PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or welfarvey. Boltman & Matjoria. Halzeega. County and which is described in the description and hereby petition (1) that the zoning status of the herein	plat attached hereto and trade a p	art hereor, ~
to the Zoning Law of Baltimore County, from an	R-10 and R-40	rone to an AREA

.....zone; for the following reasons: NW-2-6R-A..... That the original zoning of the property was erroneous and the property should, W-2-H have been zoned R-A.

That changes in the neighborhood and changes of conditions make the oreient zoning of R-10 and R-40 improper and, therefore, R.A. 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 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.

Margarie Affinan Owner Sam & fork

38W Lew An Vmg by.

Harvey Holyman

ddress 8007 Wood gille

ORDERED By The Zoning Commissioner of Baltimore County, this 3rd, 196_ I that the subject matter of this pelition be advertised, as of October 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 1967: 1 1:000 clock

County, on the . 6th 6573

IN Gre

BALTIMURE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Mr. John G. Rose, Zoning Commissioner Date October 27, 1967

George E. Gavrelis, Director of Planning as Fairbrook Road Petition #68-10s ... North side of Johnnycake Road (now knor 175 feet Northwest of Winder Road. Petition for Reclassificati R-40 to R.A.

The planning staff of the Office of Planning and Zoning offer, the following comments on the subject patitions.

- We submit now, as we have "efore, that Baltimore County must serve the market for cartages and varying lot sizes in and near the urban area. Much of the remaining urban residential land, however, is now to a significant extent being "frazen" out of this single-family residential category by the application of upartment zoning. According to a very recent report to the Planning Board by Mortan Indiffram and Company, the arount of vacant land in Baltimore County zoned for apartments is 4,021 ecres. This land could be developed to a total of more them 65,000 apartment units enough units to house the entire lineases in population in Baltimore County for the past ten years. Clearly, and the submit is a submit of vacant land of vacant land in the county with the past ten years. Clearly, we will be submit to the submit of vacant land in the past ten years.
- Although we have roted in the post that apartment development should have access to satural streets, we must state that it has never been implied by the planning staff, the Planning Board, or the County Council that all residential load adjacent to arterials or proposes arrented should be developed at spattment dentities. The subject site, in fact, is a case in points the Planning Board recommended, and the County Council diffiend, actings zoning, fully accounting for the future extension of Security Boulevard (and, importantly, accounting for the planned construction of Chadvick-Eisenstrapy School). Beyond that, construct an of the Security extension is not scheduled until fired 1971-72. Even if the road were to be considered a justification, the subject petition would at best be premoture. (As noted in the Joint comments by the Bureau of Traffic Engineering and the Project Planning Division of this office, Fairbrook Road is not designed to carry the large amount of traffic that would be generated by an apartment development on the subject tract.)

\$68-103 P PETITION FOR RECLASSIFICATION from R-10 and R-40 zones to

N/S Johnnycake Road (now known as Fairbrook Read) 175' NW of Winder Rds let District

Harvey Holzman, et al

MPP

2-B

Western

AREA

NW-2-G

NW-2-H

RA

BEFORE

COUNTY BOARD OF APPEALS OF

BALTIMORE COUNTY No. 58-103-R

. ORDER OF DISMISSAL

Petition of Harvey Holzman, et al for reclassification from R-10 and P-40 zones to R-A zone, on property located on the north side of Johnnycake Road known as Fairbrook Road) 175' northwest of Winder Road, in the 1st District of (now

WHEREAS, the Board of Appeals is in receipt of an Order of Dismissal of appeal filed June 3, 1968 (a copy of which is attached hereto and made a part hereof), from the attorney representing the protestants-appellants in the above en-

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

It is hereby ORDERED this 5th day of June, 1968 that said appeal be and the same is dismissed.

COUNTY BOARD OF APPEALS

OF BALTIMORE COUNT

DEPUTY ZONING COMMISSIONER

BALTIMORE COUNTY

111 111 111

OF

#68-103R MAP 2-B

ron pon upclassification *
F Johnnychke Road (now as Fairbrook Feed) 175' Winder Road 18 District Holussan, Petitioner 1-103-0

WESTERH

PRER NW-2-6 NW-2-H

RA

Please dismiss with prejudice the Appeal filed with the County Beard of Appeals on March 20, 1968, in the above cantioned proceedings from the decision of the Denuty Zening Commissioner of Baltimore County dated February 29, 1968.

