

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

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Sheldon Schnaper co-partners, t/a Schnaper & Koren  
and Richard Koren, legal owner of the property situated 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-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:

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

SHELDON SCHNAPER and RICHARD KOREN  
CO-PARTNERS,  
T/A SCHNAPER & KOREN

Contract purchaser: Richard Koren  
General Partner, Legal Owner

Address: 204 W. Penna. Ave.  
Towson, Md. 21204

James D. Nolan  
823-7800 Petitioner's Attorney  
204 W. Penna. Ave.  
Towson, Md. 21204

W. Giles Pritter  
Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of July, 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 9th day of Sept., 1969, at 1:00 o'clock.

Zoning Commissioner of Baltimore County.

(over)

## BALTIMORE COUNTY, MARYLAND

### INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: August 25, 1969

FROM: Mr. George E. Gavelis, Director of Planning

SUBJECT: Petition #70-48-R, Reclassification from R-6 to R-A. South side of Bedford Road 177 feet west of Walnut St. Sheldon Schnaper & Richard Koren, Petitioners.

3rd District

HEARING: Monday, September 2, 1969 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-6 to R-A zoning.

From a Planning viewpoint no changes have occurred in the area vicinal to the subject property which would constitute conditions of change. We believe that the present zoning is correct. We question the extent of higher densities here on traffic. We note that both of the elementary schools that service this general area now are substantially over their design capacity. Further apartment zoning is not indicated as being an appropriate classification here by the emerging comprehensive zoning map proposed to be adopted preliminarily by the Planning Board in September.

GEG:bms

RE: PETITION FOR RECLASSIFICATION : BEFORE  
from R-6 zone to R-A zone : COUNTY BOARD OF APPEALS  
S/S of Bedford Road 177 feet West : OF  
of Walnut Street : BALTIMORE COUNTY  
3rd District : No. 70-48-R  
Sheldon Schnaper and Richard Koren :  
Petitioners :

### ORDER OF DISMISSAL

Petition of Sheldon Schnaper and Richard Koren (t/a Schnaper & Koren) for reclassification from R-6 zone to R-A zone, on property located on the south side of Bedford Road 177 feet west of Walnut Street, in the 3rd District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of Order of Dismissal of appeal filed August 4, 1972 (a copy of which is attached hereto and made a part hereof), from the attorney representing the Petitioners-Appellants in the above entitled matter.

WHEREAS, the said attorney for the said Petitioners-Appellants requests that the appeal filed on behalf of said Petitioners be dismissed and withdrawn as of August 4, 1972.

IT IS HEREBY ORDERED, this 1st day of September, 1972, that said appeal be and the same is DISMISSED.

COUNTY BOARD OF APPEALS  
OF BALTIMORE COUNTY

John A. Slowik, Chairman

W. Giles Pritter

Robert L. Gilland

IN RE: Reclassification from : BEFORE THE  
R-6 to RA, South side : BALTIMORE COUNTY  
of Bedford Road 177 : BOARD OF APPEALS  
feet west of Walnut :  
Street, :  
Sheldon Schnaper and : No. 70-48-R  
Richard Koren, : (Item No. 17)  
Petitioners :

### ORDER OF DISMISSAL WITHOUT PREJUDICE

MR. CLERK:

Please enter the above entitled matter "DISMISSED WITHOUT PREJUDICE" on behalf of Sheldon Schnaper and Richard Koren, Petitioners.

James D. Nolan

Nolan, Plumbhoff and Williams  
204 West Pennsylvania Avenue  
Towson, Maryland 21204  
Telephone: 823-7800  
Attorney for Petitioners

I HEREBY CERTIFY that on this 1st day of August, 1972, a copy of the foregoing Order of Dismissal Without Prejudice was mailed to William J. Pittler, Esquire, 902 Arlington Federal Building, Baltimore, Maryland 21201, Attorney for the Protestants.

