PETITION FOR RECLASSIFICATION

R - 6 to R - A SE/S Windsor Blvd. & Essex Road Second District Walker Land Company, Petitioner

BEFORE THE

BALTIMORE COUNTY

-247R

BOARD OF APPEALS

ORDER OF DISM JSAL

Mr. Clerk:

Please mark Appeal heretofore entered in the above case on behalf of Larry Ramanitz and Robert Jones, the Protese berein, "dismissed".

Mr. George Cavrelia, Director of Planning for Baltimore County was called on behalf of the protestants. It was brought out in his tentimony that part of the subject tract had been recommended by the Planning Board for Business Local soning at the time the Zoning Map was adopted, but that the County Council classified the proposed commercial area partly R-6 and partly R.A. Mr. Cavrelis admitted that there is a need for apartments in this area.

After consideration of all of the evidence, it is the epinion of the Deputy Zoning Commissioner that the most logical and appropriate use of the Petitioner's property would be for the construction of apartments. Further, soning changes heretofore granted in the area and particularly that adjacent to the subject property justify a reclassification in this case. There was no convincing testimony that spartments would depreciate the area or in any way contribute to a traffic basard. The evidence was to the centrary. It seems illogical to require the Petitioner to develop single family homes between two apartment areas, particularly when there is no market for individual bemes, but a substantial demand for apartments.

For the aforegoing reasons, it is OHDERED by the Deputy Zoning Commissioner of Baltimore County, that the property referred to herein and described in the Petition for Reclassification should be and the same is hereby reclassified from an R-6 to R.A. Zone, from and after the date of this Order, subject to approval of the site plan by the Office of Planning and Zoning and the Bureau of Public Services

PETITION FOR ZONING RE-CLASSIFICATION 165-247R AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Science Nelker Land Company Inc. jegal owner of the property situate in Baltimor County and which is described in the description and plat attached hereto and made a part here: hereby petitions (f) that the zoning status of the herein described property be re-classif to the Zoning Law of Baltimore County, from an----R.6

R.A.

1. Since adoption of the zoning map for the area, the character and conditions in the neighborhood of the subject property have so changed that a reclassification of the premises from an R.6 to an R.A zone is justified, appropriate and, in fact, required under proper zoning standards and principles.

2. There is no present demand or need in the area for additional single family homes, but there is an urgent need and demand in the area for apartment duelling units, a circumstance which was not anticipated nor provided for at the time of adoption of the zoning map.

adoption of the zoning map.

3. The public need and convenience requires reclassification of the subject property since the present classification thereof serves no useful purpose, benefits no one, and is out of character with current development, while the reclassification of the property to an R.A. zone will provide housing demanded and required by the public generally, with no adverse effect on neighboring

See Attached Description

Property is to be posted and advertised as prescribed by Zoning Regulati I, or we, agree to pay expenses of above re-classification and/or Special Exception advertising posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning ons and restrictions of Baltimore County adopted pursuant to the Zoning Law for Balt

WALKER LAND COMPANY, INC. By Harry M. Muy west / Legal Vice President AddressC/o M. William Adelson, Esq. In hulinholden 1035 Maryland National Bank Bldg. Baltimore, Maryland 21202

M. William Adelson Petitioner's Attorney 1035 Maryland National Bank Bldg. Baltimore, Maryland 21202 PLaza 2-6682

ORDERED By The Zoning Comm ner of Baltimore County, this 2nd of February ., 196_5., 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 Loning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltim



CHARLES D. GRACE TOWSON, MD. 21204

65-247R VALLEY 5-6060 ZONING DESCRIPTION

Protestant's Attorney

MAP

WESTERM

BEGINNING for the same on the Southeast side of Windsor Boulevard (70.00 pr./ A feet wide) at the point of tangency with the Northeast side of Essex Road [60, 00 feet wide) as shown on a Plat of Section 3 and Section 4 Deerfield filed among the Plat

Ww-3F

Records of Baltimore County in Plat Book R. R. G. #29 folio 12, thence binding on the said Southeast side of Windsor Boulevard as shown on said Plat the three following

