

67-212-R
RE: PETITION FOR RECLASSIFICATION
FROM R-6 zone to R-A zone
NW/4 Cantwell Road 115' SW of
Fairbrook Avenue
1st District
Ralph DeChiaro Enterprises, Inc.,
Petitioner
BALTIMORE COUNTY
No. 67-212-R
ORDER OF DISMISSAL
Petition of Ralph DeChiaro Enterprises, Inc. for reclassification from an R-6
zone to an R-A zone on property located on the northwest side of Cantwell Road 115 feet
southwest of Fairbrook Avenue, in the 1st District of Baltimore County.
WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of
Appeal filed September 13, 1967 from the attorney representing the protestants-appellants
in the above entitled matter.
WHEREAS, the said attorney for the said protestants-appellants requests that
the appeal filed on behalf of said protestants be dismissed and withdrawn as of September
13, 1967.
It is hereby ORDERED this 14th day of September, 1967 that said appeal
be and the same is dismissed.
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
William S. Baldwin, Chairman
John A. Slowik
John A. Miller

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67-212-R
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in the above entitled matter.
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It is hereby ORDERED this 14th day of September, 1967 that said appeal
be and the same is dismissed.
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
William S. Baldwin, Chairman
John A. Slowik
John A. Miller

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY
I, or we, Ralph DeChiaro Enterprises, Inc., owner of the property situate in Baltimore
County and which is described in the description and plat attached hereto and made a part hereof, do
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 zone to an R-A zone, for the following reasons:
Rezoning is justified because there was a mistake in the
original zoning and/or the character of the neighborhood
has changed to such an extent to warrant such reclassification.
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.
Ralph DeChiaro Enterprises, Inc.
Contract purchaser
Anthony P. Rubino, Legal Owner
Vice-President
Address: 100 Fairmount Avenue
Towson, Md. 21204
James D. Nolan, Petitioner's Attorney
204 W. Pennsylvania Avenue
Address: Towson, Md. 21204
ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of March, 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 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 21st day of May, 1967, at 2:00 o'clock
P.M.
Zoning Commissioner of Baltimore County
(over)

MCA
MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-923-0900
67-212-R
DESCRIPTION
59.00 ACRE PARCEL - NORTH SIDE OF ROUTE 70-N-SOUTHWEST
OF FAIRBROOK ROAD (FORMERLY JOHNNYCAKE ROAD) - WEST
OF ROLLING ROAD, FIRST ELECTION DISTRICT - BALTIMORE
COUNTY, MARYLAND
PRESENT ZONING R-6
PROPOSED ZONING R-A
Beginning for the same at a point on the northwest side of
Cantwell Road as laid out 70 feet wide and as shown on a plat of
Chadwick Manor Section V-A Block V as recorded among the land
records of Baltimore County in Plat Book W.S.R. 28, page 36 said
point being located 115 feet more or less from the intersection of
the northwest side of Cantwell Road and the southwest side of
Fairbrook Avenue thence binding on the outline of the aforementioned
plat the four following courses and distances: (1) N 38°21'30" E -
24.50 feet, thence (2) N 51°38'30" W - 110.00 feet, (3) S 38°21'30" W -
32.50 feet and (4) N 51°38'30" W - 880.00 feet to the Westernmost
corner of Lot 18, Block P, Section V-A Chadwick Manor, being also
the Southernmost corner of Lot 19, Block P, on the aforementioned
plat of Section V-B Chadwick Manor, thence binding on the outlines
of said last mentioned plat (5) N 51°38'30" W - 227.66 feet and (6)
N 43°16'40" W - 133.31 feet to a point in the first or S 46°38'02" W -
Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Developments ■ Investigations ■ Reports

MCA
MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-923-0900
67-212-R
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32.50 feet and (4) N 51°38'30" W - 880.00 feet to the Westernmost
corner of Lot 18, Block P, Section V-A Chadwick Manor, being also
the Southernmost corner of Lot 19, Block P, on the aforementioned
plat of Section V-B Chadwick Manor, thence binding on the outlines
of said last mentioned plat (5) N 51°38'30" W - 227.66 feet and (6)
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the Southernmost corner of Lot 19, Block P, on the aforementioned
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N 43°16'40" W - 133.31 feet to a point in the first or S 46°38'02" W -
Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Developments ■ Investigations ■ Reports

September 14, 1967



Mr. E. Grosfeld, Tol.
100 S. Gay Street
Baltimore, Maryland 21202

Re: Ralph DeChiaro Enterprises, Inc.
File No. 67-212-R

Dear Mr. Grosfeld:

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

Very truly yours,

Muriel E. Baldwin

cc: James D. Nolan, Esq.

Messrs. Skidmore and Tobor

Mr. John O. Ross

Mr. Edward D. Hardesty

Mr. George F. Gavrells

Board of Education

Mr. Willemain introduced into evidence numerous zoning changes in the area. He felt that these changes along with industrial expansion in the area would justify the granting of this Petition for apartments. It is to be noted that the Social Security complex is contemplating a major expansion. The area between Dogwood and Windsor Mill Roads was recently rezoned for a large industrial park which would bring many new people into the general neighborhood. Even Mr. Gavrells, Director of Planning for Baltimore County, agreed that there was not enough apartment zoning in this vicinity. Paragraph three of his Zoning Advisory comments state in part: "There is apparent need for provision of yet additional rental housing in the area brought about by general housing trends, expansion of industrial potentials elsewhere in the portion of the County, and dramatic increases in employment within areas now zoned or used for non-residential purposes."

