

Description of 75' x hit's purgel of land DATE 8/11/64

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Containing 0.695 seres of land more or less

being a part of the parcel of land which by deed dated lecember 3, 190 and recorded amon, the land recorded all althore County in Liber 7.3.3, No. 1008 folio 1, and conveyed by Margaret I, Balley to Arthur H. Brandh and Beatries L. Brandt his wife.

RE: PATITION FOR HACLASSIFICATION :
from "R-10" Zone to "R-A" Zone NE/S Bointers town Road MAN S.
Kingaley Road, And District
Arthur M. Brandt and Beatice 1
L. Brandt, Politioners

BEFORE ZONTEG CONCESSIONER CF

> BATTIMBE COUNTY No 65-10-P

...............

The publicants in the above matter seek reclassification of property from No.107 Zone to an Theat Zone on the northwant side of Besinterstement his feet south of Kingeley Zone, in the Fourth District of Baltimore County.

opinion of the Zeming Constancer that sufficient change in the area of the subject to constancer that sufficient change in the area of the subject to provide the constance of the property wither who have the publications, which would be that portion leading to Kingaley Scot, approximately 75 x ASI⁵.

approximately 75 x kb⁻¹.

Teld day of Angusty 1966, by the Enring Constantence of Environce Country, CHERLO that the herein contribution grouper or area should be and the same is hereby re-classified, from an "hi-D" from ten m" hi-T from you've for an anti-D" from ten m" hi-T from you've for an anti-D" from ten m" hi-T from you've for an anti-D from ten m" hi-T from you've for an anti-D from ten m hi-T from the first fro

being studends here to and mode a park hereoff.

side of RUBDINGS for the same at a point on the southeast side of RUBDINGS for the same at a point on the southeast side of Residerents Read seller this [37] East Coulou Seat from the beninning of the South 50° MeV Mext 130°M, fort 11ms of the partial of the students of the same side of the same

Office of Planning and Zening, should desire to change the subject plat dated again 11, 1966, for "3-4" ening, such plat, narried Equition "A" must be approved by the Office of Planning and Zening and the Coning Commission:

The granting of the reclassification is further subject oproval of the Plan by the State Roads Commission, Bureau of Public tes and the Office of Planning and Zoging.

Aning Commissioner of timers County

6/14/6) HEARLY PROPERTY-ONLINE FILLS

merr 1 or 1 mt.

Sectioning for the same at a redat on the continent side of "determinant soul as the distance of that feet measured reconstructive slong Bestaursteam head from the contents this of Englisher leads of the state of the distance of the forest the contents the same brinding as the meritages at the of bestaursteam head, (1) Seath 1970. Seath 1970 that 1970 the same shows that the content of the same shows the sam

Containing 19,92 seres of land some or loss

Being all of the pured of land which by deet sated Arell 10,1050, and recorded among the Land Records of Saltisone County in Liber A. S., No. 1571 Colls off was conveyed by weares N. Fellows and wife to bribus N. Franch and wife.

Being also a part of the parcel of land which by deed dated December 3, the land recorded aroung the aforement Land records in Ether 7.3.3. No.1893 folio are was converged by Paracet 1, Balay to Arthur M. Franct and wife.

Saving and excepting therefore 0.116 agree in a triangular treat of ground lying at the morthwest corner between the 11th as 12th lines above which was corregated to 31th one. As and Notette 1



#65.39R PETITION FOR ZONING RE-CLASSIFICATION V AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
Arthur H. Brandt and Arthur H. Brandt and legal owners of the property situate in Battimore

County and which is described in the description and piat attached hereto and made a past hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant 56°. to the Zoning Law of Baltimore County, from an R-10 7/31/64

zone: for the following reasons

Error in original map.
 Change in character of neighborhood.

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 Regulation 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.

Joseph Schwartz

Contract purchaser Address 623 Munsey Building - 21202

Address Gwynnbrook Lane Owings Mills, Maryland

A. Owen Hennegan, Jr. Petitioner's Attorney

Address 406 Jefferson Building - 21204 VAlley 5-7500 ORDERED By The Zoning Commissioner of Baltimore County, this 29th of _________, 196_ k, 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 5th 20.64 day of August 1964 al:00 o'clock



Zoning Commissioner of Baltimore County

Arthur H. Brandt

Marshell & Binks

Beatrice L. Brandt Legal Owner

BEN BINDER, and MARIE A. BINDER, his wife Appellants IN THE CIRCUIT COURT WILLIAM S. BALDWIN and W. GILES PARKER Constituting the County Board of Appeals of Baltimore County BALTIMORE COUNTY Appellees

ORDER FOR APPEAL

Please note an appeal, on behalf of Ber Binder and Marie A. Binder, his wife, protestants and parties aggrieved, from the Order of the County Board of Appeals of Baltimore County, dated May 11, 1965, which affirmed the decision of the Zoning Commissioner, dated August 13, 1964, when the two members of the Board hearing the appeal failed to agree.

