£69-481- ₹ PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY POT SPRING JOINT VENTURE AND a partnership, comprised of Eugene F. Ford and Walter J. Hodges A S DATER CO-PATTNERS, See Section 2. of the property situate in Baltimore County and which is described in the descriptorsand plastitude therefore and made a part hereof, thereby petitional that the rousing status of the herein described property be re-classified, pursuant of the county and which is described by the county and which is described in the descriptorsand plastitude there is an article of the county and the county and the county of the classified property be re-classified, pursuant of the county of the

to the Zening Law of Faltimore County, Area as set forth in Exhibit Area and attached hereto and made part hereet;

RA

ROP for the following reasons

R-26

1. Since adoption of the Zoning Map for the Eighth Election District of Baltimore County, the character and conditions of the area have so changed that a reclassification of Petitioner's premises to an R.A. Zone, with prevision for a reasonable buffer area classified R.20, is justified, appropriate and in fact required under proper zoning standards and principles.

2. There was error in adoption of the Zoning Map for the Eighth Election District of Baltimore County, Maryland, by without the neighborhood of adequate provisions thereon cassification of Petitioner's property will remedy such error and serve to provide housing demanded and required by the public generally, with no adverse affect on neighboring properties.

NOW HER THE PRODUCT AND REPORT THE NEW YORK NEW YORK STATES AND ADDRESS OF THE PROPERTY OF THE

EFFEX SEXENCEN PREFERENCE AND SEXES SEXES

Property is to be posted and advertised as prescribed by Zoning Regulations. Lor 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 POT SPRING JOINT VENTURE

Contract purchaser

By Eurene F. Fort, Partner
By Walter J. Wodsks, Legal Owner
Partner
1035 Maryland National Bank Blds
Baltimore, Maryland 21202 Protestant's Attorney

M. William Adelson, Petitioner's Attorney 1035 Maryland National Bank Bldg. Address Baltimore Maryland 21202 Plaze 2-6682

Charles State Re ORDERED By The Zoning Commissioner of Baltimore County, this 16th day

..... 196.8. that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general eleculation through out Bastimore County and reperty 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

____day of ____ August ______ 1968 _at1:00 __o ma IN Com Zoning Commissioner of Baltimore Count # 65-356-8

H. LES ALLERS, JE. BLOR CLAROKE

POT SPR

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Spring Road 1142.

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William F. and Laurene Patricia Neale 2125 Pot Spring Road Timonium, Maryland 21093

Edward B. and Carol J. Boyle, Jr. 303 Gateswood Road Timonium, Maryland 21093

Godfrey B. and Jean R. Child 2215 Foi Spring Road Timonium, Marylan.' 21093

Robert M. and Peggy W. Garrique 2209 Pot Spring Road Timonium, Maryland 21093

Ole and Lillian M. Fosse 303 East Timonium Road

Timonium, Maryland 21093 Philip and Alice V. Levoff 318 East Timonium Road Timonium, Maryland 21093

Donald L. and Connie D. Merriman 7 Lochview Court Timonium, Maryland 21093

R. Benjamin and Margaret Ellen Price 307 Lockview Terrace Timonium, Maryland 21093

Stanley C. and Audrey D. Magersupp 2315 Ravenview Road Timonium, Maryland 21023

John R. and Mary D. Owens Timonium, Maryland 21093

Francis G. and Daris E. Schirme 923 Knolton Road Timonium, Marylar J 21093

George H. and Audrey Campbell Webster 221 Gateswood Road Timonium, Maryland 21093

Edward C. and Phyllis M. Stermer 21: Gate:wood Road Timonium, Maryland 21093

KE: PETITION FOR RECLASSIFICATION from R-40 to R-20 zone (Parcel B); R-20 to R-A zone (Parcels E and F); B.L. to R-20 zone (Parcel G); and B.L. to R-A zone (Parcel H) W/S Pot Spring Road 1142.91* S. of Cinder Road, 8th District Pot Spring Joint Venture (Eugene F. Ford and Walter J. Hodges, co-partners)

BEFORE COUNTY BOARD OF APPEALS

OF

BALTIMORE COUNTY No. 69-48-

ORDER OF DISMISSAL

Petition of Pot Spring Joint Venture (Eugene F. Ford and Walter J. Hodges, co-partners) for reclassification from R-40 to R-20 zone (Parcel B); R-20 to R-A zone (Parcels E and F); B.L. to R-20 zone (Parcel G); and B.L. to R-A zone (Parcel H); or property located on the west side of Pot Spring Road 1142.91 feet south of Cinder Road, in the Eighth Election District of Baltimore County

WHEREAS, the Petitioner-Appellee has dismissed and withdrawn his petition for reclassification by Letter to the County Board of Appeals dated November 19, 1962, a copy of which is attached hereto and made a part hereof, said withdrawal of petition being

It is hereby ORDERED this 4th day of December, 1969, that the said petition for reclassification be and the same is hereby DISMISSED, and the property shall remain in the same zoning classifications as prior to the filing of this petition

