

RE: PETITION FOR SPECIAL EXCEPTION
AND VARIANCES TO ZONING REGU-
LATIONS - N. S. Susquehanna Ave.,
33' E. Courtland Ave., 9th Dist.
James H. Cook and Mildred R. Cook,
Palmer H. Frankfield and Olivia
H. Frankfield, Petitioners

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5804-XV

It is this 10th day of November, 1964, by the Zoning
Commissioner of Baltimore County, ORDERED that the aforesaid petition
for special exception be and the same is hereby extended for a period
of three (3) years, dating from May 7, 1963.

Zoning Commissioner of
Baltimore County

RE: PETITION FOR SPECIAL
EXCEPTION AND VARIANCES
TO ZONING REGULATIONS -
N. S. Susquehanna Avenue,
33' E. Courtland Ave., 9th Dist.
James H. Cook, Mildred R. Cook,
Palmer H. Frankfield and
Olivia H. Frankfield,
Petitioners

REQUEST FOR EXTENSION

Petitioners in the above-entitled matter hereby request a three-
year extension, dating from May 7, 1963 of the Special Exception
heretofore granted them under date of May 8, 1963. This request is
made pursuant to and under the authority of Bill No. 42 (1962).

John W. Armiger
Attorney for Petitioners
406 Jefferson Building
Towson, Maryland 21204
VA-5-7666

RE: PETITION FOR SPECIAL EXCEPTION :
for an Elevator Apartment Building, :
and VARIANCES TO Sections 217.2, :
217.3, 217.4, 216, 409.2 (a), and :
217.7 of the Zoning Regulations, :
N. S. Susquehanna Avenue, 33' :
east of Courtland Avenue :
9th District :
James H. Cook, Mildred R. Cook, :
Palmer H. Frankfield and Olivia :
M. Frankfield, :
Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5804-XV

ORDER OF DISMISSAL

Petition of James H. Cook, Mildred R. Cook, Palmer
H. Frankfield and Olivia M. Frankfield, for special exception
for an Elevator Apartment Building and variances to the Zoning
Regulations on the north side of Susquehanna Avenue, 33' east of
Courtland Avenue, in the Ninth District of Baltimore County.

Whereas the Board of Appeals is in receipt of an Order
of Dismissal filed June 10th, 1963 from the attorney represent-
ing the protestant in the above entitled matter.

Whereas the said attorney for the said protestant
requests that the appeal filed on behalf of said protestant, be
dismissed and withdrawn as of June 10th, 1963.

It is hereby ORDERED this 12th day of June,
1963 that said appeal be dismissed with prejudice as of the
aforementioned date.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

ACTING CHAIRMAN

PETITION FOR SPECIAL EXCEPTION
AND VARIANCES TO ZONING REGU-
LATIONS - N. S. Susquehanna Ave., 33'
E. Courtland Ave., 9th District.
James H. Cook, Mildred R. Cook,
Palmer H. Frankfield and Olivia M.
Frankfield, Petitioners

BEFORE THE
COUNTY BOARD
OF APPEALS
No. 5804-XV

ORDER OF DISMISSAL

Mr. Clerk:

Will you kindly dismiss the appeal heretofore taken by me
to the Order of the Zoning Commissioner for Baltimore County May
8, 1963 granting the special exception and variances in the above case.

W. Lee Harrison
W. Lee Harrison

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.
James Higgins Cook and Mildred R. Cook, his wife, and
Palmer H. Frankfield and Olivia M. Frankfield, legal owners of the property situated 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 _____ zone to an _____ zone for the following reasons:

