

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mrs. Edith T. Eisenhart, Adm. Secretary
TO: County Board of Appeals Date: June 10, 1982
Mr. James E. Dyer
FROM: Zoning Supervisor
SUBJECT: Case No. R-79-8-XA (R-79-197-XA) - Wilton A. DeBaugh
Case No. R-79-9-X (R-79-198-X) - C. Gordon Gilbert
Case No. R-79-10 (R-79-199) - James G. Stratakis, et al

As requested in your inter-office correspondence of May 26, 1982, I am enclosing herewith Xerox copies of the Board's Orders from the referenced files which have been returned by the F.B.I.

JED:nr

Enclosures

cc: Mr. William E. Hammond, Zoning Commissioner
Mrs. Jean M. H. Jung, Deputy Zoning Commissioner
Case Files

MICROFILMED

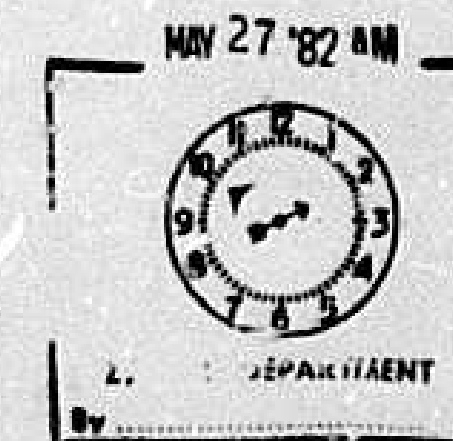
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. James E. Dyer
TO: Office of Planning and Zoning Date: May 26, 1982
FROM: County Board of Appeals
SUBJECT: Case No. R-79-8-XA (R-79-197-XA) - Wilton A. DeBaugh
Case No. R-79-9-X (R-79-198-X) - C. Gordon Gilbert
Case No. R-79-10 (R-79-199) - James G. Stratakis, et al

In reply to our letter of March 12, 1982, you were kind enough to send us microfilmed copies of the above files for our records. However, inasmuch as these files have now been returned by the F.B.I., we would appreciate it very much if you could send us a Xerox copy of the Board's Order only from each file. Thank you.

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary



MICROFILMED

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mrs. Edith T. Eisenhart, Adm. Secretary
TO: County Board of Appeals Date: March 23, 1982
Mr. James E. Dyer
FROM: Zoning Supervisor
SUBJECT: Case No. R-79-10 (R-79-199) - James G. Stratakis, et al
Case No. R-79-9-X (R-79-198-X) - C. Gordon Gilbert
Case No. R-79-8-XA (R-79-197-XA) - Wilton A. DeBaugh

I am in receipt of your inter-office correspondence of March 12, 1982, along with the temporary files, above-captioned. As requested, a copy of the Board's Order in each case is enclosed herewith for your records.

JED:nr
Enclosures
cc: Mr. William E. Hammond, Zoning Commissioner
Mrs. Jean M. H. Jung, Deputy Zoning Commissioner
Temporary Case Files



OCT 27 1982

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mrs. Edith T. Eisenhart, Adm. Secretary
TO County Board of Appeals Date March 23, 1982
Mr. James E. Dyer
FROM Zoning Supervisor

SUBJECT Case No. R-79-10 (R-79-199) - James G. Stratakis, et al
Case No. R-79-9-X (R-79-198-X) - C. Gordon Gilbert
Case No. R-79-8-XA (R-79-197-XA) - Wilton A. DeBaugh

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As requested, a copy of the Board's Order in each case is enclosed herewith for your records.

JED:mr

Enclosures

cc: Mr. William E. Hammond, Zoning Commissioner
Mrs. Jean M. H. Jung, Deputy Zoning Commissioner
Temporary Case Files

9/10-82-491
3/16/82
BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond, Zoning Commissioner
TO Office of Planning and Zoning Date March 12, 1982
FROM County Board of Appeals

SUBJECT Case No. R-79-10 (R-79-199) - James G. Stratakis, et al
Case No. R-79-9-X (R-79-198-X) - C. Gordon Gilbert
Case No. R-79-8-XA (R-79-197-XA) - Wilton A. DeBaugh

The Board's files on the above entitled cases were released to Mr. Dyer on February 14, 1980, and subsequently subpoenaed by the F.B.I. However, prior to release by your office these files were microfilmed and, in the meantime, we also set up "temporary files" to receive the additional papers as the cases progressed.

Inasmuch as these cases have been completed, but the original files are still in the custody of the Justice Department, we are closing these temporary files and sending same to you herewith, including the microfilms. However, we would appreciate it if you would send us a copy of the Board's Order in each case for our records. Thank you.

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

cc: Mr. J. E. Dyer

RE: PETITION FOR RECLASSIFICATION :
from D.R. 16 and D.R. 2 to
B.L. and D.R. 16, and
SPECIAL EXCEPTION for an
Office Building :
N/S of Greenmeadow Road 161.34'
E. of York Road, and SE corner of
York and Roundridge Roads,
8th District :
C. Gordon Gilbert, et ux,
Petitioners :

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW
Miscellaneous Docket 12
File No. 19
File No. 6969

NOTICE OF DISMISSAL

MR. CLERK:

Please dismiss the appeal of the People's Counsel for Baltimore County in the
above-entitled case.

John W. Hession, III
John W. Hession, III
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 27th day of March, 1981, a copy of the above
Notice of Dismissal was mailed to John B. Howard, Esquire, and Herbert R. O'Connor, III,
Cook, Howard, Downes & Tracy, 210 Allegheny Avenue, Towson, Maryland 21204.

Peter Max Zimmerman
Peter Max Zimmerman

RE: PETITION FOR RECLASSIFICATION *
from D.R. 16 and D.R. 2 to *
B.L. and D.R. 16, and *
SPECIAL EXCEPTION for an *
Office Building *
N/S Greenmeadow Road 161.34' *
E. of York Road, and SE corner *
of York and Roundridge Roads *
8th District *
C. Gordon Gilbert, et ux. *

IN THE
CIRCUIT COURT FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 12
Folio No. 19
Case No. 6969

Petitioners *

NOTICE OF DISMISSAL

MR. CLERK:

Please dismiss the Cross-Appeal noted on behalf of C. Gordon
Gilbert and Cordelia P. Gilbert.



John B. Howard
JOHN B. HOWARD
Herbert R. O'Connor III
HERBERT R. O'CONNOR, III
Cook, Howard, Downes & Tracy
210 Allegheny Avenue
Towson, Maryland 21204
301-823-4111

I HEREBY CERTIFY that on this 13 day of March, 1981, a
copy of the foregoing Notice of Dismissal was mailed to John W.
Hession, III, Esquire, People's Counsel for Baltimore County,
County Office Building, Towson, Maryland 21204.

Herbert R. O'Connor III
HERBERT R. O'CONNOR, III

C. GORDON GILBERT #R-79-9-X
N/S Greenmeadow Rd. E. of York Rd. (#R-79-198-X)
& SW cor. York and Roundridge Roads 8th District
DR 2 to DR 16 1.489 acres
SE - Offices 1.148 "

Oct. 31, 1979 Board GRANTED BL on Parcel #2
" DENIED DR 16 on Parcel #1
SE - Moot
Nov. 13 Appealed to C.C. by People's Counsel
Hearing set for 3-10-81
ZONED BL & RD ON 1980 MAP
Mar. 13, 1981 Notice of Dismissal of Cross-Appeal
filed by John B. Howard and Herbert
R. O'Connor, III, Attys. for Gilberts
Mar. 27 Notice of Dismissal filed by Hession
" 31 Dismissed (from Court docket)

ORIGINAL
FILE RELEASED TO J. DYER
2-14-80

RECEIVED
BALTIMORE COUNTY
MAR 16 12 01 PM '81
COUNTY BOARD
OF APPEALS
BY: C

RECEIVED
BALTIMORE COUNTY
MAR 27 2 13 PM '81
COUNTY BOARD
OF APPEALS
BY: C

Property Owners: C. Gordon & Cordelia P. Gilbert
Location: 1) N/S Greenmeadow Rd. 161.34' E York Rd.
2) SW/C York Rd. & Roundridge Rd.
Existing Zoning: 1) D.R. 2 2) D.R. 16
Proposed Zoning: 1) D.R. 16 with Special Exception for offices
2) S.M.
Acres: 1) 1.149 2) 1.148
District: 8th

C. Gordon Gilbert - #R-79-9-X

York Road from the subject property. Likewise, in 1976, the topography of the subject property was, or should have been, specifically known to the Council. The Board sees this as significant because the particular topography allows the subject to sit much lower than the developed stable residential neighborhood which lies east of the York Road and east of the subject parcel. Considering these elements and the fact that the depth of the subject property at its northern frontage on Roundridge Road is only about 136 feet, and at its southern boundary toward Greenmeadow Drive only approximately 158 feet, D.R. 16 development of this parcel would be extremely difficult if not impossible. In the judgment of this Board, the impact of the Timonium fairgrounds and race track in such very close proximity to the subject property mitigates against the stated policy of the County to stop the further expansion of strip zoning along its arterial highways. The Board could not agree more with this stated policy of the Planning staff, Planning Board and County Council, however, each and every instance must stand and fall on its own merits and the Board, after personally inspecting the subject property and its environs, finds the application of this good planning policy particularly difficult to impose in the subject instance. One but need to spend a very few minutes in this specific location to find it difficult to conceive of a residential development of any nature on this particular parcel.

Without further detailing the testimony and evidence presented to the Board, suffice it to say that this Board is satisfied that the Petitioner has evidence error in this instance and will grant the Petitioner's request to reclassify the 1.148 acres at the southeast corner of Roundridge Road and York Road from the existing D.R. classification to the B.L. classification. An Order in conformity with the above opinion follows hereafter.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 31st day of October, 1979, by the County Board of Appeals, ORDERED that the reclassification from D.R. 2 to D.R. 16 petitioned for on the 1.489 acre parcel fronting on Greenmeadow Drive, be and the same is hereby DENIED, and

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 16 and D.R. 2 to : COUNTY BOARD OF APPEALS
B.L. and D.R. 16, and :
SPECIAL EXCEPTION for an : OF
Office Building :
N/S Greenmeadow Road 161.34' : BALTIMORE COUNTY
E. of York Road, and SE corner :
of York and Roundridge Roads : No. R-79-9-X
8th District : (R-79-198-X)
C. Gordon Gilbert, et ux :
Petitioners :

OPINION

The subject petition is twofold, i.e., a petition to reclassify the southeast corner of York Road and Roundridge Road from an existing D.R. classification to a B.L. classification (approximately 1.148 acres), and secondly, a petition to reclassify approximately 1.489 acres fronting on Greenmeadow Drive, approximately 161 feet east of the York Road, from an existing D.R. 2 classification to a D.R. 16 classification. In addition to these two requests, the property owner also seeks a special exception to construct a three story office building on the Greenmeadow Drive site. The subject property is located in the Eighth Election District of Baltimore County, opposite the Timonium State Fairgrounds. The large Timonium Shopping Center is immediately across Greenmeadow Drive from the subject property. Petitioner's Exhibits #1 and #2 are plats of the subject property and detail the requests.

C. Gordon Gilbert, who with his wife has owned the subject site and other contiguous property in the area for more than twenty-five years, described the neighborhood for the Board and explained to the Board why he felt that the County Council erred when they zoned the subject sites in their present classifications. He also stated his reasons as to why the subject sites should be reclassified per his request.

The Baltimore County Traffic Engineer and a Baltimore County staff planner testified in opposition to the granting of the subject petition. Four nearby residents and the co-owner of the medical offices that are located at the northeast corner of the York Road and Greenmeadow Drive also testified and told the Board why they were particularly opposed to the granting of the subject request.

C. Gordon Gilbert - #R-79-9-X

IT IS FURTHER ORDERED that the special exception for an office building petitioned for on this parcel is now moot and is hereby DISMISSED, and
IT IS FURTHER ORDERED that the reclassification from D.R. 16 to B.L. petitioned for on the 1.148 acre parcel located on the southeast corner of York Road and Roundridge Road, be and the same is hereby GRANTED.
Any appeal from this decision must be in accordance with Rules 8-1 thru 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Miller, Jr., Chairman

John A. Miller

Patricia Millhouser

C. Gordon Gilbert - #R-79-9-X

If the Petitioner is to be successful in his request, he must first evidence to the Board error on the part of the County Council when they comprehensively reclassified the subject property in October of 1976. This burden is onerous and involves the presentation of sufficient testimony and evidence to the Board for it to conclude that, in fact, the County Council did so err at the time of the adoption of the last comprehensive use maps. In addition, the Petitioner must also evidence to the Board that not only is the existing zoning in error, but the petitioned zoning classification as sought in this case for the two portions of the subject property is the correct zoning classification. The Board has carefully reviewed the testimony and evidence offered in this case and, in addition, has personally inspected the subject property and its environs.

As is mentioned above, the subject petition is actually twofold and the Board will first address itself to the Petitioner's Greenmeadow Drive request to reclassify approximately 1.489 acres from the existing D.R. 2 classification to a D.R. 16 classification, and a request for a special exception for offices for this particular portion of the subject property.

Probably two of the most important considerations in this case are the specific topography of the subject property and the potential traffic impact that any redevelopment of the subject property might have upon the York Road traffic corridor. Considering also the specific location of this relatively large 1.489 acre parcel, approximately 161 feet east of the York Road, the Board sees the overall nature of this parcel of land as medium density residential as opposed to the D.R. 16 zoning classification that is petitioned in this instance. However, it must be kept in mind that it is not the task of this Board to second guess the County Council when it comprehensively zoned the subject property D.R. 2, but to merely examine the testimony and evidence presented by the Petitioner to decide whether or not the County Council erred when they placed the D.R. 2 classification instead of the D.R. 16 classification on the subject property.

After such review, it is the judgment of this Board that the County Council did not err when they failed to zone the subject property D.R. 16. Frankly, the Board

RE: PETITION FOR RECLASSIFICATION : IN THE
from D.R. 16 and D.R. 2 to : CIRCUIT COURT
B.L. and D.R. 16, and :
SPECIAL EXCEPTION for an : FOR
Office Building : BALTIMORE COUNTY
N/S Greenmeadow Road 161.34' :
E. of York Road, and SE corner : AT LAW
of York and Roundridge Roads :
8th District :
C. Gordon Gilbert, et ux : Misc. Docket No. 12
Petitioners : Folio No. 19
Zoning File No. R-79-9-X : File No. 6762
(R-79-198-X)
John W. Hession, III, Esq. :
People's Counsel for Baltimore County :

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule 8-2(d) of the Maryland Rules of Procedure, Walter A. Reiter, Jr., John A. Miller and Patricia Millhouser, constituting the County Board of Appeals of Baltimore County, have given notice by mail for the filing of the appeal to the representative of every party to the proceeding before it; namely, John B. Howard, Esq., 210 Allegheny Avenue, Towson, Maryland 21204, Counsel for the Petitioners, C. Gordon Gilbert, et ux, 1 Roundridge Road, Timonium, Maryland 21093, Petitioners, John W. Hession, III, Esq., People's Counsel for Baltimore County, County Office Building, Towson, Maryland 21204, Ms. Margaret DiNardo, 2215 Dalewood Road, Timonium, Maryland 21093, Mr. Walter Robertson, III, 9 Yorkview Drive, Timonium, Maryland 21093, Mr. and Mrs. John Kenny, 2210 Westridge Road, Timonium, Maryland, 21093, Mr. and Mrs. George Gorney, 20 Greenmeadow Drive, Timonium, Maryland, 21093 and Mr. Howard J. Smith, 11 Roundridge Road, Timonium, Maryland 21093, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holmen
County Board of Appeals of Baltimore County
Rm. 219, Court House, Towson, Md. 21204
494-3180

C. Gordon Gilbert - #R-79-9-X

feels it is fair to call to mind the comment of the Baltimore County staff planner on cross-examination when he personally wondered whether the D.R. 2 classification was, in fact, the best dwelling unit classification for this particular portion of the subject property. Nonetheless, in summary, the Board can find no testimony and evidence to support and carry the Petitioner's burden to evidence not only that the Council erred when placing D.R. 2 on the subject property but failing to classify the subject property D.R. 16. It might seem that many experts would agree that perhaps this particular portion of the subject property should be reclassified to a medium density residential use, i.e., D.R. 5.5 or D.R. 10.5. The Board could take it upon itself to recognize error by the Council in zoning the subject property D.R. 2 and, in fact, reclassify the subject property to a D.R. 5.5 or a D.R. 10.5 classification. However, because this petition is presented in the last cycle and the Planning staff, Planning Board and subsequently the County Council are now studying the area in anticipation of adopting a totally new comprehensive zoning map for the entire subject area by October of 1980, it seems that the tenets of good planning and zoning would be best served by leaving the classification of this particular portion of the subject property for the comprehensive map process and the ultimate judgment of the County Council when it will comprehensively reclassify the entire area in October of 1980. Therefore, because the Board can find insufficient testimony and evidence as to error in not reclassifying the subject property D.R. 16, this particular part of the Petitioner's request will be denied. Since the underlying zoning of this particular parcel will not now be D.R. 16, the Petitioner's request for a special exception for offices for this parcel is moot and will be dismissed.

As to the second part of the Petitioner's request which is for a reclassification of approximately 1.148 acres at the southeast corner of Roundridge Road and York Road from an existing D.R. 16 classification to a B.L. classification, it is the judgment of this Board that the Petitioner has evidenced error by the Council when they zoned the subject property D.R. 16 and not B.L. In 1976, at the time of the adoption of the last comprehensive zoning maps for the subject area, the County Council was aware, or should have been aware, of the impact of the widening of the York Road and of the expansion and modernization plans for the Timonium State Fairgrounds which are immediately across the

C. Gordon Gilbert, et ux
Zoning File No. R-79-9-X
(R-79-198-X)

I hereby certify that a copy of the foregoing Certificate of Notice has been mailed to John B. Howard, Esq., 210 Allegheny Avenue, Towson, Maryland 21204, Counsel for the Petitioners, C. Gordon Gilbert, et ux, 1 Roundridge Road, Timonium, Maryland 21093, Petitioners, John W. Hession, III, Esq., People's Counsel for Baltimore County, County Office Building, Towson, Maryland 21204, Ms. Margaret DiNardo, 2215 Dalewood Road, Timonium, Maryland 21093, Mr. Walter Robertson, III, 9 Yorkview Drive, Timonium, Maryland 21093, Mr. and Mrs. John Kenny, 2210 Westridge Road, Timonium, Maryland, 21093, Mr. and Mrs. George Gorney, 20 Greenmeadow Drive, Timonium, Maryland, 21093 and Mr. Howard J. Smith, 11 Roundridge Road, Timonium, Maryland 21093, on this 19th day of November, 1979.

June Holmen
County Board of Appeals of Baltimore County

cc: J. Haswell
Sonara Jones
File

RE: PETITION FOR RECLASSIFICATION
from D.R. 16 and D.R. 2 to
B.L. and D.R. 16, and
SPECIAL EXCEPTION for an
Office Building
N/S Greenmeadow Road 161.34'
E. of York Road, and SE corner
of York and Roundridge Roads
8th District
C. Gordon Gilbert, et ux
Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. R-79-9-X
(R-79-198-X)

OPINION

The subject petition is twofold, i.e., a petition to reclassify the southeast corner of York Road and Roundridge Road from an existing D.R. classification to a B.L. classification (approximately 1.148 acres), and secondly, a petition to reclassify approximately 1.489 acres fronting on Greenmeadow Drive, approximately 161 feet east of the York Road, from an existing D.R. 2 classification to a D.R. 16 classification. In addition to these two requests, the property owner also seeks a special exception to construct a three story office building on the Greenmeadow Drive site. The subject property is located in the Eighth Election District of Baltimore County, opposite the Timonium State Fairgrounds. The large Timonium Shopping Center is immediately across Greenmeadow Drive from the subject property. Petitioner's Exhibits #1 and #2 are plats of the subject property and detail the requests.

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The Baltimore County Traffic Engineer and a Baltimore County staff planner testified in opposition to the granting of the subject petition. Four nearby residents and the co-owner of the medical offices that are located at the northeast corner of the York Road and Greenmeadow Drive also testified and told the Board why they were particularly opposed to the granting of the subject request.

C. Gordon Gilbert - R-79-9-X

5.

IT IS FURTHER ORDERED that the special exception for an office building petitioned for on this parcel is now moot and is hereby DISMISSED, and

IT IS FURTHER ORDERED that the reclassification from D.R. 16 to B.L. petitioned for on the 1.148 acre parcel located on the southeast corner of York Road and Roundridge Road, be and the same is hereby GRANTED.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Rector, Jr., Chairman

John A. Miller

Patricia Millhouser

C. Gordon Gilbert - R-79-9-X

2.

If the Petitioner is to be successful in his request, he must first evidence to the Board error on the part of the County Council when they comprehensively reclassified the subject property in October of 1976. This burden is onerous and involves the presentation of sufficient testimony and evidence to the Board for it to conclude that, in fact, the County Council did so err at the time of the adoption of the last comprehensive use maps. In addition, the Petitioner must also evidence to the Board that not only is the existing zoning in error, but the petitioned zoning classification as sought in this case for the two portions of the subject property is the correct zoning classification. The Board has carefully reviewed the testimony and evidence offered in this case and, in addition, has personally inspected the subject property and its environs.

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Probably two of the most important considerations in this case are the specific topography of the subject property and the potential traffic impact that any redevelopment of the subject property might have upon the York Road traffic corridor. Considering also the specific location of this relatively large 1.489 acre parcel, approximately 161 feet east of the York Road, the Board sees the overall nature of this parcel of land as medium density residential as opposed to the D.R. 16 zoning classification that is petitioned in this instance. However, it must be kept in mind that it is not the task of this Board to second guess the County Council when it comprehensively zoned the subject property D.R. 2, but to merely examine the testimony and evidence presented by the Petitioner to decide whether or not the County Council erred when they placed the D.R. 2 classification instead of the D.R. 16 classification on the subject property.

After such review, it is the judgment of this Board that the County Council did not err when they failed to zone the subject property D.R. 16. Frankly, the Board

IN THE MATTER OF THE PETITION
OF C. GORDON AND CORDELIA P. GILBERT,
LEGAL OWNERS, FOR RECLASSIFICATION
FROM AN R-16 ZONE TO A BL ZONE OF
PROPERTY CONSISTING OF 1.148 ACRES
LOCATED ON THE EAST SIDE OF YORK ROAD
AND FOR RECLASSIFICATION FROM A DR-2
ZONE TO A DR-16 ZONE WITH SPECIAL
EXCEPTION FOR OFFICES, LOCATED ON THE
NORTH SIDE OF GREENMEADOW DRIVE,
TIMONIUM, EIGHTH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEFORE THE ZONING COMMISSIONER
FOR BALTIMORE COUNTY

MEMORANDUM OF SUPPORT OF PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION

C. Gordon and Cordelia P. Gilbert own, in fee simple, 5.51 acres, more or less, located in Timonium, Maryland, as more particularly designated in the accompanying documents. The property fronting on York Road, consisting of approximately 1.148 acres of land, and having a depth of approximately 160 feet, is presently zoned DR-16. The balance of the property, consisting of 4.36 acres to the west of the York Road frontage property, between Roundridge Road on the north and Greenmeadow Drive on the south, is presently zoned DR-2.

The subject property slopes from the south to the north and the portion zoned DR-2 is situated on high ground with the Timonium Shopping Center to the south, the Timonium Fair Grounds to the west on the opposite side of York Road, and industrial zoned land to the north, all of which rendered it totally unsuitable for density residential zoning contemplated by the DR-2 zone.

The Petitioners wish to develop the portion of the property fronting on York Road with a restaurant facility and a 1.489 acre portion of their property fronting on Greenmeadow Drive with an office building, as depicted on the attached plat.

The DR-16 portion of the Petitioners' property fronting on York Road is of insufficient size to permit meaningful residential development, which would be inconsistent with adjacent uses in any event, i.e. medical offices on either side.