> hurled the Arnold Fleischmann 200 First National Bank Building Towson, Maryland 21204 Walley 5-8220 Attorney for Appellants.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

MAPL To Mr. John G. Ross, Zoning Countssioner Date July 24, 1964 FROM Mr. Mearge E. Savrelis, Director

#65-39R

SE1.2-C

7/31/4

RA

SUBJECT #50-201-8. 8-10 to 3-4. Northeast side of Reistorstown Roundly feet South of fingsley Road. Saing property of Arthur

HEARING: Wednesday, August 5, 1964 (1:00 F.M.)

The staff of the Office of Planning and Zoning has reviewed the adject petition for reclassification from 8-10 to 8-A coning. It has the following advisory comment to make with respect to partiment planning

The subject property has bel limited fromtage on histograms and, Commercial nording does exist on the opposite side of Petitaricon Boat, Newsey, the property is wurremed on the translation by single facility (2-10) rendemial normalization of the statistical by the families statistical by the financing visit to the subject of the subject of the subject of the property of the subject of spartners soming does much contract the subject of spartners soming does much contract the subject of the subject of spartners soming does much contract the subject of the subject of spartners soming does much contract the subject of spartners and subject on the subject of the su

865-39 R ARTHUR H. BRANDT, ET AL NO. 65-39-R NE/S REISTERSTOWN ROAD 443' S. of 4TH DISTRICT KINGSLEY POAD RECLASSIFICATION FROM R-10 to R-A Zone #4 SEC. 2-6 June 29, 1964 RA Aug. 13 Reclassification GRANTED by Z.C. - excepting that portion described in Order and subject to strict compliance with plan received 8/11/64, said plan marked Exhibit "A" Sent. 10 Order of Appeal to County Board of Appeals Nov. 12 Hearing before Board - 2 man Board (Baldwin & Parker) Order of Board: Reclassification GRANTED June 7 Order of Appeal to Circuit Court filed Dismissed in Circuit Court by attorney for

GRANTED

Buttere Court 82.00 # 65-39 82.00 8-1964 6275 * 25278 TEP-IMPERTARTIMAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE

No. 25278

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWS.
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

PETITION FOR RECLASSIFICA-

CERTIFICATE OF PUBLICATION

TOWSON, MD. July 17. 1964. THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore Co., y, Md., ware incresh ut. ... time successive weeks before the Sth day of _____ August ______ 19.54 the first publication appearing on the 17% day of 2019

THE JEFFERSONIAN.

RE: PETITION FOR RECLASSIFICATION from R-10 Zone to R-A Zone, NE/S Reisterstown Road, 443' S. of Kingsley Road, Arthur H. Brandt, et ai

COUNTY BOARD OF APPEALS

BALTIMORE COUNTY No. 65-39-R

OPINION

The petitioner here seeks reclassification of the subject property from R-10 to an R-A Zone. The property comprises approximately forty (40) acres and the petitioner proposes to erect 630 apartment units on the tract.

The property in question lies on the east side of the Reistersh opposite Featherbed Lane approximately 400 feet south of Kingsley Road and 300 feet north of Gwynnbrook Avenue and is surrounded on three sides by R-10 zoning. The frontage along the east side of Reisterstown Road is only 170 feet; the substantial portion of the tract is about 1100 feet from the Reisterstown Road.

The petitioner produced evidence of various zoning changes since the adoption of the comprehensive map in January, 1957. These changes obviously substantiate the testimony of Bernard Willemain, a recognized expert land planner, to the effect that the County authorities did not provide sufficient rental housing when the map was adopted. However, since the adoption of the map the authorities have seen fit to rezone other properties in the area to provide approximately 3100 rental units. There was no concrete testimony as to whether or not the aforementioned number of units now available would meet, or perhaps exceed, the demand for rental housing.

There was testimony by W. Worthington Ewell, a recognized traffic expert, that due to the very limited frontage of this property a serious traffic problem would be created by vehicles attempting to emerge from the proposed apartments on to Reisterstown

Mr. George E. Gavrelis, Director of Planning for Baltimore County, testified in opposition to the petition stating that he full that the property, due to its very limited frontage on Reisterstown Road, is more oriented to the R-10 zoning which surrounds it on three sides than to the Reisterstown Road frontage, With this contention I agree.