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Baldwin, Chairman

W Giles Parker

PETITION FOR RECLASSIFICATION W/S of Pot Spring Road, 1142,913 S of Cinder Road - 8th District Pot Spring Joint Venture - Petitioner NO. 69-48-R BEFORE THE DEPUTY ZONING

BALTIMORE COUNTY

Mr. Commissioner:

Please enter an Appeal on behalf of the following persons, husbands and wives, property owners and taxpayers, to the County Board of Appeals on the Order of the Deputy Zoning Commissioner dated the 17th day of January, 1969, in the above

Cornelius J. and Irene W. Rosa 2102 Starmount Lane Timonium, Maryland 21093

Anne D. Greer 2117 Starmount Lane Timonium, Maryland

Rafael and Larie Alfonso 309 Chapelwood Lane Timonium, Maryland 21093

C. Baker Ramsay and Daris Ramsay 314 Chapelwood Lane Timonium, Maryland 21093

William J. and Catherine Eck 2102 Chapelwood Cour* Timunium, Maryland 21093

Vernon and Evelyn Noite 2165 Chapelwood Court Timonium, Maryland 2:093

Dennis and Marguerite Foster 5 Candletight Court Timonium, Maryland 21093

Edward J. and Elsa Foell 10 Candlelight Court Timonium, Maryland 21093 Clifford and Hilda Youngen 1) Candlelight Court Timonium, Maryland 21093

Gino B. and Lori Bardi 2110 Dulaney Valley Road Timonium, Maryland 21093

Russell C, and Rugh Walters 2108 Dulaney Valley Road Timonium, Maryland 21093

Henry A. and Anne Fischer 411 Fax Chapel Drive Timonium, Maryland 21093

Wilber G. and Janel Smith 402 Fox Chapel Drive Timonium, Maryland 21093

William C. and Carolyn M. Franz 232 Gate:wood Road Timonium, Maryland 21093

F. Norman and Marilyn A. Hillis, III 226 Gateswood Road Timonium, Maryland 21093

Louis V. and Jean F. Coursen 2003 Knalton Road Timonium, Maryland 21093

Edward K. and Helen M. Barney 2000 Knolton Road

Timonium, Maryland 21093

Joseph and Helen M. Guzzo 216 Gateswood Road Timonium, Maryland 21093

Robert W. and Violet C. Bremne: 212 Gate:wood Road Timonium, Maryland 21093

Paul and Frances Neus 1901 Northleigh Road Timonium, Maryland 21093

Warrington G. and E. June Smith 2201 Por Spring Road Timonium, Maryland 21093

William E. and Kay A. Brooks 206 Charmuth Road Timonium, Maryland 21093

. Robert and Charlotte D. Turadian 215 Charmuth Road T-monium, Maryland 21093

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rrq 1 n 'Ro AM ---

BOUNDS, SCHOELER & SHORT

Merrer G. Schoeler, Werner G. Schoeler, Attorney 'or the above Appellants 6630 Bultimore National Pike Baltimore, Mary!and Telephone -- 744-8200

November 19, 1969

WEINBERG AND GREEN

BALTIMORE, MD 21202

County Board of Appeals County Office Building Towson, Maryland Re: Appeal 69-48 R

Gentlemen:

On behalf of our client, Pot Spring Joint Venture, we hereby request that the petition to rezone the property which is the subject of the above appeal be sithdrawn.

Howard M. Leadel Howard M. Friedel

55: 111

Pot Spring Joint Venture, the owner of the subject property, consents to the withdrawal of the which is the subject of the above-captioned appeal.

POT SPRING JOINT VENTURE

By: General Partner

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO ... Mr. John G. Rose, Zoning Commissioner Dat. August 13, 1968

FROM Grange E. Gavrelis, Director of Planning

ALBURCT Petition *69-48-3. Reclassification for Parcel 3 from R-40 to R-20, Parcel E from R-20 to R.A., Parcel F from 8-20 to R.A., Parcel g from 5.1. to R-20, and Pracel H from 8.1. to R.A. Zone. West side of Pot Spring Road 1142, 91 feet South of Cinder Road. Pot Spring Joint Wenture, Petitionary

8th District

HEARING: Wednesday, August 28, 1968 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassifications and has the following advisory comments to make with respect to pertinent planning factors:

- Under Petition f65-366-R the Planning staff made comment on a similar petition for the same property which subspently was withdrawn. In that petition we noted that we would much prefer to see commercially zoned portion of its treat developed in an apartment context as contrasted with marginal commercial activities. We also stressed the need for buffering against the single lamil; residential edge of this tract. From strictly an alternative basis, our feelings remain unchanged.
- Medbury Road should be looped into Northleigh Road and single family housing should be developed along both sides of the resulting frontage.
- If the area along the southerly side of the stream were to remain open and such openness could be goaranteed in some binding way, the notion of re-classification here would be acceptable.
- We feel that there is a definite commitment to R-40 zoning on both sides of Pot Spring Road and that such zoning should be maintained along its westerly frontage.
- Recent apartment development in me York Road covidar has in fact created demands and pressures by residents "hereof on our school system. In spite of our land use statements, we must note then the Transium Elements in the coverage of the designed capacity and then no additional relief is in site. Our coverage of the designed capacity and then no additional relief is in site. Our met experience indicates that construction of 200 apartments here would demand praysition of between two to four additional classrooms in the Timoslum Elementary School. We do not reel that the service enres of neighboring elementary school. We do not reel that the service enres of neighboring classrooms which are controlled to school to be called.

