73-196-R
#4

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

73-196-R

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Joseph B. Scott 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 D.R.5.5 zone to an D.R.-16 and B.L. zone; for the following reasons:

SEE ATTACHED MEMORANDUM

See attached description

MAP 33 NE 5-G; ELECTION DISTRICT 15; TYPE ...; BY MH

JOSEPH B. SCOTT
N/S Eastern Ave. Extended opp. Marshy Point Rd.
#73-196-R
15th

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.

VICTOR DEVELOPMENT COMPANY
By: Leonard I. Frenkel, Vice President — Contract purchaser
Address 4417 Colmar Gardens Drive, Baltimore, Maryland 21211

Joseph B. Scott Sr. — Legal Owner
Address P. O. Box 193, Eastern Avenue, Chase, Maryland 21027

Robert J. Romadka — Petitioner's Attorney
Address 809 Eastern Boulevard, Baltimore, Maryland 21221

Ronald L. Maher — Protestant's Attorney
1000 Md. Trust Bldg
537-3474

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of October, 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 1st day of March 1973 at 11:00 o'clock A. M.

Zoning Commissioner of Baltimore County.

OCT 13 72 AM

11:01 A
3/1/73

(over)

ORDER RECEIVED FOR FILING
DATE January 31, 1974
BY

RE: PETITION FOR RECLASSIFICATION : BEFORE THE
NW/S of Eastern Avenue Extended, Opposite Marshy Point Road - 15th District : ZONING COMMISSIONER
Joseph B. Scott - Petitioner : OF
NO. 73-196-R (Item No. 4) : BALTIMORE COUNTY

::: ::: ::: :

The Petitioner requests a Reclassification from a D. R. 5.5 Zone to D. R. 16 and B. L. Zones for parcels of properties located on the northwest side of Eastern Avenue Extended, opposite Marshy Point Road, said request for the D. R. 16 Zone, containing 10.10 acres of land, more or less, and said request for the B. L. Zone, containing 3.64 acres of land, more or less, in the Fifteenth Election District of Baltimore County.

The subject property was described as a parcel of land sandwiched between Eastern Avenue Extended and the Pennsylvania Railroad. A vast area of property to the north enjoys industrial zoning.

Testimony on behalf of the Petitioner indicated that the Victor Development Company planned to construct garden-type apartments consisting of 161 units on the Petitioned D. R. 16 parcel. A neighborhood shopping area to include a drug store barber shop, T. V. repair, hardware store, etc., is planned for the Petitioned B. L. parcel.

Mr. Henry F. Lebrun . real estate expert testifying on behalf of the Petitioner, indicated that he had made a study with reference to the physical aspects and location of the subject property, its existing zoning, social impact upon the area, and the continuing development of this general vicinity. Mr. LeBrun fostered the proposition that the subject property was classified in error as it cannot, for economical reasons and transition area requirements of the Zoning Regulations, be developed in a lesser density than D. R. 16.

ORDER RECEIVED FOR FILING
DATE January 31, 1974
BY

He further contended that there was substantial change in the character of the neighborhood due to: the construction of sewer and water lines in the bed of Eastern Avenue Extended in late 1962; the construction of Dundee Villiage, located on Eastern Avenue across from the subject property, which was partially occupied at the time of the hearing; and the Reclassification request, Case No. 73-67-R, which granted B. M. zoning to a parcel of property located east on Eastern Avenue. He felt that the request was consistant with the 1980 Guide Plan, in that it is within the described town center of Windless.

There was much testimony with reference to traffic conditions along Eastern Avenue. Dr. Walter Worthing Ewell, a qualified traffic engineer, after a study of the site and traffic patterns, concluded that the proposed development, of both apartments and shopping area, would not overburden Eastern Avenue in this locality. Dr. Ewell indicated that the average trips per day emanating from the subject property would not reach the maximum trip density that Eastern Avenue could handle.

Residents of the area were divided with regard to the Petitioner's proposals. Several individuals felt that the proposed development would be beneficial to the area. Residents in protest to the subject Petition indicated that they felt there should be no changes in this general vacinity, as traffic could be a problem. All agreed that water and sewer was recently extended into the area.

Without reviewing the evidence further in detail but based on all the evidence presented at hearing, in the judgement of the Zoning Commissioner, there has been a substantial change in the character of the area, to justify the requested Reclassification.

The Comprehensive Zoning Map, as adopted on March 24, 1971, had

ORDER RECEIVED FOR FILING
DATE January 31, 1974
BY

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placed a large tract of land on the opposite side of Eastern Avenue in a D. R. 16 capacity, possibly with the intention that the property be developed for apartments. Subsequent thereto, Dundee Villiage has been constructed and is comprised of townhouses, mainly for sale, not for rent. Sewer and water facilities have been extended into this area for the purpose of serving the citizens of the county, and, in the opinion of the Zoning Commissioner, has opened the area for a more intense development than had occured in the past.

The property's location, its proximity to both the Pennsylvania Railroad and the proposed town center known as Windless, on the 1980 Guide Plan, as well as other factors surrounding the subject request, warrant the subject property to be reclassified to D. R. 16 and B. L. Zones. It is true that there is a parcel of property to the west of the subject property zoned B. M., but it is undeveloped, and no plans are indicated for development of this tract.

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 31st day of January, 1974, that the herein described property or area should be and the same is hereby reclassified from a D. R. 5.5 Zone to D. R. 16 and B. L. Zones, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, the Department of Public Works, and the Office of Planning and Zoning.

Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
DATE January 31, 1974
BY

MEMORANDUM

OFFICE COPY

Re. Joseph Scott
D.R. 5.5 to D.R. 16 and B.L.
North Side of Eastern Avenue Extended

This tract of land, consisting of approximately 13.74 acres, is located on the North side of Eastern Avenue Extended in the Chase area of Baltimore County, and just opposite Marshy Point Road. Said parcel is presently zoned D.R 5.5 and your Petitioner is requesting that said parcel be reclassified as follows: 10.74 acres - D.R. 16, and 3 acres - B.L.

The northern boundary of said tract is now serviced by all utilities and is located along the Pennsylvania Railroad, and has been used in the past for residential purposes. Since the adoption of the map, there is now being constructed a sewer line which will pass the subject property and which line will service said property. In addition thereto, there is now being constructed diagonally across from the subject property on the South side of Eastern Avenue, a housing development by Henry J. Knott. At present there is no neighborhood shopping area to service the immediate or surrounding community. It is felt with the installation and construction of the sewer line to this community, that all types of housing will now be able to be built, a strong demand for which is now present. There are no apartment developments now located in the immediate area. Therefore, it is your Petitioner's feeling that with the installation of sewer to the community and the lack of commercial stores to service the present population, there have been substantial changes which would warrant your Petitioner's request to reclassify the property from D.R. 5.5 to D.R. 16 and B.L.

EVANS, HAGAN & HOLDEFER, INC.
SURVEYORS AND CIVIL ENGINEERS
6013 BELAIR RD. / BALTIMORE, MD. 21236 (301) 668-1501
539 POPLAR STREET / CAMBRIDGE, MD. 21613 (301) 228-3330
115 E. MAIN STREET / WESTMINSTER, MD. 21157 (301) 848-1790
13 S. WASHINGTON STREET / EASTON, MD. 21601 (301) 822-5433

September 29, 1972

DESCRIPTION OF PORTION OF ALFREDA P. SCOTT, ET AL PROPERTY, 15TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND, FOR ZONING RECLASSIFICATION FROM D.R. 5.5 ZONE TO B.L. ZONE.

BEGINNING for the same in the center line of Eastern Avenue extended, at a point where it intersects the center line of Marshy Point Road, thence leaving said point of beginning and running and binding in the center of Marshy Point Road, the 2 following courses and distances, viz: (1) North 79 degrees 48 minutes 40 seconds West 176.87 feet and (2) North 85 degrees 36 minutes West 84.00 feet, thence leaving said centerline of Marshy Point Road and running the 2 following courses and distances, viz: (3) North 31 degrees 15 minutes East 691.90 feet and (4) South 69 degrees 06 minutes East 243.97 feet to the center of Eastern Avenue, thence running and binding along the said center of Eastern Avenue, and in part binding on the extension southwesterly thereof, in all, (5) South 31 degrees 15 minutes West 634.23 feet to the place of beginning.

Containing 3.64 acres of land, more or less.

This description has been written for zoning purposes only and is not intended to be used for conveyance.

STATE OF MARYLAND — JOHN CARROLL HAGAN — REGISTERED LAND SURVEYOR

J. Carroll Hagan

L. ALAN EVANS, P.E., L.S.; J. CARROLL HAGAN, L.S.; GEORGE W. HOLDEFER, P.E. — ASSOCIATES: CAMBRIDGE AND EASTON: JESSE W. HURLEY; WESTMINSTER: RICHARD L. HULL

EVANS, HAGAN & HOLDEFER, INC.
SURVEYORS AND CIVIL ENGINEERS
6013 BELAIR RD. / BALTIMORE, MD. 21236 (301) 668-1501
539 POPLAR STREET / CAMBRIDGE, MD. 216.. (301) 228-3350
115 E. MAIN STREET / WESTMINSTER, MD. 21157 (301) 848-1790
13 S. WASHINGTON STREET / EASTON, MD. 21601 (301) 822-5433

September 29, 1972

DESCRIPTION OF PORTION OF ALFREDA P. SCOTT, ET AL, PROPERTY, 15TH ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND, FOR ZONING RECLASSIFICATION FROM D.R. 5.5 ZONE TO D.R. 16 ZONE.

BEGINNING for the same in the centerline of Marshy Point Road, at the distance of 260.87 feet, measured westerly along the centerline of Marshy Point Road from its intersection with the centerline extended southwesterly of Eastern Avenue, thence leaving said place of beginning and running and binding in the center of Marshy Point Road, the 4 following courses and distances, viz: (1) North 85 degrees 36 minutes West 351.00 feet to a point of curve and thence (2) Northwesterly by a curve to the right having a radius of 91.63 feet for a distance of 143.10 feet, (the arc of said curve being subtended by a chord bearing North 40 degrees 51 minutes 30 seconds West 129.00 feet) to the end of said curve and thence (3) North 03 degrees 53 minutes East 355.38 feet and (4) North 07 degrees 36 minutes West 30.00 feet, thence leaving Marshy Point Road and running (5) North 31 degrees 45 minutes West 54.84 feet to the southeast right-of-way line of the Pennsylvania Railroad, thence running and binding thereon (6) North 48 degrees 57 minutes East 431.00 feet, thence leaving said southeast right-of-way line of said railroad and running the 4 following courses and distances, viz: (7) South 65 degrees 31 minutes 30 seconds East 251.40 feet (8) South 24 degrees 58 minutes West 45.00 feet (9) South 69 degrees 06 minutes East 286.03 feet and (10) South 31 degrees 15 minutes West 691.90 feet to the place of beginning.

Containing 10.10 acres of land, more or less.

This description has been written for zoning purposes only and is not intended to be used for conveyance.

