

PETITION FOR ZONING RE-CLASSIFICATION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, CARL M. HOLZAPFEL and RUBY C. HOLZAPFEL, his wife and legal owners, of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an D.R. 5.5 (R-6) zone to an D.R. 16 (R.A.) zone; for the following reasons: In classifying the property D.R. 5.5 (R-6) the Council committed errors as set out on the attached exhibit, which is incorporated by reference herein, (as to the R.A. alternative classification request numerous changes have altered totally the character of this neighborhood since the property was last erroneously classified R-6 by the County Council). 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 N.A.

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.

Robert Morrow
Contract purchaser
Address: _____
Carl M. Holzappel
Legal Owner
his wife
Address: _____
James D. Nolan
Petitioner's Attorney
Address: 204 W. Pennsylvania Avenue, Towson, Md. 21204

ORDERED By The Zoning Commissioner of Baltimore County, this 8th day of February, 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 15th day of March, 1972, at 10:00 o'clock

Zoning Commissioner of Baltimore County

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6828, TOWSON, MD. 21204

Description to accompany
Zoning Petition Property located
on Liberty Gardens Road

Beginning for the same at the intersection of the southwest side of Liberty Gardens Road and the extension southerly of the centerline of Timanus Road, thence from said place of beginning binding on the southwest and north-west side of said Liberty Gardens Road the seven following lines viz: by a curve to the right having a radius of 686.11 feet for the distance of 335.70 feet, thence South 20° 48' East 143.11 feet, thence by a curve to the left having a radius of 1462.40 feet for the distance of 230.56 feet, thence South 29° 39' East 381.52 feet, thence by a curve to the right having a radius of 219.11 feet for the distance of 276.93 feet, thence South 31° 26' West 40.78 feet, thence South 42° 42' 40" West 556.83 feet, thence leaving said Road North 65° 41' West 1485.34 feet thence North 50° 24' East 1627.50 feet to the place of beginning.

Containing 35.4 Acres of land more or less.



70359
1/22/73

PETITION FOR RECLASSIFICATION
FROM D.R.5.5 to D.R.16
SW/S Liberty Gardens Road,
S of Timanus Road
2nd District
Carl M. Holzappel, et ux.
No. 72-207-R

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 9
Folio No. 301
File No. 5048

MOTION TO EXTEND TIME FOR TRANSMISSION OF RECORD

The Petitioner-Appellants, Carl M. Holzappel and Ruby C. Holzappel, and the Contract Purchasers, Robert Morrow and Martin Lifton, by James D. Nolan and Nolan, Plimhoff & Williams, their attorneys, moves, pursuant to Maryland Rule 87.5, that the time for transmission of the record in this action by the County Board of Appeals be extended up to and including September 15, 1973. The grounds of the motion are as follows:

- 1.) The 30 day period prescribed by Maryland Rule 87.5, for filing the record in this action, including the transcript, in this Honorable Court expires on June 29, 1973.
- 2.) That the proceedings in this matter were quite lengthy, and, accordingly, the Reporter, Mr. Leonard C. Perkins, will be aided greatly by additional time to prepare the transcript of testimony in these proceedings beyond the present due date of June 29, 1973.
- 3.) That the additional time requested will not prejudice either side in these proceedings, but will allow for a more deliberate and less hurried preparation of the transcript herein.
- 4.) Movants are, therefore, respectfully requesting additional time to have the record, including the transcript, transmitted to this Honorable Court, namely until September 15, 1973.

LAW OFFICE
NOLAN, PLIMHOFF
& WILLIAMS
TOWSON, MD.

James D. Nolan

PETITION FOR RECLASSIFICATION
FROM D.R.5.5 to D.R.16
SW/S Liberty Gardens Road
S of Timanus Road
2nd District
Carl M. Holzappel, et ux.
No. 72-207-R
Miscellaneous Docket No. 9
Folio 301
File No. 5048

DISMISSAL OF APPEAL

Mr. Clerk:
On behalf of the Petitioner-Appellants, Carl M. Holzappel and Ruby C. Holzappel and the Contract Purchasers Robert Morrow and Martin Lifton, please enter the above entitled matter "Dismissed".

James D. Nolan
Nolan, Plimhoff & Williams
204 West Pennsylvania Avenue
Towson, Maryland 21204
823-7800

I HEREBY CERTIFY that on this 27th day of August, 1973, a copy of the foregoing DISMISSAL OF APPEAL was mailed to Harry S. Swartzwelder, Jr., Esquire, 210 East Radwood Street, Baltimore, Maryland, 21202 and to the County Board of Appeals, County Office Building, Towson, Maryland, 21204.

James D. Nolan

LAW OFFICE
NOLAN, PLIMHOFF
& WILLIAMS
TOWSON, MD.

Nolan, Plimhoff & Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204
823-7800

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, that on this 27th day of August, 1973, before me, the subscriber, a Notary Public of the State of Maryland in and for the County aforesaid, personally appeared CARL M. HOLZAPFEL and RUBY C. HOLZAPFEL, his wife, who made oath in due form of law that the matters and facts set forth in the above Motion are true to the best of their knowledge, information and belief.

Notary Public

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, that on this 27th day of August, 1973, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared ROBERT MORROW, who made oath in due form of law that the matters and facts set forth in the foregoing Motion are true to the best of his knowledge, information and belief.

Notary Public

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:
I HEREBY CERTIFY, that on this 27th day of August, 1973, before me, the subscriber, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared MARTIN LIFTON, who made oath in due form of law that the matters and facts set forth in the foregoing Motion are true to the best of his knowledge, information and belief.

Notary Public

-1-

70359
1/22/73

PETITION FOR RECLASSIFICATION
FROM D.R.5.5 to D.R.16
SW/S Liberty Gardens Road,
S of Timanus Road
2nd District
Carl M. Holzappel, et ux.
No. 72-207-R
Miscellaneous Docket No. 9
Folio No. 301
File No. 5048

ORDER EXTENDING TIME FOR TRANSMISSION OF RECORD

Upon the foregoing Motion To Extend Time For Transmission of Record, and affidavits thereto, and pursuant to the provisions of Maryland Rule 87.5, it is hereby ORDERED by the Circuit Court for Baltimore County that the time for the transmission of the record in these proceedings, including the transcript of testimony and all exhibits, is hereby extended through and including September 15, 1973.

Judge

True Copy Test
ELMER H. KAHN, JR., Clerk
Per _____
Deputy Clerk

LAW OFFICE
NOLAN, PLIMHOFF
& WILLIAMS
TOWSON, MD.

