



Baltimore County
Department of Permits and
Development Management

Permits and Licenses
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
(410) 887-3900
Fax: (410) 887-2824

February 20, 2001

The Planning and Zoning Resource Corporation
Amy Candelaria
25 South Oklahoma Avenue, Suite 300
Oklahoma City, OK 73104

And

Edgecliff, Inc.
207 Grandview Drive
Fort Mitchell, KY 41017

Dear Ms. Candelaria:

RE: Holiday Inn Belmont, 1806 Belmont Avenue, 9th Election District

The subject property is zoned B.M. (Business, Major) as per the 200' scale zoning map NW-2 & 3G. The use of the property as a hotel is currently permitted by right in that zone, although in 1970 there was a hearing (zoning case number 70-135-RXA) that initially permitted it. I have enclosed the final order from that case.

There are no outstanding zoning violations. As we do not have specific site data, we provide the following general regulations to serve as guidelines for you: parking for a hotel is one space per guestroom or suite. No spaces are required for ancillary uses.

To the extent that the property may be non-conforming, Section 104 (enclosed) of the Baltimore County Zoning Regulations applies. For replacement due to fire, Section 305 (enclosed) of the BCZR applies.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

John R. Alexander
Planner II
Zoning Review

JRA:aem

Enclosures

c: Zoning case 70-135-RXA



PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Charles B. Doll, 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 re-classified, pursuant to the Zoning Law of Baltimore County, from an R-10 zone to an

with Special Exception zone for the following reasons: The contract purchasers intend to build a 152 unit "Holiday Inn Motel" on this site together with incidental commercial building. There has been vast change in the neighborhood as a result of the proximity to the Baltimore Beltway; the development of nearby industrial areas, including the Meadows Industrial Park and the Security Industrial Park; the expansion of the nearby Social Security Complex; and the construction adjacent to the subject property of the catering establishment known as "Narty's West", have indicated the need for motel accommodations for the public in this area.

Petitioner requests a variance pursuant to Section 409.2(b)(3) of the zoning code to permit off-street parking of 261 parking units instead of 233 units; and also a variance to Section 232.3 to permit a rear yard of 10' instead of the required 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, motel purposes.

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 regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

JOEL REISCH
A.O. REISCH Contract purchaser
Address: 10 Light Street
Baltimore, Maryland 21207
Joseph S. Kaufman
Petitioner's Attorney
Address: 10 Light Street

ORDERED BY THE Zoning Commissioner of Baltimore County, this 9th day of December, 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 the public hearing be held before the Zoning Commission of Baltimore County in Room 100, County Office Building in Towson, Baltimore County, on the 15th day of January, 1968, at 1:00 o'clock.

JOEL REISCH
A.O. REISCH Contract purchaser
Address: 10 Light Street
Baltimore, Maryland 21207
Joseph S. Kaufman
Petitioner's Attorney
Address: 10 Light Street

HILLTOP MOTOR INN, INC., ET AL.
VS.
COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY
IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW
Misc. #4534, Docket 9/44
#70-135-RXA
OFFICE

This is an appeal from the County Board of Appeals to the Circuit Court for Baltimore County, filed on behalf of "Max Siegal, Bernard Feinberg, and the Hilltop Motor Inn, Inc., each of whom were (sic) parties to the proceedings and present before the Board of Appeals of Baltimore County, and each of whom are (sic) aggrieved by the decision of the Board * * * dated July 29, 1970 * * *"

A preceding document in the file, namely, the notice of appeal from the Zoning Commissioner to the County Board of Appeals, states who Max Siegal and Bernard Feinberg are. It is a letter from Richard W. Whiteford, of counsel for Appellants, to the Zoning Commissioner dated March 17, 1970, which says, among other things, "This appeal is being filed on behalf of my clients, Max Siegal and Bernard Feinberg, owners of the motel property known as Hilltop Motor Inn, and in behalf of the Hilltop Motor Inn, Inc., lessees of the aforesaid property."

The right of Appellants to appeal from the Zoning Commissioner to the County Board of Appeals was questioned by Appellants by motion to dismiss the appeal made before the commencement of the hearing before the Board on May 12, 1970. That motion was denied.

Although the Court of Appeals in the case of Kreatchman v. Ramsburg, 224 Md. 209, at page 217, said, among other things, "It is firmly established, we think, that in order to maintain an appeal, the appellant must have an interest in the subject matter of the appeal. If he does not, we think that Rule 835b (1) is applicable -- that the appeal is not authorized by law and that this constitutes a ground for dismissal of the appeal; and, as we have said, the question of the sufficiency of interest is one to be determined by this Court and could not be tried and decided by the lower court. We conclude that this question is properly before us." The portion of the just quoted paragraph reading, "and could not be tried and decided by the lower court," is not only not clear to me, it does not make sense. Certainly when a question of law is raised before the trial court, it is not only the province of the Court to decide that question, but the obligation of the Court to decide it. The question is presented to me, as it was before the County Board of Appeals, - Are Appellants "aggrieved parties"? It is raised by a preliminary motion. I refused to rule on the motion when it was first filed, because I agreed with counsel for Appellants that it was necessary for me to review the entire record before I could act upon it. This the Court has done.

Maryland Rule 83 provides, "An appeal may be taken by a person now or hereafter authorized by statute to appeal." The Baltimore County Code (1968 Edition), Section 22-28, provides, "Appeals from the county board of appeals to the courts may be taken in the manner provided in Article VI of the County Charter." The Baltimore County Charter, Article VI, Section 604, provides in part, "Within thirty days after any decision by the county board of appeals is rendered, any party to the proceedings who is aggrieved thereby may appeal such decision to the circuit court of Baltimore County, which shall have power to affirm the decision of the board, or, if such decision is not in accordance with law, to modify or reverse such decision, with or without remanding the case for rehearing as justice may require. * * * The use of the words, "any party to the proceedings who is aggrieved thereby" was deliberate, and after consideration of cases dealing with this subject. The Court knows this, because the Court was counsel to the Charter Board which drew the charter. Any number of cases have held this to be the applicable rule. One is Southland Hills Improvement Association v. Baine, 220 Md. 213, at page 217, where it was held that an improvement association would not be an aggrieved party and, therefore, had no right to take an appeal. The case of Kreatchman v. Ramsburg, 224 Md. 209, is, in my judgment, also in point. It is true that it is not a direct appeal from an administrative body to the Circuit Court for Howard County. It was a bill in equity, which was the procedure, at least at the time of the filing of that case, whereby questions could be raised regarding zoning and rezoning in that County. Counsel for Appellants contend that as the Court of Appeals in Kreatchman v. Ramsburg (supra, p. 214) said, "Whether or not his stated interests would warrant his intervention if this case were an appeal from the Board of Zoning Appeals of Howard County under Section 236 of Code of Public Laws of that County (Everstine's Ed., 1957) is not the question before us, for this is not such a case. * * * This is an equity suit directed against alleged aggrieved persons."

For the reasons stated the Court finds that, even if the proffered testimony were accepted by the Court, there would be no evidence whatsoever to prove that Appellants are aggrieved parties, and the Appeal will be dismissed.

JUDGE

edly illegal and unconstitutional action of the Board in refusing to grant the appellees' petition for rezoning, and the rules of equity as to interest therefore apply.", the holding, in that case is only dictum so far as this case is concerned.

I agree with Mr. Trimble that the case is not directly in point because it was a bill in equity, rather than a direct appeal. However, Bruvleraki et al v. Montgomery County et al., 247 Md. 137, 143-148 is directly in point. In Kreatchman (supra) the Court of Appeals said (Page 216): "Miller, et al., Section 354, states: 'It must appear from the record that the appellant has such an interest in the subject matter of the suit as entitles him to appeal; otherwise the appeal will be dismissed.'", and at Page 218: "Mr. Kreatchman's only expressed opposition to the Ramsburg application was fear of competition from the new proposed shopping center, and his right to maintain this appeal must stand or fall on the sufficiency of that interest. * * * we are of the opinion that the appellant's interest is insufficient and that the appeal should therefore be dismissed."

* * * There is nothing in the record to show any injury to, or depreciation in the value of, Mr. Kreatchman's residence. His only concern is with the threat of competition from a possible package liquor store in the Ramsburgs' shopping center. It is to protect himself against that possible competition that he seeks the protection of the zoning regulations. In view of the authorities above cited, especially the Circle K case, we think that he is not entitled to do so. Apart from the zoning law, he would have no ground upon which to enjoin the Ramsburgs' use of their land for shopping center purposes; and the zoning law give him no standing to do so, where the sole basis for in-

voking them is the prevention of competition." See also Bruvleraki et al v. Montgomery County et al. (supra).

The record in this case is completely devoid of any evidence produced before the County Board of Appeals by Appellants. So far as they are concerned, it merely disclosed that they were the proprietors of the Hilltop Motor Inn. There is nothing in the record which would show any adverse effect on Appellants, other than competition from a new motor inn in the adjacent area. There is nothing to show that they are "aggrieved". Not being aggrieved, it is my judgment that they have no right to appeal.

I have considered the contention of Mr. Trimble that, under the decision of the Court of Appeals in Bruvleraki v. Montgomery County, 247 Md. 137, 145, I have not only the right but the duty to take testimony in this case, in view of the fact that the standing of his clients to prosecute this Appeal has been questioned.

There is no doubt that, under that decision, in an appropriate case, Mr. Trimble's contention would be correct. However, it is my judgment that this is not such a case. First, the standing of Appellants to prosecute their appeal to the County Board of Appeals was questioned at the very beginning of the hearing before the Board by Appellants' Motion to Dismiss the Appeal on the ground that Mr. Trimble's clients were not aggrieved parties. Thus, Mr. Trimble had ample opportunity to present testimony on the question of the interest of his clients before the Board, but obviously elected not to do so.

