RE: PETITION FOR RECLASSIFICATION from an M.R. zone to a B.L. zone W/S of York Road 525' N. W/S of York Road 525* N of Ridgely Road, 8th District Ridgely Realty Co., Inc., Petition

BALTIMORE COUNTY

SE1.3-C N 70 70 P NW-13-A

BL

OPINION

.

The netitioner is this case requests a reclassification of a two dere parcel of around, roughly rectangular in shape, on the wast side of the York Road, 525 feet north of Ridgely Road, in the Eighth Election District of Baltimore County, from an M.R. (Manufacturing Restricted) zone to a B.L. (Business Local) zone. The request for reclassification was aranted by the Deputy Zonina Commissioner on December 16, 1969, and an appea from that decision was taken to the Bourd of Appeals

Only one person appeared to protest the requested reclassification, a Mr. Frederick Davison, who lives at 207 Patain Road, which is some three-quarters of a mile northeast of the subject property in a straight line. Mr. Davison testil ad on behalf of himself personally and the Northamaton Community Association

The zoning and land uses surrounding the subject property are as follows: Immediately to the south and west of a subject property the zoning is B.L., and the land is developed as a thirty acre shopping center, known as the York Ridge Shopping Center, which is owned by the Ridgely Realty Co., Inc., the petitioner in this case. amediately to the north of the subject property, on the west side of York Road, is spent M. R. and is developed with a small industrial park and restaurant, etc., and is known as the Killer mack Industrial Park. Immediately across the York Road, the property is zoned R-10 and is presently vacant, this property having been the subject of petition #68-29-R-SPH for reclassification from an R-10 zone to B.R. and R.A. zones. which matter is presently pending before the Court of Appeals of Maryland. The prop along the Yan: Road frontage is roughly at grade level, however, along the souther a edge of the property, where it abuts the York Ridge Shopping Center, the subject property is 25 to 30 feet higher in elevation than the shooting center. The subject property gradually

Petition for Reclassification W/S of York Road, 525' N of Ridgley Road - 8th District Ridgley Realty Company, Incorporated Petitioner CASE NO. 70-70-R (Item No. 29)

ZONING COMMISSIONER County Office Building Towson, Maryland, 21204

MR COMMISSIONER

Please enter an appeal to the County Board of Appeals on the Order of the Deputy Zoning Commissioner of Baltimore County, Maryland, which Order was passed on the 16th day of December, 1969, and reclassified the subject property or area from an MR zone to a BL zone, said appeal to be entered on behalf of each of the following, that is:

> GEORGE H. DIMLER and GERTRUDE K. DIMLER, his wife 1838 Locust Ridge Road Timonium, Maryland, 21093,

RUSSELL J. SCHULTHES and MRS. RUSSELL J. SCHOOL THEIS 2 Aylesbury Road Timonium, Maryland, 21093,

GILBERT E. STOVER and GILBERT E. STOVER and JANET STOVER, his wife 11 Northhampton Road Timonium, Mar. and, 21093, et al.

> Werner G. Schoeler Werner G. Schoeler Bounds, Schoeler & Short 6630 Baltimore National Pike Baltimore, Maryland 21228 Telephone - 744-8200 Attorneys for Appellants

I CERTIFY that on January 'Z , 1970, I mailed a copy of the abo Appeal to Free E. Waldrop, Essuire, 202 Loyala Federal Building, Towson, Maryland, 21204, L. I. Chadrist, Esquire, 1830 York Rood, Timonium, Maryland, 21073, Mr. Frederick Davison, 209 Fatons Road, Timonium, Maryland, 21093 and Mrs. Carol Boyl 303 Gateswood Road, Timonium, Maryland, 21093. 12 , 1970, I mailed a copy of the above



Ridgely Realty Co., Inc. - #70-70-R

\$ 70-70 R

falls in a westerly direction to a point on the west edge of the property where it is approximately at the same elevation as the shopping center parking area.