- 1. North 57 degrees 22 minutes 47 seconds East 5,00 feet
- 2. Northeasterly by a line curving to the South with a radius of 465.00 feet for a distance of 258,63 feet and
- 3. North 89 degrees 14 minutes 49 seconds East 252,58 feet, thence for lines of division the three following courses and distances:
 - 1. South 32 degrees 37 minutes 13 seconds East 700,00 feet
 - 2. South 24 degrees 26 minutes 21 seconds East 785, 30 feet and
- 3. South 14 degrees 57 minutes 53 seconds East 960.00 feet to intersect the fourth or South 75 degrees 02 minutes 07 seconds West 839, 16 foot line of that tract of land which by deed dated December 28, 1956 and recorded among the Land Records of Baltimore County in Liber G. L. B. #3083 folio 255 etc. was conveyed by The Woodlawn Cemetery Co. to Walker Land Co., Inc., thence running with and binding on part of said fourth line and on part of the fifth or North 14 degrees 57 minutes 53 seconds West 331.54 foot line of said conveyance the two following courses and

1. South 75 degrees 02 minutes 07 seconds West 535,00 feet and

RE: PETITION FOR RECLASSIFICATION SE/S Windsor Blvd & Essex Road 2nd District Walker Land Company Petitioner

BEFORE THE DEPUTY ZONING COMPLES

OF

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

This is a Petition for Reclassification from an R-6 Zone to an R.A. Zone of 26.6 acres of land located on the east side of Essex Road south of Windsor Boulevard. The Petitioner proposes to erect thirteen (13) garden apartment buildings on the property to house a total of 442 families, divided approximately equally between on and two bedroom units. The various units would be sour roof and air-conditioned and would rent from \$120.00 to \$150.00 per month, including utilities. A total of 691 parking spaces are provided, 50% more than the 142 spaces required

The subject property is bound on the north by an existing, fully rented apartment project, known as Town and Country Apartments, and on the south and southwest by a 23 acre tract of land, known as the Pierpont property, rezoned for apartment use by the County Board of Appeals on July 15, 1963. To the east of the subject property lies on undeveloped tract of land owned by the Petitioner. The testimony showed that this land has remained virtually useless because of market conditions for single family homes in the area. To the west of the property, and on the opposite side of Essex Road lies additional undeveloped land owned by the Petitioner, and further to the west is a subdivision known as Hilltop Estates. It was affirmatively shown that there would be no means of access between the Petitioner's property and the existing subdivision.

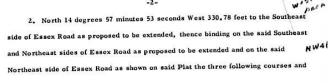
Ingress and egress to the proposed apartment site would be by Essex Road or St. Luke's Lane to either Liberty Road or Windson Will Road. Liberty Road from the city line to the Beltway, which is well beyond this property, is presently under contract for widening to four moving traffic lanes. This will eliminate the major objection to increased density in this area.

Dr. Ewell, a traffic consultant, testified that Essex Road will be extended along the subject property, and thence through the 23 acre Pierpont area, when it is developed, to Windsor Mill Road. He further stated that Windsor Mill Road itself will be widened to St. Luke's Lane by 1967. It was Dr. Ewell's opinion that the construction of 442 apartment units on the subject tract would create no traffic problem.

Mr. Harvey M. Meyerhoff, Vice President of the Petitioner, testified that his company built the Town and Country Apartments directly to the north of the subject tract and that all units rented without difficulty. As a matter of fact there was a waiting list at the time of the hearing in this case. He pointed out that in the 424 apartment units rented at the Town and Country Apartments, there were only 56 children of school age, and that this and similar experience with other projects, negated any impact of the proposed apartment project on the current school population in the neighborhood. Mr. Meyerhoff also testified that although the subject tract was originally purchased for construction of individual homes, the market for such homes in the immediate area became practically non-existent since adoption of the Zoning Map. It was pointed out that several builders of individual homes in the area had gone bankrupt because of such sales difficulties.

Mr. Bernard Willemain, a land planner, testified on behalf of the Petitioner. He pointed out several zoning changes in the area which would have a direct affect upon the subject property, the most prominent being the 23 acre Pierpont property, abutting the subject property on the south and southwest. Mr. Willemain testified that apartment moning would be the most appropriate and logical classification for the property which is now located on Egsex Road between the existing Town and County Apartments on the north, and the Pierpent apartment site on the south. In his opinion, the zoning changes in the area justify reclassification of the subject property to B.A. Zone. He further testified that insufficient land was provided in the area for spartment use at the time of adoption of the Zoning Map, and that the County Council was in error for failure to include Petitioner's property in the R.A. category at that

CHARLES D. GRACE



- 1. Northeasterly by a line curving to the Northwest with a radius of 700.00 feet for a distance of 700.71 feet
- 2. North 32 degrees 37 minutes 13 seconds West 1503.65 feet and
- 3. Northwesterly by a line curving to the East with a radius of 25,00 feet for a distance of 39.27 feet to the place of beginning.

