

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, the undersigned, legal owner of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified pursuant to the Zoning Law of Baltimore County, from an _____ IL 10 _____ zone to _____ NE-6-F _____ R-G and R-A _____ zone; for the following reasons:

There was a mistake in the original zoning and/or the character of the neighborhood has changed to such an extent that the reclassification requested is proper.

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 _____ None _____

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.

See attached _____
Contract purchaser _____
Legal Owner _____

Address _____
William Siskind
James D. Nolan
Petitioner's Attorney
Protestant's Attorney

Address 204 W. Emma Ave., 21204.

ORDERED By The Zoning Commissioner of Baltimore County, this _____ 15th _____ day of _____ 1969, 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 held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ 20th _____ day of _____ November _____ 1969, at _____ 1:00 _____ o'clock.

Zoning Commissioner of Baltimore County.

(over)

LIST OF LEGAL OWNERS

Harry J. Pachere, Trustee of the Estate of E. M. Pachere, deceased

Harry J. Pachere

Margaret E. Pachere

Harry J. Pachere, Co-Executor of the Estate of Bertha Haas, deceased

John George Pachere

Henry F. Trimble

Betty Jo Trimble

Milton Trimble

Harry J. Pachere, Co-Executor of the Estate of Bertha Haas, deceased

Eva Trimble

PARKWOOD REALTY, CO.

By: Joseph A. Diensbach, President

HARRY J. PSCHERER, TRUSTEE, ET AL

NO. 69-113-R

Parcel A - SW corner Ridge Rd. & Gum Spring Rd.
Parcel B - W/S Gum Spring Rd. 1255' S. Ridge Rd.

Parcel A - R-10 to R-G (31 acres)
Parcel B - R-10 to R-A (14.6 acres)

Oct. 15, 1968 Petition filed

Dec. 30 Order of Deputy Zoning Commissioner and Zoning Commissioner granting reclassification to R-A as requested, and granting reclassification to R-G as requested, saving and excepting a portion of this tract, described in the Order, on which reclassification to R-6 is granted

Jan. 10, 1969 Order of Appeal to C.B. of A. filed by attorney for petitioners

Feb. 11 Order of C.B. of A. granting reclassification to R-G on Parcel A, and R-A on Parcel B

Supplementary Opinion and Amended Order of C.B. of A. amending Order of January 28, 1970: "Through an inadvertent error of omission, the Board failed to include in its Order a portion of Parcel A of the subject tract that was reclassified from an R-10 to an R-6 zone by its action of the Z.C. and D.Z.C., and this denial of a portion of the request for R-G zoning should have been included in the original Order filed by the Board on Jan. 28th."

Apr. 21 Order for Appeal filed in the Circuit Court by Mr. Blondell, attorney for the petitioners, Demago, et al (File #4414)

Aug. 14 Record of proceedings filed in the Circuit Court

Sept. 10 Board Affirmed by Circuit Court - Maguire, J.

Oct. 7 Order for Appeal filed in the Court of Appeals by Mr. Blondell (Best copy to be submitted - 7/1/70)
Request to Dismiss Appeal filed by William J. Blondell, Jr., Esq., in Circuit Court

10/9/70 - Harry J. Pachere - File No. 69-113-R

Checked with Mr. Blondell, Bill Allen and Jim Nolan

and all assured me that this is final dismissal.

M.E.B.

Copies - 5 Board, Herdesty, Gavrelis, J. Ogle, Planning; B. Anderson, Zoning; Hon. F. Barrett, Co. Council

LEONARD S. DEMAGO, et al
BENJAMIN J. DEMOLD
JAMES D. HAINLEY
RUSSELL T. MORGAN, JR.

Appellants

vs.

WILLIAM S. SISKIND
JOHN A. MILLER
JAMES D. HAINLEY
RUSSELL T. MORGAN, JR.

Appellees

Constituting the County Board of Appeals of Baltimore County

Appellants

Appellees

Attorneys for Appellants

Attorneys for Appellees

Attorneys for Appellants

Attorneys for Appellees

Attorneys for Appellants

Attorneys for Appellees

Attorneys for Appellants

Attorneys for Appellees

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Attorneys for Appellants

Attorneys for Appellees

Attorneys for Appellants

RE: PETITION FOR RECLASSIFICATION : IN THE
from an R-10 zone to R-G and : CIRCUIT COURT
R-A zones :
SW corner of Ridge Road and Gum :
Spring Road, and the W/S of Gum :
Spring Road 1255' S. of Ridge Rd., :
14th District : BALTIMORE COUNTY
Harry J. Pachere, Trustee, et al, :
Petitioners :
Leonard S. Demago, et al, :
Protestants-Appellants :
Zoning File #69-113-R :
Misc. Docket No. 8 :
Folio No. 534 :
File No. 4414 :

ANSWER TO ORDER OF APPEAL TO CIRCUIT COURT FOR BALTIMORE COUNTY AND CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND BOARD OF APPEALS OF BALTIMORE COUNTY

MR. CLERK:

Please file, & c.

Edith T. Elmhurst, Adm. Secretary
County Board of Appeals of Baltimore County

RE: PETITION FOR RECLASSIFICATION : IN THE
from an R-10 zone to R-G and : CIRCUIT COURT
R-A zones :
SW corner of Ridge Road and Gum :
Spring Road, and the W/S of Gum :
Spring Road 1255' S. of Ridge Rd., :
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TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come William S. Siskind, John A. Miller, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies: original papers on file in the office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER OF BALTIMORE COUNTY

No. 69-113-R

Oct. 15, 1968 Petition of Harry J. Pachere, Trustee of the Estate of E. M. Pachere, et al, for reclassification from an R-10 zone to R-G and R-A zones on two parcels of land located on the southwest corner of Ridge Road and Gum Spring Road, and the west side of Gum Spring Road 1255 feet south of Ridge Road, 14th District - filed

Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for November 20, 1968 at 1:00 p.m.

Nov. 4 Certificate of Publication in newspaper - filed

Nov. 8 Certificate of Posting of property - filed

Nov. 20 At 1:00 p.m. hearing held on petition by the Zoning Commissioner and Deputy Zoning Commissioner - case held sub curia

Dec. 30 Order of Deputy Zoning Commissioner and Zoning Commissioner granting reclassification to R-A as requested, and granting reclassification to R-G as requested, saving and excepting a portion of this tract, described in the Order, on which reclassification to R-6 is granted

Jan. 10, 1969 Order of Appeal to County Board of Appeals from Order of Zoning Commissioner and Deputy Zoning Commissioner filed by attorney for the petitioners

Nov. 28 Order of Appeal to County Board of Appeals from Order of Zoning Commissioner and Deputy Zoning Commissioner filed by attorney for the protestants

