

IRVIN DIETERICH, et al No. 66-192-R
N/S of St. Lukes Lane 225' from NE side of Paris Road - 2nd District
Reclassification from R-6 and R-10 to R-A 1.76 acres

Jan. 25, 1966 Petition filed by Irvin Dieterich, et al and Lokarmo Corp.
Contract Purchaser
Mar. 22 Reclassification DENIED by D.Z.C.
" 29 Appealed to C.B. of A.
Jan. 3, 1967 Order of C.B. of A. denying reclassification
Feb. 1 Order for Appeal filed in Circuit Court #3625
Mar. 1 Petition to Extend time filed in Circuit Court
Mar. 29 Record of proceedings filed in Circuit Court
Apr. 9, 1968 Hon. H.K.M. Memo forwarded to attorney W. Lee Harrison
pertaining to Order of Dismissal
May 13 Dismissed - Plaintiff's attorney

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
Irvin Dieterich and Mildred E. Dieterich, his wife, Harry E. Weber and
I, or we, Barbara E. Stouffer, legal owner of the property situate in Baltimore
County and which is described in the description and plat attached hereto and made a part hereof,
hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant
to the Zoning Law of Baltimore County, from an R-6 and R-10 zone to an
R-A zone, for the following reasons:
Error in original zoning and genuine change in conditions.

See attached description

and (2) for a Special Exception, under the said zoning Law and Zoning Regulations of Baltimore
County, to use the herein described property, for

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

LOKARMO CORPORATION
By Irving Rosen, President/Contract purchaser
Address 111 N. Charles Street

Mildred E. Dieterich
Legal Owners
Address 2210 St. Andrew Lane

W. Lee Harrison, Petitioner's Attorney
Address 607 Loyola Federal Building
Towson, Md. 823-1200

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day
of January, 1968, that the subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-
out Baltimore County, that property be posted, and that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore
County, on the 22nd day of March, 1968, at 11:00 o'clock
A.M.

Zoning Commissioner of Baltimore County.
(over)

RE: PETITION FOR RECLASSIFICATION
from R-6 and R-10 zones to an R-A
zone,
N/S of St. Lukes Lane 225' from the
Northeast Side of Paris Road,
2nd District
Irvin Dieterich, et al,
Petitioners
BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 66-192-R

OPINION

This case involves a tract of approximately eleven (11) acres roughly
triangular in shape, on St. Lukes Lane near Paris Road, in the Second District of
Baltimore County. This location is inside the Beltway and South of Liberty Road,
and was zoned partly R-6 and partly R-10 on the Official Zoning Map adopted in
November 1962. It is almost completely surrounded by developed R-6 property,
with some R-10, and there is a school in the neighborhood and also a rather extensive
apartment development known as the Town and Country Apartments, which has been
constructed mostly on land which was zoned R-A at the time of the adoption of the
map.

The Planning Staff of Baltimore County, as represented by its Director,
Mr. George E. Gavrells, who testified, is opposed to the granting of the petition on
the grounds that an apartment development on this tract would "purely and simply be
incompatible with adjacent zoning and development". He stated that while he
recognized an increase in the market for apartments, such would by no means justify
the establishment of apartment zoning in locations that do not meet the original criteria.
He felt that this tract did not meet those criteria and the land was completely suitable
for development in its present classification. A portion of his opinion was concurred
in by Mr. Lester Matz, a very able and well recognized engineer, whose office had
prepared the plat for the proposed apartments, that this tract could be developed as R-6
land with no difficulty whatever from an engineering standpoint. Other expert

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N/S of St. Lukes Lane 225' from the
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and was zoned partly R-6 and partly R-10 on the Official Zoning Map adopted in
November 1962. It is almost completely surrounded by developed R-6 property,
with some R-10, and there is a school in the neighborhood and also a rather extensive
apartment development known as the Town and Country Apartments, which has been
constructed mostly on land which was zoned R-A at the time of the adoption of the
maps.

The Planning Staff of Baltimore County, as represented by its Director,
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the grounds that an apartment development on this tract would "purely and simply be
incompatible with adjacent zoning and development". He stated that while he
recognized an increase in the market for apartments, such would by no means justify
the establishment of apartment zoning in locations that do not meet the original criteria.
He felt that this tract did not meet the criteria and the land was completely suitable
for development in its present classification. A portion of his opinion was concurred
in by Mr. Lester Matz, a very able and well recognized engineer, whose office had
prepared the plat for the proposed apartments, that this tract could be developed as R-6
land with no difficulty whatever from an engineering standpoint. Other expert

Irvin Dieterich, et al - No. 66-192-R

testimony on behalf of the petitioners indicated that water and sewer studies showed
that there had been some changes since 1962, and that the construction as proposed
would probably not create any traffic in the immediate neighborhood. Other testi-
mony indicated that there had been a number of changes in zoning classification in
the area comprised in this zoning map, but the Board is of the opinion, and so finds,
that these changes do not have sufficient impact on this particular piece of property
to warrant any change in the present classification.

Under the testimony it is fairly well established that the contract purchaser,
a highly reputable builder and developer, would benefit economically from the
development of this tract in apartments rather than in cottages, and also it would
appear that the construction of these apartments would probably not detract from the
value of adjoining residential land. However, these matters are not conclusive, and
the Board finds that the petitioners have not met the burden of overcoming the presumption
as to the correctness of the original zoning.

Therefore, the decision of the Deputy Zoning Commissioner will be affirmed
and the petition will be denied.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 3rd day of
January 1967, by the County Board of Appeals ORDERED, that the reclassification
petitioned for be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, sub-
title B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Giles Parker

R. Bruce Alderman

Irvin Dieterich, et al - 115, 66-192-R

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mony indicated that there had been a number of changes in zoning classification in
the area comprised in this zoning map, but the Board is of the opinion, and so finds,
that these changes do not have sufficient impact on this particular piece of property
to warrant any change in the present classification.

Under the testimony it is fairly well established that the contract purchaser,
a highly reputable builder and developer, would benefit economically from the
development of this tract in apartments rather than in cottages, and also it would
appear that the construction of these apartments would probably not detract from the
value of adjoining residential land. However, these matters are not conclusive, and
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Therefore, the decision of the Deputy Zoning Commissioner will be affirmed
and the petition will be denied.

ORDER

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January 1967, by the County Board of Appeals ORDERED, that the reclassification
petitioned for be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, sub-
title B of the Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Giles Parker

R. Bruce Alderman

RE: PETITION FOR RECLASSIFICATION
from R-6 and R-10 zones to an R-A
zone,
N/S of St. Lukes Lane 225' from the
Northeast Side of Paris Road,
2nd District
Irvin Dieterich, et al
BEFORE THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY
66-192-R

This is a Petition to re-zone approximately 11 acres of land
from an R-6 and R-10 zone to an RA zone. Plans call for the construction
of 176 apartment units renting from \$110 to \$180 per month. Two hundred
thirteen off-street parking spaces would be provided and a community swim-
ming pool and playground would be offered as recreational facilities.

The property was described as being virtually surrounded by R-6
and R-10 developments. There was no definite proof shown to the satisfaction
of the Deputy Zoning Commissioner that there has either been an error in
the original zoning map or such a substantial change in the character of
the neighborhood to justify the re-zoning of this tract for apartments.
Sewer and water facilities are available and adequate, and there is no
logical reason this tract cannot be developed in its present zoning
classification.

For the foregoing reasons, IT IS ORDERED by the Deputy Zoning
Commissioner of Baltimore County this 27th day of March, 1966,
that the above reclassification be and the same is hereby DENIED and that
the above described property or area be and the same is hereby continued
as and to remain an R-6 and R-10 zone.

ORDER RECEIVED FOR FILING
DATE 3/27/66
BY [Signature]
ADMINISTRATIVE ASSISTANT

[Signature]

IRVIN DIETERICH, et al IN THE CIRCUIT COURT
V. FOR BALTIMORE COUNTY
BALTIMORE COUNTY AT LAW
BOARD OF APPEALS 3685/8/170

ORDER OF DISMISSAL #66-192-R

Mr. Clerk:
Please dismiss the appeal in the above captioned case on behalf
of the Petitioners.

W. Lee Harrison
607 Loyola Federal Building
22 W. Pennsylvania Avenue
Towson, Maryland 21204
823-1200
Attorney for Petitioners

Rec'd 3:30 PM
9am

IRVIN DIETERICH and
MILDRED DIETERICH, his wife,
HARRY E. WEBER
and
BARBARA E. STOUFFER

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

vs.

WILLIAM S. BALDWIN,
W. GILES PARKER and
R. BRUCE ALDERMAN,
being and constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

AT LAW

Misc. Docket No. 8
File No. 170
3685

ANSWER TO ORDER OF APPEAL TO CIRCUIT
COURT FOR BALTIMORE COUNTY AND
CERTIFIED COPIES OF PROCEEDINGS BEFORE
THE ZONING COMMISSIONER AND BOARD
OF APPEALS OF BALTIMORE COUNTY

MR. CLERK:

Please file, &c.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

IRVIN DIETERICH and
MILDRED DIETERICH, his wife,
HARRY E. WEBER
and
BARBARA E. STOUFFER

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

vs.

WILLIAM S. BALDWIN,
W. GILES PARKER and
R. BRUCE ALDERMAN,
being and constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

AT LAW

Misc. Docket No. 8
File No. 170
3685

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William S. Baldwin, W. Giles Parker and R. Bruce Alderman, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING
COMMISSIONER OF BALTIMORE COUNTY

No. 66-192-R

Jan. 25, 1966 Petition of Irvin Dieterich, Mildred E. Dieterich, Harry E. Weber and Barbara E. Stouffer for reclassification from R-6 and R-10 zone to an R-A zone, on property located on the north side of St. Lukes Lane 225' from the northeast side of Paris Road, 2nd District - filed

" " Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for March 2, 1966 at 11:00 am.

