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

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY

I, or we, Luhn, J. Hajewski & Wife legal owner. of the property attuate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, describy petition (1) that the zoning status of the herein described property be re-classified, pursuant 

Dog attached description

| and (2) for a Special Exception, under the said Zoning Law and<br>County, to use the herein described property, for | Zoning | Regulations of | Baltimore |
|---------------------------------------------------------------------------------------------------------------------|--------|----------------|-----------|
| County, to use the herein described property, for-                                                                  |        | Chinara        |           |

Property is to be posted and advertised as prescribed by Zoning Regulati

I, or we, agree to pay expenses of above re-classifica etc., upon filing of 'bis petition, and further agree to ane are to be bound by the zoning it to the Zuning Law for Baltin

Valent Majurahi Helen E. Majewski Legal Owne es - 311 Carroll Island Road

-Baltimore, -M4, -21220 ...

000

rroll Island Rd.

missioner of Baltimore County, this .... 27th \_\_, 197 1., that the subject matter of this petition be advertised, as equired by the Zoning Law of Baltimore County, in two newspapers of general circulation through

re County, that property be posted, and that the n are County a Room 106, County Office Building in Towson, Baltin ...day of Statesber ., 197 L., at \_L.00\_o'clock

Our be fence

RUSSELL E. HERRERT - Surveyor 3005 N. Calvert Street Baltimore 18, Maryland

Description of Majewski Property for Zoning

Beginning for the same at a point in the center of Carroll Island Road at the Southeast corner of a parcel of land Conveyed from Majewski to Markins by deed recorded among the land records of Baltimore County and running thence binding on the outlines of said parcel North 18 degrees 14 minutes East 222.87 ft themce North 71 degrees 46 minutes Tout 125 ft. thence leaving said parcel and binding on the outlines of the lands conveyed from Gryzmelk to John J. Majewski and wife North 18 degrees 14 minutes East 523.24 ft thence South 68 degree Ol minutes East 421.39 ft thence South 21 degrees 13 minutes 20 second: East 1095.32 ft thence North 88 degrees 36 minutes West 446.24 ft to the center of Carroll Island Road thence along center-ine North 47 degrees 49 minutes West 122.78 ft theace North 46 degrees 40 minutes West 453.0 ft thence North 52 degrees 49 minutes West 50 ft to the place of beginning.

Peing part of the land described in the deed from Gryzmalk to J.J. Majewski and wife. and recorded among the land records of Baltimore

The slave beginning point being also 700 feet more or than .... the intersection of Carroll Tulund houd & Boule, to granter tome.



RE: PETITION FOR RECLASSIFICA- : BEFORE THE N/S of Carroll Island Road, : ZONING COMMISSIONER N/S or Carroll Island Road, 1000' E of Bowleys Quarters Road - 15th District John J. Majewski, et ux -Petitioners NO. 72-44-R (Item No. 22) OF BALTIMORE COUNTY

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The Petitioners request a Reclassification from a D.R.5.5 Zone to a J.R.16 Zone, for a parcel of property located on the north side of Carroll Island Road, one thousand (1000') feet east of Rowleys Quarters Road, in the Fifteenth District of Baltimore County, consisting of fourteen (14) acres of land, more

Testimony on behalf of the Petitioners andicated that the subject property was previously zoned R.F. and by adoption of the Comprehensive Zoning Map of March 24, 1971, the said property was "downshifted" and placed in a D.R.5.5 Zone. Mr. John J. hajewski indicated that he proposes to develop two hundred (200) units of garden type apartments and claims that since acquiring his R.A. zoning on May 4, 1965, has been unable to develop same Houe to lack of finances or ability to obtain financing. Mr. Frederick F. Klaus, eminent real estate appraiser and consultant on matters of zoning, tes isied that he felt the "downshifting," as indicated above, was confiscation of land, in that, the Petitioners had a constitutional right to their property and to its use as previously zoned R.A. The subject property immediately adjoins a contractor's storage yard to the west which enjoys a M.L. Zone. Also, White Marsh Boulevard, as proposed, would adjoin the subject property immediacely to the northwest.

Residents of the area, in protest of the subject Petition, indicated a possibility of overcrowding of schools and the narrow road network being incapable of handling the traffic emarating from the two hundred (200) apartment unit complex.