James D. Nolan

RE: PETITION FOR RECLASSIFICATION : BEFORE THE  
TION : ZONING COMMISSIONER  
S/S of Bedford Road, 177' W of : OF  
Walnut Street - 3rd District : BALTIMORE COUNTY  
Sheldon Schnaper and Richard :  
Koren - Petitioners :  
NO. 70-48-R (Item No. 17) :  
::: :::: :::: :::: :::: ::::

The Petitioners seek a Reclassification of their property, consisting of 23.5 acres, from an R-6 zone to an RA zone. Plans call for the construction of three hundred and seventy-one units, sixty per cent of which will be one bedroom and the remaining forty per cent of which will be two bedroom apartments. Six hundred and fifty-seven parking spaces will be provided.

The Petitioners claimed the original zoning was in error but could not give satisfactory grounds in support of this contention. Numerous zoning reclassifications in the general area were introduced into evidence, but it is interesting to note that all these reclassifications concern property separated from the subject tract by the Western Maryland Railroad.

There was much opposition to the granting of this Petition. Numerous property owners based their opposition on water pressure problems, storm drain problems, school congestion and possible traffic congestion in the area.

Without further reviewing the evidence, the Zoning Commissioner is of the opinion that the Petitioners have failed to show either error in the original zoning map or substantial changes in the character of the neighborhood justifying the granting of this Petition.

For the foregoing reasons, IT IS ORDERED by the Zoning Commissioner of Baltimore County this 28 day of May, 1970, that the above Reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain an R-6 zone.

Edward D. Harding  
Zoning Commissioner of  
Baltimore County

ORDER RECEIVED FOR FILING  
DATE 5/28/72  
BY J. E. HARRIS, CLERK  
ADMINISTRATIVE SERVICES

IN RE: Reclassification from : BEFORE THE  
R-6 to RA, South side : ZONING COMMISSIONER  
of Bedford Road 177 : OF  
feet west of Walnut : BALTIMORE COUNTY  
Street, :  
Sheldon Schnaper and :  
Richard Koren, :  
Petitioners :  
: Petition #70-48-R  
: (Item No. 17)

### ORDER FOR APPEAL

Mr. Zoning Commissioner:

Please enter an Appeal to the County Board of Appeals from your Order of May 28, 1970, and each and every part thereof, denying the requested reclassification on behalf of the Petitioners, Sheldon Schnaper and Richard Koren, parties thereby aggrieved.

James D. Nolan

Nolan, Plumbhoff and Williams  
204 West Pennsylvania Avenue  
Towson, Maryland 21204  
Telephone: 823-7800  
Attorney for Petitioners

I HEREBY CERTIFY that on this 1st day of June, 1970, a copy of the foregoing Order for Appeal was mailed to William J. Pittler, Esquire, 902 Arlington Federal Building, Baltimore, Maryland, 21201, attorney for the protestants.

MCA  
MATZ, CHILDS & ASSOCIATES, INC.  
CONSULTING  
ENGINEERS

1020 Cromwell Bridge Rd., Baltimore, Md. 21205, Tel. 301-823-0900

Lester Matz, P. E., L. S.  
John C. Childs, P. E., L. S.  
Associates  
Ronald W. Broyles, L. S.  
George W. Bushby, L. S.  
Robert W. Casaba, P. E.  
Leonard M. Grass, P. E.  
Norman F. Herrmann, L. S.  
Paul Lee, P. E.  
Paul B. Smeton

### DESCRIPTION

23.5228 ACRE PARCEL, BEDFORD ROAD NEAR CAMPFIELD ROAD, THIRD ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for R-A Zoning