CONTAINING 26,600 Acres of land more or less.

BEING part of those two tracts of land the first by a deed dated December 10, 1956 and recorded among the Land Records of Baltimore County in Liber G. L. B. #3070 folio 418 etc. was conveyed by The Woodlawn Cometery Co. to Walker Land Co., Inc., and the second by a deed dated December 28, 1956 and recorded among the Land Records of Baltimore County in Liber G. L. B. #3083 folio 255 etc. was conveyed by The Woodlawn Cemetery Co. to Walker Land Co., Inc.

Quarto Face.

65-247R

MAP

PETITION FOR RECLASSIFICATION SE/S Windsor Blvd. & Essex Road nd District Walker Land Company, Petitioner *

REPORE THE ZONING COMMISSIONER POR BALTIMORE COUNTY

Mr. Cler:

Please enter an Appeal from the Order of the Deputy Zoning Commissioner entered in this case on April 23, 1965, on behalf of Larry Kamanitz and Robert Jones, two of the Protestants herein.

APPEAL

Attorney for Protestants.



Date: April 23, 1965

BEFORE V RE: PETITION FOR RECLASSIFICATION : from an R-6 zone to an R-A zone, SE/S Windsor Boulevard and Essex Road (Proposed) COUNTY BOARD OF APPEALS OF 2nd District Walker Land Company, Inc., WESTERM AREA RA NW-3F ORDER OF DISMISSAL NW-4F Petition of Walker Land Company, Inc. for

to an R-A zone of property located on the southeast side of Windsor Boulevard and Essex Ro sed) in the Second District of Baltimore County.

Whereas the Board of Appeals is in receipt of an Order of Dismissal filed on November 19, 1965 from the attorney representing the protestants-appellants in the above

Whereas the said attorney for the said protestants-appellants requests that the appeal filed on behalf of said protestants, be dismissed and withdrawn as of November It is thereby OR DERED this 23 day of November, 1965 that said 19, 1965.

appeal be dismissed with prejudice as of the aforementioned date.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date Morch 2, 1965

FROM George E. Gavrelis, Director

SUBJECT

65-247-R. R-6 to R.A. Southeast side of Windsor Boulevard and Essex Road (Proposed). Being the property of Walker Land Company, Inc.

2nd District

HEARING: Monday, March 15, 1965 (11:00 A.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comment:

The vicinity of the subject property was considered at length and in detail by the County Council in hearings on the Western Planning Area Zoning Map. A decision was reached not to include any part of the subject tract within the R. A. Zone. We feel that the Council's decision was correct and, therefore,

\$65-247R

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONTING

COUNTY OFFICE BUILDING Peteruny 5, 1966 TOWSON L, MARYTAND

Redissification from Redissification for Walter land Go. In located on St corner of Windoor Have and Resex Read

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

NW-3F NW-4F

It appears the potition is presenture inament as adequate access cannot be provided. At the present time, the only access to the site is by may of a private drive (Tembrook Drive) which serves an apartment site on the North side of Mindsov Boalevard.

Fire Departments Will review and comment at a later date.

Board of Education Bursau of Traffic Engineering Building Department Houlth Department Industrial Development Commission State Reads Commission Bursau of Engineering

Yours very truly.

MASS E. DYER Chief of Permit and Petition Processing

ces Fire Department

Maltimore County

Department of Bublic Works COUNTY OFFICE BUILDING TOWSON 4, MARYLAND

#65-247R

December 28, 1964

Walker Land Company, Inc. 1300 First National Bank Building Baltimore 2, Maryland

Attention: Mr. Samuel h. Shockton

We have reviewed your letter of December 3, 1964 wherein you requested that sections of Windsor Boulevard and Woodford Road be eliminated from the paving contract at the time you develope the land outlined on your plat.

