

72-78-R MAY 28 D.W. 5-14 5/11/72 5/22/72 H.W. **PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION**

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, MAYFIELD GARDENS, 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an DR-5.5 & 9.3.5 zone to an DR-10.5 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 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 MAYFIELD GARDENS, INC.
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 10th day of August, 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 the property be posted, and that the public hearing be had before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of September, 1972, at 10:00 o'clock.

Shirley W. Hanna
Zoning Commissioner of Baltimore County

(over)

MEMORANDUM

Re: Mayfield Gardens, Inc.
Mayfield Road

1. With the notable exception of an attractive cottage development on Mayfield Avenue, and some houses on Rolling Road side, this area is basically unimproved and lies fallow. The impossible rock condition governs the use of the land and rules out house construction even on slab foundation because of the difficulty in trenching the many utility connections. Apartment construction offers more flexibility in location buildings and minimizes grading, and a single water or sewer connection will serve a whole group of buildings.
2. A dimensional consideration arises with the narrow width of the eastern part of the property. Only DR-10.5 will permit apartment construction in such a narrow strip.
3. The property is served by Mayfield, Windsor Mill and Rolling Roads. All three are typical county roads without curbs, sidewalks or finished surface even though two are important thoroughfares. These are improvements that are covered by agreement with the developer.
4. This tract abuts a large sawmill operation, the Laurel Lumber Company. This company also deals in dressed lumber, hardware and paints. Fronts on Windsor Mill Road and has a direct bearing on the zoning of the subject property. It would not be feasible to attempt to sell houses next to this sawmill operation even if other factors such as the rock condition did not exist.
5. The Planning Board recommended DR-5.5 and DR-3.5 for this land. In my opinion, neither classification will afford the property owner relief or permit him to use his land. The practicalities of the rock and the lumber mill cannot be ignored. DR-10.5 has been requested.

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 5.5 and D.R. 3.5 : COUNTY BOARD OF APPEALS
to D.R. 10.5 : OF
E/S Mayfield Avenue 600' : BALTIMORE COUNTY
N. of Windsor Mill Road, :
2nd District - NW Sector :
Mayfield Gardens, Inc., :
Petitioner : No. 72-78-R

OPINION

This case comes before the Board on an appeal by the Petitioner from an Order of the Zoning Commissioner, dated January 20, 1972, denying the requested petition from D.R. 3.5 and D.R. 5.5 zoning to D.R. 10.5 zoning on 42.59 acres of land located on the east side of Mayfield Avenue 600 feet north of Windsor Mill Road, in the Second Election District of Baltimore County, Maryland.

If successful in his petition, the Petitioner plans to construct 416 apartments and 31 single family houses on the site. It is Petitioner's contention that the members of the County Council erred in not assigning a D.R. 10.5 classification to the property when they adopted the comprehensive zoning map for the area on March 24, 1971, (Map 2-B, Petitioner's Exhibit #3).

To support his claim of error, the Petitioner cited that it was economically infeasible to develop the tract in low density housing because a sewer pumping station, costing between \$125,000 to \$150,000 to construct, would be needed. This would require selling houses in the \$50,000 range to defray development and construction costs and he felt there was no market for such high priced houses in the area. He further testified that apparent surface and subsurface rock formation would also increase development costs. The Petitioner failed to produce any substantiating studies or data for his claims, and there is nothing in the record to indicate that the action of the County Council members in not granting D.R. 10.5 was improper, arbitrary or confiscatory. There is a strong presumption in law of the correctness of comprehensive zoning and rezoning. The Petitioner has failed to overcome the burden of showing that the County Council erred in its action.

the rock formations in the area are not as serious as indicated by the Petitioner simply because several houses have been built in the area in the last few years with no real problems encountered.

