

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, EXETER REALTY CO., INC., legal owner, of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an DR-5.5 zone to an DR-16 zone, for the following reasons:

Error in zoning - SEE ATTACHED MEMORANDUM

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 reclassification and/or Special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

EXETER REALTY CO., INC.
BY: *[Signature]* Legal Owner
Address: 1800 N. Charles Street
Baltimore, Maryland 21201
Petitioner's Attorney: _____
Protestant's Attorney: _____
Address: _____

ORDERED By The Zoning Commissioner of Baltimore County, this 27th day of July, 1972, 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 3rd day of September, 1972, at 11:00 o'clock A.M.

(over)

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 5.5 to D.R. 16 : COUNTY BOARD OF APPEALS
Beg. 230' E. of Belair Road at the : OF
NE 1/4 of the Baltimore Gas and : BALTIMORE COUNTY
Electric Transmission Line :
11th District-Northeast Sector :
Exeter Realty Co., Inc., :
Petitioner : No. 72-48-R

ORDER OF DISMISSAL

Petition of Exeter Realty Co., Inc. for reclassification from D.R. 5.5 to D.R. 16 on property located beginning 230 feet east of Belair Road at the northeast right-of-way of the Baltimore Gas and Electric Transmission Line, in the Eleventh District of Baltimore County.

WHEREAS, the Board of Appeals is in receipt of a Petition and Order to Dismiss Appeals filed December 7, 1972 (a copy of which is attached hereto and made a part hereof) from the attorney for the petitioner and the attorney for the protestors;

WHEREAS, said attorneys request that the appeals filed on behalf of their respective clients be dismissed and withdrawn as of December 7, 1972, pursuant to the Agreement filed simultaneously herewith (a copy of which is attached hereto and made a part hereof).

IT IS HEREBY ORDERED this 13th day of December, 1972, that said appeals be and the same are dismissed.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

[Signature]
Walter A. Reiter, Jr.

[Signature]
W. C. Cates Parker

[Signature]
Robert L. Gilland

EXETER REALTY COMPANY, INCORPORATED : BEFORE
Petitioner : COUNTY BOARD OF APPEALS
VS :
LESTER C. DANIELSON, et al : OF
Protestants : BALTIMORE COUNTY
RE: PETITION FOR RECLASSIFICATION :
Beginning 230' E. of Belair Road at :
the Northeast Right-of-Way of the :
Baltimore Gas and Electric Company :

PETITION AND ORDER TO DISMISS APPEALS

Mr. Chairman:

Pursuant to the Agreement filed simultaneously herewith, would you please dismiss appeals heretofore filed by the above named parties in the above captioned case.

[Signature]
Robert J. Romadka, Esq.,
Attorney for Petitioner

[Signature]
Harry S. Swartzwelder, Jr., Esq.,
Attorney for Protestants

THIS AGREEMENT, made this 7th day of December, 1972, by and between EXETER REALTY, INC., a body corporate, of the State of Maryland, hereinafter called "Exeter", and LESTER C. DANIELSON, ELAINE T. GOISKI, CONRAD E. BROWN, STANLEY W. DAVIES and FRANCIS J. VITAKA, all being residents of Baltimore County, Maryland, parties of the second part, hereinafter called "Neighbors".

WHEREAS, Exeter is the owner of certain undeveloped tract of land situate and lying 230 feet east of Belair Road at the Northeast right-of-way of the Baltimore Gas & Electric Transmission Line, and southerly of the subdivision of Darleigh Manor in the Eleventh Election District of Baltimore County, Maryland; and

WHEREAS, Exeter has heretofore applied before the Zoning Commissioner of Baltimore County to have the aforesaid property reclassified from a DR 5.5 zone to a DR 16 zone (Case No. 72-48-R); and

WHEREAS, the Zoning Commissioner for Baltimore County has granted a reclassification of the aforesaid property from DR 5.5 zone to a DR 10.5 zone; and

WHEREAS, the Neighbors have filed an appeal to the Baltimore County Board of Appeals from the said reclassification; and

WHEREAS, after negotiation between the parties hereto, they are desirous of entering into a written agreement, containing certain covenants and restrictions on the use of the said property, where in consideration of the dismissal of the appeal of the Neighbors, Exeter has agreed to certain covenants and restrictions on its future use of the said property in the event the aforesaid zoning classification becomes final.

NOW, THEREFORE, in consideration of the premises and mutual covenants of the parties, they do hereby covenant and agree with each other, and for their respective heirs, personal representatives and assigns, as follows:

1. Neighbors and Exeter Realty, Inc. agree that they will dismiss their appeal now pending before the County Board of Appeals of Baltimore County.