STATE OF MARYLAND — JOHN CARROLL HAGAN — No. 5393 REGISTERED LAND SURVEYOR

J. Carroll Hagan

L. ALAN EVANS, P.E., L.S.; J. CARROLL HAGAN, L.S.; GEORGE W. HOLDEFER, P.E. — ASSOCIATES: CAMBRIDGE AND EASTON: JESSE W. HURLEY; WESTMINSTER: RICHARD L. HULL

LAW OFFICES OF
PIPER & MARBURY
2000 FIRST MARYLAND BUILDING
25 SOUTH CHARLES STREET
BALTIMORE 21201
TELEPHONE 301-539-2530

WILLIAM L. MARBURY, JOHN W. AVIRETT 2D, JESSE SLINGLUFF, G. VAN VELSOR WOLF, J. MARTIN MCDONOUGH, FRANKLIN G. ALLEN, MICHAEL P. CROCKER, EDWARD S. SMITH, FRANK T. GRAY, ANDRE W. BREWSTER, JOHN MARTIN JONES, JR., CHARLES T. ALBERT, EDWARD O. CLARKE, JR., DECATUR H. MILLER, ROGER D. REDDEN, RICHARD D. FERBER, JOHN C. COOPER, III, LARRY P. SCRIGGINS, ROBERT B. BARNHOUSE, LEWIS A. NOONBERG, DONALD E. SHARPE, JOSEPH G. FINNERTY, JR., ALBERT S. BARR, III, E. STEPHEN DERBY; PARTNER EMERITUS GEORGE S. NEWCOMER

PHILIP T. MCCUSKER, PAUL V. NIEMEYER, DONALD P. MCPHERSON, III, FRANK R. GOLDSTEIN, LAWRENCE M. KATZ, RANSOM J. DAVIS, ROBERT E. YOUNG, ROBERT M. BELL, JAMES P. GILLECE, JR., JUDITH A. SYKES, WALTER G. LOHR, JR., JAMES J. WINN, JR., JOHN E. KRATZ, JR., BYRON J. FURSETH, EDWARD S. DIGGES, JR., JEFFREY J. RADOWICH, MICHAEL ESHER YAGGY, STEVEN D. SHATTUCK, WM. GAR RICHLIN, EDWARD M. NORTON, JR., GORDON R. CALVERT, GARBER A. DAVIDSON, JR., NEAL M. FRIEDLANDER, MARK POLLAK, ALEXANDER C. SHORT, EDWARD FREMONT MAGEE, KENNETH A. REICH, DAVID F. TUFARO, TERENCE M. BRADY, JEFFREY D. HERSCHMAN, WILLIAM R. HANSEN

January 15, 1975

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

Re: Case No. 73-196-R

Dear Sir:

Please be advised that Robert M. Bell, formerly an associate of this firm, has recently been appointed, and is presently serving, as a Judge of the District Court of Maryland for Baltimore City. Please strike his appearance as an attorney for the Petitioner in the matter captioned above.

Very truly yours,

William R. Hansen

WRH:ddg

Rec'd 1/17/75
11 a.m.

RE: PETITION FOR RECLASSIFICATION from D.R. 5.5 to D.R. 16 and B.L. NW/S Eastern Avenue Extended opposite Marshy Point Road 15th District	:	BEFORE COUNTY BOARD OF APPEALS OF
Joseph B. Scott, Petitioner Victor Development Co., Contract Purchaser	:	BALTIMORE COUNTY No. 73-196-R

: :

OPINION

This case comes before the Board on an appeal by Ronald L. Maher, Esquire for the Protestants, from an Order of the Zoning Commissioner which granted the requested reclassification of two parcels of land located on the northwest side of Eastern Avenue opposite Marshy Point Road; said request for Parcel One (10.10 acres more or less) to D.R. 16 zone and Parcel Two (3.64 acres more or less) to B.L. zone, both parcels now being D.R. 5.5 zone. The property is located in the Fifteenth Election District of Baltimore County, and is bounded by Eastern Avenue on the south, the Pennsylvania Railroad on the north, a collection of long time residences on the east and a tract of undeveloped land on the west.

The Petitioner, Joseph B. Scott (Victor Development Co., Contract Purchaser) presented as their first witness, L. Alan Evans, Surveyor and Civil Engineer, who submitted three plot plans; (a) the subject property with D.R. 16 zone on 10.10 acres and B.L. zone on 3.64 acres, (b) the subject property with D.R. 5.5 zone on 10.10 acres and B.L. zone on 3.64 acres, and (c) the subject property with D.R. 5.5 zone on all 13.74 acres. These exhibits were presented so that the Board could see the various potential uses for this property. These plans show proposed open spaces, garden apartment type dwellings and a "convenience" type shopping center, as well as the widening of Eastern Avenue and screening on the eastern boundary of the property. Testimony was also produced that water and sewer facilities are now available to this site.

Mr. Alex Whitney, Jr. of Ewell, Bomhardt and Associates, then testified as to traffic conditions. His conclusions were that the use of this property would not generate sufficient extra traffic to exceed Eastern Avenue's capacity or cause congestion. He evidenced some concern over ingress and egress at the site because of the curve at Marshy Point Road, but stated that the proposed plan should produce the necessary sight

distance. His traffic counts were taken at the site and did not consider the intersections of Eastern Avenue and Ebenezer Road to the east, or Eastern Avenue and Carroll Island Road to the west. He admitted to no firsthand knowledge of the traffic conditions at these two intersections in the warmer months since his study was not conducted then.

Mr. Leonard Frenkil, President of Victor Development Co., Contract Purchaser, then presented his plans. He stated they build only to rent and, therefore, maintain what they build. His marketing studies indicated a need for garden type apartment housing and a small shopping center in this area. Much discussion followed on the distance to and ease of reaching other neighborhood shopping centers. He stated that he was aware of the development of "Dundee Village", first as homes to be sold and now used as all rental units. He still noted, in his opinion, a further need for apartment type housing and a convenience type shopping center in this area.

Mr. Malcom Dill, a qualified land use planner, testified that, in his opinion, there was error in the 1971 comprehensive zoning map, that sewer and water are now available, that there was only one home on the tract and no displacement would be required, and that this would be a wise use of the subject property.

Mr. Henry F. LeBrun, realtor and appraiser, then testified. He stated that the zoning petitioned for is in order and appropriate for this community. He reiterated Mr. Dill's opinions as above. He also stated that, in his opinion, the granting of this petition would increase property values in the neighborhood, and would in no way be a detriment to the community.

Mr. Joseph B. Scott, the present property owner, then took the stand. He has lived in this area since 1917 and owns his own home here. Other members of his family also reside in the area. He intends to remain in the area. He feels this use would provide a needed closer shopping area and tend to upgrade the available housing. He stated that this contract of sale was negotiated in 1972 and is still pending. This concluded the Petitioner's case.

Mr. C. Richard Moore, Assistent Traffic Engineer for Baltimore County, then took the stand and began the presentation of the Protestants' case. He stated that the

intersection of Carroll Island Road and Eastern Avenue is right now a problem area, and any additional traffic generated at this site could only compound the problem. No plans for improving this intersection lie within the next six year program. He was also concerned about the sight distance from the proposed entrances with relation to the sharp curve at Marshy Point Road. In view of the two troubled intersections mentioned previously and in view of the fact that any residents of this proposed apartment complex must use one or the other of these intersections and because of the questionable sight distance for entrance or egress, he would not wholly endorse this use of this land.

Mr. James B. Haswell, Planner for Baltimore County, then took the stand. He stated he has visited this and all neighboring properties. He revisited this site prior to the adoption of the latest zoning map. He stated that, in his opinion, proper zoning exists in this whole area. To the west a parcel of B.M. zoning exists, to the east several parcels of B.L. and B.R. zoning exist, all of which are now unused and, in fact, noted as being for sale. The tract of land known as "Dundee Village" constitutes ample D.R. 16 zoning in this area. In his opinion, this whole area is now properly zoned, and any changes would now constitute spot zoning.

A number of neighbors then presented their views from the witness stand. Mrs. Rosa Johnson, who lives next to the subject property, was first. She stated that there are already too many apartments in the area and that there is no need for the shopping center. She has lived here for fifty-seven years and objects to the proposed use of this property.

Mrs. Shirley Myers, Public Health Nurse, Middle River area of Baltimore County, also lives next to this property and objects to its proposed use. She stated that there is no need for apartments as many in "Dundee Village" are now vacant. She stated that the stores at "Carrollwood", "Benzies Center" and Chase are all within convenient distance and no more are needed She stated that the traffic is very congested in the morning and evening, and much worse in the summertime. The curve at Marshy Point Road is a real hazard and has, in her memory, contributed to two fatal accidents and many nonfatals. Since her job takes her constantly throughout this area, she feels that there is no need whatever for more apartments or shopping centers, and that D.R. 5.5 is correct

zoning for this property.

Mr. Howard Williams, who also lives next to the subject property, was next on the stand. He is thirty-five years old, born in the Johnson house and works at Berthlehem Steel Company, and owns his own home. He is opposed for several reasons. There are many senior citizens in this area and any change would adversely affect them. He stated that he has minimal traffic trouble in the morning because he leaves early but is held up getting home every night, and this is much worse in the summer months. He then discussed the changes brought about by the building of "Dundee Village". Two police cars are on duty in the Village twenty-four hours a day, and there is a lot of vandalism which is detrimental to this old established "black" community. In view of the fact that many apartments in "Dundee Village" are unrented, many problems to the older residents are arising from Dundee Village, and because of the ever increasing traffic problems he is opposed to the granting of this proposal.

Much repetitive discussion followed on the traffic problems between counsel and their respective experts. No firm conclusion could be reached on either side.

In reviewing and considering all the testimony presented to the Board in this case, which consumed two full days, several conclusions seemed predominant:

1. The large tract of land (approximately 134 acres) zoned D.R. 16 and developed as "Dundee Village" seems to provide adequate high density zoning for this area. A total of about 1900 units can be erected here. At present about 1100 have been erected and only about 800 are normally in use. An on-site visit by a Board member confirmed that quite a number of units are empty which tends to corroborate testimony presented to this fact. Testimony was also presented that the developer plans no further construction at this time due to these rental problems. In view of these facts, it would seem that the Baltimore County Planning Office is correct in stating that no further high density zoning is needed in this area.

2. The "B.L." zoning noted on the maps to the east and west is in existence and is not being used, and does in fact have "For Sale" notices posted on it. Thus it would seem that this area has not been overlooked in the Planning Section, and that they have provided for the proper mix of business and residential zones.

3. The curve at Marshy Point Road presents a double hazard to the proposed shopping center. The sight distance for vehicular traffic is apparently adequate for the posted speed limit (35 M.P.H.), but very questionable should any motorist be exceeding them. In addition, the pedestrian traffic from the "Dundee Village" development would be crossing Eastern Avenue directly at this curve to gain access to the proposed shopping center, creating an additional hazard.

