

WILLIAM H. SULLIVAN  
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LAW OFFICES  
SULLIVAN & PITTNER  
1400 200 CECIL SQUARE BUILDING  
LEANDER & CALVERT STREETS  
BALTIMORE, MARYLAND 21202  
November 4, 1964



The Honorable John E. Rose  
Zoning Commissioner of Baltimore County  
Baltimore County Office Building  
Towson, Maryland 21204

Re: Petition for Reclassification  
from "R-6" and "R-10" to "R-A"  
5.5. Smith Avenue 903.31 feet  
East Lisburne Road, 3rd Dist.  
Ralph DeChiara Enterprises, Inc.,  
Petitioner - Petition No. 65-92-R  
Our File No. 7300

Dear Mr. Rose:

This office represents Food Fair Properties, Inc., the legal owner of the subject property of the above captioned reclassification proceeding. On behalf of our client and pursuant to Section 100.10 of the Baltimore County Zoning Regulations, we herewith notice an appeal to the County Board of Appeals from your Order, dated the 8th day of October, 1964, approving the requested reclassification "from 'R-6' and 'R-10' Zoning to an 'R-A' Zoning, saving and excepting..." a certain portion of the "R-6" Land.

We enclose herewith our check in the amount of \$85.00 to cover costs of the within Appeal and the posting of same.

Very truly yours,  
Allan J. Pittner  
SULLIVAN & PITTNER  
Attorneys for Petitioner

AJN:eml  
Enclosure  
cc: William L. Sir'ind, Esquire  
A. Owen Hennessy, Jr., Esquire  
Lee H. Kramer, Esquire

LAW OFFICES  
SULLIVAN & PITTNER  
1400 200 CECIL SQUARE BUILDING  
LEANDER & CALVERT STREETS  
BALTIMORE, MARYLAND 21202  
December 4, 1964



Re: Petition for Reclassification  
from "R-6" and "R-10" to "R-A"  
5.5. Smith Avenue 903.31 feet  
East Lisburne Road, 3rd Dist.  
Ralph DeChiara Enterprises, Inc.,  
Petitioner - Petition No. 65-92-R  
Our File No. 7300

Dear Mr. Rose:

On behalf of our client, Food Fair Properties, Inc., we herewith dissent the Appeal taken on their behalf from the Order dated the 8th day of October, 1964, in the above captioned reclassification proceeding.

Very truly yours,  
Allan J. Pittner  
SULLIVAN & PITTNER  
Attorneys for Appellant

AJN:eml

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

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Ralph DeChiara Enterprises, Inc., of the property situate 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-6 Zoning to an R-A Zoning, for the following reasons:

- Error in the comprehensive zoning map.
- Change in conditions in the neighborhood since the adoption of the comprehensive zoning 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 reclassification and or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Ralph DeChiara Enterprises, Inc.  
Contract purchaser  
By: William L. Sir'ind, Esquire  
Address: 700 Fairmont Avenue  
Towson, Maryland  
William L. Sir'ind, Esquire  
933 Maryland National Bank Bldg.  
Address: Baltimore, Maryland 21202  
Petitioner's Attorney  
President's Attorney  
Address: Baltimore, Maryland 21202

ORDERED BY The Zoning Commissioner of Baltimore County, this 6th day of August, 1964, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 10th day of September, 1964, at 10:00 o'clock P. M.



3:00 PM  
9/23/64  
3:00 PM

NATZ, CHILDS & ASSOCIATES, INC.  
Engineers - Surveyors - Site Planners  
2101 S. Clark St., Baltimore, Maryland 21202  
RD/lyles 2-2700

## DESCRIPTION

0.0555 ACRE PARCEL NEAR NORTHBROOK ROAD AND  
LISBURNE ROAD, THIRD ELECTION DISTRICT,  
BALTIMORE COUNTY, MARYLAND

Present Zoning: R-10  
Proposed Zoning: R-A

Beginning for the same at a point on the north side of Northbrook Road, as laid out sixty feet wide and as shown on the Plat of Section 4 "Green Spring Manor" recorded among the Land Records of Baltimore County in Plat Book G.L.B. No. 21, Page 77, at the distance of 125.36 feet as measured easterly along said north side of Northbrook Road from its intersection with the east side of Lisburne Road, as laid out sixty feet wide and shown on said plat, said point of beginning being also in the easternmost outline of said plat and in the third line of the description of Area R-10-9 shown on the Zoning Map of Baltimore County, and running thence on a part of said third line, (1) N. 88° 42' 02" E., 8.02 feet to the end thereof and to the center line of Clarke Lane, as laid out sixteen feet wide, thence along said center line and along a part of the fourth line of the description of said Area R-10-9, (2) S. 03° 02' 30" W., 30.08 feet, thence (3) S. 88° 42' 02" W., 8.02 feet to a point on the easternmost outline