Beginning for the same at a point on the south side of Bedford Road at the distance of 177 feet, more or less, as measured along said south side of Bedford Road from its intersection with the center line of Walnut Street, said point of beginning being at the beginning of the land which by deed dated April 13, 1945, and recorded among the Land Records of Baltimore County in Liber R.J.S. No. 1386, Page 74 was conveyed by Frederick J. Singley and others, Executors, to Edwin U. Ovinga and wife, said point of beginning being also at the northwest corner of the outline of the Plat of "Mellinee" recorded among said Land Records in Plat Book J.W.S. No. 1, Page 103, and running, thence, binding on the first line of said land and on the south side of said Bedford Road, (1) S 75° 06' 00" W - 379.50 feet, thence leaving said Bedford Road, and binding on the second line and on a part of the third line of said land, (2) S 17° 25' 40" E - 1205.88 feet, and (3) S 27° 33' 30" W - 496.57 feet, thence (4) S 62° 26' 30" E - 163.65 feet, and (5) N 38° 26' 15" E - 127.57 feet to the northernmost corner of Lot No. 1, Block "B", as shown on Plat No. 2, "Brookside Manor" recorded among said Land Records in Plat Book G.L.B. No. 24, Page 18, thence binding on the outlines of "Brookside Manor", the nine following courses and distances, (6) S 72° 34' 30" E - 138.12 feet, (7) S 49° 08' 20" E - 600.42 feet, (8) N 36° 00' 40" E - 151.41 feet, (9) N 26° 51' 07" E -

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

MCA  
MATZ, CHILDS & ASSOCIATES, INC.  
#70-48-R

Page 2

165.00 feet, (10) N 62° 08' 53" W - 68.00 feet, (11) N 26° 51' 07" E - 26.00 feet, (12) S 89° 43' 20" E - 53.06 feet, (13) N 26° 51' 07" E - 60.99 feet, thence (14) N 26° 51' 07" E - 111.01 feet, thence (15) S 63° 08' 53" E - 206.67 feet to a point on the northeast side of a 15 foot wide Right of Way for Utilities there laid out, thence binding thereon, the two following courses and distances, (16) N 22° 45' 00" W - 137.70 feet and (17) N 20° 45' 00" W - 90.12 feet to a point on the southwest outline of the Plat of "Mellinee" herein referred to, thence binding on said southwest outline and on the outlines of said first mentioned land the two following courses and distances (18) S 63° 08' 53" W - 597.72 feet, and (19) N 17° 28' 10" W - 1291.20 feet to the place of beginning.

Containing 23.5228 acres of land.