For the reasons mentioned above 1 feel that the requested rezoning in this

William S. Baldwin, Chairma

DATE: May 1/7/ 1965 Note: Mr. Ayetin did not sit at this hearin

Under these circumstances this member of the Board has come to the deternination that the Order of the Zoning Commissioner of Baltimore County, Mr. John G. Rose, of August 13, 1964 should be affirmed and that the reclassification asked for should be grunted in accordance with the reasons stated above and in the Zoning Commissioner's

Note: Mr. Austin did not sit at this hearing

RE: PETITION FOR RECLASSIFICATION : from "R-10" Zone to "R-A" Zone, NE/S Reistentown Road, 443' S. of Kingsley Road, 4th District

REFORE COUNTY BOARD OF APPEALS OF

BALTIMORE COUNTY No. 65-39-R

OPINION

This case involves an application for rezoning from R-10 residential zone to an R-A residential zone, the original application alleging an error in the original zoning map which was adopted in January, 1957, and changes in the character of the neighborhoo since that time. After a hearing, the reclassification was granted by the Zoning Commissioner of Baltimore County and an appeal from his decision to the County Board of Appeals was entered by one, Ben Binder.

At the hearing before the Board on the within case the testimony indicated that a Joseph Schwartz, who is a builder of apartments, was the contract purchaser from the legal owners of the property, Mr. and Mrs. Brandt. The property consists of approximately forty (40) acres with access to Reisterstown Road some 400 feet south of Kingsley Road, upon which the petitioners propose to build apartments over a five year period for a total of 630 family units of one or two bedrooms in a medium price range. There is no question but that there is a demand for apartments of this type in this particular area probably due, not only to the general population explosion of Baltimore County, but also to the extensive modern industrial development in the area.

Mr. James S. Spamer, a qualified engineer who had drawn the plat plans, testified that there was adequate city water and newerage facilities for the project as planned and that the plans met with all requirements of the rules and regulations and codes involving construction in Baltimore County. He testified that his survey of the surrounding territory indicated that there was a definite housing need caused by the development of M-L and business zones since the map was adopted in 1957, and that there would be no serious traffic hazard caused or aggrevated by the proposed construction. This was confirmed by the testimony of Mr. Jerome B. Wolff, an experienced and able engineer, who has studied conditions and made traffic counts on Reisterstown Road as well as feeder roads. He ventured the opinion that the area was the most lightly traveled part of Reisterstown Road and that this project would have no serious effect by way of creating a traffic hazard.

Mr. Bernard Willemain, a qualified and experienced engineer in the field of planning and zoning, testified that this property had adequate access to a major highway. that the main streets in the area were predominantly commercial. In his opinion, at the time the map was adopted in 1957 there were many roadside commercial uses which had

been established by usage but which were not recognized by the adopted zoning. He further pointed out that there had been at least six zoning changes to R-A from other residential classifications since the adoption of the map for a total of almost three thousand (3000) proposed dwelling units in addition to all the commercial changes which appear on the zoning map and which while not listed here in detail, it is to be noted at least one of the applications for changes to R-A zoning was granted to the Bender interests who appeare before the Board as the only protestant in the present one

It is my opinion that the evidence presented by the petitioners indicates not only an error in the original zoning classification but sufficient change in the character of the neighborhood to warrant the granting of the petition. This opinion, insofar as this commissioner is concerned, is supported by the fact that the only person to enter an appeal from the decision of the Zoning Commissioner and the only person to appear as a protestant before this Board at the time of our hearing was Mr. Ben Binder and his son. Mr. Marshall Binder who appeared of counsel, and who testified on the witness stand that he had never protested before in any zoning case and that the Binder interests owned various properties in the neighborhood, variously zoned, and admitted that he had attempted to necotiate the purchase of this property from Mr. and Mrs. Brandt for his own use and had endeavored to induce them to cancel their contract with Schwartz, the contract purchaser, in return for his dismissing his appeal before this Board which would have left the property zoned for apartments in accordance with the Zoning Commissioner's decision. This was confirmed when counsel for the petitioners called to the witness stand Mr. Mathias J. DeVito, a lawyer connected with the firm of Piper and Marbury and an Assistant Attorney General of Maryland, who at one time represented Mr. and Mrs. Brandt and who stated that he had been approached by Mr. Marshall Binder and told that the Binders' wanted to buy the peoperty from Brandt if Brandt would cancel their con ract with Schwartz at its expiration date, and indicated that if they would not accept this offer an appeal would be taken to this Board, the Circuit Court, and the Court of Appeals which would have the effect of at least delaying the rezoning of this property for a considerable length of time.