Milton Schwaber, President of the Ridgely Realty Co., testified that he purchased the property in September of 1969; that he owns the York Ridge Shopping Center, amediately to the south and west of the subject property, which presently contains eighteen retail stores with parking, situated on approximately 30 acres of ground. He also testified that there is a great demand for retail store space in the immediate area, and that there are no vacant stores in his shopping center. He proposes, if the reclassification is granted, to "square off" his shapping center and construct retail stores on the subject projectly, having an upper and lower level; the lower level being at grade with the The subject property will have access through the existing shopping

An engineer testifying on behalf of the petitioner, Joseph D. Thompson, testified that the site plan for the subject property (Petitioner's Exhibit *1) had been prepared as recommended by the State Roads Commission. The site plan permits ingres to the subject property only from the York Road, the entrance being ongled at an approximate forty-five degree angle in a northeasterly direction, and designated as a one way entrance. All agress from the subject property will be through the existing York Ridge Shopping Center to Ridgely Road, and thence easterly to the intersection of York and Ridgely Roac's where there is a traffic light.

The Board is of the opinion that the development of this property in conjunction with the existing shapping center will produce a much better traffic pattern than if the property were developed individually in its M.R. classification, with both ingress and agress to the York Road, as the proposed plan prohibits any left turn movements into the property from the York Panel

An expert realtor, appearing on behalf of the petitioner, testified to numer-... changes in the immediate area since the adoption of the map in 1955, and cited cases

PETITION PO ZONING RE-CLASS CATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we Ridgley Realty Co., Inc. legal owner of the property situate in Baltimore prap County and which is described in the description and plat attached hereto and made a part hereof, # 5 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 Ms 9. NW-13-14 .zone; for the following reasons BL

1. Chance in the character of the neighborhood

2. Seems in the Deloinal coming was

See attached description

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

Property is to be posted and advertised as prescribed by Zoning Regulation I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising. posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning ons and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

3	Contract purchaser
Adatass	
10	Pul & Holling
S X	Petitioner's Attorney

quelt fluce Bus Legal Owner Address 2200 Beryland Netional Bank Bidg. Haltimore, Haryland

PIDGLEY REALTY CO., INC.

ess 202 Loyola Fed. Bldg., Towson, Md.

ORDERED By The Zoning Commissioner of Baltimore County, this 29th

., 196 ... 2, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106. County Office Building in Towson. Ralti-. 196 - 10:30 clock 15th ..day of .. Ectober.



Spe

:30A 10/15/6 Joegni

Ridgely Realty Co., Inc. - #70-70-R

\$5708 and \$5629, which were reclassifications from M.R. to M.L. and B.L. in the Kilmarnock Industrial Park, to allow the construction of the Tail of the Fax restaurant. He also testified that other portions of the Kilmannock Industrial Park has been revaned to avoid the severe restrictions imposed by the M.R. classification: cases \$5129, 5127, and He also cited numerous changes in classifications to commercial on the west side of York Road south of Ridgely Road

Joesph D. Thompson, an engineer appearing on behalf of the petitioner, testified that all public utilities are available at the sire, and adequate to serve the proposed stores. He further stated to his entiring that while the Vert Road to heavily travelled, any additional traffic caused by the reclassification would not congest With regard to the ingress and egress points on the subject property, this already has been cited above.

George E. Gavrelis, Director of Planning for Baltimore County, read into the record the Planning Staff's comments, dated October 10, 1969, which are as follows

> "The planning staff of the Office of Planning and Zoning has examined the above petition and finds that the rezoning requested for the above property is in accord with the general intent of the proposed sector master plan and zoning man The Planning Board has recommended that this specific area erty by zoned R.A. however since the property is adjacent to land soned B.L. the latter would also be appr

He further testified that since his comments had been written, the Planning Board has had a public hearing in connection with the proposed adoption of a new comprehensive man for the subject area, and is now recommending B.L. zoning on the subject property as an extension of the existing shapping center, stating that the Planning Board felt that in light of the increasing depend for commercial properties along the York Road. It is better to but the subject property in a commercial zone, to be used in conjunction with the existing

irsuant to the advertisement, posting of property, and public hearing on the above petition and

is appearing that by reason of extor in the oxiginal zoning map

the above Reclassification should be had; xxxxivicocuthex expressions

With same is hereby reclassified: from a MR

ds Commission, the Bureau

Services and the Office of

aring that by reason of ...