The granting of the requested Special Exceptions is in no wise detrimental
to the health, morals, safety, welfare, etc. of the general public and a great need
exists for such a project as proposed by the petitioners; to wit: Housing for the
Elderly.
Variance from Sect. 217.2 to permit 0' front Yd. instead of the req. 30'; 217.3 to permit 0'
side Yd. instead of the req. 25'; 217.4 to permit 0' rear Yd. instead of the req. 30'; 216 to permit a
height of 81' instead of the permitted 35'; 409.2 to permit 16 parking spaces instead of the
req. 94; 217.7 to permit out density of 250 families per acre, instead of req. 18,
as this property lying in an R-2 Zone sandwiched in the heart of Towson is not able to be
developed as soon unless the requested variances are granted. The variances requested are
in strict harmony with the spirit and intent of the zoning regulations. As a corollary,
the granting of the requested variances would be impossible to develop as R-2 if the letter,
County, to use the herein described property, for... an elevator apartment eight stories-
in height.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, we, agree to pay expenses of above reclassification and/or Special Exception advertising,
posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning
regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore
County.

Susquehanna Joint Venture
Mildred R. Cook
Palmer H. Frankfield
Olivia M. Frankfield
Address: 406 Jefferson Building, Towson 4, Maryland

John W. Armiger, Petitioner's Attorney
Address: 406 Jefferson Building, Towson 4, Maryland

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day
of October, 1964, 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 held before the Zoning
Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore
County, on the 27th day of March, 1965, at 10:00 o'clock
A. M.

(rather than the spirit and intent of the
Zoning regulations were enforced.)
Zoning Commissioner of Baltimore County.

RE: PETITION FOR SPECIAL EXCEPTION
AND VARIANCES TO ZONING REGU-
LATIONS - N. S. Susquehanna Ave.,
33' E. Courtland Ave., 9th Dist.
James H. Cook, Mildred R. Cook,
Palmer H. Frankfield and Olivia
H. Frankfield, Petitioners

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
No. 5804-XV

The petitioners, in the above entitled matter, at a hearing
held on March 27, 1963, requested a special exception for an Elevator
Apartment Building, eight stories in height on the north side of Susque-
hanna Avenue, 33 feet east of Courtland Avenue, Towson, and variances to
Sections 217.2; 217.3; 217.4; 216; 409.2 (a) and 217.7 of the Baltimore
County Zoning Regulations.

After careful consideration, all the variances should be
granted except the variance requesting a front yard of 0 feet instead
of the required 30 feet as set forth in Section 217.2 of the Zoning Regu-
lations.

In order to provide a 30 feet front yard there should be no
limitations on the height of the elevator apartment building other than
that normally required by the Baltimore County Zoning Regulations and
that variances requested in the March 27, 1963 petition. The
subject to variances requested in the March 27, 1963 petition. The
variances which are granted, are granted on the basis that under-jard-
variances which are granted, are granted on the basis that under-jard-
ship and practical difficulty are inherently present because of the site,
location and the topography of the petitioners' property which make it
unfeasible, if not impossible, to develop the land as presently zoned
residential apartment.

For the above reasons the variances requested should be
granted except the variance from Section 217.2 to permit a front yard
of 0 feet instead of the required 30 feet because sufficient land must
be made available for the future widening of Susquehanna Avenue.

The special exception should also be granted for an elevator
apartment building, the number of stories to comply with the Zoning Regu-
lations and variances as approved herein.

It is this 17th day of May, 1963, by the Zoning Commissioner
of Baltimore County, ORDERED that the special exception for the Elevator
Apartment Building is hereby granted and the following variances:

1. To permit a side yard of 0 feet instead of the required
25 feet;
2. To permit a rear yard of 0 feet instead of the required
30 feet;
3. A height of 81 feet instead of the permitted 35 feet;
4. To permit 16 parking spaces instead of the required
96 spaces; and

Mr. John G. Rose
Zoning Commissioner of Baltimore County
County Office Building
Towson 4, Maryland

Re: Petition for Special Exception and
Variances to Zoning Regulations -
N. S. Susquehanna Ave., 33' E.
Courtland Ave., 9th Dist.,
James H. Cook, Mildred R. Cook,
Palmer H. Frankfield and Olivia
M. Frankfield, Petitioners
No. 5804-XV

Dear Mr. Rose:

Will you kindly enter an appeal on my behalf
from your Order dated May 8, 1963 granting the special
exception and variances in the above case.