As you pointed out, if these two roads were connected through at this time traffic would circulate through residential areas to the apartments which would be highly undestrable. We will, therefore, defer the paving of the small portions of Windsor Boulevard and Woolford Road until such time as Windsor Boulevard. and Essex Road are extended to Windsor Mill Road.

It shall be your responsibility to deposit sufficient funds to cover the cost of construction of these small portions of roads. We would also expect you to cade the right of way an ia'ter the installation of utilities to see and mulch the areas. The maintenance of these open spaces should also be carried on by you as part of your ground maintenan \bullet .

Very truly yours

Aberta ? Dettent ALBERT B. KALTENBACH Dire tor

ABK:hmm

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Date February 11, 1965

TO Mr. James A. Dyer - Chairman Zoning Advisory Committee

PROM. Lt. Charles F. Morris, Sr. Pire Bureau - Plans Review

SUBJECT. Property Owner - Malker Land Company SR/S Mindsor Stvd. & Essex Road 2nd Mistrict 2/2/65 Present Zoning R-6, Proposed Zoning R-A Apartments - lul2 Units

l. Location of proposed hydrants and size of water mains shall be indicated on plot plan. Water mains, meters, and fire hydrants shall be of an approved type and installed in accordance with the Baltimore County Standard Design Marmal. Spacing of hydrants shall be 500 feet stance spart 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.

Parking shall be designed so as to give emergency vehicles improved radius for turning at end of parking areas.

3. Better access into this site should be provided.

CFM/bbr

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNTY Townen, Maryland

District 2 nd Date of Posting May 291965 Posted for appeal Petitioner: Walker Land Co. mc Location of property: 3 4/3 Winder Block & Ency Re Loration of Signs SE Con Window Blad & Kissey Rd @ 5/5 Window Blod 50 W of Essex Blod. Remarks perpensal Roads are Completed now. (windown. June 3 1965 Sesse Signature Date of return



District 2 N	relais from R-	6 to RA	Date of Posting 321 27 196	,
Petitioner: Wal	ku Land Co.			
Location of propert	. SE/s Winder 12	lot & les	Lex Rd (proposed	
dad End 1	Use Cos Winden Vindan Alado 50	held hel	rex Rec @ The neunt	
temarks:	~\\(\(\frac{1}{3}\)			
osted by	V. Some	Det	to al return Murch 41905	

ZONING ADVISORY COMMITTEE of

July 15, 196h

Deerfield Apartments St., Lemental Engineering Comment:

Doe mun de

This site will be sewered directly to the Gwynns Falls Sanitary Interceptor Sewer, which is reported to require ultimate reinforce-ment to provide additional capacity. However, the utilization of this site, as petitioned for, would have a relatively insignificant effect upon the capacity of this sanitary interceptor sewer.

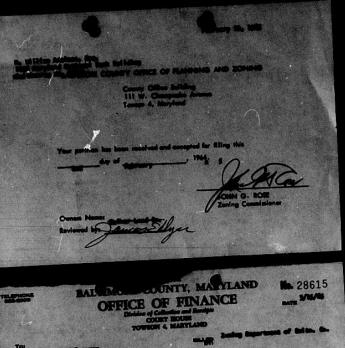
BALLMORE COUNTY, MATLAND OFFICE OF FINANCE Notice of Collection and Receipt COURT HOUSE TOWSON 4, MARYLAND PAID - Bellever Courty, Mr. - Office of It 444 . 28555 IFP-IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAN PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE

>-1365 31 43 . 30580 TIP-

No. 30580



FAID -- Bettere Courte MA -- Office of No. 1850 3-1565 1775 . 28615 TIP-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 BALL WITH YOUR REMITTANCE.

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2. South 24 degrees 28 minutes 21 seconds East 700.

