

RE: PETITION FOR RECLASSIFICATION
from D.R. 2 and D.R. 3.5 to B.M.,
and from UNDISTRICTED TO
C.C. and C.S.A. DISTRICTS
S/S of Timonium Road, 148B
W. of Baltimore-Harrisburg
Expressway,
8th District
Williams Construction Co., Inc.,
et al, Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 73-61-R

OPINION

This case comes before the Board on an appeal by the Petitioner from an Order of the Zoning Commissioner, dated December 18, 1972, denying the requested petition. The subject property is a 72 acre tract of land located on the southwest corner of Interstate 83 (Baltimore-Harrisburg Expressway) and Timonium Road, in the Eighth Election District of Baltimore County, Maryland. The existing zoning is D.R. 2 on approximately 20 acres at the corner, and D.R. 3.5 on the remainder (See plat, Petitioner's Exhibit 1-A).

The Petitioner seeks a zoning reclassification on the entire 72 acres to B.M. (Business Major). He has disclosed his petition for changes from Undistricted to C.C.C. and C.S.A. Districts. If successful in his petition, he testified that he plans to develop a modern bi-level enclosed mall type regional shopping center, containing 572,000 square feet of retail floor space. He stated that he has abandoned a part of his previous proposal wherein he planned to construct a ten-story office building containing 100,000 square feet of space. His current plans, however, are not binding on him, and if successful in his petition he could construct anything permitted by the zoning regulations.

It is the Petitioner's burden in this proceeding to show that the County Council erred by zoning the property D.R. 2 and D.R. 3.5 when it adopted the comprehensive zoning map for the area on March 24, 1971, (Zoning Map 3-C), and/or that there have been changes in the character of the neighborhood since then substantial enough to warrant reclassifying the property to B.M.

The Board heard four days of testimony and admitted more than forty exhibits into evidence. Both sides to the case produced an array of highly qualified and respected

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expert witnesses, who testified in their particular discipline to support their respective views and conclusions. The hearing was well attended and orderly. Each witness was given full opportunity with proper decorum to present his testimony.

Testimony for the Petitioner regarding "error" was to the effect that a regional shopping center is both essential and feasible at the subject location to satisfy a need in this dynamically growing sector of the County, and that no other suitable large site in one ownership is available; that County Preliminary Master Plans and Guidelines had recommended that a Town Center be developed in the subject area; that a Town Center designated by the Council to be located at York and Padonia Roads was improbable of fruition due to complexities of ownerships, uses and lack of access; that good planning for a neighborhood and community development concept dictated the reclassification of the subject to B.M.; that the Council removed from the preliminary map other recommended commercial areas, and failed to authorize them elsewhere at a logical location such as the subject tract; that widening of Timonium Road in front of the subject and the widening of the Timonium Road underpass at I-83, at Petitioner's expense, would solve traffic movements generated by the proposal, and that sewer and water utilities are available.

Petitioner went on to cite as changes in the neighborhood: The construction of the ramp from Timonium Road to the southbound lanes of I-83; the completion of two additional traffic lanes on I-83 extending from the Beltway to Padonia Road; the construction of the greatly improved Beltway interchange with I-83, and the negotiations being conducted and the acquisition of a part of a large tract of land west of the subject by the Board of Education for development of multiple schools.

The Protestants countered with testimony claiming that the County Council did not err in placing the subject in D.R. 2 and D.R. 3.5 because, in their opinion, the Baltimore-Harrisburg Expressway (I-83) is still a proper line of demarcation between residential use to the west and commercial-industrial use to the east, as cited in Hewitt v. Baltimore Co., 220 Md. 48. The west side of I-83, from the Beltway on the south to Shawan Road on the north and as far west as Park Heights Avenue, is exclusively residentially zoned. Residential development is contiguous to the north, west and south of the subject,

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interrupted on the west by the proposed Padonia school complex. The traffic generated by the proposed shopping center could increase the trip density to an average of 36,000 vehicles a day. The present shopping needs of neighboring residents are satisfied by existing facilities, and they believe that granting the petition would adversely affect their property values and their general welfare.

The Board has studied the testimony and exhibits carefully. The Petitioner has not conclusively resolved the Timonium Road nor the underpass widenings, (see letter - Petitioner's Exhibit 19). The traffic generation that is anticipated from the proposed shopping center, even without considering the potential traffic generated by an enrollment of 6,000 pupils at the proposed Padonia school complex, would certainly overtax the local roads, even if the roads were improved as stated. Any large scale commercial use would be an incompatible intrusion into an all residential area. The Board believes that I-83 should continue at this time as a physical barrier separating the residential from the industrial-commercial uses.

The evidence indicates that the subject rezoning was an issue before the County Council at the Public Hearings preceding the adoption of the comprehensive zoning map. The Council had substantially all of the information that has been presented at this hearing. The Board believes that there may be some margin of error whereby the Council zoned the twenty acres nearest the intersection at a lower density (D.R. 2), than it zoned the farther removed fifty-two acres in the higher density of D.R. 3.5, but this is not compelling enough to reclassify the subject to B.M. Neither does the claim of changes since the adoption of the map warrant such reclassification. The Petitioner has failed to overcome the burden of proving his case.

For these reasons and from all of the testimony and evidence presented, the Board finds that the County Council did not err in zoning the subject D.R. 2 and D.R. 3.5, nor has there been any substantial change in the character of the neighborhood since the adoption of the zoning map, on March 24, 1971, to justify the granting of the petition. Therefore, the Order of the Zoning Commissioner, dated December 18, 1972, is affirmed.

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and the petition to reclassify the subject property from D.R. 2 and D.R. 3.5 to B.M. is hereby denied.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 22nd day of February, 1974, by a majority of the County Board of Appeals ORDERED, that the reclassification petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, Subtitle B of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slawik, Chairman

W. Giles Parker

73-61-R #32 PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Williams Construction Co., Inc., 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 D.R.2 and D.R.3.5 zone to an RM zone, for the following reasons:

Error in original zoning and a genuine change in conditions.

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 _____

Property is to be posted and advertised as prescribed by Zoning Regulations. 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 regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

WILLIAMS CONSTRUCTION CO., INC.

By: E. J. Harrison

Contract purchaser _____ Legal Owner _____

Address: 8660 Pulaski Highway

Baltimore, Maryland 21221

Petitioner's Attorney _____ Protestant's Attorney _____

Address _____

ORDERED By The Zoning Commissioner of Baltimore County, this 28th day of September, 1972, 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 27th day of September, 1972, at 10:00 o'clock A.M.

E. J. Harrison
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Williams Construction Co., Inc., 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-districted, pursuant to the Zoning Law of Baltimore County, from _____ to a _____ district, for the following reasons:

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

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

I, or we, agree to pay expenses of above re-districting 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 for Baltimore County.

WILLIAMS CONSTRUCTION CO., INC.

By: E. J. Harrison

Contract purchaser _____ Legal Owner _____

Address: 8660 Pulaski Highway

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E. J. Harrison
Zoning Commissioner of Baltimore County.

(over)

RE: Petition for Reclassification
from D.R. 2 and D.R. 3.5 to R.M.
B.M., and from UNDISTRICTED
to CCC and CSA Districts
S/S of Timonium Road, 1488'
W. of Baltimore-Harrisburg
Expressway
8th District
Williams Construction Co., Inc.
and John C. Fowble
and Louise M. Fowble
Petitioners
No. 73-61-R

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
Misc. Docket No. 9
Folio No. 400
File No. 5246

ORDER OF DISMISSAL

Mr. Clerk:

Please enter the above appeal on behalf of Williams Construction Co.,

Inc., and John C. Fowble, and Louise M. Fowble "DISMISSED WITH
PREJUDICE".

I HEREBY CERTIFY, that on this 28th day of September, 1972,
a copy of the foregoing Order for Dismissal was mailed to E. Scott Moore,
Esquire, 408 Jefferson Building, Towson, Maryland 21204, and to John H.
Garner, Esquire, 408 Jefferson Building, Towson, Maryland 21204, and
a copy was served on the County Board of Appeals, County Office Building,
Towson, Maryland 21204.

W. Lee Harrison

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from D.R. 2 and D.R. 3.5 to R.M.
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Zoning File No. 73-61-R

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 9
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ANSWER TO ORDER OF APPEAL TO CIRCUIT
COURT FOR BALTIMORE COUNTY AND
CERTIFIED COPIES OF PROCEEDINGS BEFORE
THE ZONING COMMISSIONER AND BOARD
OF APPEALS OF BALTIMORE COUNTY

MR. CLERK:

Please file, &c.

Edith T. Eleanhart, Administrative Secretary
County Board of Appeals of Baltimore County

cc: W. Lee Harrison, Esq.
E. Scott Moore, Esq.
John H. Garner, Esq.

PETITION FOR RECLASSIFICATION AND REDISTRICTING 8th DISTRICT

COILING: From D.R.2 and D.R.3.5 to R.M. 20' x
From Undistricted to C.C.C. and C.S.A. Districts.

LOCATION: South side of Timonium Road 1488 feet West of the
Baltimore-Harrisburg Expressway.

DATE & HOUR TIME: WEDNESDAY, SEPTEMBER 27, THURSDAY, SEPTEMBER 28 and
FRIDAY, SEPTEMBER 29, 1972 at 10:00 A.M.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake
Avenue, Towson, Maryland.

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

Present Zoning: D.R.2 and D.R.3.5
Proposed Zoning: R.M.
Present District: Undistricted
Proposed District: C.C.C. and C.S.A.

All that parcel of land in the 8th District of Baltimore County

Being the property of Williams Construction Co., Inc., et al as shown on plat
plan filed with the Zoning Department.

Hearing Date: Wed. Sept. 27, 1972, Sept. 28 and Fri. Sept. 29, 1972 at 10:00 A.M.
Public Hearing Room 106, County Office Building, 111 W. Chesapeake Avenue,
Towson, Md.

BY ORDER OF
S. MICKELTHUIS
ZONING COMMISSIONER OF
BALTIMORE COUNTY

JAMES S. SPANER & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
8017 YORK ROAD - TOWSON, MD. 21204

ev. M.O.L. Property West Side Timonium Road
DATE: 3-28-72 Description for Zoning Purposes Only

Beginning for the same at a point on the south side of Timonium Road
(70 feet wide) at the approximate distance of 1488 feet westerly from the center
of the Baltimore-Harrisburg Expressway, said point of beginning being at
the beginning of the parcel of land conveyed to George R. Lewis and recorded
among the Land Records of Baltimore County in Liber O.T.G. No. 1488, folio 703
and running thence binding on the south side of Timonium Road as shown on Bal-
timore County R.M. Plate 65-132-11 thru 65-132-16, (1) North 80° 00' 16" East
635.16 feet, (2) South 72° 30' 10" East 8.79 feet, (3) North 80° 06' 27" East
222.09 feet and (4) by a line curving to the left with a radius of 1969.86
feet the distance of 130 feet to the Right of Way Line of Timonium Road as shown on Bal-
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RE: PETITION FOR RECLASSIFICATION
S/S of Timonium Road, 1488' W of the Baltimore-Harrisburg Expressway
8th District
Williams Construction Company, et al - Petitioners
NO. 73-61-R (Item No. 32)

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioners request a Reclassification from a D, R, 2 and a D, R, 3.5 Zone to a B, M, Zone for a parcel of property located on the south side of Timonium Road, one thousand, four hundred and eighty-eight (1,488) feet west of the Baltimore-Harrisburg Expressway, in the Eight District of Baltimore County, containing seventy-two (72) acres of land, more or less. The Petitioners further requested a change from undistricted to a C, C, C, and a C, S, A, District.

