PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION/

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

MAP _legal owner__ of the property situate in Bal I, or we ... Leon-A.- Crane ... 2-B County and which is described in the description and plat attached hereto and made a part hereof, hereby petitiou (1) that the zoning status of the herein described property be re-classified, pursuant to an AREA to the Zoning Law of Baltimore County, from an...... R-6 NW-4-9 E-L and R-A zone; for the following reasons NW- 5-6 24

Error in original zoning and a genuine change incondition

See attached descritator

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

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above classification and/or Special Exception posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

Her a. Chave. Legal Owner Address 1800 N. Charles Street

Jack a Madel 511 Equitale Bly But 212. Address .306_W__Joppa_Road

Towson, Maryland (823-1200) ORDERED By The Zoning Commissions of nc+ of Baltimore County, this 22nd day , 196 ... 9, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughore County, that property be posted, and the the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 11th ___, 1969__at 2:00_o'clock

BUCKMASTER, WHITE, MINDEL & CLARKE

TOWSON MARYLAND EIRO

TELEPHONE: 645-6747

Petition for Reclassification from R-6 Zone to B-L and R-A Zon's - N/W i de Timanus Lane, 904' N/E

Windsor Mill Road, 2nd Dist., Leon A. Crane

No. 69-270-R

July 10, 1969

MR 22 '59 AM -...P. ... M.

021

O'T' CHIMPIERS

Ung Som

6/11/69

Baltimore, Maryland 2120

RE: PETITION FOR RECLASSIFICATION from R-6 zone to B.L. and R.A. zone NW/S Timanus Lane 960' (NE Windsor Mill Road, SE/S Desman Road 101.6 SE Cresson Avenue, NW corner of Timanus Lane and Dooman Road, NW comer Liberty Garden Road and Castlemoor Road 2nd District Leon A. Crone

BALTIMORE COUNTY

No. 69-270-R

OPINION

This case comes before the Board on an appeal from a decision dated June 13, 1969 of the late Zoning Commissioner, John G. Rose, granting the referenced The petition is a request for zoning reclassifications from existing R-6 to B.L. and R.A.

The subject property is located in the Hebbrille section of the Second Election District of Baltimore County. It is in an area lying west of the Baltimore County Beltway and north of Windsor Mill Road. Its location is more specifically indicated on the plat accepted in evidence as Petitioner's Exhibit #1. The property, as noted on Exhibit #1, consists of four Parcels: Parcel A, consisting of 7.47 acres, is petitioned for B.L. zoning; Parcels B, C and D, consisting of 4.92 acres, 4.87 acres and 3.86 acres respectively, are all petitioned for R.A. zoning.

If successful in his petition, the Petitioner proposes to utilize the 7.47 acres in Parcel A in combination with and as an extension of an adjacent 7.48 acre tract of existing commercial land, which he also owns, for the development of a small shopping center. On the 13.65 acres, combined in Parceis 9, C and D, he proposes to construct a garden apartment complex consisting of 226 apartments

To justify his petition, the Petitioner claims "error" in original zoning and "change" in the character of the neighborhood since the adoption of the applicable zoning map on November 15, 1962. The Petitioner's expert witnesses testified that in their opinion the original zoning is in error because the zoning map failed to provide for any apartment zoning in the area, and all such zoning that has since cocurred there has been by the petition process. As to "change", they cited that the area had changed Leon A. Crane - No. 69-270-k

Exhibit 46.

from a rural to an intensely developed area. They noted that several continuous properties, as well as others in ver, close proximity to the subject property, had been reclassified since the adoption of the map. Several of these reclassifications to R.A. included what now has been developed and occupied as the Liberty Garden Apartment and the Oak Hill Apartments. Some other reclassifications to M.L., constituting approach mately 114 acres, have been developed as the Security Industrial Park, which is located directly across Windsor Mill Road from the subject. These changes are documented by zoning case number, location and explanation in the list of zoning changes accepted in

2.

There was further testimony that public utilities are available and adequa for the proposal

evidence as Petitioner's Exhibit #5, and shown on the plat, which was accepted as

The appellants of record in this case failed to appear at the scheduled hearing, whereupon the Chairman of the Board spoke by telephone with their attorney, who then stated that he was striking his appearance from the case and moving for a dismissal of the appeal. The attorney subsequently confirmed by letter to the Buard only that he had struck his appearance from the case. However, one Protestant, representing herself, did appear at the hearing. She cross-examined Petitioner's ses and also gave testimony. Her main objection to the petition was a fear of an increase in traffic generation and congestion and its potential danger to children. She did not produce any evidence to support these fears

From the evidence and testimony before it, the Board concludes that the Petitioner has at least shown extensive chang in the character of the neighborhood to justify the petition, and that granting it will not adversely affect the neighborhood. Therefore, the Board affirms the decision of the Zoning Commissioner and healby grants the petitioned reclassifications.

