

PETITION FOR ZONING RECLASSIFICATION ANY/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Martha F. Symington, 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 RC-5 zoning classification be changed to RC-5 and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for:

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

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

Contract purchaser: Martha F. Symington
Legal Owner: Martha F. Symington
Address: 2000 National Bank Building
Baltimore, Maryland 21202

ORDERED BY THE Zoning Commissioner of Baltimore County, this 10th day of August, 1978, 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 13th day of September, 1978, at 10:00 a.m.

Deputy Zoning Commissioner of Baltimore County: George J. Martinak

Butler as County
Office of planning and zoning
TOWSON, MARYLAND 21204
DRI-48-133

Thomas D. Washburne, Esquire
1600 Maryland National Bank Building
Baltimore, Maryland 21202

RE: Petitions for Reclassification and Special Hearing
N/S of Seminary Avenue, 550' W of Tally Ho Road - 8th Election District
Martha F. Symington - Petitioner
NO. 79-61-RSPH (Item No. 11)

Dear Mr. Washburne:
I have this date passed my Order in the above referenced matter, in accordance with the attached.

Very truly yours,
George J. Martinak
Deputy Zoning Commissioner

GJM:mr
cc: John W. Hasenlin, III, Esquire
People's Counsel

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Martha F. Symington, 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 for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the zoning classification and/or Deputy Zoning Commissioner should approve, accept, the attached Petition for Reclassification, for filing and conduct a hearing pursuant thereto, because the criteria for acceptance of this Petition for Reclassification of an RC-5 zone contained in Baltimore County Zoning Regulations Section 1400.3 (1975) is satisfied with respect to the subject property, for the reasons outlined in the Memorandum in Support of Petition for Special Hearing and its exhibits filed herewith.

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

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser: Martha F. Symington
Legal Owner: Martha F. Symington
Address: 2000 National Bank Building
Baltimore, Maryland 21202

ORDERED BY THE Zoning Commissioner of Baltimore County, this 1st day of August, 1978, 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 13th day of September, 1978, at 10:00 a.m.

The "subject property" is fully described by plats and the surveyor's description attached as exhibits to the Petition to Re-classify filed herewith and incorporated herein by reference.

Deputy Zoning Commissioner of Baltimore County: George J. Martinak

MEMORANDUM IN SUPPORT OF PETITION FOR SPECIAL HEARING

The criteria for the Zoning Commission's acceptance of the Petition for Reclassification of an RC-5 zone filed herewith contained in Baltimore County Zoning Regulations, Section 1400.3 (1975), is satisfied.

Section 1400.3 provides in pertinent part:

A. Filing of rezoning petitions.

1. No petition to reclassify an R.C. zone or part thereof as other than an R.C. zone may be accepted for filing by the Zoning Commissioner unless:

a. The Capital Program, duly adopted by the County, contains a comprehensive plan, and the "county plan" required under Article 43, Section 387C of the Annotated Code of Maryland 1977, with amendments as codified in the 1971 Replacement Volume and 1974 Cumulative Supplement, show that the property under petition is to be serviced by public sewerage and water-supply systems within two years after the date the petition is submitted; . . .

The Section authorizes the Zoning Commissioner to accept for filing a Petition to Reclassify RC-5 zoned property where it is proven that the property will be serviced by public water and sewerage within two years of filing. The attached certificate of engineer James S. Spamer, labeled Exhibit A and incorporated herein by reference, together with the attached Official Bureau of Engineering plans labeled Exhibit B and C, show that public water and sewer service is immediately available to the subject property. The immediate availability of public water and sewer service certainly more than satisfies the Zoning Regulation's requirement that such service be anticipated within two years.

Petitioner is unable to prove this immediate availability of public sewer and water by the means specified in Zoning Regulations, namely "the duly adopted Baltimore County master or comprehensive plans, and the 'county plan' required under Article 43, Section 387C of the Annotated Code of Maryland," because these plans, attached hereto as Exhibits D and E, erroneously show that public sewer and water will not be available to the subject property for at least six years. This obvious error by the Baltimore County's Department of Public Works: Division of Research and Standards should not deprive Petitioner of the otherwise certain right to file the attached Petition for Reclassification.

In the circumstances of the County's error in drawing the crucial plans, basic fairness and simple justice require that the attached Petition for Reclassification be accepted for filing and a hearing pursuant thereto granted.

Respectfully submitted,

Thomas D. Washburne
Thomas D. Washburne

OBER, GRIMES & SHRIVER

ATTORNEYS AT LAW
1600 MARYLAND NATIONAL BANK BUILDING
E. LINTHROP, MARYLAND 21202
WASHINGTON, D.C. OFFICE
1700 K STREET, N.W.
WASHINGTON, D.C. 20006
Telephone (202) 638-6200
Cable: "OBERGRIMES"
Radio: 4-1775

August 18, 1978

Mr. George J. Martinak
Deputy Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Petitions of Martha F. Symington for Special Hearing and for Reclassification
Cycle III
Item No. 11
79-61-RSPH

Dear Mr. Martinak:
On behalf of Martha F. Symington, Petitioner, we hereby withdraw the Petition for Special Hearing and Petition for Reclassification in the captioned case. To the extent possible, please return to me within the several days and maps which we filed in connection with these petitions.

Thank you for your attention in this matter.

Very truly yours,

Thomas D. Washburne
Thomas D. Washburne

TDM/paz



JAMES S. SPAMER, P.E., L.S.
JAMES S. SPAMER, P.E., L.S.
JAMES S. SPAMER, P.E., L.S.
JAMES S. SPAMER, P.E., L.S.
JAMES S. SPAMER, P.E., L.S.

EXHIBIT A

JAMES S. SPAMER & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
P.O. BOX 7000 - BALTIMORE, MD. 21204

February 27, 1978

Ober, Grimes & Shriver
1600 Maryland National Bank Building
Baltimore, Maryland 21202

Attention: Mr. Thomas D. Washburne

Re: Swindtown Property

Dear Sirs:

We are advancing plans and data for the Petition/Reclassification process. The following subject matter is in reference to Council Bill 98-75 (Item 1400.3-4.1.a.).

For the referenced property, I hereby certify as a Professional Engineer (M-42211) to the following facts:

A. Water Mains

- A 12" water main exists in the bed of the State Road - Seminary Ave. See "As Built" Official Bureau of Engineer plan 67-0463 attached. This 12" water main is capped 660 feet east of the referenced east property line.
- This 12" water main provides service to Water Area, 7-W, that imposes a hookup charge of \$100 US/W from the effective date 1-23-64.
- This 12" water main is adequate to service the referenced property to elevation 180.
- This 12" water main may be extended westerly 1,800 feet to service the full frontage of the referenced property under a Public Works Agreement within the subdivision process.
- The Comprehensive Water & Sewer plat S-158 (copy attached) is therefore IN ERROR in that:
 - The map service area designation of N-5 for sewer service to be provided within 5 to 10 years is incorrect.
 - The map service area of S-1 indicating existing water is the proper designation.

B. Sewers

- A 15" sanitary sewer to MH 309.0, outfall invert 309.60 exists 600 feet south of the center line of Seminary Avenue and east 500 feet from the east property line of the referenced property. An 8" sanitary sewer to MH 305.5, outfall invert 305.05 exists in the bed of Tally Ho Road, 190' south of the center line of Seminary Avenue and east of 500' of the east property line of the referenced property. See "As Built" Official Bureau of Eng. Plan 67-0465 attached.

page 2

February 27, 1978

Re: Synington Property

Att: Mr. Thomas D. Washburne

B. Sewers (continued)

- Either of these sanitary sewer may be extended to service the Roland Run Watershed and Sewer Area 15-5, that imposes a hookup charge of \$200 US/W from the effective date 1/23/64. The sewer is adequate to service the referenced property.
- Either of the sanitary sewers may be extended to service ALL of the referenced property under a Public Works Agreement within the subdivision process.
- The referenced property lies TOTALLY within the Roland Run Watershed and topographically CAN ONLY discharge to either existing sewer.
- The Comprehensive Water and Sewer plat S-158 (copy attached) is therefore IN ERROR, in that:
 - The map service area designation of S-5 for sewer service to be provided within 5 to 10 years is incorrect.
 - The map service area of S-1 indicating existing sewers is the proper designation.

Based on these facts, it is my opinion that the petition to reclassify the Synington Property from an R.C. zone may be accepted for filing by the Baltimore County Zoning Commissioner. The referenced property is serviced by public sewerage and water-supply system, and extensions may be constructed under a Public Works Agreement within the subdivision process.

Very truly yours,

James S. Spamer, P.E.
James S. Spamer, P.E.

JSS/al

Enclosures



The existing public water and sewer utilities are in Public Right-of-Way and may be extended as a matter of right to the subject property under a subdivision and Public Works Agreement process.

FEB 23 1979

MEMORANDUM IN SUPPORT OF
PETITION FOR ZONING RECLASSIFICATION

I. Conclusion:

Classification of a portion of the subject property containing approximately 144.2 acres in an RC-5 Zone pursuant to the Baltimore County Comprehensive Zoning Maps adopted in 1975 was erroneous. The subject property containing approximately 149.5 acres should be totally classified in a DR-2 Zone.

II. Description of Subject Property:

The subject property containing approximately 149.5 acres, is situated on the north side of Seminary Avenue with a frontage of 700 feet thereon, and extends northerly to Timonium Road. It lies approximately 1,500 feet east of Mays Chapel Road in the Eighth Election District of Baltimore County.

The residence is on a small plateau approximately 2,000 feet north of Seminary Avenue and 1,900 feet south of Timonium Road.

Growth or trees of any density are concentrated around the main house and in that portion of the site lying north and east of the main residence in the northeast portion of the land. The Seminary Avenue frontage is relatively clear.

The property is presently improved by a three-story frame estate type residence, functional in design and of quality construction and detail. In addition, the improvements include a pool, garage, a croquet court, two tenants' houses, barn, and other auxiliary structures.

III. Description of Neighborhood:

Physically, the boundaries of the neighborhood surrounding the subject property are strongly defined by Falls Road on

the west, the Baltimore County Beltway on the south. U.S. Route I-83 (the Baltimore-Harrisburg Expressway) on the east side, and Timonium Road on the north.

The majority of the land within this neighborhood as lies southerly from Seminary Avenue, between Seminary Avenue and the Baltimore County Beltway, has been developed into various residential subdivisions, the largest of which are "Heatherfield" and "Seminary Ridge" opposite the subject property, and "Thornleigh" to the southeast of the subject property. Other neighborhood developments include "Tallwood" and "Meadowland" on the north side of Seminary Avenue easterly toward the Baltimore-Harrisburg Expressway.

To the west of the subject property, approximately three-tenths of a mile along Seminary Avenue, is Mays Chapel Road leading northerly to the "Five Farms" facility of the Baltimore County Club. Westerly along Falls Road between Seminary Avenue, Valley Road and Joppa Road there is a commercial and office area containing the Brooklandville office of the State Roads Commission, the "Windy Valley Farm" drive-in, an Erso Service Station, a newly constructed package liquor facility, several older frame commercial structures, the Greenspring Inn, the Greenspring Racquet Club, a new commercial and office building of approximately 16,000 square feet recently constructed by the MacKenzie interests, and also a newly constructed office building on the northeast corner of Valley Road and Falls Road. Current plans are for the construction of a 54,000 square foot office and retail facility to be known as Greenspring Station just southeast of the Greenspring Inn. To the rear, that is to the east of the "Windy Valley Farm" Drive-In and the Greenspring Inn, is a golf driving range. The area between the subject property

-2-

2. Eliminate scattered and generally disorderly patterns of future rural-residential development.

3. Assure that encroachments onto productive or critical natural resource areas will be minimized.

4. Provide a minimum lot size which is sufficient to provide adequate area for the proper functioning of on-lot sewer and water systems.

Baltimore County was mistaken in its premise that these findings apply to the subject property and that the purpose of the RC-5 zone would be served by so classifying the property.

To the contrary, the development of the subject property as a DR-2 residential development rather than residential-rural development would be consistent, and compatible with existing and anticipated residential development of the surrounding property. The subject property is bound on the south by residential development of the "Seminary Ridge" and "Heatherfield" developments; by the "Thornleigh" development on the southeast; on the east, except for one intervening property, by the site purchased by the Baltimore County Board of Education and the "Tallwood" and "Meadowland" developments as well as the Baltimore-Harrisburg Expressway; on the north by the "Valleywood", "Pinewood", and recently begun "Mays Chapel" developments; on the north by "Five Farms" and on the northwest by small residential developments including "Westwood" on the corner of Mays Chapel Road and Timonium Road; and on the west by several estate-type properties and high-voltage transmission lines and the urbanized, commercial area, the focal section of which is between Joppa and Valley Roads along Falls Road northerly to Seminary Avenue. Obviously, the development of the subject property in a

-5-

and Falls Road is also traversed in a north-south direction at the approximately west line of Mays Chapel Road by an overhead high transmission line.

The area to the north of the subject property and north of Timonium Road is dominated by the "Five Farms" Baltimore Country Club facility of over 400 acres, as well as numerous small residential subdivisions in which are constructed on one-acre sites, luxury single-family residences. Northeasterly of the subject property on the north side of Timonium Road and west of Jennifer Road are the "Valleywood" and "Pinewood" developments. The land ownership in these two developments begins approximately 3/10 of a mile easterly of the subject property.

Easterly of the subject property to the Baltimore-Harrisburg Expressway are the "Tallwood" and "Meadowland" developments of medium density and several large estates including 164 acres owned by the Baltimore County Board of Education.

The range of residential values in the neighborhood are from \$65,000 upward, in the subdivision residences east, south-east and northeast of the subject property, and ranging upward to \$250,000 in the custom-built residences on larger tracts of land northerly and northwesterly of the subject property.

IV. Classification of the Subject Property in an RC-5 Zone was Erroneous:

Classification of the subject property in an RC-5 zone pursuant to the Baltimore County Comprehensive Zoning Maps adopted in 1975 was a mistake. It is the opinion of Philip E. Klein, expert real estate appraiser and consultant, that the classification was erroneous for the following reasons: Baltimore County classified the subject property in an

-3-

letter previously referred to and filed herewith, together with Exhibits B through E of the Petition for Special Hearing filed herewith. V. Appropriateness of DR-2 Zoning:

The appropriate and correct zoning classification for the subject property is "DR-2". This conclusion is supported by the present zoning classification of properties in the immediate neighborhood and in the same watershed as that of the subject property. Physically, the boundaries of this neighborhood are strongly defined with Falls Road on the west, the Baltimore County Beltway on the south, the Interstate 83 - "The Harrisburg Expressway" on the east, and Timonium Road on the north.

Those properties lying to the east of the subject property, except for the "Hambleton" property, are zoned "DR-2" and "DR-3.5". These are the unimproved "Marburg" Estate, Baltimore County Board of Education's 164 acres, and the "Tallwood" and "Meadowland" developments.

Those properties to the northeast, north of Timonium Road, range from "DR-1" through "DR-5.5" to "DR-16". These developments include "Valleywood", "Pinewood", and "Mays Chapel".

The "Heatherfield" and "Seminary Ridge" developments immediately south of the subject property are zoned "DR-2". The "Marburg" property binding the subject property as well as 5.3 acres of the subject property along the Marburg boundary are zoned "DR-2". Further southeast of the subject property is the "Thornleigh" development which is zoned "DR-3.5".

The Timonium Road and the 400+ acre facility of the Baltimore Country Club represents a physical buffer in the northerly direction.

Within the confines of the neighborhood, all of the residential development to the south, east, and northeast have been developed with a density greater than a minimum of

-7-

RC-5 zone on the clearly mistaken premise that the property's characteristics were those described in the findings and purpose of Bill No. 98-75 (the Act) with respect to RC-5 zoning.

The Legislative Statement of Findings and Purpose prefacing the creation of the RC-5 zone contained in Section 1A04.1A.1.1, §§, states:

1. Declaration of Findings. It is found:

- That the rural-residential development that has occurred in Baltimore County heretofore has been of a scattered and generally disorderly nature;
- That this form of development constitutes a wasteful use of land and is fiscally expensive to serve with respect to the provision of basic services;
- That in some cases lot sizes are inadequate to assure long term adequacy of on-lot sewer and water systems;
- That unless measures are implemented to assure more rational growth patterns, including adequate lot size, undue financial hardships will be placed on Baltimore County and the life, safety and general welfare of the citizens of the County will be adversely affected;
- That specific areas which are highly suitable for rural-residential development do exist; and
- That these areas are adequate to accommodate anticipated further growth in the rural area and that future growth should be directed to these areas.

