

MANDATE

Court of Appeals of Maryland

No. 304, September Term, 1966

Francis L. Hudson

v.

Agatha B. Heldmann,
et al

Appeal from the Circuit Court for
Baltimore County.
Filed: September 10, 1966.
January 18, 1967: Order to dismiss
appeal filed by counsel and appeal
dismissed.

STATEMENT OF COSTS:

In Circuit Court:

Record \$40.00
Stenographer's Costs 15.00

In Court of Appeals:

Filing Record on Appeal \$20.00
Printing Brief for Appellant
Reply Brief
Portion of Record Extract - Appellant
Appearance Fee - Appellant

Printing Brief for Appellee
Portion of Record Extract - Appellee
Appearance Fee - Appellee

STATE OF MARYLAND, SAYS:

I do hereby certify that the foregoing is truly taken from the record and proceedings of the said
Court of Appeals.

In testimony whereof, I have hereunto set my hand as Clerk and officer
of the seal of the Court of Appeals, this
day of January, A.D. 1967.

Clerk of the Court of Appeals of Maryland.

Costs shown on this Mandate are to be settled between counsel and NOT THROUGH THIS OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: John G. Rogers, Zoning Commissioner Date: November 5, 1964

FROM: George E. Gavrilis, Director

SUBJECT: R-10 to R-10. Southwest side of Liberty Road
1780 feet Northwest of Chapman Road. Being property of
Agatha Heldmann.

2nd District

HEARING: Thursday, November 19, 1964 (10:00)

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

1. The Western Planning Area Master Plan and Zoning Map
sought to provide for a wide variety of housing needs.
In the area southwesterly from Liberty Road and
Randallstown it established moderate-sized lots in re-
cognition of the fact that this area could be severed by
the Planning Board the Master Plan did recommend a band
of apartment zoning as a transitional measure north of
what is now named 118th. By legislative action the
apartment zone proposal was removed. The Guide Plan
now in process by the planning staff and the Planning
Board reaffirms the concept only of apartment zoning
along Liberty Road.

GEO:bms

THE COURT OF APPEALS - BALTIMORE, MARYLAND

January 18, 1967

Robert C. Verderaine, Esq.
Attorney at Law
341 N. Calvert Street
Baltimore, Maryland 21201

Dear Mr. Verderaine:

This will acknowledge receipt of your
notice to dismiss the appeal in the case of Francis L.
Hudson vs. Agatha B. Heldmann, et al, No. 304,
September Term, 1966.

We have accordingly attended to the appeal
and the appeal has been dismissed. The original
papers to the Circuit Court for Baltimore County.

A copy of the mandate to dismiss.

Respectfully,
Robert C. Verderaine,
Esq.
341 N. Calvert Street,
Baltimore, Maryland 21201.

B. ANDERSON - 65-153-R - Agatha B. Heldmann - A.F.F.

Bond Affirmed by Judge Turnbull - 7/11/66 (Civil)

RCV:at 8/9/66

FRANCIS L. HUDSON

v.

WILLIAM S. HALDWIN,
W. GILES PALMER,
R. BRUCE ALDERMAN,
constituting the County Board
of Appeals of Baltimore County, and
RALPH SCHERMAN.

IN THE

CIRCUIT COURT

FOR

BALTIMORE COUNTY

At Law

Miss. Docket 8
Folio No. 21
File No. 1593

ORDER FOR APPEAL

Mr. Clerk:

Please enter an Appeal to the Court of Appeals on behalf of
Francis L. Hudson from the judgment entered in this action on
July 11, 1966.

Robert C. Verderaine,
341 North Calvert Street,
Baltimore, Maryland 21201,
Pl. 2-5885.

I HEREBY CERTIFY that on this day of 1966,
a copy of the above Order for Appeal was mailed to W. Lee Harrison, Esq.,
Loyola Federal Bldg., Towson, Maryland and to the County Board of
Appeals of Baltimore County.

Robert C. Verderaine

NCV:at 5/5/66

FRANCIS L. HUDSON,
3414 Chapman Road,
Randallstown, Maryland.

v.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY,
County Office Building,
Towson, Maryland.

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

ORDER OF APPEAL

Please enter an appeal on behalf of Francis L. Hudson from
the County Board of Appeals of Baltimore County to the Circuit Court of
Baltimore County in the matter of the Petition for Reclassification from an
R-10 Zone to an R-A Zone of property located on the southwest side of Liberty
Road, 1,780 feet northwest of Chapman Road, in the Second Election District.

This appeal is from the decision of the County Board of Appeals
of Baltimore County dated April 7, 1966 of Petition No. 65-153-R granting
the Reclassification.

Robert C. Verderaine,
341 North Calvert Street,
Baltimore, Maryland 21201,
Pl. 2-5885.

Benjamin A. Karnabaw,
1804 One North Charles Street,
Baltimore, Maryland 21201,
SA 7-0220.
Attorneys for Appellant.

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, AGATHA B. HELDMANN, legal owner, of the property situate in Baltimore
County and which is described in the description and plat attached hereto and made a part hereof,
herby petition (1) that the zoning status of the herein described property be reclassified, pursuant
to the Zoning Law of Baltimore County, from an R-10 zone to an R-A
zone; for the following reasons:

Error in original zoning and a genuine change in conditions.

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.

Contract purchaser
Address 1780 N. Calvert St.
Baltimore, Maryland

W. Lee Harrison, Petitioner's Attorney
Address 807 Loyola Building
Towson, Maryland 21204 (823-3900)

Legal Owner
Address 341 N. Calvert St.
Baltimore, Maryland

Robert C. Verderaine
341 N. Calvert St.
Baltimore, Maryland 21201
Pl. 2-5885

ORDERED BY the Zoning Commissioner of Baltimore County this, 19th day
of October, 1966, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out 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 19th day of November, 1966, at 10:00 a.m.

By _____
Zoning Commissioner of Baltimore County.

RE: PETITION FOR RECLASSIFICATION
R-10 to R-A Zone
SW of Liberty Road, 1780 NW
of Chapman Road, 2nd District
Agatha Heldmann-Petitioner

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY
Re: 65-153-R

The petitioner's property, consisting of 77.5 acres,
is located on the Southwest side of Liberty Road, 1780 Northwest
of Chapman Road. The petitioner requests that zoning to permit
the construction of garden type apartments. The plans provide for
100 units in a rental range of \$10.00 to \$17.00 a month along
with a swimming pool and outdoor recreational facilities. It was
obvious from the outset of the hearing that the petitioner was
basing his case on the theory of error in the original zoning
map.

