

65-70-R

E & W sides of Wampler Rd. 540' N of Magnolia Ave.

15th

7/31/64

Petition for Reclassification from R-6 to R.A. for Andrew Smith \$146.45 cost paid

7/31/64

Hearing date set for 1:00 P.M. 9/2/64

8/14/64

Certificate of publication filed

8/24/64

Certificate of posting filed

9/4/64

Order for the reclassification denied by the Zoning Commissioner

9/23/64

Appeal filed to the County Board of Appeals by attorney for petitioner

10/21/69

Appeal dismissed by the County Board of Appeals.

ROBERT J. ROSE, JR.
ATTORNEY AT LAW
805 EASTERN BOULEVARD
TOWSON, MARYLAND 21204
HARRIS & BROS.

September 22, 1964

Mr. John G. Rose,
Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland (21204)

Re: Petition for Reclassification
from "R-6" Zone to "R-A" Zone
E. and W. Sides of Wampler
Road, 540' N. Magnolia Ave.,
15th Dist., Andrew Smith,
Petitioner - No. 65-70-R

Dear Mr. Rose:

On behalf of my client, Andrew Smith, would you please
note an appeal to the Board of Appeals from a decision you
rendered dated September 4, 1964, in which you denied the
above-captioned Petition for Reclassification.

I have enclosed herewith check in the amount of \$75 to
cover cost of filing said appeal.

Thank you.

Very truly yours,

Robert J. Rose, Jr.

RJR:rom
Enclosure



65-70-R
15-C
RA
47114

RE: PETITION FOR RECLASSIFICATION
From "R-6" Zone to "R-A" Zone
E. and W. Sides of Wampler Road,
540' N. Magnolia Ave., 15th Dist.,
Andrew Smith, Petitioner
OF
BALTIMORE COUNTY
No. 65-70-R

The petitioner in the above matter seeks reclassification
of property on the west side of Wampler Road 540 feet north of Magnolia
Avenue, in the Fifteenth District of Baltimore County, from an "R-6" Zone
to an "R-A" Zone.

After considering all the testimony by both the petitioner
and proponent, it is advised that the subject site is one that should
remain in its present zoning type area. It would be very unwise to
increase the number of residents who would live so close to the Martin
Company's runway. The Martin Company reports that the proposed apart-
ment site is within 200 feet and directly in the flight path, and the
primary runway. This means that the aircraft are generally below 500
feet when passing over this area.

Also the present residents have considerable difficulty
in driving from their homes and getting to and from Martin Boulevard.

The County Commissioners of Baltimore County were not
in error in sending the subject property "R-6".

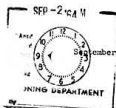
A somewhat similar condition was considered in The Martin
Healy, Inc., case granted by the Zoning Commissioner on June 20, 1963.
The Martin Healy tract has an average of 11.33 acres and is about 3000
feet north of the subject site. This general area already is sub-
stantially increased density of population. The Martin Healy, Inc.,
reclassification was granted with the same and further heavy con-
struction of population in this area is contemplated.

For the above reasons the reclassification should be
DENIED.

It is this day of September, 1964, by the
Zoning Commissioner of Baltimore County, ORDERED that the above reclassi-
fication be and the same is hereby DENIED and that the above described
property or area be and the same is hereby continued as and remain an
"R-6" Zone.

Zoning Commissioner of
Baltimore County

MARTIN COMPANY



Mr. John G. Rose,
Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Dear Mr. Rose:

It has come to our attention that your office is presently
considering a Petition for reclassification of two parcels of land
adjacent to Wampler Road, Middle River, so as to permit the con-
struction of approximately 200 apartment units.

Because of the potential risk and noise problems in establish-
ing high density buildings such as schools, apartments, etc., within
the flight path of airports, the Martin Company has endeavored over
the years by personal contact and by letter, to keep the Zoning
Commissioner and other county officials advised of certain facts in
connection with the Martin Airport operations so they may relate to
the deliberations and plans of the Zoning Board and other county
agencies. In order to assist you in your evaluation of the present
Petition for rezoning, we would like to present some relevant facts.

As you probably know, Martin has operated an airport in the
Middle River area since 1930 primarily in connection with the Defense
effort of our country.

