

OK

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. S. Eric DiNenna
TO Zoning Commissioner

Date August 26, 1976

Mr. James E. Dyer
FROM Zoning Supervisor

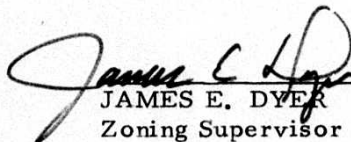
SUBJECT Case No. 74-46-R Zoning Map NE - 9F and 4C

As a result of a meeting with Mr. Robert Mattee, representing Belmont Realty Company, I have discovered an apparent drafting error regarding one of my decisions (Case No. 74-46-R).

The aforementioned case involved a Redistricting from a C. T. District to an Undistricted District and was granted, in part, with the intention being that the dividing line be a stream that bisects the property in a westerly direction. The stream branches in a northwest/southwest direction near the westerly tract boundary line, which subsequently lead the draftsman to take the northwesterly branch as the dividing line.

After reviewing this matter with Mr. Mattee, it is apparent that the intended boundary line, as set forth on Petitioner's Exhibit 2, should be the southerly branch of the stream instead of the northerly branch plotted on the zoning maps. My Order also makes reference to the fact that the northerly section of the Petitioner's property that was intended to be Redistricted to C. C. C. was to contain 34 acres. Mr. Mattee has pointed out that utilization of the northerly branch would reduce this acreage to approximately 32 acres, which also indicates that the southern branch was the intended boundary line.

Therefore, it is respectfully requested that you issue approval to make the necessary corrections to our existing zoning maps.


JAMES E. DYER
Zoning Supervisor

JED/scw

73245
1/4c
7/12/73

73245-1 PETITION FOR ZONING REDISTRICTING AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:
Evelyn LeBrun, Widow

I, or we, Belmont Realty Co., Inc., legal owner, 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 redistricted, pursuant to the Zoning Law of Baltimore County, from "C. T. District (Commercial Town-Center Core)" to an Undistricted district, for the following reason:
1.) In imposing a C. T. District on the subject property the Council committed errors as set out on the attached exhibit, which is incorporated by reference herein, and
2.) Substantial changes have occurred in the neighborhood so as to alter its character since the property was so districted by the Council, again as set out on the attached exhibit which is incorporated by reference herein.

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... Not Applicable

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above redistricting 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.

WHITE MARSH CORPORATION

By: James D. Nolan, Attorney

Address: 204 W. Penna. Avenue, Towson, Maryland 21204 823-7800

DATE: 7/12/73

BY: Evelyn LeBrun, widow

Address: 715 St. Paul Street, Baltimore, Maryland 21202

DATE: 7/12/73

BY: James D. Nolan, Attorney

Address: 204 W. Penna. Avenue, Towson, Maryland 21204 823-7800

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BY: Evelyn LeBrun, widow

Address: 715 St. Paul Street, Baltimore, Maryland 21202

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

August 10, 1973

COUNTY OFFICE BUILDING
111 N. Calverton Ave.
Towson, Maryland 21204JOHN J. DILLON, JR.
Chairman

MEMBERS

ALFRED OF
REDAVING
DEPARTMENT OF
TRAFFIC ENGINEERING
STATE ROAD COMMISSION
DEPARTMENT OF
PUBLIC SAFETY
HEALTH DEPARTMENT
SOLIDITY PLANNING
BUILDING DEPARTMENT
BOARD OF EDUCATION
COUNTY ADMINISTRATION
DEPARTMENT
CIVIL SERVICEJames D. Nolan, Esq.,
204 W. Pennsylvania Avenue
Towson, Maryland 21204RE: Petition for Redistricting
Item 17
Belmont Realty Co., Inc. - Petitioners

Dear Mr. Nolan:

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.

These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the appropriateness of the requested zoning.

The subject property is located on the northwest side of Belair Road at the Susquehanna Transmission Line, and more specifically to the west of the existing townhouses in the subdivision known as Belmont.

The subject of this petition is a request for the removal of a CT District from the existing Business Major zone. The reason for this request is so that the developers will be allowed to develop the Business Major portion of this property as DR 16, which is the zoning surrounding this site.

