

PETITION FOR ZONING VARIANCE FROM AREA AND HEIGHT REGULATIONS

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

306 West Joppa Road Associates
I, or we, and Maryland C. Gore, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof,

hereby petition for a Variance from Section 201.3C.1 to permit a front yard setback of eight (8) feet from the front street line and forty-two (42) feet from the centerline of the street instead of the required fifteen (15) feet and sixty (60) feet, respectively; and to permit a side yard setback for a building less than forty (40) feet in height of ten (10) feet from the property line instead of the required fifteen (15) feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

See attached description

Topographical conditions preclude effective utilization of the site and create a practical difficulty in providing an aesthetic presentation of the proposed structure.

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

I, or we, agree to pay expenses of above Variance 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.

Joppa Ridge Associates
Maryland C. Gore
301 N. Chesapeake Avenue
Towson, Md. 21204 Legal Owner

Contract purchaser
Thomas F. Mullins, III
Suite 400-15 Charles Plaza
Baltimore, Md. 21201

306 West Joppa Road Associates
By: John B. Howard
Petitioner's Attorney
409 Washington Avenue
Towson, Maryland 21204

W. Lee Harrison
Equitable Building
Towson, Md. 21204

ORDERED: The Zoning Commissioner of Baltimore County, this 25th day of March, 1978,

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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of March, 1978, at 11:00 o'clock

By: John B. Howard
Zoning Commissioner of Baltimore County.

(over)

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Maryland C. Gore and
306 West Joppa Road Associates, 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. 16 and R.A.E. 1 zone to an R.A.E. 2 zone; for the following reasons:

Error on the part of the Baltimore County Council in designating the existing zones by adoption of the 1971 Comprehensive Land Use map and substantial change in the character of the neighborhood as more fully detailed in the memorandum accompanying this petition.

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, an office building.

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.

Joppa Ridge Associates
Maryland C. Gore
301 N. Chesapeake Avenue
Towson, Md. 21204 Legal Owner

Contract purchaser
Thomas F. Mullins, III
Suite 400
Baltimore, Md. 21201

306 West Joppa Road Associates
By: John B. Howard
Petitioner's Attorney
409 Washington Avenue
Towson, Md. 21204

W. Lee Harrison
Equitable Building
Towson, Md. 21204

ORDERED: By the Zoning Commissioner of Baltimore County, this 25th day of March, 1978,

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 Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of March, 1978, at 11:00 o'clock

By: John B. Howard
Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
FROM D.R. 16 to D.R. 16 : ZONING COMMISSIONER FOR
PETITION FOR SPECIAL EXCEPTION : BALTIMORE CITY
FOR OFFICES AND OFFICE BUILDING :
9th District :
Beginning 1604.72 feet East of :
Charles Street opposite :
Malvern Avenue. :
GREATER BALTIMORE MEDICAL : Case No. 75-196
CENTER :
:

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Charles E. Hunt
CHARLES E. HUNT, JR.
Deputy People's Counsel

John W. Hession, III
JOHN W. HESSIAN, III
People's Counsel
County Office Building
Towson, Maryland 21204
434-3211

I HEREBY CERTIFY That a copy of the foregoing Order was mailed this 24th day of March, 1978 to Stuart H. Rome, Esquire, 1800 Mercantile Bank & Trust Bldg., 2 Hopkins Plaza, Baltimore, Maryland 21201, attorney for Petitioner.



I will attend.

RE: PETITION FOR RECLASSIFICATION : BEFORE
FROM D.R. 16 and R.A.E. 1 to : COUNTY BOARD OF APPEALS
R.A.E. 2, SPECIAL EXCEPTION : OF
for an Office Building, and : BALTIMORE COUNTY
VARIANCE FROM Section 201.3C.1 :
of the Baltimore County : No. 75-197-RXA
Zoning Regulations :
NW corner Bosley Avenue :
and Joppa Road :
9th District :
Maryland C. Gore and :
306 West Joppa Road Associates :
Petitioners :

ORDER OF DISMISSAL

Petition of Maryland C. Gore and 306 West Joppa Road Associates for reclassification from D.R. 16 and R.A.E. 1 to R.A.E. 2, special exception for an Office Building, and variance from Section 201.3C.1 of the Baltimore County Zoning Regulations, on property located on the northwest corner of Bosley Avenue and Joppa Road, in the Ninth Election District of Baltimore County.

WHEREAS, this petition was remanded by this Board to the Zoning Commissioner on September 26, 1978, so that the Petitioner might pursue the qualifications of his petition under the I.D.C.A. legislation.

WHEREAS, by letter dated April 27, 1979, this Board advised said petitioner that the Board noted that there had been no action taken by the Petitioner in the furtherance of his petition under the I.D.C.A. legislation.

WHEREAS, this Board this date has further noted that still no action has been taken by the Petitioner in the furtherance of his petition under the I.D.C.A. legislation.

THEREFORE, it is the conclusion and judgment of the Board that the Petitioner no longer wishes to pursue his petition, and said petition is hereby DISMISSED.

COUNTY BOARD OF APPEALS

OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

William T. Hackett

Patricia Millhouser

Date: June 20, 1979

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE COUNTY BOARD OF APPEALS
PETITION FOR VARIANCE : OF BALTIMORE COUNTY
NW corner of Bosley Ave. & Joppa Rd., :
9th District :
MARYLAND C. GORE and 306 WEST :
JOPPA ROAD ASSOCIATES, Petitioners : Case No. 75-197-XA

ORDER

Upon the foregoing Motion, It is this 26th day of September, 1978, by the County Board of Appeals for Baltimore County,

ORDERED that the Order of the Zoning Commissioner of Baltimore County granting said Petition be and it is hereby neither Affirmed or Reversed, but the entire proceeding is hereby REMANDED to the Zoning Commissioner of Baltimore County for referral to the Baltimore County Planning Board in accordance with Section 22-15.1(f) of the Baltimore County Code, and further proceedings thereon as are required in accordance with law.

Any appeal from this decision must be in accordance with Rules 8-1 to 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr.

John A. Miller

William T. Hackett

William T. Hackett

RE: PETITION FOR SPECIAL EXCEPTION : BEFORE THE COUNTY BOARD OF APPEALS
PETITION FOR VARIANCE : OF BALTIMORE COUNTY
NW corner of Bosley Ave. & Joppa Rd., :
9th District :
MARYLAND C. GORE and 306 WEST :
JOPPA ROAD ASSOCIATES, Petitioners : Case No. 75-197-XA

MOTION

To the Honorable, The County Board of Appeals:

The Motion of Maryland C. Gore and 306 West Joppa Road Associates, by John B. Howard, their attorney, respectfully shows:

1. That this case involves an application for a Special Exception to permit office use on a property which is presently zoned D.R. 16 on the 1976 Comprehensive Zoning Map duly adopted by the County Council for Baltimore County. This case is presently pending before this Honorable Board.

2. That, in view of the decision recently promulgated by the County Board of Appeals in a case entitled, "Petition for Special Exception, Nicholas B. Mangione, et ux," No. 76-158-X, your Movant believes, and therefore avers, that the instant case is similarly impacted by the legal operation and effect of the "Interim Development Control Act" and should, as was held in "Mangione," be Remanded to the Zoning Commissioner of Baltimore County for processing in accordance with the terms and provisions of said "Interim Development Control Act."

WHEREFORE, said Petitioners respectfully move that the County Board of Appeals by its appropriate Order cause said case to be Remanded to the Zoning Commissioner of Baltimore County and referral thereafter to the Planning Board of Baltimore County so that said application might be processed under the "Interim Development Control Act."

AND AS IN DUTY BOUND, etc.,

John B. Howard

John B. Howard, Attorney for Petitioners

409 Washington Avenue

Towson, Maryland 21204

823-4111

I HEREBY CERTIFY that on this 26th day of September, 1978 a copy of the foregoing Motion, and of the proposed Order thereon, was mailed to Mr. Joseph F. Davis, President, Southland Hills Imp. Ass., Inc., 305 Alabama Road, Towson, Maryland 21204; Ms. Barbara Bacher, President, Towson Elementary School PTA, 611 Central Avenue, Towson, Maryland 21204; Mrs. Mary E. Gira, President, West Towson Imp. Ass., Inc., 606 Homcrest Road, Towson, Maryland 21204; and John W. Hession, III, People's Counsel for Baltimore County, County Office Building, Towson, Maryland 21204.

John B. Howard

RE: PETITION FOR RECLASSIFICATION, : BEFORE THE
SPECIAL EXCEPTION, AND VARIANCES : DEPUTY ZONING
NW corner of Bosley Avenue and Joppa : COMMISSIONER
Road - 9th Election District :
Maryland C. Gore, et al - Petitioners :
NO. 75-197-RXA (Item No. 14) :
: OF
: BALTIMORE COUNTY

This case represents requests for a Reclassification from D.R. 16 and R.A.E. 1 Zones to a R.A.E. 2 Zone, a Special Exception for an office building, and Variances to permit front and side yard setbacks. The property in question is situated on the northwest corner of Bosley Avenue and Joppa Road, in the Ninth Election District of Baltimore County.

The testimony and evidence presented during the course of the hearing was not conclusive and did not meet the requirements necessary for the Reclassification, Special Exception, or Variances requests and, for these reasons, must be denied.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 11th day of June, 1979, that the herein requests for the Reclassification, Special Exception and Variances be and the same are hereby DENIED.

James E. Davis
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE June 11, 1979
BY John B. Howard

IN THE MATTER OF THE PETITION OF
MARYLAND C. GORE AND 306 WEST
JOPPA ROAD ASSOCIATES, LEGAL
OWNERS, AND JOPPA RIDGE ASSOCIATES,
CONTRACT PURCHASER, FOR RECLASSI-
FICATION OF PROPERTY LOCATED AT
THE NORTHWEST QUADRANT OF BOSLEY
AVENUE AND JOPPA ROAD, NINTH
ELECTION DISTRICT, BALTIMORE
COUNTY, MARYLAND, FROM D.R. 16
AND R.A.E. 1 ZONES TO A R.A.E.
2 ZONE WITH A SPECIAL EXCEPTION
FOR AN OFFICE BUILDING.