RE: PETITION FOR RECLASSIFICATION  
From "R-6" and "R-10" Zoning to  
"R-A" Zoning - 5.5. Smith Ave.  
903.31 E. Lisburne Road,  
3rd Dist., Ralph DeChiara  
Enterprises, Inc., Petitioner

BEFORE  
ZONING COMMISSIONER  
OF  
BALTIMORE COUNTY  
No. 65-92-R

The petitioner in the above entitled matter seeks reclassification of property on the south side of Smith Avenue 903.31' east of Lisburne Road, in the Third District of Baltimore County.

There has been sufficient change in the neighborhood to warrant reclassification from "R-6" and "R-10" Zoning to "R-A" Zoning of a majority of the property petitioned. However, a portion of the property requested to be reclassified which would front on North Road would encroach upon existing uses which have been developed for centuries.

It is this 4th day of October, 1964, by the Zoning Commissioner of Baltimore County, ORDERED that the majority of the property requested by the petitioner, be and the same is hereby reclassified, from "R-6" and "R-10" Zoning to an "R-A" Zoning, saving and excepting the following described property which is continued as and to remain an "R-6" Zoning:

BEGINNING for the same at a point on the north side of the Baltimore County-Baltimore City line at the distance of 1259.87 feet, measured westerly along the north side of Baltimore County-Baltimore City line, (due west) from the north side of Sings and Willow Roads, North 00° 04' 16" W. 61.87 feet, thence North 03° 39' 10" E. 116.45 feet to a point in center line of Normal Road, leaving and thence running for five (5) lines of division as follows North 08° 11' W. East 7.73 feet, thence by a curve to the left in a northeasterly direction having a radius of 600.00 feet for an arc distance of 160.15 feet to a point, thence North 75° 00' 00" East 53.40 feet, thence South 00° 34' 16" West 161.66 feet, more or less, to a point, thence running and binding along the division line of Baltimore County-Baltimore City line due west 200 feet to place of beginning.

The plan for the development of the subject property is subject to approval of the Bureau of Public Services and the Office of Planning and Zoning.

William L. Sir'ind, Esquire  
Zoning Commissioner of  
Baltimore County

the left with a radius of 670.00 feet, the distance of 160.15 feet (said are being subtended by a chord bearing N. 81° 50' 31" E., 159.76 feet, (21) N. 75° 00' 00" E., 53.50 feet, (22) N. 15° 00' 00" W., 207.81 feet, (23) northwesterly, by a curve to the left with a radius of 130.00 feet, the distance of 173.12 feet (said are being subtended by a chord bearing N. 53° 08' 59" W., 160.61 feet), and (24) S. 88° 42' 02" W., 17.17 feet to a point in the center line of Clarke Lane, as laid out sixteen feet wide, and in the fifth line of the description of Area R-10-9 shown on the Zoning Map of Baltimore County, thence binding reversely on a part of said line and on the center line of said Clarke Lane (25) N. 03° 02' 30" E., 30.08 feet to the beginning of said fifth line and to a point in the forty ninth line of said 98.848 acre parcel, thence still binding on the outlines of said parcel the three following courses and distances: (26) N. 88° 42' 02" E., 789.74 feet, (27) northeasterly, by a curve to the left with a radius of 25.00 feet the distance of 39.25 feet (said are being subtended by a chord bearing N. 43° 43' 31" E., 35.34 feet), and (28) N. 01° 15' 00" W., 30.08 feet to the piece of beginning.

Containing 22.7780 acres of land.

