

✓ #5861 MAPS 15-B 15-C RA 5/14/63 **PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Montel Realty, Inc., legal owner... 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 Residential Group zone to an Residential Apartment zone; for the following reasons:
Change in the neighborhood and error in original map.

See Attached Description

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

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

I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Montel Realty, Inc.

Contract purchaser EXECUTIVE VICE-PRESIDENT Legal Owner

Address 230 PARK AVE.

NEW YORK 17, N.Y.

William S. Baldwin

William S. Baldwin

Address 24 M. Pennsylvania Ave.

Towson 4, Maryland

ORDERED BY THE Zoning Commissioner of Baltimore County, this 8th day

of February, 1963, that the subject matter of this petition be advertised, as

required by the Zoning Law of Baltimore County, in a newspaper 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 29th day of May, 1963, at 10:30 o'clock

A. M.

W. Lee Harrison

Zoning Commissioner of Baltimore County

(over)

10:30 A.M.
5/14/63
300

Description of Property to be
Re-zoned from RG to RA
Remainder of "Maple Crest"

December 6, 1962 #5861
Sheet 2

16' 52" West 332 feet; thence leaving the outline of the plat above referred to and binding on the twelfth through the eighteenth lines and part of the nineteenth line of the deed above referred to, the eight following courses and distances viz: first South 63° 43' 08" East 302.37 feet; second South 7° 10' 31" East 660 feet; third South 47° 40' 21" East 1221.09 feet; fourth North 46° 15' 52" East 635.07 feet; fifth North 45° 43' 57" West 291.66 feet; sixth North 2° 21' 52" East 1947.14 feet; seventh South 43° 31' 54" West 336.65 feet; and eighth North 47° 05' 10" West 986.58 feet to the aforementioned Southeast side of Bird River Road, as proposed to be widened to 70 feet, thence binding on the said southeast side of Bird River Road, South 74° 20' 53" West 120.39 feet to the place of beginning.

Containing 70.88 Acres of land more or less.

Subject however to certain rights-of-way granted to Baltimore County for public utilities.

Subject also to the use by others of a 15 foot road binding on the second line of the above described parcel.

Being part of the first parcel of land conveyed to Montel Realty, Inc. from Augusta Realty, Inc. by deed dated January 2, 1961, and recorded among the Land Records of Baltimore County in Liber W.J.R. 3806, folio 570.

Description of Property to be
Re-zoned from RG to RA
Remainder of "Maple Crest"

December 5, 1962

Beginning for the same on the southeast side of Bird River Road, as proposed to be widened to 70 feet; said point being 1611 feet ± measured northeasterly along the said southeast side of Bird River Road from the intersection formed by the southeast side of Bird River Road, as widened 35 feet from the centerline thereof, and the Northeast side of Lannerton Road, as laid out 60 feet wide; said point of beginning being on the twenty first or South 9° 28' 23" West 430.33 foot line of the first parcel of land conveyed to Montel Realty, Inc. by deed dated January 2, 1961, and recorded among the Land Records of Baltimore County in Liber W.J.R. 3806, folio 570, at a point distant 43.15 feet from the beginning of said twenty first line; running thence and binding on the remainder of said twenty first line and on part of the twenty second line of said deed, the two following courses and distances viz: first South 9° 28' 23" West 387.18 feet; and second North 71° 34' 49" West 147.45 feet to the Northeasternmost corner of a plat entitled "Amended Plat One, Maple Crest", dated August 6, 1958, and recorded among the Plat Records of Baltimore County in Plat Book G.L.B. 25 folio 65; running thence and binding on part of the east side of said plat South 26° 16' 52" West 125.25 feet to the beginning of the fifth or South 26° 16' 52" West 306 foot line of the deed herein above referred to; running thence and still binding on the east side of said plat, and binding also on the fifth through the eleventh lines of said mentioned deed, the seven following courses and distances viz: first South 26° 16' 52" West 306 feet; second South 63° 43' 08" East 72 feet; third South 26° 16' 52" West 191 feet; fourth North 63° 43' 08" West 23.77 feet, fifth South 26° 16' 52" West 115 feet; sixth South 63° 43' 08" East 130.23 feet; and seventh South 26°

RE: PETITION FOR RECLASSIFICATION
from "R-Q" Zone to "R-A" Zone
S. E. Side Bird River Road 1615'
N. E. Lannerton Road, 15th Dist.,
Montel Realty, Inc. Petitioner

The petitioner in the above matter seeks reclassification of property from an "R-Q" Zone to an "R-A" Zone, on the southeast side of Bird River Road 1615 feet northeast of Lannerton Road, in the Fifteenth District of Baltimore County.

Testimony indicated that the petitioner's property is in a rapidly changing area in which modern apartments do not now exist.