BEFORE THE ZONING COMMISSIONER
FOR BALTIMORE COUNTY

MEMORANDUM IN SUPPORT OF
PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION

The Petitioner, 306 West Joppa Road Associates is the owner of a parcel of land improved by a dwelling converted to an office building located at the northwest corner of Joppa Road and Bosley Avenue. Adjoining this parcel to the west and fronting on Bosley Avenue is a parcel owned by the Petitioner, Maryland C. Gore and improved by a dwelling house with outbuildings. During the late 1960's, Baltimore County, Maryland, entered into condemnation proceedings with the owners of these two properties in order to accommodate widening of Bosley Avenue and Joppa Road and redesign and reconstruction of that intersection. As a result of these proceedings which were concluded by way of settlement during 1968, the 306 West Joppa property was reduced from in excess of .5 of an acre to .15 of an acre in fee and a revertible slope easement of .109 of an acre; and the Gore property from approximately 1 acre to .4280 of an acre, which figure includes the revertible slope easement.

The Baltimore County Council in adopting the comprehensive land use maps on March 24, 1971, designated a R.A.E. 1 zone on the north side of Joppa Road, beginning at a point east of Bosley Avenue. This zone was extended across Bosley

Avenue in a westerly direction and included the 306 West Joppa property, and some of the Gore property. The balance of the Gore property was designated D.R. 16. Of significance in considering the propriety of these zoning classifications, it is interesting to note that the Baltimore County Planning Board has by resolution and adoption of its map included both the 306 West Joppa property and the Gore property as part of the Town Center of Towson.

It is submitted that the Council committed error in not including the entire Gore property in a R.A.E. zone. Baltimore County had acquired the bulk of the 306 West Joppa property and a significant portion of the Gore property three years prior to adoption of the 1971 maps. Thus, the action of the Council created an "island" of R.A.E. 1 zoning in separate ownership from the R.A.E. zoning to the east and consisting of but a fraction of an acre. The only logical and practical approach would have been to include the entire Gore property in the R.A.E. classification. The widening of Joppa Road, which had been designed prior to adoption of the comprehensive maps, extends west of the Bosley intersection past the 306 West Joppa property and to a point just to the west of the Gore property line. This substantial change in the road pattern should have dictated, if not mandated, the grouping of the 306 West Joppa and the entire Gore properties together in a single, developable zoning classification. The 306 West Joppa property and the portion of the Gore property, standing alone, cannot be utilized or developed in an R.A.E. 1 zone.

It is further submitted that the Council erred in not designating both of these properties R.A.E. 2. Section

200.1 of the Baltimore County Zoning Regulations, in dealing with the general provisions of R.A.E. 1 zones, states in pertinent part:

"It is not intended that any R.A.E. 1 zones shall be established in such proximity or relation to an interchange that undue congestion would occur as a result of development within the zone."

Due to the major reconstruction of the Bosley Avenue-Joppa Road interchange, and the fact that the small 306 West Joppa property is located immediately on the corner, points up the fact that this classification was inappropriate. Conversely, Section 201.1 of the Baltimore County Zoning Regulations, dealing with the general provisions of R.A.E. 2 zones would indicate that these two parcels are ideally suited for such classification:

"A. Statement of Legislative Policy. R.A.E. 2 zones provide for development of elevator-apartment buildings at relatively high density, in residential settings closed to the major commercial and cultural centers of the County, where ample utilities and other facilities are available."

These properties located at the western boundary of the Towson Town Center adjoin residential properties to the west with, as indicated above, the Gore property being at the western terminus of the Joppa Road widening. R.A.E. 2 zoning would provide the "buffer" type of use contemplated by this legislative policy.

Petitioners contend that R.A.E. 2 zoning is justified not only on the basis of clear error but also by reason of substantial changes in the neighborhood. The widening of Joppa Road and the reconstruction of Bosley Avenue as part of a four-lane "beltway" around Towson or, as designated by the Planning Board as the Towson Town Center distributor by-pass road, has clearly removed the subject properties from

their former low density residential character, and the configuration of the intersection is such that R.A.E. 2 uses would seem particularly appropriate. This change in the roadway system, for the reasons cited above, were apparently overlooked by the Council in 1971, and being a reality at the present time constitute substantial change. Furthermore, the former residential properties located on both sides of reconstructed Bosley Avenue extending south to the new County Courts Building have for the most part been converted to office uses. Similarly, properties located on the south side of Joppa extending east from the interchange (and opposite the Immaculate Conception Church) have been changed from residential to office use. Thus, it can hardly be said that the character of this neighborhood at present resembles its 1971 character.

A special exception for an office building under the R.A.E. 2 zone appears fully justified for the reasons herein cited. The criteria of Section 502.1 of the Baltimore County Zoning Regulations are fully met.

Respectfully submitted,
John B. Howard
John B. Howard

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

Item 14 - 8th Zoning Cycle

John B. Howard, Esq.
409 Washington Avenue
Towson, Maryland 21204

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted
for filing this 25th day of October 1974.

John B. Howard
S. ERIC DIWENNA,
Zoning Commissioner

Maryland C. Gore and 306 West
Joppa Road Associates
Petitioner

Petitioner's Attorney John B. Howard

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Md. 21204

Reviewed by *James B. Byrnes, III*
Chairman,
Zoning Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 25, 1974

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204

James B. Byrnes, III
Chairman

John B. Howard, Esq.
409 Washington Avenue
Towson, Maryland 21204

RE: Reclassification and Special
Exception Petition
Item 14 - 8th Zoning Cycle
Maryland C. Gore and
306 West Joppa Road Associates -
Petitioners

Dear Mr. Howard:

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

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 development 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 at the northwest corner of Joppa Road and Bosley Avenue, in the 9th Election District of Baltimore County. It has been improved with an existing dwelling that has been converted into offices and a dwelling presently retaining its residential character. The Immaculate Conception Church exists opposite the site on Bosley Avenue, and various residential uses exist west of the site on Joppa Road. Law offices presently exist on the southwest corner of the aforementioned intersection.

The petitioner is requesting a Reclassification from the existing RAE-1 and DR 16 zones to an RAE-2 zone with a Special Exception for offices.

John B. Howard, Esq.
Re: Item 14 - 8th Zoning Cycle
October 25, 1974

Page 2

A seven story office building containing 72,000 square feet is proposed with subgrade parking indicated for 149 vehicles. This latter portion of the structure necessitates variances for yard setbacks.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plats, as may have been requested by this Committee, shall be submitted to this office prior to December 1st, 1975, in order to allow time for final Committee review and advising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1975, and April 15, 1975, will be forwarded to you well in advance of the date and time.

Very truly yours,

James B. Byrnes, III
JAMES B. BYRNES, III
Chairman,
Zoning Plans Advisory Committee

JBB:JD

Enclosure

cc: E. F. Raphael & Associates
201 Courtland Avenue
Towson, Maryland 21204

Baltimore County Fire Department

J. Austin Deitz
Chief



Towson, Maryland 21204

873-7310

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

Attention: Mr. Jack Dillon, Chairman
Zoning Advisory Committee

Re: Property Owner: Maryland C. Gore & 306 W. Joppa Rd.

Location: NE/C of Joppa Rd. & Bosley Ave.

Item No. 14 Zoning Agenda Cycle #8 - October 1, 1974

Gentlemen:

Pursuant to your request, the referenced property has 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 100 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. 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: *H. J. Kelly* Noted and Approved: *Paul H. Roache*
Planning Group Deputy Chief
Special Inspection Division Fire Prevention Bureau

Baltimore County, Maryland Department of Public Works COUNTY OFFICE BUILDING TOWSON, MARYLAND 21204

Bureau of Engineering
ELLENWORTH H. DIVER, P.E., CHIEF

October 30, 1974

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

Re: Item #14 (Cycle VIII - October 1974 - April 1975)

Property Owner: Maryland C. Gore & 306 W. Joppa Road Associates

N/A cor. of Joppa Rd. and Bosley Ave.

Existing Zoning: R.A.E. 1, D.R. 16

Proposed Zoning: R.A.E. 2 W/Special Exception for offices

and Variance from Section 201.3C1-front and side yards

No. of Acres: 0.934 District: 9th

Dear Mr. DiNenna:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Bosley Avenue and Joppa Road are existing County roads which are currently being reconstructed along the frontage of this property under Contract No. 7241, Job Order S-201-2, as a Federal Aid Project. The plat correctly depicts the proposed improvements and no further highway improvements would be required in conjunction with the proposed development of this property, except for the construction of private driveway entrances and public sidewalks where required along Joppa Road. However, the 5-foot highway right-of-way widening, as shown on the plat along Joppa Road must be granted, at no cost to the County, in conjunction with any building or grading permit application.

The driveway entrances are subject to the approval of the Department of Traffic Engineering and the Office of Planning and Zoning; and shall be constructed in accordance with Baltimore County standards. No median opening or left turn provisions will be permitted from the northbound lane of Bosley Avenue.

Storm Drains:

No provisions for accommodating storm water or drainage flows have been indicated on the plat; however, adequate facilities would be required in conjunction with the proposed development of the property.

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

Item #14 (Cycle VIII - October 1974 - April 1975)
Property Owner: Maryland C. Gore & 306 W. Joppa Road Associates
Page 2
October 30, 1974

Sediment Control:

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

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

Water and Sanitary Sewer:

The subject property is situated within the Baltimore County Metropolitan District and is included within the limits of the Baltimore County Comprehensive Water and Sewerage Plan, amended July 1974.