It was pointed out that if the property were developed
in its present R-10 classification, the overall development costs
including the original price of the land, grading, pumping stations
and public works agreement obligations would be \$6,300,000 per lot.

The land was described as being traversed by several
streams, as having several underground right-of-ways for gas lines,
and as having a large pond. The overall topography of the tract
was described as being very rough and having grades ranging any-
where from 10' to 25'. There was expert testimony that one third
of the land was absolutely unfit for R-10 development and that it
would be economically infeasible to attempt to develop any of the
subject tract as an R-10 development.

The principle points of objection to the over-all
project centered on the fact that Liberty Road, which would service
the proposed apartment project, is only 26' wide and that its
traffic capacity has already been met. In addition, the protesters
felt that Liberty Road at this time just cannot absorb any additional
traffic and to grant the rezoning requested in this case would
contribute to an already existing dangerous traffic hazard on the
road.

There is little doubt that the petitioners have
shown clearly an error in the zoning map, in fact as that map applies
to the subject tract of land. However, one Deputy Zoning Commissioner,
at this time has no alternative but to hold that the subject petition
is premature and cannot be granted at this time because of the dangerous
traffic conditions currently existing on Liberty Road. Resolving such
is in the general public interest for the health, safety, and general
welfare of the community as well as the individual's interest of the
land owner. To grant the rezoning herein requested certainly would
not be in the general public interest.

IT IS ORDERED BY the Deputy Zoning Commissioner of
Baltimore County, this 18th day of December, 1966, that the above
reclassification be and the same is hereby DENIED and that the above
described property or area be and the same is hereby continued as and
to remain an R-10 zone.

By _____
Deputy Zoning Commissioner of
Baltimore County

I hereby certify that a carbon copy of the above Order
of Appeal was mailed to W. Lee Harrison, Esq., 807 Loyola Federal
Building, Towson, Maryland 21204, on the 5th day of Nov., 1966.

Service admitted this 14th day of May, 1966
at 9:05 a.m., by the County Board of Appeals of Baltimore County.

Robert C. Verderaine

Chief Clerk

Lease Map
John C. Childs
Associates
George W. Riddle
Robert W. Calver
Leonard F. Hines
James F. Hines
Paul Lee
Paul S. Swann

MAZ, CHILDS & ASSOCIATES, INC.
Engineers & Surveyors - Site Planners
3129 S. Charles St., Baltimore, Maryland 21218
663.3085

West. Suppl.
Surveying
Mapping
Planning
Engineering
Development
Investigation
Reprints

DESCRIPTION

73 ACRES OF LAND, MORE OR LESS, PART OF HELDMANN
PROPERTY, SECOND ELECTION DISTRICT, BALTIMORE
COUNTY, MARYLAND

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

Beginning for the same at a point on the third line of the Baltimore
County Zoning description 2-B-R-2, said point of beginning being on a line
drawn at right angles to Liberty Road and distant 543 feet southwesterly
from the intersection of said line with the center line of said Liberty Road,
said intersection being 1780 feet, more or less, as measured northwesterly
along said center line from its intersection with the center line of Chapman
Road, said point of beginning being also on the second or S. 31° 46' 20" W.,
400.11 foot line of that parcel of ground described in a deed from
Agatha E. Heldmann, widow, to Jandav, Inc., dated August 16, 1960
and recorded among the Land Records of Baltimore County in Liber W.J.R.
3743, Page 181, and running thence binding on a part of said second line
S. 38° W., 181 feet, more or less, to the beginning of the third line of said
deed thence binding on said third line S. 53° 20' 40" E., 303.98 feet, more
or less to a point on the eighth line of that parcel of ground described in a
deed from Lillian A. Lichter to Beth Israel Conservative Congregation,

MAP
1-C
WESTERN
AREA
RA
11/6/64

dated April 27, 1959 and recorded among said Land Records in Liber
W.J.R. 3521, Page 512, thence binding reversely on a part of the eighth
and on the seventh lines of said last mentioned deeds, the two following
courses and distances: (1) S. 34° 43' W., 600 feet, more or less and
(2) S. 52° 08' 00" E., 912.40 feet, more or less to a point on the eleventh
line of that land described in a deed from Edward Choate O'Dell, and others,
to Agatha E. Heldmann, dated September 11, 1950 and recorded among said
Land Records in Liber T.B.S. 1891, Page 360, thence binding reversely on
a part of the eleventh, tenth and a part of the ninth lines of said last
mentioned deed the three following courses and distances: (1)
S. 45° 15' W., 1720.70 feet, more or less (2) N. 47° W., 1227.60 feet,
more or less and (3) N. 01° E., 409.10 feet more or less to the beginning
of the fifth line of that land described in a deed from Agatha E. Heldmann
to The Most Reverend Lawrence J. Shehan, etc., dated
December 10, 1963 and recorded among said Land Records in Liber
R.R.G. 4242, Page 567, thence binding reversely on a part of said fifth
line N. 30° 38' 00" E., 1865 feet, more or less to a point on said third
line of the aforementioned zoning description, thence binding on a part
thereof southeasterly 670 feet, more or less, to the place of beginning.

Containing 73. acres of land, more or less.

J. O. #64135
8/26/64

GAV:shr



#65-153R
MAP
1-C
WESTERN
AREA
RA
11/6/64

Lease Map
John C. Childs
Associates
George W. Riddle
Robert W. Calver
Leonard F. Hines
James F. Hines
Paul Lee
Paul S. Swann

MAZ, CHILDS & ASSOCIATES, INC.
Engineers & Surveyors - Site Planners
3129 S. Charles St., Baltimore, Maryland 21218
663.3085

West. Suppl.
Surveying
Mapping
Planning
Engineering
Development
Investigation
Reprints

