

PETITION FOR ZONING RECLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, John J. Dilli, 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 R-10 zone to an RA zone for the following reasons:

Many changes in zoning and land uses have occurred in the same vicinity of the subject property since the adoption of the Western Area Map on November 15, 1962, which changes directly affect the utility and potential use of the subject property; also, there was error in zoning this property at the time of the adoption of the Map, and a great need for additional apartment units existing in this area. 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 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.

Ernest J. Dilli, Petitioner's Attorney

Contract purchaser: John J. Dilli Legal Owner

Address: 8100 Baltimore National Pike Baltimore, Maryland 21228

Address: 1311 Fidelity Building Baltimore, Maryland 21201

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of August, 1966, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation 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 14th day of September, 1966, at 2:00 o'clock P.M.

Edward D. Hardisty Deputy Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Rose Date: September 22, 1966

FROM: Carlisle E. Brown

SUBJECT: Reclassification of R-10 to RA

The following comments on the John J. Dilli property are supplementary to those of August 25, 1966:

Supplementary Road Comments:
The Department of Public Works has entered into a Public Works Agreement with Pike Park Hill, Inc. for certain right-of-way widening and improvements to Nuwood Drive, from Baltimore National Pike to Powers Lane. Although this agreement noted that Nuwood Drive was to be improved when required by Baltimore County, the Bureau of Engineering has received and is processing construction drawings covering this road.

The Developer's Design and Approval Section of the Bureau of Engineering has indicated that construction will not take place until off-site rights-of-way can be acquired from the property owners on the west side of this road. There has been no indication to date whether attempts to acquire the necessary rights-of-way will meet with success.

Carlisle E. Brown
Carlisle E. Brown
Division of Land Development

CEB:tas

cc: Mr. Gavrells

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

John J. Dilli, IV, Requirer
1311 Fidelity Building
Baltimore, Maryland 21201

SUBJECT: Reclassification from R-10 to RA for John J. Dilli located at Powers Lane and Nuwood Road, 1st District (Item 4, August 30, 1966)

Dear Sir:

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

BUROU OF ENGINEERING:

Water - Existing 8" water in Nuwood Road. Sewer - This site would sewer to the existing Western Treatment Plant which is presently operating above capacity and is not adequate to serve the proposed apartments. However, a sanitary system which would relieve the treatment plant has been designed, but construction hinges on favorable boring results. Adequacy of existing utilities to be determined by developer or his engineer. Road - Powers Lane is to be developed as a minimum 60' road on a 60' right of way. Nuwood Road is to be developed as indicated on the submitted plan.

THE BOARD - This office will review and submit any necessary comments at a later date.

BUROU OF TRAFFIC ENGINEERING AND PUBLIC ADMINISTRATION DIVISION: All parking spaces must not be less than 10' from street right-of-way lines.

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 Commissioner's hearing.

The following members had no comment to offer:

Health Department
Industrial Development Commission
Board of Education
Buildings Department
State's Code Commission

Very truly yours,

James E. Hays
James E. Hays
Zoning Technician

JD:yla

cc: Carlisle Brown-Bureau of Engineering
J.A. Gavrells-Bureau
G. Richard Moore-Bureau of Traffic Engineering

SURVEYING & CIVIL ENGINEERING
L. ALAN EVANS & ASSOCIATES
4820 ELBROOK AVENUE - BALTIMORE, MD. 21214 - Hamilton 6-2144
BRANCH OFFICE - 800 POPULAR STREET - CAMBRIDGE, MD. 21613 - AC 8-3390

April 19, 1966.

DESCRIPTION FOR ZONING RECLASSIFICATION FROM R-10 TO RA

At Northwest Corner of Powers Lane & Nuwood Road

BEGINNING for the same at the corner formed by the intersection of the north side

of Powers Lane as proposed 60 feet wide with the west side of Nuwood Road as proposed 70 feet wide, thence leaving said place of beginning and running and binting on said north side of Powers Lane the two following courses and distances, viz: North 70 degrees 43 minutes 40 seconds West 764.0 feet to a point of curve, thence by a curve to the right in a northwesterly direction with the radius of 200 feet for a distance of 270 feet, more or less, thence leaving said Powers Lane and running South 79 degrees 45 minutes East 223 feet, more or less, thence North 82 degrees 15 minutes East 80.0 feet thence South 89 degrees 15 minutes East 65 feet and thence South 70 degrees 43 minutes 40 seconds East 618.0 feet to said west side of Nuwood Road, thence running and binting on said west side of Nuwood Road the two following courses and distances, viz: South 19 degrees 10 minutes West 230.0 feet and thence South 64 degrees 17 minutes 40 seconds West 11 feet, more or less, to the place of beginning.

