

Delverne A. Dressel
Court Square Building
Baltimore, Maryland 21201
Attorney for Intervenor

JOHN SIRAGA, ET AL
vs.
COUNTY BOARD OF APPEALS OF
BALTIMORE COUNTY
CHRISTOPHER J. CARLSON, and
MAX GOODMAN (Intervenor)

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW
Docket - Misc. 8, Feb. 26, 1969
Case No. 3884

MEMORANDUM OPINION
AND ORDER OF COURT

This case involves an appeal from the County Board of Appeals of Baltimore County, which by its Order dated Nov. 22, 1967, granted a reclassification of the property described in this proceeding, from an R-6 Zone (Residence, 1 and 2 Family) to an R-A Zone (Residence-Apartments). The Deputy Zoning Commissioner of Baltimore County, by his Order dated December 12, 1966, had denied the reclassification requested because, in his opinion, there was no error in the original zoning map or such substantial changes in the character of the neighborhood to warrant granting the rezoning sought. The County Board of Appeals found that the evidence produced before it showed substantial changes in the neighborhood since the adoption of the Land Use Map, which was adopted Nov. 15, 1962. The Board further found from the testimony of an expert witness that there was error in the original zoning of this property.

The Petitioners in the Application for Reclassification are Christopher J. Carlson, et al., legal owners, and Max Goodman, contract purchaser of the parcel of land in question. The property contains approximately thirty-two (32) acres and is

located in the Second Election District about 1,700 feet northeast of Liberty Road and approximately 1,100 feet southwest of Old Court Road. The proposed intersection of the new Rolling Road with Church Lane will be within the subject property. The Petitioner proposes to construct 499 garden type apartments on the parcel of land which is somewhat rectangular but divided by a large flood plain area.

The Court is cognizant of the general proposition that there is a strong presumption of correctness of original zoning, or comprehensive rezoning, and that to sustain a piecemeal change therefore, there must be proof of mistake or a substantial change in the character of the neighborhood. (See Tennant v. Bd. of Zoning Appeals, 205 Md. 489; Kraus v. Board of Zoning Appeals, 209 Md. 420; Reese v. Harwood, 224 Md. 121; Jobar Corp. v. Rodgers Forge, 236 Md. 106; Macdonald v. County Board, 238 Md. 549; and Miller v. Abrahams, 239 Md. 263. This general rule does not mean, however, that zoning, once established, is static and eternal. This was observed in the case of Missouri Realty, Inc. v. Board, 216 Md. 442, wherein Judge Prescott, speaking for the Court, at page 44, said:

"It is a principle of universal recognition that zoning, once imposed, is not static. If it could not be altered with the changing conditions that surround us in the world today, progress would be retarded, and many of the advantages, logically expected from zoning, would be lost. Restrictions on the use of property that are reasonable today may be so unreasonable under different conditions in the future as to amount to confiscation. Zoning officials, when property authorized, have the authority to alter zoning lines from time to time when there are substantial changes in conditions and such alteration has a reasonable relation to the public welfare. Offutt v. Board of Zoning Appeals, supra, 204 Md. 557."

(2)

Testimony from both a real estate expert for the Protestants, namely Harry R. Bellman, and a real estate expert for the Applicants, namely Frederick P. Klaus, indicates that a considerable number of changes have taken place in this area since the adoption of the Land Use Map.

These changes are as follows:

A. Application #574 - from an R-6 to R-A zone in 1963. This property is within two to three blocks of the subject property.

B. Application #65289 - from an R-6 to R-A zone in March 1966. This property is contiguous to the above property but closer to the subject property.

C. Application #66277 - from an R-6 to R-A zone in June 1966. This property is across the street from the subject property.

Furthermore, Frederick P. Klaus, the recognized real estate expert for the Applicants, testified that there was original error in the adoption of the Land Use Map when this property was not classified for use other than residential, and that the highest and best use would be R-A. His opinion is well founded in the light of the numerous changes in reclassification in this area, some of which adjoin the subject property, since the adoption of the Map in 1962.

It was pointed out, with respect to traffic, that the property is served by Liberty Road, a 60-foot paved surface highway, via Milford Mill Road, a 40-foot road, Church Road and

(3)

Rolling Road, a 42-foot road on a 60-foot right-of-way. Further, there is alternate access by way of Rolling Road and Old Court Road, which would permit traffic to flow either to Liberty Road or Reisterstown Road, with appropriate access to the Baltimore County Beltway. All of the referred to roads, with respect to extension or construction, would be completed by the time the proposed apartment construction was completed.

It was shown by the testimony that public lands, namely Scott's Branch Elementary School immediately to the south, and Old Court Jr. High School, immediately to the northwest of the subject property, signify other changes in the area, also. Expert testimony indicates that public utilities are readily available to the subject property.

The Court is of the opinion that there has been a substantial change in the neighborhood, namely the hereinabove referred to reclassifications; and further, with respect to error, obviously with these changes since 1962, there was need for this type of reclassification in the general neighborhood, which was completely overlooked at the adoption of the Land Use Map. In the case of Jobar Corp. v. Rodgers Forge, 236 Md. 106, this case set forth the rule by which the Court is to be governed in a decision in the instant case, and it was clearly stated on Pages 120-121:

"It is obvious that the Board could have been more specific and definite in its findings of fact; however, it is certain that the Board found that there had been change in the neighborhood and error in the

(4)

original zoning sufficient to justify the reclassification (its other findings clearly meet the test of being fairly debatable, so it will be unnecessary to discuss them further). We have stated time after time that it is not the function of the courts to come or reason, and the courts will not substitute their judgments for that of the expertise of the zoning officials. It is only where there is no room for reasonable debate or where the record is devoid of substantial, supporting facts that the courts are justified in reversing a decision of the Board, or declaring its actions arbitrary or capricious. See Montgomery County Council v. Board of Zoning Appeals, 211 Md. 307; Tennant v. Bd. of Zoning Appeals, 205 Md. 489; Reese v. Harwood, 224 Md. 121; Jobar Corp. v. Rodgers Forge, 236 Md. 106; Macdonald v. County Board, 238 Md. 549; and Miller v. Abrahams, 239 Md. 263. Therefore, we must apply these tests to the evidence produced before the Board in order to determine the case at bar."

It is not the province of this Court, moreover, to resolve the various conflicts in the evidence before the Board if there was, in fact, any evidence of a substantial nature supporting and justifying the Board's action. In Mathershead v. Bd. of Zoning Appeals, 240 Md. 365 (decided November 18, 1965), the Court in quoting from Judge Hammond's opinion in Board v. Oak Hill Farms, 232 Md. 274 p. 283 stated at pages 371-372 as follows:

"...the courts have exercised restraint so as not to substitute their judgments for that of the agency and not to choose between equally permissible inferences or make independent determinations of fact, because to do so would be exercising a non-judicial role. Rather, they have attempted to decide whether a reasoning mind could reasonably have reached the result the agency reached upon a fair consideration of the fact picture painted by the entire record."

"In the cases dealing with consideration of the weight of the evidence, the matter seems to have come down to whether, all that was before the agency considered, its action was clearly erroneous, or to use the phrase which has become standard in Maryland zoning cases, not fairly debatable."

See also the following cases: Pinney v. Halle, 241 Md.

234 (decided Feb. 2, 1966); Ball v. The Jobar Corp., 242 Md. 16 (decided March 15, 1966); Bonnie View Club v. Glass, 242 Md. 46 (decided March 22, 1966); Bath Trill v. Blue, 243 Md. 84 (decided March 29, 1966); Board v. Farm, 242 Md. 351 (decided April 26, 1966); and Vogel v. McGee, 242 Md. 371 (decided

(5)

April 29, 1966).

This Court is constrained to hold that a reasoning mind could reasonably have reached, upon a fair consideration of the entire record, the same conclusion as that of the Board, and hence its action was not arbitrary or capricious or illegal, but, on the other hand, was fairly debatable. Having determined this, the Court has fulfilled and exhausted its limited judicial function in reviewing a zoning appeal.

For the reasons stated and in conformity with the foregoing opinion, it is this 23rd day of April, 1966, by the Circuit Court for Baltimore County ORDERED that the Order of the County Board of Appeals of Baltimore County dated November 22, 1967, be and the same is hereby affirmed.

John M. Maguire
JUDGE

(6)

PETITION FOR RECLASSIFICATION
2nd DISTRICT

ZONING: From R-6 to R-A Zone.
LOCATION: Northeast side of Harriets Lane 1090 feet, more or less southwest of Old Court Road.
DATE & TIME: MONDAY, FEBRUARY 14, 1966 at 10:00 A.M.
PUBLIC HEARING: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

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

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

Being the property of Christopher J. Carlson and Lucille Carlson, as shown on plat plan filed with the Zoning Department.

Hearing Date: Monday, February 14, 1966 at 10:00 A.M.
Public Hearing: Room 109, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

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

Mr. Christopher J. Carlson
Old Court Road
Reisterstown, Maryland

NOTICE OF HEARING
Re: Petition for Reclassification
#66-A-180-R

TIME: 10:00 A.M.

