

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

John L. Strickland and Mary Strickland
I, or we, Leonard Stulman and Helen Stulman, 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an R-6 zone to an R-1 zone; for the following reasons:

Error in original zoning and a genuine change in conditions

See attached description

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

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of a re-classification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further, agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract purchaser
Address: 306 W. Joppa Road, Towson, Maryland (823-1200)

W. Lee Harrison, Petitioner's Attorney
Address: 306 W. Joppa Road, Towson, Maryland (823-1200)

ORDERED By The Zoning Commissioner of Baltimore County, this 8th day of April, 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 had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 14th day of May, 1969, at 2:00 o'clock P.M.

Continued 2:15 PM May 14, 1969

OFFICE OF PLANNING & ZONING
67-48-E

MANDATE

Court of Appeals of Maryland

No. 6, September Term, 1971

Peter D. Stewart et al.

v.

John L. Strickland et al.

Appeal from the Circuit Court for Baltimore County.
Filed: March 6, 1971.
June 22, 1971: Motion for extension of time to file briefs filed.
June 22, 1971: Motion granted.
September 29, 1971: Motion for extension of time to file briefs filed.
September 29, 1971: Motion granted until further order of this Court.
February 16, 1973: Order to dismiss appeal as moot filed by counsel and appeal dismissed.

STATEMENT OF COSTS:

In Circuit Court:

Record \$30.00
Stenographer's Costs -

In Court of Appeals:

Filing Record on Appeal \$20.00
Printing Brief for Appellant
Reply Brief
Portion of Record Extract - Appellant
Appearance Fee - Appellant

Printing Brief for Appellee
Portion of Record Extract - Appellee
Appearance Fee - Appellee

STATE OF MARYLAND, ss:

I do hereby certify that the foregoing is truly taken from the records and proceedings of the said Court of Appeals.

In testimony whereof, I have hereunto set my hand as Clerk and affixed the seal of the Court of Appeals, this sixteenth day of February A.D. 1973.

THE COURT OF APPEALS--ANNAPOLIS, MARYLAND 21404

February 16, 1973

Austin W. Brizendine, Esq.
Attorney at Law
607 Bosley Avenue
Towson, Maryland 21204

Re: Peter D. Stewart et al. v. John L. Strickland et al.
No. 6 - September Term, 1971

Dear Mr. Brizendine:

The above entitled case has been dismissed in accordance with the order received this date.

A copy of the mandate is enclosed.

The record is being returned to the Circuit Court for Baltimore County.

Very truly yours,

James H. Morris, Jr.
Clerk

JHM:j/h
Encl.
cc: W. Lee Harrison, Esq.

JOHN L. STRICKLAND, et al

Appellants

vs.

JOHN A. SLOWIN, WILLIAM S. BALDWIN and JOHN A. MILLER, constituting the County Board of Appeals of Baltimore County

and

PETER D. STEWART, ANN STEWART, EDNA LOMAX, ROBERT M. AUS, VIVIAN AUS, JOHN V. CAMPBELL, GERALDINE CAMPBELL, ALFRED H. FRANCE, JR., HELEN FRANCE, RIDERWOOD HILLS COMMUNITY ASSOCIATION, INC.

Appellees

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

Misc. Case: 4526
Docket: 9
Folio: 40

ORDER OF APPEAL

Mr. Clerk:

Please forward an appeal to the Court of Appeals of Maryland on behalf of Peter D. Stewart, Ann Stewart, Edna Lomax, Robert M. Aus, Vivian Aus, John V. Campbell, Geraldine Campbell, Alfred H. France, Helen France, Riderwood Hills Community Association, Inc., Appellees herein, from the decision of this Court dated January 8, 1970, wherein this Court reversed the decision of the County Board of Appeals of Baltimore County.

I HEREBY CERTIFY that on this 5th day of Feb. 1971, a copy of the foregoing Order was mailed to W. Lee Harrison, Esq., 306 W. Joppa Road, Towson, Maryland 21204, Attorney for Appellants.

Austin W. Brizendine

RESOLUTION

Be it known that at the annual meeting of the Riderwood Hills Community Association, Inc. in December 1969, a resolution was passed permitting the Executive Council of the Association to oppose all commercial zoning bordering on Charles Street south of the Baltimore Beltway to the intersection of Towsontown Blvd. & Charles Street. This resolution empowers the Executive Council to hire attorneys and/or professional witnesses, and to represent the community in all zoning action.

Mr. Keith Poole, who is currently an elected member of the Executive Council, is duly authorized to represent the Association in all zoning matters for the term commencing January 1, 1970 to January 1, 1971. Mr. Poole is familiar with the geographic limits of the Association, the number of members, and the Constitution within which the Association operates.

In the event Mr. Poole is unable to appear at any hearing on zoning issues in which the Riderwood Hills Community Association is interested, the President of the Association is empowered to appoint an alternate, who is also a resident of the community and is familiar with the geographic limits of the Association, the number of members, and the Constitution within which the Association operates, to act for Mr. Poole in representing the Association.

RIDERWOOD HILLS COMMUNITY ASSN., INC.

BY: R. Bruce Beckwith, President.

Edna M. Lomax, Secretary.

Edna M. Lomax

AFFIDAVIT

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 12th day of March, 1970, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared R. Bruce Beckwith and Edna M. Lomax, and they made oath in due form of law that the matters and facts set forth in the foregoing Resolution are true.

AS WITNESS my Hand and Notarial Seal.



Notary Public

RE: PETITION FOR RECLASSIFICATION
From R-6 zone to R-1 zone
NE corner Charles Street Avenue
and Kentworth Drive
8th District
John L. Strickland, et al
Petitioners - Appellants
Zoning File No. 69-249-E

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. 9/40/4526

PETITION TO EXTEND TIME FOR TRANSMITTAL OF RECORD

The Petition of John L. Strickland, Mary W. Strickland, Leonard Stulman and Helen R. Stulman, Appellants, by W. Lee Harrison, their attorney, respectfully represents unto your Honor:

- That on August 19, 1970, an Order of Appeal was filed in the above matter, appealing from the Order of the Board of Appeals of Baltimore County.
- The time for transmittal of the record transcript in this proceeding pursuant to Maryland Rule 87a is September 18, 1970.
- The attorney for the Appellants has been advised by the reporter for the Board of Appeals for Baltimore County that because of the heavy work schedule, he will be unable to have the transcript of testimony in this matter prepared before November 2, 1970.

