

IN THE CIRCUIT COURT

FOR BALTIMORE COUNTY

H. GUY CAMPBELL,
DANIEL W. HUBERS,
CARL T. VOHLEN
Constituting the Board of
Zoning Appeals of Baltimore
County

ORDER

Upon the foregoing Petition, Affidavit and Assents, it is,
this the 17th day of December, 1954, by the Circuit Court for
Baltimore County, ORDERED, that the proceeding in the
above entitled case be remanded to the Zoning Commissioner of
Baltimore County for appropriate action thereon.

S. J. B. Bontzen
JUDGE

RE: PETITION FOR RECLASSIFICATION, 1st 8 parcels
from an "A" Residence Zone to a "B" Residence
Zone; the 9th parcel from an "A" Residence
Zone to a "C" Residence Zone; the 10th, 11th,
12th, 13th, and 14th parcels from an "A" Residence
Zone to a "B" Residence Zone and the 15th parcel
from an "A" Residence Zone to an "B" Commercial
Zone, Louis Weiss, Max Weiss, Abraham and William
Weiss, Petitioners.

The appeal in the above entitled matter coming on for
hearing on the 15th day of June, 1953, before the Board of
Zoning Appeals of Baltimore County from an Order of the Zoning
Commissioner of Baltimore County dated February 24, 1953,
granting the reclassification of parcels 1, 2, 3, 4, 5, 6, 7,
and 8 from an "A" Residence Zone to a "B" Residence Zone, and
granting the reclassification of parcels 10, 11, 12, 13, and
14 from an "A" Residence Zone to a "B" Residence Zone, and
granting the reclassification of parcel 15 from an "A" Residence
Zone to an "B" Commercial Zone; and it appearing from the facts
and evidence adduced at the appeal that the granting of these
reclassifications would be detrimental to the health, safety,
and general welfare of the community and for reasons set forth
in the opinion; therefore,

It is this 28th day of August, 1953, Ordered by the
Board of Zoning Appeals of Baltimore County that the petition
for reclassification be denied.

H. S. Campbell
Chairman

Carl T. Vohlen

Samuel W. Williams
Board of Zoning Appeals of
Baltimore County

OPINION OF THE BOARD OF ZONING APPEALS
OF
BALTIMORE COUNTY

This is an appeal by The Gwynn Lake Park Improvement
Association, The Woodlawn Improvement Association, The Rolling
Hill Improvement Association, The Windsor-Lorraine Improvement
Association, The Colonial Park Civic League, The Lions Club of
Woodlawn, and The Lioness Club of Woodlawn from an Order of
the Zoning Commissioner of Baltimore County dated February 24,
1953, granting a reclassification of parcels 1, 2, 3, 4, 5, 6,
7, and 8 from an "A" Residence Zone to a "B" Residence Zone,
and parcels 10, 11, 12, 13, and 14 from an "A" Residence Zone
to a "B" Residence Zone, and parcel 15 from an "A" Residence
Zone to an "B" Commercial Zone, and the denying of the reclassi-
fication of the 9th parcel from an "A" Residence Zone to a
"C" Residence Zone.

The case came on for hearing before the Board, testi-
mony was taken, and counsel heard.

The property which is the subject of this Petition
is a tract of land consisting of approximately 327 acres located
on the south side of Dogwood Road opposite Gwynn Oak and Englewood
Avenues at Woodlawn.

The Petitioners propose to develop the tract of land
into a planned community, providing a school site, park area,
church sites, and the development of a large number of semi-
detached houses and group houses, along with numerous cottages
in accordance with the plat filed in this case. This type of
planning of communities has met favorably with various Planning
Commissions and has attempted to integrate various types of
housing and living units within a given area. The mere fact
that such a plan meets the approval of a Planning Commission
standard does not in itself make such plan of sufficient basis

for reclassifying the property from the standpoint of zoning.
It is to be noted from a look at the zoning map that there are
no commercial, semi-detached, or group-home zones in this
immediate area, and that the whole section has been zoned "A"
Residential.