Public water supply and sanitary sewerage exist in Joppa Road and public water supply exists in Bosley Avenue. No open trench excavations will be allowed in Bosley Avenue; therefore, all service connections should be planned from Joppa Road utilities. The burden of determining the adequacy of the existing utilities shall be the responsibility of the Petitioner's engineer.

This property is subject to restrictions imposed by the Maryland State Department of Health which prohibits increased sewage flows contributing to the Jones Falls sewerage system.

Very truly yours,

Ellenworth H. Diver
ELLENWORTH H. DIVER, P.E.
Chief, Bureau of Engineering

END:HAM:RMD:SS

cc: J. Trenner

N-W Key Sheet
38 NE 2 Pos. Sheet
NE 10 A Topo
70A Tax Map

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF HEALTH



JEFFERSON BUILDING
TOWSON, MARYLAND 21204

October 17, 1974

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

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

Dear Mr. DiNenna:

Comments on Item 14, Zoning Reclassification,
Cycle #8, are as follows:

Property Owner: Maryland C. Gore & 306 W. Joppa Rd.

Location: NE/C of Joppa Rd. & Bosley Ave.

Existing Zoning: R.A.E. 1 & DR 16

Proposed Zoning: R.A.E. 2 and SPECIAL EXCEPTION for offices.

No. of Acres: .934

District: 9th

Metropolitan water and sewer are available.

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 Protection 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.

Jones Falls Moratorium: A moratorium was placed on new sewer connections in the Jones Falls Drainage Basin by Dr. Neil Solomon, Secretary of Health and Mental Hygiene, on November 13, 1973; therefore approval may be withheld for this connection.

Very truly yours,

Thomas H. Devlin
Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB/ncg

CC--W.L. Phillips
L.A. Schuppert

BALTIMORE COUNTY, MARYLAND JEFFERSON BUILDING TOWSON, MARYLAND 21204



DEPARTMENT OF TRAFFIC ENGINEERING

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

October 28, 1974

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

Re: Item 14 - Cycle Zoning 8 - October 1974 through April 1975

Property Owners: Maryland C. Gore & 306 W. Joppa Road Associates
NW corner of Joppa Road & Bosley Avenue
R.A.E. 2 with special exception for offices & variance from Section 201.3C1-front & side yards.
District 9

Dear Mr. DiNenna:

The Town plan and road system has been designed with the assumption that very limited office uses would be available west of Bosley Avenue. This continued piecemeal zoning of small parcels into office space without an adequately designed road system can only create problems in the future.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRW/rmg

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 9, 1974

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

Z.A.C. Meeting of: October 1, 1974 (Cycle #8)

Re: Item 14

Property Owner: Maryland C. Gore & 306 W. Joppa Road

Location: NE/C. of Joppa Road & Bosley Avenue

Present Zoning: R.A.E. 1 and D.R. 16

Proposed Zoning: R.A.E. 2 and Special Exception for offices

District: 9th

No. Acres: .934

District: 9th
No. Acres: .934

Dear Mr. DiNenna:

While this request would have little bearing on increasing the student population, the increase in traffic resulting would compound the hazard already in evidence for pupils at the Towson Elementary School.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative.

WHP/ml

H. ENGLISH PARKS, President
EUGENE C. HESS, Vice-President
MRS. ROBERT L. BERRY

MARCUS H. ROTARIS
JOSEPH N. MCGOWN
ALVIN LOBECK
JOSHUA R. WHEELER, Superintendent

T. BAYARD WILLIAMS, JR.
RICHARD W. TRACEY, V.M.D.
MRS. RICHARD A. GUERTEL

WILLIAM D. FPOHMM
DIRECTOR
S. ERIC DINENNA
ZONING COMMISSIONER



November 6, 1974

Mr. S. Eric DiNenna, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #14, Zoning Cycle VIII, October, 1974, are as follows:

Property Owner: Maryland C. Gore & 306 W. Joppa Road

Location: NE/C of Joppa Road and Bosley Avenue

Existing Zoning: R.A.E. 1 and D.R. 16

Proposed Zoning: R.A.E. 2 and Special Exception for offices

No. of Acres: .934

District: 9th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

The site plan should be revised to include the floor area ratio, parking layout and the amenity open space ratio.

This office would also direct the petitioner's attention to Section 202.1 through 202.4 of the Zoning Regulations

Very truly yours,

John L. Wimbley
John L. Wimbley
Planning Specialist II
Project and Development Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
SUITE 301 JEFFERSON BUILDING 105 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204
AREA CODE 301 PLANNING 484-3311 ZONING 484-3351

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

OFFICE OF ZONING COMMISSIONER

S. ERIC DINENNA
Zoning Commissioner
JAMES E. DYER
Deputy Zoning Commissioner



June 11, 1975

474-3351
474-3351

John B. Howard, Esquire
409 Washington Avenue
Towson, Maryland 21204

Dear Mr. Howard:

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

Very truly yours,

James E. Dyer
JAMES E. DYER
Deputy Zoning Commissioner

JED/mc

Attachments

cc: W. Lee Harrison, Esquire
Equitable Building
Washington Avenue
Towson, Maryland 21204

Mr. Joseph F. Davis
305 Alabama Road
Towson, Maryland 21204

Mrs. Mary E. Ginn
606 Horncrest Road, Towson, Maryland 21204 C & P Telephone Company
111 WEST CHESAPEAKE AVENUE TOWSON, MARYLAND 21204

Mrs. Jean Blucher, President
Towson Elementary School
Parent Teacher Association
611 Central Avenue
Towson, Maryland 21204

Mr. Bruce Healy
406 W. Joppa Road
Towson, Maryland 21204

September 27, 1974

RESIDENCE: 771-4300

DESCRIPTION TO ACCOMPANY PETITION FOR RECLASSIFICATION
PROPERTY LOCATED NORTHWEST CORNER JOPPA ROAD AND BOSLEY AVENUE

Beginning for the same at a point on the north side of Joppa Road at a distance of northwesterly 140.2' from the intersection formed by the north right of way line of Joppa Road and the center line of Bosley Avenue running thence and binding on the north right of Joppa Road the three following courses and distances: (1) N59°00'14"W 56.59'; (2) 26°49'23"W 5.39'; (3) N59°46'00"W 109.39' thence leaving the north right of way line of Joppa Road and binding on the westernmost of outline of the property of Maryland C. Gore the two following courses and distances: (1) N26°41'19"E 172.15'; (2) N27°08'51"E 169.65' to intersect the western right of way line of Bosley Avenue running thence and binding on the western right of way line of Bosley Avenue the five following courses and distances: (1) by a curve to the right with a radius of 691.62' for a distance of 30.72'; (2) S8°14'11"E 169.00'; (3) S8°14'11"E 102.03' thence; (4) by a curve to the right with a radius of 1219.43' for a distance of 59.24' thence; (5) by a curve to the right with a radius of 38.47' for a distance of 24.79' to the place of beginning.

Containing 0.934 Acres of land more or less.

1615



E. F. RAPHEL
Reg. Prof. Land Surveyor
No. 2246

LAW OFFICES
COOK, MURRAY, HOWARD & TRACY
MERCANTILE-TOWSON BUILDING
4038 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

JAMES H. COOK
HOWARD C. MURRAY
JOHN B. HOWARD
JAMES H. COOK, JR.
JOHN H. BOWEN, JR.
JOSEPH E. WOOD, JR.

TELEPHONE: 923-4111
AREA CODE: 301

June 16, 1975

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

RE: Petition for Reclassification
Special Exception, and Variances
NW corner of Bosley Avenue and
Joppa Road - 9th Election District
Maryland C. Gore, et al.
Petitioners
NO. 75-197-RXA (Item No. 14)

Dear Mr. DiNenna:

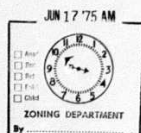
Kindly enter an appeal to the Baltimore County Board of Appeals, pursuant to Section 500.10 of the Baltimore County Zoning Regulations, from the Order of James E. Dyer, Deputy Zoning Commissioner, dated June 11, 1975.

Enclosed please find my check in the amount of \$80.00 which your office advises to be the costs due for the filing fee and posting expense.

Very truly yours,

John B. Howard

JBH/ca
Enclosure



September 26, 1978

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

Re: Case No. 75-197-RXA
Maryland C. Gore, et al

Dear Mr. Howard:

Enclosed herewith is a copy of the Order for Remand passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Eisenhart, Adm. Secretary

Encl.

cc: Mr. Joseph F. Davis
Ms. Barbara Bachor
Ms. Mary E. Glen
John W. Haslam, III, Esquire
Mr. Clyde L. Law
Mr. Bruce Healy
Miss Beatrice E. Shober
Mrs. Matthew Cranston
Mrs. John Wallace
Mr. Kurt Vogt
Mr. Calvin K. Kolos
Ms. S. E. DiNenna
Mr. J. E. Dyer
Mr. L. H. Groef
Mr. J. Howell
Board of Education

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
Sept 17, 1978

John B. Howard, Esq.
210 Allegheny Avenue
Towson, Maryland 21204

RE: Case No. 75-197-RXA (Item #14)
Maryland C. Gore and
305 W. Joppa Road Associates

Dear Mr. Howard:

As per your Motion, the above mentioned case was remanded by this Board to the Zoning Commissioner in order that the Petitioner might seek compliance with I.D.C.A. As of this date, the record indicates that you have not pursued this matter.

Within fifteen (15) days, please advise the Board as to your intentions. No response to this request will be interpreted by this Board as an indication that you no longer wish to pursue this petition. Thence, the Board, upon its own Motion, will dismiss your petition.

