

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, W. & W. Homes, Inc., legal owner... of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition (1) that the zoning status of the herein described property be reclassified, pursuant to the Zoning Law of Baltimore County, from an R-6, R-10 zone to an AREA zone, for the following reasons:

1. Change in Neighborhood
2. Error in original Map

* Petition for Special Hearing for Off-Street Parking in Residential Zone R-10 and R-20

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 for Baltimore County.

BY: W. & W. Homes, Inc.
President: William I. Weinstein Legal Owner: William I. Weinstein

Address: 51 G. on Ridge Road

Address: One East Redwood Street
Petitioner's Attorney: Harry S. Swartzwelder, Jr.
Address: 400 Totman Building, Towson, Maryland

ORDERED BY The Zoning Commissioner of Baltimore County, this 2nd day of September, 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 16, County Office Building in Towson, Baltimore County, on the 23rd day of October, 1967, at 1:00 o'clock.

Zoning Commissioner of Baltimore County

W. & W. Homes, Inc.

NO. 70-81-RSPH

SE corner McDonagh & Winands Roads

2nd District

Parcel A - Permit for parking in an R-20 residential zone 5.2748 acres
Parcel B - Permit for parking in an R-10 residential zone 1.1091 "
Parcel C - R-10 to B.L. 3.7318 "
Parcel D - R-6 and R-10 to R-A 14.2 "
Parcel E - R-6 to R-A 1.5 "

Sept. 2, 1969 Petition filed
Feb. 17, 1970 Reclassification and Use Permit DENIED by Z.C.
" 24 Appealed to County Board of Appeals by William I. Weinstein, Esq. Attorney for Petitioners
Jan. 6, 1971 Order of County Board of Appeals GRANTING reclassification to R-A on Parcels D and E; DENYING reclassification to B.L. on Parcel C; and DENYING parking on Parcels A and B
Feb. 3 Order for Appeal filed in the Circuit Court by Harry S. Swartzwelder, Esq., Attorney for Protestants, O. Eugene Albright, et al (File # 4624)
Mar. 5 Petition to Extend Time for Transmittal of Proceedings to 4/5/71 fd.
May 4 Protestants' application to extend time and letter from Judge Maguire denying same filed (from Court Docket)
" 19 Per telephone conversation with Mr. Swartzwelder - says he has filed Answer to Stay Proceedings in Circuit Court before Judge Maguire, who will confer with Judge Menthine in lieu of appeal filed by L. Harrison re maps
June 16 Record of proceedings NOT FILED IN CIRCUIT COURT
June 16 Maguire on Court Docket
June 16 Judge Menthine DISMISSED case as moot under Bill #100 (Oral) no written Order, just entered on Court Docket

O. EUGENE ALBRIGHT
ROBERT L. LAMBORN and
JOAN SPILMAN
Protestants-Appellants
vs
JOHN A. SLOWIK
WALTER A. REITER, JR. and
JOHN A. MILLER, Jr. and
constituting the COUNTY BOARD
OF APPEALS OF BALTIMORE COUNTY
Appellees

MR. CLENK:

Please enter an Appeal on behalf of O. Eugene Albright Robert L. Lamborn and Joan Spilman, Protestants-Appellants, from the Order of the County Board of Appeals dated January 6, 1971, and reclassifying parcels D and E petitioned for from R-6 and R-10 zones to an R-A zone, the subject property being located at the Southeast corner of McDonagh and Winands Roads, in the Second Election District of Baltimore County, to the Circuit Court for Baltimore County.

I HEREBY CERTIFY, that on this day of February, 1971, copy of the foregoing Order for Appeal was mailed to County Board of Appeals, County Office Building, Towson, Maryland; and William I. Weinstein, Esquire, 1 East Redwood Street, Baltimore, Maryland.

Harry S. Swartzwelder, Jr.

RE. PETITION FOR RECLASSIFICATION AND SPECIAL HEARING
SE/corner of McDonagh Road and Winands Road - 2nd District
W & W Homes, Incorporated - Petitioner
NO. 70-81-RSPH (Item No. 47)
BALTIMORE COUNTY

The Petitioner seeks a Reclassification of his property from R-6 and R-10 zones to RA and BL zones. Permission to use a residential tract for off-street parking is also requested.

Without reviewing the evidence in detail, the Zoning Commissioner of Baltimore County feels that the Petitioner has failed to show either error in the original zoning map or such substantial changes in the character of the neighborhood to justify granting the Petition. By necessity, the request for a special use permit for parking must be dismissed.

