PETITION FOR ZONING RI TLASSIFICATION AND/OR SPECIAL EXCEPTION #13 TO THE SONING COMMINSIONER OF BALTHMORE COUNTY: Institute of Nission Helpers I or we. of Baltimore (1979) legst owner. of the property situate in Baltimore County and which is described in the description and plat stitched hieroric and vade a part haved. Bettly petition (1) that the noising saids of the harved described property is challented, pressure. to the Zoning Law of Estimore County, from an ... DR-2...

See attached statement.

DR-16

4.57 RE

35

ention under the said Zonius Law and Zonius Regulations of Baltimo County, to use the herein described property, for...

some for the following res

Property is to be posted and advertised as prescribed by Zoning Regulations I, or we, agree to pay expenses of above re-classification and/or special Exception advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning one and restrictions of Raltimore County adopted pursuant to the Zoning Law for Baltimo

Baker Land Company So Mary Ita Hayes moy for contract Address 1001 West Joppa Road Author Hueller Towson, Maryland 21204 102 W. Penna. Ave. Towson, Md. 21204

, 197 8, that the sulject matter of this petition be advertised, as aftered by the Zoning Law of Baltimore County, in two newspapers of general circulation through:
Baltimore County, that property be posted, and that the public hearing be had before the Zoning
nmissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the....18th... day of September 197 8 at 10:00 c'clock

November 17, 1978

George J. Martinak Denuty Zoning Commissioner

James D. Nolan, Esquire 234 West Pennsylvania Avenue Towson, Maryland 21204

RE: Petition for Reclassification N/S of Joppa Road, 340° W of Chestnut Avenue - 9th Election District Institute of Missica Helpers of Baltimore City - Petitioner NO. 79-62-R (Item No. 13)

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

S. ERIC DI NENN

cc: H. Anthony Mueller, Esquire 102 West Pennsylvania Avenue Towson, Maryland 21204

John W. Hessian, III, Esquire People's Counsel

RE: PETITION FOR RECLASSIFICATION N/S of Joppa Road, 340' W of Chestnut Avenue - 9th Election District Institute of Mission Helpers of Baltimore City - Petitioner NO. 79-62-R (Item No. 13)

BEFORE THE ZONING COMMISSIONER OF

BALTIMORE COUNTY

This matter comes before the Zoning Commissioner as a result of a Petition for Leclausification from a D. R. 2 Zone to a D. R. 16 Zone. The subject property is located on the north side of Joppa Road, 340 feet west o Chestnut Avenue, in the Ninth Election District of Baltimore County, and on ains twelve acres of land, more or less

Ali lough People's Counsel entered his appearance, he was not presen at the hearing

ny indicated that the subject property was acquired by the Institute of Mission Helpers of Baltimore City in 1927, that it is presently would and wooded and that the Institute has no immediate plans for the use of the property. Siste: Madonna, Treasurer of the Institute, testified that there have been massive changes in the area over the years since she moved to the Institute. She testified that the Lastitute had come upon financial diffi-

Mr. John Smith, a qualified engineer, testified that the topography of the property does not warrant a D.R. 2 classification. Geographically, operty is located between Joppa Road and Kenilworth Drive. Its topog thy is very extreme, being 490 feet above sea level on the Jonna Road side of the property imrediately adjoining Joppa Road is between 190 feet and 440 feet, which is a 50 foot drop in grade within a very short istance and, therefore, would not be developable in any manner under the present classification. Mr. Sn.ith further testified that the properties

ediately to the east and to the west are both zoned D. R. 16, that there are existing apartments on both, and that the subject property is the only remaining portion of undeveloped land along Kenilworth Drive presently zoned D.R.2. He further stated that public water and sewer are available to the property and are satisfactory.

Mr. Ron Lippman, a qualified real estate broker and appraiser, estified that, if the subject property were developed in its present classification, only 4, 2 acres could be developed. The remaining property is in a transition area and undevelopable because of the adjoining single-family detached dwellings. He further indicated that the property is presently soned in error and that it is inconsistent with the rest of the neighborhood along Kenilworth Drive, which was described as being institutional and apariment in character. Access to the subject property would be along Kenilworth Drive, with no access to Joppa Road. The property adjoining Joppa Road would remain in its present wooded condition. He further stated that less than one-half of the property can be developed at the present time because of its topography and that the market value of the property, combined with family detached dwelling. Further, it is his oninion, as a real estate broker that such houses would not be saleable since the property lies between two apartment developments. Directly across Kenilworth Drive is a new comercial development known as Kenilworth Bazaar.

Without reviewing the evidence further in detail but based upon all the evidence presented at the hearing, in the judgment of the Zoning Commis sioner, the subject property, as presently classified, is in error

The Baltimore County Planning Board, in its recommendation to the Zoning Commissioner, stated that they were opposed to the granting of D. R. 16 zoning but that some increase in density should be granted and that

. 2 -

they would support the granting of D.R. 3.5 zoning here. Unfortunately, the granting of a D. R. 3. 5 Zone would only compound the problem of development The subject are party would still be in a transition area and sould only be developed in single-family detached dwellings.

It is the oninion of the Zoning Commissioner that the existence of ommercial development directly across Kenilworth Drive, along with the fact that the topography of the property is not conducive to single-family detached development and is abutted by D. R. 16 zoning and development on two sides, necessitates the granting of D.R. 16 zoning.

Therefore, IT IS ORDERED by the Zening Commissioner of Baltimore County, this /7 day of November, 1978, that the herein Petiticu for Reclassification from a D. R. 2 Zone to a D. R. 16 Zone should be and the san is hereby GRANTED, from and after the date of this Order, subject to the approval of a site plan by the State Highway Administration, the Department of Fublic Works, and the Office of Planning and Zo

RECEIVED FOR FILING Z

- 3 -

Paul Le P.E

Paul Lee Engineering, Inc. 206 Washington Avenue Jourson, Maruland 21204 821.5941

DESCRIPTION

12 ACRE + PARCEL NORTH SIDE OF JOPPA ROAD WEST OF CHESTNUT AVENUE NINTH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

This Description is for Reclassification of Property
from DR-2 to DR-16.

Beginning for the same at a point in the centerline of Joppa Road located 340 feet, more or less, from the centerline of degrees 15 minutes W 109.00 feet, and (4) N 82 degrees 30 minutes W 100.17 feet thence (5) N 57 degrees 15 minutes E 863.04 feet to the southwest side of Kenilworth Drive thence binding thereon (6) southeasterly 515 feet, more or less, thence (7) S 26 degrees no minutes W 729.65 feet to the place of Enginning.

Containing 12 Acres of land, more or less.

battimere county ottico of planning and zoning Towson, MARYLAND 21204 (301) 494-3351

IC DINENNA

September 18, 1978

This is to advise you that

Please make check payable to Baltimore County, Maryland and remit to Mrs. Campagna, Room 113, County Office Building, Townen, Maryland 21204, before the hearing.

SED/so

PERTURN POR PROPARETER OF WE

4th District

From D.R.2 to D.R. 10

ZOTING: LOCATION: North size of Joppa Road, 340 Seet West of Chestnut Avenue

DATE A TUE. Monday, Sentember 18, 1978 at 10:00 4.M.

DEDUTE UPARTER. Room 106, County Office Building, 111 M. Chesepoake Avenue,

The Zoning/Deputy Commissioner of Holtimore County, by authority of the Zoning Not and Regulations of Haltimore County, will hold a public hearing:

All that purcel of land in the Minth District of Baltimore County

Being the property of the Institute of Mission Helpers of Baltimore City, as shown or plat plan filed with the Zoning Department

Hearing Date: Monday, September 18, 1975 at 10:00 A.M. Public Hearing: Room 104, County Office Building, 111 M. Chesapeake Avenue, Towson, Ma

BY OTHER OF S. ERIC DI MENNA, ZONING CONTISCIONER

DEGE J. MARTINAK, DEPUTY ZONING CONVISSIONER BALTIMORE COUNTY

Engineers - Surveyors - Sile Planners

ORDER OF DISMISSAL

Petition of the Institute of Mission Helpers of Baltimore City for reclassification from D.R. 2 to D.R. 16 on property located on the north side of Jospa Road 340 feet west of Chestnut Avenue, in the Ninth Election District of Baltimore County.