DATE: Monday, March 14, 1966

PLACE: ROOM 109 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND

cc: Max Goodman
2821 Strathmore Avenue
Baltimore, Md. 21209

CHRISTOPHER J. CARLSON, ET AL

NO. 66-A-180-R

NW/5 Marriotts Lane 1090' more or less
SW of Old Court Road

2nd District

Reclassification from R-6 to R-A

32.0 acres

Jan. 4, 1966 Petition filed
Dec. 12 Reclassification DENIED by D.Z.C.
Jan. 10, 1967 Appealed to County Board of Appeals
Nov. 22 Reclassification GRANTED by the Board
Dec. 4 Order for Appeal filed in the Circuit Court
Jan. 10, 1968 Petition for Extension of Time filed
" 29 Record of proceedings filed in Circuit Court
Apr. 23, BOARD AFFIRMED - Judge John N. Maguire

MAPS
2-B
2-C
WESTERN
AREA
NW-6-G
NW-7-G
RA

RE: PETITION FOR RECLASSIFICATION
from an R-6 zone to an R-A zone
NW/5 Marriotts Lane 1090' more or
less SW of Old Court Road,
2nd District
Christopher J. Carlson, et al,
Petitioners
Max Goodman,
Contract Purchaser

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 66-A-180-R

OPINION

This case comes to the Board on an appeal by the petitioner from an order of the Deputy Zoning Commissioner which denied a reclassification from R-6 to R-A for the subject property. Some contains approximately thirty two acres and is located in the Second Election District, about 1700 feet northeast of Liberty Road and approximately 1100 feet southwest of Old Court Road. The proposed intersection of the new Rolling Road with Church Lane will be within the subject property. The petitioner proposes to construct 499 garden type apartments on this tract, which is somewhat rectangular but divided by a rather large flood plain area. The zoning and usages contiguous with the subject property are three; namely, R-6, R-A, and public lands (i.e., school property).

The petitioner alleges that the original use map was in error, as it contained but two percent R-A zoning; and furthermore, the petitioner claims that there has been sufficient change since the adoption of this map to warrant the reclassification sought in this case. Frederick P. Klaus, a recognized real estate expert, appraiser and consultant, testified for the petitioner and cited both original error and a series of changes tending to establish the petitioner's position. This testimony was impressive to the Board, as at least three of the changes cited bore a direct relationship to the subject property. In case #5747-RA, a property just northeast of the subject property was reclassified from R-6 to R-A in 1963 by the Zoning Commissioner. This order was affirmed by this Board in 1964, and by the Maryland Court of Appeals in 1965.

In case #65-289-RX a tract immediately east of the subject property was reclassified to R-A. This property is separated from the subject property by just a small slice of public land. Still another reclassification to R-A was ordered in case #66-277-R.

Christopher J. Carlson, et al - #66-A-180-R

This property is immediately southwest of the subject property and contiguous with same. Testimony pointed out that Rolling Road would be extended from Liberty Road northwest to join Old Court Road. Same would be a 42 foot road on a 60 foot right of way and is intended to be a major thoroughfare. Construction from Liberty Road has already commenced. Church Lane is proposed to intersect Rolling Road and be extended to Milford Mill Road.

It was shown that public lands (i.e., school properties) were immediately south and northwest of the subject tract. A realtor testifying for the protestants stated that, in his opinion, there had been considerable change in the area. This Board agrees with him.

The principal arguments made by the protestants seemed to be with regard to traffic and utilities. Without going into detail these arguments were answered to the Board's satisfaction by the traffic expert and engineer who testified on behalf of the petitioner. Therefore, it is the judgment of this Board that there has been sufficient evidence presented to us to grant the reclassification sought in this petition.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 22nd day of November, 1967 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 1130, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slowik, Acting Chairman

Walter A. Reiser, Jr.

John A. Miller

PETITION FOR RECLASSIFICATION
N/W SIDE MARRIOTT'S LANE
10901 SECOND DISTRICT

BEFORE THE
BALTIMORE COUNTY
BOARD OF APPEALS
Case No. 66-A-180R

SUBPOENA DUCES TECUM

MR. CLERK:

Please issue a subpoena duces tecum to the Supervisor of Maintenance, The C. & P. Telephone Company, Reisterstown Road, Pikesville, Maryland, to be and appear before the Zoning Board of Appeals of Baltimore County, County Office Building, W. Chesapeake Avenue, Towson, Maryland, on Thursday, July 20th, 1967, at 9:45 a.m., with any and all records of maintenance calls and complaints for the area bounded by Milford Mill Road, Liberty Road, Old Court Road, and Reisterstown Road.

SHELDON A. RUBENSTEIN
424 Equitable Building
Baltimore, Maryland 21202
752-6655

Rec'd 7/17/67
2.10 p.m.

Mr. Sheriff:

Please issue summons in accordance with above.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

COST \$ 4.00

SUMMONED 7-19-67

NON EST 196

NON RUIT 196

COPY SENT TO CLERK OF BALTIMORE COUNTY

PETITION FOR RECLASSIFICATION
N/W SIDE MARRIOTT'S LANE
10901 SECOND DISTRICT

BEFORE THE
BALTIMORE COUNTY
BOARD OF APPEALS
Case No. 66-A-180R

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Muriel E. Buddemeier
County Board of Appeals of Baltimore County

PETITION FOR RECLASSIFICATION
N/W SIDE MARRIOTT'S LANE
10901 SECOND DISTRICT

BEFORE THE
BALTIMORE COUNTY
BOARD OF APPEALS
Case No. 66-A-180R

SUBPOENA DUCES TECUM

MR. CLERK:

Please issue a subpoena duces tecum to the Supervisor of Maintenance, Gas and Electric Company, Cockeysville, Maryland, to be and appear before the Zoning Board of Appeals of Baltimore County, County Office Building, W. Chesapeake Avenue, Towson, Maryland, on Thursday, July 20th, 1967, at 9:45 a.m., with any and all records of power failures for the year 1966-67, in the area bounded by Milford Mill Road, Liberty Road, Old Court Road, and Reisterstown Road.

Rec'd 7/17/67
2.10 p.m.

Mr. Sheriff:

Please issue summons in accordance with above.

SHELDON A. RUBENSTEIN
424 Equitable Building
Baltimore, Maryland 21202
752-6655

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

November 22, 1967

Delverna A. Dressel, Esq.
1708 Minney Building
Baltimore, Maryland 21202

Re: Christopher J. Carlson, et al
File No. 66-A-180-R

Dear Mr. Dressel:

Enclosed herewith is a copy of the Opinion and

Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Muriel E. Buddemeier
County Board of Appeals

Encl.

cc: Sheldon A. Rubenstein, Esq.
Stewart A. Davis, Esq.
Mr. John C. Rose
Mr. Edward D. Hardy
Mr. George E. Gervelle
Board of Education

PETITION FOR RECLASSIFICATION
N/W SIDE MARRIOTT'S LANE
10901 SECOND DISTRICT

SUBPOENA DUCES TECUM

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SHELDON A. RUBENSTEIN
424 Equitable Building
Baltimore, Maryland 21202
752-6655

Rec'd 7/17/67
2.10 p.m.

Mr. Sheriff:

Please issue summons in accordance with above.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

PETITION FOR RECLASSIFICATION
N/W SIDE MARIOTTES LANE
10901 SECOND DISTRICT

BEFORE THE
BALTIMORE COUNTY
BOARD OF APPEALS
Case No. 66-A-180R

SUBPOENA DUCES TECUM

MR. CLERK:

Please issue a subpoena duces tecum to the Principal of Scotts Level Elementary School, Pikesville, Maryland, to be and appear before the Zoning Board of Appeals of Baltimore County, County Office Building, W. Chesapeake Avenue, Towson, Maryland, on Thursday, July 20th, 1967, at 9:45 a.m., with any and all records pertaining to school population from 1960 to present with any projection in his possession.

COST \$.00
SUMMONED 7-19-67
NON EST 7-19-67
NON SUNT 7-19-67
COPY LET 7-19-67
GILBERT L. DEYLE, SHERIFF
OF BALTIMORE COUNTY

SHELDON A. RUBENSTEIN
424 Equitable Building
Baltimore, Maryland 21202
752-6655
Attorney for Protestants

Rec'd. 7/17/67
2:10 p.m.

Mr. Sheriff:

Please issue summons in accordance with above.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

PETITION FOR RECLASSIFICATION
N/W SIDE MARIOTTES LANE
10901 SECOND DISTRICT

BEFORE THE
BALTIMORE COUNTY
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Case No. 66-A-180R

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Rec'd. 7/17/67
2:10 p.m.

Mr. Sheriff:

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Muriel E. Buddemeier
County Board of Appeals of Baltimore County

PETITION FOR RECLASSIFICATION
N/W SIDE MARIOTTES LANE
10901 SECOND DISTRICT

BEFORE THE
BALTIMORE COUNTY
BOARD OF APPEALS
Case No. 66-A-180R

SUBPOENA DUCES TECUM

MR. CLERK:

Please issue a subpoena duces tecum to the Principal of Old Court Junior High School, Pikesville, Maryland, to be and appear before the Zoning Board of Appeals of Baltimore County, County Office Building, W. Chesapeake Avenue, Towson, Maryland, on Thursday, July 20th, 1967, at 9:45 a.m., with any and all records pertaining to school population from 1960 to present with any projection in his possession.

COST \$ 4.00
SUMMONED 7-19-67
NON EST 7-19-67
NON SUNT 7-19-67
COPY LET 7-19-67
GILBERT L. DEYLE, SHERIFF
OF BALTIMORE COUNTY

SHELDON A. RUBENSTEIN
424 Equitable Building
Baltimore, Maryland 21202
752-6655
Attorney for Protestants

Rec'd. 7/17/67
2:10 p.m.

Mr. Sheriff:

Please issue summons in accordance with above.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

PETITION FOR RECLASSIFICATION
N/W SIDE MARIOTTES LANE
10901 SECOND DISTRICT

BEFORE THE
BALTIMORE COUNTY
BOARD OF APPEALS
Case No. 66-A-180R

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SHELDON A. RUBENSTEIN
424 Equitable Building
Baltimore, Maryland 21202
752-6655
Attorney for Protestants

Rec'd. 7/17/67
2:10 p.m.