Leon A. Crane - No. 69-270-R

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 3rd day of February, 1971, by the County Board of Appeals, OR DERED that the reclassification petitioned for, be and the same is hereby GRANTED.

Any appeal 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

3.

John A. Slowik, Chairma

000 BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date May 27, 1769

PROM Mr. George E. Gavrelis, Director of Planning

SUBJECT Fettition *69-270-8. F-6 to B.L. znd R.A. Northwest side of Timonus Lone 760 first northeast of Windors Mill Road, Southeast sid- of Dooman Road 101.66 feet teutheast of Cresson Ave., northwest corner of Timonus Lone and Dooman Road, northwest corner of Liberry Garden Road and Castlemoor Road. Lean A. Crome, Petitioner.

2nd District

HEARING: Wednesday, June 11, 1969 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed 1's subject petition for reclassification from R-6 to 8.L. and R.A. roning. We feet that the greent zoning is currect and that changes in the manner of land our between not occurred which would justify the reclassifications being sought here. We note the comments of traffic agrinering and of the Board of Education relative to potential increases in both traffic folumes and school population. Adequate designs amsupposity are not available to accommodate the increased school population or refifice.

Ray Petition for Reclassification from R-6 Zone to B-L and R-A Zones - N/W Side Timanus Lane, 940' N/E Windsor Mill Road, 2nd Dist. Leon A. Crane.

Before of

Baltimore County

No. 09-270-R

The petitioners requested reclassification of property, from an R-6 Zone to B-L and R-A Zones, on the west side of Timanus Line 940 feet northeast of Windsor Mill Road, in the Second District of Baltimore County,

There are nine separate reclassifications or changes in zoning, all in close proximity to the subject property. Mr. Paul Lee, a qualified Civil Engineer, testified that there are adequate public sewer and water available to the subject site and that the existing roads, as improved by Petitioner's development would be adequate to properly service the subject property. The changes in zoning and development which have occurre. In the creal are of such a nature and extent as to make it extremely—difficult to deny the requested changes.

The pusiness local zoning requested is simply an extension of a commercial zone which has been in existence for approximately 15 years and the apartment zones are buffers around the existing ercial or are adjacent to existing R-A zones and develop

For the above reasons, the reclassification should be

It is this I day or June, 1969, by the Zoning Communisioner of Baitimore County, ORDERED that the herein described property or areas should be aid the same are hereby reclassified from R-6 Zone to a B-L and R-A Zones, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

ore County

15 July 1970

LAW OFFICES COOK, MUDD, MURRAY & HOWARD TOWSON, MARYLAND 21204

SN

ORDER RECEIVED FOR

DATE

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960: M. of

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County Board of Appeals County Office Building Towson , Maryland 21204

Re: Our File 2304
Petition No. 69-270-R
Leon A. Crane, Petitioner

Please enter my appearance on behalf of the Petitioner in the above entitled case. All notices with respect to hearings should be sent to my

> Very truly yours, Cel__ Richard C. Murray

RCM/g

CC: George W. White, Jr., Esquire W. Lee Harrison, Esquire

Dear Mr. Rose:

Mr. John G. Rose

Zoning Commissioner County Office Building

Towaca, Maryland 21204

Please note an Appeal to the County Board of Appeals from your decision and Order of June 13, 1969 in the above-captioned matter reclassifying the properties described in your order from R-6 Zons to B-L and R-A Zones.

The Appeal is on behalf of the following residents of the neighborhood and others similarly situated:

William Priest - Windsor Mill Road

berger- 7108 Manila Avenue - 7316 Dooman Road Since ely durs,

George V. White, Jr.

- III 10 '69' 1 -

JUNING JEPAKTMENT

1 161

05-14-71





DESCRIPTION

7.47 ACRE PARCEL, NORTHWEST SIDE OF TIMANUS LANE, 960 FEET, MORE OR LESS, NORTHEAST OF WINDSOR MILL ROAD, SECOND ELECTION DISTRICT, BALTIMORE, COUNTY, MARYLAND.