Very truly yours,

Walter A. Neiter, Jr., Chairman

cc: People's Counsel

June 20, 1979

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Md. 21204

Re: Case No. 75-197-RXA
Maryland C. Gore, et al

Dear Mr. Howard:

Enclosed herewith is a copy of the Order of Dismissal of Petition passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Eisenhart, Adm. Secretary

Encl.

cc: Mr. Joseph F. Davis
Ms. Barbara Bachor
Ms. Mary E. Glen
John W. Haslam, III, Esquire
Mr. Clyde L. Law
Mr. Bruce Healy
Miss Beatrice E. Shober
Mrs. Matthew Cranston
Mrs. John Wallace
Mr. Kurt Vogt
Mr. Calvin K. Kolos
Mr. W. E. Hammond
Mr. J. E. Dyer
Mr. L. H. Groef
Mr. J. Howell
Board of Education

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John W. Haslam, III, People's Counsel Date: July 19, 1976
FROM: Lt. Thomas Kelly, Fire Prevention Bureau
Baltimore County
SUBJECT: Zoning Case No. 75-197-RXA
ZAC Item No. 14, Zoning Cycle VIII, October 1974
Petitioner: Maryland C. Gore and 305 W. Joppa Road Associates
Locations: N.E. Corner of Joppa Road and Bosley Avenue - 9th District
Date of last comments: October 30, 1974

Pursuant to your request, there is an additional comment we would like to offer at this time.

Due to the height of proposed building, State Bill 572 shall require automatic sprinkler protection. I would advise petitioner to look at this bill and reflect same on drawings when applying for building permit.

If this office can be of further assistance, please contact us.

St. Thomas Kelly
Lt. Thomas Kelly
Fire Prevention Bureau

CC: Mr. Hoggans, Zoning Office

LAW OFFICES
COOK, MURRAY, HOWARD & TRACY
MERCANTILE-TOWSON BUILDING
4038 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

JAMES H. COOK
HOWARD C. MURRAY
JOHN B. HOWARD
JAMES H. COOK, JR.
JOHN H. BOWEN, JR.
JOSEPH E. WOOD, JR.

TELEPHONE: 923-4111
AREA CODE: 301

July 3, 1975

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

RE: Petition for Reclassification
Special Exception and Variances
NW Corner of Bosley Ave. and
Joppa Road - 9th Election Dist.
Maryland C. Gore, et al.
Petitioners
No. 75-197-RXA (Item No. 14)

Dear Mr. DiNenna:

I have been advised by the County Board of Appeals that further information is needed with respect to the parties to the appeal that was noted in the above captioned matter on June 16, 1975.

Accordingly, would you kindly enter an appeal to the Baltimore County Board of Appeals, pursuant to Section 500.10 of the Baltimore County Zoning Regulations, from the Order of James E. Dyer, Deputy Zoning Commissioner, of June 11, 1975.

This appeal is being noted on behalf of the legal owners and contract purchasers of the subject property. The names and addresses of the legal owners are as follows:

Marylar J. Gore
301 W. Chesapeake Avenue
Towson, Maryland 21204

305 West Joppa Road Associates,
a Partnership consisting of
W. Lee Harrison
Equitable Building
Towson, Maryland 21204

Barbara A. Munder
Equitable Building
Washington Avenue
Towson, Maryland 21204

Mr. S. Eric DiNenna
Page 2
July 3, 1975

Barbara A. Munder and
Donald F. Collins, Trustees
c/o Barbara A. Munder
Equitable Building
401 Washington Avenue
Towson, Maryland,
In trust for
Thomas R. Harrison,
Michael J. Harrison,
Anne Harrison,
William P. Harrison and
Katherine A. Harrison

The names and addresses of the contract purchasers who are also noting this appeal are as follows:

Joppa Ridge Associates, a Partnership
consisting of
Thomas F. Mullan, Jr.
15 Charles Center
Suite 400
Baltimore, Maryland 21201

Thomas F. Mullan, III
15 Charles Center
Suite 400
Baltimore, Maryland 21201

Charles A. Mullan
15 Charles Center
Suite 400
Baltimore, Maryland 21201

James Patrick Mullan
15 Charles Center
Suite 400
Baltimore, Maryland 21201

Mr. S. Eric DiNenna
Page 3
July 3, 1975

Charles H. Feihe
15 Charles Center
Suite 400
Baltimore, Maryland 21201

Harry A. MacEwen
1410 Swann Avenue
Tampa, Florida 33609

Charles B. Allen
Brooklam Road
Owings Mills, Maryland 21117

John B. Howard
409 Washington Avenue
Towson, Maryland 21204

Very truly yours,
John B. Howard
John B. Howard

JBH/ca
cc. Mr. Walter A. Reiter, Jr.,
Chairman, County Board of Appeals

BALTIMORE COUNTY, MARYLAND

INTRA-OFFICE CORRESPONDENCE

TO: Mr. S. Eric DiNenna, Zoning Commissioner Date: July 1, 1975
FROM: County Board of Appeals
SUBJECT: Case #75-197-RXA - Maryland C. Gore, et al, Petitioners

Attached please find the Notice of Appeal and all documents pertaining to the above entitled case. This appeal and pertinent documents are being returned to your office because said appeal fails to comply with Board Rule 3 (c), which states: "No appeal shall be entertained by the board of appeals unless the notice of appeal shall state the names and addresses of the persons taking such appeal." (Baltimore County Council Bill #108, Legislative Session 1965, Legislative Day No. 17, Enacted January 6, 1966)

Walter A. Reiter, Jr.
Walter A. Reiter, Jr., Chairman
County Board of Appeals

cc: John B. Howard, Esquire



September 19, 1978

John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

Re: Case No. 75-197-RXA
Maryland Gore, et al

Dear Mr. Howard:

The Board intends to dismiss the above petition because same has not received I.D.C.A. approval. Seemingly, the Petitioner has had ample time to process this petition through the Planning Board under the I.D.C.A. requirements. As you know, it is the position of this Board that such processing by the Planning Board under I.D.C.A. is a prerequisite to the granting of the petition.

If the Board does not receive a request from you to remand this case for such processing within one week from the date of this letter, a dismissal in accordance with the policy of this Board will be issued.

Very truly yours,

Walter A. Reiter, Jr.
Walter A. Reiter, Jr., Chairman

WAR:ce

LAW OFFICES
COOK, MURRAY, HOWARD & TRACY
MERCANTILE TOWNSHIP BUILDING
409 WASHINGTON AVENUE
TOWSON, MARYLAND 21204

TELEPHONE 423-4117
AREA CODE 301

May 5, 1975

Mr. James E. Dyer
Deputy Zoning Commissioner
County Office Building
Towson, Maryland 21204

RE: Our File: 4648
Petition for Reclassification
& Special Exception for
Maryland C. Gore, et al
No. 75-197-RXA

Dear Mr. Dyer:

You will recall that a hearing began on the above captioned Petition on March 10, 1975 and the parties requested a continuance in order to explore the possibility of a compromise. You requested that we report back to you no later than May 12.

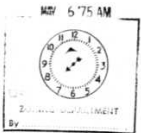
Such a meeting was, in fact, held, but it appears that an offer of compromise is not acceptable.

Accordingly, it would be most appreciated if this matter could be assigned an early hearing date so that it might be concluded.

Kind regards.

Sincerely,
John B. Howard
John B. Howard

JBH/ca



WEST TOWSON IMPROVEMENT ASSOCIATION, INC.
503 GROOM DRIVE
TOWSON, MD. 21204

May 23, 1975



Mr. Eric DiNenna
111 W. Chesapeake Avenue
Towson, Maryland 21204

RE: 75-197-RXA (Item No. 14)

Dear Mr. DiNenna:

Please subpoena:

Mr. Richard Moore - Baltimore County Traffic Department
Mr. William Fromm - Baltimore County Planning Department
Mr. Harvey Krenzberg - Baltimore County Board of Education

for the June 4th hearing on the Gore-Harrison case, northwest corner of Bosley and Joppa Roads.

Sincerely,

Mary E. Ginn
Mary E. Ginn
President
West Towson Improvement
Association

MEG/cnz

Mr. Sheriff:

Please issue summons in accordance with the above. The hearing is scheduled for Wednesday, June 4, 1975, at 10:00 A.M., Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland 21204.

Eric DiNenna
Zoning Commissioner of
Baltimore County

JOHN B. FUNK

B.S. in Civil Engineering	Washington and Lee University
Registered Civil Engineer #17	State of Maryland
Testimonial	Traffic Club of Baltimore - 1969 Outstanding Contribution in Transportation
Director of Public Works	Baltimore County - 1951-1959
Chairman-Director	State Roads Commission, Maryland 1959-1967
Regional Vice President	American Association of State Highway Officials 1964-1967
Chairman	Maryland State Planning Commission 1949-1951
Member	Baltimore Regional Planning Commission 1959-1967
Member	Baltimore Mass Transit Steering Commission 1969-1967
Chairman of the Board	Funk, Fletcher and Thompson, Inc. Engineers, Architects and Planners

WEST TOWSON IMPROVEMENT ASSOCIATION, INC.

503 GROOM DRIVE
TOWSON, MD. 21204

May 4, 1975

Mr. Eric DiNenna
Zoning Commissioner
111 W. Chesapeake
Towson, Md 21204

Dear Mr. DiNenna,

Please subpoena the following people for us for testimony re: Harrison-Gore case NW (corner of Bosley/Joppa)

Mr. Richard Moore Balto Co. Traffic Dept
Mr. Joe Howell
and for Mr. Norman Ginn "Planning"

If under your jurisdiction, we would also like you to summon the young man in the Balto Co. Bd of Educ office who is partly responsible for the advice to the Planning Bd in the Gyle Books. Please advise me about same. I have sent this to Mr. Dyer who will be handling the continued case. I presume, indeed, no compromise could be reached with the parties involved. Their compromise consisted of nine floors - six floors of office



space and three of parking with a Bosley opening (in front) and a Joppa opening which would definitely affect the health, safety and welfare of the children at Towson Elem. School.

Thank you

Mary E. Ginn
(Pres.)