Mr. Sheriff:

Please issue summons in accordance with above.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

MCA
MATE, CHILDS & ASSOCIATES, INC.
CONSULTING
ENGINEERS

DESCRIPTION
CARLSON PROPERTY - SOUTH OF OLD COURT ROAD - SECOND
ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

PRESENT ZONING R6
PROPOSED ZONING RA

Beginning for the same at a point on the northwest side of Marriotts Lane, 15 feet wide, at the distance of 1090 feet, more or less, as measured southwesterly along said northwest side of Marriotts Lane from its intersection with the center line of Old Court Road, said point of beginning being located at the beginning of the second line of that parcel of land described in a deed to Christopher J. Carlson, which deed is recorded among the Land Records of Baltimore County in Liber RJS 1335, page 179, running thence and binding on the outlines of said parcel, S 41°57' W - 307.18 feet, N 38°03' W - 318.98 feet, S 52°17' W - 700.25 feet, thence to and along the northeast outline of the property belonging to the Board of Education of Baltimore County, S 35°42' E - 1224.73 feet, thence N 51°50' E - 675.16 feet, S 35°30' E - 272.75 feet, N 52°38'30" E - 580.07 feet and N 46°48'30" W - 1246.66 feet to the place of beginning.

Containing 32.0 acres of land, more or less.

RSimpl J.O. 63016

11-16-65

Water Supply Sewerage Drainage Highways Structures Developments Investigations Reports

PETITION FOR RECLASSIFICATION
N/W Side Marriotts Lane 1090'
S/W of Old Court Road
2nd District
Christopher Carlson, Petitioner

BEFORE THE
BALTIMORE COUNTY
BOARD OF APPEALS
Case No. 66-180-R

REQUEST FOR SUMMONS

Mr. Clerk:

Please issue summons for the following person to be and appear before the Baltimore County Board of Appeals on Thursday, July 13, 1967, at 10:00 a.m., in room 301 of the County Office Building, Towson, Maryland, to testify for the petitioner in the above-entitled case:

Custodian of Records
Zoning Department
County Office Building
Towson, Maryland, 21204

to be and appear as above ordered and to bring with him the following files: No. 66-277; No. 5747RA; No. 65-289RX; No. 63-148; No. 65-374; and No. 65-127XA.

DELVERNE A. DRESSER
1708 Hanney Building
Baltimore, Maryland, 21202
727-0931
Attorney for Petitioner

Rec'd 7/11/67
3:30 a.m.

Mr. Sheriff:

Please issue summons in accordance with above.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

Petition for
Reclassification
THE COURT HOUSE, BALTIMORE COUNTY
REPORT TO CENTRAL ASSIGNMENT OFFICE, FIRST FLOOR
Term, 19-67
You are hereby summoned to appear before the Court on July 13, 1967, at 10:00 a.m., to testify for the petitioner in the above named case and to attend said Court daily until duly discharged.
By order of the Court,
GILBERT L. DEYLE, Sheriff of Baltimore County
Issued July 12, 1967
Be punctual in attendance or you will be attached. Bring this summons with you.

PETITION FOR RECLASSIFICATION
N/W Side Marriotts Lane 1090'
S/W of Old Court Road
2nd District
Christopher Carlson, Petitioner

BEFORE THE
BALTIMORE COUNTY
BOARD OF APPEALS
Case No. 66-180-R

REQUEST FOR SUMMONS

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DELVERNE A. DRESSER
1708 Hanney Building
Baltimore, Maryland, 21202
727-0931
Attorney for Petitioner

Rec'd 7/11/67
3:30 a.m.

Mr. Sheriff:

Please issue summons in accordance with above.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

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 regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

See attached description

Property is to be posted and advertised as prescribed by Zoning Regulations.

Address: 2821 Strathmore Avenue
Baltimore, Maryland

Address: Old Court Road
Baltimore, Maryland

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of July, 1967, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of July, 1967, at 10:00 a.m.

By the Zoning Commissioner of Baltimore County.

ORDER RECEIVED FOR FILING



1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301/823-0900

Lester Matz, P. E.
John C. Childs, L. S.

Associates

George W. Bushby, L. S.
Robert W. Czaban, P. E.
Leonard M. Glass, P. E.
Norman F. Herrmann, L. S.
Paul Lee, P. E.
Paul S. Smeton

DESCRIPTION

CARLSON PROPERTY - SOUTH OF OLD COURT ROAD - SECOND

ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND

PRESENT ZONING R6

PROPOSED ZONING RA

#66-A-180R
MAPS ✓
2-B
2-C
WESTERN
AREA
NW-6-G
NW-7-G
RA
3/3/66

Beginning for the same at a point on the northwest side of Marriotts Lane, 15 feet wide, at the distance of 1090 feet, more or less, as measured southwesterly along said northwest side of Marriotts Lane from its intersection with the center line of Old Court Road, said point of beginning being located at the beginning of the second line of that parcel of land described in a deed to Christopher J. Carlson, which deed is recorded among the Land Records of Baltimore County in Liber RJS 1335, page 179, running thence and binding on the outlines of said parcel, S 41°57' W - 307.18 feet, N 38°03' W - 318.98 feet, S 52°17' W - 700.25 feet, thence to and along the northeast outline of the property belonging to the Board of Education of Baltimore County, S 35°42' E - 1224.73 feet, thence N 51°50' E - 675.16 feet, S 35°30' E - 272.75 feet, N 52°38'30" E - 580.07 feet and N 46°48'30" W - 1246.66 feet to the place of beginning.

Containing 32.0 acres of land, more or less.

RS:mpl

J. O. 63016

11-16-65



BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
PA. 8000GEORGE E. GAVELIN
DIRECTOR
JOHN G. ROSE
DEPUTY COMMISSIONERMr. Christopher J. Carlson
Old Court Road
Randalltown, MarylandRE: Reclassification From B-6 to RA
For Christopher J. Carlson
Located NW/8 of Harriette Lane
S Old Court Rd, 2nd District

Dear Mr. Carlson:

The above referenced petition is accepted for filing as of the date on the enclosed filing certificate. Notice of the hearing date and the which will be held not less than 30 days nor more than 60 days after the date on the filing certificate will be forwarded to you in the near future.

If you have any questions concerning this matter, please do not hesitate to contact me at VA 3-3000, Extension 353.

Very truly yours,

James C. Davis
JAMES C. DAVIS, Principal
Zoning Technician

JED:ylb

Mr. Christopher J. Carlson
Old Court Road & Harriette Lane
Otheville, Md, 21203

NOTICE OF HEARING

Re: Petition for Reclassification (Continued Hearing)
#66-A-180-R

TIME: 2:00 P.M.
DATE: Monday, July 25, 1966
PLACE: ROOM 105 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND.

cc: Mrs. Ida C. Kiefer
4214 Conquer Ave.
Baltimore, Md. 21215Mr. Max Goodman
2821 Strathmore Ave.
Baltimore, Md. 21209Messrs. Rubenstein and Davis
424 Equitable Bldg.
Baltimore, Md. 21202

Edward D. Hardesty
DEPUTY ZONING COMMISSIONER OF
BALTIMORE COUNTY

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

March 7, 1966

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
PA. 8000GEORGE E. GAVELIN
DIRECTOR
JOHN G. ROSE
DEPUTY COMMISSIONERMr. Christopher J. Carlson
814 Court Road
Randalltown, Maryland

Dear Sir:

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

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

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

Yours very truly,

John G. Rose
JOHN G. ROSE
ZONING COMMISSIONER

JGR/ba

Encls:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: July 15, 1966

FROM: George E. Gavelin, Director of Planning

SUBJECT: Petition #66-A-180-R, NW 1/8th side of Harriette Lane 1090 feet from the southeast side of Old Court Road. Petition for Reclassification from B-6 to R.A. Zone. Christopher J. Carlson, et al - Petitioners

2nd District

HEARING: Monday, July 25, 1966. (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from B-6 to R.A. zoning and has the following advisory comments to offer:

1. The planning staff is dismayed to learn that reclassification has been granted for an adjoining parcel. Nevertheless, the planning staff does not believe or recommend that any additional apartment reclassifications are needed, are justified, or are desirable here. The surge of apartment zoning in the general area has placed emphasis on a real need within the County to provide for conventional sales housing development where utilities exist. The planning staff feels that the present zoning for this tract is correct and that apartment zoning would be completely contrary to the comprehensive plan. The planning staff reiterates the comments that it made regarding this petition in March of this year.

GEG:bna

#66-A-180-R
MAPS
2-B
2-C
WESTERN
AREA
NW-6-6
NW-7-6
RA

January 12, 1967

No. 66-A-180-R - Christopher J. Carlson, et al

Petition, description of property and Order of Deputy Zoning Commissioner

Certificate of posting 2 signs

Certificates of advertisement

Notice of appearance of Rubenstein and Davis

Comments of Office of Planning dated March 4, 1966

" " " " July 15, 1966

" " Bureau of Traffic Engineering

Letters and petitions of protest

12 photographs

Order of appeal

Plat filed with petition

Delvene A. Dressel, Esq.,
1708 Munsey Building
Baltimore, Maryland 21202

Harry S. Schwartzlander, Jr., Esq.,
1709 Munsey Building
Baltimore, Maryland 21202

Sheldon A. Rubenstein, Esq.,
424 Equitable Building
Baltimore, Maryland 21202

Stewart A. Davis, Esq.,
3701 Parkfield Road,
Baltimore, Maryland 21208

Mr. Samuel Grodnitsky
4714 Old Court Road
Baltimore, Maryland 21208

Mrs. Jeanette Feldman,
4722 Old Court Road
Baltimore, Maryland 21208

Counsel for petitioners

" " protestants

" " "

" " "

protestant

"

January 12, 1967

Harry S. Schwartzlander, Jr., Esq.,
1709 Munsey Building
Baltimore, Maryland 21202

Re: Petition for Reclassification
N/W side Harriette Lane 1093'
S/W Old Court Road, 2nd Dist.,
Christopher Carlson, Petitioner
No. 66-A-180-R

Dear Mr. Schwartzlander:

Please be advised that an appeal has been filed from the decision rendered in the above matter.