THIS DESCRIPTION IS FOR B-L ZONING PARCEL "A"

Beginning for the same at a point on the northwest side of Timanus Lane, 60 eet wide, at the distance of 960 feet, more or less, as measured northeasterly along the northwest side of said Timanus Lane, from its intersation with the northeast side of Windsor Mill Road, said beginning point being in the second line of The Baltimore County Zoning Description, 2-E-L-38, running theyce binding on the northwest side of said Timanus Lane, (1) N. 12" 22' 46" E - 687 feet, thence birding on the fillet curve which connects the northwest side of said Timanus Lane with the southwest side of Dooman Road, as proposed to be laid out 50 feet wide, (2) northwesterly, by a curve to the left with the radius of 20.00 feet, the distance of 31.42 feet, thence binding on the southwest side of said Dooman Road, two courses: (3) N 77" 37' 14" W - 304 feet, more or less, and (4) northwesterly, by a curve to the right with the radius of 62\$.00 feet, the distance of 156 feet, more or less, thence (5) S 12° 22' 46" W - 686 feet, more or less, to



the end of said second line, thence binding reversely or a part of said second line, (6) S 72* 15' 21" E - 479 feet, more or less, to the place of beginning. Containing 7.47 acres of land, more or less.

ppk mal

J.O. #69025

March 20, 1969







DESCRIPTION

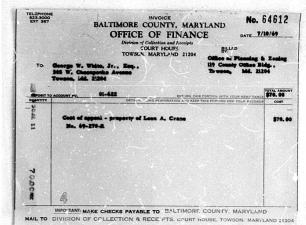
4. 92 ACRE PARCEL, SOUTHEAST SIDE OF DOOMAN ROAD, 101. 66 FEET, SOUTHEAST OF CRESSON AVENUE, SECOND EL, CLION DISTRICT, BALTIMORE COUNTY, MARYLAND,

THIS DESCRIPTION IS FOR "R-A" ZONING

PARCEL "B"

Beginning for the same at a point on the southwest side of Dooman Road, 50 feet wide, at the distance of 101.66 feet, as measured southeasterly along the southwest side of said Dooman Road from its intersection with the southeast side of Cresson Avenue, 50 feet wide, running thence binding on the southwest side of sa'd Dooman Road, (1) southeasterly, by a curve to the left with the radius of 625.00 feet, the distance of 88 feet, more or less, thence three courses: (2) S 12° 22' 46" W -686 feet, more or less, (3) S 01° 55' 00" E - 143 feet, more or less, and (4) N 55° 13' 17" W - 468 feet, more or less, thence binding on the rear of the lots froming on said Cresson Avenue, six courses: (5) N 29° 19' 15" E - 323 feet, more or less, (6) N 36° 22' 56" E - 58 feet, more or less, (7) N 47° 01' 24" E - 210 feet, more or less, (8) S 87° 58' 36" E - 43 feet, more of less, (9) N 02" 01' 24" E - 43 feet, more or less, and (10) N 38" 29' 00" E - 94 feet, more or less, to the the state of the

Containing 4.92 acres of land, more or less, J.O. #69025





DESCRIPTION

4.87 ACRE PARCEL, NORTHEAST SIDE OF DOOMAN ROAD, NORTHWEST SIDE OF TIMANUS LANE AND SOUTH SIDE OF CASTLEMOOR ROAD, SECOND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

THIS DESCRIPTION IS FOR R-A ZONING

PARCEL "C"

Beginning for the same at a point on the northeast side of Dooman Road. 50 feet wide, at a distance of 782 feet, more or less, as measured southeasterly along the northeast side of said Dooman Road ...om its intersection with the southeast side of Richwood Avenue, 50 test wide, thence binding on the northeast side of said Doeman Road, two courses: (1) Southeasterly, by a curve to the left with the radius of 575,00 feet, the distance of 212 feet, more or less, and (2) S 77° 37' 14" E - 304 feet, more or less, thence binding on the fillet curve which connects the northeast side of said Dooman Road with the northwest side of Timanus Lane, 60 feet wide, (3) Northeasterly, by a curve to the left with the radius of 20.00 feet, the distance of 31.42 feet, thence bipding on the northwest side of said Timanus Lane, (4) N 12" 22' 46" E - 427 feet, more or less, thence binding on the fillet curve which consects the northwest side of said Timanus Lane with the south side of Castlemoor Road, as proposed to be widened, (5) Northwesterly, by a curve to the left with the radius of

Water Supply € Sewerage ♠ Orainane ➤ Highways ■ Structures ♠ Developments ➤ Planning ■ Reports



r Road, (6) N 86° 01' 50" W /316 feet, more or less, thence four courses: (7) S 61° 46' 00" W - 329 feet, more of less, (8) S 48° 13' 54" E - 57 feet, more or less, (9) S 52° 59' 38" L - 55 feet, more or less, and (10) S 33° 29' 39" W - 125 feet, more or less, to the place of beginning.