Containing 4.72 acres of land more or less.

Note: This description has been prepared for zoning purposes only and is not intended to be used for conveyance.



L. Alan Evans

RE: Petition for Reclassification : BEFORE THE
NW Corner of Powers Lane and : DEPUTY ZONING COMMISSIONER
Nuwood Road - 1st District :
John J. Dilli, Petitioner : OF
BALTIMORE COUNTY
NO. 67-76-R

This is a Petition to rezone approximately five acres of land from an R-10 zone to an RA zone. Plans call for the construction of 85 apartments ranging in rental from \$122 to \$175 per month. There will be 124 off-street parking spaces provided.

Traffic ingress and egress would be by way of Powers Lane and Nuwood Road, the latter to be improved from the subject tract to Route 40.

Water and sewer will be available and adequate. Test borings are favorable for an apartment development.

The nearest homes are on Cedar Circle Drive. The developer proposes to construct more homes (R-10) between the existing homes and the proposed apartment project.

The proposed site is situated to the rear of a commercial development on Route 40. There is a small tract of land, zoned R-10, between the Petitioner's property and the aforementioned commercial properties. Mr. Gavrells testified that if this aforementioned small tract were rezoned for commercial purposes or used for parking, then RA zoning on the subject tract would be appropriate and reasonable as a buffer zone.

There was additional testimony from Mr. Robert McCurdy who likewise felt that RA zoning at this location would be logical and appropriate and would act as an excellent buffer between the rear of the commercial buildings on Route 40 and the homes in the development known as Westerlee.

Numerous zoning changes in the immediate area were introduced into evidence.

In conclusion, it would appear the RA zoning would be most appropriate for the subject tract, and for the foregoing reasons the Petition should be GRANTED.

IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 14 day of December, 1966, that the herein described property or area should be and the same is hereby reclassified from an R-10 zone to an RA zone, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

Edward D. Hardisty
Deputy Zoning Commissioner

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
NW CORNER OF POWERS LANE AND : DEPUTY ZONING COMMISSIONER
NUWOOD ROAD - 1st DISTRICT :
JOHN J. DILLI, PETITIONER : OF
BALTIMORE COUNTY
NO. 67-76-R

MR. COMMISSIONER:

Please enter an appeal to the County Board of Appeals on your Order dated December 12, 1966 in the above entitled case, rezoning from R-10 zone to an RA zone. The property subject of the Petition for Reclassification, on behalf of the following persons, property owners and taxpayers of Baltimore County:

Sal Cammarate and Beverly Cammarate, his wife
2129 Cedar Circle Drive
Baltimore, Maryland 21228

Henry M. Decker, Jr. and Virginia D. Decker, his wife
1201 Nuwood Drive
Baltimore, Maryland 21228

Charles C. Murphy, Jr. and Mary M. Murphy, his wife
2125 Cedar Circle Drive
Baltimore, Maryland 21228

William A. Erek, Jr. and Mildred Erek, his wife
2101 Cedar Circle Drive
Baltimore, Maryland 21228

Edgar A. Mann and Holly Mann, his wife
2029 Cedar Circle Drive
Baltimore, Maryland 21228

Joseph B. Schaefer and Helen Schaefer, his wife
2008 Fernglen Way
Baltimore, Maryland 21228

Joseph J. Velky and Jean Velky, his wife
2010 Fernglen Way
Baltimore, Maryland 21228

Kenneth L. Ford and Dorothy Ford, his wife
2006 Fernglen Way
Baltimore, Maryland 21228

Alfred W. Griffith and Carolyn Griffith, his wife
2011 Fernglen Way
Baltimore, Maryland 21228