C. Gordon Gilbert - R-79-9-X

3.

feel. It is fair to call to mind the comment of the Baltimore County staff planner on cross-examination when he personally wondered whether the D.R. 2 classification was, in fact, the best dwelling unit classification for this particular portion of the subject property. Nonetheless, in summary, the Board can find no testimony and evidence to support and carry the Petitioner's burden to evidence not only that the Council erred when placing D.R. 2 on the subject property but failing to classify the subject property D.R. 16. It might seem that many experts would agree that perhaps this particular portion of the subject property should be reclassified to a medium density residential use, i.e., D.R. 5.5 or D.R. 10.5. The Board could take it upon itself to recognize error by the Council in zoning the subject property D.R. 2 and, in fact, reclassify the subject property to a D.R. 5.5 or a D.R. 10.5 classification. However, because this petition is presented in the last cycle and the Planning staff, Planning Board and subsequently the County Council are now studying the area in anticipation of adopting a totally new comprehensive zoning map for the entire subject area by October of 1980, it seems that the tenets of good planning and zoning would be best served by leaving the classification of this particular portion of the subject property for the comprehensive map process and the ultimate judgment of the County Council when it will comprehensively reclassify the entire area in October of 1980. Therefore, because the Board can find insufficient testimony and evidence as to error in not reclassifying the subject property D.R. 16, this particular part of the Petitioner's request will be denied. Since the underlying zoning of this particular parcel will not now be D.R. 16, the Petitioner's request for a special exception for offices for this parcel is moot and will be dismissed.

As to the second part of the Petitioner's request which is for a reclassification of approximately 1.148 acres at the southeast corner of Roundridge Road and York Road from an existing D.R. 16 classification to a B.L. classification, it is the judgment of this Board that the Petitioner has evidenced error by the Council when they zoned the subject property D.R. 16 and not B.L. In 1976, at the time of the adoption of the last comprehensive zoning maps for the subject area, the County Council was aware, or should have been aware, of the impact of the widening of the York Road and of the expansion and modernization plans for the Timonium State Fairgrounds, which are immediately across the

Additionally, it has insufficient depth to permit development with an office building. On the other hand, the proposed commercial use would be completely compatible with other commercial uses along the York Road corridor in the immediate vicinity.

The proposed office building use on the 1.148 acre portion of the Petitioners' property fronting on Greenmeadow Drive would be a much more appropriate use than residential development thereof since it lies immediately opposite the Timonium Shopping Center on the south side of Greenmeadow Drive. With tasteful and adequate screening about this parcel of ground it would serve as a transition or buffer zone between the shopping center and residences to the north and east of the subject property.

For the reasons above cited, it is respectfully requested that portion of the subject property fronting on York Road be reclassified from DR-16 to BL and the 1.489 acre portion of the subject property be reclassified from DR-2 to DR-16 with special exception for offices. The property owners are willing to enter into such easements and restrictions subject to grant of the zoning to provide all necessary insurances that the property would be developed as proposed.

Respectfully submitted,

John B. Howard
John B. Howard
Cook, Howard, Downes & Tracy
210 Allegheny Avenue
Towson, Maryland 21204
923-4111

C. Gordon Gilbert - R-79-9-X

4.

York Road from the subject property. Likewise, in 1976, the topography of the subject property was, or should have been, specifically known to the Council. The Board sees this as significant because the particular topography allows the subject to sit much lower than the developed stable residential neighborhood which lies east of the York Road and east of the subject parcel. Considering these elements and the fact that the depth of the subject property at its northern frontage on Roundridge Road is only about 136 feet, and at its southern boundary toward Greenmeadow Drive only approximately 158 feet, D.R. 16 development of this parcel would be extremely difficult if not impossible. In the judgment of this Board, the impact of the Timonium fairgrounds and race track in such very close proximity to the subject property mitigates against the stated policy of the County to stop the further expansion of strip zoning along its arterial highways. The Board could not agree more with this stated policy of the Planning staff, Planning Board and County Council, however, each and every instance must stand and fall on its own merits and the Board, after personally inspecting the subject property and its environs, finds the application of this good planning policy particularly difficult to impose in the subject instance. One but need to spend a very few minutes in this specific location to find it difficult to conceive of a residential development of any nature on this particular parcel.

Without further detailing the testimony and evidence presented to the Board, suffice it to say that this Board is satisfied that the Petitioner has evidenced error in this instance and will grant the Petitioner's request to reclassify the 1.148 acres at the southeast corner of Roundridge Road and York Road from the existing D.R. classification to the B.L. classification. An Order in conformity with the above opinion follows hereafter.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 31st day of October, 1979, by the County Board of Appeals, ORDERED that the reclassification from D.R. 2 to D.R. 16 petitioned for on the 1.489 acre parcel fronting on Greenmeadow Drive, be and the same is hereby DENIED, and

John Howard, Esquire
210 Allegheny Avenue
P.O. Box 5317
Towson, Maryland 21204

NOTICE OF HEARING BEFORE THE COUNTY BOARD OF APPEALS

RE: Petition for Reclassification, 1) N/S Greenmeadow Rd. 161 34' E of York Rd. and 2) SW corner of York Rd. & Roundridge Rd. - 8th District, C. Gordon Gilbert, et ux Case No. R-79-9-X

TIME: 10:00 A.M.

DATE: Tuesday, July 10, 1979

PLACE: ROOM 218, COURTHOUSE, TOWSON, MARYLAND

Walter A. Rector, Jr.
CHAIRMAN, COUNTY BOARD OF APPEALS

RE: PETITION FOR RECLASSIFICATION :
from D.R. 16 and D.R. 2 to :
B.L. and D.R. 16, and :
SPECIAL EXCEPTION for an :
Office Building :
N/S Greenmeadow Road 161.34' :
E. of York Road, and SE corner :
of York and Roundridge Roads :
8th District :
C. Gordon Gilbert, et ux :
Petitioners :

BEFORE :
COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY

No. R-79-9-X
(R-79-198-X)

OPINION

The subject petition is twofold, i.e., a petition to reclassify the southeast corner of York Road and Roundridge Road from an existing D.R. classification to a B.L. classification (approximately 1.148 acres), and secondly, a petition to reclassify approximately 1.489 acres fronting on Greenmeadow Drive, approximately 161 feet east of the York Road, from an existing D.R. 2 classification to a D.R. 16 classification. In addition to these two requests, the property owner also seeks a special exception to construct a three story office building on the Greenmeadow Drive site. The subject property is located in the Eighth Election District of Baltimore County, opposite the Timonium State Fairgrounds. The large Timonium Shopping Center is immediately across Greenmeadow Drive from the subject property. Petitioner's Exhibits #1 and #2 are plats of the subject property and detail the requests.

C. Gordon Gilbert, who with his wife has owned the subject site and other contiguous property in the area for more than twenty-five years, described the neighborhood for the Board and explained to the Board why he felt that the County Council erred when they zoned the subject sites in their present classifications. He also stated his reasons as to why the subject sites should be reclassified per his request.

The Baltimore County Traffic Engineer and a Baltimore County staff planner testified in opposition to the granting of the subject petition. Four nearby residents and the co-owner of the medical offices that are located at the northeast corner of the York Road and Greenmeadow Drive also testified and told the Board why they were particularly opposed to the granting of the subject request.

C. Gordon Gilbert - R-79-9-X

2.

If the Petitioner is to be successful in his request, he must first evidence to the Board error on the part of the County Council when they comprehensively reclassified the subject property in October of 1976. This burden is onerous and involves the presentation of sufficient testimony and evidence to the Board for it to conclude that, in fact, the County Council did so err at the time of the adoption of the last comprehensive use maps. In addition, the Petitioner must also evidence to the Board that not only is the existing zoning in error, but the petitioned zoning classification as sought in this case for the two portions of the subject property is the correct zoning classification. The Board has carefully reviewed the testimony and evidence offered in this case and, in addition, has personally inspected the subject property and its environs.

As is mentioned above, the subject petition is actually twofold and the Board will first address itself to the Petitioner's Greenmeadow Drive request to reclassify approximately 1.489 acres from the existing D.R. 2 classification to a D.R. 16 classification, and a request for a special exception for offices for this particular portion of the subject property.

Probably two of the most important considerations in this case are the specific topography of the subject property and the potential traffic impact that any redevelopment of the subject property might have upon the York Road traffic corridor. Considering also the specific location of this relatively large 1.489 acre parcel, approximately 161 feet east of the York Road, the Board sees the overall nature of this parcel of land as medium density residential as opposed to the D.R. 16 zoning classification that is petitioned in this instance. However, it must be kept in mind that it is not the task of this Board to second guess the County Council when it comprehensively zoned the subject property D.R. 2, but to merely examine the testimony and evidence presented by the Petitioner to decide whether or not the County Council erred when they placed the D.R. 2 classification instead of the D.R. 16 classification on the subject property.

After such review, it is the judgment of this Board that the County Council did not err when they failed to zone the subject property D.R. 16. Frankly, the Board

C. Gordon Gilbert - R-79-9-X

3.

feels it is fair to call to mind the comment of the Baltimore County staff planner on cross-examination when he personally wondered whether the D.R. 2 classification was, in fact, the best dwelling unit classification for this particular portion of the subject property. Nonetheless, in summary, the Board can find no testimony and evidence to support and carry the Petitioner's burden to evidence not only that the Council erred when placing D.R. 2 on the subject property but failing to classify the subject property D.R. 16. It might seem that many experts would agree that perhaps this particular portion of the subject property should be reclassified to a medium density residential use, i.e., D.R. 5.5 or D.R. 10.5. The Board could not upon itself to recognize error by the Council in zoning the subject property D.R. 2 and, in fact, reclassify the subject property to a D.R. 5.5 or a D.R. 10.5 classification. However, because this petition is presented in the last cycle and the Planning staff, Planning Board and subsequently the County Council are now studying the area in anticipation of adopting a totally new comprehensive zoning map for the entire subject area by October of 1980, it seems that the tenets of good planning and zoning would be best served by leaving the classification of this particular portion of the subject property for the comprehensive map process and the ultimate judgment of the County Council when it will comprehensively reclassify the entire area in October of 1980. Therefore, because the Board can find insufficient testimony and evidence as to error in not reclassifying the subject property D.R. 16, this particular part of the Petitioner's request will be denied. Since the underlying zoning of this particular parcel will not now be D.R. 16, the Petitioner's request for a special exception for offices for this parcel is moot and will be dismissed.

As to the second part of the Petitioner's request which is for a reclassification of approximately 1.148 acres at the southeast corner of Roundridge Road and York Road from an existing D.R. 16 classification to a B.L. classification, it is the judgment of this Board that the Petitioner has evidenced error by the Council when they zoned the subject property D.R. 16 and not B.L. In 1976, at the time of the adoption of the last comprehensive zoning maps for the subject area, the County Council was aware, or should have been aware, of the impact of the widening of the York Road and of the expansion and modernization plans for the Timonium State Fairgrounds, which are immediately across the

C. Gordon Gilbert - R-79-9-X

4.

York Road from the subject property. Likewise, in 1976, the topography of the subject property was, or should have been, specifically known to the Council. The Board sees this as significant because the particular topography allows the subject to sit much lower than the developed stable residential neighborhood which lies east of the York Road and east of the subject parcel. Considering these elements and the fact that the depth of the subject property at its northern frontage on Roundridge Road is only about 136 feet, and at its southern boundary toward Greenmeadow Drive only approximately 158 feet, D.R. 16 development of this parcel would be extremely difficult if not impossible. In the judgment of this Board, the impact of the Timonium fairgrounds and race track in such very close proximity to the subject property mitigates against the stated policy of the County to stop the further expansion of strip zoning along its arterial highways. The Board could not agree more with this stated policy of the Planning staff, Planning Board and County Council, however, each and every instance must stand and fall on its own merits and the Board, after personally inspecting the subject property and its environs, finds the application of this good planning policy particularly difficult to impose in the subject instance. One but need to spend a very few minutes in this specific location to find it difficult to conceive of a residential development of any nature on this particular parcel.

Without further detailing the testimony and evidence presented to the Board, suffice it to say that this Board is satisfied that the Petitioner has evidenced error in this instance and will grant the Petitioner's request to reclassify the 1.148 acres at the southeast corner of Roundridge Road and York Road from the existing D.R. classification to the B.L. classification. An Order in conformity with the above opinion follows hereafter.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 31st day of October, 1979, by the County Board of Appeals, ORDERED that the reclassification from D.R. 2 to D.R. 16 petitioned for on the 1.489 acre parcel fronting on Greenmeadow Drive, be and the same is hereby DENIED, and

C. Gordon Gilbert - R-79-9-X

5.

IT IS FURTHER ORDERED that the special exception for an office building petitioned for on this parcel is now moot and is hereby DISMISSED, and

IT IS FURTHER ORDERED that the reclassification from D.R. 16 to B.L. petitioned for on the 1.148 acre parcel located on the southeast corner of York Road and Roundridge Road, be and the same is hereby GRANTED.

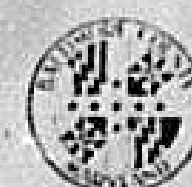
Any appeal from this decision must be in accordance with Rules 8-1 thru 8-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Renter, Jr., Chairman

John A. Miller

Patricia Millhouse



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

June 29, 1979

John Howard, Esquire
210 Allegheny Avenue
P.O. Box 5517
Towson, Maryland 21204

RE: Petition for Reclassification, 1) N/S Greenmeadow Road, 161 3/4' E of York Road and 2) SW/corner of York Road & Roundridge Road - 8th District C. Gordon Gilbert, et ux, Case No. R-79-9-X

Dear Sir:

This is to advise you that \$278.34 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland and remit to Mrs. Jones, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
Zoning Commissioner

WEM/aj

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000

Nicholas B. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

December 18, 1978

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

RE: Item No. 8
Petitioner - Gilbert
Reclassification and Special
Exception Petition

Dear Mr. Howard:

Please be advised that the acceptance certificate for the above petition, dated January 30, 1975, was incorrect. Enclosed is verification that the correct date of acceptance was December 14, 1978. This should replace the previous certificate.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/af
enclosure

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204

CARL L. GERHOLD
PHILIP H. CROSS
JOHN F. ETZEL

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204

823-4470

York Road Parcel
Zoning Description

September 29, 1978

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

Beginning for the same at a point on the east side of York Road, said point being distant South 18 degrees 29 minutes 26 seconds East 50 feet from the center line of Roundridge Road and thence running and binding on the east side of York Road, the two following courses and distances viz: South 18 degrees 27 minutes 26 seconds East 96.72 feet and South 18 degrees 47 minutes 06 seconds East 200 feet, thence leaving said York Road and binding on the outline of the land of the petitioners herein, North 71 degrees 12 minutes 54 seconds East 158.22 feet, thence binding on the line between Zone DR 16 and Zone DR 2, North 18 degrees 28 minutes 26 seconds West 299.90 feet to the south side of the aforesaid Roundridge Road and thence binding on the south and southeast side of said Roundridge Road, the two following lines viz: Westerly by a line curving toward the left having a radius of 440.28 feet for a distance of 136.50 feet (the chord of said arc bearing South 80 degrees 23 minutes 29 seconds West 135.96 feet) and southwesterly by a line curving toward the left having a radius of 25 feet for a distance of 39.27 feet (the chord of said arc bearing South 26 degrees 30 minutes 34 seconds West 35.36 feet) to the place of beginning.

Containing 1.148 Acres of land more or less.

Being part of the property of the petitioners herein as shown on a plat filed in the Baltimore County Office of the Zoning Commissioner.



FEB 15 1980

RE: PETITION FOR RECLASSIFICATION
from D.R. 16 and D.R. 2 to
B.L. and D.R. 16, and
SPECIAL EXCEPTION for an
Office Building
N/S Greenmeadow Road 161.34'
E. of York Rd., and SE corner
of York and Roundridge Roads
8th District
C. Gordon Gilbert, et ux,
Petitioners - Appellants
Zoning File No. R-79-9-X
(R-79-198-X)

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 12
Folio No. 19
File No. 6969

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, Walter A. Reiter, Jr., John A. Miller and Patricia Millhouser, constituting the County Board of Appeals of Baltimore County, have given notice by mail for the filing of the appeal to the representative of every party to the proceeding before it; namely, John B. Howard, Esq., 210 Allegheny Avenue, Towson, Maryland 21204, Counsel for the Petitioners, C. Gordon Gilbert, et ux, 1 Roundridge Road, Timonium, Maryland 21093, Petitioners, John W. Hession, III, Esq., People's Counsel for Baltimore County, County Office Building, Towson, Maryland 21204, Ms. Margaret DiNardo, 2215 Dalewood Road, Timonium, Maryland 21093, Mr. Walter Robertson, III, 9 Yorkview Drive, Timonium, Maryland 21093, Mr. and Mrs. George Gorney, 20 Greenmeadow Drive, Timonium, Maryland 21093, Mr. and Mrs. John Kenny, 2210 Westridge Road, Timonium, Maryland 21093, Mr. and Mrs. Howard J. Smith, 11 Roundridge Road, Timonium, Maryland 21093, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holmen
County Board of Appeals of Baltimore County
Rm. 219, Court House, Towson, Md. 21204
494-3180

C. Gordon Gilbert, et ux
Zoning File No. R-79-9-X
(R-79-198-X)

I hereby certify that a copy of the foregoing Certificate of Notice has been mailed to John B. Howard, Esq., 210 Allegheny Avenue, Towson, Maryland 21204, Counsel for the Petitioners, C. Gordon Gilbert, et ux, 1 Roundridge Road, Timonium, Maryland 21093, Petitioners, John W. Hession, III, Esq., People's Counsel for Baltimore County, County Office Building, Towson, Maryland 21204, Ms. Margaret DiNardo, 2215 Dalewood Road, Timonium, Maryland 21093, Mr. Walter Robertson, III, 9 Yorkview Drive, Timonium, Maryland 21093, Mr. and Mrs. John Kenny, 2210 Westridge Road, Timonium, Maryland 21093, Mr. and Mrs. George Gorney, 20 Greenmeadow Drive, Timonium, Maryland 21093 and Mr. Howard J. Smith, 11 Roundridge Road, Timonium, Maryland 21093, on this 4th day of December, 1979.

June Holmen
County Board of Appeals of Baltimore County

cc: James Howell (2)
Sandra Jones (1)
File (2)

RE: PETITION FOR RECLASSIFICATION
from D.R. 16 and D.R. 2 to
B.L. and D.R. 16, and
SPECIAL EXCEPTION for an
Office Building
N/S Greenmeadow Road 161.34'
E. of York Rd., and SE corner
of York and Roundridge Roads
8th District
C. Gordon Gilbert, et ux,
Petitioners - Appellants
Zoning File No. R-79-9-X
(R-79-198-X)

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 12
Folio No. 19
File No. 6969

CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, Walter A. Reiter, Jr., John A. Miller and Patricia Millhouser, constituting the County Board of Appeals of Baltimore County, have given notice by mail for the filing of the appeal to the representative of every party to the proceeding before it; namely, John B. Howard, Esq., 210 Allegheny Avenue, Towson, Maryland 21204, Counsel for the Petitioners, C. Gordon Gilbert, et ux, 1 Roundridge Road, Timonium, Maryland 21093, Petitioners, John W. Hession, III, Esq., People's Counsel for Baltimore County, County Office Building, Towson, Maryland 21204, Ms. Margaret DiNardo, 2215 Dalewood Road, Timonium, Maryland 21093, Mr. Walter Robertson, III, 9 Yorkview Drive, Timonium, Maryland 21093, Mr. and Mrs. John Kenny, 2210 Westridge Road, Timonium, Maryland 21093, Mr. and Mrs. George Gorney, 20 Greenmeadow Drive, Timonium, Maryland 21093 and Mr. Howard J. Smith, 11 Roundridge Road, Timonium, Maryland 21093, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holmen
County Board of Appeals of Baltimore County
Rm. 219, Court House, Towson, Md. 21204
494-3180

C. Gordon Gilbert, et ux
Zoning File No. R-79-9-X
(R-79-198-X)

I hereby certify that a copy of the foregoing Certificate of Notice has been mailed to John B. Howard, Esq., 210 Allegheny Avenue, Towson, Maryland 21204, Counsel for the Petitioners, C. Gordon Gilbert, et ux, 1 Roundridge Road, Timonium, Maryland 21093, Petitioners, John W. Hession, III, Esq., People's Counsel for Baltimore County, County Office Building, Towson, Maryland 21204, Ms. Margaret DiNardo, 2215 Dalewood Road, Timonium, Maryland 21093, Mr. Walter Robertson, III, 9 Yorkview Drive, Timonium, Maryland 21093, Mr. and Mrs. John Kenny, 2210 Westridge Road, Timonium, Maryland 21093, Mr. and Mrs. George Gorney, 20 Greenmeadow Drive, Timonium, Maryland 21093 and Mr. Howard J. Smith, 11 Roundridge Road, Timonium, Maryland 21093, on this 4th day of December, 1979.

June Holmen
County Board of Appeals of Baltimore County

cc: James Howell (2)
Sandra Jones (1)
File (2)

RE: PETITION FOR RECLASSIFICATION
from D.R. 16 and D.R. 2 to
B.L. and D.R. 16, and
SPECIAL EXCEPTION for an
Office Building
N/S Greenmeadow Road 161.34'
E. of York Rd., and SE corner
of York and Roundridge Roads
8th District
C. Gordon Gilbert, et ux, Petitioners
Zoning File No. R-79-9-X

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW
Misc. Docket No. 12
Folio No. 19
File No. 6969

PETITION ON APPEAL

The People's Counsel for Baltimore County, Protestant below and Appellant herein, having heretofore filed an Order for Appeal from that portion of the Order of the County Board of Appeals of Baltimore County, under date of October 31, 1979, granting the reclassification from D.R. 16 to B.L. petitioned for on the 1.148 acre parcel located on the southeast corner of York Road and Roundridge Road, in the 8th Election District of Baltimore County, in compliance with Maryland Rule B-2(e), files this Petition on Appeal setting forth the grounds upon which this Appeal is taken, viz:

That the County Board of Appeals had no legally sufficient evidence upon which to base its conclusion that the present zoning on the parcel which is the subject of this appeal is an erroneous classification and therefore their Order passed herein is illegal, arbitrary, and capricious.

WHEREFORE, Appellant prays that the Order of the Board of Appeals of Baltimore County under date of October 31, 1979 be reversed, and the action of the County Council of Baltimore County in zoning the subject property D.R. 16 be affirmed and reinstated.

John W. Hession, III
People's Counsel for Baltimore County

RECEIVED
BALTIMORE COUNTY
Nov 21 3 24 PM '79
COUNTY BOARD
OF APPEALS
BY: _____

- 2 -

Peter Max Zimmerman
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 21st day of November, 1979, a copy of the foregoing Petition on Appeal was served on the Administrative Secretary of the County Board of Appeals of Baltimore County, Room 219, Court House, Towson, Maryland 21204, prior to the presentation of the original to the Clerk of the Circuit Court for Baltimore County; and that a copy thereof was mailed to John B. Howard, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Hession, III

RE: PETITION FOR RECLASSIFICATION
from D.R. 16 and D.R. 2 to
B.L. and D.R. 16, and
SPECIAL EXCEPTION for an
Office Building
N/S Greenmeadow Road 161.34'
E. of York Road, and SE corner
of York and Roundridge Roads
8th District
C. Gordon Gilbert, et ux
Petitioners

IN THE
CIRCUIT COURT FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 12
Folio No. 19
Case No. 6969

ORDER FOR APPEAL

MR. CLERK:

Please note an appeal on behalf of C. Gordon Gilbert and Cordelia P. Gilbert to the Circuit Court for Baltimore County from that portion of the Order of the County Board of Appeals for Baltimore County, dated October 31, 1979, which denied a Petition to reclassify an approximate 1.489 acre parcel fronting on Greenmeadow Drive, approximately 161 feet east of York Road, from a D.R. 2 classification to a D.R. 16 classification and that portion of the Order which dismissed the Special Exception for an office building for the same parcel as herein described.

John B. Howard
JOHN B. HOWARD

HERBERT R. O'CONNOR, III

Cook, Howard, Downes & Tracy
210 Allegheny Avenue
Towson, Maryland 21204
823-4111
Attorneys for Cross Appellants

RECEIVED
BALTIMORE COUNTY
Nov 23 1 31 PM '79
COUNTY BOARD
OF APPEALS
BY: _____

RE: PETITION FOR RECLASSIFICATION
from D.R. 16 and D.R. 2 to
B.L. and D.R. 16, and
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N/S Greenmeadow Road 161.34'
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8th District
C. Gordon Gilbert, et ux
Petitioners

IN THE
CIRCUIT COURT FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 12
Folio No. 19
Case No. 6969

CERTIFICATE OF COMPLIANCE

Now come C. Gordon Gilbert and Cordelia P. Gilbert, Appellants, by John B. Howard and Herbert R. O'Connor, III, their attorneys pursuant to Maryland Rule B2C and certify that they have, prior to the filing of the Order for Appeal, had a copy thereof personally served on the Administrative Secretary of the County Board of Appeals for Baltimore County, Room 219, Court House, Towson, Maryland 21204, and the undersigned further certifies that he has mailed a copy of the Order for Appeal to John W. Hession, III, People's Counsel for Baltimore County and Peter Max Zimmerman, Deputy People's Counsel, County Office Building, Towson, Maryland 21204.