RS/mp1

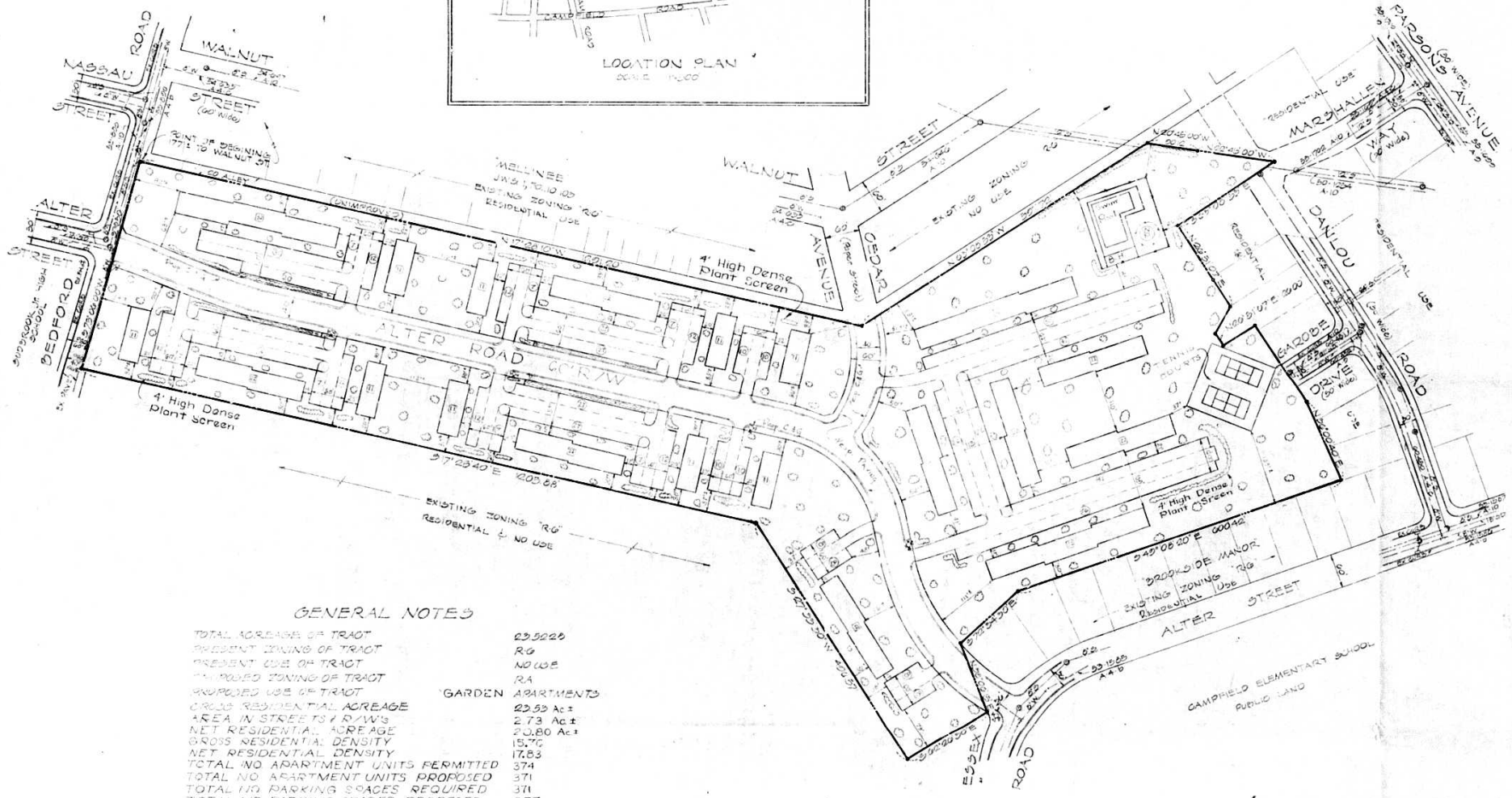
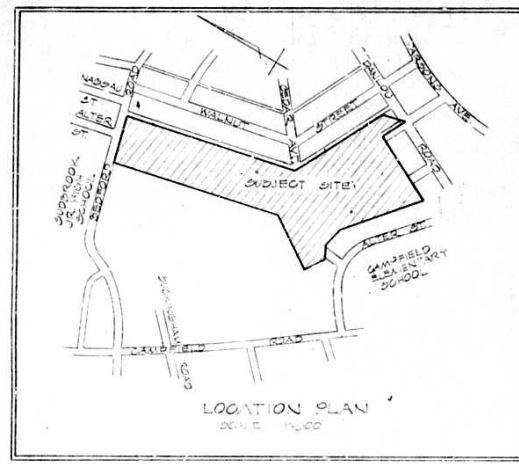
J.O. #63199

July 1, 1969



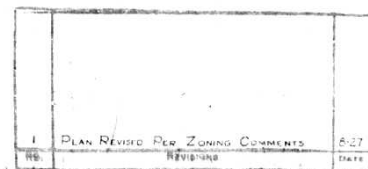
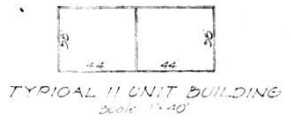
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GENERAL NOTES

|                                     |                   |
|-------------------------------------|-------------------|
| TOTAL ACRES OF TRACT                | 23.5020           |
| PRESENT ZONING OF TRACT             | R6                |
| PRESENT USE OF TRACT                | NO USE            |
| PROPOSED ZONING OF TRACT            | RA                |
| PROPOSED USE OF TRACT               | GARDEN APARTMENTS |
| GROSS RESIDENTIAL ACREAGE           | 23.50 Ac±         |
| AREA IN STREETS & R/W'S             | 2.73 Ac±          |
| NET RESIDENTIAL ACREAGE             | 20.80 Ac±         |
| GROSS RESIDENTIAL DENSITY           | 15.76             |
| NET RESIDENTIAL DENSITY             | 17.83             |
| TOTAL NO. APARTMENT UNITS PERMITTED | 374               |
| TOTAL NO. APARTMENT UNITS PROPOSED  | 371               |
| TOTAL NO. PARKING SPACES REQUIRED   | 371               |
| TOTAL NO. PARKING SPACES PROPOSED   | 357               |



