#### PETITION FOR ZONING RE-CLASSIFICATION 102 K AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMESSIONER OF BALTIMORE COUNTY-

I or we W. Calvin Chesnut Estate legal owner. of the property situate it m MAD County and which is described in the description and plat attached hereto and made a part her eof, c-A EN STERM to the Zoning Law of Baltimore County, from an .... R-6, and R-40. ARCA

R-A zone: for the following reason

Party is established sening and a genuine change in conditions

See attached description

and (2) for a Special Exception under the said Zoning Law and Zoning Regulations of Baltimon County, to use the herein described property, for ...

Property is to be posted and advertised as prescribed by Zoning Regulation I, or we, agree to pay experses of above re-classification and/or Special Exception advertising nesting etc., upon filing of this petition, and further agree to and are to be bound by the zonin more County adopted pursuant to the Zoning Law for Bal

Tarre se

In Le Haure Add-see 607 Lovola Federal Building

Towson, Maryland 21204 (823-1200) ORDFRED By The Zoning Commissioner of Baltin

acd by the Zoning Law of Baltimore County, in two newspapers of general circulation through-Mitimore County, that property be posted, and that the public hearing be had before the Zoning

NE-AK-L

RA

W. Calvin Chesnut Estate Mercantile Safe Deposit & Trust Co. Truste

ital Blu

... 196 8 at 1:00 clotes

THOMAS DAVIS and BETTY DAVIS, his wife 410 Nollmeyer Road Baltimore, Maryland 21220

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CHARLES DIGIA\_OMO and LINDA DIGIACOMO, his wife 520 Nollmeyer Road Baltimo.e, Maryland 21220

CARROLL EITEL and LILLIAN EITEL, his wife 516 Crisfield Road Baltimors, Maryland 21220 CIRCUIT COURT

JOSEPH MCELWEE and CHERYL MCELWEE, his wife 511 Crisfield Road Baltimore, Maryland 21220

and JAMES PRICE and JUDY PRICE, his wife 518 Nollmeyer Road Baltimore, Maryland 21220

DALTINOBL COUNTY

JAMES ROBINSON and SUSAN ROBINSON, his wife 518 Crisfield Road Baltimore, Maryland 21220 and

JULIAN POSS and PATRICIA ROSS, his wife 513 Crisfield Road Baltimore, Maryland 21220 and

DOUGLAS THOMAS and JANET THOMAS, his wife 3831 Bayville Road Baltimore, Maryland 21220 and

ROGER ZAJDEL and SUSAN ZAJDEL, his wife 712 Nollmeyer Road Baltimore, Maryland 21220

0

Recd 1/22/10

ROBERT RYAN and JUDITH RYAN, his wife 424 Nollmeyer Boad 424 Nollmeyer Road Baltimore, Maryland 21220

TM THE

CIRCUIT COURT

---CARROLLWOOD CIVIC IMPROVEMENT ASSOCIATION, INC. 3718 Red Grove Road Baltimore, Maryland 21220

BALTIMORE COUNTY 110 COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY County Office Building Towson, Maryland 21204 (84 T me)

ORDER OF APPEAL

MR. CLERK:

Pursuant to Chapter 1100, Rules A through B-12 of the Maryland Rules of Practice and Procedure, please enter an appeal to the Circuit Court of Baltimore County on behalf of Thomas Davie and Botty Davis, his wife, Charles DiGiacomo and Linda DiGiacomo, his wife, Carroll Eitel and Lillian Eitel, his wife, Joseph McElwee and Chervl McElwee, his wife, James Price and Judy Price, his wife, James Robinson and Susan Robinson, his wife, Julian Ross and Patricia Ross, his wife, Douglas Thomas and Janet Thomas, his wife, Roger Zajdel and Susan Zajdel, his wife Robert Buan and Judith Ryan, his wife, all tax payers in the County of Baltimore, State of Maryland, and Carrollwood Civic improvement Association. Inc. from the deciaion of County Board of Appeals of Baltimore County, dated December 24, 1969. in case No. 69-102-R, the said decision of the Board is illegal and the Appellants cite the following reasons:

1 That heretofore, the Appellant below, namely, Mercantile-Safe Deposit and Trust Company, Trustee for W. Calvin Chesnut Estate, petitioned for the rezoning of the SE corner of Nollmeyer and Carroll Island Roads, in the 15th District of Baltimore County, alleging that there had been a change in the