HERBERT R. O'CONNOR, III
Cook, Howard, Downes & Tracy
210 Allegheny Avenue
Towson, Maryland 21204
823-4111
Attorney for Cross Appellants

RECEIVED
BALTIMORE COUNTY
Nov 23 1 31 PM '79
COUNTY BOARD
OF APPEALS
BY: _____

FEB 15 1980

RE: PETITION FOR RECLASSIFICATION :
from D.R. 16 and D.R. 2 to :
B.L. and D.R. 16, and :
SPECIAL EXCEPTION for an :
Office Building :
N/S Greenmeadow Road 161.34' :
E. of York Road, and SE corner :
of York and Roundridge Roads :
8th District :
C. Gordon Gilbert, et ux :
Petitioners :

BEFORE :
COUNTY BOARD OF APPEALS :
OF :
BALTIMORE COUNTY :
No. R-79-9-X :
(R-79-198-X) :

OPINION

The subject petition is twofold, i.e., a petition to reclassify the southeast corner of York Road and Roundridge Road from an existing D.R. classification to a B.L. classification (approximately 1.148 acres), and secondly, a petition to reclassify approximately 1.489 acres fronting on Greenmeadow Drive, approximately 161 feet east of the York Road, from an existing D.R. 2 classification to a D.R. 16 classification. In addition to these two requests, the property owner also seeks a special exception to construct a three story office building on the Greenmeadow Drive site. The subject property is located in the Eighth Election District of Baltimore County, opposite the Timonium State Fairgrounds. The large Timonium Shopping Center is immediately across Greenmeadow Drive from the subject property. Petitioner's Exhibits #1 and #2 are plats of the subject property and detail the requests.

C. Gordon Gilbert, who with his wife has owned the subject site and other contiguous property in the area for more than twenty-five years, described the neighborhood for the Board and explained to the Board why he felt that the County Council erred when they zoned the subject sites in their present classifications. He also stated his reasons as to why the subject sites should be reclassified per his request.

The Baltimore County Traffic Engineer and a Baltimore County staff planner testified in opposition to the granting of the subject petition. Four nearby residents and the co-owner of the medical offices that are located at the northeast corner of the York Road and Greenmeadow Drive also testified and told the Board why they were particularly opposed to the granting of the subject request.

C. Gordon Gilbert - #R-79-9-X

IT IS FURTHER ORDERED that the special exception for an office building petitioned for on this parcel is now moot and is hereby DISMISSED, and

IT IS FURTHER ORDERED that the reclassification from D.R. 16 to B.L. petitioned for on the 1.148 acre parcel located on the southeast corner of York Road and Roundridge Road, be and the same is hereby GRANTED.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Walter A. Reiter, Jr., Chairman

John A. Miller

Patricia Millhouser

RECEIVED
BALTIMORE COUNTY
Nov 13 2 45 PM '79
COUNTY BOARD
OF APPEALS
BY:

RE: PETITION FOR RECLASSIFICATION :
from D.R. 16 and D.R. 2 to :
B.L. and D.R. 16, and :
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Office Building :
N/S Greenmeadow Road 161.34' :
E. of York Road, and SE corner :
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8th District :
C. Gordon Gilbert, et ux :
Petitioners :

IN THE CIRCUIT COURT :
FOR BALTIMORE COUNTY :
AT LAW :
Misc. Docket No. 12 :
Folio No. 19 :
File No. 6949 :

ORDER FOR APPEAL

MR. CLERK:

Please note an appeal to the Circuit Court for Baltimore County from that portion of the Order of the County Board of Appeals, for Baltimore County, under date of October 31, 1979, granting the reclassification from D.R. 16 to B.L. petitioned for on the 1.148 acre parcel located on the southeast corner of York Road and Roundridge Road, in the 8th Election District of Baltimore County.

John W. Hession, III
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
454-2188

I HEREBY CERTIFY that on this 13th day of November, 1979, a copy of the foregoing Order was served on the Administrative Secretary of the County Board of Appeals of Baltimore County, Room 219, Court House, Towson, Maryland 21204, prior to the presentation of the original to the Clerk of the Circuit Court for Baltimore County; and that a copy thereof was mailed to John B. Howard, Esquire, 210 Allegheny Avenue, Towson, Maryland 21204, Attorney for Petitioners.

John W. Hession, III

C. Gordon Gilbert - #R-79-9-X

feels it is fair to call to mind the comment of the Baltimore County staff planner on cross-examination when he personally wondered whether the D.R. 2 classification was, in fact, the best dwelling unit classification for this particular portion of the subject property. Nonetheless, in summary, the Board can find no testimony and evidence to support and carry the Petitioner's burden to evidence not only that the Council erred when placing D.R. 2 on the subject property but failing to classify the subject property D.R. 16. It might seem that many experts would agree that perhaps this particular portion of the subject property should be reclassified to a medium density residential use, i.e., D.R. 5.5 or D.R. 10.5. The Board could take it upon itself to recognize error by the Council in zoning the subject property D.R. 2 and, in fact, reclassify the subject property to a D.R. 5.5 or a D.R. 10.5 classification. However, because this petition is presented in the last cycle and the Planning staff, Planning Board and subsequently the County Council are now studying the area in anticipation of adopting a totally new comprehensive zoning map for the entire subject area by October of 1980, it seems that the tenets of good planning and zoning would be best served by leaving the classification of this particular portion of the subject property for the comprehensive map process and the ultimate judgment of the County Council when it will comprehensively reclassify the entire area in October of 1980. Therefore, because the Board can find insufficient testimony and evidence as to error in not reclassifying the subject property D.R. 16, this particular part of the Petitioner's request will be denied. Since the underlying zoning of this particular parcel will not now be D.R. 16, the Petitioner's request for a special exception for offices for this parcel is moot and will be dismissed.

As to the second part of the Petitioner's request which is for a reclassification of approximately 1.148 acres at the southeast corner of Roundridge Road and York Road from an existing D.R. 16 classification to a B.L. classification, it is the judgment of this Board that the Petitioner has evidenced error by the Council when they zoned the subject property D.R. 16 and not B.L. In 1976, at the time of the adoption of the last comprehensive zoning maps for the subject area, the County Council was aware, or should have been aware, of the impact of the widening of the York Road and of the expansion and modernization plans for the Timonium State Fairgrounds, which are immediately across the

RE: PETITION FOR RECLASSIFICATION :
from D.R. 16 and D.R. 2 to :
B.L. and D.R. 16, and :
SPECIAL EXCEPTION for an :
Office Building :
N/S Greenmeadow Road 161.34' :
E. of York Road, and SE corner :
of York and Roundridge Roads :
8th District :
C. Gordon Gilbert, et ux :
Petitioners :

IN THE :
CIRCUIT COURT :
FOR :
BALTIMORE COUNTY :
AT LAW :
Misc. Docket No. 12 :
Folio No. 19 :
File No. 6949 :

Mr. Clerks:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, Walter A. Reiter, Jr., John A. Miller and Patricia Millhouser, constituting the County Board of Appeals of Baltimore County, have given notice by mail for the filing of the appeal to the representative of every party to the proceeding before it; namely, John B. Howard, Esq., 210 Allegheny Avenue, Towson, Maryland 21204, Counsel for the Petitioners, C. Gordon Gilbert, et ux, 1 Roundridge Road, Timonium, Maryland 21093, Petitioners, John W. Hession, III, Esq., People's Counsel for Baltimore County, County Office Building, Towson, Maryland 21204, Ms. Margaret DiNardo, 2215 Dalewood Road, Timonium, Maryland 21093, Mr. Walter Robertson, III, 9 Yorkview Drive, Timonium, Maryland 21093, Mr. and Mrs. John Kenny, 2210 Westridge Road, Timonium, Maryland 21093, Mr. and Mrs. George Gorney, 20 Greenmeadow Drive, Timonium, Maryland 21093 and Mr. Howard J. Smith, 11 Roundridge Road, Timonium, Maryland 21093, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holmen
County Board of Appeals of Baltimore County
Rm. 219, Court House, Towson, Md. 21204
454-3180

C. Gordon Gilbert - #R-79-9-X

York Road from the subject property. Likewise, in 1976, the topography of the subject property was, or should have been, specifically known to the Council. The Board sees this as significant because the particular topography allows the subject to sit much lower than the developed stable residential neighborhood which lies east of the York Road and east of the subject parcel. Considering these elements and the fact that the depth of the subject property at its northern frontage on Roundridge Road is only about 136 feet, and at its southern boundary toward Greenmeadow Drive only approximately 150 feet, D.R. 16 development of this parcel would be extremely difficult if not impossible. The judgment of this Board, the impact of the Timonium fairgrounds and race track in such very close proximity to the subject property mitigates against the stated policy of the County to stop the further expansion of strip zoning along its arterial highways. The Board could not agree more with this stated policy of the Planning staff, Planning Board and County Council, however, each and every instance must stand and fall on its own merits and the Board, after personally inspecting the subject property and its environs, finds the application of this good planning policy particularly difficult to impose in the subject instance. One but need to spend a very few minutes in this specific location to find it difficult to conceive of a residential development of any nature on this particular parcel.

Without further detailing the testimony and evidence presented to the Board, suffice it to say that this Board is satisfied that the Petitioner has evidenced error in this instance and will grant the Petitioner's request to reclassify the 1.148 acres at the southeast corner of Roundridge Road and York Road from the existing D.R. classification to the B.L. classification. An Order in conformity with the above opinion follows hereafter.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 31st day of October, 1979, by the County Board of Appeals, ORDERED that the reclassification from D.R. 2 to D.R. 16 petitioned for on the 1.489 acre parcel fronting on Greenmeadow Drive, be and the same is hereby DENIED, and

C. Gordon Gilbert, et ux
Zoning File No. R-79-9-X
(R-79-198-X)

I hereby certify that a copy of the foregoing Certificate of Notice has been mailed to John B. Howard, Esq., 210 Allegheny Avenue, Towson, Maryland 21204, Counsel for the Petitioners, C. Gordon Gilbert, et ux, 1 Roundridge Road, Timonium, Maryland 21093, Petitioners, John W. Hession, III, Esq., People's Counsel for Baltimore County, County Office Building, Towson, Maryland 21204, Ms. Margaret DiNardo, 2215 Dalewood Road, Timonium, Maryland 21093, Mr. Walter Robertson, III, 9 Yorkview Drive, Timonium, Maryland 21093, Mr. and Mrs. John Kenny, 2210 Westridge Road, Timonium, Maryland 21093, Mr. and Mrs. George Gorney, 20 Greenmeadow Drive, Timonium, Maryland 21093 and Mr. Howard J. Smith, 11 Roundridge Road, Timonium, Maryland 21093, on this 19th day of November, 1979.

June Holmen
County Board of Appeals of Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

C. Gordon Gilbert & Cordelia P. Gilbert, legal owners 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 DR-16 and DR-2 zone to an BL and DR-16 zone; for the following reasons:

PLEASE SEE ACCOMPANYING MEMORANDUM

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.

C. Gordon Gilbert
Contract purchaser
Cordelia P. Gilbert
Legal Owner

Address 1 Roundridge Road
Timonium, Maryland 21093
John B. Howard
Petitioner's Attorney

Address 210 Allegheny Avenue
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 29 day of September, 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 Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 29 day of September, 1978, at 10 o'clock A.M.

Zoning Commissioner of Baltimore County.

(over)

IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, C. Gordon Gilbert & Cordelia P. Gilbert, legal owners of the property situate in Baltimore County, the property outline of which is shown in sketch, complete with bearings and distances on 500 FT. SCALE MAPS, which are attached hereto, hereby make application to file for a SPECIAL EXCEPTION FOR OFFICES, located on the DR-16 zone to use the herein described property for Offices.

THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

GROSS SITE AREA 1.489 Acres DEED REF. OLB 2233-146

GRADING 85 % OF OVERALL SITE WILL REQUIRE GRADING.

BUILDING SIZE 100 x 100 AREA 10,000 sq. ft.

NUMBER OF FLOORS 3 TOTAL HEIGHT 30'

FLOOR RATIO = TOTAL FLOOR AREA DIVIDED BY SITE AREA = 0.46

BUILDING USE Offices OTHER FLOORS Offices

REQUIRED NUMBER OF PARKING SPACES 40 TOTAL 74

GROUND FLOOR 34 OTHER FLOORS 40

PAVING 26,640 sq. ft.

AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES 26,640 sq. ft.

(PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 360')

UTILITIES Public Private, TYPE OF SYSTEM Public Private, TYPE OF SYSTEM

UTILITIES SECURITY APPROVAL 4/28/78

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

C. Gordon Gilbert et al
APPLICANT, LESSEE OR CONTRACT PURCHASER

ADDRESS 204 N. Liberty St.
Baltimore, Md. 21201

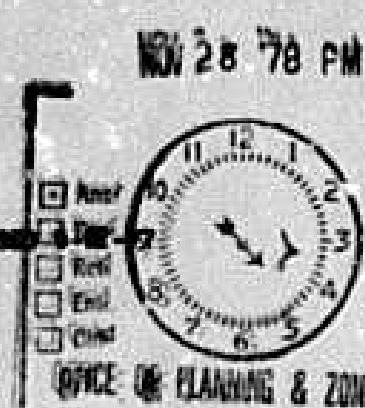
C. Gordon Gilbert et al
LEGAL OWNER

ADDRESS No. 1 Round Ridge Road
Timonium, Maryland 21093

DATE NOV 28 78 PM

CHAIRMAN, BALTIMORE COUNTY PLANNING BOARD

IDCA FORM NO. 2



IN THE MATTER OF THE PETITION OF C. GORDON AND CORDELIA P. GILBERT, LEGAL OWNERS, FOR RECLASSIFICATION FROM AN R-16 ZONE TO A BL ZONE OF PROPERTY CONSISTING OF 1.148 ACRES LOCATED ON THE EAST SIDE OF YORK ROAD AND FOR RECLASSIFICATION FROM A DR-2 ZONE TO A DR-16 ZONE WITH SPECIAL EXCEPTION FOR OFFICES, LOCATED ON THE NORTH SIDE OF GREENMEADOW DRIVE, TIMONIUM, EIGHTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

MEMORANDUM OF SUPPORT OF PETITION FOR RECLASSIFICATION AND SPECIAL EXCEPTION

C. Gordon and Cordelia P. Gilbert own, in fee simple, 5.51 acres, more or less, located in Timonium, Maryland, as more particularly designated in the accompanying documents. The property fronting on York Road, consisting of approximately 1.148 acres of land, and having a depth of approximately 150 feet, is presently zoned DR-16. The balance of the property, consisting of 4.36 acres to the west of the York Road frontage property, between Roundridge Road on the north and Greenmeadow Drive on the south, is presently zoned DR-2.

The subject property slopes from the south to the north and the portion zoned DR-2 is situated on high ground with the Timonium Shopping Center to the south, the Timonium Fair Grounds to the west on the opposite side of York Road, and industrial zoned land to the north, all of which rendered it totally unsuitable for density residential zoning contemplated by the DR-2 zone.

The Petitioners wish to develop the portion of the property fronting on York Road with a restaurant facility and a 1.489 acre portion of their property fronting on Greenmeadow Drive with an office building, as depicted on the attached plat.

The DR-16 portion of the Petitioners' property fronting on York Road is of insufficient size to permit meaningful residential development, which would be inconsistent with adjacent uses in any event, i.e. medical offices on either side.

Additionally, it has insufficient depth to permit development with an office building. On the other hand, the proposed commercial use would be completely compatible with other commercial uses along the York Road corridor in the immediate vicinity.

The proposed office building use on the 1.148 acre portion of the Petitioners' property fronting on Greenmeadow Drive would be a much more appropriate use than residential development thereof since it lies immediately opposite the Timonium Shopping Center on the south side of Greenmeadow Drive. With tasteful and adequate screening about this parcel of ground it could serve as a transition or buffer zone between the shopping center and residences to the north and east of the subject property.

For the reasons above cited, it is respectfully requested that portion of the subject property fronting on York Road be reclassified from DR-16 to BL and the 1.489 acre portion of the subject property be reclassified from DR-2 to DR-16 with special exception for offices. The property owners are willing to enter into such easements and restrictions subject to grant of the zoning to provide all necessary insurances that the property would be developed as proposed.

Respectfully submitted,

John B. Howard
Cook, Howard, Townes & Tracy
210 Allegheny Avenue
Towson, Maryland 21204
823-4111

-2-

CARL L. GERHOLD
PHILIP C. CROSS
JOHN F. ETZEL
WILLIAM S. SLEIGH
GORDON T. LANGDON

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204

PHILIP C. CROSS
JOHN F. ETZEL
WILLIAM S. SLEIGH
GORDON T. LANGDON

823-4470

Greenmeadow Drive Parcel
Zoning Description
September 29, 1978

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

Beginning for the same at a point on the north side of Greenmeadow Drive, said point being distant 161.34 feet measured easterly along the north side of Greenmeadow Drive from the east side of York Road and running thence and binding on the north side of said Greenmeadow Drive, South 85 degrees 21 minutes 21 seconds East 277.06 feet, thence leaving said drive and running the two following courses and distances viz: North 0 degrees 43 minutes 36 seconds West 225.09 feet and South 89 degrees 16 minutes 24 seconds West 339.59 feet and thence binding on the line between zone DR-16 and zone DR-2 and also binding for a part on the outline of the land of the petitioners herein, South 18 degrees 28 minutes 26 seconds East 209.11 feet to the place of beginning.

Containing 1.489 Acres of land more or less.

Being part of the property of the petitioners herein as shown on a plat filed with the Baltimore County Office of the Zoning Commissioner.



CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 8 Date of Posting 9/23
Posted for: Reclassification with Special Exception
Petitioner: C. Gordon & Cordelia P. Gilbert
Location of property: 1.148 Acres, York Rd & Roundridge Rd, York Rd & SE Corner York Rd & Roundridge Rd
Location of Signs: Property, York Rd & Roundridge Rd, York Rd & Roundridge Rd, York Rd & Roundridge Rd
Remarks: See sketch of York Rd & Roundridge Rd, York Rd & Roundridge Rd, York Rd & Roundridge Rd
Posted by: John B. Howard Date of return: 9/27/78

3 signs
corner of property facing York & Roundridge

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing this 14th day of December, 1978

S. Eric Dinenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner Gilbert
Petitioner's Attorney John B. Howard

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

Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received * this 29 day of Sept 1978. Filing Fee \$ 50 Received Check Cash Other

S. Eric Dinenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner Gilbert Submitted by John B. Howard
Petitioner's Attorney John B. Howard Reviewed by John B. Howard

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

FEB 15 1980

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

C. Gordon Gilbert &
Xavier Wm. Cordelia P. Gilbert legal owners of the property situate in Baltimore
County and which is described in the description and plat attached hereto and made a part hereof,
herby petition (1) that the zoning status of the herein described property be re-classified, pursuant
to the Zoning Law of Baltimore County, from an DR-16 and DR-2 zone to an
B-1 and DR-16 zone; for the following reasons:

PLEASE SEE ACCOMPANYING MEMORANDUM

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.

C. Gordon Gilbert
C. Gordon Gilbert
Cordelia P. Gilbert Legal Owner

Address 1 Roundridge Road
Timonium, Maryland 21093

John B. Howard
John B. Howard
Petitioner's Attorney

Address 210 Allegheny Avenue
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day
of _____, 197 __, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the _____ day of _____, 197 __, at _____ o'clock
_____ M.

Zoning Commissioner of Baltimore County.

(over)

RE: PETITION FOR RECLASSIFICATION : IN THE
from D.R. 16 and D.R. 2 to : CIRCUIT COURT
B.L. and D.R. 16, and :
SPECIAL EXCEPTION for an :
Office Building :
N/S Greenmeadow Road 161.34' :
E. of York Road, and SE corner :
of York and Roundridge Roads :
8th District :
AT LAW
C. Gordon Gilbert, et ux : Misc. Docket No. 12
Petitioners -Appellants :
Zoning File No. R-79-9-X : Folio No. 19
(R-79-9-X) :
File No. 6969
John W. Hession, III, Esq. :
People's Counsel for Baltimore County, :
Appellant :

CERTIFIED COPIES OF PROCEEDINGS BEFORE
THE ZONING COMMISSIONER AND BOARD
OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT.

And now come Walter A. Reiter, Jr., John A. Miller and Patricia Millhouser,
constituting the County Board of Appeals of Baltimore County, and in answer to the Order
for Appeal directed against them in this case, herewith return the record of proceedings had
in the above entitled matter, consisting of the following certified copies or original papers
on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER
OF BALTIMORE COUNTY

No. R-79-9-X
Sept. 29, 1978 Petition of C. Gordon Gilbert, et ux for reclassification from D.R. 16
and D.R. 2 to a B.L. and D.R. 16 zone, for special exception for
an office building, on property located on the North side of Greenmeadow
Rd., 161.34' East of York Rd., and Southeast corner of York and
Roundridge Roads, 8th District, filed
Order of Walter A. Reiter, Jr., Chairman, County Board of Appeals,
directing advertisement and posting of property - date of hearing set
for July 10, 1979, at 10 a.m.

C. Gordon Gilbert, et ux
Case No. R-79-9-X

October 31, 1978 Comments of Baltimore County Zoning Advisory Committee filed
February 15, 1979 I.D.C.A. approved by Planning Board (P78-75-X)
June 21 Certificate of Publication in newspaper - filed
June 23 Certificate of Posting of property - filed
July 10 At 10:00 a.m. hearing held on petition
October 31 Order of County Board of Appeals denying the reclassification from
D.R. 2 to D.R. 16 on the 1.489 acre parcel, dismissing the special
exception for an office building, and granting the reclassification from
D.R. 16 to B.L. on the 1.148 acre parcel.
November 13 Order for Appeal filed in Circuit Court for Baltimore County by John W.
Hession, III, Esq., People's Counsel for Baltimore County,
November 19 Certificate of Notice sent to all interested parties
November 21 Petition to accompany Order for Appeal filed in Circuit Court for
Baltimore County
November 29 Order for Appeal filed in Circuit Court for Baltimore County by John B.
Howard, Esq., and Herbert R. O'Connor, III, Esq., Attorneys for
Cross Appellants
December 4 Certificate of Notice sent to all interested parties
Petition to accompany Order for Appeal filed in Circuit Court for
Baltimore County
December 12 Transcript of testimony filed -
Petitioner's Exhibit No. 1 - Plat dated 7/6/79
" " " 2 - Revised plat dated 12/1/78
" " " 3 - Report of Mr. Wes Guckert dated 7/2/79
(Street Traffic Studies)
People's Counsel Exhibit 1A - 1G - Photos
" " " 2 - 3 pages of the report by the Planning Bd.
to the County Bd. of Appeals.
" " " 3 - Letter of request dated 4/25/75 to Office
of Planning & enclosures
" " " 4A & 4B - Photos of Greenmeadow Dr.
December 12 Record of proceedings filed in the Circuit Court for Baltimore County

C. Gordon Gilbert, et ux
Case No. R-79-9-X

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

Respectfully submitted,

June Holmen
June Holmen
County Board of Appeals of Baltimore County

cc: John Howard Esq.
John Hession Esq.
file

Case # R-79-9-X
C. Gordon Gilbert (R-79-198-X)

✓ Pet # 1 - Amended Plat - 7/6/79
✓ Pet # 2 - Dated 7/28/79 Plat of S.D. of the City
✓ Pet # 3 - Report of Mr. Guckert (Traffic Study)

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
November 19, 1979

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

Dear Mr. Howard: Re: C. Gordon Gilbert, et ux
Case No. R-79-9-X (R-79-198-X)

Notice is hereby given, in accordance with the Rules
of Procedure of the Court of Appeals of Maryland, that an appeal has
been taken to the Circuit Court for Baltimore County from the decision
of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.
cc: C. Gordon Gilbert, et ux
Ms. Margaret DiNardo
Mr. Walter Robertson, III
Mr. and Mrs. John Kenny
Mr. and Mrs. Geo. Gorney
Mr. Howard J. Smith

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
November 19, 1979

John W. Hession, III, Esq.
People's Counsel for Baltimore County
County Office Building
Towson, Maryland 21204

Dear Mr. Hession: Re: C. Gordon Gilbert, et ux
Case No. R-79-9-X (R-79-198-X)

In accordance with Rule 8-7 (a) of the Rules of Procedure of
the Court of Appeals of Maryland, the County Board of Appeals is required
to submit the record of proceedings of the zoning appeal which you have
taken to the Circuit Court for Baltimore County in the above matter within
thirty days.

