

ering only a maximum of 103 can be accommodated. But this, of course, is precisely what motivates Rabbi Rosenblatt and his congregants because as they see it 850 persons walking to services in the synagogue is a greater good than a mere 100 or so doing the same thing.

Based on testimony much the same as the testimony produced in Halle, and by virtually the same witnesses, the Board of Appeals found "that there have been extensive changes in the neighborhood not the least of which are those connected with the development of homes, the construction of synagogues and schools (not only Beth Tfiloh but others as well), the present availability of utilities, [and] the opening of the Beltway together with its access roads." (Emphasis supplied.) The board cited as additional evidence of change in the character of the neighborhood "the needs and desires of the Beth Tfiloh Congregation to accommodate its members."

Judge Raine, in his opinion, indicated that the appeal had given him a great deal of trouble and after concluding "that the decision of the . . . Board . . . should be reversed . . . [he] confess[es] that the matter . . . [was] not free from doubt," He recognized that there had been "an extension of utility lines for water and sewage into the area," but, although he said he was aware of our holding in Rohde v. County Board, 234 Md. 259, 199 A. 2d 216 (1964), it seemed to him "that this . . . [was] not sufficient evidence of a change.

" . . . It makes it possible [he continued] to use the particular property in a way that was not hitherto possible, but certainly, on the surface, it does not change the character of the neighborhood." He conceded that the Beltway "certainly did have a real impact" on the property, " . . . [and] that it [has] changed the entire Baltimore County from the standpoint of living arrangements." Its impact on shopping arrangements, he added, was "terrific" and finally that "it has revolutionized all types of transportation," But, he said, "I do not believe that from a legal point of view that this is the kind of change that the Court of Appeals talks about when they say that change must be present in order to justify reclassification." Judge Raine concluded his opinion by expressing the hope that this Court "might some day" hand down a "real definitive ruling" on "what the real effect is of water and sewer extension . . . and the Beltway on zoning." His closing sentence reminds us (as if we need reminding) that "these cases are constantly plaguing the courts and the position of the trial courts is certainly not a happy one."

Whether Judge Raine, on 14 June 1965, the day he filed his sole opinion, was right or wrong, in the light of decisions then extant, is a question which, we are pleased to observe, need not be answered. We believe, however, that he might have reached a different conclusion if, at that time, our decision in Halle had been available to him. We think Judge Barnes, who wrote the Court's opinion in Halle, provided the "definitive ruling" Judge Raine hoped for. In respect of the Beltway he said:

"The first and the most important change in the neighborhood" . . . was the construction of the Beltway."

"The construction of the Beltway was a far more extensive and important change in condition, which would make the reclassification fairly debatable, than was the change in conditions resulting from the changes in construction and extension of Stevenson's Lane involved in Johar Corp. v. Rodgers Forge Community Ass'n [335 Md. 106, 302 A.2d 612 (1964)]. . . . [I]t [Stevenson Lane] construction did not have nearly the profound effect on the Johar property as the construction of the Beltway had on the subject property and the improvement and extension of Stevenson Lane did not result in a highway comparable to the Beltway in the extent of traffic. . . . It necessarily follows that we should hold that the construction of the Beltway was an important change in conditions in the case at bar, and we so hold." 241 Md. at 237-38. (Emphasis supplied.)

In respect of the increase in water and sewer facilities, Judge Barnes went on to say:

"Another substantial change in the area since the adoption of the comprehensive zoning map was in regard to sewer facilities."

"Then too, there has been a substantial change in the public water supply." 241 Md. at 239. (Emphasis supplied.)

While the Beltway and the extended sewer and water services impinge on the Beth Tfiloh property in a manner somewhat different from the Halle property the impact, we think, is nonetheless substantial. The Board of Appeals cited as additional evidence of changes in the neighborhood "the needs and desires of the Beth Tfiloh Congregation to accommodate its members." However relevant and probative this evidence may be, the court below made no mention

of it and we do not find it necessary to do so. Since what we said in Halle, supra, seems especially applicable here, we think its repetition is pertinent.

"Because of the changes in conditions mentioned we cannot say that the reclassification was not fairly debatable. It follows that the action of the Board in reclassifying the subject property was not arbitrary, unreasonable or capricious and the . . . action by the Board should be affirmed." 241 Md. at 241.

There was much argument in the briefs (and orally) on the question of error in the comprehensive rezoning of 1957. The Board of Appeals found there was such an error. Judge Raine, on this point, held to the contrary. Since it is unnecessary for us to do so we reach no conclusion in this regard.