DESCRIPTION

1.4 ACRES OF LAND, MORE OR LESS, PART OF HELDMANN
PROPERTY, SECOND ELECTION DISTRICT, BALTIMORE
COUNTY, MARYLAND

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

Beginning for the same at a point on the center line of Liberty Road, said
point of beginning being 2490 feet, more or less, as measured northwesterly along
said center line of Liberty Road from the intersection thereof with the center line
of Chapman Road, said point of beginning being also on the fifth or N. 55° 3/4' W.,
60.1 perch line of that parcel of ground described in a deed from Edward Choate
O'Dell, and others, to Agatha E. Heldmann, dated September 11, 1950 and re-
corded among the Land Records of Baltimore County in Liber T.B.S. 1891,
Page 360, and running thence binding on a part of said fifth line and also binding
on said center line of Liberty Road N. 59° 31' 00" W., 190 feet, more or less, to
the beginning of the second or S. 29° 29' W., 33.00 foot line of that parcel of ground
described in a deed from Agatha E. Heldmann to The Most Reverend Lawrence J.
Shehan, etc., dated December 10, 1963 and recorded among said Land Records
in Liber R.R.G. 4242, Page 567, thence binding on said second line and continuing
the same course binding on the third line of said last mentioned deed S. 29° 29' W.,
333 feet, in all, to the beginning of the fourth line of said last mentioned deed,

MAP
1-C
WESTERN
AREA
RA
11/6/64

GAV:jfe

8/20/64

J.O. #4115

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2-2
Posted for: 10/20/64
Petitioner: Agatha Heldmann
Location of property: 1.4 acres of land, more or less, part of Heldmann property, Second Election District, Baltimore County, Maryland
Location of Sign: 911 S. Charles St., Baltimore, Md. 21218
Remarks: 1/4 acre of land, more or less, part of Heldmann property, Second Election District, Baltimore County, Maryland
Posted by: [Signature]
Signature: [Signature]
Date of return: 10/20/64

V. Lee Harrison, Esq.
Loyola Building
Towson, Md. 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON 4, MARYLAND

October 23, 1964

Petition for Reclassification
from R-10 to R-A for
SUBJECT: Agatha Heldmann, located on
NW 1/2 Liberty Rd. 2490' N of
Chapman Road

The Zoning Advisory Committee has reviewed the subject petition and
makes the following comments:
OFFICE OF PLANNING AND ZONING: Interior access with regard to public roads,
circulation and street connections to adjacent properties, etc., is not satisfactory.
It is suggested that the petitioner's engineer arrange a meeting with Mr. Albert
Quinby, Office of Planning and Zoning and Mr. Gilbert Nelson, Traffic Bureau,
for details concerning this matter, prior to submitting an application for a
building permit in the event the Zoning request is granted.

BUREAU OF ENGINEERING: Will comment as to the feasibility of utilities.
TRAFFIC BUREAU: See comments from the Zoning Advisory Committee, dated October 5, 1964.

No comments from the following Departments:
State Roads Commission
R & S Commission
Fire Bureau
Buildings Department
Health Department
Industrial Commission
Board of Education

CC: Albert Quinby, Office of Planning & Zoning
Gilbert Nelson, Traffic
George Hefner, Bureau of Engineering

Yours very truly,

[Signature]
James E. Dyer
Chief of Permit and
Petition Processing

INTER-OFFICE CORRESPONDENCE
DIVISION OF TRAFFIC ENGINEERING
Baltimore County, Maryland
Towson 4, Maryland

Date: October 5, 1964

TO: Mr. James E. Dyer
FROM: Gilbert M. Nelson
SUBJECT: Item 3 - 2AC - September 29, 1964
Agatha Heldmann - Northwest side of Liberty Road
Petition to reclassify R-10 to RA

Review of the plan dated August 28, 1964 for
subject petition results in the following comments:

The plan does not provide for public access to
large tracts of land bordering the proposed development.
It appears that the proposed location for access to
Liberty Road would be satisfactory for public access.
Additional public access should be provided generally
paralleling Liberty Road near the south side of the site.
Perpendicular parking provided on 30 and 24
foot private drives within the site is considered
undesirable. This parking should be reoriented to off-
street parking bays.

[Signature]
Gilbert M. Nelson, Assistant Chief
Bureau of Traffic Engineering

GME:ile



INTER-OFFICE CORRESPONDENCE
DIVISION OF TRAFFIC ENGINEERING
Baltimore County, Maryland
Towson 4, Maryland

Date: October 5, 1964

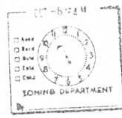
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Additional public access should be provided generally
paralleling Liberty Road near the south side of the site.
Perpendicular parking provided on 30 and 24
foot private drives within the site is considered
undesirable. This parking should be reoriented to off-
street parking bays.

[Signature]
Gilbert M. Nelson, Assistant Chief
Bureau of Traffic Engineering

GME:ile



RE: PETITION FOR RECLASSIFICATION
from an R-10 zone to an R-A zone,
SW/4 of Liberty Road 1780' NW
of Chapman Road,
2nd District
Agatha B. Heldmann,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 65-153-R

OPINION

This is an application for a zoning reclassification from an R-10 residential zone to an R-A residential zone of a tract of land of approximately seventy-five acres with a frontage of approximately 500 feet on Liberty Road. Fronting on Liberty Road to the east of the subject property is the Beth Israel Congregation's site for a synagogue and school and to the west of the subject property lies the property upon which is the church and school of the Holy Family Church. Somewhat to the east is the commercial area which extends for a considerable distance southeast to the intersection of Liberty Road and Old Court Road and which area is known as "Randallstown". Across Liberty Road from the subject property there is a strip of land zoned B-R (Business Roadside use). There are no sidewalks or curbs on Liberty Road at this particular point, however, sanitary sewer and public water supply is now available to the site.

At the time of the filing of the application Liberty Road was beyond question too narrow for the amount of traffic it was carrying. However, the State Roads Commission is in the process of widening Liberty Road from the Baltimore County Beltway to a point is in the process of widening Liberty Road which is a very short distance from the subject property approximately 1000 feet west of Offutt Road which is a very short distance from the subject property and which is under construction at part of this time and which is scheduled to be completed by June, 1968. These improvements will make Liberty Road a sixty foot road with a traffic capacity far in excess of its present use. Testimony and exhibits in the record indicate that the capacity of the improved road will be at least 3670 automobiles per hour as against a theoretical capacity of 1800 per hour as existing. Present peak hour figures run above 800 cars per hour in one direction with a total peak hour load of over 1300 cars in both directions. Testimony further indicated that the congestion is at its worst over weekends when the church and synagogue are conducting services.

The owner of the property proposes to construct an apartment complex, as shown on Petitioner's Exhibit No. 1, with somewhat in excess of 1000 apartment units of the garden type with a swimming pool, community house, picnic area, a proposed park around an existing pond, and a small chip and put golf course. Access to the property would be from a recessed monumental entrance on Liberty Road with the nearest apartment house on it over 300 feet back from the main road. Adequate parking space is provided for as is, of course, required by the applicable rules and regulations of Baltimore County.