Not one single resident of the neighborhood appeared before the Board to testify in opposition to this petition. The only testimony upon which the protestant seems to rely was in connection with the staff comment of Mr. George E. Gavrelis, Director of Planning and Zoning, who stated that there was no reason why the land could not be used as presently zoned. However, he declined to express an oninion as to whether the rezoning would be detrimental to other property in the area and upon cross-examination admitted that there had been substantial changes in the neighborhood by way of zoning reclassifications, but said that since he did not agree with the previous changes he would

RE: PETITION FOR RECLASSIFICATION : BEFORE from R-10 Zone to R-A Zone, NE/S Reisterstown Road, 443' S. of Kingsley Road, COUNTY BOARD OF APPEALS OF 4th District Arthur H. Brandt, et al, BALTIMORE COUNTY No. 65-39-R

ORDER

The petition in this case having some before the County Board of Appeals on appeal from the Zoning Commissioner's decision dated August 13, 1964 granting the reclassification from an R-10 Zone to an R-4 Zone and the two members sitting failing to agree; it is ORDERED this / the day of May, 1965 that by reason of the failure of the two members hearing this appeal to agree, the decision of the Zoning nissioner is automatically affirmed.

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

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

Note: Mr. Austin did not sit at this hearing.



dollish oud, owings calls, maryland

Sentember 10, 1964

Mr. John G. Rose,

Dear Siri

Arthur H. Brandt, N. E. side of Reisterstown Road. 44) feet south of Kingsley Road.

SEP 10'64



Very truly yours per for

NYBURG GOLDMAN & WALTER



September 11, 1964

Honorable John G. Rose Zoning Commissioner of Baltimore County County Office Bullding 111 W. Chesapeake Avenue Towson, Maryland 21204

Re: Petition for Reclassification from "R-10" Zone to "R-A"
Zone - NE/S Reisterstown Road 443' S. Kingsley Road,
4th District - Arthur K. Brandt, et al. Petitioners No. 60-39-R

Please enter my appearance as attorney for Mr. Ben Binder who has previously filed an appeal from your Order dated August 13, 1964 to the County Board of Appeals.

Thanking you for your courtesy. I am.

Very truly yours,

build Jana Arnold Fleischmann

AF:EME cc: Owen Hennegan, Jr., Esq.

BALTIMORE COUNTY, MARY AND No. 29914 OFFICE OF FINANCE DATE 6/16/65 COURT HOUSE

OSIT TO ACC	COUNT NO. 01.712	COST COST
NATITY .	Cost of Cartified Documents - No., 65-39-4. Author H. Nouth, et al. NO./S Subsections Dank, 460' S. of Kingday band 4th Delaints.	
	8-1640 1297 + 2991% TEP	- 1100
	A	

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPI'ER SECTION OF THIS BILL WITH YOUR REMITTANCE.

#65-39R MAP # 4 HALTIMORE COUNTY OFFICE OF PLANNING AND ZONING SE1.2-6 COUNTY OFFICE BUILDING TOMBON L, MARCIAND RA

A. Owen Hennegan, Jr., Esq. 106 Jefferson Building Towson, Maryland 21204

Arthur H. Brandt, R-10 to R-A Reclassification, Location SUBJECT: N/E side of Relateratown Rd., Lk3' S of Kingsley Wood MATER available SEMER available

The Zoning Advisory Committee has reviewed the subject petition and makes the following comments:

OFFICE OF PLANNING & ZONING BUREAU OF THAFFIC ENGINEERING

Mill review toe subject property with regard to public roads and parking arrangements. Written occusents will be subsitted at a later date if it is mecassary.

The following members had no comment to make:

Redevelopment & Rebabilitation Commission State Roads Commission Fire Human Health Department Industrial Development Commission Board of Education uildings Department ureau of Engineering

BALTIMORE COUNTY, MARYLAND No. 25313 OFFICE OF FINANCE DATE 9/10/6) COURT HOUSE TOWSON 4, MARYLAND

875.00 Cost of Appeal for Arthur H. Brandt-Case #65-39 9-1064 6288 0 25313 TEP-IMPORTANTI MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWER PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

64-224-R

CERTIFICATE OF POSTING ING DEPARTMENT OF BALTIMORE COUNTY

Date of Posting July 18 196 4 Posted for Asthur H. Mands. Lo-allow of property. NE/S Restentown Rd 443' S of Kingsley Rd writing at Sele NE/s Restartions led opposet a lead and Feath hed Jone (D) 3/5 Kingster, M. Each dead lad (D) N/E side Anymorheach loss minutes? & 1/2 Restation led.