3. South 24 degrees 27 minutes 31 seconds East 950.

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fourth or South 73 degrees

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of land which by deed dated
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line and on part of the fifth
or North 14 degrees 75 minutes 55 seconds west 311.54

the two following courses

and distances:

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1. South 75 degrees 02 min-

1. South 75 degrees 02 min-utes 07 seconds West 535.

poned to be extended, thence binding on the said Southenst and Northenst sides of Essex Road as proposed to be ex-tended and on the said North-east side of Essex Road as shown on said Plat the three following courses and dis-

shown on and Clast the three following cousins and distances:

I. Northeasterly by a line increase of the country of the count

Being the property of Walk-er Land Company, Inc., as shown on plant plan filed sith the Zoning Department. Hearing Date: Monday, March 15, 1965 at 11:00 A.M. Public Hearing: Room 108, County Office Building, 111 W. Chesapenie Avenue, Tow-son, Maryland

By Order Of John G. Rose Zoning Commissioner Of Baltimore County

CERTIFICATE OF PUBLICATION

BALTIMORE COUNTY, MD. February 25 , 19 65 .

THIS IS TO CERTIFY. That the annexed advertis published in THE TIMES, a weekly newspaper printed and published in Baltimore County, Md., once in each of one 15th day of March 1965 , the first publication appearing on the 25th day of February