There was some testimony that there was a need for
this type of planned community in this area and that there was
a demand for group and semi-detached houses. There was also a
considerable amount of testimony to the effect that there was
no need for the same. It was also noted that one of the experts
testifying as to the need had a substantial pecuniary interest
in this case, as set forth in the agreement dated October 13,
1952, and is a part of this record. The Board can find no
error in the original zoning of the land in question, nor that
there has been a sufficient change since the zoning took effect
on January 1, 1945, to justify a reclassification of the property.
The Board is aware that there is a large acreage of land zoned
for group housing southeast of Englewood Avenue. There are some
existing group homes approximately 1 1/2 miles away to the southwest
of Englewood Avenue, but not abutting on said Avenue. The Board
is also of the opinion that large scale group homes, as proposed
by the Petitioners, would be a considerable strain on the public
utilities, the highway system, and the limited school facilities
in this area. While it is true that the County may expend these
utilities and facilities, it would not be as critical if the
property would be used under its presently zoned classification.
Such planned communities, as proposed by the Petitioners, if
located in a proper section conforming to good zoning procedures
would not have this serious effect.

Charles H. Doing, Esquire
Zoning Commissioner
of Baltimore County
Townson -4,

Re: Petition for Reclassification of
property on E. E. Dogwood Road,
Opposite Gwynn Oak Avenue and
Englewood Avenue, Woodlawn
First District of Baltimore
County, Louis Weiss, Max Weiss,
Abraham Weiss and William Weiss
Petitioners

Dear Mr. Doing:

Please enter an appeal from the decision of Augustine
J. Muller, former Zoning Commissioner for Baltimore County, in the
above entitled matter to the Board of Zoning Appeals for Baltimore
County, and transmit all the papers in said case to the Board of
Zoning Appeals for Baltimore County.

The Gwynn Lake Park Improvement Association
The Woodlawn Improvement Association
The Rolling Hill Improvement Association
The Windsor-Lorraine Improvement Association
The Colonial Park Civic League
The Lions Club of Woodlawn
The Lioness Club of Woodlawn

John T. Smith
Attorney for the Appellants

RE: PETITION FOR RECLASSIFICATION, 1st 8 parcels
from an "A" Residence Zone to a "B" Residence
Zone; the 9th parcel from an "A" Residence
Zone to a "C" Residence Zone; the 10th, 11th,
12th, 13th and 14th parcels from an "A" Residence
Zone to a "B" Residence Zone and the 15th parcel
from an "A" Residence Zone to an "B" Commercial
Zone, Louis Weiss, Max Weiss, Abraham and William
Weiss, Petitioners

The property which is the subject of this petition is located
on the south side of Dogwood Road, opposite Gwynn Oak and Englewood
Avenues, Woodlawn, First District. The property consists of 327.5
acres. The plan for the development of this property as proposed by
the petitioners is for the development of a commercial site of 21.6
acres; a school site of 16.7 acres; two church sites comprising 8.8
acres; park areas comprising 11.3 acres; a reserved area of 11.5 acres
(the area surrounding the existing dwelling and accessory buildings)
and the development of the remaining 234.6 acres with 303 cottages;
212 semi-detached houses and 918 group houses.

The plan indicates that the commercial area as proposed lies
at the southwest corner of Dogwood Road and Englewood Avenue, if extended
southerly. It was testified by the petitioners that the commercial buildings
would have to be located to the south of Dead Run as the area between
Dead Run and Dogwood Road is not sufficient to locate buildings in this
area. The commercial buildings would, therefore, be located a distance
of approximately 400 feet from Dogwood Road. The remaining frontage on
Dogwood Road from Englewood Avenue to the easternmost outline of the
property would be kept in park areas to an average depth of 450 feet
with the exception that a church site has been planned in this particular
area near the easternmost outline of the property.

The plan indicates that the closest cottages to Dogwood Road
would be located a distance of 150 feet from said road. The plan also
indicates that the closest semi-detached houses to Dogwood Road would
be 550 feet from said road. The plan indicates that the closest group
houses would be located a distance of 1000 feet from said road.

In addition to the church site heretofore mentioned, an
additional church site has been located near the southernmost extremity
of the property midway between the easternmost and westernmost outlines.
The plan also indicates that a 16.7 acre school site has been located
near the center of the proposed residential development on land suitable
for that purpose. In addition to the park area along Dogwood Road an
additional park area of considerable size has been located on the
southeast corner of the property, adjoining the largest concentration
of group houses. The plan also shows that the group houses have
been grouped into three concentrations of almost equal size and one
concentration consisting of approximately thirty five houses. The
westernmost concentration of group houses is separated from the others
by the school site and by the area reserved around the main dwelling
on the property. The other two concentrations lie near the eastern-
most and southernmost boundaries of the property and are separated
from each other by two tiers of cottages. The development of the
"C" apartment areas as shown on the plan does not appear to be
practical and should be denied, this area to be developed with
cottages where it will not interfere with plans for flood control.
The gross residential density for the development of this property
has been planned at five families per acre.