In the opinion of the Zoning Commissioner, the zoning of the subject property in the present classifications was not error. The granting of the request would overburden the roads and would also be detrimental to the health, safety and general welfare of the community. The sole economic justification, as presented by the Petitioner, by itself, is not error. Furthermore, the Comprehensive Zoning Map, as adopted by the Baltimore County Council on March 24, 1971, is presumed to be correct. The burden is upon the Petitioner to prove error. The evidence presented by the Petitioner did not meet this burden.

For the foregoing reasons, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 20th day of January, 1972, 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 D.R.5.5 and D.R.3.5 Zones.

Shirley W. Hanna
Zoning Commissioner of Baltimore County

Mayfield Gardens, Inc. - #72-78-R

2.

Therefore, for these reasons and from all the testimony and evidence presented, the Board affirms the Order of the Zoning Commissioner, dated January 20, 1972, and hereby denies the requested petition from D.R. 3.5 and D.R. 5.5 to D.R. 10.5 on the subject 42.59 acres.

ORDER

For the reasons set forth in the foregoing Opinion, the Board affirms the Order of the Zoning Commissioner dated January 20, 1972, and, therefore, it is this 31st day of January, 1973, 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 Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slawik
John A. Slawik, Chairman

Walter A. Ketter, Jr.
Walter A. Ketter, Jr.

John A. Miller
John A. Miller

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
E/S of Mayfield Avenue, : ZONING COMMISSIONER
600' N of Windsor Mill :
Road - 2nd District : OF
Mayfield Gardens, Inc., :
Petitioner : BALTIMORE COUNTY
NO. 72-78-R (Item No. 42) :

The Petitioner requests a Reclassification from D.R.5.5 and D.R.3.5 Zones to a D.R.10.5 Zone, for a parcel of property containing 42.59 acres of land, more or less, located on the east side of Mayfield Avenue, six hundred (600') feet north of Windsor Mill Road, in the Second District of Baltimore County.

Testimony on behalf of the Petitioner indicated that the property, in its present zoning classification, could not economically be developed because of certain rock formations located on and adjoining the subject property. The Petitioner wishes to construct garden type apartments and must install a sewerage pumping station at an estimated cost of One Hundred Thousand (\$100,000.00) Dollars. The Petitioner proposes the construction of four hundred and forty-seven (447) units. The sanitary sewerage system for the area is approximately eleven hundred (1100') feet to twelve hundred (1200') feet away in Rolling Road and Windsor Mill Road.

Expert testimony submitted, as to error on the Comprehensive Zoning Map, indicated that the Baltimore County Council did not grant a reasonable use for the property, as water was available to the property, a sanitary sewerage system could be extended thereto, and the property could not be developed economically because of its present classification. The subject property was an issue before the Baltimore County Planning Board and the Baltimore County Council prior to the adoption of the map.

Residents of the area, in protest of the subject Petition, stated that traffic on the adjoining roads is very heavy, and, if the subject Petition were granted, the traffic generated therefrom would overburden the roads. It was also indicated that

LAW OFFICES
HOWARD AND STONE
PROFESSIONAL BUILDING
8000 DUNDALK PIKE
DUNDALK, MARYLAND 21222

TELEPHONE:
(301) 281-2840
(301) 281-2871

September 1, 1972

County Board of Appeals
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. 72-78-R
Mayfield Gardens, Inc.
Date/Hearing: 10/4/72

Dear Sirs:

Please enter our appearance on behalf of David Moskowitz and the Northwest Community Association, Inc., Protestants in the above referenced matter.

In order to allow this office to carry out our responsibilities in investigation, obtaining expert opinions and witnesses who are not available October 4, 1972, we respectfully request that this matter be postponed.

Very truly yours,
Charlton T. Howard
Charlton T. Howard

CTH:slh

LAW OFFICES OF
MELNICOVE, ASCH, GREENBERG & KAUFMAN
10 LIGHT STREET
TWELFTH FLOOR
BALTIMORE, MARYLAND 21202

JEROME H. ASCH
JOSEPH S. KAUFMAN
RONALD L. GREENBERG
ARNOLD E. MELNICOVE
ROBERT E. WEICHER
LOUIS E. PRICE
ISAC H. REVERGER
DAVID L. BRIVER
Y. EDDIE RUSSELL
MONALD S. LIEBMAN

BERNARD S. MELNICOVE
1800 E. CALLE
AREA CODE 201
707-2800

May 1, 1972

Mrs. Muriel E. Buddemeier
Secretary, County Board of Appeals
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Case No. 72-78-R
Mayfield Gardens, Inc.