2. In consideration of the dismissal of the appeal, Exeter hereby agrees to certain restrictions on its future use of the said property which shall become effective and shall be recorded by Exeter at its own expense and which shall consist of the following:

(a) Exeter agrees to a maximum zoning density of DR 10.5 and further agrees to waive their request for DR 16 density.

(b) Exeter agrees that any and all housing row or apartment units to be constructed on the subject property shall be constructed in conformity with applicable Baltimore County height regulations.

(c) Exeter agrees to provide a buffer strip on the South property lines of the individual cottage development facing Darleigh Road to a minimum depth of 50 feet of which no use shall be made and upon which all existing ground cover shall remain undisturbed, other than that ground cover which might be disturbed in the normal course of development and grading operations.

(d) Exeter will consider not extending Chardal Road northerly or southerly, providing such restriction does not affect the overall development of Exeter's property; provided, however, that Chardal Road, in the event that it is open northerly or southerly, shall not be used for access by trucks or other construction or grading equipment during construction unless reasonable access is not available by any other means.

(e) Exeter agrees not to oppose any extension of public sewer lines through its property and is willing to allow Baltimore County, at the cost or expense of Baltimore County, to extend a public sewer line through the property of Exeter to the subdivision of Darleigh Manor at such time as the zoning is resolved on the subject property and the development plot therefor has been finalized and approved by Baltimore County, which plot would show the location of storm or sewer lines where public service would be constructed to service the subdivision of Darleigh Manor.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first herein written.

TEST:
[Signature] EXETER REALTY, INC.
BY: *[Signature]*
[Signature] (SEAL)
Lester C. Danielson
[Signature] (SEAL)
Elaine T. Gonski
[Signature] (SEAL)
Conrad E. Brown
[Signature] (SEAL)
Stanley W. Davies
[Signature] (SEAL)
Francis J. Vitaka

STATE OF MARYLAND, BALTIMORE COUNTY

I HEREBY CERTIFY, that on this 13th day of December, 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared Leon Crane, President of Exeter Realty, Inc., and acknowledged the foregoing Agreement to be the act of said body corporate.

WITNESS my hand and Notarial Seal.

[Signature]
Notary Public

STATE OF MARYLAND, BALTIMORE COUNTY, to wit:

I HEREBY CERTIFY that on this 7th day of December, 1972, before me, the subscriber, a Notary Public of the State of Maryland, in and for Baltimore County, personally appeared LESTER C. DANIELSON, ELAINE T. GOISKI, CONRAD E. BROWN, STANLEY W. DAVIES and FRANCIS J. VITAKA, and they each acknowledged the foregoing Agreement to be their act.

WITNESS my hand and Notarial Seal.

[Signature]
Notary Public

ROBERT J. ROMADKA
ATTORNEY AT LAW
808 EASTERN BOULEVARD
EASTON, MARYLAND 21221
March 16, 1972

S. Eric DiNenna, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Re: Petition for Reclassification
Beginning 230' E of Belair Road at the
NE right-of-way of the Baltimore Gas and
Electric Co. - 11th District
Exeter Realty Co., Inc., Petitioner
No. 72-48-R (Item No. 18)

Dear Mr. DiNenna:

I have been requested by my client, Exeter Realty Company, Inc., to file an appeal from your Order of March 8, 1972 pertaining to the above captioned case. I would appreciate it, therefore, if you would forward all papers in said case to the Board of Appeals of Baltimore County requesting that they set the matter down for further hearing. I have enclosed herewith my check in the amount of \$70.00 to cover cost of filing said appeal.

Thank you for your kind attention in this matter.

Very truly yours,

[Signature]
Robert J. Romadka

RJR/dsl
Enc
cc: Mr. Leon A. Crane
cc: Harry S. Swartzwelder, Jr., Esq.

FEB. 14, 1973

HARRY S. SWARTZWELDER, JR.

ATTORNEY AT LAW
400 TOWSON BLVD.
810 E. FIDELITY STREET
BALTIMORE, MARYLAND 21204
727-4828

March 30, 1972

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

RE: File No. 72-48-R
Exeter Realty Co., Inc.

Gentlemen:

Please enter an Appeal from the Decision of the Zoning Commissioner previously rendered in the above case.

Please advise of the costs in this Appeal, inasmuch as one Appeal has already been taken, and I will forward my check to cover same.

Thanking you for your cooperation in this matter, I am

Very truly yours,

Harry S. Swartzwelder, Jr.