The area along Dead Run and its tributaries have been kept
in park areas, or flood control strips have been set up as required
by the Storm Water Department of the Department of Public Works. The
development has been planned in keeping with the present thinking of
the Planning Commission and the Zoning Department as to density
control in group house areas and as to the size of concentrations
of group houses. As the plan indicates, each concentration of

It was also noted that by the agreement dated
October 13, 1952, between the Petitioners and the proposed
purchaser of the land that the property would be divided into
twelve sections, as shown by the plat attached to said agree-
ment, giving to the purchaser an option at any time to purchase
one or more tracts within a given time. It would appear that
unless the purchaser took all the land, which he would not be
obliged to do, that the planned community development might
develop into a haphazard development.

It was also noted that one section of the land
by a company controlled by the Petitioners
(adjoining) had been partly developed with cottages, but that
enterprise is now in the hands of receivers. The Board will,
therefore, pass its order denying the reclassification of the
property as petitioned.

H. S. Campbell
Chairman

Carl T. Vohlen

Samuel W. Williams
Board of Zoning Appeals of
Baltimore County

Beginning for the same at a point in the center line of a proposed 16' alley situated at right angles and distant 105'0" plus or minus from the center line of Dogwood Road and Westerly 115'0" plus or minus measured along the center line of Dogwood Road from the Northwest corner of the whole tract of the mortgagee from C. S. Anderson to Lotts Wade, of said running thence along the center line of said 16' alley Southeastwarily 110'0" plus or minus to the Northwest side of a proposed 60' alley, running thence Northwest side of said street 560' plus or minus to the center line of a proposed 16' alley running thence along the center line of said alley the three following courses and distances: Westerly 100'0" plus or minus, Easterly 80'0" plus or minus and Northwesterly 550'0" plus or minus to the place of beginning.

Gross

beginning for the same at a point at the intersection of a proposed 16' alley and a proposed 50' street, said point being located Southwesterly 290' plus or minus from a point on the Westermost outline of the whole tract referred to in the above-mentioned conveyance from C. H. Anderson to Louis Weiss, et al, said point on the Westermost outline being Southwesterly 1050' more or less from the center line of Dogwood Road running Southwesterly, thence on the North side of said street 180' to the center line of a proposed 16' alley, running thence Southwesterly along the center line of said alley and across a proposed 60' street 60' plus or minus to the South side of a proposed 60' street, running thence along the South side of said 60' street Southwesterly 395' plus or minus to center line of a proposed 16' alley, running thence on center line of said alley Southwesterly 230' plus or minus to the North side of a proposed 60' street, running thence across said street Southwesterly 200' plus or minus to the North side of a proposed 60' street, running thence on the North side of said street, Northwesterly 110', running thence Southwesterly across said street 60' plus or minus to the Northwest side of a proposed 60' street, running thence along Northwest side of said street Southwesterly 330' plus or minus to a point 120' plus or minus from the Westermost outline of the aforementioned conveyance from C. H. Anderson to Louis Weiss, et al, running thence Northwesterly parallel to said Westermost outline 260' plus or minus to the South side of a proposed 60' street, running thence on the South side of said street Southwesterly 120' plus or minus, running thence Northwesterly and across said 60' street 65' plus or minus to the center line of a proposed 16' alley, running along the center line of said alley the two following courses and distances: Northwesterly 160' plus or minus and Northwesterly 330' plus or minus to the Southeast side of a proposed 60' street, running thence along the Southeast side of said street 350' plus or minus to the center line of a proposed 16' alley, running thence along the center line of said 16' alley the two following courses and distances: Southwesterly 130' plus or minus and Northwesterly 150' plus or minus and Northwesterly 770' plus to the place of beginning.