In past years, we have averaged about 10,000 traffic movements
per year and, in spite of the fact that our aircraft production work
has decreased, our air traffic has increased to the point where we
presently average about 13,000 to 14,000 air traffic movements per
year. In view of our establishment of an aircraft modification center
and our facility and our increased efforts to obtain contracts for mod-
ification and overhaul of military aircraft, we would expect that any
change in our air traffic movement rate would represent an increase.

It is important to note that the location of the proposed apart-
ment site is within 3,600 feet and directly in the flight path of our
primary runway. This means that aircraft using this runway are
generally below 500 feet when passing over this area.

A DIVISION OF
BALTIMORE COUNTY
MARTIN

Mr. John G. Rose

- 2 -

September 1, 1964

Because of its length, this primary runway handles all jet air
traffic and air traffic of all of the major propeller aircraft utilizing
the Martin Airport. It is thus a fact that from 80% to 95% of all
of the traffic movement of our airport, 95% of which is jet aircraft
of the United States Air Force, either originates from or comes into
this runway. No slight mention, for example, that our airport is pre-
sently handling, and expects to be handling at an increased rate,
large, multi-engine Government aircraft whose rate of climb and descent
requires use of this runway and places these aircraft at a rather low
altitude over the area in question.

We should also like to remind the Board of the discussion and
recommendations of the President's Airport Commission concerning the
development of areas contiguous to airports. You will recall that a
copy of the Report of the President's Airport Commission, along with
a map relating to the report, were made available to your office in
June of last year.

We hope that the above facts will be of some assistance in your
evaluation of the present Petition for zoning reclassification.

Sincerely yours,

MARTIN COMPANY

Joseph F. Alcarese

Joseph F. Alcarese

Counsel

JRA/v

CROCKETT, SMITH & ASSOCIATES CONSULTING ENGINEERS

800 MARYLAND AVENUE BALTIMORE 18, MARYLAND

JAMES E. CROCKETT
J. STROM SMITH

DESCRIPTION OF 19.6 ACRES OF LAND
ON WAMPLER ROAD 540' FEET NORTH OF MAGNOLIA AVENUE

BEGINNING FOR THE SAME at a point in the centerline of Wampler Road, said
point also being in the centerline of a 30-foot road (not opened), 300 feet
east of the southeast corner of the land which by Deed dated July 20, 1941
and recorded among the Land Records of Baltimore County in Liber C-4-E, No.
1195, folio 134 was conveyed by the County Commissioners of Baltimore County
to John J. Norvell; thence leaving said point of beginning and heading on the
centerline of Wampler Road North 24 degrees 43 minutes East 144.44 feet;
thence leaving the centerline of Wampler Road North 89 degrees 05 minutes
West 370.80 feet; thence North 00 degrees 55 minutes East 10.00 feet to the
northeast corner of aforementioned land conveyed to John J. Norvell; thence North
89 degrees 05 minutes West 200.00 feet; thence heading on lot 4, North 00 degrees
55 minutes East 355.92 feet; thence heading on lot 16 North 73 degrees 55 minutes
East 653.59 feet; thence North 00 degrees 55 minutes East 43.30 feet; thence
North 56 degrees 29 minutes East 282.26 feet; thence South 45 degrees 07 minutes
East 58.08 feet to the centerline of Wampler Road; thence heading on the
centerline of Wampler Road North 42 degrees 54 minutes East 239.13 feet to a
point, said point being the beginning point of a parcel of ground conveyed by
Thomas Fairley and Margaret Fairley to James Fairley and Mary C. Fairley,
said conveyance being recorded among the Land Records of Baltimore County in
Liber W.F.C. No. 344 folio 175; thence leaving said point in the centerline of
Wampler Road and heading on the outline of the aforementioned conveyance Fairley

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: August 27, 1964

FROM: Mr. George E. Ostrowski, Director

SUBJECT: 65-70-R, R-6 to R-A, East and West side of Wampler Road, 540' feet
north of Magnolia Avenue. Being property of Andrew Smith.

15th District

REMARKS:

Wednesday, September 2, 1964

(1:00 PM)

The staff of the Office of Planning and Zoning has reviewed the subject
petition for reclassification from R-6 to R-A zoning. It notes that
the request for apartment zoning here is not in accord with the current
plans of the planning staff for comprehensive arrangement of land uses
in this portion of the 15th District.

