

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
 Brent T. Sauter and Bernice Sauter, his wife
 and W. Webster Sauter and Sara M. Sauter, his wife
 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-10 and R-6 zone to an
 R-A zone, for the following reasons:

1. Error in the original map.
2. Change in the character of the 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 elevator apartments

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.

Contract purchaser: Brent T. Sauter
 Address: 6828 Windsor Mill Rd. 21207
 W. Webster Sauter
 Sara M. Sauter
 6748 Windsor Mill Road - 21207

A. Owen Hennegan
 Petitioner's Attorney
 Address: 406 Jefferson Building, 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of March, 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 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 March, 1968, at 10:00 o'clock

John A. Moore
 Zoning Commissioner of Baltimore County

68-202-RX
 BRENT T. SAUTER, ET AL
 N/S of Road St. 335.75' E of Windsor Mill Rd.
 RA-X

ROBERT A. HUNTER, D.D., P.E.
 JAMES W. HARRIS, L.L.E.

JEROME L. FALK
 VALLEY TITLES

WHITEFORD, FALK, AND MARK
 Consulting Engineers - Land Surveyors
 Land Planners
 JEFFERSON BUILDING
 TOWSON, MARYLAND 21284

Descriptions to Accompany Petition for Reoning Classification of LAWNWOOD from R-6 and R-10 zones to R-A Zone with Special Exception for Elevator Apartments

January 5, 1968

Parcel A From R-10 Zone to R-A Zone

Beginning for the same at a point on the north side of Road Street 35 feet wide said point being North 41° 33' East 335.75 feet from Windsor Mill Road, said point intended to be the boundary of R-10 zoning and thence binding on said zoning boundary 350 feet distant from and parallel to the centerline of said Windsor Mill Road North 48° 27' East 718 feet more or less to intersect the outline of the whole tract of land of which this parcel is a portion and thence binding on said outline North 33° 40' 10" East 139.50 feet more or less to a point, thence North 09° 35' 10" East 295.48 feet to the southernmost outline of the property of the Board of Education known as Woodlawn Junior High School; thence binding on the southernmost outline of said Board of Education property North 87° 10' East 1535.14 feet to the westernmost outline of Plat #4 Hilltop Estates recorded among the Land Records of Baltimore County in Plat Book W.P.C. 28, folio 31 thence binding on said westernmost outline of Hilltop Estates South 32° 22' East 574.90 feet to a point on the northernmost outline of a plat known as Part 1 of Plat #3 Hilltop Estates recorded among

the Land Records of Baltimore County in Plat Book G.L.B. 24, folio 28; thence binding on said line and on a prolongation thereof South 43° 03' 25" West 1303.80 feet more or less to the R-10 zoning boundary previously mentioned and thence binding thereon North 48° 27' W 688 feet more or less to the south side of Road Street previously mentioned and thence to exclude the bed of said Road Street the three following courses and distances: (1) North 41° 33' East 43 feet more or less; (2) North 32° 40' W 36.37 feet; (3) South 41° 33' West 52 feet more or less to the point of beginning.
 Containing 38.8 acres, more or less.

Parcel B From R-6 Zone to R-A Zone

Beginning for the same at a point on the northeast side of Windsor Mill Road said point being the intersection of said Windsor Mill Road and the north side of Road Street 35 feet wide; thence northerly binding on the east side of Windsor Mill Road and on the frontage of Lot #11, Block B as shown on Plat #2 of Beverly Manor recorded among the Land Records of Baltimore County in Plat Book W.P.C. 7, folio 165 North 48° 27' West, 25.00 feet; thence leaving said Windsor Mill Road and binding on the north outline of said Lot 11 Block B North 41° 33' East, 135.00 feet to the westernmost outline of Lot 20, Block B as shown on said plat; thence binding on the westernmost outline of said Lot 20 North 48° 27' West, 125.00 feet to the rear of said lot; thence binding on the rear of Lots 20 through 23, Block B as shown on said plat