May 27, 1969 Hearing on appeal before County Board of Appeals - case held sub curia
Sept. 11
Jan. 28, 1970 Order of County Board of Appeals granting reclassification to R-G on Parcel A, and R-A on Parcel B
Feb. 11 Supplementary Opinion and Amended Order of County Board of Appeals amending Order of January 28, 1970: "Through an inadvertent error of omission, the Board failed to include in its Order a portion of Parcel A of the subject tract that was reclassified from an R-10 to an R-6 zone by the action of the Zoning Commissioner and Deputy Zoning Commissioner, and this denial of a portion of the request for R-G zoning should have been included in the original Order filed by the Board of January 28th."
Nov. 27 Order for Appeal filed in the Circuit Court for Baltimore County
Nov. 27 Certificate of Notice sent to all interested parties
Mar. 9 Petition to Accompany Order for Appeal filed in the Circuit Court for Baltimore County
Nov. 30 Order for Extension of Time for Filing Transcript for thirty days filed in the Circuit Court for Baltimore County
Apr. 20 Transcript of Testimony filed - 2 volumes
Petitioners' Exhibit No. 1 - Colored plat of subject, Metz-Childe Associates, 9/1/68
" " " 2 - Aerial Photo, Map, Inc. - 8/9/63 (in Board of Appeals' office)
" " " 3 - Plat, traffic, 5/24/66 - prepared by Mr. John Erdman
" " " 4 - Photos (a thru w)
" " " 5 - Zoning File #70-29-RX
" " " 6 - Plat by Metz-Childe, 9/9/69 - shows subject site and YMCA site
" " " 7 - Report on Master Plan, NE area, 4/30/65
" " " 8 - Official Zoning Maps updated - NE - 4-B and 4-C
Protestants' Exhibit A - Chart showing schools and area served
" " " 8 - Photos (1 thru 6)
Apr. 21 Record of proceedings filed in the Circuit Court for Baltimore County

Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, and are also the use district maps, and your Respondents respectively suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your Respondents will produce any and all such rules and regulations, together with the zoning use district maps, at the hearing on this petition or whenever directed to do so by this Court.

Respectfully submitted

Edith T. Elmhurst, Adm. Secretary
County Board of Appeals of Baltimore County

12-18-70

Leonard S. Bernago, et al
Protestants-appellants
vs.
William S. Baldwin
John A. Slovick
John A. Miller, constituting
the County Board of Appeals of
Baltimore County,
appellees

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW
Misc. Docket 9
Folio 534
Case No. 4414
Zoning File 669-113-R

MEMORANDUM OPINION
AND ORDER OF COURT

This case involves an appeal from the County Board of Appeals of Baltimore County, which by its Order dated January 28, 1970 and its Supplementary Opinion and Amended Order dated February 11, 1970, granted the reclassification of a 45.6 acre tract of land owned in fee simple by the Adams Investment Corporation from a present R-10 classification (Residence Zone, One) to the following classifications: (1) Parcel A - consisting of approximately 31 acres from an R-10 to R-3 zone (Residence, Group House). (2) Parcel B - consisting of approximately 14.6 acres from an R-10 to an R-A (Residence, Apartment). Saving and accepting from Parcel A, a strip of land on the west side of Gun Spring Road which is reclassified from an R-10 to R-6 zone (Residence, One and Two Rm.). The Zoning Commissioner of Baltimore County and the Deputy Zoning Commissioner of Baltimore County by their joint action dated December 30, 1969 granted the same reclassification.

All parties agree that the Northeastern Area Zoning Map which encompasses the subject property was adopted by the Baltimore

County Council on August 1, 1966. Obviously, from the record both sides base their case on error or lack of error in the case may be with respect to the adoption of the map on August 1, 1966.

The 45.6 acre parcel of land is situated in the northwest quadrant of the intersection of the Baltimore County Beltway and the J. F. Kennedy Memorial Highway. On the west, the property is bordered by the towers and lines of the Susquehanna Transmission Company. On the south, the property abuts the Baltimore County Beltway and the west bound ramp leading from the J. F. Kennedy Memorial Highway to the Baltimore County Beltway. On the north, the property is separated from Ridge Road by a fifty foot right-of-way owned by the Baltimore Gas & Electric Company. On the east, the property borders Gun Spring Road separated by a gas main.

The present zoning to the east between Gun Spring Road and the J. F. Kennedy Memorial Highway is R-10 and generally undeveloped. The zoning to the north, across Ridge Road, is zoned R-10 and relatively undeveloped. To the north and northwest but not abutting the subject property there is R-A zoning. To the west of the subject property, across the Susquehanna Power Company's transmission lines is a 17 acre tract which was recently granted a special exception for a Y.M.C.A. facility. To the south across the Baltimore County Beltway the property is zoned R-10 and is used as a cemetery.

The roads surrounding the property are as follows: The Baltimore County Beltway to the south which is a six lane dual highway with limited access; the J. F. Kennedy Memorial Highway, which is a six lane limited access dual highway, to the east; between the subject property and the J. F. Kennedy Memorial Highway is Gun Spring Road. This road runs northerly and intersects Ridge Road which

is the northern boundary of the subject property. Ridge Road presently has 20 feet of paving and will eventually become part of the proposed Roseville Boulevard, which will have 30 feet of paving. Roseville Boulevard when constructed will be a major thoroughfare from Belair Road to the Essex area of Baltimore County. Gun Spring Road presently services six to ten houses along its east side. To the west of the subject property is the proposed new Radcliff Avenue.

The main thrust of the Petitioner's argument for a change of reclassification is based on the following factors:

(A). Suitability of use. - One of the principals of the Adams Investment Corporation; namely, Tilman E. Rosenblatt, a builder and developer of some 15 years experience, testified that the Petitioner proposed to construct 278 group homes on Parcel A and 216 garden apartment units on Parcel B. Ample parking is to be provided and will be in excess of the Zoning Regulation requirements. He was of the opinion that because of the major interstate highways, power lines to the West; projected population increases; proximity to the Franklin Square Hospital and Essex Community College complexes (both recently completed) that the land is more suitable for intensive development rather than R-10 housing as it is now zoned. Furthermore, his studies indicate the average R-10 home cost is approximately \$30,000.00 and that these type of homes would not be marketable in this area. Rental units and group homes in his opinion is the answer to the supply and demand that will come about in the near future.

(B). Changes in the neighborhood. - Bernard Willmann, a qualified expert in the field of city and land planning and land use cited changes that he felt affected the subject property. Since the adoption of the map, a special exception for a golf driving range across Ridge Road; the new Franklin Square Hospital, recently completed, 4 mile east of the property; the new Essex Community College, the same distance from the property; new Ridge Road which will be renamed

Roseville Boulevard; special exception for a Y.M.C.A. facility west of the Beltway. He stated that in his opinion the present R-10 zoning was erroneous in 1966 and is erroneous at the present time. Furthermore, he stated that even though the Master Plan Report adopted by Baltimore County on August 30, 1966 referred to group housing to be provided on the map in this area, the map as adopted, does not do so.

Mr. Richard L. Smith, an engineer, testified that all public utilities; water, sewer, gas, etc. are available to the subject property and can adequately handle the proposed project. Mr. John W. Erdman, a traffic engineer, stated that the existing roads can carry any additional traffic generated by the project. Mr. Richard Moore, an assistant traffic engineer for Baltimore County, who was summoned by the protestants, substantiated the testimony of Mr. Erdman. Mr. Hugh E. Galston, qualified realtor and appraiser of Baltimore County, who also appraises many properties for the Board of Education of Baltimore County stated that in his opinion the present R-10 is erroneous and should be reclassified to a higher density because of its proximity to zoned industrial land; that utilities are present and housing in the R-10 price range would not be saleable. With respect to the school population, he advised that several purchases have been recently made by the Board of Education in this area for school sites. Also that normally schools are not built until there is a population demand. Mr. Preston L. Grima, Director of Capital Program Planning for the Baltimore County Public Schools, called by the protestants, stated that the Board of Education has no objection to the reclassification as they are preparing themselves with new school sites in the event the reclassification is finally granted. It is to be noted that Mr. George E. Gavrelis,

Director of Planning for Baltimore County, testified in opposition to the application for reclassification. The Court agrees with the County Board of Appeals that the most logical place for highly density development is at a major highway interchange and not a place for extensive residential developments. His opinion that the subject property is in an "in-between" area is difficult to understand because the subject property lies smack in between Belair Road to the west and the heavily populated Essex-Nicelle River areas to the east, both of which are high density areas and the subject property has become such an area as a result of development as above referred to.