Dear Mrs. Buddemeier:

Please enter the appearance of the undersigned on behalf of Temple Emanuel of Baltimore, a body corporate. I understand that the case has been scheduled for hearing for Tuesday, May 30, 1972 at 10:00 A.M.

Very truly yours,
Joseph S. Kaufman
JOSEPH S. KAUFMAN

JSK:dh

cc: Lawrence K. Ginsberg, Esquire

Rec'd 9/17/72
9:30 a.m.

Rec'd 5/21/72
10 a.m.

APR 23 1972

DESCRIPTION

TO ACCOMPANY APPLICATION
FOR ZONING RECLASSIFICATION
PROPERTY OF
MAYFIELD GARDENS, INC.
2nd ELECTION DISTRICT
BALTIMORE COUNTY, MARYLAND

BEGINNING for the same at a point in the center of Mayfield Avenue, as laid out and now existing, distant 200 feet more or less Northerly from the intersection formed by the center of Mayfield Avenue and the center of Windsor Mill Road, as laid out and now existing, and running thence binding along the aforesaid center of Mayfield Avenue and referring all bearings to the True Meridian as established by the Baltimore County Metropolitan District North 19°28'20" East 118 feet more or less to the end of the First Line of that parcel of land which by deed dated November 23, 1965 recorded among the aforesaid Land Records in Liber O.T.C. No. 4559 at Folio 592 was conveyed by Hemlock Realty, Inc., et al., to Mayfield Gardens, Inc., thence binding along the aforesaid center of Mayfield Avenue and reversely along the First and Last Lines of that parcel of land described in the above mentioned deed, the two following courses and distances, viz.:

- (1) North 19°29'50" East 236.60 feet, and
- (2) North 36°16'20" East 850.00 feet, thence leaving the aforesaid center of Mayfield Avenue and binding reversely along part of the Ninth Line of that parcel of land described in the above mentioned deed South 54°12'40" East 283.10 feet to the beginning of that parcel of land which by deed dated September 9, 1968 recorded among the aforesaid Land Records in Liber O.T.C. No. 4918 at Folio 189 was conveyed by Erma M. Genson, et al., to Mayfield Gardens, Inc., thence binding along the First, Second, Third, Fourth, Fifth and Sixth Lines of that parcel of land described in the above last mentioned deed the six following courses and distances, viz.:
- (1) North 36°19'20" East 240.36 feet,
- (2) North 53°40'40" West 98.00 feet,
- (3) North 36°19'20" East 135.00 feet to the Southwest side of a road as proposed to be laid out 40 feet wide,
- (4) North 53°40'40" West binding on the Southwest side of said proposed road 150.00 feet to the Southeast side of Mayfield Avenue,
- (5) North 36°19'20" East binding on the Southeast side of Mayfield Avenue 20.00 feet, and
- (6) South 53°40'40" East 682.10 feet to a point on the Eighth Line of that parcel of land described in the above first mentioned deed, thence binding reversely along part of the Eighth Line and reversely along the Seventh Line and reversely along part of the Sixth Line of the aforesaid parcel of land described in the above first mentioned deed the three following courses and distances, viz.:

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ENGINEERS AND LAND SURVEYORS