WHEREAS, the Baltimore County Council adopted new comprehensive zoning maps for the entire County on October 14, 1980.

WHEREAS, said zoning maps became effective on December 11, 1980. with the signature of the County Executive

It is the judgment of this Board that all reclassification cases pending a the time of the adoption of new comprehensive rezoning maps shall be considered moot. Therefore, this appeal shall be dismissed. An Order to this effect follows hereafter.

For the reasons set forth above, it is this 10th day of February, 1981, by the County Board of Appeals, ORDERED that this case be and the same is hereby DISMISSED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-12 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS

T Hashell

RE: PETITION FOR RECLASSIFICATION : BEFORE THE ZONING COMMISSIONER N/S of Joppa Rd., 340' W of Chestnut Ave., 9th District OF BALTIMORE COUNTY INSTITUTE OF MISSION HELPERS OF BALTIMORE CITY, Petitioner : Case No. 79-62-5

ON FOR APPEAL

Please note an appeal from the decision of the Zoning Commissioner in the above-entitled matter, under date of November 17, 1978, to the County Board of Anceals and forward all naners in connection therewith to said Board for hearing.

Kele Max Tr Peter Max Zimmerman Deputy People's Counse

John W. Hessian, III People's Counsel
County Office Building

I HEREBY CERTIFY that on this 13th day of December, 1978, a copy of the aforegoing Order was mailed to James D. Nolan, Esquire, 204 West Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Contract Purchaser; and H. Anthony Mueller, Esquire, 102 West Pennsylvania Avenue, Towson, Maryland 21204, Attorney

> W. Viegen - 1877 John W. Hessian, III



494-3180

COUNTY BOARD OF APPEALS oom 219 Court Hou Towson, Md. 21204

August 13, 1979

Hearing Room 218

NOTICE OF POSTPONEMENT

CASE NO. 79-62-

INSTITUTE OF MISSION HELPERS OF BALTIMORE CITY (Bulter Land Company, Contract Purchaser) for Raclassification From DR 2 to DR 16 N/S of Jopps Rd., 340 W of Chestnut Ave 9th District

The above case, scheduled for hearing on August 21, 1979, at 10:00 a.m. HAS BEEN POSTPONED by the Board by agreement of counsel.

cct H. Antheny Mueller, Esq.

Attorney for Petitione Petitioner

James U. Nolan, Esq.

Institute of Mission Helpers of Baltimore City Attorney for Contract Purchase Contract Purchaser

Bakers Land Compan John W. Hessian, III. Esq.

Mr. William Hammond, Zonine

Mr. J. Dyer, Zoning Hr. John Seyffert, Plannin Board of Education

Mrs. Carol Beresh

June Holmen County Board of Apreals

County Board of Appeals

Room 218, Court House Towson, Maryland 21204 May 3, 1979

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOLD AND SEPTICIES' REASONS. REQUESTS FOR POST-YONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ASSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTER (1)5 DAYS OF SCHEDULED HEARING DATE IN ACCURDANCE WITH RULE 2(d), COUNTY COUNCIL BILL \$108

CASE NO. 79-62-F

INSTITUTE OF MISSION HEI PERS OF BALTIMORE CITY

(Baker Land Company, Contract Purchaser)

classification from DR 2 to DR 16 N/S of Joppa Rd., 340' W of Chestnut Ava.

9th District

ASSIGNED FOR:

TUESDAY, AUGUST 21, 1979 at 10:00 a.m.

cc: H. Anthony Mueller, Esq.

Attorney for Petitioner Petitioner

institute of Mission Helper of Bultimore City James D. Nolan, Esa.

Bokers Land Company John W. Hessian III. Esa Contract Purchase People's Counsel

Mrs. Vern Lee Kinner Mr. E DiNenna, Zonina

Mr. J. Dyer, Zoning

Mr. L. Graef, Planning Board of Education

Mrs. Carol Beres

RE: PETITION FOR RECLASSIFICATION rom D.R. 2 to D.R. 16 N/S Joppa Road 340'
W. of Chestnut Avenue W. of Chestnur Community
Pth District
Institute of Mission Helpers of
Baltimore City, Petitioners
Baker Land Co.,
Contract Purchaser

COUNTY BOARD OF APPEALS OF

BALTIMORE COUNTY

No. 79-62-R

ORDER OF DISMISSAL

Petition of the Institute of Mission Helpers of Paltimore City for reck cation from D.R. 2 to D.R. 16 on property located on the north side of Joppa Road 340 feet west of Chestnut Avenue, in the Ninth Election District of Baltimore County. WHEREAS, the Baltimore County Council adopted new comprehensive

zoning map: for the entire County on Octobur 14, 1980.

V/HEREAS, said zoning maps became effective on December 11, 1980, with the signature of the County Executive.

It is the judgment of this Board that all reclassification cases pending at the time of the adoption of new comprehensive rezoning maps shall be considered moot. Therefore, this appeal shall be dismissed. An Order to this effect follows hereafter.

ORDER

For the reasons set forth above, it is this 10th day of February, 1981, by the County Board of Apprals, ORDERED that this case be and the same is ! reby DISMISSED.

Any appeal from this decision must be in accordance with Rules B-1 thru R-12 of the Maryland Rules of Procedure.

INSTITUTE OF MISSION HELPERS : BEFORE THE OF BALTIMORE CITY

for Reclassification from D.R. 2 to D.R. 16 N/S of Joppa Road, 340 feet west of Chestnut Avenue

the County Board of Appeals.

9th District

Case No. 79-62-R

COUNTY BOARD OF APPEALS

T Hashell

BALTIMORE COUNTY

BOARD OF APPEALS

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JOINT PETITION OF PETITIONER, CONTRACT PURCHASER AND APPELLANTS

Owner and Petitioner, and BAKER LAND COMPANY, Contract Purchases

and Petitioner, by James D. Nolan and Nolan, Plumboif and

Williams, their attorneys, and JOHN W. HESSIAN, III, PEOPLE'S

COUNSEL and PETER MAX ZIMMERMAN, DEPUTY PEOPLE'S COUNSEL, Appel-

lants, hereby offer this Joint Petition for the consideration of

hereinafter called "Mission Helpers", Property Owner and Peti-

tioner, and Baker Land Company, Contract Purchaser and Petitione

hereinafter called "Baker", hereby withdraw that portion of their

Petition for Reclassification requesting D.R. 16 zoning for that

portice of the subject property binding along the north side of

Joppa Road, including the steep slope and of not more than three

(3) acres, which area is shown and identified as Section ? on the

prepared by Stephens and Associates, originally dated December 21

called the "Preliminary Plan", a copy of which is attached hereto

attached Preliminary Plan for the "Kenilworth Park Apartments",

1979, and as finally revised February 14, 1980, hereinafter

and hereby incorporated as a part of this Joint Petition; and

Mission Helpers and Bake: further hereby withdraw that portion

of their Petition for Reclassification requesting D.R. 16 zonin

1. The institute of Mission Helpers of Baltimore City.

INSTITUTE OF MISSION HELPERS OF BALTIMORE CITY, Property

for that portion of the subject property in the northwest corner thereof binding along the rear lot lines of four lots along the southeast side of Donington Circle, which area is identified on the attached Preliminary Plan as a "60-Foot Wide Tree Preservation Strip", with both sections thereby being remitted to a

BALLIMORE COUNTY
FEB 15 11 10 MM 'BI
COUNTY BOARD
COUNTY BOARD

RE: PETITION FOR RECLASSIFICATION

Institute of Mission Helpers of Baltimore City, Petitioners

from D.R. 2 to D.R. 16 N/S Joppa Road 340' W. of Chestnut Avenue

Baker Land Co.,

9th District

hereby DISMISSED.