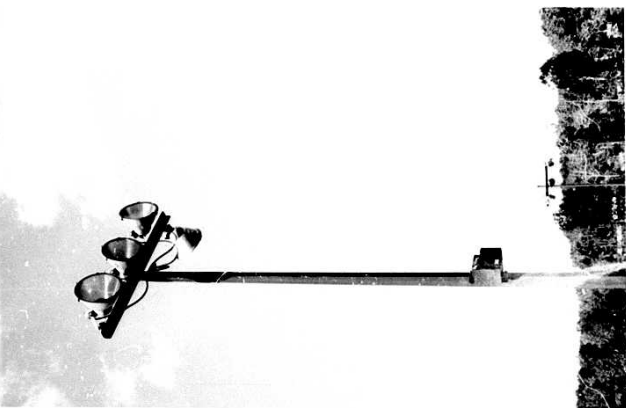
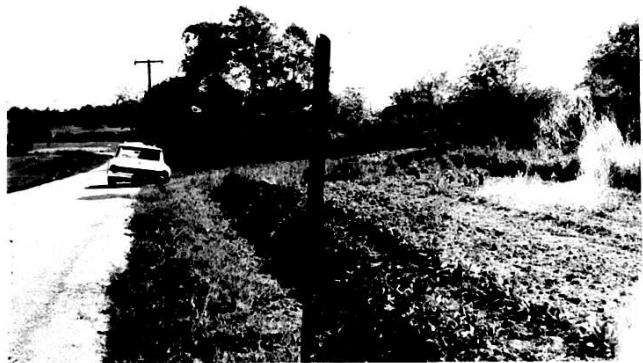
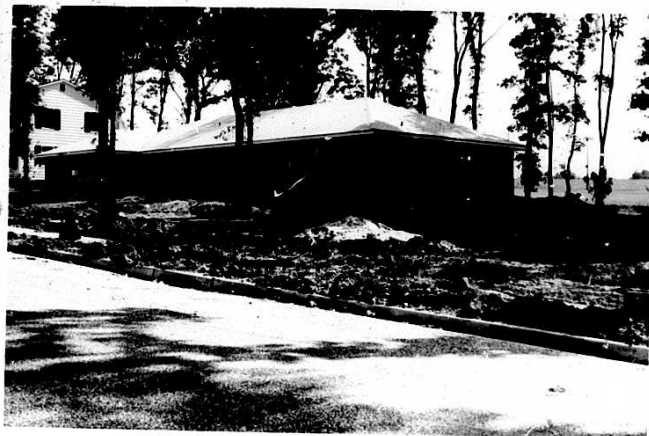
Nervin C. Gardels and Louise Gardels, his wife
2203 Cedar Circle Drive
Baltimore, Maryland 21228

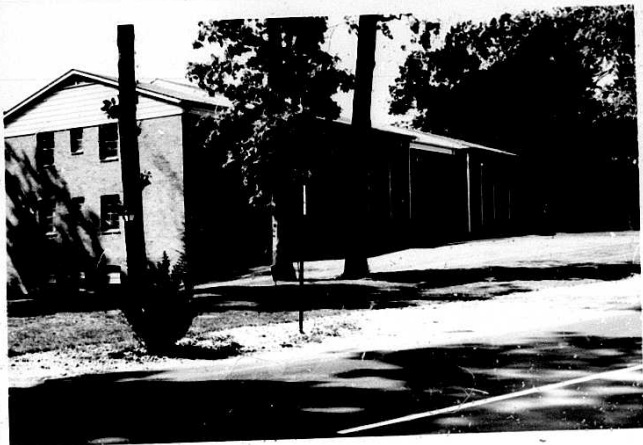
Charles Schaefer & Son
Schaefer & Son

Edward D. Hardisty
Kenneth D. Short,
Attorneys for the Appellants
Medical Center West
6830 Baltimore National Pike
Baltimore, Maryland 21228
744-8200

I HEREBY CERTIFY that on the 6th day of January, 1967, the foregoing Notice of Appeal was mailed to John J. Dilli Attorney for the Petitioner, 1311 Fidelity Bldg., Baltimore, Maryland 21201