For the foregoing reasons, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 17 day of February, 1970, that the above reclassification be and the same is hereby DENIED and that the above described property or area be and the same is hereby continued as and to remain R-6 and R-10 zones. The Petition for a Special Hearing for off-street parking in a residential zone is also DENIED.

Charles D. Hendricks
Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING

DATE 2/17/70

BY J. A. Hendricks

Administrative Assistant

RE: PETITION FOR RECLASSIFICATION
from R-6 and R-10 zones to R-A and B.L. zones, and a Use Permit for parking in a Residential Zone
SE corner McDonagh and Winands Roads, 2nd District
W. & W. Homes, Inc., Petitioner
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 70-81-RSPH

OPINION

This case comes before this Board on an appeal by the petitioner from a denial for the requested reclassifications of the subject property. The petitioner seeks to reclassify the subject property from R-6 and R-10 zones to R-A and B.L. zones, and the petitioner also requests a permit for parking in a residential zone.

The subject property is located at the southeast corner of McDonagh and Winands Roads in the Second Election District of Baltimore County. It encompasses all of the frontage on the east side of McDonagh Road between Winands Road and the proposed Brenbrook Road, which intersects the subject property at its southwestern corner, and contains approximately 910.8 feet of frontage on the south side of Winands Road. The entire tract contains approximately 25.8 acres. The petitioner seeks a reclassification to B.L. (Business Local) on approximately 3.7318 acres, and reclassification of approximately 15.7 acres to R-A (Residential Apartments). Upon the balance 6.3839 acres of land, the petitioner seeks a permit for parking in a residential zone.

The subject case involved two days of testimony before this Board, and included the testimony and evidence as presented by various experts, both on behalf of the petitioner and the protestants. We will not attempt to detail this testimony and evidence, but will merely highlight same.

Paul Lee, a registered professional engineer employed by Wirtz, Childs and Associates, testified on behalf of the petitioner, and set out the proposed uses for which these reclassifications were sought. Mr. Lee also testified that all the necessary utilities, including water, sewer, gas, and adequate provisions for storm drains now could be made at the subject site to provide all of these utilities to sufficiently handle the proposed uses. Such is a change in the circumstances which existed at the time of the

W. & W. Homes, Inc. - #70-81-RSPH

2.

original adoption of this map.

Mr. Bernard Willemain, a well-known city planner and zoning consultant, testified on behalf of the petitioner, and cited the various changes in the character of the neighborhood which in his judgment sufficiently affected the area to warrant the requested reclassifications. It was his judgment that the proposal as set forth on petitioner's exhibit #1 is an excellent plan and land use development scheme.

Mr. Hugh Gelston, an equally well-known zoning consultant, realtor and appraiser, also testified for the petitioner. Mr. Gelston cited various changes in the character of the neighborhood to support the reclassifications as requested by the petitioner. These citations included case #65-375 and case #66-54, which represented changes to more intensified densities. In addition, both of these expert witnesses detailed school population problems, and the general population situation in the Second Election District of Baltimore County as it affected the subject property. A traffic expert also testified for the petitioner.

The protestants also presented expert testimony and accompanying evidence. Mr. Richard Moore, Assistant Traffic Engineer for Baltimore County, testified in opposition to the petition. It was Mr. Moore's opinion that the traffic generated at the subject site by the granting of this petition would have an adverse effect upon the traffic flow in this area.

Mr. George E. Gavrellis, Director of Planning for Baltimore County, also testified in opposition to this petition, it being his primary thought that the proposal should be handled on the new comprehensive zoning map; and not by way of the petition process. Mr. Gavrellis was impressed with the scheme of the proposed development, but was not in favor of its development at this particular location.

The subject proposal is detailed and set out on petitioner's exhibit #1, and this proposal is divided into five parcels. This is significant as it is the conclusion of this Board that a portion of this zoning should be granted and a portion should be denied. For purposes of identification, this Board will refer to Parcels A through E as set out on petitioner's exhibit #1 and as detailed by legal descriptions of each, said legal descriptions

W. & W. Homes, Inc. - #70-81-RSPH

3.

being contained in the official zoning file for this case; i.e., file #70-81-RSPH.

It is the judgment of this Board that the petitioner's request for reclassification to Business Local zoning and the accompanying special permit for parking in a residential zone should be denied, as there is not sufficient evidence of change or error to warrant same. This would involve all of the property included in Parcels A, B and C, as described on petitioner's exhibit #1 and set out in legal descriptions in the case file.