THE TIMES, Cost of Advertisement, \$37.50

Requisition No. F2637

19 65

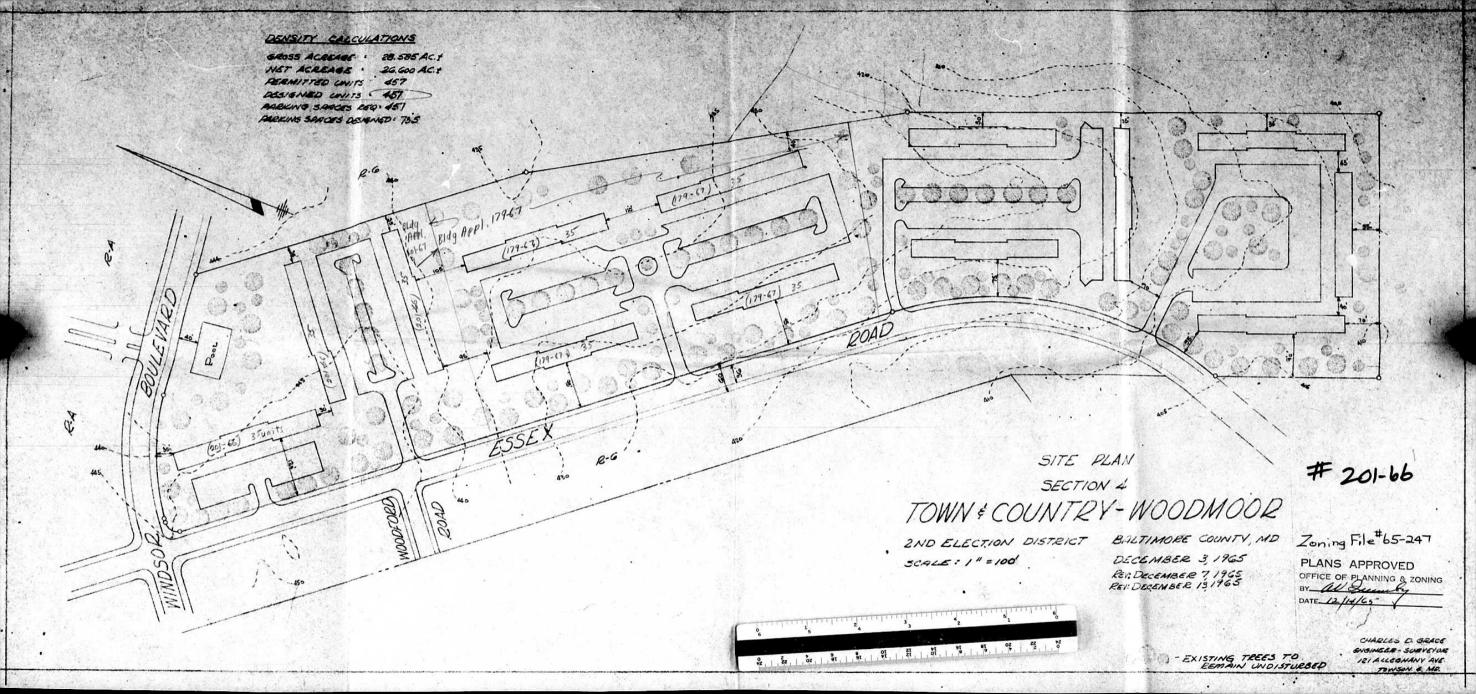
CERTIFICATE OF PUBLICATION

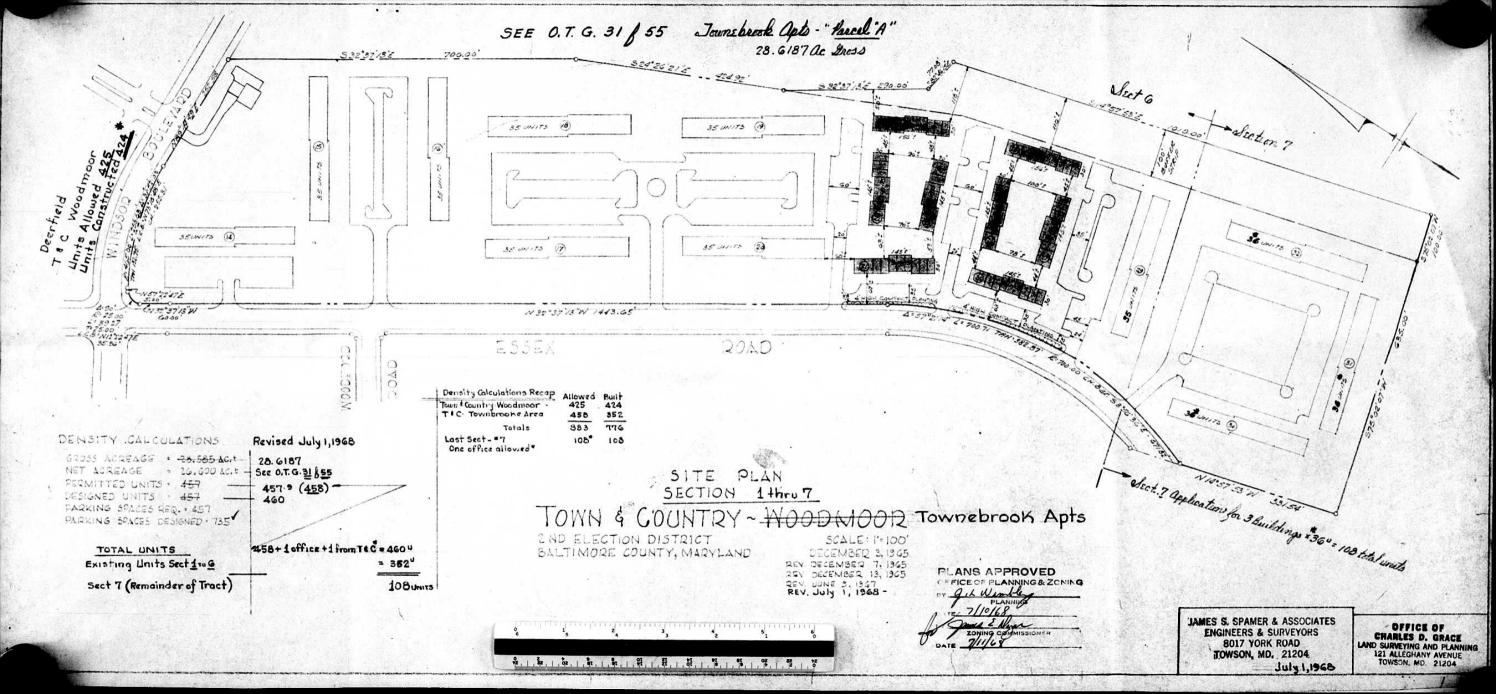
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., oncertificated