North 41° 33' East, 100.00 feet to the southwest corner of Lot 16, Block B as shown on said plat; thence binding on the westernmost outline of said Lot 16 North 48° 27' West, 125.00 feet to the south side of Beverly Avenue 35 feet wide; thence binding on said Beverly Avenue and on the frontage of Lots 16 through 19, Block B as shown on said plat, North 41° 3' East, 90.6 feet to the north outline of said plat of Beverly Manor; thence binding on said north outline South 89° 20' 47" West, 450.79 feet; thence North 30° 47' 50" West, 242.30 feet to the south side of a 10 foot right-of-way; thence binding on the south side of said 10 foot right-of-way South 33° 40' 10" West, 237.72 feet to the east side of said Windsor Mill Road; thence binding on the east side of said Windsor Mill Road North 47° 29' 50" West, 10.00 feet to the north side of said 10 foot right-of-way; thence binding for a part on the north side of said 10 foot right-of-way and on the southernmost outline of the plat of Holder Park recorded among the Land Records of Baltimore County in Plat Book W.P.C. 4, folio 38, North 33° 40' 10" East, 333.00 feet and thence binding on the boundary of R-6 zoning intended to be 350 feet distant from the centerline of Windsor Mill Road and parallel thereto South 48° 27' East 718 feet more or less to the north side of Road Street previously mentioned, and thence binding thereon South 41° 33' West 335.75 feet to the point of beginning.
 Containing 2.3 acres, more or less.

Parcel C From R-6 Zone to R-A Zone

Beginning for the same at a point on the south side of Road Street 35 feet wide said point being North 41° 33' East 150 feet distant from Windsor Mill Road, said point being the northwest corner of Lot 13, Block A as shown on Plat No. 2 of Beverly Manor recorded among the Land Records of Baltimore County in Plat Book W.P.C. 7, folio 165 and thence binding on said Road Street and on the frontages of Lots 13 through 21 Block A as shown on said plat North 41° 33' East 179.66 feet to the boundary of R-6 zoning intended to be 350 feet from and parallel to said Windsor Mill Road and thence binding on said zoning line South 48° 27' East 636 feet more or less to the outline of the whole tract of land of which this parcel is a portion, thence binding on said outline South 43° 03' 25" West 160 feet more or less to a point; thence North 32° 40' West 151.75 feet, more or less to the south side of a private right-of-way 50 feet wide; thence binding on the south side of said private right-of-way South 39° 57' West 224.0 feet to the east side of Windsor Mill Road; thence binding on the east side of said Windsor Mill Road North 48° 27' West, 50 feet to the north side of said right-of-way; thence binding on the north side of said right-of-way North 39° 57' East, 238.0 feet to a point; thence North 32° 40' West, 151.75 feet more or less to the south side of a second 50 foot right-of-way; thence binding on the south side of said second 50 foot right-of-way South 39° 57' West, 278.0 feet to the east side of Windsor Mill Road;

thence binding on the east side of said Windsor Mill Road North 48° 27' West, 50 feet to a point on the north side of said second 50 foot right-of-way now being described said point also being at the north side of a private road 16-1/2 feet wide as recorded on the plat of Beverly Manor previously mentioned; thence binding on the north side of said 50 foot right-of-way and of said private road North 39° 57' East, 293.25 feet to a point at the southeast corner of said Plat #2 of Beverly Manor previously mentioned; thence binding on the easternmost outline of said plat of Beverly Manor North 32° 40' West, 149.7 feet to the southeasternmost corner of Lot 20, Block A as shown on said plat; thence binding on the rear lines of Lots 13 through 20 Block A South 41° 33' West, 194.0 feet to the southwesternmost corner of Lot 13, Block A; thence binding on the westernmost line of Lot 13 Block A North 48° 27' West, 150.0 feet to the point of beginning.
 Containing 2.3 acres, more or less.
 These descriptions have been prepared from existing plats and descriptions and do not imply a recent survey.