- 2 -

James D. Nolan, Esq.
Item 17 - Belmont Realty Co., Inc.
August 10, 1973

Under the CT District requirements the petitioner is restricted in developing apartments on the first floor on this property.

It should be noted that the proposed site plan indicates a new entrance from Belair Road above the existing transmission lines. This access is off site and is subject to condemnation procedures.

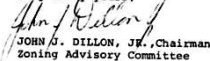
In reviewing the comments of the Bureau of Engineering, it is not absolutely clear whether or not water and sewer are readily available to serve this property. However, they do make a general comment that prior to development this and other development problems will be subject to the scrutiny of the Joint Subdivision Planning Committee.

It should be further noted that although the developers own adjoining land, this particular tract is landlocked.

The petitioner is reminded that the proposal to remove the CT District does not preclude or exempt him from further review by this office for any proposed development in the future.

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,


JOHN J. DILLON, JR., Chairman
Zoning Advisory Committee

JJJ:jd

Enclosure

cc: Matz, Childs & Associates, Inc.
1020 Cromwell Bridge Road (21204)Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204Bureau of Engineering
ELLENWORTH N. DIVER, P. E. CHIEF

August 9, 1973

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

Re: Item #17 (1973-1974)
Property Owner: Belmont Realty Company, Inc.
NW/S Belair Road at Susquehanna Transmission Line
Present Zoning: BM-CT
Proposed Zoning: Redistrict from Town-Center to undistricted
District: 11th No. Acres: 63.35 more or less

Dear Mr. DiNenna:

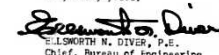
The following comments are furnished in regard to the plan submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

GENERAL:

An extensive file of previous comments is available in connection with the overall concept of the "Belmont" properties and the development thereof, including but not limited to "Overton" (1965), Belmont Apartments Section One, Belmont Apartments Section Two, drainage and flood control, water, sanitary sewerage and highway studies and plans. In the course of development to date Public Works Agreements 117202, 117206 and 117211 have been executed. These files, etc. are referred to for your consideration. A third section of the property is being considered for garden type apartments as shown on a Preliminary Plan entitled "Sunfield Apartments".

Development proposed for the subject area will be reviewed by the Joint Subdivision Planning Committee to determine among other things the provision of required public utilities, drainage and flood control, highway improvements, etc. Public Works Agreements will be required for all public highway and utility improvements necessary.

Very truly yours,


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

END:EAH/PWR:bjh
Key Sheet M - N.W.
Position Sheet 31 N.E. 20 & 21; 32 & 33 N.E. 19, 20 & 21; 34 N.E. 20 & 21
Towson N.E. 8 & 9 E & F
Tax Map 71

Maryland Department of Transportation
State Highway AdministrationHarry H. Hughes
Secretary
Bernard M. Evans
Administrator

July 23, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Bldg.
Towson, Md. 21204
Att. Mr. John Dillon

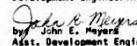
RE: Z.A.C. Meeting, July 17, 1973
Property Owner: Belmont Realty Co., Inc.
Location: NW/S Belair Rd. at Susquehanna Transmission Line (Rte 1)
Present Zoning: BM-CT
Proposed Zoning: Redistrict from Town-Center to undistricted
District: 11th
No. Acres: 63.35 more or less
Item: 17

Dear Mr. DiNenna:

Granting of the subject petition should have no adverse effects on Belair Road. The State Highway Administration has not given approval to this connection, therefore, it should be removed from the plan.

The 1972 average daily traffic count on this section of Belair Road is 27,400 vehicles.

Very truly yours,

Charles Lem, Chief
Development Engineering Section

John E. Meyer
Asst. Development Engineer

CL:JED/p

BALTIMORE COUNTY, MARYLAND
JEFFERSON BUILDING TOWSON, MARYLAND 21204

DEPARTMENT OF TRAFFIC ENGINEERING

EUGENE J. CLIFFORD, P.E.
DIRECTORWm. T. HOLDS
DEPUTY TRAFFIC ENGINEER

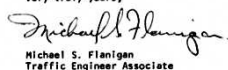
August 2, 1973

Mr. S. Eric DiNenna
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Re: Item 17 - ZAC - July 17, 1973
Property Owner: Belmont Realty Company, Inc.
NW/S Belair Road at Susquehanna Transmission Line
Redistrict from Town Center to undistricted
District 11

Dear Mr. DiNenna:

No major traffic problems are anticipated by the request for redistricting from Town Center to undistricted.