B. Purpose. The RC-5 zoning classification is established pursuant to the legislative findings above, in order to:

- Provide for rural-residential development in suitable areas in which basic services are not anticipated. [Emphasis Supplied].

-6-

two residential units per acre, with the several small developments abutting the subject property on the north and across Timonium Road to the north being developed in a "DR-1" pattern.

The portions of the neighborhood to the west are dominated by the commercial facilities between Seminary Avenue and Joppa Road along Falls Road as well as by the St. Paul's School. The high-voltage transmission lines in this area also represent a physical characteristic which has an adverse effect on residential values as to these luxury residences as might otherwise be built in proximity to these lines.

The subject property is extremely well located for "DR-2" development in respect to arterial highways, being approximately six-tenths of a mile easterly from Falls Road (the Jones Falls Expressway, a direct route to Baltimore City) and approximately 1-1/2 miles distant from the Baltimore County Beltway by way of Seminary Avenue to the Falls Road and then southerly. This convenient proximity to the Baltimore County Beltway enables highly desirable access to all points of employment as well as commercial, recreational and cultural destinations in the Baltimore metropolitan area. The subject property is not within the influence of an "F" or denial traffic intersection.

Public water and sanitary sewer are immediately available and fully adequate to service the proposed "DR-2" development of the subject property.

One additional factor that is important and must be considered is that the western boundary of the subject property is the western limit of the Roland Run watershed and consequently is the western limit of development into the Roland Run sanitary sewer. For that reason, the subject

-8-

property should be identified more with the manner of zoning and pattern of development of those properties to the east which also fall into the watershed. This would lend emphasis to the fact that the subject property should be zoned and developed consistently with the zoning and development of those properties as DR-2 zones.

"DR-2" development would be harmonious with the development of the surrounding property for the type of residence appropriate in a DR-2 zone. Consequently it is submitted that the "DR-2" classification and development pursuant thereto of the subject property would not adversely affect the life, safety, and general welfare of the citizens of Baltimore County.

VI. Compliance with Interim Development Control Act and Bill No. 98-75:

This petition is filed in compliance with requirements of the Interim Development Control Act, Bill No. 12-77, and Bill No. 98-75, in that adequate public water, sewer service, and storm drainage are presently available to the subject property for the needs of the proposed "DR-2" development; and, the subject property is located on existing roads and proximate to arterial intersections that are adequate to accommodate the traffic that would be generated by the proposed "DR-2" development during peak hours; and, more particularly, the subject property is not within 1,000 feet of an "H" or denial intersection.

BY REASON OF THE ERRORS CITED and by reason of other errors attendant to the classification of the subject property as RC-5, this reclassification request is made.

Respectfully submitted,
Thomas D. Washburne
Thomas D. Washburne

-2-

JAMES B. SPANER & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
P. O. BOX 9024 - BALTIMORE, MD. 21204
410-526-1100
410-526-1101
410-526-1102

February 27, 1978

Ober, Grimes & Shriver
1600 Maryland National Bank Building
Baltimore, Maryland 21202

Attention: Mr. Thomas D. Washburne

Re: Syntonium Property

Dear Sir:

We are advancing plans and data for the Petition/Reclassification process. The following subject matter is in reference to Council Bill 98-75 (Item 1400.3-4.1.a.).

For the referenced property, I herewith certify as a Professional Engineer (Md. 21281) to the following facts:

A. Water Mains

- A 12" water main exists in the bed of the State Road - Seminary Ave. See "As Built" Official Bureau of Engineer plan 67-0163 attached.
- This 12" water main is capped 160 feet east of the referenced east property line.
- This 12" water main provides service to Water Area, 7-4, that imposes a hookup charge of \$100 US from the effective date 1-23-64.
- This 12" water main is adequate to service the referenced property to Elevation 160.
- This 12" water main may be extended westerly 1,000 feet to service the full frontage of the referenced property under a Public Works Agreement within the subdivision process.
- The Comprehensive Water & Sewer plat W-168 (copy attached) is therefore IN ERROR in that:
 - the map service area designation of W-5 for water service to be provided within 6 to 10 years is incorrect.
 - The map service area of W-1 indicating existing water is the proper designation.

B. Sewers

- A 15" sanitary sewer to MH 384.9, outfall invert 309.60 exists 600 feet south of the center line of Seminary Avenue and east 800 feet from the east property line of the referenced property. An 8" sanitary sewer to MH 386.0, outfall invert 306.00 exists in the bed of Tally Ho Road, 150' south of the center line of Seminary Avenue and east of 550' of the east property line of the referenced property. See "As Built" Official Bureau of Engineer plan 67-0165 attached.



Ober, Grimes & Shriver

Attn: Mr. Thomas D. Washburne

Page 2

February 27, 1978

Re: Syntonium Property

B. Sewers (continued)

- Either of these sanitary sewers may be extended to service the Roland Run Watershed and Sewer Area 15-5, that imposes a hookup charge of \$200 US from the effective date 1/23/64. The sewers are adequate to service the referenced property.
- Either of the sanitary sewers may be extended to service ALL of the referenced property under a Public Works Agreement within the subdivision process.
- The referenced property lies TOTALLY within the Roland Run Watershed and topographically CAN ONLY discharge to either existing sewer.
- The Comprehensive Water and Sewer plat S-168 (copy attached) is therefore IN ERROR, in that:
 - the map service area designation of S-5 for sewer service to be provided within 6 to 10 years is incorrect.
 - The map service area of S-1 indicating existing sewers is the proper designation.

Based on these facts, it is my opinion that the petition to reclassify the Syntonium Property from an R.C. zone may be accepted for filing by the Baltimore County Zoning Commissioner. The referenced property is serviced by public sewerage and water-supply systems and extensions may be constructed under a Public Works Agreement within the subdivision process.

Very truly yours,

James B. Spaner, P.E.
James B. Spaner, P.E.



3/5/81
Enclosures

The existing public water and sewer utilities are in Public Right-of-Way and may be extended as a matter of right to the subject property under the subdivision and Public Works Agreement process.

James B. Spaner, P.E.

RE: PETITION FOR RECLASSIFICATION:
AND SPECIAL HEARING
N/S of Seminary Avenue, 550' W of
Tally Ho Road - 8th Election District
Martha F. Symington - Petitioner
NO. 79-61-RSPH (Item No. 11)

BEFORE THE
DEPUTY ZONING
COMMISSIONER

OF
BALTIMORE COUNTY

The Petitioner has withdrawn her Petitions, therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 26th day of October, 1978, that said Petitions be and the same are hereby DISMISSED without prejudice.

James B. Spaner
Deputy Zoning Commissioner of
Baltimore County

ORDER RECEIVED FOR FILING
DATE 10/26/78
FILE 79-61-RSPH

RE: PETITION FOR RECLASSIFICATION
N/S of Seminary Ave., 550' W of
Tally Ho Road, 8th District
OF BALTIMORE COUNTY
MARTHA F. SYMINGTON,
Petitioner
Case No. 79-61-RSPH

ORDER TO ENTER APPEARANCE

Mr. Commissioner

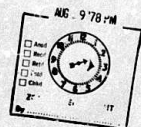
Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me of any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman
Peter Max Zimmerman
People's Counsel
County Office Building
Towson, Maryland 21204
444-2188

John W. Heslon, III
John W. Heslon, III
People's Counsel
County Office Building
Towson, Maryland 21204
444-2188

I HEREBY CERTIFY that on this 9th day of August, 1978, a copy of the foregoing Order was mailed to Thomas D. Washburne, Esquire, 1407 Maryland National Bank Building, Baltimore, Maryland 21202, Attorney for Petitioner.

John W. Heslon, III
John W. Heslon, III



JAMES B. SPANER & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
P. O. BOX 9024 - BALTIMORE, MD. 21204
410-526-1100
410-526-1101
410-526-1102

BY W.O.L.

DESCRIPTION FOR ZONING PURPOSES

SHEET 1 OF 2

DATE 3/15/78

SYNTHIUM PROPERTY

FILE

Description No. One

- Beginning for the same at a point in the center of Seminary Avenue 550 feet west or less westerly from the center of Tally Ho Road and at the beginning of the last line of the parcel of land which by a deed dated May 29, 1965 and recorded among the Land Records of Baltimore County in Liber R.H.R. No. 1663 folio 374 was conveyed by Margaret E. Carey, et al., to Martha F. Symington and running thence with the first and last lines thereof (the bearings of lines herein being referred to the meridians of the various deeds of which the whole parcel is composed):
- North 38° 30' East 217.65 feet and
 - North 11° 18' West 740.31 feet to the end of the eighth line of the parcel of land which by a deed dated June 20, 1963 and recorded in Liber R.H.R. No. 1673 folio 314 was conveyed by Margaret E. Carey, et al., to Martha F. Symington, thence reversely on said eighth line,
 - North 12° 55' 27" East 345.87 feet to the end of the second line of the parcel of land which by a deed dated March 4, 1969 and recorded in Liber O.L.B. No. 1972 folio 332 was conveyed by Margaret E. Carey, et al., to Martha F. Symington, thence reversely on said second line,
 - North 13° 13' 39" West 1230.00 feet to the center of Timonium Road, thence binding thereon,
 - South 86° 34' 11" West 667.00 feet to the end of the sixth line of the parcel of land which by a deed dated August 14, 1973 and recorded in Liber R.H.R. No. 5185 folio 760 was conveyed by Frank L. Lott, et al., to Martha F. Symington, thence reversely on said sixth line,
 - South 0° 0' 15" East 100.50 feet
 - South 0° 0' 50" East 277 feet
 - South 21° 01' East 365 feet
 - South 89° 25' West 175 feet to the beginning of the twenty second line of the parcel of land which by a deed dated September 9, 1977 and recorded in Liber O.L.B. No. 3327 folio 129 was conveyed by First National Bank to John F. Symington and Martha Fick Symington, thence with the twenty second and part of the twenty third lines thereof,
 - North 0° 0' 28' East 1004.70 feet to the center of Timonium Road, thence binding thereon,
 - North 82° 03' 10" West 52.12 feet to the northeast corner of the Flat of West Wind as recorded in book R.H.R. No. 29 folio 132, thence with the outline of said flat,
 - South 88° 36' West 573.63 feet and
 - North 85° 19' 30" West 1075.35 feet to the center of Mays Chapel Road and to intersect the outline of said parcel of land recorded in Liber O.L.B. No. 3327 folio 129, thence with said outline and in the center of Mays Chapel Road,
 - South 80° 51' 50" West 28.35 feet
 - South 29° 51' West 105 feet
 - South 14° 28' West 101.80 feet and
 - South 16° 38' 20" West 11.55 feet, thence leaving Mays Chapel Road,
 - South 83° 39' 03" East 288.09 feet to the end of the eighth line of the parcel of land which by a deed dated September 25, 1968 and recorded in Liber O.L.B. No. 1925 folio 7 was conveyed by Leonard Realty, Inc., to Charles Louis Marburg, thence reversely on said parcel,
 - South 88° 11' 07" East 215.10 feet,
 - South 26° 54' 23" East 14.09 feet and
 - South 12° 18' 10" West 197.11 feet to the end of the eighth line of the parcel of land which by a deed dated September 28, 1977 and recorded in Liber R.H.R. No. 5185 folio 760 was conveyed by Margaret E. Carey, et al., to Martha F. Symington, thence reversely on said eighth line,

JAMES B. SPANER & ASSOCIATES
PROFESSIONAL ENGINEERS & LAND SURVEYORS
P. O. BOX 9024 - BALTIMORE, MD. 21204
410-526-1100
410-526-1101
410-526-1102

BY W.O.L.

DESCRIPTION FOR ZONING PURPOSES

SHEET 2 OF 2

DATE 3/15/78

SYNTHIUM PROPERTY

FILE

Description No. One

- No. 5808 folio 265 was conveyed by Richard W. Cowdy to Martha F. Symington, thence reversely on said parcel:
- South 0° 0' 15" East 209.73 feet
 - South 0° 0' 50" East 115.71 feet
 - South 13° 24' 10" East 179.65 feet
 - South 0° 0' 15" East 288.32 feet
 - South 30° 35' 10" West 111.56 feet
 - South 55° 11' 10" West 202.57 feet
 - South 13° 13' 39" West 1230.00 feet
 - South 39° 27' 10" West 114.87 feet
 - South 51° 11' 20" West 113.10 feet and
 - South 68° 31' West 197.64 feet to the end of the second line of the aforesaid conveyance to Charles Louis Marburg, thence reversely thereon,
 - South 10° 25' 38" West 1504.64 feet to the center of Seminary Avenue, thence binding thereon,
 - South 79° 25' 16" East 807.26 feet and
 - South 79° 25' East 536.90 feet to the place of beginning.

Containing 110.53 acres of land more or less.

Save and excepting approximately 5.3 acres of the parcel herein described lying to the west of the first line herein and shown on the 1976 Comprehensive Zoning Maps N.W.1128 and N.W.1138.



OBER, GRIMES & SHRIVER
ATTORNEYS AT LAW
1600 Maryland National Bank Building
Baltimore, Maryland 21202
Telephone 330-685-1000
Cable Address: "Grimes"

March 22, 1978

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

Re: Petitions of Martha F. Symington
for Special Hearing and for
Reclassification

Dear Mr. DiNenna:

There is enclosed with these petitions for a special hearing and for reclassification the following documents:

- Exhibits in Support of Petition for Special Hearing (three copies)
- Memoandum in Support of Petition for Zoning Reclassification (three copies)
- Surveyor's plat (ten copies)
- Surveyor's description (seven copies)
- 1,000 foot Official Zoning Map (two copies)
- 200 foot Official Zoning Map (two copies)
- Engineer James B. Spaner's letter of February 27, 1978, regarding availability of public sewer and water to the subject property (three copies)
- Two Filing Fee check in the amount of \$50.00 and \$25.00 respectively

We recognize Baltimore County Zoning Regulations Section 1400.3 (1975) requires that before a petition for reclassification of an R-C zone may be accepted by the Zoning

OFFICE COPY

S. Eric DiNenna, Zoning Commissioner
March 22, 1978
Page Two

Commission it is a condition precedent that the Baltimore County master plans demonstrate that public sewer and public water will be available to the subject property within a period of two years after the petition is submitted. With respect to the Symington tract, the maps in question, Comprehensive Water Map W-16-B and Comprehensive Sewer Map S-16-B, do not illustrate on their face that public water and public sewer are available, but as you will note from the certificate of James Spamer, registered civil engineer, attached hereto, the maps with respect to the Symington property are patently erroneous.

Furthermore, since water and sewer are presently available it is submitted that the requirements of said Section 1700.3 (1975) that the owner submit proof that such services will be available within two years is not applicable.

Public sewer and water will not only be available in two years, these services are available now; they have been available; they were available when the map was adopted. Why this blatant error was perpetrated may be the subject of some discussion at the time of the hearing on this petition, but at the present time suffice it to say that basic fairness and simple justice requires and in fact demands that the enclosed petition be accepted for filing as presented.

Respectfully submitted,

TDW:ing
Enclosures

71-326

OBER, GRIMES & SHRIVER ATTORNEYS AT LAW

1600 Maryland National Bank Bldg.
Baltimore, Maryland 21202
Telephone (410) 685-1400
Cable Address: "GRIMES"
Telex 81774

WASHINGTON, D.C. OFFICE
700 K Street, N.W.
Washington, D.C. 20001
Telephone (202) 462-8800
Cable Address: "GRIMES"
Telex 81774

September 1, 1978

Mr. George J. Martinak
Deputy Zoning Commissioner
Office of Planning and Zoning
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Withdrawn Petitions of Martha F. Symington
for Special Hearing and For Reclassification
Cycle III
Item No. 11
79-6424

Dear Mr. Martinak:

Upon returning from vacation this morning, I was very sorry to learn that although my August 15, 1978 letter withdrawing the captioned Petitions was received on Monday, August 21, notice did not go to The Jeffersonian until the afternoon of Tuesday, August 22, when it was too late to withdraw the notice of the hearings in this matter, which appeared in the August 24 edition of the paper.