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

Very truly yours

Zoning Commissioner

cc: Sheldon A. Rubenstein, Esq.,
424 Equitable Building
Baltimore, Maryland 21202

Stewart A. Davis, Esq.,
3701 Parkfield Road,
Baltimore, Maryland 21208

Mr. Samuel Grodnitsky,
4714 Old Court Road
Baltimore, Maryland 21208

Mrs. Jeanette Feldman,
4722 Old Court Road,
Baltimore, Maryland 21208

The Circuit Court for Baltimore County

CLERK OF THE COURT
JOHN N. MAGUIRE
JUDGETHIRD JUDICIAL CIRCUIT OF MARYLAND
TOWSON, MARYLAND 21204

April 26, 1968

Sheldon A. Rubenstein, Esq.,
424 Equitable Building
Fayette and Calvert Streets
Baltimore, Maryland 21202

Dear Mr. Rubenstein:

Re: John Sibaga, et al vs.
County Board of Appeals of Baltimore County
Christopher J. Carlson and Max Goodman (Intervenor)

Enclosed herewith is my Opinion and Order of Court in the above entitled matter.

Very truly yours,

John N. Maguire
John N. Maguire

JNM:mw

enclosure

cc: Delverne A. Dressel, Esq.

Hon. R. Bruce Alderman, County Solicitor
John Slovick, Acting Chairman of County Bd. of Appeals
Edward D. Hardesty, Deputy Zoning Commissioner

March 12, 1968

Sheldon A. Rubenstein, Esquire
424 Equitable Building
Baltimore, Maryland 21202

County Board of Appeals
of Baltimore County
County Office Building
Towson, Maryland 21204

Re: John Sibaga, et al vs.
John A. Slovick, Walter A.
Reiter, Jr. and John A. Miller
in their capacity as the
County Board of Appeals

Gentlemen:

I enclose and answer to Petition Accompanying Order for Appeal and a Petition To Intervene and Order of Court thereon.

Yours very truly,

Delverne A. Dressel

DAD:djs
Enclosures

Rec'd 4/26/68
1:30 PM

Rec'd 3/12/68
9 AM

Samuel Grodnitsky
2714 Old Court Road
Pikesville, Maryland 21206

March 14, 1966

Mr. John G. Rose
Baltimore County Zoning Commission
Towson, Maryland 21204

Dear Mr. Rose:

I would like to protest the zoning
petition change in case number 66180,
Christopher Carlson, Marietta Lane and
Old Court Road.

I would like to be notified of the date
of the hearing.

Thanking you I am,

Sincerely yours,

Samuel Grodnitsky
Samuel Grodnitsky

Lester Matz, P. E.
John C. Childs, L. S.
Associates
Ronald W. Bruns, L. S.
George W. Buntley, L. S.
Robert W. Crabak, P. E.
Leonard M. Giese, P. E.
Norman F. Herrmann, L. S.
Paul Lee, P. E.
Paul S. Smeton

PROFESSIONAL RESUME

Alfred E. Robinson, Jr.

Mr. Robinson is a lifelong resident of Baltimore, Maryland. Upon completion of the Engineering Preparatory course at Baltimore Polytechnic Institute, he enrolled at the University of Maryland at College Park, graduating in 1954 with a B.S. degree in Civil Engineering.

Mr. Robinson served in the United States Army from 1954 to 1956.

Upon discharge from the Army, he joined the firm of Whitman, Requardt and Associates. As a design engineer in their Sanitary Engineering Department, he was instrumental in the design of numerous water supply and sewage disposal projects for municipal and governmental agencies and private industry.

Mr. Robinson affiliated with Green Associates, Inc., in 1958. As an engineer with that firm, he was involved in the design of both sanitary sewerage facilities and highways.

Since 1962, Mr. Robinson has served in the capacity of assistant to the Associate in charge of Sanitary Engineering of Matz, Childs & Associates, Inc. This firm is presently retained as design engineers by many agencies, including the Allegany County Sanitary Commission, the Baltimore County Bureau of Engineering, the Baltimore City Bureau of Sewers, the Department of Public Improvements of the State of Maryland, the Washington Suburban Sanitary Commission and the Carroll County Sanitary Commission.

Mr. Robinson's duties with this firm include the design of water distribution systems, sewage collection systems, pumping stations and water and sewage treatment plants, as well as investigations and submission of reports determining the adequacy of existing water and sewerage systems and the future needs of the community.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 4, 1966

FROM: Mr. George E. Gervais, Director of Planning

SUBJECT: Petition #66A-180-R. "Northwest side of Marietta Lane 1090 feet Southwest of Old Court Road. Petition for Reclassification from R-6 to R.A. Zone." Christopher Carlson - Petitioner

2nd District

HEARING: Monday, March 14, 1966. (11:00 A.M.)

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

1. The subject property does not meet the criteria employed by the Planning Board for locating apartment zoning. At present, there is no reasonable access to the property, and the current Capital Program schedule no funds for the construction of a major road to serve the property. As noted by the County Traffic Engineer, development as proposed could be expected to generate 3,250 trips per day, a number that would severely overload the local street system. Even if other locational criteria were met (and they are not), the problem of access renders this petition, at best, premature.

This property is located in the middle, rather than at the edge, of a neighborhood. It is not contiguous with any RA zoning, nor can any existing RA zoning justify the reclassification as a logical increment in apartment development potential.

2. The above factors alone indicate that the proposed reclassification is not in accordance with the Comprehensive Plan. But other factors lead to the same conclusion.

Apartment zoning here would result in an imbalance of land use in the area. It must be kept in mind that, while RA zoning would permit cottage development, it would be far more likely to be used to develop the entire site - to develop such development. Yet, the master plan for the Western Planning Area provided for public facilities appropriate to the kind of development that would be expected as a result of the zoning established or offered by the adopted Comprehensive Re-zoning Map. If apartment zoning is continually established where single-family housing was planned for, where is the single-family housing to go? The answer is that new single-family areas will have to be planned, and new construction for public facilities will have to be made. The time, effort, and money spent on current planning and capital projects in large measure will have been wasted.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose Date: March 4, 1966

FROM: Mr. George E. Gervais

SUBJECT: Petition #66A-180-R

We are all too aware of the fact that planning must adjust to changing needs. But the need for single-family housing is still very much with us. And we do not believe that piecemeal reclassification gradually changing the entire concept and emphasis of a master plan constitute an adjustment to changing needs; they are, rather, a negation of the planning process.

3. For the reasons stated above, we must oppose the subject petition.

INTER-OFFICE CORRESPONDENCE
BUREAU OF TRAFFIC ENGINEERING
Baltimore County, Maryland
Towson, Maryland, 21204

Date: January 18, 1966

TO: Mr. George Gervais
ATTN: Mr. James S. Dyer

FROM: Eugene J. Clifford

SUBJECT: Item 2 ZAC January 4, 1966
Northwest side of Marietta Lane

Review of the subject plat dated December 13, 1965 results in the following comments.

Both Rolling Road and Church Road are developed roads, therefore, the date of construction can not be determined.

The only access at this time to the subject property is a 8' dirt road, 1100' long, known as Marietta Lane. This can not be expected to handle more than 500 - 1000 vehicles/day.

The subject property can be expected to generate 3250 trips/day.

Eugene J. Clifford
Eugene J. Clifford
County Traffic Engineer

BJC:CRM:mk

cc: Mr. James S. Dyer
James P. S. Doversax

TYPICAL DESIGN EXPERIENCE

Alfred E. Robinson, Jr., P.E.

WATER PROJECTS

Water Distribution System
Water Distribution System
Water Feasibility Study - Bedford Rd.

42-inch Water Transmission Main
30-inch Water Transmission Main
1,000,000 Gallon Elevated Storage Reservoir
Fox Chapel Water Treatment Plant
Chesapeake Ranch Dam
Towson Reservoir Water Pumping Station
Lennings Lane Water Mains
Bethany Beach - Water Report
Distribution System
Treatment Plant
Marietta Avenue Water
48-inch Water Transmission Main

SEWERAGE PROJECTS

Sewage Collection System
Patuxent Force Main and
Intercepting Sewers
Sewage Collection System
48-inch Relief Sewer

Bowlus Green, Md. - Collecting Sewers
Interceptors
Treatment Plant
Pumping Station
Cresaptown, Maryland - Collecting Sewers
Interceptors
Treatment Plant
Pumping Station

Feasibility Study
120-inch Outfall Relief Sewer
Lodge Forest Gravity Sewer
Bedford Road
Feasibility Study
Collecting Sewers
Interceptor
Pumping Stations

CLIENT

Annapolis, Maryland
Princess Anne, Maryland
Allegany County Sanitary
Commission
Washington Suburban
Sanitary Commission
Baltimore County, Md.
Baltimore County, Md.
Private
Baltimore County
Baltimore County

Bethany Beach, Delaware
Baltimore County, Maryland
Baltimore County, Maryland

CLIENT

Annapolis, Maryland
Anne Arundel County
Princess Anne, Maryland
Washington Suburban Sanitary
Commission
Allegany County Sanitary
Commission

Allegany County
Sanitary Commission

Crisfield, Maryland
City of Baltimore
Baltimore County
Allegany County
Sanitary Commission

Sewerage Projects - Cont'd

30-inch and 42-inch Gunpowder Interceptor
Chapel Hills Sewage Pumping Station
Marietta Avenue Sewers
Valley Village Pumping Station and
Force Main
Cedar Branch Pumping Station
Germantown Force Main
Carroll County Standard Specifications
and Details

Client

Baltimore County
Baltimore County
Baltimore County

Private
Baltimore County
Washington Suburban
Sanitary Commission
Carroll County Sanitary
Commission

TYPICAL HIGHWAY PROJECTS

Cumberland Thruway

I-95
U.S. Rt. 340
Timonium Road
Sulphur Spring Road
Edmondson Avenue
Route 29

Hammonds Ferry Road

Dead Run Hydraulic Study
Meadows-Box Culvert
Timonium Road Drainage
Sulphur Spring Road Drainage
I-95 Drainage

Hammonds Ferry Road Drainage
Landsdowne Elementary School
Dulaney Senior High School
Canton Industrial Center

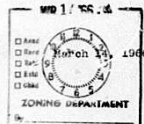
DEVELOPMENTS

Meadows Industrial Park
Bellview
Meadows Shopping Center
Giant Food - Timonium
Giant Food - Glen Burnie
Canton Industrial Center
Maiden Choice Village

Maryland State Roads
Commission

Baltimore County
Baltimore County
Baltimore County
Maryland State Roads
Commission
Baltimore County

Baltimore County
Baltimore County
Baltimore County
Baltimore County
Maryland State Roads
Commission
Baltimore County
Baltimore County
Baltimore County



Mr. John G. Rose
Baltimore County Zoning Commission
Towson, 21204, Md.