Very truly yours,


Michael S. Flanigan
Traffic Engineer Associate

MSF/pk

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF HEALTHJEFFERSON BUILDING
TOWSON, MARYLAND 21204DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE AND COUNTY HEALTH OFFICER

July 19, 1973

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

Dear Mr. DiNenna:

Comments on Item 17, Zoning Advisory Committee Meeting
July 17, 1973, are as follows:

Property Owner: Belmont Realty Co., Inc.
Location: NW/S Belair Rd. at Susquehanna Transmission Line
Present Zoning: BM-CT
Proposed Zoning: Redistrict from Town-Center to undistricted.
District: 11
No. Acres: 63.35

No health hazard anticipated on this redistricting.

Very truly yours,


THOMAS H. DEVLIN, Director
BUREAU OF ENVIRONMENTAL SERVICES

HVB:mng

WILLIAM D. FROMM
DIRECTORS. ERIC DINENNA
ZONING COMMISSIONER

August 9, 1973

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

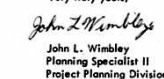
Dear Mr. DiNenna:

Comments on Item #17, Zoning Advisory Committee Meeting, July 17, 1973, are as follows:

Property Owner: Belmont Realty Co., Inc.
Location: NW/S Belair Road at Susquehanna Transmission Line
Present Zoning: BM-CT
Proposed Zoning: Redistrict from Town-Center to undistricted
District: 11th
No. Acres: 63.35 more or less

This plan has been reviewed and there are no site-planning factors requiring comment.

Very truly yours,


John L. Wimbley
Planning Specialist II
Project Planning Division

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: July 18, 1973

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

Re: Item 17
Property Owner: Belmont Realty Co., Inc.
Location: NW/4 Belair Road at Susquehanna Transmission Line
Present Zoning: RM-CT
Proposed Zoning/Redistrict from Town-Center to undistricted

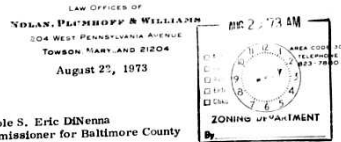
Z.A.C. Meeting of: Tuesday, July 18, 1973

District: 11th
No. Acres: 63.35 more or less

Dear Mr. DiNenna:

Very truly yours,
W. Nick Petrovich
Field Representative

WNP/ml



The Honorable S. Eric DiNenna
Zoning Commissioner for Baltimore County
County Office Building
Towson, Maryland 21204

Re: Petition of Belmont Realty, Inc., and others
requesting redistricting - Case No. 74-46-R

Dear Commissioner DiNenna:

It has just been discovered by Mr. Matz and confirmed by our engineers, Matz, Childs & Associates, that while the metes and bounds description has been correctly stated both in the written description and on the zoning plat, inadvertently, there has been a very slight understatement of the correct acreages involved. The correct acreages are as follows:

- 1.) Belmont Realty, Inc., 57.45 Acres
- 2.) Evelyn LeBrun, widow, 12.68 Acres
- 3.) Total acreage involved 70.13 Acres presently zoned RM with a CT District.

Furthermore, it should be noted that general note number 5 on the plat submitted by Matz, Childs and Associates indicates that the projected use of the property is residential, while, in fact, the note should have stated the intended use to be residential and commercial.

An informal discussion was had with Mr. Jack Dillon regarding these points and he indicated that they could be covered by letter, however, should you wish, we will be happy to submit revised plats prior to the hearing on August 27.

Thanking you for your kind attention to this matter and regretting the error, I am,

Sincerely yours,

James D. Nolan

JDN:ak
cc: Mr. Robert S. Matz
Belmont Realty Co., Inc.
Mr. Richard L. Smith
Matz, Childs & Associates

BALTIMORE COUNTY, MARY. AND

INTER-OFFICE CORRESPONDENCE

TO: S. Eric DiNenna, Zoning Commissioner Date: August 20, 1973

FROM: William D. Fromm, Director
Office of Planning

SUBJECT: Petition #74-46-R. Centerline of Whitmarsh Run 1620 feet Northwest of Belair Road.
Petition for Redistricting from a C.T. District to Undistricted.
Petitioner - Belmont Realty Company

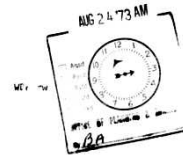
11th District

HEARING: Monday, August 27, 1973 (10:00 A.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition and has the following comments to make.