WHEREFORE, THE Appellants pray this Honorable Court pass an Order pursuant to Maryland Rule 87b extending the time for transmitting the record in this proceeding to November 2, 1970.

W. Lee Harrison
306 W. Joppa Road
Towson, Maryland 21204
823-1200
Attorney for Appellants

ORDER

Upon the foregoing Petition, it is this 15th day of September, 1970, by the Circuit Court for Baltimore County, ORDERED, that the time for transmitting the record in the above case to the Clerk of this Court is hereby extended from September 18, 1970, to November 2, 1970.

I hereby certify that on this 15th day of September, 1970, copy of the foregoing Petition and Order was sent to Mrs. Edith T. Eisenhart, Administrative Secretary, County Board of Appeals, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland 21204 and to Austin W. Brizendine, Esq., Layda Federal Building, Towson, Maryland 21204.

W. Lee Harrison
306 W. Joppa Road
Towson, Maryland 21204
823-1200
Attorney for Appellants

PETITION FOR RECLASSIFICATION
FROM R-6 ZONE TO B-L ZONE
NORTHEAST CORNER OF CHARLES STREET AVENUE
AND KENILWORTH DRIVE
9TH DISTRICT

JOHN L. STRICKLAND, ET AL
PETITIONERS
NO. 69-249-R

PETER D. STEWART, ANN STEWART
EDNA LOMAX, ROBERT M. AUS,
VIVIAN AUS, JOHN V. CAMPBELL,
GERALDINE CAMPBELL, ALFRED H. FRANCE,
HELEN FRANCE
RIDERWOOD HILLS COMMUNITY ASSOCIATION,
INC.

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

MISC. CASE: 4526
DOCKET: 9
FOLIO: 40

#69-249-R

MEMORANDUM OPINION

This is an appeal from a decision of the County Board of Appeals dated July 31, 1970, reversing an order of the Zoning Commissioner dated September 8, 1969, in which the Zoning Commissioner had granted reclassification of the subject property from an R-6 zone to a B-L zone. The Appellants in the case are Leonard Stulman and wife, and John L. Strickland and wife, hereinafter referred to as Appellants. The Appellees in the case are Keith Poole, Edna M. Lomax and Helen France, hereinafter referred to as Appellees and who were the original protestants before the Board of Appeals. The property in question, consists of 9.2 acres, approximately 6 acres of which are owned by Mr. and Mrs. Strickland, and the remaining 3 acres being owned by Mr. and Mrs. Stulman, and is located at the southeast quadrant of the intersection of the Baltimore County Beltway and Charles Street Avenue. It is bounded by Charles Street Avenue on the west (to which it has no access), the Baltimore Beltway on the north (to which it has no access), Kenilworth Drive on the south (to which it has unrestricted access), and the rear yards of 7 or 8 lots in a

issues and whether or not the determinations of the Board were supported by substantial evidence. This Court completely realizes that it has no authority to substitute its judgment for that of the zoning authority but can merely review the record to determine whether or not the issues were as quoted before, "fairly debatable" and whether or not the determinations of the Board were supported by substantial evidence.

The Appellants have the burden of proving to this Court that the action of the Board was arbitrary, unreasonable or capricious. In all of the testimony and indeed in the opinion handed down by the Board in its Order of July 31, 1970, all parties admitted that the subject property is improperly zoned in its present classification as R-A. Nowhere can this Court find any opposition to the use being requested by the Appellants by placing upon the property an office building with a bank and restaurant occupying the first floor. It can be seen from the testimony of Mr. George E. Gavrelis, Director of Planning for Baltimore County, that a question has arisen as to whether or not the proposed use requested by the Appellants could be placed in an R-A zone with a Special Exception. Mr. Gavrelis testified that he felt that this use could be placed in an R-A zone with a Special Exception. He further admitted that the zoning regulations are permissive in nature and do not specifically list a bank or restaurant as a permitted use in an office building with or without benefit of a Special Exception.

This Court has reviewed the Zoning Regulations of Baltimore County, and particularly Sections 402.4, 215.1-5 and 230.5. It is clear to the Court that the Baltimore County Zoning Regulations are permissive in nature, i.e., only those uses which are stated under a particular zone are prima facie correct in that zone, whether as a permitted use or as a use by Special Exception.

development formerly known as Orchard Hills but apparently now known as Riderwood Hills. Directly across Charles Street Avenue to the west is a high-rise apartment and office building known as the Ruxton Towers and directly across Kenilworth Drive south is a new office building presently under construction. The entire south side of Kenilworth Drive from Charles Street Avenue to the property to the east, which is known as the Mission Helpers property, is zoned R-A and is improved by a garden apartment development known as Kenilworth at Charles with the one exception being the office building under construction on the southeast corner of Kenilworth Drive and Charles Street Avenue. The northwest quadrant of the Beltway and Charles Street Avenue is zoned for business purposes and is occupied by a number of national firms who have constructed office buildings and warehouses on the same. The property in question is a remnant of a large farm which many years ago was known as Egypt Farms from which evolved the Orchard Hills development, the Ruxton Towers site and the beds of the Baltimore County Beltway and Charles Street Avenue at this location. The remaining 9.2 acres under consideration here, because of the construction of Charles Street Avenue through the property at an elevated grade, lies 36 feet below the present bed of Charles Street Avenue. It is occupied and used for a topsoil and manure business and the storage of equipment in connection therewith. A number of old and unsightly farm buildings and silos remain on this property. The northeast end of the property is traversed by a stream which renders a substantial portion of the property unusable for any purpose except parking. Going eastwardly along the south side of the Baltimore County Beltway from the subject property, there is a portion of the Orchard Hills development, then a small piece of land owned by the County, consisting of 4 acres, which is to be developed for a

Careful scrutiny of the three sections above referred to very clearly indicate that a bank is not permitted in an R-A zone, either as a permitted use or with Special Exception. The first section under which a bank appears either as a permitted or Special Exception use is under the B-L zone, Section 230 (the following uses are only permitted), sub-section 230.5. Section 402.4 very clearly states that the conditions for accessory business uses for the convenience of tenants in elevator apartment buildings and in office buildings are restricted in such a nature that would preclude any reasonable, natural construction thereof so as to permit a bank and/or other such use which by its very nature must be dealing with and subsisting upon the patronage of persons other than the tenants. For the reasons as stated herein, the Court disagrees with the final conclusion of Mr. Gavrelis that an office building with a bank and restaurant on the first floor could be placed in an R-A zone with a Special Exception. It can also be noted by the transcript and by the opinion of the Board of Zoning Appeals that at the time the original comprehensive map for this area was adopted in 1955, that the County was aware that there would be an extension of Charles Street, but they were not aware of the grades and elevations and whether or not Charles Street Avenue would go over or under the Beltway.