Heldmann - #65-153-R

Mr. Lester Metz, a qualified engineer and land planner who prepared the site plan (Exhibit No. 1) and who had estimated development cost for land preparation gave his opinion, supported by very adequate figures, that the development cost of this property for R-10, because of various costs including the roads, sewers, storm drains, water, paving, excavation, grading, other charges, and the topography of the drainage area, would amount to \$6,300 per lot which would be completely prohibitive for the development of the land in the minimum size R-10 lots. The construction schedule would be at the rate of about 250 units per year and that the full apartment development of the total number of units, in his opinion, would take at least six years from the final approval of the zoning classification by which time the road situation would be vastly improved and would present no problem exceeding the normal situation at other places in the County.

The proposed developer of the land who testified is a reputable and experienced builder who stated that, in his opinion, it would be uneconomical to develop the property in homes to sell for less than \$40,000 which would be economically impossible in this neighborhood. The apartments he proposes to build would rent within a range from \$115 to \$150 per month. Among other problems, the right-of-way for a pipe line runs through the property and must be taken into consideration for any plan for site use.

Mr. Florian G. Schmidt, a resident of the neighborhood, testified on behalf of the petitioner that public transportation could very easily be available to the site as well as to the churches although the present Baltimore Transit bus line stops in Randallstown. He stated, without contradiction, that the Baltimore Transit franchise to run buses extends to the Mariettaville Road, which is part of this property. He stated that the church and synagogue are the main traffic generators in the area and he felt the apartment house use would present no difficulty in this respect when the road was widened.

The traffic situation was also covered by the testimony of Robert Czaban, a qualified traffic engineer, who presented traffic counts and his opinion as to road capacities, and his own traffic studies and counts. He said that the site distances from the entrance to the apartment project are adequate, there were no hills or curves, and the development, as presented on the plat plans, would contain no hazardous traffic.

Mr. Bernard Willemin, a planning expert, testified at length, as appears in the record, to the effect that R-10 zoning was an error because of the impossibility of the use of this land for R-10 development, and that there had been a number of changes in the neighborhood since the adoption of the map in November, 1962 which would warrant the rezoning of this property. We will particularly mention the improvement of Liberty Road which was not predicted or even under consideration in 1962; that the utilities, water and sewer, were not available in 1962; that the trend to apartment living since

- 2 -

Heldmann - #65-153-R

1962 was not considered by the Council at the time of the adoption of the map, as well as failure on the part of the Council to provide for any apartment, zoning in the entire area at the time the map was adopted. There have been certain apartment areas between Randallstown and the Baltimore County Beltway included on the map by petition since 1962 but none of which bear any particular relationship to the subject site, and the demand is continuing for exactly the sort of apartment house planning to be constructed on this site. He stated that only six percent of the entire Western Area map as adopted in 1962 provided for rental housing and none whatever was provided for by way of R-A zoning in the map known as Western Area I-C which includes the subject property although some was provided for in the other three maps of the Western Area. He testified that in the present Eastern Area where a Master Plan is now under consideration for the adoption of a comprehensive map there has been an allowance of twenty-five percent of the land area for R-A use and that the thinking of the Planning and Zoning authorities has changed as to the effect of apartments on schools, utilities, taxes, etc. He felt that in this area R-10 zoning, if development were possible, would produce a large number of school children whereas the apartments, as planned, would have a negligible effect on school population, and that the proper zoning should be as requested in this petition. He corroborated the testimony of Mr. Metz as to the prohibitive effect of land development costs if the R-10 zoning were continued. He presented further testimony, too long to reproduce here but which appears in the record, to support his conclusions as stated above.

The protestors, residents of the neighborhood, a number of whom appeared and three of whom testified seemed to base their objection to the rezoning mainly to the present traffic conditions on Liberty Road and, by agreement, a stipulation was filed as to what would have been testified to by Father Francis Kelly, the Pastor of the Holy Family Church, if he had appeared in which he states:

"4. That he is not opposed, per se, to apartments being erected in the vicinity of Holy Family Church and School, but is unequivocally opposed to such erection of apartments because of increase of traffic which would jeopardize the safety of the children attending Holy Family School; further, his opposition will continue unless:

- The widening of Liberty Road be extended westerly of the Church and School site for a considerable distance.
- Sidewalks be provided both east and west of the School site for a considerable distance so that students coming to the School either from the easterly or westerly direction would not have to walk on the shoulder of the road."

- 3 -

Heldmann - #65-153-R

The Board can understand the feeling of the protestors as to the traffic conditions because at the present time Liberty Road is undoubtedly a very heavily travelled highway. However, as we have stated above this will be alleviated by construction now underway and which will be finished before the construction of the proposed apartments could possibly make the traffic situation any worse than it is. We understand Father Kelly's concern for sidewalks in the neighborhood, however, it must be noted that neither the synagogue nor the church has constructed sidewalks on their own property nor apparently have been able to get the County to do so, and that the developers of the subject property would be forced by County building and planning regulations to construct sidewalks on their own frontage along Liberty Road which, beyond question, would be a definite improvement to the situation rather than a detriment to the church and the synagogue as well as the rest of the neighborhood, and would be a real factor in protecting the children at the schools which would not be the case if the land were developed under its present zoning classification without using the Liberty Road frontage.

Mr. Eugene J. Clifford, Baltimore County traffic engineer who was called by the protestors as a witness, confirmed the figures as to traffic counts and road use as previously given by Mr. W. J. Addition of the State Roads Department and Mr. Czaban who testified for the petitioner, although he expressed his opinion that the additional volume from a development of this type and size would result in some congestion at certain peak hours somewhat in excess of the problems which would arise from single family development.

We have been unable to find any testimony from the protestors which is pertinent to the issues involved other than the traffic situation and it is to be noted that the petition was denied by the Deputy Zoning Commissioner in 1964 solely on the grounds that because of traffic conditions on Liberty Road the application was premature although he found, as a fact, that the petitioner clearly showed an error in the original zoning map.

The Board finds, as a fact, that there was an error in the original zoning and that there have been sufficient changes in the character of the neighborhood and the availability of utilities, specifically including roads, to warrant the granting of the petition for reclassification, and that there has been no sufficient showing of any harm to the general welfare, including the traffic conditions, nor any possible damage to property values in the neighborhood and, therefore, the application for reclassification to an R-A zone will be granted.