HSS/eb

RE: PETITION FOR RECLASSIFICATION :
Beginning 230' E of Belair :
Road at the NE right-of-way : ZONING COMMISSIONER
of the Baltimore Gas and Elec- :
tric Company - 11th District : OF
Exeter Realty Company, Incor- :
porated - Petitioner : BALTIMORE COUNTY
NO. 72-48-R (Item No. 18) :

The Petitioner requests a Reclassification from a D.R.5.5 Zone to a D.R.16 Zone for a parcel of property located two hundred and thirty (230) feet east of Belair Road at the northeast right-of-way of the Baltimore Gas and Electric Company property, in Perry Hall, the Eleventh District of Baltimore County, consisting of 22.21 acres of land, more or less.

Testimony on behalf of the Petitioner indicated that the property would be developed as residential apartments with a proposed number of units amounting to a grade between thirty-five (35) percent and forty-five (45) percent.

The property is located between the Darleigh Manor Development and the Baltimore Gas and Electric Company right-of-way. It can best be described as a "crevice tool," which is an attachment to a vacuum cleaner used for cleaning crevices in the upholstery on furniture. In other words, it is long and narrow with its eastern most edge wider.

Evidence further indicated that economically the property could not be developed in its present classification because water and sewerage lines are nonexistent on the site but must be brought approximately thirty-one hundred (3100) feet from the White Marsh Interceptor which is east of the property. This would be at the Petitioner's expense. The property abuts a B.L. Zone to the west, the Baltimore Gas and Electric Company right-of-way to the south, the Darleigh Manor Development (individual home development) to the north, and vacant land to the east.

As to error, testimony on behalf of the Petitioner from Mr. Bernard M. Willemain, a well known and qualified real estate

expert, indicated that the present classification of the property would not permit a reasonable use of the property. He felt that due to its topography and the narrowness of the tract individual cottages could not be developed. Testimony, as to traffic in the area, indicated that Belair Road in this area is heavily traveled. Dr. W. Worthington Ewell, a traffic expert testifying on behalf of the Petitioner, indicated that the granting of this Reclassification to a D.R.16 Zone would not have an adverse impact in the area.

Residents of the area, in protest of the subject Petition indicated that traffic on Belair Road, especially with its intersection with Ebenezer Road which is located approximately one-quarter (1/4) of a mile north of the subject property, is very heavily traveled and backed up at various times of the day. It was their opinion that individual cottages could not be developed on the subject property.

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 Comprehensive Zoning Map as adopted by the Baltimore County Council was in error. The factors of the economic feasibility of the development of this property and the steep topography are considered in the determination of error being committed. These factors, in combination with the shape of the property sandwiched between the Darleigh Manor Development and the Baltimore Gas and Electric Company right-of-way, indicated that the property should be developed into apartments but to a higher density than its present classification.

As to the requested density, the Zoning Commissioner is of the opinion that sixteen (16) units to an acre would overburden the roads and would overburden the subject property with housing. Eighty (80) acres of D.R.16 zoning (apartments) are presently under construction west of Belair Road, directly across from the subject property. The Comprehensive Zoning Map was in error, as above stated, but the granting of the D.R.16 zoning as requested

would be detrimental to the health, safety, and welfare of the community.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 30th day of March, 1972, that the herein 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, from and after the date of this Order, 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.

H. S. Swartzwelder, Jr.
Zoning Commissioner of
Baltimore County

OFFICE RECEIVED FOR FILING

FILED
3/30/72
H. S. Swartzwelder, Jr.
Attorney at Law

MEMORANDUM

Re: Exeter Realty Co., Inc.
Blakely Road

- This 23 acre parcel is part of the 100 acre ownership of the Exeter Company. The rest is contiguous and eventually will be built as a carefully planned development of houses and apartments with access to Belair, Ebenezer and Silver Spring Roads provided within their ownership.
- The topography on this parcel when coupled with the narrow dimension of 250 feet poses a problem that cannot be met with cottage construction. Even with steep slopes in front and behind the houses, county standards cannot be met, or usable yards created. The transition zone requirements for all of the DR zones other than the DR-10.5 or DR-16 zone would preclude apartment construction on this part of the land. Even the DR-10.5 zone would permit only a small number of buildings, interspersed with parking down the middle of the strip. The result will still be a low yield but permit minimum reasonable use without any detrimental effect upon the nearby houses on Darleigh Road. The easier grading for the fewer apartment buildings and the large amount of open space maintained as part of the apartment area would be beneficial to the cottage development as compared with leaving this land in its present scarred condition, or attempting to terrace it for other uses.
- Access is available directly to Belair Road without using any existing streets and the private drive in the apartment design would not be connected with Chardel Road. Thus the cottage development would remain self-contained and there would not be any traffic exchange between the two residential areas.
- All public utilities are available and adequate.