The cost of the transcript of the record must be paid by you.
Certified copies of any other documents necessary for the completion of
the record must also be at your expense.

The cost of the transcript, plus any other documents, must be
paid in time to transmit the same to the Circuit Court not later than thirty
days from the date of any petition you might file in court, in accordance
with Rule 8-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice
covering the cost of certified copies of necessary documents.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.

C. GORDON GILBERT, et ux No. R-79-9-X
N/S Greenmeadow Rd., 161.34' E of
York Rd., and SE corner of York and
Roundridge Rds.
8th District

Reclass. from DR 16 and DR 2 to BL
and DR 16
SE-for office building

Sept. 29, 1978 Petition filed
July 10, 1979 Hearing held before the Board on the 1.489 acres,
Oct. 31 Order of C.B. of A. DENYING the reclass., dismissing the
special exception, and GRANTING the reclass. on the 1.148
acre parcel.
Nov. 13 Order for appeal filed in C.Ct. by People's Counsel
Nov. 19 Certificate of Notice sent to all interested parties
Nov. 21 Petition to accompany Order for appeal filed in C.Ct.
Nov. 29 Order for appeal filed in C.Ct. by John B. Howard, Esq.,
and Herbert R. O'Connor, Esq., attorneys for cross appellants
Dec. 4 Certificate of Notice sent to interested parties
Petition to accompany Order for appeal filed in C.Ct.
Dec. 12 Record of proceedings filed in the Circuit Ct. for Balto. Cty.

P.C. of 1A thru 1G - Photos
P.C. of 12 - 3 pages of 1/15/78 E.P. of the
Appt to the Co Bd of Appeals of the
Baltimore Planning & Zoning Dept.
Dated 1/15/78. Note: Copy with the record
P.C. of 13 - Letter of Request to Office of Planning & Zoning
P.C. of 4A & 4B - Photos of Greenmeadow Dr.
(Changed membership on appeal paper
Mr. Hession - 12-11-79)

FEB 15 1980

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing as of the
30th day of January, 1979

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Gilbert
Petitioner's Attorney: John B. Howard Reviewed by: Nicholas B. Commodari

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

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

000
Nicholas B. Commodari
Chairman

MEMBERS
Bureau of
Engineering
Department of
Traffic Engineering
State Roads Commission
Bureau of
Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial
Development

October 31, 1978

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

RE: Item No. 5
Petitioner - Gilbert
Reclassification and Special
Exception Petition

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 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 suitability of the requested zoning.

The subjects of this petition are two parcels of land, currently zoned D.R. 2 and D.R. 16, which are part of a larger tract of land, owned by your clients, consisting of 5 acres bounded by Roundridge Road on the north, York Road to the west, and Greenmeadow Drive to the south. This site is presently improved with a dwelling situated at the crest of this property, which slopes from Roundridge Road towards York Road and Greenmeadow Drive. Surrounding properties consist of residentially zoned land improved with individual dwellings to the north and immediately to the east, while the Timonium fairgrounds, an office use and shopping center exist to the west and south of these parcels, respectively.

Because of your clients' proposal to construct a three-story office building on the D.R. 2 zoned portion and a restaurant on the D.R. 16 zoned portion, this Reclassification/Special Exception hearing is required.

Gilbert
Page 2
October 31, 1978

At the time of our discussion with the Committee, the Department of Traffic Engineering indicated that an additional entrance for the proposed restaurant would be required from Roundridge Road. However, the possibility of a use-in-common driveway with the medical office building to the south or an entrance from York Road was discussed as being more compatible with the surrounding uses. If this is not suitable, I suggest that this be addressed in letter form so I can incorporate your response as part of this file.

Because the Committee visualizes that extensive grading will be required for the proposed office building, revised site plans must be submitted reflecting this proposed grading, the method of securing that adequate drainage facilities will be provided and those comments from the Office of Current Planning and Development. In addition, particular attention should be afforded those comments of the Department of Permits and Licenses and Health Department.

This petition will be 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 1, 1978 in order to allow time for final Committee review and advertising. All changes must be accompanied by a cover letter indicating these corrections. 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, 1979 and April 15, 1979 will be forwarded to you well in advance.

Very truly yours,

Nicholas B. Commodari

NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204

Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

October 30, 1978

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

Re: Item #8 Cycle IV (Oct. 1978-April 1979)
Property Owner: C. Gordon & Cordelia P. Gilbert
1) N/S Greenmeadow Rd. 161.34' E. York Rd.
2) S/W cor. York Rd. & Roundridge Rd.
Existing Zoning: 1) D.R. 2 2) D.R. 16
Proposed Zoning: 1) D.R. 16 with Special Exception for offices.
2) B.M.
Acres: 1) 1.489 2) 1.148 District: 8th

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.

General:

Comments were supplied for an overall larger site, of which this property is a part, in connection with the Zoning Advisory Committee review for Item 14 of Zoning Cycle III (April-October 1978). Those comments remain valid and applicable to this property which comprises Lot 1, Block 2, and part of Parcel "A" of Plat One Part of Blocks "A" and "B" - part of Section One Stratford (G.L.B. 19, Folio 29); and Lots 1 and 2, Block "A" of Plat One Part of Block "A" - part of Section Two Haverford (G.L.B. 19, Folio 146).

Very truly yours,

Elsworth N. Diver, P.E.
ELSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:FWR:ss

cc: J. Somers
W. Munchel
J. Wimbley

3-W2 Key Sheet
54 & 55 NW 3 Pos. Sheets
NW 14 A Topo
60 Tax Map

Maryland Department of Transportation
State Highway Administration

Herman K. Inemann
Secretary
M. S. Carls
Administrator

October 16, 1978

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

Attention: Mr. N. Commodari

Re: Zoning Cycle IV, October 1978
Item No.: 8
Property Owner: C. Gordon & Cordelia P. Gilbert
Location: 1) N/S Greenmeadow Road, 161.34' E York Road
2) SW/C York Road (Rte. 45) & Roundridge Road
Existing Zoning: 1) D.R. 2
2) D.R. 16
Proposed Zoning: 1) D.R. 16 with Special Exception for offices
2) B.M.
Acres: 1) 1.489
2) 1.148
District: 8th

Dear Mr. DiNenna:

No access is proposed from York Road. The development as planned should cause no particular problems on York Road.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: John E. Meyers

My telephone number is (301) 383-6320.

P.O. Box 717 / 300 West Frieson Street, Baltimore, Maryland 21203

Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3211

LESLIE J. GRAEF
DIRECTOR

October 31, 1978

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 #8, Zoning Cycle IV, October, 1978, are as follows:

Property Owner: C. Gordon and Cordelia P. Gilbert
Location: 1. N/S Greenmeadow Road 161.34' E. York Road
2. SW/C York Road and Roundridge Road
Existing Zoning: 1. D.R. 2 2. D.R. 16
Proposed Zoning: 1. D.R. 16 with Special Exception for offices
2. B.M.
Acres: 1. 1.489 2. 1.148
District: 8th

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 proposed grades should be shown on the site plan.

Landscaping should be shown on the site plan.

There should be a second means of egress and ingress to the property.

If the petition is granted the Subdivision Requirements must be complied with.

Very truly yours,

John L. Wimbley

John L. Wimbley
Planner III
Current Planning and Development

October 17, 1978

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

Dear Mr. DiNenna:

Comments on Item #8, Zoning Advisory Committee Meeting for Cycle IV, are as follows:

Property Owner: C. Gordon & Cordelia P. Gilbert
Locations: 1. N/S Greenmeadow Rd. 161.34' E York Rd.
2. SW/C York Rd. & Roundridge Rd.
Existing Zoning: 1. D.R. 2 2. D.R. 16
Proposed Zoning: 1. D.R. 16 with Special Exception for offices
2. B.M.
Acres: 1. 1.489 2. 1.148
District: 8th

Metropolitan water and sewer are available to both sites. The existing dwelling on the remaining parcel of land is presently served by well and septic system. The existing septic system is overflowing at a point that is located on the site of the proposed 3 story office building. Therefore, the owner of the dwelling will be required to connect to public sewer.

Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain requirements for such installation/s before work begins.

A Permit to Construct from the Division of Air Pollution Control is required for any chiller operation which has a total cooling surface area of five (5) square feet or more.

The parking area/s should be surfaced with a dustless, bonding material.

Mr. S. Eric DiNenna

2

October 17, 1978

If service facility is proposed, complete plans and specifications should be submitted to the Division of Food Protection, Department of Health, for review and approval prior to construction.

Very truly yours,

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

END/JP/rlh

cc: V. L. Phillips
J. J. Dieter

FEB 15 1980

STEPHEN E. COLLINS
DIRECTOR

October 16, 1978

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

Item No. 8 - ZAC - Meeting for Cycle IV
Property Owner: C. Gordon & Cordelia P. Gilbert
Location: 1) N/S Greenmeadow Rd. 161.34' E York Rd.
2) SW/C York Road & Roundridge Rd.
Existing Zoning: 1) D.R. 2 2) D.R. 16
Proposed Zoning: 1) D.R. 16 with Special Exception for offices
2) B.M.
2) 1.489 2) 1.148
District: 8th

Dear Mr. DiNenna:

As presently zoned, this site can be expected to generate approximately 200 trips per day; the proposed zoning can be expected to generate 1200 trips per day. This increase will compound the existing traffic problems along York Road.

An entrance to the proposed restaurant must be provided on Roundridge Road.

Very truly yours,

Michael S. Flanigan
Michael S. Flanigan
Engineer Associate II

MSF/tms

Paul H. Reineke
CHIEF

October 16, 1978

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

Attention: N. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: C. Gordon & Cordelia P. Gilbert

Location: 1) N/S Greenmeadow Rd. 161.34' E York Rd.
2) SW/C York Rd. & Roundridge Rd.

Item No. 8 Zoning Agenda Cycle IV

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 _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. At 200' on Greenmeadow Drive at driveway entrance to proposed office building.
- () 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.
- (x) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1970 Edition prior to occupancy. Standpipe required in office building.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED *Paul H. Reineke* 10-17-78 Noted and Approved: *George M. Wagonoff*
Planning Group Fire Prevention Bureau
Special Inspection Division

JOHN D. SEVYERT
DIRECTOR

October 5, 1978

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

Dear Mr. DiNenna:

Comments on Item # Zoning Advisory Committee Meeting, CYCLE IV are as follows:

Property Owner: C. Gordon & Cordelia P. Gilbert
Location: 1) N/S Greenmeadow Rd. 161.34' E York Rd 2) SW/C York Rd & Roundridge Rd
Existing Zoning: 1) D.R. 2 2) D.R. 16
Proposed Zoning: 1) D.R. 16 16 with Special Exception for offices
2) B.M.

Acres: 1) 1.489 2) 1.148
District: 8th

The items checked below are applicable:

- I.A. Structure shall conform to Baltimore County Building Code (B.C.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.
- X.P. A building permit shall be required before construction can begin.
- X.C. Additional miscellaneous permits shall be required.
- D. Building shall be upgraded to new use - requires alteration permit.
- E. Three sets of construction drawings will be required to file an application for a building permit.
- X.V. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.
- H. Requested setback variance conflicts with the Baltimore County Building Code. See Section _____.
- I. No Comment.
- X.J. Comment: Site plan does not comply with State Handicapped Code - Handicapped Code will require elevator in the 3 story structure, along with other code items which will be required in both structures.

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: October 24, 1978

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

Z.A.C. Meeting of: Cycle IV

RE: Item No:
Property Owner: C. Gordon & Cordelia P. Gilbert
Location: 1) N/S Greenmeadow Rd. 161.34' E York Rd. 2) SW/C York Rd. & Roundridge Rd.
Present Zoning: 1) D.R. 2 2) D.R. 16
Proposed Zoning: 1) D.R. 16 with Special Exception for offices
2) B.M.

District: 8th
No. Acres: 1) 1.489
2) 1.148

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

NWP/bp

JOSEPH N. MCGOWAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. BOTSFATIS

THOMAS H. BRYER
MRS. LORRAINE F. CHURCH
ROGER B. HAYDEN

ALVIN LORECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

ROBERT V. DUBEL, SECRETARY

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

cc: Nicholas B. Commodari

Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Protect Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

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

December 18, 1978

RE: Item No. 8

Petitioner - Gilbert
Reclassification and Special
Exception Petition

Dear Mr. Howard:

Please be advised that the acceptance certificate for the above petition, dated January 30, 1979, was incorrect. Enclosed is verification that the correct date of acceptance was December 14, 1978. This should replace the previous certificate.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

enclosure

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

C. Gordon Gilbert &
~~XXXXXXXXXX~~ Cordelia P. Gilbert, legal owners 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 DR-16 and DR-2 zone to an BM and DR-16 zone; for the following reasons:

PLEASE SEE ACCOMPANYING MEMORANDUM

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.

Contract purchaser
C. Gordon Gilbert
Cordelia P. Gilbert Legal Owner

Address: 1. Roundridge Road
Timonium, Maryland 21093

John B. Howard
John B. Howard
Petitioner's Attorney

Address: 210 Allegheny Avenue
Towson, Maryland 21204

ORDERED By The Zoning Commissioner of Baltimore County, this PFFICE COPY day of _____, 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

CARL L. BERHOLD
PHILIP H. CROSS
JOHN P. ETZEL
WILLIAM A. KURICH
GORDON T. LANGDON

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204

821-4470

RECEIVED
PAUL H. GILBERTSON
FRANK H. GILBERTSON

York Road Parcel
Zoning Description

September 29, 1978

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

Beginning for the same at a point on the east side of York Road, said point being distant South 18 degrees 29 minutes 26 seconds East 50 feet from the center line of Roundridge Road and thence running and binding on the east side of York Road, the two following curves and distances viz: South 18 degrees 29 minutes 26 seconds East 96.72 feet and South 18 degrees 47 minutes 06 seconds East 200 feet, thence leaving said York Road and binding on the outline of the land of the petitioners herein, North 71 degrees 12 minutes 54 seconds East 158.22 feet, thence binding on the line between Zone DR 16 and Zone DR 2, North 18 degrees 28 minutes 26 seconds West 299.90 feet to the south side of the afore-said Roundridge Road and thence binding on the south and southeast side of said Roundridge Road, the two following lines viz: Westerly by a line curving toward the left having a radius of 440.28 feet for a distance of 136.50 feet (the chord of said arc bearing South 80 degrees 23 minutes 29 seconds West 135.96 feet) and southeasterly by a line curving toward the left having a radius of 25 feet for a distance of 39.27 feet (the chord of said arc bearing South 26 degrees 30 minutes 34 seconds West 35.36 feet) to the place of beginning.

Containing 1.148 Acres of land more or less.

Being part of the property of the petitioners herein as shown on a plat filed in the Baltimore County Office of the Zoning Commissioner.



SECRETARY DIRECTOR

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing
this 14th day of December, 1978.

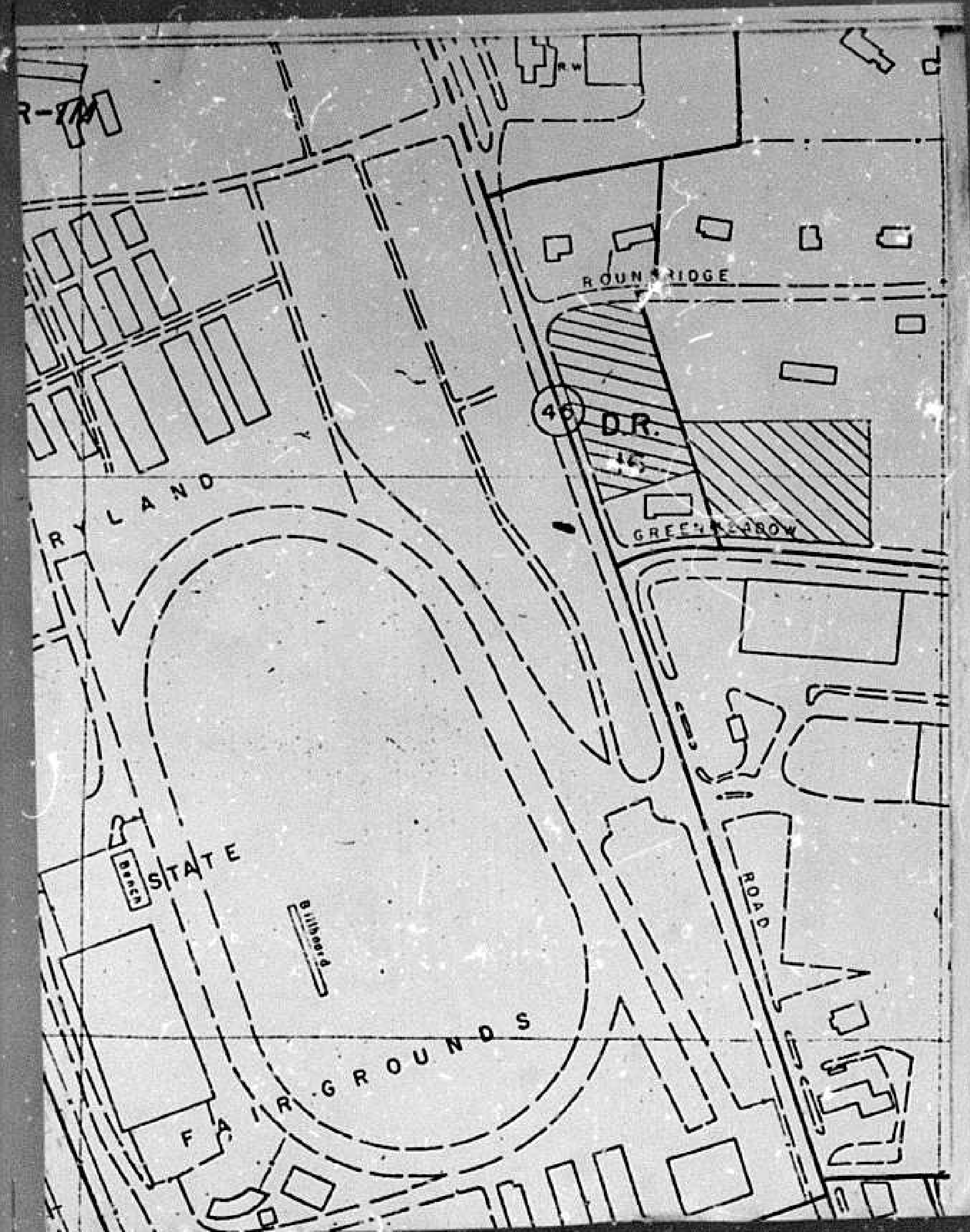
S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner: Gilbert

Petitioner's Attorney John B. Howard Reviewed by *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

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

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204



PETITION MAPPING PROGRESS SHEET									
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet
	date	by	date	by	date	by	date	by	do. by
Descriptions checked and outline plotted on map									
Petition number added to outline									
Denied									
Granted by ZC, BA, GC, CA									
Reviewed by: <u>JS</u>	Revised Plans:				Change in outline or description				
Previous case: <u>33125</u>					Yes				
<u>72-164A</u>					No				
					Map #				

baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 494-3610

JOHN D. SEYFERT
DIRECTOR

January 25, 1979

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

Dear Mr. DiNenna:

Comments on Item # 8 Zoning Advisory Committee Meeting, CYCLE IV are as follows:

Property Owner: C. Gordon & Cordelia P. Gilbert
Location: 1) NS Greenmeadow Road - 161.34' E York Rd 2) SWC York Rd & Roundridge Rd
Existing Zoning: 1) D.R. 2 2) D.R. 16
Proposed Zoning: 1) D.R. 16 16 with special exception for offices
2) B.M.

Acres: 1) 1.489 2) 1.148
District: 8th

The items checked below are applicable:

X.A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.

X.B. Building permits shall be required before construction can begin.

C. Additional Permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit.

E. Three sets of construction drawings will be required to file an application for a building permit.

X.F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section

I. No Comment.

X.J. Comment: Plans still do not indicate compliance to the State Handicapped Code, parking, parking signs, curb cuts, side wall ramps, building access etc., also the interior of the buildings will be required to comply as well.

Very truly yours,
Charles E. Burnham
Charles E. Burnham
Plans Review Chief

baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 494-3610

JOHN D. SEYFERT
DIRECTOR

January 25, 1979

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Towson, Maryland 21204

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Very truly yours,
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Charles E. Burnham
Plans Review Chief

baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 494-3610

JOHN D. SEYFERT
DIRECTOR

January 25, 1979

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

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Charles E. Burnham
Plans Review Chief

baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 494-3610

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DIRECTOR

January 25, 1979

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

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Charles E. Burnham
Charles E. Burnham
Plans Review Chief

baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 494-3610

JOHN D. SEYFERT
DIRECTOR

January 25, 1979

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

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Very truly yours,
Charles E. Burnham
Charles E. Burnham
Plans Review Chief

baltimore county
department of permits and licenses
TOWSON, MARYLAND 21204
(301) 494-3610

JOHN D. SEYFERT
DIRECTOR

January 25, 1979

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

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Location: 1) NS Greenmeadow Road - 161.34' E York Rd 2) SWC York Rd & Roundridge Rd
Existing Zoning: 1) D.R. 2 2) D.R. 16
Proposed Zoning: 1) D.R. 16 16 with special exception for offices
2) B.M.

Acres: 1) 1.489 2) 1.148
District: 8th

The items checked below are applicable:

X.A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Handicapped and aged and other applicable codes.

X.B. Building permits shall be required before construction can begin.

C. Additional Permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit.

E. Three sets of construction drawings will be required to file an application for a building permit.

X.F. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.

G. Wood frame walls are not permitted within 3'0" of a property line. Contact Building Department if distance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code. See Section

I. No Comment.

X.J. Comment: Plans still do not indicate compliance to the State Handicapped Code, parking, parking signs, curb cuts, side wall ramps, building access etc., also the interior of the buildings will be required to comply as well.

Very truly yours,
Charles E. Burnham
Charles E. Burnham
Plans Review Chief

October 17, 1978

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

Dear Mr. DiNenna:

Comments on Item #8, Zoning Advisory Committee Meeting for
Cycle IV, are as follows:

Property Owner: C. Gordon & Cordelia P. Gilbert
Location: 1. N/S Greenmeadow Rd. 161.34' E York Rd.
2. SW/C York Rd. & Roundridge Rd.
Existing Zoning: 1. D.R. 2 2. D.R. 16
Proposed Zoning: 1. D.R. 16 with Special Exception for offices
2. B.M.
Acres: 1. 1.489 2. 1.148
District: 8th

Metropolitan water and sewer are available to both sites. The
existing dwelling on the remaining parcel of land is presently served
by well and septic system. The existing septic system is overflowing
at a point that is located on the site of the proposed 3 story office
building. Therefore, the owner of the dwelling will be required to connect
to public sewer.

Prior to new installation/s of fuel burning equipment, the owner
should contact the Division of Air Pollution Control, 494-3775, to obtain
requirements for such installation/s before work begins.

A Permit to Construct from the Division of Air Pollution Control
is required for any charbroiler operation which has a total cooking
surface area of five (5) square feet or more.

The parking area/s should be surfaced with a dustless, bonding
material.

Mr. S. Eric DiNenna

October 17, 1978

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 prior to
construction.

Very truly yours,

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

TED/BTP/lth

cc: W. L. Phillips

J. J. Dieter

October 16, 1978

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

Item No. 8 ZAC - Meeting for Cycle IV
Property Owner: C. Gordon & Cordelia P. Gilbert
Location: 1) N/S Greenmeadow Rd. 161.34' E York Rd.
2) SW/C York Rd. & Roundridge Rd.
Existing Zoning: 1) D.R. 2 2) D.R. 16
Proposed Zoning: 1) D.R. 16 with Special Exception for offices
2) B.M.
Acres: 1) 1.489 2) 1.148
District: 8th

Dear Mr. DiNenna:

As presently zoned, this site can be expected to generate
approximately 200 trips per day; the proposed zoning can be expected
to generate 1200 trips per day. This increase will compound the
existing traffic problems along York Road.

An entrance to the proposed restaurant must be provided on
Roundridge Road.

Very truly yours,

Michael S. Planigan
Michael S. Planigan
Engineer Associate II

MSF/nms

October 16, 1978

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

Attention: N. Commodori, Chairman
Zoning Advisory Committee

Re: Property Owner: C. Gordon & Cordelia P. Gilbert

Location: 1) N/S Greenmeadow Rd. 161.34' E York Rd.
2) SW/C York Rd. & Roundridge Rd.