- 3 -

RE: PETITION FOR RECLASSIFICATION : W/S of Pot Spring Road, 1142, 91' S of Cinder Road - 8th District Pot Spring Join: Venture - Petitioner NO. 69-48-R

DEPUTY ZONING COMMISSIONER

OF

BALTIMORE COUNTY

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The Petitioners in this case. Eugene F. Ford and Walter J. Hodges, co-partners, trading as Pot Spring Joint Venture, legal owners of mately thirty-three acres of land on Pot Spring Road, south of Cinder Road, in the Eighth Election District of Baltimore County, Maryland, have requested reclassification of the major portion of their property, as follows:

- 18. 914 acres (central sector) from a BL zone to a RA zone. This central portion of the property re-presents the principal buildable area of the entire tract and the core of any development of the site.
- b. 4.969 acres from a R-20 zone to a RA zone The Surveyor's plat accompanying the Petition indicate: that no building is proposed to be located within this portion of the property which lies between the central ney Forest Subdivision to the south and tha the land would be maintained in lawn, trees and oth
- c. 4.482 acres from a R-20 zone to a RA zone. This portion of the property lies between the central sector and the playground of the Timonium Elementary School to the west.
- d, 1.211 acres from a BL zone to a R-20 zone, The plat accompanying the Petition indicates that this portion of the property which lies between the central sector and Pot Spring Road would not be further sub divided and that the land would be maintained in lawn and trees and provide a monumental type entranc to the proposed apartment developing
- e. 1,225 acres from a R-40 zone to a R-20 zone This portion of the property lies in the southeast corner of the entire tract, between the central sector and Pot Spring Road on the east, and the Dulaney Forest Subdivision on the south.

No change is proposed for the remainder of the subject property (2,229 acres), binding along the Northampton and Dulaney Forest Subdivisions, which is to

This care presents the seldom encountered problem of an effort to up-grade the zoning classification of the bulk of the land from a Business Local zoning classification to the higher Residential Apartment classification. Such a reclassification would eliminate commercial development of the property with stores and parking in the commercially zoned area, as well as possible accessory parking in the adjoining residentially zoned areas, subject to obtaining a permit therefor under Section 409, 4 of the Baltimore Coun ty Zoning Regulations. Testimony was presented to show that commercial tenants, including a national grocery chain, had approached the owners for leases, out had been rejected because the owners preferred to develop the land with apartments; a field in which they had wide experience and background. Zoning regulations, such as those in Baltimore County, universally recognize that residential uses are of a higher type and, generally speaking, more desirable than commercial ones. Such widespread zoning recognition would seem impliedly to recognize the intrinsic appeal for tavorable response to a property owner's request for such change of his property to a higher zoning classification. Although there has been recognition of this principle in scattered decisions in other states, the Maryland Court of Appeals has specifically sidestepped the issue in the few Maryland cases which have squarely presented the question. See, Carey v. Martin, Daily Record, December 21,

The Petitioners, recognizing that they could not safely rely upon the zoning upwards of the land, presented testimony of changed condineighborhood since adoption of the Land Use Map on December 20. 1955, and the propriety of reclassifying the subject property for apartment rather than business use. Four witnesses testified for the Petiti no evidence whatever was presented by the Protestants, who did record the extensive opposition to the application, and the representation of same through a number of attorneys who entered their appearance in the case. Of course, this did not serve to controvert any of the testimony of the Petitioners

es, so that it stands undisputed, but nevertheless, must be reviewed to determine its adequacy to justify the zoning change,

At least three of the witnesses who testified were recognized experts. Eugene F. Ford, one of the owners, who led ou the testimony, prohably could also have qualified as an expert in his own right because of his extensive experience in the construction and operation of all types of apartment projects on a large scale. The three experts, whose qualifications wer conceded, were John Hocheder, Jr., a professional engineer, with a thorough knowledge of road and utility installations in Baltimore County; W. Worthington Ewell, another professional engineer, specializing in highway and traffic conditions; and Bernard Willemain, an expert in the field of city planning, site planning and zoning.

Mr. Ford, after outlining the reasons for preferring to build apartments on the site as more in keeping with the neighborhood, described the tentative plans for the project, and stated that cost factors precluded preparation of actual plans until zoning authorization had been finally obtained. At that time, Mr. Ford testified that he proposed to use a high caliber architect, of the type who had designed a national award winning project for him at another location. Mr. Ford presently proposed to erect and operate on the property, a brick colonial garden apartment project with five hundred apartment units, a swimming pool, a community hall, and seven hundred and eightyfive of .- street parking spaces. The provision for parking is far n excess of Baltimore County requirements and appears to be more than adequate.