It is not the province of this Court, moreover, to resolve the various conflicts in the evidence before the Board if there was, in fact, any evidence of a substantial nature supporting and justifying the Board's action. In Northwood v. Bd. of County Comm'rs, 245 Md. 365 (decided November 18, 1965), the Court in quoting from Judge Hammond's opinion in Board v. Oak Hill Farm, 232 Md. 474 stated at page 202 as follows:

"* * * the Court have exercised restraint so as not to substitute their judgments for that of the agency and not to choose between equally permissible inferences or make independent determinations of fact, because to do so would be exercising a nonjudicial role. Rather, they have attempted to decide whether a reasoning mind could reasonably have reached the result the agency reached upon a fair consideration of the fact picture painted by the entire record."

In the cases dealing with consideration of the weight of the evidence, the matter seems to have come down to whether, all that was before the agency considered, its action was clearly erroneous, or to use the phrase which has become standard in Maryland zoning cases, not fairly debatable."

See also the following cases: Finney v. Hollie, 241 Md. 724 (decided Feb. 7, 1966); Hill v. The Johns Corp., 242 Md. 16 (decided March 15, 1966); Bonnie View Club v. Board, 242 Md. 46 (decided March 22, 1966); Beth Tillion v. Board, 242 Md. 86 (decided March 29, 1966); Board v. Farr, 242 Md. 361 (decided

April 26, 1966); and Yarnall v. McQuinn, 242 Md. 371 (decided April 28, 1966).

This principal of law has been repeated numerous times throughout the Reports, fairly recently in Haldeman v. Board of County Commissioners of Howard County, 241 Md. 293 at 306, wherein the Court, in an opinion by Judge Singler said:

"We have often repeated the principles here applicable: Courts have no power to remove and may not substitute their judgment for that of the expertise of the zoning authority. Wickham v. Montgomery County Council, 273, 287 A.2d 255 (1955); Boyle v. Board of Commissioners, 246 Md. 297, 227 A.2d 745 (1967); Board of County Comm'rs. for Prince George's County v. Farr, 242 Md. 315, 213 A.2d 923 (1966). It has long been settled that the zoning authority's determination is correct if there were such legally sufficient evidence as would make the question fairly debatable. Ark. Lead-Pix Concrete Corp. v. Smith, 241 Md. 1, 245 A.2d 220 (1968); Mayor and City Council of Georgetown v. Bd. of County Comm'rs. for Prince George's County, 247 Md. 670, 234 A.2d 140 (1967); Amesbury, Inc. v. Board, 247 Md. 612, 233 A.2d 757 (1967). Further the one who attacks the determination made by the authority must show that it was arbitrary, unreasonable, or capricious. Wickham v. Montgomery County Council, supra; Amesbury, Inc. v. Board, supra; Boyle v. Board of Commissioners, supra; Mayor and City Council of Baltimore v. Board, 230 Md. 201, 186 A.2d 24 (1962). The appellant's proof falls short of establishing that the Board abused the discretion vested in it by law."

As stated by the Zoning Commissioner and Deputy Zoning Commissioner of Baltimore County, the original zoning was in error in that a more varied use of land was not assigned to the subject property. This property will always feel the effect of the large volume of traffic passing on the nearby expressways.

This Court is constrained to hold that a reasoning mind could reasonably have reached, upon a fair consideration of the entire record, the same conclusion as that of the Board, and hence its action was not arbitrary or capricious or illegal, but, on the other hand, was fairly debatable. Having determined this, the Court has fulfilled and exhausted its limited judicial function in reviewing a zoning appeal.

For the reasons stated and in conformity with the foregoing Opinion, it is this 19th day of August, 1970, by the Circuit Court for Baltimore County ORDERED that the Order of the County Board of Appeals dated January 28, 1970 and its Supplementary Opinion and Amended Order dated February 11, 1970, be and the same are hereby affirmed.

John H. Maguire
John H. Maguire
Judge

12-18-70

RE: PETITION FOR RECLASSIFICATION : BEFORE
from an R-10 zone to R-G and : COUNTY BOARD OF APPEALS
R-A zones, :
SW corner of Ridge Road and Gum : OF
Spring Road, and the W/S of Gum :
Spring Road 1255' S. of Ridge Rd., : BALTIMORE COUNTY
14th District :
Harry J. Pschere, Trustee, et al, : No. 69-113-R
Petitioner :

OPINION

This case comes before the Board on an appeal by nearby property owners from a joint Order of the Zoning Commissioner and the Deputy Zoning Commissioner granting the petitioner a reclassification from one type of residential use to another type of residential use. The petitioner in this case, the Adams Investment Corporation, is the owner of a 45.6 acre parcel of land situated generally in the northwest quadrant of the intersection of the Baltimore County Beltway and the John F. Kennedy Memorial Highway. The property is bounded on the east side by Gum Spring Road; on the north side by Ridge Road; on the west by the High tension transmission lines of the Susquehanna Power and Light Company; and on the south by the Baltimore County Beltway.

The property is presently zoned R-10 (residential building lots of 10,000 square feet minimum lot size), and the petitioner requests a reclassification from its existing classification to R-G (residential group house dwellings) and R-A (residential apartments). The property, for purposes of this petition, has been divided into two parcels. Parcel A consists of approximately 31 acres, and the proposed use, if the petition is granted, is for 278 group dwelling houses, while Parcel B, the more or less southern portion of the property abutting the north side of the Baltimore County Beltway, consists of approximately 14.6 acres and the proposed use is the construction of 216 garden type apartment units. The area in which the subject tract is located is generally either undeveloped or very sparsely developed, with a scattering of houses of various ages and values.

The zoning to the east of the subject property, between Gum Spring Road and the John F. Kennedy Highway, is R-10 and is generally undeveloped. The property to the north, across Ridge Road, is zoned R-10 and is also relatively undeveloped. However, some 900 feet east of the subject property there is a large tract of R-6 land

Harry J. Pschere - #69-113-R

designated on the Comprehensive Zoning Map, adopted by the County Council in 1966, as 14-R6-9. To the north and northwest of the subject property, almost if not abutting the subject property, is another large tract of land designated on the map as 14-R6-11, while some 400 feet north of that is a tract of land which is presently zoned R-A, being designated on the map as 14-R4-16. Immediately to the west of the subject tract, across the Susquehanna Power Company's transmission lines, is an approximately 17 acre tract which was recently granted a special exception for a Y.M.C.A. facility (Zoning Case #70-29-RX). The land to the south of the Baltimore County Beltway is zoned R-10 but is used as a cemetery (Gardens of Faith Cemetery).

