

RE: PETITION FOR RECLASSIFICATION :
from an R-40 zone to an R-A zone
S/5 Woodholme Drive 2200' from
the W/S of Reisterstown Road,
3rd District
Woodholme Associates,
Petitioners
BALTIMORE COUNTY
No. 67-260-R

OPINION

This case comes before the Board on an appeal by the petitioners from a ruling of the Deputy Zoning Commissioner, dated June 30, 1967, denying the captioned petition.

The subject property comprises twenty-five acres, which was described in testimony as being part of an "enclave" which is located in the Third Election District, northwest of the interchange of the Baltimore County Beltway and Reisterstown Road, in the Pikesville area. More specifically, it is bounded on the east by Woodholme Avenue; on the west by the Western Maryland Railroad; on the north by the Woodholme Country Club; and on the south by the Baltimore County Beltway. The construction of this section of the Beltway, opened to traffic July 4, 1962, severed the area from Pikeville proper by separating Noylans Lane from Woodholme Avenue, and leaving dead-end Woodholme Avenue, which connects to Reisterstown Road, as the only means of ingress and egress from this so-called enclave. Woodholme Avenue was described as varying in width from seventeen to twenty feet, with virtually no shoulders. It is a winding country lane which serves the subject property, the Woodholme Country Club, with a membership up to five hundred families, and it also serves approximately seventeen multi-storied estate houses having values in the \$50,000 range.

The petitioner purchased seven acres of the tract in 1962, and eighteen acres in 1965 at a cost of \$11,000 per acre. It was zoned R-40 then as it is now. He testified that although it is physically possible to develop the land as R-40, it is totally uneconomical to do so. Based on claims of "change" in the character of the neighborhood, "error" in original zoning on the map adopted by the County Council on January 16, 1957, and a "need" for supplying housing for seven thousand Jewish families requiring relocation, he attempted to justify the petitioned reclassification to enable him to construct two hundred and one (201) apartment units on the site. There was further testimony that sewer and water facilities were more than adequate for the proposed.

The protestants' main complaint was that bad traffic problems now existing would only be aggravated by granting the petition. They claimed Woodholme Avenue is too narrow to adequately handle the increased traffic load that would be generated by the apartments. They were particularly concerned with the present and potential congestion at the intersection of Woodholme Avenue and Reisterstown Road. This was

Woodholme Associates - 767-260-R

described as a very busy and dangerous intersection, and further, adversely affected by its close proximity to the entrance and exit ramps of the Beltway. Left turn movements and weaving movements required to be accomplished within short distances, tend to create particularly hazardous conditions to safe driving at this intersection.

Without going into the details of the testimony, the Board is of the opinion that the "changes" cited, and claims of "error" in the original zoning, while having some merit are not of sufficient weight to warrant the reclassification that is sought. Furthermore, the existing roads facilities are too inadequate and dangerous to be encumbered by the volume of traffic that would be generated by the proposed apartments.

Therefore, the Order of the Deputy Zoning Commissioner dated June 30, 1967 is affirmed, and the Board hereby denies the petitioned reclassification.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 7th day of May, 1969 by the County Board of Appeals, ORDERED that the reclassification petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1103, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

John A. Slawik

John A. Miller

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, the undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be re-classified, pursuant to the Zoning Law of Baltimore County, from an R-40 zone to an R-A zone; for the following reasons:

First, in original zoning and a genuine change in conditions

See attached description

and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for:

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 of Baltimore County.

Contract purchaser

Address: 3011 Lexington Avenue, Baltimore, Md. 21202

W. Lee Harrison, Petitioner's Attorney

Address: 3011 Lexington Avenue, Baltimore, Md. 21202

ORDERED BY The Zoning Commissioner of Baltimore County, this 23rd day of May, 1967, 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 26th day of June, 1967, at 10:00 o'clock.

Zoning Commissioner of Baltimore County.