Dear Mr. Rose,

I am writing to you in protest of the zoning petition change in #66180, Christopher Carlson, Harriott's Lane and Old Court Rd.

It is my understanding that within a radius of one mile, petitions have been made that will mean construction of at least 1000 apartments. Just two years ago, this area was zoned R-6. Needless to say, this area of Old Court Rd. is extremely overburdened now with the traffic and the high school now under construction will increase it even more. Also, since the new high school is being built to help overcrowded conditions in other schools and is expected to have full enrollment with the present residents.

Many of my neighbors and friends moved to the county to escape overcrowded city conditions and to enjoy suburban living. Now it has become a nightmare of petitions for changing residential areas into overcrowded areas of apartments and shopping centers. What is the rhyme or reason to this saturation?

I would appreciate your letting me know of the date of the hearing on the above as many of my friends will wish to attend along with me. Thank you for your attention.

Very truly yours,
Mrs. Jeannette Feldman
4722 Old Court Rd.
Pikesville, Md.

PETITION

We, the undersigned, as taxpayers and homeowners in Baltimore County and as the protestants closest to the property in question, hereby vigorously protest the reasoning of the property adjacent to the southeast boundary of Kimberleigh, to apartment use, to apartment use, and known presently as the Carlson property, to select any such reasoning. We urge the zoning Commissioner to reject any such reasoning.

Mary Ann Scholt 4703 Parkfield Ct
 Robert L. Sand 4703 Parkfield Ct
 John J. Schiga 4708 Byron Rd
 Charles J. Schiga 4708 Byron Rd
 Robert Schulten 4709 Byron Rd
 Julia Schulten 4709 Byron Rd
 Roberta Anshell 4711 Byron Rd
 Mary Jatsophy 4734 Byron Rd
 Julius Jatsophy 4734 Byron Rd
 Marion L. Harris 4742 Byron Road
 Alice Robert Harris 4742 Byron Road
 Louise Lang 4749 Byron Rd
 Melrose Lang 4749 Byron Rd
 Irene Friedman 4745 Byron Rd
 Mary Friedman 4745 Byron Rd
 Eunice Austin 4753 Byron Rd
 Lou Austin 4753 Byron Rd
 Joseph Amelies - 2 Pinella Ct.
 Jack Amelies 2 Pinella Ct
 Mel ~~and~~ Keli 3721 Pinella Rd
 Hal Pugh 3721 Pinella Rd
 Sadie Goldstein 3719 Pinella Rd
 Bernard Goldstein 3719 Pinella Rd
 Howard A. Grossman 4702 Parkfield Ct
 Helen P. Grossman 4702 Parkfield Ct.

PETITION

We, the undersigned, as taxpayers and homeowners in Baltimore County and as the protestants closest to the property in question, hereby vigorously protest the rezoning of the property adjacent to the southeast boundary of Kimberleigh, known presently as the Carlson property, to apartment use, and we urge the Zoning Commissioner to reject any such rezoning.

we urge the Zoning Commission to reject any such reasoning.

David C. Fitch 3712 Pinelea Road 21208
Lohrman, H. Tane 3708 Pinelea Rd
Rose, Falek 3712 Pinelea Rd. 21208
Carole Turner 3710 Pinelea Rd. 21208
Beryl Lerner 3716 Pinelea Rd. 21208
Kathryn Davis 3708 Pinelea Rd. 21208
Shelley Clayson 3722 Pinelea Rd. 21208
Laurie Blayson 3720 Pinelea Rd 21208
Laurie S. Bivens 3720 Pinelea Rd 21208
Lorace Laman 3718 Pinelea Rd. 21208
Kippel Laman 3718 Pinelea Rd. 21208
Marian Laman 3716 Pinelea Rd. 21208
Dorothy Johnson 3716 Pinelea Rd. 21208
Florette Hall 3714 Pinelea Rd. 21208
Theresa Hall 3714 Pinelea Rd. 21208
William S. Hinkov 3711 Pinelea Rd. 21208
Samuel Hinkov 3717 Pinelea Rd. 21208

PETITION

We, the undersigned, as taxpayers and homeowners in Baltimore County and as the protestants closest to the property in question, hereby vigorously protest the rezoning of the property adjacent to the southeast boundary of Kimberleigh, known presently as the Carlson property, to apartment use, and we urge the Zoning Commissioner to reject any such rezoning.

11. Scott Harris
 Ellen F. Davis
 Anna J. Black
 James Weston
 Art. K. Malm
 Ralph B. B. B. B.
 Young B. B. B.
 David E. B. B.
 John L. B. B.
 Thomas B. B.
 George B. B.
 Helen B. B.
 Paul B. B.
 Leah B. B.
 Gerald B. B.
 Ruth B. B.
 Bernard B. B.
 Michael B. B.
 Mark B. B.
 Rosa B. B.
 Walter B. B.
 Helen J. B. B.
 Harry W. B. B.
 George B. B.
 Charles B. B.
 David B. B.
 Jay B. B.

PETITION

We, the undersigned, as taxpayers and homeowners in Baltimore County and as the protestants closest to the property in question, hereby vigorously protest the reasoning of the property adjacent to the southeast boundary of Kimberleigh, known presently as the Carleol property, to apartment use, and we urge the Zoning Commissioner to reject any such reasoning.

Mr. Isaac Litt 3707 Parkfield Road
 Mrs. Florence Litt 3707 Parkfield Rd.
 Mrs. Edna Nielsen 4705 Parkfield Ct.
 Melvin Nielsen 4705 Parkfield Court
 Mrs. Stuart C. Badoff 4701 Parkfield Ct.
 Wm. L. Badoff 4701 Parkfield Ct.
 Mrs. Frank Kuchman 3713 Parkfield Rd.
 Mr. Frank Kuchman 3713 Parkfield Rd.
 Mr. Kenneth Brown 4716 Byron Rd.
 Mrs. JOHN SOLÉ 4729 Byron Rd.
 Mrs. JOE SOLÉ — " —
 Mrs. Shirley Reznick 4727 Byron Rd.
 Mr. Irving Reznick 4727 Byron Rd.
 Melvin Larson DDI 4728 Byron Rd.
 Lester Lukens 4723 Byron Rd.
 Mr. Michael Reznick 4714 Byron Road
 Mrs. Betty Reznick 4719 Byron Road
 Mrs. Dorothy Hardinger 3709 Parkfield Rd.
 Mr. David Hardinger 3709 Parkfield Rd.
 Mrs. Judith Schwartz 4710 Byron Rd.
 Mrs. Wiley Schward 4710 Byron Rd.
 Mr. Joel Lucia 4715 Byron Rd.
 Mrs. Frances Lucia 4715 Byron Rd.

PETITION

We, the undersigned, as taxpayers and homeowners in Baltimore County and as the protestants closest to the property in question, hereby vigorously protest the rezoning of the property adjacent to the southeast boundary of Kimberleigh, known presently as the Carlson property, to apartment use, and we urge the Zoning Commissioner to reject any such rezoning.

Mr. & Mrs. Robert Bonar
 3714 Parkfield Rd. (C)
 Mrs. Mrs. Edw. J. Fay Jr.
 3720 Parkfield Rd. (C)
 Mr. & Mrs. Harris Blaisdell
 3722 Parkfield Road (C)
 Mrs. Mrs. Fiedler Jov.
 4741 Eymon St. (C)
 Shelden & Auburton
 3716 Parkfield Rd. - 8
 Alice Randall
 3724 Parkfield Rd.
 Charles Landhall
 3724 Parkfield Rd.
 Marilyn Gordon
 3731 Parkfield Rd.
 Edward M. Ruppert
 3733 Parkfield Rd.
 Helen V. Ruppert
 3733 Parkfield Rd.
 Janet Friedman
 3718 Parkfield Rd.
 Mrs. L. Friedman
 3738 Parkfield Rd.
 Mrs. Helen A. Robinson
 3716 Parkfield Rd.

We, the undersigned, as taxpayers and homeowners in Baltimore County and as the protestants closest to the property in question, hereby vigorously protest the rezoning of the property adjacent to the southeast boundary of Kimberleigh, known presently as the Carlson property, to apartment use, and we urge the Zoning Commissioner to reject any such rezoning.

Henry R. Flynn
Nancy B. Flynn
Paul B. Brachman
Hannah Brachman
Mary Horvath
Jerome Horvath
Mr. Chas. Schlegel
Mrs. Chas. Schlegel
Bernice Holtzman
Natalie Holtzman
Norman Himeflab
Irma Himeflab
Lillian I. Singer
Goldie Schlegel
Lillian Schlegel
William P. Kildner
Hendrie D. Kildner
Bernice Hestadson
Lillian Hestadson
Mollie H. Collette
Margaret Hest
Marian Hest
Mrs. Blanche Paul
Carolyn Baron
Richard Baron
Charles Abrams
David Abrams
Mayorie Axel
Harold Cassel

We, the undersigned, as taxpayers and homeowners in Baltimore County and as the protestants closest to the property in question, hereby vigorously protest the rezoning of the property adjacent to the southeast boundary of Kimberleigh, known presently as the Carlson property, to apartment use, and we urge the Zoning Commissioner to reject any such rezoning.