The roads around the property are as follows: The Baltimore County Beltway to the south is a six lane dual highway with limited access, and recently the State installed lighting along its entire length. The John F. Kennedy Memorial Highway is also a six lane limited access dual highway, being the major route from Baltimore northeasterly to Wilmington, Philadelphia and New York. The interchange of these two highways is extremely large and complex, and with the possible exception of the interchange of the Baltimore County Beltway and I-70-N in the western section of the County, is the largest intersection along the Baltimore County Beltway. Gum Spring Road, along the eastern edge of the property, is presently a narrow country type of road which dead ends at the southern end and runs in a northerly direction to intersect with Ridge Road, which traverses the northern boundary of the subject property. Ridge Road presently has 24 feet of paving with an 8 foot shoulder on each side, constructed on an 80 foot right-of-way, and will eventually become part of the proposed Rossville Boulevard, which will have 50 feet of paving. Rossville Boulevard will be, when constructed, a major thoroughfare from Belair Road to the Pulaski Highway - Essex area of Baltimore County. In addition, there is a proposed new Radeke Avenue immediately to the west of the subject property. Petitioner's Exhibit #3 shows the proposed alignment of Radeke Avenue, Rossville Boulevard, and White Marsh Boulevard to the north. Gum Spring Road presently services approximately six to ten houses along its east side, south of Ridge Road.

Harry J. Pschere - #69-113-R

Tilman E. Rosenblatt, a builder and developer of some fifteen years experience and one of the principals in the Adams Investment Corporation, testified that if the petition is granted he proposes to construct 278 group homes on Parcel A of the subject property, and 216 garden apartment units on Parcel B; that they intend to leave the maximum open area permissible in the project; that the off-street parking proposed in conjunction with the R-A request provides for 318 parking spaces, or 1-1/2 parking spaces per apartment unit (the Zoning Regulations require a minimum of one parking space per each apartment unit). He testified that the mixture of the apartment project will be forty percent one bedroom units and sixty percent two bedroom units, and the proposed rental scale will range from \$125 to \$165 per month, while the group homes will sell for approximately \$18,000 in fee. He stated that he had studied the area and various census information available to him, and that in his opinion the immediate area is ripe for modest cost housing of higher densities than are permitted under the existing R-10 zone. Figures obtained from a bulletin entitled "Baltimore County Population - 1969" (an official publication of Baltimore County), projects that by 1985 the Fourteenth Election District will contain 78,768 persons, while in 1960 it contained only 27,742, or a projected growth within this period of one hundred and eighty three percent. He stated that he feels the map is in error in that an R-10 development of the subject property is not feasible because of the impact of the major interstate highways; the power lines running along the west side of the property; and various economic factors that in his opinion make it unsuitable for R-10 development. In addition, he felt that the property is ideally situated for more intensive development because of its proximity to major highways; the nearness of the new Franklin Square Hospital and Essex Community College one-quarter mile to the east; and the fact that there are all public utilities available to the site. He testified that studies indicate construction costs have risen ten percent each year since 1966, but while this equals thirty percent higher costs than in 1966, in his opinion the actual cost increase is closer to forty percent. He stated that his studies indicate that in Baltimore County the average new R-10 home costs \$30,000 and in his opinion

Harry J. Pschere - #69-113-R

as an experienced builder and developer, one could not market \$30,000 homes in this neighborhood. He testified that the petitioner requests the R-A zoning on Parcel B in order to achieve a mixture of both rental and sale housing, and also to put the higher density apartment project along the Beltway and thus screen the group house residences from the effects of the noise, traffic, etc., of the Beltway.

On redirect examination, Mr. Rosenblatt indicated that the minimum construction time for the proposed project would be four years or more, and that normally such a project would require one year in the planning stage before construction could begin; that is, architectural design, Public Works agreements, etc.

Richard L. Smith, an engineer employed by the petitioner, testified without contradiction that all public utilities; water, sewer, gas, etc., are available to the subject site in sufficient capacity to handle the proposed project.

John W. Erdman, a qualified traffic engineer, testified to the road widths and capacities of the nearby roads, and projected new road construction in the area. Without going into detail as to all of his testimony, he stated that in his opinion the existing roads can carry any additional traffic generated by the project without any problem, and that the additional traffic generated by the project combined with the present traffic on the surrounding roads would still only be equal to one third of the practical capacity of the existing roads in the neighborhood.

This was substantiated by Richard Moore, an Assistant Traffic Engineer for Baltimore County summoned by the protestants, who stated that the project would not congest the existing Ridge Road, nor would the additional traffic generated here with the projected increase in traffic on the proposed Rossville Boulevard by 1985 exceed the design capacity of the road.

Hugh E. Gelston, an eminently qualified realtor and appraiser appearing on behalf of the petitioner, stated that in his opinion the subject property is adversely affected for residential use by its proximity to the Baltimore County Beltway, the John F. Kennedy Memorial Highway, and the Susquehanna Power and Light Company's high transmission

Harry J. Pschere - #69-113-R

lines. He stated that in his opinion the present R-10 zoning is erroneous; that the property should be reclassified to a higher density, and in his opinion higher density here is needed for this area because: (1) of its proximity to vast tracts of zoned industrial land, both developed and undeveloped, in the immediate neighborhood, (2) the fact that all utilities are presently at the site, and (3) housing in the \$25,000/\$30,000 price range on the subject tract would not be saleable due to the adverse factors affecting the property which he cited earlier in his testimony, however, these factors would not have as great an adverse effect on apartments or more modestly priced housing, and that it is only logical that the subject property should be reclassified to a higher density. He further stated that in his opinion the reclassification of this property to R-A and R-G will not depreciate surrounding and nearby residential properties, but rather that the reclassification would have an upgrading effect on the area in the immediate neighborhood of the subject property. He also testified that the Board of Education has recently purchased school sites in the area; one at the corner of Gum Spring and Ridge Roads, a twenty acre site for the Ridge Road Elementary School; another on the north side of King Avenue just east of the John F. Kennedy Highway; and another for the Nottingham Junior High School. He further stated, which was later confirmed by a witness called by the protestants, that normally schools are not built until there is a population demand for them.

Bernard Willemain, a qualified expert in the field of city and land planning and land use testifying for the petitioner, cited changes in the immediate neighborhood that he felt affected the subject property: Case #65-361-RX, a special exception for a golf driving range immediately across Ridge Road (north of the subject property); the new Franklin Square Hospital presently under construction one-quarter mile east of the property; the Essex Community College approximately the same distance from the subject property; the construction of the new Ridge Road which will be renamed Rossville Boulevard; and Case #70-29-RX, the granting of a special exception for a large Y.M.C.A. facility on an eighteen acre parcel immediately west of the property. He also stated that in his opinion the present R-10 zoning was erroneous in 1966 and is erroneous at present; that

Harry J. Pschere - #69-113-R

the R-10 classification does not allow any reasonable use of the property in light of today's economic situation; that most of this residential development in the area is sparse and that there have been no new residential developments constructed in the immediate neighborhood; and that in his opinion this area will not support the cost of new homes constructed in the R-10 classification. However, he did feel that the area will support reasonable cost fee simple housing as proposed by the petitioner. He further stated that even though the Master Plan Report adopted by Baltimore County on August 30, 1965, at pages 22 and 23, referred to group housing to be provided on the map, the map, as adopted, does not provide for any group housing.