Very truly yours,

W. Lee Harrison
W. Lee Harrison

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 11, 1963
 FROM: Mr. George E. Garrelis, Deputy Director

SUBJECT: #5804-XVA
 #9 SEC-3-C
 1500-XV. Special Exception for an Elevator Apartment Eight Stories in Height; a Variance to permit 0 feet front yard instead of required 30 feet; to permit 0 feet side yard instead of required 25 feet; to permit 0 feet rear yard instead of required 30 feet; to permit a height of 81 feet instead of the permitted 35 feet; to permit 46 parking spaces instead of required 96 spaces; to permit net density of 259 families per acre instead of the required 16. North side of Susquehanna Avenue 33 feet East of Courtland Avenue. Being property of James H. Cook, et al.

9th District

HEARING: Wednesday, March 27, 1963 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for special exception for elevator apartment and variances. It has the following advisory comments to make with respect to pertinent planning factors:

1. Unlike the Jefferson Building which sought and got variances for an office structure, the petitioner seeks numerous variances to the Zoning Regulations applicable to apartment zoning for a residential structure. From a planning viewpoint, there is a vast difference between the needs of occupants of offices and apartments for light, air and other amenities. Offices are occupied during the daytime for business purposes. Apartments are occupied throughout the entire day and are places of residences.
2. The petitioner's site plan indicates that the proposed eight story structure will be utilized for apartments housing elderly people. From a planning viewpoint, it would seem that housing for the elderly not only should be conveniently related to shopping and public transportation facilities but also should be conveniently related to parks and open spaces designed to meet the needs of elderly people. Moreover, housing for the elderly projects in a suburban context should have the ability to provide on the site open spaces for leisure time activity. The subject property completely covers the very limited site with a structure which provides no amenities and doesn't even overlook the Court House lawn, one block away. It proposes to house families at the fantastic density of 259 families per acre. For an eight story building the Zoning Regulation would allow densities of 20 and 22 families per acre gross and net. The general requirements of F.M.A. on multiple family housing would range from a density between 25 and 32 families per acre. The purpose of density control in the apartment zone simply is to prevent overcrowding of land, to provide for adequate open areas on the property, to assure adequate natural light and ventilation and to assure sufficient area for outdoor use essential to apartment living. This, in effect is the spirit and intent of the Zoning Regulations as they currently apply to the subject property. Manifestly, the building sought under the special exception will overcrowd land, will cause undue concentration of population and is inappropriate here.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 11, 1963
 FROM: Mr. George E. Garrelis, Deputy Director
 SUBJECT: #5804-XVA

9th District

HEARING: Wednesday, March 27, 1963 (10:00 A.M.)

3. The subject property falls within the area designated by the Planning Board as a Urban Renewal Area. Specific project plans now are being developed for the Central Town area. At the same time the property falls within the area designated on a Planning Board Master Plan for expansion of the County Governmental Center and related uses. It would appear that the most logical and appropriate use of the subject property is related to the expansion of the governmental and office complex in Town and that it is not related to high rise apartment development especially for elderly people. At the same time there are other sites currently and potentially available in the area which will be capable of meeting the needs for such housing.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose Date: November 15, 1962
 FROM: Walter J. Addison
 SUBJECT: Property Owner - James H. Cook, et al
 District 9
 Location: North side Susquehanna Avenue 33' east of Courtland Avenue

The subject property was Item 1 on the agenda of the Zoning Advisory Committee Meeting November 2, 1962. Present zoning is R-4; proposed zoning is Special Exception and Variance for Housing for the Elderly. Following are the comments of the Division of Traffic Engineering:

1. The extent of the proposed eight (8) story structure precludes the proper use, R-4 or residential, of adjacent properties which back on to the existing fifteen (15) foot alley which runs between Courtland Avenue and Washington Avenue.
2. The structure apparently is intended to rise directly from the property line at the edge of the existing fifteen (15) foot alley as in Comment No. 1. This effectively would block access to the Jefferson Building entrances during construction. Possible proposed entrances from the alley to the proposed structure for purposes of parking would have to be shown.
3. It does not appear possible to locate fifty-four (54) parking places within the lower floor area of this structure. If more than one floor is intended to be used, access should be shown as in Comment No. 2.

