

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Garrison Forest School, legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, 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 DR1 and DR3.5 zone to an DR16 zone, for the following reasons:

That there was error in the original zoning as adopted by the County Council, as fully set out in the attached Statement of Error, and

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... offices and office buildings

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of show reclassification and/or Special Exception advertising, 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 of Baltimore County.

KOGER PROPERTIES, INCORPORATED GARRISON FOREST SCHOOL, INC.

by William F. Plunkhoff, Inc. President by James D. Nolan, President
Contract purchaser Legal Owner

Address P.O. Box 450 Address Garrison Forest School
Jacksonville, Florida 32201 Towson, Maryland 21204

James D. Nolan, Petitioner's Attorney James D. Nolan, Petitioner's Attorney
204 W. Pennsylvania Ave. 204 W. Pennsylvania Ave.
Towson, Maryland 21204 Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of August, 1971, 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, Baltimore County, on the 20th day of September, 1971, at 2:00 o'clock P.M.

Eric D. Brennan
Zoning Commissioner of Baltimore County

(over)

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 7th Date of Posting: SEPT 4-1971
Posted for: RECLASSIFICATION
Petitioner: GARRISON FOREST SCHOOL, INC.
Location of property: 1111 REISTERSTOWN RD. 115000. 44.00. 6.00. 0.00.
Location of Sign: 1111 REISTERSTOWN RD. 115000. 44.00. 6.00. 0.00.
Posted by: Charles E. Plunkhoff Date of return: SEPT 12-1971

GARRISON FOREST SCHOOL

PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map	Original	Duplicate	Tracing	200 Sheet				
	date	by	date	by	date	by	date	by	by
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, CC, CA									
Reviewed by: <u>JPB</u>	Revised Plans: Change in outline or description Yes ☐ No ☐								
Previous case:	Map #								

STATEMENT OF ERROR IN CLASSIFYING THE SUBJECT TRACT IN D, R, 5, 5 AND D, R, 1 CLASSIFICATIONS

The Petitioner believes that the County Council erred in placing the Garrison Forest School property in D.R.3.5 and D.R.1 categories for the following reasons:

1.) It was and is patently erroneous to place this property in any residential category short of D.R.16 because the great bulk of this tract is heavily influenced by Reisterstown Road, and it is quite frankly, unsuited for, and incapable of being developed and sold for either D.R.1 or D.R.3.5 homes. According to knowledgeable realtors, virtually no new residences have been built either privately or for resale, along direct Reisterstown Road frontage from Reisterstown to the Beltway during the past ten years. Every change, every trend has been to office, commercial and other non-residential uses along this main traffic artery.

2.) All public utilities sewer, water, gas, electric, etc., are available to the tract in more than sufficient quantities to serve the tract if classified in a D.R.16 status. (Recall also that the proposed offices requested pursuant to the special exception will place less of a load on most public services than residences or apartments, and no load whatsoever on area schools; but, rather, will be a benefit rather than a deficit on County Tax Rolls).

3.) The Reisterstown Road frontage is heavily confronted directly across the road by MLR-IM zoning, with various commercial zones on both sides of the property on the same side of Reisterstown Road all of which manufacturing and commercial activity renders D.R.3.5 and D.R.1 clearly and patently erroneous on its very face.

with reference to the subject property, or any part or parts thereof."

James D. Nolan
James D. Nolan
and
Nolan, Plunkhoff & Williams
204 West Pennsylvania Avenue
Towson, Maryland 21204
Attorneys for the Petitioners

I HEREBY CERTIFY that on this 6th day of October, 1971, a copy of the foregoing Order of Dismissal was mailed to James H. Cook, Esquire, 22 West Pennsylvania Avenue, Towson, Maryland, 21204.

James D. Nolan
James D. Nolan

- 4.) Part of the property is also cut by the Transcontinental Gas Pipeline rendering it further unfit for D.R.1 and D.R.3.5 usage.
- 5.) D.R.1 and D.R.3.5 are not proper transition zones from the intense commercial and manufacturing activities to the west, north and south and the residential areas to the east. In effect, D.R.1 and D.R.3.5 zoning amounts to a confiscation of the School property as an open space or green area, since D.R.1 and D.R.3.5 could and will never be practically or economically developed on the tract.
- 6.) Notwithstanding the intense efforts of the School and Counsel, the Council did not adequately, properly or fairly consider the property; and D.R.3.5 and D.R.1 on this site was, and is illegal, arbitrary capricious and illegal. Furthermore, such zoning was only adopted as a result of intense and improper pressures by the media and the public, that is such zoning amounted to "zoning by plebiscite".
- 7.) The property is located directly on Reisterstown Road, with the beltway but a short distance away, and thus, the tract enjoys excellent access, and it was and is error to deny D.R.16 zoning here from the point of view of the criteria of access.
- 8.) The property has been for many years in an institutional use, as a transition from earlier large estate use; and it was and is error to attempt to restore the site to the D.R.1 and D.R.3.5 status since low density residential is directly contrary to the trend on this property both historically and realistically.
- 9.) D.R.16 with special exception for office use would be an appropriate successor to the present institutional use, and completely consonant with the area, the present use, and the realistic land use trends along the Reisterstown Road.
- 10.) And for such other and further reasons of error as may be shown at the time of the hearing hereon.