Mr. Preston L. Grimm, Director of Capital Program Planning for the Baltimore County Public Schools, was called by the protestants and testified at great length as to the existing school situation; the proposed new schools for the area; and the effect of the proposed reclassification on the school system. His testimony was very informative and enlightening to the Board, however, it is much too lengthy to be quoted in toto in this opinion. Summarizing Mr. Grimm's testimony, he stated generally that the existing schools in the area are at or over capacity at present, however, the Board of Education has acquired new sites for schools in the area, but that construction has not yet been started for any new school in the immediate area of the subject property because there are not sufficient school age children residing in the area to warrant the construction of a new facility at this time. He also stated that there is nothing static about school districts, and that they are constantly being revised in line with the population trends. This is also true of the Capital Budget with regard to construction programming. He testified that the build up of school children comes in cycles wherein you have a short period of overcrowding and then the construction of new schools to relieve the overcrowding condition, and that you cannot construct a school and economically operate it at twenty-five percent of its standard capacity; hence, this cyclic effect is dictated by economics. He stated that the construction of new schools comes after the population and not before, and that the School Board takes into consideration the probability and/or possibility of

Harry J. Pschere - #69-113-R

reclassifications of properties to higher densities, and that in the present case the Board of Education was well aware of the filing of the subject petition and well aware of the possibility that the property might be reclassified to higher density.

In answer to questions posed Mr. Grimm by the Board, Mr. Grimm stated that his Department has been aware of this petition since the time it was filed and that they have computed the school yield that would be generated by the property in an R-G and R-A classification, and that the Board of Education has no objection to the petition for reclassification in this case.

George E. Gavrellis, Director of Planning for Baltimore County, called by the protestants, testified that in his opinion the subject property is in an "in between" area, between the more intensive uses along the Belair Road corridor and around the Franklin Square-Exxon Community College complex, which was deliberately tapered down to an R-10 zone. The Board cannot completely agree with Mr. Gavrellis, as within 900 feet east of the subject property is a large R-6 tract of land which apparently has no logical relationship to the R-10 zoning surrounding it. An R-6 zone permits the construction of two-family semi-detached houses with a permitted density of six houses per acre, as opposed to R-10 which permits only individual houses at a density of 3.2 houses per acre. In addition, the Board is of the opinion that the most logical place for high density development for either residential use or other types of high intensity uses, all other things being equal, is at a major highway interchange such as we have here. It does not seem to be logical to place properties on major interchanges in zoning classifications that require the construction of expensive individual homes as, to the Board's way of thinking, this is the most illogical place for expensive residential dwellings. In his second comment, Mr. Gavrellis stated that the Staff raises serious questions on the ability of the "presently non-existent school to provide services". The Board feels that this question was completely answered by the testimony of Mr. Grimm.

Three property owners who reside on Gum Spring Road testified in opposition to the petition. Mr. James Hainley objected to any basic change in the

Harry J. Pschere - #69-113-R

zoning that was proposed by the Planning Staff in 1965, and what he felt was an intrusion of group housing into an R-10 area. Mr. Hainley advanced this objection despite the fact that the entire area is now ninety percent farm land and undeveloped. However, with the major highways now in the immediate vicinity and the availability of all public utilities at the site, it is virtually inconceivable that the neighborhood will remain in its present rural state without any changes in zoning classifications. Mr. Hainley and other witnesses also objected to additional traffic that might be generated by the proposed project. However, the traffic engineer for the petitioner and Mr. Moore, a traffic engineer for Baltimore County called by the protestants, both agreed that the existing roads are more than adequate to handle the present traffic, plus any additional traffic generated by the project. In addition, under the normal development policy of the Baltimore County Department of Public Works, the petitioner will be obligated to provide a widening strip and pay for the widening of Gum Spring Road along its western edge which thus, in effect, will be a benefit rather than a detriment to the community.

For the reasons given above, the Board will affirm the joint action of the Zoning Commissioner and Deputy Zoning Commissioner in granting the requested reclassification.

12-18-70

ORDER

For the reasons set forth in the foregoing Opinion, it is this 28th day of January, 1970 by the County Board of Appeals, ORDERED that the reclassification of Parcel A from an R-10 zone to an R-G zone petitioned for, be and the same is hereby GRANTED, and that the reclassification of Parcel B from an R-10 zone to an R-A zone petitioned for, be and the same is hereby GRANTED.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

John A. Slawik

John A. Miller

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
SW/corner of Ridge Road and Gum Spring Road and the W/S of Gum Spring Road, 1255' S of Ridge Road - 14th District : ZONING COMMISSIONER
Harry J. Pecher, Trustee, et al : OF
Petitioner : BALTIMORE COUNTY
NO. 69-113-R :

The Petitioners requested a Reclassification from a R-10 zone to a RG and RA zone on the subject property, which comprises 43.6 acres more or less. This land is in a pocket very close to the intersection of the Baltimore County Beltway and the John F. Kennedy Expressway.

The original comments from various agencies of Baltimore County, including the Baltimore County Board of Education, written on October 22, 1968, were, on the whole, favorable. The Office of Planning in its comment on November 8, 1968, had the following to say:

1. "The intent of the Northeastern Master Plan was to build up the intensity of residential development along the Belair Road corridor and in the vicinity of the Franklin Square - Essex Community College complex. The area in between was gradually tapered down to R-10 development intensities. The subject property lies in this "in between" area.
2. We raise serious questions with respect to the impact of the requested reclassification on the integrity of the map as adopted, on the ability of the presently non-existent school to provide services, and the consequential effects of this zone on the zoning status of adjacent and nearby properties."

At the hearing, the Director of Planning amplified his reasons i. being opposed to any such Reclassification.

John F. Loos, Jr., Chief of Water Design Group, Baltimore County Public Works, and Samuel A. Bellesteri, Chief of Sanitary Sewer Designing Group, Baltimore County Public Works, testified at length concerning the availability of water and sewer. There is no problem in these areas at all. Richard Moore, from the Baltimore County Bureau of Traffic Engi-

neering, and John W. Erdman, Assistant Commissioner for the Department of Transit and Traffic of Baltimore City, both testified favorably as to traffic conditions which would result from the proposed Reclassification.

Hugh E. Gelston, employed by the Baltimore County Board of Education to appraise and negotiate for the purchase of school sites, testified extensively and favorably.

Bernard M. Willeman, an expert planner with great experience in Baltimore County, testified most favorably concerning the use of the subject property for the purposes presented.

The Protestants present at the hearing were not about to refute the expert testimony given by both Baltimore County witnesses and experts provided by the Petitioners, however, it is quite apparent that the residents on Gum Spring Road are entitled to protection from this large complex proposed directly across the street from them. For that reason, this Order will provide that a R-6 strip will run on the subject property along Gum Spring Road, so that residents will face cottages or semi-detached houses.

The original zoning was in error in that a more varied use of land was not assigned to the subject property. This property will always feel the effect of the large volume of traffic passing on the nearby expressways.

Testimony concerning sewer and water clearly indicated that this particular area is isolated from neighboring properties with the exception of some homes on Gum Spring Road.

For the above reasons, IT IS ORDERED this 30th day of December, 1968, that the subject property shall be reclassified from a R-10 zone to a RA zone as requested.

It is further ORDERED that the portion of the subject property now classified R-10, and for which a Reclassification of RG is requested, shall be reclassified to RG saving and excepting the following described parcel which shall be reclassified R-6:

- 2 -

Beginning for the same at the intersection of the south side of Ridge Road 80 feet wide and the west side of Gum Spring Road 60 feet wide and thence running and binding along the west side of Gum Spring Road in a southeasterly direction 235 feet and easterly 37 feet to a point in the center line of Gum Spring Road and binding on the center line of Gum Spring Road the two following courses and distances south 03 degrees 30 minutes west 363 feet and south 00 degrees 30 minutes west 675 feet and leaving said center line north 89 degrees 30 minutes west 140 feet to a point and north 00 degrees 30 minutes east 675 feet more or less to a point and north 03 degrees 30 minutes east 363 feet more or less to a point and in a northerly direction 283 feet more or less to a point on the south side of Ridge Road 80 feet wide and binding thereon in an easterly direction 120 feet more or less to the point of beginning.