01570

beginning at the same at a point measured Northeast along the Southwestern outline 1150' more or less from the Southeastern corner of the outline of whole tract of conveyance of G. H. Anderson to Louis Walz et al, running thence at right angles to the said Southwestern outline of said tract Northeast 120' more or less to the South-west side of a proposed 60' street, running thence Northwesterly and across said 60' street 90' more or less to the Northeast side of said 60' street, running thence for lines of division the two courses and distances; Northeast 75' more or less and Northwesterly 70' more or less; to the West side of a proposed 60' street, running thence along the West side of said 60' street 290' more or less, running thence for lines of division the two following courses and distances; Southwesterly 200' more or less and Southerly 360' more or less to the Southwestern outline of the whole tract of conveyance of Anderson to Walz, running thence along said outline Southwesterly 365' more or less to the beginning.

Secret

District 1st Date of Posting 1-8-53
 Posted for A. B. S. & C. A. D. D. S. & C.
 Prisoner William, Mary, et al
 Location of property The Industrial Development Co. Sec. 11-12
Logansport, Ind.
 Location of Sign on 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 144th, 145th, 146th, 147th, 148th, 149th, 150th, 151st, 152nd, 153rd, 154th, 155th, 156th, 157th, 158th, 159th, 160th, 161st, 162nd, 163rd, 164th, 165th, 166th, 167th, 168th, 169th, 170th, 171st, 172nd, 173rd, 174th, 175th, 176th, 177th, 178th, 179th, 180th, 181st, 182nd, 183rd, 184th, 185th, 186th, 187th, 188th, 189th, 190th, 191st, 192nd, 193rd, 194th, 195th, 196th, 197th, 198th, 199th, 200th, 201st, 202nd, 203rd, 204th, 205th, 206th, 207th, 208th, 209th, 210th, 211th, 212th, 213th, 214th, 215th, 216th, 217th, 218th, 219th, 220th, 221st, 222nd, 223rd, 224th, 225th, 226th, 227th, 228th, 229th, 230th, 231st, 232nd, 233rd, 234th, 235th, 236th, 237th, 238th, 239th, 240th, 241st, 242nd, 243rd, 244th, 245th, 246th, 247th, 248th, 249th, 250th, 251st, 252nd, 253rd, 254th, 255th, 256th, 257th, 258th, 259th, 260th, 261st, 262nd, 263rd, 264th, 265th, 266th, 267th, 268th, 269th, 270th, 271st, 272nd, 273rd, 274th, 275th, 276th, 277th, 278th, 279th, 280th, 281st, 282nd, 283rd, 284th, 285th, 286th, 287th, 288th, 289th, 290th, 291st, 292nd, 293rd, 294th, 295th, 296th, 297th, 298th, 299th, 300th, 301st, 302nd, 303rd, 304th, 305th, 306th, 307th, 308th, 309th, 310th, 311th, 312th, 313th, 314th, 315th, 316th, 317th, 318th, 319th, 320th, 321st, 322nd, 323rd, 324th, 325th, 326th, 327th, 328th, 329th, 330th, 331st, 332nd, 333rd, 334th, 335th, 336th, 337th, 338th, 339th, 340th, 341st, 342nd, 343rd, 344th, 345th, 346th, 347th, 348th, 349th, 350th, 351st, 352nd, 353rd, 354th, 355th, 356th, 357th, 358th, 359th, 360th, 361st, 362nd, 363rd, 364th, 365th, 366th, 367th, 368th, 369th, 370th, 371st, 372nd, 373rd, 374th, 375th, 376th, 377th, 378th, 379th, 380th, 381st, 382nd, 383rd, 384th, 385th, 386th, 387th, 388th, 389th, 390th, 391st, 392nd, 393rd, 394th, 395th, 396th, 397th, 398th, 399th, 400th, 401st, 402nd, 403rd, 404th, 405th, 406th, 407th, 408th, 409th, 410th, 411th, 412th, 413th, 414th, 415th, 416th, 417th, 418th, 419th, 420th, 421st, 422nd, 423rd, 424th, 425th, 426th, 427th, 428th, 429th, 430th, 431st, 432nd, 433rd, 434th, 435th, 436th, 437th, 438th, 439th, 440th, 441st, 442nd, 443rd, 444th, 445th, 446th, 447th, 448th, 449th, 450th, 451st, 452nd, 453rd, 454th, 455th, 456th, 457th, 458th, 459th, 460th, 461st, 462nd, 463rd, 464th, 465th, 466th, 467th, 468th, 469th, 470th, 471st, 472nd, 473rd, 474th, 475th, 476th, 477th, 478th, 479th, 480th, 481st, 482nd, 483rd, 484th, 485th, 486th, 487th, 488th, 489th, 490th, 491st, 492nd, 493rd, 494th, 495th, 496th, 497th, 498th, 499th, 500th, 501st, 502nd, 503rd, 504th, 505th, 506th, 507th, 508th, 509th, 510th, 511th, 512th, 513th, 514th, 515th, 516th, 517th, 518th, 519th, 520th, 521st, 522nd, 523rd, 524th, 525th, 526th, 527th, 528th, 529th, 530th, 531st, 532nd, 533rd, 534th, 535th, 536th, 537th, 538th, 539th, 540th, 541st, 542nd, 543rd, 544th, 545th, 546th, 547th, 548th, 549th, 550th, 551st, 552nd, 553rd, 554th, 555th, 556th, 557th, 558th, 559th, 560th, 561st, 562nd, 563rd, 564th, 565th, 566th, 567th, 568th, 569th, 570th, 571st, 572nd, 573rd, 574th, 575th, 576th, 577th, 578th, 579th, 580th, 581st, 582nd, 583rd, 584th, 585th, 586th, 587th, 588th, 589th, 590th, 591st, 592nd, 593rd, 594th, 595th, 596th, 597th, 598th, 599th, 600th, 601st, 602nd, 603rd, 604th, 605th, 606th, 607th, 608th, 609th, 610th, 611th, 612th, 613th, 614th, 615th, 616th, 617th, 618th, 619th, 620th, 621st, 622nd, 623rd, 624th, 625th, 626th, 627th, 628th, 629th, 630th, 631st, 632nd, 633rd, 634th, 635th, 636th, 637th, 638th, 639th, 640th, 641st, 642nd, 643rd, 644th, 645th, 646th, 647th, 648th, 649th, 650th, 651st, 652nd, 653rd, 654th, 655th, 656th, 657th, 658th, 659th, 660th, 661st, 662nd, 663rd, 664th, 665th, 666th, 667th, 668th, 669th, 670th, 671st, 672nd, 673rd, 674th, 675th, 676th, 677th, 678th, 679th, 680th, 681st, 682nd, 683rd, 684th, 685th, 686th, 687th, 688th, 689th, 690th, 691st, 692nd, 693rd, 69