It was proposed that the buildings be specially designed and located to blend with the existing topography and surrounding architecture, with relatively large screening areas along the east, west and south sides of the building area, and the buildings of major density to the south and west of the Rocce property, on which there is operated a commercial riding stable. The apartments are to be of a luxury type, with e.e and two bedroom units at rentals ranging from \$200,00 to \$300,00 per month. The apartment buildings

- 3 -

would cover only ten percent of the land, leaving the remaining ninety percen for open space. Access to the property would only be through public roads already established in the area, and there would be no direct vehicular access between the apartment site and any existing subdivision.

The expert witnesses demonstrated the change in conditions in the neighborhood with respect to roads, sewer and water; the absence of traffic problems; and the impact of the demand for apertments in the north Towson area, which was not recognized or foreseen by the 1955 Land Use Map. Their testimony, standing uncontradicted, overwhelmingly established that changes had occurred, justifying reclassification, especially in the light of upgrading of the subject property. Briefly summarized, the testimony of the expert witnesses established the facts hereinafter set forth.

Water first became available to the property after December 1955, through the extension of numerous water lines, the installation of the Stratford and Spring Lake tanks and the May's Chapel Reservoir, and a general boosting up of the water pressure in the area. As a result of major installerlone, there is now no problem involved in providing water to the proposed five hundred unit apartment project. Sewer facilities, shortly to become available, assure more than adequate sewer service for the proposed

Virtually all neighborhood streets in the subject area were constructed after December 1955. The principal road installations since that time include the tie-in of Timonium Road with the Harrisburg Expressway, and the extension of Timonium, east to Pot Spring Road; the construction of Padonia Road, from its interchange with the Harrisburg Expressway, to Cranbrook Road, and the present designing of it for extension to Pet Spring Road; and the construction of Ridgely Road. Pot Spring Road itself has been improved and widened from Dulaney Valley Road to Margate, and the widening of the balance of Pot Spring, from Margate to Bosley Road, is scheduled for completion in 1971. A study of the projected traffic flow ema-

- 4 -

nating from the proposed apartment development during peak hours, showed that the improved road system was adequate to serve the traffic of the apartment project, without adverse affect on the neighborhood, and was obviously less than would be generated by a commercial shopping center-type develop

The most significant change since adoption of the December 1955 zoning map, was the emergence of a strong demand for apartments, for which no provision was made on the zoning map for the Eighth Election District, except for confirming the use of the one-half acre Lan-Lea property on York Road. Conversely, the demand for apartments in the north Towson area, not anticipated by the Map, has continued to rise to the present time. There is a shortage or land to meet the demand for apartments, which the subject site is strategically located to satisfy. Mr. Willemain particularly testified that the combination of utility and road changes, failure of the Map to provide for apartments, existing demand for rental units in the general area, and the lack of appropriate land to meet such demand, justifies a change in classification of the subject property to permit apartment use. The demand for apartments, and the failure to provide for it on zoning maps has been held to be sufficient evidence of a change to justify reclassification Rohde v. County Board, 234 Md. 259, 268; Johar Corp. v. Rodgers Forge, 236 Md. 106, 121.

There was an attempt to generate some controversy in crossexamination of Mr. Willemain concerning the adequacy of schools to serve the project. It was, of course, impossible to delineate the exact schools which children of prospective tenants might wish to attend, whether public or private, and in what grade categories. However, the testimony showed that the development of the property with one and two bedroom units would not produce more than forty or fifty children at most, as contrasted with a school board estimate based on sixty or seventy children in an apartment project with units of two bedrooms, or more. The uncontradicted testim

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of Mr. Willemain showed that none of the schools in the area were at capather, that a declining enrollment could be expected. While the possibility of over-population of school facilities is a factor to be considered the evidence does not support such a claim. Nor would such an inconvenience which any member of the public may suffer, of itself, necessarily require a denial of the application. Marcus v. Montgomery County, 235 Md. 535, 541, Moreover, the expert evidence all indicated that the apartments would not be detrimen at to the health, safety or general welfare of the community,

Granting of this Petition would eliminate all potential for commercial development of the site. The combination of changes in sewer, water and road facilities strongly demonstrates charged conditions in the neighbor hood, justifying the requested reclassification, aside from the unsatisfied apartment demand, not foreseen by the Map. Such change will provide a be ter land use under which nearby name properties will be protected from commercial encroachment, and property values in the neighborhood should be stabilized and preserved.

For the aforegoing reasons, IT IS ORDERED by the Deputy nmissioner of Baltimore County, this _______ day of January, 1969, that the herein described property or area should be and the same is hereby reclassified, from and after the date of this Order, as follows:

- (a) Parcel B (1, 225 acres) is reclassified from a R-40 zone to a R-20 zone:
- (b) Parcel E (4, 482 acres) and Parcel F (4, 969 acres) are reclassified from a R-20 zone to
- (c) Parcel G (1,211 acres) is reclassified from a BL zone to a R-20 zone; and
- (d) Parcel H (18, 914 acres) is reclassified from a BL zone to a RA zone.