Containing 4.87 acres of land, more or less.

I.O. #69025

March 20, 1969







DESCRIPTION

3.86 ACRE PARCEL, NORTH CORNER OF CASTLEMOOR ROAD AND LIBERTY GARDENS ROAD, SECOND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

THIS DESCRIPTION IS FOR "R-A" ZONING PARCEL "D"

Beginning for the same at the point of intersection of the centerline of Castlemoor Road and the northwest side of Liberty Gardens Road, running thence binding on the northwest side of said Liberty Gardens Road, (1) N 41° 42' 40" E - 300.00 feet, thence three courses: (2) N 55" 57' 00" W - 565.05 feet, (5) S 41° 45' 10" W - 300.03 feet and (4) S 55° 57' 00" E - 565.27 feet to the place of beginning.

Containing 3. 86 acres of land, more or less.



March 20, 1969

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

Oliver L. Nyers

BUREAU OF ENGINEERING

BUREAU OF TRAFFIC ENGINEERING

PUREAU OF FIRE PREVENTION HEALTH PURARTMEN

DUILLING DEPARTMEN ZONING ADDRESS FAIR

DEVELOPMENT

W. Lee Harrison, Esq. 306 W. Joppa Road Towson, Maryland 21204

RET Type of Mearing: Reclassification from an Refizene to an DL and BA zone Location W/S Tipeness Lane, N. 6 S. Cor. Decema: Rd 2nd Bistrict Patitioners Leon A. Crans Committee Menting of April 22, 1969 Item 25)

Cear Sir:

00

The Zoning Advisory Committee has reviewed the plans swemitted with the above referenced patition and has made an on site field imapection of the property. The following comments are a result of this raviou and inspection.

The subject property at the present time is unimproved, with the properties to the west being with residential property. The howes would be in the 10 to 15 year bracket, in good repair. The property to the north is improved with the Hebbytille Elementry School and apartments. The property to the south is improved with the Industrial Park, and to the east with duallings. Themus Liene at the present time is not improved as far as our and gattes are concerned.

BUREAU OF ENGINEERING:

Windoor hill Road, Castlemoor Road and Tinanus Lane are existing roa's which shall utlimately be impressed with a bio ft. cochination curb and gutter and macedam paving cross-section on a 50 ft. right-of-way. The utlimate alignment of Castlemoor Road has not been indicated on the scholar plan; however, it should be shown as intersecting the proposed alignment of Timanus Lane radially with a corresponding change in the elignment of Timanus Lane

Booman Road shall be improved with a 40 ft. cross-section on a 60 ft. right-of-way.

April 30, 1969

Storm Drains

No provisions for accommodating from water or drainage have been indicated on the subject plan; however, a storm drain study and storm drainage improvements will be required.

- Page 2 -

The Applicant must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisances or damages o adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper graiding or other drainage facilities, would be the full responsibility of the Applicant.

Development of this property through stripping, grading, and stabilization could result in a sediment pollution problem, demaining private and public holdings domatreem of the property. A grading parent is, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

Sanitary Sewert

Public sanitary sewerage is available to serve Parcel A, B, C and 0; however, it appears that the additional property owned by the petitioner will require extension of the public sewer in Windsor Hill load from Jeffrey Road.

Engineers for the same or a point on the supriment side of Descentions (and 10 June 10 section with the confessed side of seed December Back (1) seedbesterly, by a curve to the lo' with the notive of \$25.00 feet, the distance of 88 feet, more or less, themse these courtes: (2) 5 17 - 27 36" W - 386 feet of the courtes of the courtes Courtes (2) 5 17 - 57 50 0" 55 00" C - 181 feet, more or less, and (c) N 55 13 17 W - 468 feet, more or

Public water supply is available to serve this pioperty by connection to the satisting water mains and by extension of these water mains along the unserved frontages of the property. Water main extensions will be required to complete the water circuit in Timanus Lane and Docman Ros J.

An 8-lock water main exists in proposed Bexhill Road as snown on Baltimore County Bureau of Engineering drawings A-4-c [fin number: 64-102] and 64-1024. This main was constructed recently with easement rejuts in the beds of Berhill Road and Timanus lane, as shown on the plat of Silving Garden Park, Section 4 and recorded among the sequence of the Silving County in Liber G.L.B. 22 Cole 17 and Silving County in Liber G.L.B. 22 Cole 17 and Silving County Bureau of Land Acquisition of the maker 8U 55-077.