DESCRIPTION TO ACCOMPANY APPLICATION FOR ZONING RECLASSIFICATION PROPERTY OF EXETER REALTY, INC. ELEVENTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point on the Northeasternmost right of way line of the Baltimore Gas and Electric Company Transmission Line, 150 feet wide, distant South 53°20'56" East 230 feet more or less from the centerline of Belair Road, and running thence, referring the following courses to the True Meridian as established by the Baltimore County Metropolitan District North 42°47'44" East, binding for a part along the Fourth Line of that parcel of land which by deed dated September 10, 1956 recorded among the Land Records of Baltimore County, Maryland in Liber C.L.B. 3103 at Folio 277 was conveyed by Grafton Wilany Rogers and Elizabeth S. Rogers, his wife, Lloyd Russell Rogers and Elaine K. Rogers, his wife, to Exeter Realty, Inc., 349.90 feet to the end thereof, thence binding along the Fifth Line of the above last mentioned parcel of land and along the Southwesternmost outlines of Section Nos. 1 and 2 of the Plate of Darleigh Manor, said Plate being recorded among the Plat Book Records of Baltimore County, Maryland in Plat Books C.L.B. 18 at Folio 109 and C.L.B. 18 at Folio 110, respectively, South 53°23'20" East 1993.86 feet to the end of said Fifth Line and the Southeasternmost corner of Section No. 2 of the above mentioned Plat of Darleigh Manor, thence South 63°58'02" East 500.74 feet thence South 06°16'56" East 330.23 feet to a point on the South 42°27'19" West 1000 feet line of the deed first mentioned above thence binding along part of said line South 42°27'19" West 241.23 feet to a point on the aforesaid Northeasternmost right of way line of the Baltimore Gas and Electric Company Transmission Line, thence binding along the aforesaid Transmission Line right of way North 28°36'05" West 96.06 feet and North 53°20'56" West 1653.46 feet to a point on the Third Line of that parcel of

PURDUM AND JESCHKE
ENGINEERS AND LAND SURVEYORS
1023 North Calvert Street, Baltimore, Maryland 21202

April 14, 1971

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DESCRIPTION

land which by deed dated October 20, 1913, recorded among the aforesaid Land Records in Liber W.P.C. 420 at Folio 439 was conveyed by Walter D. Rogers, et al, to George Abernethy and wife, thence binding reversely along part of the Third Line and reversely along part of the Second Line of the above last mentioned parcel of land the two following courses and distances, viz.:
(1) North 42°27'19" East 23.27 feet, and
(2) North 73°36'05" West 66.86 feet to a point on the aforesaid Northeasternmost right of way line of the Baltimore Gas and Electric Company Transmission Line, thence binding along the aforesaid transmission line right of way North 53°20'56" West 922.96 feet to the place of beginning, containing 22.21 acres of land more or less.

BEING part of that parcel of land which by deed dated September 10, 1956 recorded among the aforesaid Land Records in Liber C.L.B. 3013 at Folio 277 was conveyed by Grafton Wilany Rogers and Elizabeth S. Rogers, his wife, Lloyd Russell Rogers and Elaine K. Rogers, his wife, to Exeter Realty, Inc., and being that parcel of land which by deed dated August 25, 1959, recorded among the aforesaid Land Records in Liber W.J.R. 3586 at Folio 436 was conveyed by Henry Charles Luerssen and Evelyn Luerssen, his wife, to Exeter Realty, Inc., and being those four parcels of land which by deed dated October 8, 1959, recorded among the aforesaid Land Records in Liber W.J.R. 3611 at Folio 480 was conveyed by Baltimore Gas and Electric Company to Exeter Realty, Inc.

PURDUM AND JESCHKE
ENGINEERS AND LAND SURVEYORS
1023 North Calvert Street, Baltimore, Maryland 21202

April 14, 1971
Application for Zoning Reclassification, Exeter Realty, Inc.

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PETITION FOR RECLASSIFICATION 11th DISTRICT - NORTHEAST SECTOR

ZONING: From D.R. 5.5 to D.R. 16.
LOCATION: Beginning 230 feet East of Belair Road at the northeast right-of-way of the Baltimore Gas and Electric Transmission Line.
DATE & TIME: 3rd Filing, SEPTEMBER 29, 1971 at 11:00 A.M.
PUBLIC HEARINGS: Room 105, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Present Zoning: D.R. 5.5
Proposed Zoning: D.R. 16
All that parcel of land in the Eleventh District of Baltimore County

Being the property of Exeter Realty Company, Inc., as shown on plat plan filed with the Zoning Department.
3rd Filing, SEPTEMBER 29, 1971 at 11:00 A.M.
Public Hearing: Room 105, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

BY ORDER OF
THE ZONING COMMISSIONER OF
BALTIMORE COUNTY

APR 14 1973

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

COUNTY OFFICE BUILDING
111 W. Chesapeake Avenue
Towson, Maryland 21204OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF
ENGINEERING
DEPARTMENT OF
TRAFFIC ENGINEERING