-2-

Re: Petition for Reclassification : Before
Special Exception for Offices : Zoning Commissioner
Office Building N/E Side :
Reisterstown Road N/W :
Green Spring Valley Road :
Garrison Forest School :
Petitioner : Baltimore County
No. 72-69 R

ORDER OF DISMISSAL

The petitioner in the foregoing matter has withdrawn the petition and the case is DISMISSED without prejudice.

Eric D. Brennan
Zoning Commissioner of
Baltimore County

Date: October 7, 1971



BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Case No. 72-69-R
Item No. 30

ORDER OF DISMISSAL

NOW COME GARRISON FOREST SCHOOL, INC. and KOGER PROPERTIES, INCORPORATED, a Delaware corporation, Co-Petitioners, by James D. Nolan, and Nolan, Plunkhoff and Williams, their attorneys, and say:

WHEREAS the Petitioners did timely file the within proceedings, requesting reclassification from DR3.5 and DR1 to DR16 with special exception to permit the construction of office buildings on the Petitioners' site, located in the Third Election District of Baltimore County; and

WHEREAS the Baltimore County Planning Board did agree with the Petitioners that DR3.5 and DR1 were erroneous classifications by the County Council; and

WHEREAS the Baltimore County Planning Board did recommend the property for MR (Manufacturing, restricted); and

WHEREAS the Petitioner, Garrison Forest School, Inc., did by Board action on September 22, 1971, decide to retain the said property and to continue the institutional use of the said property for an educational institution;

NOW, THEREFORE, the Petitioners dismiss the within proceedings from the April-October 1971 zoning cycle "without prejudice to such further proceedings as may hereafter be filed

James H. Cook, Esq.,
204 W. Penn. Ave.,
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 10th day of August, 1971

Eric D. Brennan
Zoning Commissioner

Petitioner: Garrison Forest School
Petitioner's Attorney James D. Nolan Reviewed by: James H. Cook
Chairman of
Advisory Committee

TELEPHONE 384-0413

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

No. 75690
DATE April 22, 1971

TO: James H. Cook, Esq., 204 W. Penn. Ave., Towson, Md. 21204

REPORT TO ACCOUNT NO. 01-022

RETURN THIS PORTION WITH YOUR RECEIPTANCE
DETAILS: ALONE REFORMATION AND KEEP THIS PORTION FOR YOUR RECORD

QUANTITY 1

Item: Petition for Reclassification and Special Exception for Garrison Forest School, Inc.

TOTAL DOLLARS \$0.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MAIL TO COURT HOUSE, TOWSON, MARYLAND 21204

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 18, 1971

COUNTY OFFICE BLDG.
117 N. Chesapeake Ave.
Towson, Maryland 21204OLIVER L. MYERS
Chairman
MEMBERSBUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROADS COMMISSION
BUREAU OF
FIRE PREVENTION
HEALTH DEPARTMENT
PROJECT PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
ZONING ADMINISTRATION
INDUSTRIAL
DEVELOPMENTMr. George E. Gavrelis
Director
Office of Planning and Zoning
301 Jefferson Building
Towson, Maryland 21204RE: Item 30 (April - October Cycle 1971)
Property Owner: Garrison Forest School
Location: N/SS Reisterstown Road, N/W
of Green Spring Valley Road
Present Zoning: D.R.1 and D.R.3.5
Proposed Zoning: D.R.16
District: 3rd Sector: Northwestern
No. Acres: 85.63

Dear Mr. Gavrelis:

The Zoning Advisory 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 review and inspection.

The subject property is presently improved with the Garrison Forest School with the properties to the west, north, and east improved with dwellings and some vacant residential land. All of this property is presently zoned D.R.1. The property to the south and southwest is improved with commercial and industrial uses. Reisterstown Road in this location is not improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:

Highways:

This site has frontage on Reisterstown Road.

