2

I, or we. legal owner. of the property situate in Battle
County and which is described in the description and plat attached hereto and made a part he

Error in the Zoning Classification of DR-1 placed on the Zoning Map, which error is more fully described in the 1 morandum filed herewith and for changes in circumstance and in the neighborhood since adoptio of the Zoning Map, which change is more fully described in the Memorandum filed herewith.

rty is to be posted and advertised as prescribed by Zoning Regu upon filing of this petition, and further agree to and are to be bound by the zoning

ROCKLAND HOLDING CORPORATION

..day of September 19873. at 10:00 o'clock

10:00H

ockland Holding Corp. - \$73-231-RX and \$74-57-R

ates Company have been modified to suit their ideas and opinions as to the proces ent of this area. The entire residential population of the Ruxtan-Riderwood-Lake Roland area was circularized and meetings were held at which action was taken to poort the project as it now exists. Furthermore, there was placed in evidence a covenant entered into between the Rouse Company and the Johnson heirs who have rmed the Rockland Holding Corporation for this purpose, which would prohibit them fro doing anything with the property other than as is shown on the proposal on the plans in the various exhibits and the testimony of their experts. I believe that this should be sufficient protection to satisfy any of the objections expressed by the improvement associa ore, the small portion of B.L. zoning required could not possibly within according to these plans. It simply would not make sense, and the special exception equested for community facilities for recreation, meetings and so forth are a necessity to carry out the plans in the adequate manner and the excellent way in which they have bee

To reiterate, it is the feeling of this dissenter that the Majority of the Bo has completely ignored the weighty evidence in this case and has made a mistake in denying the rezoning and the special exceptions requested, which denial is not in the best terest of Baltimore County at large and certainly, in my opinion, there was error when i was originally zoned as D.R. 1 without, by that conclusion, meuning anything derogator to the eminent members of the County Council who voted five to two to zone this property os D.R. 1. its development under that classification. I feel, would be detrimental to the long range planning as to how Baltimore County should be developed inside the orban rural demarcation line. I, therefore, disagree with the findings of the Board and believe that the petition as presented should have been granted.

Date: March 7, 1974

: PETITION FOR RECLASSIFICATION from D.R. 1 to D.R. 10.5 and B.L., SPECIAL EXCEPTIONS for Community on Areas and Community Facility
E/S and W/S of Falls Road between

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Jones Falls Expressway, and W/S of Jones Falls Expressway, 367' W, of Falls Road 3rd and 9th Districts

BEFOR

No. 73-231-RX

Rockland Holding Corporation No. 74-57-R

> DISSENTING OPINION

This member of the Board has previously filed a statement with the Majority inion stating that he dissented, and this represents on Opinion stating the reasons for

The Opinion of the Majority of the Board in this case has ignored many of th of facts in the case and has glassed over other important features. In the firs red or a piece of property more thoroughly studied and planned in accordance with accordance lern practices of planning and zoning than this tract by the experts employed by the tatives of the firm of Wallace, McHarg, Roberts and Todd, a firm ere as experts in this field. Among those who uppeared as the result of the con ith this firm was Mr. M. R. Dibandian, a geologist and regional planner, who has made of the most thorough studies from the basic geological foundations of this tract up to an luding the landscape architecture, as well as the best way to control storm water runoff nd to preserve the trees now growing on this old property

The exhibits show that under the present plans seventy-two percent of the ire tract will be maintained as open space, and that seventy-six percent of the trees or he hydrological studies indicate the plan is not only feasible but called for, and the eering testimony was that there will be no problem with sewage disposal or water

RE: PETITION FOR RECLASSIFICATION:

E/S and W/S of Falls Road between Baltimore County Beitway and Jones Falls Expressway 3rd and 9th Districts

Rockland Holding Corporation

No. 74-57-R

REHOPE

COUNTY BOARD OF APPEALS

BALTIMORE COUNTY

No. 73-231-RX

OPINION

This petition involves the properties of the Rockland Holding Corporation The same are located in the southwestern quadrant of the Beltway and the Jones Falls Expressway. The Falls Road runs between and through these properties. Same are situate in portions of the 3rd and 9th Election Districts of Baltimore County.

This case represents a consolidated hearing upon two petitions filed by the Rockland Holding Corporation. These petitions may be identified as Case No. 73-231-RX and Case No. 74-57-R. An autline of the subject property may be examined as set out on Petitioner's Exhibit No. 8.

The first witness for the Petitioners, Dr. J. T. H. Johnson, told the Board of the weership of this tract. It seems that the Rockland Holding Corporation is a family entity which represents the nine owners of this property. The subject property has been in the Johnson family since 1690. The Rockland Holding Corporation, as the owner of this property, has entered into a contingent contract of sale with the Rouse-Wates, Inc., it paing the desire of the Rouse-Wates Corporation to develop the subject property as propo n these petitions. The contract of sale is continuent upon the requested zoning reclassilications and special exceptions that are at issue in the subject case. This consolidated etition seeks the reclassification of 9.4 acres to B.L. and approximately 66.25 acres to D 0.5. Each of these tracts is now zoned D.R. 1. The areas proposed in the petition for reclassification are outlined on Petitioner's Exhibit No. 8. Petitioner's Exhibit No. 19 sets out clearly the existing conditions on the Johnson tract. If this Petition be gran the Rouse-Wates Corporation proposes to develop the Johnson tract as set out on Petition

Rockland Holding Corp. - \$73-231-RX and \$74-57-R

permits would be issued were adequate sewage disposal facilities not available at that time and it is my finding that the evidence shows that any problems with respect to sewage appacity affected by this project are approaching a reasonable solution within a for near future. Mr. David A. Wallace, head of the firm mentioned above, estified as to the work done by his firm and their studies in connection with this case, and tated that not only in his opinion was this an excellent plan, but that he felt that error he an committed by the County Council in zoning this property as D. R. 1, whether they lation of the Planning Board, the Planning Staff and the other planner into account or not. He felt that the Council did not consider correct basic planning

oncepts and, in any event, to zone this property D.R. 1 was in error.

I recognize that the opinion and the recommendations of the Planning Boar and the Planning Staff are not necessarily binding on the County Council in their legislati However, if the Council pays no attention whatever to the advice of their Planning Staff and Planning Board, someone is certainly wasting a great deal of time not averal money. The only testimony before the Board as to the motivation of the County Council in this matter was as appears in the minutes of the County Council that he Councilman from this district was quoted as saying that "there appeared to be a great any people opposed to this". This, of course, is not a valid reason and we have not vidence before us of any other motivation. Nevertheless, I understand of course that the critical zoning of the County Council is presumed to be correct, however, this is not a show that an error was made. I feel error means mistake, and that if a decision viola good planning and common sense, it is the duty of this Board to determine that the Council was in error, notwithstanding the presumption of the correctness of the legislative act.

It must be pointed out that this entire tract is within the urban rural den ion line as set by the Planning Board under the law establishing its responsibilities, and th the Planning Board and Staff are at this very moment doing their best to prevent urban rom going core into greas outside the urban rural demarcation line.