WJA:GNAich

Walter J. Addison, Chief
 Division of Traffic Engineering

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND LICENSES

INTER-OFFICE CORRESPONDENCE

From: Charles B. Wheeler Date: November 26, 1962
 To: Jack Nease, Zoning Commissioner Preliminary
 Attn: Jim Dyer Right Story Home for the Elderly
 Subject: Susquehanna Avenue

In accordance with your verbal request we comment below on the proposed subject building. These comments are necessarily very general in nature since only the site plan prepared by G. W. Stephens, Jr., (as revised 10/21/62) has been made available to us.

- We comment:
1. The building is basically Institutional Occupancy and must be at least Fire Resistant (Type 2) construction.
 2. A four story raised separation is required between a parking garage and the Institutional occupancy.
 3. No openings will be permitted in walls along side property lines; 3 1/2' openings along rear alley and 4' along front street. This comment applies to walls built along the property line.
 4. Means of egress front building must be independent of the garage.

These comments are limited to items considered of interest to Zoning at the present time. When construction plans are prepared the full requirements of the Building Code must be incorporated therein.

Very truly yours,
 Charles B. Wheeler
 Director & Bldg. Insp.



GWA:GNAich

REDEVELOPMENT AND REHABILITATION COMMISSION

SUITE 305 JEFFERSON BUILDING, TOWSON 4, MARYLAND VA 3-3000

November 16, 1962

Mr. John G. Rose, Zoning Commissioner
 Office of Planning and Zoning
 County Office Building
 Towson 4, Maryland

Dear Mr. Rose:

At the Zoning Advisory Committee Meeting on November 2, 1962, there was a discussion of an application of James H. Cook, et al, for a Special Exception and Variance to provide housing for the elderly. The parcel of land in question located on the north side of Susquehanna Avenue, in Towson, contained .37 acres of land, and was presently zoned "R-4". I brought this matter to the attention of the Redevelopment and Rehabilitation Commission at its recent meeting on November 8th. The Commission discussed this Special Exception and Variance in some detail and directed me to inform you of its official objections to the proposed zoning change.

The property in question lies within the boundaries of the officially designated Central Towson Urban Renewal Area for which the Commission is fully responsible for preparing detailed redevelopment plans. The Commission of course is anxious to encourage development activities within its urban renewal areas, but has no desire to encourage any activities which would have a potentially adverse effect. It objects in principle to any proposals which do not conform to existing approved plans.

In the opinion of the Commission, the request of Messrs. James H. Cook, et al, should not be granted as it violates existing height, set back, and parking requirements. Moreover, the land use contemplated is incompatible with the uses of abutting properties.

We have been advised by the Office of Planning and Zoning that a master plan for a County Government Office Center has been approved for the area in which the subject construction is contemplated. The proposal clearly conflicts with the plan approved and adopted by the Baltimore County Planning Board on November 20, 1956.

Mr. John G. Rose

November 16, 1962

- 2 -

Our current scheduling requires that studies and sketch plans for the Central Towson Urban Renewal Area be completed next year. The Commission feels that granting of a Zoning Exception in the Central Towson area at this time will adversely effect future planning.

As a further thought, the lot to be redeveloped is roughly one-third of an acre in size. The structure contemplated for this lot would not permit either landscaping or passive recreational facilities, both of which should certainly be provided in any structure to be used for housing for the elderly.