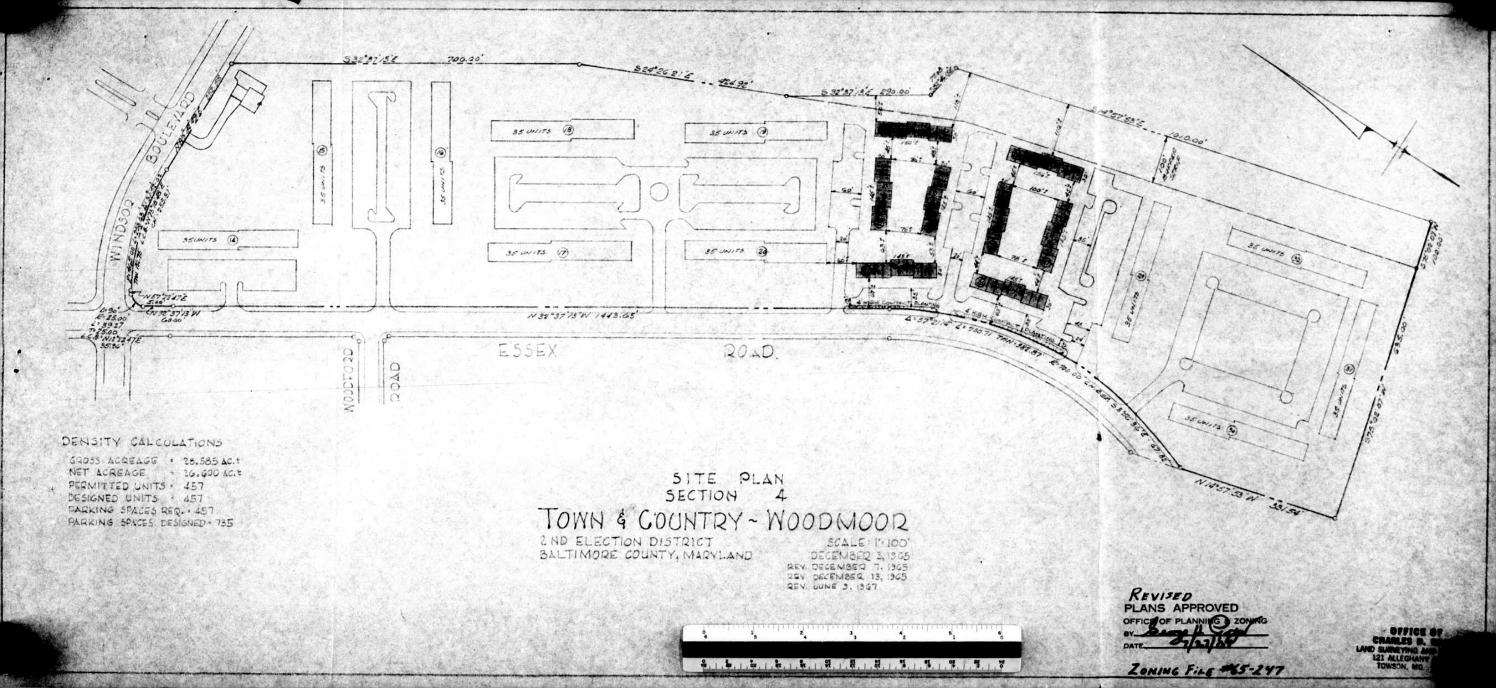
of 1 line mesossicex music before the 15th day of ____March_____, 1965 ., the first publication appearing on the 26th day of February

19.65... THE JEFFERSONIAN,

Cost of Advertisement, \$....







JAMES S. SPAMER & ASSOCIATES PROFESSIONAL ENGINEERS & LAND SURVEYORS

Sec 17 - 108 UNITS BHEET / OF / DATE 7 - 1 - 65 T&C Woodmoor > 33043.90 13191.86 A-900 R. 25 33639.69 12194.5% 981.75 L. 39.27 13267 87 32795.14 13271.19 31-142.58 A-31-52.02 - 527 95257 12681.61 326 65.23 R-465 L-258.63 57078.2722 120262.95 60131.475 57078.2722 11966,67 71940,83 3053,2028 4034 9518 4039.23 31592.43 32109.29 4-57-21-14 - 84201853 10901.08 41 2589,0197 490497 8 145148 5 206294.5398 R-700 92194.71 Hero.LA L-700.71 72240.91 18,985,877.8322 4490,85 36953 9662 4034.9528 16,597,046.0514 5 34919,0014 +3157.32 34051.48 2 2,386,831.7808 1,194,415,8904 13791.86 32043.90 43560 71,159,496.8830 26.6184 K 18 = 479 NOT 700.71 = 2 . 685 . 685.69 x 30 = 20570.70 33% 46909,50 1563 65 x 30 = 26.6184 60 x 35 x 2100 2.0003 28,6187K16 = 258.63 = x 465 +47.5 = 248.90 x 35 = 8711.50 457.9 8840.30 252.58 x 35 . Gross 87135 43560 Use 458 2.0093

Computations to justify Sect 7 applications 3-96" sides