2. The People's Counsel and Deputy People's Counsel, the only parties appellant herein, based upon the aforegoing withdrawa of the request for D.R. 16 zoning on the aforesaid Steep Slope Area and the Tree Preservation Strip hereby withdraw their appeal as to the Order of the Zoning Commissioner he. Jin dated November

the confirmation of such D.R. 2 zoning for the Steep Slope Are: and the Tree Preservation Strip and D.R. 16 zoning for the balance of the tract on the 1980 Comprehensive Zoning Maps in Map Issue 4-4.

Tames D. Nolan

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

BEFORE

COUNTY BOARD OF APPEALS

BALTIMORE COUNTY

No. 79-62-R

cation from D.R. 2 to D.R. 16 on property located on the north side of Joppa Road 340

the time of the adoption of new comprehensive rezoning maps shall be considered moot.

Therefore, this appeal shall be dismissed. An Order to this effect follows hereafter.

1981, by the County Board of Appeals, ORDERED that this case be and the same is

ORDER

feut west of Chestnut Avenue, in the Ninth Election District of Baltimore County.

zoning maps for the entire County on October 14, 1990.

with the signature of the County Executive.

B-12 of the Maryland Rules of Procedure.

ORDER OF DISMISSAL

Petition of the Institute of Mission Helpers of Baltimore City for reclassifi-

WHEREAS, the Baltimore County Council adopted new comprehensive

WHEREAS, said zoning maps became effective on December 11, 1980,

It is the judgment of this Board that all reclassification cases pending at

For the reasons set forth above, it is this 10th day of February,

Any appeal from this decision must be in accordance with Rules B-1 thru

COUNTY BOARD OF APPEALS

John Murphy

3

John W. Hessian, III

Peter Max Zimmerman Deputy People's Counsel County Office Guilding Towson, Maryland 2120. 494-2188

MAR 1 4 1983

3. The parties hereto hereby matually agree to request



County Board of Approis Room 219, Court House Towson, Maryland 21204 February 10, 1981



John W. Hessian, III, Esquire People's Counsel for Baltimore County Courthouse Towson, Maryland 21 '04

> Re: Case No. 79-62-R institute of Mission Helpers of Baltimore City

Enclosed herewith is a copy of the Orde, of Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

cc: H. Anthony Mueller, Esquire Institute of Mission Helpers Newton A. Williams, Esquire Baker Land Co. Vera Lee Kinnear Cong. C. D. Long Poard of Education Wr. W. E. Hammond Mr. J. E. Dyer Mr. N. E. Gerber

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Walter A. Beiter, Jr., Chairman Baltimore County Board of Appeals Date .. December 4, 1979. John W. Hessian, JIL

People's Coursel for Baltimore County Institute of Mission Helpers, Petitioner Case No. 79-62-R

> With regard to the Pelitioner's request for a further postponement, our position in every case is that unless we discern the possibility that a postponement will operate agains' the interest of a Protestant/party, we do not interpose an opposition to postponement requests. I am unaware of any specific reasons upon which I might oppose the requested postponement.

> > The mine of the land John W. Hessian, III People's Coursel for Baltimore County

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RECFIVED
TIMORE COUNTY
OF 2 AC PM 73
UNIT BOARD
OF APPEALS

TO SAN, PLUMHOPP & WILLIAMS 204 WEST PENNSYLVANIA AVENUE

TOWSON MARYLAND 21204

April 2, 1979

James E. Dyer, Zoning Supervisor Office of Planning and Zoning Baltimore County Office Building Towson, Maryland 21204

Revised "Blank" Site Plans for Institute of Mission Melpers Property, Case No. <u>79-62-R</u> and the Volkert Property, Case 79-64-R, Julio Brothers, Petitioner and/or Contract

Dear Mr. Dver:

On behalf of our client Nr. Julio, we are enclosing two revised "blank" site plans which neet the requirements of Bils 122-78 and 46-79 for the Institute of Mission Helpers of Baltimore City property on Menlikorth Avenue, Case Do. 79-62-R and also for the Volkert, et al property on Padonia Road and Broad Avenue, Case Bo. 79-64-R.

The processing of these revised site plans by your Staff and by the Board of Appeals will be greatly appreciated. If you or your Staff he any questions regarding these plats which were previously checked with Mr. Commodari prior to filing, please do not hesitate to contact us.

With best regards to all involved, I am

Sincerely,

JDN/h1 Enclosures cc: See next page ames D. Nolan

Page two - James E. Dyer - April 2, 1979

cc: The Hon. Walter D. Reiter Chairman, County Board of Appeals Court House Towson Md. 21204

> Nicholas B. Commodari Chairman Chairman Zoning Advisory Committee County Office Building Towson, Md. 21204

Mr. Carl 7. Julio 10 Parks Avenue Cockeysville Md. 21030

J. Strong Smith George W. Stephens & Associates 303 W. Allegheny Avenue Towson, Nd. 21204

Sister Madonna Cellante General Treasurer Institute of Mission Helpers of the Sacred Heart 1001 M. Joppa Road Towson, Md. 21204

H. Anthony Mueller, Esq. R. Anthony Mueller, Baq. Royston, Mueller, McLean & Reid 192 M. Pennsyl Ania Ave. Towson, Md. 21204

Mr. John Erdman 1721 Kennovay Road Baltimore, Md. 21234

Paul J. Guzzo, Pres. Kimco & Associates 8328 Harford Road Baltimore, Md. 21234

Mr. Robert McGrain O'Conor & Flynn 1017 York Road Touson, Md. 21204

LAW OFFICES OF NOLAN, PLUMHOFF & WILLIAMS 204 West Pennsylvania Avenue

TUWSON MARYLAND 21204

November 27, 1979

Walter A. Reiter, Jr., Chairman Baltimore County Board of Appeals Room 219, Court House Towson, Maryland 21204

Re: Requested Postponement of the Mission Helters Case in Order to Conclude Settlement Agriement with People's Counsel -Schedyled Hearing Date, Thursday, December 13, 1979. Case No. 79-62-R.

Dear Chairman Reiter:

As the Board's file will reveal, the only appel ant in this matter is Mr. Hessian, the People's Counsel.

For some time now discussions have been carried on with Mr. Heswian regarding settlement of the matter, based upon a reduction in the number of apartment units to be luilt, certain projections for the borders, etc.

Both the contract purchaser Mr. Julio and the owner, the Yisston Helpers, are anxious to conclude such an arrangement and to conclude the saie.

Mowever, if the matter is started before the Board and any other appellants appear, then it is a certainty that the matter cannot be concluded and the sale effectuated until October 15 of 1980, with the adoption of the new zoning maps.

Mr. "meller has spoke, with Mr. Hessian on several occasions and Mr. Hessian has no objection to the proposed postponement and we have spoken with Mr. Hoswell and he indipostconement and we have sooken with it. However and he have cates that he has no objection to the proposed postponement, since both the People's Counsel and the Planning Staff have agreed upon appropriate settlement terms which are to be embodied in the written Agreement.

Pinally, as the Board well knows, the County Council has just adopted the so-called Growth Management Ordinance, Bill 178-79 and it was necessary to wait until its adoption Page two - Chairman Reiter - November 27, 1979

in order to determine the present developability of this property pursuant to the proposed agreement.

Mr. Julio, ar well as the lendl owner, the Mission Helpers, and with the concurrence of the deople's Counsel and the concurrence of the deople's Counsel and the Counsel and the Counsel and the Board oostpone this matter and not reset it with the expectation that the appeal will be dismissed upon the significant of the outlined Arreement which of Course would have the effect of removing any cloud from the D.R. If voning stanted by the Zoning Commissioner.

