

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

S. Yearley Smith and
X or we, Doris B. Smith, his wife, legal owners 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-10 zone to an R-A zone; for the following reasons: The Character of the area has changed since the existing zoning classification was established. (2) there was an error made in establishing the existing zoning classification, (3) the proper use of the property, which is the subject of this petition, is not reflected in the present zoning classification, but an R-A Zone is proper.

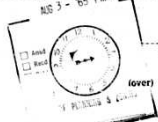
See attached description

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.

Acumen Corporation
Address: One Charles Center
Baltimore, Maryland
Contract paid
Doris B. Smith
Legal Owner
Address: Dolfield Road
Owings Mills, Maryland
Protestant's Attorney
Address: 732 Holabird Avenue, Dundalk, Maryland 21222

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of October, 1965, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 13th day of October, 1965, at 1:00 o'clock P.M.



Zoning Commissioner of Baltimore County.

RE: PETITION FOR RECLASSIFICATION- R-10 Zone to R-A Zone- N/S Dolfield Road-4th Dist. S. Yearley Smith & Doris B. Smith, Petitioners

BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY

No. 66-95-R

ORDER OF APPEAL

MR. CLERK:

Please enter an Appeal to the Board of Appeals for Baltimore County in the above-captioned matter, on behalf of William F. Chew, Owings Mills, Maryland.

John Warfield Armiger
Attorney for Appellant
200 Padonia Road East
Cockeysville, Maryland 21030
666-0440

Description of Property of S. Yearley Smith et ux to be Rezoned from R-10 to RA

July 16, 1965

Beginning for the same at the intersection of the south side of Sioussa Avenue 50 feet wide and the west side of Campbell Avenue 50 feet wide, as shown on a plat entitled "Owings Mills Heights", dated May 1922, and recorded among the Plat Records of Baltimore County in Liber W.P.C. 7, folio 43, and running thence binding on said south side of Sioussa Avenue, as shown on said plat South 85° 51' West 435.00 feet to the east side of Wellesley Avenue 50 feet wide, thence binding on said east side of Wellesley Avenue, as shown on said plat South 5° 54' West 585 feet more or less to the northeast right-of-way line of the Northwestern Expressway as proposed to be laid out 300 feet wide, thence binding on said northeast right of way line of the Northwestern Expressway, as proposed to be laid out 300 feet wide, southeasterly along a curve to the left with a radius of 7489.44 feet, for a distance of 770 feet, more or less, said curve being subtended by a chord bearing South 48° 45' 24" East 770 feet more or less to the north side of Dolfield Road 30 feet wide, thence binding on said north side of Dolfield Road as shown on said plat North 75° 10' East 295 feet more or less to the end of the seventh or North 76° 46' East 439.45 foot line of the land conveyed by Mary H. Bolton to S. Yearley Smith et ux, by deed dated April 27, 1948, and recorded among the Land Record of Baltimore County in Liber T.B.S. 1654, folio 324, thence binding on the eighth, ninth, and tenth lines of said deed, the three following courses and distances viz: first North 58° 56' West 132.00 feet, second North 26° 14' West

RE: PETITION FOR RECLASSIFICATION : BEFORE :
from an R-10 zone to an R-A zone : COUNTY BOARD OF APPEALS
N/S Dolfield Road 770' SE of :
Wellesbury Avenue, : OF :
4th District : BALTIMORE COUNTY
S. Yearley Smith, et al, : No. 66-95-R
Petitioners :
RA

ORDER OF DISMISSAL

Petition of S. Yearley Smith, et al, for reclassification from an R-10 zone to an R-A zone on property located on the north side of Dolfield Road 770 feet south-east of Wellesbury Avenue in the Fourth District of Baltimore County.

Whereas, the Board of Appeals is in receipt of an Order of Dismissal filed July 15, 1965 from the attorney representing the protestants-appellants in the above entitled matter.

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 July 15, 1965.

It is hereby ORDERED this 19th day of July, 1966 that said appeal be and the same is dismissed.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Baldwin, Chairman

R. Bruce Alderman

Paul T. McHenry, Jr.