606 Hamcrest
21204

Ph 825-0360

February 21, 1975

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

Re: Item 14-75-197-RXA

In order to anticipate future changes in service requirements, I would appreciate the result of the scheduled zoning Reclassification Hearing for the October, 1974 - April, 1975 zoning Reclassification Cycle. Please forward the decision when it becomes available to Mr. Clyde L. Lew, Field Engineer, 305 W. Chesapeake Avenue, Towson, Maryland, 21204.

Very truly yours,
C. L. Lew
Field Engineer

CLJ/nk

RESOLUTION

The Board of the Towson Elementary School P.T.A. is opposed to the granting of two zoning reclassification petitions currently under consideration by the Zoning Commissioner. These are:

- (a) Case #75-197-RXA
Maryland C. Gore
N. Corner Bosley Avenue
and Joppa Road
- (b) Case #75-198-RXA
Theresa S. W. Trandwell
North side Pennsylvania Avenue
West of Central Avenue

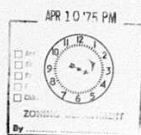
A letter outlining the Board's position will be sent to the Zoning Commissioner for each case and in the event that either or both of the cases go before the Board of Appeals similar letters and/or petitions will be sent to the Board of Appeals. The following persons are authorized to present the P.T.A. Board's position at any hearings or appeals for the cases in question:

Mrs. Alene Cronson 825-8242



E James Dyer

TOWSON ELEMENTARY SCHOOL
PARENT-TEACHER ASSOCIATION
611 Central Avenue
Towson, Maryland 21204



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

RE: Maryland C. Gore
Case #75-197-RXA
N.W. Corner Bosley Avenue
and Joppa Road

Dear Mr. DiNenna:

The Board of the Towson Elementary School P.T.A., a quorum being present, voted at the March 11, 1975 Board meeting to oppose the granting of the above-referenced petition.

It is felt that the rezoning of the property would increase the traffic on streets in the immediate area of the school, thereby increasing the potential dangers to children arriving at or leaving the school or using the playground facilities across Central Avenue from the school. In addition, children making use of the playground in the summer either in formal Department of Recreation Programs or on their own will be subjected to increased traffic hazards.

Very truly yours,

Jean Blucher
Jean Blucher, President

Attested to by:

Betty Jahl
Betty Jahl, Secretary

4/3/75

Date

E James Dyer

February 7, 1977

Mr. Calvin K. Kobas
420 Charles Street Avenue
Towson, Maryland 21204

Re: Case No. 75-197-RXA
Maryland C. Gore, et al

Dear Mr. Kobas:

Thank you for your letter of January 28, 1977, concerning the above mentioned case.

I have spoken personally with Mrs. Ginn and was aware that she would be in Florida. I do not recall the emergency aspect of her visit. Nonetheless, in my conversation with Mrs. Ginn, she felt confident that her views and those of the association could be ably placed into the record by other competent and knowledgeable witnesses.

The Board must always make every effort to balance the equities in pending matters. You may or may not know that all testimony and evidence were received sometime ago and the Board was in its decision making process when some question of notice to all interested parties arose. Administratively, the Board felt that it wished to hear from those who may not have received proper notice for whatever reason. The Petitioner chose not to appeal or dispute this administrative decision of the Board, and the Board will reopen the hearing portion of this case and allow such other interested parties to testify.

Considering all the above, it is my judgment that fairness to all parties requires that your request for postponement be denied.

Very truly yours,

Walter A. Ralder, Jr., Chairman

WAR:m

cc: John B. Howard, Esquire
Mrs. Mary E. Ginn - Florida
John W. Hessler, III, Esquire

January 28, 1977

County Board of Appeals
Room 218
Court House
Towson, Maryland 21204

Re: Case No. 75-197-RXA

Gentlemen:

I am writing on behalf of the West Towson Improvement Association, particularly for Mrs. Mary E. Ginn, President.

Since Mrs. Ginn has been called away on an emergency to Florida, she will not be able to return by February 15, 1977.

We request that this hearing will be postponed to a later date.

Sincerely yours,

Calvin K. Kobas
Calvin K. Kobas

November 4, 1976

Miss Beatrice E. Shober
722 Morningdale Drive
Towson, Md. 21204

Re: Case No. 75-197-RXA
NW corner Bosley Ave.
and Joppa Road
9th District
Maryland C. Gore, et al

Dear Miss Shober:

Thank you for your letter of November 2, 1976, concerning the above mentioned case.

Unfortunately, under the Maryland Rules of Evidence, your letter cannot be considered by this Board. While the Board has made no decision in this matter, the hearing procedures have ended following two days of testimony and evidence by the petitioners and various protestants. You may rest assured that the Board will carefully weigh all the evidence and testimony before rendering a decision in this matter.

I am including your name amongst those to be notified of our decision.

Very truly yours,

Walter A. Ralder, Jr., Chairman

WAR:m

1845 47th Ave.
Bosley Brook, Md.
32960
Jan 22, 1977

Mrs. Walter Ralder
Chairman, Bd. of Appeals
Baltimore County House Room 219
Towson, Md. 21204

Dear Mr. Ralder:

I guess you know I took Mrs. to Bosley Brook. I seriously left Towson for 4 and came back to visit my parents. Finally wanting to call my husband this Am. I asked about mail and he said there was a letter from you. I told him he was not allowed to sign. My assumption is that it is about the Gore-Harrison case. Will you send a copy to me here?

722 Morningdale Drive
Towson, Md. 21204
Nov. 2, 1976

Walter A. Ralder, Jr.
Director, Board of Appeals
County Court House Room 219
Towson 21204

Case #75-197-RXA
Maryland C. Gore
et al

Dear Mr. Ralder:

It has come to my attention that the property on the corner of Joppa and Bosley, Zone 25 DR-16 on the county zoning map has been granted an exception to allow a 1-story office building. I am writing to protest the action.

One is that this corner has become increasingly crowded traffic-wise. It is a school crossing for children going from West Towson to the Towson Elementary School and the children constantly attend the school at Joppa and Bosley. I cannot see that an office building is needed on this corner and believe that it is poor community planning to permit its being built as a residential zone.

I am also protesting because I want to give an opportunity to express my views at the hearing. The President of the Morningdale Improvement Association, who is advised by Charles Kemnitz, Deputy Mayor's Council.

Rec'd 2-7-77
9:30 AM

I expect to leave here in about two weeks from next Thursday. If however, you have set a date which falls earlier than that, could you reassure me by notifying the following:

- Mrs. Matthew Cramon, Maringdale (Maringdale Assoc.) NW 21204
 - Mrs. John Wallace, 509 Park Ave (W.T.N.A.) 21204
 - Mrs. Kurt Vogt, 505 W. Joppa Rd (W.T.N.A.) 21204
 - and Mrs. Calvin Nelson, President W.T.N.A., 420 Chris. St. Ave. W. Towson, Md 21204
- I'll bring you grapefruit which I picked before the birds came south. I'll wait. Thanks and a belated Happy New Year.
- (Miss R. L. Ginn)

that the request could not be heard because of the pending action in the zoning maps. Consequently none of us in the Association made plans to be at the hearing this is a violation of my rights. It is distressing to be a resident of this area, where I have been a responsible homeowner and taxpayer for nearly nine years and not to have any voice in the kind of building and construction which is to be included in the neighborhood.

I hope it is not too late for the appeal Board to refuse this request. It is not in the best interest of the area.

Yours very truly
Beatrice E. Mosher

Miss Beatrice E. Mosher
722 Maringdale Drive
Towson, MD 21204

Rec'd 11-4-76
9:46 AM

SOUTHLAND HILLS IMPROVEMENT ASSOCIATION
OF BALTIMORE COUNTY, INC.

TOWSON, MARYLAND 21204
March 6, 1975

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

RE: Maryland C. Gore
#75-197-RXA
Item #14
D.R.16 & R.A.E1 to R.A.E2



Dear Mr. DiNenna

The Southland Hills Improvement Association hereby goes on record as being in opposition to the proposed rezoning request.

As there are many children from our Community & neighboring communities who walk to the Towson Elementary School we feel that the granting of the R.A.E2 zoning would add to the traffic in the vicinity of the school thus increasing the danger to the children. Not only during the school year but during the summer as well, the playground across Central Ave from the school is a magnet for the children in the area. Thus an increase in the traffic in the area will be an added danger to the kids taking advantage of the one real play area close to the Towson core.

In addition we feel that multi story buildings of this nature properly belong within the Town Center boundary.

We request that you deny the petition for a zoning change.

Very truly yours,

Joseph P. Davis - President
Southland Hills Improvement Association

Attested by [Signature]
Secretary

Mr. Joseph P. Davis
305 Atlanta Road
Towson, Maryland 21204

Dated: 3/6/75

SOUTHLAND HILLS IMPROVEMENT ASSOCIATION
OF BALTIMORE COUNTY, INC.

TOWSON, MARYLAND 21204

January 8, 1975

Baltimore County
Board of Appeals
County Office Building
Towson, Md.

Gentlemen:

The Southland Hills Improvement Association at its General Membership meeting on January 7, 1975 in Towson, a quorum being present, adopted the following resolution:

"It is hereby resolved that the Board of Directors of the Southland Hills Improvement Association is charged with the responsibility for review of and action upon such zoning matters as may come before it."