COUNTY BOARD

PETITION FOR RECLASSIFICATION N/S of Johanycake Road (now known as Fairbrook Road) 175: NW of Winder Road let District Harvey Holzman, Petitioner NO. 68-103-R

BEFORE THE DEPUTY ZONING COMMISSIONED

BALTIMORE COUNTY

ORDER OF APPEAL

Please enter an Appeal from the decision of the Deputy Zoning Commissioner of Baltimore County, Mr. Edward D. Hardesty, dated February 29, 1968, on behalf of the following Protestant:

> Mr. Myer E. Grossfeld 7226 Kennebunk Road 7226 Kennebunk Road Baltimore, Maryland 21207

> > MATTHEW SWERDLOFF 100 S. Gay Street Baltimore, Maryland 21202 Attorney for Protestants

I HEREBY CERTIFY that on this 20 day hard 1958, a copy of the aforegoing Order of Appeal was mailed to James H. Cook, 22 W. Pennsylvania Avenue, Towson, Maryland 21204 Attorney.

MATTHEW SWEEDLOFF

RE: PETITION FOR RECLASSIFICATION # 68.103R NO.

Western

MAP 2-B

20 -R

6

ation from R-10 and AREA NW-2-6 Harvey Holzman - Petitione NW- 2-H

1st District RA HEARING: Monday, November 6, 1967. (1:00 P.M.)

RA

#68-103R

NW-2-G The Petitioner has requested the reclarsification of his property consisting of 30, 19 acres, from an R-10 and R-40 zone to an RA zone. Plans call for the construction of 348 apartment u. s. 60% of which will be one bedroom and 40% of which will be two bedroom. The proposed renys will be from \$125 to \$150 per month plus electricity.

111 111 111

N/S of Johnnycake Road (now known as Fairbrook Road) 175' NW of Winder Road :

The facts in this case are almost identical to those presented in Petition NO. 67-712-R knows as the DeChiaro property, which was rezoned in July, 1967, for the construction of apartments.

The subject tract was described as being bounded on the North The subject tract was described as being obtained as and West by farm land, on the South by some undeveloped R-l0 and R-6 zoned land and the aforementioned DeChiaro property, on the East Ly elementary school property and on the Southwest by Mi and MLR zoned land.

The proposed development would be of a colonial 2 1/2 story design. A swimming pool would be provided. Approximately 7 acres would be set stille for open space and/or recreational facilities. Five hundred twenty-two off-street parking spaces would be provided.

Ingress and egrees would be by means of Fairbrook Road to Rolling Read and also by Security Boulevard, which when completed will actually divide the subject property. The sectnosis on Security Boulevard from Rolling Road to Belmont Avenue is now in the planning stage and will probably be in existence by 1970 or 1971. An expert traffic engineer testifying on behalf of the Petition could see no traffic problems if this Petition is greated. Petition is graated.

Another engineer testified that water and sewer are available and adequate. He described the land as being reasonably level and left that sewerage would be by means of gravity flow. It also testified that this particular tract contained a great deal of rick content (as we the case in DeChard) and that the cost of developing as 1-0 or Rc-10 would be prohibitive as opposed to RA development. He britter stated there was a gas line in the bed of Security Boulevard and through the subject property in the center of the alignment of the extension of Security boulevard which ine was later determined to be 20° in damater. He questioned the ricks of 'dasting the rock content in the Petitioner's property for fear of igniting this particular gas line and expressed fear that if this gas line were set after, it could result in a major catastrophe. Another engineer testified that water and sewer are available

¥68-1031-MAPV 2-8

ARLA

As was the case in DeChiaro, evidence of other zoning changes in the area work produced. Evidence revealed a major expansion of the Social Security complex a rectain expert teating of industrial sites in the surroyfing area. The case where the surport teating area where the surport teating the surport teating area where the surport teating a great rectain the surport teating and the surport teating a great product of the surport teating and the red will gree worse as not surport teating and the red will gree worse as not surport teating to the surport teating teating to the surport teating te Only one witness testified for the Protestants. She expressed Only one witness testified for the Protestants. She expressed for a that this proposed development would result in congestion of the neighboring school. However, the Board of Education advised that the pressay zoning would yield a ddditional pupils as opposed to an additional student yield of 96 if the protments were granted. The Chadwick Elementary School has no population problem and it is doubtful that the addition of 55 students would create a problem.