Without reviewing the evidence further in detail but based on all the evidence presented at the hearing, in the judgment of the Zoning Commissioner, the granting of D.R.16 for the

STATEMENT OF CASE

On May 4, 1965 our property consisting of 14.7 acres was

a considerable amount of time and money in obtaining architectural and engineering plans and contracts for the development of the

Throughout this entire time I have tried to obtain long

term financing, but due to high interest rates and tight money,

The Planning Board resolution proposed DR 16 zoning for

I was unable to obtain the financing. Now, interest rates are

our property on the new zoning map; however, our D R 16 zoning

In view of the change in zoning classification of our

only will we be exposed to considerable financial loss, but the

The Whitemarsh Expressway's proposed right of way runs

through the northeast side of the propoerty, roughly paralleling

Property on the northwest of the subject tract is zoned

The subject property landscaped and developed with apart-

ments will create a buffer which will lessen fire hazards, rodents, and noise from the adjacent ML, BL and Whitemarsh Expressway. Water, electric, gas and sewer are available at the property. The proposed R16 zonim, is not arbitrary or inconsistent.

Carroll Island Road about 475 feet away Thus, the propert, is

BL and ML and is used as a Contractors storage yard, Electric

Welding shop, Beauty shop, Auto Body and Pender Repairing and

community will suffer because there is a need for this type of

property, we are unable to proceed with our building plans. Not

was downshifted to D R 5.5 zoning. Our property has been con-

lower and money is available for construction and long term

reclassified from an R 6 Zone to R A Zone. No appeal was taken,

in fact, there was no opposition to the rezoning. The director of planning proposed in the Composite Guide plan that the subject

property be used as a buffer between the M L and R-6 Zones and developed with apartments. On the strength of this I have spent

property.

financing.

development.

a strip between the two roads.

Painting shop, and Truck Repair shop.

but consistent and beneficial to the community.

THE ZONING COMMISSIONER
OF
BALTIMORE COUNTY

full acreage would place an undue burden upon the school system and road networks of the area. The Comprehensive Zoning Map was not in error in placing the full property in a D.R.5.5 Zone but should have created a transitional buffer between the existing M.L. Zone and D.R.5.5 property to the east. The Planning Board recommendations of July 15, 1971, as submitted to the Zoning Commissioner, indicates the same. The M.L. Zone and White Marsh Boulevard, as proposed, necessitates the creation of a transition-

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County this \_ ? \_ day of December, 1971, that the following described property or area should be and the same is hereby reclassified from a D.R.5.5 Zone to a D.R.16 Zone:

The above beginning point being 720 feet, more or less, East from the intersection of Carroll Island Road and Bowleys Quarters Road.

Containing 4.7 acres, more or less

Said property is subject to the approval of a site plan by the State Highway Administration, the Bureau of Public Services and the Office of Planning and Zoning.

It is further ORDERED that the remaining property, consisting of 9.3 acres of land, more or less, be and the same is

hereby DENIED and that the above described property or area se and the same is hereby continued as and to remain a D.R.5.5 Zone.

FOR ORDER RECEIVED F

f. V. Cooner 1899-1949 J. M. Sissen 1949-1954

COONAN & Co.,

SURVEYORS & CIVIL BAGIN 1209 E. Thirty Six Street

requirements of transition areas and boundary restrictions which will leave you only one and a fraction acres to put

This would require multilevel elevator type structures increasing the nost and would be conducive to the type people you would serve.

I therefore think you should have the zoning for apartment type buildings reassigned .

Very truly yours, time & theest

PINEY GROVE UNITED METHODIST CHURCH

201 BOWLEY'S QUARTERS ROAD BALTIMORE, MARYLAND 21220

August 12, 1071

Mr. John J. Majewak 311 Carroll Island Road Baltimore, Maryland 21220

At the Council of Ministries meeting on Agent 10th, 1971, those present, found no objections to the proposed re-classification for the building of darden Aparton to on Larrow Island Sout.

Rev Leonge & Ran

open S. Sag

August 20.1. /1

Dear Mr. Majewski.

I have studied your plat of the fermer subdivision for apartments and now since the rezoning regulations have changed it to DR 5.5 you are handicapped by these new the allowable buildings in.

hussell M. Herbert

Ky 18, 1972

RE: Item 22 (April - October Cycle 1971) Property Owner: John J. Majewski and wife

dre
Locations MS Carroll Island Road, 1000'
S of Roulays Curters Road
Present Zoning: D.R.5.5
Proposed Zoning: Reclassification to
D.R. 16
Pastrict: 15th Sector: Eastern
No. Acres: 11c

CHESTY OFFICE BLDG HI T. Chesspeak Ave. Towson, Maryland 21204

OLIVER L MYENS

BUSINE OF DEPARTMENT OF TRAFFIC ENGINEERING

PUREAU OF

MERNERS

STATE ROADS CONNISS HEALTH DEPARTMENT

PROJECT PLANNING BUILDING TERANTARY SOARS OF EDUCATION ZONING ADMINISTRATION INDUSTRIAL DEVELOPMENT

Ar. George E. Gavrelle Director Office of Plausing and Zoning 301 Jefferson Building Touson, Maryland 21204

Dear Mr. Gavrelis:

tr. George E. Gavrelia

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

The subject parcel is presently improved with several dwellings which appear to be apartments with the surrounding properties all residential in character, 'th the exception of the western nort outline of the site. This appear is improved with a contractor's eclipsent for the property to the south is improved with a church Carroll Island Road in this lection is improved as for as nacadam is concerned. However, no curb and gut 'r are constructed at the present time.