RE: PETITION FOR RECLASSIFICATION- R-10 Zone to R-A Zone- N/S Dolfield Road- 4th Dist. S. Yearley Smith & Doris B. Smith, Petitioners

BEFORE THE BOARD OF APPEALS FOR BALTIMORE COUNTY

File No. 66-95-R

RA

ORDER OF DISMISSAL

MR. CLERK:

Please note a Dismissal of the Appeal heretofore filed in the above-captioned case.

John Warfield Armiger
Attorney for Appellant
200 Padonia Road, East
Cockeysville, Maryland 21030
666-0440

Description of Property of S. Yearley Smith et ux to be Rezoned from R-10 to RA

July 16, 1965 Sheet 2 #66-95-R

426.3 feet and third North 0° 41' 00" West 475.00 feet to the west side of said Campbell Avenue, thence binding on said west side of Campbell Avenue, as shown on said plat North 27° 41' West 135.46 feet to the place of beginning.

Containing 11.972 acres of land more or less.

The courses used in the above description are referred to the meridian as established on the above herein mentioned plat of Owings Mills Heights.

Being part of the land conveyed by Mary H. Bolton to S. Yearley Smith et ux, by deed dated April 27, 1948, and recorded among the Land Records of Baltimore County in Liber T.B.S. 1654, folio 324.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Reese, Zoning Commissioner, October 1, 1965

FROM: George R. Revell, Director

SUBJECT: 66-85-R-10 to R-A Zone, North side of Dolfield Road, 770 feet Southeast of Wellesbury Avenue. Being the property of S. Yearley Smith and Doris B. Smith.

4th District

HEARING: Wednesday, October 13, 1965 (1:00 P.M.)

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

- Changes in land use potentials have occurred in the vicinal area since the adoption of the Comprehensive Zoning Map in 1957. Substantial amounts of apartment zoning have been added to the map. Development has not occurred on all of these tracts. From a planning viewpoint, there seems to be a plentitude of apartment land in the 4th District.
- In the immediate area, apartment zoning does exist and development has not occurred. The Planning staff questions the wisdom or priority of creating yet additional apartment zoning when the existing street system will be sorely pressed to handle additional traffic generated by increased densities. It is to be noted that improvements in connection with the Northwest Expressway had been delayed for at least another two years.
- Ordinarily, apartments do make sense as a transitional land use. It is to be noted that industrial zoning on the southerly side of Dolfield Road has transitional features built into it in connection with deed covenants and subsequent amendments to the Zoning Regulations.

GEG:bms

66 P's R.H.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 4TH Date of Posting Sept. 25, 1965
Posted for Richard Hughes from R-10 to R.H.
Petitioner: Y. Handley, Trust
Location of property 22 1/2 of Wolfe Rd. 170' SE of Withersby Cir
0.476 Acre
Location of Sign 175' SE of Withersby Cir
(B) 1000' SE
Remarks: _____
Posted by J. H. [Signature] Date of return Sept. 29, 1965
Signature _____
3 signs

Pursuant to the advertisement, posting of property and public hearing on the above petition
and it appearing that by reason of _____

the above re-classification should NOT BE HAD, and/or the Special Exception should NOT BE
GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this _____ day
of _____, 198_____, that the above re-classification 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 a _____ zone, and/or the Special Exception for _____
_____ be and the same is hereby **DENIED**.

Zoning Commissioner of Baltimore County

TRAFFIC ENGINEERING DIVISION
BALTIMORE COUNTY, MARYLAND
SUMMARY FORM FOR VEHICULAR VOLUMES
MAJOR CONTROL COUNT (DIRECTIONAL)

ON RESTERSTOWN RD. NORTH OF ROCKHILL LANE
DATE Tuesday DATE FEB 23, 1965 CLASS #7738

15 MIN. COUNTS.

TIME		NORTHBOUND <u>SE</u> <u>down</u>		TOTAL	Avg. G.T.
	DIRECTION		DIRECTION		
7 AM - 8	SW	442	1447	1889	2.5%
8 - 9		477	955	1432	
9 - 10		450	466	916	
10 - 11		441	487	928	
11 - 12		440	470	910	
12 M - 1 PM		472	442	914	
1 - 2		471	467	938	
2 - 3		502	468	970	
3 - 4		737	549	1286	
4 - 5		1260	628	1888	2.4%
5 - 6		1228	441	1676	2.5%
6 - 7		616	554	1070	
7 - 8		402	321	723	
8 - 9		316	320	599	
9 - 10		298	200	494	
10 - 11		323	215	538	
11 - 12		4	40	44	
12 M - 1 PM		4	20	24	
1 - 2		477	32	509	
2 - 3		47	21	68	
3 - 4		81	52	129	
4 - 5		47	107	154	
5 - 6		40	210	250	
6 - 7		207	865	1074	
TOTAL		9809	9755	19564	
		13,518	13,551	27,069	