Mary M. Addelman
Cynthia Middleton
Rita S. Olsen
Mae Lantz
David Lantz (by Mae Lantz)
Kathleen Weiner
William Lerner
Norman Zinner
Laura Zinner
Richard E. Zinner
Melodine M. Zinner (by R. Zinner)
James M. Watterson
Beverly J. Watterson
Rita A. Watterson
Edward J. Watterson
Aaron R. Smelkinson
Rita Smelkinson
Gary Weissbach
Rita C. Weissbach
Allen M. O'Connor
Robert J. O'Connor (by Mrs. O.C.)
Brenda Kauer
Marianne Kauer
Margie Sage
Walter H. Sage
Mary Sage
Joseph H. Sage
David H. Sage (by Mrs. Sage)

We, the undersigned, as taxpayers and homeowners in Baltimore County and as the protestants closest to the property in question, hereby vigorously protest the rezoning of the property adjacent to the southeast boundary of Kimberleigh, known presently as the Carlson property, to apartment use, and we urge the Zoning Commissioner to reject any such rezoning.

Mr. & Mrs. Donald Anderson
Martin A. John
Helen J. John
Richard Smith
Dorothy Smith (by Gilbert Weiss)
Mrs. M. Laymond Long
John H. Kibel
Ruth Kibel
David Weidner
Maurice Weidner
Mary Gross
Richard L. Gross
Gerson Stet
Leo Stetman

We, the undersigned, as taxpayers and homeowners in Baltimore County and as the protestants closest to the property in question, hereby vigorously protest the rezoning of the property adjacent to the southeast boundary of Kimberleigh, known presently as the Carlson property, to apartment use, and we urge the Zoning Commissioner to reject any such rezoning.

Paul R. Kitchman
Nathaniel Kitchman
Blanche M. Lane 4706 Bygon Rd.
Blanche Fine 4738 Bygon Rd.
Benjamin Fine 4738 Bygon Rd.
Bygon County 4940 Bygon Rd.
Solomon Fine 4706 Bygon Rd.
Clara D. Belmont 4746 Bygon Rd.
H. Richard Belmont 4746 Bygon Rd.
Lillian Fine 4731 Bygon Rd.
Joseph C. Belmont 3708 Parkfield Rd.
Charles Belmont 3708 Parkfield Rd.

We, the undersigned, as taxpayers and homeowners in Baltimore County and as the protestants closest to the property in question, hereby vigorously protest the rezoning of the property adjacent to the southeast boundary of Kimberleigh, known presently as the Carlson property, to apartment use, and we urge the Zoning Commissioner to reject any such rezoning.

Asa Mark Denton
Nancy Denton
Hendrie D. Kildner
Bernice Hestadson
Lillian Hestadson
Mollie H. Collette
Margaret Hest
Marian Hest
Mrs. Blanche Paul
Carolyn Baron
Richard Baron
Charles Abrams
David Abrams
Mayorie Axel
Harold Cassel

RE: Petition for Reclassification *
NW side Marriotts Lane 1090' *
SW of Old Court Road *
2nd District *
Christopher Carlson, pet. *
NO. 66-A-180-R

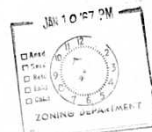
BEFORE THE

DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY

APPEAL

Mr. Clerk:

Please enter an Appeal from the Decision of the Zoning Commissioner entered in this case on December 12, 1966, on behalf of the petitioner herein.



Delverne A. Dressel
1708 Munsey Building
Baltimore, Maryland, 21202
SA 7-0931

Attorney for the Petitioner

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

December 12, 1966

County Office Building
111 W. Gay Street
Baltimore, MD 21201

George E. Ganssler
Director
John G. Hest
Deputy Commissioner

Delverne A. Dressel, Esquire
1708 Munsey Building
Baltimore, Maryland 21202

RE: Petition for Reclassification
NW side Marriotts Lane 1090'
SW of Old Court Road
2nd District
Christopher Carlson, Petitioner
NO. 66-A-180-R

Dear Mr. Dressel:

I have this date passed my Order denying the above Reclassification by reason of failure to prove error in the original zoning map or such substantial changes in the character of the neighborhood.

Very truly yours,

Edward D. Hardesty
Deputy Zoning Commissioner

EDH/dr

cc: Sheldon A. Rubenstein, Esquire
424 Equitable Building
Baltimore, Maryland 21202

Mr. Samuel Grodzitzky
4714 Old Court Road
Baltimore, Maryland 21208

Stewart A. Davis, Esquire
3701 Parkfield Road
Baltimore, Maryland 21208

Mrs. Jeanette Feldman
4722 Old Court Road
Baltimore, Maryland 21208

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

December 12, 1966

County Office Building
111 W. Gay Street
Baltimore, MD 21201

George E. Ganssler
Director
John G. Hest
Deputy Commissioner

Delverne A. Dressel, Esquire
1708 Munsey Building
Baltimore, Maryland 21202

RE: Petition for Reclassification
NW side Marriotts Lane 1090'
SW of Old Court Road
2nd District
Christopher Carlson, Petitioner
NO. 66-A-180-R

Dear Mr. Dressel:

I have this date passed my Order denying the above Reclassification by reason of failure to prove error in the original zoning map or such substantial changes in the character of the neighborhood.

Very truly yours,

Edward D. Hardesty
Deputy Zoning Commissioner

EDH/dr

cc: Sheldon A. Rubenstein, Esquire
424 Equitable Building
Baltimore, Maryland 21202

Mr. Samuel Grodzitzky
4714 Old Court Road
Baltimore, Maryland 21208

Stewart A. Davis, Esquire
3701 Parkfield Road
Baltimore, Maryland 21208

Mrs. Jeanette Feldman
4722 Old Court Road
Baltimore, Maryland 21208

March 8, 1966

Mr. Christopher J. Carlson
Randallstown, Md.

Re: Petition for Reclassification
#66-180-R

Dear Sirs:

This is to advise you that \$53.00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Md. and remit to Mrs. J. J. Johnson, Room 121, County Office Building, before the hearing.

JOHN G. ROSE
ZONING COMMISSIONER

JGR/ba

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: March 4, 1966
FROM: Mr. George E. Gavrellis, Director of Planning
SUBJECT: Petition #66A-180-R. "Northwest side of Marriotts Lane 1090 feet Southwest of Old Court Road. Petition for Reclassification from R-6 to R.A. Zone." Christopher Carlson - Petitioner

2nd District

HEARING: Monday, March 14, 1966. (11:00 A.M.)

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

1. The subject property does not meet the criteria employed by the Planning Board for locating apartment zoning. At present, there is no reasonable access to the property, and the current Capital Program schedules no funds for the construction of any major road to serve the property. As noted by the County Traffic Engineer, development as proposed could be expected to generate 3,250 trips per day, a number that would severely overload the local street system. Even if other locational criteria were met (and they are not), the problem of access renders this petition, at best, premature.

This property is located in the middle, rather than at the edge, of a neighborhood. It is not contiguous with any RA zoning, nor can any existing RA zoning justify the reclassification as a logical increment in apartment development potentials.

2. The above factors alone indicate that the proposed reclassification is not in accordance with the Comprehensive Plan. But other factors lead to the same conclusion.

Apartment zoning here would result in an imbalance of land use in the area. It must be kept in mind that, while RA zoning would permit cottage development, it would be far more likely - to undertake the matter - to stultify such development. Yet, the master plan for the Western Planning Area provided for public facilities appropriate to the kind of development that would be expected as a result of the zoning established or affirmed by the adopted Comprehensive Re-zoning Map. If apartment zoning is continually established where single-family housing was planned for, where is the single-family housing to go? The answer is that new single-family areas will have to be planned, and new commitments for public facilities will have to be made. The time, effort, and money spent on earlier planning and capital projects in large measure will have been wasted.

Page 2

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose Date: March 4, 1966
FROM: Mr. George E. Gavrellis
SUBJECT: Petition #66A-180-R

We are all too aware of the fact that planning must adjust to changing needs. But the need for single-family housing is still very much with us. And we do not believe that piecemeal reclassifications gradually changing the entire concept and emphasis of a master plan constitute an adjustment to changing needs; they are, rather, a negation of the planning process.

3. For the reasons stated above, we must oppose the subject petition.

INTER-OFFICE CORRESPONDENCE
BUREAU OF TRAFFIC ENGINEERING
Baltimore County, Maryland
Towson, Maryland, 21204

Date: January 13, 1966

TO: Mr. George Gavrellis
Attn: Mr. James E. Dyer
FROM: Eugene J. Clifford
SUBJECT: Item 2 ZAC January 4, 1966
Northwest side of Marriotts Lane

Review of the subject plat dated December 13, 1955 results in the following comments:

Both Rolling Road and Church Road are developer's roads, therefore, the date of construction can not be determined.

The only access at this time to the subject property is a 8' dirt road, 1100' long, known as Marriotts Lane. This can not be expected to handle more than 500 - 1000 vehicles/day.

The subject property can be expected to generate 3250 trips/day.

Eugene J. Clifford
County Traffic Engineer

EJC:CKD:mr

cc: Mr. James E. Dyer
James P. S. Duvoreux

RE: Petition for Reclassification
NE side Marriotts Lane 1090'
SW of Old Court Road
2nd District
Christopher Carlson, Pet.

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
NO. 66-A-180-R

APPEAL

Mr. Clerk:

Please enter an Appeal from the Decision of the Zoning Commissioner entered in this case on December 12, 1966, on behalf of the Petitioner herein.



Delverne A. Drussel
1708 Munsey Building
Baltimore, Maryland, 21202
BA 7-0931
Attorney for the Petitioner

SHELDON A. RUBENSTEIN
ATTORNEY AND COUNSELOR AT LAW
424 EQUITA BLVD.
BALTIMORE 2, MARYLAND

March 8, 1966



John G. Rose, Esq.
Zoning Commissioner of
Baltimore County
Court House
Towson, Maryland 21204

Re: Carlson property

Dear Sir:

Stuart Davis and I have been retained by certain residents of Kimberleigh who wish to protest the rezoning of the Carlson property between Liberty Road and what will eventually be an extension of Rolling Road.