I have been advised by Mr. Kershaw of our office who spoke with you on August 23 that if The Jeffersonian had been notified prior to 10 o'clock a.m. on August 22 the notice would not have appeared at all, as we intended.

In view of the publication of this notice, I would like to confirm our understanding of how our office will handle this matter in the coming weeks. First, I have been advised that the property has not nor will be posted and that no further notices of the hearing will appear in any edition of The Jeffersonian, The Towson Times, or any other publication. I further understand that your office has agreed to notify any person or group from whom you receive correspondence in connection with this matter that the Petitions have been withdrawn.



BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

COUNTY OFFICE BLDG.
111 W. Chesapeake Ave.
Towson, Maryland 21204

May 1, 1978

cc: Nicholas B. Commodari
Chairman

Thomas D. Washburne, Esquire
1600 Maryland National Bank Bldg.
Baltimore, Maryland 21202

RE: Cycle III
Reclassification and
Special Hearing Petition
Item Number 11
Petitioner - Martha F.
Symington

Dear Mr. Washburne:

The Zoning Plans 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 suitability of the requested zoning.

This large estate, partially zoned B-4 (5.3 acres) and R.C. 5 (144.2 acres) and contains a large residence, tenant houses, barn, and accessory structures, is located between the north side of Seminary Avenue west of Tally-Ho Road and the south side of Timonium Road in the 8th Election District. The aforementioned improvements are situated at an elevation overlooking the portion of this site where the major development will occur. This area is proposed to be improved with a combination townhouse/single family development of 276 units. The single family dwellings will be constructed on the perimeter of this site surrounding the townhouses. Since the submitted plan indicates a proposal and not a detailed layout, it suffices to say at this time that if your client's request is granted, all applicable County subdivisions

Mr. George J. Martinak
September 1, 1978
Page 2

With respect to the hearing itself, I trust that since there will not have been legally sufficient publication, the hearing will not be scheduled, docketed or called and therefore will require no further action on our part.

I would appreciate receiving your written confirmation of my understanding of the status of this matter as outlined above.

Very truly yours,

Thomas D. Washburne

TDW:cj

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE



PETITION AND SITE PLAN EVALUATION COMMENTS



Maryland Department of Transportation
State Highway Administration

Mr. S. Eric DiNenna
Deputy
M.S. Caltrider
Administrator

Thomas D. Washburne, Esquire
Page 2
Item Number 11
May 1, 1978

April 19, 1978

regulations must be satisfied, including those of the State Highway Administration.

Since this request appears to conflict with Section 1000.3A.1. of the Baltimore County Zoning Regulations, there has been some question as to whether this petition could be accepted for filing. As a result of your letter of March 22, 1978 and that of Mr. James Spamer dated February 27, 1978, indicating that public water and sewer are available to serve the site, it was decided that a Special Hearing, to verify this fact should be included with this request.

You are advised to acquaint yourself with all of the attached comments and, in particular, those of the Bureau of Engineering.

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to petitions, descriptions, or plans, as may have been requested by this Committee, shall be submitted to this office prior to June 1, 1978 in order to allow time for final Committee review and advertising. All changes must be accompanied by a cover letter indicating these corrections. 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 September 1, 1978 and October 15, 1978 will be forwarded to you well in advance.

Very truly yours,

Nicholas B. Commodari
Chairman
Zoning Plans Advisory Committee

NBC:rf

cc: James S. Spamer & Associates
P.O. Box 9804 - Baltimore, Maryland 21204

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

Attention: Mr. N. Commodari

Re: Zoning Cycle III, April 1978
Item: 11
Property Owner: Martha F. Symington
Location: N/S Seminary Ave. (Rte. 131)
530 West Tally Ho Road
Existing Zoning: R.C. 3
Proposed Zoning: D.R. 2 and Special
Hearing to determine if the Zoning Commissioner and/or Deputy Zoning Commissioner can hear the reclassification of an R.C. zoned property.

Acres: 149.53
District: 8th

Dear Mr. DiNenna:

Stopping sight distance at the location of the proposed streets is undesirable and perhaps inadequate. It may be necessary to change the location of the intersections or combine the two streets into one.

Highway improvements will be required along Seminary Ave. in the form of curb and gutter along 195' long deceleration lanes with 230' tapers. The curb is to be 24' from the centerline of highway.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

Sgt. John E. Meyers

THOMSON M. MOURING, P.E.
DIRECTOR

April 21, 1978

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

Re: Item #11 (Cycle III April-October 1978)
Property Owner: Martha F. Symington
N/S Seminary Ave. 550' W. Tally Ho Rd.
Existing Zoning: R.C. 5
Proposed Zoning: D.R. 2 and Special Hearing to determine if the Zoning Commissioner and/or Deputy Zoning Commissioner can hear the reclassification of an R.C. zoned property.
Acres: 149.53 District: 8th

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.

Highway:

Seminary Avenue (Md. 131) is a State Road; therefore, all improvements, intersections, entrances and drainage requirements as they affect the road come under the jurisdiction of the Maryland State Highway Administration. Any utility construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State in addition to those of Baltimore County.

Seminary Avenue is proposed to be improved in the future, and become a County road, with a 50-foot closed section roadway.

Timonium Road and Mays Chapel Road (formerly Md. 132), existing public roads, are proposed to be improved in the future as 50 and 40-foot closed section roadways on 70 and 60-foot rights-of-way, respectively.

Future proposed on-site roads, to be improved as County roads, will be determined by the Joint Site Planning Committee and shall be constructed in accordance with Baltimore County Design and Construction Standards.

All other on-site rights-of-way are private. It is the responsibility of the Petitioner to ascertain and clarify such rights-of-way and to determine his rights therein.

Highway rights-of-way divisions, including necessary right-of-way easements for slopes, will be required in connection with any grading or building permit application.

The entrance locations are subject to approval by the Department of Traffic Engineering, and shall be constructed in accordance with Baltimore County Standards.

April 13, 1978

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

Re: Item 11 - ZAC - Cycle 3 - April, 1978
Property Owner: Martha F. Symington
Location: N/S Seminary Ave. 550' W. Tally Ho Rd.
Existing Zoning: R.C. 5
Proposed Zoning: D.R. 2 and Special Hearing to determine if the Zoning Commissioner and/or Deputy Zoning Commissioner can hear the reclassification of an R.C. zoned property.

Dear Mr. DiNenna:

The subject petition is requesting a change from R.C. 5 to D.R. 2. This should increase the trip density from 900 to 3600 trips per day. This increase is undesirable due to the capacity constraints on Seminary Avenue through Lutherville as well as at the intersection of Seminary and York Road.

It should also compound the present problems at Seminary and Falls.

Very truly yours,

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

CRM/bza

Item #11 (Cycle III April-October 1978)
Property Owner: Martha F. Symington
Page 2
April 21, 1978

Sediment Control:

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

Drainage studies, storm water management drawings and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

Storm Drainage:

Provisions for accommodating storm water or drainage have not been indicated on the submitted plan.

In accordance with the drainage policy, the petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water runoff through the property to be developed to a suitable outfall.

Future drainage and utility easement and/or reservations will be required through this property.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

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.

Water:

There is a public 12-inch water main in Seminary Avenue, approximately 90 feet west of Tally Ho Road (Drawing 467-0163, File 3), public water main extensions would be required. However, this main is part of the Towson Fourth Zone of Water Service, with a maximum service elevation of 480 feet.

This property is within the Urban-Rural Demonstration Line and the Baltimore County Metropolitan District. The Baltimore County Water Plan W-169, indicates this property in three categories: the northwesternmost portion as "No Planned Service", the area northwesterly thereof as "Immediate Priority", and the major portion of this site as "Planned Service" in 6 to 10 years.

Additional fire hydrant protection is required in the area.

Sanitary Sewer:

There is public 8-inch and 15-inch sanitary sewerage in Tally Ho Road and easterly thereof, near Clearfield Circle, as indicated. (Drawings 467-0163 and 467-0164, File 1) respectively. Public sanitary sewerage extensions would be required therefrom. This

April 24, 1978

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

Dear Mr. DiNenna:

Comments on Item #11, Zoning Advisory Committee Meeting for Cycle III, are as follows:

Property Owner: Martha F. Symington
Location: N/S Seminary Ave. 550' W. Tally Ho Rd.
Existing Zoning: R.C. 5
Proposed Zoning: D.R. 2 and Special Hearing to determine if the Zoning Commissioner and/or Deputy Zoning Commissioner can hear the reclassification of an R.C. zoned property.

Acres: 149.53

District: 8th

Metropolitan water and sewer are available, therefore no health hazards are anticipated.

Very truly yours,

Thomas H. Dewlin
Thomas H. Dewlin, Director
BUREAU OF ENVIRONMENTAL SERVICES

THD/ES/rlh

Item #11 (Cycle III April-October 1978)
Property Owner: Martha F. Symington
Page 3
April 21, 1978

Sanitary Sewer: (Cont'd)

property is tributary to the Roland Run-Mt. Washington Flume-Jones Falls Sanitary Sewerage System. The Baltimore County Sewer Plan S-169, indicates this property in two categories: the northwesternmost area as "No Planned Service" and the major portion of this site as "Planned Service" in 6 to 10 years.

The petitioner is responsible for the determination of the adequacy of the public water and sanitary sewer facilities to serve this proposed development.

Very truly yours,

Robert M. Dwyer
Robert M. Dwyer, P.E.
Chief, Bureau of Engineering

END:PMW:SS

cc: J. Trimmer
M. Munchel
J. Somers

S-NE & SE Key Sheet
10-1-1-10 & 2-1-1-10
NW 12 & 13 NW & C Topo
60 Tax Map

Paul H. Reineke
CHIEF

baltimore county
department of public works
TOWSON, MARYLAND 21204
(301) 825-7310

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

Attention: W. Commodari, Chairman
Zoning Advisory Committee

Re: Property Owner: Martha F. Symington

Location: N/S Seminary Ave. 550' W. Tally Ho Rd.

Item No. 11

Zoning Agenda Cycle III

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.

- (1) The fire hydrants for the referenced property are required and shall be located at intervals of 500 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.
- (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 "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: *H. M. Mally*
Planning Group
Special Inspection Division

Noted and
Approved: *Robert M. Dwyer*
Fire Prevention Bureau

LESLIE H. GRANT
DIRECTOR

April 21, 1978

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

Dear Mr. DiNenna:

Comments on Item #11, Zoning Cycle III, April, 1978, are as follows:

Property Owner: Martha F. Symington
Location: N/S Seminary Ave. 550' W. Tally Ho Road
Existing Zoning: R.C. 5
Proposed Zoning: D.R. 2, and Special Hearing to determine if the Zoning Commissioner and/or Deputy Zoning Commissioner can hear the reclassification of an R.C. zoned property.
Acres: 149.53
District: 8th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to ensure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

If the petition is granted, the developer must comply with all applicable Subdivision Regulations.

Very truly yours,

John L. Winkley
John L. Winkley
Planner III
Current Planning and Development

April 6, 1978

baltimore county
department of public works
TOWSON, MARYLAND 21204
(301) 464-3211

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

Dear Mr. DiNenna:

Comments on Item #11, Zoning Advisory Committee Meeting, are as follows:

Property Owner: Martha F. Symington
Location: N/S Seminary Ave. 550' W. Tally Ho Rd.
Existing Zoning: R.C. 5
Proposed Zoning: D.R. 2

Acres: 149.53

District: 8th

The items checked below are applicable:

- X 1. All structures shall conform to Baltimore County Building Code (B.C.B.C.) 1970 Edition and the 1971 Supplement, State of Maryland Code for the Building and Code and other applicable codes.
- X 2. Building permit shall be required before construction can begin.
- X 3. Additional Miscellaneous permits shall be required.
- X 4. Building shall be upgraded to new use - requires additional permit.
- X 5. Three sets of construction drawings will be required to file an application for a building permit.
- X 6. Three sets of construction drawings with a registered Maryland Architect or Engineer's original seal will be required to file an application for a building permit.
- X 7. Wood frame walls are not permitted within 10' of a property line. Contact Building Department if distance is between 10' and 40' of property line.
- X 8. Reported setback variance conflicts with the Baltimore County Building Code, Section _____.
- X 9. No comment.
- X 10. Comment: Any further comment will be withheld until more detailed drawings become available.

Very truly yours,

John L. Winkley
John L. Winkley
Planner III
Plans Review Chief

CRM:rlh

Date: April 24, 1978

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

7. A.C. Meeting of: Cycle III

RE: Item No: 11
Property Owner: Martha F. Symington
Location: N/S Seminary Ave. 550* W Tally Ho Rd.
Present Zoning: R.C. 5
Proposed Zoning: D.R. 2 and Special Hearing to determine if the Zoning Commissioner and/or Deputy Zoning Commissioner can hear the reclassification of an R.C. zoned property.

District: 3th
No. Acres: 149.53

D. & M. DiNenna:

We anticipate no great impact on the schools in the area.

Very truly yours,

W. Nick Petrovich,
Field Representative

WNP/bp

JOSEPH N. MCGOWAN, PRESIDENT
F. BAYARD WILLIAMS, JR., VICE-PRESIDENT
MARCUS M. ROIZARIS

ROBERT Y. DUBEL, SUPERINTENDENT

THOMAS H. BOYER

MRS LORRAINE F. CHIRCU

ROGER B. HAYDEN

ROBERT Y. DUBEL, SUPERINTENDENT

TOWSON, MD. August 24, 1978

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 a week~~ one time ~~once a week~~ before the 13th day of September, 19 78, the ~~next~~ publication appearing on the 24th day of August.

THE JEFFERSONIAN.

G. Frank Smith
Manager

Cost of Advertisement, \$.....

[illegible]

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

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

Max. Your Petition has been received * this 28 day of
1978. Filing Fee \$ 50 . Received ☒ Clerk

S. Eric DiNenna _____ Other _____
S. Eric DiNenna,
Zoning Commissioner

Petitioner SYNINGTON Submitted by T. WASHBURN
Petitioner's Attorney T. WASHBURN Reviewed by MBC

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

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					5/27	MB				
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>MB</i>										
Previous case: _____										

Revised Plans:
Change in outline or description _____ Yes
_____ No

Map # 32

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

No. 73512

September 19, 1978 01-662

\$281.51

RECEIVED Ober, Grimes & Shriver
FROM: Cost of Advertising and Posting for Case No. 79-61-82
FOR:

803 7450 20 28151 MS

VALIDATION OR SIGNATURE OF CASHIER

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

No. 73448

DATE August 9, 1973 ACCOUNT 01-662

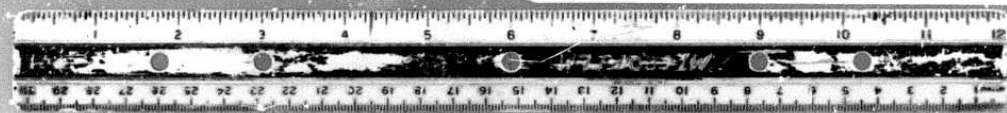
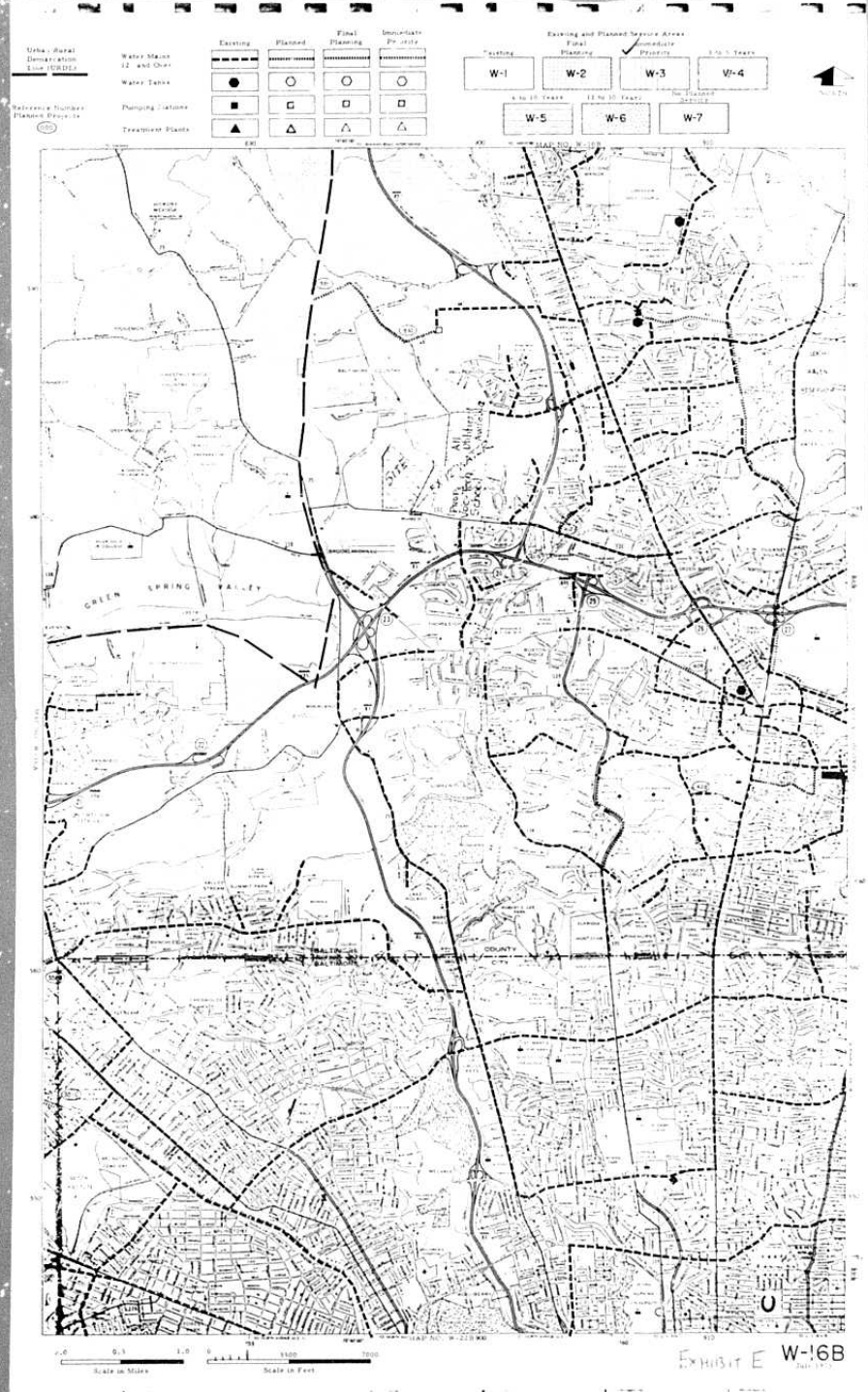
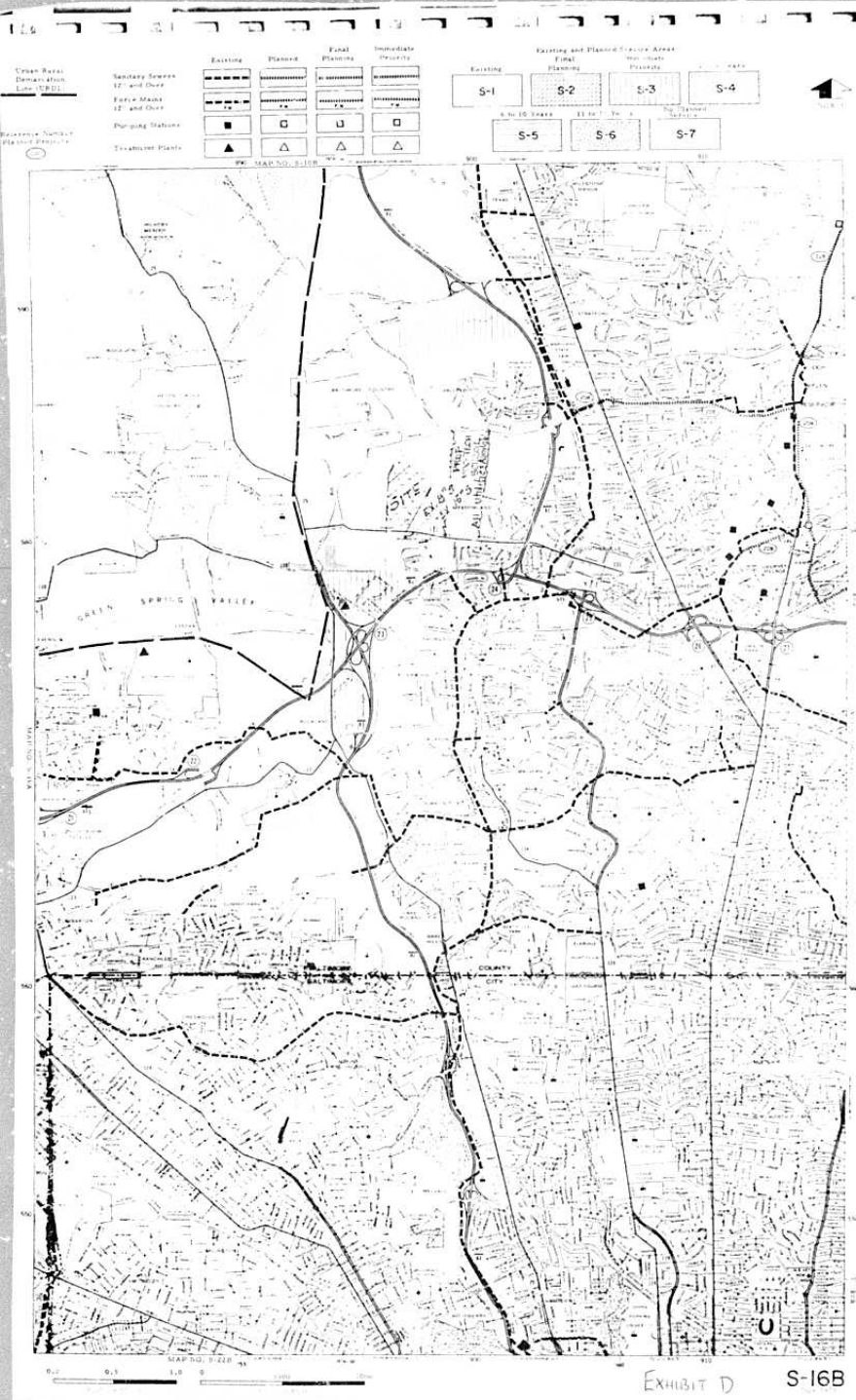
...\$50.00

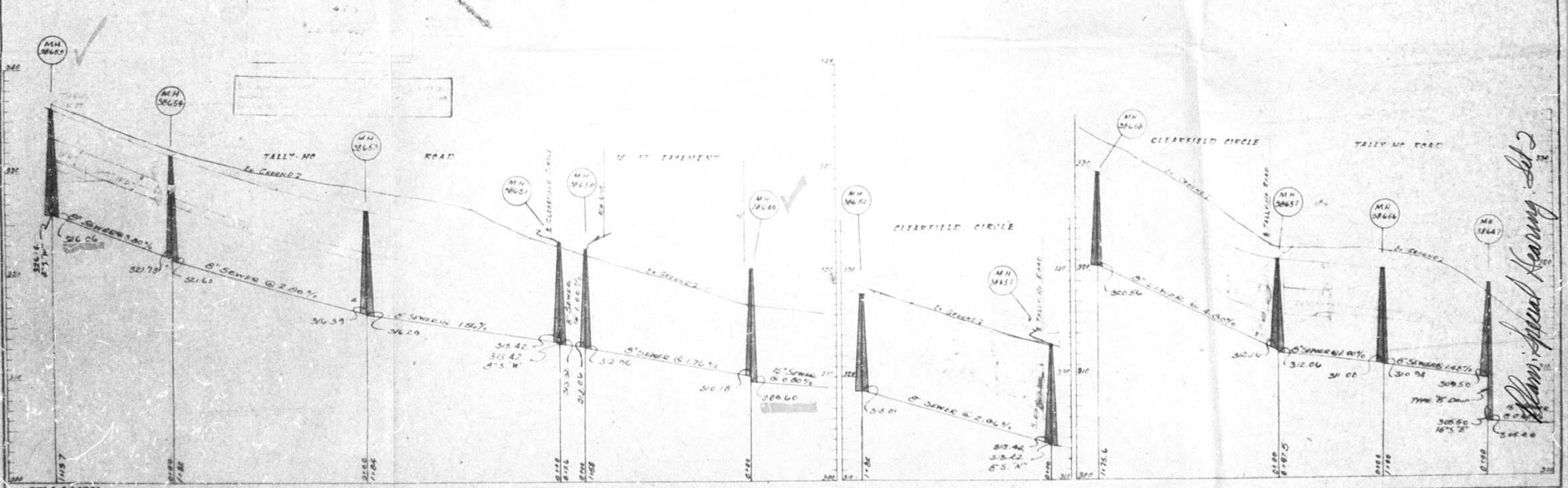
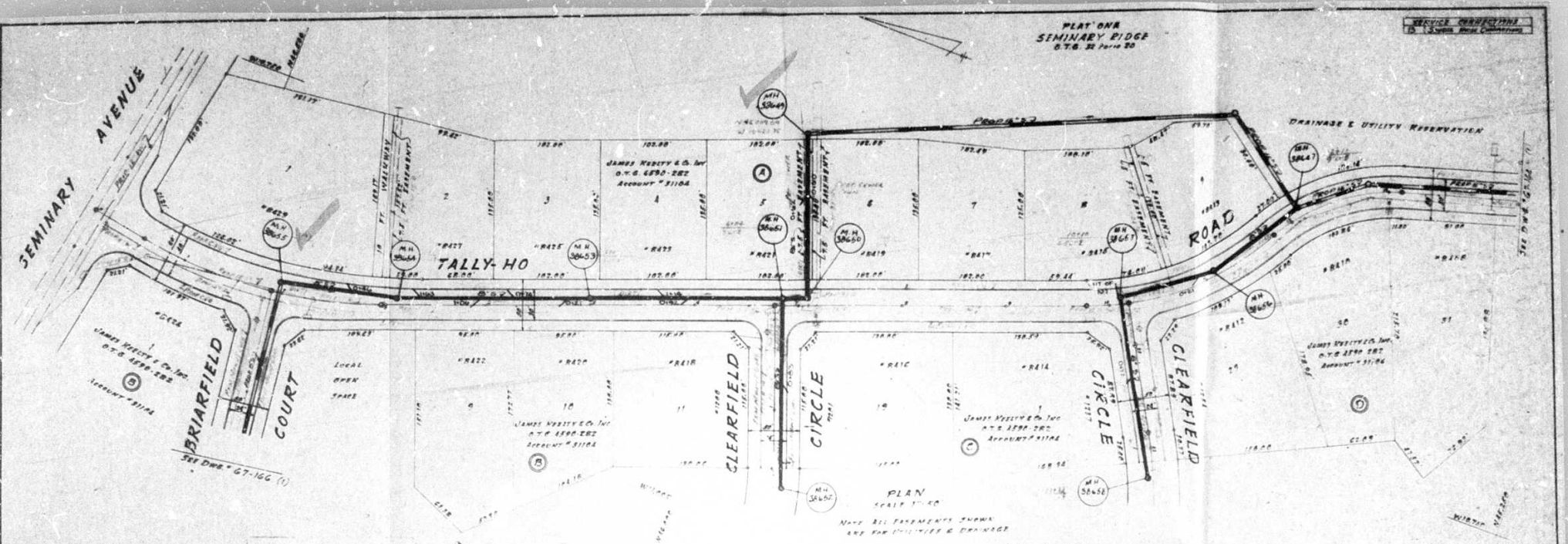
RECEIVED George T. Taylor, Esquire

FOR ~~Filing Fee for Case No. 72-61-RSP~~

88295 AUG 9 5000ms

VALIDATION OR SIGNATURE OF CASHIER





P.W.A. # 8201 POST PERMIT AND CHARGES PERMIT ISSUED PERMIT NUMBER CHARGE ESTABLISHED PERMIT EXPIRATION		APPROVED FOR CITY OF BALTIMORE DATE: 2/28/67 DEPARTMENT OF PUBLIC WORKS APPROVED: [Signature] DATE: 2/28/67		BUREAU OF ENGINEERING STATION WATER SEWER HIGHWAY STRUCT. UTILS FIELD LOCATION		TALLY HO ROAD CLEARFIELD CIRCLE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING SCALE: 1"=40' DATE: 12-1-53 BY: D.C. 31		MICROFILMED DATE: 12-1-53 SHEET: 2 POSITION: 1048-10	
---	--	---	--	--	--	--	--	---	--