Since the patition for a zoning reclassification, if granted, precludes any future development of Beshill Road as proposed on the aforementioned plat of Liberty Garden Fark, it is necessary that the existing water main abundance and removed in its entirety. However, it shall be necessary to complete the construction of water main in Joonan Road before the existing water main in Beshill Road can be removed.

- Page 3 -

W. Lie Harrison, Esc. 306 W. Joppa Boad Tewson, Paryland 21204 Item 251

April 30, 1969

Water:

Also, since the construction costs of the existing water main in proposed Beshill Road were predicated on predetermined revenues to be relebursed to Baltimore County based on the ultimate development of liberty Garden Park, the Developer shall indemnify Baltimore County to that extent before proceeding with the recording of any new subdivision plats or receiving any atter approvals.

Furthermore, the Developer will be held responsible for all costs of abandoning and removing the existing water main. Upon acceptance of these conditions, Baltimore County will release all rights, title and interest in the hed of Beshill Road.

PROJECT PLANNING DIVISION:

This plan has been reviewed and there are no site planning factors requiring comment.

BUREAU OF TRAFFIC ENGINEERING:

As presently zoned the subject tract of 5 parcels could generate 6,600 trips a day. As proposed, the subject site will generate 12,300 trips per day. Timanus Lane, Gooman Road and Mindsor Hill Hoad have not been designed to handle this additional traffic.

FIRE DEPARTMENT:

Owner shall be required to comply with all Fire Department requirements when plans are submitted for approval.

BOARD OF EDUCATION:

With the present R-6 zoning an ultimate puell yield could be 45 while a change to RA 6 BL could possibly range from 30 to 150 students, depending on the type of apartments constructed.

BUILDING ENGINEER'S OFFICE:

Posted by Orich M. Miss

Must meet all requirements of Baltimore County Building Code.

HEALTH DEPARTMENT:

Public water and sewers are available to the site.

Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Maryland State Wealth Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Psitimore County Department of Health.

000 HORTHWEST STAR CERTIFICATE OF PUBLICATION Hay 22 Continues A.72 some of land are of the CONTINUE A. CON 22nd 19 69 . May THE MORTHWEST STAR andd Landan

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NO. 64.270 R 3 51005 CERTIFICATE OF POSTING THENT OF BALTIMO Date of Posting A46 2-1969 Posted for . A.P.P.EAL William LEON A CRANE Location of property T. M. AUNS LAWS LIBERT GROLD LA

Lection of Signic O 1601. " Het CISTICHORD SH. N/N. S. A. 1. 3. A. E. L. Landand.

Q 10 7 . 9 Q. 1000 + S. C.E. Patternos Rd. Car N/S. A. Tresseys. Land

69-270-P

Date of return: A46 7 1969

District 2nd Reclassifu	Date of Posting 5-21-69
Posted for:	AHON
Petitioner:	ANR Jon Sin' AF all Indsor Mill
Location of property: 100/5 of	TIMANUS LANG. 960' A.E. of Windson Mill A
Location of Signs: Duer	
Location of Signa: Duer	
Location of Signa: Duer	5-29-63

CERTIFICATE OF PUBLICATION

TOWSON, MD. MAY 2 2 1969 19...

THIS IS TO CERTIFY, that the annexed advertisement was
ablished in THE JEFFERSONIAN, a weekly newspaper printed
od published in Towson, Baltimore County, Md., once in each
.one.time
y ofJune, 19_69_, the function
pearing on the 22nd day of Nay
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THE JEFFERSONIA

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et parent of land to

at the northwest is Lame, to feet wide of 160 feet, miles

PARCEL TO

Your	Patition has	been received	and	acrepted	for	filing	thi:
-	day of	April		12	1969		
THE REAL PROPERTY.		STREET, STREET	2000	110		1	

- Pene 4 -

April 30, 1969

HEALTH DEPARTMENT CONTINUED:

W. Lee Harrison, Esq.

Fublic Seteming Pool Comments: Prior to approval of a public pool on this size two complete suits of plans and specifications of the pool of d bathhouse must be submitted to the Baltimore County Department of

ZONING ADMINISTRATION DIVISION:

This office is withholding a bearing date until such time as the itioner indicates the water main as indicated in the Bureau of Engineering ments above.

Very truly yours,

DEIVER L. MYERS, Chairman

OLH:JD Enc.