The order of the trial court will be reversed and the appellees will pay the costs.

ORDER REVERSED.
COSTS TO BE PAID BY APPELLEES.

SIDNEY BLUM, et al
Appellants
v.
G. MITCHELL AUSTIN and
W. GILES PARKER
constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Appellees
: : : : :
ORDER FOR APPEAL

Mr. Clerk:
Please enter an appeal to the Court of Appeals of Maryland in connection with the above captioned case on behalf of The Beth Tfiloh Congregation of Baltimore City and The Two Hills Development Company.

W. Lee Harrison
807 Loyola Federal Building
22 W. Pennsylvania Avenue
Towson, Maryland 21204
223-1299

SIDNEY BLUM
G. MITCHELL AUSTIN
W. GILES PARKER
constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Appellants
v.
G. MITCHELL AUSTIN and
W. GILES PARKER
constituting the County Board
of Appeals of Baltimore County
Appellees

G. MITCHELL AUSTIN and
W. GILES PARKER
constituting the County Board
of Appeals of Baltimore County
Appellees

The papers in the above entitled case, including the transcript of testimony and trial memoranda, having been read and considered by the Court, and argument of counsel having been heard, it is this 13th day of September, 1965, by the Circuit Court for Baltimore County:

ORDERED that the decision of the County Board of Appeals of Baltimore County granting reclassification is reversed, and the County Board of Appeals is hereby ordered and directed to deny the petition for reclassification requested in this case.

JUDGE

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Miscellaneous Docket 7
Page 40E
Case No. 3953

MICHAEL PAUL SMITH
W. LEE HARRISON
MICHAEL C. HARRIS
GEORGE BARNETT-JONES
DOROTHY A. WILSON
DONALD A. BURGHE

LAW OFFICES
SMITH AND HARRISON

THE JEFFERSON BLDG.
TOWSON 4, MARYLAND
TELEPHONE 222-2222

September 25, 1963

John G. Rose, Esq.
Zoning Commissioner for Baltimore County
County Office Building
Towson 4, Maryland

Re: Petition for Reclassification
and Special Exception for
The Beth Tfiloh Congregation
of Baltimore City
No. 63-78-RX

Dear Mr. Rose:

Please enter an appeal to the County Board of Appeals from your decision in the above entitled case dated this date.

I enclose check for \$70.00 to cover cost of this appeal.

Very truly yours,
W. Lee Harrison
W. Lee Harrison
Attorney for Petitioner

cc: J. Elmer Weisheit, Jr., Esq.
Sidney Blum, Esq.
Arnold Fleischmann, Esq.

RE: PETITION FOR RECLASSIFICATION
from "R-10" and "R-20" Zones
to an "R-4" Zone and Special
Exception for Elevator Apartment
Building - N. S. Old Court
Road east of Stevenson Road,
3rd Dist., The Beth Tfiloh
Congregation of Baltimore City,
Petitioner
v.
BALTIMORE COUNTY
No. 63-78-RX

The petitioner, in the above matter, requested a reclassification from "R-10" and "R-20" Zones to an "R-4" Zone of property located on the north side of Old Court Road, east of Stevenson Road, in the Third District of Baltimore County. The Beth Tfiloh Congregation of Baltimore City, Petitioner.

The petitioner failed to prove a change in the character of the area of the requested petition or that there was an error in the original zoning.

A request for a special exception for an Elevator Apartment Building on a portion of the property cannot be granted inasmuch as the apartment zoning should be denied.

For the above reasons the reclassification and special exception are denied.

It is this 25th day of September, 1963, by the Zoning Commissioner of Baltimore County, ORDERED that the above reclassification be and the same is hereby DENIED and that the above described property or area be at the same is hereby continued as to and remain "R-10" and "R-20" Zones and the Special Exception for an Elevator Apartment Building be and the same is hereby DENIED.