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- (1) North 39°44'20" East 192.00 feet,
- (2) South 65°11'40" East 12.05 feet, and
- (3) South 39°14'20" West 8.86 feet to the beginning of the Fourth Line of that parcel of land which by deed dated July 25, 1966 recorded among the aforesaid Land Records in Liber O.T.C. No. 4661 at Folio 277 was conveyed by Service Title Corporation to Mayfield Gardens, Inc., thence binding along said Fourth Line South 47°11'48" East 589.83 feet to the end thereof, thence binding along the Fifth or Last Line and along part of the First Line of the aforesaid parcel of land described in the above last mentioned deed the two following courses and distances, viz.:
- (1) South 68°22'18" West 127.83 feet, and
- (2) South 41°20'53" West 278.68 feet to the beginning of the Ninth Line of that parcel of land thirdly described in a deed dated March 25, 1966 recorded among the aforesaid Land Records in Liber O.T.C. No. 4595 at Folio 310 which was conveyed by Melvin A. Kirk and Betty I. Kirk, his wife, to Mayfield Gardens, Inc., thence binding along said Ninth Line South 59°40'07" East 127.54 feet, thence binding for a part along the Tenth Line of that parcel of land thirdly described in the above last mentioned deed and along part of the Fourth Line of that parcel of land firstly described in the above last mentioned deed South 56°36'00" East 1,530.65 feet to a point at the end of the Sixth Line of that parcel of land which by deed dated July 15, 1954 recorded among the aforesaid Land Records in Liber O.T.C. No. 2516 at Folio 390 was conveyed by the Kirk Development Company, Inc., to Henry E. Wooten and Wilhelmina Wooten, his wife, thence binding reversely along the Sixth, Fifth, Fourth, Third and Second Lines of that parcel of land described in the above last mentioned deed the five following courses and distances, viz.:
- (1) South 80°49'53" West 109.74 feet,
- (2) South 05°58'20" West 69.09 feet,
- (3) 67.00 feet in an Easterly direction along the arc of a curve to the left having a radius of 253.54 feet and a long chord bearing of North 88°24'07" East and a long chord distance of 67.00 feet,
- (4) North 80°49'53" East 48.00 feet, and
- (5) 39.27 feet in a Northeasterly direction along the arc of a curve to the left having a radius of 25.00 feet to a point on the West side of Rolling Road, as proposed to be widened, thence binding along the West side of Rolling Road, as proposed to be widened and reversely along the First Line of that parcel of land described in the above last mentioned deed North 09°10'07" West 40.00 feet to the Northern outlines of that parcel of land secondly described in the aforesaid deed dated March 25, 1966, recorded among the aforesaid Land Records in Liber O.T.C. No. 4595 at Folio 310 which was conveyed by Melvin A. Kirk and Betty I. Kirk, his wife, to Mayfield Gardens, Inc., thence binding along the Northern, Eastern and Southern outlines of said parcel of land the

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three following courses and distances, viz.:

- (1) South 56°36'00" East 14.01 feet,
- (2) South 10°20'57" East 170.57 feet, and
- (3) South 80°49'53" West 13.83 feet to a point on the West side of Rolling Road, as proposed to be widened and to the end of the First Line of that parcel of land which by deed dated July 15, 1954 recorded among the aforesaid Land Records in Liber O.T.C. No. 2516 at Folio 390 was conveyed by the Kirk Development Company, Inc., to Henry E. Wooten and Wilhelmina Wooten, his wife, thence binding reversely along said First Line and along the West side of Rolling Road, as proposed to be widened North 09°10'07" West 40.00 feet, thence binding reversely along the Sixth, Fifth and Fourth Lines of that parcel of land described in the above last mentioned deed the three following courses and distances, viz.:
- (1) 39.27 feet in a Westerly direction along the arc of a curve to the left having a radius of 25.00 feet, and
- (2) South 80°49'53" West 48.00 feet, and
- (3) 82.00 feet in a Westerly direction along the arc of a curve to the right having a radius of 303.54 feet and a long chord bearing of South 88°24'07" West and a long chord distance of 81.75 feet to a point on the Eleventh Line of that parcel of land secondly described in the aforesaid deed dated March 25, 1966 recorded among the aforesaid Land Records in Liber O.T.C. No. 4595 at Folio 310 which was conveyed by Melvin A. Kirk and Betty I. Kirk, his wife, to Mayfield Gardens, Inc., thence binding along part of said Eleventh Line and along the First, Second, Third, Fourth, Fifth, Sixth and Seventh Lines of that parcel of land secondly described in the above last mentioned deed the eight following courses and distances, viz.:
- (1) South 09°10'07" East 76.01 feet,
- (2) South 80°49'53" West 56.00 feet,
- (3) South 80°49'53" West 83.41 feet,
- (4) South 23°01'01" West 24.12 feet,
- (5) North 63°13'07" West 91.40 feet,
- (6) South 36°04'53" West 20.68 feet,
- (7) North 44°11'07" West 51.51 feet, and
- (8) North 51°39'07" West 1682.92 feet to the beginning of the Second Line of that parcel of land described in the aforesaid deed dated July 25, 1966 recorded among the aforesaid Land Records in Liber O.T.C. No. 4661 at Folio 277 which was conveyed by Service Title Corporation to Mayfield Gardens, Inc., thence binding along part of said Second Line North 85°17'57" West 258.88