For the aforegoing :easons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this \$\frac{L}{2}\] day of February, 1968, that the hereix described property or area should be and the same is hereby reclassified from an R-10 and R-40 zone to an RA zone 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.

19/6

Reclassification from R-10 and R-10 to R-A, for Harvey Holman, located NS of Fairbrook Road, NN of Minder Rd. lst District (Tun 6, October 3, 1967)

The Zoning Advisory Committee Las reviewed the subject petition and has the

IN CONTENSATION

IN THE PROPERTY OF THE PROPER

MEALTH PERANTHENT: Since public water and newer are available to the subject site,

STATE ROADS COMMISSION: Since there are no State roads involved, this office has no

FIRE BURKAU: Means of water and location of fire bydrants must be indicated on revised plans prior to the bearing. These hydrants must make Baltimore County Standardo.

BURSAU OF TRAFFIC INGINERRING: This office will review and make any necessary comment at a later date.

PROJECT FLANKING DIVISION: This office will review and make any necessary comment at a later date.

HAMD OF ADDLATION: If the property is developed as B-10 and B-h0 there will be a Yarla of Lh additional replace. If the reclassification is granted to BA there will be an additional student yelled of 96. The Chadrick Elementary School at the present time has no population problem.

ECKING APPENDISHATION DIVISION: If the petition is granted, no occupancy may be made until such time as plans have been submitted and approved and the property inspectsú

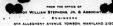
The above comments are not intended to indicate the appropriateness of the soning action requested, but to assure that all parties are made aware of plans or problems that say have a bearing on this ones. 'No livector angle the Peputy Elrector of the Uffice of Planning and Loning will subsit recommendations on the appropriateness of the requested soning 10 days before the Tends Commissions's hearing.

The following members had no comment to offer:

Stream of Industrial Development

JAMES S. DYER, Principal

JEDajd co: Carlyle Brown-Bur. of Equr. William Greenwalt-Walth Pert; John Meyers-St Roads Commission; Lt. Chas. Morris-Fire Bureau; G. Richard Moore-Traffic Albert V. Quinby-Project Planning



#68-103A September 25, 1967

Beginning for the same on the north side of Johnnycake Road (now known as Fairbrook Road), at a point distant 175 feet, more or less, seasured northwester! folio 284 etc. was conveyed by Sarah Holzman, widow, to Harvey Holzman, thence running with and binding on the first line of said first lot as corrected North 48° 13' West 650 feet to a point in or near the center of Johnnycake Road, thence running reversely with and binding on the third and fourth line of the second lot described in said deed as corrected North 43° 43' West 511.5 feet to a polyce north of and near the north side of said road and North 83° 13' West 239.25 feet o a point near the south side of said road, thence running reversely with and West 1023 feet and South 71° 58' East 1691.25 feet to the beginning of the thirt line of the asid first lot, themos running with and binding on said third line and on part of the last line of said first lot as corrected South 48° 13' East 660 feet and South 45° 43' 20" West 23.7; feet to the end of the first or North 46° 43' 20" East 1114.63 foot 15% of that tract of land which by deed dated July 27, 1964 and recorded among said Land Records in Liber R.R.G. #4337 folio 172 was conveyed by Farvey Holzman and wife to Board of Education of Caltin County and to the center of a 40 foot right of way which by deed dated September 29, 1949 and recorded among said Land deco.do 716 A. new T. S.S. #1791 nveyed by Jenjamin Ho'zman and sife the Consol dated Gas Electri:

BALTIMORE COUNTY, MARYLA

INTER-OFFICE CORRESPONDENCE

JAMES E. DYER TO Principal Zoning Technician Date October 24, 1967

SUBJECT Reclassification from R-10 and R-40 to R-A for Harvey Holzman, located N/S of Fairbrook Road, N/W of Winder Road, lst District

After further review of subject petition, these comments

Fairbrook Road is the only logical aucess to subject property until such time as Security Boulevard is completed east to Rolling Road. With this and another R-A zoned tract, total traffic on Fairbrook Road could be expected to reach 11,000 wehicles per day. With the existing vacant land adjacent to this road, the total could be expected to exceed 15,000 wehicles per day. Fairbrook Road is a single family residential collector designed to carry from 5,000 to 9,000 vehicles per day.

The only medium breaks permitted on Security Boulevard will be at its intersection with public roads; in this case, Fairbrook Road. Johnnycake Road must tee into Fairbrook Road.