For these reasons, the Commission strongly recommends that the request for a Variance and Special Exception to the set back, parking and height requirements of the Zoning Regulations be denied. The Commission wishes to state that the granting of this request at this time would adversely effect the possibility of integrated and related planning for the Central Towson Area, and that in its opinion construction of a high-rise apartment building for housing the elderly on this particular site is not in the best interests of the County.

Very truly yours,

Vladimir Wabbe
 Vladimir Wabbe
 Executive Director

cc: Mr. William E. Fornoff
 Mr. Malcolm H. Dill

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose Date: March 27, 1963
 ATT: Mr. James Dyer
 FROM: Gilbert M. Nelson
 SUBJECT: Petition for Zoning Special Exception and A Variance
 #5804-XV

Petition for Special Exception for an Elevator Apartment Eight Stories in Height; and a Variance to the Zoning Regulations of Baltimore County to permit 0 feet front yard instead of the required 30 feet; and to permit 0 feet side yard instead of the required 25 feet; and to permit a height of 81 feet instead of the permitted 35 feet; and to permit 46 parking spaces instead of the required 96 spaces; and to permit net density of 259 families per acre instead of the required 16.

The plans accompanying the subject petition have been reviewed and result in the following comments:

1. The number of parking places provided is totally inadequate.
2. The arrangement of the parking places shown would preclude reasonable facility in parking by any other than professional. The provision for no set-back on the alley north of the structure will seriously adversely affect the character of this alley and the use of the alley by County vehicles as well as those of the occupants of the Jefferson Building. Likewise, the proposed future addition would seriously affect safety and sight distance at the intersection of this alley with Courtland Street.
3. Parking within the structure should be revised and suitable off-street parking should be provided.



Date: 9/16 Date of Posting: 9/16/63
 District for: Special Committee for Review - Georgetown - West
 Petitioner: James A. Burtchell
 Location of property: 113 1/2 South Main Ave. S.E. of Southwest Ave.
 Location of Sign: Front porch of house 1-2-3
1 sign each - 2 on 3 above
 Remarks:
 Posted by: JS/Brace Date of return: 3-11-63

DEPOSIT TO ACCOUNT NO. 01522		TOTAL AMOUNT \$75.13	
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	UNIT	
—	Advertising and posting of property for James N. Cook, et al 5804	75.13	
	5-1763 0711 * * * 111-	75.13	
9			

REPORT TO ACCOUNT NO.	01422	TOTAL AMOUNT	\$50.00
QUANTITY	DETAIL UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST	
	Petition for Special Exception for Mildred Cook, et al		\$50.00
	FILED - JUDGE'S OFFICE		
	10 2 1960 1 4 2 5 * * * * 11 11		50.00
	10 2 1960 2 2 2 5 * * * * 11 11		
50			

DEPOSIT TO ACCOUNT NO. 01622		TOTAL AMOUNT
QUANTITY	DETAILS OFFER REFERENCE AND RETURN WITH YOUR REMITTANCE	CONF.
	Cent of appeal in matter of <u>Partition for Special Reception -</u> <u>18 S. Buchanan Ave. 33' B. Buchanan Ave. No. 5068-XV</u> <u>C. Buchanan</u> - Buchanan Building, 18th St. - 12th St. - 13th St.	\$70.00
	G-565 4 4 4 4 * * * 111--	70.00

3) James D. Murphy et al to James H. Cook et al dated August 11, 1960, and filed among the Land Records of Baltimore County in Liber W.J.R. 3739, folio 232.