Heldmann - #65-153-R

ORDER

For the reasons set forth in the foregoing Opinion, it is this 5th day of April, 1966 by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby GRANTED.

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

William J. Baldwin, Chairman

W. Giles Parker

R. Bruce Alderman

THE LOVELLA BLOIS
TOWNSHIP, MD. 21204

LAW OFFICER
W. LEE HARRISON
December 15, 1964

John G. Rose, Esq.
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Petition for Reclassification R-10 to R-A Zone, SW/4 of Liberty Road, 1780' NW of Chapman Road - 2nd District - Agatha Heldmann, Petitioner, No. 65-153-R

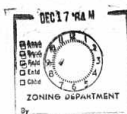
Dear Mr. Rose:

Please note an appeal to the County Board of Appeals from the Order dated December 10, 1964 denying the Reclassification on behalf of Agatha Heldmann, the Petitioner, in connection with the above captioned matter.

I have enclosed herewith my check in the amount of \$70.00 to cover the cost of the same.

Very truly yours,

W. Lee Harrison



TELEPHONE
623-3000

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

No. 27613
DATE 12/17/64

TO: Michael Enterprises
Suite 1101
1730 K St. N.W.
Washington D.C. 20006

BILLED Zoning Department of Balto. Co.

REPORT TO ACCOUNT NO.	QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
01-622		Advertising and posting of property for Agatha Heldmann #65-153-R	116.00
		12-368 1401 + 27613 T1P =	116.00

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
623-3000

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

No. 27525
DATE 12/22/64

TO: W. Lee Harrison, Esq.
Loyola Building
Towson, Md. 21204

BILLED Zoning Department of Balto. Co.

REPORT TO ACCOUNT NO.	QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
01-622		Petition for Reclassification for Agatha Heldmann #65-153-R	50.00
		10-2364 9313 + 27525 T1P =	50.00
		10-2364 9313 + 27525 T1P =	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.

TELEPHONE
623-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 38951
DATE 6/6/66

TO: Robert C. Verducci, Esq.
301 E. Calvert Street
Baltimore, Md. 21202

BILLED County Board of Appeals

REPORT TO ACCOUNT NO.	QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
01-712		Cost of Certified Documents - No. 65-153-R Agatha B. Heldmann SW/4 Liberty Road 1780' NW of Chapman Road 2nd District	8.00
		3-240 4160 + 38951 T1L =	8.00

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
623-3000

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 34532
DATE 11/17/65

TO: Benjamin A. Enck, Esq.
1 North Charles Street
Baltimore, Md. 21201

BILLED County Board of Appeals (Zoning)

REPORT TO ACCOUNT NO.	QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT DUE
01-712		Cost of verbatim copies of description of property Zoning File No. 65-153-R - Agatha B. Heldmann, Petitioner 4 copies @ 50c per sheet	\$2.00
		11-1765 4465 + 34532 T1P =	2.00

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.

1 FRANCIS L. HUDSON IN THE
2 VS. CIRCUIT COURT FOR
3 BOARD OF APPEALS OF BALTIMORE COUNTY: BALTIMORE COUNTY
4 and Folio 91
5 AGATHA B. HELDMAN Misc. Mat. 8
6 Case 3529
7 July 11, 1966

9 ORAL OPINION OF JUDGE JOHN GRASON TURNBULL

11 APPEARANCES:

12 Robert C. Verderaine, Esq.
13 Benjamin A. Barnshaw, Esq.
14 in behalf of the Petitioner
15 W. Lee Harrison, Esq.,
16 in behalf of the Board

18 Reported by:

19 Hilda C. Greene
20 Official Court Reporter in the Circuit Court
21 for Baltimore County

2 ORAL OPINION OF THE COURT

3 THE COURT: Gentlemen, as I read the testimony and
4 exhibits and authorities cited to me: the opinion of the deputy
5 zoning commissioner, Mr. Hardesty, and the Board of Appeals,
6 the only real issue raised in this case was traffic con-
7 gestion. I didn't see any testimony at all and no point
8 seemed to be made of any other adverse effect that the granting
9 of this Petition would have on Mr. Hudson or anybody else in
10 this community. The development cost is interesting, but it
11 seems to me not material. The Board didn't rest its decision
12 upon that, nor did the deputy commissioner. The existence
13 of the underground lines doesn't concern me too much with
14 regard to the development costs, because, unless some kind
15 of miracle was worked by the utilities to obtain these rights-
16 of way to place these lines there for nothing, they paid for
17 the right-of-way not only actual but residual, consequential
18 damages, in order to obtain these rights-of-way. Those as-
19 pects of the matter don't particularly affect the conclusion
20 in this case.

21 The only matter is the question of traffic; whether
or not the situation will be such as to compel this Court to

1 find that the Board acted in an arbitrary, unreasonable,
2 capricious and illegal manner. The testimony is in some
3 conflict, but not too great conflict, because actually, the
4 parties who testified for each side came within a very close
5 percentage of traffic capacity of Liberty Road at this lo-
6 cation. I remember specifically in the evidence - I don't
7 know the page, or the witness, but it makes no difference -
8 that counsel were pursuing one of the witnesses - I am not
9 sure whether it was Mr. Clifford or Dr. Ewell - as to the
10 capacity of Liberty Road; it had been testified it is eighteen
11 hundred cars, and the witness was either being cross-examined,
12 or directly examined, when he said approximately fifteen to
13 sixteen hundred, and I remember Mr. Parker, a member of the
14 Board, breaking in and saying, "Eighteen hundred or sixteen
15 hundred, so what?", indicating that, in the Board's opinion,
16 the difference in opinion between the experts was de minimus;
17 it was trivial.

18 The only real difference in the evidence produced
19 in re traffic was not fact evidence. It was opinion evidence.
20 It seems to me that under the testimony and exhibits in this
21 case, the qualified people who testified on the traffic

1 situation, to all intents and purposes, agreed as to the
2 facts. And the only disagreement was as to the conclusions
3 drawn from the facts which they determined. If there is
4 reasonable, believable evidence upon which the Board could
5 come to a conclusion, it is not the function of Court to dis-
6 turb such conclusion, unless, as I have indicated, it is
7 illegal, arbitrary, or capricious. I find from the whole
8 record, gentlemen, that there was evidence upon which the
9 Board could have reached the conclusion which it did reach
10 with regard to the traffic situation, which was the main
11 thrust of the opposition, that there was no substantial evi-
12 dence at all upon which they could come to any conclusion
13 with regard to anything other than traffic safety and con-
14 gestion because it was, if any, such trivial testimony with
15 respect to other objections, that it really didn't deserve
16 attention.