- 2 That there is nothing in the reserve new has been any testimony produced by the Appellant below. thick would tend to show that there was an error in the original soning or that there has been a substantial shape in the natabbankant to comment woulder
- 3 That the County Board of Appeals of Baltimore County is a fact finding body and could not, under the testimony, find as a maken of fact of them the Manney or the Makeney's
- 4. That the County Board of Appeals for Baltimore County has misconstrued the zoning rules of Baltimore County and has further misconstrued the statutes of the State of Maryland and has misconstrued its newers under Article 66-8 of the Appotated Code of Maryland, 1957 Edition with supplements.
- 5 and for other reasons which will be developed at the bearing of this game

Norman R. Lilly Morman R. Lilly 500 Maryland Trust Building Baltimore, Maryland 21202 B37-2755

Attornout for Appollants

Service of a copy of the within Order of Appeal acknowledged this day of January, 1970, by the County Board of Inneals of Baltimore County.

THOMAS DAVIS FT AT

May 21, 1971

ESTATE OF W. CALVIN CHESNUT and COUNTY BOARD OF APPEALS OF BALTIN'ORE COUNTY

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY

Misc. Case #4395

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### MEMORANDUM OPINION

On December 24, 1969, the County Board of Appeals of Baltimor County granted a reclassification of zoning of the property described in this proceeding from R=6 and R-40 to RA. An appeal from the action of the Board was filed by the Protestants on January 22, 1970, and the transcript of the proceedings was received by this Court on Pebnary 20, 1970

Counsel for both the Applicant and the Protestents requested the Court douby the hearing of the Appeal as they both believed that cortain differences between the parties would be adjusted and the Appeal dismissed

However, certain motions were filed in the proceedings from time to time, which the Court believed should be heard, and all such motions were ruled on and decided by the Court on January 28, 1971.

The case, thereafter, was scheduled for hearing on its merits on February 25, 1971, but it was agreed by the Court and counsel that because of the imminence of the adoption of the new comprehensive zoning maps by the County Council, the hearing should be further continued as the adoption of such comprehensive zoning maps by the County Council would render any decision of the Court moot. The official comprehensive zoning maps for Baltimore County were adopted by the County Council and same became effective on May 18, 1971.

The Court therefore is of the opinion, and counsel agree, that the status of this zoning appeal is now mo

Cuty & Barrit

TUOMAS DAVIS, et al CIRCUIT COURT Appellants BALTIMORE COUNTY COUNTY BOARD OF APPEALS OF PALTIMORE COUNTY (At Law)

### PETITION OF APPEAL

TO THE HONORABLE, THE JUDGES OF SAID COURT:

The Petitioners Thomas Davis and Betty Davis, his wife, Charles DiGiacomo and Linda DiGiacomo, his wife, Carroll Eitel and Lillian Eitel, his wife, Joseph McElwee and Cheryl McElwee, mis wife, James Price and Judy Price, his wife, James Robinson and Susan Robinson, his wife, Julian Ross and Patricia Ross, his wife, Douglas Thomas and Janet Thomas, his wife, Roger Zajdel and Susan Zajdel, his wife, Robert Ryan and Judith Kyan, his wife, all 'ax payers in the County of Baltimore, State of Maryland, and Carrollwood Civic Improvement Association, Inc. by their Attorney Norman R. Lilly, respectfully represent unto Your Honors:

- 1. That on or about the 27th day of November, 1968, the Deputy Zoning Commissioner dismissed without prejudice the Petition for Reclassification of the Southeast Corner of Nollmeyer and Carroll Island Roads, which had been filed by Mercantile-Safe Deposit and Trust Company, Trustee for W. Calvin Chesnut
- 2. That the Trustee, being aggrieved with the decision of the Deputy Zoning Commissioner, appealed to the County Board of Appeals alleging that there had been an error in the original zoning and that the area had changed since the original zoning.
- 3. That attending the hearing on the aforementioned Appeal, were "our Petitioners, all tax payers and residents in the County of Baltimore, State of Maryland.

- 4. That at the hearing aforegaid the gald Trustee oduced testimony showing the high cost of development of the area in question under its present R-6 and R-40 zones, stating that the prohibitive cost made the zoning confiscatory and the said zoning should be changed to R-A zoning
- 5. The said Trustee also produced testimony as to the present zoning and density of the area, and testimony as to
- 6. The Trustee also produced testimony concerning the traffic flow and patterns, and the additional cost the County must incurrer for minor repairs to the existing roads
- 7. That the Trustee also produced testimony as to the number of students the schools were capable of handling, the number of students in school, and the number of possible students which would be derived from an apartment project.
- 8. The said Trustee produced no testimony which would tend to indicate that there was an error in the original zoning.
- 9. That the said Trustee produced no testimony which would tend to show that the character of the neighborhood had changed from the time of the original zoniac to the extent that a reclassification was necessary.
- 10. That the County Board . Appeals has allowed the rezoning to an R-A zone and has based its decision colely upon , the cost of development of the property, the public utility situation and the general density problem.
- 11. That the County Board of Appeals did not find, as a matter of fact, that changes have occurred in the area since the adoption of the zoning map, nor that there was an error in the original zoning war.
- 12. That it is, therefore, clear that a decision basis solely upon the cost of development, cost of public utilities. etc., is illegal, confiscatory and capricious under the laws of

the State of Maryland, and the said decision should be reversed. WPERFFORE. Your Petitioners pray:

- A That the opinion of the Board of Appeals of Baltimore County, dated December 24, 1969, he reversed and that the property therein described remain P- and R-40 zones.
- B. And for such other and further relief as the merits of their cause may require. AND AC IN DUTY BOUND, etc.

Norman R. LITTY 500 Maryland Trust Bui.ding Baltimore, Maryland 21202 837-2755

Attorney for Petitioners

Service of a copy of the within Petition of Appeal acknowledged this day of January, 1970, by the County Board of Appeals of Baltimore County.

Ged Haafte

BALTIMORE COUNTY Mercantile Scre Deposit No. 49-102-R Trust Co. Trustee

## OPINION

This case comes before the Board on an appear by the petitioner from an Order of the Deputy Zoning Commissioner, dated November 27, 1968, "dismissing without prejudice the petition for reclassification". This Order is somewhat unusual in that the Deputy Zoning Commissioner actually neither granted nor denied the petition. However the dismissal of the petition by the Deputy Zaning Commissioner amounts to a denial, and was so treated by the appellants in this case and will be so treated by the Board.

The subject property is located on the southeast corner of Nollmeyer and Carroll Island Roads, in the Fifteenth Election District of Baltimore County, for which the petitioner seeks reclassification to R-A (Residential Apartments).

Several recognized and highly qualified expert witnesses testified in support of the petition. They testified in their respective fields as to the character and zoning of the neighborhood; changes that have occurred in the area since the adoption of the zoning map; claim of original error in the zoning map; the public utility situation; the traffic situation; the nature of the proposed construction; the school situation; and the effect of the proposal on the community.

The consensus of their testimony was that the petitioned tract comprise 76.17 acres but that a proposed major highway, known as Riverview Expressway, will bisect the tract and consume 5.32 acres of the subject, leaving a net area of 70.85 acres, which they plan to develop into 1,158 garden apartment units. The proposed apartments will be brick construction with a fifty-fifty mix at one and two bedroom units, but no three

The subject property was described as a wooded, unimproved tract, triangular in shape. The northwest portion, at the apex of the triangle formed by the intersection of Carroll Island Road and Nollmeyer Road, containing 26.56 acres is presently zoned R-6.

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# W. Cal in Chesnut Estate - #69-102-R

ent of the Riverview Expressway thru the subject tract after the adoption of the zoning map. This constituted a major change affecting the subject property and the neighborhood. This will be a high speed road connecting with the Harbor Tunnel, and will be a part of the Outer Beltway system. They also noted that approxime. If y 20 acres of commercial land nearby has been cleared in order to promote construction of a shapping center at Carroll Island Road and Bowleys Quarters Road, and that a 7-11 store, a Royal Farm store, and an Atlantic Station recently have been built in the area. These changes, along with the nsion of construction in the Carrollwood cottage development and the Town and Country apartment development, they stated, indicate a change in the area from a waterfront use to a denser development of residential and commercial uses. Granting the petition, they felt, will have no adverse effect on the neighborhood

Mr. George E. Gavrelis, Director of Planning for Baltimore County. summaned by the protestants, testified that although he was not present to hear (nor could evaluate) any of the previous testimony, it is his opinion that the existing zoning is corr ver, he stated that it is an objective of Planning to recognize and to increase density in those areas that would have sewerage and those areas along major roads. that it might be economically unfeasible to install a sewer pumping station on the eastern part of the tract if it were kept in an R-40 category. It was further noted that septic tanks cause much of the waterfront pollution, and that the developer's claims would enable many of the adjacent cattages with privies to be serviced by public sewerage.

Three concerned housewives, residents of the Carrollwood developmen oss Nollmeyer Road from the subject, protested the granting of the petition. were principally apposed to an increase in density for the area, the removal of trees, and fearful of overtaxing facilities of roads, schools, and utilities

From the testimony presented, the Board is of the opinion that the original zoning of the R-40 portion of the property, consisting of 49,61 acres, which cannot be developed in any manner without extending municipal sewer service is so erroneous as to be confiscatory, and that the changes that have occurred subsequent to the adoption of the

### W. Calvin Chesnut Estate - #69-102-R

The remaining 49.61 acres, bounded by Luthardt Road, is presently zoned R-40. The land is generally low and fla:. The majority of the R-40 partion must be filled to meet the minimum elevation of ten feet above sea level, as required by the building requiations, it order to quality for building permits.