The Court concurs with the findings of the Board that the construction of Charles Street Avenue thirty-six (36) feet above the grade of the subject property had a resultant detrimental effect on subject property under the R-6 zone. The Court, however, does not agree with the opinion of the Board of Zoning Appeals that the mere fact that the alignment of Charles Street Avenue was not known could not result in error in original zoning. This is an erroneous conclusion by the Board as everywhere it is admitted that

neighborhood park and was formerly a part of a parcel of land belonging to the Institute of Mission Helpers of Baltimore City. Going to the east is an undeveloped parcel of land zoned for manufacturing purposes known as the Hanley property and from that point to the Beltway cut off to York Road along the south side of the Beltway is continuous M-R and M-L-R zoning, most of which has been improved with several office buildings known as Executive One and Executive Two, and several large industrial buildings. Going eastwardly along the north side of Kenilworth Drive from the subject site there is the Orchard Hills development and the 4 acres park site above mentioned, then a large apartment development known as the Colony, which property continues to the Baltimore County Police Headquarters located on the northwest corner of Kenilworth Drive and Bosley Avenue.

Testimony revealed that Kenilworth Drive has a gap which is unimproved and consists of a portion of the Institute of Mission Helpers of Baltimore City property. However, Petitioners' Exhibit 3, a deed recorded in Liber 5060, Folio 334 among the Land Records of Baltimore County, very clearly indicates that a parcel of land 70 feet wide across the property of the Mission Helpers was conveyed to Baltimore County on March 31, 1969 "to be used for the bed of Kenilworth Drive." This clearly establishes to this Court that Kenilworth Drive, as far as this case is concerned, must be considered as a street which will have continuity from Charles Street Avenue to Bosley Avenue within the reasonably foreseeable future.

The Petitioners propose to build an office building of five to seven stories and not more than two hundred thousand (200,000) square feet of rentable floor space. Testimony indicated that because of the topography and the fact that the first floor will lie well below the bed of Charles Street Avenue, the venture

the property should never have originally been zoned R-A under the conditions that exist as a result of where Charles Street Avenue was finally located in reference to its grades and elevations. Obviously, if the County Commissioners knew that Charles Street Avenue would be thirty-six (36) feet above subject property, leaving it in a hole contiguous to the Beltway, it was erroneous to place it in an R-6 category. If they did not know of the resultant detrimental effects on the property, then there have been subsequent changes because of the construction which render the original zoning incorrect. In either case, the property owner is entitled to relief by way of reclassification because to permanently penalize them with improper zoning amounts to confiscation.

The Board of Zoning Appeals further concluded in their opinion that the zoning changes which have occurred in close proximity to the subject property were mostly of an increase in residential density nature, but did not change the residential character of the neighborhood. The commercial and industrial changes that have occurred according to the Board are either oriented to the York Road area or are across the Beltway, and do not relate to the subject property. It is obvious from an inspection of the exhibits and reading the testimony that the immediate area is not predominately residential in character. Moreover, the Board ignored the fact that the closest zoning change to the subject property is directly across Kenilworth Drive and allowed construction of an office building which is obviously not a residential use. Arguments by the protestants that reclassification of subject property to Business-Local might open up the neighborhood for further changes is inconsistent with the record.

Cognizant of the law as many times repeated by the Court of Appeals and for the reasons stated herein, it is the finding of

cannot be successfully undertaken unless the first floor can be used for a bank and a restaurant. The Petitioners claim both error and change justify a reclassification of the subject property, either because of original error at the time of the adoption of the map, or because of subsequent changes in conditions which rendered the zoning on the subject property erroneous.

There have been fundamental principles repeated many times by the Court of Appeals with reference to the proper scope of review by the Courts in zoning appeals. This principle has recently been repeated in C.C. Haldemann v. Board of County Commissioners of Howard County, Et al, 253 Md. 298 (1969). The Daily Record, May 26, 1969, wherein the Court, in an opinion by Judge Singley, said:

"We have often repeated the principles here applicable: courts have no power to rezone and may not substitute their judgment for that of the expertise of the zoning authority. Kirkman vs. Montgomery County Council, 251 Md. 273, 247 A.2d 255 (1968); Bosley vs. Hospital for Consumptives, 246 Md. 197, 227 A.2d 746 (1967); Board of County Comm'rs for Prince George's County vs. Farr, 242 Md. 315, 218 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 Redi-Mix Concrete Corp. vs. Smith, 251 Md. 1, 246 A.2d 220 (1968); Mayor and City Council of Greenbelt vs. Bd. of County Comm'rs for Prince George's County, 247 Md. 670, 234 A.2d 140 (1967); Agneslane, Inc. vs. Lucas, 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. Kirkman vs. Montgomery County Council, supra; Agneslane, Inc. vs. Lucas, supra; Bosley vs. Hospital for Consumptives, supra; Mayor and City Council of Balto. vs. Saperio, 230 Md. 291, 186 A.2d 884 (1962).

This Court has read a very lengthy transcript of the record in this case, has reviewed all the exhibits, has listened to arguments of counsel and has read memoranda of law submitted by both counsel. The question to be decided by this Court is whether or not the issues before the Board were fairly debatable

this Court that the issues were not fairly debatable and that there was not sufficient evidence for the Board of Appeals to have reached its conclusion. The Board was clearly arbitrary, unreasonable and capricious from all of the record produced to the Court in this case. The Court finds that there was error in original zoning and that there was substantial evidence of change in the character of the neighborhood to warrant the reclassification requested by the Appellants.