Second, in the case referred to above the Court flatly held that "a person whose sole reason for objecting to the Board's action is to prevent competition with his established business" - which does not make them

tion is to prevent competition with his established business is not an aggrieved person. Kreatchman v. Ramsburg, 224 Md. 209, 167 A.2d 345 (1961)." In holding that when a person allegedly aggrieved in a zoning case has his standing challenged, the Court should entertain testimony on "the fact that his personal or property rights are specially and adversely affected by the Board's action", the Court of Appeals limited such testimony to exactly that evidence.

The proffer which Mr. Trimble made on behalf of his clients was not a special and adverse effect on Appellants' "personal or property rights", but was limited to a proffer of proof that "Hilltop Motor Inn has a genuine concern for the safety of its guests who are salesmen, who would necessarily call on the companies in the Security Industrial Park"; that Appellants "have salesmen stay at their Inn; that the salesmen do travel the route of Security Boulevard-Belmont Avenue and thence to Security Industrial Park, where they call on companies located in the park." It was contended that the necessary inference to be drawn from this proffered testimony, combined with the testimony before the Board, would be that guests of the Hilltop Motor Inn who might have occasion to travel along Belmont Avenue might encounter possible traffic hazards. Even if we assume this to be so, this would be a concern of the guests of Hilltop Motor Inn - not of Appellants. The only special interest that the Hilltop Motor Inn has in the safety of its guests is while they are on the Inn property.

One is again forced to conclusion that the sole reason for Appellants' objection to the Board's action "is to prevent competition with his established business" - which does not make them

aggrieved persons. For the reasons stated the Court finds that, even if the proffered testimony were accepted by the Court, there would be no evidence whatsoever to prove that Appellants are aggrieved parties, and the Appeal will be dismissed.

JUDGE

Dictated September 18, 1970; revised September 30, 1970.

-7-

02-10-71

Pursuant to the advertisement, posting of property, and public hearing on the above petition and it appearing that by reason of error in the original zoning map, the above Reclassification should be had; it further appearing that by reason of the requirements of Section 502.1 of the Baltimore County Zoning Regulations having been met, a Special Exception for a Motel should be granted, and it further appearing that by reason of the following finding of facts that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioners, and the Variances requested would grant relief without substantial injury to the public health, safety, and general welfare of the locality involved, Variances to permit two hundred and sixty-one (261) parking units instead of the required two hundred and sixty-three (263) units; a Special Exception from 409.2(b)(3) to permit a rear yard of ten (10) feet instead of the required twenty (20) feet, should be granted. IT IS ORDERED by the Zoning Commissioner of Baltimore County this 24 day of February, 1970, that the herein described property or area should be and the same is hereby reclassified, from an R-10 zone to a B.L. zone. A Special Exception for a Motel should be and the same is granted. Variances to permit two hundred and sixty-one (261) parking units instead of the required two hundred and sixty-three (263) units; a Special Exception from 409.2(b)(3) to permit a rear yard of ten (10) feet instead of the required twenty (20) feet, should be and the same is granted, from and after the date of this Order, subject to approval of the Zoning Commission of Baltimore County.

the above reclassification should NOT BE HAD, and/or the Special Exception should NOT BE GRANTED.

IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 24 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 a R-10 zone; and/or the Special Exception for a Motel should be and the same is hereby DENIED.

Zoning Commissioner of Baltimore County

MICROFILMED

RE: PETITION FOR RECLASSIFICATION IN THE SPECIAL EXCEPTION for a Motel, VARIANCES from Section 409.2(b)(3) and Section 232.3 of the Baltimore County Zoning Regulations NW corner Belmont and Gordon Avenues, 1st District Charles B. and Ethel E. Doll, Petitioners Joel Krusch and A. O. Krusch, Contract Purchasers Zoning File No. 70-135-RXA

Max Siegel, et al Protestants-Appellants

ANSWER TO ORDER OF APPEAL TO CIRCUIT COURT FOR BALTIMORE COUNTY AND CERTIFIED COPIES OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER AND BOARD OF APPEALS OF BALTIMORE COUNTY

MR. Clerk:

Please file, & c.

Edith T. Eisenhart, Administrative Secretary County Board of Appeals of Baltimore County

cc: Joseph S. Kaufman, Esq. Richard C. Whiteford, Esq. Ernest C. Trimble, Esq. Zoning

RE: PETITION FOR RECLASSIFICATION IN THE SPECIAL EXCEPTION for a Motel, VARIANCES from Section 409.2(b)(3) and Section 232.3 of the Baltimore County Zoning Regulations NW corner Belmont and Gordon Avenues, 1st District Charles B. and Ethel E. Doll, Petitioners Joel Krusch and A. O. Krusch Contract Purchasers Zoning File No. 70-135-RXA

Max Siegel, et al Protestants-Appellants

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come John A. Slavik, William S. Baldwin and W. Giles Parker, constituting the County Board of Appeals of Baltimore County, and in answer to the Order for Appeal directed against them in this case, herewith return the record of proceedings had in the above entitled matter, consisting of the following certified copies or original papers on file in the Office of the Zoning Department of Baltimore County:

ZONING ENTRIES FROM DOCKET OF ZONING COMMISSIONER OF BALTIMORE COUNTY

No. 70-135-RXA

- Dec. 9, 1969 Petition of Charles B. and Ethel E. Doll (Joel Krusch and A. O. Krusch, contract purchasers) for reclassification from R-10 zone to B.L. zone, special exception for a motel, and variances from Sections 409.2(b)(3) and 232.3 of the Baltimore County Zoning Regulations, on property located on the northwest corner of Belmont and Gordon Avenues, 1st District - filed
- 9 Order of Zoning Commissioner directing advertisement and posting of property - date of hearing set for January 15, 1970 at 1:00 p.m.
- 11 Comments of Baltimore County Zoning Advisory Committee - filed
- 25 Certificate of Publication in newspaper - filed
- 9, 1970 Certificate of Posting of property - filed
- 9 Comments of Director of Planning - filed
- 13 Comments of Industrial Development Commission - filed
- 15 At 1:00 p.m. hearing held on petition by Zoning Commissioner - case held sub curia
- Feb. 24 Order of Zoning Commissioner granting reclassification, special exception and variances

9/44/4534 - Charles B. Doll, et al

- Mar. 18, 1970 Order of Appeal to County Board of Appeals from Order of Zoning Commissioner filed by Richard C. Whiteford, Esq., attorney for protestants, Max Siegel and Bernard Feinberg, owners of Hilltop Motor Inn
- 23 Order of Appeal to County Board of Appeals from order of Zoning Commissioner filed by Fred E. Waldrop, Esq., attorney for protestants, Martin Rausch, owner of Martin's West
- May 12 Hearing on appeal before County Board of Appeals - case held sub curia
- July 29 Order of County Board of Appeals granting reclassification and special exception - deny
- Aug. 26 Order for Appeal filed in the Circuit Court for Baltimore County by Richard C. Whiteford, Esq., attorney for Max Siegel, et al, protestants
- 26 Petition to Accompany Order for Appeal filed in the Circuit Court for Baltimore County
- 27 Certificate of Notice sent to all interested parties
- Sept. 14 Transcript of testimony filed - 1 volume
- Petitioners' Exhibit No. 1 - H. B. Stark's official comments - 1/13/70
- " " " 2 - Colored plot of subject by Metz, revised 12/19/69
- " " " 3 - Sketch - Architect's rendering of proposed motel (Board of Appeals office)
- " " " 4 - Identification only - Plot of preliminary plan of Kralger Shopping Center, (returned to custody of Public Works)

Record of proceedings filed in the Circuit Court for Baltimore County

Record of proceedings pursuant to which said Order was entered and said Board acted are permanent records of the Zoning Department of Baltimore County, as are also the use district maps, and your Respondents respectfully suggest that it would be inconvenient and inappropriate to file the same in this proceeding, but your Respondents will produce any and all such rules and regulations, together with the zoning use district maps, at the hearing on this petition or whenever directed to do so by this Court.

Respectfully submitted

Edith T. Eisenhart, Administrative Secretary County Board of Appeals of Baltimore County

LAW OFFICES WHITEFORD, TAYLOR, PRESTON, TRIMBLE & JOHNSTON

W. HAMMOND WHITEFORD, 404 JEFFERSON BUILDING, TOWSON, MARYLAND 21204

JEFFERSON BUILDING, COURT HOUSE SQUARE, TOWSON, MARYLAND 21204

REPLY TO LAWYER OFFICE

January 13, 1971

Mrs. Edith T. Eisenhart County Board of Appeals County Office Building Towson, Maryland 21204

Re: Hilltop Motor Inn - Max Siegel, et al - Petition for Reclassification Our File No: D-10,568 Law: 9/44/4534

Dear Mrs. Eisenhart:

As per our telephone conversation this morning, I have enclosed a copy of the Order for Appeal and a copy of the Dismissal of Appeal in the above matter.

Hoping that these are the correct papers that you requested, I remain

Very truly yours,

(Mrs.) Dorothy McGeorge, Secretary to Richard C. Whiteford

Enclosures (2)

RE: PETITION FOR RECLASSIFICATION IN THE SPECIAL EXCEPTION for a Motel, VARIANCES from Section 409.2(b)(3) and Section 232.3 of the Baltimore County Zoning Regulations NW corner Belmont and Gordon Avenues, 1st District Charles B. and Ethel E. Doll, Petitioners Joel Krusch and A. O. Krusch, Contract Purchasers Zoning File No. 70-135-RXA

Max Siegel, et al Protestants-Appellants

ORDER FOR APPEAL

Mr. Clerk:

Please enter an Appeal to the Court of Appeals of Maryland on behalf of the Protestants-Appellants in the above entitled case.