-2-

They stated that the immediate area has mixed residential use, ranging from shacks with outside privies to a modern cottage development of 249 houses and a new 200 unit apartment complex, with others being constructed. They noted that the property of the daltimore Gas and Electric Company's Carroll Island electric power generating plant with its huge smokestacks is approximately one-quarter of a mile away, and the initrode spur for delivering bituninous coal to the power plant crosses Carroll Island Road 900 feet east of the subject. Both the power plant and the railroad are clearly visible from the subject property. The newly built Senerca Creek Elementary School is located west of the subject across Nathwese Road, and a new shapping area is emerging off Bowleys Quarters Road, less than c- -half mile away

Although some of the property is located within the service area of existing municipal sanitary sewer facilities, testimony revealed that it will be necessary to construct a pumping station to serve 31 acres of the portion zoned R-40, otherwise this portion could not be developed in any manner whatsoever due to the high ground water table and low elevations of the land surface, that preclude the use of septic tanks. The high cost, in excess of \$100,000, for constructing a pumping station, plus the cost of sewer line laterals necessary to any development of this land, was siled as proof that the original R-40 zoning is in error and is confiscatory. It was estimated that sewer costs to develop the 46 acre of the R-40 land with municipal sewer service would be approximately \$5,000 a lot, far in excess of the normal \$1,500 for a lot utilizing sept'c tanks, or \$2,000 per lot for a normal public sewer installation. Only an R-A classification therefore on the entire tract, they claimed, could support the excessive development costs of the land. The petitioner's testimony was that the proposed apartment construction would not overtax the existing sewer

# W. Calvin Chesnut Estato - \$59-102-R

zoning man so seriously and drastically affect the entire property and its use, that the reclassification to R-A is justified. Further, the testimony clearly demonstrates that mads, utilities, or schools will not be overtaxed by the proposed development

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For these reasons the requested petition to reclassify the tract from Rand R-40 to R-A is hereby granted.

### W. Calvin Chesnut Estate - #69-102-R

As to the effect of the proposal on the school enrollment, the testimony, as o often happens in these cases, is more conflicting and confusing than enlightening, and is puite speculative at best due in fact to varying base statistics used by different witnesses, and also due to the practice of "busing" school children from one school district to another

To illustrate this effect, the protestants called as their witness the Director of Capital Program Flanning of the Baltimore County Board of Education. He stated on direct examination that he was taking the stand not in apposition to the petition, but simply to indicate the ambable effect it would have on the school expollment if it were arouted

Both the petitioner's witness and the Board of Education's witness used

statistics based on the adjacent Carroll wood development in their studies to estimate pupi yield from an R-6 development, and arrived at the same .695 pupil per house yield factor. Therefore, by computation, if the 70.85 pet acres of the subject were to be developed in an R-6 category at 4.5 houses per acre as allowed by the Regulations, the expected yield may be estimated to be 222 pupils. However, in their prognostication of estimated pupil yield anticipated from apartments, the petitioner chose to study the actual yield from the adjacent Town and Country apartments, while the Board of Education based their estimate on a study of the actual yield from the Chesapeake Village waterfront apartments. The Town and Country development contains 200 apartments, mostly two bedroom units, no three bedroom, and is adjacent to the subject property. By actual count, there are nine elementary school children living there, or approximately five children per 100 units, giving a .05 factor pupil yield per unit. Whereas, the Chesapeake Village development contains 210 gogriments. 166 are two bedroom, but unlike the subject proposal contain 44 (or twenty-one percent) three bedroom units, nor are there any one bedroom units. This development is several miles away from the subject property, and is in a different school area. By actual count, this development has a .210 factor pupil yield per unit, Using the petitioner's statistics, 58 pupils would be anticipated from the proposed 1, 158 apartment (.05 x 1158 = 57.90), but by using the Board of Education's statistics, 243 pupils would be anticipated from the same processal (.210 x 1158 = 242.18). So while there is significant

# W. Calvin Chesnut Estate - #69-102-R

disparity in the two studies regarding pupil yield from apartments, there does seem to be accordance on expected pupil yield if the entire tract were developed as R-6. Assuming that the higher apartment yield study is the more accurate, although this is reasonably debatable, one could conclude that the apartments at the worst would impose 21 more pupils on the school system than if the property were developed as k-6. Further testimony, on both sides, conceded that any impact of pupils on the school would be phased over a five or six year period, paralleling the phased construction of the apartments. The community's Seneco Creek Elementary School has a capacity of 555 pupils, and has a present excellment of 658 pupils. However, over one-half of these students are "bused" in from other school areas. According to testimony given, the bused students will gradually be eliminated as other schools are built. Also, the capacity of Seneca will be increased by adding six more classrooms at a later date.