By [Signature]
Joseph P. Davis
President

Attested to:
By [Signature]
Recording Secretary

75497-1A
MAR 11 '75 AM
305 Dixie Drive
Towson, Md. 21204
MARCH 10 1975

ZONING COMMISSIONER
BALTIMORE COUNTY
By [Signature]

DEAR SIR,

IN REGARD TO THE PETITION FOR REZONING OF THE LEE HARRISON PROPERTY ON THE NW CORNER OF JOPPA AND BOULEVARD, I SINCERELY URGES THE PETITION BE DENIED AND RESIDENT ZONING CONTINUE BECAUSE:

1. INCREASED DENSITY WOULD FURTHER INCREASE SAFETY HAZARDS TO SCHOOL CHILDREN AT TOWSON ELEMENTARY (I HAVE CHILD ATTENDING) AND AT IMMACULATE CONCEPTION SCHOOL.
2. "HARDENING OF THE MATERIALS" THAT IS, FURTHER BURDEN ON TOWSON LOOP OR RING ROAD WOULD TEND TO CHECK TRAFFIC FLOW IN THIS ALREADY CRITICAL AREA.
3. DETRACT FROM THE INTEGRITY OF WELL ESTABLISHED RESIDENTIAL NEIGHBORHOOD.
4. ATTEMPT AT REZONING NOW SEEMS A DESPERATE ATTEMPT TO PRECIPITATE THOUGHTFUL PLANNING AND DEVELOPMENT OF LAND USE NOW BEING DONE IN THE COUNTY GOVERNMENT.
5. BOULEVARD IS A NATURAL AND LOGICAL DIVIDER OF LAND USE - RESIDENTIAL TO WEST, BUSINESS TO EAST. IN THE INTEREST OF STABILITY PLEASE MAINTAIN THIS.

RESPECTFULLY,
Charles H. Rogers



ITEM 14

PROPERTY OWNER: Maryland C. Gore and 306 W. Joppa Road Associates
LOCATION: 14/W corner of Joppa Road and Bailey Avenue
ELECTION DISTRICT: 9 ACREAGE: 0.93

GEOGRAPHICAL GROUP: IV FUNCTIONAL CATEGORY: None

RECOMMENDED DATE OF HEARING: Week of March 10, 1975

ZONING PRIOR TO 3/24/71: R.A.
EXISTING ZONING: D.R. 16; R.A.E. 1
REQUESTED ZONING: R.A.E. 2

PLANNING BOARD RECOMMENDATION: Retain Existing Zoning (D.R. 16; R.A.E. 1)

This 0.93-acre property, containing one dwelling and one dwelling converted to office use, is located on the north-west corner of Joppa Road and Bailey Avenue. To the east, on the opposite side of Bailey Avenue, is a church and church school on D.R. 3.5 zoned land; to the west, residences on D.R. 15 zoned land; to the south, on the opposite side of Joppa Road, an office building on D.R. 16 zoned land and the Towson Elementary School grounds. The petitioners are requesting a change from R.A.E. 1 and D.R. 16 to R.A.E. 2 zoning, proposing to construct a seven-story office building containing 72,000 square feet of floor area.

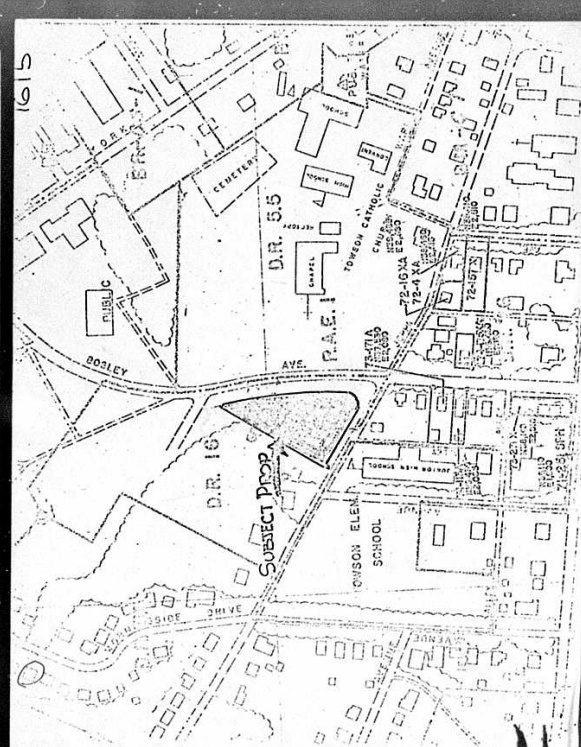
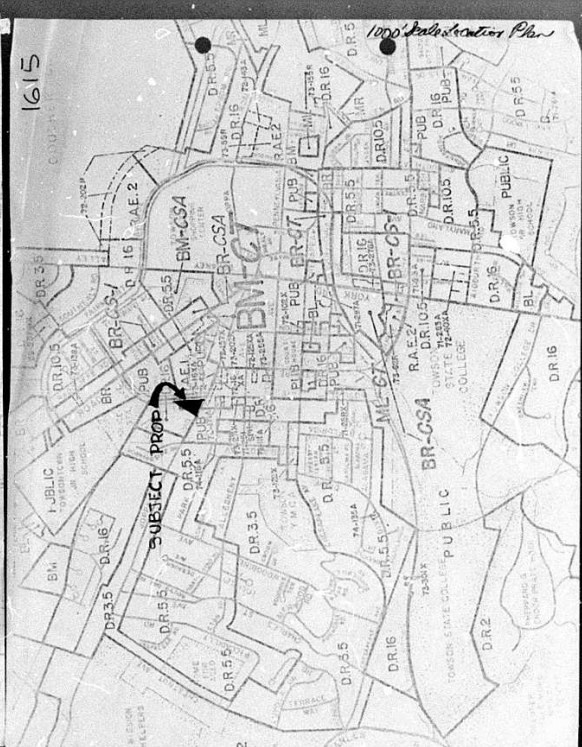
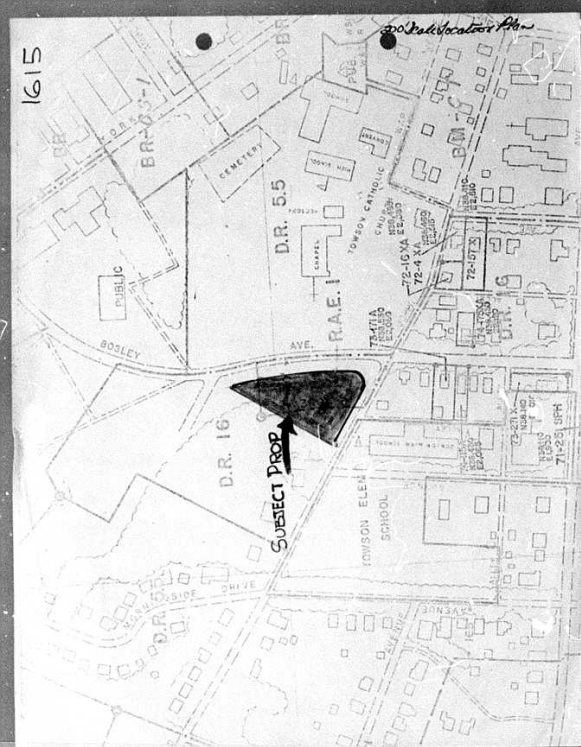
Prior to the adoption of the comprehensive zoning maps, the subject tract was zoned R.A. During the preparation and processing of these maps, the zoning of this property was identified as an issue before the County Council (Nos. 1340 and 1341); on March 24, 1971, the County Council adopted D.R. 16 and R.A.E. 1 zoning here.

The Board of Education's representative on the Zoning Advisory Committee stated that were the petitioner's request granted and the property developed accordingly, the resulting increase in traffic "would compound the hazard already in evidence for pupils of Towson Elementary School."

The Department of Traffic Engineering's representative on the Zoning Advisory Committee stated: "The Towson plan and road system has been designed with the assumption that very limited office uses would be available west of Bailey Avenue. This continued piecemeal zoning of small parcels into office space without an adequately designed road system can only create problems in the future."

It is the opinion of the Planning Board that any R.A.E. 2 zoned land in Towson should be located within the town-center bypass road; hence, R.A.E. 2 zoning would not be appropriate for the subject property. Additionally, the Board shares the opinion of the Zoning Advisory Committee representatives from the Board of Education and the Department of Traffic Engineering. It should also be noted that the subject property is not entirely within the Town-Center boundaries established by the Planning Board.

It is therefore recommended that the existing zoning, D.R. 16 and R.A.E. 1, be retained.



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

Your Petition has been received * this 30 day of Sept 1974. Item # _____

John B. Howard
Submitted by John B. Howard
Zoning Commissioner

Petitioner Maryland C. Gore & W. L. Howard Reviewed by John B. Howard

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	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: <u>John B. Howard</u>					Revised Plans: Change in outline or description _____ Yes Map # _____ No					
Previous case: _____										

1615

6-SIGNS 75-197-RXA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: Feb. 22, 1975

Posted for: Petitions For Reclassification, Special Exception, and Variance

Petitioner: Maryland C. Gore, et al.

Location of property: NW corner of Bosley Ave. & Joppa Rd.

Location of Signs: On NW corner of Bosley Ave. & Joppa Rd.
@ Front 306 W. Joppa Rd.

Remarks: _____

Posted by: Thomas B. Boland Date of return: Feb. 28, 1975

1615

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 22, 1975

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., once a week at one time successive weeks before the 10th day of March, 1975, the 688 publication appearing on the 20th day of February, 1975.

THE JEFFERSONIAN,
L. L. Lankford
Manager.

Cost of Advertisement, \$ _____

1615

OFFICE OF THE TOWSON TIMES

TOWSON, MD. 21204 February 14, 1975

THIS IS TO CERTIFY, that the annexed advertisement of PETITION - NORTHWEST CORNER OF BOSLEY AVENUE was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one successive weeks before the 10 day of March 1975 that is to say, the same was inserted in the issues of February 14, 1975

By: C. Curran

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 17133

DATE Nov. 20, 1974 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

Henry, Cook, Hadd, Murray & Howard
Towson, Md. 21204

Petition for Reclassification and Special Exception
Maryland C. Gore, et al. 7-197-RXA 21 5000

1615

2-SIGNS 75-197-RXA

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: June 28, 1975

Posted for: APPEAL

Petitioner: Maryland C. Gore, et al.