Feb. 17 Certification of Publication in newspaper - filed

" 19 Certificate of Posting of property - filed

Mar. 2 At 11:00 am hearing held on petition by Deputy Zoning Commissioner - case held sub curia

" 22 Order of Deputy Zoning Commissioner denying reclassification.

" 29 Order of Appeal to County Board of Appeals from Order of Deputy Zoning Commissioner

Nov. 17, 1966 Hearing on appeal before County Board of Appeals - case held sub curia

Jan. 3, 1967 Order of County Board of Appeals denying reclassification

Feb. 1 Order for Appeal filed in the Circuit Court for Baltimore County by W. Lee Harrison, Esq., attorney for petitioners

" " Petition to accompany Order for Appeal filed in the Circuit Court for Baltimore County

" 3 Certificate of Notice sent to all interested parties

Mar. 1 Petition to Extend Time filed in Circuit Court

" 29 Transcript of testimony filed

Petitioners' Exhibit No. 1 - Plat of subject property (Watz, Childs - 9/30/65)

" " 2 - Zoning File No. 65-247-R

" " 3 - Photos from F. Klaus (a, b, c, d, e)

Record of Proceedings filed in the Circuit Court for Baltimore County

" " Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, as are also the use district maps, and your Respondents respectively suggest that it would be inconvenient and inappropriate to file the same in these proceedings, but your Respondents will produce any and all such rules and regulations, together with the zoning use district maps, at the hearing on this petition, or whenever directed to do so by this Court.

Respectfully submitted,

Muriel E. Buddemeier
County Board of Appeals of
Baltimore County

IRVIN DIETERICH and
MILDRED DIETERICH, his wife,
HARRY E. WEBER
and
BARBARA E. STOUFFER

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

vs.

WILLIAM S. BALDWIN,
W. GILES PARKER and
R. BRUCE ALDERMAN,
being and constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

AT LAW

Misc. Docket No. 8
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CERTIFICATE OF NOTICE

Mr. Clerk:

Pursuant to the provisions of Rule 1101-8(4) of the Maryland Rules of Procedure, William S. Baldwin, W. Giles Parker and R. Bruce Alderman, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it; namely, W. Lee Harrison, Esq., Loyola Federal Building, Towson, Maryland, 21204, Attorney for the Petitioner, and Fred E. Waldrop, Esq., Masonic Building, Towson, Maryland, 21204, and Harry S. Swartzwelder, Jr., Esq., 1709 Munsey Building, Baltimore, Maryland, 21202, Attorneys for the Respondents, a copy of which notice is attached hereto and prayed that it may be made a part thereof.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County
County Office Building, Towson, Md. 21204
VA 3-3000, Ext. 570

I hereby certify that a copy of the foregoing Certificate of Notice has been mailed to W. Lee Harrison, Esq., Loyola Federal Building, Towson, Maryland, 21204, Attorney for the Petitioner, and Fred E. Waldrop, Esq., Masonic Building, Towson, Maryland, 21204, and Harry S. Swartzwelder, Jr., Esq., 1709 Munsey Building, Baltimore, Maryland, 21202, Attorneys for the Respondents, on this day of February, 1967.

Muriel E. Buddemeier, County Board of
Appeals of Baltimore County

IRVIN DIETERICH and
MILDRED DIETERICH, his wife,
HARRY E. WEBER
and
BARBARA E. STOUFFER

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

vs.

WILLIAM S. BALDWIN,
W. GILES PARKER and
R. BRUCE ALDERMAN,
being and constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

AT LAW

Misc. Docket No. 8
File No. 170
3685

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William S. Baldwin, W. Giles Parker and R. Bruce Alderman, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING
COMMISSIONER OF BALTIMORE COUNTY

No. 66-192-R

Jan. 25, 1966 Petition of Irvin Dieterich, Mildred E. Dieterich, Harry E. Weber and Barbara E. Stouffer for reclassification from R-6 and R-10 zone to an R-A zone, on property located on the north side of St. Lukes Lane 225' from the northeast side of Paris Road, 2nd District - filed

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Respectfully submitted,

Muriel E. Buddemeier
County Board of Appeals of
Baltimore County

Nov. 17, 1966 Hearing on appeal before County Board of Appeals - case held sub curia

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" " Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, as are also the use district maps, and your Respondents respectively suggest that it would be inconvenient and inappropriate to file the same in these proceedings, but your Respondents will produce any and all such rules and regulations, together with the zoning use district maps, at the hearing on this petition, or whenever directed to do so by this Court.

W. Lee Harrison, Esq.
Loyola Federal Building
Towson, Md. 21204

January 3, 1967

Re: Irvin Dieterich, et al
No. 66-192-R

Dear Mr. Harrison:

Enclosed herewith is a copy of the Opinion and Order passed by the County Board of Appeals today in the above entitled case.

Very truly yours,

Muriel E. Buddemeier

Encl.

cc: Fred E. Waldrop, Esq.

Harry S. Swartzwelder, Jr., Esq.

Mr. Rose

Mr. Hardesty

Mr. Gavrells

Board of Education

Irvin Dieterich, et al - No. 66-192-R

testimony on behalf of the petitioners indicated that water and sewer studies showed that there had been some changes since 1962, and that the construction as proposed would probably not create any traffic in the immediate neighborhood. Other testimony indicated that there had been a number of changes in zoning classification in the area comprised in this zoning map, but the Board is of the opinion, and so finds, that these changes do not have sufficient impact on this particular piece of property to warrant any change in the present classification.

Under the testimony it is fairly well established that the contract purchaser, a light, reputable builder and developer, would benefit economically from the development of this tract in apartment rather than in cottage, and also it would appear that the construction of these apartments would probably not detract from the value of adjoining residential land. However, these matters are not conclusive, and the Board finds that the petitioners have not met the burden of overcoming the presumption as to the correctness of the original zoning.

Therefore, the decision of the Deputy Zoning Commissioner will be affirmed and the petition will be denied.

ORDER

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

Any appeal from this decision must be in accordance with Chapter 1103, Article 8 of the Maryland Rules of Procedure, 1967 edition.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W. Giles Parker

R. Bruce Alderman



Page Two

courses and distances. (1) N 50°40'53" E - 201.00 feet and (2) S 40°47'40" E - 848 feet, more or less, to a point on the south-westerly, 950 feet, more or less, line of Baltimore County Zoning Description 2 - R10-13, thence binding on said Description, the two following courses and distances. (1) southwesterly and westerly, 720 feet, more or less, and (2) southwesterly, 105 feet, more or less, to a point on said north side of St. Lukes Lane, thence binding thereon, westerly, 50 feet more or less, to the place of beginning. Containing 9.20 acres of land, more or less.

J.O. 65149

RS:skk

9-30-65

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Irvin Dieterich and Mildred E. Dieterich, his wife, Harry E. Weber and Barbara E. Stouffer
I, or we, _____, legal owner, of the property situated 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 _____ zone to an _____ zone and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for _____.

Error in original zoning and genuine change in conditions.

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.

LOBARMO CORPORATION

By _____
Irving Rosen, President/contract purchaser
Address: 111 N. Charles Street

Mildred E. Dieterich, Legal Owner
Address: _____

W. Lee Harrison, Petitioner's Attorney
Address: 807 Loyola Federal Building
Towson, Md. 21204

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 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 _____ day of _____, 1967, at _____ o'clock _____ M.

Zoning Commissioner of Baltimore County

JOEY



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

DESCRIPTION

1.76 ACRE PARCEL
NORTH SIDE OF ST. LUKES LANE
SECOND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

PRESENT ZONING R10
PROPOSED ZONING RA

Beginning for the same at the point formed by the intersection of the north side of St. Lukes Lane and the southwesterly 1400, more or less, foot line of Baltimore County Zoning Description 2-R10-13, said point of beginning being located 225 feet, more or less, as measured easterly along said north side of St. Lukes Lane from its intersection with the center line of Paris Road, running thence and binding on said north side of St. Lukes Lane, easterly, 820 feet, more or less, to the southernmost corner of the land shown on a plat entitled "Thorfield II" and recorded among the Land Records of Baltimore County in Plat Book RRG 30, page 36, thence binding on a part of the southwestern outline thereof, northwesterly, 100 feet, more or less, to a point on the southwesterly 950 foot line of said Zoning Description, thence binding on said Description, the two following courses and distances, (1) southwesterly and westerly, 720 feet, more or less and (2) southwesterly, 105 feet, more or less, to the place of beginning. Containing 1.76 acres of land, more or less.

J.O. 65149

rs:dog

9/30/65

Water Supply Sewerage Drainage Highways Structures Developments Investigations



IRVIN DIETERICH and
MILDRED DIETERICH, his wife
HARRY E. WEBER
and
BARBARA E. STOFFER

IN THE
CIRCUIT COURT

FOR

BALTIMORE COUNTY

AT LAW

Misc. & Polk 170; File No. 3485

PETITION TO EXTEND TIME

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Irvin Dieterich and Mildred Dieterich, his wife, Harry E. Weber and Barbara E. Stouffer, Appellants in the above entitled case, by W. Lee Harrison, their Attorney, respectfully represents unto your Honor:

1. That a Petition was filed in the above matter on January 1, 1967, pursuant to the Maryland Rules of Procedure, Chapter 1100, Rule B2, c.
2. That by virtue of Rule b7 of the aforesaid Rules of Procedure, the transcript of testimony, among other records, is required to be transmitted to the Clerk of the Court within thirty days of the date of filing of such Petition.

3. That your Petitioners are informed by the Reporter for the Board of Appeals of Baltimore County that the testimony to be transcribed is voluminous and a transcript of testimony can not be completed during such thirty day period; but that an additional period of thirty days will be required by such Reporter to complete transcription of the aforesaid testimony.

WHEREFORE, your Petitioners pray that this Honorable Court, pursuant to Maryland Rules of Procedure, Chapter 1100, Rule B 7.b, order an extension of thirty days, accounting from March 1, 1967, within which time

ORDER RECEIVED FOR FILING

DATE 1/23/66

BY J. C. L. L. L.