Thanking the Board, the People's Counsel and the Plan-nine Staff for their cooperation in this important matter, and loozing to the requested postponemer: and subsequent dis-missal. I am

Respectfully, James O. Nolan James D. Nolan

JDN/hl cc. Jack W. Hessian, III. People's Counsel

H. Anthony Mueller, Esquire Reyston, Mueller, McLean & Reid 102 W. Fennsylvania Avenuc, Suite 600 Towson, Md. 21204

John D. Seyffert, Director Office of Planning and Zoning

Frank H. Fisher, Chief Community Planning Division Office of Planning and Zoning

Joseph V. Maranto, Central Area Planner Office of Planning

James G. Hoswell Office of Planning and Zoning

Mr. Carl T. Julio 10 Parks Avenue Cockeysville, Md. 21030

Mr. John S. Smith Stephens & Associates, Inc. 303 W. Allegheny Avenue Towson, Md.21204



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Walter A. Reiter, Jr., Chairman Baltimore County Board of Appeals Date August 9, 1979 John W. Hessian, III People's Counsel

SUBJECT Institute of Mission Helpers - Case No. 79-62-R (Item 13, Cycle III)

This will co-firm our convenation of this morning wherein I informed you that there were certain contractual and coverant matters that are in the process of review between the parties, but which have been stymied because of vacation schedules, and I further stated that in accordance with the authority given me by Mr. Nolan, he and I jointly suggest that this case be postponed from its presently assigned date of August 21, 1979, for at least thirty days. There are no individual Protestants involved and therefore no inconvenience to the public will result should you agree to permit the postponement.

> John W. Hessian, III John W. Hessian, III

cc: James D. Nolan, Esquire

RECEIVED
LTIMORE COUNTY
3 2 09 PM "]
COUNTY BOARD
COUNTY BOARD

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ROYSTON, MUELLER, McLEAN & REID

TOWSON, MARYLAND 2120-

Febr. arv 2, 1979

Mr. Walter A. Reiter, Jr., Chairman County Board of Appeals Room 219, Court House Towson, Maryland 21204

Re: Reclassification Petition #79-62-R Institution of Mission Helpers of Baltimore City (Baker Land Co., c.p.)

LANTHONY MUE TAYLOR MILEAN UCHARD A REID

Thank you for your letter of January 25, 1979 with reference to the above mentioned matter.

In this particular letter, you enclosed Bill 122-78, which you state affects the Petition. I have read the bill, and it is my humble opinion that the bill does not affect our particular Petition in as much as the Fittion was filed back in the spring of 1978, and the bill did not take (freet until Ducember 1978. However, I do believe that the office of James D. Nolaa, who represent the Baker Land Company, the contract purchaser, will supply whatever information is necessary.

Very truly yours, Hartery Starles, H. Anthony Mueller

HAM/men

cc James D. Nolan, Esquire

Reclassification of the subject property is requested on the ground of mistake or error in the adoption of the zoning may for the following reasons:

1. The present DR-2 zoning of the subject tract is incompatible with the more intensive zoning of surrounding properties, to wit: (i) the property immediately to the east of the subject property and bounding on the south side of Kenilworth Drive is zoned DR-16; (ii) the property to the northeast of the subject tract and on the north side of Kenilworth Drive is zoned BM; (iii) the property immediately to the west of the subject site and on both sides of Kenilworth Drive is zoned DR-5.5; and (iv) the property to the south of the subject property is zoned DR-2 but does not integrally relate to the subject property or other properties along Kenilworth Drive because it is severed by topographical features and by Joppa

2. The configuration and topography of the subject tract render such tract unfeasible and uneconomic for development under DR-2 gening.

RE: PETITION FOR RECLASSIFICATION : BEFORE THE ZONING COMMISSIONER N/S of Jappa Rd., 340' W of Chestnut Ave., 9th District

OF BALTIMORE COUNTY

INSTITUTE OF MISSION HELPERS OF BALTIMORE CITY, Petitioner

+ Case No. 79-62-R

ORDER FOR APPEAL

ase note an appeal from the decision of the Zoning Commissioner in the entitled matter, under date of November 17, 1978, to the County Board of als and forward all paners in connection therewith to said Board for hearing.

the Max Bringmennen Peter Max Zimmerman

John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204

I HEREBY CERTIFY that on this 13th tay of December, 1973, a copy of the aforegoing Order was mailed to James D. No'an, Esquire, 204 West Pennsylvania Avenue, Towson, Muryland 21204, Artorney for Contract Purchaser; and H. Anthony Mueller, Esquire, 102 West Pennsylvania Avenua, Towson, Maryland 21204, Attorney





LAW OFFICES OF NOLAN, PIUMHOPP & WILLIAMS TOYSON, MARYLAND 21204

Q4 14. 13

May 4, 1978

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

Re: Entry of Appearance on Behalf of the Contract Purchasers, Carl and Edward Julio, of the Purchasers, Carl and Edward Julio, of the Property, located on the South Side of Kerlit-worth Drive, West of West Road, Third Cycle, April to October, 1978.

On April 27 of this year, we were contacted by Mr. Carl Julio of the Julio family and asked to enter our appearance on his family's behalf with regard to the above entitled pre-perty.

It will be greatly appreciated if the Patition for Coming Benlass firstion on the appropriately banded by means of this letter to reflect the fact that we represent the Julio family as Contract Purchasers, together with the representation of Hr. Nueller on behalf of the Institute of Mission Helpers of Baltience City.

It will also be greatly appreciated if appropriate Zoning Advisory Committee Comments can be directed to thes office together with Nr. Wueller's Office, and also to the office of Stephens & Associates, engineers here in Towson, at 303 Allegheny Avenue.

Thanking you for entering my appearance together with our firm on behalf of the Contract Purchasers, I am

Respectfully, Molan James D. Nolan

JDN/hl See next page for cc's

Page two - May 4, 1978

cc: The Hon. George J. Martinak Deputy Zoning Commissioner James E. Dyer, Zoning Supervisor Dept. of Planning & Zoning Richolas Commodari, Chairman Zoning Advisory Committee H. Anthony Mueller, Esquire Royston, Mueller & McLean Messrs. Carl and Edward Julio Paul Lee, P.E. Paul Lee Engineering, Inc. Stephens & Associates, Inc. Att: John .. Smith Charles E. Fick

.UN A.85 AW OFFICES OF PLUMBOFF & WILLIAM AND WEST PENNSYLVANIA AVENUE

> The Honorable Arnold Fleischmann, Chairman and Mechers of the Baltimore County Planning Board Courts Building Towson, Maryland 21204

Case No. 79-62-R (Item No. 13)

1. Copy of Petition

8.

2. Copy of Description of Property

3. Copy of Certificate of Posting - 4 augus

10. Copy of Plat of Property - 2 plate

13. Momorandum in Support of Petition

14. Letter(s) from Frotestant(s)

15. Letter(s) from Petitioner(s)

19. Correspondence from Patitioner's attorney

Institute of Mission Helpers of Baltimore Cit; Petitioner 1001 West Joy a Rd.
Towson, Maryland 21204

17. Petitioners' Exhibits / to // B

Attorney for Petitioner

Contract Purchasez

People's Counsel

Request Notification

Attorney for Contract Purchaser

JUN 2'78 PM

16. Protestants' Exhibits

H. Anthony Mueller, Esquire 102 W. Pennsylvania Avenue Towson, Maryland 21204

James D. Nolan, Esquire 201, W. Pennsylvania Avenu Towson, Karyland 21204

Baker Land Coupany

James E. Drer

10 Parks Avenue Cockeysville, Maryland John W. Hessian, III, Esquire

11. 200' Scale Location Plan

12. 1000' Scale Location Plan

Copy of Certificates of Publication

Copy of Zoning Advisory Committee Comments

Flanning Board Comments and Accompanying Mar

Copy of Comments from the Director of Planning

Copy of Order - Zoning/Deputy Zoning Commission

Copy of Order to Enter Appearance, John W. Hessian, III

Institute of Mission Helpers of Balto, City B/S of Joppa Rd., 3h0' W of Chestmit Avenue

Re: Third Cycle Case No. 13, the Kenilworth Drive Property of the Mission Helpers; Contract Purchaser, a Julio Family Corp-oration, Jaker Land Company.