The additional contiguous property of the Petitioner fronting Garrison Forest Road, shown for development in accordance with the existing residential zoning, is excluded from further comment.

Reisterstown Road is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to State Road Commission requirements.

Street required within this property must be improved in accordance with the standards of the Department of Public Works.

Item 30

Storm Drainage:

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

Provisions for accommodating storm drainage have not been indicated on the submitted plan.

Public drainage facilities are required for any off site drainage facilities and any on site facilities serving off site areas, in accordance with the standards of the Baltimore County Department of Public Works.

On site drainage facilities serving only areas within the site do not require construction under a County contract. Such facilities are considered private and therefore must conform to the County Plumbing and Building Codes.

Reisterstown Road is a State Road. Therefore, drainage requirements as they affect the road come under the jurisdiction of the Maryland State Road Commission.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings below this property, and sediment control is required by State law. A grading 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 recording of any record plat or the issuance of any grading and building permits.

Water:

Public water facilities are available to benefit this property.

Supplementary fire hydrants and improvements to the public system may be required for adequate protection and domestic service.

The proposed private improvement must be reviewed by the Baltimore City, Water Division for adequacy of water supply.

Service within the site from the public system must be in accordance with the Baltimore County Building, Plumbing and Fire Prevention Code. The service connection to the meter shall be in accordance with the standards of the Baltimore County Department of Public Works.

Item 30

Sanitary Sewer:

Public sanitary sewer facilities can be made available to benefit this property.

The Petitioner is entirely responsible for the construction of his on site private sanitary sewerage, which must conform with the Baltimore County Plumbing Code.

The plan for development of this property is subject to approval of the State Department of Health prior to acceptance of a preliminary or final plat for recordation.

STATE ROADS COMMISSION:

The proposed northerly entrance is in an area of poor stopping sight distance due to the vertical alignment of Reisterstown Road, therefore, this entrance should be eliminated.

The proposed central entrance-exit must be designed as a standard monumental entrance; 10' maximum between lanes and maximum width of 24' for the lanes.

The plan must be revised prior to the hearing.

The entrances will be subject to State Roads Commission approval and permit.

BUILDING ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of the Baltimore County Building Code and Regulations, when plans are submitted. Also, see Parking Lots Section 109.101.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change from D.R.1 and D.R.3.5 to D.R.16 with a special exception for office building. This 85 acre site with 800 plus thousand square feet of floor space, can be expected to generate better than 12,000 vehicles a day.

The present volume on Reisterstown Road is 27,700. At the present volume, capacity problems exist at several points which are not expected to be alleviated until the construction of the Northwest Expressway. The completion of the Northwest Expressway is not expected before 1975.

PROJECT PLANNING DIVISION:

The access and internals will be commented on at a later date.

Item 30

FIRE PREVENTION BUREAU:

Fire hydrants for the proposed site are required and shall be in accordance with Baltimore County Standards. The hydrants shall be located at intervals of 500 feet along an approved road.

A second means of access is required for the site.

Minimum width to the roads through site shall be 30 feet to assure passage of Fire Department equipment.

a. When pull-in parking is designed for both sides of a roadway, the minimum distance from curb to curb of the parking area shall be 64 feet.

b. Pull-in parking on one side only, the distance from curb to curb shall be 44 feet.

DEPARTMENT OF HEALTH:

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 Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

INDUSTRIAL DEVELOPMENT COMMISSION:

The location and size of this parcel of land appears to make it extremely desirable land for development of an office or industrial park rather than for residential purposes.

We recommend that the petitioner's request for reclassification be given favorable consideration.

BOARD OF EDUCATION:

The existing zoning could yield approximately 159 pupils if the area was all D.R.3.5, or 34 pupils if all D.R.1. The plat submitted failed to give a breakdown of these zonings. Naturally, if this area became an office complex, it would not yield any pupils. However, if it is turned into residential apartments, it could yield from 38 to 1,243 Elementary pupils, from 77 to 197 Junior High pupils, and from 38 to 288 Senior High pupils.

BALTIMORE COUNTY, MARYLAND No. 201
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE: Oct. 6, 1971 ACCOUNT: 01-662
AMOUNT: 165.75

WHITE - CASHIER DISTRIBUTION
PINK - AGENCY YELLOW - CUSTOMER

MESSRS. Nolan, Plunhoff and Williams
204 W. Penna. Ave.
Towson, Md. 21204

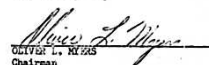
#12-09a - Advertising and posting of property for
Garrison Forest School

Item 30

ZONING ADMINISTRATION DIVISION:

A site of this magnitude can be anticipated to produce a very large volume of traffic which will tend to compound the already existing over capacity of Reisterstown Road.