Rec'd 8-20-73
9:45 AM

I HEREBY CERTIFY, that on this 27th day of August, 1973, a copy of the foregoing MOTION TO EXTEND TIME FOR TRANSMISSION OF RECORD and ORDER thereon was mailed to Harry S. Swartzwelder, Jr., Esquire, Attorney for the Petestants, at 210 E. Radwood Street, Baltimore, Maryland 21202

James D. Nolan

HARRY S. SWARTZWELDER, JR.
ATTORNEY AT LAW
400 TOWMAN BLDG
210 E. REDWOOD STREET
BALTIMORE, MARYLAND 21202
727-1929

October 26, 1972

S. Eric Dinenna
Zoning Commissioner
111 West Chesapeake Avenue
Towson, Maryland 21204

RE: Petition for Reclassification SW/S Liberty Gardens Road S of Timanus Road - 2nd District
Carl M. Holzappel - Petitioner No. 72-207-R
(Item No. 32)

Dear Mr. Dinenna:

Please enter an Appeal from the Order passed in the above designated case on October 2nd, 1972 on behalf of the following protestants:

Mr. & Mrs. Barry Levitt
Mr. Herbert Shapiro
Mr. Robert J. Sorace
Mr. Elmer Wood

Very truly yours,
Harry S. Swartzwelder, Jr.

HSS/ru

MAY 28 1974

RE: PETITION FOR RECLASSIFICATION
from D.R. 5.5 to D.R. 16
SW/S Liberty Gardens Road,
S. of Timanus Road
2nd District
Carl M. Holzapfel, et ux
No. 72-207-R

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

ORDER FOR APPEAL

Please enter an appeal on behalf of the Petitioners,
Carl M. Holzapfel and Ruby C. Holzapfel, as well as the contract
purchasers, Robert Morrow and Martin Lifton, each and all
Appellants, from the Opinion and Order of the County Board of
Appeals of Baltimore County dated May 3, 1973, and each and every
part thereof, in Case No. 72-207-R, denying the requested re-
classification to D.R. 16 in the above-entitled matter.

James D. Nolan
James D. Nolan

Nolan, Plumhoff and Williams
Nolan, Plumhoff and Williams
204 W. Pennsylvania Avenue
Towson, Maryland 21204
923-7800

CERTIFICATE OF COMPLIANCE

I hereby certify that a copy of the Order For Appeal to
the Circuit Court for Baltimore County and the Petition On Appeal,
both relating to the Opinion and Order of the County Board of
Appeals for Baltimore County dated May 3, 1973, in Case No.
72-207-R, was delivered to the Board prior to the filing of this
Order, as shown below.

James D. Nolan
James D. Nolan
Attorney for Appellants

Service of a copy of the Order For Appeal and Petition
On Appeal in Case No. 72-207-R is admitted this 3rd day of
May, 1973, by

County Board of Appeals
By: *Earl P. Eisenhart*

I hereby certify that a copy of the foregoing Order for
Appeal and Petition On Appeal was mailed to Harry S. Swartzwelder,
Esquire, Attorney for the Protestants, on this day of
 , 1973.

James D. Nolan
James D. Nolan
Attorney for Appellants

-2-

RE: PETITION FOR RECLASSIFICATION : BEFORE
from D.R. 5.5 to D.R. 16 : COUNTY BOARD OF APPEALS
SW/S Liberty Gardens Road, : OF
S. of Timanus Road :
2nd District :
Carl M. Holzapfel, et ux, : BALTIMORE COUNTY
Petitioners : No. 72-207-R

OPINION

Once again this Board has been called upon in a case involving a request for
increase residential density in the Liberty Road corridor. This petition involves a tract
of approximately 35.4 acres located on the southwest side of Liberty Gardens Road and on
the south side of Timanus Road, in the Second Election District of Baltimore County. This
tract is situated in the southwest quadrant of the Baltimore County Beltway and the Liberty
Road. The subject property, as zoned by the Baltimore County Council on March 24,
1971, is now classified D.R. 5.5 in its entirety. This petition requests a reclassification
of this parcel from the existing D.R. 5.5 to a D.R. 16 zone. The Deputy Zoning
Commissioner granted in part the requested reclassification. This decision was appealed
by both the petitioners and the protestants.

Robert Morrow, an attorney and developer from Lawrence, New York, is one
of the petitioners in this instance. If the petition were granted, Mr. Morrow and his
associate firms would construct approximately 586 garden type apartment units on this tract.
Evidence and testimony on behalf of the petitioner was presented to this Board by an
engineer, a real estate expert, a land planner and a traffic engineer. Testimony and
evidence on behalf of the protestants was presented by several neighborhood residents. In
addition, Frank Fisher, the Assistant Chief of the Master Planning Section of the Baltimore
County Department of Planning, and Richard Moore, the Deputy Chief of the Traffic
Engineering Bureau of Baltimore County, also presented evidence and testimony to this Board.

The question to be decided in this instance is whether or not the County
Council erred in March of 1971 when they, in fact, classified the entire subject property
D.R. 5.5. As proof of this error, the petitioner testified that the subject property
would be costly to develop because of the nature of its soil, that the property is adjoined by

Carl M. Holzapfel - #72-207-R

2.

apartment projects, that this tract is located adjacent to the very heavily traveled Baltimore
County Beltway and that public utilities are available to this site. These and other
factors led the petitioner to the conclusion that the County Council did err when not
classifying this property for a density greater than the D.R. 5.5.

The protestants primarily based their case upon the traffic situation which is
now serious on the Liberty Road, especially as it reaches the Beltway interchange. In
addition, the protestants pointed out to this Board the problems with the Gwynns Falls sewer
interceptor concerning the adequate handling of the sewage flow by this interceptor.

Frankly, without reviewing in great detail the testimony and evidence pre-
sented in this case, the Board is of the opinion that this requested reclassification is at best
premature. There is, seemingly, uncontradicted testimony presented in this case which
clearly and succinctly evidences to this Board that the traffic flow from the subject property
cannot at this time be adequately handled on same ingress and egress from the subject
property via Washington Avenue onto Liberty Road and, furthermore, there is apparently
other uncontradicted evidence and testimony which indicates the Washington Avenue-
Liberty Road access is the only practical ingress and egress from the subject property. In
addition, the testimony and evidence conclusively proves to this Board the continuing diffi-
culty with the Gwynns Falls sewer interceptor and while we might anticipate relief of this
situation sometime in the future, at this given instance some present a severe problem for
the sewer facilities which would be used to serve this proposed apartment project.