STATE ARCHITECTS

BUREAU OF
FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENT

May 19, 1971

Mr. George C. Carroll, Director
Office of Planning & Zoning
301 Jefferson Building
Towson, Maryland 21204RE: Item #18 (April - October Cycle 1971)
Property Owners: Exeter Realty Co., Inc.
Location: Reg. at N/E R/W of Balto. Gas
& Elec. Trans. line, 230' S/W of Belair Rd.
Present Zoning: D-4, S-5
Proposed Zoning: D-4, 16
District: 1155 Sector: Northeast
No. Acres: 22.21

Dear Sir:

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

The subject property is presently a vacant, wooded tract of land with surrounding areas either vacant or improved with dwellings, 10 to 20 years of age, in excellent repair. A large Baltimore Gas & Electric Company transmission line runs along the southernmost outline of the property. Access to the site is through an existing subdivision and proposed access is through a 30 foot right-of-way which runs underneath the existing Baltimore Gas & Electric transmission line.

BUREAU OF ENGINEERING:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

Highways:

Hershey Way shall be a public road along the south property line of the subject tract, north of the Baltimore Gas and Electric right-of-way, as indicated on Drawing #SH-102-A prepared by Purdum and Jeschke, Engineers for Exeter Realty

Item #18
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Company, Inc., dated May 6, 1969. Improvements shall consist of a 40-foot combination curb and gutter cross-section on a 60-foot right-of-way.

Storm Drainage:

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

Provisions for accommodating storm drainages have not been indicated on the submitted plan.

Public drainage facilities are required for any off site drainage facilities and any on site facilities serving off site areas, in accordance with the standards of the Baltimore County Department of Public Works.

On site drainage facilities serving only areas within the site do not require construction under a County contract. Such facilities are considered private and therefore must conform to the County Plumbing and Building Code.

Off site rights-of-way appear to be necessary for the provision of public drainage facilities to this site. If so, a record plat, grading or building permits cannot be approved prior to acquisition of such rights-of-ways.

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

Sediment Control:

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings below this property. Sediment control is required by State law. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat.

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Water:

Public water facilities are available to benefit this property.

Supplementary fire hydrants and improvements to the public system may be required for adequate protection.

The proposed private improvement must be reviewed by the Baltimore City, Water Division for adequacy of water supply.

Sanitary Sewer:

Public sanitary sewer is available at Yvonne Avenue and Darleigh Road.

DEPT. OF TRAFFIC ENGINEERING:

The subject parcel is requesting a change from DR 5.5 to DR 16 of 22 acres. This should increase the trip density of the subject parcel from 1100 trips per day to 2640 trips.

This density of development cannot be handled by the type of road system proposed here. Although the plan does not show this, the County had proposed for some time, to construct Hershey Way along the southern property line to intersect with Belair Road and Charol Road through the subject property to Hershey Way. This road system has been proposed to provide adequate access to the surrounding land, as presently zoned.

BUILDINGS ENGINEER'S OFFICE:

Petitioner to comply with all applicable requirements of the Baltimore County Building Code and regulations, when plans are submitted. Also, see Parking Lots, Section 409.10M.

HEALTH DEPARTMENT:

A revised plan must be submitted showing how this property is to be served by public sewers.

Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

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May 18, 1971

FIRE PREVENTION BUREAU:

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

A second means of access is required for the site.

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

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

B. Pull-in parking on one side only, the distance from curb to curb shall be 64 feet.

BOARD OF EDUCATION:

From the existing zoning we could expect approx. 30 elementary pupils, while a change to apts. could yield approx. 42 pupils (Elem.), 14 Jr. Hl. pupils, & 7 Sr. Hl. pupils.

Schools servicing this area: (From Sept. 22, 1970 enrollment)

Capacity	Enroll.	%
Perry Hall Elem.	760	730
Perry Hall Jr. Hl.	1070	1068
Perry Hall Sr. Hl.	1685	1685

Programmed Construction	Capacity	Year Programmed	% to Date
Carroll Manor Jr. Sr.	1,200	1974-75	1976-77
Perry Hall Jr. Addn.	400	1971-72	1972-73
Perry Hall Jr. Addn.	350	1972-73	1973-74
Mines Road Elem.	655	1975-76	1976-77

There are 3 petitions for Reclassification to DR 16 (Apts.) in this general area:

1. Nottingham Village	163.36 Acres
2. Exeter Realty Co., Inc.	22.21 Acres
3. Executors & Trustees under Harvey S. Myers	32.907 Acres
Total:	218.477 Acres

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May 18, 1971

Under the existing zoning we see a total yield of approx. 293 elementary pupils, while a change to DR16 could yield as much as 899 elementary, 448 Jr. Hl. pupils, & 145 Sr. Hl. pupils.