At the inception of the public hearing held on these matters, the Petitioners withdrew the request for the C, C, C, and C, S, A, District. Therefore the remaining matter before the Zoning Commissioner is the request for the Reclassification to a B, M, Zone.

Testimony on behalf of the Petitioners indicated that they planned to construct a seventy-two (72) acre regional shopping center, which would be of a covered mall type, with several large department stores and many satellite stores and office uses, with approximately one million, one hundred thousand (1,100,000) square feet of these uses. Access to the shopping center would be by way of two (2) entrances on Timonium Road, a four (4) lane road immediately to the north of the subject property. The subject property is adjoined on the east by the Baltimore-Harrisburg Expressway, a major interstate road, to the south and north by residential areas developed by single family dwellings and to the west by large tracts of land zoned residential but basically not intensely developed. Timonium Road, running east and west, proceeds in an easterly

direction under the Baltimore-Harrisburg Expressway to York Road, a major arterial factor in this section of Baltimore County. Timonium Road is four (4) lanes wide from the subject property to York Road, which is approximately one-half (1/2) mile to the east. The subject property was formerly a borrow pit for the construction of the Baltimore-Harrisburg Expressway.

Expert testimony by Frederick P. Klaus, real estate broker, appraiser and consultant on zoning matters, indicated that the Comprehensive Zoning Map, as adopted on March 24, 1971 by the Baltimore County Council, erred in classifying the subject property in its present classification. He stated that this property is suited and meets all the criteria for the expansion and the utilization as a Town Center. A Town Center had been designated by the Baltimore County Planning Board on the Town Center map near the intersection of York Road and Padonia Road, which lies to the northeast approximately one and one-half (1 1/2) miles. He stated that the designated Town Center, did not meet all the criteria set forth in the Petitioners Exhibit No. 3, said designated criteria as established in the minutes of the Baltimore County Planning Board on June 13, 1967. He further indicated that there was no commercial zoning west of the Baltimore-Harrisburg Expressway, north of the Baltimore County Beltway, east of Park Heights Avenue and north of the Pennsylvania Line, said area containing approximately ninety (90) square miles. He emphasized that there was a need for some commercial uses in this area and that the Baltimore County Planning Board, in their recommendations to the Baltimore County Council prior to the adoption of the Comprehensive Zoning Map and on the newly adopted Baltimore County Guideplan, had indicated same. He cited, as several changes in the area, in the justification of the request for the Reclassification, a new ramp from Timonium Road on to the southbound lanes of the Baltimore-Harrisburg Expressway. Furthermore, he acknowledged the present construction of the overpass from the Baltimore-Harrisburg Expressway over the Baltimore County Beltway, which lies approxi-

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ORDER RECEIVED FOR FILING

DATE December 12, 1972

BY [Signature]

evidence presented at the hearing, in the judgment of the Zoning Commissioner, the Comprehensive Zoning Map, as adopted on March 24, 1971, was not in error in classifying the subject property D, R, 2 and D, R, 3.5 zones.

The request before the Baltimore County Council, prior to the adoption of the Comprehensive Zoning Map and the present request by Petition before the Zoning Commissioner, has resulted in much notoriety in newspaper accounts, surrounding this subject property. It is to be made clear at this time, that this notoriety, the amount of people involved, pertaining to opposing this request, etcetera, has had no bearing upon the decision being made at this time. The decision that is reached by the Zoning Commissioner, pertaining to this Petition or any Petition filed, is based upon the evidence presented at the hearing. The personal feelings of the Zoning Commissioner cannot and must not have any bearing upon this decision. The granting or denial of zoning in Baltimore County cannot be by plebiscite or looked upon favorably because of the individual requesting the reclassification.

The Petitioner has attempted in this matter to show that the Baltimore County Council erred in not classifying the subject property B, M, zoning. He stated that this subject property would be ideal for a Town Center, but it must be stated at this time that it is not within the authority of the Baltimore County Zoning Commissioner to designate an area as a Town Center but this authority is borne by the Baltimore County Planning Board. He also argues that there is no commercial property in the area as stated previously, but that the Baltimore County Planning Board, in its recommendations to the Baltimore County Council indicated that it had recommended same. It is true that the Baltimore County Planning Board did recommend several properties in this large area as commercial, but in the wisdom of the legislative body, namely, the Baltimore County Council, and after much review and public

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BY [Signature]

hearings, much study was given to this proposal and the Baltimore County Council, in its legislative prerogative designated this property D, R, 2 and D, R, 3.5 zones. It might be true that there is a possibility of a need for some commercial area in the quadrant aforementioned, but the proposal of the Petition, with its large magnitude of area and usage, is not the answer. There are many commercial and office type uses to the east and near the subject property that meets some of the needs of the residents of this area. This is the York Road corridor.

Secondly, the proposal by the Petitioner to widen Timonium Road and the underpass beneath the Baltimore-Harrisburg Expressway, at his own expense and not presently the subject of a contract with Baltimore County, the State of Maryland is in a hiatus. Having no funds in the Baltimore County Capital Budget, Timonium Road having recently been improved to a four (4) lane road with its capacity as stated, leaves the request of the Petition in limbo. If this matter were to be granted, and the aforesaid improvements were not made, the effect of traffic upon the area would be very injurious to not only the residents of the area, but would have a large impact on Timonium Road, the Baltimore-Harrisburg Expressway and would otherwise be detrimental to the health, safety and general welfare of the community.

There is little merit in the claims of change in the area in that the aforesaid ramp was under construction at the time of the adoption of the Comprehensive Zoning Map and has little impact on this area.

The Comprehensive Zoning Map, as adopted by the Baltimore County Council on March 24, 1971, is presumed to be correct and the burden is borne by the Petitioners to show it is not. In this matter, the burden has not been met.

Therefore, IT IS ORDERED by the Zoning Commissioner of

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BY [Signature]

ately one (1) mile south of the subject property. This construction is presently underway and the ramps, as aforementioned, were completed following the adoption of the Comprehensive Zoning Map. He felt that the subject property is not good for residential purposes due to the close proximity to the interchange. In further supporting the allegations of error, Mr. Klaus indicated that while the Baltimore County Council had under consideration the subject property, there was a tremendous up-roar from citizens of the area who opposed this request and as a result thereof, he felt that due to the "plebiscite" and the ultimate pressures brought to bear, the Baltimore County Council refused to designate the subject property in a commercial zone.

Further expert testimony by Mr. Charles Pratt, qualified traffic engineer and transportation planner, gave detailed evidence pertaining to the trip density of the Baltimore-Harrisburg Expressway and Timonium Road, and what impact this traffic has upon the subject property and the surrounding area at the present time. He further indicated that if the subject property is reclassified and constructed as planned, there would be an additional thirty-one thousand (31,000) to thirty-three thousand (33,000) trips per day emanating from the subject property. It was further stated that the Petitioner was willing to enter into a contract with Baltimore County, wherein Timonium Road would be widened and that the underpass beneath the Baltimore-Harrisburg Expressway would be widened to six (6) lanes, at the Petitioners' expense, which would help to resolve any traffic difficulties that may occur as a result of this shopping center construction use. But it was stated by the witnesses that there is no money in the Baltimore County Budget for the widening of Timonium Road, which in fact, was just recently widened to four (4) lanes. Mr. Pratt did indicate that if this subject Petition is granted and the property ultimately constructed and used as anticipated, without the widening of Timonium Road and the underpass of the Baltimore-Harrisburg Expressway, the traffic emanating

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DATE December 12, 1972

BY [Signature]

Baltimore County, this 18th day of December 1972, that the above reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and remain D, R, 2 and D, R, 3.5 zones. Furthermore, the request for a C, C, C, and a C, S, A, District are hereby DISMISSED.

[Signature]
Zoning Commissioner of
Baltimore County

LAW OFFICES
W. LEE HARRISON
300 WEST JOPPA ROAD
TOWSON, MARYLAND 21204
AREA CODE 410
RG 3-1204

December 27, 1972

S. Eric DiNenna, Esq.
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Petition for Reclassification, S/S of Timonium Road, 1488' W of the Baltimore-Harrisburg Expressway, 8th District, Williams Construction Company, et al, Petitioners, No. 73-61-R Item No. 32

Dear Mr. DiNenna:

Please note an appeal to the Board of Appeals from your decision and order dated December 18, 1972, on Petition No. 73-61-R on behalf of the Petitioner, Williams Construction Company, et al.

I enclose herewith my check in the amount of \$75.00 to cover the costs of said appeal.

Very truly yours,

[Signature]
W. Lee Harrison

b/enc.

ORDER RECEIVED FOR FILING

DATE December 12, 1972

BY [Signature]

AUG 12 1974

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come John A. Slowik, W. Giles Parker and Robert L. Gilliland, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the Office of the Zoning Department of Baltimore County:

**ZONING ENTRIES FROM DOCKET OF ZONING
COMMISSIONER OF BALTIMORE COUNTY**

No. 73-61-R

Apr.	14, 1972	Comments of State Highway Administration filed
"	17	Comments of Department of Health filed
"	25	Comments of Fire Department filed
"	27	Comments of Department of Public Works filed
"	28	Comments of Department of Traffic Engineering filed
May	8	Comments of Baltimore County Zoning Advisory Committee filed
"	9	Comments of Office of Planning and Zoning filed
		Comments of Board of Education filed
		Planning Board Recommendations filed
July	24	Petition of Williams Construction Co., Inc., et al., for reclassification from D.R. 2 and D.R. 3.5 to S.M., and for undistricted to CCC and CSA Districts, on property on the south side of Timonium Road, 1488 feet west of Baltimore-Harrisburg Expressway, 8th District - filed
"	24	Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for September 27, 28, 29, 1972 at 10 a.m.
Sept.	7	Certificate of Publication in newspaper - filed

Sept. 16, 1972	Certificate of Posting of property - filed
" 27	At 10 am hearing held on petition by Zoning Commissioner
" 28	" " " " " " " " " " " "
" 29	" " " " " " " " " " " " - case held sub curia
Dec. 18	Order of Zoning Commissioner denying reclassification and dismissing districting
" 27	Order of Appeal to County Board of Appeals from Order of Zoning Commissioner
Jan. 29, 1974	Hearing on appeal before County Board of Appeals
" 30	" " " " " " " " " " " "
Feb. 5	" " " " " " " " " " " "
" 7	" " " " " " " " " " " " - case held sub curia
" 24	Order of County Board of Appeals denying reclassification
Mar. 22	Order for Appeal filed in the Circuit Court for Baltimore County
" 22	Petition to Accompany Order for Appeal filed in the Circuit Court for Baltimore County
" 26	Certificate of Notices sent to all interested parties
Apr. 19	Petition to Extend Time for Transcribing Record to May 22, 1974, and Order of Court granting same filed
May 20	Transcript of testimony filed - 4 volumes