Dear Chairman Fleischmann and Hembers of the Board:

In considering the recommendation of the Dlauming board to restly the present outdated and erroseous D.R. soning on this property, we would respectfully ask that the Board consider the eleven supplemental reasons which we have recently substited to the Zoning commissioner in this matter, copy of which is enclosed for all members of the Board.

A second point which should be borne in mind with regard to this tract is the fact that although there are existing parameters of the west, memory to be the parameter of the pa

To better illustrate this point, we are enclosing a portion of the zoning plat with the transitional zones imposed by these four houses illustrated for your consideration.

RE: PETITION FOR RECLASSIFICATION
N/S of Joppa Rd., 340' W of
Chestnut Ave., 9th District

INSTITUTE OF MISSION HELPERS OF BALTIMORE CITY, Petitioner

OF BALTIMORE COUNT . Case No 79-67-9

. ORDER TO ENTER APPEARANCE

Mr. Commissioners

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.

Leter May Zimmerman

John W. Herrin John W. Hessian, III People's Counsel County Office Building Towson, Maryland 21204 494-2188

I HEREBY CERTIFY that on this 21st day of August, 1978, a copy of the foregoing Order was mailed to H. Anthony Mueller, Esquire, 102 W. Pennsylvania Avenue, Towson, Maryland 21204, Attorney for Petitioner.

> John To. Herring III John W. Hessian, III

Page two - Arnold Fleischmann - June 1, 1976

we would respectfully submit that D.R. 16 zoning is the correct zone for this property. If you or any of the Board has any questions, we will be glad to them.

Respectfully submitted, newtona Williams Newton A. Williams

H. Anthony Mueller, Esquire

Mr. John S. Smith Stephens Associates

Paul J. Guzzo, Pres. Kimco & Associates

Measrs. Carl and Edward Julio

Enclosures
CC: Mr. Lewis M. Hess
(Enclosure)

Mr. Edward A. Griffith (Enclosure)

Mr. Benjamin H. Griswold, IV (Enclostre)

Mr. William F. Kirwin (Enclosure)

Mr. Franklin M. Padgett

Mr. Lawrence J. Simpson (Enclosure) Mr. Ronald B. Hickernell (Enclosure)

Mr. Robert P. Arnold (Enclosure)

Mrs. Carolyn Bronushas

Mr. David Evans (Enclosure)

The Hon. S. Eric DiNenna Zoning Commissioner

The Hon. George J. Martinak Deputy Zoning Commissioner

James G. Hoswell, Area Planner

TOWNON, MARYLAND 21204

February 2, 1979

Mr. Walter A. Reiter, Jr., Chairman County Board of Appeals Room 219, Court House Towson, Maryland 21204

Re: Institute of Mission Helpers of Balto.City (Baker Land Co., Contract Purchaser) File No. 79-62-R

HAM/mep

In response to your letter of January 10, 1979, please be advised that the only witness that I plan to put on the stand would be a representative of the Institute of Mission Melpers, undoubtedly it will be one of the principal officers and a year of the property, and the company of Sale with the Eaker. Each Company.

Very ruly yours, A Juntor Squeller H. Anthony Mueller

cc James D. Nolan, Esquire

Page two - Hessian & Zimmerman - February 15, 1960

Walter A. Reiter, Jr., Chairman Baltimore County Board of Appeals Room 219, Court House Towson, Maryland 21204

H. Anthony Muoller, Esquire Royston, Mueller, McLean & Reid 102 W. Pennsylvania Avenue, Suite 600 Towson, Md. 21204

Mr. Carl T. Julio 10 Parks Avenue Cockeysville, Md. 21030

Mr. Robert McGrain and Mr. Robert Miller O'Conor & Flynn 1017 York Road Towson, Md. 21204

Paul J. Guzzo, President Kimco & Associates 8328 Harford Road Baltimore, Md. 21234

John D. Seyffert, Director Office of Planning and Zoning

Frank H. Fisher, Chief Community Planning Division Office of Planning and Zoning

Joseph V. Maranto, Central Area Planner Office of Planning

James G. Hoswell Office of Planning and Zening

NOLAN, PLUMBURF & WILLIAMS

204 WEST FENNSYLVANIA AVENUE TOWSON MAUTIAND 21204

February 19, 1980

Jack W. Hessian, III, Esquire People's Counsel, and Peter Max Zimmerman, Esquire Deputy People's Counsel County Office Building Towson, Maryland 2120

Re: Joint Petition in the Mission Helpers Case, No. 79-62-R.

Dear Mr. Hessian and Mr. Zimmerman:

in line with my partner Nowton Milliams' conversa-tion on Pen-Lawry 12th with Mr. Hossian, we are enclessing a fully signed Joint Petition on behalf of both the owner, the 'atitude of Missian Hospers, the Contract Purchaser to the Missian State of the Missian State of the Contract of the contract with Mr. Hossian as well as with Mr. Pisher and Mr. Maranto, this Joint Petition withdraw our requested reclassi-Maranto, this Joint Petition Withdraws our regulated results iteration as to the slope along Joppa Read presently zoned D.R. 2 and the northwest corner of the property also zoned P.R. 2 at present. In like manner, as agreed, the Petition withdraws the appeal as to the balance of the property.

It will be greatly appreciated if you will sign this was explained to everyone, we are not to the Board. As we explained to everyone, we are not seen to the the seen as the s Joint Petition, I am

> Sincerely. ames D. Nolan James D. Nolan

JDN/hl Enclosure cc: See next page

cc: Walter A. Reiter, Jr., Chairman Baltimore County Board of Appeals Room 219, Court House Towson, Maryland 21204

H. Anthony Mueller, Esquire Royston, Mueller, McLean & Reid 102 W. Pennsylvania Avenue, Suite 600 Towson, Md. 21204

Mr. Carl T. Julio 10 Parks Avenue Cockeysville, Md. 21030

Mr. Robert McGrain and Mr. Robert Miller O'Conor & Flynn 1017 York Road Towson, Md. 21204

Paul J. Guzzo, President Kimco & Associates 8328 Harford Road Baltimore, Md. 21234

John D. Seyffert, Director Office of Flanning and Zoning

Frank H. Fisher, Chief Community Planning Division Office of Planning and Toning

Central Area Planner Office of Planning

Office of Planning and Zoning

Mr. John S. Smith
Stephens & Associates, Inc.
303 Allegheny Avenue
Cowson, Md. 21204 RECEIVE TIMORE CO

Page two - Hessian & Zimmerman - February 19, 1980

February 15, 1980

LAW OFFICES OF

NOLAN, PLUMHOFF & WILLIAMS

204 WEST PENNSYLVANIA AVENUE

Jack W. Hessian, III, Esquire People's Cou. sel, and Peter Max Zimmerman, Esquire Deputy People's Counsel County Office Building Towson, Maryland 21204

> Re: Froposed Joint Petition in the Mission Helpers Case, No. 79-62-R.

Dear Mr. Hessian and Mr. Zimmerman:

In line with my partner Newton Williams' conversation on February 12 with Mr. Hessian, we are enclosing a Joint Pebruary 12 with Mr. Hessian, we are enclosing a Joint Williams of the Contract Purchaser, Baker Land' Company, and both of you as appellants. As discussed with Mr. Hessian as well as with Mr. Fisher and Mr. Maranto, thin Joint Petit of the Property also zoned D.R. 2 present. In like manner, as agreed, the Petition withdraws the appeal as to the balance of the property.

It is our understanding that the Planning Staff in-tends to recommend that the Namning Board encommend that the slope to the Staff of the Staff of the Staff of the Staff of the the northwest corner, 60 feet in width, behind the four ad-joining improved single family lots, be placed in a D.L. 5.5 some similar to the rest of Orchard Hills to the northwest.