10-22-70

OFFICE OF
BALTIMORE COUNTY
June 21, 1967
IS TO CERTIFY, that the annexed advertisement of
BALTIMORE COUNTY, a group of weekly news-
papers, Baltimore County, Maryland, once a week for
before the 21st day of June, 1967, that the
to be in the issue of
BALTIMORE COUNTY
By Paul J. Morgan
Baltimore County

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

Date of Posting: July 2, 1967
District: 3RD
Petition for: Appeal
Petitioner: Woodholme Associates
Location of property: S/5 Woodholme Drive 2200' from W/S of Reisterstown Rd.
Location of Sign: S/5 Woodholme Dr. 2200' from W/S of Reisterstown Rd.
Date of return: July 23, 1967
3 signed

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: June 2, 1967
No. 45583
To: W. Lee Harrison, Esq.,
3011 Lexington Ave.,
Baltimore, Md. 21202
REPORT TO ACCOUNT NO. 01-422
TOTAL AMOUNT \$75.00
MICROFILMED

INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
DATE: 7/29/67
No. 44257
To: W. Lee Harrison, Esq.,
3011 Lexington Ave.,
Baltimore, Md. 21202
REPORT TO ACCOUNT NO. 01-422
TOTAL AMOUNT \$75.00
MICROFILMED

STATE OF MARYLAND
STATE ROADS COMMISSION
300 WEST PRESTON STREET
BALTIMORE, MD. 21201
August 22, 1967
Mr. Henry B. McInerney
Alan M. Voorhees & Associates, Inc.
7670 Old Springhouse Road
McLean, Virginia 22101
Dear Mr. McInerney: Special Studies - 2720
Thank you for your letter of August 10, 1967 advising that your firm is presently involved in a study which is affected by traffic conditions at the interchange formed by the junction of the Baltimore Beltway (I-695) and the Reisterstown Road (US 140), and requesting copy of the Consultant's report and details on the new equipment to be installed at the intersection in the near future.

As to providing a copy of the Consultant's report, this would have to be authorized by the Deputy Director-Chief Engineer, and a copy of your request is being forwarded to him. As to the change in Traffic Signal Systems, we have ordered from the Automatic Signal Corporation a model T-8095 controller for which delivery from the manufacturer is expected momentarily. This is the type of control recommended by the Bureau of Public Roads and used in the Capella and Pinnell studies in Texas. It is a control specifically designed for diamond interchanges, being fully actuated, providing many overlaps, and having the feature of skipping phases when necessary. I hope we have been helpful. Very truly yours, Geo. N. Lewis, Jr., Asst. Chief Engineer-Traffic

LAW OFFICES
JOHN W. ARMIGER
200 PADDINGTON EAST
COCKEYSVILLE, MARYLAND 21030
June 9, 1969
County Board of Appeals
County Office Building
Towson, Maryland 21204
Re: Petition - Woodholme Associates
Case No. 67-260-R
Gentlemen:
This will confirm my appearance in the above case on behalf of Mr. and Mrs. William F. Chew as protestants. My appearance was entered verbally on the record at this afternoon's hearing, at which I was in attendance.

Very truly yours,
John W. Armiger
JWA/ag
cc: Theodore Sherlow, Esquire - 10 Light Street, Balto, Md. 21202
Douglas C. Bottom, Esquire - Jefferson Building, Towson, Md. 21204
W. Lee Harrison, Esquire - 3011 W. Joppa Road, Towson, Md. 21204

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
Date of Posting: June 9, 1967
District: 3RD
Petition for: Appeal
Petitioner: Woodholme Associates
Location of property: S/5 Woodholme Drive 2200' from W/S of Reisterstown Rd.
Location of Sign: S/5 Woodholme Dr. 2200' from W/S of Reisterstown Rd.
Date of return: June 15, 1967
3 signed

PETITION FOR RECLASSIFICATION
AND SURVEY

EXISTING: From R-1 to R-1.2.
TOWNSHIP: Both ends of Wood-
house Drive 220 feet from the
West side of Baltimore Road.
DATE: 11/11/11. (11/11/11) 11/11/11
BY: J. G. ROSE, Surveyor
J. G. ROSE, Surveyor
Public Hearing, 11/11 W. Chesapeake
Avenue, Towson, Maryland.