Date at return July 33 1964.

INTER-OFFICE CORRESPONDENCE

#65-39R TO. Mr. James A. Dyer, Chairman Date. June 26, 1964.

Zoning Advisory Committee
PROM. Lt. Charles F. Morris, Sr., Fire Bureau

SUBJECT B. 10 - To B. A. - Brands Property

SE1.2-C

RA

7/31/64

1. Where mains, maters and fire hydrauts shall be of an approved type and installed in accordance with the Baltimore County Shard Design Manual. Spacing of hydrauts shall be 500 feet distance apart as measured along an improved road, and with in 300 feet from any dwelling. Hydrauts, shall be located in a pattern approved by the Baltimore County Fire Bureau.

2 - Parking areas terminating on the end of streets should be designed to allow an unobstructed flow of traffic especially, emergency vehicles.

Contact Lt. Charles F. Morris, Sr. - at VAlley 5-7310 for further



CERTIFICATE OF POSTING S DEPARTMENT OF BALTIMORE COUNTY Townson, Maryland

District. 4 2 M Date of Posting Aug 26 1964 Petitioner arthur H. Mardly A al

Location of property Alfs Meeterstown Lat 443' 3 f Kingsly Local

Location of Signa (NE/3 Bristle tom Re. Opporte Med and of Fresheled (a/m con harply let & Durmay of a. M. Broudt! D/Jezze

2 signo

Date of return Det 11964

THE BALTIMOR COUNTIAN

No. I Newburg Avenue

CATONSVILLE MD

THIS IS TO CERTIFY, that the annexed advertisement of John G. Ross, Zoning Commissioner of Builthore County

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for One Week successive weeks before the Sits day of July, the same was inserted in the issues of

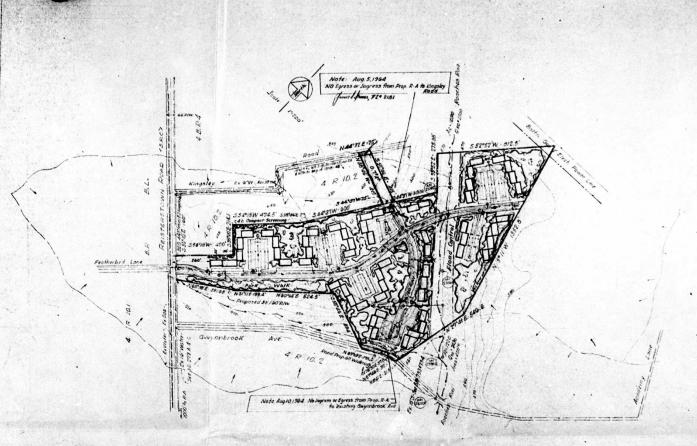
THE BALTIMORE COUNTIAN

By Paul J. Morgany Editor and Manager.

BALTIMON COUNTY, MARYLAND No. 23080 OFFICE OF FINANCE COURT HOUSE TOWSON 4, MARYLAND

150.06° 50.00 Petition for Reelaguification for Arthur H. Brandt WITTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

L TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND ASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.



Featherbed Lane Location Map Scale: 1 1000' See Zoning Map 3rd 2.6 Density Calculations. Zoning Existing R IO Proposed PA
Area Acres Gross 40.064 Net 39.714 39.045
Design Density
Reads 3.8 Net 35.55 Design Density Dwethna units per acre: Grass: 157 Net: 17.3 Total Units 030

Permitted Density

Dwelling units per oure Gross 16 Net 18 Total Units 840 - 656

Offstreet Parking

No of spaces Required 430 Provided 680 All Utilities are available 8-3-4,00 chutsy 470 chu

Onsite Roads 36 Paving/60 POW BCBE Stads Compact Screen Planting 4'h along 94's
Fue Preventian Fue hydrants settings t within 300 of 4 Aptanita

Description for 75:415" - 0.71 Ac Submitted

Ephilita"

OWYNNBROOM - DELIGHT ROACHES RUN AREA -BALTIMORE COUNTY, MARYLAND

ELECT DIST No. 4 JUNE 19,1964

> PLAT for ZONING PURPOSES BRANDT PROPERTY

Owners: Arthur H & Beatrice L. Brandt-110 Gwyonbrook Ave Owings Mitts, Md. Contract Purchasir: Joseph Schwartz. 623 Muney Bldg. Baltimore, Md. 21202