BUREAU OF ENGINEERING:

Highways:

The rear portion of this property will be severed by the future construction of the histogram's Boulevard as tentative's proposed by the Karyland State Reads Consision. Therefore, the Feti: or or his engineer should contact that agency in regard to their proposed alignment, right-of-way requirements, etc.

Carroll Teland Road is an existing County road which is proposed to be improved as a L2' classes roadway section within a 70 foot right-of-way.

Highway right-of-way Midening and improvements will be required in connection with the proposed development of this property. For information in regard to previze highway improvements near or adjacent to this property, see Baltimore County Bureau of Engineering Demandre Nos. 61-157 (5) and 61-21.5 (5).

The entrance locations are subject to approval by the Department of Traffic Engineering and shall be constructed in accordance with Baltimore County Stangards,

There appears to be a private road or easement through this property which provides access to the adjacent property, easterly of this site. The status of any such private roads or research must be influinted on the subject plat.

All interior roads shown on the subject plat are considered to be private roads and are subject to the requirements and approval of all other governmental agencies having jurisdiction.

Whitemarsh Roulevard is a State Road. Therefore, drainage requirements as they affect the orad come under the jurisdiction of the Maryland State Roads Commission.

Provisions for accommodating storm water or drainage have not been indicated on the subject plan; however, a storm drainage study and facilities will be required in connection with the proposed development of this property in accordance with Rultimore County Standards.

The Petition must provide incessary drainage facilities (temporary or permanent) to prevent creating any muisances or damages to adjacent properties, especially by the concentration of surface vatures. Correction of ary problem which may result, due to improper prading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holding, downstream of the property. A grading peralt is, therefore, necessary for all grading, including the stripping of top soil.

Orading studies and rediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building peraits.

Public water supply is available to serve this property.

Poblic and tary sewrage will be available to serve this projectly then the proposed 6-inch public sanitary sewer extension, shown on breakings 70-200 (1) and 70-071 (1), is constructed. Permission to connect to the proposed public sanitary sewer may be obtained from the Department of Pertits and Licenses. However, the extent to which this property can be served by the proposed sour; currently under contract, will be controlled by the invert elevation shown on the aforementioned drawings.

STATS ROADS COMMISSION:

The subject plan correctly indicates the right areasy for the proposed State Highway improvement as best as can be determined at this time.

PROJECT PLANNING DIVISION:

The plan should be revised to conform to Bill 100.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change from D.R.5.5 to D.R.16 of 1. This lh acres can be expected to generate 700 trips, as presently zoned trips per day as propaged.

Carroll Taland Road, in its present condition, is not conditive to high density development and at the present time the County has no plane to improve this road. It is undestrable to consider high density development along Carroll Island Road at this time, unless some method for improving Carroll Island Road sa determined.

Since the existing volume on Carroll Island Road is low, this 1700 trips will not exceed the capacity.

DEPARTMENT OF HEALTH:

Public water and sewer are available to the site.

Air Pollution Comment: The building or biddings on this site may be subject to registration and compliance with the Karyland State Health Air Pollution Control Regulations. Additional information may be obtained from the Brision of Air Pollution, Bultimore County Department of Health.

FIRE PREVENTION EUREAU:

Fire hydrants for the preposed site are required and shall be in accordance with Baltimore County Standards. The hydrants shall be located at intervals of 500 feet.

Minimum width to the roads through site shall be 30 feet to assure passage of fire Department equipment.

Team 22

a. When pull-in parking is designed for both sides of a roadway, the minimum distance from curb to curb of the parring area shall be 64 feet.

-4-

b. Pull-in parking on one side only, the distance from curb to curb shall be his ferm.

The owner shall be required to comply with all applicable requirements of the IOI life Safety Code, 1957 edition, and the Fire Prevention Code when construction plans are substituted for approval.

BOARD OF EDUCATION:

From the existing soning we could expect approximately fifty-four (5h) Elementary pupils while from a change to graden apartments we could expect approximately thirty-too (32) Elementary pupils.

ZONING ADMINISTRATION DIVISION:

Any subsequent building applies ion with the granting of the subject Petition must reflect the following requirements satisfied in Bill 100:

- 1. The proposed density computation.
- 2. The required setbacks.
- 3. Type of bedrooms.
- 4. The distance between facing windows of building.