ORD:me

15th DISTRICT, WAMPLER ROAD

to Fairley South 41 degrees 45 minutes West 100.00 feet; thence South 59 degrees
45 minutes West 144.45 feet; thence South 10 degrees 15 minutes East 190.00
feet; thence South 66 degrees 32 minutes West 174.30 feet; thence South 79
degrees 29 minutes West 147.45 feet; thence South 92 degrees 14 minutes West
16.00 feet; thence South 88 degrees 14 minutes West 155.00 feet; thence South
65 degrees 44 minutes West 210.00 feet; thence North 89 degrees 05 minutes West
117.00 feet to the point of beginning.

BEING Tracts of land as follows:

(1) The same tract of land which by Deed dated February 24, 1944 and recorded
among the Land Records of Baltimore County in Liber A-2-E, No. 1357, folio 464
was granted and conveyed by the Hilford Estates Corporation, a Connecticut
corporation to Herman K. Winston, et al, the within structure.

(2) The same parcel of ground which by Deed dated August 24, 1941 and recorded
among the Land Records of Baltimore County in Liber C-4-E, No. 1195, folio 178 was
granted and conveyed by Thomas Fairley and Margaret Fairley, his wife, to
James H. Fairley and Mary C. Fairley, his wife, containing 1.44 acres of land,
more or less.

3851

6-1-64

This description is for zoning purposes only and is not to be used for conveyance
of property.

4664

2 of 2



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Chairman

Date: June 16, 1964

FROM: Mr. Paul H. Helke

Fire Bureau

SUBJECT: 65-70-R, R-6 to R-A, East and West side of Wampler Road, 540' feet

North of Magnolia Avenue. Being property of Andrew Smith.

15th District

District 15 6/12/64

Water mains, meters, and fire hydrants shall be of an approved
type and installed in accordance with the Baltimore County Standard
as maintained, spacing of hydrants shall be 500 feet distance apart
as measured along an improved road, and within 300 feet from any
dwelling. Hydrants shall be located in a pattern approved by the
Baltimore County Fire Bureau.

Contact Capt. Paul H. Helke at W-57310 for information
concerning above comment.

PHH/te

JUN 16 1964



July 30, 1964
#65-70R
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON 4, MARYLAND

Robert J. Romada, Esq.
809 Eastern Blvd.
Baltimore, Maryland 21221

Andrew Smith
Maple St., Apt. 8
Baltimore, Md. 21201

SUBJECT: *Maple St. Apt. 8*

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

The zoning advisory committee has reviewed the subject petition and have no adverse comment to make with regard to the proposed development plan.

Yours very truly,

James E. Dyer
James E. Dyer
Chief of Permitting
Petition Processing

June 15, 1964
#65-70R
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON 4, MARYLAND

John Stronge With
James Goodrich & Associates
2853 Maryland Avenue
Baltimore, Maryland 21218

Proposed Apartments
Redesignated to R-4 from
S-40
SUBJECT: *Location: Wampler Mt. 15th District*

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

Office of Planning & Zoning
Traffic Department

The development plan as presented presents some problems with regard to interior traffic circulation and access points. However, it appears that these problems could be worked out at the existing permit stage if the request is granted.

The following members had no comment to make:

Recreation & Rehabilitation Commission
State Parks Commission
Fire Bureau
Health Department
Industrial Development Commission
Board of Election
Building Department
Bureau of Engineering

Yours very truly,

James E. Dyer
James E. Dyer
Chief of Permitting
Petition Processing

#65-70-R
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *15th*
Posted for: *Hearing Wed. Sept. 2, 1964 at 1:00 P.M.*
Petitioner: *Andrew Smith*
Location of property: *E. W. of Wampler Rd. 540' N. of Magnolia Ave.*
Location of Sign: *on each side of Wampler Rd. 540' N. of Magnolia Ave. 95' from intersection of 1-2 and 1-3*
Posted by: *Robert J. Romada*
Date of return: *6-20-64*
Remarks: *Approved 15th from telephone pole that has yellow small signs on it.*

Report
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *15th*
Posted for: *Hearing Wed. Sept. 2, 1964 at 1:00 P.M.*
Petitioner: *Andrew Smith*
Location of property: *E. W. of Wampler Rd. 540' N. of Magnolia Ave. (Same) as before.*
Remarks: *Same*
Posted by: *Robert J. Romada*
Date of return: *8-20-64*

#65-70R
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: *15th*
Posted for: *Hearing Wed. Sept. 2, 1964 at 1:00 P.M.*
Petitioner: *Andrew Smith*
Location of property: *E. W. of Wampler Rd. 540' N. of Magnolia Ave.*
Location of Sign: *(Same) as before.*
Remarks: *Same*
Posted by: *Robert J. Romada*
Date of return: *8-20-64*

August 6, 1964
Robert J. Romada, Esq.
809 Eastern Blvd.
Baltimore, Md. 21221

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
County Office Building
111 W. Chesapeake Avenue
Towson 4, Maryland

Your petition has been received and accepted for filing this
31st day of July, 1964.