The above reclassifications are subject to approval of the site plan by the Bureau of Public Services and the Office of Planning and Zoning,

Mund D. Hardety Deputy Zoning Commissioner of

SCHEDUEL OF ZONING CHANGE

Pot Spring Joint Venture petitions that the zoning status of its property be reclassified, pursuant so the zoning Laws of Baltimore County, as follows:

Parcel B (1.225 acres) be reclassified from an R.40 Zone to an R.20 Zone. Parcel E (4.482 acres) be reclassified from an R.20 to R.A. Zone. Parcel F (4.969) be reclassified from an 8.20 to 8.4. Tone Parcel G (1.211 acres) be reclassified from a B.L. to an R.20 Zone. Parcel H (18.914 acres) be reclassified from a B.L. Zone to an R.A. Zone.

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Engineers P.O. Box 6825, Towson, Md. 21204

November 15, 1967 #69 48R Pot Spring Apartments 1.22' Acres R-40 to R-20. PARCEL B

FROM THE OFFICE OF GEORGE WILLIAM STEPHERS, JR. & ASSOCIATES, INC.

Beginning for the same on the west side of Pot Spring Road as intended to be widened to 60 feet at a point 1142.91 feet southerly from the center line of Cinder Road, 30 feet wide, and running thence binding on the southernmost outline of the land described in Ealtimore County Zoning description 8-BL-5. South 81º 18: 07" West 195.27 feet to the westernmost outline of the land described in Baltimore County Zoning Jescription 8+840-6; thence binding on part of said westernmost outline the three following courses, viz: first along a curve to the left with a radius of 1196.10 feet for a distance of 132.62 feet, said curve being subtended by a chord bearing South 14° 38' 34" East x32.55 feet to a point of tangency, second South 17° 49' 09" East 106.41 feet to a point of curvature of a "urve to the right and this; along said curve to the right with a radius of 491,20 feet for a distance of 46.21 feet, said curve being subtended by a chord bearing South 15° 07' 27" East 46.19 feet to a point on the sixth or North 74° 28' 30" East 371.45 foot line of that parcel of land conveyed by Thomas J. Guidera et al to Frank J. O'Neill Realty Company by deed dated Nav 26, 1955 and recorded among the Land Records of Baltimore County in Liber 2705, folio 370, said point being 230.77 feet from the end of said last described line; thence binding on part of said last described line and also binding on part of the north line of Lot 16, Block L of Section I. Dulaney Forest, said plat being filed among the Plat Records of Balkimore County in Liber G.L.B. 21, folio 27, North 74° 28' 30" East 195.21 feet to the west side of Pot Spring Road as intended to be widged to 60 feet; thence binding on the said west side of Po: Spring Road the three following courses, viz: first along a curve to the left with a radius of 686.20 feet for a distance of 54.01 feet, said curve

being subtended by a chord bearing North 150 33' 52' West 53.99 feet to a point of tangency, second North 17° 49' 09" West 106.41 feet to a point of curvature of a curve to the right, and third along said curve to the right with a radius of 1001.10 feet for a distance of 101.57 feet, said curve being subtended by a chord bearing North 140 541 46" West 101.52 feet to the place of beginning.

Containing 1.225 /cres of land, more or less.

#65-48R

Buginsing for the same at a point which is North 180 15' $15^{\rm o}$ west 484.76feet from the intersection of the center line of Medbury Road with the easternmost outline of Flat "D", Northampton, said plat being filed among the Plat Records of Baitimore County in Liber G.L.B. 22, folio 36, said point of beginning also being the most northerly curner of Lot 7, Block "C" of the above hereinmentioned plat, running thence binding on the easterly outlise of Timonium Elementery School and binding reversely on the nineteenth, eighteenth, seventeenth and sixteenth lines of that parcel of land conveyed by Thomas J. Guldera et al to Frank J. O'Noill Realty Company by deed dated May 26, 1955 and recorded among the Land E-cords of Baltimore County in Liber 2705, for 178 the four following courses, with first North 26" 03' 40" East 526.26 feet, second North 44° 38' 20" West 35.00 feet to the point of curvature of a curva to the right, third along said curve to the right having a radius of 260.00 feet for a distance of 226.49 feet, said curve being subtenues by a chord searing North 26° 36' 55" dest 222.77 feet to a point of tangeous, and fourth North 8" 35, 30" West 191.82 feet; thence binding reversely on the fifteenth and fourteenth lines of the above her insentioned dead the two following courses, vist first North 74° 30' East 50.37 feet, and second South 3° 35' 30" East 197.88 feet; thence blading on the northernmost autline of the land described in Baltimore County Zoning description 8-BL-5 South 81° 24' 30° West 25.00 feet to the Aorthwest corner of said description 8-BL-3; thence binding on the wester's ostline of the above hereinmentioned zoning description the seven following courses, via. I fest along a cur e to the left with a radius of 335 feet for a distance of 310.76 $\frac{1}{100}$ rect, said curve being subtended by a chord bearing

FROM THE OFFICE OF GEORGE WILLIAM STATEMENS, JR. & ASSOCIATES, INC.