There is, also, a platted subdivision of 996 apt. units planned for the area west of Belair Rd. opposite Silver Spring Rd. that could yield from 150 to 470 additional elementary students. Single family homes are continuing to be constructed in such developments as Ramblebrook, Park Place, & Silvergate Village.

ZONING ADMINISTRATION DIVISION:

It appears by the foregoing comments that access to this property is very poor, and that the petitioner did not show the entire picture as to proposed roads and access to the site. The only means the petitioner shows for access is through an existing subdivision with narrow streets and could create quite a large amount of traffic congestion at and through the existing subdivision.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

OLM:JD

cc: Edward D. Hardesty

Exeter Realty Co., Inc.
1800 N. Charles St. (21201)TO: Mr. Edward D. Hardesty, Zoning Administrator
May 18, 1971FROM: Planning Division
Fire Prevention Bureau

SUBJECT: Property Owners

Exeter Realty Co., Inc.

Location: Reg. at NE R/W of Balto. Gas & Elec. Trans. line, 230' SE of Belair Road

Item # 18

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

A second means of access is required for the site.

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

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

B. Pull-in parking on one side only, the distance from curb to curb shall be 64 feet.

The owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1960 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

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

District: 11

Date of Posting: 3-23-72

Posted for:

Petitioner: Exeter Realty Co., Inc.

Location of property: Property 230' E. of Belair Rd. at the NE. Exp'd & Reg'd of the Balto. Gas & Electric Transmission Line.
Location of Signs: 1) Frontal Sign of Belair Exp'd 230' E. of Belair Rd. & Charol Rd.

Remarks:

Posted by: Muel H. New

Date of return: 8-30-72

BALTIMORE COUNTY, MARYLAND
OFFICE - FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 1592

DATE: March 20, 1972 ACCOUNT: 01-662

AMOUNT: \$70.00

WHITE - CARRIER
DISTRIBUTION
FOR AGENCY
No. 72-48-R - Cost of appeal - property of Exeter Realty Co., 230' E. of Bel Air Road at R/W Balto. G & E Co.
Robert J. Romacka, Esq.

7-400-96

Baltimore County Office of Planning and Zoning
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204Your Petition has been received and accepted for filing
this 22 day of July 1971Edward D. Hardesty
Zoning Commissioner

Petitioner: Exeter Realty Co., Inc.

Petitioner's Attorney

Reviewed by: Oliver L. Myers
Chairman of Advisory Committee

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map	Original	Duplicate	Tracing	200 Sheet
Descriptions checked and outline plotted on map	date by	date by	date by	date by	date by
Petition number added to outline					
Denied					
Granted by					
2C, BA, CC, CA					
Reviewed by: <i>OLM</i>		Revised Plans:			
Previous case:		Change in outline or description	Yes	No	
		Map #	HE-9C		

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THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. once in each of one time successive weeks before the 2nd day of December, 1971, the first publication appearing on the 20th day of August.

L. Leach Street
Manager.

Cost of Advertisement, \$.....

[illegible]

OFFICE OF

THIS IS TO CERTIFY, that the annexed advertisement of
The Zoning Commissioner of Baltimore County

was inserted in THE ESSEN TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one ~~X-2290000~~ week before the 16th day of August 1971 that is to say, the same was inserted in the issue of August 12, 1971.

STROMBERG PUBLICATIONS, Inc.

By Rick Morgan

TELEPHONE
466-3975

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

No **76653**
DATE **April 26, 1971**

To: **Essex Realty, Inc.**
1841 N. Charles St.
Baltimore, Md. 21201

By: _____
 zoning Dept. of Baltimore County

REPORT TO ACCOUNT NO. **01-622**

QUANTITY _____

DETACH ALONG PERFORATION / AND KEEP THIS PORTION FOR YOUR RECORDS

RETURN THIS PORTION WITH YOUR REMITTANCE

Petition for Reclassification

TOTAL AMOUNT
150.00

COST
50.00

57-2-2 C-100

4

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE, REVENUE DIVISION
MAIL TO
COURTHOUSE, TOWSON, MARYLAND 21204

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 7004

DATE January 19, 1937 ACCOUNT 01-562

AMOUNT \$10.00

DEBITATION CREDITATION
WHITE - CASHIER YOUR - AGENT

Robert J. Bonadake, Esquire YELLOW - CUSTOMER

Cost of Posting of Property on Case No. 72-48-R
230' E of Belair Road to the NE Right-of-way of
the Baltimore Gas and Electric Transmission Line
11th District 880 000 00 00 00 00 00 00 00 00
Snyder Realty Company, Incorporated - Petitioner