The 1980 Guideplan currently proposes that this area be developed as a town center. The County Council created B.M. zoning at this location with the adoption of the Northeastern Area Zoning Map in 1966. The Planning Board adopted by resolution in 1968, a map designating a town center boundary surrounding this location. Subsequently, the County Council applied the C.T. District to this property in 1968 with the adoption of the District Maps (Bill #23, approved May 9, 1968). The 1971 Comprehensive Zoning Maps affirmed these prior actions.

In view of zoning and other decisions which have occurred on issues in the same general area of Baltimore County since 1971, the staff believes that a reevaluation of the potentials of the subject property and the surrounding environs is in order. The potential appears to have been reduced somewhat to that of a Community Center as defined by the 1980 Guideplan. This suggests that a commercial center possibly zoned B.M.-C.C.C. is appropriate for an area between 25 and 40 acres in size at this location.



William D. Fromm, Director
Office of Planning

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Your Petition has been received this 13th day of July 1973. Item #

S. Eric DiNenna
Zoning Commissioner

Petitioner: Belmont Realty Co., Inc.
Submitted by: William D. Fromm
Petitioner's Attorney: James D. Nolan
Reviewed by: William D. Fromm

* 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

District: 11th Date of Posting: Aug 9-13, 1973
Posted for: Planning Map No. 22, 1973 & 12th & 13th
Petitioner: Belmont Realty Co., Inc.
Location of property: Centerline of Whitmarsh Run 1620 feet NW of Belair Road
Location of signs: 1 sign at Belair Rd. Entrance 1620 feet NW of Belair Road, 1 sign at Belair Rd. Entrance 1620 feet NW of Belair Road
Remarks: None
Posted by: William D. Fromm Date of return: Aug 16-1973

CERTIFICATE OF PUBLICATION

TOWSON, MD. August 2, 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 week, for the period of 10 days, to-wit: August 2, 1973, the first publication appearing on the 2nd day of August, 1973.

THE JEFFERSONIAN,
H. L. Smith, Jr.,
Manager.

Cost of Advertisement, \$.....

THE ESSEX TIMES

ESSEX, MD. 21221 August 13 - 1973

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 week before the 13th day of August, 1973 that is to say, the same was inserted in the issue of August 9, 1973.

STROMBERG PUBLICATIONS, Inc.