4. Access to this property is available in essence only through the intersection at Eastern Avenue and Ebenezer Road, or Eastern Avenue to the west at Carroll Island Road. Both of these intersections seem to be bordering capacity at peak hours now, and are far beyond capacity in the summer months because of the Gunpowder Park and waterfront activities in Bewleys Quarters and Seneca. To further compound this existing problem by increasing the allowed residential density does not seem to be good zoning.

5. In viewing the comprehensive zoning and planning map for this whole corridor from Carroll Island Road to Oliver Beach several dangers, zoning wise, seem present. Water and sewerage was extended down this corridor because of health reasons connected with "septic tank sewerage problems". These services, in order to reach the affected areas, passed by large, totally undeveloped, areas. Should the practice of allowing high density zoning in these tracts be instituted, the feared "domino effect" would, in fact, be started. Should high density zoning then be allowed on these large undeveloped tracts, the present water and sewer facilities could very shortly be greatly overloaded and problems created all over again. The present zoning, if maintained, seems to minimize this danger.

For the reasons stated above, it is the opinion of the Board and we so find as a fact, that there was no error in the original zoning nor has there been sufficient change in the character of the neighborhood to warrant the rezoning, and the Order of the Zoning Commissioner is, therefore, reversed and the petition will be denied.

ORDER

For the reasons set forth in the aforegoing Opinion, it is this 14th day of January, 1976, 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 Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

Robert L. Gilland, Vice Chairman

W. Giles Parker

William T. Hackett

LAW OFFICES
CONSTABLE, ALEXANDER & DANEKER
1000 MARYLAND TRUST BUILDING
CALVERT AND REDWOOD STS.
BALTIMORE, MARYLAND 21202
TEL. (301) 539-3474

ELKTON OFFICE
136 E. MAIN ST.
ELKTON, MD. 21921
TEL. (301) 398-1844

EASTON OFFICE
133 N. WASHINGTON ST.
EASTON, MD. 21601
TEL. (301) 822-5200

WM. PEPPER CONSTABLE
JOHN D. ALEXANDER
GEORGE W. CONSTABLE
ELLSTON W. DANEKER
THOMAS F. COWDEN, JR.
RONALD L. MAHER
RICHARD J. WOITALLA, JR.
WILLIAM F. BLITZ
DAVID C. DANEKER
JAMES P. TOMS AMLE
MARK J. DANEKER
TOBIN THOMAS HOWARD

OF COUNSEL
JOHN F. WHITE

February 27, 1974

PLEASE REPLY TO Baltimore

Mr. S. Eric D. Nenna
Zoning Commissioner for Baltimore County
Room 119, County Office Building
Towson, Maryland 21204

Re: Petition for Reclassification
NW/S of Eastern Ave., Extended,
opposite Marley Point Rd. - 15th District
Joseph B. Scott - Petitioner
No. 73-196-R (Item No. 4)

Dear Mr. ~~Hardesty~~ Nenna:

By your order dated January 31, 1974, in the above entitled matter, you granted Petitioners a reclassification of this property from D.R.5.5 to D.R.16 & B.L.

I represent Miss Emma Johnson, Miss Rosalie Johnson, Mrs. Shirley Myers, Mr. Howard Williams, Jr., Miss E. Monterey Williams and Mrs. Joyce W. Watlington, who desire to appeal your order granting the reclassification in the within matter.

Enclosed herewith is firm check in the amount of $70.00, payable to Baltimore County, Maryland, to cover costs of the appeal to the Baltimore County Board of Appeals.

Very truly yours,

Ronald L. Maher

RLM:mh
Enc.

MAR 1 '74 AM
ZONING DEPARTMENT
By

January 31, 1974

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Reclassification
NW/S of Eastern Avenue Extended,
Opposite Marshy Point Road -
15th District
Joseph B. Scott - Petitioner
NO. 73-196-R (Item No. 4)

Dear Mr. Romadka:

I have this date passed my Order in the above captioned matter. Copy of said Order is attached.

Very truly yours,

/S/
S. ERIC DI NENNA
Zoning Commissioner

SED/scw

cc: Ronald L. Maher, Esquire
1000 Maryland Trust Bldg.
Calvert & Redwood Sts.
Baltimore, Maryland 21202

Robert Bell, Esquire
25 South Charles Street
Baltimore, Maryland 21201

Miss Rosalie Johnson
Box 372-RT 14
Baltimore, Maryland 21220

Mr. Douglas Wright
Box 459-RT 14
Baltimore, Maryland 21220

March 19, 1974

Case No. 73-196-R (Item No. 4) - Joseph B. Scott

NW/S of Eastern Avenue Extended
opposite Marshy Point Road - 15th
District

Petition for Reclassification

Memorandum in Support of Petition for Reclassification

Descriptions of Property

Revised Plat, dated January 22, 1973

200' Scale Location Plan

Zoning Advisory Committee Comments, dated October 13, 1972

Baltimore County Planning Board Comments and Accompanying Map

Certificate of Posting (One (1) Sign)

Certificates of Publication

Letter of Protest from Shirley Myers, dated February 26, 1973

Five (5) Page Signed Petition in Protest of Reclassification

Petitioner's Exhibit 1 - Revised Colored Plat, dated January 22, 1973

Petitioner's Exhibit 2 - Apartment Rendering

Petitioner's Exhibit 3 - Shopping Center Rendering

Petitioner's Exhibit 4 through 4G - Photographs

Petitioner's Exhibit 5 - Vicinity Map

Petitioner's Exhibit 6 - 1980 Guide Plan

Petitioner's Exhibit 7 - Qualifications of Henry F. LeBrun

Petitioner's Exhibit 8 - Outline of Henry F. LeBrun's Testimony

Petitioner's Exhibit 9 - Traffic Study of Eastern Avenue

Petitioner's Exhibit 10 - Outline of Malcolm H. Dill's Testimony

Order of the Zoning Commissioner, dated January 31, 1974 - GRANTED

Letter of Appeal from Ronald L. Maher, Esquire, on Behalf of the Protestants, received March 1, 1974

Case No. 73-196-R (Item No. 4)
Page 2
March 19, 1974

Robert J. Romadka, Esquire Germania Federal Building 809 Eastern Boulevard Baltimore, Maryland 21221	Co-counsel for Petitioner
Robert M. Bell, Esquire Suite 2000 25 South Charles Street Baltimore, Maryland 21201	Co-counsel for Petitioner
Ronald L. Maher, Esquire Suite 1000, Maryland Trust Building Calvert & Redwood Streets Baltimore, Maryland 21202	Counsel for Protestants
Mr. Douglas Wright Route 14, Box 459 Baltimore, Maryland 21220	Protestant

Z.C. Petitioner's Exhibit 7

QUALIFICATIONS

BA Washington & Lee University, Lexington, Va.

Fifteen years Real Estate and Insurance experience as partner and owner of H. Frannies LeBrun Co., 111 W. Susquehanna Ave, Towson, Md. 21204

Licensed Real Estate Broker, State of Maryland.

Member, Baltimore County Appraiser's Society.

Member, Multiple Listing Service of Greater Baltimore.

Member, Real Estate Board of Greater Baltimore.

Member, Brokers Round Table of Baltimore County.

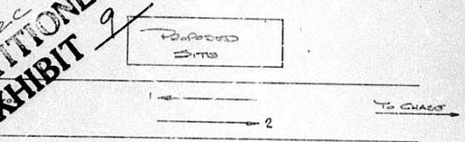
Have done Real Estate appraisals for Circuit Court, Solicitors Office, Bureau of Land Acquisition all of Baltimore County and State Roads Commission of Maryland. Have testified as Real Estate expert before Zoning Commissioner, Zoning Appeals Board, Assessment Appeals Board of Baltimore County, Circuit Court of Baltimore County, Circuit Court of Harford County and Maryland Tax Appeals Court.

Henry F. LeBrun

EWELL, BOMHARDT & ASSOCIATES
CONSULTING ENGINEERS
1800 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21201

Project Traffic Study
Subject Eastern Ave.
By J.P.
Job No.
Sheet No. of
Date

Z.C. PETITIONER'S EXHIBIT 9



	1	2
Friday 2-16-73		
7:30 A.M.-8:30 A.M.	312	117
4:30 P.M.-5:30 P.M.	145	297
Sat. 2-17-73		
1:00 P.M.-2:00 P.M.	211	194
Mon. 2-19-73		
7:30 A.M.-8:30 A.M.	296	93
4:30 P.M.-5:30 P.M.	121	274
Friday 6-1-73		
7:30 A.M.-8:30 A.M.	288	104
4:30 P.M.-5:30 P.M.	120	293
Sat. 6-2-73		
1:00 P.M.-2:00 P.M.	241	207

Z.C. PETITIONER'S EXHIBIT 8

Lebrun testimony

JOSEPH B. SCOTT PROPERTY

N/S Eastern Ave., Extended opposite Marshy Point Rd., 15th Elec. Dist.

1. DESCRIPTION 13.74 ac. level and generally cleared. 625' road frontage on Eastern Ave., Penn Central R.R. line runs along rear property line. One house on either side of property.

2. DESCRIPTION OF EXISTING IMMEDIATE NEIGHBORHOOD
Rural - much vacant land with clusters of houses generally 30 to 50 years old (see pictures) few small stores and post office - trailers mixed up with housing.

3. DESCRIPTION OF EXISTING ZONING IN AREA
MH behind subject on W/S of Penn R. R. tracks.
DR 5.5 on north and south side of subject for short distance followed by BM, MLR and DR-16 to south and scattered combinations of BL and DR-16 presently improved in single family homes to northeast.

4. Subject petition requests BL along Eastern Ave., frontage to a depth of 243', approximately 3.64 ac., and DR-16 on balance of land 10.10 ac. to construct neighborhood convenience center and 161 density units per renderings as shown.

5. REASONS I FEEL THIS PETITION SHOULD BE GRANTED
A. Error in April 1971 zoning map
1.) The council felt by providing DR-16 on Dundee Village tract they were providing sufficient land in area for variety of rental housing required in every neighborhood

when, in actual fact, owners of Dundee are only providing 2 BR "Townhouse" rental units. The subject project calls for "Garden Apt. Type" units composed of a combination of one, two and three bedroom apts., with convenience of shopping in walking distance.

.2) Transitional set backs as applied to subject property make it impossible to construct apartments on this site.

B. Changes in area since adoption of April 1971 zoning map which have major impact on neighborhood.

1.) Construction of sewerline in 1972, thus making all utilities available and due to high water table which exists make entire area readily developable.

2.) Commencement of construction of DUNDEE VILLAGE which is planned for 1903 2 bedroom Townhouse units renting for approximately $150.00 per month.

3.) Development of Gunpowder State Park will cause increased traffic particularily in summer months.

4.) Daniel S. Wodarczyk property from DR-16 to BM part and from DR-16 to special exception for office building part. Case #73-67R - granted on 10/31/72 and not appealed for construction of warehouse and conversion of one family house to offices.

6. Additional facts of interest which would indicate that the planning board in making their recommendation against this request did not have correct information at hand.

A. According to planner responsible for this area, no on site visit was made to this property by the Planning Staff or Board prior to their recommendation.