Most of the protests were based on the fear that the proposed apartment development would depreciate the general neighborhood. The Protestants were somewhat irritated over the fact that the Petitioner at the time he sold homes to them left them with the impression the subject tract would remain an R-6 development. The Petitioner's reply was that he did not realize there was so much rock formation in the subject tract and that if he knew then what he knows now that he would not have lead the people to believe the subject property would never be the site of an apartment development. It is interesting to note at this point the subject property was originally recommended for ML zoning at the time the zoning map was adopted, but it was at the Petitioner's own request that the property reverted to R-6.

After reviewing all the evidence, it is clear to the Deputy Zoning Commissioner that the requested zoning for apartments should be granted. Not only has the Petitioner shown substantial change in the area (both zoning and physical changes), but he has also made a case of error. The proximity of this tract to I-70-N, which was described as an artery that would eventually carry more traffic than the Baltimore County Beltway, and the peculiar rock formation problem, when considered together, render the Petitioner's property unsuitable for an R-6 development. It would appear the most appropriate and logical zoning would be for apartments, and it is difficult to understand how the proposed apartment development would adversely affect the general area.

For the foregoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County on the 14th day of July, 1967, that the herein described property or area should be and the same is hereby reclassified from an R-6 zone to an R-A zone, subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning.

David D. Hardesty
Deputy Zoning Commissioner

RE: PETITION FOR RECLASSIFICATION
from R-6 zone to R-A zone
NW/4 Cantwell Road 115' SW of
Fairbrook Avenue
1st District
Ralph DeChiaro Enterprises, Inc.,
Petitioner

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 67-212-R

ORDER OF DISMISSAL

Petition of Ralph DeChiaro Enterprises, Inc. for reclassification from an R-6 zone to an R-A zone on property located on the northwest side of Cantwell Road 115 feet southwest of Fairbrook Avenue, in the 1st District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of Appeal filed September 13, 1967 from the attorney representing the protestants-appellants in the above entitled matter.

WHEREAS, the said attorney for the said protestants-appellants requests that the appeal filed on behalf of said protestants be dismissed and withdrawn as of September 13, 1967.

It is hereby ORDERED this 14th day of September, 1967 that said appeal be and the same is dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

John A. Slonik

John A. Miller

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Ralph DeChiaro Enterprises, Inc., 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 zone to an R-A zone; for the following reasons:

Rezonning is justified because there was a mistake in the original zoning and/or the character of the neighborhood has changed to such an extent to warrant such reclassification.

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.

Ralph DeChiaro Enterprises, Inc.

Contract purchaser

Anthony P. Skidmore, Legal Owner

Vice-President

Address: 180 S. Gay Street

Towson, Md. 21204

James D. Nolan, Petitioner's Attorney
234 W. Pennsylvania Avenue
Address: Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 14th day of September, 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 21st day of September, 1967, at 2:00 o'clock P.M.



(cont)

RE: PETITION FOR RECLASSIFICATION
from R-6 zone to R-A zone
NW/4 Cantwell Road 115 feet SW of
Fairbrook Avenue - 1st District
Ralph DeChiaro Enterprises, Inc.,
Petitioner

BEFORE THE
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
No. 67-212-R

MR. CLERK:

Please dismiss with prejudice the Appeal filed with the County Board of Appeals on July 31, 1967 in the above captioned proceedings from the decision of the Deputy Zoning Commissioner of Baltimore County dated July 5, 1967.

WILLIAM S. BALDWIN
Attorney for Protestants

MCA
MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1010 Connecticut Bridge Rd., Baltimore, Md. 21204, Tel. JOH 823-0900

John C. Childs, L.E.
Associate
George W. Buehly, L.E.
Robert M. Cahan, P.E.
Leonard M. Glase, P.E.
Norman F. Hammack, L.E.
Paul Lee, P.E.
Paul S. Bralton

DESCRIPTION
59.00 ACRE PARCEL - NORTH SIDE OF ROUTE 70-N SOUTHWEST
OF FAIRBROOK ROAD (FORMERLY JOHNNYCAKE ROAD) - WEST
OF ROLLING ROAD, FIRST ELECTION DISTRICT - BALTIMORE
COUNTY, MARYLAND

PRESENT ZONING R-6
PROPOSED ZONING R-A

Beginning for the same at a point on the northwest side of Cantwell Road as laid out 70 feet wide and as shown on a plat of Chadwick Manor Section V-A Block V as recorded among the land records of Baltimore County in Plat Book W.S.R. 28, page 36 said point being located 115 feet more or less from the intersection of the northwest side of Cantwell Road and the southwest side of Fairbrook Avenue thence binding on the outline of the aforementioned plat the four following courses and distances: (1) N 38°21'30" E - 24.50 feet, thence (2) N 51°38'30" W - 110.00 feet, (3) S 38°21'30" W - 32.50 feet and (4) N 51°38'30" W - 880.00 feet to the Westernmost corner of Lot 18, Block P, Section V-A Chadwick Manor, being also the Southernmost corner of Lot 19, Block P, on the aforementioned plat of Section V-B Chadwick Manor, thence binding on the outlines of said last mentioned plat (5) N 51°38'30" W - 227.66 feet and (6) N 43°16'40" W - 133.31 feet to a point in the first or S 46°38'02" W - Water Supply Sewerage Drainage Highways Structures Developments Investigations Reports

RE: PETITION FOR RECLASSIFICATION
NW/4 Cantwell Road 115 feet SW of
Fairbrook Avenue - 1st District
Ralph DeChiaro Enterprises, Inc.,
Petitioner

BEFORE THE
DEPUTY ZONING
COMMISSIONER
OF
BALTIMORE COUNTY

The Petitioner has requested the reclassification of his property, consisting of 59 acres, from an R-6 zone to an R-A zone. Plans call for the construction of 962 apartment units, 40% of which will be two bedrooms and 40% would be one bedroom. The proposed rent will be from \$10 to \$140 per month plus utilities.