Either one of these two elements; i.e., the traffic problem and/or the
sewerage problem could, in the mind of this Board, have been sufficient reason why the
County Council held the density of this property at D.R. 5.5. Therefore, it is the
judgment of this Board that the County Council did not err when they, in their wisdom,
chose to restrict the density of the subject property to D.R. 5.5 in March of 1971.
Perhaps, considering the reasons offered by the petitioner, at some future date this particular
property could be suitable for higher density development. However, the sole question
to be decided by this Board is whether or not the Council in March of 1971 erred when they,
in fact, zoned the subject property D.R. 5.5. This Board thinks not and, therefore,

Carl M. Holzapfel - #72-207-R

3.

will reverse the Order of the Deputy Zoning Commissioner and deny in toto the requested
reclassification by the petitioner in this instance. It is the unanimous judgment of
this Board that the subject property was correctly zoned in March of 1971 by the County
Council and that this petition should be denied.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 3rd day
of May, 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. Slowik
John A. Slowik, Chairman

Walter A. Miller
Walter A. Miller, Jr.

John A. Miller
John A. Miller

RE: PETITION FOR RECLASSIFI- : BEFORE THE
CATION : DEPUTY ZONING
SW/S Liberty Gardens Road S :
of Timanus Road - 2nd District : COMMISSIONER
Carl M. Holzapfel - Petitioner :
NO. 72-207-R (Item No. 32) : OF
: BALTIMORE COUNTY

*** **
This Petition represents a request to reclassify a tract of ground con-
sisting of 35.4 acres from a D.R. 5.5 Zone to a D.R. 16 Zone. The tract is
located at the southwest quadrant of the Baltimore Beltway and Liberty Road,
in the Second District of Baltimore County.

In addition to the contract purchaser, Mr. Robert Morrow, the following
expert witnesses testified in behalf of the Petitioners: Mr. Charles Fick, an
engineer with the firm of George Williams Stephens, Jr., and Associates,
Incorporated, Mr. John Erdman, a traffic engineer presently employed by
the City of Baltimore, and Mr. Bernard Willemain, a City planner, and zon-
ing consultant.

All of the above experts felt that the property had been zoned D.R. 5.5
in error. As reasons for the error, they cited the location of the property
adjacent to the Baltimore Beltway; off-site development cost of One Hundred
and Thirty Thousand Dollars (\$130,000) which is required to develop the site
for one (1) family dwellings or apartments; the fact that utilities are available
and adequate to serve a D.R. 16 type development; the sloping topography;
public roadways; and, the irregular shape of the tract make it economically
impractical for development in a D.R. 5.5 category.

With regard to traffic, testimony indicated that the area roads would be
capable of handling the proposed increased trip density after improvements
were made to Liberty Gardens Road, and the traffic signal at Liberty Road
and Washington Avenue is reconstructed and adjusted to the traffic flow.

Insofar as the impact on the Comprehensive Plan and/or a community
is concerned, it was felt that a reclassification of the subject site would not

have an adverse effect on the Comprehensive Zoning Map or the community.
It was their opinion, that an apartment development here would, in fact, pro-
vide an excellent buffer between the Baltimore Beltway and the surrounding
houses.

Testimony also indicated that two (2) apartment developments presently
exist on Liberty Gardens Road, one (1) adjoins the Petitioner's property and
the other lies directly across the road. As such, the subject property was
not considered to be esthetically suited for individual homes.

Extensive testimony was submitted indicating that a D.R. 16 or apart-
ment development of the type proposed would generate less school children
than would be generated by single family development at a density of 5.5 units
to the acre.

Many area residents testified in protest of the Reclassification. It was
their opinion, that the Baltimore County Council had not erred in not placing
D.R. 5.5 zoning on the subject property. Their main objections to the request-
ed reclassification was based primarily on the traffic conditions in the area.
Their community, of which the subject property is a part, has only one (1)
point of access to Liberty Road and/or the Beltway interchange with Liberty
Road. All interior street traffic desiring to use these roads must do so by
way of Washington Avenue.

The Zoning Advisory Committee commented with regard to traffic con-
ditions as follows:

The subject Petition is requesting a change from D.R. 5.5
to D.R. 16 of 35.4 acres. This should increase the trip density
from 1800 trips a day to 4250 trips a day. Liberty Gardens Road
is not designed to handle this increased trip density."

OPINION

The Petitioner's property is well suited for an apartment development.
The entire northeast side of his site borders Liberty Gardens Road, which

in turn binds on the right of way of the Baltimore Beltway. The availability
of utilities, the sloping condition of the topography, and the two (2) adjoining
apartment developments, all lend the site to a apartment use and construction.

Based on these reasons and/or the testimony received, it is the opinion
of the Deputy Zoning Commissioner, that the Petitioner has proven error.
However, testimony also indicated that the site has limited access to Liberty
Road and the Baltimore Beltway, and for this reason, the density on the sub-
ject site should not be granted to the extent requested.

The following described area or areas only should be reclassified to a
D.R. 16 Zone:

That portion of the herein described property that lies
south of the existing D.R. 16 Zone line, and/or the northwestern-
most property line of the Oakview apartment development, as
projected in a northeasterly direction across the Petitioner's
property; and the remaining frontage along the westside of
Liberty Gardens Road, to a depth of three hundred (300) feet
measured at right angles and parallel to the east side of said
road. Said D.R. 16 areas being indicated in red on the Petitioner's
Exhibit No. 1.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of
Baltimore County, this 2nd day of October, 1972, that those portions
of the Petitioner's property designated in the above opinion be Reclassified
to a D.R. 16 Zone; and that the remaining portion of the herein Petitioner
Reclassification be and the same is hereby DENIED and the same is hereby
continued as and to remain a D.R. 5.5 Zone.

James S. Kelly
Deputy Zoning Commissioner of
Baltimore County

ORDER RECORDED FOR FILING

DATE October 2, 1972

BY John A. Slowik

ORDER RECORDED FOR FILING

DATE October 2, 1972

BY John A. Slowik

ORDER RECORDED FOR FILING

DATE October 2, 1972

BY John A. Slowik

POINTS OF ERROR COMMITTED BY THE
COUNTY COUNCIL IN CLASSIFYING THE
SUBJECT TRACT D.R.5.5

The Petitioners state that the County Council committed at least the following errors in classifying the subject 3.4 acre parcel D.R. 5.5:

1. The subject property lies directly in the southwest quadrant of the Baltimore Beltway and newly widened and improved Liberty Road, and the entire eastern border of the property is formed by the Beltway and the Beltway-Liberty Road ramps, comprising close to 1400 feet of exposure to 24 hour per day, 365 day per year traffic noise, dust, fumes, lights, and all the other unfavorable aspects of a major traffic carrier, thereby rendering D.R.5.5 use completely inappropriate.

2. The subject tract enjoys excellent access to the entire Metropolitan Area via the Beltway and Liberty Road and it should be developed at a greater density than D.R.5.5, by all planning standards.

3. The property is fully served by all public utilities, and according to the firm of George William Stephens, Jr. and Associates, Inc., these utilities are more than adequate to allow development of this tract at least at a density of D.R. 16; and to zone it at any lesser density on the basis of utilities was and is error.