EXHIBIT C 1048-10



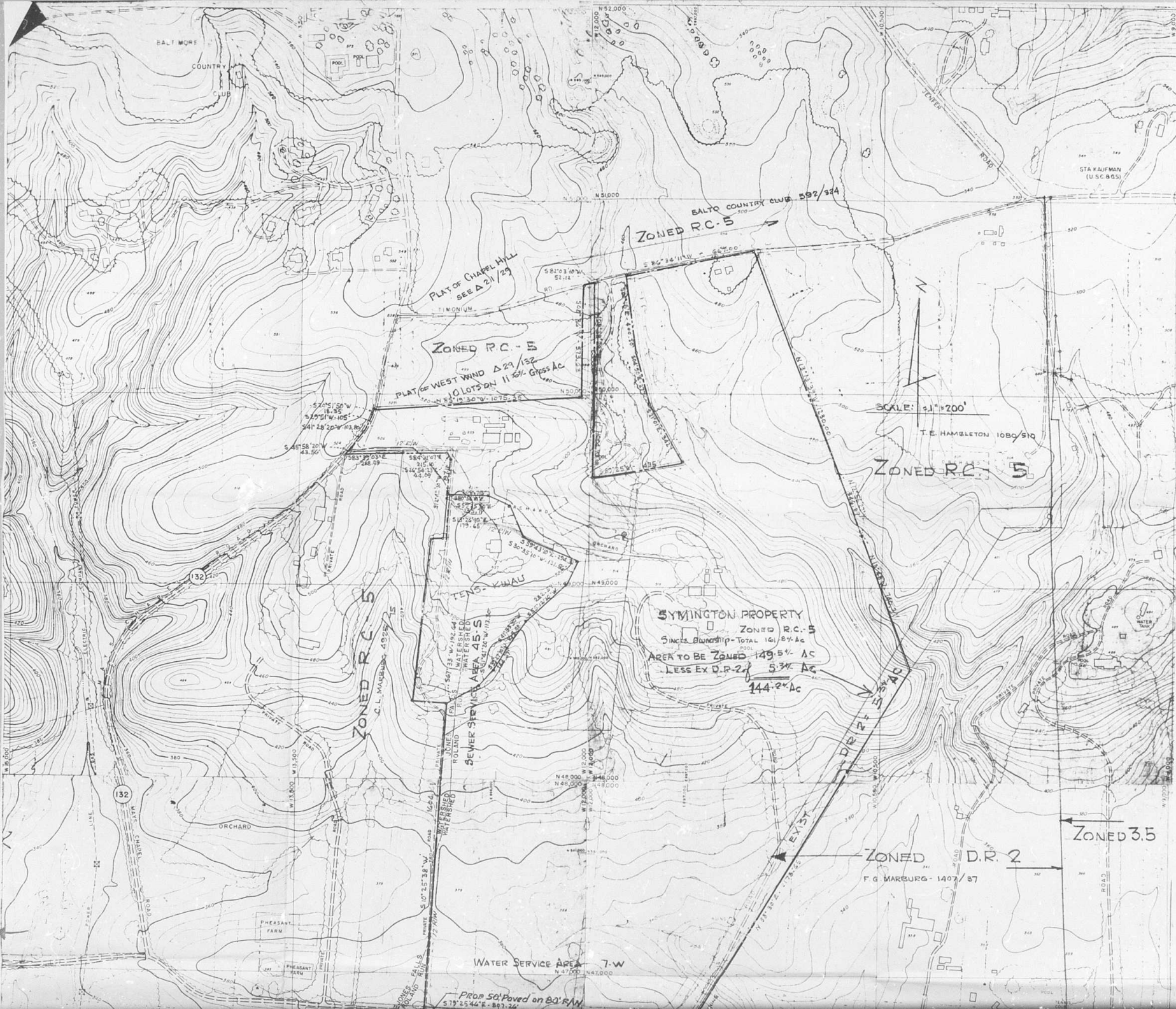
BALTIMORE COUNTY OFFICE
PLANNING AND ZONING

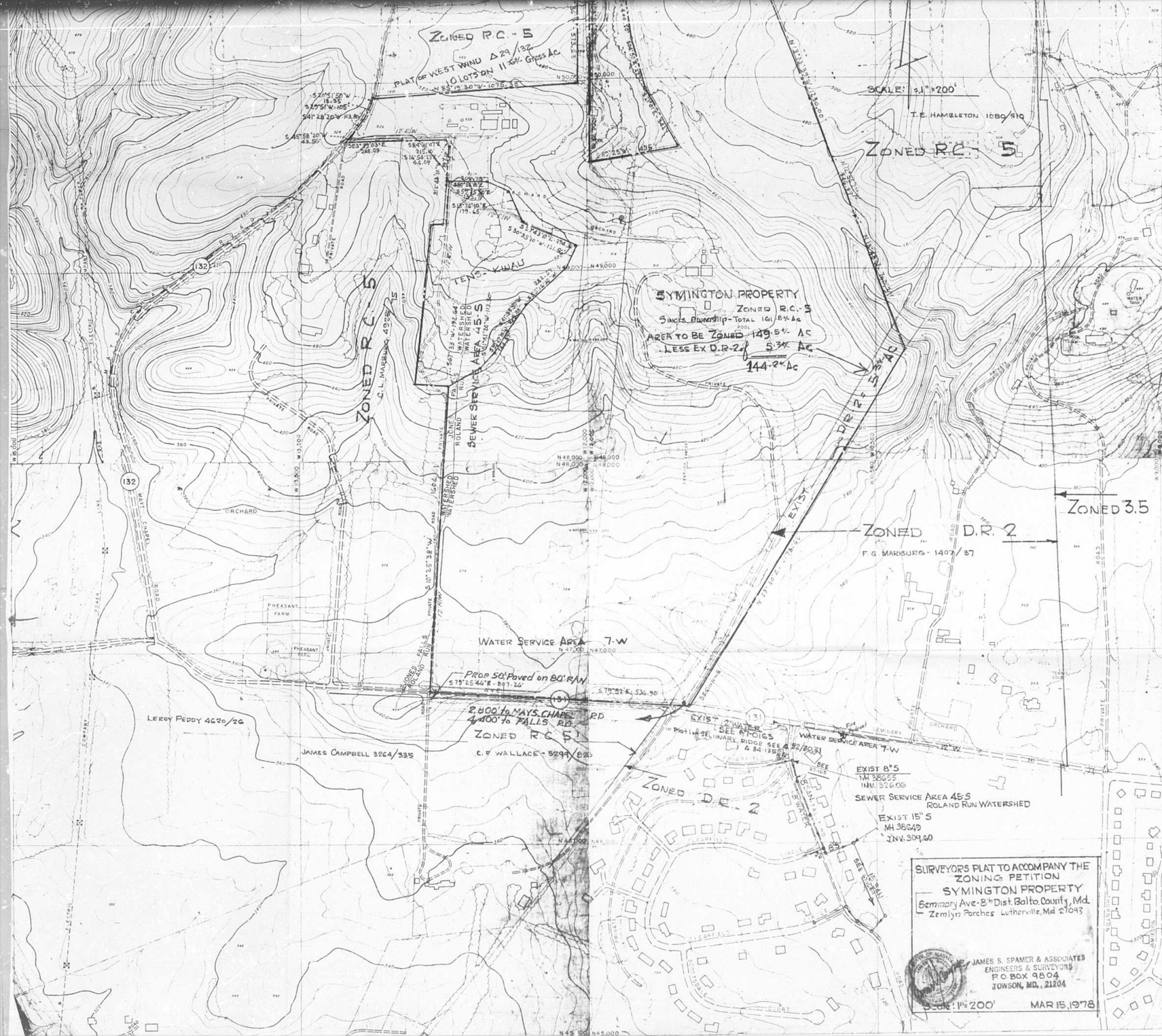
TO WSON
BALTIMORE COUNTY BASE MAP SERIES

3C









SURVEYOR'S PLAT TO ACCOMPANY THE
ZONING PETITION
SYMINGTON PROPERTY
Seminary Ave. - 8th Dist. Balto. County, Md.
Zemlyn Patches, Lutherville, Md. 21093

JAMES S. SPAMER & ASSOCIATES
ENGINEERS & SURVEYORS
P.O. BOX 9804
JONSON, MD. 21204

SCALE: 1" = 200' MAR 15, 1978

SCHEMATIC TO SHOW IDEA OF POSSIBLE DEVELOPMENT

222 TOWNHOUSES & 54 SINGLE FAMILY

DEVELOPMENT STUDY FOR THE SYMINGTON ESTATE

BALTIMORE COUNTY, MD. 8th DIST.
MARK BECK ASSOCIATES, ARCHITECTS

ZONING DATA. EXIST ZONED RC-5

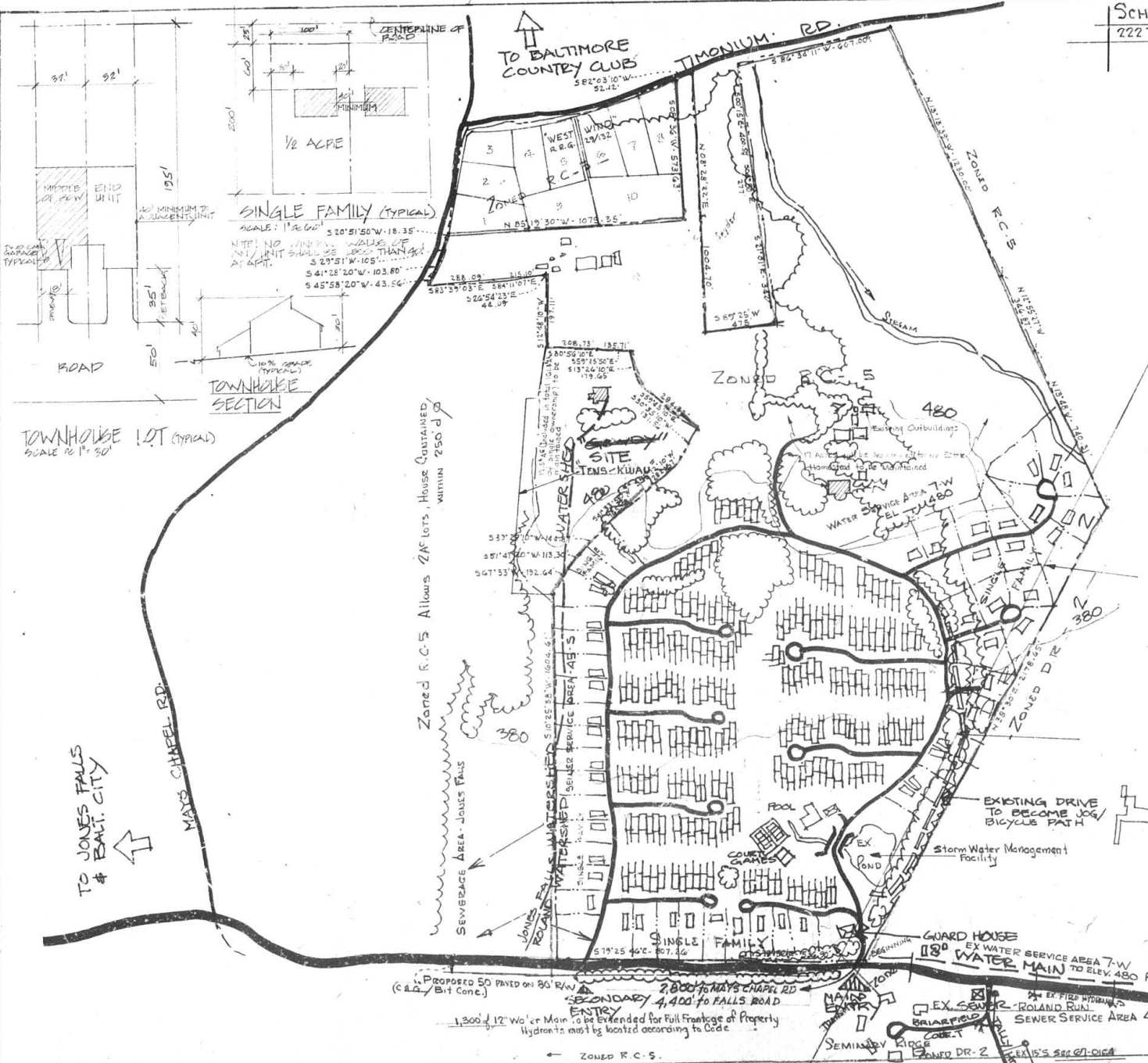
SINGLE OWNERSHIP 161.4% AC
ARSD TO BE REZONED 149.5% AC

ZONING PROPOSED D.R.-2

NOTE: 5.3 AC ALONG EAST BOUNDARY IS ZONED D.R.-2
So $149.5\% \text{ AC} \cdot 5.3 = 144.2\% \text{ AC}$

DENSITY
PERMITTED 10/AC = 149.5 AC = 1495 Dwelling Units
PROPOSED 170 Dwelling Units

The Property is serviced by public sewerage (45-S) and public water supply systems. Extensions will be constructed under a Baltimore Co. Public Works Agreement within the subdivision process. Seminary Ave to be improved according to Comments per S.H.A. & Baltimore Co. D.P.W. Site will have Storm Water Management facilities according to appropriate regulations under a Baltimore Co. Public Works Agreement. All development will comply with all Baltimore Co. requirements. All streets will be public and conform to Baltimore Co. requirements for design & construction.



SKETCH PLAN TO ACCOMPANY THE ZONING PETITION SYMINGTON PROPERTY

Seminary Ave/8th Dist, Baltimore County Md.

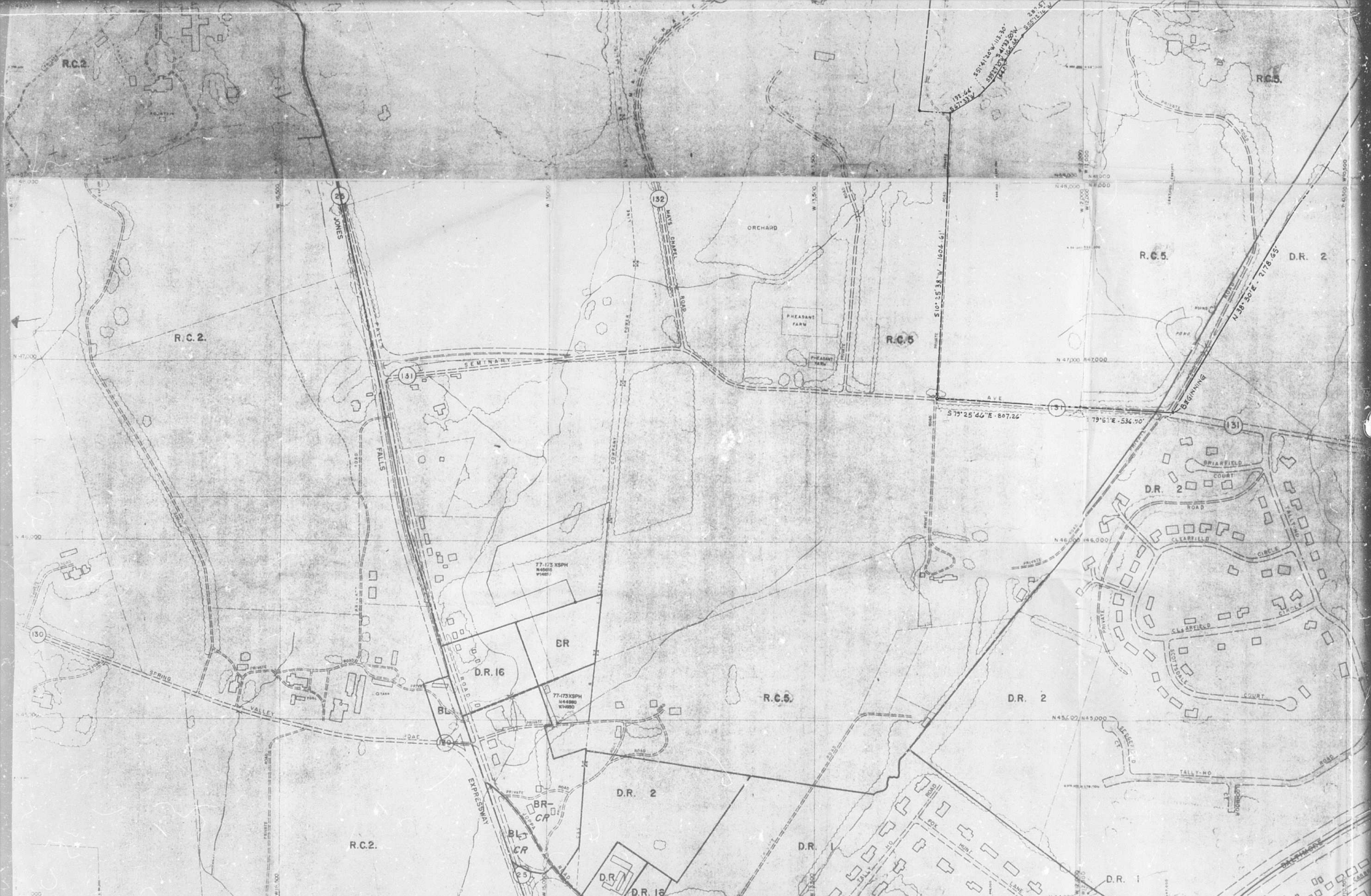
FOR OUTLINE & TOPO DATA See attached "Surveyors Plat to Accompany the Zoning Petition."

SEMINARY AVE

JAMES S. SPAMER & ASSOCIATES
ENGINEERS & SURVEYORS
P.O. BOX 9804
TOWSON, MD. 21204

15 MARCH 78





-SW S-SE

COMP. HENSLEY
 BY THE
 BALTIMORE COUNTY COMMISSION
 OCT. 7, 1976 & OCT. 8, 1976
 NOS. 108-76, 109-76, 110-76, 111-76,
 112-76, 113-76, and 114-76

PHOTOGRAMMETRIC MAP OF BALTIMORE COUNTY METROPOLITAN AREA

REVISIONS		
BY	DATE	
Pionometric	MAR 1976	4-11-76

SCALE
 1" = 200'

LOCATION
 BROOKLANDVILLE

SHEET
 N.W.
 12-C

S-SE

NOTE: COMPREHENSIVE AERIAL PHOTOGRAPHY
 WAS FILMED BY THE
 BALTIMORE COUNTY COMMISSION
 OCT. 7, 1976 & OCT. 8, 1976
 E.A. NOS. 108-76, 109-76, 110-76, 111-76,
 112-76, 113-76, and 114-76



R. C. 5.



BALTIMORE

R.C.5

R. C. 5.

S 82° 03' 10" W - 1075.35'
S 29° 51' W - 105'
S 41° 28' 20" W - 103.80'
S 45° 58' 20" W - 43.66'

S 83° 53' 03" E - 128.09'
S 84° 11' 01" E - 115.10'
S 12° 23' 37" E - 44.09'

S 88° 28' 10" E - 135.71'
S 59° 15' 20" E - 135.71'
S 13° 24' 10" E - 179.65'

S 89° 43' 10" E - 206.33'
S 80° 35' 10" W - 181.05'

S 51° 12' 20" W - 118.30'
S 89° 12' 30" W - 140.00'

R.C.2.

R.C.5.

R.C.2.

R.C.5.

R.C.5.