Petitioners' Exhibit No. 1a	-	Plot - Part 1 - Raymond Keyes Engineers, Revised 9/20/72
"	"	Plot - Part 2 - "
"	"	Plot - Proposed Valleyfield turn-around
"	"	Profile of property (cross section)
"	"	Green Spring Mail Retail Analysis
"	"	2 - Aerial Photo 9/15/72 showing proposed Town Center (in board of Appeals' office)
"	"	5 - New Zoning for a New Baltimore County - 8/10/70
"	"	6 - Aerial Photo, Nov. 1972, showing subject property in yellow (in board of Appeals' office)
"	"	6a - Aerial Photo, Nov. 1972, showing subject property in blue and white (in board of Appeals' office)
"	"	8 - New Zoning for a New Baltimore County - 11/24/70
"	"	9 - Traffic Report, June, 1972
"	"	9a - Traffic Report, 1/21/74

Petitioners' Exhibit No. 10	-	Plot - 9/27/72
" " " 10a	-	Plot - 8/8/73 - Proposed additional lanes at Timonium Road
" " " 10b	-	Rev. - 8/23/73
" " " 10c	-	Rev. 9/11/73
" " " 11	-	Plot - 2/28/73 - Proposed Podiatry School
" " " 12	-	Official Zoning Map 2-D (copy) with Planning Board Recommendations
" " " 13	-	Official Zoning Map 3-D (copy) with Planning Board Recommendations
" " " 14	-	Official Zoning Map 3-C (copy) with Planning Board Recommendations
" " " 15a	-	Planning Board Recommendations 2-D (2 sheets)
" " " 15b	-	Planning Board Recommendations 3-D (2 sheets)
" " " 15c	-	Planning Board Recommendations 3-E (2 sheets)
" " " 16	-	(a thru g) Series of photographs marked on back
" " " 17	-	Copy of Page 71 of the Baltimore County Zoning Regulations - Section 259.2.D
" " " 18	-	Copy of letter - Koltenbach to Downs - 1/21/74
" " " 19	-	Copy of letter - Downs to Koltenbach - 1/28/74
" " " 20	-	1980 Guideline
" " " 21	-	Zoning File No. 67-216-RX
Protestors' Exhibit A	-	Zoning File No. 73-61-R
" " B	-	Official Zoning Map
" " C	-	Copy of Appendix B, Baltimore County Planning Board Meeting 6/12/67 - Criteria for Town Center
" " D	-	(1 thru 7) Photos of homes in area
" " E	-	Plot - Jan. 1974 - State Dept. of Tax Assessment
" " F	-	Data Sheet of Shopping Center

Protestants' Exhibit	G-1 -	233 W. Timpinson Road
"	G-2 -	Protestant Church
"	G-3 -	Surrounding neighborhood
"	G-4 -	"
"	G-5 -	View to west - 233 Timpinson Road
"	G-6 -	View to east
"	G-7 -	1-63
"	G-8 -	View to west
"	G-9 -	"
"	H -	Traffic Study - Robert L. Morris
"	I -	Photo - Looking west on Timpinson Road
"	J -	Report of Planning Board - Zoning Cycle III
"	K -	(1 thru 3) Series of photos showing conditions - 8722 Valleyfield Road
"	L -	(1 thru 5) Series of photos (aerial)
"	M -	Qualifications of Friedrich E. von Schwarzenher
"	N -	Composite Population Study

May 21, 1974 Record of proceedings filed in the Circuit Court for Baltimore County

Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, as are also the use district maps, and your Respondents respectfully suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your Respondents will produce any and all such rules and regulations, together with the zoning use district maps, at the hearing on this petition or whenever directed to do so by this Court.

Respectfully submitted

Edith T. Elsenhart, Administrative Secretary
County Board of Appeals of Baltimore County

OPINION

This case comes before the Board on an appeal by the Petitioner from an Order of the Zoning Commissioner, dated December 18, 1972, denying the requested petition. The subject property is a 72 acre tract of land located on the southwest corner of Interstate 83 (Baltimore-Harrisburg Expressway) and Timonium Road, in the Eighth Election District of Baltimore County, Maryland. The existing zoning is D.R. 2 on approximately 20 acres at the corner, and D.R. 3.5 on the remainder (See plat, Petitioner's Exhibit 1-A).

The Petitioner seeks a zoning reclassification on the entire 72 acres to 8.M., (Business Major). He has dismissed his petition for changes from Undistricted to C.C.C. and C.S.A. Districts. If successful in his petition, he testified that he plans to develop a modern bi-level enclosed mall type regional shopping center, containing 839,000 square feet of retail floor space. He stated that he has abandoned a part of his previous proposal wherein he planned to construct a ten-story office building containing 100,000 square feet of space. His current plans, however, are not binding on him, and if successful in his petition he could construct anything permitted by the zoning regulations.

It is the Petitioner's burden in this proceeding to show that the County Council erred by zoning the property D.R. 2 and C.R. 3.5 when it adopted the comprehensive zoning map for the area on March 24, 1971, (Zoning Map 3-C), and/or that there have been changes in the character of the neighborhood since then substantial enough to warrant reclassifying the property to B.M.

The Board heard four days of testimony and admitted more than forty exhibits into evidence. Both sides to the case produced an array of highly qualified and respected

expert witnesses, who testified in their particular discipline to support their respective views and conclusions. The hearing was well attended and orderly. Each witness was given full opportunity with proper decorum to present his testimony.

Testimony for the Petitioner regarding "error" was to the effect that a regional shopping center is both essential and feasible at the subject location to satisfy a need in this dynamically growing sector of the County, and that no other suitable large site in one ownership is available; that County Preliminary Master Plans and Guidelines had recommended that a Town Center be developed in the subject area; that a Town Center designated by the Council to be located at York and Padonin Roads was improbable of fruition due to complexities of ownerships, uses and lack of access; that good planning for a neighborhood and community development concept dictated the reclassification of the subject to B.M.; that the Council removed from the preliminary map other recommended commercial areas, and failed to authorize them elsewhere at a logical location such as the subject tract; that widening of Timonium Road in front of the subject and the widening of the Timonium Road underpass at I-83, at Petitioner's expense, would solve traffic movements generated by the proposal, and that sewer and water utilities are available.

Petitioner went on to cite as changes in the neighborhood: The construction of the ramp from Timonium Road to the southbound lanes of I-83; the completion of two additional traffic lanes on I-83 extending from the Beltway to Padonia Road; the construction of the greatly improved Beltway interchange with I-83, and the negotiations being conducted and the acquisition of a part of a large tract of land west of the subject by the Board of Education for development of multiple schools.

The Protestants countered with testimony claiming that the County Council did not err in placing the subject in D.R. 2 and D.R. 3.5 because, in their opinion, the Baltimore-Harrisburg Expressway (I-83) is still a proper line of demarcation between residential use to the west and commercial-industrial use to the east, as cited in Hewitt v. Baltimore Co., 220 Md. 48. The west side of I-83, from the Beltway on the south to Shawan Road on the north and as far west as Park Heights Avenue, is exclusively residentially zoned. Residential development is contiguous to the north, west and south of the subject,

interrupted on the west by the proposed Podania school complex. The traffic generated by the proposed shopping center could increase the trip density to an average of 36,000 vehicles a day. The present shopping needs of neighboring residents are satisfied by existing facilities, and they believe that granting the petition would adversely affect their property values and their general welfare.

The Board has studied the testimony and exhibits carefully. The Petitioner has not conclusively resolved the Timonium Road nor the underpass widenings, (see letter - Petitioner's Exhibit 19). The traffic generation that is anticipated from the proposed shopping center, even without considering the potential traffic generated by an enrollment of 6,000 pupils at the proposed Padonia school complex, would certainly overtax the local roads, even if the roads were improved as stated. Any large scale commercial use would be an incompatible intrusion into an all residential area. The Board believes that I-83 should continue at this time as a physical barrier separating the residential from the industrial-commercial uses.

The evidence indicates that the subject rezoning was an issue before the County Council at the Public Hearings preceding the adoption of the comprehensive zoning map. The Council had substantially all of the information that has been presented at this hearing. The Board believes that there may be some margin of error whereby the Council zoned the twenty acres nearest the intersection at a lower density (D.R. 2), than it zoned the farther removed fifty-two acres in the higher density of D.R. 3.5, but this is not compelling enough to reclassify the subject to B.M. Neither does the claim of change since the adoption of the map warrant such reclassification. The Petitioner has failed to overcome the burden of proving his case.

For these reasons and from all of the testimony and evidence presented, the Board finds that the County Council did not err in zoning the subject D.R. 2 and D.R. 3.5, nor has there been any substantial change in the character of the neighborhood since the adoption of the zoning map, on March 24, 1971, to justify the granting of the petition. Therefore, the Order of the Zoning Commissioner, dated December 18, 1972, is affirmed.

and the petition to reclaim the subject property from D.R. 2 and D.R. 3,5 to B.M. is hereby denied.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 22nd day of February, 1974, by a majority of the County Board of Appeals ORDERED, that the reclassification petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slowik, Chairman

W. Giles Parker

MEMORANDUM IN SUPPORT OF PETITION FOR RECLASSIFICATION

Re: Petitioner - Williams Construction Co., Inc.
Reclassification of property from DR 2 and 3.5 to BM
with CCC and CSA District

The petition to which this statement relates is for BM zoning with districting of CCC and CSA of 64.5 acres in the south-west quadrant of the interchange of Timonium Road, and Interstate 83, the Harrisburg Expressway. This tract, in a single ownership, has frontage of about 1200 feet on the south side of Timonium Road, extends southward an average of about 2000 feet, and contains 1-83 for 1600 feet west of the ramp. For a depth of about 750 feet south of Timonium Road, the tract is zoned DR-2, and the remainder, DR-3.5. Mr. A. V. Williams, President of the Williams Construction Co., Inc., which was the subject tract, believes that this property offers an ideal location for an enclosed, air-conditioned and heated, planned mall-plaza type of regional shopping center, including major department stores. Several such definitely desire to be in this location, wishing to be as close as possible to the Beltway, so as to be able to draw easily from all directions.

BM zoning of this tract was requested in 1970 in connection with the comprehensive revision of the Countywide zoning map. Because of the tremendous number of tracts involved in that operation, it was almost impossible to be able to have the opportunity to present an adequate case for a project of this kind before the Planning Board and the Council. When this subject tract came up for consideration by the Planning Board, with a minimum of discussion, BM zoning was turned down by only one vote - 4 to 3. Two members who live in this part of the County, and who appeared more cognizant of the significant factors of the case, spoke strongly but unsuccessfully in favor of this BM zoning. The Council, in its preliminary recommendation, gave its approval to the BM zoning. Later, however, after violent opposition by citizen organizations to anything other than residential zoning west of I-83, the Council withdrew the BM zoning. This appears to have been an outstanding example of "zoning by plebiscite", a procedure that is universally recognized by courts as being an unwarranted utilization of the "police power", which forces the final basis of zoning. It is the intent of this statement to demonstrate that the present residential zoning, in the light of various factors, is an unrealistic mistake, and contrary to the public interest. It is relevant to describe briefly the tract and its vicinity as to present land uses, access, and future potentials. These factors will then be considered in relation to the desired intent of the owner to create an outstanding mall-plaza on this tract, and briefly indicate his anticipated procedure for its accomplishment.

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for access to the plaza via I-83 and the Beltway, and somewhat, via Timonium Road east of I-83, for patrons from that general residential area.

5. It was a mistake not to recognize that in both the Towson Sector Center and the Timonium Town Center (at Padonia Road), there is a lack of adequate acreage to build one or more department stores in a unified mall plan. In view of that situation, both of these centers are most likely to continue to develop with scattered apartments, and office buildings, and some separate commercial buildings of moderate size.