Richard C. Whiteford 404 Jefferson Building Towson, Maryland 21204 825-5512 Attorney for Protestants-Appellants

I HEREBY CERTIFY that on this 21st day of October, 1970, a copy of the foregoing Order for Appeal was mailed to Joseph S. Kaufman, Esquire, 1215 - Ten Light Street, Baltimore, Maryland 21202.

Richard C. Whiteford

LAW OFFICES WHITEFORD, TAYLOR, PRESTON, TRIMBLE & JOHNSTON

W. HAMMOND WHITEFORD, 404 JEFFERSON BUILDING, TOWSON, MARYLAND 21204

SIN LIFE BUILDING, CHARLES CENTER, BALTIMORE, MARYLAND 21201

REPLY TO LAWYER OFFICE

March 17, 1970

Mr. Edward E. Hardesty Zoning Commissioner County Office Building Towson, Maryland 21204

Re: Hilltop Motor Inn - Zoning Our File No: D-10,568

Dear Mr. Hardesty:

Please enter an appeal to the Board of Appeals from your Order granting reclassification, special exception and variances in the matter of the Petition of Charles B. Doll and Ethel E. Doll, his wife, Case No. 70-135-RXA No. 106.

This appeal is being filed on behalf of my clients, Max Siegel and Bernard Feinberg, owners of the motel property known as Hilltop Motor Inn and in behalf of Hilltop Motor Inn, Inc., Lessees of the aforesaid property.

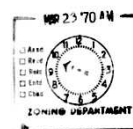
The above stated people are aggrieved by the decision of February 24, 1970.

Yours very truly,

Richard C. Whiteford

RCW:dmb ccc: Mr. Bernard Feinberg, Mr. Max Siegel, M. Robert K. Siegel and Joseph S. Kaufman, Esq.

Fred E. Waldrop Attorney at Law



March 20, 1970

Mr. Edward E. Hardesty Zoning Commissioner Baltimore County Office Building Towson, Maryland 21204

RE: Petition No. 70-135-RXA Petition for Reclassification from R-10 to B.L., Special Exception for Motel and Variance - Charles Doll et al

Dear Mr. Hardesty:

Enclosed herewith please find my check in the amount of \$80.00 to cover the cost of entering an appeal in the above entitled matter. This Order was granted by you on February 24, 1970.

Also, please enter my appearance as attorney for the protestants.

Very truly yours,

Fred E. Waldrop

FEW:sp

02-10-71

RE: PETITION FOR RECLASSIFICATION
from R-10 zone to B.L. zone,
SPECIAL EXCEPTION for Motel, and
VARIANCES from Sections 409.2(b)(3)
and 232.3 of the Baltimore County
Zoning Regulations
NW corner of Belmont and Gordon Aves.
1st District
Charles B. Doll and Ethel E. Doll
Petitioners
Joel Kinch and A. O. Kinch
Contract Purchasers

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 70-135-RXA

OPINION

This case comes before the Board on an appeal by the Protestants from a decision of the Zoning Commissioner dated February 24, 1970 granting the subject petition.

The subject property is located on the northwest corner of Belmont and Gordon Avenues, in the First Election District of Baltimore County, Maryland. It is in the northwest quadrant formed by the intersection of the Baltimore County Beltway and Security Boulevard, being approximately 1300 feet north of the center of said intersection. Another major road interchange, namely, the intersection of Interstate 70-N and the Beltway, is only slightly further to the south. The property is in prominent view of the Beltway.

The area surrounding the subject was described as mixed residential, commercial and industrial, in close proximity to several large industrial parks and to the huge Social Security headquarters. Immediately adjacent to the north of the subject is the catering facility known as Martin's West, and contiguous thereto is the 240 acre Security Industrial Park, both being in manufacturing zones. Adjacent to the south of the subject, is the 200 acre Krieger tract, zoned Manufacturing Light, Restricted. To the west is the R-10 development of Belmont Heights, and to the east, across Belmont Avenue on which the subject property fronts, is the Baltimore County Beltway, with no other properties intervening.

The property contains 4.33 acres, being slightly larger than the adjacent property of Martin's West. It is an irregular shaped parcel with sloping topography and is shown on the plat entered in evidence as Petitioner's Exhibit No. 2. It is a corner property which fronts approximately 419 feet along the west side of Belmont Avenue and

Charles B. Doll - No. 70-135-RXA

2.

140 feet along the north side of Gordon Avenue.

If successful in this petition, the contract purchaser proposes to erect a 152 unit Holiday Inn Motel on the site, together with incidental commercial building. His petition requests a reclassification from the existing R-10, Residential zone, to a B.L., Business Local zone; a special exception for erection of a motel; a variance from Section 409.2(b)(3) of the Zoning Regulations to permit offstreet parking of 262 parking spaces instead of the required 337 spaces, and a variance from Section 232.3 to permit a rear yard of 10 feet instead of the required 20 foot setback.

To justify the reclassification, the Petitioner put on testimony of change in the character of the neighborhood that has occurred since the adoption of the zoning map in 1962. Without going into a lengthy recital of this testimony, he did document several reclassifications from residential to manufacturing zones, and cited that while the adjacent Martin's West property was reclassified from R-10 to Manufacturing Light (M.L.), this category also encompasses all the permitted uses allowed in the business zones of B.L., B.M. and B.R. The Baltimore County Director of the Industrial Development Commission testified that he believed it to be propitious and serving the best interest of Baltimore County that the petition be granted. The Petitioner's expert witnesses are all recognized as highly qualified authorities in their respective fields, and they further testified as to the adequacy or reasonable availability of public utilities through extensions; the traffic carrying capabilities and layout of existing and proposed roads; and to the fact that the proposal will comply with the requirements of Section 502.1 of the Zoning Regulations to satisfy the granting of a special exception.

As to the issues of granting the requested variances, Section 307 of the Zoning Regulations states in part:

".....the County Board of Appeals, upon appeal, shall have and they are hereby given the power to grant variances from height and area regulations, from offstreet parking regulations and from sign regulations, only in cases where strict compliance with the zoning regulations of Baltimore County would result in practical difficulty or unreasonable hardship." (Underlining supplied for emphasis.)

Charles B. Doll - No. 70-135-RXA

3.

It is the Board's opinion that the Petitioner failed to prove that denial of the variances would result in practical difficulty or unreasonable hardship, because in response to a question from the Board, the Petitioner stated he did not know that it would. He also did not know if any attempt had been made to acquire additional land to eliminate the need for variances, and stated simply that the architect's plan for the proposed building dictated the need for the variances. There was no testimony that the building could not be redesigned to accommodate the present site.

Protestants, Mr. Bernard Feinberg and Mr. Vax Siegal, of the nearby Hilltop Motor Inn, located at Security Boulevard and the Beltway, although subpoenaed by the Petitioner, failed to appear at the hearing. Their attorney represented them and cross-examined all of the Petitioner's witnesses but did not put on any testimony or place any exhibits in evidence whatsoever.

The Board is satisfied that the Petitioner has proven change in the character of the neighborhood since the adoption of the zoning map, and that granting the special exception will not contravene the requirements of Section 502.1 of the Zoning Regulations.

For the reasons given in this Opinion, and from all the testimony presented, the Board will affirm part and deny part of the Zoning Commissioner's Order. The Board hereby grants the petitioned reclassification from R-10 zone to B.L. zone, and the special exception for construction of a motel and incidental commercial building, but does hereby deny the petitioned variances.

Charles B. Doll - No. 70-135-RXA

ORDER

For the reasons set forth in the foregoing Opinion, it is this 29th day of July, 1970, by the County Board of Appeals ORDERED, that the reclassification and special exception petitioned for be and the same are hereby GRANTED, and the variances petitioned for are hereby DENIED.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of the Maryland Rules of Procedure, 1951 edition.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

John A. Slawik
William S. Baldwin
William S. Baldwin
W. Giles Parker

LAW OFFICES OF
MELNICOVE, ASCH, GREENBERG & KAUFMAN
10 LIGHT STREET
FIFTH FLOOR
BALTIMORE, MARYLAND 21201

April 17, 1970

The Honorable William S. Baldwin
Chairman, County Board of Appeals
County Office Building
Towson, Maryland 21204

RE: Petition No. 70-135-RXA
Charles B. Doll, et al. petitioners
1800 Belmont Avenue

Dear Mr. Baldwin:

I am in receipt of a copy of letter dated April 13, 1970, addressed to you, from Fred E. Waldrop, Esquire in the above captioned matter. The supplying of the name of Mr. Waldrop's client after the time for filing the Appeal has expired does not confer jurisdiction on the Board and doesn't improve the position of Mr. Waldrop's client. I rely principally on the case of Brashers vs. Lindenbaum, 189 Md. 619, which holds that in an administrative Appeal that such Appeals must follow the Statute and that these requirements are jurisdictional. Since the purported Notice of Appeal did not comply with the Statute there is no jurisdiction in the Board to consider this Appeal. The Court of Appeals in similar situations (Nyburg vs. Soloman, 205 Md. 150, and Windsor Hills vs. Baltimore, 195 Md. 383) recognize that Appellants may not improve their previous positions after the expiration of time for Appeal. (See also Opinion by Judge Tiso, et al.).