Owner Name: *Andrew Smith*
Reviewed by: *James E. Dyer*
JOHN G. ROSE
Zoning Commissioner

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

TO: Robert J. Romada, Esq.
809 Eastern Boulevard,
Baltimore 21, Md.

BILLED Office of Planning & Zoning
119 County Office Bldg.,
Towson 4, Md.

REPORT TO ACCOUNT NO. 01-622

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
	Cost of advertising and posting property of Andrew Smith No. 65-70R PAID - Baltimore County, Md. - Office of Finance	396.45
	9-304 6224 * 25302 TTP-	96.45

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. August 11, 1964.

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. between check
No. 1 time 25302 before the 2nd
day of September, 1964, the date of publication
appearing on the 11th day of August, 1964.

THE JEFFERSONIAN,
L. Leach Smith
Manager

Cost of Advertisement, \$.....

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

TO: Robert J. Romada, Esq.
809 Eastern Boulevard
Baltimore 21, Md.

BILLED Office of Planning & Zoning
119 County Office Bldg.,
Towson 4, Md.

REPORT TO ACCOUNT NO. 01-622

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
	Cost of appeal - Andrew Smith, Property - No. 65-70-R x 70.00 1 sign \$1.00 =	75.00
	PAID - Baltimore County, Md. - Office of Finance	
	9-304 6300 * 25350 TTP-	75.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND

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

TO: Robert J. Romada, Esq.
809 Eastern Blvd.
Baltimore, Md. 21221

BILLED Zoning Department of
Baltimore County

REPORT TO ACCOUNT NO. 01-622

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
	Petition for Reclassification for Andrew Smith PAID - Baltimore County, Md. - Office of Finance	50.00
	9-604 6222 * 25245 TTP-	50.00

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.

Robert J. Romada, Esq.
809 Eastern Blvd.
Baltimore, Md. 21221

NOTICE OF HEARING
For Petition for Reclassification for Andrew Smith
No. 65-70R

THIS 1:00 P.M.
DATE: Wednesday, September 2, 1964
PLACE ROOM 106 COUNTY OFFICE BUILDING, 111 W. Chesapeake Avenue,
Towson, Maryland

September 30, 1964

Maurice W. Baldwin, Esq.,
Hawkins Building
Towson, Maryland

Re: Petition for Reclassification
from "B-6" Zone to "B-4" Zone -
E. and W. Sides of Hampden Road
360' N. Magnolia Ave., 15th Dist.,
Andrew Smith, Petitioner -
Re: 65-70R

Dear Mr. Baldwin:

Please be advised that an appeal has been
filed by counsel for the petitioner in the above matter from
the decision rendered by the Zoning Commission denying the
reclassification.

You will be duly notified of the date and
time of hearing when scheduled by the Board of Appeals.

Very truly yours

Zoning Commissioner

PETITION FOR RECLASSIFICATION

15th DISTRICT

ZONING: From B-6 to B-4 Zone
LOCATION: East and West side of Hampden Road 360' West North
of Magnolia Avenue
DATE & TIME: WEDNESDAY, SEPTEMBER 2, 1964 at 1:00 P.M.
PUBLIC HEARING: Room 105, County Office Building, 111 W.
Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act
and Regulations of Baltimore County, will hold a public hearing
concerning all that parcel of land in the Fifteenth District of Baltimore County
being the property of Andrew Smith, as shown on plat plan filed with the Zoning
Department.