Zoning Commissioner of
Baltimore County

Deputy Zoning Commissioner of
Baltimore County

- 3 -



MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301/823-0900

DESCRIPTION

14.6 ACRE PARCEL, WEST SIDE OF GUM SPRING ROAD, 1255 FEET SOUTH OF RIDGE ROAD, FOURTEENTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

THIS DESCRIPTION IS FOR "R-A" ZONING.

PARCEL "B"

Beginning for the same at a point in the center of Gum Spring Road at the distance of 1255 feet, more or less, as measured southerly along the center of said Gum Spring Road from its intersection with the southwest side of Ridge Road, running thence binding on the center of said Gum Spring Road five courses: (1) S 00° 30' W - 100 feet, more or less, (2) S 3° 30' E - 231 feet, more or less, (3) S 24° 00' E - 313 feet, more or less, (4) S 10° 30' E - 143 feet, more or less and (5) S 19° 00' E - 82 feet, more or less, thence three courses: (6) N 48° 15' W - 305 feet, more or less, (7) N 51° 30' W - 165 feet, more or less, and (8) S 64° 45' W - 380 feet, more or less to the northeast right of way line of the John F. Kennedy Memorial Highway and Baltimore Beltway interchange, thence binding thereon (9) Northwesterly 1495 feet, more or less, thence six courses: (10) N 21° 00' E - 470 feet, more or less, (11) S 69° 00' E - 180 feet, more or less, (12) Southerly by a curve to the left with the radius of 670 feet, the distance of 665 feet, more or less, (13) Southeasterly - 622 feet, more or less, (14) Southeasterly by a curve to the left with the radius of 700 feet, the distance of 420 feet, more or less, and (15) S 89° 30' E - 105 feet, more or less to the place of beginning. Containing 14.6 acres of land, more or less.



MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301/823-0900

DESCRIPTION

31 ACRE PARCEL, SOUTHWEST CORNER OF RIDGE ROAD AND GUM SPRING ROAD, FOURTEENTH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

THIS DESCRIPTION IS FOR "R-G" ZONING.

PARCEL "A"

Beginning for the same at a point in the center of Gum Spring Road, at the distance of 225 feet, more or less, as measured southerly along the center of said Gum Spring Road from its intersection with the southwest side of Ridge Road, running thence binding on the center of said Gum Spring Road two courses: (1) S 63° 30' W - 363 feet, more or less, and (2) S 00° 30' W - 675 feet, more or less, thence eight courses: (3) N 89° 30' W - 105 feet, more or less, (4) northwesterly by a curve to the right with the radius of 500 feet, the distance of 420 feet, more or less, (5) northwesterly - 622 feet, more or less, (6) northerly by a curve to the right with the radius of 670 feet, the distance of 665 feet, more or less, (7) N 69° 00' W - 180 feet, more or less, (8) N 21° 00' E - 475 feet, more or less, (9) S 68° 00' E - 155 feet, more or less, (10) S 64° 45' E - 540 feet, more or less to the southwest side of Ridge Road, thence binding thereon (11) S 64° 45' E - 470 feet, more or less to the west side of Gum Spring Road, 60 feet wide, thence binding

Water Supply ■ Sewerage ■ Drainage ■ Highways ■ Structures ■ Developments ■ Planning ■ Reports



MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301/823-0900

or less, (13) Southeasterly - 622 feet, more or less, (14) Southeasterly by a curve to the left with the radius of 700 feet, the distance of 420 feet, more or less, and (15) S 89° 30' E - 105 feet, more or less to the place of beginning. Containing 14.6 acres of land, more or less.

PPK:mpl J.O. #66110 September 9, 1968



12-18-70

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: November 8, 1968

FROM: George E. Gervelli, Director of Planning

SUBJECT: Petition #69-113-R. Reclassification from R-10 to R.G. and R.A. Zone. Southwest corner of Ridge Road and Gum Spring Road and the west side of Gum Spring Road 1235 feet South of Ridge Road. Harry J. Pachner, Trustee of the Estate of E.M. Pachner, Petitioner.

14th District

HEARING: Wednesday, November 20, 1968 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-10 to R.G. and R.A. zoning and has the following advisory comments to make with respect to pertinent planning factors:

- The intent of the Northeastern Master Plan was to build up the intensity of residential development along the Belair Road corridor and in the vicinity of the Franklin Square - Essex Community College complex. The area in between was gradually tapered down to R-10 development intensities. The subject property lies in this "in-between" area.
- We raise serious questions with respect to the impact of the requested reclassification on the integrity of the map as adopted, and the consequential the presently non-existent school to provide services, and the consequential effects of this zone on the zoning status of adjacent and nearby properties.

CEG:ams

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 21, 1968

COUNTY OFFICE Bldg.
111 W. Chesapeake Ave.
Towson, Maryland 21204

JAMES E. DIVER
Chairman

MEMBERS

BUREAU OF
ENGINEERINGBUREAU OF
TRAFFIC ENGINEERING

SOUTH ROADS COMMISSION

BUREAU OF
FILE PRESENTATION

HEALTH DEPARTMENT

PUBLIC PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENT

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

SUBJECT: Item B)
Type of Hearing: Reclassification
from R-10 to R.G. and RA
Locations: SW Cor. of Ridge and
Gum Spring Roads
District: 14th
Petitioner: Harry J. Pachner
Committee Meeting of October 15, 1968

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and have made an on site field inspection of the property. The following comments are a result of this review and inspection.

This tract consists of 45 acres, more or less, of which 30 acres is proposed to be rezoned from R-10 to R.G. for the purpose of constructing 278 group dwellings. 15 acres is proposed to be rezoned from R-10 to RA for the purpose of constructing 216 apartment units. The property is heavily wooded and appears to have a rolling grade which would require moderate grading. It is bounded on the north by New Ridge Road, on the East by Gum Spring Road - on the west by a transmission line, and on the south by the Baltimore Beltway and the John F. Kennedy Expressway.

Road access and traffic conditions: The property has adequate public street frontage to provide for ingress and egress to the site. All interior roads are public streets with 40 ft. paving and gutter on 60 ft. rights-of-way. It appears that the developers will be required to purchase off site rights-of-way for the public road between Ridge Road and the north property line. However, details concerning this could be worked out at a later date.

Rossville Blvd. was designed based on traffic projections for R-10 land. As R-10 the proposed site would generate 1450 trips per day. As R.G. and RA, the site would generate 3750 trips per day.

Public Services: The right-of-way width for Ridge Road (80 ft.) is correct as shown on the plan; however, the paving

James D. Nolan, Esq.,
204 W. Pennsylvania Avenue
Towson, Maryland 21204
Item B) Re: Harry J. Pachner

October 22, 1968

will be a minimum width of 50 ft. Gum Spring Road and the other proposed public roads are shown accurately as 60 ft. rights-of-way with 40 ft. of paving.

Water and sewer facilities exist as follows: A 20" water line is located in the bed of Ridge Road. A 10" sanitary sewer line exists under the Beltway near Gum Spring Road.