It will be greatly appreciated if you will sign the original of this Joint Petition and we can then present it to the Board. As was explained to swerpone, we are anxious that this matter be cleared up prior to the Planning Board meeting of Pebruary 21st when the tentative plan conditionally approved by the Committee on Land Developmentality approval. With best come before all itsouloud and wasting the simple of this Joint was the same of the Joint was the Joint was the same of the Joint was the J regards to all involved and awaiting the signing of this Joint

> Sincerely, Malen James D. Nolan

Enclosure - See next page for cc's

494-3180

County Board of Appeals Room 219, Court House Towson, Moryland 21204 February 10, 1981

John W. Hessian, III, Esquire People's Counsel for Baltimore County Towson, Maryland 21204

> Re: Case No. 79-62-R Institute of Mission Helpers of Baltimore City

Dear Mr. Hessian:

Enclosed herewith is a copy of the Order of Dismissal passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

cc: H. Anthony Mueller, Esquire Institute of Mission Helpers Newton A. Williams, Esquire Baker Land Co. Vera Lee Kinnea Cong. C. D. Long Board of Education Mr. W. E. Hammon Mr. J. E. Dyer Mr. N. E. Gerbe Mr. J. Hoswell

INSTITUTE OF MISSION HELPERS OF BALTIMORE CITY Baker Land Co., Contract Purchaser N/S Joppc Road 340' W. of Chestnut Avenue

#79-62-R 9th Distric

D.R. 2 to D.R. 16

3/20/80 File subpoenced by F.B.I.

2/10/81 Order of Dismissal passed by the Board on its judgment that all

reclassification cases pending at the time of the adoption of new comprehensive rezoning maps shall be considered moot.

2/4/81 Following information from file received from Mr. Buckley so that Order of Dismissal could be sent:

H. Anthony Mueller, Esq. Counsel for Petitione 102 W. Penna. Ave. (21204)

nstitute of Mission Helpers

Petitioner 1001 W. Joppa Rd. (21204)

Newton Williams, Esq. 204 W. Penna. Ave. (21204)

Baker Land Co. Centract Burchases

Cockeysville, Md. 21030 Vera Lee Kinnear 1004 Marleigh Circle (21204)

Cong. Clarence D. Long 200 Post Office Blog. (21204

John W. Hessian, III, Esq

People's Counsel

Counsel for Centraci Purchase

6 79-62.R

CERTIFICATE OF POSTING DEPARTMENT OF BALTIMORE COUNT

Posted for Board of applace Person Pelister Shallon Color Location of property: N/5 & Joyne Rd 340'Wof Chestrut are

Vacation of Signe Mit Lear of persons forwing Renderente the ; West our of proper forwing developed their O. St. Kor of proper forwing

Posted by Seen Coleman Date of return 2/2 4 right su Par. of prop. foreing Joppa Rd.

79-62 R

* Jam Nolan, Eng 204 W. Pa Ave atty for Contract Parker

Sester Madoura - Mini Helper.

Prop regul in 1922 Vacant - unased No plan to use by Mission

Mercin charge over the year in 1847 the area - whe month to Missin in 1847 am there saw 1847 should for several

Contigued upon young hale injusted - Minim has friend difficilities - only and way to bale out in called this itemproper

Carl Julio thetage of aget in Town area Kemlenth Bayer across stone Tops not conducine to DR 2 Developet

Only underelgoed googs on Keinlanth elv. apts along Kendwith Dr. aget proposed like Commell Vally agets

Exhibito - 3 A to 3 S. Picture

Pet. 4 # 1 - Plat of May 2,1878 mm-1

Pat E4 # 2 - Scenatio plat lated Sept, 1878

Count be Levelynd in DR 2 Tree ton down if is which four.

Public Water avalable of satisfacty If developed other than DR16 - 4.2 acres in Youther - on 1/3 ofprogs.

May to be developed in DR 35 - 38 Tomber 100 ste meded DR 5.5 -

Rom Lyppman Estato + Byggraine

Emor:

O menutuat with rat of neighborrows

@ Prop subject to trustes - less than 1/2 is buttlethe

3 Topography

1 1/2 acon lot derlant - not accept the in MKI plan - cots of from \$00,000 -

Kerlinth Der ham ging for 50,000 agol Developer of section of Better ?

NOTICE OF HEARING

m for Residentification, N/B of Jappa Mi., No' V of Chestrat Ave. of Missism Helmons of Reltinous City - Potitioner, Case No. 79-62-

BOOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVER

NOLAN, PLUMBOFF & WILLIAMS TOWSON, MARYLAND 21204

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

Dear Commissioner DiNenna:

As your file will indicate, we have entered our appearance on behalf of the contrest purchaser, Baker Land Company, a Maryland corporation, "wmed by the Julio Family interests."

Please accept this letter as an amendment to the zoning Petition filed in this matter and it will be appreciated if you and your Staff will reflect in your file that the contract purchaser is the Baker Land Company as noted.

Secondly, we have expanded on the erroneous nature of the present D.R. 2 zoning of this property, and we enclose herewith Supplemental Points of Error and Change, etc., con-cerning the property.

It will be appreciated if you will place these Supplemental Points of Error and Change, all three copies, in your file and attach them to the Petition and Points filew earlier in the matter.

Of course, we would also request that these Supplemental Points of Error and Change be brought to the atcention of both the Planning Starf and the Planning Starf, which is presently dealberating concerning this zoning request.

Page two - May 18, 1978 - Commissioner DiNenna

Thanking you and your Staff for your attention to the amendment to the Petition concerning the contract purchaser and to these Supplemental Points of Error and Change, I am

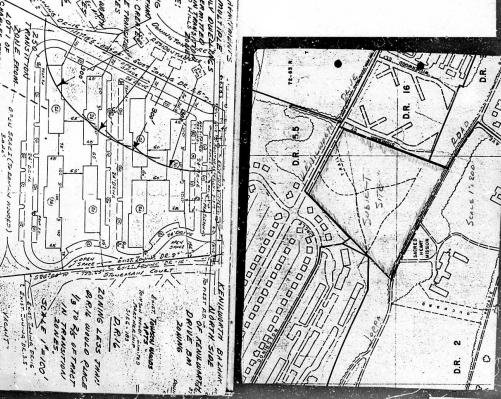
Lames O Malon

JDN/hl
Enclosures
CC: H. Anthony Munller, Esq.
Royston, Mueller t McLean
102 Mest Pennsylvania Ave., Suite 600
TOWS.N, Md. 21204
Artinak
Arioner

Mr. John Smith Stephens & Associates

Paul J. Guzzo, President Kimco & Associates, Realtors





SUPPLEMENTAL POINTS OF ERROR AND CHANGE CONCERNING THE MISSION HELPERS, KENILM-RTH AVENUE PROPERTY, 'THIRD ZONING CYCLE, APRIL TO OCTOBER, 1978, CENTRAL SECTOR, PROPERTY NO. 13

The Contract Purchasers, carl and gowed units, by the theory of the composition of the contract of mistake or e. . In the adoption of the contag map as the composition of the contag map as the contag

1. That the existent D.R. 2 coming, erromeously first imposed in 1971 and age in uncritically imposed on the tract in 1976, represents a literal and unconsidered translation of the long outdeed R.20 coming from the perty and the areas surrounding it were completely different.

2. That this area in 1955 was a very lightly copulated, sucriben area, and at that time the Harrisburg Expressway was only partially completed, and that portion of the Beltway which passes this area a short distance to property was placed in an R.20 unee on the 1955 zoning maps by the then County Commissioners.

BELITWAY AND OPENED KENILMORTH MAJOR CHANCES

ZONING DEPARMAENT

3. That the erroneous D.R. 2 zoning which represents a literal translation of the former R. 20 zoning dating back to 1755 also fails to recognize both the construction you have been been been proposed to the construction of this property, as well as the opening of kenilworth Avenue between Charles Street extended on the west and the West Road and Booley Avenue areas on the east in the 1970's, and is therefore even more erroneous.