Rockland Holding Conscration - No. 73-231-RX & No. 74-57-R

Exhibit No. 21, which is labeled "Land Use Plan - Joh son Property". Examining this netition, one can see that if these reclassifications are granted, it is proposed that the tract contain approximately 985 apartment and townhouse units. The Petition has indicated that approximately half of these would be sold, while the other half would be retained as rental units. In addition, the 9.4 acres of B.L. zoning would be developed as a village center, with approximately 50,000 square feet of retail space and 30,000 quare feet of office space, and encompassed within this 9.4 acres would be a parcel with the anticipated use of a car care center. Utilizing the advantages of Bill No. 100, the Petitioner would develop the apartments and townhouses as proposed on Petitioner's Exhibi No. 21. The location of the apartments and townhouses throughout the Johnson tract a be noted on said Petitioner's Exhibit No. 21.

In addition to the reclassification, the Petitioner seeks five (5) special exceptions of varying sizes. Each would be used for community recreation type facilities Petitioner's Exhibit No. 24 labeled a "Concept Plan", and Petitioner's Exhibit No. 25 labeled "Illustrative Plan", further detail the proposal. Same note the plan to presen and restore the historic village, the location of a community facility and the other recrea tion facilities, the village center, the car care center, and a potential county elementa school site. In addition, these Petitioner's Exhibits Nos. 24 and 25 indicate the locati of the various residential units throughout the Johnson property.

The presentation of this case before the Board consumed seven full days of her In addition, each side presented complete detailed memoranda of law and fact This Opinion will not attempt to detail the entire testimony heard by this Board during th however, ...e Board will comment upon some of this testimony in order to of its reasoning for the conclusion and Order which follows. The memoranda previously ationed do fairly summarize much of the facts presented to the Board in this case. The Board would wish to add that the presentation of this case by both the Petitioner and the Protestant was equal in quality to any such presentation received within the recent mer of the existing Board. The quality of the expert witnesses heard by the Board in this case was outstanding. Their careful attention to detail and candor was particularly i

tockland Holding Corp. - \$73-231-RX and \$74-57-R

ans that water and sewer are available, and other utilities are available, and that e land within this demarcation line should be developed first before extraordinary are to be allowed outside of this line in areas not yet serviced by adequate This particular tract of land cries for development, and to develop this entire ract in one acre lots under D.R. I classification, with one house to one lot, would be to ate the very thing that all planning is trying to avoid; this is, the perpetuation of will by savara limitations on density even when the proposed increase in density s accompanied by excellent planning involving at least seventy-two percent of open space and also including facilities for recreation, park use and other benefits for the residents of the area, and to provide a neighborhood shopping center that can be used by the residentof this immediate area, thereby decreasing the traffic necessitated by their having to trave a great distance to existing shopping centers. The petitioner is only asking for approximately nine acres of commercial in the middle of the planned development to fulfill this purpose, and is asking for special exceptions for such things as clubhouses, swimming pool and other recreational facilities. The big bulk of the property will be left in its ristine loveliness as a piece of Maryland countryside, whereas development in individual cts would almost inevitably require the removal of all of the old and big trees. This roperty has been in the Johnson family since 1690, and was the subject of an entail. robably the last piece of property of this nature in the State and consequently nothing h een possible to accomplish its development over the years. The decision of the rajority in this case, it seems to me, would tend to perpetuate this entail, which certainly ought to be against public policy for land which is inside the rural urban demarcation line and that is more than ripe for development

It is further to be noted that the protest in this case came fundamentally rom the Old Court-Greenspring Improvement Association who, as late as January 11, 1971 wrote a letter by its President to the County Council stating that they were in favor of thi project but have apparently changed their minds. On the other hand, the Ruxtonood-Lake Roland Improvement Association appeared and testified that its members are in favor of this project as it is now planned because the original plans of the Rou

Rockland Holding Corporation - No. 73-231-RX & No. 74-57-R

The Board would be hard pressed to cite a tract of land that has received the developmen study that has been made at the subject property.

. Without further comment upon the presentation of case, the Board would like to cite its charge in the subject instance, same being simply and solely to decide whether or not the County Council erred on March 24, 1971 when they zoned the subject property D.R. 1 in its entirety, and/or whether or not there has been substantial change in the character of the neighborhood since March 24th of 1971 to warrant the requested reclassifications. As agreed by both sides, the granting of the special exceptions requi the fulfillment of the provisions of Section 502.1 of the Zoning Regulations, and in additi same are directly incident to the granting of the reclassifications. These five special ex ceptions will be discussed later in this Oninion

The first principal expert witness for the Petitioner was William Winstead, a representative of the Rouse-Wates Corporation. Mr. Winstead told the Board of the cor tingent contract relationship between Rouse-Wates and the Rockland Holding Corporation and furthermore, he described to the Board that if this petition were successful, the Rouse Mates Corporation would develop the subject property in line with six major goals that elated to the good land development of this entity

Following Mr. Winstead to the stand on behalf of the Petitioner was a Jervis H Dorton, who was employed by the Rouse Company as a land planner and architect. further discussed the proposed development.

On the third day of hearings the Petitioner ventured into the proof of error and/or change portion of his case, presenting Norman E. Gerber, Chief of the Communit Planning Division of the Department of Planning of Baltimore County. Mr. Gerber citer the various aspects of the subject proposal which met with the approval of both the Plannis Staff and Planning Board at various stages through the history of this petition, up to and ncluding the present. Mr. Gerber was questioned by the Protestants and the Board as tr whether or not his feelings were really devoted to the specific plan affered by the Rouse-Wates Corporation, or in fact represented a general development plan for the subject land, whether or not same would be developed by Rouse-Wates, and Mr. Gerber clearly indicate

Rockland Holding Corporation - No. 73-231-RX & No. 74-57-R

that he was in favor of a development at the subject property at or near the density proposed by the Rouse-Wates Corporation, whether or not said company was involved in the development of same. His opinion was not especially keyed to this one development proposal that was specifically before the Board at this time. Mr. Gerber stated that he would favor the reclassification of the subject property as proposed in general and not specifically tied to the Rouse-Wates plan. There was expressed a concern to Mr. Gerba in reference to the B.L., as to whether or not it would be spot zoning. The Board can not conditionally zone same for the village contex concept as proposed, but the B.L., if granted, would be available to any single site use that might desire B.L. land for any one of many uses. The question was whether or not same would represent good land planning I't was Mr. Gerber's opinion that considering all aspects of this location, this small 9.4 acre parcel would not be tantamount to spot zoning. He felt that the small B.L. zoning here was consistent with the overall policies of the Guide Plan and of the policy of the Planning Staff at this time.

An ecological planner, one M. Richard Nalbanc.an, of Philadelphia, followed Mr. Corber to the stand on behalf of the Petitioner. His testimony was prima ily oriented to the storm water runoff that would be created when the subject property was developed. The same was thorough and complete, and would seem to satisfy anyone that the proper development of the subject property as proposed would not present a problem in the local or regional streams from a storm water runoff standpoint. Petitioner's Exhibits No. 30 and No. 31 graphically illustrate some of the discussions presented to the Board by this witness.