ADMINISTRATIVE ASSISTANT

PETITION FOR RECLASSIFICATION
N/S of St. Lukes Lane 205' from the
NE/S of Paris Road
2nd District
Irvin Dieterich, et al

REPLY TO THE
DEPUTY ZONING COMMISSIONER
OF
BALTIMORE COUNTY
66-192-R

This is a Petition to rezone approximately 1.76 acres of land from an R-10 and R-10 zone to an RA zone. Plans call for the construction of 176 apartment units, mostly from \$120 to \$140 per month. Two hundred thirteen off-street parking spaces would be provided and a community swimming pool and playground would be offered as recreational facilities.

The property was described as being virtually surrounded by R-6 and R-10 developments. The rezoning would be shown to the satisfaction of the Deputy Zoning Commissioner that there has been no error in the original zoning map or such a substantial change in the character of the neighborhood to justify the rezoning of this tract for apartments, town and water facilities are available and adequate, and there is no logical reason this tract cannot be developed in its present zoning classification.

For the aforesaid reasons, it is ORDERED by the Deputy Zoning Commissioner of Baltimore County this _____ day of _____, 1966, that the above reclassification be an RA zone, a zoning RA zone and that the above described property be rezoned and the same is hereby continued as such to remain in RA zone and RA zone.

Charles D. Hickey



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

DESCRIPTION

9.20 ACRE PARCEL, NORTH SIDE OF

ST. LUKES LANE, SECOND ELECTION DISTRICT,

BALTIMORE COUNTY, MARYLAND

Present Zoning R 6
Proposed Zoning RA

Beginning for the same at a point on the north side of St. Lukes Lane at the distance of 175 feet, more or less, as measured easterly along said north side of St. Lukes Lane from its intersection with the center line of Paris Road, said point of beginning located at the easternmost corner of lot 13, Block 'A', as shown on a plat entitled "Section 1, Woodmoor Estates" and recorded among the Land Records of Baltimore County in Plat Book G.L.B. 26, Page 91, running thence and binding on the outlines of said plat, the three following courses and distances. (1) N 35°48'30" W - 387.14 feet, (2) N 50°48'00" E - 502.59 feet and (3) N 49°21'16" W - 117.06 feet to the southernmost corner of lot 1, Block 'C' as shown on a plat entitled "Windsor Farms" and recorded among said Land Records in Plat Book G.L.B. 22, Page 84, thence binding on the outlines of "Windsor Farms", the two following

Water Supply Sewerage Drainage Highways Structures Developments Investigations



Lester Matz, P.E.
John C. Childs, L.S.
Associate
George W. Bushby, L.S.
Robert W. Crissman, P.E.
Leonard M. Glass, P.E.
Norman F. Hermann, L.S.
Paul Lee, P.E.
Paul S. Smolton

66-192-R
M.P.
2-B
WESTERN
AREA
NW-4F
RA
3/1/66

the requisite transcript of testimony may be transmitted to this Honorable Court.

W. LEE HARRISON
807 Loyola Federal Building
22 W. Pennsylvania Avenue
Towson, Maryland 21204
823-7200
Attorney for Petitioners

I HEREBY CERTIFY that on this _____ day of _____, 1967, a copy of the foregoing Petition to Extend Time was sent to Fred E. Waldrop, Esquire, Masonic Building, Town & Maryland 21204, Harry S. Swartzwelder, Jr., Esquire, Munsey Building, Baltimore, Maryland 21202 and to the County Board of Appeals, County Office Building, Towson, Maryland 21204.

W. LEE HARRISON

Rec'd 3/1/67
9 am

IRVIN DIETERICH and
MILDRED DIETERICH, his wife
HARRY E. WEBER
and
BARBARA E. STOFFER

IN THE
CIRCUIT COURT

FOR
BALTIMORE COUNTY

WILLIAM S. BALDWIN,
W. GILES PARKER and
R. BRUCE ALDERMAN, being and
constituting the COUNTY BOARD OF
APPEALS OF BALTIMORE COUNTY

AT LAW

Misc. 8; Folio 170; File No. 3685

PETITION TO EXTEND TIME

TO THE HONORABLE, THE JUDGE OF SAID COURT:

The Petition of Irvin Dieterich and Mildred Dieterich, his wife, Harry E. Weber and Barbara E. Stouffer, Appellants in the above entitled case, by W. Lee Harrison, their Attorney, respectfully requests unto your Honor:

1. That a Petition was filed in the above matter on January 24, 1967, pursuant to the Maryland Rules of Procedure, Chapter 1100, Rule B2.e.
2. That by virtue of Rule b7 of the aforesaid Rules of Procedure, the transcript of testimony, among other records, is required to be transmitted to the Clerk of the Court within thirty days of the date of filing of such Petition.
3. That your Petitioners are informed by the Reporter for the Board of Appeals of Baltimore County that the testimony to be transcribed is voluminous and a transcript of testimony can not be completed during such thirty day period; but that an additional period of thirty days will be required by such Reporter to complete transcription of the aforesaid testimony.

WHEREFORE, your Petitioners pray that this Honorable Court, pursuant to Maryland Rules of Procedure, Chapter 1100, Rule B 7.b, order an extension of thirty days, accounting from March 1, 1967, within which time

the requisite transcript of testimony may be transmitted to this Honorable Court.

W. LEE HARRISON
607 Loyola Federal Building
22 W. Pennsylvania Avenue
Towson, Maryland 21204
823-1200
Attorney for Petitioners

ORDER

The Petition for Extension of Time having been considered, it is this first day of March, 1967, ORDERED by the Circuit Court for Baltimore County that the time for transmitting the record in the above captioned case be and the same is hereby extended to March 31, 1967 pursuant to the Maryland Rules of Procedure Rule B7.b.

I HEREBY CERTIFY that on this first day of March, 1967, a copy of the aforesaid Petition to Extend Time was sent to Fred E. Waldrop, Esquire, Masonic Building, Towson, Maryland 21204, Harry S. Swartzwelder, Jr., Esquire, Munsey Building, Baltimore, Maryland 21202, and to the County Board of Appeals, County Office Building, Towson, Maryland 21204.

W. LEE HARRISON

Plats 8888

Ex 1 Plat 9/30/65 - *not child (Sb. Prop)*
Ex 2 File 65-247-R
Ex 3A, B, C, D, E - *Plats from Kline*

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.
Irvin Dieterich and Mildred E. Dieterich, his wife, Harry E. Weber and Barbara E. Stouffer, 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an R-6 and R-10 zone to an R-3 zone, for the following reasons:
Error in original zoning and possible change in conditions.

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

Property is to be posted and advertised as prescribed by Zoning Regulations.
I or we, agree to pay expenses of above 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.

LOHARNO CORPORATION
By *Irving Rosen*
Irving Rosen, President/Contract purchaser
Address 111 N. Charles Street
Address *2210 St. Lukes Lane*
Legal Owner's

W. Lee Harrison, Petitioner's Attorney
Address 607 Loyola Federal Building
Towson, Md. 21204
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 25th day of January, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 2nd day of March, 1967, at 11:00 o'clock.
Zoning Commissioner of Baltimore County.

Zoning File #66-192-R - Irvin Dieterich, et al - Appealed 2/1/67

IRVIN DIETERICH and
MILDRED DIETERICH, his wife,
HARRY E. WEBER
and
BARBARA E. STOFFER
vs.
WILLIAM S. BALDWIN,
W. GILES PARKER and
R. BRUCE ALDERMAN,
being and constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 8
Folio No. 170
File No. 3685

CERTIFICATE OF NOTICE

Mr. Clerk:
Pursuant to the provisions of Rule 1101-8(4) of the Maryland Rules of Procedure, William S. Baldwin, W. Giles Parker and R. Bruce Alderman, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding before it, namely, W. Lee Harrison, Esq., Loyola Federal Building, Towson, Maryland, 21204, Attorney for the Petitioner, and Fred E. Waldrop, Esq., Masonic Building, Towson, Maryland, 21204, and Harry S. Swartzwelder, Jr., Esq., 1709 Munsey Building, Baltimore, Maryland, 21202, Attorneys for the Protestants, a copy of which notice is attached hereto and prayed that it may be made a part thereof.

Muriel E. Buddemier
County Board of Appeals of Baltimore County
County Office Building, Towson, Md. 21204
VA 3-3000, Ext. 570

I hereby certify that a copy of the aforesaid Certificate of Notice has been mailed to W. Lee Harrison, Esq., Loyola Federal Building, Towson, Maryland, 21204, Attorney for the Petitioner, and Fred E. Waldrop, Esq., Masonic Building, Towson, Maryland, 21204, and Harry S. Swartzwelder, Jr., Esq., 1709 Munsey Building, Baltimore, Maryland, 21202, Attorneys for the Protestants, on this 3rd day of February, 1967.

Muriel E. Buddemier
County Board of Appeals of Baltimore County

IRVIN DIETERICH and
MILDRED DIETERICH, his wife,
HARRY E. WEBER
and
BARBARA E. STOFFER
vs.
WILLIAM S. BALDWIN,
W. GILES PARKER and
R. BRUCE ALDERMAN,
being and constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

ORDER FOR APPEAL

Mr. Clerk:
Please enter an Appeal on behalf of Irvin Dieterich, Mildred Dieterich, Barbara E. Stouffer and Harry C. Weber, owners, and Loharno Corporation, Contract Purchaser, from the Opinion and Order of the County Board of Appeals of Baltimore County, dated January 3, 1967, being case No. 66-192-R, to the Circuit Court for Baltimore County, in the matter of a Petition for Reclassification from an R-6 zone and an R-10 zone to an R-A zone on the north side of St. Lukes Lane, 225 feet from the northeast side of Paris Road in the 2nd Election District of Baltimore County.

