed advertisement of John J. Hose, Howing Commissioner of Ealth one Wounty

was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for One succession weeks before the 2002 day of 0.00. 19 68 that is to say, the same was inserted in the issues of Got. 24, 1968.

STROMBERG PUBLICATIONS, Inc.

By Luth Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 24 1968 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Tows n. Baltimore County, Md., once in each of one time mercajus works before the lith day of \_\_\_\_\_ November\_\_\_\_\_\_ 1968\_\_ the first publication appearing on the 25th day of October

THE JEFFERSONIAN, G. Leank Strufty

EXCERP: FROM ARYLAND LAW REVIEW FALL, 1961

As we have already seen in Wakefield v. Kraft,

rezoning to provide a business "facility" for a residential neighborhood may be valid spot zoning, using that term in

its now accepted sense. The Court has specified several ac-

"Generally . . . there is no inherent objection to the creation of small districts within a residential zone for the operation of such establish-ments as grocery stores, drug stores, barber shops, and even gasoline stations, for the accommodation and convenience of the residents of the residential vone, "41

Reclassification for a shopping center combining several

of these facilities, has been upheld where a definite need for such a center was shown, 42

Traffic conditions are extremely important in determining the validity of such reclassification. The roads must be adequate for the expected increase in traffic, and the projected flow cannot create a hazard, 43

Huff v. Bd. of Zoning Appeals, 214 Md. 48, 57, 133 A, 2d 83 (1877)

BALTIMORE COUNTY, MARY ND

OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE

TOWSON, MARYLAND 21204

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

See supra, circa ns. 23-29
 Temmink v. Bd. of Zoning Appeals, 205 Md. 489, 495, 109 A. 2d 85 (1954)

See for example, Eckes v. Board of Zoning Appeals, 209 Md. 432
 Temmink v. Bd. of Zoning Appeals 121 A. 2d 249 (1956)
 A. Zee and A. Zee and A. Zee and A. Zee and Zee an

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

Your Petition has been received and accepted for filing thi

Rollyn J. Coldma, oi ol

Patitioner's Attorney James & Holan, Esq.

Chairmen o Advisory Committee

306 W. Joppe Road Towner, Md. 21204

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

Towson, Md. 21204

\$75. 00 Cost of appeal - Green Court Venture 1 sign \_\_\_\_ 5.00 \$75.60

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

DATEST 15, 1968

107AL AMOU

63.75

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

No. 62117 DATE 3/26/69

Dirision of Collection and Receipts
COURT HOUSE

TOWSON, MARYLAND 21204

To: W. Lee Harrison, Esq. , 306 W. Joppa Road, Towson, Md. 21204

Office of Planning & Zoning 119 County Office Bidg. , Towson, Md. 21204

BETWEN THIS PORTION WITH YOUR REMITTANCE \$10,000 DETACH ALONG PERFORATION AND KEEP THIS PORTION 1. R YOUR RECORDS COST DEPOSIT TO ACCOUNT NO. 01-621 Cost of appeal - Court Venture - 2 additional signs No. 69-108-R

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

Cost of Advertisement. \$\_