B. This zoning appears to be consistent with 1980 guide plan contrary to boards comments in that it lies within town center outline shown as "Windless" I have talked to Campbell Corp., interests and they have another 30 years deposit remaining on their property which would indicate that all new housing in this area for this period of time will have to take place on S.S of R. R. right-of-way.

C. Planning Board also states that R-6 prior to adoption of map and DR 5.5 after the adoption of map shows consistency. However, I disagree as R-6 in this area prior to new map was in fact equivalent to present RDP zoning due to lack of public sewer and water.

7. Sociological points which would support this request.

A. Neighborhood needs neighborhood convenience center which people can walk to for everday needs., shoe repair, laundry, drug store, TV shop, etc. This presently does not exist and in my opinion this is the best location for such a center in that it lies half way between Dundee Village townhouses and homes N/E of subject.

B. This development will tend to stabalize (orderly development) this neighborhood by making it SELF CONTAINED, i.e.

by granting this request it will receive its shopping needs within walking dintance and provide the variety of housing which presently does not exist.

C. This development will produce over 40 jobs in proposed shope (some of part time variety) and some entrepreneur (shopkeepers) prospects.

8. Increase property values of neighborhood
Convenience shopping services available.
Good variety of housing available.
Good, well conceived and designed development as proposed will definitely make this neighborhood more desirable and therefore increase values of existing homes and vacant land.

Member · American Institute of Planners
MALCOLM H. DILL Comprehensive Planning · Regional Planning · Land Planning · Zoning
[illegible] · Lutherville · Baltimore County · Maryland · 21093 · Telephone: 252-3924

PETITIONER'S EXHIBIT 10

Comments on Item #4 - IV Zoning Cycle - Oct.1972-Apr. 1973

I sincerely believe that the subject rezoning is consistent with and conducive to good planning, zoning and development. If I didn't think so, I wouldn't be testifying for it. I'll try to show, as briefly as possible, why I feel that this rezoning petition should be granted. In doing so I shall, regrettably, be questioning reasons given by the Planning Board for its recommendation of disapproval. Such action by the Board is understandable, but I think it is based on misunderstanding as to some significant factors involved.

For one thing, the Planning Board report says: "...The County Council provided ample D.R. 16 and commercial zoning in this area and (that) the zoning map is correct. Just to the southwest of this tract, construction has begun on the Dundee Village Apartments, a complex of some 1900 apartment units on 135 acres of D.R. 16 zoned land." The Dundee Village tract does contain 135 acres but only 111 acres are zoned D.R. 16. The other 24 acres are zoned D.R. 5.5, consisting of a strip of shoreland, extending around the central D.R. 16 portion. If the Planning Board thought, as stated, that "the Zoning Map is correct", it's a little hard to see why the proposed 10.1 acres of D.R. 16 zoning on the subject tract would not be as "correct" as the 24 acres that are not so zoned on the Dundee Village property. The revised cyclical zoning map for this general area that was submitted by the Planning Board to the Council included no D.R. 16 zoning on the Dundee Village property. It proposed a strip of D.R. 5.5 along Eastern Avenue, with the much larger portion of this

peninsula recommended as R.D.P. Zone. Presumably because of the tract owner's urging of D.R. 16 zoning, with indication of the intent to go ahead with development of these 135 acres the Council decided that this land did not need to have designation of R.D.P. (Rural: Deferred Planning) but rather that extension of the sewer system to serve this general area would be warranted, and would justify higher-density D.R. 16 zoning in order to realistically allow for construction of multi-family type buildings, including townhouses and garden apartments. The Preliminary General Plan for Dundee Village did indicate 100% use for multi-family buildings. It left the D.R. 5.5 strip of shoreland as part of the required open space, but naturally included the number of density units allowed by the D.R. 5.5 strip as part of the total 1,903 density units indicated on that plan. In the first section of Dundee Village now being built, the approximately 300 units are all the same 2-bedroom small townhouse type, to rent for $147.00 per month. We understand that because of the pressure of numerous rezoning petitions the Planning Board Committee was unable to take the time to visit the subject Scott tract of 13 3/4 acres, and therefore, did not see what is being constructed nearby in Dundee Village.

Victor Development Co., the contract purchaser of the subject 13 3/4 acres, proposes to develop 10.1 acres with garden apartments. The site plan provides for one-bedroom apartments, to rent for $117.00 per month, and two-bedroom apartments to rent for $124-$130. Some three-bedroom apartments to rent for $140-$142 are also being considered.

The rental garden apartments existing nearest to the subject tract are those in Carrollwood, about 1 1/2 miles away. These rent

for $130-$147 for one-bedroom units, and $140-$157 for two-bedroom units. In Wampler Village, some 1 1/2 miles away, off Martin Boulevard, just beyond the railroad underpass, townhouses rent for $135 on a month-to-month basis. In Maple Crest, about 4 1/2 miles from the subject tract, near Middle River Road, two-bedroom townhouses rent for $150.50 and three-bedroom for $170.50. There are older garden apartment and townhouse areas about four miles away from the subject tract, off Eastern Avenue, southwest of Middle River.

Mr. Leonard Frenkil, who speaks for the Victor Development Co., feels that he understands and appreciates the needs of this neighborhood area. He believes that this project would actually serve to stabilize and strengthen the existing community by providing garden apartments of various types that are not otherwise available anywhere near at comparably moderate rates. The subject property seems to me to be a suitable place and a logical opportunity to help to reduce the shortage of available moderate priced rental housing, the scarcity of which in Baltimore County has resulted in considerable criticism of developers and the County government.

The Planning Board report affirms correctly that except for the northwest 431 foot boundary along the Penn Central Railroad tracts, the zoning on both sides of the subject tract and across Eastern Avenue is D.R. 5.5 However, it ignores the fact that the nearest point of Dundee Village D.R. 16 zoning is only 400 feet away to the south. There is only one house on the 10.9 acres along the southwest side of the subject tract, most of which is wooded. On the northeast side there is another house, as shown on the site plan, two-thirds of the way back from Eastern Avenue to the railroad, on 6.55 acres.

These two houses are typical of the scattered occurrence of mostly older houses that have characterized this portion of Eastern Avenue. The fact that both public sewer and water systems have only quite recently become available has significantly changed the whole future outlook of this locality.

Assuming, as appears true, that there is a need for moderate-rental housing in this general area, it seems unrealistic to insist that D.R. 5.5 zoning can feasibly permit provision of suitably-priced garden apartments on the subject tract. Section 1B01.1.B of the Zoning Regulations would require that if garden apartments were built on this tract with D.R. 5.5 zoning, there would have to be 300-foot "residential transition areas" between the nearest apartment building and the house on each of the properties on the adjoining sides. No apartment units would be allowed in these transition areas. Current costs for one-family housing are so high as to make D.R. 5.5 density impracticable in this location for construction of new dwellings either for rent or sale at prices consistent with needs of the locality. The D.R. 16 zoning seems at least as appropriate and unobjectionable for the subject property as apparently it was felt by the County Council to be appropriate for the nearby zoning of 111 acres of the Dundee Village tract. It would help to allow provision of a different type of rental units, that is, garden apartments with varying number of bedrooms, which are not being provided for in Dundee Village, or anywhere else within several miles, at comparably low rentals.

I believe that the proposed B.L. zoning of the 3 2/3 acres of frontage along Eastern Avenue is fully as logical and appropriate as

the D.R. 16 zoning behind it on the subject tract would be. There are only a few scattered commercial uses along Eastern Avenue to the northeast. The Planning Board notes that the existence of 10 unused acres zoned B.M., beginning 1,000 feet southwest of the subject tract on the same side of Eastern Avenue makes rezoning of the proposed 3 2/3 acres inadvisable. This 10-acre B.M. zone belongs to Mars Stores, which operates large discount food stores. Their personnel have stated that they do not have any definite plans for imminent construction of commercial facilities on this property. Presumably, if and when they do use it, it would be for one of their typical discount stores, perhaps supplemented by some other units. They have considered construction of a warehouse there, which the B.M. zoning would permit. In this area of expectable growth (now having public sewer and water available) where the nearest sizeable commercial center is four miles away, it would seem that the 3 2/3 acres planned here for a small convenience facility, with offstreet parking, would perform a useful service for the proposed garden apartments, the existing houses in the Chase area to the Northeast, and certainly have local service value for Dundee Village, which is not planned to provide any commercial facilities.

At present, there are not extensive employment areas quite near to the subject tract. However, there is vast acreage of various types of industrial zones right across the railroad from it. The Planning Office is stated to have felt that such zoning would permit continuing extensive excavation of sand and gravel there; that when these have been mined out, this would be a suitable location for a

major Town Center - as shown on the recent 1980 Guide Plan map. This map shows an extensive proposed industrial area in the western quadrant of the Penn Central Railroad and the planned extension of White Marsh Expressway to Eastern Avenue. That would be only a mile from the subject tract via Eastern Avenue. With such ultimate uses, these industrial and commercial areas, even though across the railroad, would serve as major employment centers, as close as a mile to the subject tract, via Eastern Avenue, Earls Avenue and the future White Marsh Expressway.

I believe that Mr. Frenkil's firm is sufficiently knowledgeable and experienced to be realistic in believing that there is a definite need for moderately priced rental housing in this area. From my long experience in Baltimore County and elsewhere, I feel that the kind of well-planned garden apartment and small commercial projects proposed here would not be detrimental to the neighboring properties and the general vicinity (as noted apprehensively in the Planning Board report) but would actually tend to benefit them and improve property values. Thus the proposed zoning and development would be in the public interest, which of course, is the legal justification for the limitations that zoning places on the usage of private property. In view of the various favorable factors involved, I think it would be a mistake not to grant the requested rezoning.

I believe that the recent provision for public sewer and water facilities that can serve the subject property, is a significant element of change for justifying the rezoning of the 13 3/4 acres as requested.

 Malcolm H. Dill

oc

BALTIMORE COUNTY

ZONING ADVISORY COMMITTEE

BALTIMORE COUNTY MARYLAND

PETITION AND SITE PLAN

EVALUATION COMMENTS

Robert J. Romadka, Esq.
809 Eastern Boulevard
Baltimore, Maryland 21221

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 11th day of October 1972.

S. ERIC DINENNA,
Zoning Commissioner

Petitioner: Joseph B. Scott
Petitioner's Attorney Robert J. Romadka Reviewed by John J. Dillon Jr.
Chairman,
Advisory Committee

AUG 24 1976

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

October 13, 1972

JOHN J. DILLON, JR.
Chairman

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Petition for Reclassification
D.R. 5.5 Zone to D.R. 16 Zone
NW/S of Eastern Avenue,
Opposite Marshy Point Road
15th District
Joseph B. Scott - Petitioner
Item No. 4
Fourth Zoning Cycle

Dear Mr. Romadka:

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 northwest side of Eastern Avenue, opposite the intersection of Marshy Point Road, in the Fifteenth District of Baltimore County.

This property is currently zoned D.R. 5.5 and contains 13.74 acres of land. It is improved with a two (2) story frame dwelling and other out buildings and is situated on a high knoll approximately in the center of the property.