W. Lee Harrison
607 Loyola Federal Building
22 W. Pennsylvania Avenue
Towson, Maryland 21204
Attorney for Petitioners

I hereby certify that on this 25th day of January, 1967, copy of the foregoing Order for Appeal was sent to Fred E. Waldrop, Esq., Masonic Building, Towson, Maryland 21204 and to Harry S. Swartzwelder, Jr., Esq., Munsey Building, Baltimore, Maryland 21202, and to the County Board of Appeals, County Office Building, Towson, Maryland 21204.

W. Lee Harrison

IRVIN DIETERICH and
MILDRED DIETERICH, his wife,
HARRY E. WEBER
and
BARBARA E. STOFFER
vs.
WILLIAM S. BALDWIN,
W. GILES PARKER and
R. BRUCE ALDERMAN,
being and constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

PETITION TO ACCOMPANY ORDER FOR APPEAL

The Petition of Irvin Dieterich and Mildred Dieterich, his wife, Harry E. Weber and Barbara E. Stouffer, owners of the property which is the subject matter of this appeal, and Loharno Corporation, Contract Purchaser, Plaintiffs, by W. Lee Harrison, their attorney, pursuant to the provisions of Maryland Rules B2 and B4 respectfully request unto your Honor:

1. That this is an appeal from the Decision and Order of the County Board of Appeals dated January 3, 1967, on Petition No. 66-192-R, which Order refused to grant a reclassification of the property described in said Petition from an R-6 zone and an R-10 zone to an R-A zone.
2. That the Order of the County Board of Appeals of Baltimore County, in denying the requested classification is arbitrary, capricious and illegal for the following reasons:

- a. That the testimony presented on behalf of the Petitioners has proved that the comprehensive zoning map for the area in which the subject parcel is located was erroneous.
- b. That the action of said Board is not supported by any substantial or legally sufficient testimony.
- c. That the decision of the Board was arbitrary, discriminatory, unreasonable and illegal, since the evidence clearly demonstrated a genuine change in conditions since the time that the Petitioners' property was originally zoned and the conclusion of the Board to the contrary is not

ORDER RECEIVED FOR FILING
DATE 3/22/67
BY *Deborah*
ADMINISTRATIVE ASSISTANT

supported by any substantial or legally sufficient evidence.

WHEREFORE, your Petitioners pray that this Honorable Court, by its Order, reverse the Decision and Order of the County Board of Appeals of Baltimore County, dated January 3, 1967, and direct the zoning authorities of Baltimore County to reclassify the parcel described in Petition No. 66-192-R to an R-A zone.

W. Lee Harrison
607 Loyola Federal Building
22 W. Pennsylvania Avenue
Towson, Maryland 21204
823-1879
Attorney for Petitioners

I hereby certify that on this 22nd day of January, 1967, copy of the foregoing Petition to Accompany Order for Appeal was sent to Fred E. Waldrop, Esq., Masonic Building, Towson, Maryland 21204, Harry S. Swartzwelder, Jr., Esq., Munsey Building, Baltimore, Maryland 21202 and to the County Board of Appeals, County Office Building, Towson, Maryland 21204.

W. Lee Harrison

66-192R

(1)

Mr. Matz
Mr. Matz
Consulting Engineer - approx 11 acres -
seems to be an available & adequate
N-R-6 development - abutting school
S-J-Hy School - R-6-R-10 undeveloped -
W-R-6 undeveloped
E-R-6 - then 400' SE in
Town & County Apt. devel.
Just S of T & C Apts in
Wallis Road & Apt. project
(65-247R) - 4 S of then
is another project scheduled
for construction (408 units)

He has no traffic congestion -

Traffic by way of Essex Rd +
St. Lukes Lane -

Mr. Matz
Mr. Matz
Developed Charles Center -
176 units - 9110-5140
213 parking spaces -
Sunny private play ground

66-192R

Mr. Matz
Mr. Matz
3207 Elba Rd - back up to apt. as
proposed - across from abutting school -
school congestion - duplicate night school
no change -

Mr. Matz
Mr. Matz
3124 Better Jan - left traffic
congestion - noise -

County Board of Appeals
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND

February 3, 1967

Fred E. Waldrop, Esq.
Masonic Building
Towson, Maryland

Re: Irvin Dieterich, et al
File No. 66-192-R

Dear Mr. Waldrop:

Notice is hereby given in accordance with the Rules of Procedure of the Court of Appeals of Maryland that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

Muriel E. Buddemeier

Encl.
cc: Harry S. Swartzwelder, Jr., Esq.

County Board of Appeals
COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND

February 3, 1967

W. Lee Harrison, Esq.
607 Loyola Federal Building
Towson, Maryland 21204

Re: Irvin Dieterich, et al
File No. 66-192-R

Dear Mr. Harrison:

In accordance with Rule 1101(b) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the zoning appeal which you have taken to the Circuit Court for Baltimore County in the above matter, within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in full to transmit the same to the Circuit Court not later than thirty days from the date of any petition you might file in court, in accordance with Rule 1101(b).

Enclosed is a copy of the Certificate of Notice; also invoice covering the cost of certified copies of necessary documents.

Very truly yours,

Muriel E. Buddemeier

Encl.

MCA
MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS

1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301/623-0900

DESCRIPTION

1.76 ACRE PARCEL
NORTH SIDE OF ST. LUKES LANE
SECOND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

PRESENT ZONING R10
PROPOSED ZONING RA

Beginning for the same at the point formed by the intersection of the north side of St. Lukes Lane and the southwesterly 1400, more or less, foot line of Baltimore County Zoning Description 2-R10-13, said point of beginning being located 225 feet, more or less, as measured easterly along said north side of St. Lukes Lane from its intersection with the center line of Paris Road, running thence and binding on said north side of St. Lukes Lane, easterly, 820 feet, more or less, to the southernmost corner of the land shown on a plat entitled "Thornfield II" and recorded among the Land Records of Baltimore County in Plat Book RRG 39, page 26, thence binding on a part of the southwestern outline thereof, northwesterly, 100 feet, more or less, to a point on the southwesterly 950 foot line of said Zoning Description, thence binding on said Description, the two following courses and distances, (1) southwesterly and westerly, 720 feet, more or less and (2) southwesterly 105 feet, more or less, to the place of beginning.
Containing 1.76 acres of land, more or less.

J.O. 65149
FSD:eg
9/30/65

Water Supply • Sewerage • Drainage • Highways • Structures • Developments • Investigations • Professional Engineering



MCA
MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS

1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301/623-0900

DESCRIPTION

9.20 ACRE PARCEL, NORTH SIDE OF
ST. LUKES LANE, SECOND ELECTION DISTRICT,
BALTIMORE COUNTY, MARYLAND

Present Zoning R 6
Proposed Zoning RA

Beginning for the same at a point on the north side of St. Lukes Lane at the distance of 175 feet, more or less, as measured easterly along said north side of St. Lukes Lane from its intersection with the center line of Paris Road, said point of beginning located at the easternmost corner of lot 13, Block 'A', as shown on a plat entitled "Section 1, Windmoor Estates" and recorded among the Land Records of Baltimore County in Plat Book G.L.B. 29, Page 91, running thence and binding on the outlines of said plat, the three following courses and distances, (1) N 35° 48' 30" W - 389.14 feet, (2) N 50° 48' 00" E - 502.59 feet and (3) N 49° 21' 16" W - 117.06 feet to the southernmost corner of lot 1, Block 'C' as shown on a plat entitled "Windsor Farms" and recorded among said Land Records in Plat Book G.L.B. 22, Page 84, thence binding on the outlines of "Windsor Farms", the two following

Water Supply • Sewerage • Drainage • Highways • Structures • Developments • Investigations • Professional Engineering



MCA
MATZ, CHILDS & ASSOCIATES, INC.

Page Two

courses and distances, (1) N 50° 40' 53" E - 201.00 feet and (2) S 40° 47' 40" E - 848 feet, more or less, to a point on the southwesterly, 950 feet, more or less, line of Baltimore County Zoning Description 2 - R10-13, thence binding on said Description, the two following courses and distances, (1) southwesterly and westerly, 720 feet, more or less, and (2) southwesterly, 105 feet, more or less, to a point on said north side of St. Lukes Lane, thence binding thereon, westerly, 50 feet more or less, to the place of beginning.
Containing 9.20 acres of land, more or less.

J.O. 65149

RS:kak

9-30-65



MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
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. Cresson, P.E.
Leonard M. Glass, P.E.
Norman F. Hermann, L.S.
Paul Lee, P.E.
Paul S. Smolin

DESCRIPTION

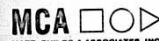
1.76+ ACRE PARCEL
NORTH SIDE OF ST. LUKES LANE
SECOND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

PRESENT ZONING R10
PROPOSED ZONING RA

Beginning for the same at the point formed by the intersection of the north side of St. Lukes Lane and the southwesterly 1400, more or less, foot line of Baltimore County Zoning Description 2-R10-13, said point of beginning being located 225 feet, more or less, as measured easterly along said north side of St. Lukes Lane from its intersection with the center line of Paris Road, running thence and binding on said north side of St. Lukes Lane, easterly, 820 feet, more or less, to the southernmost corner of the land shown on a plat entitled "Thornfield II" and recorded among the Land Records of Baltimore County in Plat Book RRG 30, page 35, thence binding on a part of the southwestern outline thereof, northwesterly, 100 feet, more or less, to a point on the southwesterly 950 foot line of said Zoning Description, thence binding on said Description, the two following courses and distances, (1) southwesterly and westerly, 720 feet, more or less and (2) southwesterly 105 feet, more or less, to the place of beginning.

Containing 1.76 acres of land, more or less.