P.O. Box 6828, Towson, Nd. 21204

PARCEL E

South 26° 36. In East 207.3D feet to a point of tangency, second Ser. in 44° 38: 20" East 160.57 West to a point of curvature of a curve to the left, this slong seid curve to the left with a radius of 160 feet for a distance of 9 ,00 feet, said curve being subtended by a chird hearing South 49° 32° 00° East 95.88 feet, fourth South 25° 42. 02° West 133.35 feet to a point of curvature of a curve to the left, fifth along said curve to the left with a radius of 575 feet for a distance of 409.81 Year, said curve being subtended by a chord bearing South 5" 16' 38" West 401.19 feet to a point of reverse survature, sixth along a curve to the right with a radius of 585.03 feet for a distance of 416 of feet, said curve being subtended by a chord bearing South 4° 30° 50° Ey. 215.01 feet in a point of imagence, and seventh South 6° 00 10° West 50.00 feet; thence for a line of division North 36° 24° $21^{\rm th}$ Me. 1 560,92 fact to the place of beginning.

FROM THE OFFICE OF E WILLIAM STEPHENS, JR. & ASSOCIATES, INC. Engineers P.O. Box 6828, Towson.Md. 21204

Seginning for the same at a point North 87° 10' 35" East 181.24 feet from the intersection of the center line of Medbury Road with the easternmost outline of Plat "D", Northampton, said plat being filed among the Plat Records of Baltimore County in Liber G.L.S. 22, folio 36, said place of beginning also being the southwesterly corner of the land described in Baltimore County Zoning description 8-BL-5, running thence binding on the southernmost outline of said description 8-81-5 the four following courses, viz: first northeasterly along a curve to the left with a radius of 263.35 feet for a distance of 229.19 feet, said curve being subtended by a chord bearing North 71° 10' 15 East 222.03 feet to a point of tangency, second North 46° 14' 20" East 309.25 fast to a point of curvature of a curve to the right, third along said curve to the right with a radius of 275 feet for a distance of 158.29 feet, said curve being subtended by a chord bearing North 63° 46' 13"/East 165.68 feet to a point of tangency, and fourth Forth 81° 18 07" East 422.87 feet; thence for a line of division South 16° 23' 30" West 297.98 feet to a point on the fifth or South 73° 36' 30" East 330.27 foot line of that parcel of land conveyed by Thomas J. Guiders et al to Frank J. O'Neill Realty Company by deed dated May 26, 1955 and recorded among the Land Records of Baltimore County in Liber 2705, folio 378, said point being 70 reet from the end of said last described line; thence binding reversely on the remainder of said last described line and binding reversely on the fourth line of the above hereinsentioned deed the two following courses, viz: / first North 73° 36' 30" West 260.27 feet, and South 46° 14' 20" West 627.78 feet; thence for a line of division North 43° 33' 41" West 308.98 feet to the place of beginning.

Containing 4.969 acres of land, more or less.

GEORGE WILLIAM STEPHEMS, JR. & ASSOCIATES, INC.

Pot Spring Apartments
1.211 Acres B.L. to R-20 PARCEL G

Beginning for the same on the west side of Pot Spring Road as intended to be widened to 60 feet at a point 1142.91 feet southerly from the center line of Ginder Road, thirty feet wide, and minning thence binding on the southermost outline of the land descriped in Baltimore County Zoning description 8-8L-5 South 81° 18' 07" West 196.15 feet; thence for lines of division and binding on a line parallel to and 100 feet distant from the west side of Pot Spring Road, as intended to be widened to 60 feet, the two following courses, viz: first northeasterly along a curve to the right with a radius of 1101.10 feet for a distance of 60.80 feet, said curve being subtended by a chord bearing North 10° 07' 24" yest 60.79 feet to a point of tangency, and second North 8° 32' 30" West 466.47 feet to a point on the tenth or South 81° 03' 30" West 331.72 foot line of that percel of land conveyed by Thomas J. Guidera et al to Frank J. O'Neill Realty Company by deed dated May 26, 1955 and recorded among the Land Records of Baltimore County in Liber 2705, folio 378; thence binding reversely on part of said last described line North 81° 03' 30" East 100.00 feet to the west side of Pot Spring Road, as intended to be widened to 60 feet; thence binding on said west side of Pot Spring Road the two following courses, viz: first South 8° 32' 30" East 467.18 feet to a point of curvature of a curve to the left, and second along said curve to the left with a radius of 1001.10 feet for a distance of 60:57 feet, said curve being subtended by a chord bearing South 10° 16' 26" East 60.52 feet to the place of beginning.

Containing 1.211 acres of land, more or less.

FROM THE OFFICE OF GUORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC. Engineers P.O. Box 6828, Towson, Md. 21204

Pot Spring Apartments 18.914 acres B-L to R-A. PARCEL !