W. Lee Harrison
Zoning Commissioner of
Baltimore County

RE: PETITION FOR RECLASSIFICATION
from "R-40" and "R-20" Zones to an
"R-A" Zone, SPECIAL EXCEPTION
for an Elevator Apartment Building
N/S Old Court Road, east of
Stevenson Road
Third District
The Beth Tfilah Congregation of
Baltimore City, Petitioners

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 63-78-RX

OPINION

This case is an application for a change in zoning classification from "R-20" and "R-40" Zones to an "R-A" Zone of a tract of 20 acres owned by, the Beth Tfilah Congregation and located south of the Baltimore County Beltway, north of Old Court Road, and east of the development known as Dumbarton Heights which itself extends eastward from Stevenson Road to the boundary of the property for which rezoning is requested. There is also application for a special exception for the construction of a "high-rise" or elevator type apartment on it - lot together with a swimming pool and a complex of three-story garden type apartments - together totaling 360 family units. The Beth Tfilah owns 57-1/4 acres in this tract but has planned, and in fact started construction of, a Synagogue, supporting offices and administration buildings, and a 600 pupil day school on the remaining 37-1/4 acres for which no zoning permits or changes are required by law. The 20 acres involved in this application has been sold by the Congregation, under a contract subject to rezoning, to a Mr. Gordon Sugar as a corporation controlled by him, who is the same builder or developer who was responsible for the very valuable and lovely suburban area of Dumbarton Heights immediately to the west of this tract from which area emanates most of the protest to this application.

There were four days of hearings on the application and it is, of course, impossible to reproduce all of the evidence in this opinion. Testimony offered on behalf of the petitioners indicates that the Beth Tfilah is a large (over 2000 families) congregation of the Orthodox persuasion and finds it desirable, if not essential, that many of its members live within walking distance of the sanctuary to be constructed on the property as part of the religious complex. Many of the members are older people or those of small family who cannot use, or possibly could not afford financially, the occupancy of homes comparable to those existing on the Dumbarton Heights or Longwood tracts which, according to the evidence, had original costs of \$45,000 to \$80,000 each with free simple lots priced at from \$8,000 to \$12,000. There was no stated objection to the Synagogue or school or associated buildings, but only to the apartment buildings and especially to the proposed "high-rise" construction.

An architect's rendering in color of the proposed apartment group and the plot plans filed in the case show a four-story elevator apartment flanked by a large swimming pool and patio at the southern end of the twenty acre tract, and fourteen separate three-story garden type apartment buildings spaced in the area between the high-rise building and the pool.

ing and the Baltimore County Beltway. The plans were furnished by Mr. Morris Lapidus, a distinguished American architect, who has to his credit, among other things, the Fontainebleau at Miami Beach and the Americana Hotel in New York. His testimony was that while the property could be utilized under present zoning his plans would make for a better balanced community especially in view of the needs of the Beth Tfilah Congregation who are committed to the construction of the religious complex in any event. He felt that the large private homes should be occupied by younger people and larger families, while the apartments will fill a need for older people or groups who desire to be near the religious facilities, school, etc., and that apartments would have a deleterious effect upon the surrounding area.

The petitioner further produced testimony to indicate substantial changes in the neighborhood since the adoption of the present zoning map on January 16, 1957. Mr. Lester Matz, an engineer; Mr. Edward A. McDonough, of the Baltimore County Public Works Department; Mr. Jerome Wolfe, an expert independent consultant on sewers and water supply, all testified to the general effect that the County Beltway had been constructed since January, 1957 and that the Park Heights interchange had not been built until January, 1961; that at the time of original zoning water and sewer facilities would have been inadequate for the proposed use as there are now more than sufficient because of the construction of new mains and storage tanks insuring adequate capacity and pressure.

Dr. Walter W. Ewell, a traffic expert, testified for the petitioners that roads in the area were adequate for traffic which might be generated by the development, and that the apartment construction might well lessen the amount of expected traffic on the Sabbath and Holidays as members of the congregation living in the apartments would not require automobile transportation on those days to attend the religious observance. Harry B. Beard, a traffic expert called by the protestants, disagreed with this conclusion although his survey and traffic counts were in substantial agreement with those of Dr. Ewell.

There was testimony from real estate and appraisal experts, called on behalf of the petitioners, that the proposed construction would not hurt the value of neighboring properties; that there was very little land available or zoned for apartments in this part of the County; that the present demand for apartments did not exist to such a great extent in 1956 and 1957; and that the plans indicated that the apartments would attract people of approximately the same income status as the families in the neighboring homes. On the other hand expert witnesses for the objection expressed the opinion that the proposed plan would be detrimental to real estate values, particularly to those in Dumbarton Heights, and particularly because of the high-rise feature in the project. A number of residents of Dumbarton Heights stated that they felt that their properties would diminish in value as a result of the proposed construction and expressed objection to the changes in the view and general atmosphere of the area, at least one man testifying that if the "high-rise" was constructed it would shade his home and he would not be able to see the morning sun again.