J.O. 65149
rs:deg
9/30/65



MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301/823-0900

Lester Matz, P.E.
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DESCRIPTION

9.20+ ACRE PARCEL, NORTH SIDE OF
ST. LUKES LANE, SECOND ELECTION DISTRICT,
BALTIMORE COUNTY, MARYLAND

Present Zoning R 6
Proposed Zoning RA

Beginning for the same at a point on the north side of St. Lukes Lane at the distance of 175 feet, more or less, as measured easterly along said north side of St. Lukes Lane from its intersection with the center line of Paris Road, said point of beginning located at the easternmost corner of lot 13, Block 'A', as shown on a plat entitled "Section 1, Woodmoor Estates" and recorded among the Land Records of Baltimore County in Plat Book G.L.B. 20, Page 91, running thence and binding on the outlines of said plat, the three following courses and distances, (1) N 35°48'30" W - 389.14 feet, (2) N 50°48'00" E - 502.59 feet and (3) N 49°21'16" W - 117.06 feet to the southernmost corner of lot 1, Block 'C' as shown on a plat entitled "Windsor Farms" and recorded among said Land Records in Plat Book G.L.B. 22, Page 84, thence binding on the outlines of "Windsor Farms", the two following

Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Developments ■ Investigations



MATZ, CHILDS & ASSOCIATES, INC.

Page Two

courses and distances, (1) N 50°40'53" E - 201.00 feet and (2) S 40°47'40" E - 848 feet, more or less, to a point on the southwesterly, 950 feet, more or less, line of Baltimore County

Zoning Description 2 - R10 - 13, thence binding on said Description, the two following courses and distances, (1) southwesterly and

westerly, 720 feet, more or less, and (2) southwesterly, 105 feet,

more or less, to a point on said north side of St. Lukes Lane, thence

binding thereon, westerly, 50 feet more or less, to the place of beginning.

Containing 9.20 acres of land, more or less.

J.O. 65149

RS:kak

9-30-65



MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301/823-0900

Lester Matz, P.E.
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DESCRIPTION

9.20+ ACRE PARCEL, NORTH SIDE OF
ST. LUKES LANE, SECOND ELECTION DISTRICT,
BALTIMORE COUNTY, MARYLAND

Present Zoning R 6
Proposed Zoning RA

Beginning for the same at a point on the north side of St. Lukes Lane at the distance of 175 feet, more or less, as measured easterly along said north side of St. Lukes Lane from its intersection with the center line of Paris Road, said point of beginning located at the easternmost corner of lot 13, Block 'A', as shown on a plat entitled "Section 1, Woodmoor Estates" and recorded among the Land Records of Baltimore County in Plat Book G.L.B. 20, Page 91, running thence and binding on the outlines of said plat, the three following courses and distances, (1) N 35°48'30" W - 389.14 feet, (2) N 50°48'00" E - 502.59 feet and (3) N 49°21'16" W - 117.06 feet to the southernmost corner of lot 1, Block 'C' as shown on a plat entitled "Windsor Farms" and recorded among said Land Records in Plat Book G.L.B. 22, Page 84, thence binding on the outlines of "Windsor Farms", the two following

MAP
2-B
WESTERN
AREA
NW-4F
RA
3/1/66



MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301/823-0900

Lester Matz, P.E.
John C. Childs, L.S.
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Robert W. Cresson, P.E.
Leonard M. Glass, P.E.
Norman F. Hermann, L.S.
Paul Lee, P.E.
Paul S. Smolin

DESCRIPTION

1.76+ ACRE PARCEL
NORTH SIDE OF ST. LUKES LANE
SECOND ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

PRESENT ZONING R10
PROPOSED ZONING RA

Beginning for the same at the point formed by the intersection of the north side of St. Lukes Lane and the southwesterly 1400, more or less, foot line of Baltimore County Zoning Description 2-R10-13, said point of beginning being located 225 feet, more or less, as measured easterly along said north side of St. Lukes Lane from its intersection with the center line of Paris Road, running thence and binding on said north side of St. Lukes Lane, easterly, 820 feet, more or less, to the southernmost corner of the land shown on a plat entitled "Thornfield II" and recorded among the Land Records of Baltimore County in Plat Book RRG 30, page 35, thence binding on a part of the southwestern outline thereof, northwesterly, 100 feet, more or less, to a point on the southwesterly 950 foot line of said Zoning Description, thence binding on said Description, the two following courses and distances, (1) southwesterly and westerly, 720 feet, more or less and (2) southwesterly 105 feet, more or less, to the place of beginning.

Containing 1.76 acres of land, more or less.

J.O. 65149

RS:kak

9-30-65

MAP
2-B
WESTERN
AREA
NW-4F
RA
3/1/66



LAW OFFICES
W. LEE HARRISON
607 LLOYOLA FEDERAL BUILDING
607 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

February 9, 1967

Baltimore County, Maryland
County Board of Appeals
Room 300, County Office Building
Towson, Maryland 21204

Re: Irvin Dieterich, et al, Petitioners - #66-192-R

Gentlemen:

Please find enclosed my check in the amount of \$8.00 for the cost of certified documents filed in the above captioned matter.

Your cooperation as concerning the above is greatly appreciated.

Sincerely,

Charles E. Brooks

ck

Enclosure

LAW OFFICES
W. LEE HARRISON
607 LLOYOLA FEDERAL BUILDING
607 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

August 15, 1966

Mrs. Bea Anderson
Baltimore County, Maryland
Zoning Department
119 County Office Building
Towson, Maryland 21204

Re: Posting property of Irvin Dieterich, et al, No. 66-192-R

Dear Mrs. Anderson:

Please find enclosed my check in the amount of \$5.00 for posting in the above captioned case. It would be appreciated if you would receipt the enclosed bill and return to me at your earliest possible convenience.

Your cooperation as concerning the above is greatly appreciated.

Sincerely yours,

W. Lee Harrison

ck

Enclosures - 2
Check No. 222

January 3, 1967

W. Lee Harrison, Esq.
Loyola Federal Building
Towson, Md. 21204

Re: Irvin Dieterich, et al
No. 66-192-R

Dear Mr. Harrison:

Enclosed herewith is a copy of the Opinion and Order
passed by the County Board of Appeals today in the above entitled
case.

Very truly yours,

Muriel E. Buddemeier

Encl.

cc: Fred E. Waldrop, Esq.

Harry S. Swartzwelder, Jr., Esq.

Mr. Rose

Mr. Hardesty

Mr. Gavrells

Board of Education

March 30, 1966

No. 66-192-R -- Irvin Dieterich, et al

Petition, description of property, Order of Deputy Zoning Commissioner
Certificate of posting
Certificates of advertisement
Letter from Balto. Health Dept. dated October 13, 1965
" " " " " " Feb. 16, 1966
Comments of Office of Planning
Order of Appeal 2 signs
Plat filed with petition

W. Lee Harrison, Esq.,
Loyola Federal Building
Towson, Maryland 21204

Counsel for petitioners

Fred E. Waldrop, Esq.,
Masonic Building
Towson, Maryland 21204

" " protestants

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

" " "

March 30, 1966

Fred E. Waldrop, Esq.,
Masonic Building
Towson, Maryland 21204

Re: Petition for Reclassification
From R-6 and R-10 Zones to R-A
Zone - N/S St. Lukes Lane 225'
from N/E Side Paris Road, 2nd
District - Irvin Dieterich, et al,
Petitioners No. 66-192-R

Dear Mr. Waldrop:

An appeal has been filed from the decision
of the Deputy Zoning Commissioner denying the reclassification
in the above entitled 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: Harry S. Swartzwelder, Jr., Esq.,
1709 Munsey Building
Baltimore, Maryland 21202

LAW OFFICES
W. LEE HARRISON
607 LOYOLA FEDERAL BUILDING
202 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND 21204

March 28, 1966

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

Re: Petition for Reclassification - N/S of St. Lukes Lane, 225'
from the NE/S of Paris Road - 2nd District, Irvin Dieterich, et al

Dear Mr. Rose:

Please note an appeal to the County Board of Appeals from the Order
dated March 22, 1966 denying the reclassification in connection with the
above captioned case on behalf of the Applicants. I enclose herewith my
check in the amount of \$75.00 to cover the cost of said appeal.

Very truly yours,

W. Lee Harrison

b
Enc.

March 23, 1966

W. Lee Harrison, Esquire
607 Loyola Federal Building
Towson, Maryland 21204

Re: Petition for Reclassification
N/S of St. Lukes Lane 225' from
the N/E of Paris Road - 2nd Dist.
Irvin Dieterich, et al
66-192-R

Dear Mr. Harrison:

I have this date passed my Order
Copy of said Order is attached.

Very truly yours,

GEORGE E. GAVRELLS
Deputy Zoning Commissioner

cc: Mr.

cc: Fred Waldrop, Esquire
Masonic Building
Towson, Maryland 21204

Harry Swartzwelder, Jr.
Munsey Building
Baltimore, Maryland 21202

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: February 18, 1966
FROM: Mr. George E. Gavrells, Director of Planning

SUBJECT: Petition 66-192-R. "North side of St. Lukes Lane 225 feet from the northeast
side of Paris Road. Petition for reclassification from R-6 & R-10 to R-A. Zone." AP
Irvin Dieterich, et al - Petitioners

2nd District

HEARING: Thursday, March 7, 1966. (10:00)

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

The Comprehensive Rezoning Map for the Western Planning Area sought to
provide adequate apartment zoning, located with proper regard to accessibility,
proximity to commercial facilities, and environmental compatibility. Since
adoption of the map, the market for apartments has increased - but the increased
market by no means justifies the establishment of apartment zoning in locations
that do not meet the original criteria. The reclassification proposed under the
subject petition would not meet these criteria, principally in that apartment
development on the tract would purely and simply be incompatible with adjacent
zoning and development.

We will continue to support apartment proposals within the boundaries of the
Western Planning Area when such proposals accord with comprehensive planning
goals. But an increased market for apartments cannot justify reclassifications
"just anywhere."

220 St. Lukes Lane
Baltimore, Maryland 21207
September 10, 1966

Mr. William Baltimore Esquire
Board of Appeals
County Office Building
Towson, Maryland 21204

Re Zoning Appeal
Irvin and Mildred Dieterich
and Harry Heller
Property located 220
St. Lukes Lane Balto Co Md

Dear Sir

I have been employed for over forty
years as an electrician on the Baltimore
area. Approximately four years ago as a result
of differences between the local union and the
International Union, I was placed in a position
of leaving an electrician contractor employer
of long standing or losing the small retirement
benefit available to me at 65 from the Union.
Being 60 years of age and with the opportunity
and health yet to work the additional 5 years
I decided to leave my employer and seek employment
with a union contractor during the course of the
last few years, due to the shortage of work and
my age I have been unable to secure employment
and have had to apply for reduced social
security benefits at an early age. You see, income

is a necessity as my wife requires extensive
medical care.