BY ORDER OF
JOHN G. ROSE
ZONING COMMISSIONER OF
BALTIMORE COUNTY

Sept. 30, 1964

No. 65-70R ---- Andrew Smith

Petition, description of property and Order of Zoning Commissioner
Certificate of posting
Certificates of advertisement
Comments of Fire Bureau
Comments of Office of Planning
Letter, dated Sept. 1, 1964, from The Martin Company
Petitioners of protest
Sketch of Instrument Approach Runway
Appeal
Photogrammetric Map
Plat filed with petition

Robert J. Romadka, Esq.,
509 Eastern Boulevard
Baltimore 21, Md.

Counsel for petitioner

Maurice W. Baldwin, Esq.,
Hawkins Building
Towson 4, Md.

for protestants

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

August 21, 1964

STUART SUPER BUILDING
111 W. CHESAPEAKE AVE.
TOWSON 4, MARYLAND
AL 8-8000

Robert J. Romadka, Esq.,
509 Eastern Blvd.
Baltimore, Md. 21221

Dear Sirs: The enclosed memorandum is sent to you in Compliance with
Section 23-22 of the 1961 Supplement of the Baltimore County Code.

Any questions of correspondence in regard to the enclosed
subject matter must be directed to the Director of Planning and
Zoning (or his Deputy) and NOT to the Zoning Commissioner.

If you desire to have a member of the Planning Staff assist,
it will be necessary for you to summons him through the Sheriff's
Office.

Yours very truly,

JOHN G. ROSE
Zoning Commissioner

JGR/h

June 17, 1964

Mr. John Smith
James Crockett Associates
2153 Maryland Avenue
Baltimore 18, Md.

Re: Magnolia Apartments, Hampden Road
15th District

Dear Sirs:

We are enclosing copy of comment, from the Fire Bureau,
on the above plat.

Yours very truly,

JAMES E. D. SMITH

JED/ba

CROCKETT, SMITH & ASSOCIATES * CONSULTING ENGINEERS

JAMES E. CROCKETT
J. STROUD SMITH

2450 MARYLAND AVENUE * BALTIMORE 18, MARYLAND
TELEPHONE 5-9392

June 29, 1964

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

Attention: Mr. James Dyer

Re: Hampden Road

Gentlemen:

This will confirm our delivering to you on June 26, 1964 the following:

Seven (7) points of zoning plat.
Seven (7) copies of property description, and
One (1) planimetric

Very truly yours,

CROCKETT, SMITH & ASSOCIATES

J. Strong Smith
J. Strong Smith

JSS:f

4684-S

ROBERT J. ROMADKA
ATTORNEY AT LAW
509 EASTERN BOULEVARD
SECOND FLOOR, REARWING
ESSEX 21, MARYLAND
MU 626-8124

July 17, 1964

Mr. James Dyer
Office of Planning and Zoning
County Office Building
Towson, Maryland (21204)

Dear Jim:

Please find enclosed herewith two copies of Petition for
Zoning Re-classification which I would appreciate your filing
at your earliest convenience.

This petition has already been brought to the attention
of Jim Dyer and the committee on said plats were prepared by
Crockett-Smith and Associates.

I have also enclosed my check in the amount of \$50 to
cover costs of filing said petition. If you have any ques-
tions concerning this matter, please call.