PERCENTAGE OF 24-HOUR TOTAL DURING THE PEAK HOUR (Both Directions)

PERCENTAGE OF 24-HOUR TOTAL DURING THE PEAK HOUR (One Direction)

27.147

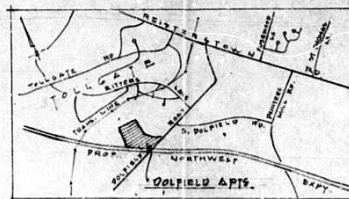
ADD 21.14

TELEPHONE NO. 822-3000		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE <i>Division of Collection and Receipts</i> COURT HOUSE TOWSON, MARYLAND 21204		No. 93532 DATE 11/16/65	
TO: John Macfield Armiger, Esq., 200 Padonia Road East, Cockeysville, Maryland 21030		BILLED BY Office of Planning & Zoning 119 County Office Bldg., Towson, Maryland 21204			
EXPEND TO ACCOUNT NO. 01-622		CITY OR UPPER SECTION AND RETURN WITH YOUR REMITTANCE		TOTAL AMOUNT	
QUANTITY				COST	
Cost of appeal - property off S. Yardley Smith No. 66-95-R		PAID - Baltimore County 363 - Office of Finance 11-16-65 4 7 5 8 • 33532 TRU -		\$70.00 70.00	
2					

TELEPHONE 857-3000		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE <i>Division of Collection and Receipts</i> COURT HOUSE TOWSON, MARYLAND 21204		No. 33532 DATE 11/16/65	
To: John Warfield Armiger, Esq., 200 Padonia Road East, Cockeysville, Maryland 21030		MILLER Office of Planning & Zoning 119 County Office Bldg., Towson, Maryland 21204			
DEPOSIT TO ACCOUNT NO. 01-622		DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE		TOTAL AMOUNT	
QUANTITY		COST			
4		Cost of appeal - property off S. YardleySmith No. 66-95-R		\$70.00	
4		11-16-65 4738 • 33532 TIL-		70.00	
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.					

Sept 20, 1965 *Edmund Kelly*
Subscribed and sworn to before me on *September 20, 1965*
Loren Nelson
Notary Public

Cost of Advertisement, \$.....[illegible]



LOCATION MAP
Scale: 1" = 2000'

PLAT TO ACCOMPANY PETITION FOR REZONING DOLFIELD APARTMENTS FROM 'R-10' TO 'R-A'

ELECTION DISTRICT N:4 BALTIMORE CO., MD.