Early on 765 with increased expense taxes
treatments for my wife and so forth, it became
necessary for me to decide to liquidate my last
asset the small property owned to above the
sale of this property can only be consummated
dependent on zoning I wish you to know see
that I seek no special consideration from the
appeal board and that is not the purpose of
this letter. It is my hope that you might help
me have my appeal heard as quickly as possible.

I have just been notified that the County will
no longer zone my property as farm land and
intend to reclassify it as single residential at a
much higher lot rate further in anticipation
of the sale of this property and the limited income
I have been able to receive in recent years the property
has run down and now requires extensive repairs
which frankly I cannot afford.

I realize that this is probably an unusual request
but if it is at all possible that you can in any
way assist me in getting an early hearing I would
be most grateful.

Yours very truly
Irvin Dieterich

LAW OFFICES
W. LEE HARRISON
607 LOYOLA FEDERAL BUILDING
TOWSON, MARYLAND 21204
TELEPHONE VALLEY 3-3000

March 28, 1966

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

Re: Petition for Reclassification - N/S of St. Lukes Lane, 225'
from the NE 1/4 of Paris Road - 2nd District, Irvin Dieterich, et al

Dear Mr. Rose:

Please note an appeal to the County Board of Appeals from the Order dated March 22, 1966 denying the reclassification in connection with the above captioned case on behalf of the Applicants. I enclose herewith my check in the amount of \$75.00 to cover the cost of said appeal.

Very truly yours,

W. Lee Harrison
W. Lee Harrison

b
Enc.

BALTIMORE COUNTY DEPARTMENT OF HEALTH
JEFFERSON BUILDING
105 - 107 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TELEPHONE VALLEY 3-3000
Community Health Through Individual Effort

RICHARD J. POTTER, M.D., M.P.H.
Deputy State and County Health Officer

February 16, 1966

Mr. W. Lee Harrison
607 Loyola Federal Building
22 West Pennsylvania Avenue
Towson, Maryland 21204

Re: Dieterich Property - St. Lukes Lane

Dear Mr. Harrison:

Thank you for your letter of February 15, 1966 concerning the above. I'm sorry that we have not contacted you sooner but as I indicated in our telephone conversation of a day or two ago, a final determination has not been made as to whether decontamination will be necessary based on new evidence.

We are consulting with the U. S. Public Health Service in this matter and hope to be able to arrive at a decision very soon. I'm certain that your clients are anxious to have the situation clarified as soon as possible as is this office. As soon as there are any new developments you will be informed immediately.

Please do not hesitate to contact us should you have any further questions. Your cooperation is greatly appreciated.

Very truly yours,

Richard J. Potter
Richard J. Potter, M.D.
Deputy State and
County Health Officer

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: February 18, 1966

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

SUBJECT: Petition #66-192-R, "The 1/4 side of St. Lukes Lane 225 feet from the northeast side of Paris Road." Petition for reclassification from R-6 & R-10 to R-A. Zone. Irvin Dieterich, et al - Petitioners

2nd District

HEARING: Thursday, March 7, 1966. (10:00)

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

The Comprehensive Reasoning Map for the Western Planning Area sought to provide adequate apartment zoning, located with proper regard to accessibility, proximity to commercial facilities, and environmental compatibility. Fine adoption of the map, the market for apartments has increased - but the increased market by no means justifies the establishment of apartment zoning in locations that do not meet the original criteria. The reclassification proposed under the subject petition would not meet these criteria, principally in that apartment development on the tract would merely and simply be incompatible with adjacent zoning and development.

We will continue to support apartment proposals within the boundaries of the Western Planning Area when such proposals occur with comprehensive planning goals. But an increased market for apartments cannot justify reclassifications just anywhere.

February 9, 1966

W. Lee Harrison, Esq.
607 Loyola Federal Building
Towson, Md. 21204

NOTICE OF HEARING

Re: Petition for Reclassification for Irvin Dieterich, et al #66-192-R

TIME: 10:00 A.M.

DATE: Monday, March 7, 1966

PLACE: ROOM 105 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND

JOHN G. ROSE
ZONING COMMISSIONER OF
BALTIMORE COUNTY

BALTIMORE COUNTY DEPARTMENT OF HEALTH
JEFFERSON BUILDING
105 - 107 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
TELEPHONE VALLEY 3-3000
Community Health Through Individual Effort

RICHARD J. POTTER, M.D., M.P.H.
Deputy State and County Health Officer

October 13, 1965

Mr. W. Lee Harrison
Attorney at Law
607 Loyola Federal Building
Towson, Maryland 21204

Dear Mr. Harrison:

I am writing you as a follow up to our conversation of this morning concerning the property you represent which lies off of Lukes Lane in the Milford Area. The Health Department has received a complaint from the neighbors in that area concerning stench coming from this property as a result of it being a roosting place for many starlings.

Representatives from our Division of Environmental Health investigated this property and samples of soil were taken for testing. Mrs. Reed of the Maryland State Laboratories reported to us that the soil specimens were definitely positive for histoplasmosis, and this in our real reason of concern for writing you.

Histoplasmosis is a systemic fungus infection of varying severity with the primary lesion usually, if not always, in the lungs. Fortunately clinical infection of humans is uncommon. It is known that the reservoir and source of infection is common in soil around starling roosts, as in this case.

Our purpose, therefore, in writing you is to obtain permission to go on this property and use measures which have been successful in the past of eliminating starling roosts. I am sure you can appreciate this problem since it represents a problem of public health. The measure would be done at no cost to the owners. At the present time, it is contemplated that with the cooperation of the Baltimore County Health Department, the Maryland State Health Department and the United States Department of the Interior, six men armed with shot guns would be on this property on the evening chosen from approximately 5:30 to 10:00 P.M. regular intervals, the men would fire harmless but extremely loud carmine shells into the air in an effort to drive the birds off this property. We would appreciate your cooperation very much and trust you will obtain permission to carry out the above explained procedure. We would also like as prompt a reply as possible in order that we may set up and

February 28, 1966

W. Lee Harrison, Esq.
607 Loyola Federal Building
Towson, Md. 21204

Re: Petition for Reclassification for Irvin Dieterich et al #66-192-R

Dear Sir:

This is to advise you that \$92.00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Md. and remit to Mrs. Anderson, Room 211, County Office Building, before the hearing.

Yours very truly,

JOHN G. ROSE
ZONING COMMISSIONER

JGR/ba

Mr. W. Lee Harrison
Attorney at Law
607 Loyola Federal Building
Towson, Maryland 21204
October 13, 1965

Formulate our program.

Thank you for your anticipated cooperation, I remain,

Very truly yours,

Edward W. Hoff
EDWARD W. HOFF, M.D.
Director, Division of Medical Services

EW:tbm

PETITION FOR RECLASSIFICATION
2nd DISTRICT

ZONING: From R-6 and R-10 to R-A. Zone.
LOCATION: North side of St. Lukes Lane 225 feet from the northwest side of Paris Road.
DATE & TIME: WEDNESDAY, MARCH 2, 1966 at 11:00 A.M.
PUBLIC HEARINGS: Room 105, 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 and R-10
Proposed Zoning: R-A.

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

Being the property of Irvin Dieterich, et al as shown on plat plan filed with the Zoning Department.

Hearings: Wednesday, March 2, 1966 at 11:00 A.M.
Public Hearings: Room 105, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
February 15, 1966 #66-192R

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
PA. 4-2000

GEORGE E. GAVRELLIS
DIRECTOR
JOHN G. ROSE
ZONING COMMISSIONER

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

Dear Sirs:

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
ZONING COMMISSIONER

JGR/ba

Enclos:

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

NOTICE OF HEARING

Re: Petition for Reclassification for Irvin Diesterich, et al
#66-192-R

TIME: 11:00 A.M.
DATE: Wednesday, March 2, 1966
PLACE: ROOM 101, COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND

ZONING COMMISSIONER OF
BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: February 18, 1966

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

SUBJECT: Petition #66-192-R. "North side of St. Luke's Lane 225 feet from the northeast side of Paris Road. Petition for reclassification from R-6 & R-10 to R.A. Zone - AREA Irvin Diesterich, et al - Petitioners

2nd District

HEARING: Thursday, March 7, 1966. (10:00)

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

The Comprehensive Rezoning Map for the Western Planning Area sought to provide adequate apartment zoning, located with proper regard to accessibility, proximity to commercial facilities, and environmental compatibility. Since adoption of the map, the market for apartments has increased - but the increased market by no means justifies the establishment of apartment zoning in locations that do not meet the original criteria. The reclassification proposed under the subject petition would not meet these criteria, principally in that apartment development on the tract would purely and simply be incompatible with adjacent zoning and development.

We will continue to support apartment proposals within the boundaries of the Western Planning Area when such proposals accord with comprehensive planning goals. But an increased market for apartments cannot justify reclassifications "just anywhere."