6. In view of item 5, it was a mistake not to recognize that the subject site is ideally located between the Padonia Road and Towson centers, with good close access to both expressways, so that it can accommodate a modern mall-plaza to complement and supplement their apartment and office facilities.

7. It is a mistake not to recognize that covenanting (as previously and currently proposed by the owner) can guarantee the carrying out of a carefully designed mall-plaza plan for the subject site.

Changes Affecting the Zoning of the Subject Site - In early 1971, when the Comprehensive Rezonning Maps of the County were being considered, the new access ramp in the southwest interchange quadrant and the two in the northeast quadrant, to and from Greenspring Drive, were planned for, but not built. A year later (in mid-March, 1972) these ramps are practically finished and will certainly be usable before the September cycle hearings begin. Together with the completed additional lanes on I-83, and the progressing (though still unfinished) greatly expanded interchange of I-83 and the Beltway, there will be a significant change in the traffic picture as relating to the subject tract and its vicinity.

Conclusion - It is to be expected that there will again be opposition to this BM zoning proposal. Objection by residents, not only in the vicinity but from rather remote areas, to any change, especially to non-residential or higher-density uses, is typical and understandable, in view of human nature. But experience elsewhere has shown that the kind of attractive mall shopping center that is proposed and practicable here would not downgrade residential values or desirability, or be at all offensive to residents in the immediate vicinity or general area. Judged by enthusiastic written comments from residents and numerous civic organizations in the immediate neighborhood and larger service area of Mr. Williams' Capital Plaza in suburban Washington, an even finer, enclosed mall-plaza in the subject location would become a real convenience and asset to residents of surrounding communities.

Description of the Tract - There are a half-dozen houses on the 72 acres, all on sizable tracts, at varying distances back from the road. These may well have served to influence the placing of DR-2 zoning on the 750-foot frontage strip. They would of course, be removed in doing the mall-plaza development. The highest point of the tract is on its west side, not quite halfway back from the road, with slopes north, east, and south from that minor ridge.

Description of Surroundings - The Harrisburg Expressway borders the whole east side of the tract. Beyond it is the large Timonium Drive-in movie theatre, east and north of which are several light industrial plants. Other such industries also occupy the northeast quadrant of the interchange and extend northward. Across Timonium Road from the subject tract there are five scattered houses. Behind them is an extensive subdivision of 60-foot lot type housing. To the west, south of Timonium Road, there are a few houses, some several hundred feet back on the ridge land. Behind them and westward are large acreage tracts. Abutting the south side is the Longford North subdivision of quarter-acre lots, extending to Seminary Avenue.

Access to the Site - The tract has about 1200 feet of frontage on the south side of Timonium Road, immediately west of the interchange ramp. Widening of I-83 to three lanes in each direction from the Beltway to Padonia Road is nearing completion, as are a southbound ramp from Timonium Road in the southwest quadrant and two new ramps on the northeast side. A greatly improved Beltway interchange with I-83 is now being built. Low traffic counts in Timonium Road west of the Expressway essentially reflect traffic only to and from residential developments and estates. They are considerably less than the traffic volumes on Seminary Avenue west of York Road. Valleyfield Road, the most continuous street in Longford North, stops at the south boundary of the subject tract. It was expected eventually to continue to Timonium Road, but could be stopped from entering the proposed mall-plaza.

Proposed Development of the Tract - Accompanying this statement is a plan which shows the type of mall-plaza intended to be built on this tract. Current department store policy favors unified planned relationship of two or more such establishments. The enclosed mall in the new city of Columbia in Howard County is the most recently completed one in Maryland. Another is under construction at Rolling Road and Security Boulevard. Montgomery Mall in Montgomery County is one of the newer examples in Metropolitan Washington. Capital Plaza, opened in 1963, in Prince Georges County, in the eastern quadrant of Baltimore-Washington Parkway and Md. 450 was developed and is owned by Mr. Williams. Comprising 59 acres, planned as a unit, Capital Plaza represents much the type of project that he wishes to develop on the Timonium Road tract. The buildings are harmoniously and well-designed and the landscaping is excellent.

- 6 -

A completely negative, hostile, and not well-informed approach by citizens is not conducive to the best results in long-range planning for Baltimore County. And it must be remembered that the limitations on use of property that zoning places, without remuneration, under the police power, is legally justifiable only in the public interest, and not based merely on individual or group preferences.

Respectfully submitted,

BALTIMORE COUNTY

ZONING ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Mr. Oliver L. Myers
Chairman
Zoning Advisory Committee
County Office Building
Towson, Maryland 21204

Re: Cycle Zoning III
Item 32 - ZAC - 4-4-72
Property Owner: Williams Construction Company
SW Quadrant of Timonium Road & I-83
Reclass. to BM, with district to CCC & CSA
District 8

Dear Mr. Myers:

The subject petition is requesting a change from DR 2 and DR 3.5 to BM. This zoning change would increase the trip density from 2203 to an average of 36,000 vehicles a day.

The present road system, existing or proposed, can not handle the volumes anticipated from this site.

Very truly yours,

Richard Moore
Richard Moore
Assistant Traffic Engineer

CC: Mr.

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING, TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E. Wm. T. MILLER
DIRECTOR DEPUTY TRAFFIC ENGINEER

April 28, 1972



STATE HIGHWAY ADMINISTRATION

300 WEST PRESTON STREET
BALTIMORE, MD 21201

TELEPHONE 333-3333

April 14, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attn: Mr. O. L. Myers

Re: ITEM 32
Property Owner: Williams
Construction Co.
Z.A.C. Meeting 4/4/72
Reclassification
Location: S/W quadrant Timonium
Road & I-83
Baltimore-Harrisburg Expressway
Present Zoning: D.R. 2 and D.R. 3.5
Proposed Zoning: Reclass. to R.M.
Redistrict to CCC and CSA
District 8 No. Acres: 72

Dear Sir:

The design of the storm drain structures under Interstate Route 83 was based on the zoning of the drainage area as it was zoned at the time that the design was made.

If the subject petition is granted and the site is developed as proposed, the aforementioned drain structures could be rendered inadequate to accommodate the increased storm water that would run off of the site.

Very truly yours,

Charles Lee, Chief
Development Engineering
Section

By: John E. Myers
Asst. Development Engineer

CLJ:EMK

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

812-7310

April 25, 1972

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
Attn: Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee

RE: Property Owner: Williams Construction Company

Location: S/W Quadrant of Timonium Road and I-83

Item No. 32 Zoning Acres 4/4/72

Gentlemen:

Pursuant to your request, the referenced property have been surveyed by this Bureau and the comments below marked with an "x" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.

- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code," 1970 Edition prior to occupancy.

- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *J. E. Deitz* Noted and *J. E. Deitz*
J. E. Deitz, Chief Deputy Chief
Special Inspection Division Fire Prevention Bureau
mb 4/17/72

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

April 17, 1972

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
Office of Planning & Zoning
Baltimore County Office Bldg.
Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item 32, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: Williams Construction Company
Location: S/W Quadrant of Timonium Road and I-83
Present Zoning: D.R. 2 and D.R. 3.5
Proposed Zoning: Reclassification to R.M.; Redistrict to CCC and CSA
District: 8
No. Acres: 72

Metropolitan water and sewer are available to the site.

Air Pollution Comments: The building or buildings on this site may be subject to a permit to construct and a permit to operate any and all fuel burning and processing equipment. Additional information may be obtained from the Division of Air Pollution and Industrial Hygiene, Baltimore County Department of Health.

Food Service Comments: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

Department of Water Resources Comments: If lubrication work and oil changes are performed at this location, revised plans must be submitted showing method providing for the elimination of waste oil in accordance with the Department of Water Resources requirements.

(continued)

Mr. Oliver L. Myers

- 2 -

April 17, 1972

Shopping Center and Apartment House Comments: Approval for a shopping center or apartment house is based upon owner responsibility for the collection, storage, and disposal of refuse in accordance with Health Department requirements.

Very truly yours,

J. Strubhorn
Sanitarian II
Water and Sewer Section
Division of Sanitary Engineering
BUREAU OF ENVIRONMENTAL SERVICES

JSM:m

GEORGE E. SAVRELLIS
Director
Jefferson Building
Suite 301
Towson, Md. 21204
466-3211



S. ERIC DINENNA
Zoning Commissioner
County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204
466-3311

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

May 9, 1972

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item 32, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: Williams Construction Company
Location: S/W Quadrant of Timonium Road and I-83
Present Zoning: D.R. 2 and D.R. 3.5
Proposed Zoning: Reclassification to R.M.; Redistrict to C.C.C. and C.S.A.
District: 8
No. Acres: 72 acres

A turn-around to conform to the standards of the Department of Public Works, must be shown on Valleyfield Road

Proposed lighting must be shown and so arranged as to reflect the light away from residential lots.

If there is to be a proposed service station the plan should be revised to conform to Section 405 of the Baltimore County Zoning Regulations.

Very truly yours,

Richard B. Williams
Richard B. Williams
Planner II
Project Planning Division
Office of Planning and Zoning

BOARD OF EDUCATION OF BALTIMORE COUNTY

ITEM #32

TOWSON, MARYLAND - 21204

Property Owner: Williams Construction Company

District: 8

Present Zoning: DR 2 & DR 35

Proposed Zoning: RM, CCC & CSA

No. Acres: 72

No bearing on student population other than resulting in a loss of potential students.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 8, 1972

Williams Construction Co., Inc.
8660 Pulaski Highway
Baltimore, Maryland 21221

Re: Reclassification Petition
3rd Zoning Cycle
Item 32
Williams Construction Co., Inc.
Petitioner

Dear Sir:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an onsite field inspection of the property. The attached comments are a result of this review and inspection.

The subject property is located at the southwest corner of Timonium Road and Interstate 83 in the Eighth Election District of Baltimore County. This 72 acre tract was the subject of the County Council issue during the map adoption process. The complex of the area on the west side of Interstate 83 is strictly residential. There are two large single family residential developments on the north side of Timonium Road known as Pine Valley and Valley Wood and another single family subdivision known as Longford North, is directly to the south of this site. The properties to the west of this site are large single family homes. All of the homes in this area range from \$24,666 to over \$30,000 in value. The property on the east side of Interstate 83 is zoned industrial and is so developed. At this time highway improvements are being made with the addition of an on ramp to Interstate 83 from the southwest side of Timonium Road.