The land was described as being bounded on the north by a residential development, on the east by an apartment development now under construction, on the west by undeveloped MLR zoned land and on the south by I-70-N, a major expressway soon to be opened.

Numerous witnesses testified on behalf of the Petitioner. Mr. Hugo Liem, a consulting traffic engineer, testified that traffic ingress and egress would be through Fairbrook Road, a 42 foot paved artery, to Rolling Road. He stated that in his opinion, Fairbrook Road and Rolling Road could accommodate the traffic from the proposed apartments. He also stated that traffic could also use Greenage Road to Security Boulevard, another major artery.

Mr. Richard Smith, another consulting engineer, testified that 1306 off-street parking spaces would be provided. He described in detail the type of structures to be erected and the screening to be provided. He pointed out a recreational area and swimming pool would be installed. The question of utilities was also thoroughly discussed. Water is available and adequate. Sewerage is available either by way of Fairbrook Road or by installing a sewer under I-70-N to the Patuxent Interceptor.

Both Mr. Smith and Mr. Bernard Willemain, a professional planner, testified as to the rock content in the land. Both were of the opinion that it would not be possible to develop an R-6 development because of the prohibitive development costs. It was pointed out that the Petitioner constructed a housing development to the north and during the period of that construction, the Petitioner ran into many rock formations when digging the various foundations for the homes. It was brought out that the Meyerhoff Apartment Development immediately to the east was sited time and again because of problems in excavating the rock content from the ground. While it usually costs approximately \$1,800 per lot for development in an R-6 project, it would be in this instance cost at least \$3,000 per lot because of blasting and other incidental expenses. It would be much more feasible to construct apartments because of the different type foundation and because there are fewer utility lines to contend with as opposed to an R-6 development.

ORDER RECEIVED FOR FILING
DATE 7/15/67
BY J. C. Hardesty

1525.5 foot line of the first parcel conveyed by Altamont Gardens, Inc. to Ralph DeChiaro by deed dated May 8, 1959 and recorded among the Land Records of Baltimore County in Liber W.J.R. 3526, page 558 located 157 feet, more or less from the beginning of said line, said point being the Westernmost corner of Lot 24, Block P, Section V-B of Chadwick Manor, recorded among the Land Records in Plat Book W.J.R. 28, page 37, running thence and binding on part of the first and part of the second lines of said conveyance (7) S 46°43'20" W - 1,368.96 feet and (8) S 09°31'45" W - 788.18 feet to intersect the Northernmost right of way line of Route 70-N thence binding thereon (9) Easterly by a curve to the left with a radius of 11,309.16 feet for a distance of 471.63 feet, said curve being subtended by a chord bearing N 84°13'41" E - 471.60 feet and (10) N 83°02'00" W - 2,408.07 feet, thence (5) N 42°55'00" W - 241.23 feet to the Southeast side of Bluffdale Road, as laid out 60 feet wide, thence binding thereon (11) Southwesterly by a curve to the right with a radius of 180.00 feet for a distance of 112.94 feet, said curve being subtended by a chord bearing S 65°03'30" W - 111.10 feet and (12) S 83°02'00" W - 15.00 feet thence (13) N 06°58'00" W - 140.84 feet to the Southeast corner of Lot 6, Block V, Section V-A, Chadwick Manor recorded among said Land Records in Plat Book W.J.R. 28, page 36 thence binding on the outlines of said last mentioned plat the seven following courses and distances: (14) N 72°17'20" W - 266.09 feet, (15) N 04°09'10" W -

81.39 feet (16) N 51°38'30" W - 160.00 feet to the Northwest side of Cantwell Road, said point being the place of beginning. Containing 59.00 Acres of land, more or less.

J.O. #64119-A
JMA:lm
6/7/66



RE: PETITION FOR RECLASSIFICATION
LOCATION NW 1/4 Cantwell Road 115 feet N of Fairbrook Avenue - 1st District
Ralph DeChiara Enterprises, Inc.
No. 67-212R

MR. CLERK:
Please enter an Appeal from the decision of the Deputy Zoning Commissioner of Baltimore County, Mr. Edward D. Hardesty, dated July 5th, 1967, on behalf of the following Protestants:

Mr. William Steiner
7213 Fairbrook Road
Baltimore, Maryland 21207
Mr. Joseph Haglan
7230 Fairbrook Road
Baltimore, Maryland 21207
Mr. Myer H. Grossfeld
7226 Fairbrook Road
Baltimore, Maryland 21207

Mr. E. Grossfeld
100 S. Gay Street
Baltimore, Maryland 21202
837-6900
Attorney for Protestants

I HEREBY CERTIFY that on this 28th day of July, 1967, a copy of the foregoing Notice of Appeal was mailed to James D. Nolan, 204 Pennsylvania Avenue, Towson, Maryland 21204.

Mr. E. Grossfeld
100 S. Gay Street
Baltimore, Maryland 21202

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Ralph DeChiara Enterprises, Inc., 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 AR-6 zone to an AR-1-A zone, for the following reasons:

Reasoning is justified because there was a mistake in the original zoning and/or the character of the neighborhood has changed to such an extent to warrant such reclassification.

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.

Ralph DeChiara Enterprises, Inc.
Contract purchaser
Anthony R. Kubisa, Legal Owner
Vice-President
Address: 700 Fairmount Avenue
Towson, Md. 21204
James D. Nolan, Petitioner's Attorney
204 W. Pennsylvania Avenue
Avenue Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of March, 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 21st day of May, 1967, at 2:00 o'clock P. M.