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY
CONGREGATION OF BALTIMORE CITY
X or WE, THE BETH TFILOH, 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 reclassified pursuant to the Zoning Law of Baltimore County, from an... R-40 and R-20... zone to an... R-A... zone, for the following reasons:
zoning
Error in original and change in conditions.

See Attached Descriptions

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 Elevator Apartment Building.

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

THE BETH TFILOH CONGREGATION
OF BALTIMORE CITY

Contract purchaser
Address: 3200 Garrison Boulevard
Baltimore 16, Maryland

M. Lee Harrison
Petitioner's Attorney
Address: 104 Jefferson Building
Townson 4, Maryland Valley 3-6200

ORDERED BY THE Zoning Commissioner of Baltimore County, this... day of... 1963.

day of June, 1964 by the County Board of Appeals, ORDERED that the reclassification from "R-20" and "R-40" Zones to an "R-A" Zone petitioned for, and the same is hereby granted, and that the special exception for an elevator apartment building, petitioned for, be and the same is hereby denied.

The concept of the public or general welfare should be broad and inclusive. The values it represents are spiritual as well as physical, aesthetic as well as monetary. It is within the power of the legislative function to determine that the community should be beautiful as well as healthy, spacious as well as clean, well-balanced as well as carefully controlled. With all these factors being considered the application for the special exception will, therefore, be denied.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 25th day of June, 1964 by the County Board of Appeals, ORDERED that the reclassification from "R-20" and "R-40" Zones to an "R-A" Zone petitioned for, and the same is hereby granted, and that the special exception for an elevator apartment building, petitioned for, be and the same is hereby denied.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Chairman
W. B. P. R.

Mr. Bernard Willenain, a recognized expert on planning and zoning, stated his opinion at length that there is a great need and demand for apartments in the Pikesville area which was either non-existent or not recognized by the County Commissioners in January, 1957; that no provision for multiple occupancy dwellings had been made on the zoning map for this area; that the planning commission did not recommend any multiple family homes at that time in this area, and only two small areas were zoned for apartments which are now occupied by office buildings; that at that time no research or professional studies were made and that the map was prepared on the basis of a plebsite of neighbors and that, therefore, there was, in his opinion, substantial error in the original zoning. He also said that the very large expense of "R-40" zoning in this district was so designated because of recognized reservoir or stand-by purposes there being no adequate utilities available at the time of the map, and hence was "interim zoning" to be reconsidered as changes occurred in population movements and construction of roads and utilities allowing other than "large lot" use.

Mr. George Gavrelis of the County Office of Planning and Zoning, disagreed with Mr. Willenain on a number of points stating as his opinion that establishment of apartment zoning here would contravene the adopted master plan applicable to the area, and would meet the locational criteria established by the Planning Board for apartments elsewhere. He felt that this area had been designated "R-40", at least to some degree, for legitimate development of large lots and not necessarily as a holding area for future changes. Mr. Gavrelis felt that rezoning of this particular property might be an entering wedge for more extensive apartment zoning to the east although admitting that there have been many changes in the character of the neighborhood since the map adoption. The Board cannot agree that its decision in this case would alone operate as a change warranting any further extension of apartment zoning or other changes in classification in the area as each case must stand on its own merits. It is a fact that there have been extensive changes in the neighborhood not the least of which are those connected with the development of homes, the construction of synagogues and schools (not only Beth Tfilah but others as well), the present availability of utilities, the opening of the Beltway together with its access roads, the present existing and well recognized need and demand for multiple family dwellings (not known or non-existent at the time of the adoption of the map), the needs and desires of the Beth Tfilah Congregation to accommodate its members and the pressure of population growth in the area.