The subject petition is accepted for filing; however, the site plan must be revised to indicate all access points, any automatic service stations that are anticipated and all structures within 200 feet of this property.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

John J. Dillon
JOHN J. DILLON, Jr., Zoning Tech. II

OLM:JJD:bbr

December 18, 1972

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

RE: Petition for Reclassification
S/S of Timonium Road, 1488
W of the Baltimore-Harrisburg
Expressway - 8th District
Williams Construction Company
et al - Petitioners
N.C. 73-61-8 (Item No. 32)

Dear Mr. Harrison:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

SEDivc
Attachments
cc: E. Scott Moore, Esquire
408 Jefferson Building
Towson, Maryland 21204

John H. Garner, Esquire
408 Jefferson Building
Towson, Maryland 21204

PROTESTANTS' EXHIBIT

ROBERT L. MORRIS
Consultant in
Transportation Planning
& Traffic Engineering
P.O. Box 14230
West Bethesda Branch
Washington, D.C. 20034
(301) 299-6832

EDUCATION University of Maryland, B.S., Civil Engineering, 1949
University of Maryland, M.S., Civil Engineering, 1950
Eastern College, LL.B., 1957

EXPERIENCE Head, Master Plan Section, Department of Planning,
Baltimore, 1957
Acting Assistant Commissioner of Traffic,
Baltimore, 1959
Senior Planner-Transportation, Downtown Progress,
Washington, 1960-1967
Vice-President, Alan M. Voorhees & Associates,
1967-1973

PROFESSIONAL ORGANIZATIONS Institute of Traffic Engineers - Fellow
Past President, Washington Section
Past Chairman, Delegation to National Committee
on Uniform Traffic Laws and Ordinances
American Society of Civil Engineers - Fellow
American Institute of Planners - Member
Highway Research Board - Member

REGISTERED PROFESSIONAL ENGINEER
New York Maryland
Virginia Tennessee
Kentucky Ohio
Florida Delaware
New Jersey Pennsylvania
Connecticut

MEMBER OF THE BAR OF MARYLAND

*Protestant's Letter
A.V. Williams*

Robert L. Morris

RESPONSIBLE STUDIES

Downtown transportation, circulation, and accessibility
Washington, D.C.
Buffalo
Louisville
Kansas City, Missouri
Port Lauderdale
Chicago

New Town transportation planning
Columbia
Boston
Fort Lincoln
Lynchburg
Mannville
Germantown
West Valley

Parking studies
Downtown Baltimore
Charles Center
Inner Harbor, Baltimore
Washington, D.C.
Louisville
Vanderbilt University
Johns Hopkins Hospital

Traffic studies
Greenbelt
Laurel
College Park
Charlotte
Newark, Delaware
Baltimore County
Hyattsville

Shopping center traffic planning
Various locations in:
Maryland
Virginia
Ohio
Delaware
New Jersey
New York
Pennsylvania

Pedestrian studies
Downtown Washington
Salt Lake City
Oklahoma City

MORRIS

Responsible Studies (Continued)

Accessibility studies
Philadelphia Bicentennial
Washington Visitors' Center
Battery Park City
Metromon, Philadelphia
Southwest Washington Employment Area
Johns Hopkins Medical Institutions
Suitland, Maryland

Model cities transportation planning
Rochester, New York
Norfolk

Transit planning
Minibus in Downtown Washington
Columbia
Bus circulation plan, Washington
Subway alignment, Washington

Highway planning
Traffic assignment, Jones Falls Expressway
Major arterial plan, Baltimore
Gravity model analysis, Baltimore

Demonstration project design
Winthrop
F Street Plaza
Mass Transit Information

Traffic law and ordinances review and analysis
Buffalo
Jackson
Aspen
Tallahassee
Madison
Jersey City

Expert witness, traffic and transportation
Various jurisdictions in:
Maryland
Virginia
District of Columbia
Pennsylvania
Michigan
Vermont
Delaware
New Jersey
New York

ROBERT L. MORRIS

PUBLICATIONS

Morris, Robert L., Arthur D. Moway and Walter Thabit, "Pedestrian Way
Business Districts," *The American City*, March 1957

Morris, Robert L. and Alan M. Voorhees, "Evaluating and Forecasting
Travel for Baltimore by Use of a Mathematical Model," *Highway
Research Board Bulletin* 224, 1959

Morris, Robert L. and James Booth, "Transit versus Auto Travel in the
Future," *Journal of the American Institute of Planners*, May 1959

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System," *Highway Research Board Bulletin* 147, 1962

Morris, Robert L. and S. B. Zisman, "The Pedestrian, Downtown and the
Planner," *Journal of the American Institute of Planners*, August 1962

Morris, Robert L., "Traffic Considerations in Planning Central Business
Districts," *Traffic Engineering*, June 1964. (As chairman of ITE
Committee 45-2-2)

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June 1965

Morris, Robert L., "Downtown: Part 1. The Pulse," *Nation's Cities*,
October 1967

Morris, Robert L., "Downtown: Part 2. Downtown's Nervous System,"
Nation's Cities, November 1967

Morris, Robert L., "Downtown: Part 3. The Pedestrian," *Nation's Cities*,
December 1967

Morris, Robert L., "Transportation Planning for New Towns," *Highway Research
Record* 291, 1969

Morris, Robert L., "Traffic Control," *Nation's Cities*, January 1969

Morris, Robert L., "New Towns and Old Cities: Part 1. The Impact of New
Towns," *Nation's Cities*, April 1969

Morris, Robert L., "New Towns and Old Cities: Part 2. What can the Cities
Learn from New Town Experience?" *Nation's Cities*, May 1969

Morris, Robert L., "New Towns and Old Cities: Part 3. Prospects for
Coexistence," *Nation's Cities*, June 1969

MORRIS

Publications (Continued)

Morris, Robert L., "Transportation Planning for a New Community,"
Public Works, October 1969

Morris, Robert L., "Social Considerations of Urban Transportation
Plans," *Transportation Engineering Journal of ASCE*, Vol. 96,
No. 78, August 1970

Morris, Robert L., "Sidewalks Are the City," *Nation's Cities*,
April 1971

Morris, Robert L., "Traffic Planning Considerations in Location of
C.B.D. Parking Facilities," *Traffic Engineering*, June 1971.
(As chairman of ITE Committee 60.)

Morris, Robert L., "Changing Transportation Planning Concepts,"
Nation's Cities, April 1972

THE VALLEYS PLANNING COUNCIL, INC.

212 Washington Avenue
Towson, Maryland 21204
Valley 8-7807

June 1, 1972

Mr. Charles B. Heyman, Chairman
Baltimore County Planning Board
301 Jefferson Building
Towson, Maryland 21204

Dear Mr. Heyman:

The enclosed Resolution was presented by a resident of the Seminary
Avenue area at the Annual General Membership meeting of the Valleys
Planning Council, Inc. on Thursday, May 25, 1972. Because of
improper procedure on my part in calling the meeting the Resolution
was not made or moved upon in the normal manner, however, by a
unanimous showing of hands the Membership supported the Resolution
one hundred percent and I am writing to advise you of this position.

Very truly yours,

H. Parlo: Nathaniel
President

cc: Mr. S. Eric DININNA
Zoning Commissioner
Baltimore County
111 W. Chesapeake Avenue
Towson, Maryland 21204

RESOLUTION

Resolved that the members of the Valleys Planning Council at their
Annual Meeting on May 24, 1972 wish to emphatically express their opposition
to the petition filed on April 9, 1972 by the A. V. Williams Construction Company
to request commercial zoning for the 72 acre tract of land at the southwest
corner of Timonium Road and the Harriburg Expressway. The said petition
requests the highest commercial classifications of CCC, BM and CSA for the
stated purpose of constructing a large regional shopping center.

As residents of the areas adjoining this tract, we are totally opposed to
any commercial zoning on this tract. Such commercialism is unwanted,
unnecessary and undesirable. We the residents and home-owners oppose this
project which will be costly to many in favor of the profits of but a few.

It is further resolved that the A. V. Williams' petition is absolutely
contrary to the planned and regulated development of the Valley's Area as
cited in the Comprehensive Plan For Valleys which was published in 1964
and to which we earnestly subscribe. The Valleys Planning Council joined
with the numerous groups of local residents to successfully oppose this
commercial intrusion during the adoption of the Comprehensive Zoning Maps
in 1971 and we continue to stand in opposition this request for commercial
zoning and in favor of the residential zoning classifications presently in
existence for the subject tract.

May 24, 1972

Mr. Eric DiNenna,
Zoning Commissioner,
Baltimore County...
Dear Mr. DiNenna:



Please know by this letter that as a resident of Baltimore County I am concerned deeply regarding the zoning appeal of A.V. Williams.

The Planning Staff and Board have properly deliberated and subsequently properly opposed the 72 acre shopping center at Timonium & Harrisburg Expressway. The staff members of "Agree" speak out, as well, against this location for a center.

cc: Mr. Emory L. Brown, Jr.
Past Chairman, Planning Board

CHARLES S. HOOPER, JR.
8303 THORNTON ROAD
BALTIMORE & MARYLAND

BFC BLAKE, FLAX & CAROZZA INSURANCE, INC. 7400 YORK ROAD TOWSON, MARYLAND 21204
LIFE • AUTO • FIRE • THEFT • MARINE • HOMEOWNERS • BOATS 825-2700

August 21, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21206

Re: Williams Shopping Center

Dear Mr. DiNenna:

Again, I understand Mr. Williams is asking that the property along Timonium Road-York Harrisburg Expressway be rezoned to allow building of his regional shopping center.

It is a shame that the residents of the adjoining communities have to constantly live in fear of this rezoning question. Certainly the Planning Commission of Baltimore County has expressed itself clearly on the subject property. For years the Harrisburg Expressway has been the buffer, and yet, the laws are so lenient that this question is allowed to come up again. No wonder the public becomes not only upset, but suspect, of the decisions made in these cases.

As Zoning Commissioner of Baltimore County it behooves you to again listen to the voices of the county residents and businesses and deny this request.

Sincerely,

Charles Ross Carozza
Charles Ross Carozza
2101 Pine Valley Drive
Timonium, Maryland 21093



Mr. S. Eric DiNenna
Zoning Commissioner
Baltimore County Office Building
Towson, Maryland 21206

Dear Mr. DiNenna,

Our family makes its home in the Pine Valley / Valley Wood area of Baltimore County and have enjoyed living there for the last thirteen years.

We have become alarmed and concerned about the A. V. Williams Construction Company's proposal to re-zone the area West of the Harrisburg Expressway, south of Timonium Road, for a regional shopping center. Presently, as you know, this area is zoned residential and we believe that it should remain this way for many good sound reasons to preserve the value of our natural residential surroundings.

Increased traffic through one small road, increased sewage, water and electrical facilities are reasons we feel justified to oppose such a giant shopping center in a residential area. These extra burdens would effect the environment and ecology of the land if this shopping center were constructed on this parcel of land.

Please give this issue of re-zoning your careful consideration and help us retain our residential neighborhood.

Thank you for hearing our plea.

Yours truly,

Robert W. Hanauer
Robert W. Hanauer



221 Burning Tree Road
Timonium, Maryland 21093
August 22, 1972

Mr. Eric DiNenna
Baltimore County Zoning Commissioner
County Office Building
Towson, Md. 21206

Dear Sir:

I take this means to protest vehemently the proposed construction of yet another shopping center. This one intended for the area of Timonium Road and the Harrisburg Expressway. I become increasingly perplexed at the need to write letters of protest against projects of this nature when all reasonable desire and right to a clean and tranquil buffer against the sprawl of excessive industrialization.

The super-saturation of our environment with asphalt and concrete monuments to those among us whose only motivation is for personal profit is an affront to the basic human desire and right to a clean and tranquil buffer against the sprawl of excessive industrialization.

I urge all citizens of Baltimore County to join me in protest whether listed in the immediate vicinity of the proposed or not. Let us unite and direct our unified effort at the political system and the Baltimore County Planning Board to effect a stabilization on unneeded, unwanted, and deleterious construction. Aesthetic preservation, land waste reduction, is an old idea whose time just came again.

I urge action against this proposal.

Thank you for your attention to this matter.

Sincerely,
Paul F. George, Jr.
Paul F. George, Jr.



RICHARD ALCHIN
Box 1344 Chapel Ridge Road, Timonium, MD 21093

September 19, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland

Dear Mr. DiNenna:

RE: Petition of Williams Construction Company and John and Louise Fowles Opposition to the Petition(s)

I understand that petition has been filed for re-zoning of property at the southwest corner of Timonium Road and I-83 from low density residential to commercial; hearings are scheduled for September 27, 28 & 29, 1972.