If the subject property were to be developed under the R-10 zoning it would yield 28 students. If it is reclassified to R.G. and RA it would yield approximately 171 students. An elementary school is planned to be constructed in this area in 1972 which would take care of the increased student yield.

Site plan: In the event that the proposed zoning reclassification is granted revisions will be required to the street and lot pattern prior to the issuance of building permits.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date or the filing certificate, will be forwarded to you in the near future.

Very truly yours,

JAMES E. DIVER, Chairman

JED:JO

Official
CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th Date of Posting: Nov. 21-68

Posted for: Harry J. Pachner, Trustee of the Estate of E.M. Pachner

Petitioner: Harry J. Pachner, Trustee of the Estate of E.M. Pachner

Location of property: SW corner of Ridge Rd. & Gum Spring Rd. 1235 ft. S. of Ridge Rd.

Location of Sign: 2100 W. Chesapeake Ave. 111 W. Chesapeake Ave.

Remarks: None

Posted by: Mark A. Rose Signature Date of return: Nov. 21-68

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 55660
DATE: 2/12/70

County Board of Appeals (Zoning)

To: William J. Marshall, Jr., Esq.
405 Madison Avenue
Baltimore, Maryland 21201

REPORT TO ACCOUNT NO. 01-712

QUANTITY: 1

DESCRIPTION: Captain of certified documents - Harry J. Pachner, Trustee, et al SW corner of Ridge Rd. & Gum Spring Rd., and W/S Gum Spring Rd. 1235 ft. S. of Ridge Rd. 14th District

TOTAL AMOUNT: \$23.00

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

THE TOWSON TIMES

TOWSON, MD. 21204 November 4, 1968

THIS IS TO CERTIFY that the annexed advertisement of John G. Rose, Zoning Commissioner of Baltimore County, was inserted in THE TOWSON TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one week before the 4th day of Nov., 1968 that is to say, the same was inserted in the issue of Oct. 13, 1968.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. October 31, 1968

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. once in each of the 14 successive weeks before the 31st day of November, 1968, the first publication appearing on the 31st day of October 1968.

THE JEFFERSONIAN
R. L. Smith, Manager

Cost of Advertisement, \$

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 56364
DATE: Oct. 25, 1968

To: William Rosenblatt
4025 Edmonson Ave.
Baltimore, Md. 21223

REPORT TO ACCOUNT NO. 01-622

QUANTITY: 1

DESCRIPTION: Petition for Reclassification for Harry J. Pachner, Trustee of the Estate of E.M. Pachner, deceased.

TOTAL AMOUNT: \$0.00

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

#69-113-R

District: 14th

Date of Posting: Nov. 1-68

Posted for: Harry J. Pachner, Trustee of the Estate of E.M. Pachner

Petitioner: Harry J. Pachner, Trustee of the Estate of E.M. Pachner

Location of property: SW corner of Ridge Rd. & Gum Spring Rd. 1235 ft. S. of Ridge Rd.

Location of Sign: 2100 W. Chesapeake Ave. 111 W. Chesapeake Ave.

Remarks: None

Posted by: Mark A. Rose Signature

Date of return: Nov. 8-68

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 15th day of October, 1968.

JOHN G. ROSE
Zoning Commissioner

Petitioner: Harry J. Pachner

Petitioner's Attorney: James D. Nolan, Esq.

Reviewed by: E. Nolan
Chairman of Advisory Committee

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 60805
DATE: Jan. 24, 1969

To: James D. Mainley, Esq.
Box 394-A, Gum Spring Road
Baltimore, Md. 21206

REPORT TO ACCOUNT NO. 01-422

QUANTITY: 1

DESCRIPTION: Cost of appeal - property of H. J. Pachner, et al

TOTAL AMOUNT: \$85.00

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

12-18-70

TELEPHONE
823-3000
EXT. 387

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 60778

DATE Jan. 14, 1969

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

BILLED BY:

Zoning Dept. of Balto. Co.

TO: James S. Nolan, Esq.
204 W. Pennsylvania Ave.
Towson, Md. 21204

DEPOSIT TO ACCOUNT NO. 01-622

QUANTITY	DESCRIPTION	TOTAL AMOUNT	COST
1	Cost of Appeal - Harry J. Pachner, Trustee, et al #69-113-R	70.00 15.00	85.00

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. 60714

DATE Nov. 26, 1968

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

BILLED BY:

Zoning Commissioner of Balto. Co.

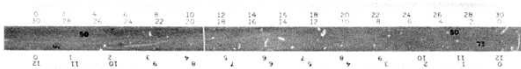
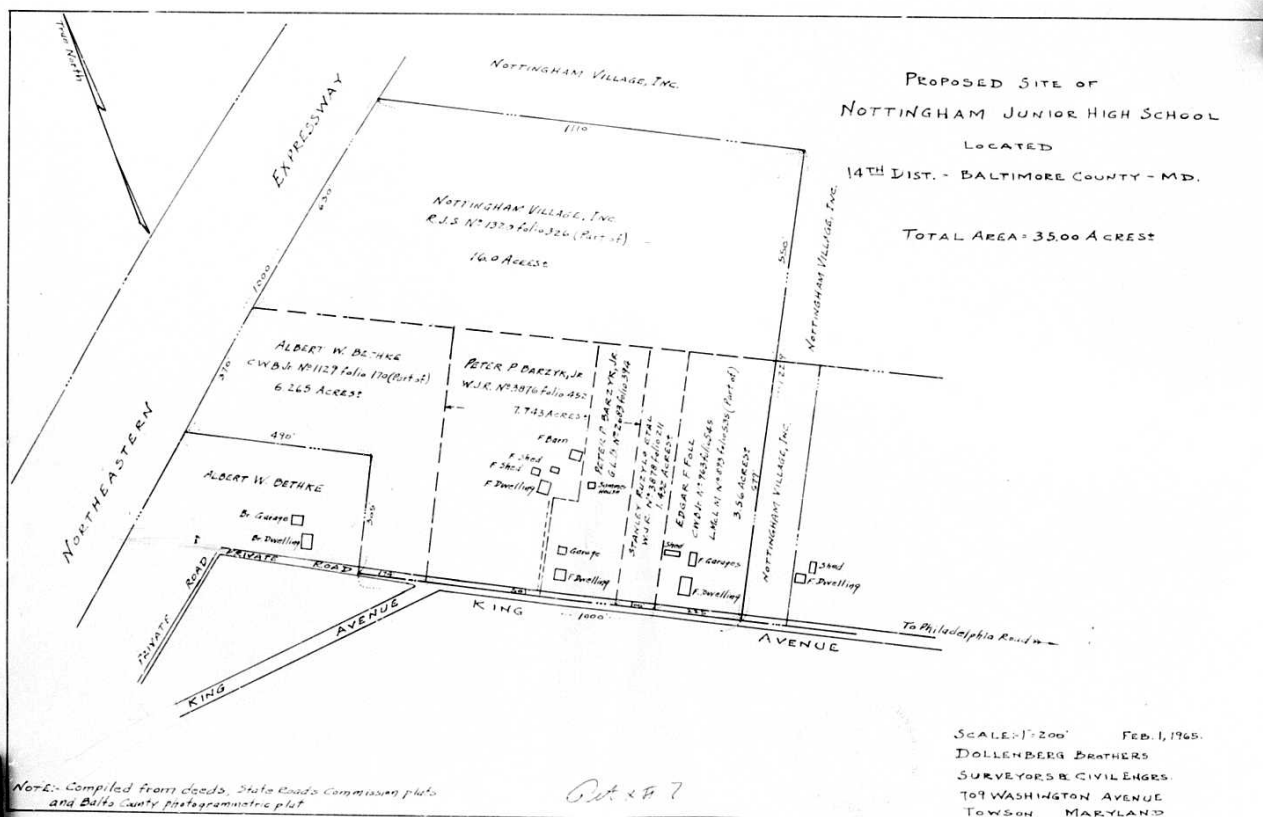
TO: Adams Investment Corp.
James Nolan, Esq.
204 W. Pennsylvania Ave.
Towson, Md. 21204