Sof Public Services Dianning and Zoning.

ORDE DAT IT IS OF DERED by the Zoning Commissioner of Baltimore County this.

the above re-classification should NOT Bt. HAD, and ex the Special Exception should NOT BE

DENIEO and that the above described property or area be and the same is hereby continued as and

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this.

om and after the date of this order, subject to approval of the site plan by the

zone to a BL.

of John Commissioner of Predicty

rtisement, posting of property and public hearing on the above petition

. 196 that the above re-classification be and the same is hereby

zone; and/or the Special Exception for

Zoning Commissioner of Baltimore County

of April, 1970 by the County Board of Appeals, OR DERED that the reclassification petitioned for, from an M.R. zone to a S.L. zone, 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.

. . .

ORDER

Ridgely Recity Co., Inc. - #70-70-R

COUNTY BOARD OF APPEALS OF BALTIMORE COUNT

For the reasons set forth in the afuregoing Opinion, it is this 22 of day

William S. Baldwin, Chairman

W Giles Codes

BOUNDS, SCHOELER & SHORT

The Honorable William Baldwin, Chairma County Board of Appeals County Office Building 111 West Chasapeake Avenue Towson, Maryland 21204

Re: Case No. 70-70-8 Case No. 70-70-x Ridgley Reaity Co., Inc. Scheduled Hearing Date: Thursday, March 26, 1970

Just a short note to advise that this office will not be appearing on behalf of the Protestants. We felt we awed the Board the courtery of this

However, this is not to infer that the Protestants have in any way dropped, discontinued or abandoned the Appeal.

Whenne Fite oches

Werner G. Schoele

WGS/cd

MIGROFILMED

6630 BUTIMORE NATIONAL PIES BALTIMORE MARYLAND 31221

March 19, 1970



IR TO RE LOS TORE ROAD

SECIENTED for the same on the wasternment side of York hand (66 feet wide) at a point digital 52 feet more or less messared northerly along he made ermort side of and York hand from the northermort side only a feet of the fourth (70 feet wide) and point of beginning that the rest in the fourth or much 13 degrees was accorded ment that the feet in the fourth of the fourth fourth fourth of the fourth fourth fourth of the fourth of the fourth fourth fourth fourth fourth fourth fourth fourth fourth of the fourth fourth fourth fourth of the fourth fourth fourth of the fourth of the fourth of the fourth of the fourth fourth fourth fourth fourth of the fourth fourth of the fourth of the fourth fourth

CHTANNIG 2,000 seres of land more or less.

BERNO all of that trust of land which by deed dated July 23, 1940 and records among the Land Resords of Baltimore County in Liber C.R.B.Jr. No. 1116 foliogy atc. was conv. at by Sammel T. Crowther, at all to Deptro Pall and wife.

July 18, 1969



November 2, 1959

The meeting was convened at the residence of the President on 2 November, 1969. Present vero: Tony lamniello, Don MacGlashen. Steve Maslin, and Fred Davison.

A resolution was made by Tony Tanniello to:

- Authorize the persons listed below to represent NCA at the 10 November 1969 Planning Board Public Hearing concerning the Ford case;
- To eppose the Planning Board's councreial zening designation of the Ford property (9 acros) at York and Fidgely Roads.

It was seconded and passed unaninously.

A resolution was made by Don MacGlashen to:

- Authorize the persons listed below to represent ECA at the 10 November 1969
 Planning Board Public Hearing concerning the Pot Spring-Cinder Road case; and,
- 2. To oppose the Planning hoard Apartment Zoning designation of the 33 acres near

The motion was seconded and passed unanimously.