4. This property is surrounded on three sides by public and high density land uses, namely, the access ramps and the Beltway to the east, the Liberty Gardens Apartments to the south, and the Oakview Apartments and the Baltimore County elementary school to the west; thus, D.R.5.5 zoning by the Council was and is patently erroneous and constituted and constitutes erroneous spot

zoning at a patently improper and inadequate density.

5. D.R.16 would impose less of a load on area schools than D.R.5.5, and it was error for the Council to fail to note this fact.

6. The property cannot be developed and sold for D.R.5.5 homes.

7. That the subject tract meets all of the usually quoted zoning and planning criteria for D.R.16 densities or greater densities, and it was error for the Council to ignore these greater density criteria, and to improperly zone the property D.R.5.5.

8. That the Council's error in placing this subject tract in a D.R.5.5 zone is readily understood when viewed against the background under which the Council labored during 1970-1971: including, but not only, a hostile press, an emotional and misinformed public, improper pressures, including even physical threats, from every quarter, not to mention the magnitude of the task versus the time and resources available to the Council.

9. That the Council, in addition to its other handicaps, did not have the benefit of an adequate, adopted Master Plan as required by Section 22.12 et seq. of the Baltimore County Code (1968 Edition); and, thus, the Council was like a ship without a rudder trying to navigate in a typhoon.

10. That the Council hearing of March 24, 1971, was not a proper, legally conducted legislative hearing, and this subject property and many other properties were not adequately or properly considered at that meeting, constituting further error by the Council.

11. For such other and further reasons as may be disclosed upon minute study throughout this case, and further error by the Council is hereby assigned and will be noted when and as found.

Respectfully submitted,

James D. Nolan
James D. Nolan
Attorney for Property Owner

-2-

RE: PETITION FOR RECLASSIFICATION
from D.R. 5.5 to D.R. 16 zone
SW/S of Liberty Gardens Road
S. of Timanus Road
2nd District

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

Carl M. Holzapfel, et ux
Petitioners - Appellants

Misc. Docket No. 9
Folio No. 301
File No. 5048

CERTIFICATE OF NOTICE

Mr. Clerk

Pursuant to the provisions of Rule 1101-84(4) of the Maryland Rules of Procedure, John A. Slowik, Walter A. Reiter, Jr. and John A. Miller, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the appeal to the representative of every party to the proceeding; before it; namely, James D. Nolan, Esq., 204 W. Pennsylvania Avenue, Towson, Maryland, 21204, attorney for the Petitioners, and Harry S. Swartzwelder, Jr., Esq., 400 Totten Building, 210 East Redwood Street, Baltimore, Maryland, 21202, attorney for the Protestants, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County
County Office Building, Towson, Md. 21204
Tel. - 494-2100

cc: Zoning
Pl.-R. Werneth
J. Nolan, Esq.
H. Swartzwelder,
Esq.

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to James D. Nolan, Esq., 204 W. Pennsylvania Avenue, Towson, Maryland, 21204, attorney for the Petitioners, and Harry S. Swartzwelder, Jr., Esq., 400 Totten Building, 210 East Redwood Street, Baltimore, Maryland, 21202, attorney for the Protestants, on this 31st day of May, 1973.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

RE: PETITION FOR RECLASSIFICATION
SW/S Liberty Gardens Road S.
of Timanus Road - 2nd District
Carl M. Holzapfel - Petitioner
No. 72-207-R (Item No. 32)

BEFORE THE
DEPUTY ZONING
COMMISSIONER FOR
BALTIMORE COUNTY

ORDER FOR APPEAL

Mr. Zoning Commissioner:

Please suspend an Appeal to the Baltimore County Board of Appeals only from those portions of Your Order of October 2, 1972, denying the requested reclassification to DR 16 on that portion of the property that lies south of the existing DR 16 zone line, and/or the northwest cornermost property line of the Oakview apartment development, as projected in a northeasterly direction across the Petitioner's property; and the remaining frontage along the west side of Liberty Gardens Road, to a depth of three Hundred (300) feet measured at right angles and parallel to the west side of said road. Said DR 16 areas being indicated in red on the Petitioner's Exhibit No. 1, the said appeal only as aforesaid being taken by the Petitioners, Carl M. Holzapfel and Ruby C. Holzapfel and Robert Morrow and Martin Lifton, the Contract Purchasers, all parties aggrieved by the aforesaid portions of the Decision and Order of October 2, 1972.

James D. Nolan
James D. Nolan
Nolan, Plumbhoff and Williams
Attorneys for Petitioner and
Contract Purchasers
204 W. Pennsylvania Avenue
Towson, Maryland 21204
Telephone: 421-7800

LAW OFFICE
NOLAN, PLUMBHOFF
& WILLIAMS
TOWSON, MD

LAW OFFICES OF
NOLAN, PLUMBHOFF & WILLIAMS
204 WEST PENNSYLVANIA AVENUE
TOWSON, MARYLAND, 21204

AREA CODE 410
TELEPHONE
875-7800

April 17, 1972

The Honorable James E. Dyer
Deputy Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Petition of Carl M. Holzapfel, Item 32 &
Petition of Charles F. Sandusky, Item 36

Dear Commissioner Dyer:

Pursuant to your request at the time of the hearings in the above entitled cases, I enclose the following pupil yield figures which were obtained by Mr. Willemain prior to the hearing and which he incorporated as part of his testimony. In his testimony Mr. Willemain covered three apartment projects in the Liberty Road corridor, and I believe that these are the most relevant to our inquiry herein, although he also covered several projects in the eastern part of the county and should you wish these figures can be furnished as well. However, as to the three apartment projects in the Liberty Road corridor the data is as follows:

1. The Woodridge Apartments located in Randallstown, there were 36 elementary school students in the 372 units for an elementary school pupil yield of .08, there were 13 junior high school students in the apartments for a pupil yield of .04, and there were 10 senior high school students for a pupil yield of .03;
2. In the Rockdale Garden Apartments, having a total of 231 units, there were 20 elementary school students for a pupil yield of .09, there were 8 junior high school students for a pupil yield of .03, and there were 10 senior high school students for a pupil yield of .04;
3. In the Liberty Gardens Apartments, - Sec. 1, located in Rockdale in Baltimore County, in the 158 units, there were 17 elementary school students for a pupil yield of .107, there were 4 junior high school students for a pupil yield of .025, and there were 4 senior high school students for a pupil yield again of .025.

The Honorable James E. Dyer -2- April 17, 1972

Mr. Willemain's correspondence and notes as to these apartment developments are enclosed herewith showing this data.