64-152-R

Property of Arthur B. Price, et al
W/S of Gwendale Road - N/S of Gwynn Oak Road
From R-10; R-6 and BL zone to LR zone and SE for
amusement park
Granted by Zoning Commissioner - July 15, 1964
Appealed to Board of Appeals - July 31, 1964
Order of Dismissal by Board of Appeals - Sept. 10, 1964

64-106-X

Property of Maurice Berk
NE/S of Liberty Road
325' of Cumberfield Road
SE for Elevator Apartment Building

Granted by Zoning Commissioner - May 5, 1964
No Appeal

These improvements fully constructed

64-150

Property of Grover C. Mullinoux
SE/S of Liberty Garden Road
2170' SW of Liberty Road (24 1/2 acres)

Denied by Zoning Commissioner - May 20, 1964
Granted by Board of Appeals - July 20, 1964
No Further Appeal

Project now under construction

65-82

Property of Pearl M. Kappner
NW/S of Liberty Garden Road - 300' of Timon Lane
8.29 Acres

Appeal denied by Deputy Zoning Commissioner - Sept. 23, 1964
Granted by Board of Appeals - November 10, 1965

Under design at the present time

65-73-R

Property of Albert J. Meekin, et al
S/S of Windsor Mill Road - 470' W of Baltimore County Beltway
105.79 Acres
From R-6 and R-10 to MLR

Denied by Deputy Zoning Commissioner - October 17, 1963
Board of Appeals granted MLR - July 23, 1964
Board affirmed - June 20, 1965 in Circuit Court
Appealed - Court of Appeals - July 19, 1965
Appeal dismissed by Appellants - Sept. 23, 1965

Project now under design

65-174

Baltimore Air Port Inc. Property
SW/S of Windsor Mill Road - 2273' SE of Rolling Road
80.2 Acres

Denied by Zoning Commissioner - April 2, 1965
Granted MLR by Board of Appeals - February 2, 1966
No Appeal

Project under design

67-58-R

Property of Gilbert H. Cullen
SW/S of Windsor Mill Road opposite Liberty Garden Road
18.95 Acres
From R-6 and RA to MLR

Granted by Zoning Commissioner on Sept. 27, 1966
No Appeal

66-92-R

Thomas B. Whiting, Jr., et al
SW/S of Windsor Mill Road (11.8 Acres)
282' SE of Richwood Avenue

From R-6 to R.A.

Granted by Zoning Commissioner on Sept. 20, 1965
No Appeal

66-106

Property of Leschar Corporation
W/S of Rolling Road - 2700' from Dogwood Road

Granted by Deputy Zoning Commissioner on Nov. 24, 1965
Dismissed by Board of Appeals on September 15, 1966

48 Acres
From R-40 and R-20 to R.A.

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
PA. 4-2000

GEORGE E. GAVRELLIS
DIRECTOR

JOHN G. ROSE
ZONING COMMISSIONER

V. Lee Harrison, Esq. 196
607 Loyola Federal Building
Towson, Maryland 21204

January 27, 1966 #66-192R

RE: Reclassification from R-6 and R-10 to R.A. for Irvin Diesterich et al, located 1/2 W. L. Lane, E of Paris Road, 2nd Dist. (Item 1, January 25, 1966)

Dear Sirs:

The above referenced petition is accepted for filing as of the date on the enclosed filing certificate. Notice of the hearing date and time which will be held not less than 30 days nor more than 90 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,

JOHN G. ROSE, Principal
Zoning Technician

JGR:lyb

January 27, 1966
BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Re: Lee Harrison, Esquire
607 Loyola Federal Building
Towson, Maryland 21204

Dear Sir:

The zoning advisory committee has reviewed the subject petition and makes the following comments:

RECOMMENDATION: The private road through the property should be a public road. A study indicated that this apartment site should have 113 parking spaces to provide adequate parking area for the tenants.

COMMENTS: This petition will review and submit any necessary comments at a later date.

REMARKS:
- Existing 1st water in St. Luke Lane.
- Existing 1st sewer in Paris Road.
- Adequacy of existing utilities to be determined by developer or his engineer.
- Road on a 50' right of way. St. Luke Lane to be widened to a minimum 34' road on a 50' right of way.

REMARKS: This division concurs with Bureau of Traffic Engineering comments.

The above comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure 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 15 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 S. Myers
Zoning Technician

cc: Mr. Richard Brown-Church of Traffic Engineering
cc: Mr. Paul Williams-Lee Bureau of Planning
cc: Mr. Charles Brown-Bureau of Engineering
cc: Mr. Albert Adams-Project Planning Division

PETITION FOR
RECLASSIFICATION
AND DISTRICT

ZONING FROM R-6 TO R-10
LOCATION: North side of St. Luke Lane, 125 feet from the intersection of Paris Road.
DATE & TIME: MONDAY, MARCH 7, 1966, at 10:00 A.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The zoning commission of Baltimore County, by authority of the zoning act and regulations of Baltimore County, will hold a public hearing on the petition for reclassification and district change from R-6 to R-10, proposed by Irvin Dieterich, et al., at the place and time stated above.

CERTIFICATE OF PUBLICATION

TOWSON, MD. February 17, 1966

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., on the 17th day of February, 1966, the first publication appearing on the 17th day of February, 1966.

THE JEFFERSONIAN,

Manager.

Cost of Advertisement, \$2.00

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204

GEORGE E. GAVRILIS
DIRECTOR

JOHN G. ROSE
ZONING COMMISSIONER

February 7, 1966

Re: Lee Harrison, Esquire
607 Loyola Federal Building
Towson, Maryland 21204

Re: Addendum to Zoning Advisory Committee January 17, 1966
Irvin Dieterich Property

Dear Sir:

The Health Department has requested that the following comment be made regarding the subject property:

The subject property cannot be disturbed until such time as the ground has been decontaminated. Decontamination is scheduled for early spring or at which time the temperature rises to approximately 50°. For details concerning this matter, please consult Dr. William Resnick of the Health Department at RA 3-3500, Extension 741.

Very truly yours,

James S. Myers
JAMES S. MYERS, Principal
Zoning Technician

cc: Mr. William Greenwalt

OFFICE OF THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS
Ridgdown, Md.

THE HERALD - ARGUS
Catonville, Md.

No. 1 Newburg Avenue

CATONSVILLE, MD.

February 11, 1966.

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

was inserted in THE BALTIMORE COUNTIAN, a group of three weekly newspapers published in Baltimore County, Maryland, once a week for one successive week before the 21st day of February, 1966, that is to say the same was inserted in the issues of February 17, 1966.

THE BALTIMORE COUNTIAN

By Paul J. Morgan
Editor-in-Chief, M.

66-192-R 2nd District
N/S St. Luke Lane 225' from N/S Paris Rd.

Irvin Dieterich, et al, Petitioners

2 signs

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

No. 39498
DATE 2/26/66

TO: Metropolitan Structures
140 North Michigan Avenue
Chicago, Ill. 60601

BILLED BY: Zoning Dept. of Balto. Co.

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Advertising and posting of property for Irvin Dieterich #66-192-R	\$2.00
1	Cost of appeal - Irvin Dieterich, et al, #66-192-R	\$2.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

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

No. 37650
DATE 1/30/66

TO: M. Lee Harrison, Esq.,
Loyola Federal Building
Towson, Maryland 21204

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

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Cost of appeal - Irvin Dieterich, et al, #66-192-R	\$75.00
1	1 sign	\$5.00
1	1 sign	\$5.00

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.

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

No. 41077
DATE 2/14/67

TO: W. Lee Harrison, Esq.,
607 Loyola Federal Building
Towson, Maryland 21204

BILLED BY: County Board of Appeals
of Baltimore County (20th)

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Cost of certified documents - File No. 66-192-R Irvin Dieterich, et al, N/S St. Luke Lane 225' from N/S of Paris Road, 2nd District	\$6.00
1	1 sign	\$5.00
1	1 sign	\$5.00

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.

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

No. 39481
DATE 8/16/65

TO: M. Lee Harrison, Esq.,
Loyola Federal Building
Towson, Maryland 21204

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

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Post property of Irvin Dieterich, et al #66-192-R	\$5.00
1	1 sign	\$5.00

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.

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

No. 35759
DATE 2/2/66

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

BILLED BY: Zoning Dept. of Balto. Co.

QUANTITY	DETAILS UPPER SECTION AND RETURN WITH YOUR REMITTANCE	TOTAL AMOUNT
1	Petition for Reclassification for Irvin Dieterich, et al #66-192-R	\$25.00
1	Cost of appeal - Irvin Dieterich, et al, #66-192-R	\$50.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

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
5th day of January, 1966.

John G. Rose
Zoning Commissioner

Petitioner: Irvin Dieterich, et al
Petitioner's Attorney: M. Lee Harrison
Reviewed by: *James S. Myers*
Avisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2ND
Date of Posting: Jan 3, 1966

Posted for: *Irvin Dieterich, et al*

Petitioner: *Irvin Dieterich, et al*

Location of property: *N/S St. Luke Lane 225' from N/S of Paris Rd.*

Location of Signs: *On N/S St. Luke Lane 225' from N/S of Paris Rd. 375'*
at N. St. Luke Rd.

Remarks:

Posted by: *John G. Rose*
Signature

Date of return: *Jan 2, 1966*

3 Signs

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2ND
Date of Posting: Jan 19, 1966

Posted for: *Reclassification R-6 to R-10 at N/S St. Luke Lane*

Petitioner: *Irvin Dieterich, et al*

Location of property: *N/S St. Luke Lane 225' from N/S of Paris Rd.*

Location of Signs: *On N/S St. Luke Lane 225' from N/S of Paris Rd. 375'*
at N. St. Luke Rd.

Remarks: *Reclassification R-6 to R-10 at N/S St. Luke Lane 225' from N/S of Paris Rd.*

Posted by: *John G. Rose*
Signature

Date of return: *Jan 25, 1966*

4 Signs

OFFICE OF

THE BALTIMORE COUNTIAN

THE COMMUNITY NEWS
Ridgelytown, MdTHE HERALD - AEGUS
Catonsville, Md.PETITION FOR
RECLASSIFICATION
2nd DISTRICT
ZONING: From R-6 and R-10
to R.A. Zone.

LOCATION: North side of St. Lukes Lane, 225 feet from the northeast side of Paris Road.
DATE & TIME: MONDAY, MARCH 7, 1966 at 10:00 A.M.
PUBLIC HEARING: Room 108, 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 and R-10.
Proposed Zoning: R.A.
All that parcel of land in the Second District of Baltimore County.