It is our finding from the evidence that the original map adoption made little, if any, provision for apartments in the entire area covered by the map; that present conditions were not foreseen at the time; that most if not all the wide expanse of "R-40" zoning in this particular area had been intended as reservoir or interim zoning for future changes under future conditions both foreseen and unforeseen in 1957. In fact the "Report on the Master Plan and Comprehensive Zoning Map for the Western Planning Area" of the County Planning Board has said at Page 8-1 of Appendix B of the report of 1961:

"The R-40 zone's designation as residential obscures the fact that, lacking specific zones in the County for agriculture and other uses requiring large lots of land, the R-40 zone also serves as a non-residential zone. While the R-40 zone is not ready for such development, many areas ultimately be suitable for some intensive usage. Thus, much land in the County currently zoned R-40 is intended to remain in non-residential use until such time as it is ripe for more intensive development, if at all."

and this determination has been recognized by the Court of Appeals of Maryland in the case of Huff vs. Board of Zoning Appeals, 214 Md. 48 at Pages 53 and 54. It is, therefore, our opinion that the granting of rezoning to "R-A" will be beneficial to the surrounding community rather than detrimental, either economically or in any other way, and is in full accord with the orderly planned development of this section of Baltimore County. We find that there was error in the original zoning; that there have been changes in the character of the neighborhood sufficient to warrant the granting of the application; and that in any event present conditions warrant the change to "R-A" as the proper use of land previously zoned on the interim or stand-by basis. The petition for a change to "R-A" will, therefore, be granted.

This Board, of course, has no control over the aspect or operation of apartments if they are so constructed as to conform to the zoning regulations, the building code, and other rules and regulations of the County. Any impact on the neighborhood must be to a great degree dependent upon the skill, taste, and conscience of the architect, builder, and operators of the project, but there is no reason in this case to doubt the good intention, or the ability to carry out these intentions, on the part of the Beth Tfilah Congregation, the architect, or the builder and developer.

We now reach the second question which involves the application for a special exception for an elevator apartment building. To warrant the approval of this petition the applicant must show, and the burden is on him to show, that the use for which the same is requested will not clash with any of the provisions of Section 502.1 of the Zoning Regulations of Baltimore County. We feel that in a number of respects the petitioners have not met this burden, if in fact there is not a preponderance of evidence affirmatively against his contention with respect to the provision of Section 502.1. It appears to us that the proposed construction and operation of the "high-rise" apartment as presented in picture, plan, and description to this Board would unquestionably:

- Tend to create congestion in the traffic patterns
- Tend to overcrowd land and cause undue concentration of population
- Interfere with adequate light, and perhaps air, by overlooking the neighboring homes in which residents have invested large sums of money as well as time, toil, and loving care; and last but not far from least:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: George E. Gavrelis
FROM: Albert E. Quibby
SUBJECT: Beth Tfilah Congregation

Date: August 9, 1963

The plan for the subject property at Old Court Road and Stevenson Road was reviewed by the Zoning Advisory Committee on August 2, 1963. This plan does not reflect the street pattern as set up by Dumbarton Heights the adjacent development to the west. Sole access to the property is provided by a 60' street to Old Court Road. The latter road is an existing two lane meadow street. This is the access to this property for the present is circuitous to say the least. Old Post Drive and Willow Avenue, streets in Dumbarton Heights, are proposed by this plan as being dead-ended on the west side of the property. This means that the existing subdivision of fine lines and would remain incomplete as to circulation. By the same token if these streets are extended into the proposed project and made a part of their circulation plan traffic in excess of that resulting from single family residential use for this area would be drawn to residential streets. Providing turn-arounds for these streets on the subject property would still mean an incomplete street pattern for the subdivision. Thus this plan proposes a land use at variance with the existing use (of developing fine single family residences) on a place of land remote from high density use.

AVG/ea
cc: J. J. S.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mrs. John O. Ross, Zoning Commissioner
FROM: Mr. George E. Gavrelis, Deputy Director

Date: September 11, 1963

SUBJECT: 60-78 RX, R-40 and R-20 to R-A and Special Exception for Elevator Apartment Building, 3200 Garrison Road, east of Stevenson Road, being property of The Beth Tfilah Congregation.

- 3rd District
HEARING: Wednesday, September 25, 1963 (1:00 P.M.)
- The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-40 and R-20 to R-A zoning together with a Special Exception for an elevator apartment building on part of the tract. It has the following advisory comments to make with respect to pertinent planning factors:
- The 3rd District Master Plan and the subsequent Zoning Map carefully considered the character and status of land use, both existing and proposed, for this area. Large lot zoning was provided in this area as a valid recognition of the existing and emerging pattern of land usage. Large lot zoning apparently has not been a deterrent to development in this area - even where utilities were available.
 - Creation of apartment zoning on the subject tract would contravene the adopted Master Plan and Zoning Map applicable to this area. Apartment zoning here would not be in conformity with the locational criteria established and utilized by the Planning Board for apartments elsewhere. Establishment of apartment zoning here would be in the sense that apartment usage would not be consistent with the goals or provisions of a comprehensive plan. Creation of apartment zoning here further would short the established plan and map for this area in the sense that an entering wedge would be created for subsequent reclassifications to apartment zoning. Already, apartment zoning has been requested for the tract immediately adjacent to the east.
 - The consequential effects of creating apartment zoning here must be considered and should not be taken lightly. Apartment zoning here would establish the very condition of change in character of the neighborhood that would justify extension of apartment zoning to the east and on the undeveloped plateau along Old Court Road.