17 So that, finding that there was evidence upon which
18 the Board reasonably could reach a conclusion which it did
19 reach, making no difference whether or not I agree with them,
20 despite the holding in the Price case, Price vs. Cohen, which
21 we all know has been used as a milestone on Liberty Road cases,
I think the situation,

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

No. 28566
DATE: 2/25/66

TO: W. Lee Harrison, Esq.,
Lepore Bldg.,
Towson, Maryland 21204

RECEIVED BY: Office of Planning & Zoning
119 County Office Bldg.,
Towson, Maryland 21204

DEPOSIT TO ACCOUNT NO. 01-021

QUANTITY	DETAILS (UPPER SECTION AND DETAIL WITH YOUR REMITTANCE)	TOTAL AMOUNT \$10.00 COST
	Cost of posting property of Agatha Heldman - 2 signs No. 65-153 R	\$10.00
	PAID - Baltimore County, Md. - Office of Finance	
	2-25-66 120 = 28566 117-	1.00

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.

1 factual situation, in this case is so completely different
2 than Price versus Cohen that this case does not apply, and
3 the later cases did apply, such as Johar, Rohde, Hille, Beth
4 Tillion and others. And it is significant in this case, too,
5 gentlemen, that not only did the Board find but also the de-
6 puty commissioner found, that there was error in the original and
7 for change of condition, and I find that there was suffi-
8 cient evidence of both that the Board could come to such
9 conclusion, and grant the application, and therefore,
10 gentlemen, for these brief and perhaps somewhat inadequate
11 reasons, the action of the Board will be affirmed.

12 I might repeat what I have said in other cases,
13 that I noticed last night when I was reading the cases in the
14 Maryland Reports, which were recited to me, - I don't have the
15 Atlantic Reporter at home, - but the Court of Appeals in
16 one of these cases, - I can't off-hand remember which speci-
17 fically - commented on the fact that it could not reach
18 a conclusion and this Court could not reach a conclusion upon
19 personal knowledge of the Board. I remember in one case that
20 Judge Gontrum went out and looked at the property and used
21 that in reaching his conclusion. The Court of Appeals

1 looked with some disfavor on that. I know in some cases,
2 where members of the Board asked if there is any objection
3 to their going out and reviewing the property, counsel,
4 being caught in a bind, said there is no objection, but I
5 personally feel that if the Board is going to look at the
6 property, that the Board ought to make specific findings of
7 facts, separate from the evidence, based on what the Board
8 saw, so that the Court may separate that which the Board
9 considered from its own personal knowledge as opposed to
10 that which the Board considers from the record itself.

11 It is our practice, gentlemen, to have these
12 remarks written up, and have a copy sent to the Board for
13 whatever value it may be to the Board.

John Grason Turnbull,
Judge

CERTIFICATE OF POSTING
TOWSON 40 DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2ND Date of Posting: Jan 9, 1965
Poster for: Agatha B. Heldman
Petitioner: Agatha B. Heldman
Location of property: 65-153 R
Location of Signs: 514 P. of Liberty Rd. - 1190 N. of Chapman Rd.
Remarks: 2 signs
Posted by: [Signature] Date of Return: Jan 11, 1965

PETITION FOR
RECLASSIFICATION

2nd DISTRICT

ZONING: From R-10 to R-A.

Zone

LOCATION: Southwest side of
Liberty Road 1740 feet North-

west of Chapman Road

DATE & TIME: THURSDAY,
NOVEMBER 19, 1964 at 10:00

A.M.

PUBLIC HEARING: Room 109,
County Office Building, 111

W. Chesapeake Avenue, Tow-

son, Maryland

The Zoning Commissioner of
Baltimore County, by authority
of the Zoning Act and Regu-
lations of Baltimore County,
will hold a public hearing:

Present Zoning: "R-10"

Proposed Zoning: "R-A"

All that parcel of land in the
Second District of Baltimore
County.

Beginning for the same at a
point on the third line of the

Baltimore County Zoning descrip-
tion 2-B-R-2, said point of
beginning being on a line
drawn at right angles to Liberty
Road and distant 383 feet
northwesterly from the inter-
section of said line with the
center line of said Liberty
Road, said intersection being
1740 feet, more or less, as
measured northwesterly along
said center line from its inter-
section with the center line of
Chapman Road, said point of
beginning being also on the
second or S. 31 degrees 46
minutes 20 seconds W., 400.11
foot line of that parcel of
ground described in a deed
from Agatha E. Heldmann,
widow, to Jandav, Inc., dated
August 16, 1960 and recorded
among the Land Records of
Baltimore County in Liber
W.J.R. 3743, Page 181, and
running thence second line S. 38
degrees W., 50.11 feet, more or
less, to the beginning of the
third line of said deed thence
binding on said third line S.
53 degrees 20 minutes 40 sec-
onds E., 303.98 feet, more or
less to a point on the eighth
line of that parcel of ground
described in a deed from
Lillian A. Lichter to Beth
Israel Conservative Congre-
gation, dated April 27, 1959
and recorded among said Land
Records in Liber W.J.R. 3521,
Page 512, thence binding re-
versely on a part of the eighth
and on the seventh lines of
said last mentioned deeds, the
two following courses and
distances: (1) S. 34 degrees
43 minutes W., 600 feet, more
or less and (2) S. 52 degrees
08 minutes 00 seconds E.,
912.40 feet more or less to a
point on the eleventh line of
that land described in a deed
from Edward Choate O'Dell,
and others, to Agatha E. Held-
mann, dated September 11,
1950 and recorded among said
Land Records in Liber T.B.S.
1891, Page 360, thence bind-
ing reversely on a part of the
eleventh, tenth and a part of
the ninth lines of said last
mentioned deed the three fol-
lowing courses and distances:
(1) S. 45 degrees 15 minutes
W., 1720.70 feet, more or less
(2) N. 47 degrees W., 1227.60
feet, more or less and (3) N.
61 degrees E., 409.10 feet
more or less to the beginning
of the fifth line of that land
described in a deed from Agatha
E. Heldmann to The Most
Reverend Lawrence J. Shehan,
etc., dated December 10, 1963
and recorded among said Land
Records in Liber R.R.G. 4242,
Page 567, thence binding re-
versely on a part of said fifth
line N. 30 degrees 38 minutes
00 seconds E., 1865 feet, more
or less to a point on said third
line of the aforementioned
zoning description, thence
binding on a part thereof south-
easterly 670 feet, more or less,
to the place of beginning.