Present Zoning R6

Proposed Zoning R.A.
Beginning for the same at a point on the north side of St. Lukes Lane at the distance of 175 feet, more or less, as measured easterly along said north side of St. Lukes Lane from its intersection with the center line of Paris Road, said point of beginning located at the easternmost corner of lot 13, Block 'A', as shown on a plat entitled "Section 1, Windsor Farms" and recorded among the Land Records of Baltimore County in Plat Book G1B 20, Page 91, running thence and binding to the outlines of said plat, the three following courses and distances, (1) N 35 degrees 48' 30" W - 389.14 feet, (2) N 50 degrees 48' 00" E - 502.59 feet and (3) N 49 degrees 21' 16" W - 117.06 feet to the southernmost corner of lot 1, Block 'C' as shown on a plat entitled "Windsor Farms" and recorded among said Land Records in Plat Book G1B 22, Page 84, thence binding on the outlines of "Windsor Farms", the two following courses and distances, (1) N 50 degrees 40' 53" E - 291.00 feet and (2) S 40 degrees 47' 40" E - 848 feet, more or less, to a point on the southwesterly, 950 feet, more or less, line of Baltimore County Zoning Description 2 - R10 - 13, thence binding on said Description, the two following courses and distances, (1) southwesterly and westerly, 720 feet, more or less, and (2) southwesterly, 105 feet, more or less, to a point on said north side of St. Lukes Lane, thence binding hereon, westerly, 56 feet more or less, to the place of beginning.
Containing 9.20 acres of land, more or less.

PRESENT ZONING R10

PROPOSED ZONING R.A.

Beginning for the same at the point formed by the intersection of the north side of St. Lukes Lane and the southwesterly 1400, more or less, foot line of Baltimore County Zoning Description 2-R10-13, said point of beginning being located 225 feet, more or less, as measured easterly along said north side of St. Lukes Lane from its intersection with the center line of Paris Road, running thence and binding on said north side of St. Lukes Lane, easterly, 820 feet, more or less, to the southernmost corner of the land shown on a plat entitled "Thornfield II" and recorded among the Land Records of Baltimore County in Plat Book B3G 20, page 36, thence binding on a part of the southwestern outline thereof, northwesterly, 100 feet, more or less, to a point on the southwesterly 950 foot line of said Zoning Description, thence binding on said Description, the two following courses and distances, (1) southwesterly and westerly, 720 feet, more or less and (2) southwesterly 105 feet, more or less, to the place of beginning.
Containing 1.76 acres of land, more or less.

Being the property of Irvin Dieterich, et al as shown on plat plan filed with the Zoning Department.

Hearing: Monday, March 7, 1966 at 10:00 A.M.

Public Hearing: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

BY ORDER OF
JOHN G. ROSE,
ZONING COMMISSIONER
OF BALTIMORE COUNTY.
Feb. 17.

No. 1 Newburg Avenue

CATONSVILLE, MD.

February 21, 1966.

THIS IS TO CERTIFY, that the annexed advertisement of

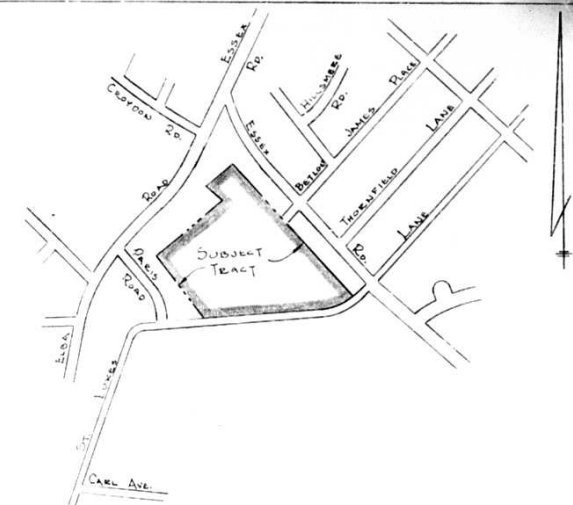
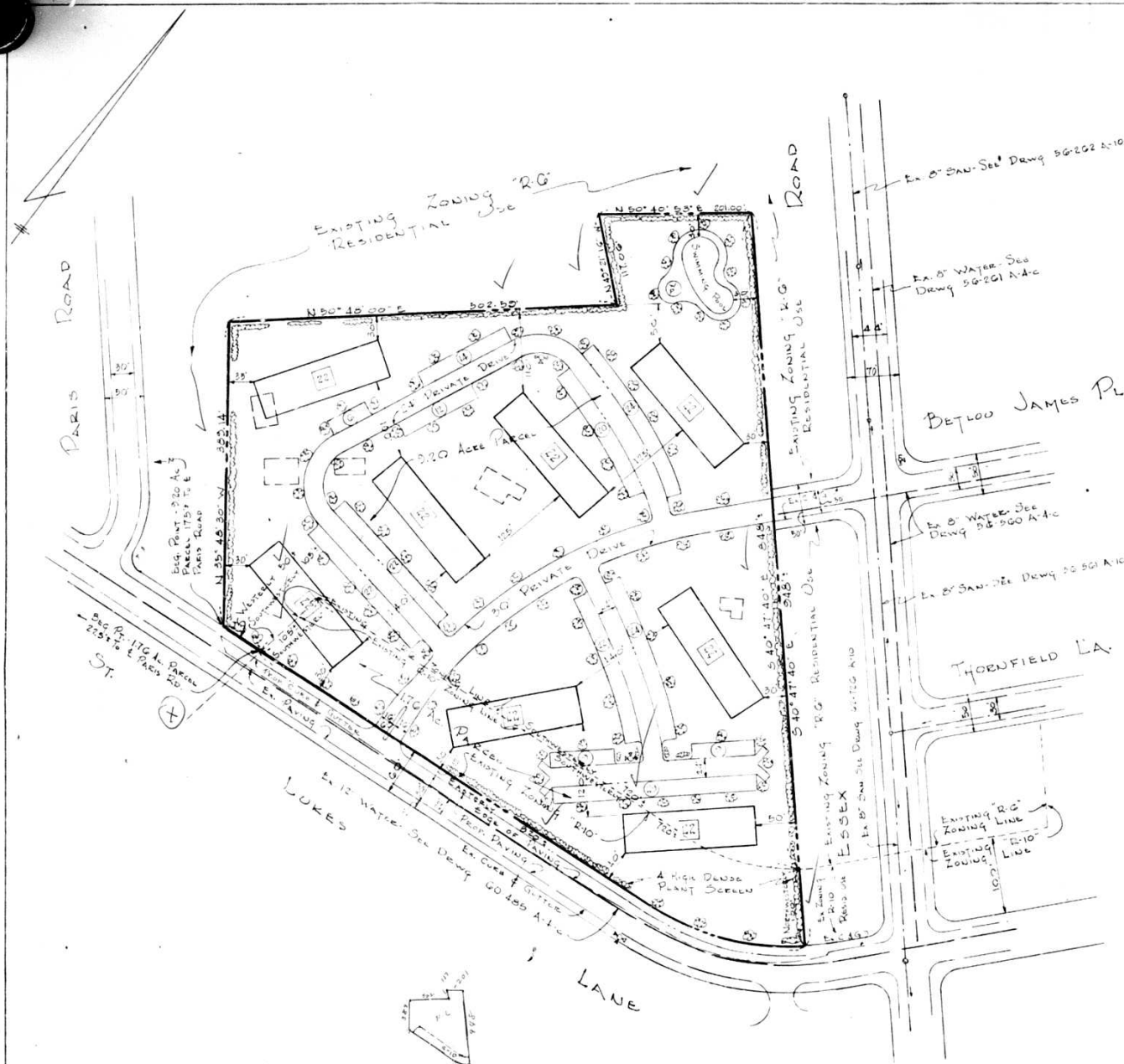
John G. Rose, Zoning Commissioner of
Baltimore County

was inserted in THE BALTIMORE COUNTIAN, a group of
three weekly newspapers published in Baltimore County, Mary-
land, once a week for One ~~SUCCESSIVE~~ week before
the 21st day of February, 1966, that is to say
the same was inserted in the issues of

February 17, 1966.

THE BALTIMORE COUNTIAN

By *Paul J. Morgan*Editor and Manager, *P. M.*



LOCATION PLAN
SCALE 1"=500'

GENERAL NOTES

1. Acreage of Tract Equals 10.96 Acres:
2. Existing Zoning of Tract "R-10" and "R-12"
3. Existing Use of Tract - "No Use" & "Residential Use"
4. Proposed Zoning of Tract "RA"
5. Proposed Use of Tract "GARDEN APARTMENTS"
6. DENSITY CALCULATIONS:
 - a. Gross Acreage of Tract Equals 10.96 Acres
 - b. Net Acreage of Tract Equals 10.96 Acres
 - c. Apartment Units Allowed Equals 184 Units
 - d. Apartment Units Proposed This Plan Equals 176 Units
 - e. Gross Density Equals 15.23 Units/Acre
 - f. Net Density Equals 16.03 Units/Acre
7. OFF-STREET PARKING:
 - a. Required Parking (85.20) Equals 176 Units
 - b. Proposed Parking (81.20) Equals 213 Units
8. EXISTING STRUCTURES ON SITE TO BE REMOVED

✓ 66-192R

OFFICE
COPY

MAP 2-B
WESTERN
AREA

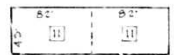
NW-4F

PLAT TO ACCOMPANY PETITION "RA"
FOR

RECLASSIFICATION OF PROPERTY
VICINITY

ST. LUKES LANE & ESSEX ROAD
ELECTION DISTRICT 2 BALTIMORE CO., MD
SEPT. 30, 1965
SCALE: 1"=100'

TYPICAL 22 UNIT BLDG.
SCALE: 1"=100'



MATZ, CHILDS & ASSOCIATES
1020 CRUMWELL BRIDGE ROAD
BALTIMORE MARYLAND 21204
J.C. NO. DRAWN BY TRACED BY CHECKED BY
65143 RLS PL.