Very truly yours,
JOSEPH S. KAUFMAN

JSK/dgh
cc: Fred E. Waldrop
Hon. Edward D. Hardesty

PETITION FOR ZONING RE-CLASSIFICATION
AND SPECIAL EXCEPTION OF
CHARLES B. DOLL
and
ETHEL E. DOLL
1800 Belmont Avenue
Baltimore, Maryland 21207

MEMORANDUM

Petitioners, Charles B. Doll and Ethel E. Doll, by Joseph S. Kaufman, their attorney, pursuant to the requirements of Bill No. 72 (1969) of the County Council of Baltimore County, Maryland, assign the following reasons in support of their Petition for Zoning Re-Classification & Special Exception.

1. Genuine Change in Neighborhood - Since the adoption of the present zoning map the entire character of the neighborhood has been completely changed as a result of the construction and use of the Baltimore County Beltway, which is adjacent to the subject property. The subject property no longer is located in a predominately residential community and is virtually surrounded by manufacturing and/or commercial uses. The Zoning Commissioner, on December 7, 1967, ordered a re-classification of the property immediately adjoining to the north along Belmont Avenue from an MLR zone to an ML zone, and this property has since been put to use as a catering and meeting establishment known as "Marty's West" (See No. 68-124-R). Previously, under Petition No. 66-89-R, the same property had been re-classified from an R-6 zone to an MLR zone.

There has been substantial industrial and manufacturing development in the area by virtue of the establishment and construction in the Meadows Industrial Park and Security Industrial Park. This has been recognized by the following re-classifications in the immediate area.

(a) In Petition No. 68-148-R, fifteen acres, more or less, located on the southwest side of Windsor Mill Road was re-classified from an R-6 zone to an MLR zone.
(b) In Petition No. 67-107-R, 8.9 acres, more or less, at Dogwood Road and the Baltimore Beltway were re-classified from R-6 and R-1 zones to MLR zone.

(c) In Petition No. 63-35-R a zoning re-classification was granted to the ML zone for seventeen acres, more or less, at Belmont Avenue and Rolling Road.

In conformity with the change in the zoning classifications there have been many plants constructed which are now in operation. In addition, others are under construction or in the planning stage.

2. Need - There is substantial need for motel facilities in the immediate neighborhood to accommodate the public which uses the Baltimore Beltway, as well as those persons who do business with the industries located in the area. In addition, a motel will serve the public who patronize the catering and meeting establishment located on the adjacent property.

3. Benefit - It is respectfully urged that there will be a substantial benefit to the community since public accommodations are essential to meet community needs.

4. Error in Original Zoning - It is also respectfully submitted that the original zoning was erroneous in that it did not contemplate the need for public accommodations in conjunction with the development of the industrial parks and other facilities in the surrounding area.

5. And for such other and further reasons to be submitted at a hearing.

Respectfully submitted,

JOSEPH S. KAUFMAN
10 Light Street
Suite 1215
Baltimore, Maryland 21202
727-2800

MCA
MATZ, CHILDS & ASSOCIATES, INC.
CONSULTING
ENGINEERS
1020 Cromwell Bridge Rd., Baltimore, Md. 21204, Tel. 301-823-0900

DESCRIPTION

4.3259 ACRE PARCEL, WEST SIDE OF BELMONT AVENUE, NORTHWEST SIDE OF GORDON AVENUE, FIRST ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for "B-L Zoning with Special Exception, Yard Variance and Off-Street Parking Variance"

Beginning for the same at the intersection of the west right of way line of Belmont Avenue, as shown on State Roads Commission of Maryland Plats Nos. 17612 and 24311, and the northwest right of way line of Belmont Avenue, as shown on said Plat No. 24311, running thence, binding on the northwest right of way line of said Belmont Avenue and of Gordon Avenue, as shown on said last mentioned plat, three courses: (1) S 41° 13' 20" W - 95.96 feet, (2) S 43° 36' 55" W - 57.14 feet, and (3) S 40° 34' 20" W - 57.93 feet, thence the seven following courses: (4) N 18° 46' 00" W - 251.70 feet, (5) S 71° 14' 00" W - 75.00 feet, (6) N 18° 46' 00" W - 470.68 feet, (7) N 68° 58' 35" W - 256.61 feet, (8) S 18° 07' 10" E - 219.44 feet, (9) N 65° 53' 15" E 141.09 feet, (10) S 18° 07' 10" E - 25.96 feet to a point in the west right of way line of Belmont Avenue, as laid out parallel with and to the west of the Baltimore Beltway and as shown on the aforementioned State Roads Commission of Maryland Plat No. 17612, thence binding on said right of way line (11) S 00° 07' 15" W - 418.77 feet to the place of beginning.

Containing 4.3259 acres of land.
Water Supply & Sewerage & Storm Drainage & Structures & Engineering & Planning Reports
J.O. #69146 11/14/69

02-10-71

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Deputy Zoning Commissioner
 FROM: Mr. George E. Gervelle, Director of Planning

Date: January 9, 1970

SUBJECT: Petition No. 70-135-RXA, Reclassification from R-10 to B.L. Special Exception for Motel. Variance to permit 261 parking units instead of the required 253 units and to permit a rear yard of 10 feet instead of the required 20 feet. Northwest corner of Belmont and Gordon Avenues. Charles D. Doll and Ethel E. Doll, Petitioners.

1st District

HEARING: Thursday, January 15, 1970 (1:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the subject petition for reclassification from R-10 to B.L. zoning together with Special Exception for a motel and variances.

We voice our objection to reclassification here noting that no changes in zoning classification are being recommended by the Planning Board in the very immediate area at this point in time. We note also that changes in the manner of land use nearby have been such, or will be such, as to either preclude capacity on Belmont Avenue or make more difficult the possibilities for a reasonable flow of traffic between Belmont Avenue and Security Boulevard. By this, we mean, the proposed major shopping facility on the south side of Security Boulevard between that road and I-70-N. We believe that any intensification of development potentials here would result in intolerable traffic situations.



EWELL, BOMHARDT & ASSOCIATES
 CONSULTING ENGINEERS

W. WORTHINGTON EWELL, M.E., CH. ENG.
 HENRY C. BOMHARDT, M.E., M.S.
 ASSOCIATES
 HENRY C. BOMHARDT, M.E., M.S.
 LOUIS H. BEATTY, M.E.
 WILLIAM L. DIXON, M.E.
 ALEXANDER WHITNEY, JR., M.E., M.S.
 GORDON L. WOOLPER, M.E.
 OFFICES
 PAUL EUGENE COX

Jan. 23, 1970

Mr. Joseph S. Kaufman, Esquire
 10 Light St.
 Baltimore, Md. 21201

Dear Mr. Kaufman:

Complying with your request, I have made a traffic analysis at the site of a proposed 152 unit motel at Belmont and Gordon Avenues. Since the preponderance of the motel traffic would approach and leave via the Security Boulevard interchange with the Baltimore Beltway, the traffic counts were actually made at the intersection of Belmont Avenue and Security Boulevard. At this intersection the traffic volumes amounted to 104 v.p.h. south bound and 228 v.p.h. north bound during the afternoon peak hour 5:00 P.M. - 6:00 P.M. These volumes diminished appreciably between 7:00 P.M. - 8:00 P.M. when 51 v.p.h. moved southward and 83 v.p.h. moved northward. The morning peak hour between 7:30 A.M. - 8:30 A.M. indicated 311 v.p.h. moving south and 130 v.p.h. moving north. The overall capacity of this 20 ft. wide section of Belmont Avenue is at least 600 v.p.h. total in both directions and is not governed by the intersection with Security Boulevard where Belmont Avenue is presently the through street.

The development of a 152 unit motel on the site would generate approximately 40 - 45 v.p.h. over and above the existing traffic and this generation would persist over a three hour morning and afternoon period. Traffic to and from the restaurant, cocktail lounge, and meeting room facilities would generally develop during off-peak traffic hours in the early and late evening. None of this traffic will tax the capacity of Belmont Avenue.

The present intersection of Security Boulevard and Belmont Avenue does not provide a good sight distance to the north for vehicles moving westward on Security Boulevard and stopping for Belmont Avenue traffic. This problem will soon be rectified when Security Boulevard is extended westward to Rolling Road and assumes throughfare status. Belmont Avenue's intersection with Security Boulevard is to be moved westward approximately 300 feet at the same time. The widening of Belmont Ave. to 40 feet and the proposed 90 degree intersection with Security Boulevard will eliminate the sight distance problem.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. Edward D. Hardesty, Deputy Zoning Commissioner
 FROM: H. B. Staab - Industrial Development Commission

Date: January 13, 1970

SUBJECT: Petition No. 70-135
 N/W corner Belmont and Gordon Avenues - 1st District
 Petitions for reclassification from R-10 to B.L. special exception for motel; variance to permit 261 parking units, etc.
 Holiday Inn

This office has reviewed the subject petition. We believe it propitious and serving the best interests of Baltimore County that this petition be granted, particularly since we recognize the increased mobility of all segments of our economy, including its industrial make-up, and the ever-increasing need for government requirements. The fact that this property is in the immediate vicinity of several large industrial parks, namely: Security Industrial Park, Meadows Industrial Park, and the Pistorio complex, and is in close proximity to the headquarters site of the Department of Health, Education and Welfare and Social Security Headquarters, further encourages us to favor this petitioner.

We also feel that the location of this property in the vicinity of the I-70 and Security Boulevard interchanges with the Beltway (695), in addition to the nearness of the major interchange of I-695 and I-95, appears appropriate and compatible, and we respectfully recommend that the petition for reclassification, special exception and variances be given favorable consideration.