Zoning Commissioner of Baltimore County.

lower:

DESCRIPTION

59.00 ACRE PARCEL - NORTH SIDE OF ROUTE 70-N SOUTHWEST OF FAIRBROOK ROAD (FORMERLY JOHNNYCAKE ROAD) - WEST OF ROLLING ROAD, FIRST ELECTION DISTRICT - BALTIMORE COUNTY, MARYLAND.

PRESENT ZONING R-6

PROPOSED ZONING R-1A

Beginning for the same at a point on the northwest corner of Cantwell Road as laid out 70 feet wide and as shown on a plat of Chadwick Manor Section V-A Block V as recorded among the land records of Baltimore County in Plat Book W.S.R. 28, page 36 said point being located 115 feet more or less from the intersection of the northwest side of Cantwell Road and the southwest side of Fairbrook Avenue thence binding on the outline of the aforementioned plat the four following courses and distances: (1) N 38°21'30" E - 24.50 feet, thence (2) N 51°38'30" W - 110.00 feet, (3) S 38°21'30" W - 32.50 feet and (4) N 51°38'30" W - 880.00 feet to the Westernmost corner of Lot 18, Block P, Section V-A Chadwick Manor, being also the Southernmost corner of Lot 19, Block P, on the aforementioned plat of Section V-B Chadwick Manor, thence binding on the outlines of said last mentioned plat (5) N 51°38'30" W - 227.56 feet and (6) N 43°16'40" W - 133.31 feet to a point in the first or S 46°38'02" W -

Water Supply • Sewerage • Drainage • Highways • Structures • Developments • Investigations • Reports

152'. 5 foot line of the first parcel conveyed by Altamont Gardens, Inc. to Ralph DeChiara by deed dated May 8, 1959 and recorded among the Land Records of Baltimore County in Liber W. J. R. 3526, page 558 located 157 feet, more or less from the beginning of said line, said point being the Westernmost corner of Lot 24, Block P, Section V-B of Chadwick Manor, recorded among the Land Records in Plat Book W. J. R. 28, page 37, running thence and binding on part of the first and part of the second lines of said conveyance (7) S 46°43'20" W - 1,368.06 feet and (8) S 09°31'45" W - 788.18 feet to intersect the Northernmost right of way line of Route 70-N thence binding thereon (9) Easterly by a curve to the left with a radius of 11,309.16 feet for a distance of 471.63 feet, said curve being subtended by a chord bearing N 84°13'41" E - 471.60 feet and (10) N 83°02'00" E - 2,408.07 feet, thence (5) N 42°55'00" W - 241.23 feet to the Southeast side of Bluffdale Road, as laid out 60 feet wide, thence binding thereon (11) Southwesterly by a curve to the right with a radius of 180.00 feet for a distance of 112.94 feet, said curve being subtended by a chord bearing S 65°03'30" W - 111.10 feet and (12) S 83°02'00" W - 15.00 feet thence (13) N 06°58'00" W - 140.54 feet to the Southeast corner of Lot 6, Block V, Section V-A, Chadwick Manor recorded among said Land Records in Plat Book W. J. R. 28, page 36 thence binding on the outlines of said last mentioned plat the seven following courses and distances: (14) N 72°17'20" W - 266.09 feet, (15) N 04°09'10" W -



81.39 feet, (16) N 51°38'30" W - 160.00 feet to the Northwest side of Cantwell Road, said point being the place of beginning. Containing 59.00 Acres of land, more or less.

J.O. #64119-A
JMA:lm
6/7/66

PETITION FOR RECLASSIFICATION 1st DISTRICT

ZONING: From R-6 to R-1A Zone.
LOCATION: Northwest side of Cantwell Road 115 Feet Southwest of Fairbrook Avenue.
DATE & TIME: WEDNESDAY, MAY 3, 1967 at 2:00 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Present Zoning: R-6
Proposed Zoning: R-1A
All that parcel of land in the First District of Baltimore County

Being the property of Ralph DeChiara Enterprises, Inc., as shown on plat plan filed with the Zoning Department.

Hearing Date: Wednesday, May 3, 1967 at 2:00 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

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

James D. Nolan, Esq.
204 W. Penna. Ave.
Towson, Md. 21204

NOTICE OF HEARING

Re: Petition for Reclassification for Ralph DeChiara Enterprises, Inc.
67-212R

TIME: 2:00 P.M.
DATE: Wednesday, May 3, 1967
PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND

cc: William L. Siskind, Esq.
933 Maryland National Bank Building
Baltimore, Md. 21202

JOHN G. ROSS
ZONING COMMISSIONER OF
BALTIMORE COUNTY

July 31, 1967

No. 67-212-R -- Ralph DeChiaro Enterprises

Petition, description of property, order of Deputy Zoning Commissioner

Certificate of paving

Certificates of advertisement

Letter from Bernard M. Willemain, dated May 21, 1967

Comments of Office of Planning

" " Fire Bureau

2 signs

Order of appeal

Plat filed with petition

James D. Nolan, Esq.,
204 W. Pennsylvania Ave.,
Towson, Md. 21204

Myer E. Grossfeld, Esq.,
100 S. Gay St.,
Baltimore, Md. 21202

Counsel for petitioner

Counsel for protestants

MAP V
2-R
WESTERN
AREA
NW-1-H
NW-2-H
NW-1-G
NW-2-G
RA

May 21, 1967



Mr. Edward Hardesty
Deputy Zoning Commissioner
Baltimore County, Maryland

Dear Mr. Hardesty:

You will recall that I referred to a number of zoning cases when I testified for the DuCharme apartment petition. The following list covers the more important reclassifications that I related to the DuCharme case:

1. No. 6773 Albert Beckin R-6 & R-10 to CLR
2. No. 65-174 Baltimore Airport R-6, R-4, R-1 to CLR
3. No. 67-107 Violet Earl R-6, R-1 to CLR
4. No. 67-91 Edgar A. Hall R-6 to R-4 & Spec. Excs. for Offices
5. No. 65-99 James Martin R-10 to R-4
6. No. 67-65 Forum Realty Co. R-6 to R-10
7. No. 67-61 Inwood Realty Co. R-2 to R-10

Yours truly,

Bernard M. Willemain
Bernard M. Willemain

BM/1

cc: Peter Grossfeld, Esq.
James Nolan, Esq.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. James A. Nolen, Chairman
Zoning Advisory Committee
FROM: Mr. Charles A. Nolen, Jr.

Date: May 21, 1967

SUBJECT: Property (West) Ralph DuCharme
Location: NW side of Cantonwell Road, East of of Fairbrook Avenue
District: 2nd
Present zoning: R-6
Proposed zoning: R-4

1. Shall be required to set all fire department regulations for apartment houses.

September 14, 1967

Mr. E. Grossfeld, Esq.
100 S. Gay Street
Baltimore, Maryland 21202

Re: Ralph DuCharme Enterprises, Inc.
File No. 67-212-R

Dear Mr. Grossfeld:

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

Very truly yours,

Muriel E. Rudenauer

cc: James D. Nolan, Esq.

Messrs. Siskind and Tabor

9/14/67

Jim Nolan, Esq. called on 9/13 and requested that copy

of Dismissal for Siskind and Tabor be sent to his office;

this was done on 9/14/67.

September 12, 1967

TELEPHONE: 633-1100

County Board of Appeals
County Office Building
111 W. Chesapeake
Towson, Maryland

Attention: Mrs. Edith Eisenhart

Re: Petition for Reclassification
NW/8 Cantonwell Road 115 feet SW
of Fairbrook Avenue - 1st District
Ralph DuCharme Enterprises, Inc.
No. 67-212-R

Dear Mrs. Eisenhart:

Enclosed herewith please find Order signed by the Attorney for the Protestants directing the dismissal with prejudice of the above captioned proceedings.

Very truly yours,
SISKIND AND TABOR

By: *Walter Tabor*

NT:la

cc: James Nolan, Esq.
Ralph DuCharme Enterprises, Inc.

Rec'd 9/13/67
9:30 a.m.

67-212 R

(3)

Petitioners

Mr. Grossfeld
Mr. Willemain
Planner - utility lines not as deep
for apts. as for homes. May be off
in cost apts to East - rock
content there is very bad - 2' below
surface - in 1960 I-70-N was to be
4 lanes - now land out for 8 lanes -
will be very noisy - sub. that was
originally planned as ML but now
requested R-6 instead - sees need
for apts because of industrial +
Social Security expenses -
Changes - numerous zoning
changes for Route 40
N to I-70-N -
Industrial re-zoning
N to Hudson Mill Rd
land cannot be dual as R-6 because
of rock content + effect of I-70-N -
Peterson Intercepts + is under
design for Route 40 to Jimmy ate Rd -

67-212 R

(2)

Petitioners

Mr. Fairclough
Mr. Fairclough
see his comment in file -
not enough RA in area -
Mr. Fairclough
Mr. Fairclough
Tupper Engineer - Fairbrook Rd.
42' paved - sub. Rd would
not quite emerge + that Fairbrook
Rolling Rds could accommodate the
additional traffic - also use George
Rd to Seabrook Blvd -
Mr. Fairclough
Mr. Fairclough
Another Engineer - 1306 parking
space - something to be provided -
2 - 2 1/2 stories - residential
+ prod to be provided - water
available - sewerage is available
either by Fairbrook Rd or by sewer
under I-70-N to Peterson Intercepts -
feels this is good site for apt.
b/c of road access - need -
proximity to industrial zone to west -
is aware of rock content which
will cause engineering + devel problems -

67-212 R

(1)

Petitioners

Mr. Fairclough
Mr. Fairclough
716 Shelly Rd - office of
Petitioners corporation - acquired
in April 1959 - ~~was to be~~
proposed - 54 acres -
fairly flat -
N - heavy devel.
S - Grades I-70-N
E - apts being built
W - undeveloped MLR land
But sub. tract + Fairbrook Rd is semi-detached devel.
could build 962 units -
6170 2 BR - 140 + utilities
4070 1 BR - 110 +
Access by Cantonwell Rd + Bluffdale
Rd to Rolling Rd - Fairbrook Rd + then
to Rolling Rd -
Petitioners built Chatterbox (400 homes -
14 M - 18 M) to east
Within minutes of shopping centers
sees need for apts. - can not build
R-6 devel. - chd. \$1800 per lot
usually - on sub. tract would
cost \$3000 per lot because
of rock content - would cost substantially
less for apts (than pipe lines) -

67-212 R

(4)

Protestants

Mr. Fairclough
Mr. Fairclough
7218 Fairbrook Rd - Aug 1963 -
directly across street from sub. tract -
was told sub. tract would be for homes
Mr. Fairclough
Mr. Fairclough
1901 Calais Ct - 1963 - opposed -
ship - feels apts. would hurt area -
Mr. Fairclough
Mr. Fairclough
Kenneth Rd - opposed
Mr. Fairclough
Mr. Fairclough
7209 Fairbrook Rd - says
I-70-N is 6 lanes -

RE: PETITION FOR RECLASSIFICATION
 14 1/2 Cantwell Road 115 feet SW
 of Fairbrook Avenue - 1st District
 Ralph DeChiara Enterprises, Pet.
 No. 67-212-R

ZONING DEPARTMENT

DATE: July 5, 1967

TO: Mr. John G. Rose, Zoning Commissioner
 FROM: George E. Gavelis, Zoning Commissioner

SUBJECT: Petition #67-212-R. Reclassification from R-6 to R.A. Northwest
 side of Cantwell Road 115 feet southwest of Fairbrook Ave. Being the
 property of Ralph DeChiara Enterprises, Inc.