Very truly yours,


OLIVER L. MYERS
Chairman

OLM:mc

cc: Mr. Edward D. Hardesty
Zoning CommissionerJames D. Nolan, Esquire
204 W. Pennsylvania Avenue
Towson, Maryland 21204

1020 Cromwell Bridge Rd., Baltimore, Md. 21204 Tel. 301/823-0900

DESCRIPTION

85.63 ACRE PARCEL, NORTHEAST SIDE OF REISTERSTOWN ROAD, NORTH-
WEST OF GREEN SPRING VALLEY ROAD, THIRD ELECTION DISTRICT,
BALTIMORE COUNTY, MARYLAND.

This Description is for "R-A" (DR-16) Classification

Beginning for the same at a point in the center line of Reisterstown Road, at the distance of 1980 feet, more or less, as measured along said center line from its intersection with the center line of Green Spring Valley Road, said beginning point being at the beginning of the land conveyed to Garrison Forest School, Incorporated, by deed recorded among the Land Records of Baltimore County in Liber G. L. B. 2079, page 59, running thence binding on said center line of Reisterstown Road, (1) N 46° 00' W 1887 feet, more or less, thence binding on a part of the first line of the first parcel of the land conveyed to Garrison Forest School, Incorporated, by deed recorded among said Land Records in Liber O. T. G. 4509, page 616, (2) N 07° 00' E 40 feet, more or less, thence binding on the northeast side of said Reisterstown Road, (3) N 46° 00' W 111 feet, more or less, thence binding reversely on the third line of the third parcel of said last mentioned land, (4) N 33° 00' E 200 feet, more or less, thence binding on the third and fourth

Water Supply • Sewerage • Drainage • Highways • Structures • Landscaping • Surveying • Mapping

- 2 -

lines of the third parcel of the land conveyed to Garrison Forest School, Incorporated, by deed recorded among said Land Records in Liber C. W. B. Jr. 1041, page 463, two courses: (5) N 07° 00' E 33 feet, more or less, and (6) N 59° 45' E 791 feet, more or less, thence binding reversely on the eighth, seventh and sixth lines of the land conveyed to Garrison Forest School, Incorporated, by deed recorded among said Land Records in Liber R. R. G. 4343, page 513, three courses: (7) N 06° 00' E 297 feet, more or less, (8) N 82° 15' E 938 feet, more or less, and (9) S 35° 30' E 176 feet, more or less, thence binding on a part of the fourth line of the land conveyed to Garrison Forest School, Inc., by deed recorded among said Land Records in Liber R. J. S. 1394, page 576, (10) S 35° 30' E 394 feet, more or less, thence binding reversely on the eleventh and a part of the tenth line of the land conveyed to Garrison Forest School Incorporated, by deed recorded among said Land Records in Liber O. T. G. 4543, page 404, two courses: (11) N 77° 45' E 391 feet, more or less, and (12) S 69° 30' E 102 feet, more or less, thence four courses: (13) S 20° 15' W 530 feet, more or less, (14) S 13° 00' W 485 feet, more or less, (15) S 13° 15' E 320 feet, more or less, and (16) S 22° 15' E 305 feet, more or less, thence binding reversely on a part of the first line of the land conveyed to Garrison Forest School, Inc., by deed recorded among said Land Records in Liber C. L. B. 2633, page 1, (17) S 78° 45' W 363 feet, more or less, thence binding reversely on the first line and a part of the last line of the fourth parcel of the aforementioned deed recorded in Liber C. W. B. Jr. 1041, page 463, two courses:

(18) S 78° 45' W 251 feet, more or less, and (19) N 31° 30' W 43 feet, more or less, thence binding on the last line of the land first herein mentioned,
(20) S 44° 45' W 520 feet, more or less, to the place of beginning.
Containing 85.63 acres of land, more or less.