It does not appear that present arterial roads will be improved until increased housing is an actual fact.

The Martin-Harietta Company appeared to indicate that while the Martin interests are neither pro or con in connection with the petitioner's request, they do feel that concentration of population in certain flight patterns may well force the Martin-Harietta Company to lose the use of the present airport. The present zoning for group housing and the proposed apartment zoning may be unwise, but such zoning would have to be corrected by legislation that does not now exist.

For the above reasons the reclassification should be granted.

It is this 20th day of June, 1963, by the Zoning Commissioner of Baltimore County ORDERED that the herein described property or area should be and the same is hereby reclassified from an "R-Q" Zone to an "R-A" Zone, subject to approval of plan for the development of said property by the Bureau of Public Services and the Office of Planning and Zoning.

W. Lee Harrison
Zoning Commissioner of
Baltimore County

RE: PETITION FOR RECLASSIFICATION
from an "R-Q" Zone to an "R-A" Zone
SE/S Bird River Road, 1615' NE
Lannerton Road
15th District
Montel Realty, Inc.,
Petitioner

REFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 5861

ORDER OF DISMISSAL

Petition of Montel Realty, Inc. for reclassification from an "R-Q" Zone to an "R-A" Zone on the southeast side of Bird River Road, 1615 feet northeast of Lannerton Road in the Fifteenth District of Baltimore County.

Whereas the Board of Appeals convened in Room 301 on Thursday, October 17, 1963 on the above entitled matter for hearing with attorneys for both the petitioner and the respondents being present.

Whereas on October 11, 1963 an order of dismissal was received by the County Board of Appeals and duly noted in the file.

Whereas at the scheduled time and date of the hearing both attorneys of record moved that the said appeal be dismissed with prejudice.

It is hereby ORDERED this 17th day of October, 1963 that the said appeal be dismissed with prejudice as of the aforementioned date.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin
CHAIRMAN

W. Lee Harrison

Note: Mr. Charles Steinback, Jr. abstains from any ruling in this matter.

Baltimore County Board of Appeals
County Office Building
Towson 4, Maryland

Re: Petition for Reclassification
from "R-Q" Zone to "R-A" Zone,
SE/S Bird River Road, 1615' NE
Lannerton Road, 15th District -
Montel Realty, Inc., Petitioner
No. 5861.

Gentlemen:

Please dismiss the above captioned Appeal.

Very truly yours,

William R. Sutton
William R. Sutton
2115 Old Ocean Road
Baltimore 20, Maryland
Attorney for Appellants

DATED: 10-11-63



THE JEFFERSON BLDG.
TOWSON 4, MARYLAND
JULY 15, 1963

County Board of Appeals
County Office Building
Towson 4, Maryland

Re: Petition for Reclassification from "R-Q" Zone to "R-A" Zone, S. E. Side Bird River Road 1615' N. E. Lannerton Road, 15th Dist., Montel Realty, Inc., Petitioner #5861

Gentlemen:

Please enter an appeal on the above captioned matter from the Order of the Zoning Commissioner dated June 20, 1963 on behalf of the Protestants.

Sincerely,

SMITH AND HARRISON

W. Lee Harrison
W. Lee Harrison

WJH:b

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John C. Ross, Zoning Commissioner Date: May 17, 1963

FROM: Mr. George E. Garveris, Deputy Director

SUBJECT: #5861, R-Q to R-A, Southeast side of Bird River Road 1615 feet Northeast of Lannerton Road. Being property of Montel Realty, Inc.

15th District

REMARKS: Wednesday, May 29, 1963 (10:30 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for Reclassification from R-Q to R-A zoning and has the following advisory comments to make with respect to pertinent planning factors:

1. The subject property was zoned for group home purposes some time ago. Part of the original tract has been developed with group housing. Changing labor and housing market conditions have led apparently to a minimal demand for sales of group housing in this area.
2. Little provision has been made recently by zoning or through development for rental housing. Changing the present group home zoning to apartment zoning may be responsive to changes and demands for rental housing.
3. On the other hand, the subject property is in close proximity to the approach pattern of the Martin Airport. Increasing concentration of population may be inadvisable for safety reasons.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
TOWSON, MARYLAND

District: 150 Date of Posting: 9/1/63
Posted for: Heating Wed. MAY 29-63 AT 10:30 A.M.
Petitioner: MONTAL REALTY INC.
Location of property: SE1/4 of BIRD RIVER RD 1/41 NE of
LAWRETTON RD.
Location of Sign: 31/41 E. of LAWRETTON RD. APP. 9' from PROPERTY
at the END of COMPTON RD. APP. 12' in on PROPERTY
Remarks: at the END of MATZON RD. APP. 7' upon T-4111
Signed: Robert E. Bull Date of return: 9/1/63
ALL 3 STREET ARE D-400 ENDS