Very truly yours,

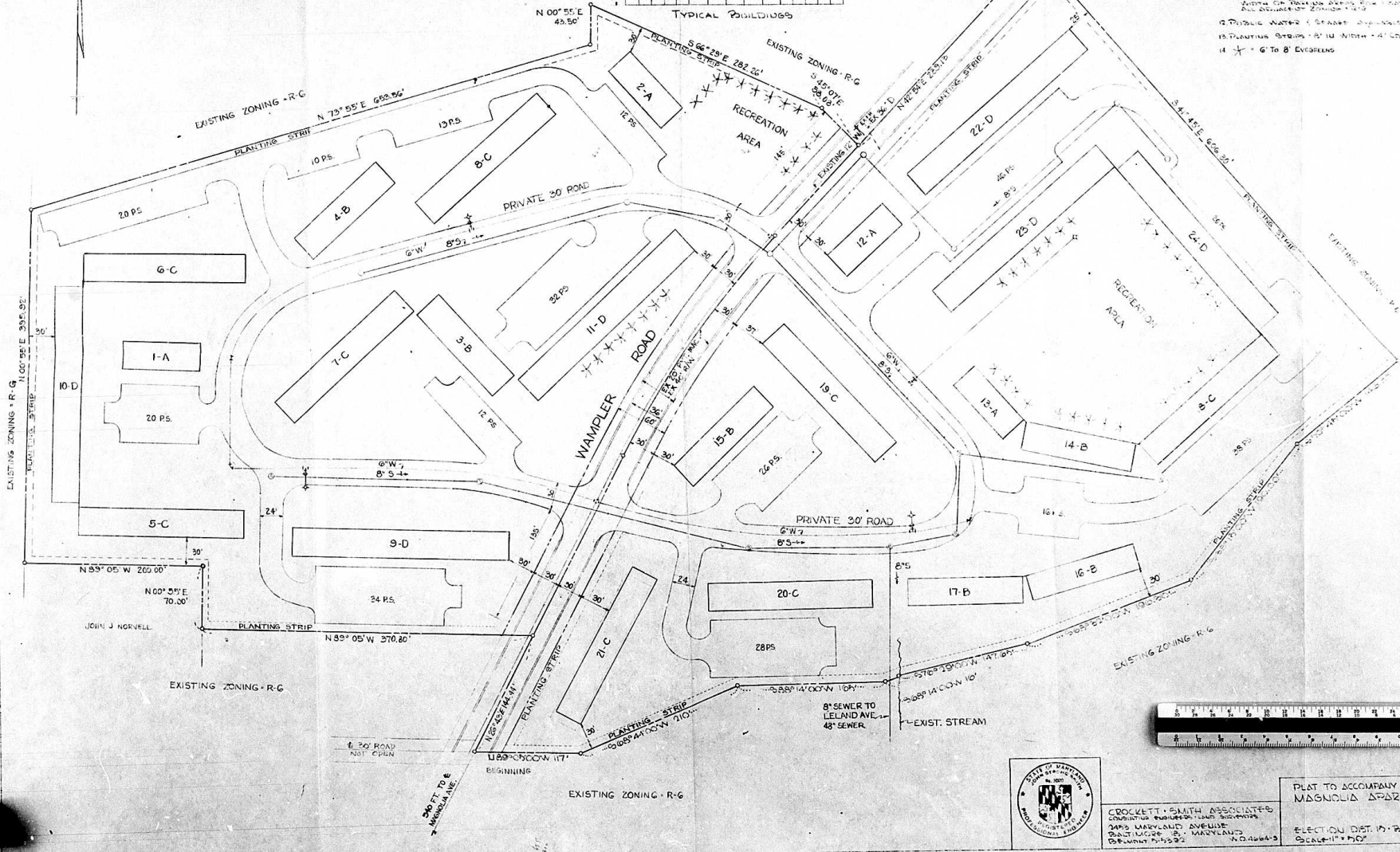
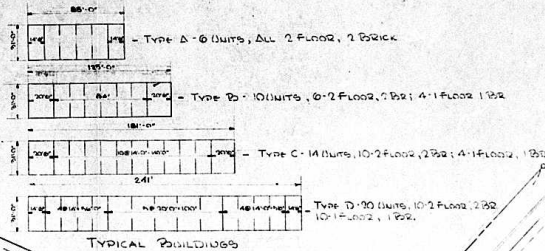
Robert J. Romadka

RJR:pm
Enclosures (3)



GENERAL NOTES:

1. EXISTING ZONING - R-6
2. EXISTING USE - VARIOUS
3. PROPOSED USE - APARTMENTS
4. GROSS AREA - 19.8 AC.
5. NET AREA - 18.6 AC.
6. NUMBER OF UNITS - 316 (4 Type A, 5 Type B, 8 Type C, 6 Type D)
7. DENSITY - 16.0
8. UNIT DENSITY - 17.0
9. UNITS PER AC. - 16.0 (16.0 x 10.0 = 160)
10. TOTAL AREA - 19.8 AC.
11. TOTAL AREA - 18.6 AC.
12. TOTAL AREA - 18.6 AC.
13. TOTAL AREA - 18.6 AC.
14. TOTAL AREA - 18.6 AC.



CROCKETT & SMITH ASSOCIATES
CONSULTING ENGINEERS AND ARCHITECTS
2415 MARLBOROUGH AVENUE
BALTIMORE 18, MARYLAND
PHONE 5-1552

PLAN TO ACCOMPANY ZONING PETITION
MAGNOLIA APARTMENTS

ELECTION DIST. 19 - BALTIMORE COUNTY
SCALE: 1" = 100'