The hearing is set for March 14th. We will be engaged in a jury trial at that time which will be quite lengthy, and we would appreciate your postponing this matter for two to four weeks, so that we might appear in behalf of our clients.

Very truly yours,

Sheldon A. Rubenstein

SAR:ms

cc: Harry S. Swartzwelder, Jr., Esq.
1709 Munsey Building
Baltimore, Maryland 21202

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
111 N. CHARLES ST.
TOWSON, MD. 21204
VA. 8400

GEORGE E. GAVRELLIS
DIRECTOR
JOHN G. ROSE
ZONING COMMISSIONER

March 9, 1966

Sheldon A. Rubenstein, Esq.,
424 Equita Blvd.
Baltimore, Maryland 21202

Re: Petition for Reclassification
from R-6 Zone to R. A. Zone
N/W Side Marriotts Lane 1090'
S/W Old Court Road, 2nd Dist.
Christopher J. Carlson, et al,
Petitioners - No. 66-180-R

Dear Mr. Rubenstein:

I have received a call from Mr. Harry S. Swartzwelder, attorney for the petitioner in the above entitled matter. He is agreeable to having a hearing on another date. It will be necessary for you to have someone here on that date. It does not have to be an attorney, just one person will be sufficient. If no one appears we can simply reschedule the case.

If there are other parties in interest we must then proceed with the case, or you must furnish Baltimore County with the advertising costs so that the case may be re-advertised.

Very truly yours,

John G. Rose
Zoning Commissioner

cc: Harry S. Swartzwelder, Jr., Esq.,
1709 Munsey Building
Baltimore, Maryland 21202

James E. Dyer

March 9, 1966

Sheldon A. Rubenstein, Esq.,
424 Equita Blvd.
Baltimore, Maryland 21202

Re: Petition for Reclassification
from R-6 Zone to R. A. Zone
N/W Side Marriotts Lane 1090'
S/W Old Court Road, 2nd Dist.
Christopher J. Carlson, et al,
Petitioners - No. 66-180-R

Dear Mr. Rubenstein:

I have received a call from Mr. Harry S. Swartzwelder, attorney for the petitioner in the above entitled matter. He is agreeable to having a hearing on another date. It will be necessary for you to have someone here on that date. It does not have to be an attorney, just one person will be sufficient. If no one appears we can simply reschedule the case.

If there are other parties in interest we must then proceed with the case, or you must furnish Baltimore County with the advertising costs so that the case may be re-advertised.

Very truly yours,

John G. Rose
Zoning Commissioner

cc: Harry S. Swartzwelder, Jr., Esq.,
1709 Munsey Building
Baltimore, Maryland 21202

James E. Dyer

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

January 21, 1966

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
(A. 800)

GEORGE E. GAVRELS
DIRECTOR
JOHN G. ROSE
ZONING COMMISSIONER

Mr. Christopher J. Carlson
Old Court Road
Randallstown, Maryland

RE: Reclassification from R-6 to RA
for Christopher J. Carlson
Located N/S of Harriotts Lane
S of Old Court Rd., 2nd Dist.
(Item 2, January 14, 1966)

Dear Sir:

The enclosed Bureau of Traffic Engineering comments pertain to the above referenced zoning petition.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

James E. Dyer, Principal
Zoning Technician

JED:ylb

Enclosure

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

January 20, 1966

Mr. Christopher J. Carlson
Old Court Road
Randallstown, Maryland

RE: Reclassification from R-6 to RA
for Christopher J. Carlson
Located N/S of Harriotts Lane
S of Old Court Road, 2nd District
(Item 2, January 14, 1966)

Dear Sir:

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

BUREAU OF ENGINEERING:
Water - A existing 12" water main in Rolling Road, ends approximately 770' northeast of Tennessee Lane.
Sewer - Sewer lines exist as shown on the submitted plat.
Adequacy of existing utilities to be determined by developer or his engineer.
Road - Rolling Road is to be developed as a minimum 44' road on a 70' right of way.
Church Road is to be developed as a minimum 40' road on a 10' right of way.
All efforts to acquire the necessary right of way for extension of Rolling Road from Tennessee Lane to Liberty Road have met with failure. Therefore, access to this site will be limited to the very narrow Harriotts Road.

BUREAU OF TRAFFIC ENGINEERING: This office will review and make any necessary comments at a later date.

PLANNING AND ZONING: This office will review and make any necessary comments at a later date.

ZONING ADMINISTRATION DIVISION: Access to the site is not acceptable and will not be acceptable until such time as the proposed Rolling Road is constructed.

The above comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems that may have a bearing on this case. The Director and/or the Deputy Director of the Office of Planning and Zoning will submit recommendations on the appropriateness of the requested zoning 10 days before the Zoning Commission's hearing.

The following members had no comment to offer:

Health Department
Industrial Development Commission
Board of Education
Buildings Department
State Roads Commission

Very truly yours,

James E. Dyer, Principal
Zoning Technician

JED:ylb

cc: Mr. Carlyle Brown-Bureau of Engineering
Mr. C. Richard Moore-Bureau of Traffic Engineering
Capt. Paul Mallick-Fire Bureau-Plans Review
Mr. James E. Dyer-Zoning Administration Division

Baltimore County Office of
Planning and Zoning
County Office Building
Towson, Maryland 21204
Attn: Mr. James E. Dyer

Dear Mr. Dyer:

Re: Reclassification from R-6 to RA
for Christopher J. Carlson
Located N/S of Harriotts Lane
S of Old Court Road, 2nd District

Please be advised my correct mailing address is:

Old Court Road & Harriotts Lane
Pikesville, Maryland 21208

Very truly yours,

Christopher J. Carlson

Christopher J. Carlson

CJC:mar



66-A-180R ①

Petition

Richard Smith - Engineer - 32 acres -
N - undeveloped land +
this side of new J. High Rd.
W - undeveloped land + this
side of High Rd.
E - undeveloped land + having devel.
+ this future xpt site
S - vicinity School + then
mostly good RA tract

Traffic to be routed via proposed
Rolling Rd + Church Rd -
499 units - 548 parking spaces -

8.5 acres of soft sand is flood plain -
it will be kept as open space -

There is no young of trees intended -
land can be developed in its R-6 zone -
5% open space in R-6
25% open space in R-A

Mr. Arthur Robinson - Civil Engineer - sewer + water available
+ adequate

66-A-180R

Mr. Goodman - Contact purchaser - land is steep -
8 1/2 acres flood plain - rocky -
every apt. house within 2 miles, except
one is successful - see need for apt.
in area - 14 1/2 BR - 110-755
incl. utilities - community house - no school
pool -

Problems

Mr. O'Connor - 4783 Byron Rd - 2 blocks away -
opposed - overcrowding of schools - traffic -

Mr. Henry - 4746 Byron Rd - can see only tract -
RA will depict his property - traffic -

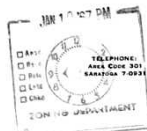
Mr. [unclear] - 4708 Byron Rd - opposed - made his point -
traffic - school crowded -

Mr. [unclear] - 4743 Byron Rd - opposed -

Mr. [unclear] - 3707 Parkfield Rd - 150' from 24' tract -
opposed - aesthetic -

LAW OFFICES
DELVERNE A. DRESSEL
1708 MURPHY BUILDING
CALVERT AND PATYETTE STS. NE
BALTIMORE, MD. 21202

January 9, 1967



Honorable John Rose,
Zoning Commissioner
County Office Building
Towson, Maryland, 21204

Re: Case No. 66-A-180-R

Dear Mr. Rose:

I am enclosing herewith Appeal in the above entitled case, along with my check in the amount of \$80.00, to cover costs for same.

Very truly yours,

Delverne A. Dressel

DAD:mmm
enc.

Send copy of order -
Samuel Broditzky
4714 Old Court Rd.
21208

Janette Feldman
4722 Old Court Rd.
4722
21208

IN RE:
CARLSON PROPERTY
BEFORE THE ZONING
COMMISSION OF
BALTIMORE COUNTY

MR. COMMISSIONER:
Please enter the appearance of Sheldon A. Rubenstein and
Stuart Davis as attorneys for John Sibaga, Peter Merton, Stuart
Braunstein, Louis Blivess, and Robert Silverstein, protestants,
with reference to the above-entitled matter.

SHeldon A. RUBENSTEIN
424 Equitable Building
Baltimore, Maryland 21202
Plaza 2-6555

STEWART A. DAVIS

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

July 18, 1966

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
VA. 8470GEORGE E. GAVRELLS
DIRECTOR
JOHN G. ROSE
ZONING COMMISSIONERMr. Max Goodson
2521 Strathmore Ave.
Baltimore, Md. 21209

Dear Sir:

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

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

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

Yours very truly,

Edward D. Hardesty
DEPUTY ZONING COMMISSIONER

JGR/ba

Encls:

Mr. Christopher J. Carlson
Old Court Road
Randallstown, Maryland

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
14th day of January, 1966.

JOHN G. ROSE
Zoning Commissioner

Petitioner Mr. Christopher J. Carlson
Petitioner's Attorney _____

Reviewed by James S. Ryan
Chairman of Advisory Committee

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

No. 41099

DATE 12/24/67

TO: Sheldon A. Rubenstein, Esq.
434 Equitable Building
Baltimore, Maryland 21202BILLED TO County Board of Appeals
(Zoning)

REPORT TO ACCOUNT NO.	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
01.712			\$5.00

Cost of Certified Documents - File #66-A-180-R
Christopher J. Carlson, et al
NW/3 Marrietta Lane 1090' SW Old Court Road
Second District

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.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: July 15, 1966
FROM: George E. Gavrells, Director of Planning
SUBJECT: Petition #66-A-180-R. N. 1/4 west side of Marrietta Lane 1090 feet from the southwest side of Old Court Road. Petition for Reclassification from K-6 to R.A. Zone. Christopher J. Carlson, et al - Petitioners

2nd District

HEARING: Monday, July 25, 1966. (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from K-6 to R.A. zoning and has the following advisory comments to offer:

1. The planning staff is dismayed to learn that reclassification has been granted for an adjoining parcel. Nevertheless, the planning staff does not believe or recommend that yet additional apartment reclassifications are needed, are justified, or are desirable here. The surge of apartment zoning in the general area now has placed emphasis on a real need within the County to provide for conventional sales housing development where utilities exist. The planning staff feels that the present zoning for this tract is correct and that apartment zoning would be completely contrary to the comprehensive plan. The planning staff reiterates the comments that it made regarding this petition in March of this year.