The fourth day of testimony brought to the stand on behalf of the Petitione. Robert A. Relyea, a civil engineer with Green Associates, Inc., of Towson. Relyea's testimony dealt with the availability of public water and the availability of public sanitary sewer to the subject site. In the opinion of this Board his testimony was a most critical factor in the determination of the conclusion reached in this case, particularly as his testimony related to the availability of sanitary sewer. It would be unfair to attempt to detail his testimony, considering in the mind of this Board its importance to this deci-

sion. Suffice it to say that same was datailed and evidenced a good attention to the problems that exist in this case by the witness, Mr. Relyea. Two questions unan by Mr. Relyea concern the Board; one, being the fact that no opportent consideration w given to the overall sewer demands that might be anticipated within Baltimore City itself and secondly and more specifically concerning immediate future City problems as they re late to the Jones Falls interceptor. What, if any, impact will the now progressing plan of the Viliage of Cold Spring have upon the capacity of the City side of the Jones Falls interceptor? It would seem that these factors would be very important in the decision making process of the County, i.e. both the County Council and subsequent zoning author ities considering this problem.

Concerning the sanitary sewer situation, both sides readily acknowledge the fact that the entire Jones Falls interceptor is now under a complete building moratorium, as same is not capable of handling any more additional waste water flow at all. Both sides also readily acknowledge that the County is now putting into the Jones Falls interceptor at the City line approximately four and one-half million gallons per day in excess of the amount which the County had contractually agreed to enter into the system at the City line. Again, both sides agreed that without correction of this problem the develop ment of the Rockland tract in March 24th, 1971 or new would be a practical impossibility The center of the controversy concerning the sanitary sever revolves around the completion of a diversionary system which would relieve the Jones Falls interceptor and "enable" same to handle some additional sewage outflow. At the time of the map adoption, the various component parts of this diversionary system were in the discussion stage. Since that time contracts have been let for a portion of same and the completion of the system is now being discussed. The controversy involves perhaps the timing of the completion of this diversionary system. Both sides agree that when the diversionary system is comple there will be, from a practical standpoint, room in the Jones Falls in practical standpoint, room in the Jones Falls in practical standpoint. additional sewage waste water outfall. At this point in time the County has execut contracts, and construction is under way for the Long Quarter pumping station and the Long Quarter forced main. The proposed Green Ridge interceptor has not yet been let

for bids and hence it would be difficult to accurately forecast the completion date for this part of the diversionary system. All four of the component parts of the diversion system, including a Texas force main which has also not been let for construction bids, will be necessary before the diversion system would function, and as cited above, when this diversionary system is completed, the Jones Falls interceptor will likely become available again for the reception of additional sewage.
The timing for the diversion system is the critical factor; whether same may be characterized as being a reasonable probability fruition in the foreseeable future is a question to be decided by this Board, and of course was a question in the minds of the Council at the time of the adoption of the use map. Again at this point in time, there can be no doubt that the diversionary system construction is under way and will be completed. The only doubt that is difficu to determine at this time is the question of when.

Bemard M. Willemain, a recognized land planner, testified on behalf of the Protestants, and disagreed with some of the timing data presented by the Petitioner's witness, Mr. Relyea. Petitioner's Exhibit No. 33 and Protestants' Exhibit E emphasiz to some degree the differing testimony presented by the witnesses for each side concerning sanitary sewer problems. Petitioner's Exhibits No. 35 and No. 36 are also pertinent

The ninth witness for the Petitioner was Herbert R. Plitt, a civil engineer employed by Green Associates, Inc. He presented testimony on behalf of the Petitions concerning the traffic situations at the subject property, as might be created if the subjec petition were granted. Petitioner's Exhibits No. 38 through No. 44 deal with the traffic study

The fifth day brought to the stand, on behalf of the Pctitioner, one David A. Wallace, an architect, urban designer and planner from Philadelphia. Mr. Wallace estified at length for the lest part of two days and generally summarized the basic reasoning for the petition. He was the concluding witness for the Petitioner.

Concerning the Protestants' presentation, as previously mentioned, Bernard M. Willemain testified as an excert witness on behalf of the Protestants In addition

Nathan L. Cohen, a member of the Board of Trustees. Treasurer and member of the Executive Committee of the Park School, testified in opposition to the granting of these reclassifications on behalf of the Park School. Mr. Cohen cited the potential increase in traffic and the safety and environmental effects of the subject petition, particularly considering the location of the Purk School immediately contiguous with the subject proposal. He also specifically cited the entrance to Park School on Old Court Road and the effect of increased traffic at this entrance. Same was described as an extre hazardous point of ingress and earess.

Dr. Paul Madison Leard, a resident of Old Court Road, testified in opposition to the granting of this petition. Dr. Leard is also the Vice President of the Old Court-Greenspring Improvement Association. Solid organization is in opposition to the

After carefully reviewing the testimony and evidence in this case, it is the judgment of this Board that the requested reclassifications and special exceptions shall be denied in toto. The reasons for the denying of these reclassifications and special excoptions will be discussed below beginning with the reasoning for the decision concern the denial of the requested B.L. zoning classification.

It is the judgment of this Board that the reclassification to B.L. as requested by the Petitioner, of 9.4 acres would be tantamount to spot zoning. Despite the best evidence presented by the Petitioner, there is absolutely no need for a commercial neighborhood center at this location, except perhaps considering any possible need that might at some future time be created by some sort of higher density development on the Johnson tract than exists at present, of course, the use at present being predominantly vacant and containing the few isolated homes owned and/or occupied by the Johnson family. There would be no other evidence, in the opinion of this Board, that could pos sibly warrant the isolated singling out of this pinpointed 9.4 acres of commercial zoning in this particular spot. Same, in the opinion of the Board, would be completely inconsistent with the 1980 Guide Plan, and would not represent good land planning at this time. For these reasons, the Board sees no error on the part of the County Council in

Rockland Holding Compretion - No. 73-231-RX & 74-57-R

not greating any commercial zoning at this particular location, nor can the Board find any evidence of significant change in the character of the neighborhood to warrent the granting of the requested B.L. zoning classification. The alle evidence that would indicate that the same would in any way represent good land planning would be that evidence presented by Dr. Wallace and other witnesses for the Petitioner which was priented almost completely to the needs of the proposed Rouse-Wates development. This Board cannot use these reasons for prematurely granting commercial zoning. Considering the neighborhood as it exists today, with but a small number of single family residences, one can conceive of no possible need for any commercial zoning.

As to the request for the 10.5 reclassification of the 65.25 acres, the Board would uite the following: The Board sees nothing inconsistent with D.R. 1 zoning on the subject property, as same correlates and reflects the thinking of the 1980 Guide Plan and the intent and purpose of the establishment of the urban/rural demarcation line. In fact, the same, carefully read, would seem to indicate the apposite, in that there would be good, logical, sound land planning reasonings for keeping the fringes of this particula sector in a low density classification. Hence if one would, as this Board is forced to do. disregard the specific proposal of the Rouse-Wates Corporation, it is difficult to say that council
sourcel erred in their deliberations and conclusions on March 24, 1971 when they placed the subject property in toto in a D.R. 1 classification.