I strongly oppose this petition(s).

This attempt for re-zoning is a repeat of prior attempts that resulted in establishing categorical opposition by affected area residents, including me. I am unalterably opposed to any commercial mixing of property adjacent to I-83 on the west, and west from there to Falls Road and beyond, from the beltway on the south to at least Shawan Road on the north. To my knowledge, other area residents and property owners are unanimously of the same opinion.

In light of prior opposition, and continuing oppositions, the petition is ridiculous, tiring and trying. Can't this issue be settled once and for all?

Sincerely,

Richard Alchin

cc: The Valley Planning Council, Inc.



MR. S. ERIC DINENNA



I am opposed to the petition before the Planning Board and Zoning Commission for rezoning to commercial development of the 72 acre tract by A.V. Williams for his Shopping Center.

I was opposed to it in 1971, am opposed to it now and will be opposed to it in 1973, if you permit Mr. A.V. Williams to appeal the rezoning.

Again, I think that when this appeal is selected again in 1972, Mr. Williams should not be allowed to re-appeal for a minimum of 5 years.

Respectfully,
A.T. Whitlone
8513 Valleyfield Rd

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21206

Dear Sir:

As a taxpayer resident of 8606 Valleyfield Road, Lutherville, I am writing you to encourage you to stand your ground and to oppose the request for rezoning proposed by A. V. Williams for the 72 acre tract located at the end of Valleyfield Road and extending to Timonium Road along the Harrisburg Expressway.

This subject, as you know, has been extremely controversial to the residents of this entire area, and we simply cannot understand why Mr. Williams feels that he is doing us such a great favor by proposing this tremendous regional shopping center that is in no way needed nor is it compatible or desirable to the west side of the Harrisburg Expressway.

It is our honest belief that this would completely destroy the residential nature of Longford North, Pine Valley and Pine Wood areas and would greatly affect other surrounding residential areas. We have heard many times of the feeling that the many traffic problems and sewage problems in this area already indicate needed changes that are most undesirable to us just to handle these basic facilities. From this, it is inconceivable to us that the encouragement of a center of this kind, which could give us an additional flow of 20,000 automobiles daily along with 25,000 people in transit, could even be considered. We feel that the residential nature for which we paid substantial prices and on which we pay substantial taxes would be severely threatened.

I am sure that you have studied this situation and realize the deep concern that we feel for our property values, our children and our neighborhoods, and I wanted to take this opportunity to let you know that I will fully support you and other county officials who will stand firm in opposition to this request for rezoning.

Very truly yours,
Charles B. Watson
Charles B. Watson



Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21206

Dear Sir:

I would like to add my voice to the others in protest of the proposed shopping center which is the cause for the request for rezoning of Mr. A. V. Williams in the area at Valleyfield Road near Timonium Road. I purchased my present home only recently. The major attraction of the area was the neighborhood atmosphere and the relative quiet of the area. It is my honest feeling that the use and enjoyment of this home will be seriously impaired if the whole complexion of the area is changed.

Very truly yours,

Paul H. Jacob
Paul H. Jacob

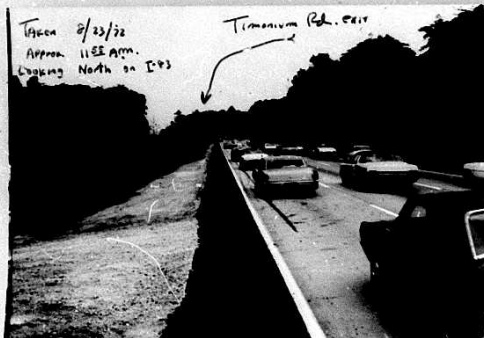
cc: Dr. Donald F. Haskell
4 Nutfield Ct.
Lutherville, Md. 21093



821 Jamieson Road
Lutherville, Md. 21093

September 14, 1972

73-61-8



Mr. S. Eric DiNenna
Zoning Commissioner for Balto. Co.
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Sir:

I, my family and friends wish to protest vigorously the proposed shopping center by the Williams Company on Timonium Road and I-83 which comes up this month.

The enclosed picture was taken on August 23rd -- the first day of the racing at Timonium. Mind you, the fair was not starting for two more weeks -- but look at the traffic! Imagine the shopping center he proposes, with 30,000 cars a day coming in -- what awful traffic conditions would exist!!!

Another thing -- Timonium Road does not have a full 8-leaf cloverleaf as would be necessary to handle such traffic. It has only 4 leaves on Timonium Road, and another 2 on Greenspring Avenue, which means a person coming off the Beltway (from which most cars would come) would have to get off on Greenspring Avenue, come to a red light at the Busco Station, then turn right to go to the proposed shopping center. Imagine the majority of 30,000 cars doing this daily!!!

I VOTE AGAINST THE PROPOSAL, AND I HOPE YOU WILL VOTE IT DOWN!!
Don't ruin Baltimore County because of the big money the developers have.

Sincerely yours,

F. Paul Galone
233 W. Timonium Road
Timonium, Maryland 21093

FPG:ser



Frank C. Ruckhouse
R D 1, Moss Chapel Road
Timonium, Maryland 21093

September 19, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

We are absolutely opposed to the development of the huge A. V. Williams shopping center at the corner of Timonium Road and I-83. This area already has many more stores than it can support. We do not want the pollution, the traffic, the destruction of trees and land that commercialism brings.

This section west of I-83 has been planned as a residential area. Please keep it that way.

Yours very truly,

David Berger
David Berger

cc: Mr. Dave Berger
229 Deep Dale Drive
Timonium, Maryland 21093



September 5, 1972

Mr. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

The undersigned wish to go on record as opposing the proposed development of the 60 or more acres south of Timonium Road as a regional shopping center.

Such development would place this center in the middle of a residential investment of some \$400,000,000 which is totally unfair to the residents. Regional shopping centers should be located in open spaces already zoned commercial where they do not immediately abut onto existing residential areas. The Lutherville-Timonium area is already congested due to the mushrooming of shopping centers. One only has to witness the horrendous traffic situation and unsafe conditions created at Ridgely and Timonium Roads with the opening of Stewarts.

It is obvious to anyone familiar with the Lutherville-Timonium-Towson area that there is no need for further shopping centers in the area. There are already too many and consumer services are more than sufficient to meet the needs of the population for a considerable radius from Towson. A core center as proposed, since it draws from a 25 mile radius, can be located in any one of several alternate locations not adjacent to established residential developments. Of course, the same financial interests may not be involved at another location but this should not be the concern of our elected representatives or of the Zoning Board.

A center the size of the one proposed would pour 30,000 shoppers daily into a bowl-like area which sits in the center of the fairly high cost residences I have mentioned. It is precisely because of the location that access is limited and persons living in the area would be denied easy access to their homes. Residential streets would be turned into truck-ways presenting additional safety hazards.

The Zoning Commission Board must consider the need for additional sewerage lines and storm drains to handle such a large shopping development. Costs for services are shared by all tax payers and again I submit that this is an unfair burden to impose on the residents whose property values would be depressed by their location next to a center of the magnitude proposed.

I am certain that you and your staff as professional planners agree that the best interests of the community will not be served by allowing A. V. Williams

8700 Valley Field Road
Lutherville, Maryland 21093
September 5, 1972

Mr. Eric DiNenna
Page 2

property to be changed on the zoning maps from residential to commercial in view of the reasons I have stated and the strong opposition from the other property owners involved. I trust you will exercise the influence of your office in preventing the rezoning of the area involved from residential to commercial.

Your consideration is very much appreciated.

Very truly yours,

John Panagiotis
John Panagiotis

PP:bb



SEP 25 1972



222 Rickwood Rd.
Timonium, Md. 21093
September 19, 1972

Dear Sir:

We are supposed to be living in a country that has government of the people, for the people, and by the people. In this case the people residing in the various communities West of the York-Harrisburg Expressway and North of the Beltway have expressed a strong desire to their local government to keep this corridor a residential area and not a business area. They expressed this desire last year and unfortunately have to fight the same issue again this year. They won the issue last year but evidently once is not enough.

Having just moved to this area myself, I definitely would not like to see a shopping center or any other type of business develop in this area. There are more than enough businesses already in operation very close by and I believe that enough mistakes have been made of city and town planning all over the United States, we certainly don't need anymore. Let's value something over and above the almighty dollar and keep some areas pleasant to live in. Just take a look at the York Rd. Timonium Rd. business area and see the congestion and unsightliness. I don't think we have to ruin more areas. No business area no matter how wellbuilt or planned for, for beauty or whatever, will or can compare to the tranquility and beauty of a residential area.

The hearings are slated, the signs are posted on Timonium Rd. you know the people encompassing a very large area are vehemently opposed to this rezoning, they expressed themselves last year, examine your conscience and do the right thing, don't be swayed by big business interests.

Sincerely,

Mr. C. D. Carlson
(Mrs.) C. D. Carlson

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Maryland 21204

Dear Mr. DiNenna:

I am writing this letter to you with sincere hope that you will consider the highly aroused and alarmed attitude of thousands of tax paying citizens in the Lutherville, Ridgely, Ruston, Timonium, and surrounding areas toward the proposed A. V. Williams Shopping Center.

As you know, the question of rezoning the 80 acre parcel of land southwest of the intersection of Interstate I-83 and Timonium Road has been defeated time after time in the last five years. Surely the best interest of the county residents will hopefully be reflected in your decision against A. V. Williams request for a zoning appeal. Our hopes and thoughts will be with you in the next several days, and I am counting on your compassion for the private home owner, who has diligently worked for the improvement of Baltimore County versus the private land speculator bent on self-centered private motivations.

Sincerely yours,

Robert C. Virden, Jr.
Robert C. Virden, Jr.



Robert C. Virden, Jr.
8708 Valleyfield Road
Lutherville, Maryland 21093

September 20, 1972

September 22, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Again we must express our opposition to the A. V. Williams proposed shopping center at I-83 and Timonium Road. My wife and I, by means of this letter, wish to express our firm opposition to any commercial zoning on the property above mentioned. The areas immediately adjoining the 72 acre plot are residential and any change in zoning from residential to commercial at the Williams' site would definitely effect the aesthetic and residential value of the surrounding area.

We must all work together for an orderly and sensible growth of Baltimore County. Commercial zoning in the midst of a residential area does not lend itself to either orderly or common sense zoning.

We ask that you concur with the Planning Staff and Planning Board in stating a shopping center is unnecessary at I-83 and Timonium Road.

Yours truly,

David Berger
David Berger
229 Deep Dale Dr.
Timonium, Md. 21093



Enc

MRS. GEORGE D. ZIMMER
BOX 104
CHATELAIN COURT
TIMONUM, MARYLAND 21093

September 15, 1972

Young Commissioners
County Office Building
Timonium, Maryland

Dear Mr. DeHanna:

Please do not let them build the shopping center on Timonium Rd near the 83 way. There had several stores here, it would have moved west to the shopping centers. We do not want the stores to move in next to us. We have more than enough stores nearby to us as it is. We do not need all the extra traffic this shopping center will bring. We have 4 children and three dogs. We live in because of the beauty of quiet and trees and vegetation. We do not want to grow up in a world not need all those extra cars and pavement and all that those things bring.