A resolution was made by Steve Maslin to authorize the persons listed below to A resolution was made by steve mastin to authorize the persons listed below to represent NCA at the 10 November 1969 Planning Board Public Hearing reference neighborhood environment. The notion was seconded and passed unanimously.

A resolution was made by Steve Maslin to:

- Authorize the person listed below to represent NCA at the 10 November 1969 Planning Board Public Hearing reference the Ridgely Realty-York Road case; and,
- To oppose the Planning Board Apartment Zoning Designation for the Ridgely Realty property on York Road and to recommend continuation of the MR zoning

The notice was seconded and passed unaninously.

MacGlashen Iunniello Davison Schultheis

No further business was conducted. The meeting was adjourned.

Respectfully submitted,

Tony Igonfallo

NEWS OF OUR COMMUNITY

Northampton Notes

25 November 1969

LUTHERVILLE TIMONIUM, MD. 21093

Sor Et B

Zening Meeting Notice

There will be a green's membership meeting of the Berthampton Surmanity Association in the limited Recomming their subjects to B Hi on 2 December (December). This Periangpon contribution is not been subject to rate on the issue of raising the Feriangpon contribution is the Green's Remaining Occasion [1070] this year for suring separate addressment. (All court costs and legal fees paid to date for remaining costs offersting Periangpon have been paid of the Otto.

The meeting will be limited to 30 minutes. At \$130 ull interested Forthampton residents are requested to attend a DTC open meeting being half in the Timonium Elementary School liberary. Frapsed changes in the use of the Architococce property at Tork and Migoly was been made by the Tord Notes Company. These will be presented to those attending the meeting. A Trail OTC (and Springertangue) designer whether to report or to continue the appeal will be made that counting. All Korthempton residents of the property Moule at a continue the special value of the property Moule attending.

The response to our membership drive "s date has been very poor. As or 21 November we have received one from only 61, faulties out of a total of approximately 250. It would tibe to ingo those of you who are not necessaring and standing this year to consider the following points.

- Commercial interests are chipping may at the residential coning on the dast side of York Road. Consider the effect of a string of hamburger stands, groomy stores, etc., slong York on the Northangton Corundly. The Poard of Directors, which is comprised of numbers from various areas of Forthangton, has voted unanincusty to oppose convercialization of York Road.
- Corrected interests are petitioning to build 500 sportness at Clinier and Pot Spring Roois. The Board of Directors has woted unaninously to appose this section, princelly on the basis of incorpatibility with existing homes, and the over-creasing offert on schools and rouds which the addition of 1500 to 1000 new residents.

3. Money is required to continue the protests. Please support your community and your estimbers who donate thre and effort to this Association and to GTOS, bringing your check to the 2 December general meeting or by mailing it framediately with the tern slip below to the treasurer. The fee this year is less than the cost of a beg of Turbulled Plus 2.

Frederick Davison, President

Northempton Community Association 1969/70 Dues - 310

To: Mr. Steve Muslen, Treasurer, 210 Patann Road

Address

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO. Mr. John G. Rose, Zoning Commissioner Date. October 10, 1969

FROM Mr. George E. Gavrelis, Director of Planning

SUBJECT Petition #70-70-R. Reclassification from M.R. to B.L.
West side of York Road 525 Feet North of Ridgley Road. Ridgley Realty Company, Petitioners.

8th District

Wednesday, October 15, 1969 (10:30 A.M.)

The planning stoff of the Office of Planning and Zoning has examined the above petition and finds that the seconing requested for the above property is in accord with the percent issues of the proposed sector makes plan and zoning map. The Planning Bocrd has recommended that this specific property be zoned R.A.s, however since the property is adjacent to land zoned by. the father would also be appropriate particularly since the property is to descent to land zoned by. the father would also be appropriate, particularly since the property is to be connected to the existing business use via a



NORTHAMPTON COMMUNITY ASSOCIATION, INC.