The property to the northeast and southwest are improved with single family dwelling units. The east side of Eastern Avenue is also improved with various frame dwellings. To the rear of the subject property, there are right-of-ways for the Pennsylvania Railroad. No curb and gutter currently exists on Eastern Avenue at this location.

The Petitioner proposes to develop the front portion of this property as B.L. to a depth of two hundred and forty-three (243) feet and containing 3.64 acres of land, for a small shopping complex. The remainder of the property is petitioned for a D.R.16 classification, which contains 10.10 acres. Concerning the B.L. portion, the Petitioner plans to construct a 2,400 square foot retail sales area, approximately thirty (30) feet off the rear property line. The plan,

however, does not indicate the dimensions of the proposed structure, or the types of retail stores the petitioner would hope to locate in this center. The plan does not indicate the loading area and/or loading docks at the rear of this commercial property.

The portion that is petitioned for a D.R.16 classification contains 10.10 acres and would permit 161 dwelling units. The petitioner proposes to build 156 density units consisting of 42 one (1) bedroom apartments and 114 two (2) bedroom apartments. The petitioner's proposed development of this property indicates residential transition area that is not necessary on a D.R.16 classification. The development of a D.R.16 Zone to an adjacent D.R. Zone only requires a 75 foot buffer strip. This plan does not indicate the parking space calculations, and this must be reflected on a revised site plan.

A revised plan will be required that reflects those comments listed above and the comments of the Bureau of Engineering, State Highway Administration, Project Planning and Traffic Engineering.

This petition is accepted for filing on the date of the enclosed filing certificate. However, all corrections to site plans as requested shall be submitted to this office prior to Thursday, February 1, 1973, in order to allow time for advertising. Failure to comply may result in this petition not being scheduled for a hearing. Notice of the hearing date and time, which will be between March 1, 1973 and April 15, 1973, will be forwarded to you in the near future.

Very truly yours,

John J. Dillon, Jr.
Chairman
Zoning Advisory Committee

JJD:vtc

Enclosures

Baltimore County, Maryland
Department Of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204

Bureau of Engineering
ELLSWORTH N. DIVER, P. E., CHIEF

October 17, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #4 (Cycle Zoning IV - Oct. 1972 - April 1973)
Property Owner: Joseph B. Scott
N/S Eastern Ave. extended, opposite Marshy Point Rd.
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass. from D.R. 5.5 to D.R. 16 & B.L.
District: 15th No. Acres: 13.74 acres

Dear Mr. DiNenna:

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 Comments:

Eastern Avenue is a State Road; therefore, all improvements, intersections and entrances on this road will be subject to State Highway Administration requirements.

Storm Drain Comments:

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 Comments:

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.

Water Comments:

Public water is available to serve this property.

Sanitary Sewer Comments:

Public sanitary sewerage is available to serve this property.

* * * * * *

Should this property be subdivided in title on the proposed zoning line, fee simple frontage must be maintained on Eastern Avenue for the residential zone or a [illegible] road, with public water and sanitary sewer extended to the residential zone through the business zone.

Very truly yours,

ELLSWORTH N. DIVER, P.E.
Chief, Bureau of Engineering

END:EAM:GMK:ss

Z-NW Key Sheet
20 NE 45 Position Sheet
NE 5L & 6L Topo
83 Tax Map

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTOR

WM. T. MELZER
DEPUTY TRAFFIC ENGINEER

October 30, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Cycle Zoning IV
Item 4 - ZAC - Oct. 72 to Apr. 73
Property Owner: Joseph B. Scott
Eastern Avenue extended opp. Marshy Point Road
Reclass. from D.R. 5.5 to D.R. 16 & BL
District 15

Dear Mr. DiNenna:

The subject petition is presently zoned DR 5.5 and the petitioner is requesting a reclassification to BL and DR 16. The present zoning is expected to have a trip density of approximately 785 trips per day. The proposed zoning will have a trip density of approximately 3030 trips per day.

The plan should be revised to relocate the southernmost driveway to the site to a point as far north as possible to provide sight distance for this site.

Very truly yours,

Michael S. Flanigan
Traffic Engineer Associate

MSF:nc

Maryland Department of Transportation
State Highway Administration

Harry R. Hughes
Secretary

David H. Fisher
Administrator

October 12, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Reclassification Oct. 1972
Property Owner: Jos. B. Scott
Location: N/S Eastern Ave. Extended, (Route 150) opposite Marshy Point Road - Present Zoning D.R. 5.5
Proposed Zoning: Reclass from D.R. 5.5 to D.R. 16 and B.L.
District 15
No. Acres 13.74

Dear Mr. DiNenna:

The proposed westerly entrance at the subject site is in an area of inadequate stopping sight distance, therefore, the entrance must be eliminated or relocated to the area of the existing entrance.

The entire frontage of the site must be improved with curb and gutter. The roadside face of curb is to be 24' from and parallel to the existing centerline of highway.

The entrances will be subject to approval and permit from the State Highway Administration.

It is our opinion that the plan should be revised prior to the hearing.

The 1971 average daily traffic count for this section of Eastern Avenue is 5,500 vehicles.

Very truly yours,

Charles Lee, Chief
Development Engineering Section

John E. Meyers
by: John E. Meyers
Asst. Development Engineer

CL:JEM:bbk

P.O. Box 717 / 300 West Preston Street, Baltimore, Maryland 21203

Baltimore County Fire Department

J. Austin Deitz
Chief

Towson, Maryland 21204
825-7310

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Mr. ~~[illegible]~~ Jack Dillon, Acting Chairman
Zoning Advisory Committee

Re: Property Owner: Joseph B. Scott

Location: N/S Eastern Avenue Extended, opposite Marshy Point Road

Item No. 4 Zoning Agenda IV ZONING CYCLE
October 1972 - April 1973

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
( ) 2. A second means of vehicle access is required for the site.
( ) 3. The vehicle dead-end condition shown at _____ EXCEEDS the maximum allowed by the Fire Department.
( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code", 1970 Edition prior to occupancy.
( ) 6. Site plans are approved as drawn.
( ) 7. The Fire Prevention Bureau has no comments at this time.

Reviewer: Lt. Thomas Reilly
Planning Group
Special Inspection Division

Noted and Approved: _____
Deputy Chief
Fire Prevention Bureau

mls
4/25/72

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTH

JEFFERSON BUILDING
TOWSON, MARYLAND 21204

October 10, 1972

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

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

Dear Mr. DiNenna:

Comments on Reclassification, Zoning Advisory Committee Meeting, October 4, 1972, are as follows:

Property Owner: Joseph B. Scott
Location: N/S Eastern Avenue Extended, opposite Marshy Point Road
Present Zoning: D.R. 5.5
Proposed Zoning: Reclassification to D.R. 16 and B.L.
District: 15
No. Acres: 13.74

Metropolitan water and sewer are available to the site.

Food Service Comments: If a food service facility is proposed, complete plans and specifications must be submitted to the Division of Food Protection, Baltimore County Department of Health, for review and approval.

Very truly yours,

Thomas H. Devlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mnG

cc: L.A. Schuppert

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

A. V. Quimby
Acting Director
XXXXXXXXXXXXXXXX
Jefferson Building
Suite 301
Towson, Md. 21204
494-3211

S. ERIC DiNENNA
Zoning Commissioner
County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204
494-3351

October 24, 1972

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

Dear Mr. DiNenna:

Comments on Item #4, IV Zoning Cycle, October 1972-April 1973, are as follows:
Property Owner: Joseph B. Scott
Location: N/S Eastern Avenue Extended, opposite Marshy Point Road
Present Zoning: D.R.5.5
Proposed Zoning: Reclass from D.R.5.5 to D.R.16 and B.L.
District: 15
No. Acres: 13.74 acres

The site plan must be revised to show the following: In the proposed B.L. Area—

The southwestern most entrance is not acceptable because of poor site distance and should be moved to the center of the site or eliminated completely.

The parking areas must be screened in accordance with Section 409 of the Zoning Regulations and it is suggested that the are to be used as a service and loading area be screened with a six to eight foot high fence and landscaped on the residential side. The surfacing agent for parking areas must be shown along with the required curbing around the perimeter of the parking areas. All lighting must be indicated on the site plan in conformance with Section 409 of the Zoning Regulations.

In the proposed D.R.16 area—

A secondary means of access should be provided for the apartment site. The open space and A.D.J. count must be provided on the site plan.

The area to be used for the apartments is fairly heavily wooded and it is suggested that as many of the trees be saved as possible.

Very truly yours,
John L. Wimbley
John L. Wimbley
Planner I
Project Planning Division
Office of Planning and Zoning

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND 21204

Date: October 19, 1972

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #4
Property Owner: Joseph B. Scott
Location: N/S Eastern Avenue Extended, opposite Marshy Point Road
Present Zoning: D.R. 5.5
Proposed Zoning: Reclass from D.R. 5.5 to D.R. 16 and B.L.

District: 15
No. Acres: 13.74 acres

Dear Mr. DiNenna:

The existing zoning could yield approximately 53 Elementary, 13 Junior High, and 15 Senior High students while a change to D.R. 16 for the purpose of construction 1 and 2 Bedroom Garden Apartments on 6.46 acres could yield approximately 14 Elementary, 5 Junior High, and 2 Senior High students. The 3.64 acres requested for B.L. would not yield any pupils. A change to 3 Bedroom Apartments would naturally increase the student yield.

Please see attached sheet.

Very truly yours,
W. Nick Petrovich
W. Nick Petrovich
Field Representative

WNP:ld

T. Bayard Williams, Jr., President
Mrs. John M. Crocker, Vice-President
Mrs. Robert L. Berney
Eugene C. Hess
H. Russell Knust
Alvin Loreck
Joshua R. Wheeler, Superintendent
H. Emslie Parks
Richard W. Tracey
Mrs. Richard K. Wuerfel

ITEM #4

Schools servicing this area (based on September 20, 1972 enrollment):

	Capacity	Enrollment	+/-
Chase Elementary	595	473	-122
Middle River Junior	1215	1416	+201
Perry Hall Senior	1615	1904	+289

PETITION FOR RECLASSIFICATION
15th DISTRICT

ZONING: From D.R. 5.5 to D.R. 16 and B.L. Zones.
LOCATION: North side of Eastern Avenue Extended opposite Marshy Point Road.
DATE & TIME: THURSDAY, MARCH 1, 1973 at 11:00 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Present Zoning: D.R. 5.5
Proposed Zoning: D.R. 16 and B.L.
All that parcel of land in the Fifteenth District of Baltimore County

FROM D.R. 5.5 ZONE TO D.R. 16 ZONE

BEGINNING for the same in the centerline of Marshy Point Road, at the distance of 260.87 feet, measured westerly along the centerline of Marshy Point Road from its intersection with the centerline extended southwesterly of Eastern Avenue, thence leaving said place of beginning and running and binding in the center of Marshy Point Road, the 4 following courses and distances, viz: (1) North 85 degrees 36 minutes West 351.90 feet to a point of curve and thence (2) Northwesterly by a curve to the right having a radius of 91.63 feet for a distance of 143.10 feet, (the arc of said curve being subtended by a chord bearing North 40 degrees 51 minutes 30 seconds West 129.00 feet) to the end of said curve and thence (3) North 63 degrees 53 minutes East 355.38 feet and (4) North 37 degrees 36 minutes West 30.00 feet, thence leaving Marshy Point Road and running (5) North 31 degrees 45 minutes West 54.84 feet to the southeast right-of-way line of the Pennsylvania Railroad, thence running and binding thereon (6) North 48 degrees 57 minutes East 431.00 feet, thence leaving said southeast right-of-way line of said railroad and running the 4 following courses and distances, viz: (7) South 65 degrees 31 minutes 30 seconds East 251.40 feet (8) South 24 degrees 58 minutes West 45.00 feet (9) South 69 degrees 06 minutes East 286.02 feet and (10) South 31 degrees 15 minutes West 691.90 feet to the place of beginning.