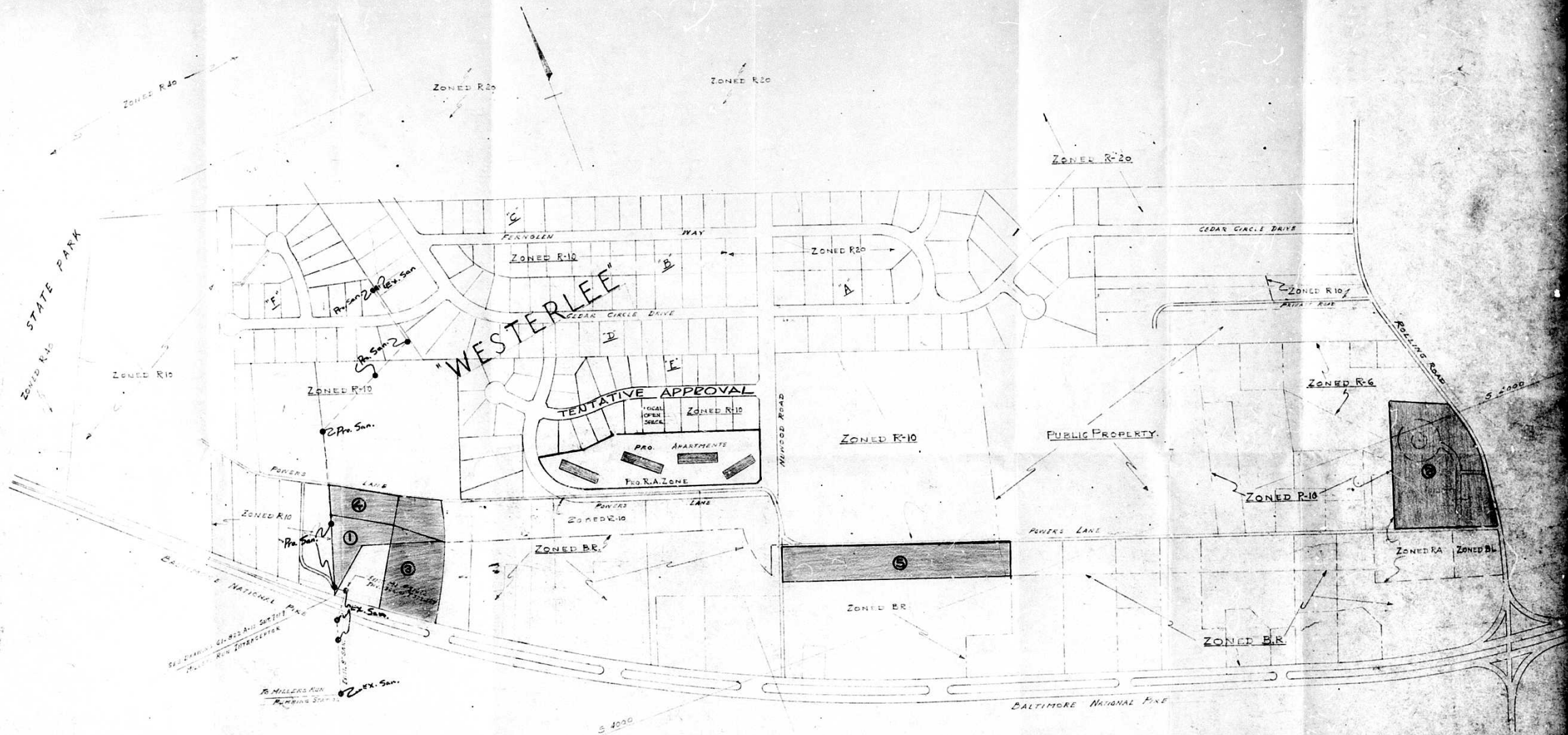
Kenneth D. Short
Attorney for Appellants





Mrs. Harris -
 Dille
 67-76-R
 The photo belongs in Bill's file
 we believe -





- ① Stephen S. Heaver - Ptn. # 5752-R 1/24/63 R-10 to BR.
- ② Frederick R. Dichlman & W.P. Ptn. # 64-82-R 9/65 R-10, R-6, & RA to BL.
- ③ 40 W. Corp. & Stephen G. Heaver - Ptn. # 64-199-R 7/9/64 R-10 to BR.
- ④ 40 W. Motors Inc. - Ptn. # 65-AR 7/6/65 R-10 to B.R.
- ⑤ Concetta Farone - Ptn. # 65-152-R 11/17/64 R-10 to B.R.