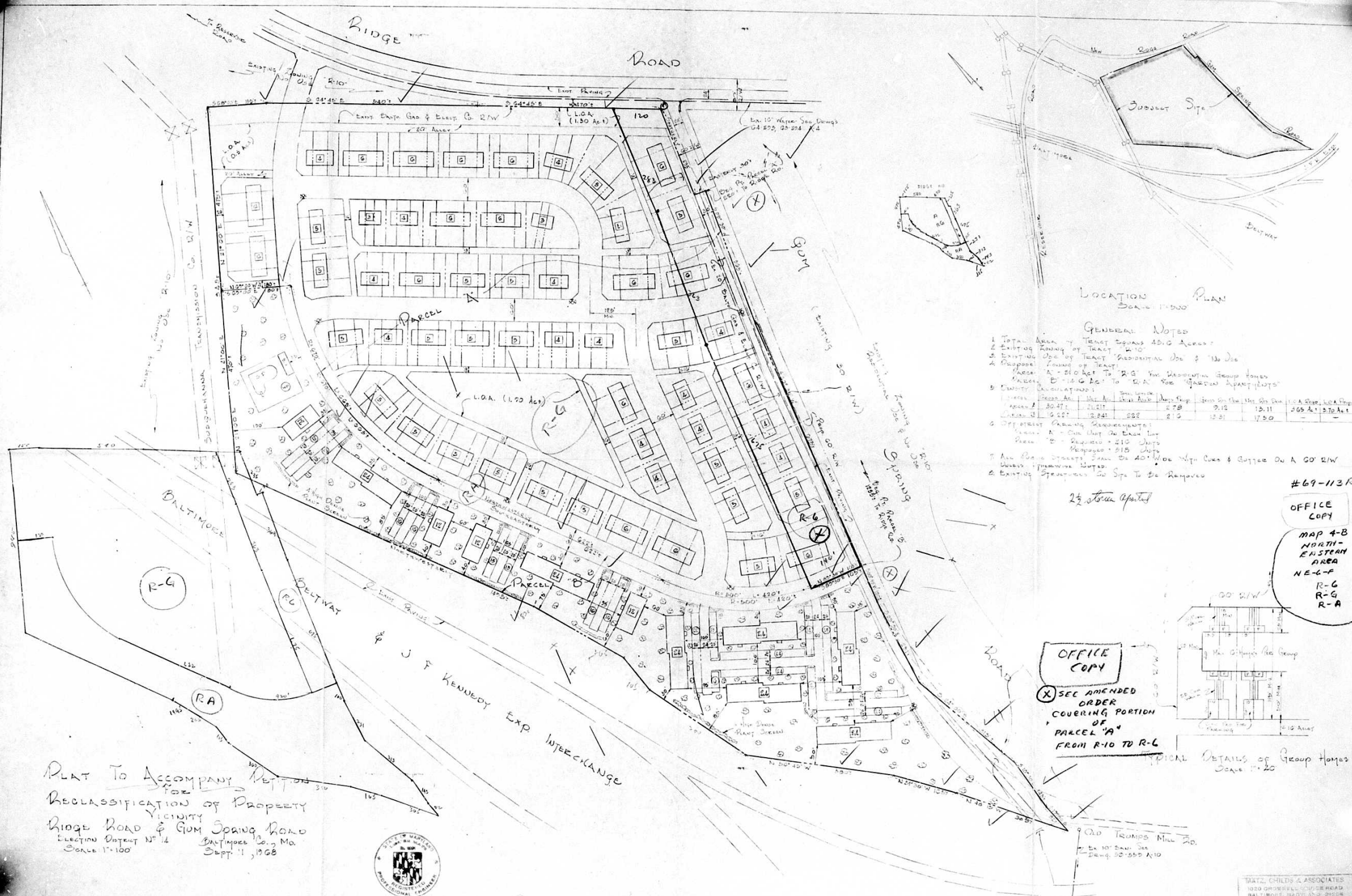
DEPOSIT TO ACCOUNT NO. 01-622

QUANTITY	DESCRIPTION	TOTAL AMOUNT	COST
1	Advertising and posting of property for Estate of E.H. Pachner #69-113-R	88.50	

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

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





LOCATION PLAN
Scale 1"=500'

GENERAL NOTES

1. TOTAL AREA OF TRACT SQUARES 45.6 ACRES
 2. EXISTING ZONING OF TRACT "R-10"
 3. EXISTING USE OF TRACT "RESIDENTIAL USE & No Use"
 4. PROPOSED ZONING OF TRACT:
Parcel "A" - 21.0 AC To "R-6" For Washington Group Homes
Parcel "B" - 15.6 AC To "R-6" For "Garden Apartments"
 5. EXISTING CALCULATIONS:
- | Parcel | Area (Ac) | Area (Sq Ft) | Units | Units per Acre | Units per Sq Ft | Units per Acre | Units per Sq Ft |
|----------|-----------|--------------|-------|----------------|-----------------|----------------|-----------------|
| Parcel A | 21.0 | 1,131,000 | 278 | 13.1 | 13.1 | 13.1 | 13.1 |
| Parcel B | 15.6 | 848,160 | 278 | 17.8 | 17.8 | 17.8 | 17.8 |
6. OFF-TRACT PARKING REQUIREMENTS:
Parcel "A" - One Unit On Each Lot
Parcel "B" - Required = 210 Units
Required = 210 Units
 7. ALL ROAD STREETS SHALL BE 40' WIDE WITH CURB & GUTTER ON A 60' R/W
 8. EXISTING STRUCTURES TO BE REMOVED

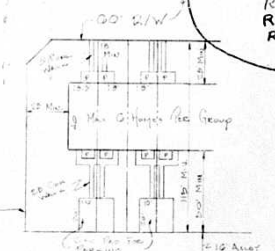
2 1/2 stories apart

#69-113R
OFFICE COPY

MAP 4-B
NORTH-EASTERN AREA
NE-6-F
R-6
R-9
R-A

OFFICE COPY

X SEE AMENDED ORDER COVERING PORTION OF PARCEL "A" FROM R-10 TO R-6



TYPICAL DETAILS OF Group Homes
Scale 1"=20'

PLAT TO ACCOMPANY PETITION FOR
RECLASSIFICATION OF PROPERTY
VICINITY
RIDGE ROAD & GUM SPRING ROAD
ELECTION DISTRICT No. 14
BALTIMORE CO., MD.
SEPT. 11, 1968
SCALE 1"=100'



DATE: CHILD & ASSOCIATES
1030 GREENWICH STREET
BALTIMORE, MARYLAND 21201
C. W. CHILD & ASSOCIATES
CG10 CRS RLS PL