HGW:mpl

J. O. #69135

4/1/71



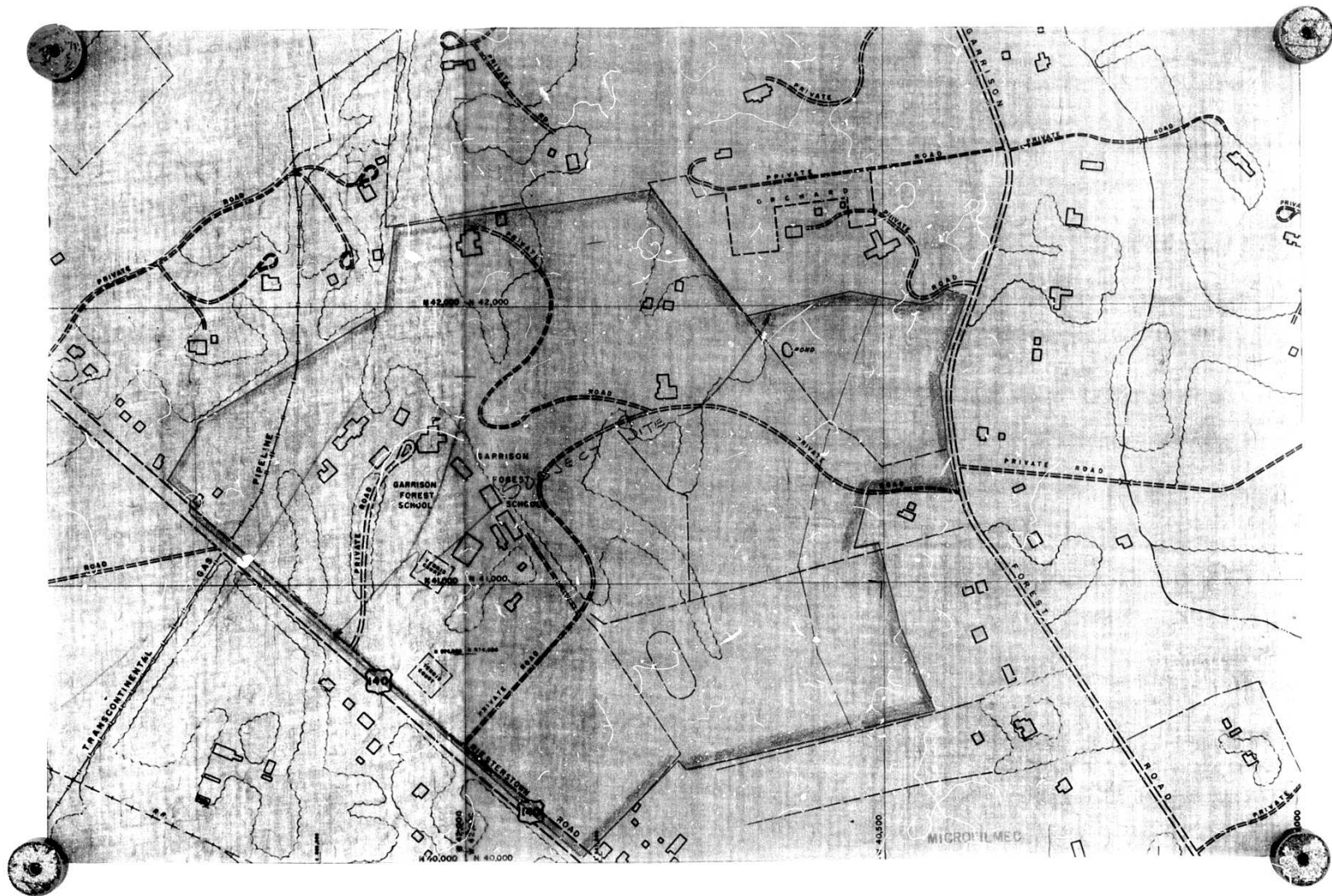
- 3 -



DEC 08 1971

MICROFILMED

MICROFILMED





0 100 200 300 400 500

GENERAL NOTES

1. Total Area of Tract = 26.22 Ac.±
2. Area of Tract Requiring Reclassification
3. Existing Zoning Of Tract - R-10 (OR 95) & R-20 (OR 1)
4. Proposed Zoning Of Tract - R-A (OR 10)
5. 1.00 Acre ± Tract Requiring Official Building Code
6. 1.00 Acre ± Tract Requiring Official Building Code
7. 1.00 Acre ± Tract Requiring Official Building Code
8. 1.00 Acre ± Tract Requiring Official Building Code
9. 1.00 Acre ± Tract Requiring Official Building Code
10. 1.00 Acre ± Tract Requiring Official Building Code



Map 20
 NW 1/4
 NW 1/4
 4/2/71

PLAT TO ACCOMPANY PETITION
 FOR
 RECLASSIFICATION OF PROPERTY
 WITH SPECIAL EXEMPTION

AT
 GARRISON FOREST SCHOOL
 REISTERSTOWN RD

Location District 9
 Baltimore County, Md.
 April 19, 1971

150 Garrison Forest School

MCA ☐ ☐ ☐ ☐
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 CONSULTING ENGINEERS

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