The Board believes they can reasonably conclude from the testimo presented, that granting the apartment petition will have no significantly greater impact on the school system than if the subject were developed with individual or semi-detached houses as now permitted under the existing zoning.

There was testimony by the Baltimore County Deputy Director of Public Works and by the Baltimore City Assistant Commissioner, Department of Transit and Traffic regarding the existing roods, proposed roods, and traffic conditions; present and expected. The substance of their combined testimony was that the existing roads could handle the erated by the proposed development, but that extensive road changes are proposed for the area which will further improve traffic movement. They cited, among other plans, that Eastern Boulevard will be extended as a four-lane divided highway from Stevens Road to Ebenezer Road. Also, there is money in the County's budget for widening Carroll Island Road from Eastern Poulevard to the subject property, with the petitioner being responsible for widening that portion of the road fronting his property.

To substantiate their claim of "change" in the character of the neighborhood, the petitioner's witness testified that the State Roads Commission had designated an

RE: PETITION FOR RECLASSIFICATION SE/corner of Nollmeyer Road and Carroll Island Road - 15th District W. Calvin Caesnut Estate - Petitione

NO. 69-102-R

off-street parking spaces.

LEPUTY ZONING COMMISSIONER

OF BALTIMORE COUNTY

111 111 111 101 101 101

The Petitioner has requested a Reclassification of his property, consisting of 76 acres, from a R-, and R-40 zone to a RA zone, Plans call for the construction of some 1, 368 apartment units with 1, 368

Without review ng the evidence in detail, the Deputy Zoning Commissioner fee's that because of current problems involving the adequacy of school facilities, caracity of existing utilities, and the question able accomodation of traffic through neighboring streets, this Petition must be treated as oeing premature and should, therefore, be DISMISSED

For the aforegoing reasons, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 27 day of November. 1968, that t'e above Reclassification be and the same 's hereby DIS-MISSED without prejudice and that the above described property or area nd the same is hereby continued as and to remain a R-o and R-40 zone

W. Calvin Chesnut Estate - #69-102-R

### ORDER

For the reasons set forth in the aforegoing Opinion, it is this 2474 day of December, 1969 by the County Board of Appeals, OR DERED that the lassification petitioned for, be and the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Chapter 1100, btitle B of Maryland Rules of Procedure, 1961 edition.

> COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Boldwin, Chairman

W. LEE HARRISON TOWNON, MARYLAND STROET

December 2, 1968

Honorable John G. Rose County Office Building Towson, Maryland 21204

Rc: Petition for Revlassification SE Corner of Nollmever Poad and Carroll Island Road--15th District --W. Calvin Chesnut Estate Petitioner No. 69 102 R

Please note an appeal to the County Board of Appeals on hehalf of the Petitioner in the above captioned matter from the Decision and Order of the Deputy Zoning Commissioner dates November 27 1968 deaping the requested reclassification of the above captioned property.

w La trium W. Lee Harrison

CC Mr. H. Louis French



Septe 20, 1968

PALTIMORE COUNTY OFFICE OF PLANNING AND ZONING COUNTY OFFICE BUILDING TOWSON, MARYLAW, 21204

SUBJECT: Reclassification from an R-6 and R-40 for Calvin Chaitmut Estate, located intersection of Carroll Island Rd. 6 Mollmayer Rd. 15th District (Ites 64, September 17, 1968)

The Zoning Advisory Constitue has reviewed the subject petition and has the following commonts to offer:

subtau of INSINEERING

Water - Eristing 8" water in hollwayer Lane
Existing 10" water in Carroll Island Road
Adequery of existing utilities to be determined by developer or his anginner.

Sewer - Sanitary scare exists as shown on the submitted plan.

A 15" sanitary score raits as shown on the submitted plan.

A 15" sanitary score raits as incarroll lained Road along a portion of the
frontage of this site. The existing sewers in this area were designed to
receive sewage flows from this area. However, based on present zoning density
and to corroll Island and Nollmayer Roads are to be developed as \$2" road on
70' R/W's. Lutherdt Road is to be developed as a 40' road on a 65' R/W.