H. B. STAAB
 Director

Page 2

It has been suggested that the preemption of traffic capacity along Belmont Ave. by the proposed major shopping center south of Security Boulevard will cause an intolerable traffic situation. I believe that this fear is unfounded because the concomitant construction of Lord Baltimore Drive between Security Boulevard and Dogwood Road will alleviate any potential build-up of traffic on Belmont Ave. The enclosed preliminary plan of "Security Square" shows the details of the shopping area and the attendant road improvements that will in effect eliminate the importance of Belmont Avenue as a major thoroughfare.

Very truly yours,
 EWELL, BOMHARDT & ASSOCIATES
 W. Worthington Ewell
 President

WBE:mlk

MARYLAND PROPERTIES, INC.

P.O. BOX 186 COCKEYSVILLE, MARYLAND 21030 TEL: 301-666-2700
 DEVELOPERS - GENERAL CONTRACTORS

January 12, 1970

TO WHOM IT MAY CONCERN

Maryland Properties Inc., as the developer of the Security Industrial Park located on the north side of Dogwood Road, adjacent to Beltway #695, is aware of the growing need for additional motel accommodations in the immediate area of Security Industrial Park.

We therefore support the request for zoning necessary to make an additional motel facility on Belmont Avenue - just to the south of the industrial park, possible. Such a facility would assist in the growth and development of the area and fulfill a need that already exists.

Respectfully submitted,

Leonard O. Gerber
 President

Greater Baltimore Industrial Park • Pulaski Industrial Park • Security Industrial Park

2 SIGNS

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 1st
 Posted for: ADP-14
 Petitioner: CHARLES B. DOLL and ETHEL E. DOLL
 Location of property: N.W. CORNER BELMONT and GORDON AVE.
 Location of Sign: @ N.W. CORNER BELMONT and GORDON AVE.
 Remarks: Charles B. Doll and Ethel E. Doll
 Posted by: Charles B. Doll
 Date of return: APRIL 10 - 1970
 70-135-RXA

6 SIGNS

CERTIFICATE OF POSTING
 ZONING DEPARTMENT OF BALTIMORE COUNTY
 Towson, Maryland

District: 1st
 Posted for: RECLASSIFICATION FROM R-10 TO B.L. SPECIAL EXCEPTION FOR MOTEL AND VARIANCES TO PERMIT 261 PARKING UNITS INSTEAD OF THE REQUIRED 253 AND TO PERMIT A REAR YARD OF 10 FEET INSTEAD OF THE REQUIRED 20 FEET
 Petitioner: CHARLES B. DOLL and ETHEL E. DOLL
 Location of property: N.W. CORNER BELMONT and GORDON AVE.
 Location of Sign: @ N.W. CORNER BELMONT and GORDON AVE.
 Remarks: Charles B. Doll and Ethel E. Doll
 Posted by: Charles B. Doll
 Date of return: JAN. 9, 1970
 70-135-RXA

TELEPHONE 823-3000 EXT. 287

INVOICE
 BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE
 Division of Collection and Receipts
 COURT HOUSE
 TOWSON, MARYLAND 21204

No. 67132
 DATE: Jan. 14, 1970

TO: Messrs. Hardesty, Asst. Zoning Dept. of Baltimore County & Kaufman 1215 Maryland National Bank Building Baltimore, Md. 21202

QUANTITY: 4
 COST: \$7.98

REPORT TO ACCOUNT NO. 01-622
 DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

RETURN THIS PORTION WITH YOUR REMITTANCE TO: BALTIMORE COUNTY, MARYLAND
 MAIL TO: DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

TELEPHONE 823-3000 EXT. 287

INVOICE
 BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE
 Division of Collection and Receipts
 COURT HOUSE
 TOWSON, MARYLAND 21204

No. 67110
 DATE: Dec. 22, 1969

TO: Messrs. Hardesty, Asst. Zoning Dept. of Baltimore County & Kaufman 1215 Maryland National Bank Building Baltimore, Md. 21202

QUANTITY: 4
 COST: \$9.98

REPORT TO ACCOUNT NO. 01-622
 DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

RETURN THIS PORTION WITH YOUR REMITTANCE TO: BALTIMORE COUNTY, MARYLAND
 MAIL TO: DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

TELEPHONE 823-3000 EXT. 287

INVOICE
 BALTIMORE COUNTY, MARYLAND
 OFFICE OF FINANCE
 Division of Collection and Receipts
 COURT HOUSE
 TOWSON, MARYLAND 21204

No. 65671
 DATE: 9/8/70

TO: Whitford, Taylor, Preston, Trimble & Johnson 1st District

QUANTITY: 1
 COST: \$16.00

REPORT TO ACCOUNT NO. 01-712
 DETACH ALONG PERFORATION AND KEEP THIS PORTION FOR YOUR RECORDS

RETURN THIS PORTION WITH YOUR REMITTANCE TO: BALTIMORE COUNTY, MARYLAND
 MAIL TO: DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

ORIGINAL
OFFICE OF
THE CATONSVILLE TIMES

CATONSVILLE, MD. 21228 December 30 1969

THIS IS TO CERTIFY, that the annexed advertisement of
Edward D. Hardesty
Deputy Zoning Commissioner of Baltimore County
was inserted in THE CATONSVILLE TIMES, a weekly newspaper pub-
lished in Baltimore County, Maryland, once a week for one
consecutive weeks before the 24 day of Dec. 1969 that is to say,
the same was inserted in the issue of December 24, 1969.

MICROFILMED STROMBERG PUBLICATIONS, Inc.

Paul Morgan

CERTIFICATE OF PUBLICATION

TOWSON, MD. DEC. 25 1969 19...

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 in each
of... 1969... 1969... 1969...
day of JANUARY... 1970... the first publication
appearing on the... day of...
19... 19...

THE JEFFERSONIAN,

L. Land
Manager.

Cost of Advertisement, \$.....

MICROFILMED

TELEPHONE 442-5000 EXT. 287
INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204
No. 89357
DATE: Dec 25 1969
TO: Richard C. Wilkerson, Esq.,
Jefferson Building
Towson, Md. 21204
BILLED BY: Richard C. Wilkerson, Esq.,
Jefferson Building
Towson, Md. 21204
RETURN THIS PORTION WITH YOUR REMITTANCE
DATE: ALONG WITH PROPORTION AND KEEP THIS PORTION FOR YOUR RECORDS
COST OF APPEAL - Charles B. Doll, et al \$75.00
No. 75-125-212K 2 signs 15.00 \$90.00
MICROFILMED
IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND
MAIL TO: DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON, MARYLAND 21204

77-280
BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

December 11, 1969

Joseph S. Kaufman, Esq.,
10 Light Street
Baltimore, Maryland 21201

RE: Type of Hearing: Reclassification
from an R-10 zone to an DL zone
and Special Exception for hotel
purpose
Location: H.N. Cor. of Belmont Ave.
& Gordon Avenue
Petitioner: Charles B. Doll, et al
Committee Meeting of December 2, 1969
1st District
Item 106

Dear Sirs:

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

The subject property is presently improved with a dwelling and
a kennel for German shepherds. The property to the north is
improved with Martin's Caterers, a restaurant. To the east with
several dwellings to the south with dwelling. Since Gordon Avenue is
a residential street, no entrance is to be permitted driveway
for this proposed hotel site.

BUREAU OF ENGINEERING

Highways:

Gordon Avenue is an existing road which shall be improved
in the future as a 20-foot closed section with flexible paving
within a minimum 50-foot right-of-way. The horizontal alignment
of the intersection of Gordon Avenue and Belmont Avenue must be
revised by the Department's engineer utilizing a curve with a
center line radius of at least 200 feet. Since Gordon Avenue is
a residential street, no entrance is to be permitted driveway
for this proposed hotel site.

Access to this site shall be from Belmont Avenue, an
existing road which shall be improved in the future as a 40-foot
closed section with flexible paving within a 60-foot right-of-way.

MICROFILMED

Joseph S. Kaufman, Esq.,
10 Light Street
Baltimore, Maryland 21201
Item 106 Page 2

December 11, 1969

Highways (Continued)

Highway right-of-way widening and improvements for these roads
will be required in connection with any subsequent grading or building
permit applications.

The entrance locations are subject to approval by the Department
of Traffic Engineering.

In view of the above, a revised plan should be submitted prior
to the hearing for the requested zoning reclassification.

Storm Drains

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

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 striping, 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 striping 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.

Water

Public water can be made available to serve this property by
constructing a public water main extension from the existing 8-inch
water main in Gordon Avenue (see Drawing 55-1212(A-4)) or the
existing 16-inch water main in Dogwood Road (see Drawing 55-1212(A-6)).
There also appears to be a need for additional fire hydrant protection.

MICROFILMED

Joseph S. Kaufman, Esq.,
10 Light Street
Baltimore, Maryland 21201
Item 106 Page 3

December 11, 1969

Sanitary Sewer:

Public sanitary sewerage can be made available to serve this
property by constructing a public sanitary sewer extension from the
existing 18-inch Dead Run Sanitary Interceptor Sewer (see drawing
55-151(A-10)).

PROJECT PLANNING DIVISION:

The plan must be revised to eliminate the entrance on Gordon Avenue.

BUILDING ENGINEERS' OFFICE:

No comment until plans are submitted.

BOARD OF EDUCATION:

Would only result in a loss of potential students.

FIRE DEPARTMENT:

Owner shall be required to comply with all Fire Department
requirements when construction plans are submitted for approval.

HEALTH DEPARTMENT:

Public water and sewers are proposed.