BRENT T. SAUTER, ET AL
 N/S Road St. 335.75' E, Windsor Mill Road
 Parcel A - R-10 to R-A
 Parcel B - R-6 to R-A
 Parcel C - R-6 to R-A
 SE - Elevator Apartments (2)

NO. 68-202-RX

2nd District
 Jan. 30, 1968 Petition filed
 Apr. 16 Rec. and SE DENIED by D.Z.C.
 May 15 Order of Appeal to County Board of Appeals
 Mar. 5, 1970 Rec. and SE DENIED by the Board
 Apr. 2 Order for Appeal filed in the Circuit Court (File #4435)
 June 17 Record of proceedings filed in the Circuit Court
 Sept. 16 Order to Dismiss Appeal filed in the Circuit Court by A. Owen Hennegan, attorney for petitioners

DENIED

BRENT T. SAUTER, et al
 Petitioners - Appellants
 vs.
 JOHN A. SLOWIK
 WALTER A. REITER, JR. and
 JOHN MILLER, being and constituting
 the COUNTY BOARD OF APPEALS FOR
 BALTIMORE COUNTY
 Appellees
 and
 MARGARET PSHE, et al
 Protestants - Interveners

ORDER TO DISMISS

Please dismiss the Appeal filed herein on behalf of the
 Petitioners - Appellants.

A. Owen Hennegan
 Moore, Hennegan, Brannan & Carney
 406 Jefferson Building
 Towson, Maryland 21204
 216-7100
 Attorney for Petitioners-Appellants

I HEREBY CERTIFY that on this day of September, 1970, I mailed a copy of the foregoing order to Dismiss to Fred E. Waldrop, Esquire, Loyola Federal Building, Towson, Maryland 21204, Attorney for Protestants, and County Board of Appeals for Baltimore County, County Office Building, Towson, Maryland 21204.

A. Owen Hennegan

*Rec'd 9/16/70
 11/17*

10-7-70

February 2, 1968

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21284

Re-classification from an R-10 and 2-6 to an R-A zone and a Special Exception for elevator apartments, for Brent T. Sauter, located N5 Road Street, 335' E of Windsor Mill Road 2nd District (Item 84, January 30, 1968)

Dear Sirs:

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

BUREAU OF ENGINEERING
Water - Existing 12" water in Windsor Mill Road. Existing 8" water in Windsor Blvd., Wilmont Drive and in Brookmont Drive. Pumps may be required to supply water to upper levels of the elevator apts.
Sewer - Existing 8" sanitary sewer in Windsor Mill Road. Existing 8" sanitary sewer in Wilmont Drive and in Brookmont Drive.
Road - Windsor Blvd. is to be developed as a minimum 40' road on a 70' R/W; however, the alignment of this road remains tentative and is subject to change at the time of development of the site. Windsor Blvd. is not scheduled for construction under the present budget.

BUREAU OF TRAFFIC ENGINEERING
Windsor Blvd. is proposed but is not planned for construction at any time in the near future. An apartment site of this size with the only access being Read Street and the existing private drives is not adequate to handle the 6000 trips per day that will be generated by this apartment site.

PROJECT PLANNING DIVISION
This subdivision is in total agreement with the Bureau of Traffic Engineering. Access as shown is completely inadequate for this size project.

HEALTH DEPARTMENT
Since public water and sewer are available to this site this office will have no comments.

FIRE BUREAU The developer shall be required to meet Baltimore County Standards for Fire hydrants.

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:

State Roads Commission
Building Engineer
Board of Education
Industrial Development

cc: Carlyle Brown-Bur of Engr.
C. Richard Moore-Bur of Trff. Engr.
Albert V. Quinby-Project Planning
Julius Resano-Health Dept.
Capt. Chas. Morris

Very truly yours,
John G. Rose
JOHN G. ROSE
Zoning Supervisor

3/6/68 10:00

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21284

Your Petition has been received and accepted for filing this
30th day of January, 1968.

John G. Rose
JOHN G. ROSE
Zoning Commissioner

Petitioner: Brent T. Sauter
Petitioner's Attorney: A. Owen Hennegan, Esq.
Reviewed by: *James S. Hays*
Chairman of Advisory Committee

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: February 23, 1968

FROM: Leslie H. Graef, Deputy Director of Planning

SUBJECT: Petition #68-202-RX. North side of Read Street 335.75 feet East of Windsor Mill Road. Petition for Reclassification from R-10 & R-6 to R.A. Zone. Petition for Special Exception for Elevator Apartments. Brent T. Sauter, et al - Petitioners

2nd District

HEARING: Wednesday, March 6, 1968 (10:00 A.M.)