303 Gaibudg Rd
Timonium 21093 Md.
Sept 26, 1972

Mr. S. Euc DeHanna

Dear Sir,

My family and I have lived in the community of Valley Wood west of the Harrisburg Expressway for the last ten years.

We have enjoyed the quiet residential section and would like to keep it that way.

We have enough shopping

areas, either already built or under construction, to serve the entire section for many years to come, therefore we as Bayview oppose to the proposed Williams Co. shopping center, or any other commercial enterprise west of the Harrisburg Expressway.

PLEASE KEEP THIS SECTION RESIDENTIAL

Yours truly
Mrs Fred Korte



CHARLES L. SHERMAN, JR.
THE INVESTMENT BUILDING, SUITE 202
ONE HANCOCK PARK
BALTIMORE, MARYLAND 21201

September 28, 1972

Mr. S. Euc DeHanna
Young Commissioners
County Office Building
Timonium 21093 Maryland

Dear Mr. DeHanna:

Some owners in the Valleywood section of Timonium, my husband and I, would like to protest the Williams' proposal for a 70 acre shopping center in the section of Timonium. Not only is this a completely residential area west of the Clark-Harris Expressway, but the need for a shopping center is non-existent.

Sincerely,
Lore Korte-Herman

MICROFILMED

Mrs. Lora R. Cadron, Jr.
9 Starfield Court
Lutherville, Maryland 21093

August 30, 1972



Mr. S. Euc DeHanna
Young Commissioners
County Office Building
Timonium, Maryland

Dear Mr. DeHanna,

As a resident of Longford North I am writing to you to express my opposition to the proposed P. D. Williams Shopping Complex.

All of the oft-stated and well known objections to such a project are certainly familiar to you. As a resident of the area, I can only say that the increase in commercial following the opening of Stewart and Timonium Mall, etc. has

already had a demonstrable effect upon traffic, litter, and the safety of our roads. To add upwards of 20,000 additional cars daily, not to mention tractor-trailers for deliveries, would simply spell doom to the quality of life we and our hundreds of neighbors have hoped for.

I feel strongly that the avoidance of the P. D. Williams Co. must be done. For surely the democratic process, especially at the local level, should insure the greatest good for the greatest number of citizens and taxpayers.

Sincerely,
Nancy M. Cadron

September 27, 1972

Dear Mr. DeHanna,
Being unable to attend the hearing this week, I write to you.

As a resident of Longford North I fully support all efforts of our community association and the Timonium Valley Council to prevent the proposed commercial zoning attempt by P. D. Williams at the intersection of Timonium Road and the Harrisburg Expressway.

My protest was the same as a year ago when every resident wrote letters, made phone calls, and displayed their opposition to the overgrowth requests of P. D. Williams.

First, we do not want to see our already small but healthy, green, wooded and shrubby area due to construction giving which is known to destroy beautiful, large trees of local and they have been getting for many years.

Second, we do not want the noise, litter, and asphalt of another shopping center dropped into an entirely residential, well-kept, and tree neighborhood.

MICROFILMED

in which many of us hope to raise our children.

Thirdly, the commercial and industrial strips along York Road already supplies this area sufficiently without introducing the same thing into our residential section.

Fourth, shopping centers always expand beyond initial specifications.

Fifth, the added utilities would strain the area and cost the taxpayers as well.

Sixth, we are not interested in having any more H. Lane highways to divide our newly developing neighborhoods because a new shopping center demands such a change.

Seventh, we abhor the prospect of our beautiful residential area losing their value due to downgrading of surrounding areas.

Many Marylanders are fighting the encroachment of land development. For example, Kettle Run, Redwood,

MICROFILMED

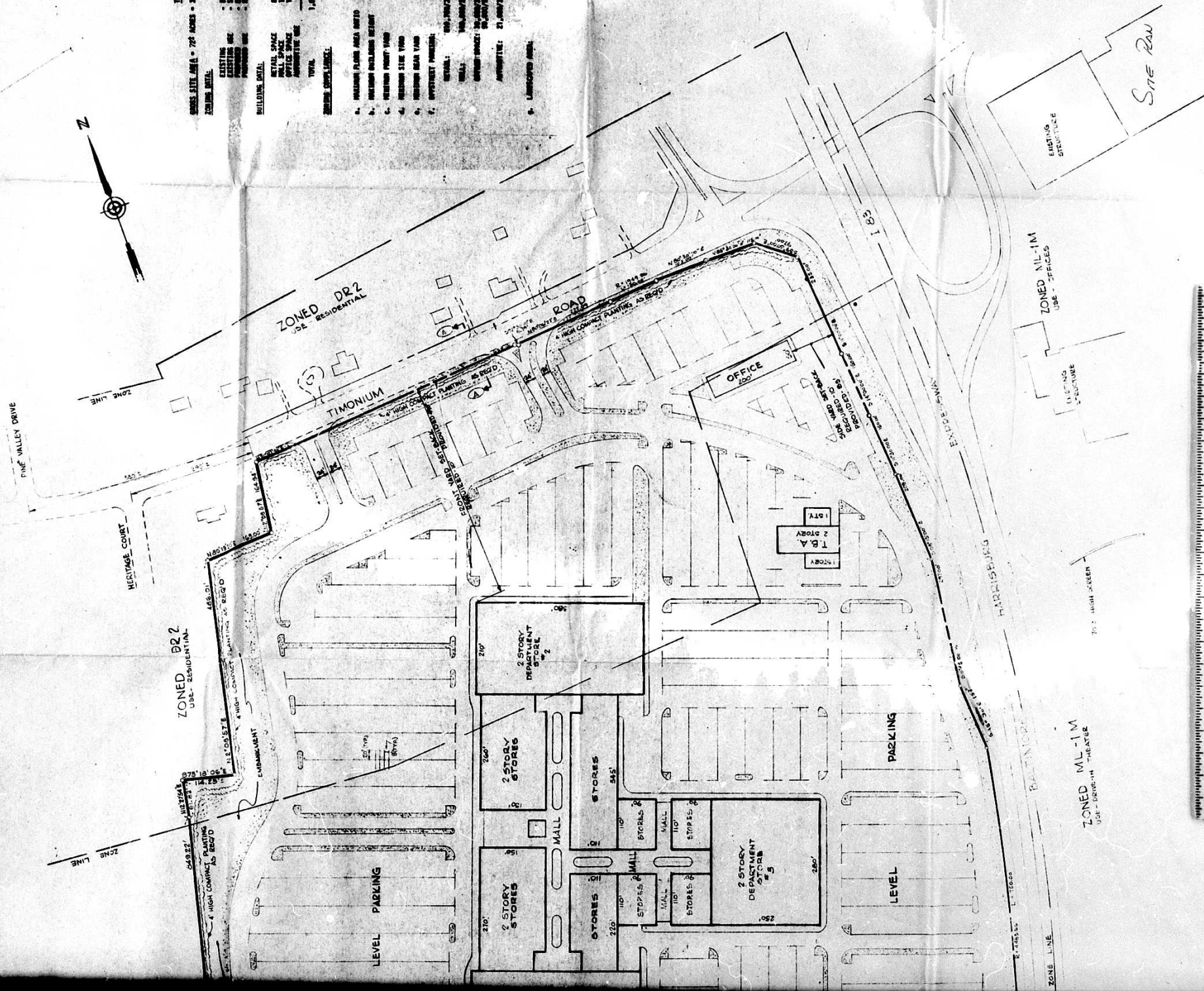
and near to the city, Columbia, Peoples want green, quiet, and beauty, not block-to-block stores, noise, and traffic. We don't ask the utility ridiculous but try to limit the pleasure of natural resources when it would occur in the wrong place.

Sincerely yours,
Mrs. Charles J. Thayer
9 Rolling Greens Court
21093



MICROFILMED

REVISIONS		
NO.	DESCRIPTION	DATE



NOTES:

1. PROPERTY LINE DATA SHOWN COMPILED FROM VARIOUS SURVEYS, PLATS AND DEEDS AS SHOWN ON PLAN PREPARED BY JAMES S. SPANIER AND ASSOCIATES, INC. DATED MARCH 10, 1972, AND DOES NOT REPRESENT A FINAL SURVEY.
2. PROPERTY SHOWN LOCATED IN 3RD ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND.
3. PAVING TO BE DURABLE, DISTRESS SURFACE.
4. SCREENING ADJACENT TO RESIDENTIAL AREAS TO BE 4' HIGH CONTACT PLANTING.

PLAT - PART:

PROJECT: PROPOSED SHOPPING CENTER
TINUMIUM ROAD & INTERSTATE 83
BALTIMORE COUNTY, MARYLAND
CLIENT: WILLIAMS CONSTRUCTION COMPANY

RAYMOND KEYES
ENGINEERS, P. C.

CONSULTING SITE ENGINEER
44 EXECUTIVE BOULEVARD
BRIDGEFORD, NEW YORK 10423

ELMSFORD, NEW YORK 10523

SCALE 1" = 100'

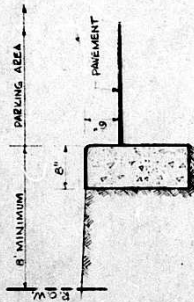
DATE 3-29-72

19 10 1960

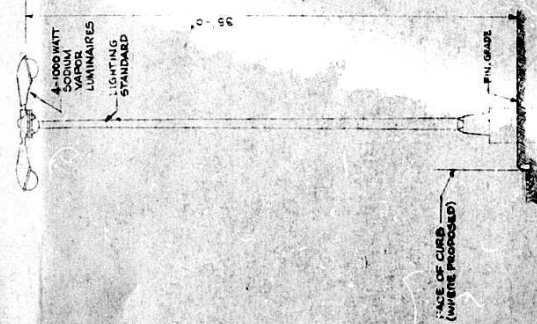
CHICAGO, ILL.

72

SP-1

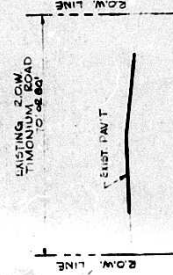


SECTION 1
SCALE: 1"=10'



TYPICAL LIGHTING STANDARD

NOTE: LUMINAIRE TO BE SHIELDED AS REQUIRED TO PREVENT LIGHT SPILLAGE ONTO RESIDENTIAL AREAS.