D.R. 2

PLAT TO ACCOMPANY ZONING PETITION
FOR RECLASSIFICATION FROM EXISTING
RC-5 ZONE TO DR-2 ZONE
PROPERTY NORTH SIDE OF SEMINARY AVENUE,
347'± WEST OF TALLY-HO ROAD
THIRD CONGRESSIONAL DISTRICT

BALTIMORE COUNTY, MARYLAND ELECTION DISTRICT NO. 8
SCALE: 1"=100' DATE: AUGUST 25, 1981

VICINITY MAP
SCALE 1"=1000'

MARTHA F. SYMINGTON
G.L.B. 413 FOLIO 514
EXISTING ZONING - RC-5 &
PRESENT USE - AGRICULTURAL / UNIMPROVED

MARTHA F. SYMINGTON
T.B.S. 1965 FOLIO 374
EXISTING ZONING - RC-5 AND DR-2
PRESENT USE - UNIMPROVED

FRANCIS GRAINGER, JR. & WIFE
G.L.B. 413 FOLIO 40
EXISTING ZONING - DR-2
PRESENT USE - AGRICULTURAL

MARTHA F. SYMINGTON
G.L.B. 3227 FOLIO 441 / 2ND FLOOR
EXISTING ZONING - RC-5
PRESENT USE - AGRICULTURAL / UNIMPROVED

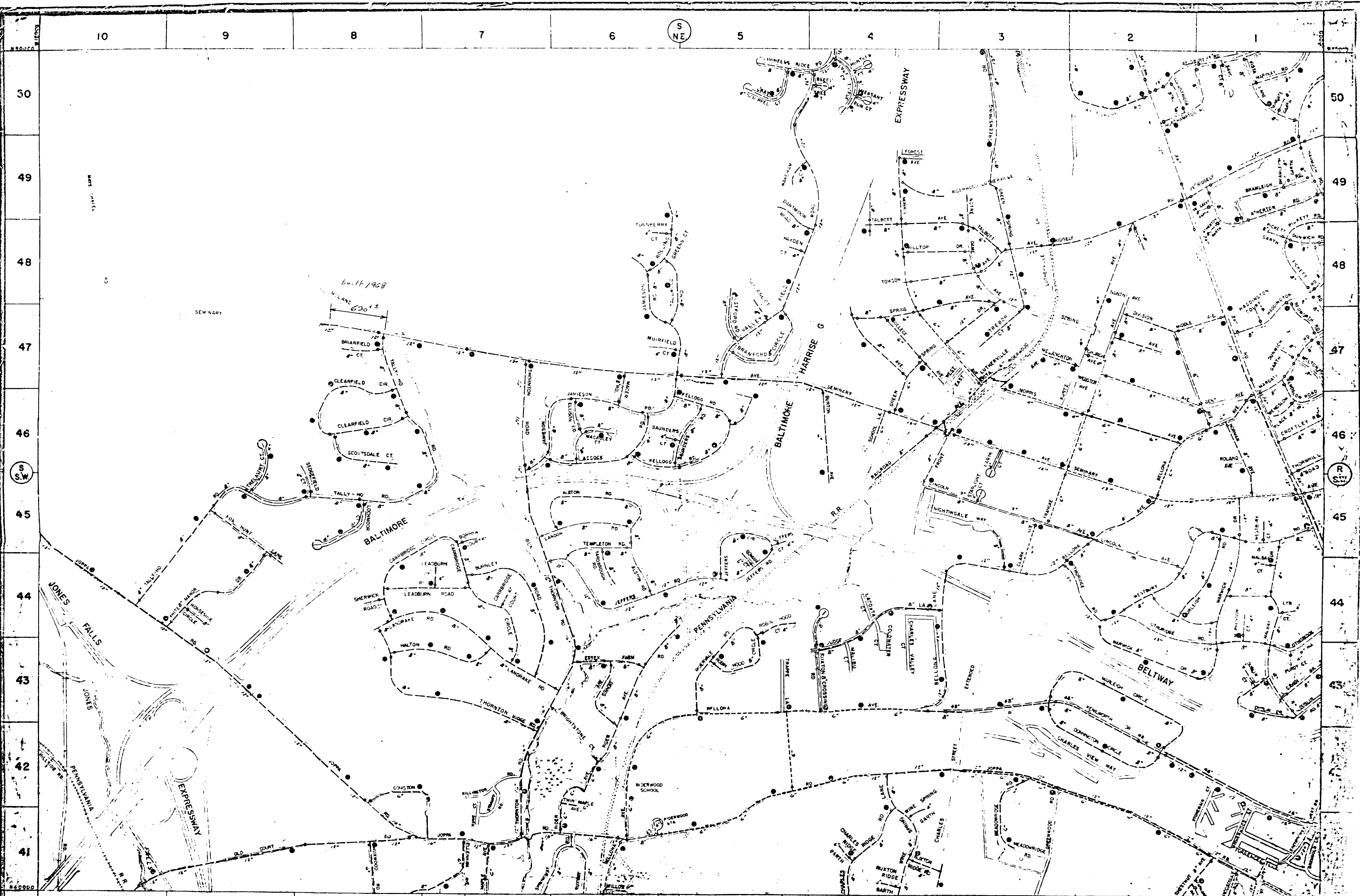
MARTHA F. SYMINGTON
G.L.B. 3227 FOLIO 449
EXISTING ZONING - RC-5
PRESENT USE - AGRICULTURAL

CARL WALLACE
G.L.B. 3227 FOLIO 824
EXISTING ZONING - RC-5
PRESENT USE - AGRICULTURAL

SEMINARY
G.L.B. 3227 FOLIO 820
EXISTING ZONING - DR-2
PRESENT USE - RESIDENTIAL



DEVELOPMENT DESIGN GROUP, LTD
SUITE 100
MIDLEWOOD BUILDING
1107 KENILWORTH DRIVE
TOWSON, MARYLAND 21204

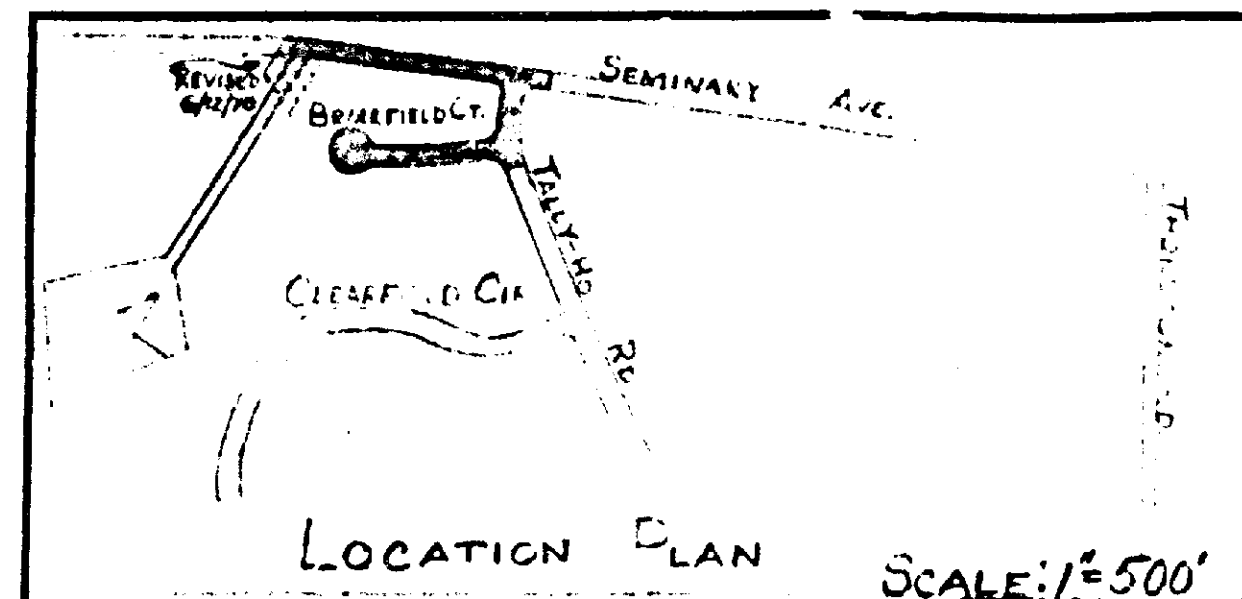


LEGEND
BCMD MAINS SHOWN
BALTIMORE CITY MAINS SHOWN
FIRE HYDRANTS SHOWN
VALVES SHOWN

BALTIMORE COUNTY METROPOLITAN DISTRICT
KEY MAP
WATER MAINS

SCALE	1 IN = 500'
TOPO & PLAN SHEETS	NW 11-A 11-C 12-A 12-C 13-A 13-C 14-A 14-C 15-A 15-C

Other sheets
7



MARTHA F. SYMINGTON
T.B. 6, 1963 Folio 378
Acct # 28075

STATE ROAD
SEMINARY

FRANCIS G. MARBURG & WIFE
C.W.B. Jr. 1078 Folio 406
Acct # 22002

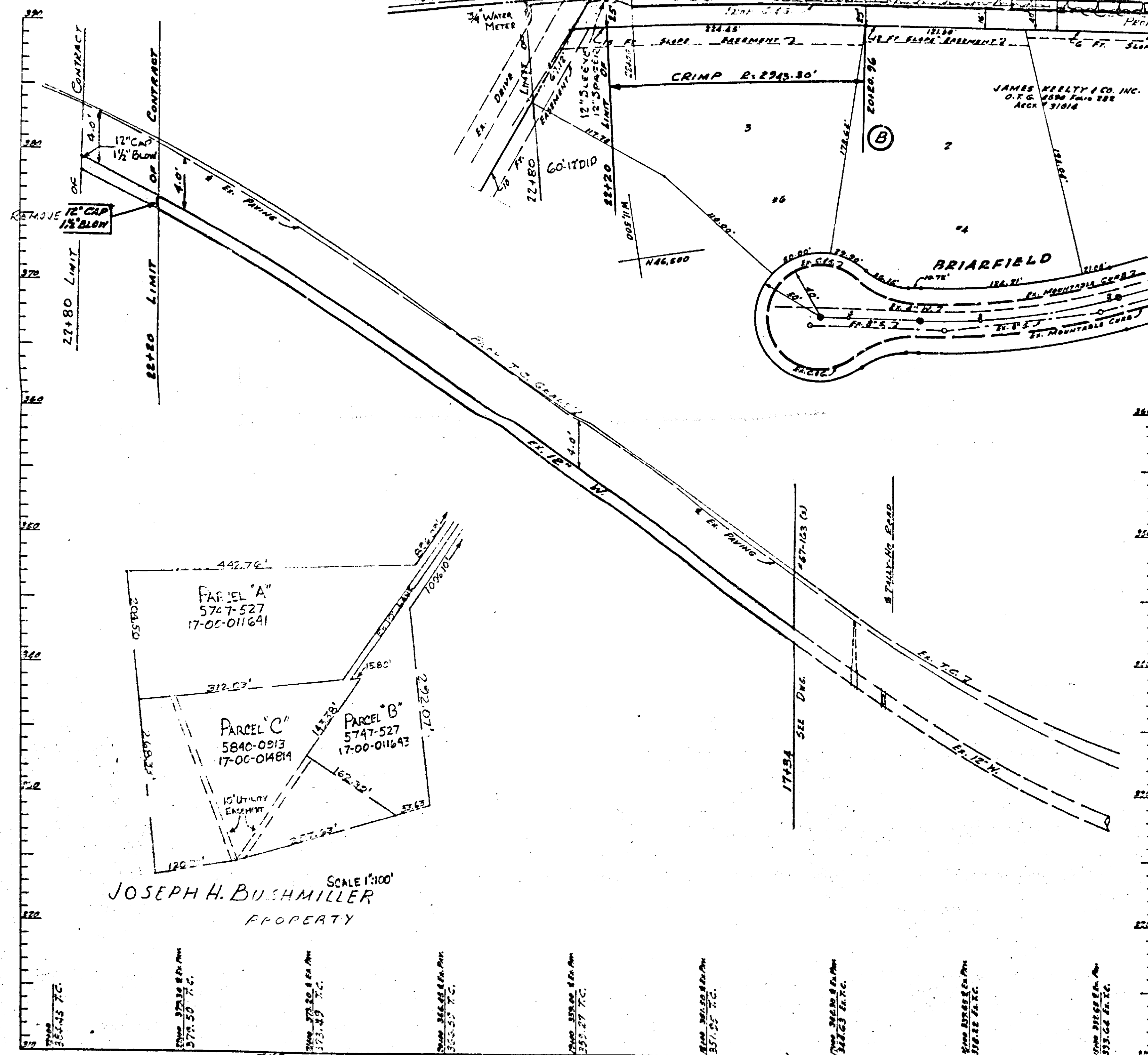
AVENUE

BILL OF MATERIALS		
No.	DESCRIPTION	QTY
1	24" DIA. PIPE	12'
1	24" DIA. MANHOLE	1
1	24" DIA. CHECK VALVE	1
1	24" DIA. FLANGE	1
1	24" DIA. GASKET	1

REVISED AS PER RECORD PRINT
30-3-1-2419
4-21-69
R.S. 2.5

24" DIA. PIPE	12'
24" DIA. MANHOLE	1
24" DIA. CHECK VALVE	1
24" DIA. FLANGE	1
24" DIA. GASKET	1

REVISED 2/12/78



NOTE: PROP. 12" W. MAIN TO HAVE 2.0' OF COVER
BELOW T.C. GRADE OR EXISTING GRADE WHICHEVER
IS LOWER.

CONTRACTOR: NOTIFY THE FOLLOWING UTILITIES
AT LEAST THREE DAYS BEFORE STARTING WORK
SHOWN ON THIS DRAWING.
BELL TELEPHONE SYSTEM - 393-3537
LONG DISTANCE CABLE CO. - 393-3537 or 3534
BALTO. GAS & ELECTRIC CO. - 238-6300 EXT. 171
BUREAU OF WATER SUPPLY - 669-6300

PIPE AND FITTINGS	
24" Class B Pipe	Class B
24" Class B Fittings	Class B
24" Class B Manhole	Class B
24" Class B Check Valve	Class B
24" Class B Flange	Class B
24" Class B Gasket	Class B

WATER AREA	7.11
CHARGE	6.00
EFFECTIVE DATE	10/1/67

CONTRACTOR IS TO EXAMINE THE
LOCATION AND DEPTH OF EXISTING
MAINS BEFORE LAYING ANY PIPE.

CONTRACTOR - Please notify Fire Bureau
before a fire hydrant is taken out of
service, removed or relocated. Please
call Fire Bureau before taking any action
prior to starting any work involving
fire hydrants.

CONTRACTOR
NOTIFY BALTIMORE CITY - BUREAU
OF WATER SUPPLY - NO. 6-0000
THREE DAYS BEFORE STARTING WORK

MICROFILMED

APPROVED FOR CITY OF BALTIMORE
DATE 9/16/67
BY [Signature]

ENGINEER
DATE 9/16/67
BY [Signature]

DEPARTMENT OF PUBLIC WORKS
BUREAU OF ENGINEERING
DATE 9/16/67
BY [Signature]

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
BUREAU OF ENGINEERING
DATE 9/16/67
BY [Signature]

SCALE
30' DIA.
30' DIA.