By: Ruth Morgan

PETITION MAPPING PROGRESS SHEET

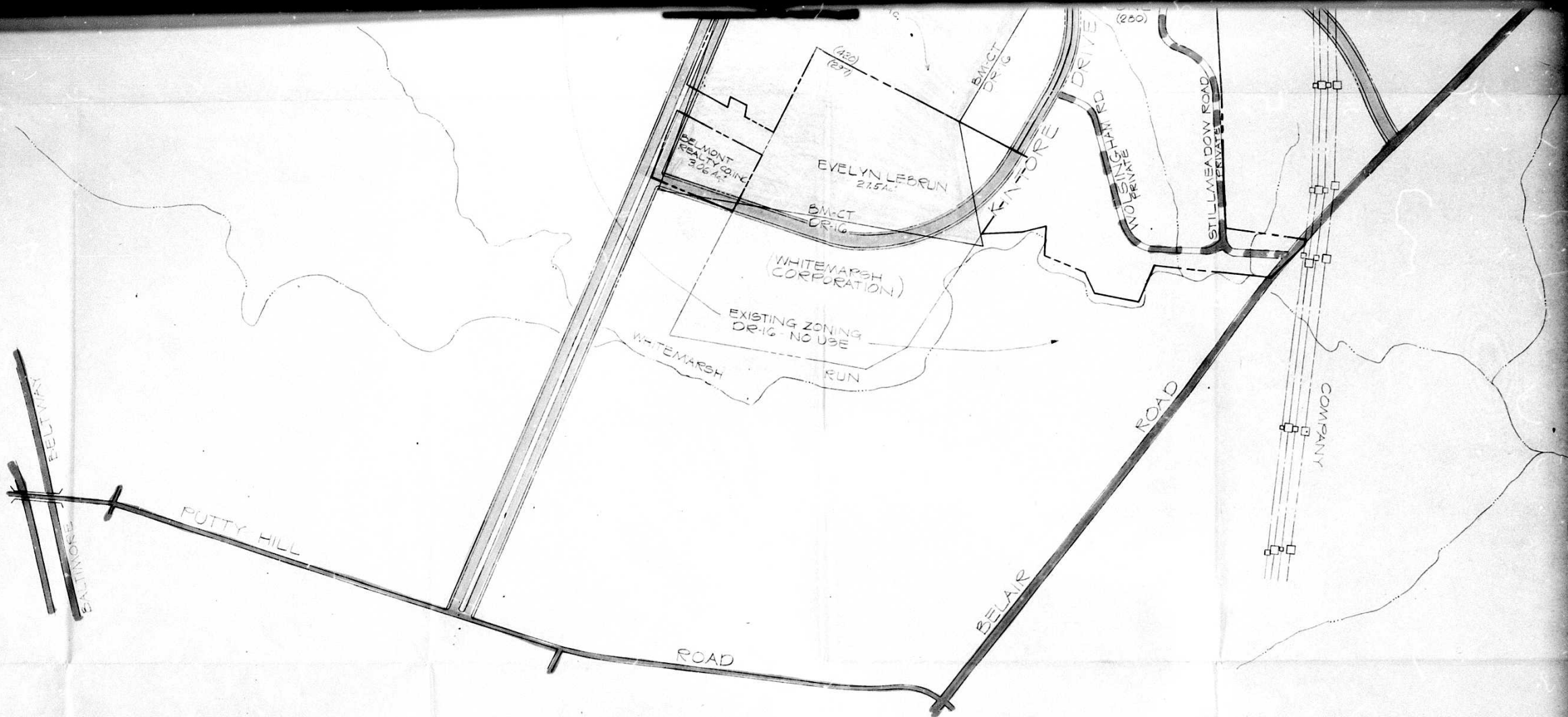
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: [Signature]			Revised Plans: Change in outline or description Yes No							
Previous case:			Map #							

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

No. 11143
DATE: July 30, 1973 ACCOUNT: 01-662
AMOUNT: \$50.00
WHITE - CASHIER James D. Nolan, Esq.
Oliver V. Puma, Jr.
Towson, Md. 21204
Yellow - CUSTOMER Petition for Redistricting for Belmont Realty Co.
7/30/73 \$50.00

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

No. 11181
DATE: August 27, 1973 ACCOUNT: 01-662
AMOUNT: \$88.00
WHITE - CASHIER Harry B. Hunsberg
745 Pa. Park Street
Baltimore, Md. 21202
Yellow - CUSTOMER Advertising and posting of property for Belmont Realty Co., Inc.
8/27/73 \$88.00