Trusting that this is the information which you wanted, I am with best personal regards

Sincerely,

James D. Nolan

JDN/lp

Encl.

cc: Mr. Bernard Willemain
Mr. Jacob Morrow
Mr. Robert Morrow
Mr. Martin Lifton

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Oliver Myers
FROM: Hoyt V. Bonner
DATE: October 22, 1971
SUBJECT: Item 32 - Zoning Advisory Committee Meeting, October 21, 1971

32. Property Owner: Carl M. Holzapfel, et ux
Location: Int. S/W/S Liberty Gardens Road
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass. to D.R. 16
District: 2
Sector: Northwestern
No. Acres: 33.40

Metropolitan water and sewer must be extended to the site before building permit can be approved.

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.

Hoyt V. Bonner
Sanitarian II
Water and Sewer Section
BUREAU OF ENVIRONMENTAL HEALTH

HVB/klt

TO: S. Eric DiIenna, Zoning Commissioner
Attention: Mr. Myers
DATE: October 27, 1971

FROM: Fire Prevention Bureau
Fire Department
SUBJECT: Property Owner: Carl M. Holzapfel, et ux

LOCATION: S/W/S Liberty Gardens Rd., S/W/S Ripple Road
ITEM # 32 zoning Agenda: Cycle for October '71

- () 1. Fire hydrants for the proposed site (as required and) shall be in accordance with Baltimore County Standards.
The hydrants shall be located at intervals of feet along an approved road.
- () 2. A second means of access is required for the site.
- () 3. The dead-end condition shown at exceeds the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "The Life Safety Code", 1967 Edition, and the Fire Prevention Code prior to occupancy or commencement of operations.
- () 5. The owner shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "The Life Safety Code", 1967 Edition, and the Fire Prevention Code when construction plans are submitted for approval.
- () 6. The Fire Department has no comment on the proposed site.

W. Kelly
Planning Division
Fire Prevention Bureau

Note: Above comments indicated with a check apply.
nb

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

James D. Nolan
209 W. Pennsylvania Avenue
Towson, Md. 21204

RE: Type of Hearings: Re-class to D.R. 16
Location: Int. S/W/S Liberty Gardens Rd.,
S.E.S. Ripple Rd.
Petitioner: Carl M. Holzapfel, et ux
Item 32

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 located on the southwest side of Liberty Gardens Road, just west of the Beltway, and between Ripple Road and the western extremity of Liberty Gardens Road. It is currently a large, undeveloped tract that borders the Board of Education on the west side, residential dwellings in good condition on the north side, small residential cottages and the Liberty Garden Apartments on the south side and the Baltimore Beltway on the west.

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:

Liberty Garden Road is an existing County road which shall be improved with a 40-foot curbed paving section on a 60-foot right-of-way. Highway improvements shall be accomplished with the development of this site, including the construction of curb and gutter, sidewalks and entrances as required by Baltimore County.

Storm Drainage:

Public drainage facilities are required in connection with the development of this property in accordance with Baltimore County Standards.

A storm drain study will be required to determine the adequacy of the existing storm drain systems and culvert under Liberty Garden Road.

James D. Nolan
Item 32
Page 2

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.

Sediment Control:

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

Drainage 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 or building permits.

Water:

Public water can be made available by the extension of a public 12-inch water main in Liberty Garden Road for the full frontage of the site.

Sanitary Sewer:

Public sanitary sewerage is available to serve the southern half of this site from the existing 8-inch and 12-inch sewer in Liberty Garden Road.

Inasmuch as the existing sewer in Liberty Garden Road has been supplemented from 8-inch to 12-inch beyond the subject property, a sanitary sewerage study will be required to determine the extent of reinforcement and for supplementation that may be required for the downstream sewerage facilities.

Public sanitary sewerage can be made available to serve the northern half of this site by the construction of a sanitary sewer extension approximately 350-feet in length to the existing 8-inch sewer in Lyme Haven Drive.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change from DR 5.5 to DR 16 of 35.4 acres. This should increase the trip density from 1800 trip a day to 7200 trips a day. Liberty Gardens Road is not designed to handle this increased trip density.

BOARD OF EDUCATION:

The following are the schools servicing this area:

	Capacity	Enroll.	Under
Mt. View Elem.	705	585	-24
Woodlawn Jr.	1250	1228	-22
Hillford Hill Sr.	1505	1486	-19

James D. Nolan
Item 32
Page 3

Since there is no breakdown as to the types and numbers of bedrooms in this proposed development an estimate as to the number of elementary pupils that this area would yield is 120 elementary students.

FIRE PREVENTION BUREAU:

The owner shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "Life Safety Code", 1967 Edition, and the Fire Prevention Code when construction plans are submitted for approval.

HEALTH DEPARTMENT:

Metropolitan water and sewer must be extended to the site before building permit can be approved.

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.

ZONING ADMINISTRATION DIVISION:

The plat as submitted does not give the proper setbacks for all the apartments within the complex, and does not indicate whether windows are proposed at the ends of these buildings.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

OLIVER L. MYERS, Chairman

JJD:rn
Enc.

Woodridge Apts - 7400
372 total units
Elementary - $\frac{36}{372} = .08$
Jr. High - $\frac{13}{372} = .04$
Sr. High - $\frac{10}{372} = .03$

Woodridge Apartments

3901 Hayes Circle / Randallstown, Maryland 21133 / 655-7777

February 22, 1972

Mr. Bernard Willemain
Dulany Valley Road
Phoenix, Maryland 21131

Dear Mr. Willemain:

In accordance with your request listed below is the breakdown on number of Buildings also break-down according to Adult or Children Buildings in Section 1 and Section 2.

Mixed Adult & Children Buildings - 24 Apts.
Children Buildings - 36 Apts.
Adult Buildings - 240 Apts.

1 Bedrm - 1 Bath Apts. 132
1 Bedrm - 1 1/2 Bath Apts. 12
2 Bedrm - 2 Bath Apts. 146
2 Bedrm - 2 1/2 Bath Apts. 36
3 Bedrm - 2 Bath Apts. 12
2 Bedrm - 1 Bath Apts. 36

NOTE: The four (4) terrace apartments in the Adult Buildings can be rented to Tenants with children.

Very truly yours,
Joan Stenestre
Resident Manager

JJS/mja

Woodridge Apartments

3901 Hayes Circle / Randallstown, Maryland 21133 / 655-7777

132 - 12 - 125 / 1000 = 12.5

February 16, 1972

Mr. Bernard Willemain
Dulany Valley Road
Phoenix, Maryland 21131

Dear Mr. Willemain:

We have listed the children in our development in five categories -

1. Under 6 years old 36 children
2. Elementary School 29 "
3. Junior High School 13 "
4. Senior High School 10 "
5. College 7

If there are any further questions please do not hesitate to call.