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feet to a point thereon at the end of the Fourth Line of that parcel of land described in the above first mentioned deed, thence binding reversely along the Last Line of that parcel of land described in a deed dated March 10, 1966 from William T. Ritter and Catherine A. Ritter, his wife, to Mayfield Gardens, Inc., thence binding for a part along the Last Line of that parcel of land described in the above last mentioned deed South 74°03'20" West 20 feet more or less thence in a Northeasterly direction 150 feet more or less to the place of beginning, containing 42.59 acres of land more or less.

BEING part of that parcel of land which by deed dated March 10, 1966 recorded among the aforesaid Land Records in Liber O.T.C. No. 4590 at Folio 323 was conveyed by William T. Ritter and Catherine A. Ritter, his wife, to Mayfield Gardens, Inc., and being that parcel of land which by deed dated November 23, 1965 recorded among the aforesaid Land Records in Liber O.T.C. No. 4559 at Folio 592 was conveyed by Hemlock Realty, Inc., et al., to Mayfield Gardens, Inc., and being that parcel of land which by deed dated September 2, 1968 recorded among the aforesaid Land Records in Liber O.T.C. No. 4918 at Folio 189 was conveyed by Erma M. Genson, et al., to Mayfield Gardens, Inc., and being that parcel of land which by deed dated July 25, 1966 recorded among the aforesaid Land Records in Liber O.T.C. No. 4661 at Folio 277 was conveyed by Service Title Corporation to Mayfield Gardens, Inc., and being part of the first parcel and all of the second and third parcels of land described in a deed dated March 25, 1966 recorded among the aforesaid Land Records in Liber O.T.C. No. 4595 at Folio 310 which was conveyed by Melvin A. Kirk and Betty I. Kirk, his wife, to Mayfield Gardens, Inc.



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ENGINEERS AND LAND SURVEYORS

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BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 21, 1971

COUNTY OFFICE - 1101
1101 N. Calvert Street
Baltimore, Maryland 21204

OLIVER L. MYERS
Chairman

MEMBERS

BUREAU OF
ENGINEERING

DEPARTMENT OF
TRAFFIC ENGINEERING

STATE ROADS COMMISSION

BUREAU OF
FIRE PREVENTION

HEALTH DEPARTMENT

PROJECT PLANNING

BUILDING DEPARTMENT

BOARD OF EDUCATION

ZONING ADMINISTRATION

INDUSTRIAL
DEVELOPMENT

Mr. George E. Gavrells
Director
Office of Planning and Zoning
301 Jefferson Building
Baltimore, Maryland 21204

RE: Item #42 (April - October Cycle 1971)
Property Owner: Mayfield Gardens, Inc.
Location: 5/5 Mayfield Ave., 600' N.
of Windsor Road
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass. to D.R. 10.5
District: ZC2 Sector: Northwestern
No. Acres: 42.59

Dear Mr. Gavrells:

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 an unimproved tract of land with the surrounding properties developed with residential dwellings and some vacant farm land. Rolling Road and Mayfield Avenue in this location are not improved as far as concrete curb and gutter are concerned. Access would be from Rolling Road, Windsor Mill Road to Mayfield Avenue.