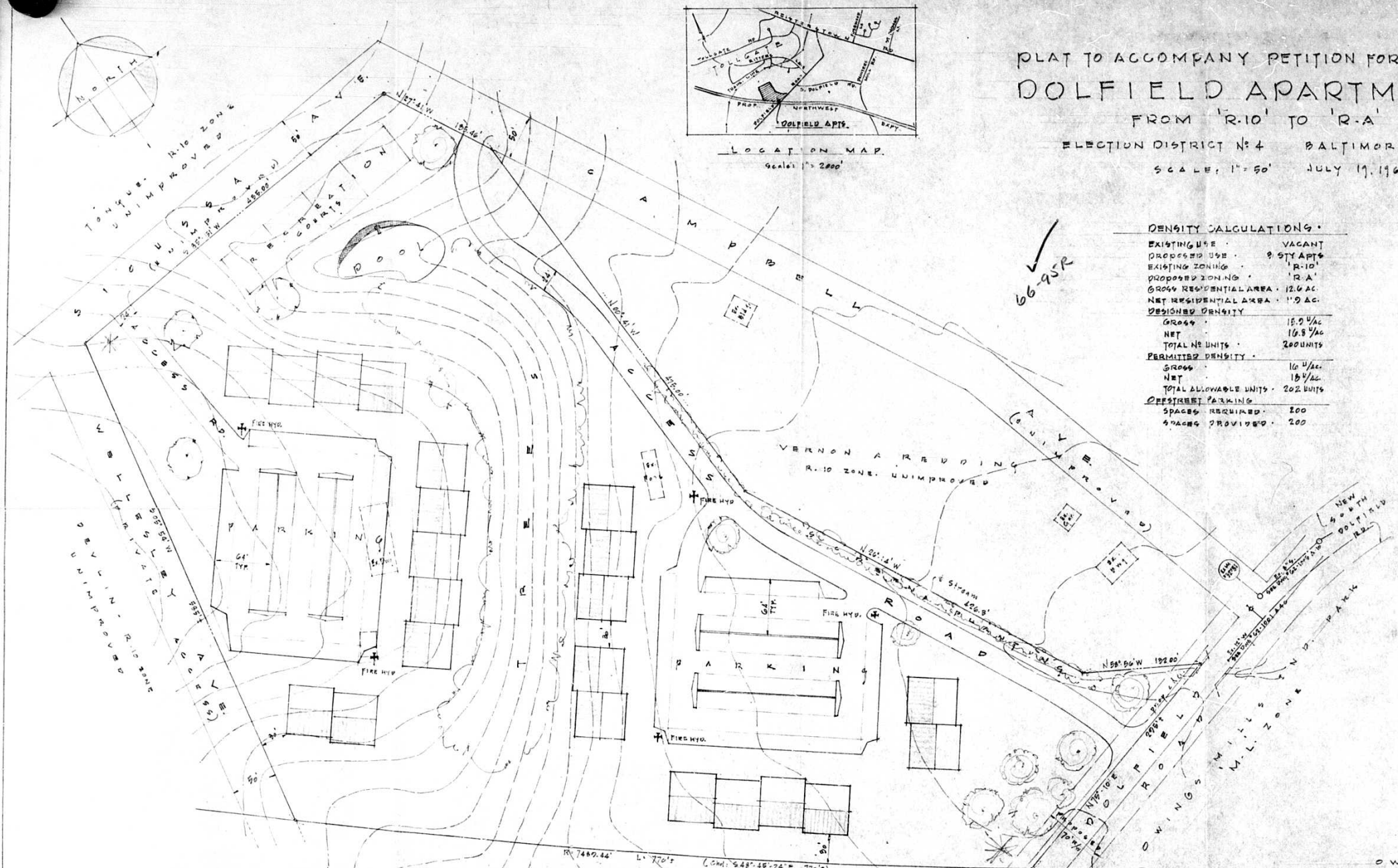
SCALE: 1" = 50' JULY 17, 1965

DENSITY CALCULATIONS:

EXISTING USE	VACANT
PROPOSED USE	9-STY APTS
EXISTING ZONING	'R-10'
PROPOSED ZONING	'R-A'
GROSS RESIDENTIAL AREA	12.6 AC.
NET RESIDENTIAL AREA	11.2 AC.
DESIGNED DENSITY	
GROSS	15.0 1/2 AC.
NET	16.8 1/2 AC.
TOTAL NO. UNITS	200 UNITS
PERMITTED DENSITY	
GROSS	16 1/2 AC.
NET	18 1/2 AC.
TOTAL ALLOWABLE UNITS	202 UNITS
OFF-STREET PARKING	
SPACES REQUIRED	200
SPACES PROVIDED	200

#66-95R

MPP #4
SEC. 2-C
NW-11-1
RA



PROPOSED NORTHWEST EXPRESS WAY
(300' WIDE)

OWNERS:
S. YEARDLEY SMITH & DORIS B. SMITH
OWINGS MILLS, MD.

SURVEYOR:
GEORGE WM. STEPHENS JR. & ASSOCIATES, INC.
303 ALLEGHENY AVENUE
TOWSON 4, MD.



ENGINEERS:
JEROME B. WOLFF & ASSOCIATES
105 JEFFERSON BUILDING
TOWSON 4, MD.