Very truly yours,
Joan Stenestre
Resident Manager

JJS/mja

ROCKDALE GARDEN APARTMENTS Rolling Road Randallstown, Baltimore County

F.B. 24/72

Number and Type of Units

77 1 BR
140 2 BR
14 3 BR
231 Total Apartments

Analysis of Children Occupants as of 2/22/72

Pre-School (under 5)	51
Elementary (5 to 11)	20
Jr. High (12 to 14)	8
Sr. High (15 to 18)	10
Not in School (over 18)	13
Total Number of Children Occupants	102

Yield
Elem. - $\frac{51}{231} = .09$
Jr. H. - $\frac{8}{231} = .03$
Sr. H. - $\frac{10}{231} = .04$

LIBERTY GARDENS APARTMENTS - Section 1 Boxhill Road Rockdale, Baltimore County

F.B. 24/72

Number and Type of Units

50 1 BR
95 2 BR
11 3 BR
158 Total Apartments

Analysis of Children Occupants as of 2/22/72

Pre-School (under 5)	34
Elementary (5 to 11)	17
Jr. High (12 to 14)	4
Sr. High (15 to 18)	4
Not in School (over 18)	4
Total Number of Children Occupants	63

Yield
Elem. - $\frac{34}{158} = .09$
Jr. H. - $\frac{4}{158} = .025$
Sr. H. - $\frac{4}{158} = .025$

The Honorable James E. Dyer
Deputy Zoning Commissioner
for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Petition of Carl M. Holzapfel, Item 32 &
Petition of Charles F. Sandusky, Item 36

Dear Commissioner Dyer:

As you requested on the day of the hearing, please find enclosed herewith copies of Mr. John Erdman's notes concerning traffic in these respective cases, which I have labelled Holzapfel and Sandusky respectively. While the material is quite complex, it is also rather complex, and if you have any questions, please do not hesitate to call upon us and we will have Mr. Erdman attempt to clear up any questions which may arise.

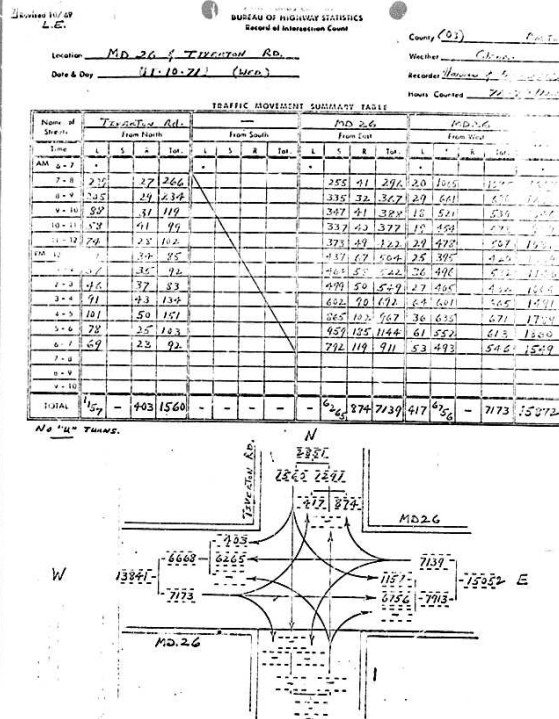
By a car on copy of this letter directed to Mr. Bernard Willemain, I am asking him to furnish me the school figures which he discussed and testified to in these cases and which you requested be furnished following the hearing. As soon as these school figures are made available, they will be forwarded to your file. With best regards, I am,

Sincerely yours,

James D. Nolan

JDN:ak
Enclosures
cc: Mr. John Erdman
cc: Mr. Bernard Willemain
cc: Mr. Jacob Morrow
cc: Mr. Robert Morrow and
Mr. Martin Litton

Tribe Generation
Sandusky Item 36
Acceage 20.9
DR. 3.5
Trip Rate 9.20 trips/pc
of trips 94
Proposed Zoning DR. 16
Trip Rate 7.71 trips/pc
of trips planned 420
Additional trips 2375
Maryland State Roads Commission, "Tribe Generation Study, 1968".
D.D. any PHF = 1



Trip Generation *Holzappel Dtr 132*
 Acreage 35.4
 Existing Zoning D.R. 5.5
 Trip Rate 7.16 trips/DU @
 # DUs (35.4 x 65) 195
 # of trips 1396
 Proposed Zoning D.R. 16
 Trip Rate 7.71 trips/DU @
 # DUs p'ined 586
 # of trips 4518
 Additional trips 3100
 DNU 230

- ① Maryland State Roads Commission, "Trip Generation Study, 1968".
 ② DNU Based on 7.3 %

Signal Control at Liberty Road and Washington Avenue
 Construction Information
 1826 3 phase fully actuated *
 6-4 left turn
 Walk- don't walk
 * used 2 phase actuated: Washington Ave. and ped. phases
 Detectors
 Magnetic detectors on Washington Ave.
 Push buttons for ped.
 None on Liberty Rd.
 Planned Improvements
 Should be reconstructed and made fully actuated in next few months.
 By Baltimore County

BALTIMORE COUNTY BOARD OF EDUCATION
 ZONING ADVISORY COMMITTEE
 OF RECORD OF 7-1-1972

Petitioner: Carl M. Holzappel, et ux
 Location: 31415 Liberty Gardens Rd., 31415 Riple Ave
 District: 2
 Present Zoning: D.R. 5.5
 Proposed Zoning: D.R. 16
 No. of Acres: 35.40

Comments: The following are the schools servicing this area:

SCHOOL	Capacity	Enroll	Under
Hebville Elem.	745	676	-54
Woodlawn Jr.	1250	1229	-21
Milford Mill Sr.	1505	1486	-19

SINCE THERE IS NO BREAKDOWN AS TO THE TYPES AND NUMBERS OF BEDROOMS IN THIS PROPOSED DEVELOPMENT IN ESTIMATE 14 TO THE NUMBER OF ELEMENTARY PUPILS THAT THIS AREA WOULD YIELD IS 120 ELEMENTARY STUDENTS.

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

November 8, 1971

Mr. George E. Gavellis, Director
 Office of Planning and Zoning
 Room 301, Jefferson Building
 Towson, Maryland 21204

RE: Property Owner: Carl M. Holzappel, et ux
 Location: Int. S/W/S Liberty Gardens Rd., S.E.S. Riple Rd.
 Present Zoning: D.R. 5.5
 Proposed Zoning: Recl. to D.R. 16
 2nd District Section: Northwestern
 No. Acres: 35.40
 Item No. 32

The following comments were compiled after a field investigation and an in-office review which will provide the Planning Board and/or the petitioner with pertinent information of development problems.

The subject property is located on the southwest side of Liberty Gardens Road, just west of the Beltway, and between Riple Road and the western extremity of Liberty Gardens Road. It is currently a large, undeveloped tract that borders the Board of Education on the west side, residential dwellings in good condition on the north side, small residential cottages and the Liberty Garden Apartments on the south side and the Baltimore Beltway on the west.