Considering in detail the testimony and evidence of change in the character of the neighborhood, it is the judgment of this Board that the community might be well served by the granting of the requested reclassification to Residential Apartments. The proposed road patterns, the now available utilities, and the various zoning reclassifications represent changes in the character of this neighborhood which would warrant the granting of the requested R-A reclassification. This would involve all of the area included in Parcels D and E, as shown on petitioner's exhibit #1 and set out in legal descriptions in the case file.

In granting the request for Residential Apartments and denying the request for the Business Local zoning, it is the feeling of this Board that it has taken into consideration the effect the Winands Road intersection and also the major effect that Brenbrook Road, as the primary collector road in this area, will have upon the subject property. The Residential Apartments would fit well into the scheme of development at the intersection of McDonagh Road and Brenbrook Road, which when fully developed will provide the major and primary north-south access between Liberty Road and Reisterstown Road, in this section of the Second Election District of Baltimore County. This would be comparable to the Rolling Road-Old Court Road cross-county collector system.

Hence, without further detailing the testimony and evidence in this case, the petitioner's request for Business Local zoning and the accompanying special permit for parking in a residential zone will be denied, and the request for Residential Apartments will be granted.

W. & W. Homes, Inc. - #70-81-RSPH

ORDER

For the reasons set forth in the foregoing Opinion, it is this 6th day of January, 1971, by the County Board of Appeals, ORDERED that the reclassification from R-6 and R-10 zones to an R-A zone on Parcels D and E petitioned for, be and the same is hereby GRANTED; and it is

FURTHER ORDERED that the reclassification from an R-10 zone to a B.L. zone on Parcel C petitioned for, be and the same is hereby DENIED; and it is

FURTHER ORDERED that the use permit for parking in a residential zone on Parcels A and B petitioned for, be and the same is hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1110, subtitle B of Maryland Rules of Procedure, 1961 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slowik, Chairman

Walter A. Reiter, Jr.

John A. Miller

WILLIAM I. WEINSTEIN
ATTORNEY AT LAW
ONE EAST REDWOOD STREET
BALTIMORE, MARYLAND 21204



February 20, 1970

Zoning Commissioner
County Office Building
Towson, Maryland 21204

re: Petition for Reclassification and Special Hearing
SE corner of McDonogh Road and Winands Road-2nd District
W & W Homes, Incorporated-Petitioner
NO. 70-01-RSPH (Item 40, 47)

Dear Sir:

Please be advised that my client, W & W Homes, Inc., Petitioner in the above captioned matter, feeling aggrieved by the Order of the Zoning Commissioner dated February 17, 1970, hereby serves notice that it desires to appeal the decisions contained in said Order to the County Board of Appeals.

I enclose herewith, check no. WM1950 from W & W Homes, Inc. made payable to Baltimore County, Maryland in the amount of Seventy Dollars (\$70.00) representing the filing cost of said appeal to the County Board of Appeals.

Please acknowledge receipt and acceptance of this notice of appeal.

Very truly yours,

William I. Weinstein
William I. Weinstein
Attorney for Petitioner

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

F.S. Also enclosed my check made payable to Baltimore County, Maryland in the amount of Twenty Dollars (\$20.00) representing the cost of posting the property for appeal hearing.

MCA 
MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING
ENGINEERS

1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-823-0900

DESCRIPTION

14.2 ACRE PARCEL, EAST SIDE OF MCDONOGH ROAD, SOUTH OF WINANDS ROAD, SECOND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for R-A Zoning

PARCEL "D"

Beginning for the same at a point in the center line of McDonogh Road and in the outline of the land conveyed by Ada K. Beall and husband to Washington Housing Corporation by deed dated March 6, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1438, page 473, at the distance of 520.63 feet, as measured southerly along the center line of said McDonogh Road and reversely along the outlines of said land from the center line of Winands Road and from the end of the fifth line of said land, running thence binding on said center line of McDonogh Road and reversely on the outlines of said land two courses: (1) S 03° 03' 42" E 617.87 feet, and (2) S 01° 33' 42" E 414.44 feet, thence; (3) S 82° 18' 10" E 319 feet, more or less, to a point on the second line of the area zoned 2 R-6-2 on the Zoning Map of Baltimore County, thence binding on a part of said second line and binding on a part of the third line thereof two courses, (4) N 01° 33' 42" W 225 feet, more or less, and (5) S 73° 37' 40" E 337 feet, more or less, to a point on the east outline of said land conveyed to Washington Housing Corporation,

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1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-823-0900