The Order of the Board of Zoning Appeals dated July 31, 1970, denying the reclassification is hereby reversed, and the subject property is hereby reclassified from R-6 to a B-L (Business-Local) zone.

January 8, 1971

H. Kent MacDaniel
H. KENT MACDANIEL
JUDGE

RE: PETITION FOR RECLASSIFICATION
from an R-6 zone to a B.L. zone
Northeast corner of Charles Street Ave.
and Kenilworth Drive
9th District
John L. Strickland, et al
Petitioners-Appellants
Zoning File No. 69-249-R

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

Misc. Docket No. 9
Folio No. 40
File No. 4526

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.

Muriel E. Suddemeier
County Board of Appeals
of Baltimore County

cc: Zoning
Harrison, Esq.
Brizendine, Esq.

PETITION FOR RECLASSIFICATION
FROM R-6 ZONE TO B.L. ZONE
NORTHEAST CORNER OF CHARLES STREET AVE.
AND KENILWORTH DRIVE
9th DISTRICT

JOHN L. STRICKLAND, ET AL
PETITIONERS
NO. 69-249-R

PETER D. STEWART, ANN STEWART,
EDNA LOMAX, ROBERT M. AUS,
VIVIAN AUS, JOHN V. CAMPBELL,
GERALDINE CAMPBELL, ALFRED H. FRANCE,
HELEN FRANCE
RIDERWOOD HILLS COMMUNITY ASSOCIATION,
INC.

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW

MISC. CASE: 4526
DOCKET: 9
FOLIO: 40

ORDER

For the reasons set forth in the foregoing Opinion,
it is this 8 day of January, 1971, by the Circuit Court for
Baltimore County, ORDERED that the Order of the Board of Zoning
Appeals dated July 31, 1970, denying the reclassification be and
the same is hereby reversed, and the subject property be and is
hereby reclassified from R-6 to a B-L (Business-Local) zone.

January 8, 1971

H. Kemp MacDaniel
H. KEMP MACDANIEL
JUDGE

Copy to:

W. Lee Harrison, Esq.
Austin W. Brizendine, Esq.
County Board of Appeals
Frederick M. Invernizzi, Director, Adm. Office of Courts
Eugene Creed, Adm.

RE: PETITION FOR RECLASSIFICATION
from an R-6 zone to a B.L. zone
Northeast corner of Charles Street Ave.
and Kenilworth Drive
9th District
John L. Strickland, et al
Petitioners-Appellants
Zoning File No. 69-249-R

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

Misc. Docket No. 8
Folio No. 40
File No. 4526

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come John A. Slowik, William S. Baldwin and 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 or 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. 69-249-R

Apr. 8, 1969 Petition of John L. Strickland, et al for reclassification from R-6 zone
to B.L. zone, property located on the northeast corner of Charles
Street Avenue and Kenilworth Drive, 9th District - filed

" " Order of Zoning Commissioner directing advertisement and posting of
property - date of hearing set for May 14, 1969 at 2:00 p.m.

" 21 Comments of Zoning Advisory Committee - filed

" 24 Certificate of Posting of property - filed

" 28 Certificate of Publication in newspaper - filed

May 2 Comments of George E. Gavrells, Director of Planning - filed

" 14 At 2:00 p.m. hearing held on petition by Zoning Commissioner - case
held sub curia

Sept. 8 Order of Zoning Commissioner granting reclassification

Oct. 2 Order of Appeal to County Board of Appeals from Order of Zoning
Commissioner

John L. Strickland, et al - No. 69-249-R

Mar. 12, 1970 Hearing on appeal before County Board of Appeals

" 18 Continued hearing - case held sub curia

July 31 Order of County Board of Appeals denying reclassification

Aug. 19 Order for Appeal filed in the Circuit Court for Baltimore County by
W. Lee Harrison, Esq., attorney for Petitioners

" " Petition to accompany Order for Appeal filed in the Circuit Court for
Baltimore County

" 20 Certificate of Notice sent to all interested parties

Sept. 15 Petition to extend time for filing record to November 2, 1970

Oct. 19 Transcript of testimony filed - 2 volumes

Petitioners' Exhibit No. 1 - Plat of subject by Stephens & Associates,
revised 5/2/69

" " 2 - Artist rendering of proposed building
across street from subject

" " 3 - Deed, copy (2/31/69 - 5060/234)

" " 4 - Construction drawing, #68-0570 (5)

" " 5 - Traffic chart prepared by Ewell

" " 6 - Original signed zoning map, 11/14/55
(custody of file)

" " 7 - Updated zoning map, 3-C

" " 8A thru 8J - Photos

" " 9 - Zoning file Case #70-11-X (ret'd to file)

" " 10 - 200' Photogrammetric map, NW 11-A
Townson

" " 11 - Entire Zoning Regulations (no copy sub-
mitted)

Protestants' Exhibit A - Copy of Sec. 230 of Zoning Regulations
(not submitted)

" " B - Map, March 1955, Proposed zoning,
Townson (custody of file)

" " C - #4801-IX - Zoning Commissioner's file
(returned to Z.C. custody)

" " D - #4809-IX - Zoning Commissioner's file
(returned to Z.C. custody)

John L. Strickland, et al - 69-R

Protestants' Exhibit E - Resolution of Riderwood Improvement
Association

" " F - Zoning file #6747-X (returned to file)

Oct. 20, 1970 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, as are
also the use district maps, and your respondents respectively suggest that it would be in-
convenient 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,

Muriel E. Suddemeier
County Board of Appeals of Baltimore County

RE: PETITION FOR RECLASSIFICATION
FROM R-6 ZONE TO B.L. ZONE
NORTHEAST CORNER OF CHARLES STREET AVE.
AND KENILWORTH DRIVE
9th DISTRICT

JOHN L. STRICKLAND, ET AL
PETITIONERS
NO. 69-249-R

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY

PETITION

The Petition of John L. Strickland, Mary W. Strickland, Leonard
Stulman, and Helen R. Stulman, by W. Lee Harrison, their attorney,
respectfully represents unto your Honors:

1. That they are the owners of the property which is the subject
matter of this appeal.
 2. The action of the County Board of Appeals of Baltimore County in
denying the requested reclassification of the above property by its Ord.
of July 31, 1970, was erroneous for the following reasons:
 - (a) The action of the County Board of Appeals of Baltimore
County was unreasonable, arbitrary and unlawful in that it was contrary
to the evidence and the weight of the evidence.
 - (b) The County Board of Appeals of Baltimore County misconstrued
and misinterpreted the evidence before it.
 - (c) The decision of the County Board of Appeals of Baltimore
County was not supported by any substantial evidence in the record.
 - (d) The County Board of Appeals of Baltimore County erroneously
interpreted the law.
 - (e) The uncontradicted evidence showed that the property was
not suited for the R-6 zone and the continuance of such zone is confiscatory.
- WHEREFORE, the Appellants pray that this Honorable Court reverse the
action of the County Board of Appeals of Baltimore County, and grant such

other and further relief as may be appropriate.

W. Lee Harrison
W. Lee Harrison
306 W. Joppa Road
Towson, Maryland 21204
823-1414
Attorney for Petitioners.

Whereby certify that a copy of the foregoing Petition was served on the
County Board of Appeals of Baltimore County, County Office Building,
Towson, Maryland 21204, prior to the filing hereof and a copy of same was
sent to Austin Brizendine, Esq., Loyola Federal Building, Towson,
Maryland 21204 on this 19th day of August, 1970.

W. Lee Harrison
W. Lee Harrison

PETITION FOR RECLASSIFICATION
N/E Corner Charles Street Avenue
and Kenilworth Drive, Ninth District,
John L. Strickland, Mary W. Strick-
land, Leonard Stulman, and Helen
R. Stulman, Petitioners
No. 69-249-R

BEFORE THE ZONING
COMMISSIONER OF
BALTIMORE COUNTY

NOTICE OF APPEAL

Mr. Commissioner:

Please enter an appeal to the County Board of Appeals
from the decision of the Deputy Zoning Commissioner granting the
above application for the following Protestants: Peter D. Stewart,
Ann Stewart, Edna Lomax, Robert M. Aus, Vivian Aus, John V.
Campbell, Geraldine Campbell, Alfred H. France, Jr., and Helen
France, and Riderwood Hills Community Association, Inc.

Austin W. Brizendine
Austin W. Brizendine
22 W. Pennsylvania Avenue
Towson, Maryland 21204
823-1414
Attorney for Protestants

I HEREBY CERTIFY that on this 2nd day of October
1969, a copy of the foregoing Notice was mailed to W. Lee
Harrison, Esquire, 306 W. Joppa Road, Towson, Maryland 21204,
Attorney for Petitioners.



Austin W. Brizendine
Austin W. Brizendine
22 W. Pennsylvania Avenue
Towson, Maryland 21204
823-1414
Attorney for Protestants

RE: PETITION FOR RECLASSIFICATION : BEFORE
from R-6 zone to B.L. zone : COUNTY BOARD OF APPEALS
Northeast corner of Charles Street Ave. : and Kenilworth Drive : OF
9th District : BALTIMORE COUNTY
John L. Strickland, et al :
Petitioners : No. 69-249-R

OPINION

This case comes before the Board on an appeal by the Protestants from a decision of the Zoning Commissioner dated September 8, 1969 granting the requested petition from an R-6, Residential Zone, to a B.L., Business Local Zone.

The subject property is located at the northeast corner of Charles Street Avenue and Kenilworth Drive, in the 9th Election District of Baltimore County, Maryland. It may also be described as that property located in the southeast quadrant, which is formed by the intersection of Charles Street Avenue and the Baltimore County Beltway.

Mr. John Hocheder, a well-known civil engineer, testified that the property is roughly rectangular in shape and contains 9.2 acres of land. Its topography is sloping land. A stream, known as Marleigh Run, and consuming seven-tenths of an acre of the subject, traverses the northeast corner of the property. At its lowest point the property lies as much as thirty-six feet below the grade of the Charles Street and Beltway intersection, and lies six feet below grade of the Charles Street and Kenilworth Drive intersection. These grade differentials between the roads and the property were created by filling and elevating the new roadbeds at the time of their construction.

There was no dispute on the adequacy of sewer and water utilities to serve the proposal.

The property is presently improved by a farmhouse, a large barn, a silo and several small farm sheds. It is the base of operations of the Egypt Farm Top Soil Company. Mr. Frederick Klaus, a recognized appraiser and consultant, testified that old equipment, junk and huge mature piles are scattered about the premises, which he described as messy and unsightly. The neighborhood was described: To the east of the subject is the residential development of Riderwood or Orchard Hills, built by one of

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the Petitioners. Seven of the cottages in this development about the subject. Further to the east is the former property of the Sisters of Mercy Mission Helpers, which has been acquired by Baltimore County Department of Parks and Recreation for park use. East of that, extending toward York Road, are the business properties of Brooks Buick, Inc., Heaver Office Building and the Wm. Cook-Brooks Funeral Home. To the west of the subject, across Charles Street Avenue, is a large elevator apartment building known as Ruxton Towers Apartments. To the south of the subject, across Kenilworth Drive, are the Kenilworth Apartments, terraced on a hillside and overlooking the subject. To the north of the subject, across the Beltway, are four warehouses on the east side of Charles Street Avenue, and a cottage development on the west side.

If successful in his application, the Petitioner testified that he proposes to erect a five to seven stories building containing a bank and a restaurant on the lower floors, and executive office suites on the upper floors. The base size of the building would be approximately 154 feet x 260 feet, and would contain 200,000 square feet of rentable floor space.

To justify the reclassification sought, the Petitioner claims error in the original zoning and a genuine change in the character of the neighborhood since the adoption of the zoning map in November, 1955.

Mr. Bernard Willenain, a professional city planner and consultant testifying as an expert witness for the Petitioner, claimed that the County authorities erred by placing the subject in an R-6 zone on the zoning map, because they failed to recognize the major impact that proposed roads and utilities would have on the subject, and they should have assigned it a zone that would provide greater sophistication use of the land.