BUREAU OF ENGINEERING:

Highways:

This site has frontage on Rolling Road and Mayfield Avenue.

Rolling Road is an existing County Road which shall be improved to a 40-foot closed road section on a 60-foot right-of-way.

Mayfield Avenue is an existing County Road, which shall ultimately be improved to major collector standards. Highway improvements to this site, including curb and gutter, sidewalks and entrances in accordance with the standards of the Baltimore County Department of Public Works for a 40-foot

closed road section on a 60-foot right-of-way will be required for any grading or building permit application.

Streets required within this property must be improved in accordance with the standards of the Department of Public Works.

The proposed highway connection between Rolling Road, Millford Mill Road and Mayfield Avenue would require construction as a 36-foot closed road section on a 60-foot right-of-way. Millford Mill Road will be constructed as a 40-foot closed road section on a 70-foot right-of-way.

Storm Drains:

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 drainage have not been indicated on the submitted plan.

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

Onsite 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 Codes.

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 or the issuance of any grading and building permits.

Water:

Public water facilities can be made available to benefit this property.

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

Water: (Cont'd)

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

Service within the site from the public system must be in accordance with the Baltimore County Building, Plumbing and Fire Prevention Codes. The service connection to the meter shall be in accordance with the standards of the Baltimore County Department of Public Works.

Sanitary Sewer:

In accordance with the Baltimore County Comprehensive Sewerage Plan, sanitary facilities are planned between 1970-1980.

This property is located outside the Baltimore County Metropolitan District. An extension of the Metropolitan District Boundary is required, to include this property before public sewerage can be extended to serve this property.

The plan for development of this property is subject to approval of the State Department of Health prior to acceptance of a preliminary or final plat for recordation.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change from D.R. 5.5 to D.R. 10.5 of 42.59 acres. The subject petition should not have any major change in trip density. The plan itself, however, is not satisfactory because of too many entrances and intersection, other than 90 degrees. These matters, however, may be corrected if building permits are obtained.

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 intervals of 300 feet along an approved road.

The owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1967 edition, and the Fire Prevention Code when construction plans are submitted for approval.

BUREAU OF ENVIRONMENTAL HEALTH:

Public water and sewer are proposed.

Swimming Pool Comments: Prior to approval of a public pool on this site, two complete sets of plans and specifications of the pool and bathhouse must be submitted to the Baltimore County Department of Health for review and approval.

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.

BOARD OF EDUCATION:

The existing zoning could yield approximately 111 elementary pupils while a change to D.R. 10.5 for apartments could yield approximately 179 elementary pupils, 67 junior high pupils, and 31 senior high pupils.

Schools servicing this area:

Sept. 22, 1970 Enrollment	Capacity	Enroll	+/-
Hebbsville Elementary	760	689	-71
Old Court Jr.	1340	1436	+96
Alford Mill Sr.	1485	1476	-9

Future Const.	Status	Capacity	Est. to Open
Deer Park Jr.	Budgeted	1280	7/73

Programmed Const.	Capacity	Year Programmed	Est. to Open
Windsor Mill Jr.	1280	1975-76	1977-78

ZONING ADMINISTRATION DIVISION:

The site plan as submitted by the Petitioner does not meet any of the criteria established in Bill 100 of the Baltimore County Zoning Regulations. Therefore, it is suggested that any further action be held in abeyance on the subject petition until such time as the Petitioner submits a development plan in accordance with these regulations.