The Board, of course, as previously mentioned, is particularly impressed with the testimony and evidence concerning the sanitary sewer situation. As mentioned before the system at this time is closed and a diversionary system is planned which at some future date will reopen the Jones Falls interceptor to some additional waste water flows. A prime question is when? Reflecting as to whether or not the Council arred in adopting a low density classification for the subject property on March 24, 1971, the Board thinks not The Board can readily invarine that if the Council, singly and solely settled upon the sanitar sewer situation as it existed before them in March of 1971, this single reason could have been sufficient in the mind of this Board to warrant the Council's keeping this property at low density. At that time, the diversionary system was not under construction and was

Ro-Vand Holding Corporation - No. 73-231-RX & No. 74-57-R

certainly off somewhere into the future. As we face it today, whether or not this devole ing diversionary system by itself could constitute substantial change in the character of the neighborhood, the Board thinks not. Frankly, almost three years after the adoption of the existing use maps by the Council, the diversionary system is far from complete. Two elements of four have yet to be let for construction bids. The Board agrees that there is no doubt that the diversionary system will at some future time be completed, and when that future time comes about, some additional sewer outflow into the Jones Falls interceptor will be acceptable. The magnitude of this additional outflow is not tremendous, and it is significant to note that little apparent consideration has been given to additional needs in Baltimore City, including, but not limited to, the ongoing plans of Cold Spring. This sanitary sewer situation as it existed in March of 1971 could, in the ayas of this Board, have been the reason for the low density zoning of the subject property, and hence reason to deny the reclassifications as requested then by the Petitioner; and in addition, even cor sidering the progress that has been made in this diversionary system, this Board is not ready to say that the Jones Falls interceptor will on any given fixed date be able to accept the sewerage from the subject property. So as an evidence of substantial change in the character of the neighborhood that is required by law as a premise for the granting of such reclassification, the Board is unimpressed. The Board does not feel that the existing conditions of the completion of the diversionary system is sufficient evide __ of substantial change in the character of the neighborhood at this time to warrant the requested reclassi-

The traffic potentially generated by a development of this magnitude is not to be discounted. While same could likely eventually be assimilated into the community without catastrophic effects, it is not fair to say that same would not significantly change the basically residential single family characteristic of this general neighborhood. Hence the magnitude of the traffic generation anticipated by the size of the proposal, if this reclassification would be granted, would be one element that would tend to discourage such ntensified land use at this site

In summary, concerning the residential reclassification, the Board does not

Rockland Holding Corporation - No. 73-231-RX & No. 74-57-R

feel that the Petitioner has overcome the burden that the maps as adopted in March of 1971 carry a strong presumption of correctness, nor has there been evidence of substantial char in the character of the neighborhood to warrant this reclassification. It is noted that the existing D.R. 1 classification seems to this Board to be consistent with the 1980 Guide Plan the Northwest Area Sector Plan, and the Regional Planning Staff suggestions as adopted in 1972. In addition, it seems reasonable that one cannot ignore the existing sanitary sewe problems which at the present time have completely shutdown the lones Falls intercenter: nor would it be unreasonable to consider carefully the traffic situation, as they exist at the ubject property, the existing roads and the potential impact of a new development of this size that would be generated by the reclassification in the subject instance. Any or all of the above points could have been the factors of final determination in the minds of the County Council, when in March of 1971 they zoned the subject property D.R. 1; considering same this Board can find no error on the part of the Council in rendering that judgment as the same affects the subject property. The subject neighborhood itself has certainly changed in no way since March of 1971, and perhaps the only change worthy of any consideration on behalf of the Petitioner is the devolopment to some degree of the diversionary sanitary sewer system. However, in the mind of this Board, this factor does not some close to being a change of sufficient character to warrant the coolessification in

As to the special exceptions, all five of some shall be denied. Each are ied intricately to the reclassification of the subject property. It is the judgment of this Board that the reclassifications are not warranted; hence, the special exceptions shall be

Rockland Holding Corporation - No. 73-231-EX. & No. 74-57-R

CRDER

For the reasons set forth in the aforegoing Opinion, it is this 22nd day of February, 1974, by a majority of the County Board of Appeals ORDERED, that the reclassifications from D.R. 1 to D.R. 10.5 and D.R. 1 to B.L. zones petitioned for, be and the same are hereby DENIED; and it is

FURTHER ORDERED, that the Special Exceptions for Community Recreation Areas and Community Facilities petitioned for, be and the same are 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 RALTIMORE COUNTY

DISSENT

The undersigned member of the Board dissents in toto from the decision and Order of the majority of the Board in this case, and will file an opinion stating the reason for said Dissent on quickly as possible.

Dated February 22, 1974

BEFORE THE DEPUTY ZONING

COMMISSIONER

OF : BALTIMORE COUNTY

This Petition represents a request for a Reclassification from a D. R. 1 Zone to a D. R. 10.5 Zone for a tract of ground that contains 20.25 acres and is owned by the Rockland Holding Corporation. The property is located on the west side of the Jones Falls Expressway, three hundred and sixty-seven (367) feet west of Falls Road in the Third Election District of

The Petitioner did not present any evidence by way of expert testimony but simply presented his case based on evidence presently contained in the file. This evidence basically consists of the Petitioner's request for Reclassification, site plans, meets and bounds descriptions of the property in question, comments from the County agencies who reviewed the site plan for compliance to their standards and requirements, and Planning Board odations with repard to the Northwest Sector Master Plan and the Baltimore County 1980 Guideplan

Several area residents present in protest to the Reclassification were represented by attorneys who requested denial of the Petition based on the fact that there has been no change in the area, and the lack of evidence to upport the Petitioner's case. A list of the name of those present has been accepted marked Protestant's Exhibit A, and made a part of the file

After reviewing the Petitioner's case, it is apparent to the Deputy Zoning Commissioner that the lack of expert testimony on behalf of the Petitioner's case coupled with the fact that any favorable decision by the DeputZoning Commissioner with regard to this small segment of the Petitioner's overall tract, could only result in a spot zone. For these reasons, the Peti tioner's request must be denied.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Saltiriore County this 14 70 day of September 1973, that the herein requested Reclassification be and the same is hereby DENIED and that the herein described property or area be and the same is hereby continued as and to remain a D. R. I Zone.

FOR FILING RECEIVED (4 3 PETITION FOR RECLASSIFICATION FROM DR-1 TO A DR-10.5 ZOME Dy Rockland Holding Corporation, a Maryland Corporation (Property located on the West side of Jones Palls Expressway, South of Old Court Road in the 3rd Election District)

REPORE THE ZONING COMMISSIONER FOR

BALTIMORE COUNTY

MEMCRANDUM

The existing DR-1 classification, as established by the Baltimore County Zoning Maps on the land for which roclassification is requested, is erroneous for the following reasons, among others:

.

- 1. This land, with convenient access to the Baltimore County Beltway and the Jones Falls Expressway and amply serviced by area roads, enjoys excellent access and its development, as proposed, would not place an undue burden on any such area
- 2. The improvement of the Baltimore County Beltway, begun approximately 1 1/2 years ago and continuing as of this date, has further increased accessibility to the tract.
- 3. The present construction of a "fly-way" over the Baltimore County Beltway connecting Charles Street Avenue and I-83 near the subject property further will improve traffic flow upon its completion in approximately one year.
- 4. A 27" sanitury sewer line is at the Eastern boundary of the entire tract owned and available to serve the tract.
- 5. The Slauhterhouse Run 18" sanitary sewage disposal system provides sewage disposal facilities for the tract.
- 6. The Moores Run sewer line is available for use including its 18" sanitary sewage disposal facilities. BUITE BOD 102 W. PERNA. AV TOWSON, Mg. 212

7. The Jones Palls interceptor consisting of 24" and 8" lines is available to serve the tract.

8. 12" water line facilities along Old Court Road and 16" water facilities along Jones Falls Road serve the subject tract.