As to the test of change in the character of the neighborhood, he cited that before the adoption of the zoning map in 1955, the area was an open valley serviced by limited water and sewer utilities, but this was radically changed when the Beltway, from Dulany Valley Road to the Falls Road, was opened in 1959; Charles Street Avenue was opened in 1960 and adequate sewer and water facilities were provided during the

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period 1956 to 1959. Intensive development and changes in the area rapidly began to take place, and as further proof of change he documented numerous zoning changes.

Briefly, some of the pertinent changes he cited were the following cases:

- #4925 - Ruxton Tower, from R-20 and R-10 to R.A.
- #67-47-X - Special Exception for Medical Office Building
- #6648 - Ferdinand Lee, from R-10 and R-6 to R.A.
- #65-166 - Colony Apartments, from R-6 to R.A.
- #68-104-R - Brooks Buick, Inc., from M.R. to B.M.

and reclassifications for warehouses on the north side of the Beltway west of Charles Street Avenue.

In his testimony Mr. Klaus maintained that a B.L. reclassification is justified not only by changes in the character of the neighborhood but is also necessary to allow proper use of the property which is adversely affected for R-6 use by virtue of its location and below grade conditions. He did not believe that apartments or offices could be economically rented in the floors that would be below grade. He cited that the Ruxton Towers Apartments, across the street from the subject, is similarly located at the Beltway and below grade. The owner, were not successful in renting those apartments that were below grade and went into bankruptcy. Later the new owners obtained zoning relief and were permitted accessory commercial use of the lower floors, but they still have apartment vacancies in the upper floors. He submitted that the B.L. reclassification of the subject, by allowing a bank and a restaurant in the lower floors as a permitted use, would attract larger and better business tenants for the upper floor offices.

There was testimony that Kenilworth Drive, on which the subject fronts, would be widened to forty-eight feet of paving on at least a seventy foot right of way; its construction completed within two years, and also its east and west segments would be connected into one continuous roadway extending from York Road to Charles Street Avenue. The subject's driveways are oriented to Kenilworth Drive and it has no direct vehicular access to Charles Street Avenue or to the Beltway.

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Walter W. Fvelli, Ph.D., a reputable traffic consultant, testified at length for the Petitioner, and summarized by stating that no traffic problems are anticipated from the proposed development. In this respect, Mr. Richard Moore, Assistant Traffic Engineer for Baltimore County, summoned by the Protestants, testified that anticipated traffic generated by the proposed office building would be eleven hundred trips per day. This amount of traffic added to the streets would exceed their design capacity but not their maximum capacity. However, sixty-three hundred trips per day could be anticipated from development of a shopping center, and this would cause traffic congestion.

Mr. George E. Gavrielis, Director of Planning for Baltimore County, was summoned by the Protestants and testified that he would and has recommended that the subject be reclassified from R-6 to R.A., Residential Apartments, which could allow one hundred sixty-five garden type apartments to be developed on the site. On cross-examination he stated that he did not disapprove of an R.A. reclassification for elevator apartments and office use for the subject, and was of the opinion that a bank and restaurant would be permitted as accessory uses for convenience of tenants. He acknowledged, however, that the Zoning Regulations are for permissive use only and do not specifically list a bank or restaurant as permitted accessory uses in an office building without benefit of a Special Exception use. He considered a bank to be an office-type use, but agreed that the validity of this interpretation and use has not been tested by litigation in the courts.

Also testifying for the Protestants was Mr. Hugh Gelsdon, an experienced appraiser. He characterized the neighborhood as being residential and allowed that the present R-6 classification of the subject was not too desirable. He stated that the suitable and best use of the property is for elevator type apartments or for an office building. He was opposed to a B.L. reclassification that could possibly introduce objectionable commercial facilities that may adversely affect nearby residential properties.

Other protestants objected, not so much to the proposed use of the property for an office building containing a bank and restaurant, but to the possibility

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that a shopping center may be built instead. This, of course, would be a permitted use in a B.L. zone. They also feared that granting the petition would open the door to further reclassifications in this area.

The Board does not believe that the County authorities erred in original zoning. While certain proposed road alignments were known to them in 1955, they were then unaware of the proposed roadbed elevations and resultant detrimental effects that the grade differential would create for an R-6 development of the subject property.

The zoning changes which have occurred in close proximity to the subject were mostly of an increase in residential density nature and did not change the residential character of the neighborhood. The commercial and industrial changes that have occurred are either oriented to the York Road area or are across the Beltway and do not relate to the subject site.

For these reasons, and from all the testimony presented, the Board hereby reverses the Order of the Zoning Commissioner and denies the subject petition.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 31st day of July, 1970, by the County Board of Appeals ORDERED, that the reclassification petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure, 1951 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slawik

William S. Baldwin

John A. Miller

Re: Petition for Reclassification : Before
from R-6 Zone to B-L Zone : Zoning Commissioner
N/E Cor. Charles St. Ave. : of
and Kenilworth Drive, 9th :
District - John L. Strickland, :
et al - Petitioners : Baltimore County
: No. 69-249-R

The petitioners requested reclassification of property at the northeast corner of Charles St. Avenue and Kenilworth Drive, from an R-6 Zone to a B-L Zone.

A portion of the subject property was considered for reclassification from a B-L Zone on September 8, 1966 and was denied on March 14, 1967. The petitioners in the present case have requested a reclassification to Business Local. In the current petition they have requested permission to erect a five-story office building, making a shopping mall of the first level, including a bank, restaurant, pharmacy, etc.

To the west of the property across Charles Street Avenue is a large elevator apartment building, to the south across Kenilworth Drive is R-A zoning, to the north is the Baltimore County Beltway and to the east is a residential neighborhood.

This property is suitable for apartment use or a limited commercial use. Apartment zoning with a special exception would not permit the erection of the type of office building proposed and still have adequate commercial uses in the same building. There is no place for the proposed commercial uses to spread as the adjacent properties are already developed.

The Office of Planning opposes the creation of a commercial use on this site. This is in line with its policy but in this case it is not a practical solution to the use of the land.