1st District

HEARING: Wednesday, May 3, 1967 (2:00 P.M.)

Mr. Clerk:

Please enter an Appeal from the decision of the Deputy Zoning
 Commissioner of Baltimore County, Mr. Edward D. Hardesty, dated July 5th,
 1967, on behalf of the following Protestants:

Mr. William Stoker
 7215 Fairbrook Road
 Baltimore, Maryland 21207

Mr. Joseph Deegan
 7250 Fairbrook Road
 Baltimore, Maryland 21207

Mr. Myer E. Grossfeld
 7206 Kamehameha Road
 Baltimore, Maryland 21207

Mr. E. Grossfeld
 100 S. Gay Street
 Baltimore, Maryland 21202
 677-5900
 Attorney for Protestants

I HEREBY CERTIFY that on this 14 day of July, 1967, a
 copy of the foregoing Notice of Appeal was mailed to James D. Nolan, 204
 Pennsylvania Avenue, Towson, Maryland 21204.

Mr. E. Grossfeld

James D. Nolan, Esquire
 204 Pennsylvania Avenue
 Towson, Maryland 21204

RE: Petition for Reclassification
 NW 1/4 Cantwell Road 115 feet SW
 of Fairbrook Avenue - 1st District
 Ralph DeChiara Enterprises, Pet.
 NO. 67-212-R

Dear Mr. Nolan:

I have this date passed my
 Order in the above captioned matter. Copy of said Order is
 attached.

Very truly yours,

EDWARD D. HARDESTY
 Deputy Zoning Commissioner

EDH/jdr

cc: Myer Grossfeld, Esquire
 100 S. Gay Street
 Baltimore, Maryland 21202

BERNARD M. WILLEMAIN & ASSOCIATES
 SITE & CITY PLANNERS
 ZONING CONSULTANTS
 DULANEY VALLEY ROAD, PHIDEN, MARYLAND

DATE: May 21, 1967

ZONING DEPARTMENT

Mr. Edward Hardesty
 Deputy Zoning Commissioner
 Baltimore County, Maryland

Dear Mr. Hardesty:

You will recall that I referred to a number of zoning cases
 when I testified for the Chadwick apartment petition. The
 following list covers the more important reclassifications
 that I related to the Chadwick cases:

1. No. 6373 Albert Meekin R-6 & R-10 to MLR
2. No. 65-174 Baltimore Airport R-6, R-A, B-E to MLR
3. No. 67-107 Violet Bard R-6, R-10 to MLR
4. No. 67-91 Edgar A. Kalb R-6 to RA & Spec. Exec. for Offices
5. No. 66-89 James Martin R-10 to RA
6. No. 65-365 Forum Realty Co. R-20 to R-10
7. No. 67-51 Inwood Realty Co. R-20 to R-10

Yours truly,

Bernard M. Willemain

3W/t

cc: Myer Grossfeld, Esq.
 James Nolan, Esq.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

67-212-R

TO: Mr. John G. Rose, Zoning Commissioner

Date: April 21, 1967

FROM: George E. Gavelis

SUBJECT: Petition #67-212-R. Reclassification from R-6 to R.A. Northwest
 side of Cantwell Road 115 feet southwest of Fairbrook Ave. Being the
 property of Ralph DeChiara Enterprises, Inc.

1st District

HEARING: Wednesday, May 3, 1967 (2:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for
 reclassification from R-6 to R.A. zoning. It has the following advisory comments to
 make regarding pertinent planning factors:

1. The subject tract has potentially good relationships to future employment
 opportunities brought about by the industrial zoning existing on the north
 side of Route 1-70-N immediately to the west.
2. The subject property will have potentially good accessibility to the area
 and to the region by virtue of the prospective interchange between
 I-70-N and Westside Boulevard within the industrial area mentioned above.
3. There is apparent need for provision of yet additional rental housing in
 the area brought about by general housing trends, expansion of industrial
 potentials elsewhere in this portion of the County, and dramatic increases
 in employment within areas now zoned or used for non-residential purposes.
 The subject property, however, does not have the relationships to shopping
 or other community services which the Planning Board felt were important
 in its recommendations for apartment zoning elsewhere in the area.
4. Semi-detached development intervenes between the subject property and
 Fairbrook Road.
5. Access to the subject property is limited to but two points along Fairbrook
 Road; the ability of Fairbrook Road to accommodate with its present degree
 of improvements, the dramatic increase in traffic brought about by apart-
 ment development here is questioned.
6. Much as there is a need for additional rental housing, there is a corresponding
 need for land suitably zoned and ready for development to accommodate
 small lot sales housing. Other zoning cases in the area have identified a
 long range need for this kind - small lot zoning.

GEG:bms

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. James D. Nolan, Esq.
 204 W. Penna. Ave.
 Towson, Md. 21204

Date: April 21, 1967

FROM: Mr. John G. Rose, Zoning Commissioner

SUBJECT: Petition #67-212-R. Reclassification from R-6 to R.A. Northwest
 side of Cantwell Road, 115' SW of Fairbrook Avenue
 Ralph DeChiara Enterprises, Inc.