The Survey Commission of Baltimore County, in authority of the
Zoning Act and Regulations of Bal-
timore County, will hold a public
hearing.

Project: Zoning R-1.
Section: R-1.
All that parcel of land in the Third
District of Baltimore County,
beginning at a point in the first
or South 11° 11' 11" East
11/11 feet, and thence along
Woodhouse Drive, according to
the following courses and dis-
tances:

1. South 11° 11' 11" East—11/11
feet.
2. Thence, running on part of the Third
District of Baltimore County,
beginning at a point in the first
or South 11° 11' 11" East
11/11 feet, and thence along
Woodhouse Drive, according to
the following courses and dis-
tances:

1. South 11° 11' 11" East—11/11
feet.
2. Thence, running on part of the Third
District of Baltimore County,
beginning at a point in the first
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the following courses and dis-
tances:

1. South 11° 11' 11" East—11/11
feet.
2. Thence, running on part of the Third
District of Baltimore County,
beginning at a point in the first
or South 11° 11' 11" East
11/11 feet, and thence along
Woodhouse Drive, according to
the following courses and dis-
tances:

CERTIFICATE OF PUBLICATION

TOWSON, MD. JUNE 20, 1911.

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 each week, beginning on or before the 26th day of June, 1911, the first publication appearing on the 26th day of June, 1911.

THE JEFFERSONIAN

L. L. Smith, Jr.
Manager.

Cost of Advertisement, \$.....