Location of property: NW corner of Bosley Avenue and Joppa Road

Location of Signs: On NW corner of Bosley Ave. and Joppa Rd.
@ Front 306 W. Joppa Rd.

Remarks: _____

Posted by: Thomas B. Boland Date of return: July 3, 1975

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 21621

DATE June 12, 1975 ACCOUNT 01-662

AMOUNT \$109.53

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

W. L. Howard, et al.
Towson, Md. 21204

Advertising and posting of property for Maryland C. Gore, et al. - 75-197-RXA 12 189504

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 15376

DATE 2/14/77 ACCOUNT 01-712

AMOUNT \$1.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

John Howard, Esq.
Cost of copies from File 75-197-RXA
Maryland Gore, et al

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

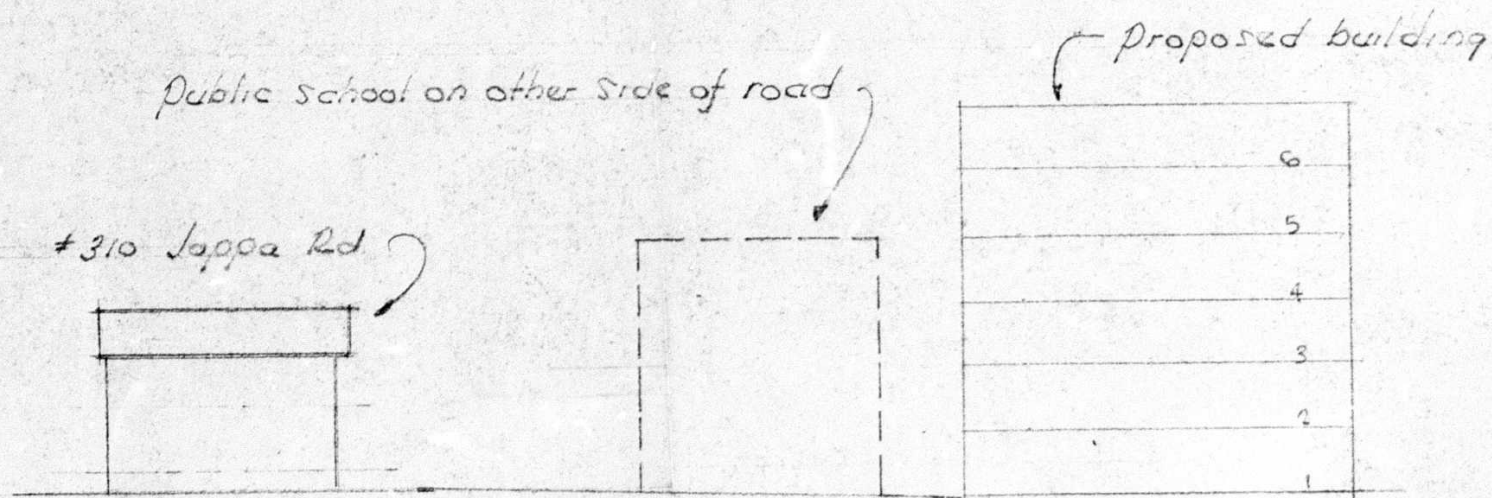
No. 21634

DATE June 18, 1975 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER
PINK - AGENCY
YELLOW - CUSTOMER

John B. Howard, Esq.
Cost of Filing of an Appeal and Posting of Property on Case No. 75-197-RXA (Item No. 14)
NW corner of Bosley Avenue and Joppa Road - 9th Election District
Maryland C. Gore, et al - Petitioners



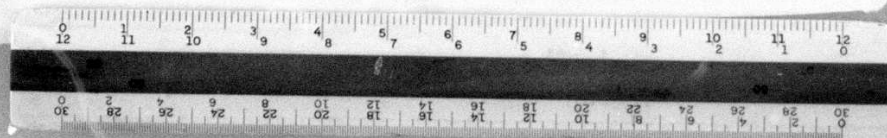
Loppa Road

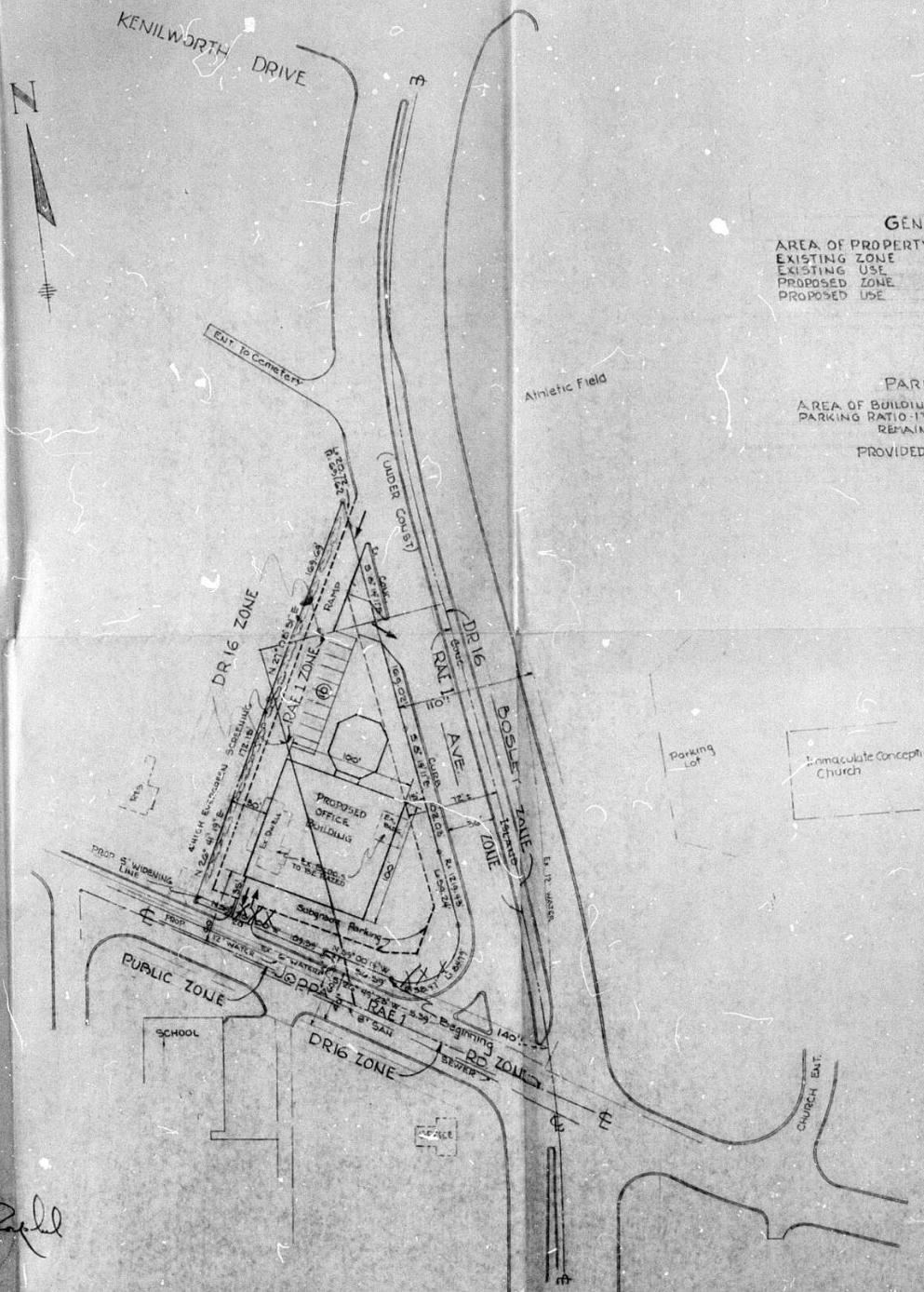
Scale: Vertical • 1" = 20' ±
Horizontal • Not to scale

4-23-75

BOARD OF APPEALS
PETITIONER'S
EXHIBIT

MICROFILMED





GENERAL DATA

AREA OF PROPERTY	0.934 Ac.
EXISTING ZONE	RAE 1 & DR16
EXISTING USE	OFFICE & RESIDENTIAL
PROPOSED ZONE	RAE 2 WITH SP. EXCP. FOR OFFICES
PROPOSED USE	OFFICES

PARKING DATA

AREA OF BUILDING: 7 FLOORS = 120,000 sq. ft.
 PARKING RATIO: 1 sq. ft. = 1 SPACE / 300 sq. ft. = 10000/300 = 34 SPACES
 REQUIRED: 1.5 x 120,000 = 180,000 sq. ft. = 600,000 sq. ft. = 125 SPACES
 PROVIDED: 10 SPACES EXTERIOR 149 INTERIOR

PLAT TO ACCOMPANY PETITION
 FOR RECLASSIFICATION
 PROPERTY OF

406 WEST JOPPA RD ASSOCIATES
 AND MARYLAND GORE
 9th ELECTION DIST. BALTO. CO.
 SCALE 1" = 50' 3-30-14

MAP	1615
SECTION	1
DIST.	1
TOWN	1
DATE	3-30-14
BY	EE

MICROFILMED

E. E. RAPHER & ASSOCIATES
 REG. LAND SURVEYORS
 1000 N. W. 10th Ave.
 TOWSON, MARYLAND

#1615

GENERAL NOTES:

Area of Property = 0.934 Ac.±

Proposed Use Offices

Zone D.R. 1G S.E.

Area of Building 6 floors @ 12,500 = 75,000 Sq. Ft.