1. Shall be reviewed to meet all fire department regulations for apartment
 buildings.

James D. Nolan, Esq.
 204 W. Penna. Ave.
 Towson, Md. 21204

Re: Petition for Reclassification for Ralph DeChiara Enterprises
 #67-212-R

Dear Sir:

This is to advise you that \$91.00 is due for advertising and
 posting of the above property.

Please make check payable to Baltimore County, Md. and remit to
 Mrs. Anderson, Room 119, County Office Building, before the
 hearing.

Yours very truly,

JOHN G. ROSE
 ZONING COMMISSIONER

JGR/ba

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

April 21, 1967

67-212-R

County Office Building
 111 W. Calverton Ave.
 Towson, Md. 21204

GEORGE E. GAVELIS
 ZONING COMMISSIONER

James D. Nolan, Esq.
 204 W. Penna. Ave.
 Towson, Md. 21204

Dear Sir:

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

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

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

Yours very truly,

JOHN G. ROSE
 ZONING COMMISSIONER

JGR/ba

cc: William L. Siskind, Esq.
 933 Maryland National Bank Building
 Baltimore, Md. 21202

LAW OFFICE
 MATTHEW SWERDLOFF
 100 S. GAY STREET
 BALTIMORE, MARYLAND 21202

April 27, 1967

Mr. John G. Rose
 Zoning Commissioner of
 Baltimore County
 Baltimore County Office Bldg.
 Towson, Maryland 21204

RE: Petition #67-212-R
 Reclassification from R-6
 to R.A.
 The Petition of Ralph DeChiara
 Enterprises, Inc.
 Date of Hearing - May 3, 1967

Dear Mr. Rose:

Please issue a summons for the following person to appear
 before the Zoning Commission of Baltimore County on May
 3rd, 1967, at 2:00 p.m. relative to the above captioned
 matter:

Mr. George E. Gavelis
 Office of Planning and Zoning
 Baltimore County Office Building
 Towson, Maryland 21204

to bring with him any and all correspondence & records
 pertaining to the above captioned matter.

Very truly yours,

Matthew Swerdloff
 MATTHEW SWERDLOFF
 100 S. GAY STREET
 BALTIMORE, MARYLAND 21202

MEG/ha

Mr. Sheriff:

Please issue summons in accordance with the above.

John G. Rose
 Zoning Commissioner

TELEPHONE
823-3000
EXT. 387

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 44296

DATE 7/31/67

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

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

TO: Myer E. Grossfeld, Esq.,
100 S. Gay Street,
Baltimore, Maryland 21202

DEPOSIT TO ACCOUNT NO. 01-622		RETURN THIS PORTION WITH YOUR REMITTANCE		TOTAL AMOUNT
QUANTITY		DETACH ALONG PERFORATION AND - KEEP THIS PORTION FOR YOUR RECORDS		COST
Cost of appeal - Property of Ralph DeChareo Enterprises			\$70.00	
No. 67-212-R		signs	10.00	\$80.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MD. 21204

James D. Nolan, Esquire
204 W. Pennsylvania Avenue
Towson, Maryland 21204

Subject: Reclassification from R-6 to RA
for Ralph DeChareo, located NW Side
Cantwell Road SW of Fairbrook Avenue
2nd District
(Item 2, March 21, 1967)

April 5, 1967

Dear Sir:

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

BUREAU OF ENGINEERING -

Water - Existing 12" water in Fairbrook Road, however, it does not appear that this system can be utilized to serve the subject property. The Cedar Branch Sanitary System which will ultimately serve this area is present, under design to a point 2000' south of the subject site. However, construction of this line has not been scheduled. Adequacy of existing utilities to be determined by developer or his engineer.

FIRE BUREAU - Shall be required to meet all fire department regulations for apartment houses.

HEALTH DEPARTMENT - Public water and sewer are available to the site. Prior to approval of a building application for the swimming pool and facilities, complete plans and specifications must be submitted to the State and County Health Departments.

TRAFFIC ENGINEERING - Fairbrook Road was developed as a 36' roadway on a 70' R/W to serve an R-6 development. The proposed site can be expected to generate approximately 6400 trips per day instead of approximately 2500 trips per day if the land remains R-6. If zoning is granted revisions in the entrance locations and internal network will be required.

STATE ROADS COMMISSION - Since there are no State Roads involved, this Office has no comment.

ZONING ADMINISTRATION DIVISION - If the Petition is granted, no occupancy may be made until such time as plans have been submitted and approved and the property inspected for compliance to the approved plan.

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.

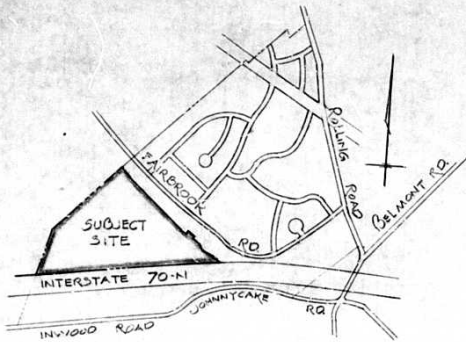
The following members had no comment to offer: Building Engineer, Board of Education, Industrial Development, Project Planning