[illegible]

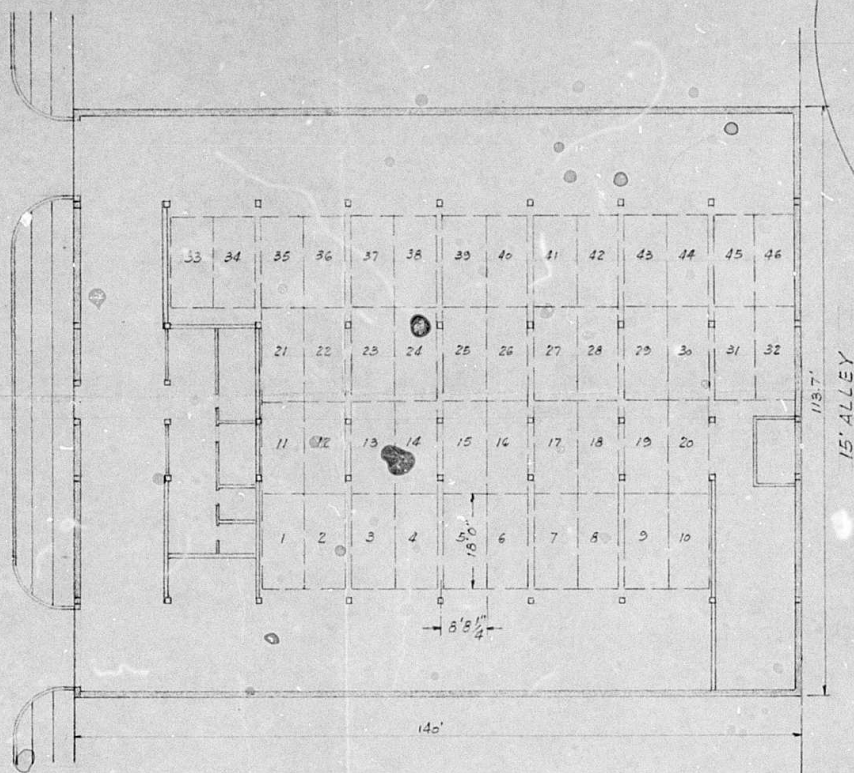
THIS IS TO CERTIFY, That the annexed advertisement was published in THE COUNTY NEWS WEEK, a weekly newspaper printed and published in Towson, Baltimore County, Md., once in each of six successive weeks before the 27th day of March 19 63, the first publication appearing on the 7th day of March 63.

THE COUNTY NEWS WEEK

W. J. Meyer.
Manager

[illegible]

SUSQUEHANNA AVE.



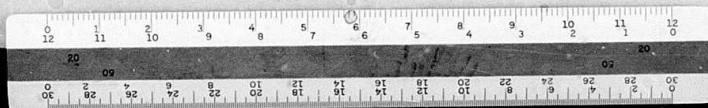
#5804 x ✓
MHP
#9
SEC. 3-C

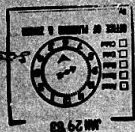
PROPOSED PARKING

104, 106, 108 - SUSQUEHANNA AVE.