MAZ, CHILDS & ASSOCIATES, INC.
Engineers - Surveyors - Site Planners
2129 S. Charles St., Baltimore 18, Maryland
RD/line 7-3100

Associates
George W. Bulley
Robert W. Cullen
Leonard M. Olson
Nathan F. Horvath
Paul Lee
Paul S. Swartz

DESCRIPTION

PART OF GORDON SUGAR PROPERTY TO BE REZONED FROM R-40 TO RA NORTH SIDE OF OLD COURT ROAD, EAST OF STEVENSON ROAD, THIRD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the second or N. 07° 22' 35" W., 2394.34 foot line of the 57.254 acre tract, which by deed dated January 13, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3801, Folio 632 was conveyed by Ruth L. Shriver to Beth Tfiloh Congregation of Baltimore City, said point being N. 07° 22' 35" W., 2025.27 feet, as measured along the first line and a part of the second line of said land from a point on the center line of Old Court Road, said point being the beginning of said first line, said point on the center line of Old Court Road being 2295 feet, more or less, as measured northeasterly along said center line of Old Court Road from the intersection thereof with the center line of Stevenson Road running thence binding on a part of said second line N. 07° 22' 35" W., 967 feet, more or less, to the beginning point of the existing zoning description 3 R 20-8, thence binding on a part of the first line of said zoning description southeasterly 890 feet,

#63-78 RX
MAP #3
SEC-2-C
RA-X
9/19/63



more or less, to intersect the fifth or S. 16° 39' 35" E., 2949.13 foot line of the first herein mentioned land, thence binding on a part of said fifth line S. 16° 39' 35" E., 175 feet, more or less, to a point N. 16° 39' 35" W., 1095.58 feet from the end of said fifth line, thence S. 60° 02' 47" W., 863.40 feet to the place of beginning.

GAV:deg 5/29/63
J. O. #61055A

MAZ, CHILDS & ASSOCIATES, INC.
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PART OF GORDON SUGAR PROPERTY TO BE REZONED FROM R-40 TO RA, NORTH SIDE OF OLD COURT ROAD, EAST OF STEVENSON ROAD, THIRD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the second or N. 07° 22' 35" W., 2394.34 foot line of the 57.254 acre tract, which by deed dated January 13, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3801, Folio 632 was conveyed by Ruth L. Shriver to Beth Tfiloh Congregation of Baltimore City said beginning point being the beginning point of the existing zoning description 3 R 20-8, said beginning point being also N. 07° 22' 35" W., 2992 feet, more or less, as measured along the first line and a part of the second line of the first herein mentioned land from a point on the center line of Old Court Road, said point on the center line of Old Court Road being 2295 feet, more or less, as measured northeasterly along said center line of Old Court Road from the intersection thereof with the center line of Stevenson Road, running thence binding on a part of said second line N. 07° 22' 35" W., 240 feet, more or less to the south side of the Baltimore County Beltway as shown on State Roads Commission Right of Way plats Nos. 17798 and 17799, thence binding thereon the five following courses and distances. (1) N. 56° 21' 10" E., 27.60 feet, (2)

MAZ, CHILDS & ASSOCIATES, INC.
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N. 50° 11' 20" E., 151.33 feet, (3) N. 46° 25' 30" E., 177.71 feet, (4) N. 74° 43' 00" E., 156.72 feet and (5) N. 70° 27' 30" E., 165.13 feet to a point on the fifth or S. 16° 39' 35" E., 2945.13 foot line of the first herein mentioned land, thence binding on a part thereof S. 16° 39' 35" E., 970 feet, more or less, to the first line of the above mentioned zoning description, thence binding on a part thereof northwesterly 890 feet, more or less to the place of beginning.