22.00

RECEIVED of John S. Mahls, Attorney,
the sum of Twenty two (\$22.00) Dollars
being cost of appeal for petition
for reclassification south side Dogwood
Road, Louis Weiss, et al. 1st District

PAID
MAR 5 - '73
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY *Wm. H. H. H.*

\$134.00

RECEIVED of Louis Weiss, et al, the sum of One Hundred and
Thirty Four (\$134.00) Dollars, being cost of petition for reclassification,
advertising and posting of property, Baywood Road, 1st District.

Bearing:
Monday, Jan. 19, 1953
at 1:00 p.m.
Buckord Bldg.,
Towson, Md.

PAID
JAN 19 53
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY *M. L. Hickman*

\$24.00

RECEIVED of John S. Mahle, Attorney for protestants,
the sum of Twenty Four (\$24.00) Dollars, being additional
costs for stenographic services in the matter of reclassifi-
cation of property on Deguedo Road, Mac Weiss, et al. petitioners.

Zoning Commission

PAID
SEP - 2 1953
COUNTY COMMISSIONER
OF BALTIMORE COUNTY
BY: *V.M.*

2450

July 27, 1954

\$25.20

RECEIVED of Eugene H. Feinblatt, attorney for Weiss Brothers, petitioners, the sum of \$25.20 being cost of certified copy of petition and other papers filed in the matter of reclassification of property, Degwood Road, 1st District of Baltimore County.

Zoning Commissioner



Social Security Site
50.0 ac.

2.3 ac.

Apartments

Reurbanization of Colmar
Park Estates

PROPOSED LAND DEVELOPMENT IN THE VICINITY OF THE SOCIAL SECURITY SITE

GARDEN CONSTRUCTION CORP., DEVELOPERS



9.76
12.15
14.12

Road

ST. Anthony's Church

Comm.
1.4 ac.

Drive

Gwynn Oak Ave.

Paul
5.1
Acres

Apartments

16.5 ac.

Boothland

20.12
Acres

Church

3.9 ac.

dupl lane



44.6 ac.

Church
5.0 ac.

proposed

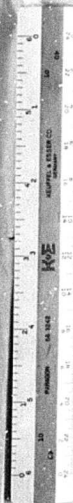
Church & School
15.9 ac.