SECTION A-A
SCALE: 1"=20'



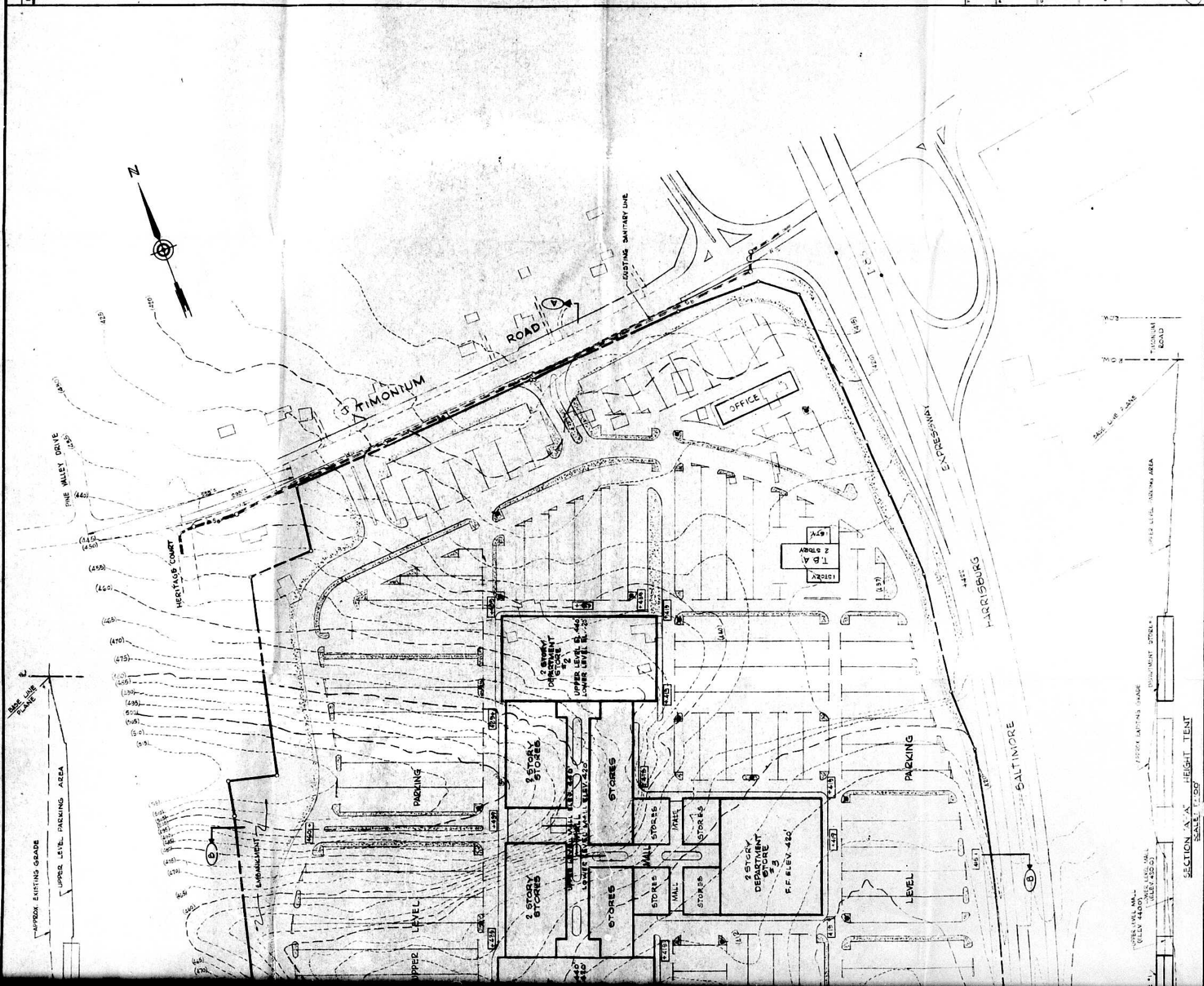
LEGEND

ZONED DR 3.5
USE - RESIDENTIAL

ZONED DR 2
USE - RESIDENTIAL

ZONED ML-1M
USE - DRIVE-IN THEATER

REVISIONS		
NO.	DESCRIPTION	DATE



PLAT- PART 2

PROPOSED SHOPPING CENTER
TIMONIUM ROAD & INTERSTATE 83
BALTIMORE COUNTY, MARYLAND
WILLIAMS CONSTRUCTION COMPANY
BALTIMORE COUNTY, MARYLAND

RAYMOND KEYES
ENGINEERS, P. C.

CONSULTING SITE ENGINEERS
44 EXECUTIVE BOULEVARD
ELMSFORD, NEW YORK 10523

001 1 000

DATE 3-29-72

DRAWN BY:
CHECKED BY:

27

SP-2

SECTION 'A'-A" HEIGHT TENT
SCALE: 1"=100'

SCALE: 1"=00'

17"

17

22

“18

REVISIONS

NO.	DESCRIPTION	DATE
-----	-------------	------



ZONED DR2
USE - RESIDENTIAL

ZONED DR2
USE - RESIDENTIAL

ZONED ML-1M
USE - OFFICES

ZONED ML-1M
USE - DRIVE IN THEATER

TABLE OF LAND USE DATA

GROSS SITE AREA = 725 ACRES ± 2,130,000 ± 1%

ZONING DATA:
- DR-2 AND ML-1.5
- SCATTERED RESIDENTIAL, MOSTLY W/OUT
- DR-100, CA
- RESIDENTIAL ENCLOSED MALL SHOPPING CENTER

BUILDING DATA

EXISTING USE
PROPOSED USE
AUTOMOTIVE USE

LANDSCAPE DATA

LANDSCAPE DATA

LANDSCAPE DATA

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NOTES:

1. PROPERTY LINE DATA SHOWN COMPILED FROM VARIOUS SURVEYS, PLATS AND DEEDS AS SHOWN ON PLAT PREPARED BY JAMES SURBER TO RTZ AND DOES NOT REPRESENT A FINAL SURVEY.
2. PROPERTY SHOWN LOCATED IN 6TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.
3. PAVING TO BE DURABLE, DUSTLESS SURFACE.
4. SCREENING, ADJACENT TO RESIDENTIAL AREAS TO BE 4' HIGH CONTACT PLANTING.

PLAT - PART 1

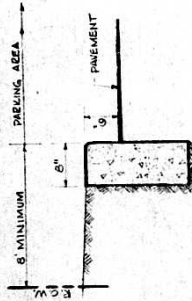
PROPOSED SHOPPING CENTER
TIMONIUM ROAD & INTERSTATE 83
BALTIMORE COUNTY, MARYLAND
WILLIAMS CONSTRUCTION COMPANY
BALTIMORE COUNTY, MARYLAND

RAYMOND KEYES
ENGINEERS, P.C.
44 EXECUTIVE BUILDING
ELMDORF NEW YORK 10223

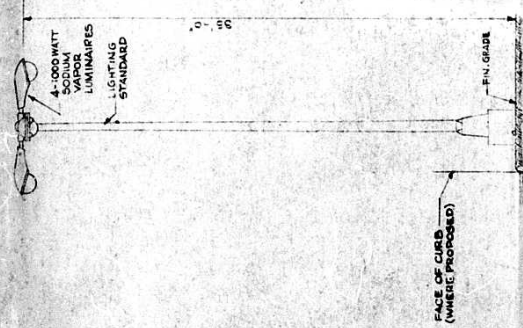
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JOB NO: 2204
REVISION NO.

SP-1



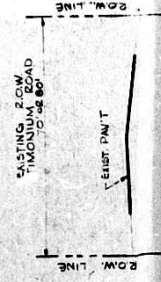


SECTION:
SCALE 1"=10'



TYPICAL LIGHTING STANDARD
N.T.S.

NOTE:
LUMINAIRES TO BE SHIELDED AS
REQUIRED TO PREVENT LIGHT
SPILLAGE ONTO RESIDENTIAL AREAS.



SECTION A-A
SCALE 1"=20'

LEGEND

- PROPERTY LINE
- 20' W. LINE
- PROPOSED BUILDING LINE
- SEDED AREA
- ZONE LINE

ZONED DQ 3.5
USE - RESIDENTIAL

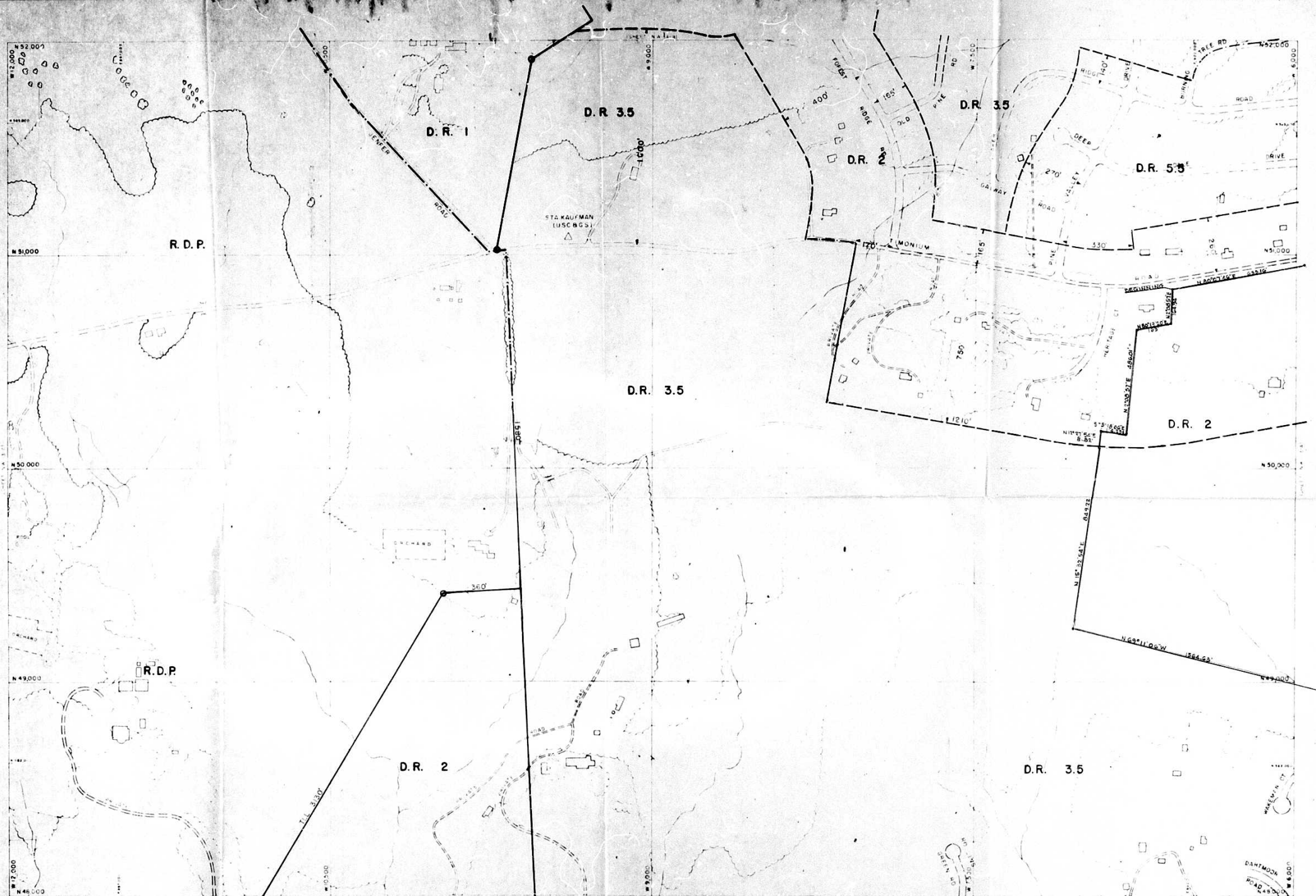
ZONED DQ 2
USE - RESIDENTIAL

ZONED DR 3.5
USE - RESIDENTIAL

ZONED DR 3.5
USE - RESIDENTIAL

ZONED ML-1M
USE - DRIVE IN THEATER





ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
MARCH 24, 1971
BY BILLS NOS. 28, 29, 30, 31, and 32

**PHOTOGRAMMETRIC MAP OF
BALTIMORE COUNTY METROPOLITAN AREA
OFFICIAL ZONING MAP**

REVISIONS	BY	DATE	SCALE	LOCATION	SHEET
			1" = 200'	TIMONIUM	N W
			DATE OF PHOTOGRAPHY		13-B
			APRIL, 1953		

Compiled By: Photogrammetric Methods
AERO SERVICE CORPORATION-PHILADELPHIA, PA.