Very truly yours,

Oliver L. Myers
Chairman

OLM:msh

cc: Mr. Edward D. Hardesty
Zoning Commissioner

Mayfield Gardens, Inc.
Leon A. Crane
1800 N. Charles Street
Baltimore, Maryland 21201

LAURENCE K. GINSBERG
W. LEE HARRISON
300 WEST JOPPA ROAD
TOWSON, MARYLAND 21204

April 3, 1972

County Board of Appeals
County Office Building
Towson, Maryland 21204

Re: Mayfield Gardens, Inc. Case No. 72-R

Gentlemen:

Please strike my appearance as counsel for the Protestants, Temple Emanuel of Baltimore, Inc., in connection with the above captioned case.

Very truly yours,

G. Mitchell Austin
G. Mitchell Austin

CC: Lawrence K. Ginsberg, Esq.
Gerald M. Katz, Esq.
Mr. Morris Grossman



Law Office of
MYLES F. FRIEDMAN
DUNBAR BUILDING
DUNDALK, MARYLAND 21222
PHONE: ATLAS 4-0000

August 23, 1971

Hon. Eric DiNenna
Zoning Commissioner
Office of Planning and Zoning
Jefferson Bldg.
Towson, Md. 21204

RE: #42 (April-October Cycle 1971)
Property Owner: Mayfield Gardens, Inc.
Location: E/S Mayfield Ave., 600' N.
of Windsor Road
Present Zoning: D.R. 5.5
Proposed Zoning: Reclasse. to D.R. 10.5
District: 2C2 Sector: Northwestern
No. Acres: 42.59
Date of Hearing: 9/24/71 - 10:00 A.M.

Dear Mr. DiNenna:

Please enter my appearance on behalf of the above captioned petitioner concerning the above captioned property, a hearing for which has been set for September 24, 1971 at 10:00 A.M.

Thanking you for your immediate attention and kind cooperation in this matter, I am,

Very truly yours,

Lawrence K. Ginsberg
LAWRENCE K. GINSBERG

LKG/jp

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Key Sheets: L-NE & L-W
Position Sheets: 20 NW 30
19 NW 29,
30 & 31
18 NW 29

Topic: NW 58
Tax Map: 87

TO: Edward Hardesty
ATTN: Oliver L. Myers
FROM: Silasworth V. Myers, P.E.

Date: May 12, 1971

SUBJECT: Item #42 (April - October Cycle 1971)
Property Owner: Mayfield Gardens, Inc.
Location: E/S Mayfield Avenue, 600' N. of Windsor Road
Present Zoning: D.R. 5.5
Proposed Zoning: Reclasse. to D.R. 10.5
District: 2C2 Sector: Northwestern
No. Acres: 42.59

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:

This site has frontage on Rolling Road and Mayfield Avenue.
Rolling Road is an existing County Road which shall be improved to a 40-foot closed road section on a 60-foot right-of-way.

Mayfield Avenue is an existing County Road, which shall ultimately be improved to major collector standards. Highway improvements to this site, including curb and gutter, sidewalks and entrances in accordance with the standards of the Baltimore County Department of Public Works for a 40-foot closed road section on a 60-foot right-of-way will be required for any grading or building permit application.

Streets required within this property must be improved in accordance with the standards of the Department of Public Works.

The proposed highway connection between Rolling Road, Milford Mill Road and Mayfield Avenue would require construction as a 36-foot closed road section on a 60-foot right-of-way. Milford Mill Road will be constructed as a 40-foot closed road section on a 70-foot right-of-way.

Storm Drains:

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 drainage have not been indicated on the submitted plan.

Item #42 (April - October Cycle 1971)
Property Owner: Mayfield Gardens, Inc.
Page 2
May 12, 1971

Storm Drains: (Cont'd)

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

Onsite 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 Codes.

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 or the issuance of any grading and building permits.

Water:

Public water facilities can be made 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.

Service within the site from the public system must be in accordance with the Baltimore County Building, Plumbing and Fire Prevention Codes. The service connection to the water shall be in accordance with the standards of the Baltimore County Department of Public Works.

Sanitary Sewer:

In accordance with the Baltimore County Comprehensive Sewerage Plan, sanitary facilities are planned between 1970-1980.