Hr. Charles ". Hoyman Chairman Reltimore County Flanning Soard Reltimore County Court Touse Towson, Daryland 21204

Dear Mr. Herman

I wish to thank you on behalf of the Mortlan ton Community Association for the privilege of testifying in repard to the Control Sector resume map at the public hearing held at Ringely Junior High School on 10 November.

Members on an insurance of the control of the contr

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

Chairman

MEMBERS

PUREAU OF ENGINEERING

DEPARTMENT OF STATE BOADS COMMIS

BUXEAU OF MIKE PREVENTION HEALTH DEPARTMENT PROTECT PLANNING BOARD OF EDUCATION

PROTETRIAL DEVELOPMENT

Fred E. Waldrop, Esq., 202 Loyula Federal Building Towson, Furyland 21204

RE: Type of Hearing: Reclassification Type or hearing heartstrand from at M.D. zone to an B.L. zone Location: W/S York Ad., 525' No. of Rightey Ad. Pet'tioner: Rightey Realty Co., Inc. Committee Meeting of August 12,1969 Bth District Item 29

August 22, 1969

The Zoning Advisory Committee has reviewed the The Zoning nowsbury Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this raview and inspection.

The subject property is presently improved with a life story masonry dwelling with a uncorr garage to the rear. The property to the north is improved with a which electronic type manifacturing building and the subject of the subjec

BUPSAU OF ENGINEERING:

Highways:

York Road is a State road; therefore this site will be subject to State Roads Commission review, and all street improvements and entrance locations on this road will be subject to State Roads Commission requirements.

Storm Drains:

The Applicant must provide necessary drainage facilities (temporary or otherwise) to preven, creating any nuisances or damages to adjacent properties, especially by the concentration

First Zoning Map changes which are harmonious with the single family residential character of the Morthampton area are respectfully re-Yery truly yours,

rederick Davison

President

I would also like to take this opportunity to protect the soming change requested by the property owner of the Entitley Halles properly at the 1D Memorator radiile bearing. The cases, F.R. Rosco, requested that the 7 were of land more the intersection of Potter states for the sounder form Benderichia (bluich conseption for a table) of the sounder form Benderichia (bluich conseption equation the Pot Spring disk, Wentley and the Land Court of the State of th

co: Mr. George Cavrelis, Baltimore County Planning Hoard The Greater Timonium Community Council(c/o Mrs. Boyle)

Fred E. Wildrop, Esq., 202 Loyola Federal Building Towson, Maryland 21204 Item 29 Page 2

August 22, 1969

Storm Drains: (Continued)

of surface waters. Correct: of any problem which tay result, due to improper grading or other d_1,\dots, d_p and littles, would be the full responsibility of the Applicant.

York Road is a State Road. Therefore, drainage re-drements as they effect the road come under the jurisdiction of the haryland State Roads

Sediment Control:

Development of this property tirough stripping, grading, and stabilization could result in a sediment pollution profer, danging private and public noisings domestream of the property. Agracing permit 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

Public water supply is available to serve this property.

Sanitary Sewert

Public sanitary sewerage is available to serve this property.

PROJECT PLANNING DIVISION:

Because the subject property will be an integral part of the Yorkridge Realty Realty Company property, we are requesting an overall plan prior to setting the hearing to show all entrances, circulation, parking, etc.

BUREAU OF TRAFFIC ENGINEERING:

As MR the subject site could generate 200 trips per day. However, as BL the site could generate 1,000 trips per day. This office is of the opinion that any increase in triu density in the York Road corridor at this time is undesirable.

BOARD OF EDUCATION:

No bearing on student population.

Fred E. Waldrop, Esq., 202 Loyola Federal Building Towson, Maryland 21204, Page 3 Item 29

August 22, 1969

FIRE DEPARTMENT:

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

BUILDING ENGINEER'S OFFICE:

Must meet all requirements of the Baltimore County Building Code.