C.W.O. 37491

73213WDO

PETITIONERS 5- KEY MAPS

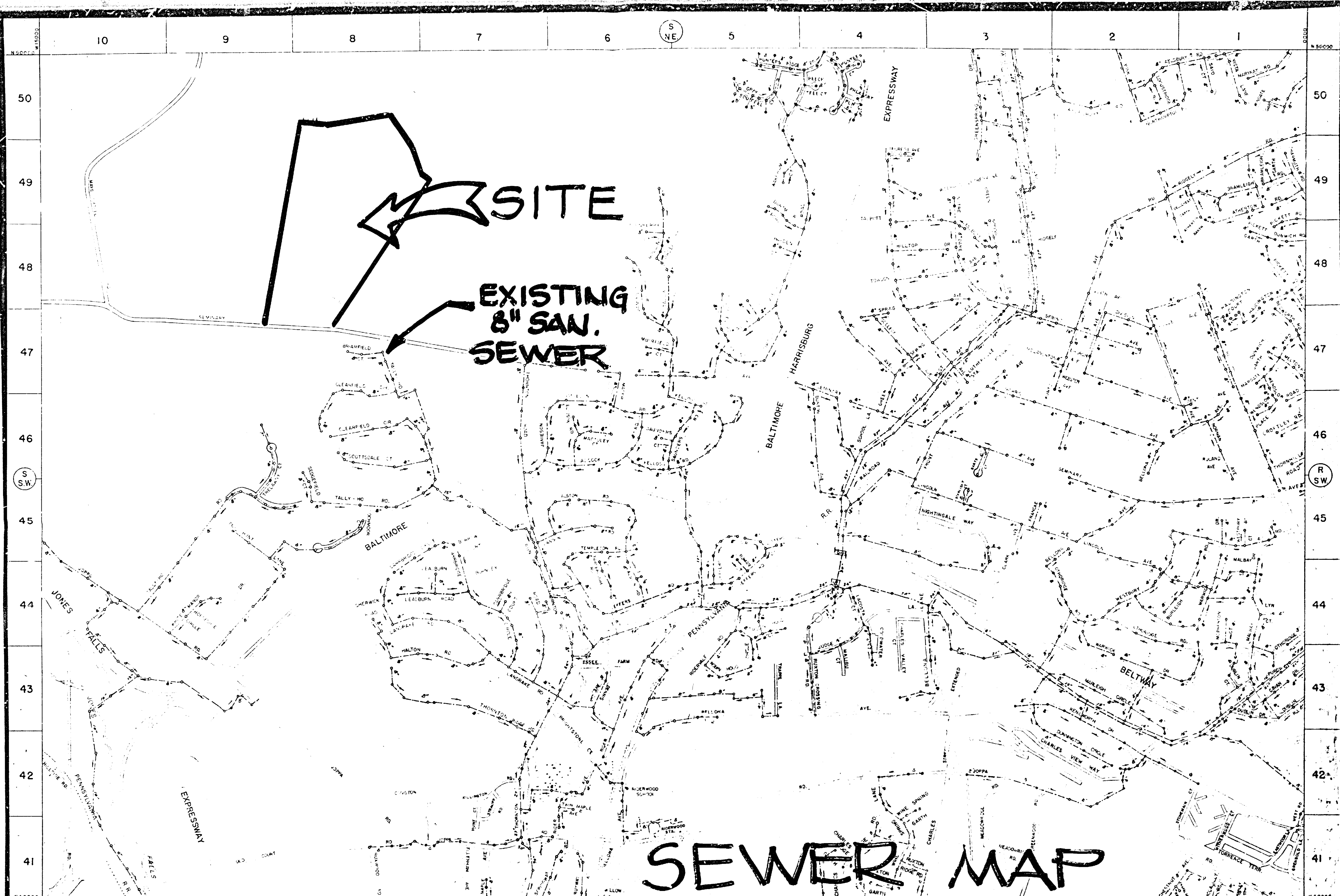


LEGEND
☐ PUMPING STATIONS

BALTIMORE COUNTY METROPOLITAN DISTRICT
 KEY MAP
 SANITARY SEWERS

SCALE	TOPO & PLAN SHEETS	KEY SHEET
1"=500'	NW 11-A 11-C	 S.E.
	12-A 12-C	
	13-A 13-C	
	11-B	
	12-B 13-B	

EXHIBIT
NO 7

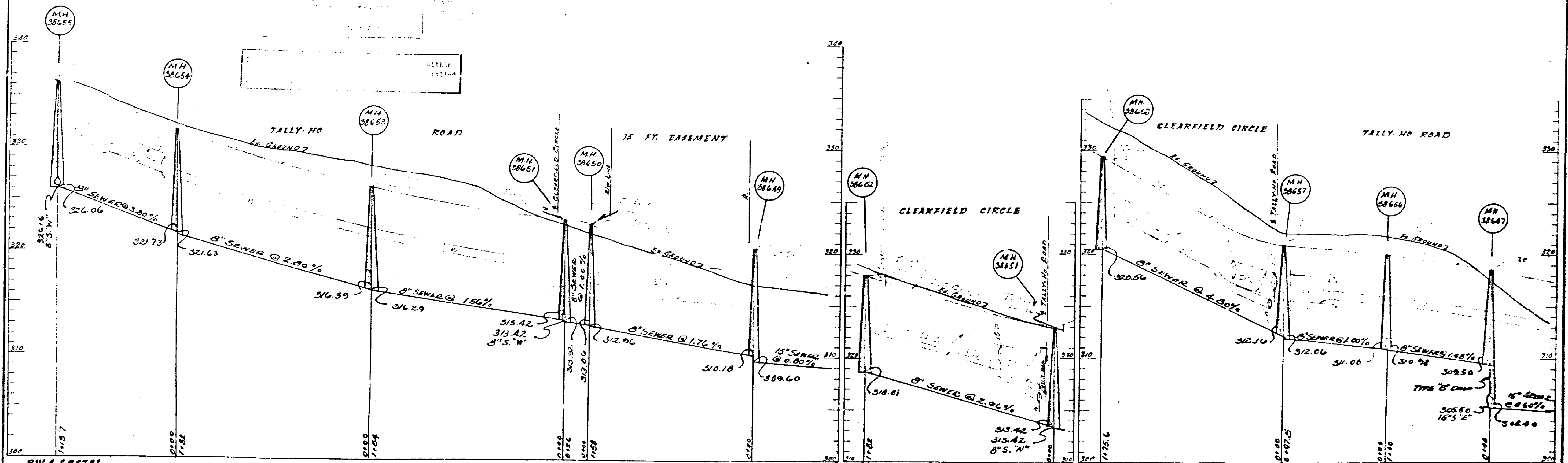


LEGEND
□ PUMPING STATIONS

BALTIMORE COUNTY METROPOLITAN DISTRICT
KEY MAP
SANITARY SEWERS

SCALE 1"=500'

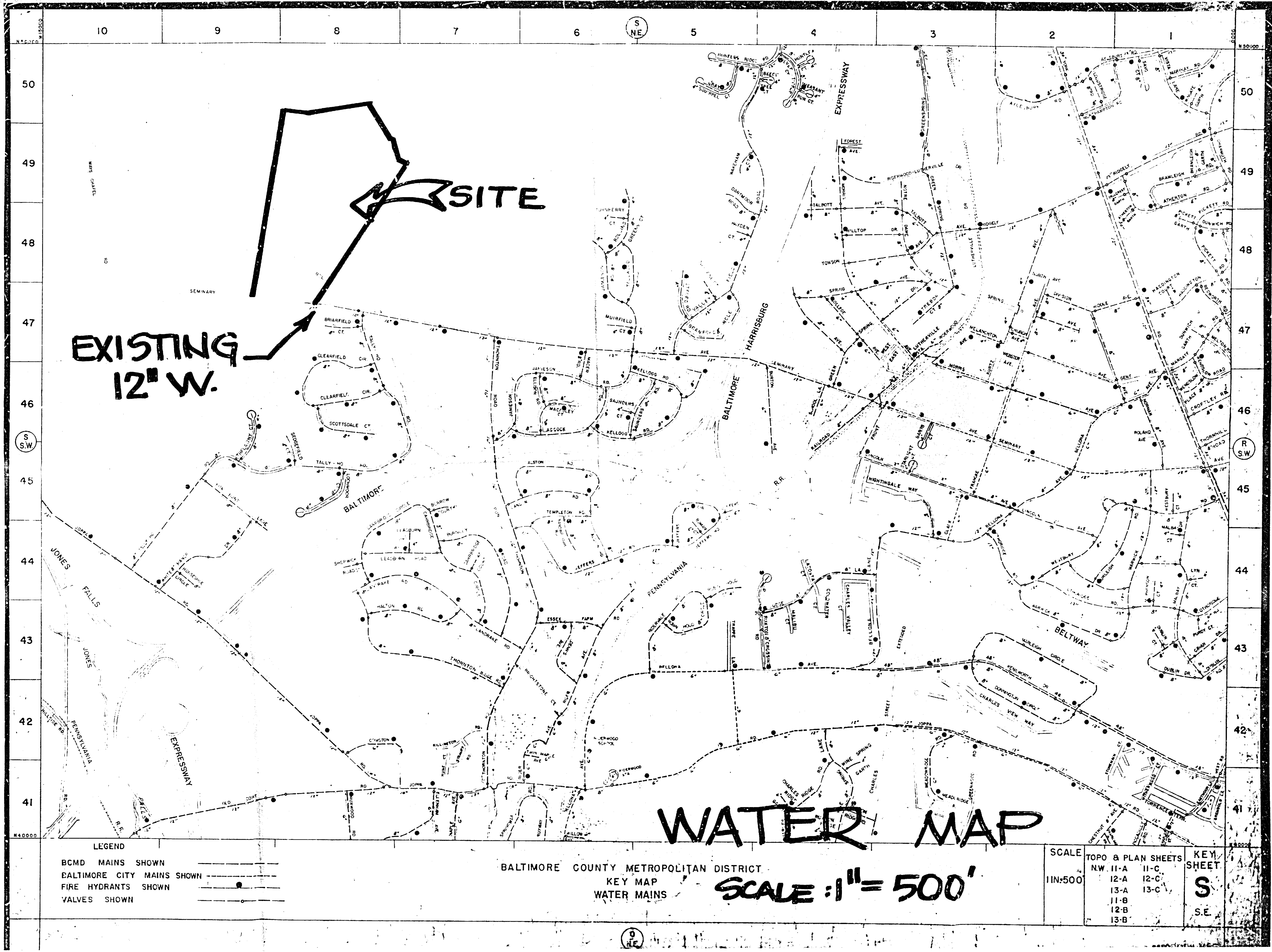
SCALE	TOPO & PLAN SHEETS		KEY SHEET
	NW 11-A	11-C	
1"=500'	12-A	12-C	S
	13-A	13-C	S.E.
	11-B		
	12-B		
	13-B		

[illegible]

P.W.A. #6701										ROAD PERMIT AND GRADES										APPROVED FOR CITY OF BALTIMORE										PROFILE SCALE: HORIZ. 1"=50' VERT. 1"=5' REVISED AS PER RECORD PRINT U.O. 1-1-2336 12-5-67 M.L. D.C. 71.5 NOT BALMED										DATE _____ REVISION _____ DRAWING COMPLETED _____									
PERMIT REQUESTED _____ PERMIT NUMBER _____ GRADE ESTABLISHED _____ PROFILE NUMBER _____										DATE _____ WATER ENGINEER _____ DIRECTOR OF PUBLIC WORKS _____										DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING APPROVED: <i>Robert H. Brown</i> CHIEF DIRECTOR & CHIEF SANITARY ENGINEER DATE: 2/28/67										BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING APPROVED: <i>Robert H. Brown</i> CHIEF DIRECTOR & CHIEF SANITARY ENGINEER DATE: 2/28/67										SCALE: AS SHOWN KEY SHEET 55E NO. 2 POSITION SHEET 67-1652 OF 3 SHEET (1)									
DATE RIGHT OF WAY REF RW 67-061										ENGINEER: <i>Robert H. Brown</i> 1626 YORK RD. LUTHERVILLE, MD. REG. NO. 504 DRAWN: _____ CHECKED: _____ DATE: 2/28/67										DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING APPROVED: <i>Robert H. Brown</i> CHIEF DIRECTOR & CHIEF SANITARY ENGINEER DATE: 2/28/67										BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS BUREAU OF ENGINEERING APPROVED: <i>Robert H. Brown</i> CHIEF DIRECTOR & CHIEF SANITARY ENGINEER DATE: 2/28/67										SCALE: AS SHOWN KEY SHEET 55E NO. 2 POSITION SHEET 67-1652 OF 3 SHEET (1)									

1045-10

EXHIBIT
No 8

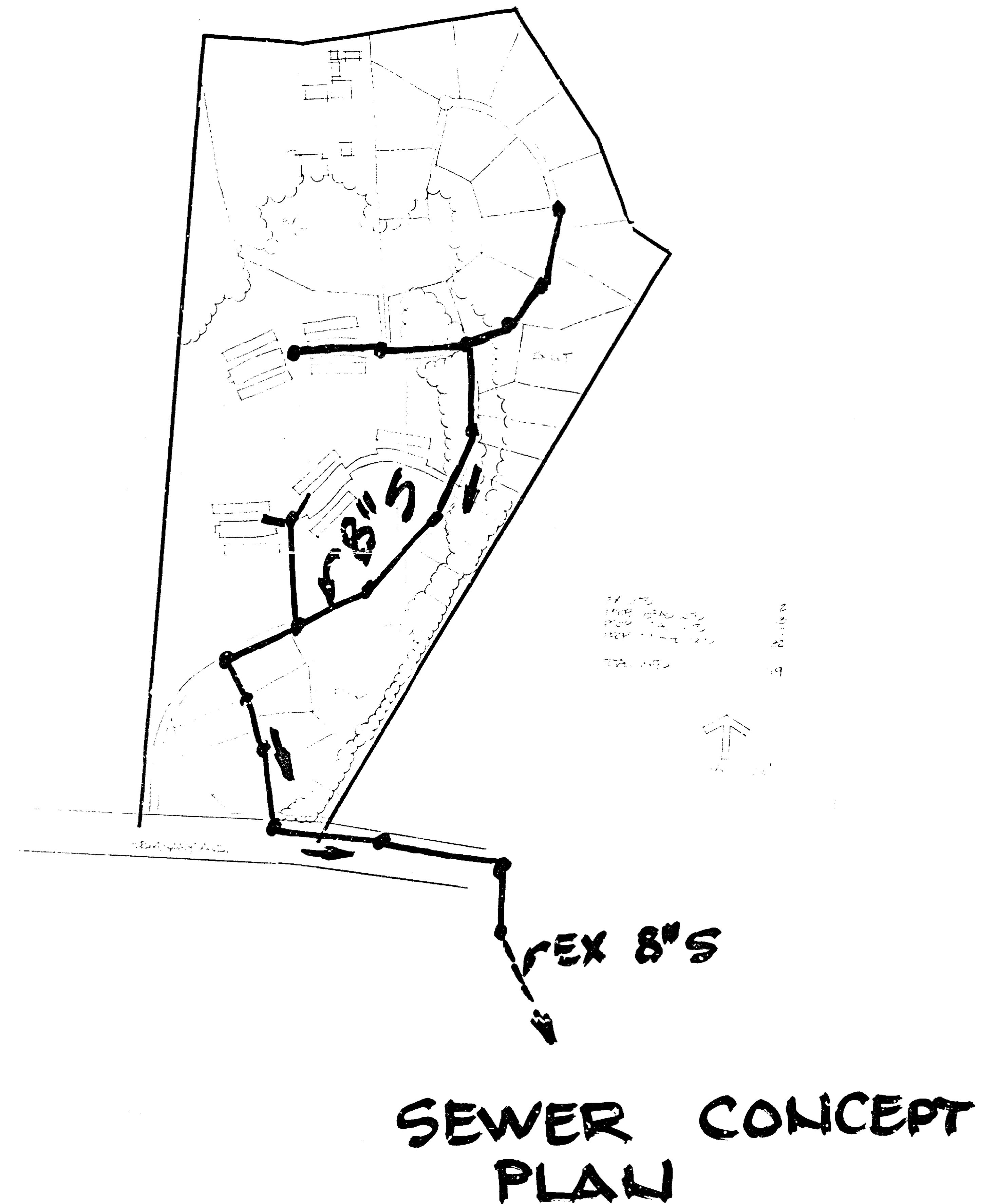
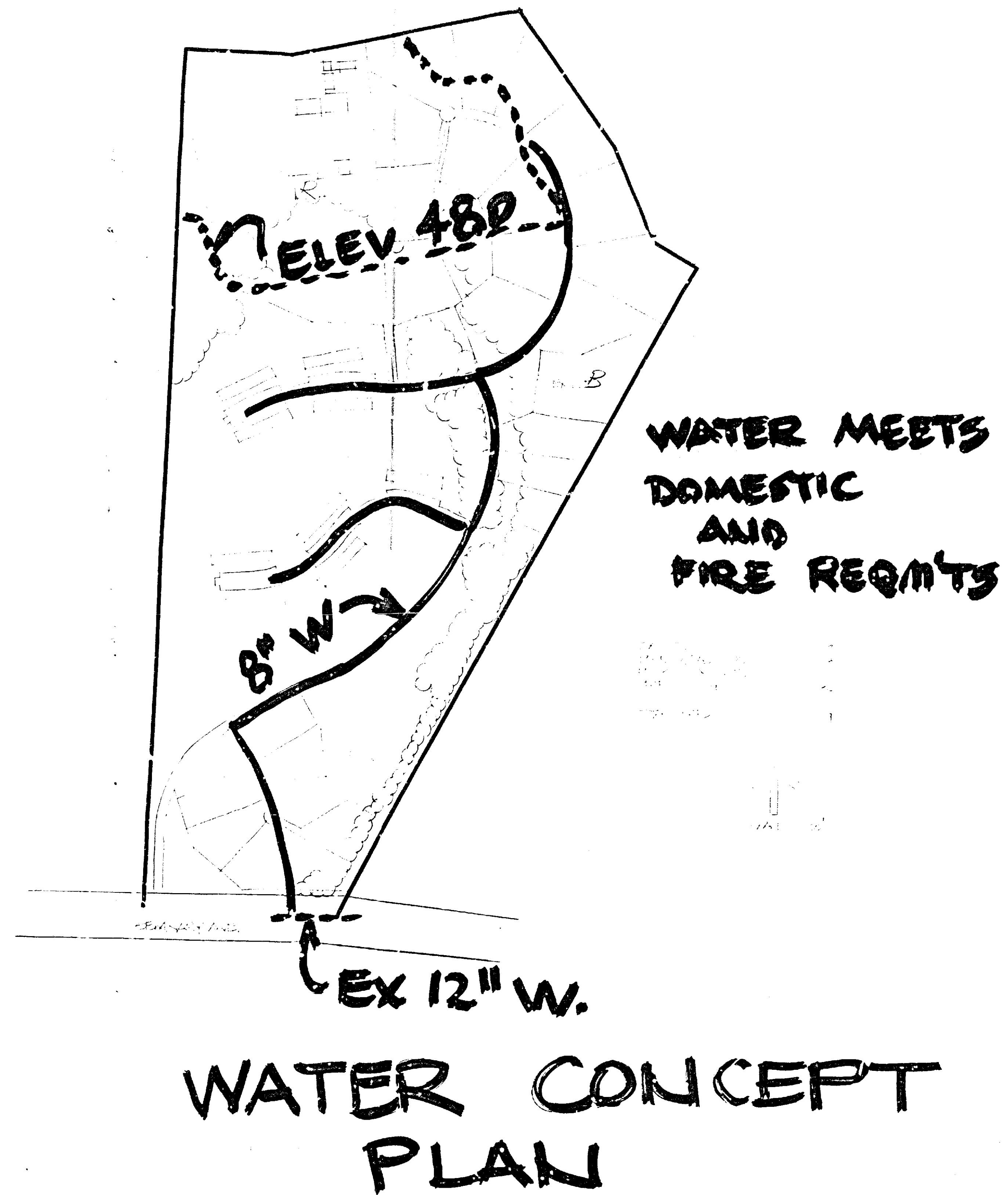