The plat as submitted does not give the proper setbacks for all the apartments within the complex, and does not indicate whether windows are proposed at the ends of these buildings.

Very truly yours,
Oliver L. Myers
 OLIVER L. MYERS, Chairman

JJD Jr,rcm

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

James D. Nolan
 204 W. Pennsylvania Avenue
 Towson, Md. 21204

RE: Type of Hearing: Recl. to D.R. 16
 Location: Int. S/W/S Liberty Gardens Rd., S.E.S. Riple Rd.
 Petitioner: Carl M. Holzappel, et ux
 Item 32

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 located on the southwest side of Liberty Gardens Road, just west of the Beltway, and between Riple Road and the western extremity of Liberty Gardens Road. It is currently a large, undeveloped tract that borders the Board of Education on the west side, residential dwellings in good condition on the north side, small residential cottages and the Liberty Garden Apartments on the south side and the Baltimore Beltway on the west.

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:

Liberty Garden Road is an existing County road which shall be improved with a 40-foot curbed paving section on a 60-foot right-of-way. Highway improvements shall be accomplished with the development of this site, including the construction of curb and gutter, sidewalks and entrances as required by Baltimore County.

Storm Drains:

Public drainage facilities are required in connection with the development of this property in accordance with Baltimore County Standards.

A storm drain study will be required to determine the adequacy of the existing storm drain systems and culvert under Liberty Garden Road.

James D. Nolan
 Item 32
 Page 2

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.

Sediment Control:

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

Drainage 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 or building permits.

Water:

Public water can be made available by the extension of a public 12-inch water main in Liberty Garden Road for the full frontage of the site.

Sanitary Sewer:

Public sanitary sewerage is available to serve the southern half of this site from the existing 8-inch and 12-inch sewer in Liberty Garden Road.

Inasmuch as the existing sewer in Liberty Garden Road has been supplemented from 8-inch to 12-inch beyond the subject property, a sanitary sewerage study will be required to determine the extent of reinforcement and for supplementation that may be required for the downstream sewerage facilities.

Public sanitary sewerage can be made available to serve the northern half of this site by the construction of a sanitary sewer extension approximately 350-feet in length to the existing 8-inch sewer in Lynne Haven Drive.

DEPARTMENT OF TRAFFIC ENGINEERING:

The subject petition is requesting a change from DR 5.5 to DR 16 of 35.4 acres. This should increase the trip density from 1800 trips a day to 7200 trips a day. Liberty Gardens Road is not designed to handle this increased trip density.

BOARD OF EDUCATION:

The following are the schools servicing this area:

	Capacity	Enroll	Under
Hebville Elem.	740	686	-54
Woodlawn Jr.	1250	1229	-21
Milford Mill Sr.	1505	1486	-19

Page 3

SINCE there is no breakdown as to the types and numbers of bedrooms in this proposed development an estimate as to the number of elementary pupils that this area would yield is 120 elementary students.

FIRE PREVENTION BUREAU:

The owner shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101, "The Life Safety Code", for approval.

HEALTH DEPARTMENT:

Metropolitan water and sewer must be extended to the site before building permit can be approved.

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.

ZONING ADMINISTRATION DIVISION:

The plat as submitted does not give the proper setbacks for all the apartments within the complex, and does not indicate whether windows are proposed at the ends of these buildings.

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30 nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

Oliver L. Myers
 OLIVER L. MYERS, Chairman

JJD Jr,rcm
 Enc.

Baltimore County Department Of Public Works

COPY

ALBERT B. KALTENBACH, JR.
 DIRECTOR OF PUBLIC WORKS

September 30, 1971

Councilman Gary Huddles
 Second District
 Baltimore County Council
 County Office Building
 Towson, Maryland 21204

Re: Liberty Gardens and Thomas Lane
 (Liberty Garden - apartments)
 Job Order 5-1-4711
 District 302

Dear Mr. Huddles:

In answer to your inquiry of July 30, 1971, concerning the improvements of Liberty Gardens Road, construction plans and right-of-way plat for the improvements of both Liberty Gardens Road and Thomas Lane were prepared by the Developer's engineer of Liberty Garden Apartments and approved by the County. Funds were earmarked for the acquisition of off-site right-of-ways, and the Bureau of Land Acquisition was requested to proceed with the acquisition of the off-site right-of-ways. The Bureau of Land Acquisition is currently in the process of acquiring the off-site right-of-ways. It is requested that you advise the Bureau of Land Acquisition of any changes in the off-site right-of-ways that may be necessary to acquire a substantial number of these properties.

As soon as the right-of-ways are cleared, we will proceed with the advertising for bids to improve these roads.

Very truly yours,

(Signed) ALBERT B. KALTENBACH, JR.
 ALBERT B. KALTENBACH, JR.
 Director of Public Works

24
 17 2
 PETITIONERS EXHIBIT
 # 2-2C

COPY

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE

No. 74059

DATE 6/25/73

Revenue Division
COURT HOUSE
TOWSON, MARYLAND 21204

BILLED
BY

TO: Harry S. Swartzwelder, Jr., Esq.
400 Talmun Building
210 E. Rockwood Street
Baltimore, Md. 21202

County Board of Appeals
(Eoning)

DEBIT TO ACCOUNT NO. 01.712

RETURN THIS PORTION WITH YOUR REMITTANCE

TOTAL AMOUNT
\$ 8.00

QUANTITY

DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

COST

Cost of copies of documents in Case No. 72-207-R

\$ 8.00

16 pages @ \$.50/page

Carl M. Holzapfel, et ux
SW/S of Liberty Gardens Road
S. of Timanus Road
2nd District

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

James D. Nolan
204 W. Pennsylvania Avenue
Towson, Md. 21204

Item 32

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received and accepted for filing

this 8th day of February 1973

Eric D. Hanna
S. ERIC D. HANNA,
Zoning Commissioner

Petitioner: Carl M. Holzapfel, et ux

Petitioner's Attorney James D. Nolan

Reviewed by

James D. Nolan
Chairman of
Advisory Committee

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

No. 1581

DATE Mar. 16, 1972 ACCOUNT 01-662

AMOUNT \$134.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Nelson Property Management
James D. Nolan, Esq.
204 W. Penna. Ave.
Towson, Md. 21204

Advertising and posting of property for Carl M.
Holzapfel
#72-207-R

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

No. 5786

DATE November 8, 1972 ACCOUNT 01-662

AMOUNT \$20.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Newton A. Williams, Esquire
Posting of an Appeal for Carl M. Holzapfel, et ux,
Petitioner, Case No. 72-207-R
SW/S of Liberty Gardens Road, S of Timanus Road -
3rd District