BOARD OF COLVATION

The Board of Education wishes to place an opposing statement to the suggestion that 76 years in the Bollower Rd. Carroll Island Road be rezoned to RA. On January 6th, 1967 a patition was granted for A trailer park that would service 559 trailers which sealed yield approximately 505 students. Restrictions ware placed on this, however, which is provided to the provided provi

FIRE SUREAU:

1. Owner shall be required to conform to Residential Occupancies. Section 24 -Apartments of the M.F.P.A. 101 Code.

2. Queer shall be required to conform to the Bultimore County Standard Design Manual, 1964 addition for the installation standards of water usins and fire hydrants which are to serve this site.

NUMBER OF TRAFFIC CONJUGERIES.

Corpoll Sland Rose as Employer Courters Road has a present traffic volume of approximately controlled to the courter of the

STATE ROADS COUNTISIONS
The site will be affected by the State Roads Countisien's proposed outer beliany. A study is correctly being made to determine the outent of the directs. It is required to the study is completed. It is anticipated that the study is completed. It is anticipated that the study will be completed in three weeks.

WHITEFORD, FALK, AND MASK Cossulting Engineers - Land Surveyor Lund Planners

August 27, 1968

Plat to Accompany Petition for Reclassification of Zoning from R-6 & R-40 to R-A W. Calvin Chestnut Estate

EASTORH PREA NE-4K-L

VALLEY 1:7812

#69-10212

MAP

5-B

easternmost side of Nollmeyer Road at its intersection with MC 3 K-L Beginning for the same at a point on the the centerline of Carroll Island Road and thence on or near the centerline of said Carroll Island Road the three (3) following courses: (1) South 53\* 55/ 53" East, 696.12 feet: (2) South 53° 13' 11" East, 1,347.86 feet; and (3) South 69\* 29' 11" East, 1,323.74 feet to the easternmost side of Luthardt Road 30 feet wide and thence with said easternmost side of said road the two (2) following courses: (1) South 24° 00' West, 263.75 feet; and (2) South 10° 12' West, 1,288.01 feet to the southernmost side of z 24 foot right-of-way and binding thereon North 81° 09' 45" West, 548.10 feet to a point thence North 79° 45' 45" West, 380.50 feet to the easternmost side of Nollmeyer Lane previously mentioned and thence binding thereon North 28° 13' 41" West, 3,447.29 feet to the point of beginning.

Containing 75.1744 Acres of land, more or less.

M. Lee Harrison, Esq., 607mLoyola Federal Building Temson, Maryland 21204 RE: W. Calvin Chestnut Estate

September 20, 1968

PROJECT PLANING DIVISIONS
This office will review and submit any necessary comments at a later data. ZOMINE ADMINISTRATION DIVISION:

If the petition is granted, no occupancy may be made until such time as plans have been sub-litted and approved cod the property inspected for compliance to the opproved plan.

- 2 -

The above comments are not intended to indicate the appropriateness of the specific section requested, but to easure that all parties are made more of plans or problems bearing on this case. The Director of the bubble section of the specific sect

The following members had no comment to offers

Very truly yours,

JAMES E. DYER, Zpring Supervisor

cc: Carlyle Brown-Bur. of Engr.
Hick Patrovition-loard of Education
Capt. Charles Aprils-Bur. of Fire Bure.u
C. Richard Moore-Jur. of Traffic Engr.
John Payers-Ettes Rosed Commission
Albert V. Quicby-Project Planning Division

BALTIMORE COUNTY. MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. John G. Rose, Zoning Commissioner Date October 25, 1968

FROM George E. Gavrelis, Director of Planning

SUBJECT Petition f69-102-R. Southeast corner of Nollmeyer and Carroll Island Roads.
Petition for Reclassification from R-6 and R-40 to R.A. Zone.
W. Calvin Chesnet Estate - Petitioners

15th District

HEARING: Monday, November 4, 1968 (1:00 P.M.)

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

We believe that the original lower density residential classifications applied we be level man the original lower density residential classifications applied to the subject property remain correct – and that retartion of these more restrictive density potentials is now more important than ever, particularly in view of the zoning action stoken with respect to a petition for a totally in view of the zoning action stoken with respect to a petition for a totally influence of the control of the property of the fire bream, and the bureau of Traffir of Engineering.

GEG:bms



# BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

JAMES E. DYER Soning Su ervisor

cc: 'O. L. Myers, Zoning Office (3)

Date September 23, 1968

PROJECT PLANNING LIVISION

Projec: Planning comments - Zoning Advisory Agenda Item 64

The plan does not reflect the impact of the Eastern Area as relocated property. Nollwayers Road is shown thereon as relocated through the site. Riverview Freeway follows the present R-6/R-10 roning line of the plan should reflect this right-of-way subject to State Road-Ession, decision. Paralleling the Freeway on the south will be a relocation of Sewlays Quarters Road. The plan should be revised to provide for these facilities.