HGW:shr

J. O. 66227

6/1/64



NATZ, CHILDS & ASSOCIATES, INC.  
2101 S. Clark St., Baltimore 10, Maryland  
Page Two

mentioned land, (1) N. 82° 00' 00" E., 197.25 feet, and (2) N. 68° 34' 00" E., 192.40 feet, thence leaving said Smith Avenue, and still binding on the outlines of said last mentioned land the eight following courses and distances: (3) S. 01° 05' 48" E., 373.57 feet, (4) S. 16° 10' 30" E., 135.86 feet, (5) S. 76° 04' 30" W., 145.50 feet, (6) N. 53° 23' 30" W., 7.87 feet, (7) southeasterly, by a curve to the left with a radius of 2470.00 feet, the distance of 82.15 feet (said are being subtended by a chord bearing S. 13° 55' 30" E., 82.14 feet), (8) N. 25° 32' 30" E., 7.87 feet, (9) N. 76° 04' 30" E., 148.25 feet, and (10) S. 16° 10' 30" E., 255.97 feet, thence leaving the outlines of said land and running for lines of division the five following courses and distances: (11) S. 73° 49' 30" W., 145.91 feet, (12) S. 69° 25' 00" W., 30.00 feet, (13) S. 20° 35' 00" E., 92.00 feet, (14) southeasterly, by a curve to the right with a radius of 450.00 feet, the distance of 161.66 feet (said are being subtended by a chord bearing S. 10° 17' 30" E., 160.49 feet), and (15) Due South 294.69 feet to a point in the Northern Boundary Line of Baltimore City, as established in 1918, said point being also in the forty fourth line of the 98.848 acre parcel herein referred to, thence binding on a part of said forty fourth line, (16) Due West 1239.87 feet to the end of said line, thence along the forty fifth line of said land and along a part of the forty sixth line thereof, (17) N. 00° 40' 16" W., 63.87 feet, and (18) N. 02° 39' 10" E., 146.85 feet, thence leaving the outlines of said land and running for lines of division the six following courses and distances: (19) N. 38° 41' 42" E., 7.33 feet, (20) northeasterly, by a curve to

NATZ, CHILDS & ASSOCIATES, INC.  
Engineers - Surveyors - Site Planners  
2101 S. Clark St., Baltimore, Maryland 21202  
RD/lyles 2-2700

## DESCRIPTION

22.7780 ACRE PARCEL, SOUTH SIDE OF SMITH AVENUE,  
EAST OF LISBURNE ROAD, THIRD ELECTION DISTRICT,  
BALTIMORE COUNTY, MARYLAND

Present Zoning: R-6  
Proposed Zoning: R-A

Beginning for the same at a point on the south side of Smith Avenue and on the fourth line of the first parcel of land described in the deed from Howard F. Knipps and others to Greenspring Manor, Inc., dated December 21, 1949 and recorded among the Land Records of Baltimore County in Liber T.B.S. No. 1779, Page 461, at the distance of 903.31 feet as measured easterly along said south side of Smith Avenue, and along a part of said fourth line and the westerly prolongation thereof from the point of intersection of said westerly prolongation with the northerly prolongation of the east side of Lisburne Road, as laid out fifty feet wide and as shown on the plat of Section 4, "Green Spring Manor" recorded among said Land Records in Plat Book G.L.B. No. 21, Page 77, said point of beginning being at the beginning of the 98.848 acre parcel, which by deed dated and recorded among the above stated Land Records in Liber Page was conveyed by and running thence, binding on the south side of Smith Avenue and binding also on the first and second lines of said last

of the plat herein referred to, and thence, binding on a part thereof,  
(4) N. 03° 02' 30" E., 30.08 feet to the place of beginning.  
Containing 0.0055 of an acre of land.

HGW:abr  
J. O. #62177  
6/11/64



#65-92R  
MAP  
#3  
ST.2C  
RA  
3/11/64

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

CHARLES B. WHEELER  
TO: Building Engineer  
JAMES E. DYER  
FROM: Principal Zoning Technician  
SUBJECT: Building Permit Application 541-66  
PROPOSED BATH HOUSE & SWIMMING POOL FOR PICKWICK APARTMENTS

The Office of Planning and Zoning has reviewed the subject application and is disapproving it for the following reason:

The original zoning petition for reclassification to an R.A. zone for the present site of Pickwick Apartments included within the legal description submitted by the petitioner the proposed site of the bathroom, swimming pool, and offstreet parking facilities as shown on the plot plans accompanying the subject building permit application. However, the order granting the zoning reclassification (dated October 8, 1964) specifically excluded a portion of the tract from the reclassification to R.A., and this portion includes the proposed site for the swimming facilities as shown on the plot plans for the subject building permit application.