Parking Req'd

1st floor 12,500 Sq. Ft. / 300 Sq. Ft. = 42 cars

2nd thru 5th floors 62,500 / 500 = 125

167 Required Parking

Parking Provided

10 Spaces Exterior

155 Spaces Interior - Subgrade Parking

165 Parking Spaces Provided Size 8'-6" x 18'-0"

5th Election District, Baltimore County

Roof	Office Space
6th fl.	
5th fl.	
4th fl.	
3rd fl.	
2nd fl.	
1st fl.	
Garage - 1	
Garage - 2	
Garage - 3	

JOPPA ROAD ELEVATION
Scale: 1"=30'

BOARD OF APPEALS
PETITIONER'S
EXHIBIT (2)

NEUMAYER & FOUTZ
INCORPORATED
ARCHITECTS
11 W. PENNSYLVANIA AVE. TOWSON, MD. 21204

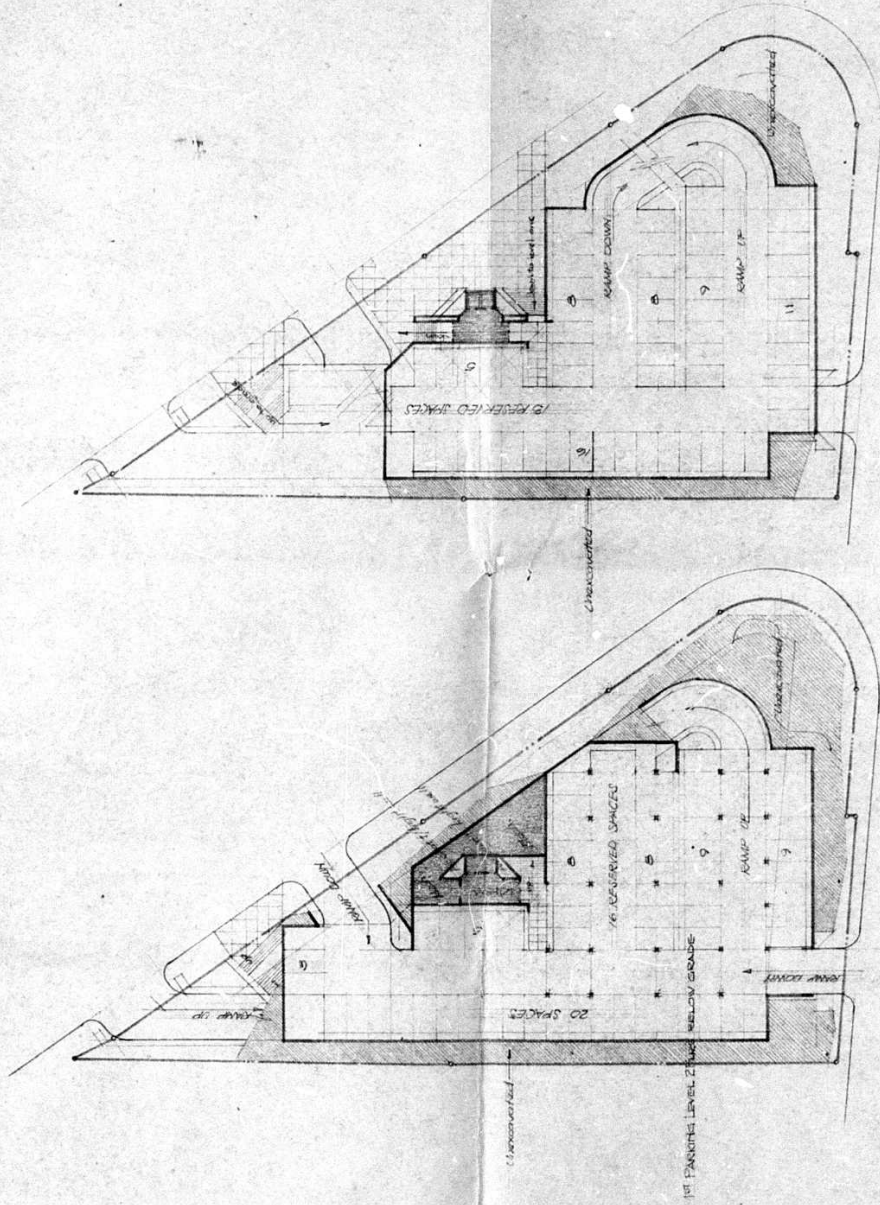
PROPOSED OFFICE BUILDING
406 W. JOPPA ROAD
BALTIMORE COUNTY

SITE PLAN

1/3

MICROFILMED





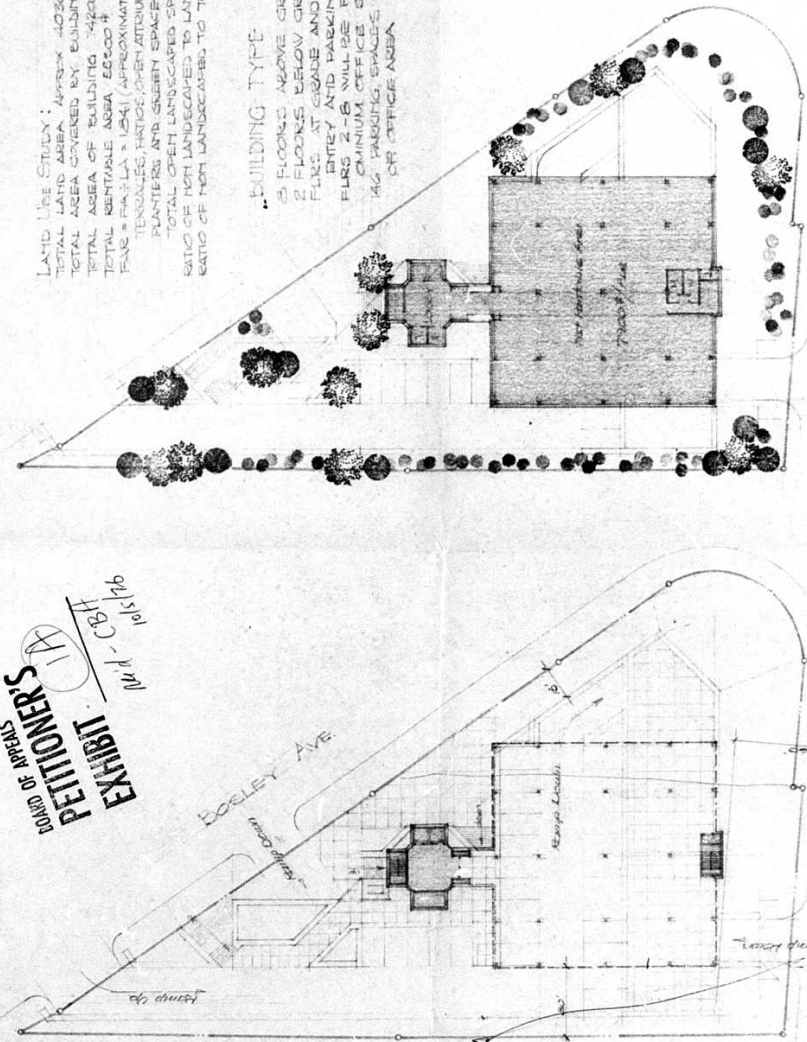
1ST LEVEL PARKING

2ND LEVEL PARKING

CONTINUED

THESE PLANS ARE THE PROPERTY OF HARRY A. MAJEWICZ, AIA, ARCHITECT. NO PART OF THESE PLANS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM HARRY A. MAJEWICZ, AIA, ARCHITECT.	COMMENTS	HARRY A. MAJEWICZ, AIA, ARCHITECT ASSOCIATES: CHARLES F. CURRY, JR., AIA, GEORGE D. SMITH, AIA	LAND USE STUDY FOR A CONDOMINIUM OFFICE BUILDING TOWSON, MARYLAND	REVISIONS	SHEET NO. 2-2 OF 2
--	-----------------	---	--	------------------	-----------------------------------

EXHIBIT
PETTINER'S
MAP OF AREAS
NOV 15/76



GRADE PARKING AND ENTRY
SCALE 1/4" = 1'-0"

TYPICAL FOR FLOOR 2-8

CONTINUED

THESE PLANS ARE THE PROPERTY OF HARRY A. MAJEWICZ, AIA, ARCHITECT. NO PART OF THESE PLANS MAY BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM HARRY A. MAJEWICZ, AIA, ARCHITECT.	COMMENTS	HARRY A. MAJEWICZ, AIA, ARCHITECT ASSOCIATES: CHARLES F. CURRY, JR., AIA, GEORGE D. SMITH, AIA	LAND USE STUDY FOR A CONDOMINIUM OFFICE BUILDING TOWSON, MARYLAND	REVISIONS	SHEET NO. CM7427 1-2 OF 2
--	-----------------	---	--	------------------	--

KENILWORTH DRIVE



EXIT TO CEMETERY

Athletic Field

GENERAL DATA

AREA OF PROPERTY 0.934 AC.
EXISTING ZONE RAC-11 DR-16
EXISTING USE OFFICES RESIDENTIAL
PROPOSED ZONE R-2-Z WITH SP-EXCP FOR OFFICES
PROPOSED USE OFFICES

PARKING DATA

AREA OF BUILDING: 7 FLOORS 275,000 sq ft
PARKING RATIO: 12' FL 15' / 1000 sq ft 34 SPACES
REPAIRING FLH 1000 sq ft 125
REQUIRED: 150
PROVIDED: 10 SPACES EXTERIOR 149 INTERIOR

DR-16 ZONE

PAVE 1 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

DR-16 ZONE

PUBLIC ZONE

SCHOOL

DR-16 ZONE

OFFICE

Parking Lot

Immaculate Conception Church

BOARD OF APPEALS
PETITIONER'S
EXHIBIT

PLAT TO ACCOMPANY PETITION
FOR RECLASSIFICATION
PROPERTY OF

306 WEST JOPPA RD ASSOCIATES
AND MARYLAND GORE
9TH ELECTION DIST. BALTO CO.
SCALE 1" = 50' 9-30-74

MICROFILMED

E. F. RAPHEL & ASSOCIATES
REG. LAND SURVEYORS
COURTLAND AVE
TOWSON, MARYLAND

MICROFILMED



#1615