- 9. A Baltimore County fire station is located adjacent to the tract, thus providing fire protection for improvements to be constructed on the tract.
- 10. This Parcel, for which DR-10.5 classification is request ed, is abutted on the East and South by other lands of the Petitioner, on the West by the Park School, and on the North by other lands of the Petitioner. Apartment developments are either completed or are under construction a short distance South of the
- 11. The need for comprehensive development of large tracts of land is recognized by the various Planning and Zoning Agencies and Boards of Baltimore County, Maryland, and here, comprehensive development is planned by the Petitioner. The availability of water, sewage disposal facilities, and appropriate access to the site justifies the requested Reclassification. The Comprehensiveness of the development is evidenced by the fact that Petitioner has requested that this Reclassification Petition be heard simultaneously with a previous request of Petitioner for reclassification of adjacent and nearby land.
- 12. The modern demand for townhouse and apartment facilities was not anticipated by Baltimore County authorities and thus inadequate provision was made in this area for land so classified as to make the construction of such apartments and tounhouses feasible.

13. The failure of the Baltimore County Council to zone such land as requested was error for the reasons assigned above.

ROYSTON, MUELLER, THOMAS & MCLEAN

Re: Petition for Reclassification

Rockland Holding Corporation-Petitioner NO. 74-57-R (Item No. 12)

W/S of Cones Falls Expressway, 367' W of Falls Road - 3rd District

14. The great increase in demand for such townhouse and apartment facilities since map adoption is, itself, a change instifuing Reclassification

15. The improvements to the Baltimore County Beltway completed or under construction represent changes sufficient to justify reclassification.

By reason of the errors cited, and other errors attendant to the classification to the subject land as DR-1 and by reason of the changes in the area, this Reclassification request is made.

Attorney for Petitioner

DOLLENBERG BROTHERS legistered Professional Engineers & Land Surveys

709 WASHINGTON AVENUE AT YORK BOX TOWBON MD. 21204

January 19, 1973

Description to accompany Zoning Petition on the property of Rockland Holding Corporation.

Proposed Zoning DR 10.5

All that piece or parcel of land situate, lying and being in the Third Election District of Baltimore County, State of Maryland and described as follows to wit:

and described as follows to wit:

Seginning for the same at a point on the westernmost right of way line of Jones Palls Expressway at a point distant South 36 degrees 09 sinutes 10 seconds west 36.96 feet from the corner formed by the intersection of the westernmost right of way line accorner formed by the intersection of the westernmost right of way line accorner formed by the intersection of the westernmost right of way line of the Jones Palls Expressway with the southwest side of the Palls Road and the Jones Palls Expressway, the eleven following lines viz: South 37 degrees 11 minutes 52 seconds West 107.92 feet, South 28 degrees 55 minutes 10 seconds Mest 111.55 feet, South 25 degrees 03 minutes 29 seconds west 165.56 feet, 3outh 25 degrees 37.77 feet, South 60 degreer 08 minutes 22 seconds West 152.08 feet, South 71 degrees 71 minutes 18 seconds East 56.65 feet, 3outh 22 degrees 52 minutes 02 seconds West 121 degrees 16 minutes 28 seconds 22 seconds Mest 56.19 feet, South 36 degrees 52 minutes 02 seconds West 121 degrees 16 minutes 28 of minutes 02 seconds Mest 56.19 feet, South 37 degrees 37 minutes 18 seconds 181 feet 181 degrees 16 minutes 182 seconds 181 degrees 38 minutes 183 seconds 181 degrees 38 minutes 183 seconds West 121.61 feet) and thence leaving out by a line curving toward the left having a feet 181 degrees 38 minutes 183 seconds West 181 degrees 38 minutes 183 degrees 38 minutes 28 seconds West 181 degrees 38 minutes 183 degrees 38 minutes 183 degrees 38 minutes 183 degrees 38 minutes 28 seconds West 181 degrees 38 minutes 183 degrees 183 minutes 184 degrees 185 minutes 185 degrees 185 minutes 184 degrees 185 minutes 185 degrees 185 minutes 185 degrees 185 minutes 185

Containing 20.25 Acres of land more or less.

Being the property of the petitioners herein as shown on a plat filed with the Zoning Department.

ROYSTON, MUELLER, THOMAS & MCLEAN

TOWSON, MARYLAND 2124

AREA CODE 301 823-1800

September 21, 1973

Baltimore County Board of Appeals County Office Building Towson, Maryland 21204 ATTN: Mr. John A. Slowik, Chairman

> Re: Petition for Reclassification W/S of Jones Falls Expressway, 367' W of Falls Road - 3rd District Rockland Holding Corporation-Petitioner NO. 74-57-R (Item No. 12)

Dear Mr. Slowik:

C S KLINGELHOFER III MARGARET P MAHONE

The above case, as to which an appeal has been taken from the decision of the Deputy Zoning Commissioner, is a companion case with Case No. 73-231-RX, which has companion case with Case No. 73-231-RX, which has previously been appealed to the Baltimore County Board of Appeals. The cases, of course, involve land owned by the same Petitioner in the 3rd and 9th Election Districts and the tract of land involved is the same in

It is our belief that consolidation of the cases is warranted in that the evidence applicable to one is equally applicable to the other. Counsel for the Protestants, Steven H. Sachs, Esquire, agrees with my position and has authorized me to request such consolidation.

Thank you for your courtesy and cooperation.

Very truly yours W. fast W. Lee Thomas

WLT:g Rich 9.25,13

OF 0 10/19

C S. KLINGELHOFER III MARGARET P MAHONE

WLT: qs

Please enter an appeal on behalf of Rockland Holding Corporation, the Petitioner in the above entitled matter, from the decision of Nr. James E. Dyer, Deputy Zoning Commissioner, dated September 14, 1973, to the Baltimore County Board of Appeals A check in the amount of \$70 is enclosed. - SEP 18 73 AM -12/2

Zoning Commissionar Office of Planning and Zoning County Office Building Towson, Maryland 21204 ATTN: S. Eric DiNenna, Esquire

Dear Mr. Commissioner:

Very truly yours,

September 17, 1973

W fee stone W. Lee Thomas

DRIDER RECEIVED FOR FILING

DATE.

... 19.

-3-

The Honorable Harry J. Bartenfelder Chairman, Baltimore County Council Towson, Maryland 21204

At its regular asseting on Thursday, February 15, 1973, the Baltimere County Planning Netra, under the provisions of Subsection 22-22 (i) of the Baltimore County Code 1968, or annealed, uncanimously opproved a resolution to certify to the County Code 1968, or annealed, uncanimously opproved a resolution to the County Code 1968, or annealed uncode 1969, and the County Council that early action is monifestly required in the public interest on the patition of Reckland Helding Corporation to change the scaning classification of expressionately 20 acres of land owned by the corporation from D. B. 10, B. 10, S.