This property is located outside the Baltimore County Metropolitan District. An extension of the Metropolitan District Boundary is required, to include this property before public sewerage can be extended to serve this property.

The plan for development of this property is subject to approval of the State Department of Health prior to acceptance of a preliminary or final plat for recordation.

Edward Hardesty
EDWARD HARDESTY, P.E.
Chief, Bureau of Engineering

END:PAK/OMK:as
cc: File (3)

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING
JEFFERSON BUILDING
TOWSON, MARYLAND 21204
INTER-OFFICE CORRESPONDENCE

TO: Edward D. Hardesty
ATTN: Oliver L. Myers
FROM: C. Richard Moore
SUBJECT: Item 42 - Cycle Zoning
Property Owner: Mayfield Gardens, Inc.
Mayfield Avenue north of Windsor Road
Reclassification to DR 10.5

Date: May 13, 1971

The subject petition is requesting a change from DR 5.5 to DR 10.5 of 42.59 acres. The subject petition should not have any major change in trip density. The plan itself, however, is not satisfactory because of too many entrances and intersections other than 90°. These matters, however, may be corrected if building permits are obtained.

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM:nf

TO: Mr. Edward D. Hardesty, Zoning Commission
ATTN: Mr. Myers

DATE: 5/11/71

FROM: Planning Division
Fire Prevention Bureau

SUBJECT: Property Owner:
Mayfield Gardens, Inc.

Location: E/S Mayfield Ave., 600' N. of Windsor Road

Item #42 Zoning Demand

Fire hydrants for the proposed site are required and shall be in accordance with Baltimore County Standards. The hydrants shall be located at intervals of 300 feet along an approved road.

The owner shall be required to comply with all applicable requirements of the 101 Life Safety Code, 1967 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

Respectfully submitted:

H. Thomas Kelly
H. Thomas Kelly
Planning Division
Fire Prevention Bureau

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver Myers

Date: May 14, 1971

FROM: Ian J. Forrest

SUBJECT: Item 42

42. Property Owner: Mayfield Gardens, Inc.
Location: E/S Mayfield Ave., 600' N. of Windsor Road
Present Zoning: D.R. 5.5
Proposed Zoning: Reclasse to D.R. 10.5
District: 2nd Sector: Northwestern
No. Acres: 42.59

Public water and sewer are proposed.

Swimming Pool Comments: Prior to approval of a public pool on this site two complete sets of plans and specifications of the pool and bathhouse must be submitted to the Baltimore County Department of Health for review and approval.

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.

Ian J. Forrest
Ian J. Forrest
Chief
Water and Sewer Section
BUREAU OF ENVIRONMENTAL HEALTH

IJF:am

BALTIMORE COUNTY BOARD OF EDUCATION

ZONING ADVISORY COMMITTEE MEETING
OF APRIL 27 & 28 (CYCLE ZONING)

Petitioner: MAYFIELD GARDENS, INC.
Location: E/S MAYFIELD AVE., 600' N. OF WINDSOR MILL RD
District: 2
Present Zoning: DR 5.5
Proposed Zoning: DR 10.5 (APPS)
No. of Acres: 42.59

Comments: THE EXISTING ZONING COULD BECHANGED TO DR 10.5. THE EXISTING ZONING COULD BECHANGED TO DR 10.5. THE EXISTING ZONING COULD BECHANGED TO DR 10.5.

SERVICES SERVING THIS AREA:

SEPT. 22, 1970	ENROLLMENT	CAPACITY	ENROLLMENT	%
Hennrich Ele.	766	688	71	
Old Center Jr.	1346	1436	93	
Marston Mill Jr.	1455	1476	98	
FUTURE COUNT		CAPACITY	PER 71	
DRUG PARK JR.	1,280	1,280	973	
PROPOSED COUNT		CAPACITY	PER 71	
"WINDSOR MILL JR."	1,280	1,280	1,277-78	