For the above reasons the reclassification should be had.

It is this 31st day of September, 1969, by the Zoning Commissioner of Baltimore County ORDERED that the herein described property or area should be and the same is hereby reclassified from an R-6 Zone to a B-L Zone, subject to approval of the site plan by the State Roads Commission, Bureau of Public Services and the Office of Planning and Zoning.

Zoning Commissioner of
Baltimore County

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6628, TOWSON, MD. 21204

#69-249-R

Description to Accompany Plat for
Resuming R-6 to B-L
Northeast Corner of Kenilworth and Charles Street.

March 20, 1969

Beginning for the same at the intersection formed by the north side of Kenilworth Drive 80 feet wide and the east side of Charles Street Avenue and running thence binding on the north side of said Kenilworth Drive North 86° 03' 20" East 530.92 feet to the westernmost outline of a plat of Orchard Hills dated August 1956 and filed among the plat records of Baltimore County in Plat Book G.L.B. 23 Folio 71, thence northerly and binding on the said westernmost outline of Orchard Hills the five following courses, viz: first North 14° 08' 40" East 169.07 feet, second South 74° 03' 49" East 43.19 feet, third North 39° 45' 05" East 379.42 feet, fourth South 60° 53' 20" East 26.32 feet, and fifth North 67° 43' 03" East 237.15 feet to intersect the south side of the right of way line of the Baltimore County Beltway, running thence binding along the said right of way line as shown on State Roads Commission Right of Way Plate Nos. 10584 and 10607 the seven following courses, viz: first North 62° 15' 40" West 23.67 feet, second North 78° 12' 20" West 364.00 feet, third South 76° 49' 30" West 196.49 feet, fourth South 83° 39' 00" West 318.97 feet, fifth binding on the southeast and east side of Charles Street Avenue as shown on the aforementioned State Roads Commission Plat #10607, sixth South 50° 47' 11" West 147.19 feet, sixth South 17° 34' 37" West 436.65 feet, and seventh South 38° 09' 20" East 83.25 feet to the place of beginning.
Containing 9.2 Acres of land more or less.

VALLEY STATE

69-249-R
5/14/69

AUSTIN W. BRIZENDINE

ATTORNEY AT LAW

LLOYD BUILDING

22 W. PENNSYLVANIA AVENUE

TOWSON, MARYLAND 21204

May 5, 1969

Mr. John G. Rose, Zoning Commissioner
County Board of Appeals
County Office Building
Towson, Maryland 21204

Dear Mr. Rose:

Please enter my appearance for the Protestants in the Petition for Re-Classification of Strickland and Stulman for property located on the north side of Kenilworth Drive, east of Charles Street.

I respectfully request a postponement of this case because of a pending jury trial in the Circuit Court for Baltimore County on that date.

Very truly yours,

Austin W. Brizendine

AWB:jms

cc: Lee Harrison, Esquire
306 W. Joppa Road
Towson, Maryland 21204

Mr. Robert Aus, President
Riderswood Hills Community Association, Inc.
1020 Donnington Circle
Towson, Maryland 21204

MAR 28 1973

TELEPHONE 825-9000 EXT. 387

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

No. 62231
DATE May 21, 1969

TO: Zoning Dept. of Baltimore County

Camille Productions Inc.
119 W. 57th Street
New York, N.Y. 10019

REPORT TO ACCOUNT / NO.	QUANTITY	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT
01-712	71.00	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	71.00
Advertising and posting of property for John L. Strickland 69-249-R			

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

TELEPHONE 825-9000 EXT. 387

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

No. 65673
DATE 9/18/70

TO: W. Lee Harrison, Esq.
386 West Joppa Road
Towson, Md. 21204

County Board of Appeals
(Zoning)

REPORT TO ACCOUNT / NO.	QUANTITY	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT
01-712	14.00	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	14.00
Cost of certified documents - Case No. 69-249-R			
John L. Strickland, et al 1411 corner Charles Street Avenue and Kentworth Drive 9th District			

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

TELEPHONE 825-9000 EXT. 387

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

No. 62171
DATE April 21, 1969

TO: Joseph P. Harlin, Jr.
6120 Allwood Court
Baltimore, Md. 21210

Zoning Department of Baltimore Co.

REPORT TO ACCOUNT / NO.	QUANTITY	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT
01-622	50.00	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	50.00
Petition for Reclassification for John L. Strickland, et al 69-249-R			

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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 9th Date of Posting: 4-24-69

Posted for: Reclassification

Petitioner: J. L. Strickland

Location of property: NE corner Charles St Ave & Kentworth Dr. St.

Location of Signs: (1) 50' x 35' NE corner with D. M. E. of Charles St. Ave
(3) 75' x 4' 35' E. Charles St. Ave on N. of Kentworth Dr.

Remarks:

Posted by: [Signature] Date of return: 5-1-69

TELEPHONE 825-9000 EXT. 387

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

No. 67007
DATE 10/18/69

TO: Annita W. Strickland, Esq.
Loyola Building
Towson, Md. 21204

Zoning Office
119 County Office Bldg.
Towson Md. 21204

REPORT TO ACCOUNT / NO.	QUANTITY	RETURN THIS PORTION WITH YOUR REMITTANCE	TOTAL AMOUNT
01-682	2 signs	DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS	20.00
Cost of appeal - Strickland property No. 69-249-R			
			20.00

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

W. Lee Harrison, Esq.
386 W. Joppa Road
Towson, Maryland 21204

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted for filing this
8th day of April, 1969.