DESCRIPTION

5.2748 ACRE PARCEL, SOUTHWEST CORNER OF MCDONOGH ROAD AND WINANDS ROAD, SECOND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for a Parking Permit
in an R-20 Residential Zone

PARCEL "A"

Beginning for the same at the intersection of the center lines of McDonogh Road and Winands Road, and at the beginning of the sixth or S 68° 1/2° E 55.2 perch line of the land conveyed by Ada K. Beall and husband to Washington Housing Corporation, by deed dated March 6, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1438, page 473, running thence binding on said sixth line and on the center line of said Winands Road, (1) S 73° 37' 40" E 910.80 feet, thence (2) S 10° 02' 23" W 252.50 feet, thence along the line between area 2R-20-8 and area 2R-10-3 on the Zoning Map of Baltimore County, (3) N 74° 06' 20" W 882.68 feet, thence binding on the center line of McDonogh Road and on the outlines of the land herein referred to, two courses: (4) N 00° 26' 18" E 149.53 feet, and (5) N 08° 56' 18" E 115.50 feet to the place of beginning.

Containing 5.2748 acres of land.

HGW:impl

J.O. #69012

August 1, 1969

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Lester Matz, P.E., L.S.
John C. Childs, P.E., L.S.
Associates
Ronald W. Boyles, L.S.
George W. Bushby, L.S.
Robert W. Crasman, P.E.
Leonard M. Glase, P.E.
Norman F. Hermann, L.S.
Paul Lee, P.E.
Paul S. Simon

#70-RSPH
HAP
2-C
WESTERN
AREA
NW-8-J
BL
RA
2R-20
R-10

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ENGINEERS

1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-823-0900

DESCRIPTION

1.1091 ACRE PARCEL, EAST SIDE OF MCDONOGH ROAD, SOUTH OF WINANDS ROAD, SECOND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for a Parking Permit in an R-10 Residential Zone

PARCEL "B"

Beginning for the same at a point in the center line of McDonogh Road, where the same is intersected by the line between area 2R-20-8 and area 2R-10-3 on the Zoning Map of Baltimore County, said beginning point being distant 265.03 feet, as measured southerly along the center line of said McDonogh Road and reversely along the outlines of the land conveyed by Ada K. Beall and husband to Washington Housing Corporation by deed dated March 6, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1438, page 473, from the center line of Winands Road and from the end of the fifth line of said land, running thence binding on said center line of McDonogh Road and reversely on the outlines of said land two courses: (1) S 00° 26' 18" W 180.47 feet, and (2) S 03° 03' 42" E 75.13 feet, thence three courses: (3) S 74° 06' 20" E 197.29 feet, (4) N 01° 55' 00" W 95.89 feet, and (5) northerly, by a curve to the right with the radius of 2115.00 feet, the distance of 159.66 feet, thence along the aforementioned zoning line, (6) N 74° 06' 20" W 197.40 feet to the place of beginning.

Containing 1.1091 acres of land.

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J.O. #69012

Lester Matz, P.E., L.S.
John C. Childs, P.E., L.S.
Associates
Ronald W. Boyles, L.S.
George W. Bushby, L.S.
Robert W. Crasman, P.E.
Leonard M. Glase, P.E.
Norman F. Hermann, L.S.
Paul Lee, P.E.
Paul S. Simon

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CONSULTING
ENGINEERS

1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-823-0900

DESCRIPTION

3.7318 ACRE PARCEL, EAST OF MCDONOGH ROAD, SOUTH OF WINANDS ROAD, SECOND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

THIS DESCRIPTION IS FOR B-J ZONING

PARCEL "C"

Beginning for the same at a point on the line between area 2R-20-8 and area 2R-10-3 on the Zoning Map of Baltimore County, at the distance of 197.40 feet, as measured southeasterly along said line from a point in the center line of McDonogh Road and the outlines of the land conveyed by Ada K. Beall and husband to Washington Housing Corporation by deed dated March 6, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1438, page 473, said last mentioned point being distant 265.03 feet, as measured southerly along the center line of said McDonogh Road and reversely along the outlines of the land herein referred to from the center line of Winands Road and from the end of the fifth line of said land, running thence along the aforementioned zoning line, (1) S 74° 06' 20" E 685.28 feet, thence four courses: (2) S 10° 02' 23" W 246.29 feet, (3) N 74° 06' 20" W 638.02 feet, (4) N 01° 55' 00" W 95.39 feet, and (5) northerly by a curve to the right with the radius of 2115.00 feet, the distance of 159.66 feet to the place of beginning.