LEGEND

- BM ZONE
- EXISTING ROADS
- PROPOSED ROADS

**PETITIONER'S
EXHIBIT #2**

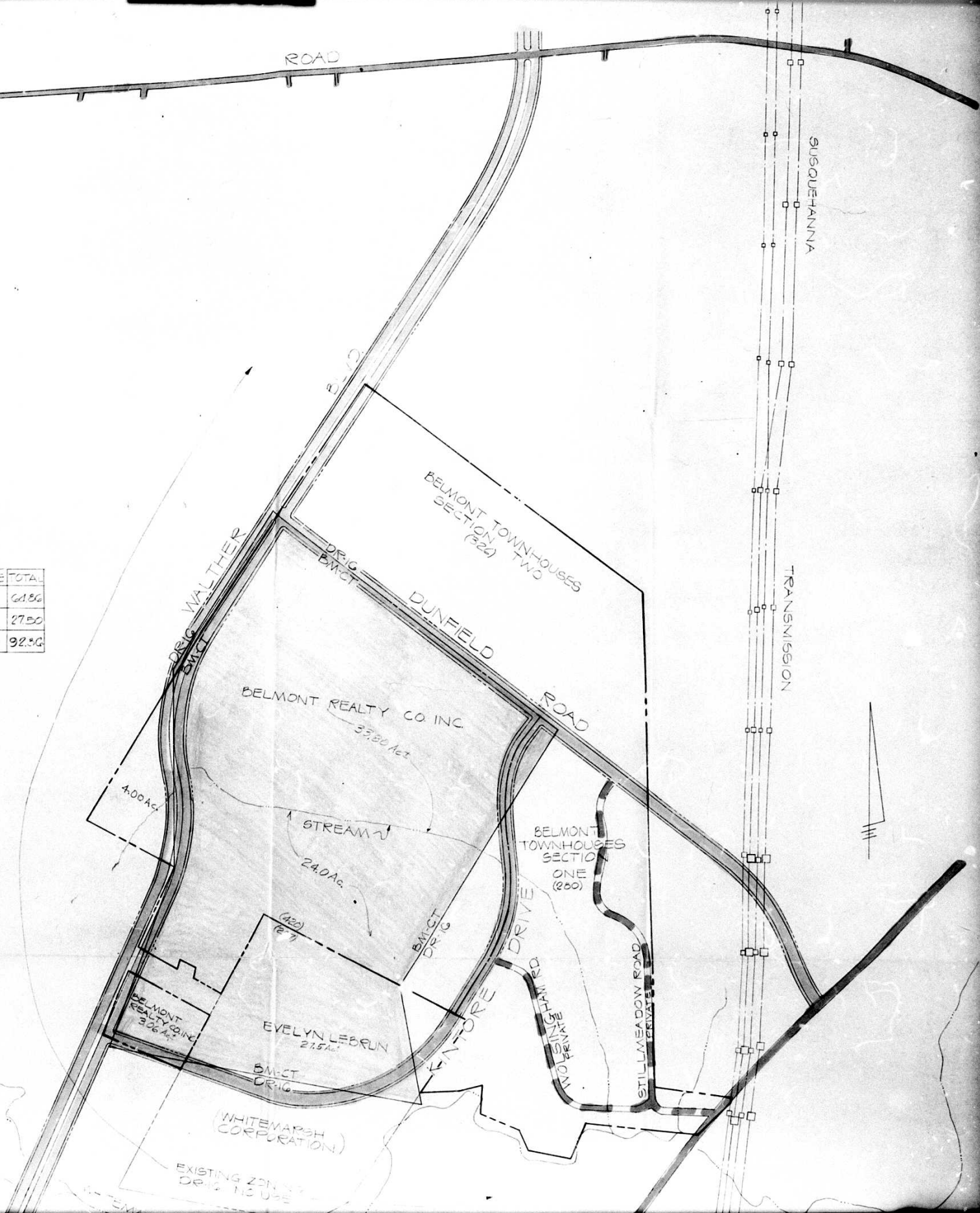
BELMONT REALTY CO. INC. + EVELYN LEBRUN PROPERTIES
VICINITY MAP
ELECTION DISTRICT
DATE: AUG 24, 1973
BALTIMORE CO., MD.
SCALE: 1" = 200'

PETITIONER EXHIBIT #2
TO ACCOMPANY PETITION FOR REDISTRICTING
AREA FROM CT DISTRICT TO UNDISTRICT
CASE: #74-46-E

**PETITIONER'S
EXHIBIT #2**
MCA
MATE, CHILDS & ASSOCIATES, INC.
CONSULTING
ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md.