12.3 ac.

Claret #3

Apartments

develop in conjunction
with front property



Road

Dogwood

Shopping Center

55.0 ac.

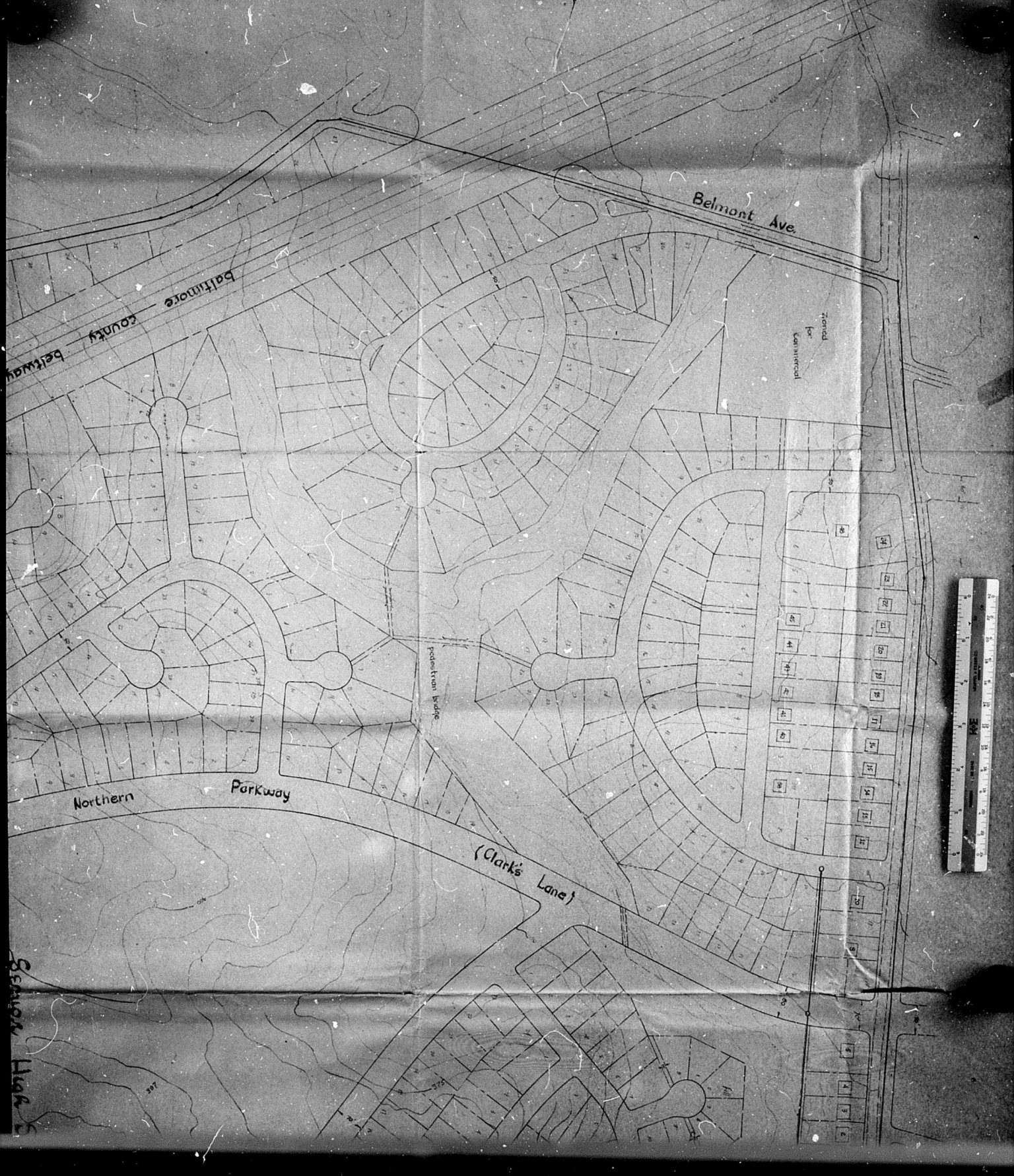
No 1

Church
3.9 ac.

lone
dual



Senior High School



Belmont Ave.