Containing 10.10 acres of land, more or less.

This description has been written for zoning purposes only and is not intended to be used for conveyance.

FROM D.R. 5.5 ZONE TO B.L. ZONE

BEGINNING for the same in the center line of Eastern Avenue extended, at a point where it intersects the center line of Marshy Point Road, thence leaving said point of beginning and running and binding in the center of Marshy Point Road, the 2 following courses and distances, viz: (1) North 79 degrees 48 minutes 40 seconds West 176.87 feet and (2) North 85 degrees 36 minutes West 84.00 feet, thence leaving said center line of Marshy Point Road and running the 2 following courses and distances, viz: (3) North 31 degrees 15 minutes East 691.90 feet and (4) South 69 degrees 06 minutes East 243.97 feet to the center of Eastern Avenue, thence running and binding along the said center of Eastern Avenue, and in part binding on the extension southwesterly thereof, in all (5) South 31 degrees 15 minutes West 634.22 feet to the place of beginning.

Containing 3.64 acres of land, more or less.

This description has been written for zoning purposes only and is not intended to be used for conveyance.

Being the property of Joseph B. Scott, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, March 1, 1973 at 11:00 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
S. ERIC DINENNA
ZONING COMMISSIONER OF BALTIMORE COUNTY

Feb. 8

ORIGINAL

OFFICE OF

THE ESSEX TIMES

ESSEX, MD. 21221 February 12 - 19 73

THIS IS TO CERTIFY, that the annexed advertisement of
S. Eric Dinenna
Zoning Commissioner of Baltimore County

was inserted in THE ESSEX TIMES, a weekly newspaper published in Baltimore County, Maryland, once a week for one XXXXXXXX week/ before the 12 day of February 19 73, that is to say, the same was inserted in the issues/of February 8, 1973.

STROMBERG PUBLICATIONS, Inc.

By Ruth Morgan

PETITION FOR RECLASSIFICATION
15TH DISTRICT

ZONING: From D.R. 5.5 to D.R. 16 and B.L. Zones
LOCATION: North side of Eastern Avenue Extended opposite Marshy Point Road
DATE & TIME: Thursday, March 1, 1973 at 11:00 A.M.
PUBLIC HEARING: Room 106 County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Present Zoning: D. R. 5.5
Proposed Zoning: D. R. 16 and B.L.
All that parcel of land in the Fifteenth District of Baltimore County.

FROM D.R. 5.5 ZONE TO B.L. ZONE.

BEGINNING for the same in the center line of Eastern Avenue extended, at a point where it intersects the center line of Marshy Point Road, thence leaving said point of beginning and running and binding in the center of Marshy Point Road, the 2 following courses and distances, viz: (1) North 79 degrees 48 minutes 40 seconds West 176.87 feet and (2) North 85 degrees 36 minutes West 84.00 feet, thence leaving said center line of Marshy Point Road and running the 2 following courses and distances, viz: (3) North 31 degrees 15 minutes East 691.90 feet and (4) South 69 degrees 06 minutes East 243.97 feet to the center of Eastern Avenue, thence running and binding along the said center of Eastern Avenue, and in part binding on the extension southwesterly thereof, in all, (5) South 31 degrees 15 minutes West 634.22 feet to the place of beginning.

Containing 3.64 acres of land, more or less.

This description has been written for zoning purposes only and is not intended to be used for conveyance.

FROM D.R. 5.5 ZONE TO D.R. 16 ZONE.

BEGINNING for the same in the centerline of Marshy Point Road, at the distance of 260.87 feet, measured westerly along the centerline of Marshy Point Road from its intersection with the centerline extended southwesterly of Eastern Avenue, thence leaving said place of beginning and running and binding in the center of Marshy Point Road, the 4 following courses and distances, viz: (1) North 85 degrees 36 minutes West 351.90 feet to a point of curve and thence (2) Northwesterly by a curve to the right having a radius of 91.63 feet for a distance of 143.10 feet, (the arc of said curve being subtended by a chord bearing North 40 degrees 51 minutes 30 seconds West 129.00 feet) to the end of said curve and thence (3) North 63 degrees 53 minutes East 355.38 feet and (4) North 07 degrees 36 minutes West 30.00 feet, thence leaving Marshy Point Road and running (5) North 31 degrees 45 minutes West 54.84 feet to the southeast right-of-way line of the Pennsylvania Railroad, thence running and binding thereon (6) North 48 degrees 57 minutes East 431.00 feet, thence leaving said southeast right-of-way line of said railroad and running the 4 following courses and distances, viz: (7) South 65 degrees 31 minutes 30 seconds East 251.40 feet (8) South 24 degrees 58 minutes West 45.00 feet (9) South 69 degrees 06 minutes East 286.02 feet and (10) South 31 degrees 15 minutes West 691.90 feet to the place of beginning.

Containing 10.10 acres of land, more or less.

This description has been written for zoning purposes only and is not intended to be used for conveyance.

Being the property of Joseph B. Scott, as shown on plat plan filed with the Zoning Department.

Hearing Date: Thursday, March 1, 1973 at 11:00 A.M.

Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

By Order of
S. ERIC DINENNA
Zoning Commissioner of Baltimore County

Feb. 8.

CERTIFICATE OF PUBLICATION

TOWSON, MD., February 8, 1973

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once in each~~ of one time ~~successive weeks~~ before the 1st day of March, 1973, the first publication appearing on the 8th day of February, 1973.

THE JEFFERSONIAN,
D. Frank Struller
Manager.

Cost of Advertisement, $

Appeal ✓

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#73-196-R

District 15th
Date of Posting 3-21-74
Posted for:
Petitioner: Jos. B. Scott
Location of property: N.W/S of Eastern Ave. Ext. opposite Marshy Pt. Rd.
Location of Signs: 1 Sign Posted on Eastern Ave. opposite Marshy Pt. Rd.
Remarks:
Posted by [signature] Signature
Date of return: 3/28/74

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										

Reviewed by: GGD
Previous case:
Revised Plans:
Change in outline or description ____Yes ____No
Map #

AUG 24 1976

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received* this 29 day of Sept 1972. Item # reclass

S. Eric DiNenna
Zoning Commissioner

Petitioner Joseph B. Scott Submitted by R. J. Romadka

Petitioner's Attorney R. J. Romadka Reviewed by

* This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

#73-196-R

District 15th Date of Posting 2-8-73

Posted for: Hearing Thur. March 1st 1973 at 10:00 A.M.

Petitioner: Joseph B. Scott

Location of property: N/S of Eastern Ave. Extended opposite Marshy Point Rd.

Location of Signs: 2 Sign Posted across from Marshy Pt. Rd.

Remarks:

Posted by [signature] Signature Date of return 2-15-73

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

Item 4

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 4th day of October 1972.

S. ERIC DINENNA
Zoning Commissioner

Petitioner: Joseph B. Scott

Petitioner's Attorney Robert J. Romadka Reviewed by

Chairman,
Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 5744
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE Nov. 6, 1972 ACCOUNT 01-662

AMOUNT $50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Robert J. Romadka, Esq.
809 Eastern Blvd.
Essex, Md. 21221
Petition for Reclassification for Joseph B. Scott

BALTIMORE COUNTY, MARYLAND No. 13155
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE March 15, 1974 ACCOUNT 01-662

AMOUNT $5.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Ronald L. Maher, Esq.
Cost of posting property of Joseph B. Scott for an appeal hearing.
NW/S of Eastern Avenue Extended opposite Marshy Point Road - 15th District
Case No. 73-196-R

BALTIMORE COUNTY, MARYLAND No. 7078
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE March 8, 1973 ACCOUNT 01-662

AMOUNT $124.13

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Victor Development Co., Inc.
4417 Colmar Gardens Drive
Baltimore, Md. 21211
Advertising and posting of property for Joseph B. Scott
#73-196-R

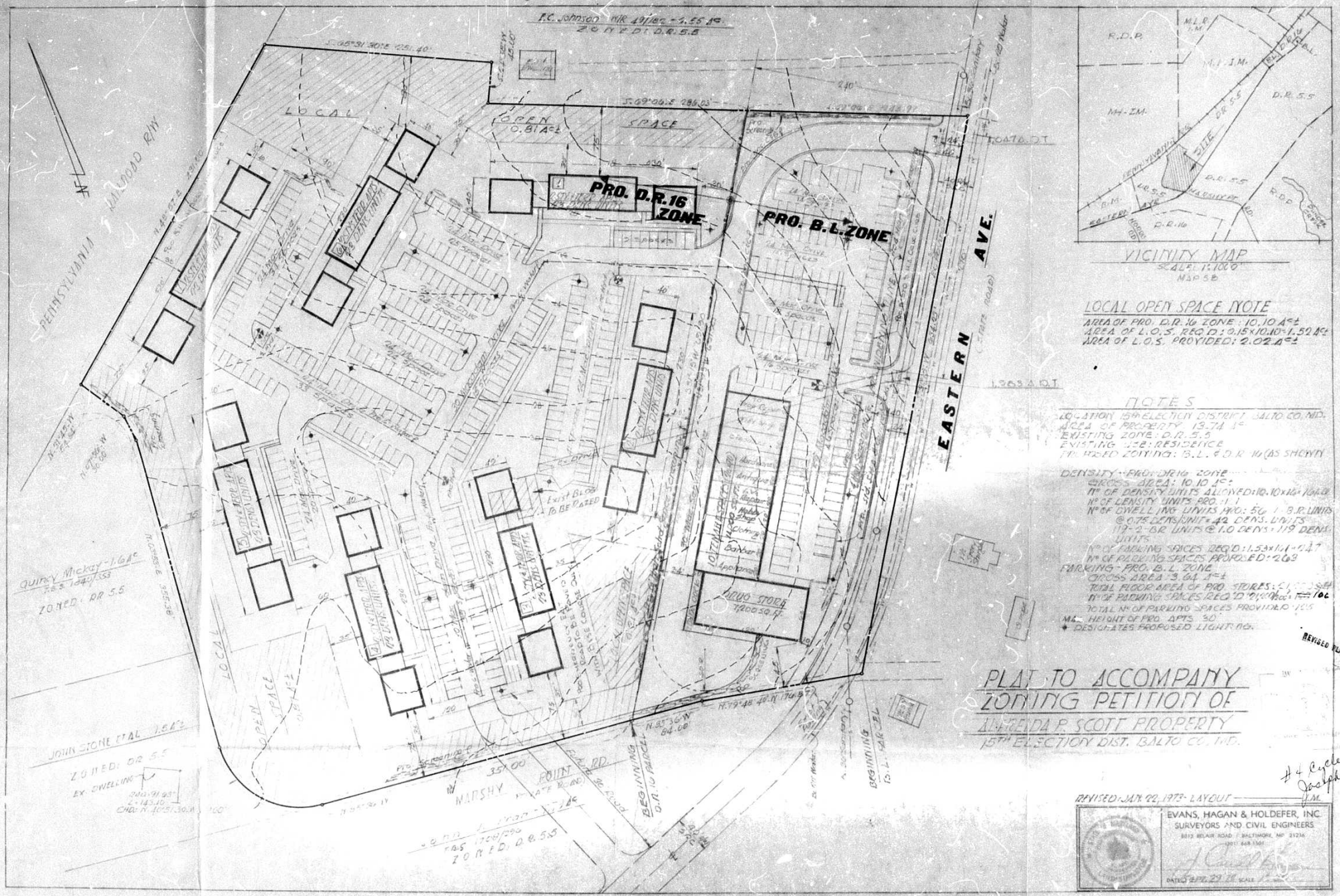
BALTIMORE COUNTY, MARYLAND No. 13118
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