Item No. 8 Zoning Agenda Cycle IV

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 or feet along an approved road in
accordance with Baltimore County Standards as published by the
Department of Public Works. At 300' on Greenmeadow Drive at
driveway entrance to proposed office building.
- () 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.
- (x) 4. The site shall be made to comply with all applicable parts of the
Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall
comply with all applicable requirements of the National Fire Pro-
tection Association Standard No. 101 "Life Safety Code", 1976
Edition prior to occupancy. Standpipe required in office
building.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED: *John J. Kelly* 10-17-78
Planning & Zoning
Special Inspection Division

Noted and Approved: *George M. Heywood*
Fire Prevention Bureau

October 5, 1978

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

Dear Mr. DiNenna:

Comments on Item # Zoning Advisory Committee Meeting, CYCLE IV
are as follows:

Property Owner: C. Gordon & Cordelia P. Gilbert
Location: 1) N/S Greenmeadow Rd. 161.34' E York Rd. 2) SW/C York Rd. & Roundridge Rd.
Existing Zoning: 1) D.R. 2 2) D.R. 16
Proposed Zoning: 1) D.R. 16 with Special Exception for offices
2) B.M.

Acres: 1) 1.489 2) 1.148
District: 8th

The items checked below are applicable:

- X A. Structure shall conform to Baltimore County Building Code (B.C.B.C.)
1970 Edition and the 1971 Supplement, State of Maryland Code for the
Handicapped and aged and other applicable codes.
- X B. A building permit shall be required before construction can begin.
- X C. Additional miscellaneous permits shall be required.
- D. Building shall be upgraded to new use - requires alteration permit.
- E. Three sets of construction drawings will be required to file an
application for a building permit.
- X F. Three sets of construction drawings with a registered Maryland
Architect or Engineer's original seal will be required to file
an application for a building permit.
- G. Wood frame walls are not permitted within 3'0" of a property line.
Contact Building Department if distance is between 3'0" and 6'0"
of property line.
- H. Requested setback variance conflicts with the Baltimore County
Building Code. See Section _____.
- I. No Comment.
- X J. Comment: Site plan does not comply with State Handicapped Code - Handicapped
Code will require elevator in the 3 story structure, along with other
code items which will be required in both structures.

Very truly yours,

Charles E. Burnham
Charles E. Burnham
Plans Review Chief

CEB:rrj

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: October 24, 1978

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

Z.A.C. Meeting of: Cycle IV

RE: Item No:
Property Owner: C. Gordon & Cordelia P. Gilbert
Location: 1) N/S Greenmeadow Rd. 161.34' E York Rd. 2) SW/C York Rd. & Round-
ridge Rd.
Present Zoning: 1) D.R. 2 2) D.R. 16
Proposed Zoning: 1) D.R. 16 with Special Exception for offices
2) B.M.

District: 8th
No. Acres: 1) 1.489
2) 1.148

Dear Mr. DiNenna:

No adverse effect on student population.

Very truly yours,

W. Nick Petrovich
W. Nick Petrovich,
Field Representative

NNP/bp

JOSEPH N. MCCORMAN, PRESIDENT
T. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. EDWARDS

THOMAS H. BOYER
MRS. LORRAINE F. CHURCH
ROGER B. HAYDEN

ROBERT T. DUBEL, SUPERINTENDENT

ALVIN LGRECK
MRS. MILTON R. SMITH, JR.
RICHARD W. TRACEY, D.V.M.

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					10-6	1978				
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>CHS</i>	Revised Plans: Change in outline or description Yes _____ No _____									
Previous case: 33125 72-164A	Map # <i>NUIN-A</i>									

5/22/79

Walt,

Mr. Laudeman, of the Office of Finance, called regarding
case "R-79-9-X, Gordon Gilbert, assigned for hearing on July 10th.
He says that the Improvement Assn. just heard that this hearing is to
take place on July 10th and that they are upset about it as it is a very
bad time for them to prepare their case and have witnesses due to
vacations and would like to have the case postponed. I explained
to him about your policy re postponements and also that this is a cycle
case which normally would have been heard in April but which time
had to be extended by the County Council due to the change of the
Board, and that I wasn't sure if there was a time limit in which these
cases had to be heard. He would like to have it rescheduled in
Sept. and I advised him that of today we are scheduled through the
end of Sept., whereby he said Oct. would be OK. I told him that

CARL L. GERHOLD
PHILIP K. CROSS
JOHN P. ETZEL
—
WILLIAM G. URSCH
GORDON T. LANGDON

GERHOLD, CROSS & ETZEL
Registered Professional Land Surveyors
412 DELAWARE AVENUE
TOWSON, MARYLAND 21204

EMERYUS
PAUL B. HOLLENBERG
FRED H. DOLLEBERG

823-4470

September 29, 1978

Greenmeadow Drive Parcel
Zoning Description

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

Beginning for the same at a point on the north side of Greenmeadow Drive, said point being distant 161.34 feet measured easterly along the north side of Greenmeadow Drive from the east side of York Road and running thence and binding on the north side of said Greenmeadow Drive, South 85 degrees 21 minutes 21 seconds East 277.06 feet, thence leaving said drive and running the two following courses and distances viz: North 0 degrees 43 minutes 36 seconds West 225.09 feet and South 89 degrees 16 minutes 24 seconds West 339.59 feet and thence binding on the line between zone DR 16 and zone DR 2 and also binding for a part on the outline of the land of the petitioners herein, South 18 degrees 28 minutes 26 seconds East 209.11 feet to the place of beginning.

Containing 1.489 Acres of land more or less.

Being part of the property of the petitioners herein as shown on a plat filed with the Baltimore County Office of the Zoning Commissioner.



OFFICE COPY

RE: PETITION FOR RECLASSIFICATION
from D.R. 16 and D.R. 2 to
B.L. and D.R. 16, and
SPECIAL EXCEPTION for an
Office Building
N/S Greenmeadow Road 161.34'
E. of York Road, and SE corner
of York and Roundridge Roads
8th District

C. Gordon Gilbert, et ux
Petitioners -Appellants

Zoning File No. R-79-9-X
(R-79-198-X)

John W. Hession, III, Esq.
People's Counsel for Baltimore County,
Appellant

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

Misc. Docket No. 12
Folio No. 19
File No. 6969

CERTIFIED COPIES OF PROCEEDINGS BEFORE
THE ZONING COMMISSIONER AND BOARD
OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come Walter A. Reiter, Jr., John A. Miller and Patricia Milhouser,
constituting the County Board of Appeals of Baltimore County, and in answer to the Order
for Appeal directed against them in this case, herewith return the record of proceedings had
in the above entitled matter, consisting of the following certified copies or original papers
on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER
OF BALTIMORE COUNTY

No. R-79-9-X

Sept. 29, 1978 Petition of C. Gordon Gilbert, et ux for reclassification from D.R. 16
and D.R. 2 to a B.L. and D.R. 16 zone, for special exception for
an office building, on property located on the North side of Greenmeadow
Rd., 161.34' East of York Rd., and Southeast corner of York and
Roundridge Roads, 8th District, filed

Order of Walter A. Reiter, Jr., Chairman, County Board of Appeals,
directing advertisement and posting of property - date of hearing set
for July 10, 1977, at 10 a.m.

C. Gordon Gilbert, et ux
Case No. R-79-9-X

October 31, 1978 Comments of Baltimore County Zoning Advisory Committee filed
February 15, 1979 I.D.C.A. approved by Planning Board (P78-75-X)
June 21 Certificate of Publication in newspaper - filed
June 23 Certificate of Posting of property - filed
July 10 At 10:00 a.m. hearing held on petition
October 31 Order of County Board of Appeals denying the reclassification from
D.R. 2 to D.R. 16 on the 1.489 acre parcel, dismissing the special
exception for an office building, and granting the reclassification from
D.R. 16 to B.L. on the 1.148 acre parcel.
November 13 Order for Appeal filed in Circuit Court for Baltimore County by John W.
Hession, III, Esq., People's Counsel for Baltimore County,
November 19 Certificate of Notice sent to all interested parties
November 21 Petition to accompany Order for Appeal filed in Circuit Court for
Baltimore County
November 29 Order for Appeal filed in Circuit Court for Baltimore County by John B.
Howard, Esq., and Herbert R. O'Connor, III, Esq., Attorneys for
Cross Appellants
December 4 Certificate of Notice sent to all interested parties
Petition to accompany Order for Appeal filed in Circuit Court for
Baltimore County
December 12 Transcript of testimony filed -
Petitioner's Exhibit No. 1 - Plat dated 7/6/79
" " " 2 - Revised plat dated 12/1/78
" " " 3 - Report of Mr. Wes Guckert dated 7/2/79
(Street Traffic Studies)
People's Counsel Exhibit 1A - 1G - Photos
" " " 2 - 3 pages of the report by the Planning Bd.
to the County Bd. of Appeals.
" " " 3 - Letter of request dated 4/25/75 to Office
of Planning & enclosures
" " " 4A & 4B - Photos of Greenmeadow Dr.
December 12 Record of proceedings filed in the Circuit Court for Baltimore County

C. Gordon Gilbert, et ux
Case No. R-79-9-X

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

Respectfully submitted,

June Holmen
June Holmen
County Board of Appeals of Baltimore County

I HEREBY CERTIFY that on this 21st day of December, 1979,
a copy of the foregoing Answer was delivered, prior to the
filing of same, to John W. Hession, III, Esquire, Peoples'
Counsel for Baltimore County, County Office Building, Towson,
Maryland 21204, and to the Administrative Secretary of the
County Board of Appeals for Baltimore County, Room 219, Court
House, Towson, Maryland 21204.

Herbert R. O'Connor, III
HERBERT R. O'CONOR, III

RE: PETITION FOR RECLASSIFICATION
from D.R. 16 and D.R. 2
to B.L. and D.R. 16, and
SPECIAL EXCEPTION for an
Office Building N/S Green-
meadow Road 161.34' E. of
York Road, and SE corner of
York and Roundridge Roads
8th District
C. Gordon Gilbert, et ux.,
Petitioners

ANSWER TO PETITION OF PEOPLES' COUNSEL
FOR BALTIMORE COUNTY

Now come C. Gordon Gilbert and Cordelia P. Gilbert,
Appellees and Cross-Appellants, by John B. Howard, Herbert R.
O'Connor, III, and Thomas W. Early, their attorneys, pursuant to
Maryland Rule 89, in answer to the Petition On Appeal of the
Peoples' Counsel for Baltimore County and says the following:

1. The allegations of People's Counsel for Baltimore
County, that the County Board of Appeals did not have legally
sufficient evidence on which to base its conclusion that the
present zoning of a 1.148 acre parcel located at the southeast
corner of York and Round Ridge Roads is erroneous and that the
Order of the County Board of Appeals is illegal, is DENIED.

2. The subject Order is a correct exercise of the
authority of the County Board of Appeals in that the Board had
received strong and compelling evidence of mistake on the
Comprehensive Zone Map; such evidence consisted of, but was not
limited to, the fact that the County Council was or should have
been aware of the impact of the widening of York Road and of
the expansion and modernization plan for Timonium State Fair
Grounds, immediately across York Road from the subject
property, and the topography of this property.

3. The Peoples' Counsel is not a party aggrieved by the
decision of the County Board of Appeals and, therefore, he has
no standing to assert this Appeal.

4. The enactment of the provision of Section 524.1 (b) (3)
A, which authorize the People's Counsel to note an Appeal from
the County Board of Appeals, was an ultra vires act by
Baltimore County.

5. Section 524.1 (b) is void as it is in derogation of
rights to due process of law and equal protection as preserved
by the Fourteenth Amendment to the United States Constitution
and the Declaration of Rights of the Constitution of Maryland.

6. Section 524.1 (b) (3)A is void because it establishes
no standards or criteria for the exercise of the discretion of
the Peoples' Counsel and, therefore, there are no restraints
upon arbitrary, unreasonable and capricious conduct.

7. The Peoples' Counsel is required by Section 524 (b) to
represent the interests of the public in general and, where
there has been no showing of injury to the interests of the
public, as here, the People's Counsel is without authority and
standing to pursue an Appeal.

WHEREFORE, C. Gordon Gilbert and Cordelia P. Gilbert,
Appellees and Cross-Appellants, pray this Honorable Court to
pass an Order dismissing the Order of Appeal as noted by the
Peoples' Counsel for Baltimore County.

John B. Howard
JOHN B. HOWARD

Herbert R. O'Connor, III
HERBERT R. O'CONOR, III

Thomas W. Early
THOMAS W. EARLY
210 Allegheny Avenue
Towson, Maryland 21204
823-4111
Attorney for Petitioners

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
December 4, 1979

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

Re: C. Gordon Gilbert, et ux
Case No. R-79-9-X

Dear Mr. Howard:

In accordance with Rule B-7 (a) of the Rules of Procedure of
the Court of Appeals of Maryland, the County Board of Appeals is required
to submit the record of proceedings of the zoning appeal which you have
taken to the Circuit Court for Baltimore County in the above matter within
thirty days.

The cost of the transcript of the record must be paid by you.
Certified copies of any other documents necessary for the completion of
the record must also be at your expense.

The cost of the transcript, plus any other documents, must be
paid in time to transmit the same to the Circuit Court not later than thirty
days from the date of any petition you might file in court, in accordance
with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice
covering the cost of certified copies of necessary documents.

Very truly yours,

June Holmen
June Holmen, Secretary

Encls.

December 4, 1979

BILLED TO: John B. Howard, Esq.
210 Allegheny Ave.
Towson, Md. 21201

Cost of certified documents filed
in Case No. R-79-9-X \$29.00

C. Gordon Gilbert, et ux
N/S Greenmeadow Road, 161.34'
E. of York Road, and SE corner
of York and Roundridge Roads
8th District

MAKE CHECKS PAYABLE TO: Baltimore County, Maryland

REMIT TO: County Board of Appeals
Rm. 219, Court House
Towson, Maryland 21204

RECEIVED
BALTIMORE COUNTY
DEC 12 1979
STREET 30
0840E 11000

FEB 15 1980

RE: PETITION FOR RECLASSIFICATION
from D.R. 16 and D.R. 2 to
B.L. and D.R. 16, and
SPECIAL EXCEPTION for an
Office Building
N/S Greenmeadow Road 161.34'
E. of York Road, and SE corner
of York and Roundridge Roads
8th District
C. Gordon Gilbert, et ux
Petitioners

IN THE
CIRCUIT COURT FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 12
Folio No. 19
Case No. 6969

ORDER FOR APPEAL

MR. CLERK:

Please note an appeal on behalf of C. Gordon Gilbert and Cordelia P. Gilbert to the Circuit Court for Baltimore County from that portion of the Order of the County Board of Appeals for Baltimore County, dated October 31, 1979, which denied a Petition to reclassify an approximate 1.489 acre parcel fronting on Greenmeadow Drive, approximately 161 feet east of York Road, from a D.R. 2 classification to a D.R. 16 classification and that portion of the Order which dismissed the Special Exception for an office building for the same parcel as herein described.

John B. Howard
JOHN B. HOWARD
Herbert R. O'Connor III
HERBERT R. O'CONNOR III

Howard, Downes & Tracy
Allegheny Avenue
Towson, Maryland 21204
823-4111
Attorneys for Cross Appellants

12/5/79 - Received a phone call from Mary Campagna of the Zoning Office saying she was returning this copy as Mr. Hammond refused to certify it saying that it was an appeal from the Board and, therefore, did not need his certification. I advised the Zoning Office that this had been the procedure for as long as I have worked here (since 1962). I took the matter up with Mr. Reiter and he said not to include this unsigned Appeal when we sent the case to court, and if they requested it, forward same to them at that time. Also, in the future do not include copies of the Order for Appeal to the Circuit Court in the certified documents in court cases. If the court questions this, we will take the matter up at that time.

ETE

Zoning Commissioner of Baltimore County

RE: PETITION FOR RECLASSIFICATION
from D.R. 16 and D.R. 2 to
B.L. and D.R. 16, and
SPECIAL EXCEPTION for an
Office Building
N/S Greenmeadow Road 161.34'
E. of York Road, and SE corner
of York and Roundridge Roads
8th District
C. Gordon Gilbert, et ux
Petitioners

IN THE
CIRCUIT COURT FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 12
Folio No. 19
Case No. 6969

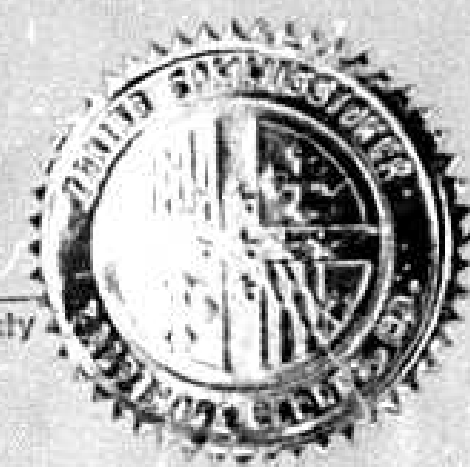
CERTIFICATE OF COMPLIANCE

Now come C. Gordon Gilbert and Cordelia P. Gilbert, Appellants, by John B. Howard and Herbert R. O'Connor, III, their attorneys, pursuant to Maryland Rule 82C and certify that they have, prior to the filing of the Order for Appeal, had a copy thereof personally served on the Administrative Secretary of the County Board of Appeals for Baltimore County, Room 219, Court House, Towson, Maryland 21204, and the undersigned further certifies that he has mailed a copy of the Order for Appeal to John W. Hession, III, People's Counsel for Baltimore County and Peter Max Zimmerman, Deputy People's Counsel, County Office Building, Towson, Maryland 21204.

Herbert R. O'Connor III
HERBERT R. O'CONNOR, III
Cook, Howard, Downes & Tracy
210 Allegheny Avenue
Towson, Maryland 21204
823-4111
Attorney for Cross Appellants

True Copy Test:

Zoning Commissioner of Baltimore County



RECEIVED
BALTIMORE COUNTY
JAN 4 2 24 PM '80
COUNTY BOARD
OF APPEALS
BY: *[Signature]*

RE: PETITION FOR RECLASSIFICATION
from D.R. 16 and D.R. 2 to
B.L. and D.R. 16, and
SPECIAL EXCEPTION for an
Office Building
N/S Greenmeadow Road 161.34'
E. of York Road, and SE corner
of York and Roundridge Roads
8th District
C. Gordon Gilbert, et ux
Petitioners-Appellants

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW
Misc. Docket No. 12
Folio No. 19
File No. 6969

Zoning File No. R-79-9-X
(R-79-198-X)

John W. Hession, III, Esq.
People's Counsel for Baltimore County,
Appellant

ANSWER TO PETITION ON CROSS-APPEAL

The People's Counsel for Baltimore County, Protestant below and Appellant herein, answers the Petition on Cross-Appeal, viz:

1. The cross-Appellant herein admits the allegations made and contained in the first paragraph of said Petition.
2. Further answering said Petition, the cross-Appellant denies the allegations made and contained in the second, third, fourth, and fifth paragraphs of said Petition.
3. Further answering said Petition, the cross-Appellant herein states that the decision of the Board pertinent to the cross-appeal was proper and justified by the evidence before it.

AND AS IN DUTY BOUND, etc.,

John W. Hession III
John W. Hession, III
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
County Office Building
Towson, Maryland 21204
494-2188

RECEIVED
BALTIMORE COUNTY
JAN 4 2 24 PM '80
COUNTY BOARD
OF APPEALS
BY: *[Signature]*

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
December 4, 1979

John W. Hession, III, Esq.
People's Counsel for Baltimore County
County Office Bldg.
Towson, Md. 21204

Dear Mr. Hession:

Re: C. Gordon Gilbert, et ux
Case No. R-79-9-X

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.

cc: C. Gordon Gilbert, et ux
Ms. Margaret DiNardo
Mr. Walter Robertson, III
Mr. and Mrs. John Kenny
Mr. and Mrs. Geo. Gorney
Mr. Howard J. Smith

494-3180

County Board of Appeals
Room 219, Court House
Towson, Maryland 21204
October 31, 1979

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

Dear Mr. Howard:

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

Very truly yours,

Edith T. Eichenhart
Edith T. Eichenhart, Adm. Secretary

Encl.

cc: C. Gordon Gilbert, et ux
John W. Hession, III, Esquire
Mr. J. E. Dyer
Mr. W. E. Hammond
Mr. J. D. Seyffert
Mr. J. G. Howell
Ms. Margaret DiNardo
Mr. Walter Robertson, III
Mr. and Mrs. John Kenny
Mr. and Mrs. Geo. Gorney
Mr. Howard J. Smith
Board of Education

494-3180

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

April 9, 1979 (May 7, 1979)

CASE NO. R-79-9-X

C. GORDON GILBERT, ET UX

N/S Greenmeadow Road E. of York Road and
SW corner of York Road and Roundridge Road
8th District

for reclassification from D.R. 2 to D.R. 16
" SE - Offices, and
for reclassification from D.R. 16 to B.L.

ASSIGNED FOR:

TUESDAY, JULY 10, 1979 at 10 a.m.

cc: Mr. J. Dyer, Zoning

John B. Howard, Esquire

Counsel for Petitioners

C. Gordon Gilbert, et ux

Petitioners

John W. Hession, III, Esq.

People's Counsel

Mrs. Carol Beresin

- 2 -

I HEREBY CERTIFY that on this 4th day of January, 1980, a copy of the foregoing Answer to Petition on Cross-Appeal was served on the Administrative Secretary of the Baltimore County Board of Appeals, Room 219, Court House, Towson, Maryland 21204, and a copy was mailed to John B. Howard, Esquire, and Herbert R. O'Connor, III, Esquire, Cook, Howard, Downes & Tracy, 210 Allegheny Avenue, Towson, Maryland 21204, Attorneys for Appellees and Cross-Appellants.

John W. Hession III
John W. Hession, III

PETITION FOR RECLASSIFICATION
8th District

ZONING: Petition for Reclassification from D.R.2 and D.R.16 to D.R.16 with Special Exception for offices and B.L.

LOCATION: 1) North side of Greenmeadow Road, 161.34 feet East of York Road
2) Southwest corner of York Road and Roundridge Road

DATE & TIME: Tuesday, July 10, 1979 at 10:00 A.M.

PUBLIC HEARING: Room 216, Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing:

Present Zoning: 1) D.R.2 and 2) D.R.16
Proposed Zoning: 1) D.R.16 with Special Exception for offices and 2) B.L.

All that parcel of land in the Eighth District of Baltimore County

Being the property of C. Gordon & Cordelia P. Gilbert, as shown on plat plan filed with the Zoning Department

Bearing Date: Tuesday, July 10, 1979 at 10:00 A.M.
Public Hearing: Room 216, Courthouse, Towson, Maryland

BY ORDER OF
WALTER A. REITER, JR., CHAIRMAN
COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY

FEB 15 1980

FEB 15 1986

IDCA APPLICATION FOR SPECIAL EXCEPTION AND OR SPECIAL PERMIT

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, OR WE, C. Gordon Gilbert et al, OWNER OF THE PROPERTY SITUATED IN BALTIMORE COUNTY, THE PROPERTY OUTLINE OF WHICH IS SHOWN TO SCALE, COMPLETE WITH BEARINGS AND DISTANCES ON A 200 FT. SCALE MAPS, WHICH ARE ATTACHED HEREIN, HEREBY MAKE APPLICATION TO FILE FOR A SPECIAL ZONING OFFICIAL RECLASSIFICATION IN A RECLAS ZONE TO USE THE HEREIN DESCRIBED PROPERTY FOR OFFICES General

THE PROPERTY IS EXPECTED TO BE IMPROVED AS FOLLOWS:

GROSS SITE AREA 1.489 Acres DEED REF. GLS 2193-146

GRADING 65 % OF OVERALL SITE WILL REQUIRE GRADING.

BUILDING SIZE 700 x 100 AREA 20,000 sq. ft.

NUMBER OF FLOORS 3 TOTAL HEIGHT 30'

FLOOR AREA RATIO = TOTAL FLOOR AREA DIVIDED BY SITE AREA 0.46

BUILDING USE Offices OTHER FLOORS Offices

GROUND FLOOR Offices OTHER FLOORS Offices

REQUIRED NUMBER OF PARKING SPACES 34 OTHER FLOORS 40 TOTAL 74

GROUND FLOOR 34 OTHER FLOORS 40 TOTAL 74

PAVING 26,640 sq. ft.

AREA OF SITE TO BE PAVED TO ACCOMMODATE REQUIRED PARKING SPACES 26,640 sq. ft.