HEALTH DEPARTMENT:

Public water and sewers are available to the site; however, a building application may be withheld until such time that the necessary improvements are made to the Junes Falls interceptor system.

STATE ROADS COMMISSION:

There is very poor stopping site distance at the subject site due to an over verticle curve (hill) on York Road. York Road at the site is on a very steep downgrode to the south. To establish a commercial entrance directly to the site from York Road would be extremely hazardous. The least objectionable access to the site would be a non-way IN ONLY entrance at the north property line. The entrance would be supled to proclude left turns from the north bound lane. The subject development would be a part of and be connected to all of the property line of the property line. The property line would be suppled to your own of the property line. The property line is the property line of the property line of the property line is the property line of the property line in York Road. These points of access teppether with the entrance mentioned above should be sufficient to serve the site.

If the pelfifoned zoning is granted, the proposed rend side curb would have to be 31' from and parallel to the center line of York Rand and continue along the frontage of the existing shooping conter on the same line until the proposed curb meets the existing curb late point 31' from the center of York Model. There is an 80' right of any promoted for York Rand Intt must be indicated on the plane. This line or the parking satisfact line until alone occupied.

Access to the site will be subject to State Roads Commission approval and permit.

The plan must be revised in accordance with the foregoing comments prior to a hearing date being assigned.

ZONING AUMINISTRATION DIVISION:

Hearing date will be withheld pending receipt of revised plans in compliance with above comments by the State Roads Commission.

823-3000 EXT. 387	BALTIMORE COUNTY, MARYLAND	No. 6/136
	OFFICE OF FINANCE	DATE 1/19/79
	Division of Collection and Receipts	ļueo .
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		ov pas. 166 21204
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98.48	Cost of appeal - property of Ridgely Realty Co.	/ / / see-se -
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BALTIMORE	COUNTY OFF	ICE OF PLANH	ING AND ZONS	NG	
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Your Pe	ultion has b	een received	and accept	d for filling ti	ds
	day of			, 1969.	
			JOHN G. I Zoning Co	LE COSE,	
Patitioner Make, Bealty &	, 5-a.	Reviewe:	by Mine Chairman Advisory		2_

Towson, Maryland 21204 Item 29 Fage 4

August 22, 1969

Very truly yours,

OLIVER L. NYERS, Chairman

OLM:JD Enc.

STATEMENT OF THE PROPERTY OF T

CERTIFICATE OF PUBLICATION

TOWSON, MD. September 25. 19 62.

THIS IS TO CERTIFY, that the annexed advertuement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. once in each of .000, Alam ... Assessment before the .15th ... day of ... Certober ... 19.59, the first publication appearing on the ... 25th ... day of ... Regtester ... 19.56

THE JEFFERSONIAN,
Manager

No. 64721

Cost of Advertisement, \$.....

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts

PFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON MARTLAND 21204

Bidgaday Sanity Co., Dec. Belleton

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



CERTIFICATE OF POSTING

District. 8.77. Distri
reducter: ROW C/FY ((EAL -) No. Two
Location of property to 15. 9 P YERV. Rd. 5250. R a.F. RIGELEY. BEAN
Location of Signe: 1819 Yark Bd.
Remarks:
Posted by Charles 11 11 20 Date of return OCT 3, 1969

ACCUMENT AND ACCUM

THE TOWSON MD 21204 Sept. 29, 1969

TOWSON MD 21204 Sept. 29, 1969

THIS IS TO CERTIFY, that the amenaed advertisement of John G. Rose
Zoning Countingtoner of Baltimore County
as a inserted in THE TORSON THES, a arekly newspaper published in the County of Sept. 29, 1969

Hadding to the County of Sept. 1969, that is to say, the same was an inserted in the issued of Sept. 25, 1969, that is to say, the same was an inserted in the issued of Sept. 25, 1969.

STROMBERG PUBLICATIONS, Inc.

B, Both Mayar

70-70-R

CERTIFICATE OF POSTING