Containing 3.7318 acres of land.

HGW:impl

J.O. #69012

August 1, 1969

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Lester Matz, P.E., L.S.
John C. Childs, P.E., L.S.
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Paul S. Simon

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CONSULTING
ENGINEERS

1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-823-0900

DESCRIPTION

14.2 ACRE PARCEL, EAST SIDE OF MCDONOGH ROAD, SOUTH OF WINANDS ROAD, SECOND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for R-A Zoning

PARCEL "D"

Beginning for the same at a point in the center line of McDonogh Road and in the outline of the land conveyed by Ada K. Beall and husband to Washington Housing Corporation by deed dated March 6, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1438, page 473, at the distance of 520.63 feet, as measured southerly along the center line of said McDonogh Road and reversely along the outlines of said land from the center line of Winands Road and from the end of the fifth line of said land, running thence binding on said center line of McDonogh Road and reversely on the outlines of said land two courses: (1) S 03° 03' 42" E 617.87 feet, and (2) S 01° 33' 42" E 414.44 feet, thence; (3) S 82° 18' 10" E 319 feet, more or less, to a point on the second line of the area zoned 2 R-6-2 on the Zoning Map of Baltimore County, thence binding on a part of said second line and binding on a part of the third line thereof two courses, (4) N 01° 33' 42" W 225 feet, more or less, and (5) S 73° 37' 40" E 337 feet, more or less, to a point on the east outline of said land conveyed to Washington Housing Corporation,

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thence binding thereon two courses: (6) N 01° 59' 40" W 13 feet, more or less, and (7) N 10° 02' 23" E - 721.83 feet, thence (8) N 74° 06' 20" W - 835.31 feet to the place of beginning.

Containing 14.2 acres of land, more or less.

RWB:impl

J.O. #69012

August 4, 1969



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1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-823-0900

DESCRIPTION

1.5 ACRE PARCEL, EAST OF MCDONOGH ROAD, SOUTH OF WINANDS ROAD, SECOND ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for F-A Zoning

PARCEL "E"

Beginning for the same at a point on the ninth line of the land described in the deed from Ada K. Beall and others to Washington Housing Corporation, dated March 6, 1946 and recorded among the Land Records of Baltimore County in Liber R.J.S. 1438, page 473, and distant S 10° 02' 23" W 1220.62 feet and S 01° 59' 40" E 178.26 feet, as measured along the east outline of said land, from a point in the center of Winands Road, said point in Winands Road being distant S 73° 37' 40" E 910.80 feet from the point of intersection of the center line of Winands and McDonogh Roads, running thence binding on a part of the southernmost outline of the land now owned by Washington Housing Corporation, (1) N 82° 18' 10" W - 326 feet, more or less, to a point on the second line of the area zoned 2 R-6-2 on the Zoning Map of Baltimore County, thence binding on a part of said second line and binding on a part of the third line thereof two courses: (2) N 01° 33' 42" W 225 feet, more or less, and (3) S 73° 37' 40" E - 337 feet, more or less, to a point on the east outline of said land conveyed to Washington Housing Corporation, thence binding thereon, (4) S 01° 59'

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- 2 -

40" E - 165 feet, more or less, to the place of beginning.
Containing 1.5 acres of land, more or less.

RWB:impl

69012

August 4, 1969



M-81-R-SP11

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

September 16, 1969

COUNTY OFFICE BLDG.
111 W. Redwood St.
Towson, Maryland 21204

BY

OLIVER L. MYERS
ChairmanWilliam I. Weinstein, Esq.
One East Redwood Street
Baltimore, Maryland 21202RE: Type of Hearing: Reclassification
from an R-6, R-10 zone to an R-A & B-1
zone
Locations: SE/S of McDonogh Rd. & Winands Rd.
Petitioner: W. & W. Homes, Inc.
Committee Meeting of September 2, 1969
2nd District
Item 47

Dear Sirs:

The Zoning Advisory Committee has reviewed the plans submitted with the above referenced petition and has made an on site field inspection of the property. The following comments are a result of this review and inspection.

The subject property is presently unimproved with the surrounding properties to the northwest, east and south improved with dwellings from new to twenty years of age, in good repair. Winands Road and McDonogh Road in this location are not improved as far as concrete curb and gutter are concerned.