4. The erroneous, literal translation o' D.R. 2 zoning from the former R. 20 zoning completely fails to recognize extensive apatiment development from Charles Street on the west to the West Moad-Bealey Avenue areas on the east along the south side of Kenilworth Drive, including the Colony Apartments, Towson Moods and the Kenilworth Apartments. D.R. 2 IGNORES KETTANORIH BAZAAR, BROOKS BUICK AND OFFICE USES

fails or ecognize the physical construction admittant ton or the subject property on the north side of CK NO Kenlworth Drive. This zone has long included the very ITSU EBSS Into Brooks Buck Complex, and presently includes both a the major tenant of which is the Stebhins-Anderson concern, and the major tenant of which is the Stebhins-Anderson concern, marcial uses are located just to the northeast of the property on the opposite side of Renikuorth Drive.

BALTMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building 111 W. Chesapeake Ave. Towson, Maryland 21204 11. For such other and further errors as shall be discovered as a result of a minute examination of the area during the continuation of this soning case, which errors shall be brought out as the case continues and at the time of the hearing or hearings hereon.

The contract purchasers wish to reserve their right to raise changes in the neighborhood at such time as that ground for zoning reclassification again may hecome available, and with regard to changes in the neighborhood, the contract purchasers point to the following:

The actual construction and utilization of the B.M.-zoned property opposite the subject property to the northeast on the north side of Kenilvorth Drive, wh...h is being developed as the Kenilvorth Bazaar and the n.w home of Stebbins-Anderson are major physical changes in the

The construction and installation of a major storm water facility in the bed of Kenilworth Drive which at the present time is just being completed, and in fact was constructed following the adoption of erroneous D.R. 2 zoning on the 1976 Comprehensive Zoning Maps is another

3. Such other and further changes in the area as shall be disclosed by a continuing scrutiny of the subject property and area as the case continues, which changes shall be brought out from time to time, including but not only at the time of the hearing or hearings hereon.

Respectfully submitted,

James D. Molan

Attorneys for Contract Purchasers, Carl and Edward Julio, and the Baker Land Corporation



JOPPA YOAD AND RADGE LOGICAL

iails to recognize and completely ignores the fact that due to the taset stope stage, and completely ignores the fact that due to the steep topography on the southern portion in the stage topography on the southern portion of the stage of

D.R. 2 ZONING CONFISCATO UNREALISTIC AND WASTEFUL

D.R. 16 BELT SERVES AS A TRANSITION,

property.

8. That the present D.R. 2 zoning is erroneous in that the requested D.R. 16 zoning will complete a belt of transitional D.R. 16 zoning along Kenlivorth Drive running from the southeast quadrant of the Beltway and Charles Street on the west to the vicinity of the Police Readquarters belt of D.R. 16 serves as a transition between the intense commercial and residential and manufacturing actitudes of the property of D.R. 2 zoning which is outdated and which has no of the property of the property of D.R. 2 zoning which is outdated and which has no and interrupt this belt of transitional I.R. 16 zoning, and it was and is erroneous to so separate it.

9. That the continuation of the erroneous D.H. 2 coning on the subject tract fails to recognize and take into account the number of housing units which were lost by the conversion of the property on the opposite side of known that the property of the pro

D.R. 2 WASTES VITAL URBAN LAND CLOSE TO ROADS, SHOPPING AND housang needs ut use area.

10. That the continuation of erroneous and ill-considered D.R. 2 zonlar represents a waste of vital, needed urban land served by excellent roads, close to public transportation, close to an area which has completely changed thrutheyear close to an area which has completely changed thrutheyear 1935 Comprehensive Joning Maps by the then Courty of the control of the co

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS



April 24, 1978

Mr. S. Eric DiMenne Zoning Commissioner County Office Building

> Item #13 (Cycle III April-October 1970) Property Owner: Institute of Mission Helpers of Saltimore City. N/S Joppa Rd. 340' M. Chestnut Ave. Existing Zoning: D.R. 2 Proposed Zoning: D.R. 16 Acres: 12 District: 9th

The construction and/or reconstruction of concrete sidewalks, ourb and gutter, entrances, aprons, etc. will be the full responsibility of the Petitioner.

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

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 'op soil.

Free Sansager

Provisions for accommodating storm water or drainage have not been indicated on

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent recating any missances or desages to edjacent properties, especially by the concentration of surface weters. Correction of any problem which may result, when to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitions.

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Maryland 2120

Item #13

S, ERIC DINENNA

Analis Seviewed by Works A Commodari

Chairman, Zoning Plan

Bureau of

Department of Traffic Engine Bureau of Fire Prevention

Health Departmen Project Planning Board of Education

Zoning Admi Indestrial

Located between Kenilworth Avenue and Joppa Road in the 9th Election District, this vacant wooded site is presently roand D.R. 2 and is part of an overall tract of land, similarly zoned and isproved with some control of land, similarly zoned and isproved with some land of the land of the land of the south side of Joppa Road. To the east and southwest of this site are existing apartments, zoned D.R. 16, while individual weellings, a county park and a partially constructed shopping center whist to the northwest, north and northeast of this site, respectively.

Recease of your climt's proposal to continue the apartment development in this area, this Reclassification is required. Since the submitted site jlan indicator a proposal, it is impossible to make detailed comments at this time. If this petition of the p

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 1, 1978

H. Anthony Mueller, Esquire 102 West Pennsylvania Avenu Towson, Maryland 21204

RE: Cycle III
Reclassification Petition
Itom Number 13
Petitioner - Inscitute of
Mission Helpers o. Balto. City

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition that plans submitted with the above referenced petition and plans submitted with the above referenced petition. The following comments are a result of this review and inspection. These comments are not intended to indicate appropriateness of the zoning action requested, but appropriateness of the zoning action requested, but 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 requested Joning on the Submitted Plansing Commissioner to the suitability of the

H. Anthony Mueller, Esquire Page 2 Item Number 13 May 1, 1978

This petition for Reclassification is accepted for filing on the date of the enclosed filing certificate. However, any revisions or corrections to the filing of the filing the filing f

Very truly yours, Nicholas B. Commoden NICHOLAS B. COMMODARI Zoning Plans Advisory Committee

cc: Paul Lee Engineering, Inc. 206 Washington Avenue Towson, Maryland 21204

fum \$13 (Cycle III April-Cotober 1978) Property Owner: Institute of Mission *lpers of Baltimore City Page 2 April 24, 1978

Water and Sanitary Sewer:

There is a public 12-inch water main in Kenilworth Drive. There are also public 5 and 12-inch water mains in Joppa soad. Additional fire hydrant protection is required in the vicinity.

There is public 8-inch saritary severage in Kanilworth Drive, there is also a public 6-inch sanitary sever west of and along the southwesternmost outline of this property (Drawing \$70-053, File 1).

This property is tribu ary to the Roland Run-Jones Falls (Mt. Washington Fluxe) Sanitary Sever System.

Very truly yours, D. D. vir / Co Mice ELLSWORTH N. DIVER, P.R. Chief, Bureau of Engineering

END FAM . AVR . AM

S-SE Key Sheet 41 & 42 NW 1 & 2 Pos. Sheets NW 11 A Topo 69 Tax Map

Mr. Eri. 5, DiNenna, Zoning Commissioner Zoning Advisory Committee Office A Planning and Zoning Baltimore County Office Building Towson. Maryland 21204

Comments on Item # 13 , Zoning Cycle III, April 1978, are as follows

Property Ovine:: Inatifute of Mission Helpers of Baltimore City Local Print: N/S Jappa Boad 340' W. Clestrut Avenue Estiting Zoning: D.R. 2
Proposed Zoning: D.R. 16
Acres: 12
"Statict Sylvania"

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 assure that all parties are made aware of plans or problems with regard to development plans that may have a

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

April 21, 1978

STEPHEN E. COLLINS

April 13, 1978

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

Re: Item #13 - ZAC - Cycle 3, April, 1978
Property Owner: Institute of Hissian Halpers c: Baltimore City
Loation: W\$ Jopps Road Ago' W. Chestmut Avenue
Existing Zonings: 0, N. 2
Proposed Zonings: 0, N. 16
Acress: 11
District: 9th

The subject petition is requesting a change from D.R. 2 to D.R.