AVO: vh



#68-103R September 25, 1967

Light and Power Cospans of Baltimore, thereo running with and binding on the second line of the Board of Elucation Property and binding in the center of said 40 foot right of way North 73° 09, 35" West 1174.88 feet, thence running with and binding on the third and last lines of the Board of Education property South 16° 50' 25" West 571.85 feet and South 40° 40' East 73 .54 feet to intersect the last line of said first lot, thence running with and Minding on part of said last line as corrected South 46° 43' 20' West 167.39 feet to the place of beginning.

Containing 30.9 Acres of rand more or less.

BALTIMORE COUNTY, MARYLAND

TO Mr. John G. Rose, Zoning Commissioner Date October 27, 1967

FROM George E. Gavrelis, Director of Planning

SUBJECT Petition #68-103-R.

3. Chadwick Elementary School was planned for a service area to be developed at cottage desisties. Although, as noted by the Department of Education, Chadwick Elementary School at the present time has no population problem, rezoning as requested under the subject petition - particularly in that it is all too likely to beget subsequent reclassifications of undeterminable extent - could decidedly lead to a population problem; this is just what has happened in other school

BAL MORE COUNTY, MAIL AND OFFICE OF FINANCE Disision of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204 To: Carl and Edward Julio 3024 Spoulding Ave. Baltimore, No. 21215 Zoning Dept. of Salto. Co. DEPOSIT TO ACCOUNT NO. 01-622 Patition for Reclassification for Herve, Holaman IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND The Harry Motors County OFFICE OF PLANNING AND ZONING CONTROL OF STATE OF S Ill v. Chesaprake Avenu. Towson, Maryland 21204 Your petition has been received and accepted for filing this Petitioner Petitioner's Attorney Reviewed by Aures Chairman of Advisory Com.

\$.0.00 Taco

50.00

68-103 R

Date of return 4-11-68

BALTIMORE COUNTY, MARYLAND No. 52070 OFFICE OF FINANCE DATE3/29/68 Division of Collection and Rec COURT HOUSE BILLED TOWSON, MARYLAND 21204 Office of Planning & Zoning 119 County Office Bldg., Towson, Md. 21204 6th floor, 100 S. Gay St. . Be timore, Md. 21202 \$85. GU DEFOSIT TO A COUNT NO. 01-622 \$70.00 Cost of appeal - property of Harvey Holaman 15.00 \$85.00 IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 2120 BALTMORE COUNTY, MARYLAND No. 49685 OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204 Carl and Edward Julie 3024 Spaulding Ave. Waltimore, Md. 21215

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLA

CERTIFICATE OF POSTIME DEPARTMENT OF BALTIMORE COUNTY Posted for Reclassification trem Ris & N.40 To R. A. Petitioner HARLEY HOZMAN Location of property: N/s at Fairbrook Rd -175'N. Wof Winder Rd Loration of Sun C. 21.2. Mill of Winder Rd on 1/5 of Fairficen Rd.

2. 1500 Mill of Winder Adm V5. of Fairfice Rd 3.770. Sulet Greensage N Date of return 10/26/67 3 Signs dvertising and posting of property for Hervey Holzsan CERTIFICATE OF POSTING 91.50 Petitioner Hervey Flotzman Location of property: N/S. of Jahowy sene Rd 175' MW of Winder Rd Location of Signs () 213 "War of Windson Rol on Mr. of Country on Rolling () 1950 " War of the where Boden Mr of Friedrick Roll State Country of the Windson Rolling Country of the Wind

Posted by Signature

PETITION FOR
REE LASSIFICATION
Is IDSTRICT
DISTRICT
100 IN A. 2000.
LOCATION: North side of
Johnycake Road (no knownas
Faitbrook Read (no knownas
Faitbrook Read) 175 feet North
west of Windsor Road.
NOVEMBER 6, 1007 at 7:00
P.M.
NOVEMBER 6, 1007 at 7:00
P.M.

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THE BALT DUNTIAN

No. I Newburg Avenue

CATONSVILLE, MD

Ocober 23,

1967

THIS IS TO CERTIFY, that the annexed advertisement of se, Zoning Commission of Bultimore County John G. Ho

was inserted in THE BALTIMORE COUNTIAN, a group of weekly newspapers published in Baltimore County, Maryland, once a week for 90% succession weeks before the 374 day o say the same was inserted in the issues of day of October, 19 67 , that is to

October 19, 1967.

THE BALTIMORE COUNTIAN

B, Paul J. Morgan Manager R. M.