GEG:bms

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

District: 2nd District Date of Posting: July 2, 1967
Posted for: Official
Petitioner: Christopher J. Carlson, et al
Location of property: NW/3 Marrietta Lane 1090' SW of Old Court Rd.

Location of Sign: West side of Old Court Rd. at Marrietta Lane
Proposed (dashed line) Kelly Rd. (at present dead end)

Remarks: J. Rose Date of return: July 2, 1967

Posted by: J. Rose 3 signs

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

No. 41098

DATE 11/24/67

TO: Ellsworth Steinberg, Esq.
10 South Street
Baltimore, Md. 21202BILLED TO County Board of Appeals
(Zoning)

REPORT TO ACCOUNT NO.	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
01.712			\$1.00

1 copy Board's Order, Case No. 66-A-180-R
Christopher J. Carlson

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.

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

No. 40622

DATE 2/2/68

TO: Mr. Christopher J. Carlson
Old Court Road
Randallstown, Md.

BILLED TO Zoning Dept. of Balto. Co.

REPORT TO ACCOUNT NO.	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
01.622			\$2.00

Advertising and posting of your property
#66-A-180R

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

66-150R

District: 2nd District Date of Posting: March 26, 1966
Posted for: Notice of appeal from R-6 to R.A.
Petitioner: Christopher Carlson
Location of property: NW/3 Marrietta Lane 1090' SW of Old Court Rd.

Location of Sign: West side of Old Court Rd. at Marrietta Lane
Proposed (dashed line) Kelly Rd. (at present dead end)

Remarks: J. Rose Date of return: March 7, 1966

Posted by: J. Rose 3 signs

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

No. 42936

DATE 1/12/67

TO: Dolores A. Dressel, Esq.
1705 Ramsey Blvd.
Baltimore, Maryland 21202BILLED TO Office of Planning & Zoning
119 County Office Bldg.,
Towson, Md. 21204

REPORT TO ACCOUNT NO.	QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
01.622			\$20.00
Cost of appeal - Property of Christopher Carlson, No. 66-A-120-R		posting	\$20.00
1-16-67			\$20.00
1-14-67			\$20.00

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

THE BALTIMORE COUNTEAN

THE COMMUNITY NEWS
Baltimore, Md.
No. 1 Newburg Avenue
CATONSVILLE, MD.

February 24, 1968.

THIS IS TO CERTIFY, that the annexed advertisement of
John G. Rose, Zoning Commissioner of
Baltimore County

was inserted in THE BALTIMORE COUNTEAN, a group of
three weekly newspapers published in Baltimore County, Mary-
land, once a week for use successive weeks before
the 28th day of February, 1968, that is to say
the same was inserted in the issues of
February 24, 1968.

THE BALTIMORE COUNTEAN

By Paul J. Morgan
Editor and Manager, E.M.

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

66-150R

District: 2nd District Date of Posting: March 26, 1966
Posted for: Notice of appeal from R-6 to R.A.
Petitioner: Christopher Carlson
Location of property: NW/3 Marrietta Lane 1090' SW of Old Court Rd.

Location of Sign: West side of Old Court Rd. at Marrietta Lane
Proposed (dashed line) Kelly Rd. (at present dead end)

Remarks: J. Rose Date of return: March 7, 1966

Posted by: J. Rose 3 signs

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

No. 33595

DATE 12/21/65

TO: Cash

REPORT TO ACCOUNT NO. 01-622

QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
		\$20.00

Petition for Reclassification for Christopher J. Carlson

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.

THE BALTIMORE COUNTEAN

THE COMMUNITY NEWS
Baltimore, Md.
No. 1 Newburg Avenue
CATONSVILLE, MD.

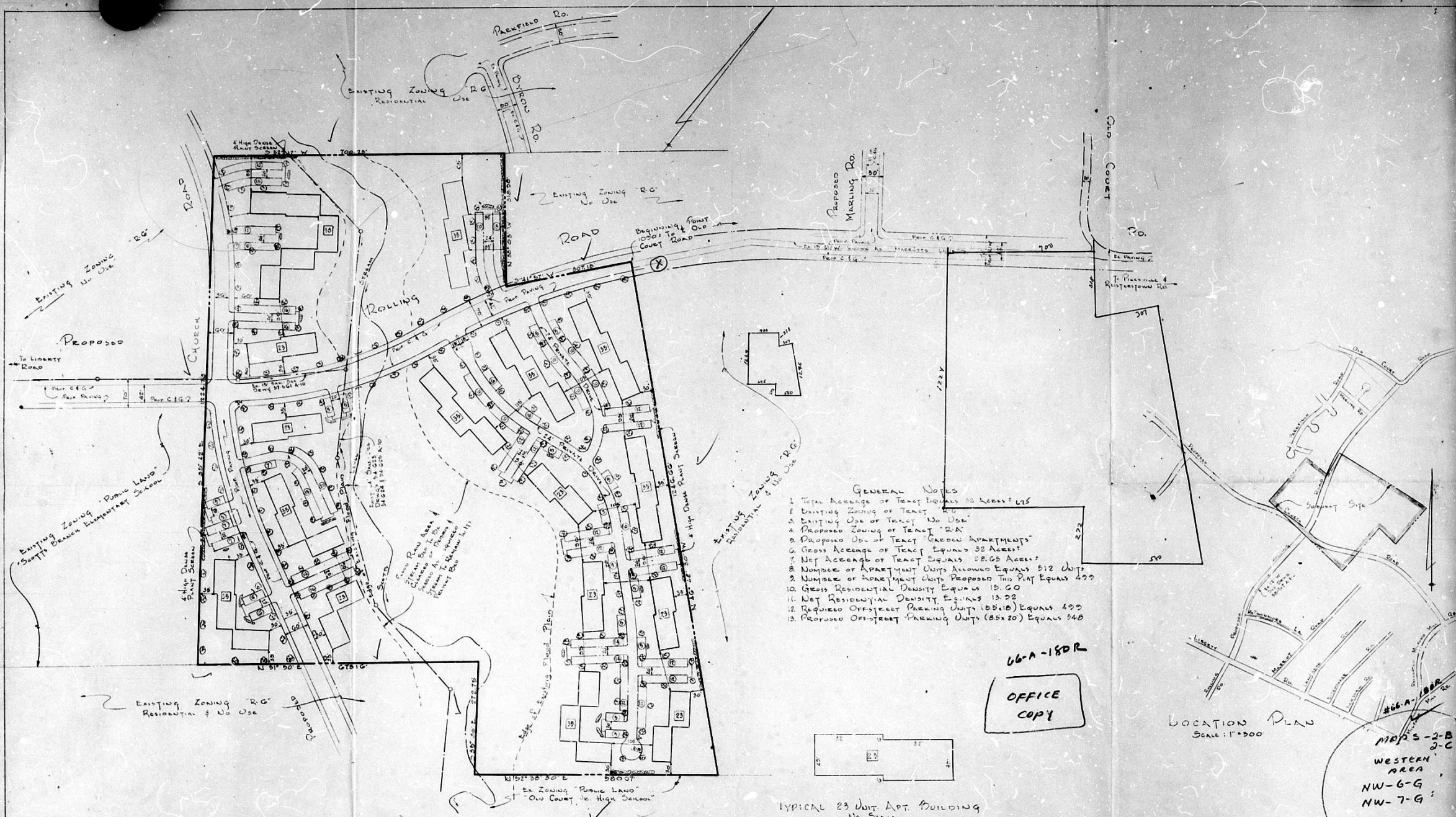
February 24, 1968.

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the 28th day of February, 1968, that is to say
the same was inserted in the issues of
February 24, 1968.

THE BALTIMORE COUNTEAN

By Paul J. Morgan
Editor and Manager, E.M.



- GENERAL NOTES
1. TOTAL ACRES OF TRACT EQUALS 28.65 ACRES ± 0.15
 2. EXISTING ZONING OF TRACT "R.G."
 3. EXISTING USE OF TRACT "NO USE"
 4. PROPOSED ZONING OF TRACT "RA"
 5. PROPOSED USE OF TRACT "GARDEN APARTMENTS"
 6. GROSS ACRES OF TRACT EQUALS 28.65 ACRES ±
 7. NET ACRES OF TRACT EQUALS 28.65 ACRES ±
 8. NUMBER OF APARTMENT UNITS ALLOWED EQUALS 512 UNITS
 9. NUMBER OF APARTMENT UNITS PROPOSED THIS PLAT EQUALS 499
 10. GROSS RESIDENTIAL DENSITY EQUALS 15.60
 11. NET RESIDENTIAL DENSITY EQUALS 13.22
 12. REQUIRED OFF-STREET PARKING UNITS (105:10) EQUALS 499
 13. PROPOSED OFF-STREET PARKING UNITS (85:20) EQUALS 548

66-A-180R
OFFICE COPY

LOCATION PLAN
SCALE: 1"=200

MAPS-2-B
2-C
WESTERN
AREA
NW-6-G
NW-7-G
RA

PLAT TO ACCOMPANY PETITION
FOR
RECLASSIFICATION OF PROPERTY
VICINITY
PROPOSED ROLLING RD. & CHURCH RD.
ELECTION DISTRICT 8 BALTIMORE CO. MD.
SCALE: 1"=100' DEC. 13, 1966

OFFICE COPY