BALTIMORE COUNTY MARYLAND

INTER-OFFICE CORRESPONDENCE

Fire bureau

SURJUET Property Wamer: W. Calvin Chemnut Estate.

Location: Intersection of Carroll Island Ed. & Nollmeyer Ed.

15th
Present Zoning: Bu & R-M0
Proposed Zoning: Apartments
No. Arres: 76

 Owner shall be required to conform to Residential Occupancies.
 Section 2h - Apartments of the N.F.P.A. 107 Cods. Owner shall be required to conform to the Haltimore County Standard Design Manual, 1966 edition for the installation standards of water mains and fire hydrants which are to serve this site,

Date September 17, 1968

TO Mr. James E. Dyer, Chairman Zoning Advisory Committee

FROM Captain Charles F. Morris, Sr. Fire Bureau

STATE OF MARYLAND STATE ROADS COMMISSION BALTIMORE MO. 21201 October: 23, 1943

Mr. John G. Kosn, Joning Commissioner
County Office Building
Townon,
Maryland 21204 Central Scattle Heating
County Countries Central
Count

S WALTER BOOLEY -HATLEY P. BRINSPILLO
LESLIE H. EVANS
FORM F. HOMALEN
AT LIAM B. ONINGS
FRANK THOMP

The State Mouds Commission has reviewed the subject plot plun and it was revueled that the property is affected by the present tentative proposed prelianiar, highway improvement plans. The project is not in the Current Construction program; however, it is included in the 23-Year Highway Meeds Study.

Transmitted herewit' are two cooles of the plan. Denited therem is the approximate location of the affects to the property. One copy is for your file and one copy is for the petitioner's use.

It is requested that the petition's plan be revised to indicate reservation for the proposed nighta, improvement.

Trank you for your cooperation.

very truly yours.

Charles Lee, Chief Development Engineering Section

by: Jihn t. Heyers
- : 177 24 '60 Ligast. Development Engineer

cc: Hr. Eugene Camponeschi

JUL 09 1971

3. Segno	CERTIFICATI: OF POSTANA ZONING DEPARTMENT OF BALTIMORE COUNTY Towns, Maryland	#69-102-K
Posted for: Heaven	Date of Proting  Mile 4 1 1961 G. 1.60  Wife Missers Labete  Glace of Walkinger V. Carrell.	Oct-17-68 P.H.
Location of property: 5	E/Car of Hellowyer & Carroll	Island Rds
Nollmujes Rd	Booked on Carrell Island Rd .	1 Gooked on
Posted by Musl	When Date of return Det	1-17-68
	MICRO	FILMED
	Chh c	
a 0 ·	Ceptual C	V
Islgis	ZONING DEPARTMENT OF BALTIMORE COUNTY	-69-102-R
District 15 TD	Date of Postine	Dec. 17-68
Petitioner: Merca Location of property: S.C.	utile Sofe Deposit & Trust. Car of Mollowyn & Greenles.	Co (Nustus) Island Rolo,
	***************************************	energe R
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District. 15 9	Date of Posting	421-69
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		MORE COUNTY, MA LA DEFICE OF FINANCE Dividios of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204	AND	6344 • • •
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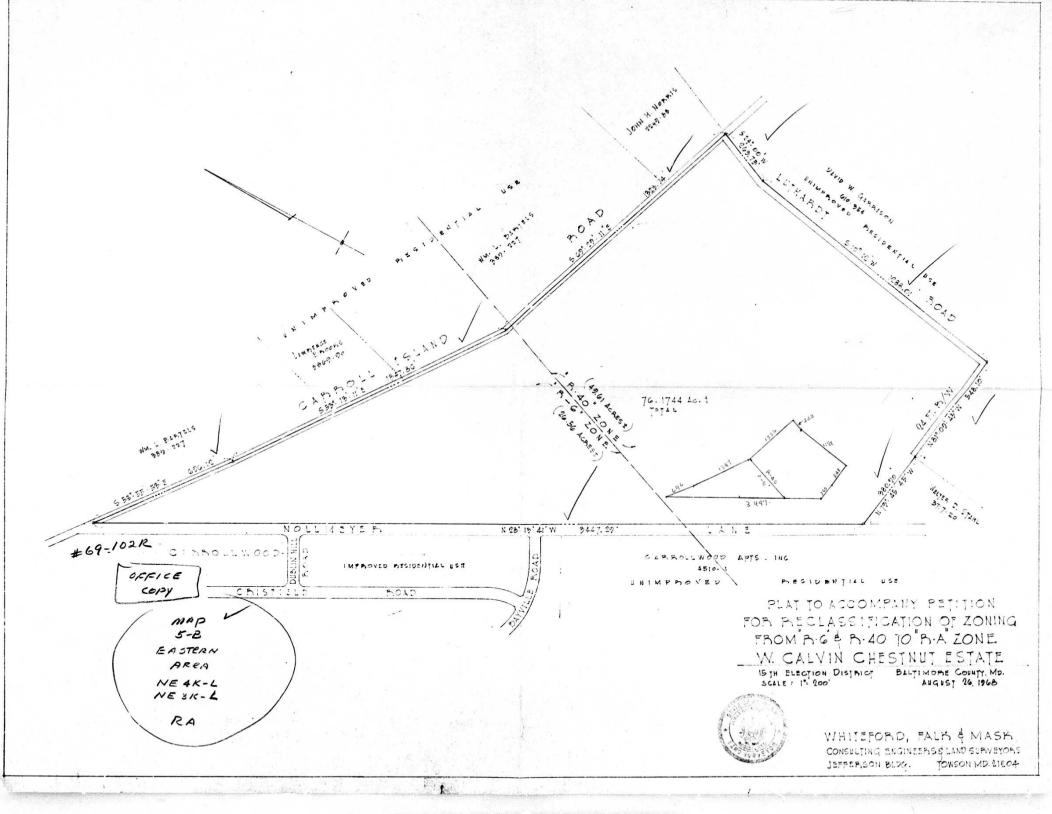
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@ESSEXTIMES ESSEX, MD. 21221 October 21, THIS IS TO CERTIFY, that the unneved advertisement of John 9. dous, Wonline and lumblener of Belviner Security