NOV 28 1973

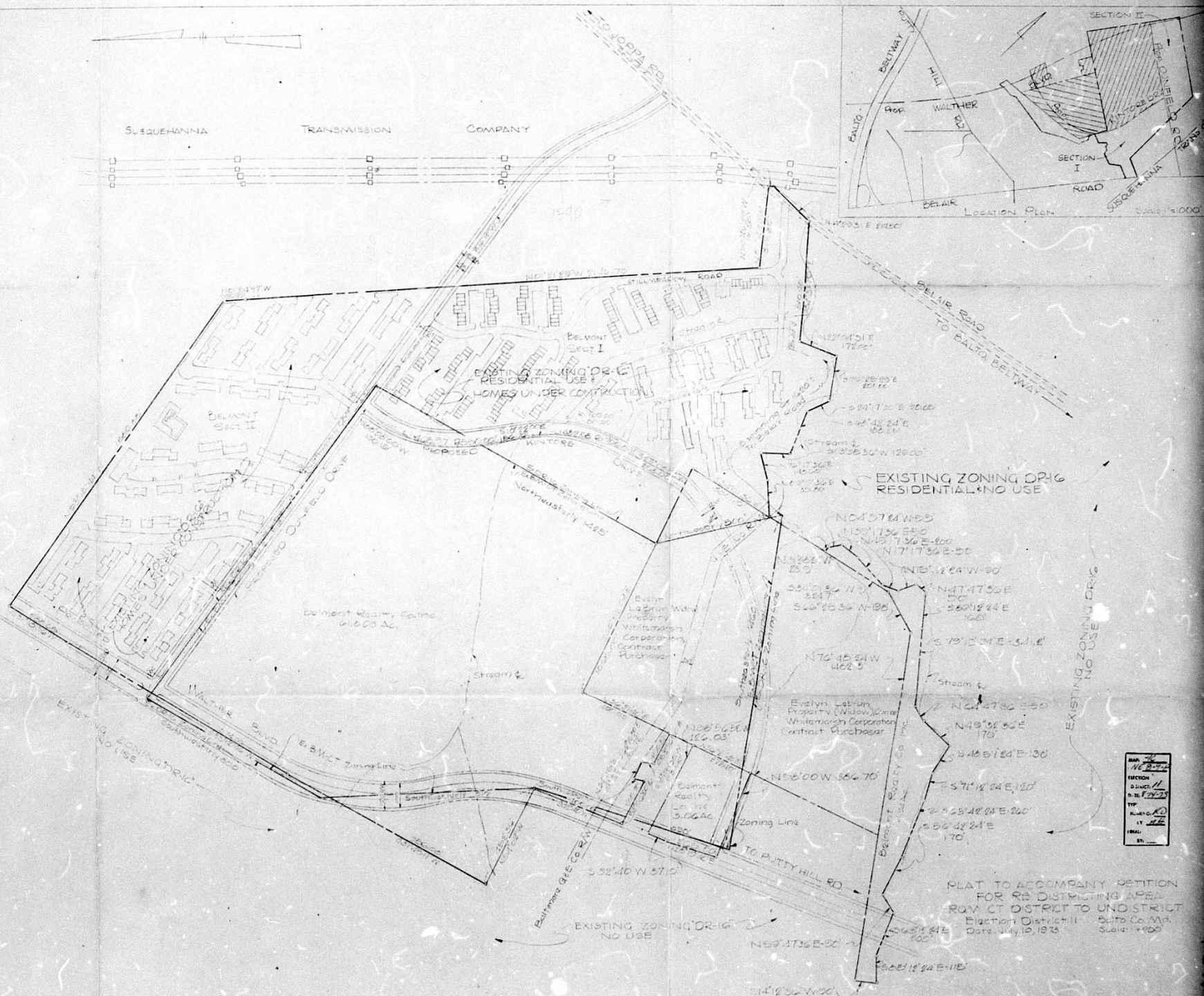
OWNER	AREA IN DRIG	AREA IN BM ZONE	TOTAL
BELMONT REALTY CO	7.41 Ac	57.45 Ac	64.86
EVELYN LEBRUN	14.02 Ac	12.66 Ac	26.68
TOTALS	22.23 Ac	70.13	92.41



AREA TABULATION		
OWNER	AREA OWNED	AREA IN 3M ZONE
BELMONT REALTY CO INC	64.863 AC	49.15 AC
EVELYN LEBRUN-WIDOW	27.5 AC	4.2 AC
TOTALS	92.363 AC	53.35 AC

GENERAL NOTES

1. Area of Property Equals 92.363 Acres
2. Existing Zoning of Property, OR-12-MCT
3. Existing Use of Property, Vacant Land
4. Proposed Zoning of Property, DR-16-BM
5. Proposed Use of Property, Residential
6. Petitioner is Requesting the Removal of the "CT" District From That Portion of the Land Presently Zoned "B-MCT" (Approximately 53.35 AC)



MCA 
 MARYLAND CONSULTING ENGINEERS
 1000 Crossway Bridge Rd. Baltimore, MD 21202



20-22 SW

4