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9/19/63

MAZ, CHILDS & ASSOCIATES, INC.
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Paul S. Swartz

PART OF GORDON SUGAR PROPERTY, NORTH SIDE OF OLD COURT ROAD, EAST OF STEVENSON ROAD, FOR SPECIAL EXCEPTION, THIRD ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning for the same at a point on the second or N. 07° 22' 35" W., 2394.34 foot line of the 57.254 acre tract, which by deed dated January 13, 1961 and recorded among the Land Records of Baltimore County in Liber W.J.R. No. 3801, Folio 632 was conveyed by Ruth L. Shriver to Beth Tfiloh Congregation of Baltimore City, said point being N. 07° 22' 35" W., 2025.27 feet, as measured along the first line and a part of the second line of said land from a point on the center line of Old Court Road, said point being the beginning of said first line, said point on the center line of Old Court Road being 2295 feet, more or less, as measured northeasterly along said center line of Old Court Road from the intersection thereof with the center line of Stevenson Road, running thence binding on a part of said second line N. 07° 22' 35" W., 1072.52 feet, thence leaving said second line and running for lines of division the following three courses and distances (1) S. 15° 06' 57" E., 470.02 feet (2) S. 76° 26' 34" E., 634.85 feet and (3) N. 13° 33' 26" E., 260.94 feet to a point on the fifth or S. 16° 39' 35" E., 2949.13 foot line of the first herein mentioned land

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MAP #3
SEC-2-C
RA-X
9/19/63



said point being 848.90 feet as measured along said fifth line from the beginning thereof, thence binding on a part of said fifth line S. 16° 39' 35" E., 296.07 feet, thence S. 60° 02' 47" W., 863.40 feet to the place of beginning.

GAV:shr J. O. #61055
6/26/63

MAZ, CHILDS & ASSOCIATES, INC.
Engineers - Surveyors - Site Planners
2129 S. Charles St., Baltimore 18, Maryland
RD/line 7-3100

Associates
George W. Bulley
Robert W. Cullen
Leonard M. Olson
Nathan F. Horvath
Paul Lee
Paul S. Swartz

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CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY TOWSON, MARYLAND

District: A-1
Post: For Reclassification from R-40 to R-20 to R-4.
Petitioner: Beth Tfiloh Congregation of Baltimore City
Location of property: N. 1/4 of Old Court Road, East of Stevenson Road
Location of Sign: 2129 S. Charles St., Baltimore 18, Maryland
Remarks: Special Exception for Reclassification from R-40 to R-20 to R-4.
Posted by: [Signature] Date of return: Sept. 11, 1963

4 signs

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

To: Messrs. Smith & Harrison, Jefferson Building, Towson, Md.

QUANTITY: 01.021

Cost of appeal in matter of property of The Beth Tfiloh Congregation No. 63-78

TOTAL AMOUNT: \$70.00

10-263 4550 * * * TEL * 7000

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

To: Beth Tfiloh Congregation 3200 Garrison Road, Baltimore 14, Md.

QUANTITY: 01.022

Advertising and posting of your property

TOTAL AMOUNT: \$110.00

10-263 4496 * * * TEL * 11000

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

To: W. Lee Harrison, Esq., The Loyale Building, Baltimore, Md. 21204

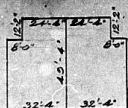
QUANTITY: 01.712

Cost of Certified Documents - No. 63-78-RX

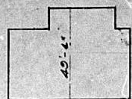
TOTAL AMOUNT: \$11.00

10-263 4496 * * * TEL * 11000

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.