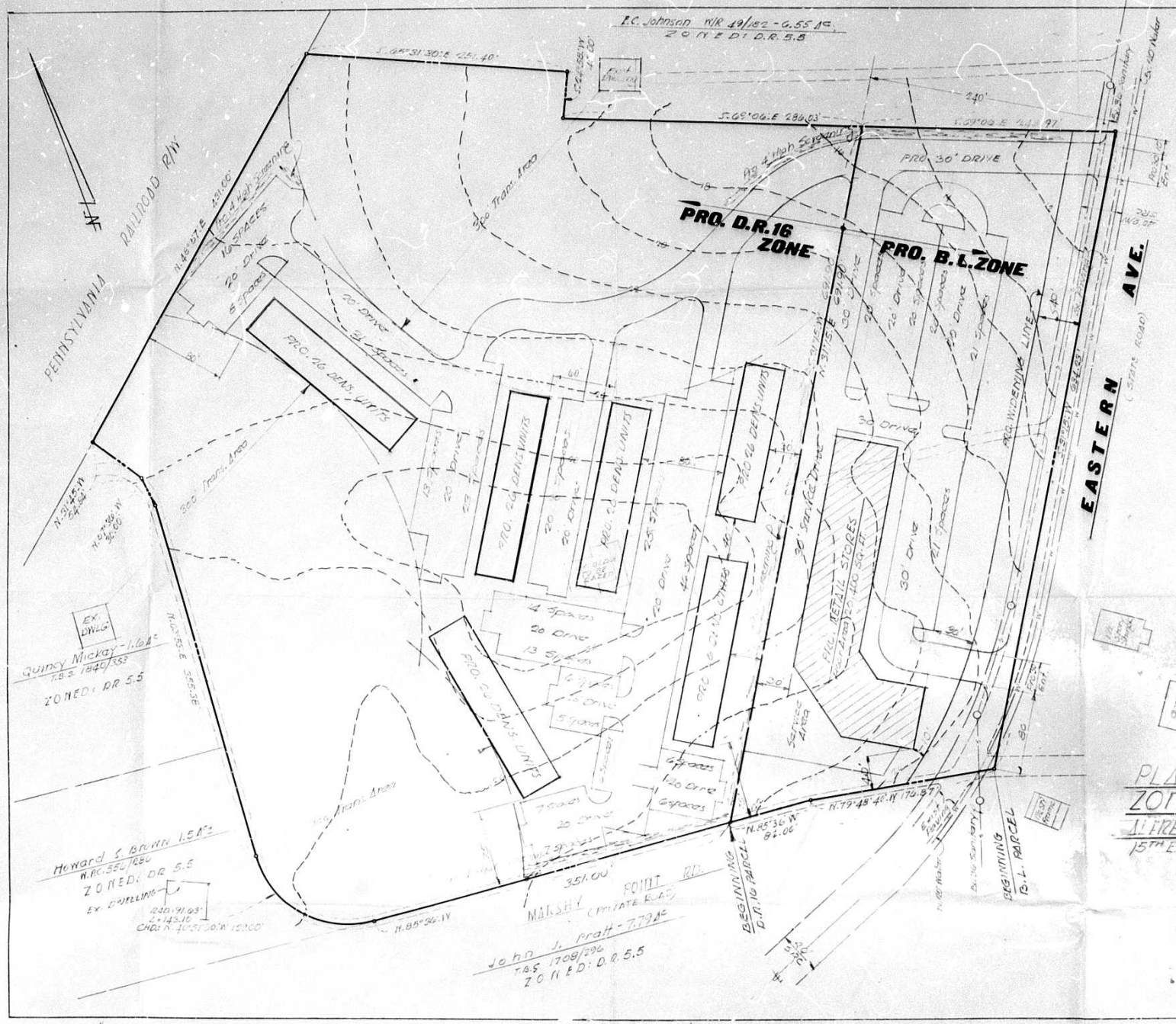
DATE March 1, 1974 ACCOUNT 01-662

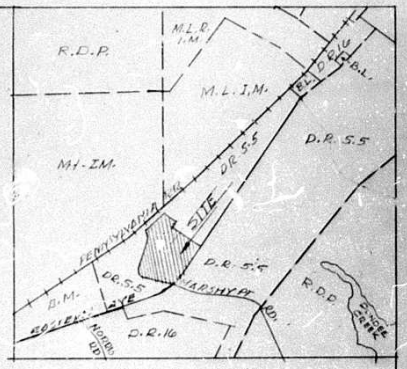
AMOUNT $70.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Ronald L. Maher, Esquire
Cost of Filing of an Appeal on Case No. 73-196-R
NW/S of Eastern Avenue Extended opposite Marshy Point Road - 15th District
Joseph B. Scott - Petitioner


PRO. D.R.16 ZONE
PRO. B.L. ZONE
EASTERN AVE.
LOCAL OPEN SPACE
PENNSYLVANIA RR
MARSHY POINT RD.
VICINITY MAP
SCALE: 1:1000
MAP 58
LOCAL OPEN SPACE NOTE
AREA OF PRO. D.R.16 ZONE: 10.10 Ac±
AREA OF L.O.S. REQ'D: 0.15×10.10=1.52 Ac±
AREA OF L.O.S. PROVIDED: 2.02 Ac±
NOTES
LOCATION 15th ELECTION DISTRICT, BALTO. CO. MD.
AREA OF PROPERTY 13.74 Ac
EXISTING ZONE: D.R.5.5
EXISTING USE: RESIDENCE
PROPOSED ZONING: B.L. & D.R. 16 (AS SHOWN)
DENSITY - PRO. D.R.16 ZONE
GROSS AREA: 10.10 Ac±
No. OF DENSITY UNITS ALLOWED: 10.10×16=161.6
No. OF DENSITY UNITS PRO.: 161
No. OF DWELLING UNITS PRO.: 56 1-B.R. UNITS @ 0.75 DENS./UNIT = 42 DENS. UNITS
119 2-B.R. UNITS @ 1.0 DENS. = 119 DENS. UNITS
No. OF PARKING SPACES REQ'D: 1.5×161=241
No. OF PARKING SPACES PROVIDED: 263
PARKING - PRO. B.L. ZONE
GROSS AREA: 3.64 Ac±
TOTAL FLOOR AREA OF PRO. STORES: 21,[illegible]
No. OF PARKING SPACES REQ'D: [illegible]
TOTAL No. OF PARKING SPACES PROVIDED: 105
H.G. HEIGHT OF PRO. APTS. 30'
DESIGNATES PROPOSED LIGHTING
REVISED PLANS
PLAT TO ACCOMPANY
ZONING PETITION OF
ALFRENDA P. SCOTT PROPERTY
15TH ELECTION DIST. BALTO. CO. MD.
REVISED: JAN. 22, 1973 - LAYOUT
EVANS, HAGAN & HOLDEFER, INC.
SURVEYORS AND CIVIL ENGINEERS
8813 BELAIR ROAD / BALTIMORE, MD. 21236
(301) 668-1301
DATED: APR. 29, 19[illegible] SCALE





VICINITY MAP
SCALE: 1" = 1000'
MAP 5B

NOTES

LOCATION: 15TH ELECTION DISTRICT, BALTO CO, MD.
AREA OF PROPERTY: 13.74 Ac.
EXISTING ZONE: D.R. 5.5
EXISTING USE: RESIDENCE
PROPOSED ZONING: B.L. & D.R. 16 (AS SHOWN)

DENSITY - PRO. DR 16 ZONE
GROSS AREA: 10.10 Ac.±
No. OF DENSITY UNITS ALLOWED: 10.10 x 16 = 161.6
No. OF DENSITY UNITS PRO.: 156
No. OF DWELLING UNITS PRO.: 56 1-B.R. UNITS @ 0.75 DENS./UNIT = 42 DENS. UNITS
114 2-B.R. UNITS @ 1.0 DENS. = 114 DENS. UNITS
No. OF PARKING SPACES REQ'D: 1.53 x 157 = 239
No. OF PARKING SPACES PROPOSED: 239
PARKING - PRO. B.L. ZONE
GROSS AREA: 3.64 Ac.±
TOTAL FLOOR AREA OF PRO. STORES: 20,400 SqFt
No. OF PARKING SPACES REQ'D: 20,400/200 = 102
No. OF PARKING SPACES PROPOSED: 102
SIZE OF PARKING SPACES: 9' x 20'
PRO. BLDG. HEIGHT - 4 STY. - 40' MAX.