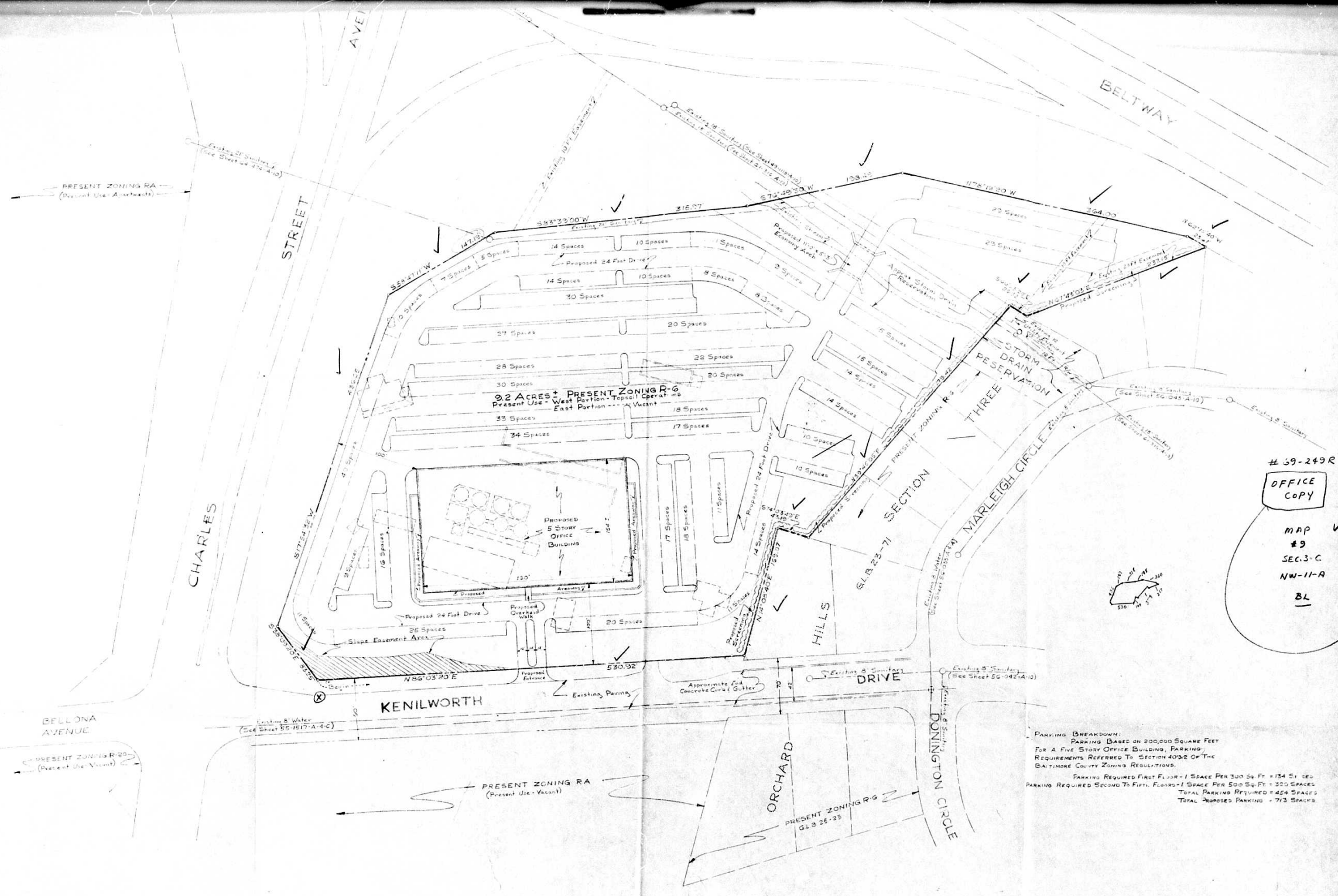
[Signature]
John L. Strickland
Chairman of
Zoning Commission

Petitioner: John L. Strickland

Petitioner's Attorney: W. Lee Harrison

Reviewed by:

[Signature]
Chairman of
Advisory Committee



39-249R
OFFICE COPY

MAP
#9
SEC. 3-C
NW-11-A
BL

PARKING BREAKDOWN:
PARKING BASED ON 200,000 SQUARE FEET
FOR A FIVE STORY OFFICE BUILDING, PARKING
REQUIREMENTS REFERRED TO SECTION 4032 OF THE
BALTIMORE COUNTY ZONING REGULATIONS.
PARKING REQUIRED FIRST FLOOR - 1 SPACE PER 300 SQ. FT. = 134 SPACES
PARKING REQUIRED SECOND TO FIFTH FLOORS - 1 SPACE PER 500 SQ. FT. = 300 SPACES
TOTAL PARKING REQUIRED = 434 SPACES
TOTAL PROPOSED PARKING = 713 SPACES

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVE.
TOWSON 4, MARYLAND



PLAT TO ACCOMPANY PETITION
FOR
REZONING FROM R-G TO BL
N.E. CORNER
CHARLES STREET AVE. & KENILWORTH DR.
BALTO. CO., MD.
SCALE: 1" = 50'
ELECT. DIST. N 9
MARCH 19, 1969

BALTIMORE

COUNTY

BELTWAY

STREET

AVENUE

CHARLES

BELLONA AVENUE

KENILWORTH

ORCHARD

SECTION

MARLEIGH CIRCLE

DRIVE

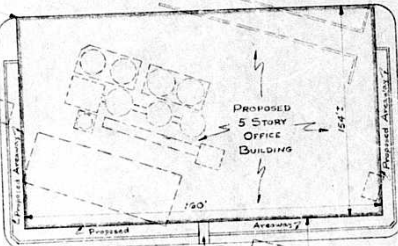
DONNINGTON

PRESENT ZONING RA
(Present Use - Vacant)

PRESENT ZONING R-20
(Present Use - Vacant)

PRESENT ZONING RA
(Present Use - Apartments)

0.2 ACRES + PRESENT ZONING R-6
Pres. Use - West Portion - Topical Operations
East Portion - Vacant



PARKING BREAKDOWN:
PARKING BASED ON 300,000 SQUARE FEET
FOR A FIVE STORY OFFICE BUILDING, PARKING
REQUIREMENTS REFERRED TO SECTION 20.32 OF THE
BALTIMORE ZONING REGULATIONS
PARKING REQUIRED FIRST FLOOR - 1 SPACE PER 300 SQ. FT. = 134 SPACES
PARKING REQUIRED SECOND TO FIFTH FLOORS - 1 SPACE PER 500 SQ. FT. = 320 SPACES
TOTAL PARKING REQUIRED = 454 SPACES
TOTAL PROPOSED PARKING = 713 SPACES

69-249R
OFFICE
COPY
MAP
#9
SEC. 3-C
NW-11-A
BL