INTER-OFFICE CORRESPONDENCE
DEPARTMENT OF PUBLIC SAFETY
Baltimore County, Maryland
TOWSON 4, Maryland

TO: Mr. John G. Rose
Attention: Mr. James Dyer
FROM: Gilbert M. Nelson
SUBJECT: Petition for Zoning Reclassification #5861
Montel Apartments

Review of an undated plan accompanying the subject petition and a plat dated December 5, 1962 results in the following comments:

1. The interior aspects of this plan appear to be generally suitable; viz., the number of parking places and the character of off-street parking provided are satisfactory, and interior circulation appears to be satisfactory.
2. A nominal increment of traffic volume might be expected from an A-A zoning.
3. Development of this area should be preceded by improvements to arterial roadways in the area. Access provided by such roads as Bird River Road, Wampler Road and Middle River Road at present is marked by periodic congestion. Development of this area should also be preceded by improvements to Compass Road.

Gilbert M. Nelson
Gilbert M. Nelson, Acting Chief
Division of Traffic Engineering

CNN:ach

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 18466
DATE: 7/29/63
TO: Messrs. Smith & Harrison,
Jefferson Building
Towson 4, Md.
BILLED BY: Office of Planning & Zoning
219 County Office Bldg.,
Baltimore 4, Md.
DEBIT TO ACCOUNT NO. 01482 TOTAL AMOUNT
QUANTITY DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE COST
Cost of appeal in matter of property of Montel Realty, Co.
No. 5861 50.00
1-2463 1706 * 10466 HP- 0.00
IMPORTANT! MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON 4, MARYLAND

No. 16418
DATE: 8/11/63
TO: William S. Balaban, Esq.,
28 W. Penn. Ave.
Towson 4, Md.
BILLED BY: Zoning Department of
Baltimore County
DEBIT TO ACCOUNT NO. 01482 TOTAL AMOUNT
QUANTITY DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE COST
Petition for Reclassification for Montel Realty, Inc. 50.00
2-1163 3545 * * * TIL * 0.00
IMPORTANT! MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

CERTIFICATE OF PUBLICATION

TOWSON, MD., 21h. May, 19 63.
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 02 successive weeks before the 23th day of May, 19 63., the first publication appearing on the 9th day of May, 19 63.

THE COUNTY NEWS WEEK
W. F. Rogers
Manager

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THE COUNTY NEWS WEEK
W. F. Rogers
Manager

CERTIFICATE OF PUBLICATION

TOWSON, MD., 21h. May 10, 1963
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 in each of 02 successive weeks before the 23th day of May, 1963, the first publication appearing on the 10th day of May, 1963.
THE JEFFERSONIAN,
Frank Shuster
Manager.
Cost of Advertisement, \$.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 150 Date of Posting: 7/9/63
Posted for: Heating Thurs. Oct. 17-63 AT 2:30 A.M.
Petitioner: Montal Realty Co.
Location of property: SE1/4 of BIRD RIVER RD 1/41 NE of
NE1 LAWRETTON RD.
Location of Sign: at the END of LAWRETTON RD. APP. 9' from PROPERTY
at the END of COMPTON RD. APP. 12' in on PROPERTY
Remarks: at the END of MATZON RD. APP. 7' upon T-4111
Signed: Robert E. Bull Date of return: 7/1/63
PROPERTY TO SIGN AT MATZON RD IS ON TOP OF 700 HILL

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 150 Date of Posting: 9/1/63
Posted for: Heating Wed. MAY 29-63 AT 10:30 A.M.
Petitioner: MONTAL REALTY INC.
Location of property: SE1/4 of BIRD RIVER RD 1/41 NE of
LAWRETTON RD.
Location of Sign: 31/41 E. of LAWRETTON RD. APP. 9' from PROPERTY
at the END of COMPTON RD. APP. 12' in on PROPERTY
Remarks: at the END of MATZON RD. APP. 7' upon T-4111
Signed: Robert E. Bull Date of return: 9/1/63
ALL 3 STREET ARE D-400 ENDS

EXIST. R-6

BIRD RIVER ROAD

EXIST. R-6

EXIST. R-6

AMENDED PLAT ONE
MAPLE CREST
G.L.B. 25, FOLIO 65

MATZON ROAD

LAWLERTON ROAD

EXIST. R-6

VICTORY VILLA GARDENS

EXIST. R-6

EXIST. R-6
TO
PROP. R-6
70.88 Ac.±

EXIST. R-6

PLAT TO ACCOMPANY
REZONING PETITION
BIRD RIVER ROAD
BALTO. CO., MD. ELECT. DIST. 15
SCALE: 1"=200' DECEMBER 3, 1962

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