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

- As we have noted before, zoning should provide opportunities to develop a variety of housing types in a given area. There is little R-10 zoning left in the vicinity of the subject property, reclassification of this property for apartment use would further limit the quantity of R-10 land, and would thus run counter to the goal of providing variety. From a planning viewpoint, there is already sufficient apartment zoning in this area.
- The existing R-10 zoning is logically related to the zoning pattern in the general area. There is a gradual transition - via R-6 - from the subject property to apartment zoning located to the east.
- From a planning viewpoint, access to this site is not appropriate for apartment development; we note, in fact, that present access is not even sufficient from a traffic engineering standpoint, according to the comments submitted by the Bureau of Traffic Engineering. Completion of Windsor Boulevard has been given no priority, in that it is not scheduled within the capital budget or five-year capital program. Further, the State Roads Commission has not planned for an interchange between Windsor Mill Road, Windsor Boulevard and the Beltway.
- In view of the above considerations, we do not believe that the zoning map's commitment to moderately low cottage density should be broken.

LAW OFFICES
A. OWEN HENNEGAN
406 JEFFERSON BUILDING
108 WEST CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204

May 13, 1968

Edward D. Hardesty, Deputy Zoning Commissioner
County Office Building
Towson, Maryland - 21204

Re: Petition for Reclassification and Special Exception, N/S Read Street, 335.75 feet East of Windsor Mill Road - 2nd District Brent T. Sauter, et al. Petitioners #68-202-RX

Dear Mr. Hardesty:

Please enter an Appeal to the Baltimore County Board of Appeals in the above matter, from your Order of April 16, 1968, denying the reclassification and special exception.

Enclosed is check in the amount of \$70.00 representing cost of filing this appeal.

Very truly yours,

A. Owen Hennegan
A. Owen Hennegan
Attorney for Petitioners

AOH:mf

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

TELEPHONE 823-3000 EXT. 387

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE No. 51779 DATE Feb. 13, 1968

Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

TO: A. Owen Hennegan, Esq., 406 Jefferson Building, Towson, Md. 21204

Re: Petition for Reclassification & Special Exception for Brent T. Sauter, et al

QUANTITY	DESCRIPTION	TOTAL AMOUNT
1	Petition for Reclassification & Special Exception for Brent T. Sauter, et al	\$70.00

REPORT TO ACCOUNT NO. 91-622

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

TELEPHONE 823-3000 EXT. 387

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE No. 54429 DATE 4/19/68

Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

TO: A. Owen Hennegan, Esq., 406 Jefferson Bldg., Towson, Md. 21204

Re: Posting of signs for appeal hearing -- 3 signs

QUANTITY	DESCRIPTION	TOTAL AMOUNT
3	Posting signs for appeal hearing -- 3 signs	\$15.00

REPORT TO ACCOUNT NO. 91-622

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

TELEPHONE 823-3000 EXT. 387

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE No. 65665 DATE 4/27/68

Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

TO: A. Owen Hennegan, Esq., 406 Jefferson Building, Towson, Maryland 21204

Re: Cost of certified documents - Case No. 68-202-RX

QUANTITY	DESCRIPTION	TOTAL AMOUNT
1	Cost of certified documents - Case No. 68-202-RX	\$13.00

REPORT TO ACCOUNT NO. 91-712

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

TELEPHONE 823-3000 EXT. 387

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE No. 54360 DATE 5/22/68

Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

TO: A. Owen Hennegan, Esq., 406 Jefferson Building, Towson, Md. 21204

Re: Cost of appeal - Property of Brent T. Sauter, et al

QUANTITY	DESCRIPTION	TOTAL AMOUNT
1	Cost of appeal - Property of Brent T. Sauter, et al	\$70.00

REPORT TO ACCOUNT NO. 91-622

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: 5/22/68
Posted for: *Robert P. Sauter & Co.*
Petitioner: Brent T. Sauter
Location of property: N/S Read St. 335' E of Windsor Mill Rd.
Location of Signs: *Read of North E. End of Northwood Lane
E. End of Read St.*
Remarks: *Billboard on signpost & banner on front of property*
Posted by: *[Signature]* Date of return: *5/22/68*