The proposed videning of Carroll Island Road must be shown on the required site plan. It appears that any high density development along this road might compound traffic capacity or the road until such time as Carroll Island Road is improved to the proposed swenty (70) feet which.

co: Mr. Edward D. Hardesty Zoning Commissioner

Mr. John J. Majewski 311 Carroll Island Road Baltimore, Ma.ylund 21220

Meetings: 2nd Wednesday of Each Month

SENECA LARK IMPROVEMENT ASSO. Cr. Box 527-A, Pt. 14, Seneca Park Road

PANTIMORE 20, MARYLAND

to, the understand, property comens of Senson Park Reach, do hereby support in. John Enjamids, Sants 16, New AGY, Carroll Inland Soci, 21220, with the request for the (exact by the at the same above address) to be served in 16, New spartners assess.

1) Lord Busish 50 M. Senon Port Pol. Sept 25, 1991 2) Line 1. Begok 505 Al son Pork Rd Sept. 25, 192 a) Livery & Bout & Boy 531 Barrier Park No. 19. 25-21.
a) Livery & Bout & Boy 531 Barrier Bak Rt. 19. 25-21.
c) Stocky & Walter Lay 506 Some Park C. 19. 25-11. 1) Light West Ex 501 Source Pt R.D. 19- 25-71 8) Vaura Edrles Bot 570 M Se seen Jack Rd : 09 . 25-11 9) Kernit Elactes Printersun Senen Pk Roll en - 20-71 10 Sund 77 14 But 536 B 1 30 876 3 12) The higher states 12:17 PT 14 But - 21206 og - 20-21 13) Liven Postan Box 57 REW Hell 21224 19. 25-11 15) St. St. Lite Court of 14, 21126

PERSON HAVE THE CONTROL OF

Carrollwood Baptist Church

August 18, 1971

Whom it May Concern;

The Carrollwood Baptist Church in called conference Wednesday August 11, 1971, voted uncnimously to approve remoning requested by Mr. John J. Nojewski of property that the conference of the community and in Keeping with the total development of this area in the future of the community and in the future of the community of the conference of the community and in the future of the community and the conference of the community and the conference of the community and the conference of the community of the conference of the conference

It is our understanding that DW-16 zo.ing is re-quested by Wr. Najewaki to develop the fourteen (1:) acres of property entirely to accredate approximately 200 ejethents contained in six (3) audidines, leaving adequate space for recreation, and company thirty.

Course & Stone Carrottw ed Haptist Church Donald - Patteran, Faster.

DB/15

Pet Set-

OFFICE OF BESSEXITIMES ESSEX, MD. 21221 August 16 - 19 71 THIS IS TO CERTIFY, that the annexed advertisement of The Zoning Commissioner of Baltimore County

was inserted in THE ESSEX TIMES, a weekly newspaper published in week before the 16th day of August 19 71 that is to say, the same was inserted in the issued of August 12, 1971.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was and published in Towson, Baltimore County, Md., once the much appearing on the 425 h day of August

I frank Shuth

CERTIFICATE OF POSTING MENT OF BALTIMORE COUNTY #72-44-R Date of Posting aug 12 . 21 Posted for Messing Wed Sept 18 19718 lies RM Petitioner John J. mapushi Location of property Mis Correct Island Rd 1000E & Berely Luasters Rd Toronton of Signer I Signer Good to Dear Much an Could Island Isl Med J. New Date of return. Aug. 19-21

JAN 2 4 1972

| PETITION                                           | M    | APPI     | NG   | PRO   | GRE     | SS    | SHE  | T       |      |           |
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| DUNGMION                                           | Well | Мор      | Orig | inal  | Dupl    | icate | Tro  | cing    | 200  | hoo       |
| FUNCTION                                           | date | by       | date | by    | date    | by    | date | ьу      | date | ьу        |
| Descriptions checked and<br>outline plotted on map |      |          |      |       |         |       |      |         |      |           |
| Petition number added to<br>outline                |      |          |      |       |         |       |      |         |      |           |
| Denied                                             |      |          |      |       |         |       |      |         |      |           |
| Granted by<br>ZC, BA, CC, CA                       | ,    |          |      |       |         |       |      |         |      |           |
| Reviewed by:                                       | hel  | <u>.</u> | (    | Chang | e in ou | tline |      | c rıpti | on   | Yes<br>No |

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| County Office Building 211 W. Chesapeaks Avenus Townon, Maryland 21204                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |   | To:                | Remove Deliane COURT HOUSE TOWNN, MARYLAND 21204 Bridge Capts |
| Tour Petition has been received and accepted for filing this                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |   | 381 Carnell        |                                                               |
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BALT TORE COUNTY, MARY AND OFFICE OF FINANCE