Beginning for the same at a point North 87° 10' 35" East 181.24 feet from the intersection of the center line of Meabury Road with the easternmost outline of Plat "D", Northampton, said plat being filed among the Plat Records of Baltimore County in Liber G.L.B. 22, folio 36, said place of beginning also being the southwesterly corner of the land described in Baltimore County Zoning description 8-BL-5 running thence binding on the southernmost outline of said description 8-84-5 the four following courses, viz: first northeasterly along a curve to the left with a radius of 263.35 feet for a distance of 229.19 Neet, said curve being subtended by a chord bearing North 71° 10' 15" East 222.03 feet to a point of tangency, second North 46° 14' 20" East 369.25 feet to a point of curvature of a curve to the right, third flong said curve to the right with a radius of 275 fee. for a distance of 168.29 feet, said curve being subtended by a chord bracing North 63° 46' 13" East 165.68 feet to a point of tangency, and fourth North 81° 18' 07" East 558.96 feet; theuce for lines of division and binding on a line parallel to and 100 feet distant from the west side of Pot Spring Road, as intended to be widened to 60 feet, the two following courses, viz: first northwesterly along a curve to the right with a radius of 1101.10 feet for a distance of 60.mb feet, said curve being subtended by a chord beating North 10 37: 24/ West 60.79 feet to a point of tangency, and second North 8° 32' 30" West 466.47 feet to a point on the tenth or South 81° 03'30" West 331 72 foot line of that parrel of land conveyed by Thomas J. Golders of al to Frank J. of Neill Realty Company by decadated folio 17%, said Jolat being 150 feet from the beginning of said live; the uce binding Pot Spring Apartments 18.914 acres 8-1 to R-A.

on the remainder of said last described line and binding on the eleventh, twelfth and thirteenty lines of the above hereingentioned deed the four following courses. viz: first/South 81° 03' 30" West 201.72 feet, second South 80° 34' 30" West 527.27 feet, third North 8° 35' 30" West 382.00 feet, and fourth South 81° 24' 30" West 460.00 feet, thence binding on the northernmost outline of the land described in Baltimore County Zoning description 8-BL-5 South 81° 24' 30' West 25.00 feet to the northwest corner of said description 8-BL-5; thence binding on the westerly outline of the above bereinmentioned zoning description the seven following courses, viz: first along a curve to the left with a radius of 335 feet for a distance of 210.76 feet, said curve being subtended by a chord bearing South 26° 39' 55" East 207.30 feet to a point of tangency, second South 44° 38' 20" East 168.85 feet to a point of curvature of a curve to the left, wird along said curve to the left with a radius of 360 feet for a distance of 96.00 feet, said curve being subtended by a chord bearing South 49° 33' 00" East 95.88 fact, fourth South 25° 42' 02" West 123.35 feet to a point of curvature of a curve to the left, fifth along said curve to the left with a radius of 575 feet for a distance of 409.81 feet, said curve being subtended by a chord bearing South 5° 16' 58" West 401.19 feet to a point of reverse corvature, sixth along a curve to the right with a radius of 585.03 feet for a distance of 216.84 feet, said curve being subtended by a chord bearing South 4° 30' 58" East 215.61 feet to a joint of tangency, and seventh South 6° 06' 10" West 50.00 feet to the place of beginning.

Containing 18.914 acres of land, more or less.

BALTIMORE ESSETT SEFICE SUILDING AND ZONING

M. William Adelson, Esq., 1035 Maryland National Bank Buliding Bultimore, Maryland 21202

SUBJECT: Reclassification from R-40 to R-20, R-40 to 1-A, and R-20 to R-A, for the Pot Spring Joint Wenture, located 3/3 Clonder Road, 3V Cor. of Pot Spring Road Oth District (Item 24, July 16, 1948)

Dear Sirs

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

BUREAU OF ENGINEERING:
Whiter - Existing 12" water in Clinder Road
Adequive of axisting utilities to be determined by developer or his engineer.
Sewer - Existing 10" suntary sower adjuct to which triverses the southern portion
of the property.
Existing 12" suntary sower in both Clinder 6 Act Spring Roads.
Road - Pot Spring Road is to be developed as a minimum 42" road on a 60" RN. Cinder
Road is to be developed as a minimum 42" road on a 60" RN. The subdivision roads,
which presently ded-dead as the southest corner of the property, was be tied

which presently developed at the southwest corner or the property, must be the together.
Storm Drains - The developer is responsible for determining the 50 year flood limits of the streams located within this property. No structure may be placed within those limits.

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

PROJECT PLANNING DIVISION: Flam must show a Shilafactory solution to the ending of Majbury and Northleigh Roads. This office is roady to discuss the alternatives open to the development of such

While the Rocco property is not in this ownership presently, it should be noted that the stream crossing the property poses a serious problem of access to the rear section. The logical access to this parties of the Rocco parcel is through the patitioner's property, Otherdise, a coatly stream crossing is mindstory. If the politioner series to acquire this parcel subsequently, this plan does not provide a logical way into it.

SOARD OF EDUCATION: Under the present roming the student yield would be 5 children. If the property was reclassified, the student yield would be 81 children.

STATE ROADS COMMISSION: There are no State roads involved; therefore, this office has no comment.