PLAT TO ACCOMPANY ZONING PETITION OF ALFREIDA P. SCOTT PROPERTY

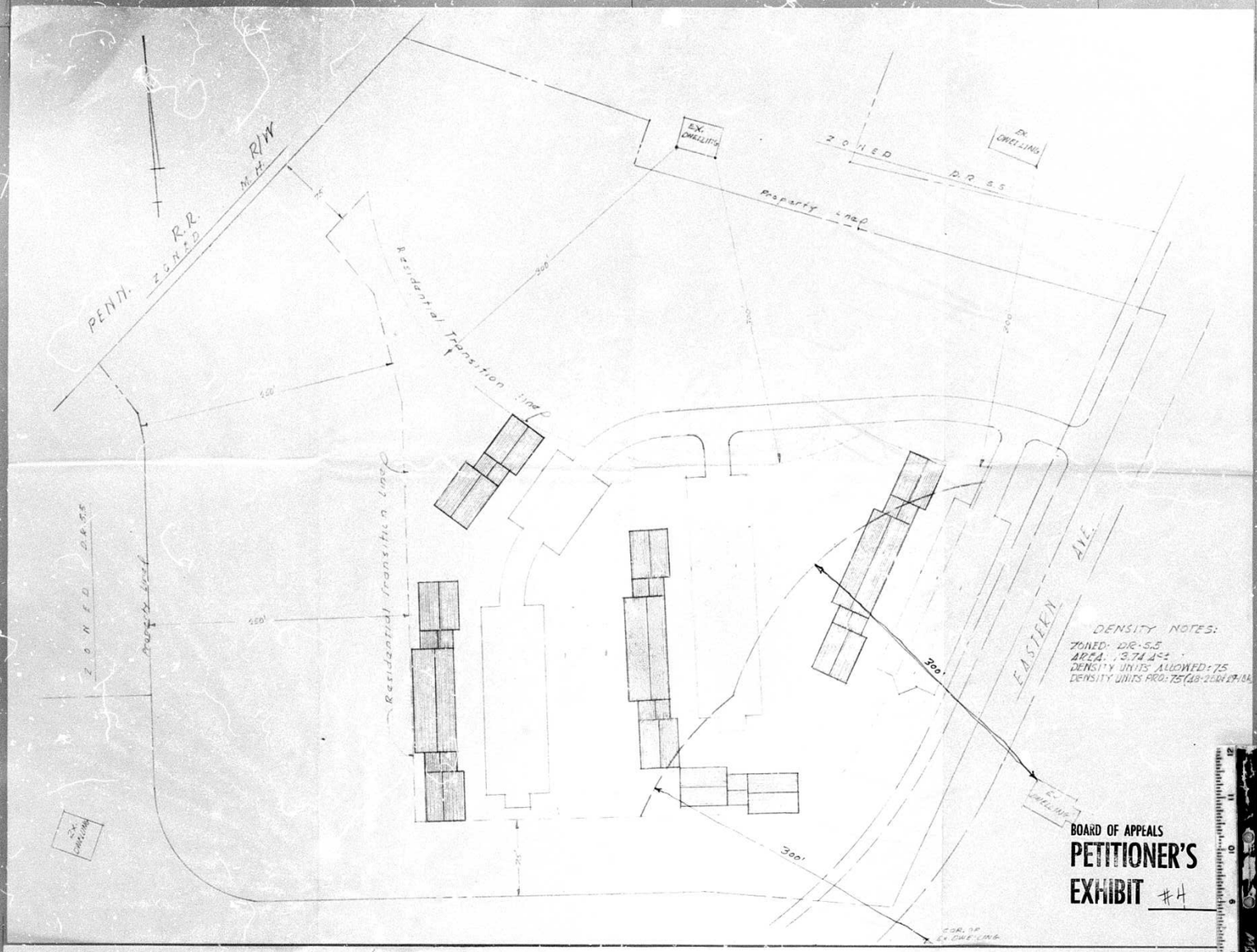
15TH ELECTION DIST. BALTO CO, MD.

old Plat

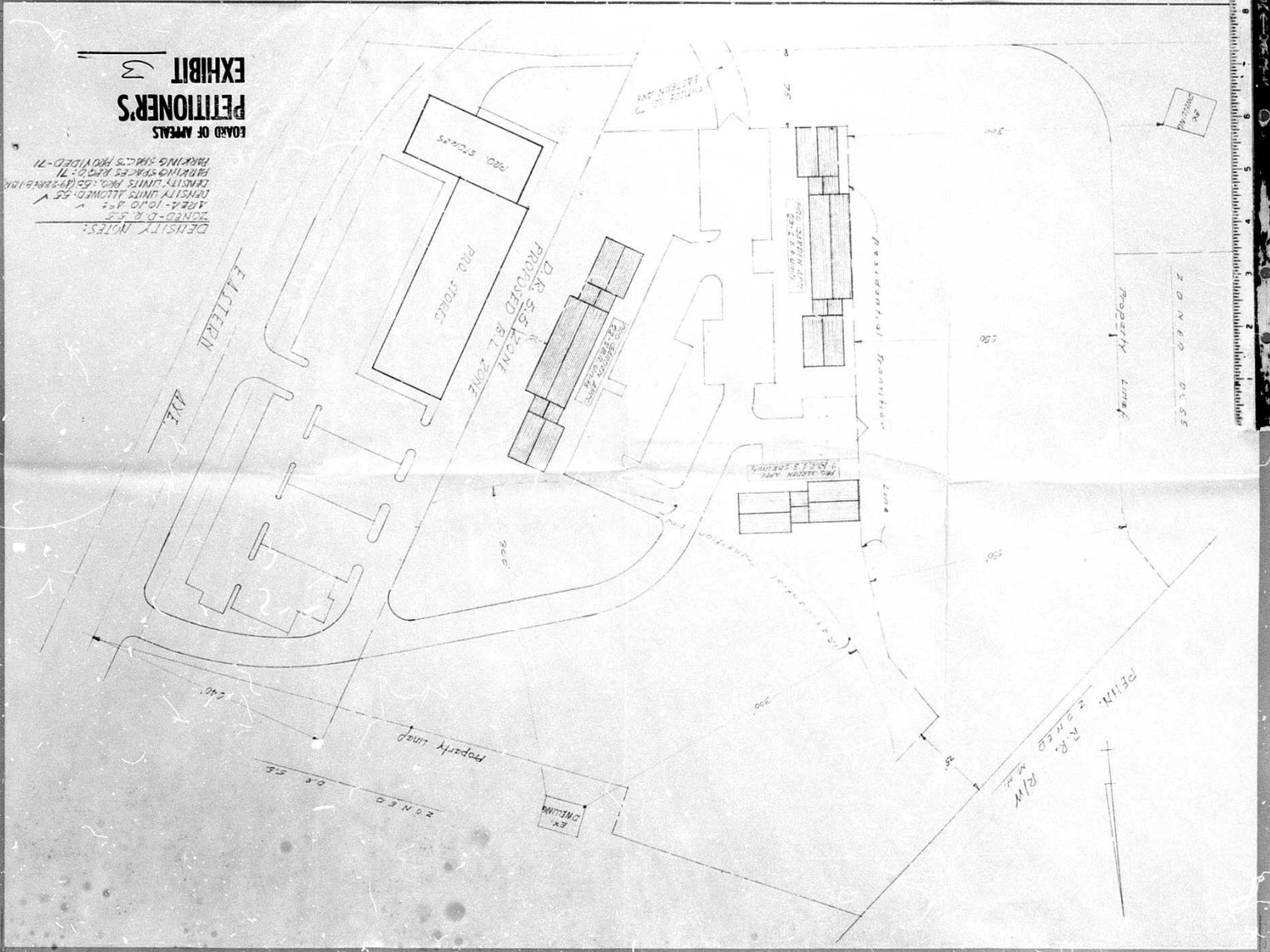
MAP 50 NE 3 & 4
ELECTION 15
DISTRICT
DATE 11-5-72
BY
REVISED 15
BY MH
FINAL
BY

EVANS, HAGAN & HOLDEFER, INC.
SURVEYORS AND CIVIL ENGINEERS
8013 BELAIR ROAD / BALTIMORE, MD. 21236
(301) 668-1901

DATE SEPT. 29 '72 SCALE 1" = 50'



BOARD OF APPEALS
PETITIONER'S EXHIBIT #4



BOARD OF APPEALS
PETITIONER'S EXHIBIT 3

PENNA. R.R.
P.R.R.
N20,000
E66,000
E67,000
N19,000
EASTERN
AVENUE
130
PROPOSED
NARBERTH PIKE RD.

BOARD OF APPEALS
PETITIONER'S
EXHIBIT 2

F.C. Johnson W/R 49/162 - 0.55 Ac.
ZONED: D.R. 5.5

PRO. D.R.16 ZONE

PRO. B.L. ZONE

EASTERN AVE.

PENNSYLVANIA RAILROAD R/W

TOT LOT

LOCAL OPEN SPACE

OPEN SPACE

Exist Bldg To Remained

DRUG STORE 7,200 SQ. FT.

Quincy Mickey - 1.6 Ac.
R.B.S. 1940/583
ZONED: DR 5.5

JOHN STONE ET AL 1.5 Ac.
ZONED: DR 5.5
EX. DWELLING

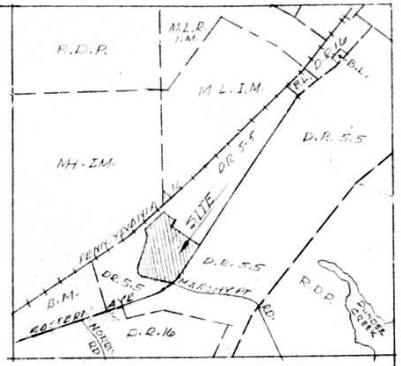
MARSHY POINT ROAD

BEGINNING OF PARCEL

BEGINNING OF L.L. PARCEL

Dundee Village

BOARD OF APPEALS
PETITIONER'S



VICINITY MAP
SCALE: 1" = 1000'
M.L.R. 5.8

LOCAL OPEN SPACE NOTE

AREA OF PRO. D.R. 16 ZONE: 10.10 Ac±
AREA OF L.O.S. REQ'D: 0.15×10.10=1.52 Ac±
AREA OF L.O.S. PROVIDED: 2.02 Ac±

NOTES

LOCATION: 15TH ELECTION DISTRICT, BALTO CO., MD.
AREA OF PROPERTY: 13.74 Ac±
EXISTING ZONE: D.R. 5.5
EXISTING USE: RESIDENCE
PROPOSED ZONING: B.L. & D.R. 16 (AS SHOWN)

DENSITY - PRO. DR16 ZONE
GROSS AREA: 10.10 Ac±
Nº OF DENSITY UNITS ALLOWED: 10.10×16=161.6
Nº OF DENSITY UNITS PRO.: 161
Nº OF DWELLING UNITS PRO.: 50 1-B.R. UNITS @ 0.75 DENS/UNIT = 42 DENS. UNITS
117-2-B.R. UNITS @ 1.0 DENS = 117 DENS. UNITS
Nº OF PARKING SPACES REQ'D: 1.53×161=247
Nº OF PARKING SPACES PROPOSED: 263

PARKING - PRO. B.L. ZONE
GROSS AREA: 3.64 Ac±
TOTAL FLOOR AREA OF PRO. STORES: 21,000 SQ.FT.
Nº OF PARKING SPACES REQ'D: 21,000/200=105
TOTAL Nº OF PARKING SPACES PROVIDED: 105
MAX. HEIGHT OF PRO. APTS. 30'
✦ DESIGNATES PROPOSED LIGHTING.

PLAT TO ACCOMPANY ZONING PETITION OF

ALFREIDA P. SCOTT PROPERTY

15TH ELECTION DIST. BALTO CO., MD.

REVISED: JAN. 22, 1973 - LAYOUT ——— J.M.

EVANS, HAGAN & HOLDEFER, INC.
SURVEYORS AND CIVIL ENGINEERS
8013 BELAIR ROAD / BALTIMORE, MD. 21236
(301) 668-

DATE SEPT. 29 '72 SCALE 1" = 30'

3223

APR 08