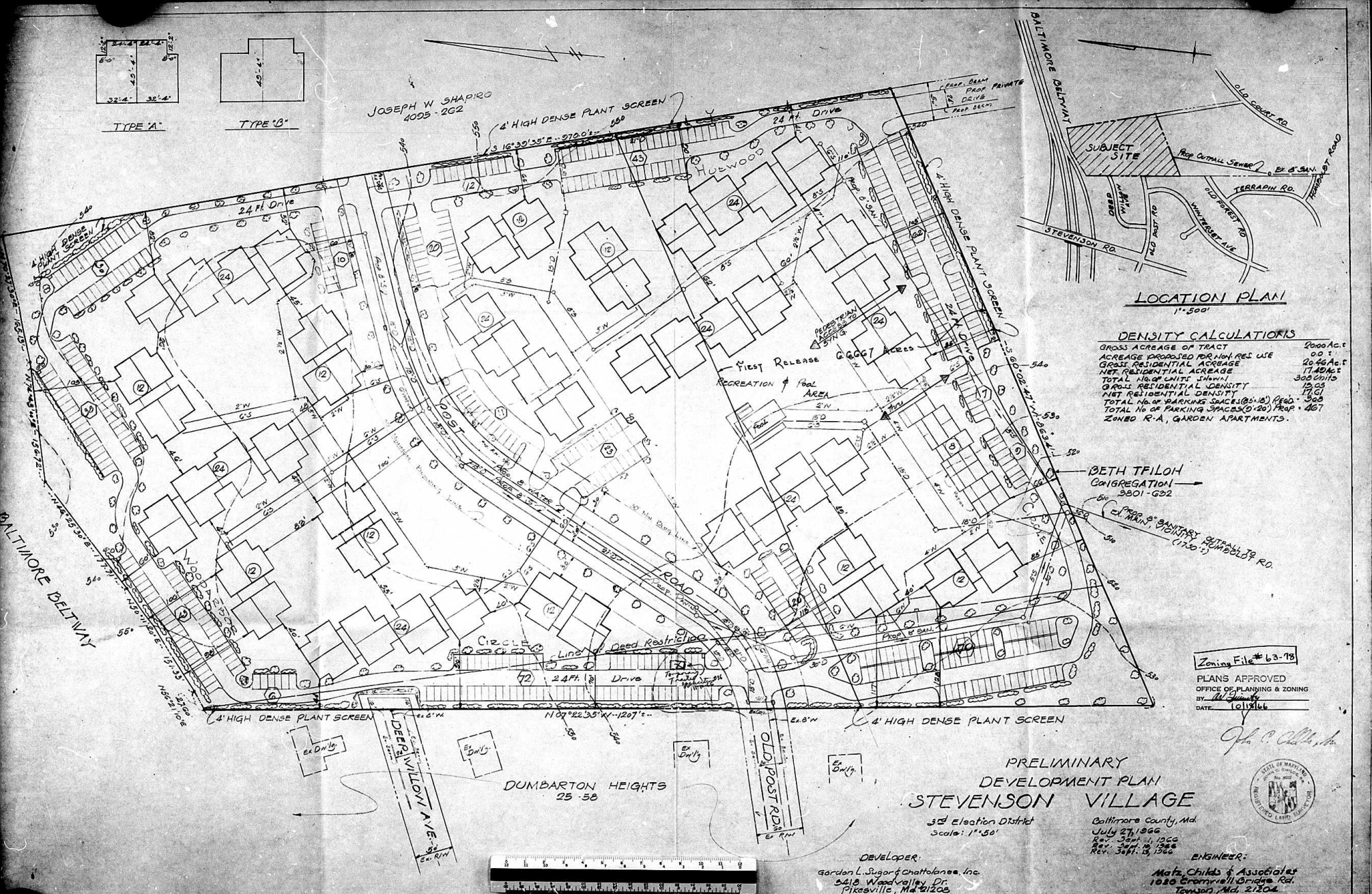


TYPE 'A'



TYPE 'B'

JOSEPH W. SHAPIRO
4005-202



LOCATION PLAN
1"=500'

DENSITY CALCULATIONS

GROSS ACREAGE OF TRACT	2000 AC.
ACREAGE PROPOSED FOR HIGH RES. USE	0.01
GROSS RESIDENTIAL ACREAGE	20.99 AC.
NET RESIDENTIAL ACREAGE	17.40 AC.
TOTAL NO. OF UNITS (3000)	3000 UNITS
GROSS RESIDENTIAL DENSITY	15.03
NET RESIDENTIAL DENSITY	17.61
TOTAL NO. OF PARKING SPACES (800)	800
TOTAL NO. OF PARKING SPACES (1200)	1200
PROPOSED	467
ZONED R-1A, GARDEN APARTMENTS.	

BETH TFILOH
CONGREGATION
2801-632

Zoning File # 63-18

PLANS APPROVED
OFFICE OF PLANNING & ZONING
BY: *[Signature]*
DATE: 10/18/66

PRELIMINARY
DEVELOPMENT PLAN
STEVENSON VILLAGE

3rd Election District
Scale: 1"=50'

Calvert County, Md.
JULY 27, 1966
REV. Sept. 11, 1966
REV. Sept. 19, 1966

ENGINEER:

Matt Childs & Associates
1020 Cromwell Bridge Rd.
Towson, Md. 21204

DEVELOPER:
Gordon L. Sugar & Chattahoochee, Inc.
5410 Wood Valley Dr.
Pikesville, Md. 21208