MICROFILMED

TELEPHONE
823-3000
EXT. 327

INVOICE BAL MORE COUNTY, MAI LAND OFFICE OF FINANCE

No. 44223

DATE 6/26/11

Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

Office of Planning & Zoning
209 County Office Bldg.,
Towson, Maryland 21204

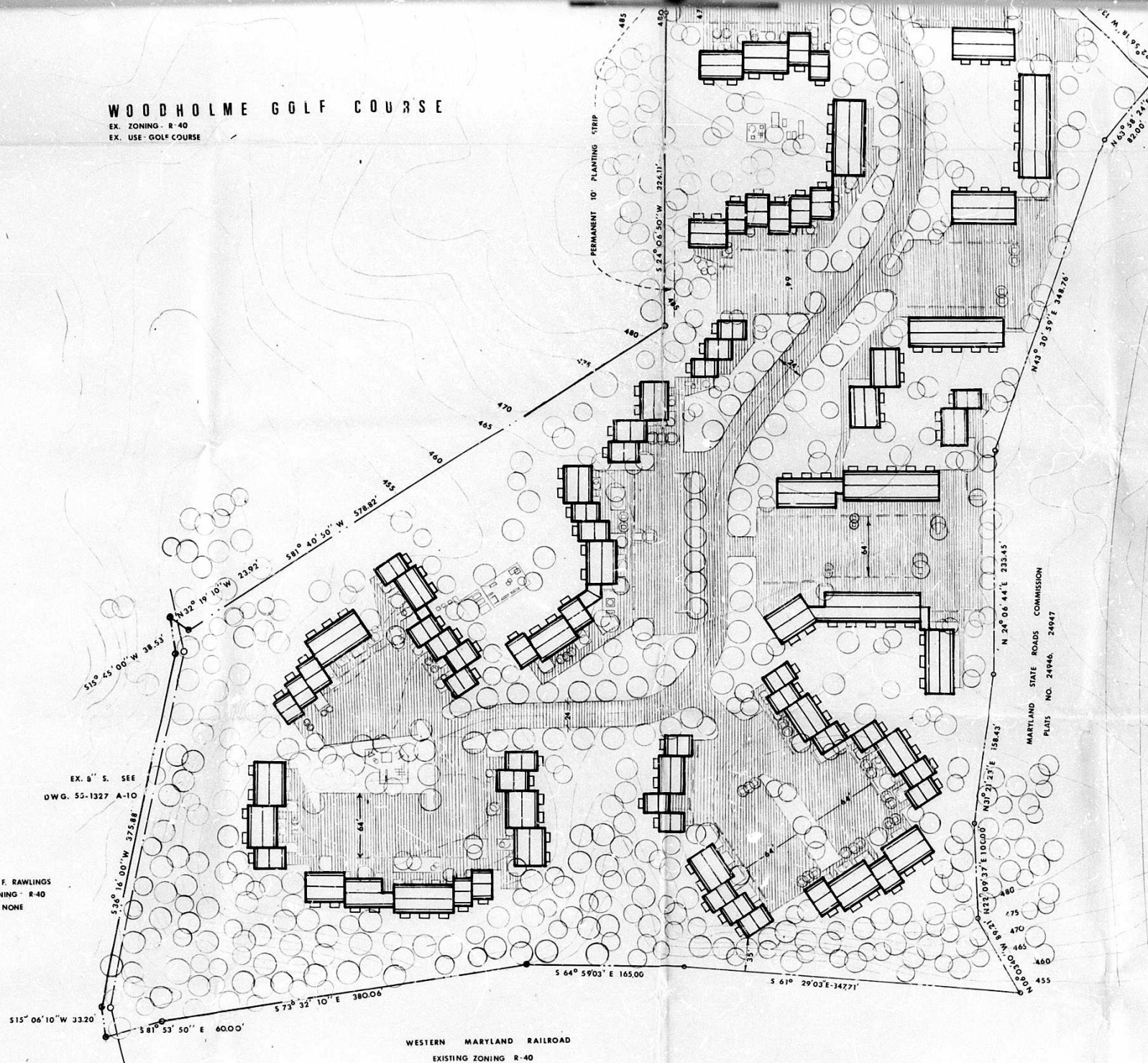
To: W. Lee Harrison, Esq.,
Legal Federal Bldg.,
Towson, Maryland 21204

REPORT TO ACCOUNT NO. 08-622	RETURN THIS FOREIGN WITH YOUR RETURN	TOTAL AMOUNT
QUANTITY	DATE	COST
Cost of advertising and posting property of Woodhouse Associates	1911	\$124.50
No. 67-246-B	1911	124.50
MICROFILMED	1911	124.50
4	1911	124.50

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

WOODHOLME GOLF COURSE

EX. ZONING - R-40
EX. USE - GOLF COURSE



EX. 8' S. SEE
DWG. 55-1327 A-10

HARRY F. RAWLINGS
EX. ZONING - R-40
EX. USE - NONE

WESTERN MARYLAND RAILROAD
EXISTING ZONING R-40

MARYLAND STATE ROADS COMMISSION
PLATS NO. 24946, 24947

BELTWAY

TO LIBERTY RD.
TO PIKESVILLE & TOWSON

WOODHOLME VILLAGE

BALTIMORE COUNTY MARYLAND ELECTION DISTRICT NO. 3

JO. 66-052

PRINT DATE:
4/8/67



PLAT TO ACCOMPANY ZONING PETITION

MATZ · CHILDS & ASSOCS
PLANNERS
ROCKVILLE
1" = 50'
ENGINEERS
BALTIMORE
AUGUST 1966

10-22-70



EXISTING ZONING - R-40
EXISTING USE - RES.
PROPOSED ZONING - R-A
PROPOSED USE - APARTMENTS
TYPICAL BLDG. DIMENSIONS 20' x 30'
PERMANENT 10' PLANTING STRIP TO
CONTAIN 4' HIGH COMPACT EVERGREENS

EX. ZONING - R-40
EX. USE - GOLF COURSE

LAWRENCE P. NAYLOR III
EXISTING ZONING - R 40
EXISTING USE - RES.