Baltimore County Parkway

Zoned for Commercial

pedestrian bridge

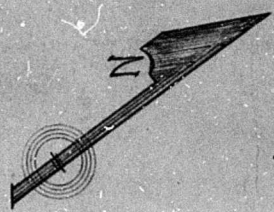
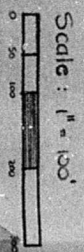
Northern Parkway

(Clark's Lane)

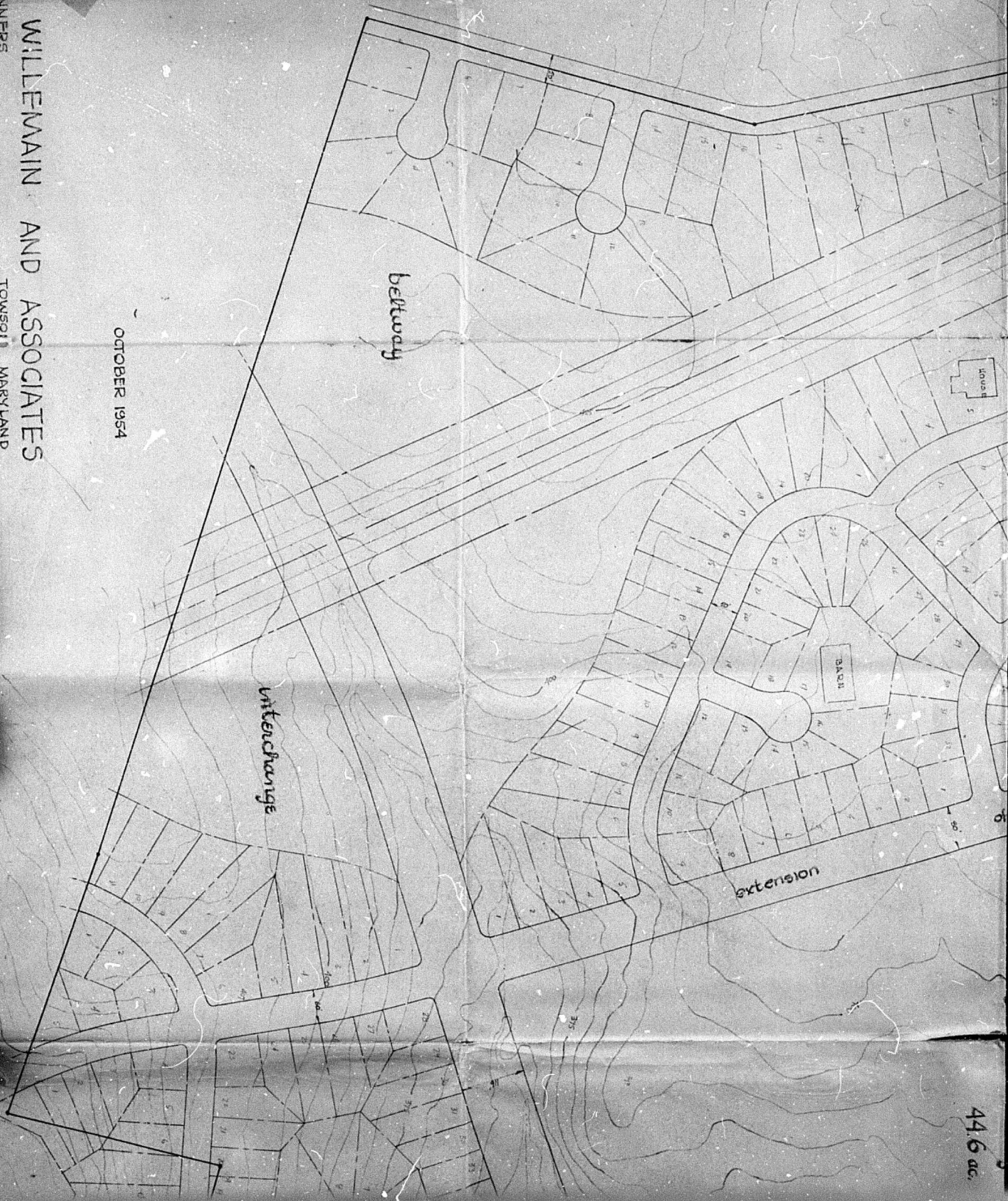


Senior High

BERNARD M. WILLEMAIN AND ASSOCIATES
SITE AND CITY PLANNERS
TOWSON, MARYLAND



OCTOBER 1954



44.6 ac.