Swimming Pool Comments: Prior to approval of a public pool on this
site two complete sets of plans and specifications of the pool and
bathhouse must be submitted to the Baltimore County Department of
Health for review and approval.

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.

Food Service Comments: Prior to construction, renovation and/or
installation of equipment for this food service facility complete
plans and specifications must be submitted to the Division of Food
Control, Baltimore County Department of Health, for review and
approval.

The hotel must comply with all other health and sanitation
requirements.

MICROFILMED

Joseph S. Kaufman, Esq.,
10 Light Street
Baltimore, Maryland 21201
Item 106 Page 4

December 11, 1969

ZONING ADMINISTRATION DIVISION:

The petitioner will be required to submit revised plans to this
office indicating the means of sewer and water disposal. Also, the petitioner
indicates in his general notes that the kitchen area has been excluded
from any parking requirement. This kitchen area must be included in the
restaurant and cocktail lounge computations for parking which will require
a larger variance than the petitioner is requesting.

This office is withholding a hearing date until the above revised plans
are received indicating the corrections and the petitioner's attorney has
changed the petition.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman

OLM:JD
Enc.

MICROFILMED

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF TRAFFIC ENGINEERING
JEFFERSON BUILDING
TOWSON, MARYLAND 21204

INTER-OFFICE CORRESPONDENCE

December 16, 1969

Joseph S. Kaufman, Esq.,
10 Light Street
Baltimore, Maryland 21201

RE: Type of Hearings: Reclassification
from an R-10 zone to an BL zone
and Special Exception for motel
purposes
Location: N.W. Cor. of Belmont Ave.
& Gordon Avenue
Petitioner: Charles B. Doll, et ux
Committee Meeting of December 2, 1969
1st District
Item 106

Dear Sirs:

The following is addendum to our Zoning Advisory
Committee meeting comments of December 11, 1969 under the
above referenced subject:

DEPARTMENT OF TRAFFIC ENGINEERING:

It is the policy of this office to discourage any increase
in trip density along Belmont Avenue due to its poor
intersection with Security Boulevard and close proximity to
the Beltway interchange. As presently zoned, the subject
site could generate approximately 200 trips per day. As
proposed, 2200 trips per day.

Very truly yours,

OLIVER L. MYERS, Chairman

OLM:JD

TO: Mr. John G. Rose
Attn: Oliver L. Myers
FROM: C. Richard Moore
SUBJECT: Item 106 - ZAC - December 2, 1969
Property Owner: Charles B. Doll, et ux
Belmont Avenue & Gordon Avenue
Recl. to BL with S.E. for Motel

Date: December 11, 1969

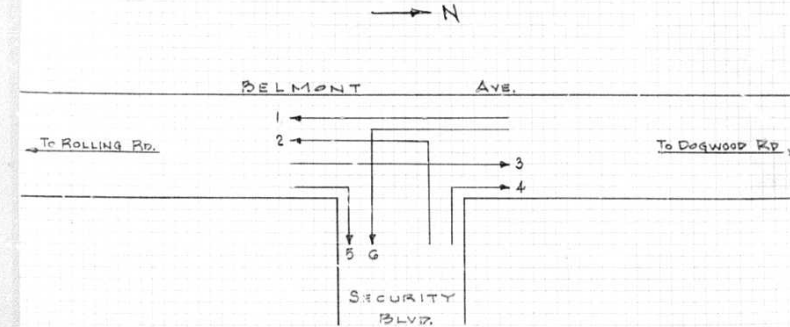
It is the policy of this office to discourage any increase in
trip density along Belmont Avenue due to its poor intersection with
Security Boulevard and close proximity to the Beltway interchange. As
presently zoned, the subject site could generate approximately 200 trips
per day. As proposed, 2200 trips per day.

C. Richard Moore
C. Richard Moore
Assistant Traffic Engineer

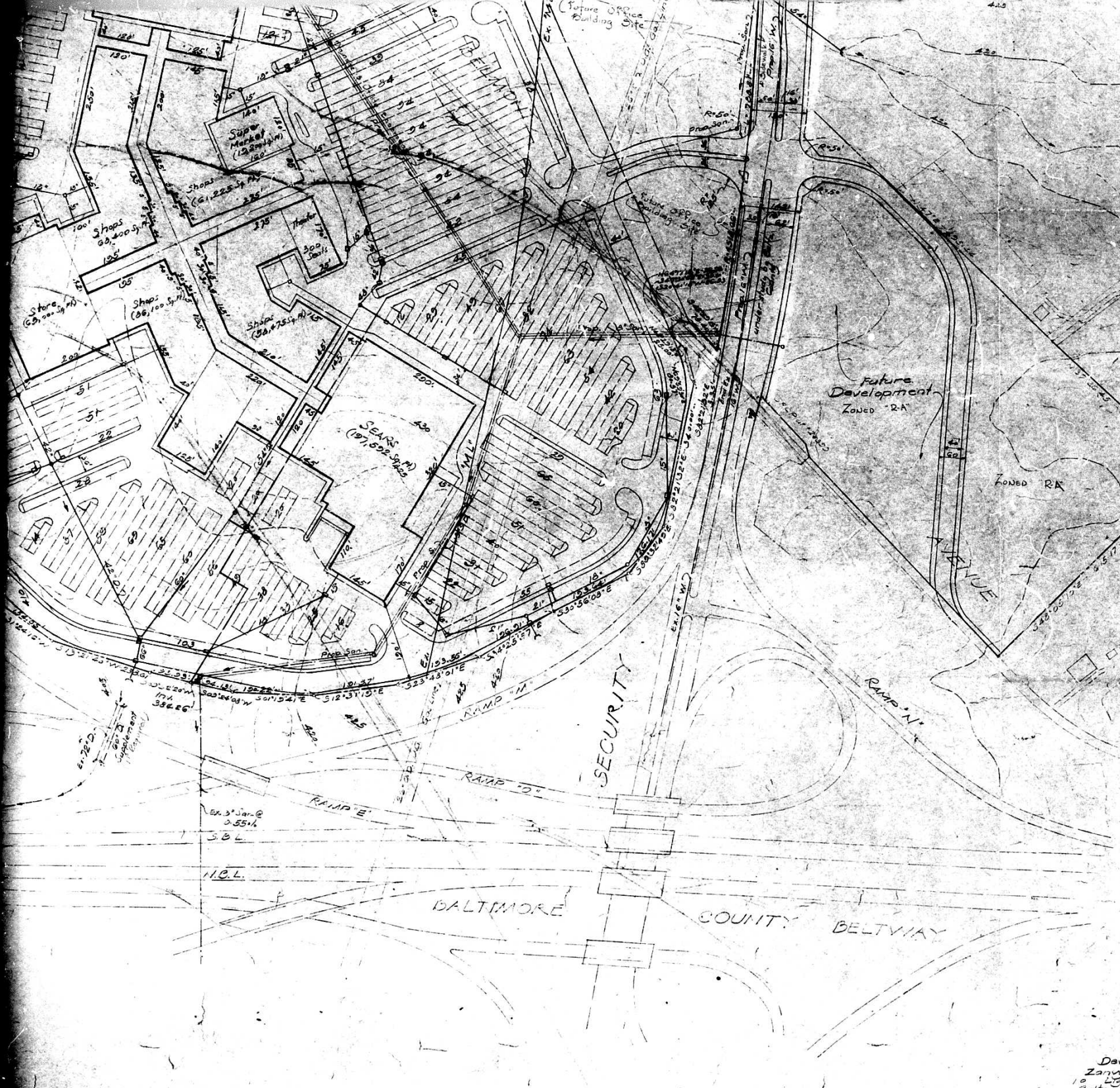
CRM:nr

EWELL, BOMHARDT & ASSOCIATES
CONSULTING ENGINEERS
1800 NORTH CHARLES STREET
BALTIMORE, MARYLAND 21201

PROJECT: TRAFFIC ANALYSIS JOB NO. _____
SUBJECT: SECURITY & BELMONT SHEET NO. _____ OF _____
BY: J.R. DATE: _____



DATE	TIME	DIRECTIONS					
		1	2	3	4	5	6
MON. JAN. 12, 1970	5 ⁰⁰ P.M. - 6 ⁰⁰ P.M.	33	216	42	186	133	71
	7 ⁰⁰ P.M. - 8 ⁰⁰ P.M.	17	136	25	58	140	34
Tues. JAN. 13, 1970	7 ⁰⁰ A.M. - 8 ⁰⁰ A.M.	16	25	37	23	586	225



GENERAL NOTES

1. Water shall be brought to the site by an extension of the existing 10" Water in Rolling Road.
2. 24' major drives within site shall be a minimum of 30' wide parking lanes to be a minimum of 24'.
3. Retail areas & uses are preliminary & subject to change. County to review before granting Building Permits Final Use & Area.