TELEPHONE 494-2413		INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE		No. 84952	
		Revenue Division COURT HOUSE TOWSON, MARYLAND 21204		DATE <u>Sept. 3, 1971</u>	
TO: <u>Kentzer Realty Co., Inc.,</u> <u>1803 N. Charles Street</u> <u>Baltimore, Maryland 21201</u>		PAID TO <u>Zoning Office</u> <u>619 County Office Bldg.,</u> <u>Towson, Maryland 21204</u>			
REPORT TO ACCOUNT NO. <u>01-688 662</u>		RETURN THIS PORTION WITH YOUR REMITTANCE		TOTAL PAID <u>\$198.75</u>	
SUBJECT <u>Cost of advertising and posting property of Kentzer Realty, Inc.</u>		DETAILS ALONG PERFORMANCE AND JEP THIS PORTION FOR YOUR RECORDS		COST <u>\$198.75</u>	
No. <u>72-45-R</u>					
4					

BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE - REVENUE DIVISION
 MISCELLANEOUS CASH RECEIPT

No. 2140

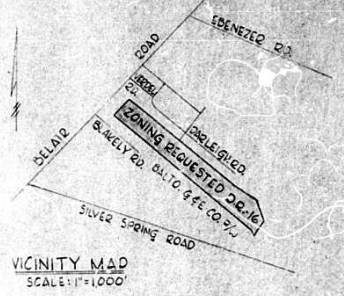
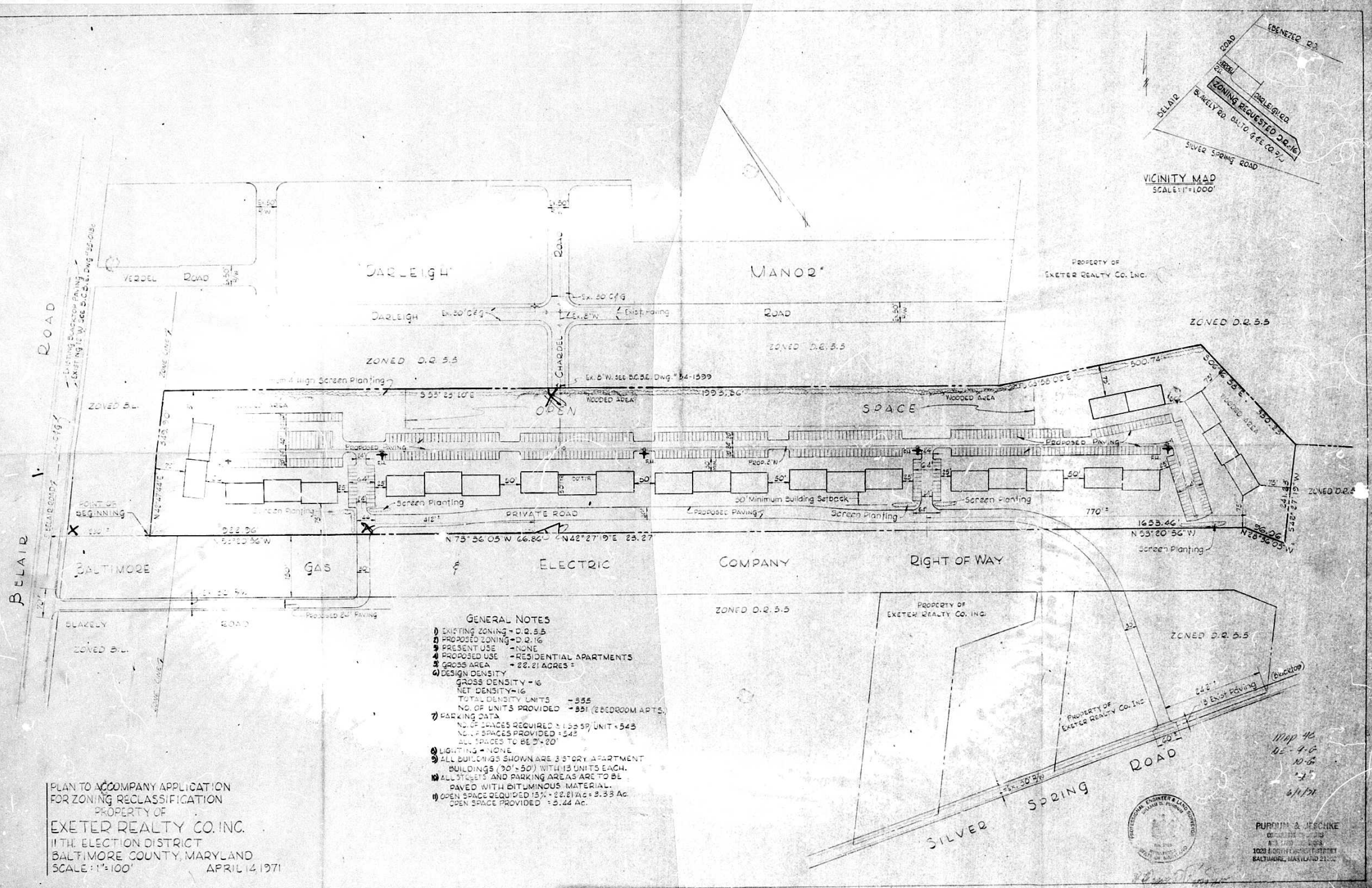
DATE April 10, 1972 ACCOUNT 01-662