TELEPHONE 823-3000 EXT. 387

INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE No. 53040 DATE Nov. 12, 1967

Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

TO: Brent T. Sauter, 406 Jefferson Building, Towson, Md. 21204

Re: Advertising and posting of property for Brent T. Sauter, et al

QUANTITY	DESCRIPTION	TOTAL AMOUNT
1	Advertising and posting of property for Brent T. Sauter, et al	\$60.00

REPORT TO ACCOUNT NO. 91-622

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
111 W. Chesapeake Avenue
Towson, Maryland 21204

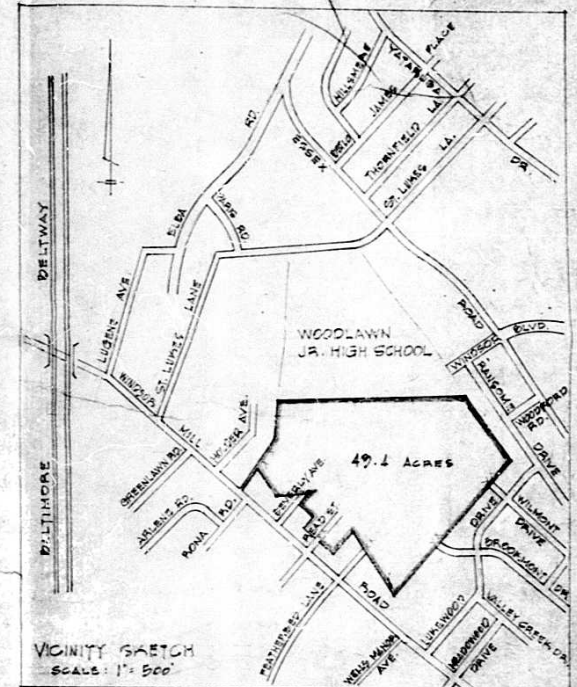
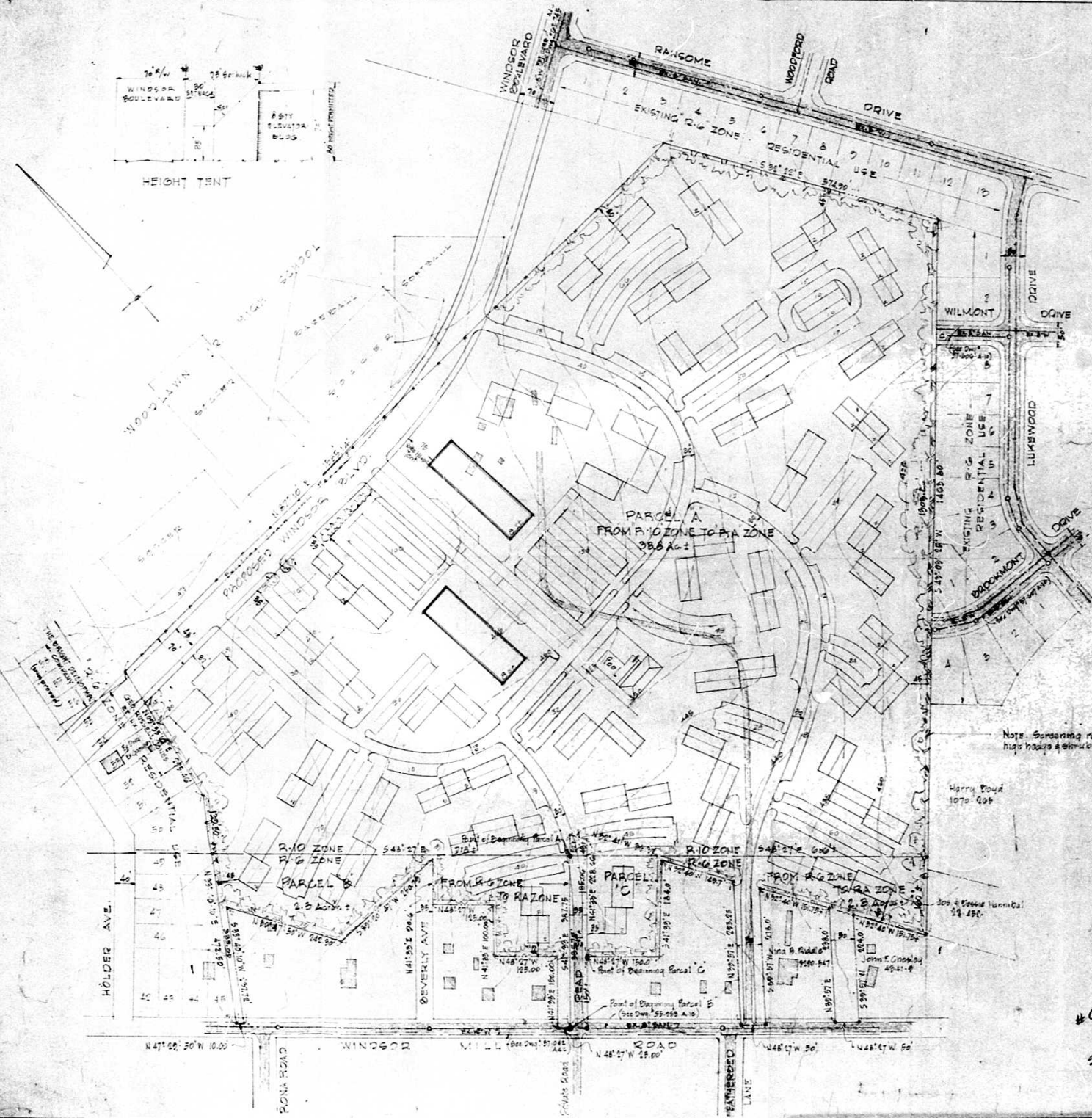
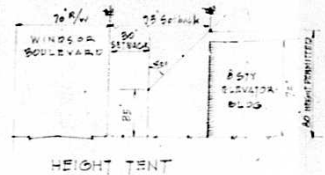
Your Petition has been received and accepted for filing this
30th day of January, 1968.