- ### DENSITY NOTES
1. AREA OF TRACT 97,100 sq. ft.
 2. EXISTING ZONING OF TRACT RA-1 (RURAL RESIDENTIAL)
 3. PROPOSED USE OF TRACT RETAIL SHOPPING CENTER
 4. PROPOSED RETAIL FLOOR AREA 720,000 sq. ft. 3612 Units
 5. PROPOSED THEATER 300 SEATS 5 Units
 6. TOTAL RETAIL OFF-STREET PARKING 3660 Units
 7. TOTAL PARKING PROPOSED 4506 Units

#70-135R2A
MAP
2-B
WESTERN
ARCH
NW-2-6
NW-3-6

PRELIMINARY PLAN SECURITY SQUARE

SECURITY BOULEVARD & ROLLINS RD
BALTO. CO., MD.
ELECTION DIST. NO. 1
OCT. 31, 1969

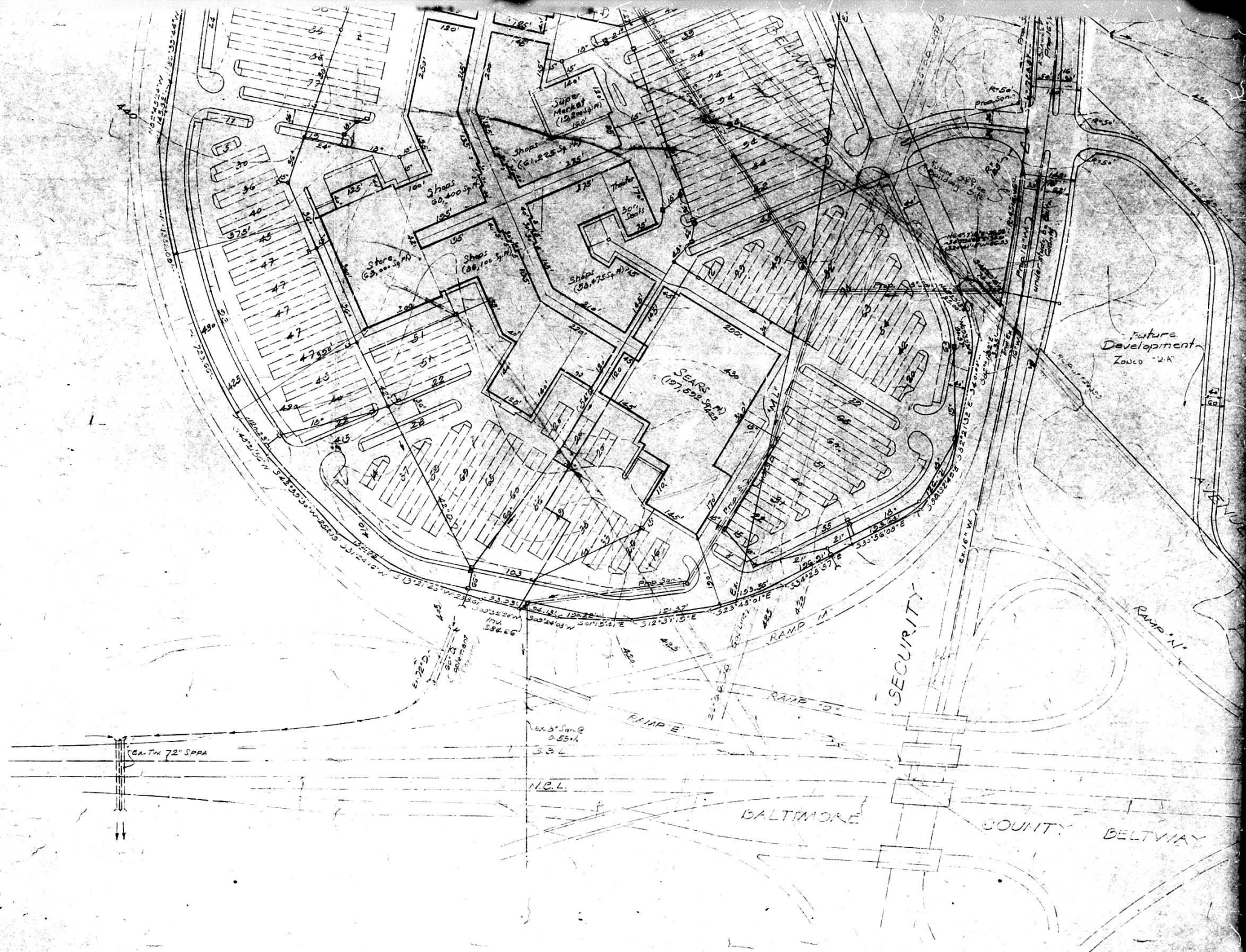
Developer:
Zanyl Krigger
10 Light Street
Balto., Md. 21202