(PAVED AREA MAY BE ESTIMATED BY MULTIPLYING REQUIRED NUMBER OF SPACES BY 360)

UTILITIES

WATER: ☒ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM Public

SEWER: ☒ PUBLIC ☐ PRIVATE, TYPE OF SYSTEM Public

UTILITIES SECURITY APPROVAL See attached 1/28/78

I CERTIFY THAT THE ABOVE INFORMATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

C. Gordon Gilbert et al

APPLICANT, LESSOR OR CONTRACT PURCHASER

ADDRESS No. 1 Round Ridge Road

ADDRESS Timonium, Maryland 21093

DATE 2-15-79

DATE 2-26-79

DATE 2-26-79

DATE 2-26-79

DATE 2-26-79

DATE 2-26-79

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DATE 2-26-79

DATE 2-26-79

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your Petition has been received and accepted for filing as of the 30th day of January, 1979.

S. Eric DiNenna
S. ERIC DINENNA
Zoning Commissioner

Petitioner Gilbert

Petitioner's Attorney John B. Howard
John B. Howard, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

Reviewed by Nicholas B. Commodari
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 31, 1978

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

RE: Item No. 8
Petitioner - Gilbert
Reclassification and Special
Exception Petition

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 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 suitability of the requested zoning.

The subjects of this petition are two parcels of land, currently zoned D.R. 2 and D.R. 16, which are part of a larger tract of land, owned by your clients, consisting of 5 acres bounded by Roundridge Road on the north, York Road to the west, and Greenmeadow Drive to the south. This site is presently improved with a dwelling situated at the crest of this property, which slopes from Roundridge Road towards York Road and Greenmeadow Drive. Surrounding properties consist of residentially zoned land improved with individual dwellings to the north and immediately to the east, while the Timonium fair grounds, an office use and shopping center exist to the west and south of these parcels, respectively.

Because of your clients' proposal to construct a three-story office building on the D.R. 2 zoned portion and a restaurant on the D.R. 16 zoned portion, this Reclassification/Special Exception hearing is required.

Gilbert
Page 2
October 31, 1978

At the time of our discussion with the Committee, the Department of Traffic Engineering indicated that an additional entrance for the proposed restaurant would be required from Roundridge Road. However, the possibility of a use-in-common driveway with the medical office building to the south or an entrance from York Road was discussed as being more compatible with the surrounding uses. If this is not suitable, I suggest that this be addressed in letter form so I can incorporate your response as part of this file.

Because the Committee visualizes that extensive grading will be required for the proposed office building, revised site plans must be submitted reflecting this proposed grading, the method of securing that adequate drainage facilities will be provided and those comments from the Office of Current Planning and Development. In addition, particular attention should be afforded those comments of the Department of Permits and Licenses and Health Department.

This petition will be 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 1, 1978 in order to allow time for final Committee review and advertising. All changes must be accompanied by a cover letter indicating these corrections. 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, 1979 and April 15, 1979 will be forwarded to you well in advance.

Very truly yours,

Nicholas B. Commodari
NICHOLAS B. COMMODARI
Chairman
Zoning Plans Advisory Committee

NBC/sf

cc: Gerhold, Cross & Etzel
412 Delaware Avenue
Towson, Maryland 21204



Maryland Department of Transportation
State Highway Administration

Hermann K. Inemann
Secretary
M. S. Calhoun
Administrator

October 16, 1978

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

Attention: Mr. N. Commodari

Re: Zoning Cycle IV, October 1978
Item No.: 8
Property Owner: C. Gordon & Cordelia P. Gilbert
Location: 1) N/S Greenmeadow Road, 161.34' E York Road
2) SW/C York Road (Rte. 45) & Roundridge Road
Existing Zoning: 1) D.R. 2
2) D.R. 16
Proposed Zoning: 1) D.R. 16 with Special Exception for offices
2) B.M.
Acres: 1) 1.489
2) 1.148
District: 8th

Dear Mr. DiNenna:

No access is proposed from York Road. The development as planned should cause no particular problems on York Road.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: John E. Meyers

CL:JEN:dj

My telephone number is (301) 383-4320.

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203



Baltimore County
Department of Public Works
TOWSON, MARYLAND 21204

THORNTON M. MOURING, P.E.
DIRECTOR

October 30, 1978

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

Re: Item #8 Cycle IV (Oct. 1978-April 1979)
Property Owner: C. Gordon & Cordelia P. Gilbert
1) N/S Greenmeadow Rd. 161.34' E. York Rd.
2) S/W cor. York Rd. & Roundridge Rd.
Existing Zoning: 1) D.R. 2 2) D.R. 16
Proposed Zoning: 1) D.R. 16 with Special Exception for offices.
2) B.M.
Acres: 1) 1.489 2) 1.148 District: 8th

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.

General:

Comments were supplied for an overall larger site, of which this property is a part, in connection with the Zoning Advisory Committee review for Item 14 of Zoning Cycle III (April-October 1978). Those comments remain valid and applicable to this property which comprises Lot 1, Block A, and part of parcel "A" of Plat One Part of Blocks "A" and "B" - Part of Section One Stratford (G.L.B. 19, Folio 29); and Lots 1 and 2, Block "A" of Plat One Part of Block "A" - Part of Section Two Haverford (G.L.B. 19, Folio 146).

Very truly yours,

Ellsworth N. Dwyer, P.E.
ELLSWORTH N. DWYER, P.E.
Chief, Bureau of Engineering

END:EFM:PMK:SS

cc: J. Somers
W. Munchel
J. Wimbley

S-HE Key Sheet
54 & 55 NW 3 Pos. Sheets
NW 14 A Topo
60 Tax Map



Baltimore County
Office of Planning and Zoning
TOWSON, MARYLAND 21204
(301) 494-3211

October 31, 1978

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 #8, Zoning Cycle IV, October, 1978, are as follows:

Property Owner: C. Gordon and Cordelia P. Gilbert
Location: 1. N/S Greenmeadow Road 161.34' E. York Road
2. SW/C York Road and Roundridge Road
Existing Zoning: 1. D.R. 2 2. D.R. 16
Proposed Zoning: 1. D.R. 16 with Special Exception for offices
2. B.M.
Acres: 1. 1.489 2. 1.148
District: 8th

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 proposed grades should be shown on the site plan.

Landscaping should be shown on the site plan.

There should be a second means of egress and ingress to the property.

If the petition is granted the Subdivision Requirements must be complied with.

Very truly yours,

John L. Wimbley
John L. Wimbley
Planner III
Current Planning and Development

FEB 15 1980

To: Edna
Date: 7/12 Time: 11:40
WHILE YOU WERE OUT
M: Sandra
of _____
Phone: _____
Area Code _____ Number _____ Extension _____

TELEPHONED	PLEASE CALL
CALLED TO SEE YOU	WILL CALL AGAIN
WANTS TO SEE YOU	URGENT
RETURNED YOUR CALL	

Message: Ed Gilbert at 79-9-7
Received check in mail
Costs are paid.

Operator _____

Campbell 09/201

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCIAL & REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 78786

DATE July 12, 1979 ACCOUNT #01-662

AMOUNT \$2783.41

RECEIVED FROM C. Gordon Gilbert Associates

FOR Advertising and Posting for Case #879-411

RECEIVED

283042 JUL 12 27834 MSC

VALIDATION OR SIGNATURE OF CASHIER

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

No. 78710

DATE June 8, 1979 ACCOUNT 01-662

AMOUNT \$50.00

RECEIVED
FROM Cook, Howard, Downes & Tracy
FOR Filing Fee for Case No. 79-9-X

48494238 B 50.00 USD

VALIDATION OR SIGNATURE OF CASHIER

Hilbert
13 cc letters

order

13 in letters

1. S. Jones
- 5 B.L.
- 2 Oliver
- 3 fells

24

CERTIFICATE OF PUBLICATION

TCWSON, MD. June 21 1972

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 each week~~ once a time ~~successive weeks~~ before the 10th day of July, 1972, the ~~first~~ publication appearing on the 21st day of June 1972.

THE JEFFERSONIAN.

L. Frank Smith
Manager.

Cost of Advertisement, \$ _____

THE JEEFERSONIAN,
G. Frank Smith
Manager.

Cost of Advertisement, \$.....

[illegible]


 OFFICE OF
 THE
 TIMES
 NEWSPAPERS
 TOWSON, MD. 21204 June 21 1979

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR RECLASSIFICATION - C. Gordon P.
Gilbert, et ux
was inserted in the following:

- ☐ Catonsville Times ☒ Towson Times
☐ Dundalk Times ☐ Arbutus Times
☐ Essex Times ☐ Community Times
☐ Suburban Times East ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 22nd day of June 1979, that is to say, the same was inserted in the issues of June 21, 1979.

STROMBERG PUBLICATIONS, INC.

BY Esther Burgo

[illegible]


 OFFICE OF
 THE **TIMES**
 NEWSPAPERS

THIS IS TO CERTIFY, that the annexed advertisement of
PETITION FOR RECLASSIFICATION - C. Gordon P.
Gilbert, et ux
was inserted in the following:

- ☐ Catonsville Times ☒ Towson Times
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weekly newspapers published in Baltimore, County, Maryland, once a week for one successive weeks before the 22nd day of June, 1979, that is to say, the same was inserted in the issues of June 21, 1979.

STROMBERG PUBLICATIONS, INC.

BY Esther Burger

you liked to have postponement requests in writing and that he should or should have someone in the association write stating the reasons for the request. However, in the meantime, I told him I would relay his call to you.

ETE
FS - Had a call from someone in the Community
center is above & talk to him in the same thing
He will see about letters coming in

FEB 15 1980



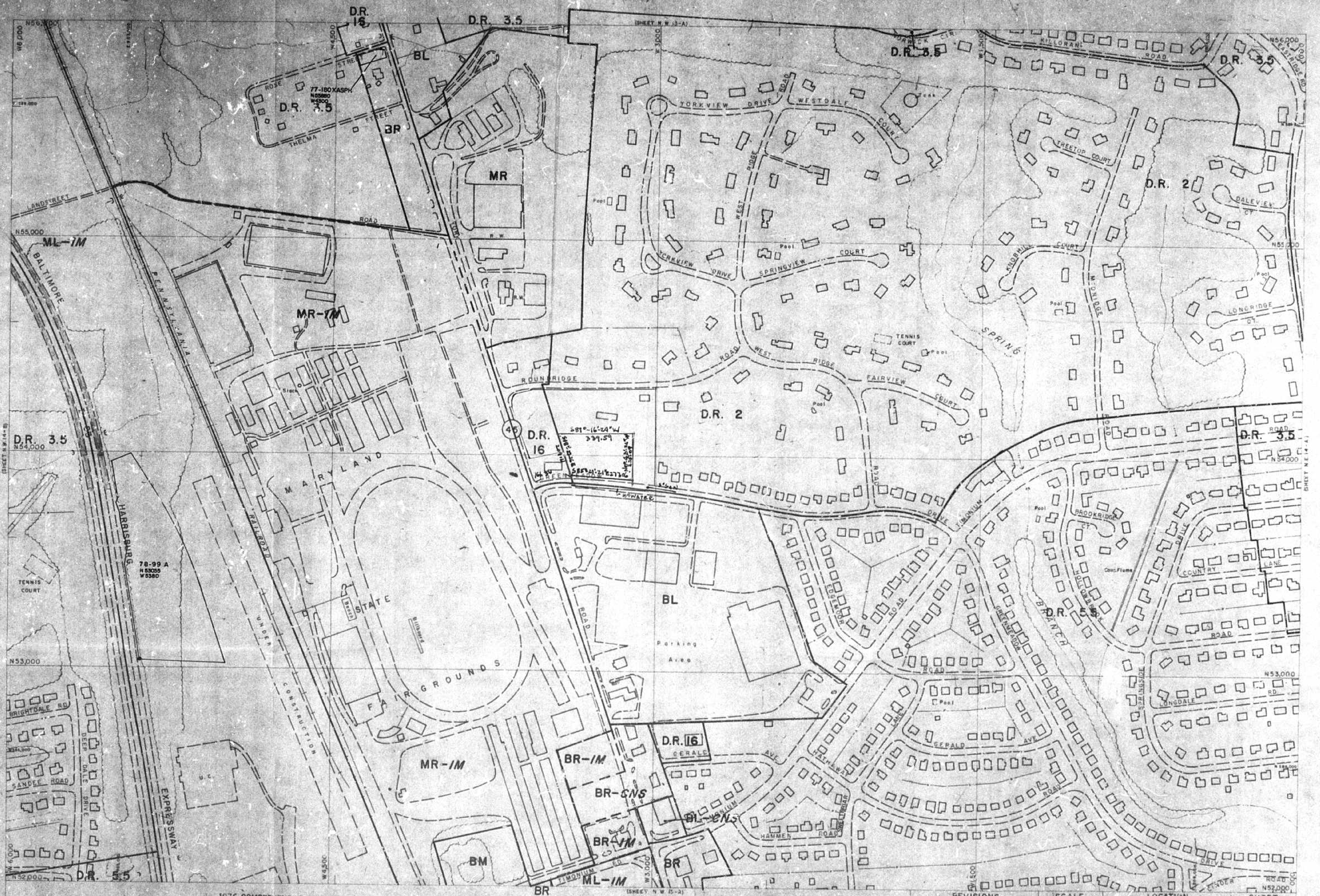
PROPERTY OF C. GORDEN GILBERT
8TH DISTRICT BALTO CO. MD.

1700 ft To York & Timonium Road

14-14 NW



4

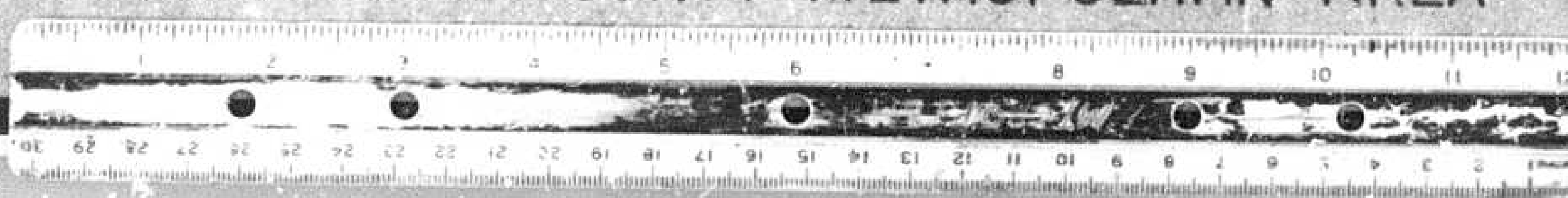


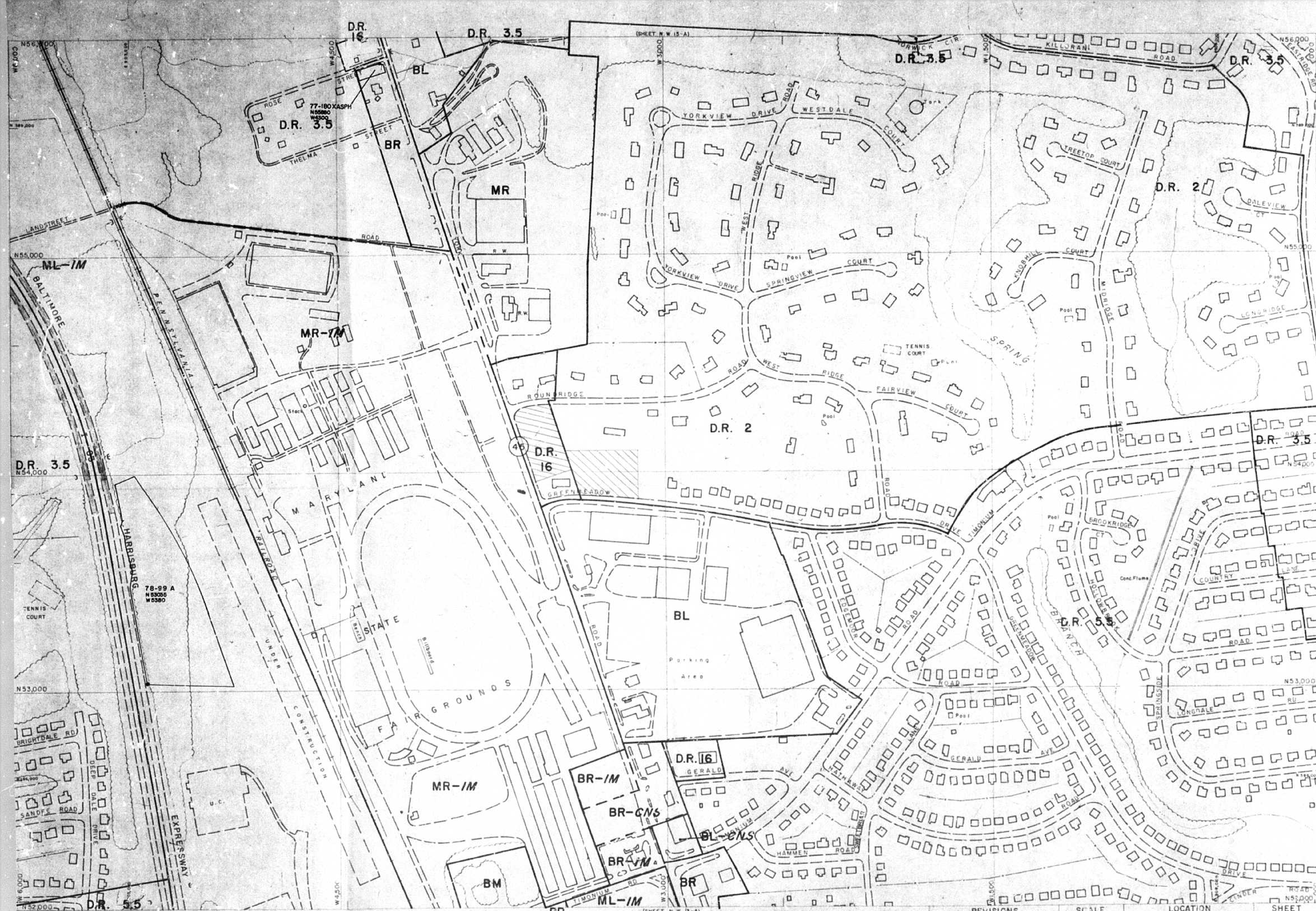
PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

1976 COMPREHENSIVE ZONING MAP
ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
OCT. 7, 1976 & OCT. 8, 1976
B.L. NOS. 108-76, 109-76, 110-76, 111-76,
112-76, 113-76, and 114-76

CHANNAN COUNTY COUNCIL

REVISIONS			SCALE	LOCATION	SHEET
Planimetric	BY MAPS INC.	DATE 4-11-70	1" = 200'	TIMONIUM	N.W.
			DATE OF PHOTOGRAPHY APRIL 1953		14-A
Compiled By Photogrammetric Methods AERO SERVICE CORPORATION-PHILADELPHIA, PA.					





S-NE R-NW

1976 COMPREHENSIVE ZONING MAP
ADOPTED BY THE
BALTIMORE COUNTY COUNCIL
OCT. 7, 1976 & OCT. 8, 1976
B.L. NOS. 108-76, 109-76, 110-76, 111-76,
112-76, 113-76, and 114-76

CHAIRMAN COUNTY COUNCIL

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA



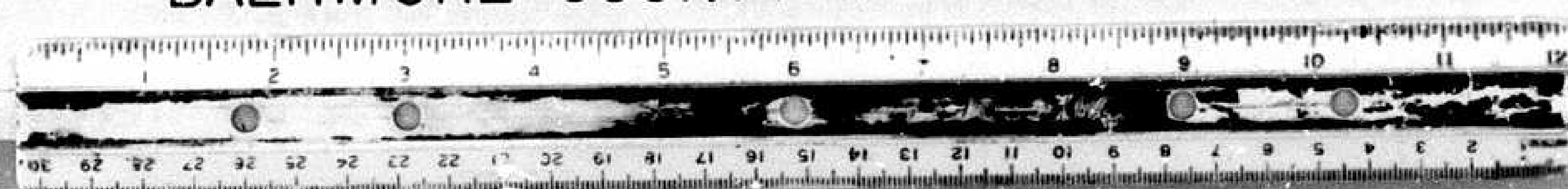
REVISIONS			SCALE	LOCATION	SHEET
Potometric	BY MAPS, INC.	DATE 4-11-70	1" = 200'	TIMONIUM	N.W.
Compiled By Photogrammetric Methods			DATE OF PHOTOGRAPHY APRIL 1953		14-A



S-NE R-NW
OWNER
C. GORDON GILBERT
71 ROUND RIDGE ROAD
TIMONIUM MD. 21093
EXIST. ZONING
DES. PROPOSED ZONING
RELG. SEC. FOR OFFICES
1-499 AREAS

1700'± To YORK & TIMONIUM ROADS

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

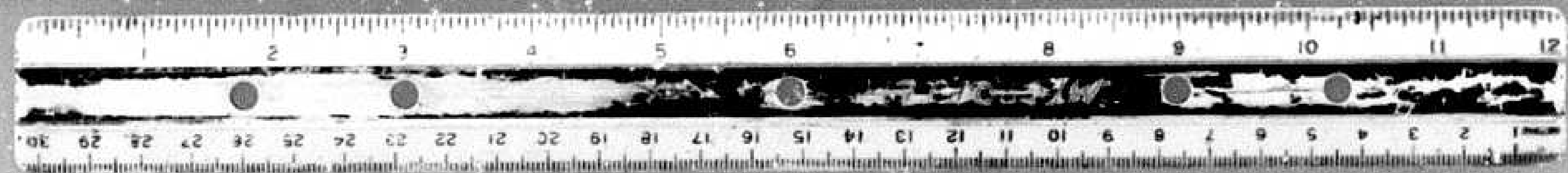
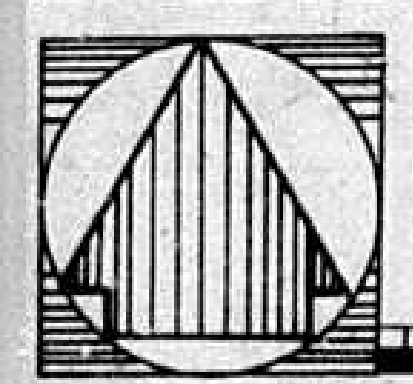