Containing 73 acres of land,
more or less.

Present Zoning: R-10

Proposed Zoning: "R-A"

Beginning for the same at a
point on the center line of
Liberty Road, said point of
beginning being 2490 feet,
more or less, as measured
northwesterly along said center
line of Liberty Road from the
intersection thereof with the
center line of Chapman
Road, said point of beginning
being also on the fifth or N.
55-3/4 degrees W., 60.1
perch line of that parcel of
ground described in a
deed from Edward Choate

O'Dell, and others, to Agatha
E. Heldmann, dated September
11, 1950 and recorded among
the Land Records of Baltimore
County in Liber T.B.S. 1891,
Page 360, and running thence
binding on a part of said fifth
line and said binding on said
center line of Liberty Road N.
59 degrees 31 minutes 00 sec-
onds W., 190 feet, more or less,
to the beginning of the second
or S. 29 degrees 29 minutes
W., 33.00 foot line of that
parcel of ground described in
a deed from Agatha E. Held-
mann to the Most Reverend
Lawrence J. Shehan, etc.,
dated December 10, 1963 and
recorded among said Land
Records in Liber R.R.G. 4242,
Page 567, thence binding on
said second line and continu-
ing the same course binding on
the third line of said last
mentioned deed S. 29 degrees
29 minutes W., 333 feet, in all,
to the beginning of the fourth
line of said last mentioned
deed, thence binding on a part
of said fourth line S. 59 de-
grees 31 minutes E., 190 feet,
more or less to a point on the
second line of the Baltimore
County zoning description
2-B-R-2 thence binding re-
versely on a part of the sec-
ond line of said zoning de-
scription northeasterly 330
feet, more or less, to the
place of beginning.

Containing 1.4 acres of land,
more or less.

Being the property of Agatha
Heldmann, as shown on plat
plan filed with the Zoning
Department.

Hearing: Date Thursday, No-
vember 19, 1964 at 10:00 A.M.
Public Hearing: Room 109,
County Office Building, 111
W. Chesapeake Avenue, Tow-
son, Maryland

By Order Of

John G. Rose

Zoning Commissioner Of

Baltimore County

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. November 22, 1964

THIS IS TO CERTIFY. That the annexed advertisement was
published in THE TIMES, a weekly newspaper printed and pub-
lished in Baltimore County, Md. once in each of
successive weeks before the
day of November 19 64, the first publication
appearing on the 22nd day of October

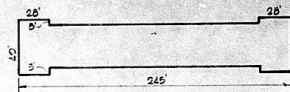
19 64

THE TIMES.

Manager.