PLAT TO ACCOMPANY PETITION  
FOR RECLASSIFICATION OF PROPERTY  
VICINITY OF  
BEDFORD ROAD NEAR CAMPFIELD ROAD  
3RD ELECTION DISTRICT BALTIMORE COUNTY, MD  
SCALE: 1"=100' JULY 1, 1968

ENGINEER  
MATZ, CHILDS & ASSOCIATES  
600 ORDMAN RD.  
TOWSON, MARYLAND 21204

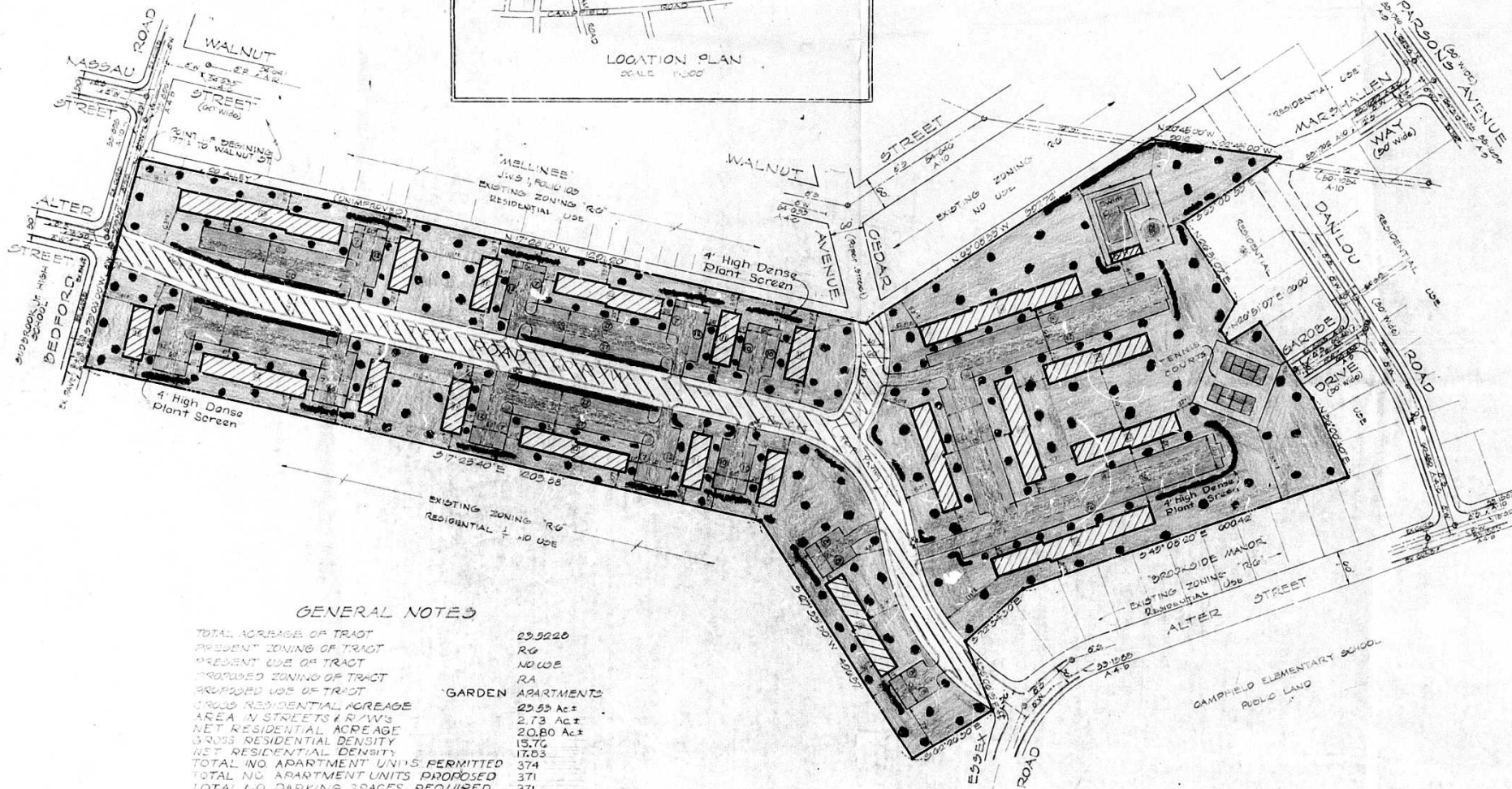
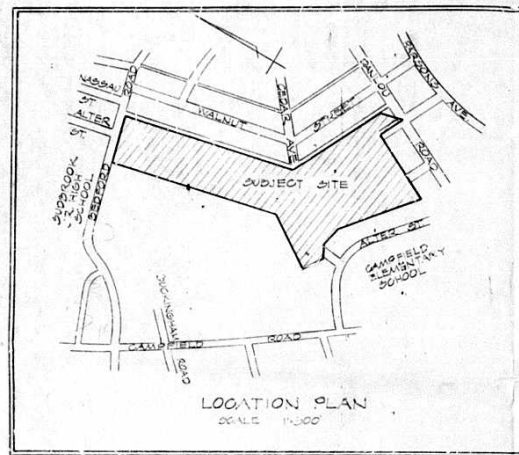