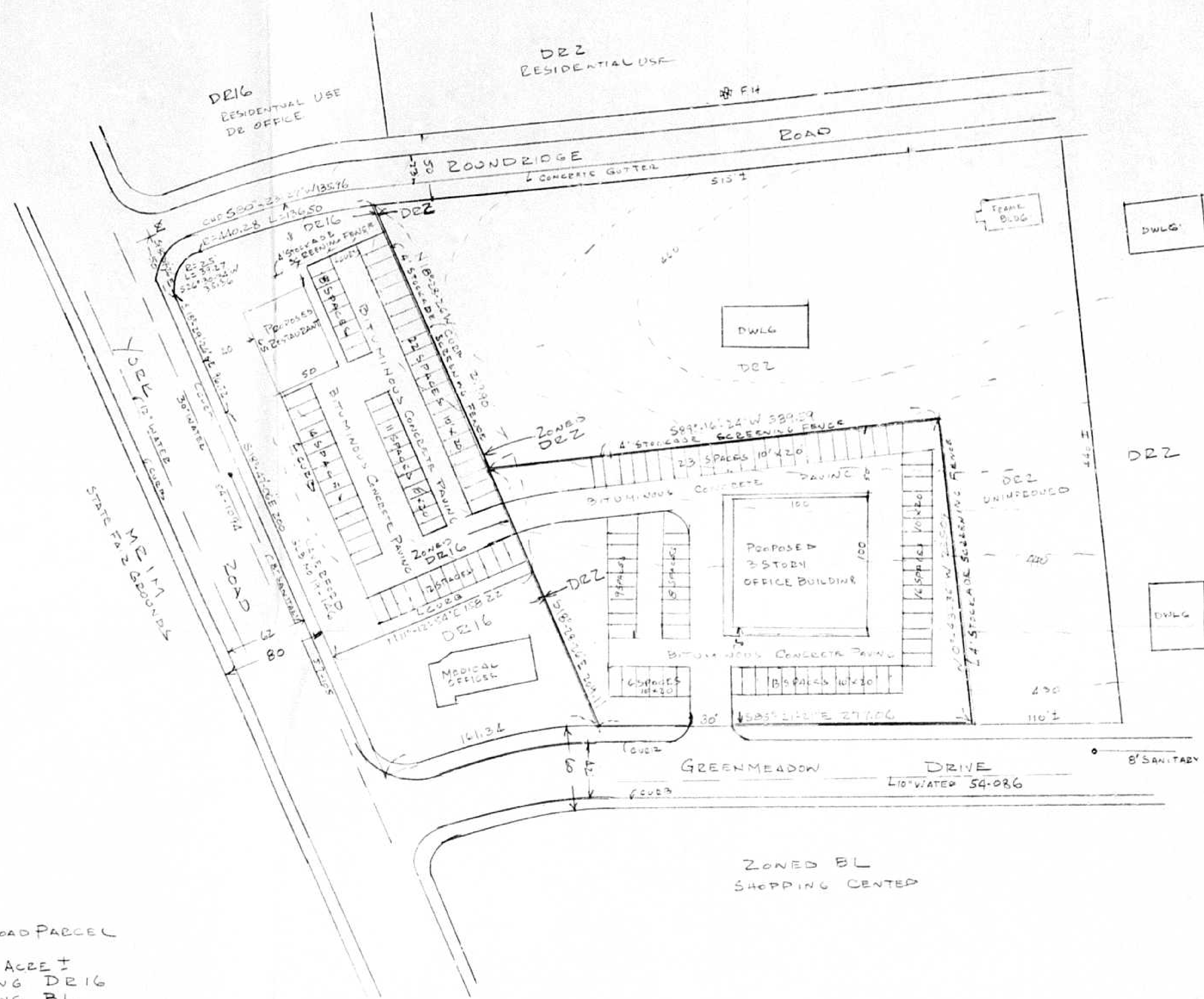
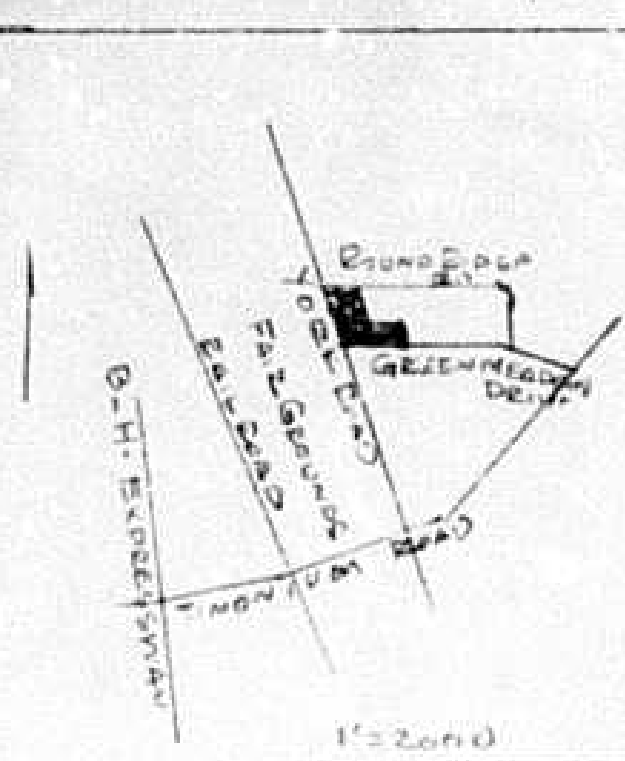
REVISIONS			SCALE	LOCATION	SHEET
Topographic	BY MAPS INC	DATE 4-11-70	1" = 200'	TIMONIUM	NW 14-A
Topography Compiled By Photogrammetric Methods AERO SERVICE CORPORATION-PHILADELPHIA, PA			DATE OF PHOTOGRAPHY APRIL 1953		



1976 COMPREHENSIVE ZONING MAP

BALTIMORE COUNTY OF PLANNING AND





YORK ROAD PARCEL
 AREA = 1.148 ACRES ±
 EXISTING ZONING DR16
 PROPOSED ZONING BL
 PROPOSED USE RESTAURANT

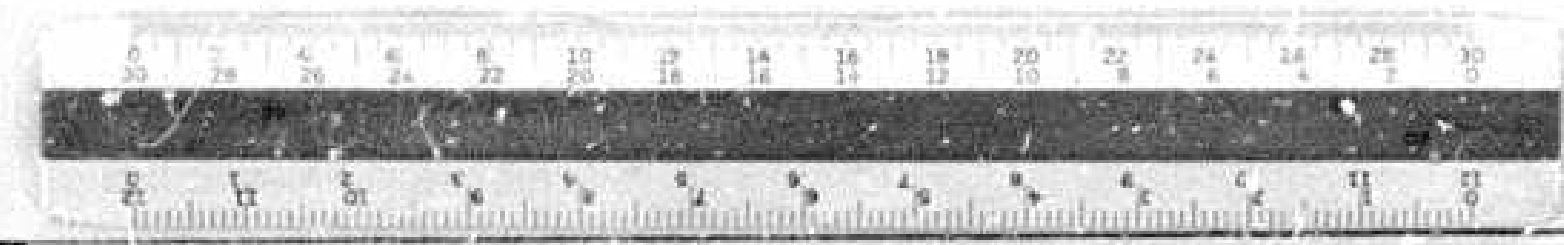
PARKING DATA
 $65 \times 50 = 3250$
 $3250 \div 50 = 65$ SPACES REQUIRED
 67 SPACES PROVIDED

GREENMEADOW DRIVE PARCEL
 AREA = 1.489 ACRES ±
 EXISTING ZONING-DR22
 PROPOSED ZONING-DR16 WITH SPECIAL EXCEPTION FOR OFFICES

PARKING DATA
 $1ST FLOOR 100 \times 100 = 10000 \div 300 = 34$ SPACES REQUIRED
 $2ND FLOOR 100 \times 100 = 10000 \div 500 = 20$ SPACES
 $3RD FLOOR 100 \times 100 = 10000 \div 500 = 20$ SPACES
 74 SPACES REQUIRED
 75 SPACES PROVIDED

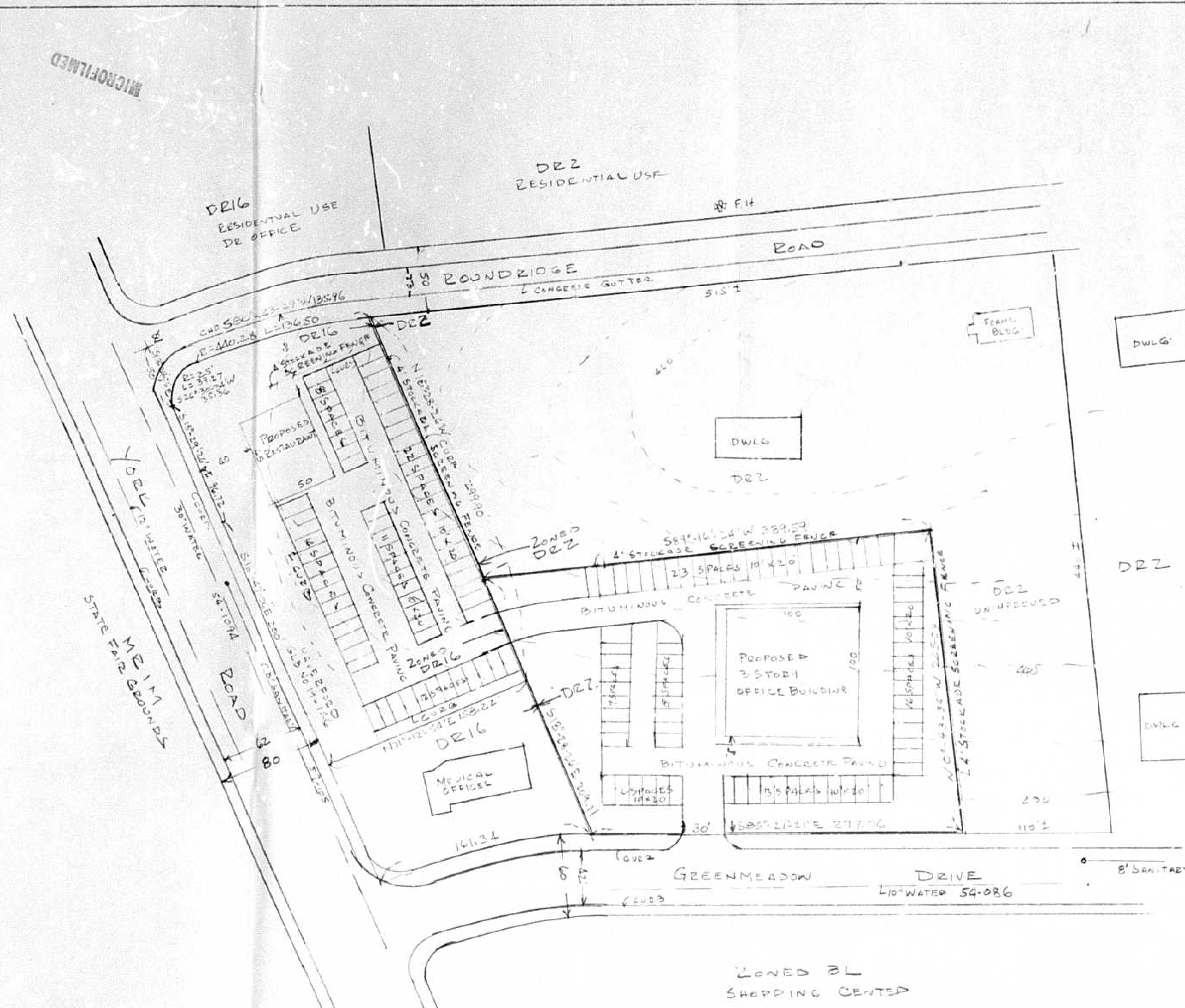
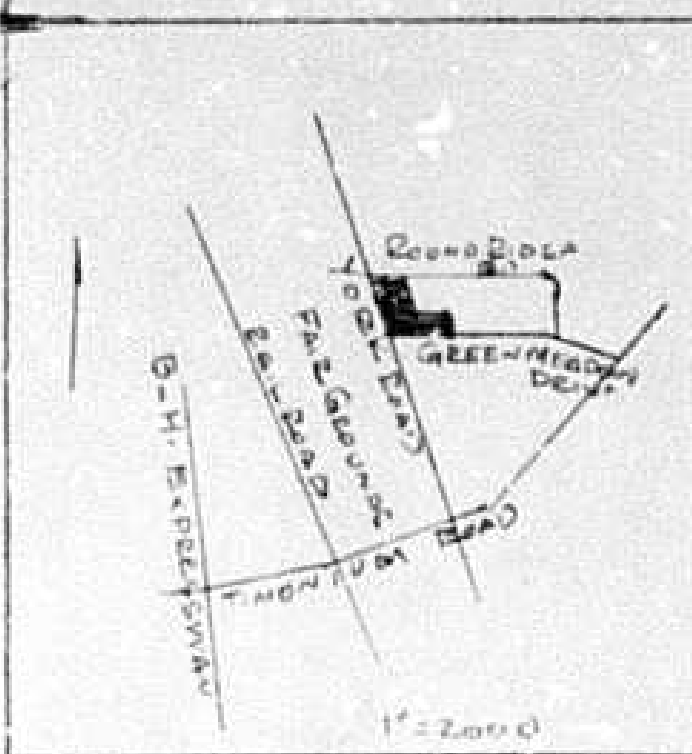
NOTE
 1. PARKING AREAS PERIMETERS SHALL HAVE CURBING
 2. PARKING AREAS SHALL BE SCREENED FROM ADJACENT RESIDENTIAL PROPERTY
 3. ALL LIGHTING TO BE DIRECTED AWAY FROM RESIDENTIAL AREAS

ZONING PLAT
 PROPERTY LOCATED IN
 8TH DISTRICT BALTO CO. MD



SCALE = 1" = 50' SEPT 20, 1978
 GERHOLD CROSS & ET AL
 REGISTERED LAND SURVEYORS
 412 DELAWARE AVENUE
 TOWSON, MARYLAND

MAP	82
THROUGH	11/1/78
DATE	8/1/78
BY	RC
FINAL	BY



YORK ROAD PARCEL
 AREA = 1.148 ACRES ±
 EXISTING ZONING DR16
 PROPOSED ZONING BL
 PROPOSED USE RESTAURANT

PARKING DATA
 65 X 50 = 3250
 3250 + 50 = 65 SPACES REQUIRED
 67 SPACES PROVIDED

GREENMEADOW DRIVE PARCEL
 AREA = 1.1489 ACRES ±
 EXISTING ZONING DR2
 PROPOSED ZONING DR16 WITH SPECIAL EXCEPTION FOR OFFICES

PARKING DATA
 1ST FLOOR 100 X 100 = 10000 ÷ 300 = 34 SPACES REQUIRED
 2ND FLOOR 100 X 100 = 10000 ÷ 500 = 20 SPACES
 3RD FLOOR 100 X 100 = 10000 ÷ 500 = 20 SPACES
 74 SPACES REQUIRED
 75 SPACES PROVIDED

NOTE
 PARKING AREAS PER METERS SHALL
 HAVE CURBING
 PARKING AREAS SHALL BE SCREENED FROM
 ADJACENT RESIDENTIAL PROPERTY
 ALL LIGHTING TO DIRECT LIGHT AWAY FROM
 RESIDENTIAL AREAS

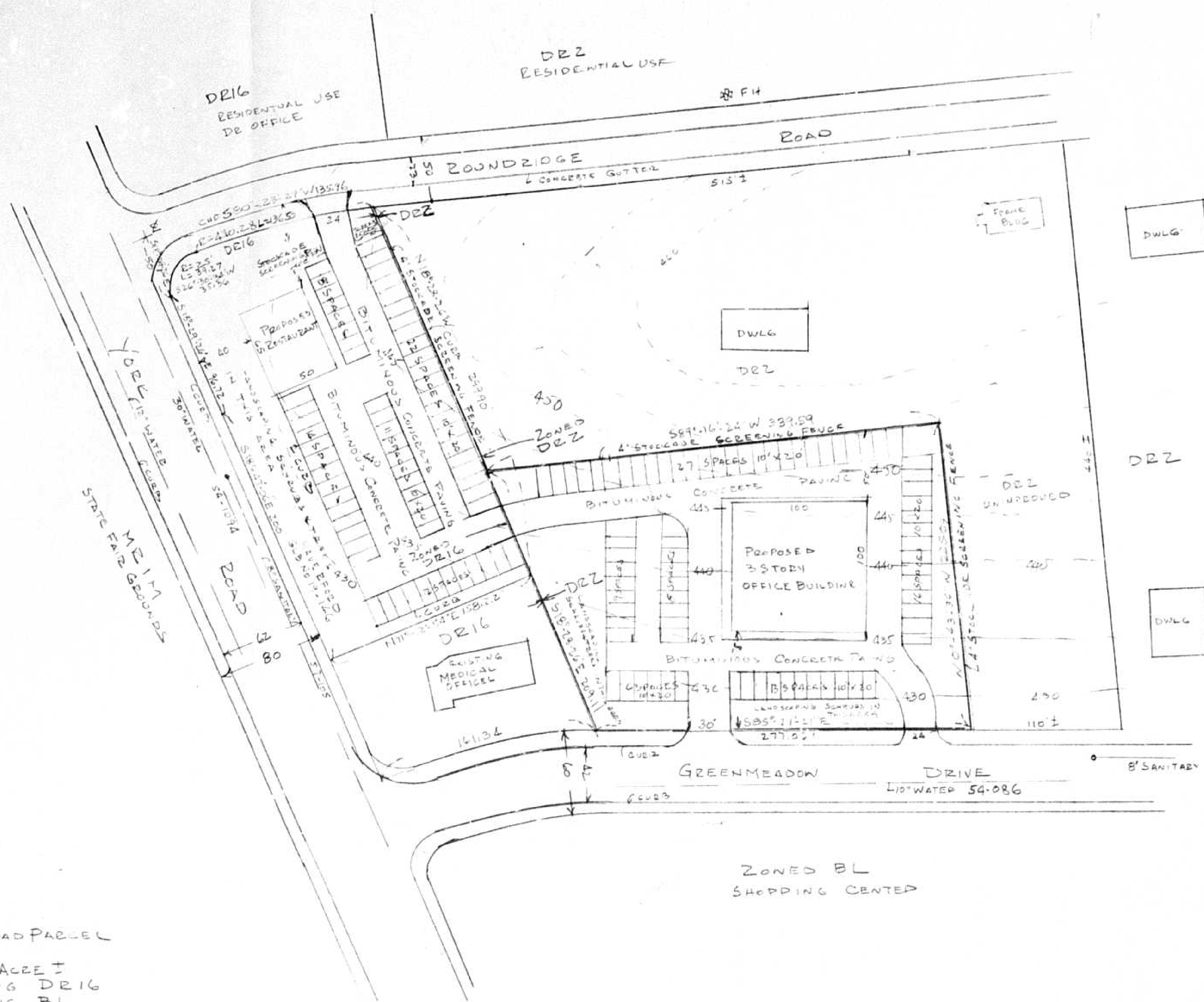
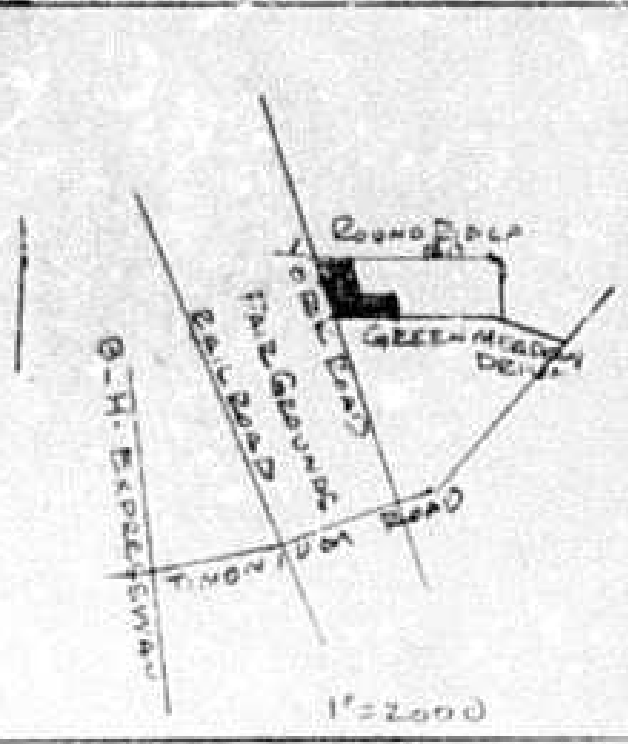
ZONING PLAT
 PROPERTY LOCATED
 IN
 8TH DISTRICT BALTO CO. MD



SCALE 1" = 50' SEPT 28, 1978
 GERHOLD CROSS & ETZEL
 REGISTERED LAND SURVEYORS
 412 DELAWARE AVENUE
 TOWSON, MARYLAND

CASE NO. R-79-C-X
 for -
 ASSIGNED FOR:

April 9, 1979
 C. GORDON GILBERT, ET UX
 N/S Greenmeadow Rd. E. York Rd.
 SW cor. York and Roundridge Rds.
 8th District
 Reclassification from D.R. 2 and D.R. 16
 to D.R. 16 and B.L. Jones
 SE - Offices
 TUESDAY, JULY 10, 1979 at 10 a.m.



REVISED PLANS

DEC 1 '78 PM



YORK ROAD PARCEL

AREA = 1.148 ACRES ±
 EXISTING ZONING DR16
 PROPOSED ZONING BL
 PROPOSED USE RESTAURANT

PARKING DATA
 $65 \times 50 = 3250$
 $3250 \div 50 = 65$ SPACES REQUIRED
 67 SPACES PROVIDED

NOTE:
 PARKING AREAS PERIMETERS SHALL
 HAVE CURBING
 PARKING AREAS SHALL BE SCREENED FROM
 ADJACENT RESIDENTIAL PROPERTY
 ALL LIGHTING TO BE FIRST LIGHT AWAY FROM
 RESIDENTIAL AREAS

GREENMEADOW DRIVE PARCEL

AREA = 1.489 ACRES ±
 EXISTING ZONING-DR2
 PROPOSED ZONING-DR16 WITH SPECIAL EXCEPTION FOR OFFICES

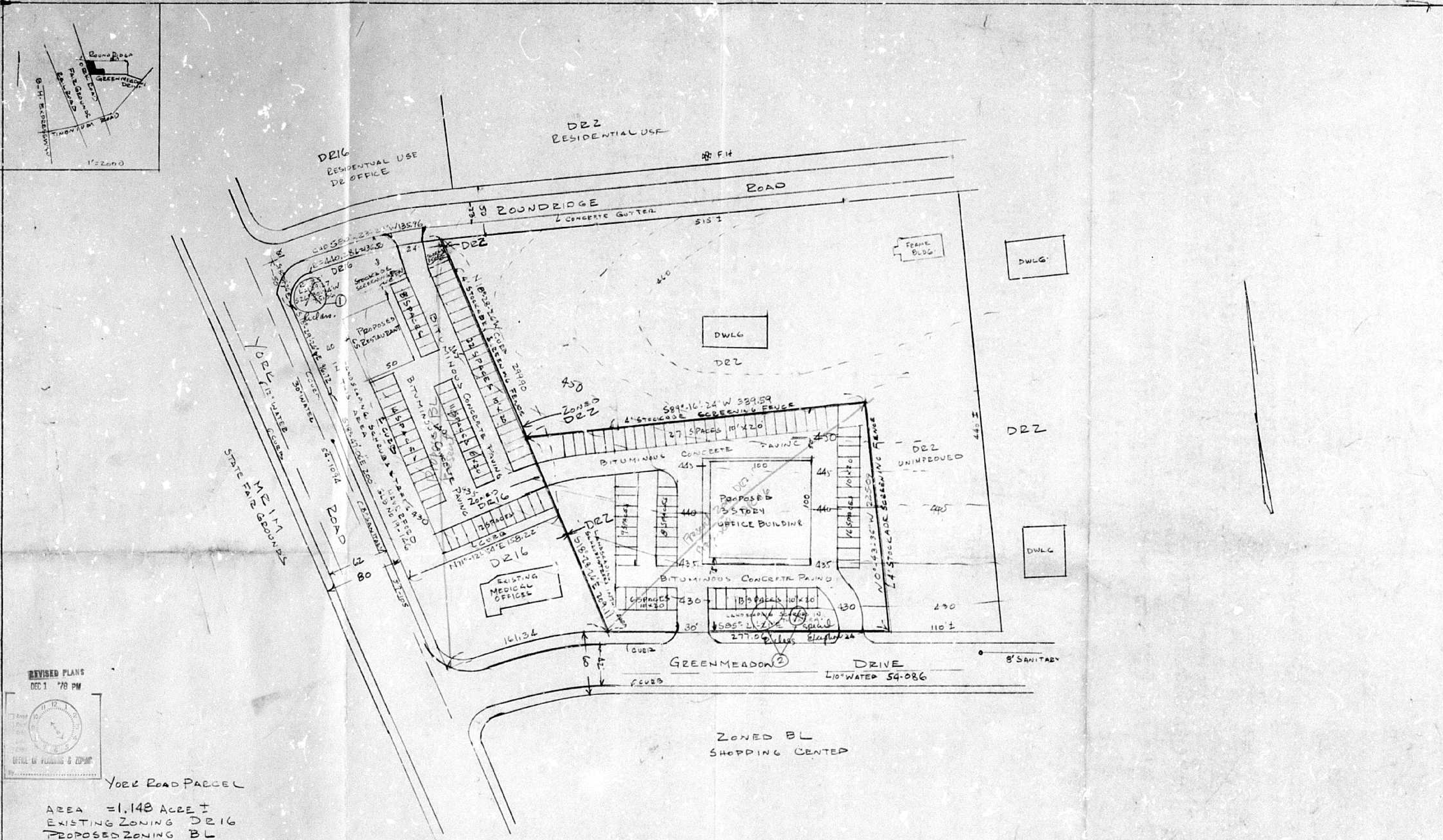
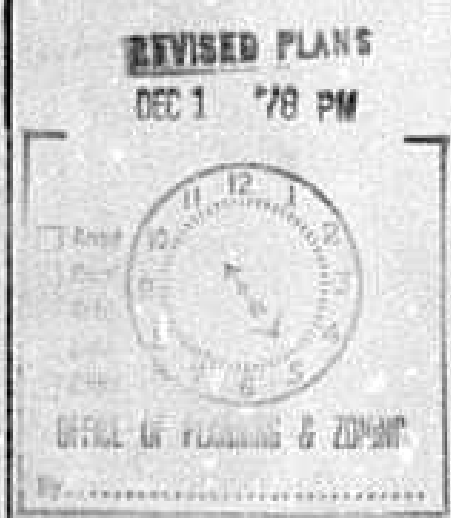
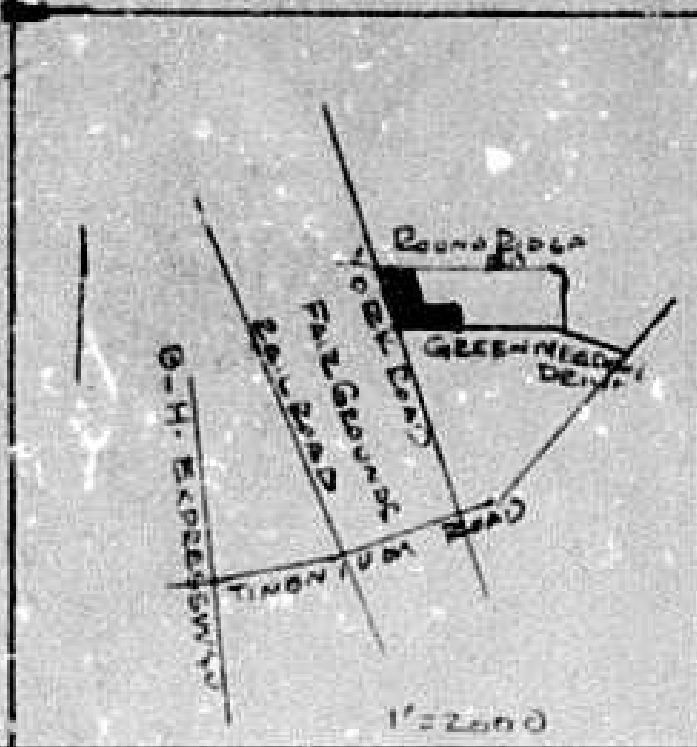
PARKING DATA
 1ST FLOOR $100 \times 100 = 10000 \div 300 = 34$ SPACES REQUIRED
 2ND FLOOR $100 \times 100 = 10000 \div 500 = 20$ SPACES
 3RD FLOOR $100 \times 100 = 10000 \div 500 = 20$ SPACES
 74 SPACES REQUIRED
 75 SPACES PROVIDED