28 DEC. 62

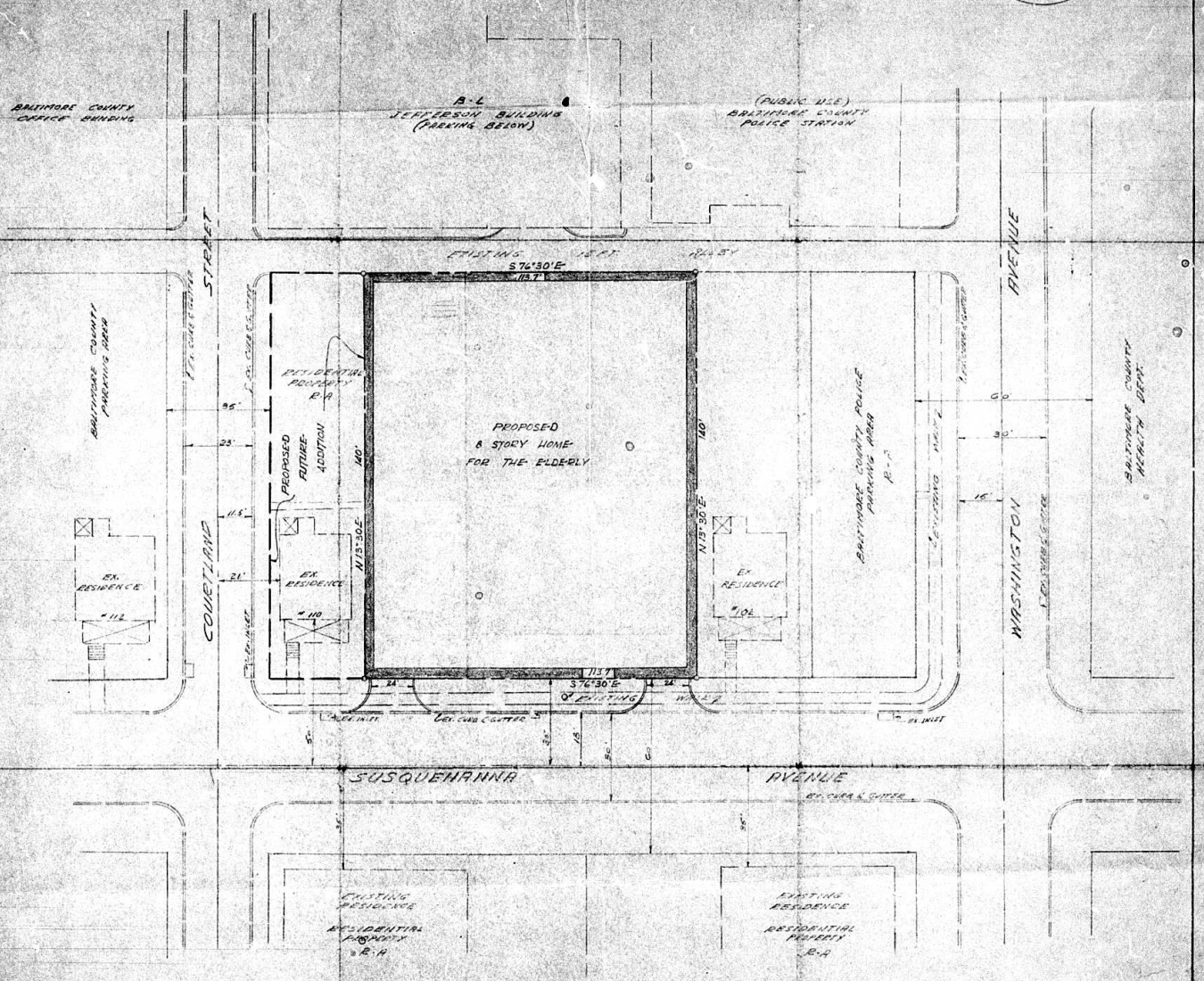
SCALE 1"=20'





7085

#5804-XV
MAP
#1
SEC. 3-C



NOTE:
 AREA OF PROPERTY 15,908 SQ. FT. OR 0.37 ACRE
 EXISTING USE OF PROPERTY RESIDENTIAL
 PROPOSED USE OF PROPERTY HOUSING FOR THE ELDERLY
 PRESENT ZONING OF PROPERTY R-4
 PROPOSED ZONING OF PROPERTY R-4
 PARKING PROVIDED (BAYS) 15
 TOTAL NUMBER UNITS 26
 REQUESTED DENSITY 259 FAMILIES PER ACRE

PROPOSED
 HOUSING FOR THE ELDERLY
 104,106,108 SUSQUEHANNA AVE

BALTO. CO. MD.
 SCALE: 1" = 20'

ELECT. DIST. NO.
 DATE: JAN 24, 1962
 REVISED: 1/24/62
 REVISED: 10/12/62
 REVISED: 11/19/62

George William Stephens, Jr.
 and Associates, Inc.
 Engineers
 6 McCurdy Avenue,
 Towson, 4, Maryland

