

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, LESCHAK CORPORATION, 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an R-40 zone to the R-40 zone, for the following reasons:

1. That the original zoning of the property was erroneous and the property should have been zoned R-4.
2. That changes of the neighborhood and changes of urban conditions make the present zoning of R-40 improper and, therefore, R-4 zoning is in keeping with these changes, conditions and neighborhood.

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 to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

LESCHAK CORPORATION
Contract purchaser
1800 N. CHARLES ST.
Baltimore, Maryland 21201
Address
Petitioner's Attorney
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 20th day of September, 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 held before the Zoning Commissioner of Baltimore County in room 106, County Office Building in Towson, Baltimore County, on the 25th day of October, 1966, at 10:00 o'clock a.m.

Zoning Commissioner of Baltimore County.

(over)

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

the above Reclassification should be had, and no further appearing that by reason of:

a Special Exception from the zoning should be granted.

IT IS ORDERED by the Zoning Commissioner of Baltimore County this 25 day of November, 1966, that the herein described property or area should be and the same is hereby reclassified, from R-40 zone to a R-4 zone, and a Special Exception from the zoning should be granted.

granted, from and after the date of this order, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning, and the Deputy Zoning Commissioner of Baltimore County.

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

the above reclassification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this day of 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 a zone, and/or the Special Exception for be and the same is hereby DENIED

Zoning Commissioner of Baltimore County

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: October 14, 1966
FROM: George E. Gavrellis, Director of Planning

SUBJECT: Petition #67-90-R. Northwest side of Dogwood Road 2540 feet Northwest of Rolling Road. Petition for Reclassification from R-40 to R-4 Zone, Leschak Corporation - Petitioners

2nd District

HEARING: Monday, October 24, 1966. (10:00 A.M.)

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

A portion of this tract, southeast of the subject site, was reclassified by the Deputy Zoning Commissioner on November 24, 1965.

In commenting on the earlier petition, we said, "An apartment zone at the subject location would meet none of the locational criteria that have been employed by the planning staff and the Planning Board in comprehensive rezoning studies". In that case (Petition #66-106-R), "A planning expert, testifying for the Petitioner, stated that with the exception of two churches at Dogwood Road and Rolling Road and several isolated homes, the area is otherwise sparsely developed." We did not and do not see how this can be regarded as a criterion in locating apartment projects.

The planning expert apparently stated further that 3/4 mile south of the subject tract is the site of a future shopping center. The "shopping center" is a Rilling station at present, and after development would in no way provide adequate service for an apartment development more than three quarters of a mile away. The proposed shopping center probably would be adequate to serve only its immediate neighborhood.

Testimony by the planning expert that the property considered under the earlier petition was near potential employment opportunities disregards the fact that access to the industrial and office centers from the tract is entirely substandard for such purposes. Our comments stated, "From a planning viewpoint, Rolling Road is more than inadequate as a street to serve a development of the magnitude of that proposed. No improvements to Rolling Road in the vicinity of the subject property are scheduled under the current Capital Budget and Five-Year Capital Program." The opinion given by the planning expert, referred to in the Capital Budget to widen Rolling Road from 44' from Windsor Mill Road to Liberty Road. This would appear to indicate that the traffic experts who testify at zoning hearings will be responsible for portions of the Capital Budget - an authority we thought was to remain vested in the Planning Board, the administration, and the Council.

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

Mr. Alan Shearer, Vice President
Leschak Corporation
1800 N. CHARLES STREET
Baltimore, Maryland 21201
SUBJECT: Reclassification from R-40 to R-4 for Leschak Corporation
located 3/4 mile Northwest of Dogwood Road 2540' N of Rolling Road
2nd District
(Item 2, September 20, 1966)

Dear Sir:

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

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

PLANNING DIVISION: This office will review and submit comments at a later date.

BUREAU OF ENGINEERING: Water - A 10" water main exists at the intersection of Dogwood Road and Rolling Road to serve the subject site would require an extension of 1750'. Sewer - An existing 8" sewer line is located in Rolling Road near Munford Avenue. A study indicating the adequacy of the existing sewer system must be submitted, reviewed and approved by the Bureau of Engineering before the proposed system shown on the submitted plan can be approved. Road - Dogwood Road relocated is to be developed as a minimum 60' road on a 60' right of way.

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 plan 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:

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

Very truly yours,

James E. Rose, Principal
Zoning Commissioner

John

cc: Mr. C. Richard Moore-Bureau of Traffic Engineering
Mr. Albert V. Cuddey-Project Planning Division
Mr. Carlyle Brown-Bureau of Engineering

David W. Dallas, Jr.

Civil Engineer

AREA CODE 301-665-7423

8715 OLD HANFORD ROAD

ZONING DESCRIPTION
LESCHAK CORPORATION
EXISTING R-40 TO PROPOSED R-4 ZONING

BEGINNING for the same in the center of Dogwood Road (60 feet wide) as proposed to be relocated at a point distant 2540 feet, more or less measured in a northerly direction along the centerline of said relocation from the point formed by the intersection of said relocation with the center of Rolling Road, said point of intersection being distant 2125 feet, more or less measured in a northerly direction from the intersection of said Rolling Road with the center of the existing Dogwood Road, and also being at the point formed by the intersection of the first or north 26 degrees 53 minutes 22 seconds east 62' 42" foot line of that tract of land which by deed dated April 30, 1959 and recorded among the Land Records of Baltimore County in Liber 106 No 3521 folio 118 etc was conveyed by Mrs. E. Klean, widow, et al to Leschak Corporation with the center first north 26 degrees 53 minutes 22 seconds east 62' 42" foot line, the second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth, forty-fifth, forty-sixth, forty-seventh, forty-eighth, forty-ninth, fiftieth, fifty-first, fifty-second, fifty-third, fifty-fourth, fifty-fifth, fifty-sixth, fifty-seventh, fifty-eighth, fifty-ninth, sixtieth, sixty-first, sixty-second, sixty-third, sixty-fourth, sixty-fifth, sixty-sixth, sixty-seventh, sixty-eighth, sixty-ninth, seventieth, 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