LEGEND
BCMD MAINS SHOWN
BALTIMORE CITY MAINS SHOWN
FIRE HYDRANTS SHOWN
VALVES SHOWN

BALTIMORE COUNTY METROPOLITAN DISTRICT
KEY MAP
WATER MAINS

WATER MAP
SCALE: 1" = 500'

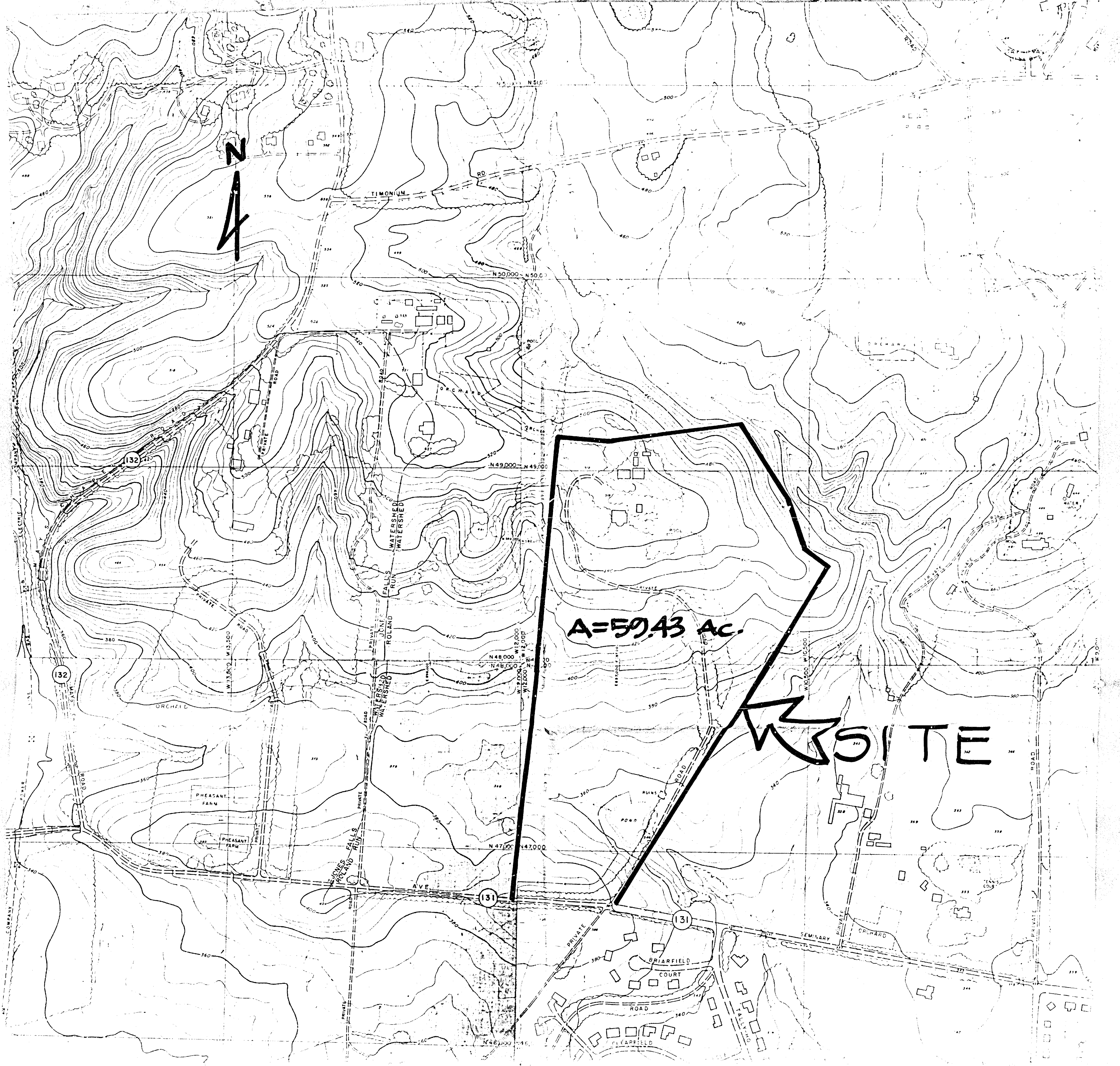
SCALE	TOPO & PLAN SHEETS	KEY SHEET
1"=500'	NW 11-A 11-C 12-A 12-C 13-A 13-C 11-B 12-B 13-B	S S.E.

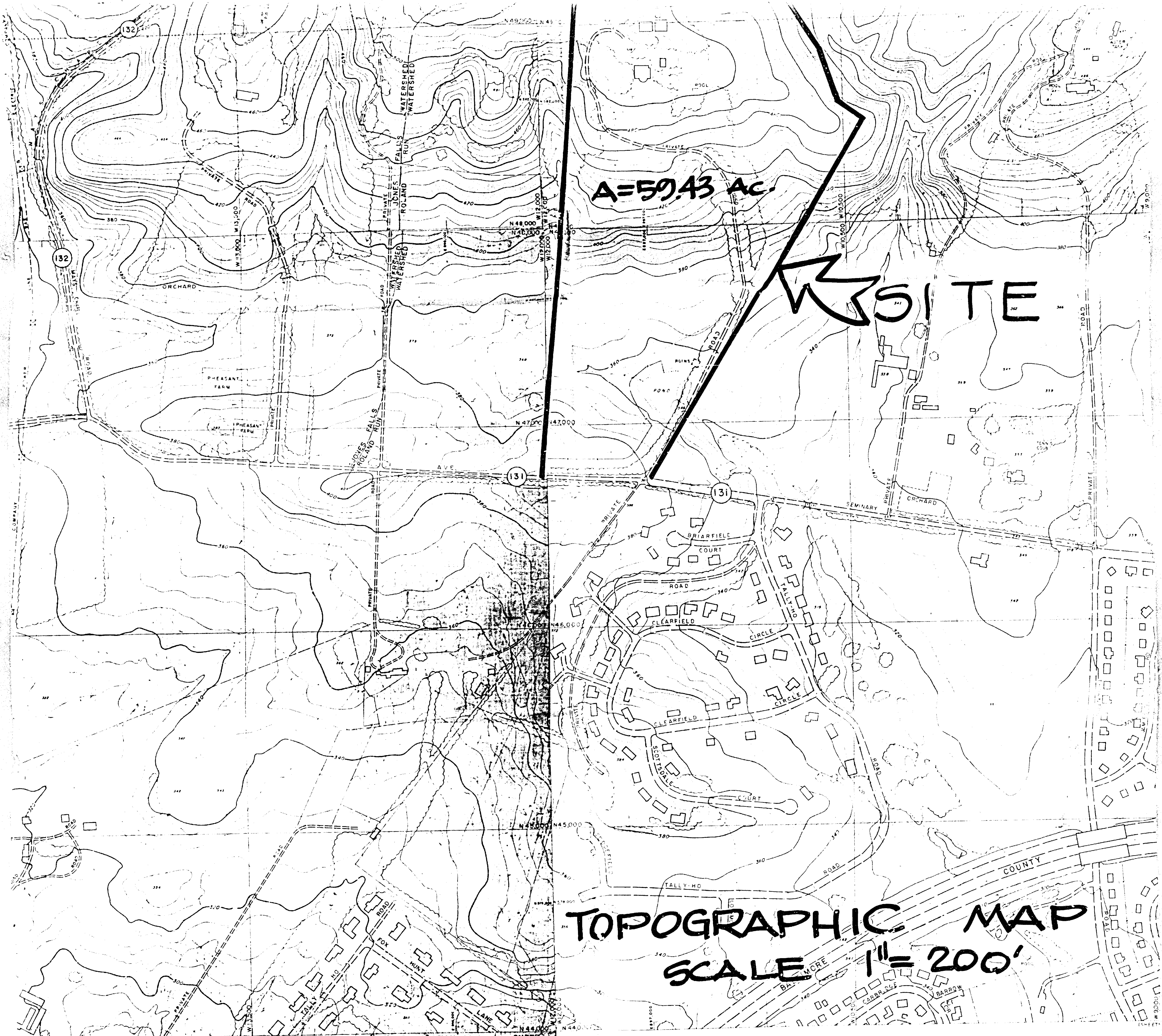




A=59.43 AC.

SITE





A=59.43 AC.

SITE

TOPOGRAPHIC MAP
SCALE 1"=200'

R. OF
OLITAN AREA

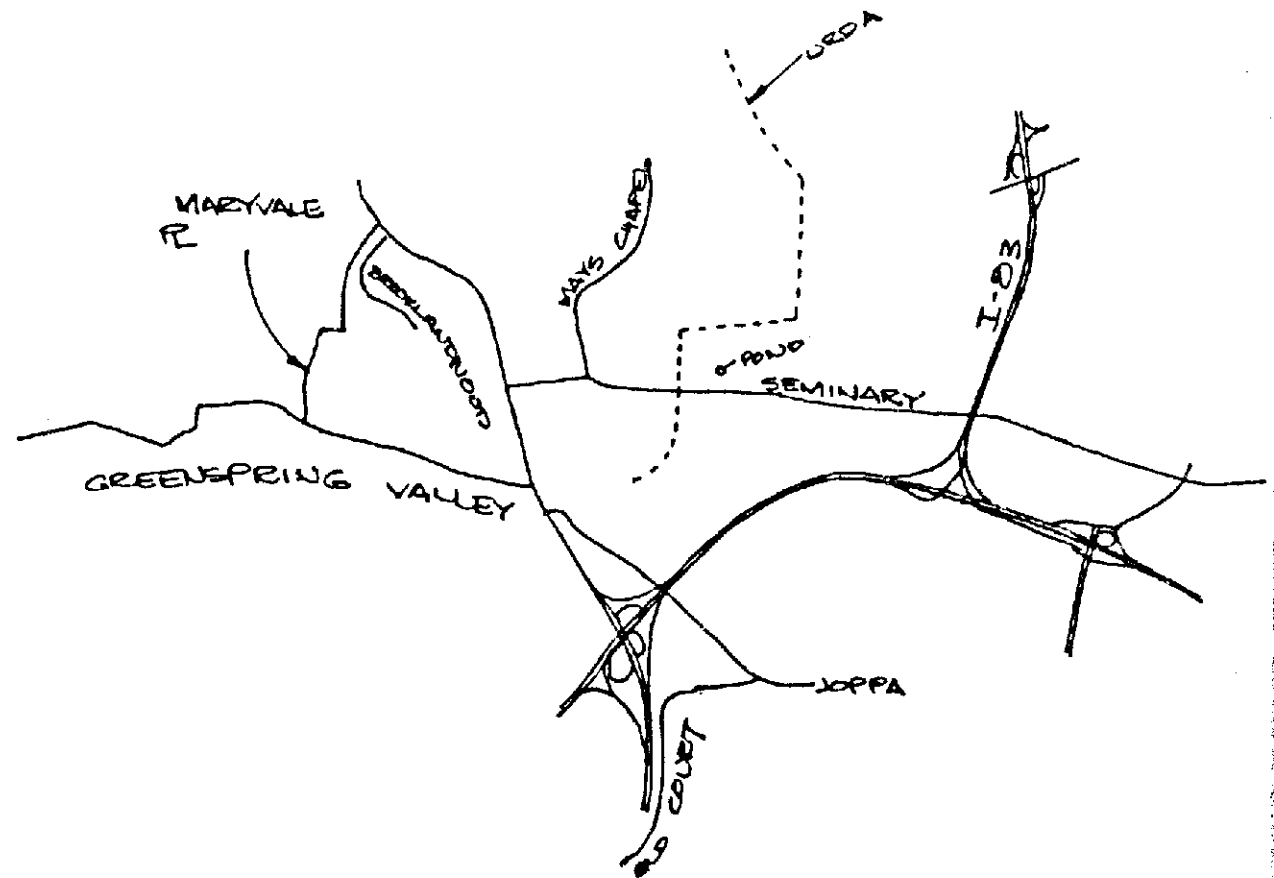
REVISIONS		SCALE	LOCATION	SHEET
BY	DATE	1"=200'	BROOKLANDVILLE	12
Topographic	4-11-70			
MAPS				
INC.				
	DATE OF			
	PHOTOGRAPHY			
	APRIL 1963			
Topographic Compiled By Photogrammetric Methods				
AERO SERVICE CORPORATION-PHILADELPHIA, PA.				

EXHIBIT

PHOTOGRAMME
BALTIMORE COUNTY I

Pittman Feb 12

JOE MORANTO - OFFICE OF PLANNING



1" = 4000'

WILLIAM F. KIRWIN

CHARTERED COUNTY, MARYLAND ELECTION DISTRICT N° 8
SCALE: 1" = 100' DATE: AUGUST 25, 1981

MATH 4 F SY NINGTON
N.R.G. 417 2010 314
EXTENDING ZONE 5
EXISTING USE - AGRICULTURAL / IMPROVED

MARIANA F. SYMINGTON
 T.B.S. 1963 FOLIO 374
 EXISTING ZONING - A.C.B AND DR. 2
 PRESENT USE - UNIMPROVED
 521 06 16 E 3

01-20-68 GRANGER MARBURG AND WIFE
TO CLYDE G. GRANGER JR.
FROM THE ESTATE OF CLYDE G. GRANGER
FOR USE AS AGRICULTURAL

"W"

20

TOTAL ACREAGE - 59 430 AC ±

MARTHA - SYMINGTON
GLB 3227 FOLIO 441 (242 PARCEL)
EXISTING ZONING - R-C-B
PRESENT USE - AGA CULTURAL / UNIMPROVED

MARTHA F. EMMINGTON
GLB. 3227 POLIO 449
EXISTING ZONING - AC-5
PRESENT USE - AGRICULTURAL

CARL WALLACE
E.H.K. JR 9299 FOLIO 826
EXISTING ZONING - "CS"
PRESENT USE - "AC"

6000 400000
II 200000

DEVELOPMENT DESIGN GROUP, LTD.
SUITE 100
PIDERWOOD BUILDING
1107 KENILWORTH DRIVE
TOWSON, MARYLAND 21204