BUREAU OF ENGINEERING:Highways

We are generally in accord with the subject plan in regard to the proposed alignment, right of-way width and pavement section of McDonogh Road and Winands Road. The subject plan should indicate that the property owner also owns the parcel of land located at the northeast corner of McDonogh Road and Winands Road. Therefore, we would require the property owner to dedicate all highway rights-of-way for the relocation of Winands Road, as no east to the County, in exchange for relinquishing all rights, title and interest that the County may possess in the existing roadway of Winands Road. However, the County will retain a 10-foot wide minimum easement over any utilities that exist in the present roadway of Winands Road and that are not relocated. Highway widening will also be required along the frontage of this property adjacent to McDonogh Road.

William I. Weinstein, Esq.
One East Redwood Street
Baltimore, Maryland 21202
Page 2 Item 47

September 16, 1969

BUREAU OF ENGINEERING (Continued)

The proposed highway improvements for McDonogh Road and Winands Road are currently being designed for construction under a County contract. (See Baltimore County Bureau of Engineering drawings 69-0730-S to 69-0733-S inclusive, Job Order 6-1-2641).

We are also in accord with the right-of-way and pavement width shown on the plan for Selina Road; however, since no portion of Selina Road has been recorded in the proposed subdivision of Imperial Gardens, this road shall bear the name of Leann Road. The alignment with the previously proposed Selina Road as established on the tentatively approved plat of Imperial Gardens.

Proposed Brenbrook Road is anticipated to coincide with the alignment of the proposed McDonogh Road highway improvements at the extreme southwestern corner of the subject property and should be indicated on the subject plan.

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

It shall be the responsibility of the petitioner's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way.

Storm Drains:

No provisions for accommodating storm water or drainage have been indicated on the subject plan; however, storm drainage facilities will be required in connection with any subsequent grading or building permits.

The Applicant must provide necessary drainage facilities (temporary or otherwise) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or other drainage facilities, would be the full responsibility of the applicant.

Sediment Control:

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

Grading studies and sediment control drawings will be necessary to be reviewed and approved prior to the issuance of any grading or building permits.

William I. Weinstein, Esq.
One East Redwood Street
Baltimore, Maryland 21202
Item 47 Page 3

September 16, 1969

BUREAU OF ENGINEERING (CONTINUED):Sanitary Sewer:

Public sanitary sewerage is available or can be made available to serve this property; however, the plan should be revised to indicate the manner in which the property will be served.

Water:

Public water supply is available to serve this property.

PROJECT PLANNING DIVISION:

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

BUREAU OF TRAFFIC ENGINEERING:

As presently zoned the subject site will generate approximately 1100 trips per day. The proposed zoning should generate approximately 6500 trips per day. McDonogh and Winands Road exist as 20 foot paving. Roads of this nature cannot be expected to handle this increased trip density.

BUILDING ENGINEER'S OFFICE:

Petitioner shall conform to Baltimore County Building Code.

BOARD OF EDUCATION:

Affect on student population could range from 32 students as now zoned to 50 students if garden type apartments were constructed. The BL area would yield no students. Factors were obtained from a 1968 study of this area.

FIRE DEPARTMENT:

Any use petitioner would propose for site shall meet all Fire Department regulations.

HEALTH DEPARTMENT:

Public water and sewers are available to the site.

Air Pollution Comments: The building or buildings on this site may be subject to registration and compliance with the Maryland State Health Air Pollution Control Regulations. Additional information may be obtained from the Division of Air Pollution, Baltimore County Department of Health.

William I. Weinstein, Esq.
One East Redwood Street
Baltimore, Maryland 21202
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September 16, 1969

ZONING ADMINISTRATION DIVISION:

This petition is accepted for filing on the date of the enclosed filing certificate. Notice of the hearing date and time, which will be held not less than 30, nor more than 90 days after the date on the filing certificate, will be forwarded to you in the near future.

Very truly yours,

OLIVER L. MYERS, Chairman

OLM:JD
Enc.

TELEPHONE 812-30 EXT. 307	INVOICE BALTIMORE COUNTY, MARYLAND OFFICE OF FINANCE Division of Collection and Receipts COURT HOUSE TOWSON, MARYLAND 21204	No. 69303 DATE 2/26/70
TO: William I. Weinstein, Esq. 1 E. Redwood Street Baltimore, Md. 21202	BILLED Office of Zoning 119 County Office Bldg. Towson, Md. 21204	
REPORT TO ACCOUNT NO. 01-622	QUANTITY	TOTAL AMOUNT \$70.00
Cost of appeal - W & W Homes, Inc.		\$70.00
No. 70-81-RSPH 4 signs		20.00 \$90.00
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204		