John G. Rose
JOHN G. ROSE
Zoning Commissioner

Petitioner: Brent T. Sauter
Petitioner's Attorney: A. Owen Hennegan, Esq.
Reviewed by: *James S. Hays*
Chairman of Advisory Committee

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: 5/22/68
Posted for: *Robert P. Sauter & Co.*
Petitioner: Brent T. Sauter
Location of property: N/S Read St. 335' E of Windsor Mill Rd.
Location of Signs: *Read of North E. End of Northwood Lane
E. End of Read St.*
Remarks: *Billboard on signpost & banner on front of property*
Posted by: *[Signature]* Date of return: *5/22/68*



DENSITY CALCULATIONS

EXISTING ZONING - R-10 A.P.G.
 PROPOSED ZONING - R-A
 GROSS RES AREA - 49.4 ACRES
 NET RES AREA - 42.0 ACRES
 DESIGNED DENSITY:

GROSS:	20 %
NET:	20.7 %
TOTAL:	668

PERMITTED DENSITY:

GROSS:	20 %
NET:	20.7 %
TOTAL:	668

OFFSTREET PARKING:

REQUIRED:	668
PROVIDED:	1082

MAP
 2-B
 WESTERN
 AREA
 NW-3-F
 11W-4-F
 RA-X

PLAT TO ACCOMPANY PETITION FOR RECLASSIFICATION OF ZONING FROM R-G & R-10 ZONES TO RA ZONE WITH SPECIAL EXCEPTION FOR ELEVATOR APARTMENTS
'LAWNWOOD'
 2ND ELECTION DISTRICT
 SCALE: 1" = 100'

BALTIMORE CO. MD
 JANUARY 8 1964

#65-202PX

SCALE: 1" = 100'



BERNARD M. WILLEMAIN
 LAND PLANNER

WHITEFORD, FALK & MACK
 CONSULTING ENGINEERS & LAND SURVEYORS
 JEFFERSON BLDG.
 TOWSON, MD 21284