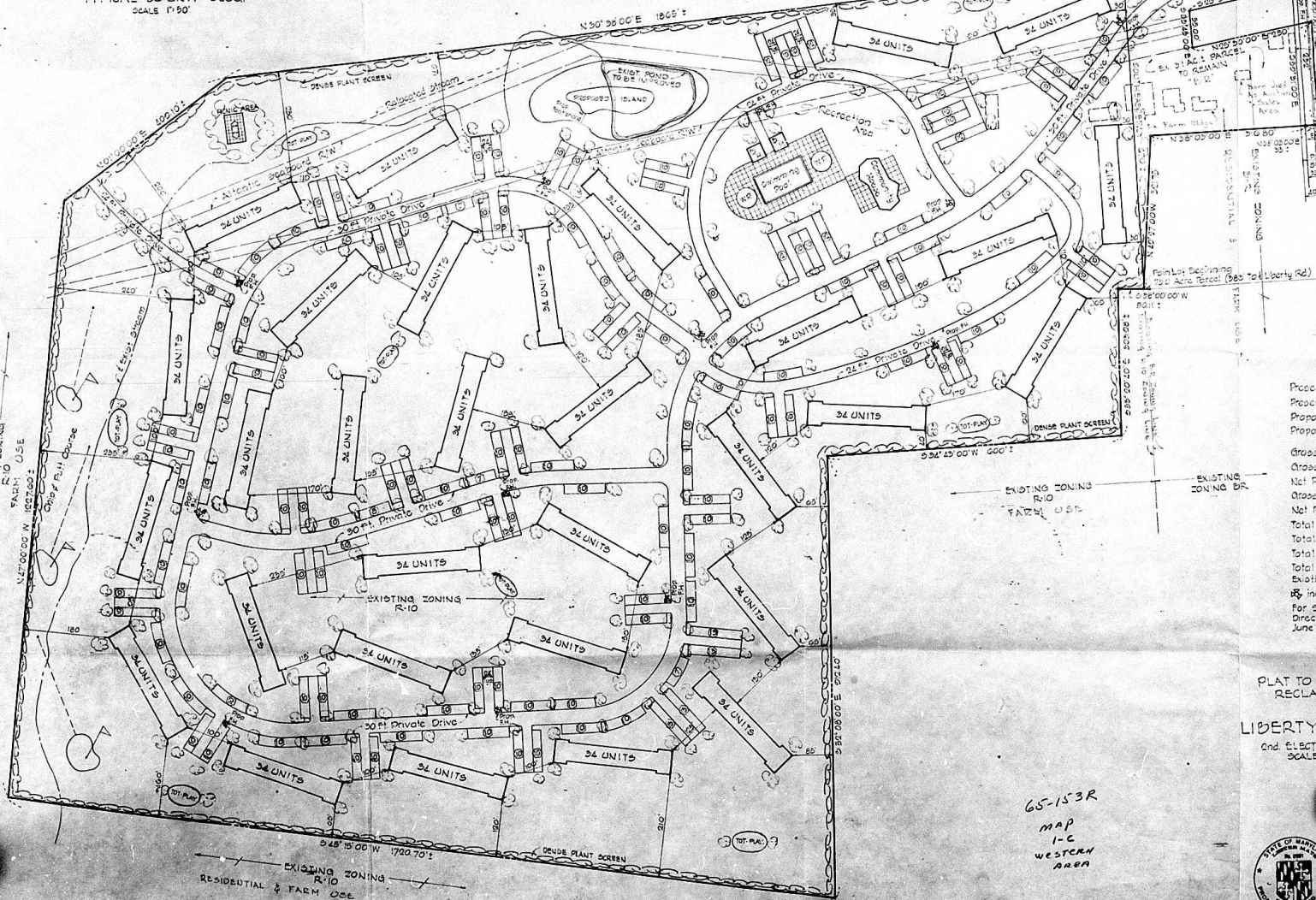
Cost of Advertisement, \$

1964-1965 173-174-175-176-177-178-179-180-181-182-183-184-185-186-187-188-189-190-191-192-193-194-195-196-197-198-199-200-201-202-203-204-205-206-207-208-209-210-211-212-213-214-215-216-217-218-219-220-221-222-223-224-225-226-227-228-229-230-231-232-233-234-235-236-237-238-239-240-241-242-243-244-245-246-247-248-249-250-251-252-253-254-255-256-257-258-259-260-261-262-263-264-265-266-267-268-269-270-271-272-273-274-275-276-277-278-279-280-281-282-283-284-285-286-287-288-289-290-291-292-293-294-295-296-297-298-299-300-301-302-303-304-305-306-307-308-309-310-311-312-313-314-315-316-317-318-319-320-321-322-323-324-325-326-327-328-329-330-331-332-333-334-335-336-337-338-339-340-341-342-343-344-345-346-347-348-349-350-351-352-353-354-355-356-357-358-359-360-361-362-363-364-365-366-367-368-369-370-371-372-373-374-375-376-377-378-379-380-381-382-383-384-385-386-387-388-389-390-391-392-393-394-395-396-397-398-399-400-401-402-403-404-405-406-407-408-409-410-411-412-413-414-415-416-417-418-419-420-421-422-423-424-425-426-427-428-429-430-431-432-433-434-435-436-437-438-439-440-441-442-443-444-445-446-447-448-449-450-451-452-453-454-455-456-457-458-459-460-461-462-463-464-465-466-467-468-469-470-471-472-473-474-475-476-477-478-479-480-481-482-483-484-485-486-487-488-489-490-491-492-493-494-495-496-497-498-499-500-501-502-503-504-505-506-507-508-509-510-511-512-513-514-515-516-517-518-519-520-521-522-523-524-525-526-527-528-529-530-531-532-533-534-535-536-537-538-539-540-541-542-543-544-545-546-547-548-549-550-551-552-553-554-555-556-557-558-559-560-561-562-563-564-565-566-567-568-569-570-571-572-573-574-575-576-577-578-579-580-581-582-583-584-585-586-587-588-589-590-591-592-593-594-595-596-597-598-599-600-601-602-603-604-605-606-607-608-609-610-611-612-613-614-615-616-617-618-619-620-621-622-623-624-625-626-627-628-629-630-631-632-633-634-635-636-637-638-639-640-641-642-643-644-645-646-647-648-649-650-651-652-653-654-655-656-657-658-659-660-661-662-663-664-665-666-667-668-669-670-671-672-673-674-675-676-677-678-679-680-681-682-683-684-685-686-687-688-689-690-691-692-693-694-695-696-697-698-699-700-701-702-703-704-705-706-707-708-709-710-711-712-713-714-715-716-717-718-719-720-721-722-723-724-725-726-727-728-729-730-731-732-733-734-735-736-737-738-739-740-741-742-743-744-745-746-747-748-749-750-751-752-753-754-755-756-757-758-759-760-761-762-763-764-765-766-767-768-769-770-771-772-773-774-775-776-777-778-779-780-781-782-783-784-785-786-787-788-789-790-791-792-793-794-795-796-797-798-799-800-801-802-803-804-805-806-807-808-809-810-811-812-813-814-815-816-817-818-819-820-821-822-823-824-825-826-827-828-829-830-831-832-833-834-835-836-837-838-839-840-841-842-843-844-845-846-847-848-849-850-851-852-853-854-855-856-857-858-859-860-861-862-863-864-865-866-867-868-869-870-871-872-873-874-875-876-877-878-879-880-881-882-883-884-885-886-887-888-889-890-891-892-893-894-895-896-897-898-899-900-901-902-903-904-905-906-907-908-909-910-911-912-913-914-915-916-917-918-919-920-921-922-923-924-925-926-927-928-929-930-931-932-933-934-935-936-937-938-939-940-941-942-943-944-945-946-947-948-949-950-951-952-953-954-955-956-957-958-959-960-961-962-963-964-965-966-967-968-969-970-971-972-973-974-975-976-977-978-979-980-981-982-983-984-985-986-987-988-989-990-991-992-993-994-995-996-997-998-999-1000



TYPICAL 34 UNIT BLDG.
SCALE 1/80

EXISTING ZONING
R-10
NO USE



CHURCH & SCHOOL HOUSE
CONSTRUCTION
900' 20' 00" N 335'

1.4 ACRE PARCEL
EXISTING ZONING
R-10
EXIST. USE - NOVE
PROP. ZONING - R-A
PROP. USE - APP. 2

LIBERTY ROAD



LOCATION PLAN
SCALE 1/1000

GENERAL NOTES

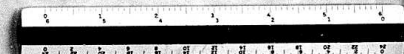
Present Zoning of Tract	R-10 & B.R.
Present Use of Tract	Farm Use
Proposed Zoning of Tract	R-A & B.R.
Proposed Use of Tract	Apartment
Gross Acreage of Tract (Ex. R-10 to R-A) + (Ex. B.R.) = (TOTAL) 77.9 AC.	
Gross Residential Acreage	74.4
Net Residential Acreage	73.1
Gross Residential Density	12.10
Net Residential Density	12.21
Total No. of Apt. Units Permitted (10 x 74.4)	1100
Total No. of Apt. Units Proposed	1054
Total No. of Parking Spaces Prop. (0.20 x 1054)	2108
Existing Buildings to be Removed	"
X indicates proposed fire hydrant locations	
For Sanitary Sewer See Report Submitted to Director of Public Works by this Office on June 29, 1964	

PLAT TO ACCOMPANY PETITION FOR
RECLASSIFICATION OF PROPERTY
VICINITY OF

LIBERTY ROAD & CHAPMAN ROAD

2nd ELECTION DISTRICT BALTIMORE CO. MD

SCALE 1/1000 AUGUST 23, 1964



MATZ, CHILDS & ASSOCIATES
2100 N. CHARLES STREET
BALTIMORE, MARYLAND 21208

65-153R
MAP
1-C
WESTERN
AREA