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

No. 5725

DATE October 30, 1972 ACCOUNT 01-662

AMOUNT \$90.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Harry S. Swartzwelder, Jr., Esquire
Cost of Appeal and Posting of Property on Case No. 72-207-R
SW/S of Liberty Gardens Road, S of Timanus Road -
2nd District
Carl M. Holzapfel, et ux - Petitioners

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

No. 5726

DATE October 30, 1972 ACCOUNT 01-662

AMOUNT \$70.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Newton A. Williams, Esquire
Cost of Appeal on Case No. 72-207-R
SW/S of Liberty Gardens Road, S of Timanus Road -
2nd District
Carl M. Holzapfel, et ux - Petitioners

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

No. 250

DATE Oct. 27, 1971 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

James D. Nolan, Esquire
Petition for Reclassification for Carl Holzapfel



L-NE

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		SCALE
BY	DATE	1" = 200'
Topographic	4-1-70	
Maps, Inc.		
		DATE OF PHOTOGRAPHY APRIL 1953

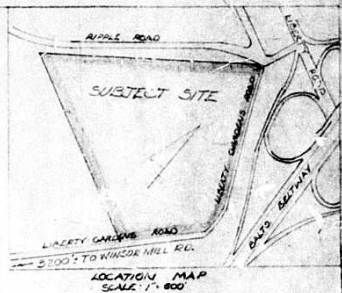
LOCATION
HEBBVILLE
ROCK DALE
WOODMOOR

SHEET
1-W
5-G

Map compiled by Photogrammetric Methods
ALSO SERVICE CORPORATION, PHILADELPHIA, PA.



IN HER LAND, ACRES
 580
 586 (NON-RENTAL UNITS)
 124
 124
 DR-5.5
 DR-10
 5.5 AC!
 80 AC!
 50 FT.



PROJECT NO 2267

TABULATION

AREA OF TRACT 35.4 AC.
 CROSS AREA 30.6 AC.
 DENSITY 1.50 PER AC. 53.1 UNITS
 NO. UNITS ASSIGNED 586
 NO. UNITS PROPOSED 586 (ENHANCED UNITS)
 NO. PARKING SPACES REQUIRED 15% 877
 ALL PARKING SPACES PROPOSED 877
 EX. ZONING DR 5.5
 PROPOSED ZONING DR 16
 MIN. OPEN SPACE REQUIRED 15% 5.3 AC.
 ACT. OPEN SPACE 6.0 AC.
 MAX. HEIGHT OF BUILDING 50 FT.

NOTES

TYPICAL BUILDING SIZE

100

12 UNITS

80

4 UNITS

SOUTH COUNTY
 500' TO EIGHTH AVE
 EX. ZONING DR 5.5

EX. ZONING DR 5.5
 EX. USE APARTMENTS
 (LAKVIEW APARTMENTS)

EX. ENTRANCE

EX. ZONING DR 5.5
 EX. USE APARTMENTS

EX. ZONING DR 5.5
 EX. USE APARTMENTS
 (LIBERTY GARDEN APARTMENTS)

EX. ZONING DR 5.5
 EX. USE APARTMENTS

EX. ZONING DR 16
 EX. USE APARTMENTS
 (LIBERTY GARDEN APARTMENTS)

EX. ZONING DR 16
 EX. USE RESIDENTIAL

PLAT TO ACCOMPANY
 ZONING PETITION
 RECLASSIFICATION FROM DR 5.5 TO
 BALTIMORE COUNTY MD
 SCALE 1" = 100'

ENGINEERS
 GEORGE WILLIAM STEPHENSON JR.
 AND ASSOCIATES, INC.
 308 ALATONHEIM AVE
 TOWSON, MD 21204

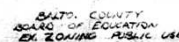
MICROFILMED



IF TRACT
- AREA
- 210 QM PER GROSS ACRES
ITS ALLOWED
ITS PROPOSED
DRAIN SPACES REQUIRED 13 PER D.U.
DRAIN SPACES PROPOSED
DRAIN ZONING
DRAIN SPACE REQUIRED @ 15%
DRAIN SPACE
HEIGHT OF BUILDING

35.4 A.C.
36.6 A.C.
580
506 (MINIMUM RENTAL UNITS)
PZ
DR-10
DR-5.5
DR-10
5.5 AC!
5.5 AC!
50 FT.

80'
12 UNITS



EX. ZONING: DRIG
EX. USE: APARTMENTS
(OAKVIEW APARTMENTS)

EX-ENTRANCE

EX. ZONING DR-16
EX. USE APARTMENTS

(LIBERTY GARDEN APARTMENTS

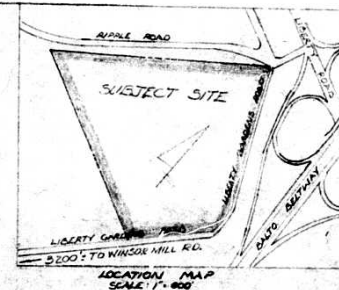
EX. ZONING DR. 16
EX. USE APARTMENTS

(LIBERTY GARDEN ADARTMENTS)

PLAT TO ACCOMPANY
ZONING PETITION
RECLASSIFICATION FROM DR 5.5 TO DR 16
BALTIMORE COUNTY, MD
SCALE 1"=100'

ELECTION DISTRICT #2
SEPT 29 1971

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



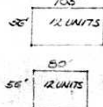
PROJECT NO. 2267

TABULATION

AREA OF TRACT 55.4 AC.
 GROSS AREA 36.6 AC.
 DENSITY 1.5 UNITS PER GROSS ACRE 586
 NO. UNITS ALLOWED 586 (RENTAL UNITS)
 NO. UNITS PROPOSED 764
 NO. PARKING SPACES PROPOSED 764
 EX. ZONING DR 16
 PROPOSED ZONING DR 16
 MIN. OPEN SPACE REQUIRED @ 15% 8.31 AC.
 ACT. OPEN SPACE 8.0 AC.
 MAX. HEIGHT OF BUILDINGS 50 FT.

NOTES

TYPICAL BUILDING SIZE



BALTO. COUNTY
 BOARD OF ELECTIONS
 EX. ZONING PUBLIC USE

EX. ZONING DR 16
 EX. USE APARTMENTS
 (OAKVIEW APARTMENTS)

EX. ENTRANCE

EX. ZONING DR 16
 EX. USE RESIDENTIAL

EX. ZONING DR 16
 EX. USE APARTMENTS
 (LIBERTY GARDEN APARTMENTS)

EX. ZONING DR 16
 EX. USE APARTMENTS
 (LIBERTY GARDEN APARTMENTS)

EX. ZONING DR 16
 EX. USE RESIDENTIAL

PLAT TO ACCOMPANY
 ZONING PETITION
 RECLASSIFICATION FROM DR 5.5
 BALTIMORE COUNTY, MD
 SCALE 1"=100'

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