The Comprehensive Planning Committee of the Planning Board reported that it would appear to be in the County's interest to have this petition heard by the Zoning Commissioner at the same time as the Zoning Commissioner halds a "searing commission Zoning Commissions of the land of the Rockland Holding Corporation in Language on the earlier submitted by the Rockland Holding Corporation in Language Cycle IV. As a result, all of the questions and Issues roled by both of the continuous will be considered and resulted simulationarily. The members of the Board agreed

Copies of the petition and of the letter addressed to the Challman of the Planning Copies of the pertition and of the tenter decrease to the Carlander that remaining the pertition of the Carlander that the Carlander that the Carlander of the Council's cettion on this matter is necessory so that timely actions can be token by him in accordance therewith.

Williad hom

Alliam D. Fromm Secretary Railtimore County Planning Board

FEB 20 73 PM

The Honorable Francis X. Bossle The Honorable Gary Huddler The Honorable G. Walter Tyrie, Jr. The Honorable Webster C. Dove

The Honorable Francis C. Berrett The Honorable Wallace A. Williams Mr. Herbert E. Hohonberge:

1.50

Mr. S. Eric DiNenna

Attachment

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

OFFICE OF THE DIRECTOR

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

OFFICE OF THE DIRECT
ROCKLAND HOLDING CORPORATION
Let we. legal owner. of the property situate in Baltimore
County and which is described in the description and plat attached hereto and made a part hered, hereby polition (1) that the zoning status of the herein described property be re-classified, pursuant

MRECEPTROCESTOCOT Detectors condensationally Controcks and viction of evaluations of whitemany COMPANY OF THE PROPERTY OF THE

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 ions of Baltimore County adopted pursuant to the Zoning Law for Baltimore

ROCKLAND HOLDING CORPORATION

Address 102.W. Pennaylyania Avenue Towson, Maryland 21204 823-1300 ORDERED By The Zoning Commissioner of Baltimore

... 196, 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 aissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore

RO. JTON, MUELLER, THOMAS & M. LEAN

ATTORNEYS AT LAW MITTER COO MATTER COO MATTER COOK AT MEL TOWSON, MARTLAND 20204

January 18, 1973

Mr. Charles B. Heyman, Chairman Baltimore County Planning Board Maryland National Bank Building Baltimore, Maryland 21203

> RR: Portion of that Parcel of Land in the 3rd Election District of Baltimore County adjacent to the Jones Falls Expressway on the Fast, and Park School property on the West owned by the Rockland Relding Corporation

Dear Mr. Heyman:

This office represents Rockland Folding Corporation, the owner of the land briefly described above and more popularly known as the "Johnson tract." As you are aware, proposals have been made to develop the Johnson tract by the Rouse-Wates Company.

Proposed development plans were cutlined to the Special Sub-Proposed Gevelopment plans were cutlined to the Special Sub-Committee of the Planning Beard in late November, 1972 and at that time, the Board was advised that discussions were then being neld with various neighborhood groups and improvement issociations as to the form of ultimate land development proposed. We had proposed an office purk on a 9.9 acre tract in the northernmost section of the property but, after the discussions mentioned, it has now been determined that this part of the reclassification request should be withdrawn at the time of hearing, and in substitution therefore, request should be made for 200 additional dwelling units on the entire Johnson tract

ROYSTON, MUELLER, THOM 5 MGLEAN

Mr. Charles B. Heyman

January 18, 1973

In order to obtain these 200 additional dwelling units, it is necessary for us to request DRIO.5 zoning on a tract of approximately 20 acres immediately north of that DRIO.5 tract designated as parcel 43 in our previous Petition for Zoning Reclassification. According to our figures, the net gain on Reclassification according to our figures, the net gain on Reclassification according to the could obtain an additional 190-191 dwelling units. In addition thereto, parcel 41, for which we will no longer request EL zoning classification, is 9.9 acres in size and would yield another 9.9 dwelling units, thus making approximately 200 additional dwelling units. dwelling units, thus making approximately 200 additional dwelling units.

In order to properly present these reduced proposals, we feel it is vital to the bookland Billing Corpration and to the community at large that the bookland Billing Corpration and to the community at large that the bonding Cornisoloner give consideration to the Johnson tract as a state of that in piecensel fashion. Inserted as cycle zoning is in extracted management hearing on the entire tract unless we are allowed to present domains hearing on the entire tract unless we are allowed to present control 20 weeks a new petition for the rectaonsification of the mentioned 20 weeks, as of course, if we are allowed to proceed on this additional petition and cour hope is that the original Petition, as it will be benefit and the additional petition can be heard simultaneously by the Zoning Commissioner in late April, 1873 when we understand the original zoning request in cycle is scheduled. In order to properly present these reduced proposals, we feel

As mentioned, we believe justification for our request is found in the fact that we intend reducing our requests in order to accommodate interested neighbors and improvement associations. Therefore, we feel that our request for hearing, out of cycle, on this particular Petition, is founded in the public interest.

ROYSTON, MUELLER, THOM & MCLEAN

Mr. Charles B. Heyman

January 18, 1973

Therefore, Rockland Holding Corporation specifically requests that consideration be given by your Poard to recommending to the Baltimore County Council that legislation be enacted allowing Baltimore County Council that legislation be enacted allowing Rockland Holding Corporation to apply for Reclassification for this 20 acre tract of land as aforesaid promptly without being bound by the "cycle zoning" provisions of the Baltimore County Zoning Regulations.

We are filing, simultaneously with this letter, our additional Petition for Reclassification with accompanying plats and property

Very truly yours,

W. Lee Thomas

WLT: tmq

ec: Mrs. Kathryn D. Barnett Mr. Victor P. DeLibera

Mr. Doninic N. Fornaro Mr. L. Scott Grauel Mr. Edward A. Griffith

Mr. Lewis M. Hess Mrs. Hannah Lindsey Mr. Franklin M. Padgett

Mr. J. Fred Peper Mr. Adam J. Quick Mr. Albert V. Quimby

00 PETITION AND SITE PLAN

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

April 13, 1973

JOHN J. DILLON, JR

MEMBER

BUREAU OF ENGINEERING DEPARTMENT OF STATE BOADS COMUS

BUREAU OF HEALTH DEPARTMENT APRIDOCC DEBLANSEN BOARD OF EDUCATION CONING ADVINISTRATIO

INDUSTRIAL DEVELOPMENT

W. Lee Thomis, Esq., 102 W. Pennsylvania Avenue Towson, Maryland 21204

RE: Reclassification Petition Rockland Holding Corporation - Petitioner

Dear Mr. Thomas:

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

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the devalepment plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located 600 feat south of 01d Court Road and west of the Jones Falls Expressway, in the 3rd 01strict of Battimos County This continue for the lassification from a 0.R. 10.5 some contains approximately 20.25 core and one to 10.R. 10.5 some contains approximately 20.25 core and contains the subject of the Reclassification pottition. Item No. 21 and Case No. 73-2318 with hus heard during the 4th Toming Cycle. This case is currently on appeal to the Battimore County Board of Appeals.