Engineer:
Mazzy Childs & Associates
1010 Cromwell Bridge Rd.
Towson, Md. 21204

FR 2

FR 1



FR 2

02-10-71



FR-3

INTERSTATE

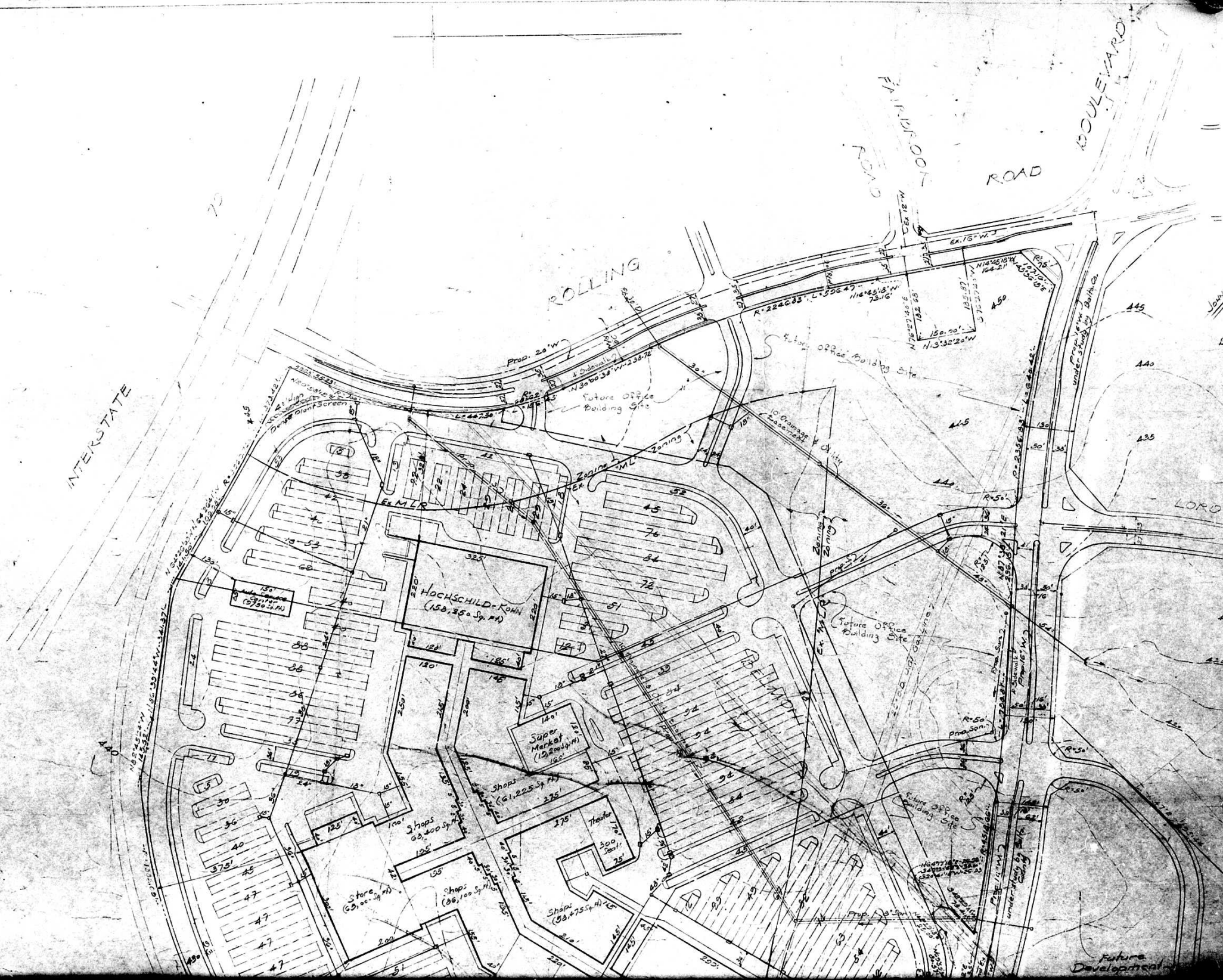
ROLLING

ROAD

ROAD

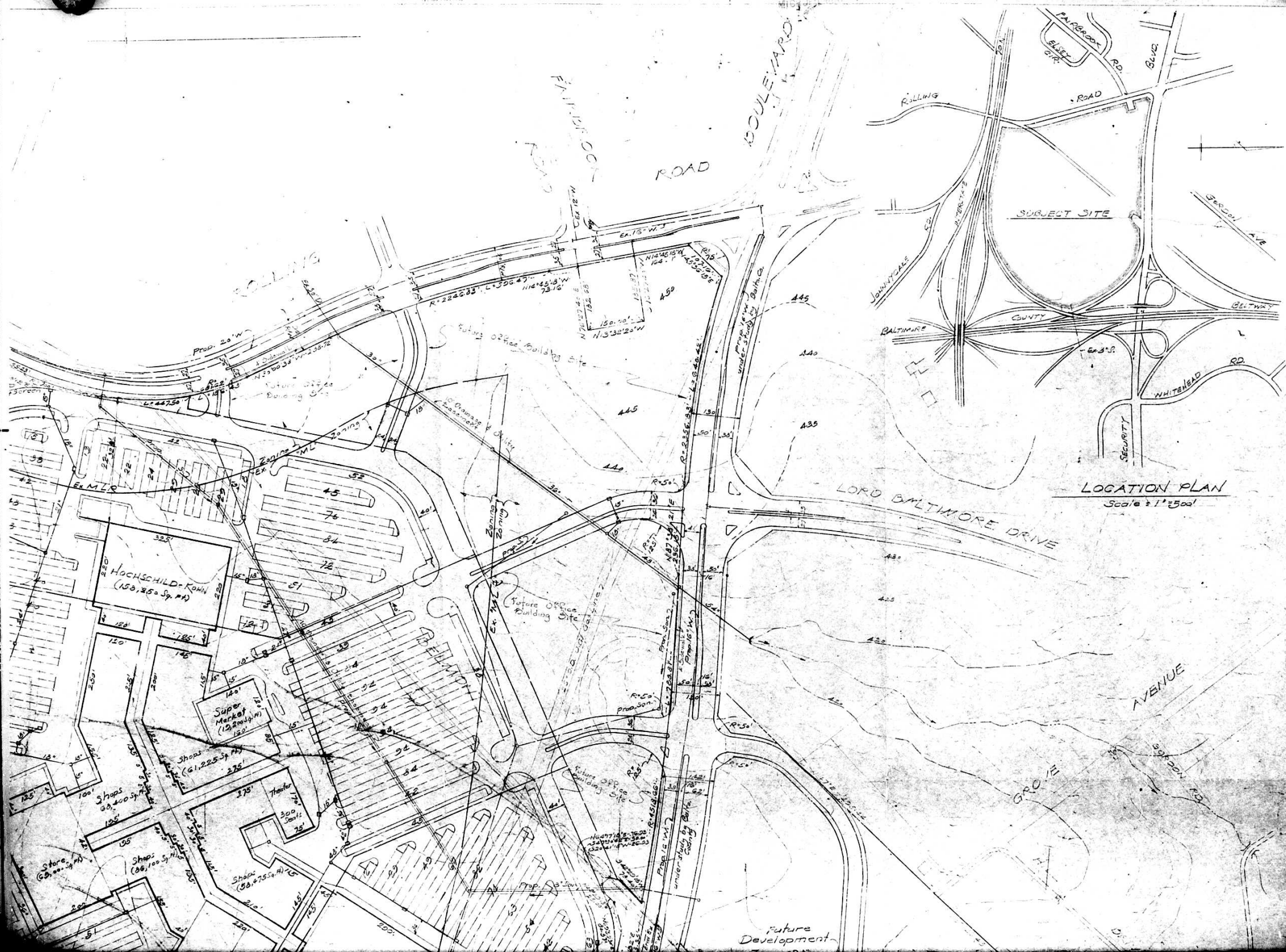
BOULEVARD

LORD

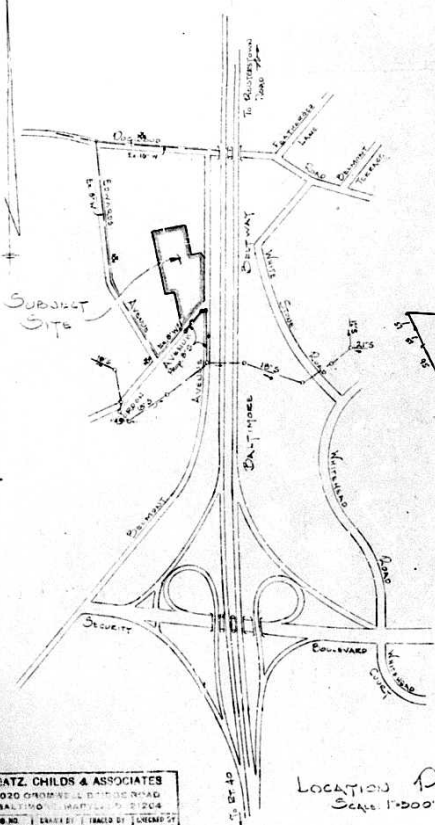
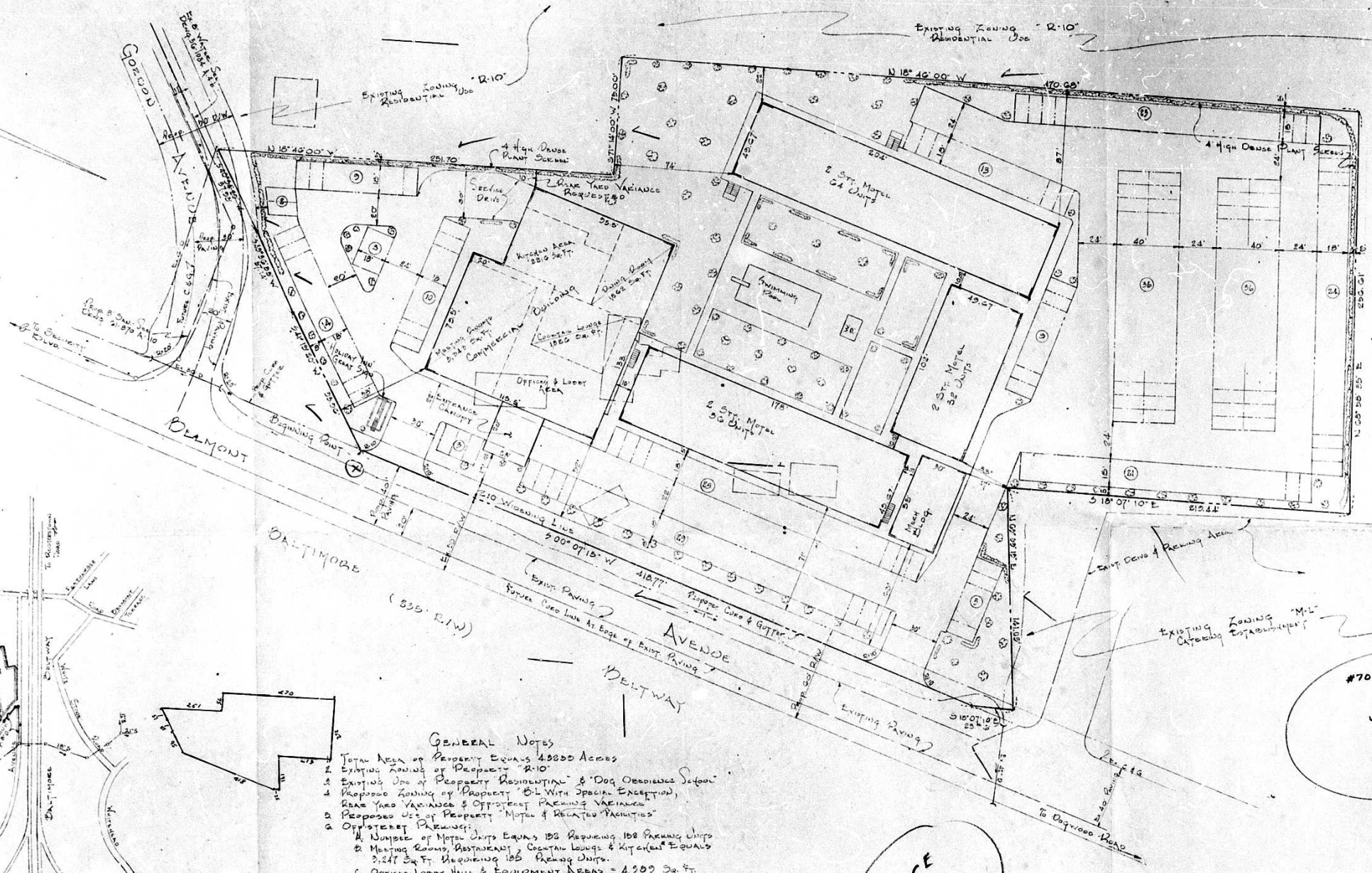




FR-4



LOCATION PLAN
Scale 1" = 500'



WATZ, CHILDS & ASSOCIATES
1020 GORDON AVE. BALTIMORE, MD. 21206
JOB NO. 22142 DRAWN BY: T.M. DATE: 11/15/69

LOCATION PLAN
Scale 1"=100'

GENERAL NOTES

1. Total Area of Property Equals 4.8800 Acres
2. Existing Zoning of Property "R-10"
3. Existing Use of Property Residential & "Dog Obedience School"
4. Proposed Zoning of Property "BL" With Special Exception, Rear Yard Variance & Off-Street Parking Variance
5. Proposed Use of Property "Motel & Related Facilities"
6. Off-Street Parking:
 - A. Number of Motel Units Equals 108 Requiring 108 Parking Units
 - B. Meeting Rooms, Restaurant, Cocktail Lounge & Kitchen Equals 2,247 Sq. Ft. Requiring 108 Parking Units
 - C. Offices, Lobby, Hall, & Equipment Areas = 4,300 Sq. Ft. Requiring 10 Parking Units
 - D. Total Off-Street Parking Required Equals 237 Units
 - E. Total Off-Street Parking Proposed Equals 208 Units
 - F. Petitioner is Requesting a Variance to Section 405.2 (b)(5) of The Zoning Code to Permit Off-Street Parking of 208 Parking Units Instead of The Required 237 Units (170 Units Short)
7. Petitioner is Requesting a Variance to Section 405.3 (b) of The Zoning Code to Permit a Rear Yard of 10' Instead of The Required 20'
- * The Kitchen is a "Service Area" comprising 2,016 Sq. Ft. & Represents 45 Parking Units; Therefore The Parking Variance Should Be For 30 Units.

OFFICE COPY

#70-135 RXA
MDP
2-B
WESTERN
AREA
NW-2-G
NW-3-G
BL-X
OFFICE COPY
RETIRED PLANS



PLAT TO ACCOMPANY PETITION
FOR
RECLASSIFICATION & SPECIAL EXCEPTION
WITH VARIANCES
OF PROPERTY VICINITY OF
BELMONT AVENUE & GORDONS AVE.
ELECT. DIST. 1 BALTO. CO., MD.
NOV. 14, 1969
SCAP. 11-30
Revised: Dec. 19, 1969