AMOUNT \$80.00

WHITE - CASHIER DISTRIBUTION YELLOW - CUSTOMER
 PIN - AGENCY

No. 72-48-R - Cost of appeal - property of Exeter Realty Co., 230' E. Bel Air Road N/EGas & E. Co. R/W -- Harry S. Swartwelder, Jr. Esq.

80066



- GENERAL NOTES**
- EXISTING ZONING - D.R. 5.5
 - PROPOSED ZONING - D.R. 16
 - PRESENT USE - NONE
 - PROPOSED USE - RESIDENTIAL APARTMENTS
 - GROSS AREA - 22.21 ACRES
 - DESIGN DENSITY - 16
 - GROSS DENSITY - 16
 - NET DENSITY - 16
 - TOTAL DENSITY UNITS - 355
 - NO. OF UNITS PROVIDED - 351 (2 BEDROOM ARTS.)
 - PARKING DATA
 - NO. OF SPACES REQUIRED - 155 SP. UNIT - 543
 - NO. OF SPACES PROVIDED - 1545
 - ALL SPACES TO BE 30' x 20'
 - LIGHTING - NONE
 - ALL BUILDINGS SHOWN ARE 3 STORY APARTMENT BUILDINGS (30' x 50') WITH 13 UNITS EACH.
 - ALL STREETS AND PARKING AREAS ARE TO BE PAVED WITH BITUMINOUS MATERIAL.
 - OPEN SPACE REQUIRED 15% = 3.33 AC. OPEN SPACE PROVIDED - 3.44 AC.

PLAN TO ACCOMPANY APPLICATION
FOR ZONING RECLASSIFICATION
PROPERTY OF
EXETER REALTY CO. INC.
11TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1"=100' APRIL 14, 1971



PURDOM & MCHINE
DESIGNING ENGINEERS
603 NORTH EIGHT STREET
BALTIMORE, MARYLAND 21202



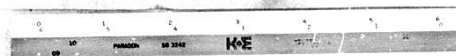
SM453

BELAIR ROAD



OFFICE COPY
PLAN TO ACCOMPANY APPLICATION
FOR ZONING RECLASSIFICATION
PROPERTY OF
EXETER REALTY CO. INC.
11TH ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND
SCALE: 1"=100' APRIL 14, 1971
PROR. SAN. SEWER ADDED AUGUST 1971

- GENERAL NOTES**
- 1) EXISTING ZONING - D.2.5.5
 - 2) PROPOSED ZONING - D.2.16
 - 3) PRESENT USE - NONE
 - 4) PROPOSED USE - RESIDENTIAL APARTMENTS
 - 5) GROSS AREA - 22.21 ACRES ±
 - 6) DESIGN DENSITY
GROSS DENSITY - 16
NET DENSITY - 16
TOTAL DENSITY UNITS - 355
NO. OF UNITS PROVIDED - 351 (2 BEDROOM APTS.)
 - 7) PARKING DATA
NO. OF SPACES REQUIRED @ 1.53 SP/UNIT = 543
NO. OF SPACES PROVIDED 1543
ALL SPACES TO BE 3'-20'
 - 8) LIGHTING - NONE
 - 9) ALL BUILDINGS SHOWN ARE 3 STORY APARTMENT BUILDINGS (30'x50') WITH 13 UNITS EACH.
 - 10) ALL STREETS AND PARKING AREAS ARE TO BE PAVED WITH BITUMINOUS MATERIAL.
 - 11) OPEN SPACE REQUIRED 15% = 22.21 AC ± 3.33 AC.
OPEN SPACE PROVIDED = 3.24 AC.



VICINITY MAP
SCALE: 1"=1000'



PURDUM & JERCHOWKE
CIVIL ENGINEERS
AND LAND SURVEYORS
1023 NORTH CALVERT STREET
BALTIMORE, MARYLAND 21202

SM453

FEB. 14, 1973