The patitioner submitted this patition with the intent of modifying the earlier patition and proposed to withdraw a portion of the B.L. zone at the northeastermost quadron of the site, which is the patition of the site, which is the patition of the site of the patition of the site of the patition of t

Again, the petitioner is reminded that because of the overall size and development of this tract, some of the

requirements of the Zoning Commissioner's rules and procedures have been weived at this time. However, the petitioner is advised that upon request and/or prior to development a proper development plan must be submitted and reviewed by all agencies concerned.

This patition 'on Reclassification is accessed for filling on the date of the unclosed filing certificate. However, any revisions or conrections to patitions, descriptions, or plate, as may have been requested by this Committee, shall be submitted to this office prior to Friday, June 1, 1937 in order to allow time for final Committee review and advertising, Failure to comply may result in this committee, which will be between Seateber 1, 1973 and October 15, 1973 will be between Seateber 1, 1973 and October 15, 1973 will be forwered to you well in advance of the date and time.

JOHN J. DILLON. JR.

.130Jr.: JD

(Enclosure)

Dollenberg Brothers 709 Washington Avenue Towson, Md. 21204

Ro: Item #33 (1972-1973)
Bootland Blodding Compensation
Bootland Blodding Compensation
Falls September 3 567 M. of Falls Bood
Present Zouling: Dal. 4
Proposed Zoning: Healass. Fixe D.R. 1 to D.R. 10.5
Districts 3rd No. Acres: 20.25 acres

The subject properties of this Petition are portions of the larger tract of land (Johnson Tract) for which comments were supplied October 21, 1972 in conjunction with Item 221 - Cyple IV (Cotaber 1972 - April 1973). Those comments remain valid and applicable to this Petition, Item #338 (1972-1973) and are referred in your consideration.

BID-PAM-FAR-88

S-SE Key Sheet O-NR and NW Position Sheets NW 9 & 10 C Topo 69 Tax Map

Baltimore County Fire Department

J. Austin Deitz



Towson, Maryland 21204 023-7310

Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Attention: Hr. Jack Dillon, Chairman Zoning Advisory Committee

Re: Property Owner: Rockland Holding Corporation

Location: W/S of Jones Falls Expressway, 367' W of Falls Road

Item No. 12 _- Reclassification Zoning Agenda

Pursuant to your request, the referenced property has been surveyed by this Tyreau and the comments below marked with an "" 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 70 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Morta A second neans of which eacess is required for the site.

(X) 2. A second neans of which eacess is required for the site.

2. In evenicie cead-end condition shown at

EXCEDS 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

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the Hational 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.

Noted and Paul H Reinche

Reviewer: Lt. Roger R. Mecks, Sr. Approved:

Planning Group
Special Inspection Division Fire Prevention Bureau

mls 4/16/73

BALTIMORE COUNTY, MARYLAND



DEPARTMENT OF TRAFFIC ENGINEERING

ESCENE J. CLIPPORD P.E.

WM. T. MELESS SCRUTT TRAFFIC SHOW

April 26, 1973

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

Re: Item 12 - Cycle Zoning V - April to Oct. 1973 Property Owner: Rockland Holding Corporation Jones Falls Expressway V. of Falls Road Reclass. to DR 10.5 - District 3

CRM:no

As presently zoned, this site can be expected to generate approximately 251 trips per day. As proposed, it would generate approximately 1800

Very truly yours C. Richard Hoore

February 6, 1973

Mr. S. Eric DiNenna Loning Commissioner County Office Building Towson, Maryland 21204 Att: Mr. John J. Dillon

Re' Item 138 -- 7.A.C. Meet, 2/6/73 Property Guneri Mockland Meld. Corp. Location: 475 Jones Fails Eppy. 367 4. of Fails Agad Old Court Hood (ac. 1.3. wouth of Old Court Hood (ac. 1.3. wouth of Old Court Hood (ac. 1.3. m.) 1 to 0.8, 10.5 0 Satrict; 1 No. Acress 20,25

Dear Sir:

It will be the developer's responsibility to improve Old Court Road throughout his frontage. Development plans must indicate the improvement.

Access from Old Court Hoad will be subject to approval and permit from the State Highway Administration.

The 1971 Average Gaily Traffic Count for this section of Old Court Road is ... 3,100 vehicles.

Very truly yours,

Charle: Lee, Chief Development Engineering Section

by: John E. Meyers Asst. Development Engineer

CL:JEM:bk

P.O. Box 717 / 370 West Preston Street, Baltimore, Maryland 21203

DEPARTMENT OF TRAFFIC ENGINEERING EUGENE J. CLIFFORD. P.E.

March 1, 1973

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

BALTIMORE COUNTY, MARYLAND

SON BUILDING TOWSON, MARYLAND 21804

Re: item 138 - ZAC - February 6, 1973 Property Owner: Rockland Holding Corporation Jones Falls Expressway W. of Falls Road Reclass. from DR 1 to DR 10.5 District 3

Dear Mr. DiMenna:

As presently zoned, this site can be expected to generate approximately 251 trips per day. As proposed, it would generate approximately 1800 trips per day.

Michael & Hangan

tichael S. Flanigan Traffic Engineer Associate

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH-

February 6, 1973

Mr. S. Eric DiMenna, Zoning Commissioner Office of Planning and Zoning County Office Building Towson, Maryland 2120

Comments on Item 138, Zoning Advisory Committee Meeting February 6, 1973, are as follows:

Property Owner: Bockland Holding Corporation Location: Was Jones Falls Expressway, 367' W of Falls Rd. Present Zoning: Reclass from D.R.? to D.R. 10.5 District: 3

Metropolitan water and sewer must be extended to this site prior to issuance of building permit.

Very truly yours,

Thomas H. Devlin, Director BUREAU OF ENVIRONMENTAL SERVICES

HVB: mnc

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: February 7, 1973

Mr. S. Eric DiNenna Zoning Commissioner Gounty Office Building Towson, Maryland 212Cl

Re: Item 133

Property Owner: Location: Present Zoning: Rockland Holding Corporation W/S Jones Falls Expressway, 367' W of Falls Road

Reclass from D.R. 1 to D.R. 10.5

Districts

Dear Mr. DiNenna

SEE ATTACHED SHEET

Very truly yours, W Tick Fetrouch W. Nick Petrovich

H. EMBLIE PARKS, POLICE EUGENE C. HESS. VENEZUM MRS. ROBERT L. BERNEY

WNP/ml

MARCUS M. BOTSARIS INSERT N. MICOWAN T. BAYAND WILLIAMS JO

COMMENTS School Situation: Sept. 20, 1972 School. Errollment Capacity Over/Under Samit Park Elem Pikesville Jr. Pikesville Sr. 272 1331 1437 385 1220 1320 +117 rojections Sept. 19_74 Sept. 19 76 321 1155 Summit Park Elem. 285 1285 300 1235 1515 Pikesville Jr. Pikesville Sr. Budgeted Construction: Est_rated School. Status Capacity To Open Pikesville Sr. Addin Contract Signed

Programmed Construction: (Subject to availability of funds)

Estimated School. Capacity Programmed To Open "Tollgate Middle School" 1300 71 175 FY '77

Possible Student Yield: Junior High Senior High Present Zoning:

Proposed Zoning: 139 50 34 (Used county-wise DR. 10.5 factor since no sample is available for this area)

Comments concerning effect on school housing matters: Ultimate development of the entire Johnson tract may require the construction of another elementary school. PROPERTY OWNER: Rockland Holding Corporation
LOCATION: W/S of Jones Falls Expwy., 367' W of Fails Rd., S. of Old Court Rd.