This change should increase the trip density from 240 to 1440 trips per day. This could be expected to compound the problems at the intersections of Churles and Kenlivorth and York and West which are presently functioning at E 6 F ratings.

These ratings also do not incorporate the anticipated traffic volumes which will be generated by the shopping center which is under construction across from this site.

C. Rifer Mar C. Richard Moore Assistant Traffic Engineer

CRM/bza



Mr. S. Eric DiMenna Cffice of Planning and Zoning County Office Pullding Towson, Maryland 21204

Dear Mr. DiNenna:

Comments on Item #13, Zoning Advisory Committee Meeting for Cycle (III, are as follows:

Institute of Mission Helpers of Baltimor City. N/S Joppa Ed. 3LD W Gnestmut Ave. D.R. 2 D.R. 16

Existing Zoning: Proposed Zoning: Acres: District: 12 9th

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

Very truly yours.

tpril 24, 1978

ofan A. Klohn Thomas H. Devlin, Director

THD/KS/fthe

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

Re: Property Owner: Institute of Mission Helpers of Baltimore City Location: N/S Joppa Rd. 340' W Chestnut Ave.

Item No. 13

Zoning Agenda Cycle III

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

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at ____ MCEEDS the maximum allowed by the Fire Department.

() h. The site shall be made to comply with all applicable parts of the Fire revention Code prior to occupancy or beginning of operation

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the lational Fire Protection Association Standard So. 101 "Life Safety Code", 1970 Bitton prior to company.

ENTINUE AT THE BOOMENTS, at this time.

Noted and De Micros Agreement of the park

Planning Group

Special Improving Division

Plan Prevention Bream

April 6, 1978

Dear Nr. DiMennas
Cycle
Comments on Item # 13 Zoning Advisory Committee Meeting, are as follows:

X A. Structure shall conform to Baltimore County Building Code (B.O.C.A.) 1770 Edition and the 1971 Supplement, State of Maryland Code for the Eardicapped and aged and other applicable codes.

X C. Additional Miscellaneous Permits shall be required.

D. Building shall be upgraded to new use - requires alteration permit

E. Three sets of construction drawings will be required to file an application for a building permit.

G. Vood frame walls are not permitted vibin 3'0" of a property line. Nonte t Building Department if dictance is between 3'0" and 6'0" of property line.

H. Requested setback variance conflicts with the Baltimore County Building Code, tee Section

T. No Comment.

X J. Comments Show handicapped parking, signs, curb cute and building access on plot plan.

BOARD OF EDUCATION OF BALTIMORE COUNTY

TOWSON, MARYLAND - 21204

Date: April 24, 1978

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

Z.A.C. Meeting of: "yole III

RE: Item No: 13
Property Owner: Institute of Mission Happers of Baltimore City Location: N/S Joppa Rd. 340° W Chestnut Avenue
Present Zoning: D.R. 2
Propused Zoning: D.R. 16

District: 9th No. Acres: 12

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

i Til Fitend W. Nick Petrovich.

Field Representative

WNP/bp

FEB 15 1980

ITEM NO. 13

PROPERTY OWNER: Institute of Mission helpers of Boltiwore City LOCATION: N/S of Joppa Road; 340° W, of Chestnot Avenue ELECTION DISTRICT: 9
COUN-CILMANIC DISTRICT; 4

GEOGRAPHICAL GROUP: None

DED DATE OF HEARING: Week of September 18, 1978 FUNCTION/A CATEGORY: None

7. ONING PRIOR TO ADDITION OF 1976 COMPREHENSIVE ZONING MAP. D. 1.2 EXISTING ZONING: D.X. 2 SEQUESTED ZONING: D.X. 16

PLANNING BOARD PSCOMMENDATION: D.R. 3.5

becase of the steps (sig. 1, along the Jappe Road (side of this vacided property, occas to development would from Ecolometh Avenue. To the ward of this site, one stigled-facelity dealliting and protein operations on and count OU.4, O.A.5, J. and D.A.1, it's to the cast single-facely deallings and profits agreement to D.A.3, which is required to the profit of the country of the c

In view of the orientation of the subject property to Keellworth Avenue and the character of development Keellworth Avenue, the Planning Food believes that some horases "a density should be granted. However of the traffic problems in the area and the steep clopes on a partial of the site, the Board is appose granting of 0.8, to sunling.

Copy only pages for Item

PETITION MAPPING PROGRESS SHEET

Revised Plans:
Change in outline or description Yes

Map # NW 11.7

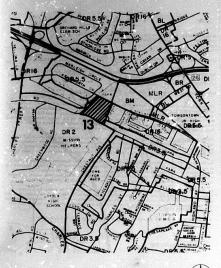
FUNCTION

escriptions checked and outline plotted on map

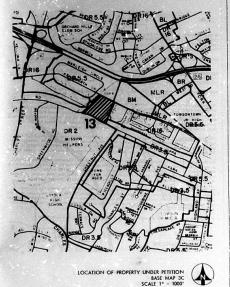
Petit on number added to outline

Granted by ZC, BA, CC, CA

Previous case: NONE







	AND THE STREET
79-62-R CERTIFICATE OF POSTENS EXHIBIT OF PALTIMORE COUNTY Towns, Maryland a. 9th Date of Posting Sept. 1, 1978. a for: Inalyzing Reclass peaces. The Sept. 1, 1978. tom of property. N. S. Jegga. Bd. 340. W. af Cheshaud. Ar.	SALTHORE COUNTY OFFICE OF PLANNING AND ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your Petition has been received * this 50 TH, day of ARROH 1978. Filing Fee \$ 50.99 . Received Xcheck
ion of Signe 2 ara . Jopper Rd. and 2 on Hantleworth Drive the a by Marker Jessen of Theo. Date of return. If sayn	Petitioner/NST. of Missin Help (Submitted by Petitioner's Attorney H. Musler Reviewed by Petitioner's Attorney H. Musler Reviewed by Petitioner's Attorney H. Musler Reviewed by Petition for acsignment of a hearing date.

CERTIFICATE OF PUBLICATION

appearing on the 31st day of August

G. Leank Structur

Cost of Advertisement, S.

BALTIMORE COUNTY, MARYLAND

ros Cost of Posting for Appeal Case No. 79-62-2 289 4 ADICE 7

OFFICE OF FINANCE - REVENUE DIVIS MISCELLANEOUS CASH RECEIPT



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No. 76265

10.00 ms

TOWSON, MD. 21204 August 31

THIS IS TO CERTIFY, that the annexed advertisement of PETITION FOR RECLASSIFICATION - Institute of Mission Helpers of Baltimore City was inserted in the following:

- ☐ Catonsville Times
- K) Towson Times
- □ Dundalk Times ☐ Essex Times
- ☐ Arbutus Times
 ☐ Community Times
- ☐ Suburban Times East
- ☐ Suburban Times West

weekly newspapers published in Baltimore, County, Maryland,

orce a week for one successive weeks before the 1st day of September 1978, that is to say, the same was inserted in the issues of August 31 . 1978

> STROMBERG PUBLICATIONS, INC. BY Esther Borger

	BALTIMORE COUNTY, MARYLAND OFFICE OF FRANCE REVENUE DIVISION MISCELLANGUES CASH RECEIPT
	DATE August 14, 1978 ACCOUNT 01-662
	AMOUNT \$50.00
	Post of F'ling Fee for Once No. 79-60-2
	300 Mars 20. 79-63-2
	183218AU 15 5000Mc
	VALIDATION OR SIGNATURE OF CASHIER
	7.00
•	BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE - REVENUE DIVISION MISCELLANEOUS CASH RECEIPT
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	DATE James 18, 1979 ACCOUNT 01-662
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	PROM. John V. Honstian, XII, Requidre
	FOR
	Cost of Appeal
	285 2 08,00 19 80,00 km
	VALIDATION OR SIGNATURE OF CASHIER