<u>Control Administration Divisions</u>
All parking uness edicent to residential properties must be screened in conformity with the Conformity edit to the Conformity of the Confor

If the petition is granted, no occurring may be made until such time as plans have been such time approved and the property inspected for compliance to the approved plan.

BALTMORE COUNTY, MAR AND

OFFICE OF FINANCE

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

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

M. William Adolson, Esq., 1035 Maryland National Bank Building Baltimore, Maryland 21202 Rei Pot Spring Joint Venture

July 18, 1968

ZONING ADMINISTRATION DIVISION: (Continued)

The foregoing comments are not intended to indicate the appropriateness of the conjustion requested, but to essure that all parties are made matrix of plans or problems that may have a bearing on this case. The Director and/or the Debugy of the conjustion of the Debugy of the Conjugate of the C

The following mombers had no comment to offers

Bureau of Fire Prevention Building Engineer Industrial Development Health Department

Very truly yours,

James E. Dren.

Ma. 56204 1

150,00

cct Carlyle Brown-Bur, of Engr. C. Richard Moore-Bur, of Traffic Engr. Albert V. Quindy-Project Planning Division Nick Patrovitch-Burne of Education John Mcyers-State Roads Commission

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY #69-47-8 Tourson, Maryland Date of Posting 9-1-26" 1969 Petitioner Port Spring Joul Hinters Location of property Wils of Port Story RA 11.42 91 A. A. Gradies Id Location of Signa 4 1. 6 End of medles poil 1. 6. But & method Pol

sted by	H	Date	of return Macch - 3
	2	CE OF PLANN	NING D ZONING
BALTIMORE C	NTY OFFIC	CE OF PLANE	ING AD ZONING
No. William Adolson, Esqu		fice Building	
1835 Heryland Matienal Be		esapeake Aver Maryland 2120	nue)4
Beltimore, Maryland 21201			
Your Petitio	n has been re	ceived and acc	epted for filing this
Parenter	day of	194h	. 1968.
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		1	1/4 9000
		A	OHN G. ROSE
		1/1	Coning Com.nissioner
Petitioner Petitioner's Attorsey			eviewed by Times Si

CERTIFICATE OF POSTING NG DEPARTMENT OF BALTIMORE COUNTY #69-48-R Towsen, Meryland 8# District / District 8

Posted for Hearing West any 25" 1218 C 1:00 This Petitioner Port Spring Joint Ventine Location of property W/S & Git Spring Road 114291 So of Location at Signal 1 Leveled in ander Beach 1 Protest 9 God y molling food 1 Booked End Mottlingh Beach 1 Porks behand Stehand Lance 2 Ports Remove on Out May devel Posted by Mul H. New Date of return Clag - 8 - 1968 County Office Building 111 W. Chesapeake Avenu Towson, Maryland 21204 Your Petition has been received and acconted for filing this

Petitioner Put Spring Joint Is Jure

Petitioner's Attorney R. William Adeless, Esq. Reviewed

This firm represents Pot Spring Joint Venture, the owner of a certain parcel of land located on Pot Spring Roos while it is the subject of the above-captioned appeal. We want to see that the subject of the the second appeal of Pot Spring Joint Venture in this matter of Pot Spring Joint Venture in this matter of the second aware, M. William Addesson, the present counsel of record, is in the hospital and will be incapacitated for the next several weeks. Very truly yours, Howard M. trudel

WEINBERG AND GREEN

November 19, 1969

Howard M. Friedel

418 MA

55: 111

County Board of Appeals County Office Building

Re: Appeal 69-48 R

Towson, Maryland

Gentlemen:

EXT 387 BALTIMORE COUNTY, MARYLAND Me. 60846 DATE 2/13/69 OFFICE OF FINANCE Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21205 BALTIMON COUNTY, MARYLAI
OFFICE OF FINANCE No. 56259 Dirition of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204

TO ACCOUNT N		RETURN THIS P	ORTION WITH YOUR REMITTANCE	-
(EN - 172 -	DETACH	LONG PERFORATION AND KEEP THE	S PORTION FOR YOUR RECORDS	
Advert	tising and posting of pro Lit	perty		
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IAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

CKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

TIME: Wednesday, Aurusi 48 at 1:00 P.M. HEARING: Reem 105 Conn-fice Building, 111 W. Chesa-Avenue, Towner, Maryland. TIFICATE OF PUBLICATION TOWSON, MD. AUG. 8.1958 , 19. B TO CERTIFY, that the annexed advertisement was THE JEFFERSONIAN, a weekly newspaper printed THE JEFFERSONIAN, D. Leank Structur

STROMERIC

The state of the sta

PETITION FOR RECLASSIFICATION 8th DISTRICT MING: From R.40 to R-20 to B.L. to R.20 and B.L. to R.A. OCATION: West side of Pot pring Road 1152.91 test South of Inder Road. GATE & TIME: WEDNESDAY. UGUST 28, 1988 at 100 P.M. PUBLIC PEARING: Room 108, County Office Building, 111 W. hetapeake Avenue, 10 wton. Marviand.

By Keeth Margar