ACREAGE: 20,25

RECOMMENDED DATE OF HEARING: Week of September 10, 1973

ZONING PRIOR TO 3/24/71: R. 40 EXISTING ZONING: D.R. 1
REQUESTED ZONING: D.R. 10.5

PLANNING LOAD ESCOMMENDATIONS U.S. 15.5

This secent 20.25-ners that of limb is located operational style 200 feet south of Old Court Boad, west of the Jones 692; Ergenousy. It is part of the 400-ners development that was limb No. 21 of Zeeling Cycle IV (estition line 2-222-18-2), this 20.25-cene proted down in north side of the 6.0-cene proted of which D. 8, 10,5 zooling was respected in Cycle IV. The settlibener is recording a charge term 0.1. It to D. 8, 10,5 zooling was reported in Cycle IV. The settlibener is recording a charge term 0.1. It to D. 8, 10,5 zooling was reported in Cycle IV.

In the hearing before the Zening Commissioner, the patitioner withdraw the request for 8.1. zening for that 9.9-acre parties of the treat labeled at "Farrel No.1" (see Zening Commissioner's under dated 4/6/73, Patition No. 73-231-EX); that parties of the request was the only one not toward by the Planning Board.

The Flowing Bond balleves that the subject partition should be reviewed within the context of the overall plan for the earlier 600-core property referred to above. In fact, the Bond supports that it communities that 21, Zozing Cycle VV, be considered in reviewing the subject position. Further, the following common core, for the most part, extracted from these softer commons:

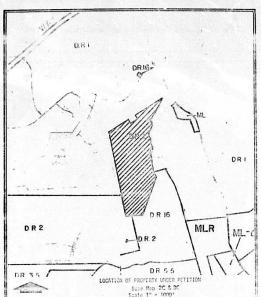
The Board recognizes the fact that development of the Johnson tract will generate increased traffic principly on Old Court Road, Falls Road, and the Ranton Road increases with the Joses Cells Expressions. The road system for the crop, or proposed on the Northwest Sector, norther Fars, in deep levelopment of the Anthone tract, but the Party in development of the rest of encurated by development of the Anthone tract, but the road proposed to the road of the road of the Party in the Road of the R

The proposed development of this site is in accordance with the agram-space policies of the Selfanor County
1900 Gendopium. These policies achieves the collect recording of facilities along with the preservation of Facilities of Long with the preservation of Facilities of Gendopium and the Selfanor want, or approach would leave 750 for the 200 acres
1976 and 1976 and 1976 are the 1976 and 1976 are the 1976 are the 1976 and 1976 are the 1976 are the 1976 and 1976 are the 1976 are th

It is stated to the Goldeplan that "Living growth hooks to occaredated by development of vectors had within the 1972 (Manusch Decreated in Inc., "e. et al. which is the Johnson with Bits in Clarification. The development proposals the confices to the development and I may determine the Bits in Clarification. The development proposals the confices to the development and I may the proposal service and the second and exploitation descent and the second are depolationed content. The settliners place construct an application of the second and the second and the second and the second and the development and offices. The second are development and offices are descent as a second and the second

The Planning Board believes that this development proposal assemblifus the application of destity content to best 1.e., the preservation of natural features and the recoveration of analoginal suitably designed open extentity in securities. The everaposes promining with the good of destroic and distinctive techniques of individual residential locality, and the application of residential zoning classifications in

It is therefore recommended that the petillianer's request for D.R. 10.5 zoning for this 20.25-auro parcel of land be granted.



OFFICE OF

O CONNUNT IMES

CRIGINAL

RANDALLSTOWN, MD. 21133 August 27 - 1973

THIS IS TO CERTIFY, that the annexed advertisement of S. Frie Dinenna Zoning Commissioner of Baltimore County

was inserted in THE COMMUNITY TIMES, a weekly newspaper published in Baltimore County, Maryland, oace a week for one weeks/before the 27 day of August 19 73 that is to say, the same was inserted in the issue of August 23, 1973.

STROMBERG PUBLICATIONS, Inc.

By Buth Morgan

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement ublished in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each day of __Sentember ______, 19.73, the first publication appearing on the 2374 day of August 19...73

L. Leank Structur

Cost of Adverti

74-57-R 1-SIGN

CERTIFICATE OF POSTING PARTMENT OF BALTIMORE COL

2 12	_
District 3 reg	Date of Posting OCT 13, 1973
Posted for: APPEAL	
Petitioner: Boskhand Holding Con	e <i>r.</i>
Location of property W/S OF JONES FALL FALLS Rd., S. OF Cho COURT	BEEXPLY, 367 WOF
Location of Stene: WS OF TONES FALLS. FALLS Id., S OF Che COURT ROOM	Expuy, 367'to1-WOF
Remarks: Posted by Floures L. Robrace	Date of return: OCT. 16, 1973

74-57-12 1-5,60

CERTIFICATE OF POSTING DEPARTMENT OF SALTIMORE COUNTY

Tousen, Maryland				
District 3 nd Posted for: Petition Forc R	Date of Posting AuGust 25 19			
Petitioner: BOCKLAND HOLDS	v6 Corp. ves Falls Expressway 367' W of			
ENALS Rd. Location of Signs: WS of Jone	FALLS Extress way 362'tor - W or ROSKLAND BLENH & DYE WORKS			
Remarks: Posted by Llucius 5. Rule.				

BILTIMOS: COUNTY OFFICE OF PLANNING AND ZOMING

Reviewed by Ct. Flking DBR

BAT MORE COUNTY OFFICE OF PLANNING CONING

County 'Affice Building 111 W. Chesepeake Avenue Towson, Heryland 21204

Your Petition has been received and accepted for filling

Patitioner Buildes Holding Corporation

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Well Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	4	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by:					ed Pla		or des	cripti	on	Yes

Map #

Previous case:

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANC - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT No. 12478 DATE October 16, 1973 ACCOUNT 01-662 \$5.00

WHITE - CASHIER THE - AGENCY
W. Lee Thomas, Esquire Cost of Posting Property of Rockland Holding Corporation for an Appeal Mearing
W/S of the Jones Falls Expressway, 367' W of Falls Road 3rd District 9 5 ORW 15 5.0 CHSC

Ma. 12460 BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE October 3, 1973 ACCOUNT 01.662 W Lee Thomas, Esquires To 30 00 Wilson Customer Caster Test Caster 367' W. of Falls Rd. - 3rd District Rockland Holding Corp. - Petitioner

70.00mm

BALTIMORE COUNTY, MARYLAND 11197 OFFICE OF FINANC REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE 9/11/73 ACCOUNT 01.662

V. Lee Thomas, Req.
102 V. Perma, Ave.
TOWNOR, No. 2120in AMOUNT STEE \$136.57 Posting and Advertising for Bookland holding Corp. \$75-57 B Petition for Beckesification

185 3 -RSF 11

BALTIMORE COUNTY MARYLAND May 3, 1973 ACCOUNT 01-662 DISTRIBUTION satisfication for Rockland