Very truly yours,

JAMES E. DYER,
Principal Zoning Technician

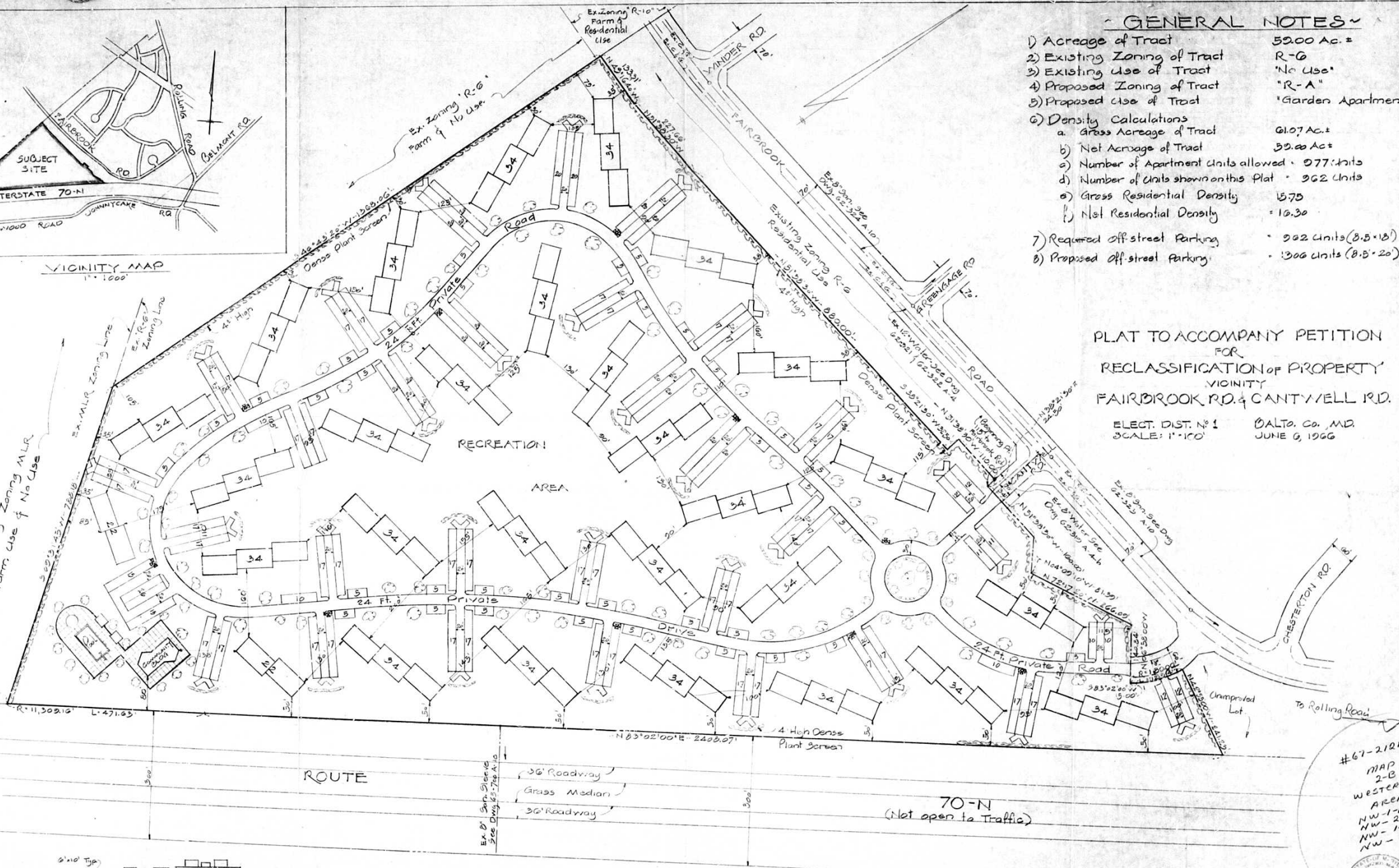
JED/jdr

cc: Carlyle Brown, Engineering; Lt. Morris, Fire; Mr. Greenwalt, Health; C. Rine-
moore, Traffic; John Meyers, Stat. Roads Commission



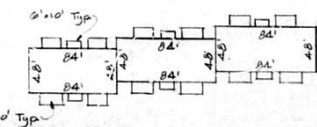
VICINITY MAP
1" = 1000'

Existing Zoning M.R.
Farm Use of No Use



PLAT TO ACCOMPANY PETITION
FOR
RECLASSIFICATION OF PROPERTY
VICINITY
FAIRBROOK RD. & CANTYWELL RD.
ELECT. DIST. No. 1 BALTO. Co., MD.
SCALE: 1" = 100' JUNE 9, 1966

- GENERAL NOTES**
- 1) Acreage of Tract 52.00 Ac. ±
 - 2) Existing Zoning of Tract R-6
 - 3) Existing Use of Tract 'No Use'
 - 4) Proposed Zoning of Tract 'R-A'
 - 5) Proposed Use of Tract 'Garden Apartments'
 - 6) Density Calculations
 - a) Gross Acreage of Tract 61.07 Ac. ±
 - b) Net Acreage of Tract 59.00 Ac. ±
 - c) Number of Apartment Units allowed - 977 Units
 - d) Number of Units shown on this Plat - 362 Units
 - e) Gross Residential Density 15.75
 - f) Net Residential Density 19.30
 - 7) Required off-street Parking - 362 Units (8.5' x 18')
 - 8) Proposed off-street Parking - 366 Units (8.5' x 20')



TYPICAL 34 UNIT BUILDING
Not to Scale



MATZ, CHILDS & ASSOCIATES
1020 CROMWELL BRIDGE RD.
TOWSON, 4, MD.

#67-212R
MAP
2-B
WESTERN
AREA
NW-1-H
NW-2-H
NW-1-G
NW-2-G
RA