OFFICE COPY

#70-4FR  
MAP  
2-B  
WESTERN  
AREA  
NW-6-F  
RA

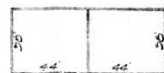
#17  
Schneider & Koenig  
OFFICE ONLY





### GENERAL NOTES

|                                     |            |
|-------------------------------------|------------|
| TOTAL ACRES OF TRACT                | 29.9220    |
| PRESENT ZONING OF TRACT             | R6         |
| PRESENT USE OF TRACT                | NO USE     |
| PROPOSED ZONING OF TRACT            | RA         |
| PROPOSED USE OF TRACT               | APARTMENTS |
| GROSS RESIDENTIAL ACREAGE           | 20.53 AC±  |
| AREA IN STREETS & R/W'S             | 2.73 AC±   |
| NET RESIDENTIAL ACREAGE             | 20.80 AC±  |
| GROSS RESIDENTIAL DENSITY           | 15.76      |
| NET RESIDENTIAL DENSITY             | 17.03      |
| TOTAL NO. APARTMENT UNITS PERMITTED | 374        |
| TOTAL NO. APARTMENT UNITS PROPOSED  | 371        |
| TOTAL NO. PARKING SPACES REQUIRED   | 371        |
| TOTAL NO. PARKING SPACES PROPOSED   | 657        |



TYPICAL 11 UNIT BUILDING  
Scale 1" = 40'

| NO. | DATE | REVISIONS                        |
|-----|------|----------------------------------|
| 1   | 5-27 | PLAN REVISED PER ZONING COMMENTS |

PLAT TO ACCOMPANY PETITION  
FOR RECLASSIFICATION OF PROPERTY  
VICINITY OF  
BEDFORD ROAD NEAR CAMPFIELD ROAD  
2nd ELECTION DISTRICT BALTIMORE COUNTY, MD  
SCALE 1" = 30' JULY 1, 1993

ENGINEERS  
MATZ, CHILDS & ASSOCIATES  
200 CROMWELL BRIDGE RD  
TOWSON, MARYLAND 21204



#70-48R  
MAP  
2-B  
WESTERN  
AREA  
NW-1-F  
RA