Since the proposed site for the subject building permit application is not zoned R.A., a special exception for a swimming pool must be obtained.

Sincerely,

JAMES E. DYER  
Principal Zoning Technician

JED:dlw

cc: George A. Raier, Chief  
Bureau of Public Services  
J. C. Howell  
Zoning Petition File #65-92R

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John G. Raier, Zoning Commissioner  
FROM: George F. Scavella, Director  
SUBJECT: #65-92R. R-6 and R-10 to R-6 Zoning. Southside of Smith Avenue  
901.11 Feet East of Lisborne Road. Being property of Ralph DeChiaro Enterprises, Inc.

2nd District

MEETING:

Wednesday, September 23, 1964 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 and R-10 to R-6 Zoning. It has the following advisory comment to make with respect to pertinent planning factors:

1. Since the adoption of the Third District map, development in this area has proceeded in accordance with the guidelines and restrictions imposed by the map. The only physical change in the area recently different from the potential established by the map has been the granting of a use permit for off-street parking in a residential zone. The use permit was part of a proposal for the over-all development of the Pickwick tract for residential and commercial purposes. The use permit is in the nature of a Special Exception. From a planning view the necessary safeguards and conditions were required in the Board of Appeals' decision to the order of as to assure compatibility with adjoining residential area.
- Therefore, within the context of the over-all development plan for the Pickwick tract, its planning by private investors provided the necessary protection and buffering between residential and non-residential uses within it. Staff development of portions of that tract within the limits of Baltimore City have assured that a wide variety of housing types would be available in the area. The planning staff is not in accord with the zoning change here.

GM/esp

CERTIFICATE OF PUBLICATION

TOWSON, MD. 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., once in each of \_\_\_\_\_ consecutive weeks before the \_\_\_\_\_ day of \_\_\_\_\_, 1964, the 6th publication appearing on the \_\_\_\_\_ day of \_\_\_\_\_, 1964.

THE JEFFERSONIAN.

Cost of Advertisement, \$ \_\_\_\_\_

CERTIFICATE OF POSTING  
ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 3rd  
Posted for: Reclassification  
Date of Posting: 9/10/64  
Petitioner: Ralph DeChiaro Enterprises, Inc.  
Location of property: 901.11 Feet East of Lisborne Road, Southside of Smith Avenue, Baltimore, Md.  
Location of Signs: 901.11 Feet East of Lisborne Road, Southside of Smith Avenue, Baltimore, Md. (1)  
Remarks: 901.11 Feet East of Lisborne Road, Southside of Smith Avenue, Baltimore, Md. (2)  
Posted by: J. E. Dyer  
Signature: \_\_\_\_\_  
Date of return: 9/23/64

TELEPHONE  
823-3000

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

No. 25357

DATE 9/10/64

TO: Messrs. Shalish & Tabor  
913 Maryland National Bank Bldg.  
Baltimore, Md. 21202

BILLED BY: Zoning Department of Balto. Co.

| QUANTITY | DETAILS (UPPER SECTION AND RETURN WITH YOUR REMITTANCE)                  | AMOUNT   |
|----------|--------------------------------------------------------------------------|----------|
| 01-622   | Advertising and posting of property for Ralph DeChiaro Enterprises, Inc. | \$125.00 |
| 65-92R   |                                                                          |          |

3-1064 6721 • 25357 11P- 125.00

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.

TELEPHONE  
823-3000

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

No. 25273

DATE 8/12/64

TO: Messrs. Shalish & Tabor  
913 Maryland National Bank Building  
Baltimore, Md. 21202

BILLED BY: Zoning Department of Baltimore County

| QUANTITY | DETAILS (UPPER SECTION AND RETURN WITH YOUR REMITTANCE)            | AMOUNT  |
|----------|--------------------------------------------------------------------|---------|
| 01-622   | Petition for Reclassification for Ralph DeChiaro Enterprises, Inc. | \$50.00 |
| 65-92R   |                                                                    |         |

3-1064 6725 • 25273 11P- 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.



Qypl. # 234-68