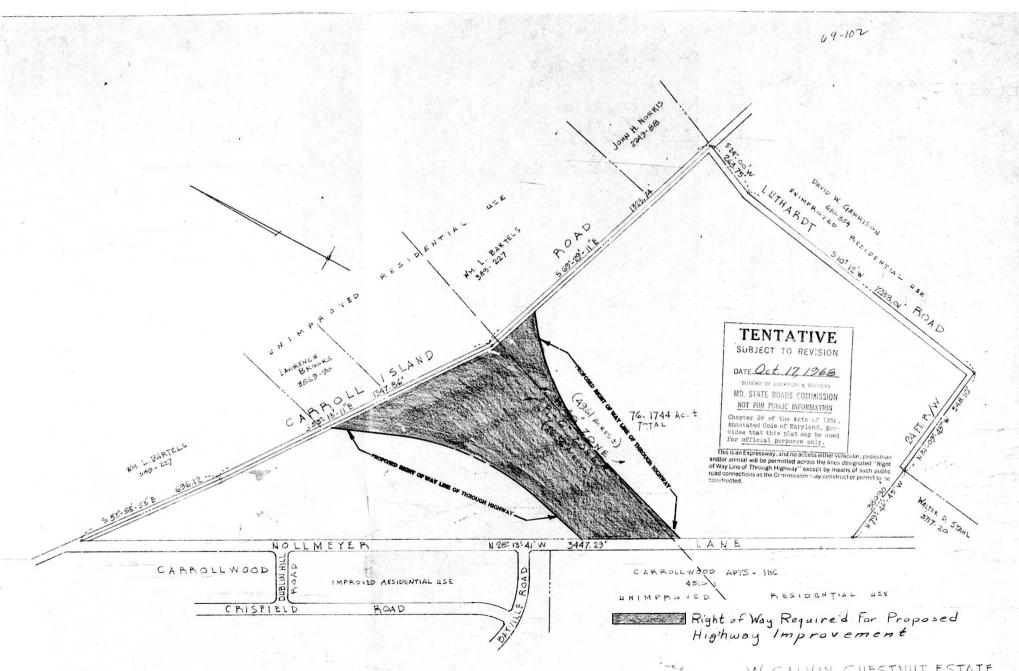
was inserted in THE ESSEN TIMES a scekly newspaper published in week before the 21st day of Oct., 19 68 that is to say, the same was inserted in the issue/ of October 17, 1968.

STROMBERG PUBLICATIONS, Inc.

By Buth Morgan







W. CALVIN CHESTNUT ESTATE
15 TH ELECTION DISTRICT BALTIMONE COUNTY MD.
SCALE: 1"= 200

Tracing By Bucca of Location Group &