ZONED BL
 SHOPPING CENTER

ZONING PLAT
 PROPERTY LOCATED
 IN
 8TH DISTRICT BALTO CO. MD



REVISED DEC 1, 1978
 SCALE = 1" = 50' SEPT 29, 1978
 GERHOLD CROSS & ETZEL
 REGISTERED LAND SURVEYORS
 412 DELAWARE AVENUE
 TOWSON, MARYLAND



YORK ROAD PARCEL
 AREA = 1.148 ACRES ±
 EXISTING ZONING DR16
 PROPOSED ZONING BL
 PROPOSED USE RESTAURANT

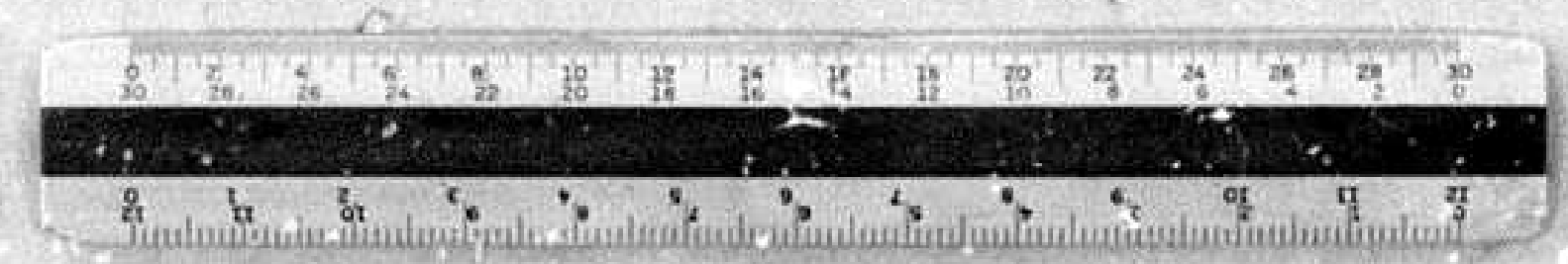
PARKING DATA
 65 X 50 = 3250
 3250 ÷ 50 = 65 SPACES REQUIRED
 67 SPACES PROVIDED

GREENMEADOW DRIVE PARCEL
 AREA = 1.489 ACRES ±
 EXISTING ZONING-DR22
 PROPOSED ZONING-DR16 WITH SPECIAL EXCEPTION FOR OFFICES

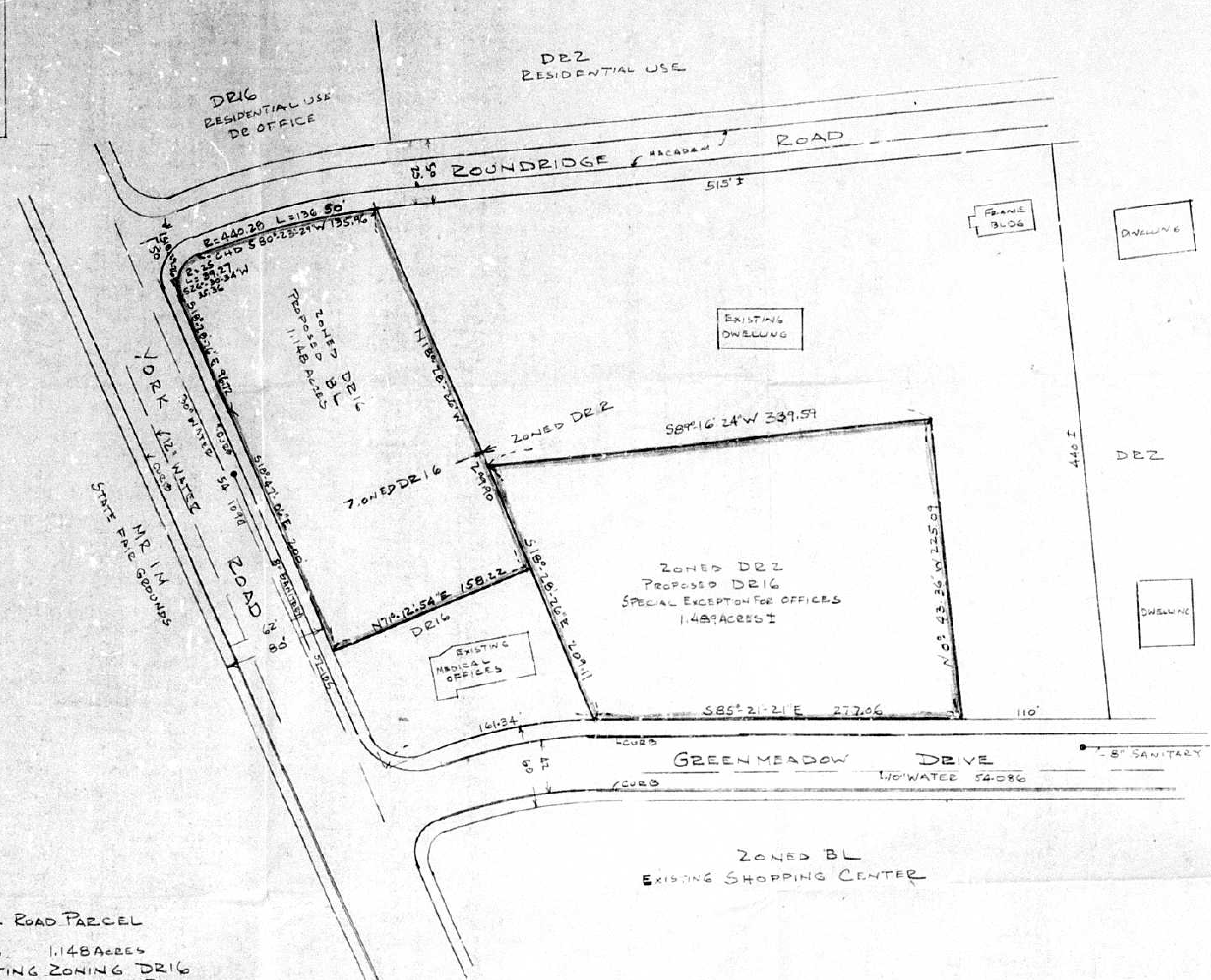
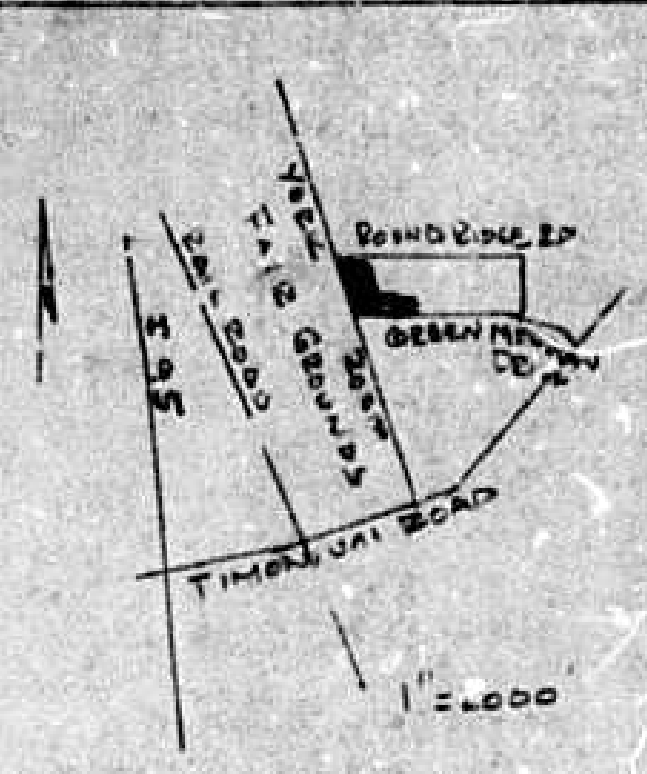
PARKING DATA
 1ST FLOOR 100 X 100 = 10000 ÷ 300 = 34 SPACES REQUIRED
 2ND FLOOR 100 X 100 = 10000 ÷ 500 = 20 SPACES
 3RD FLOOR 100 X 100 = 10000 ÷ 500 = 20 SPACES
 74 SPACES REQUIRED
 75 SPACES PROVIDED

NOTE
 PARKING AREAS PERIMETERS SHALL
 HAVE CURBING
 PARKING AREAS SHALL BE SCREENED FROM
 ADJACENT RESIDENTIAL PROPERTY
 ALL LIGHTING TO BE DIRECTED AWAY FROM
 RESIDENTIAL AREAS

ZONING PLAT
 PROPERTY LOCATED
 IN
 8TH DISTRICT BALTO CO. MD



REVISED DEC 1, 1978
 SCALE = 1" = 50' SEPT 28, 1978
 GERHARD CROSS & ETZEL
 REGISTERED LAND SURVEYORS
 412 DELAWARE AVENUE
 TOWSON, MARYLAND



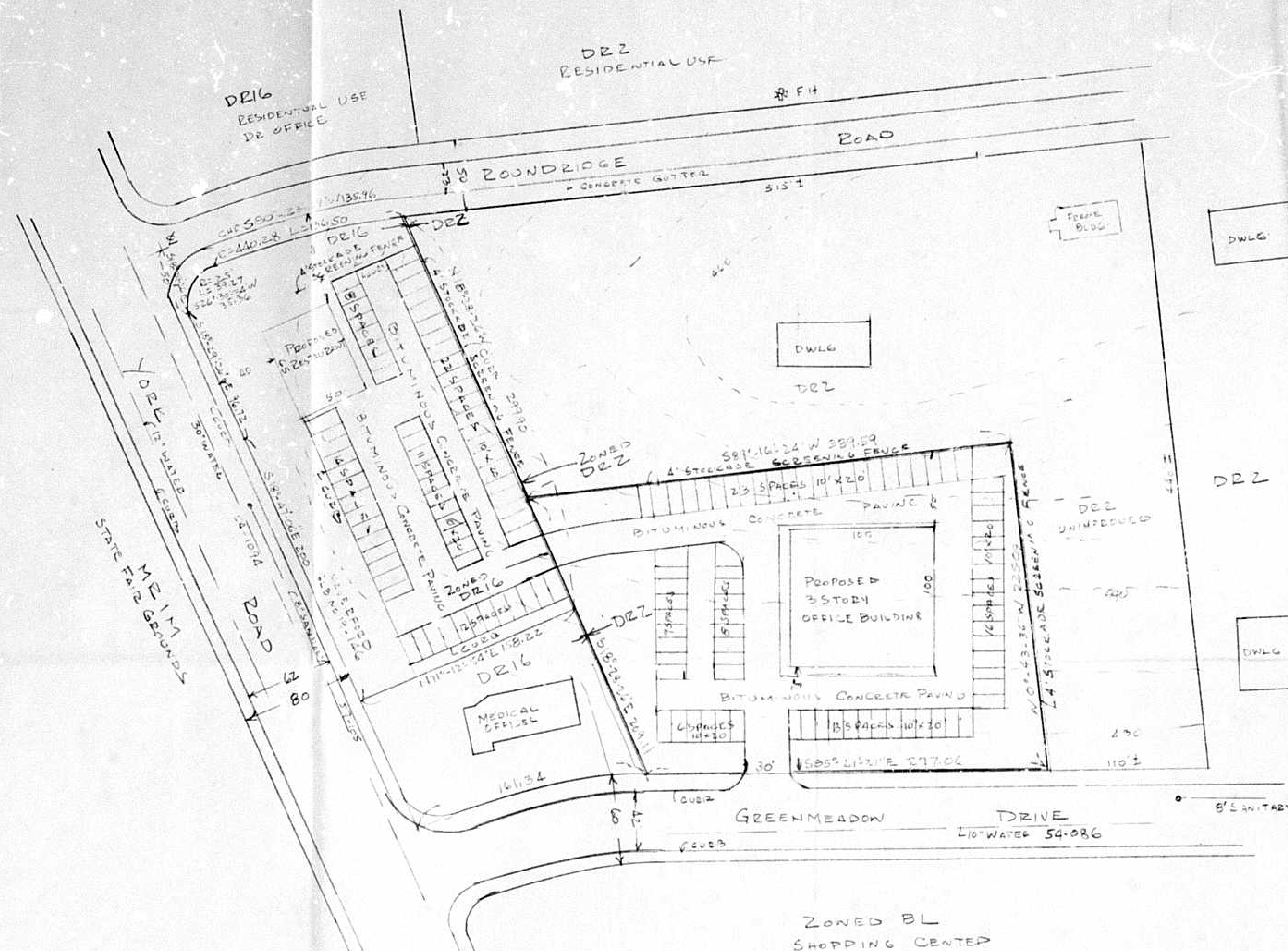
YORK ROAD PARCEL
 AREA 1.148 ACRES
 EXISTING ZONING DR16
 PROPOSED ZONING BL

GREEN MEADOW DRIVE PARCEL
 AREA = 1.489 ACRES
 EXISTING ZONING DR2
 PROPOSED ZONING DR16 WITH SPECIAL EXCEPTION
 FOR OFFICES

ZONING PLAT
 PROPERTY LOCATED
 IN
 8TH DISTRICT BALTO COMD



SCALE 1"=50' JULY 6, 1979
 GERHOLD, CROSS & ETZEL
 REGISTERED LAND SURVEYORS
 412 DELAWARE AVENUE
 TOWSON, MARYLAND



AREA = 1.148 ACRES
EXISTING ZONING DR16
PROPOSED ZONING BL
PROPOSED USE RESTAURANT

$65 \times 50 = 3250$
 $3250 + 50 = 65$ SPACES REQUIRED
 67 SPACES PROVIDED

AREA = 1.489 ACRES ±
EXISTING ZONING-DR2
PROPOSED ZONING-DR16 WITH SPECIAL EXCEPTION FOR OFFICES

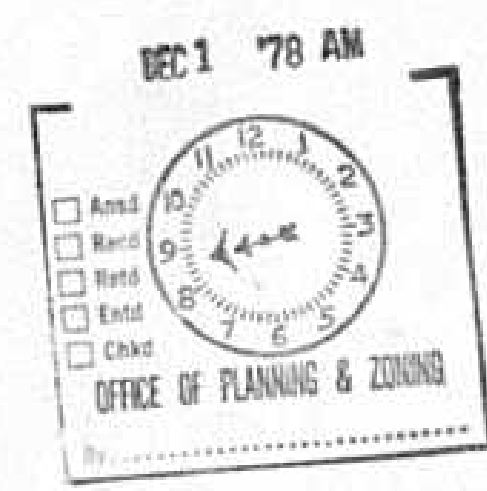
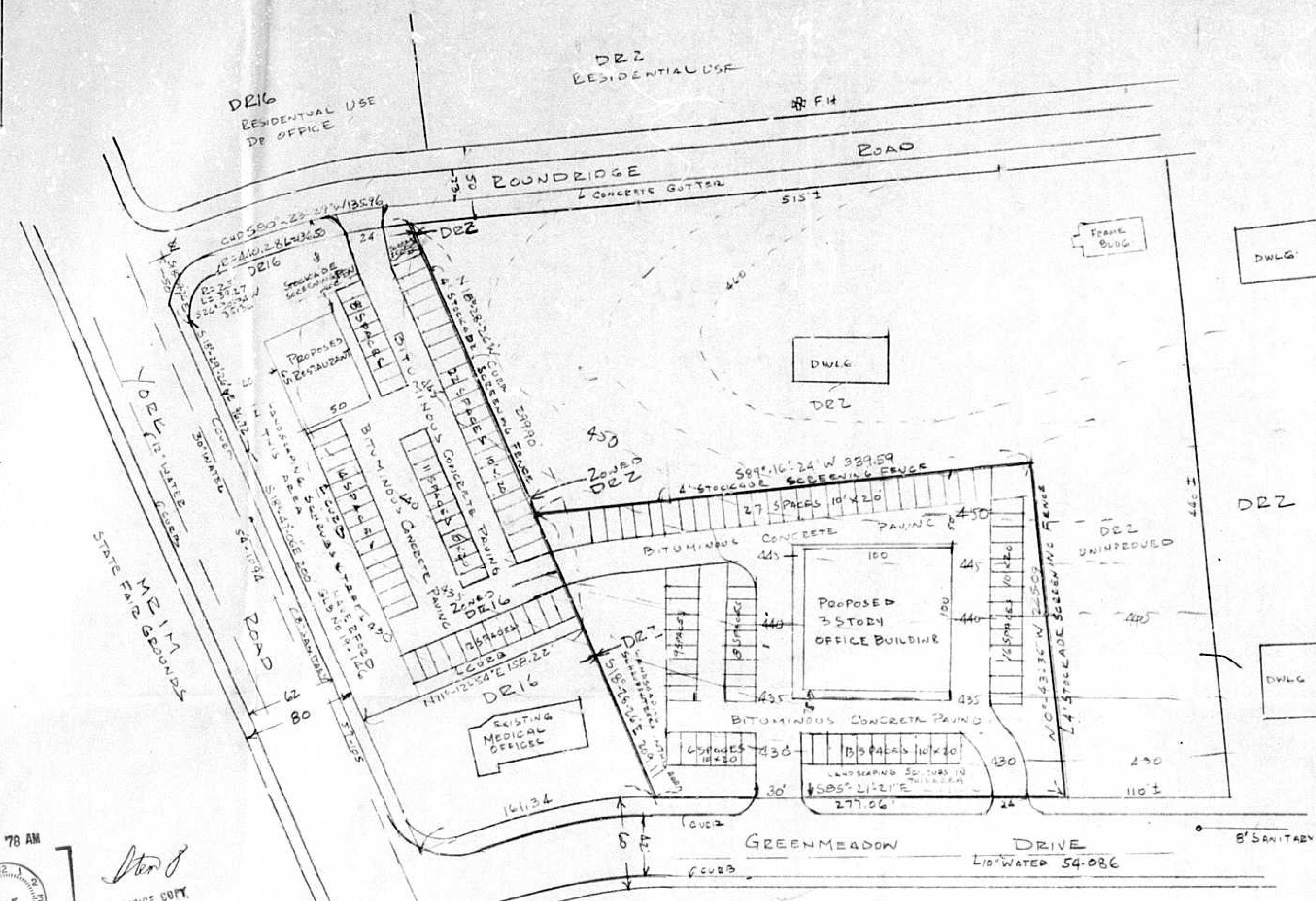
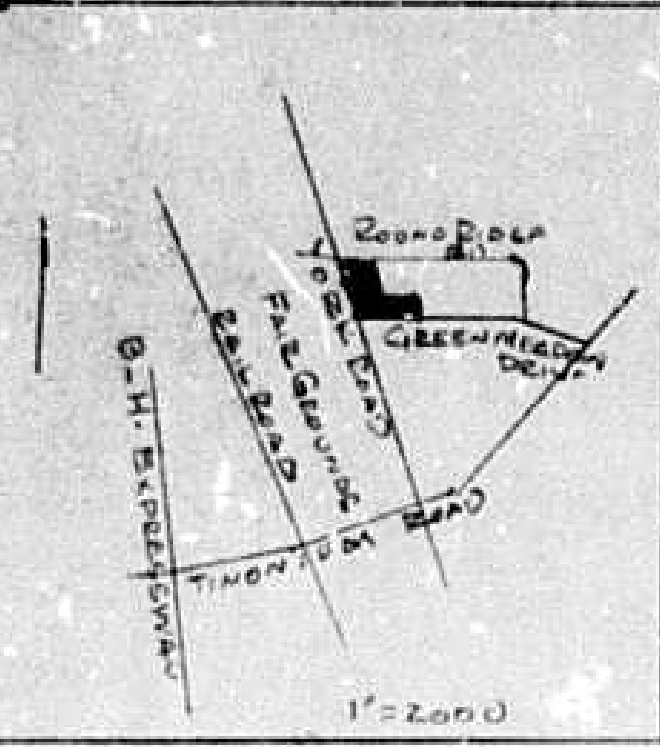
1st Floor $100 \times 100 = 10000 \div 300 = 34$ SPACES REQUIRED
2nd Floor $100 \times 100 = 10000 \div 500 = 20$ SPACES "
3rd Floor $100 \times 100 = 10000 \div 500 = 20$ SPACES "
74 SPACES REQUIRED
75 SPACES PROVIDED

NOTE
 DRIVING AREAS PERIMETERS SHALL
 HAVE CURBING
 PARKING AREAS SHALL BE SCREENED FROM
 ADJACENT RESIDENTIAL PROPERTY
 ALL LIGHTING TO REFLECT LIGHT AWAY FROM
 RESIDENTIAL AREAS

- ① Qualification Leadership
- ② Ownership
- ③ IDEA
- ④ Proposed job - Planning
- ⑤ How all fields
- ⑥ J.R. - need workers on these
- ⑦ How close to for leadership
- ⑧ Need to express
- ⑨ Need to planning
- ⑩ Depend on policy
- ⑪ Pass the use in common
- ⑫ With medical specifically
- ⑬ Previous case



SCALE = 1"=50' SEPT 28, 1978
GERHOLD CROSS & ETZEL
REGISTERED LAND SURVEYORS
412 DELAWARE AVENUE
TOWSON, MARYLAND



YORK ROAD PARCEL

AREA = 1.148 ACRES ±
 EXISTING ZONING DR16
 PROPOSED ZONING BL
 PROPOSED USE RESTAURANT

PARKING DATA
 $65 \times 50 = 3250$
 $3250 \div 50 = 65$ SPACES REQUIRED
 67 SPACES PROVIDED

GREENMEADOW DRIVE PARCEL

AREA = 1.489 ACRES ±
 EXISTING ZONING-DR22
 PROPOSED ZONING-DR16 WITH SPECIAL EXCEPTION FOR OFFICES

PARKING DATA
 1ST FLOOR $100 \times 100 = 10000 \div 300 = 34$ SPACES REQUIRED
 2ND FLOOR $100 \times 100 = 10000 \div 500 = 20$ SPACES
 3RD FLOOR $100 \times 100 = 10000 \div 500 = 20$ SPACES
 74 SPACES REQUIRED
 75 SPACES PROVIDED

NOTE
 PARKING AREAS PERIMETERS SHALL HAVE CURBING
 PARKING AREAS SHALL BE SCREENED FROM ADJACENT RESIDENTIAL PROPERTY
 ALL LIGHTING TO REFLECT LIGHT AWAY FROM RESIDENTIAL AREAS

ZONED BL SHOPPING CENTER

ZONING PLAT
 PROPERTY LOCATED IN
 8TH DISTRICT BALTO CO. MD



REVISED DEC 1, 1978
 SCALE = 1" = 50' SEPT 28, 1978
 GERHOLD CROSS & ETZEL
 REGISTERED LAND SURVEYORS
 412 DELAWARE AVENUE
 TOWSON, MARYLAND