

MAR 09 1973

REASONS FOR PETITIONING FOR ZONING RECLASSIFICATION

This petition is based upon both error in the zoning and change in the character of the neighborhood.

During the time for which the subject property has been zoned residential (R-6 and, currently, D.R. 5.5) several significant changes in the immediately surrounding area have occurred. The property is now bordered on its northern and western boundaries by two high speed multi-lane highways, namely, the Baltimore Beltway and I-70N. At the northwest corner of the subject property the Beltway and I-70 cross to form a heavily traveled interchange. Lighting has been placed on the Beltway and there is a substantial amount of traffic and attendant noise. The property is bordered on the east by Woodlawn Drive and on the south by Johnnycake Road.

Other significant changes in the immediately surrounding area include a firehouse which has been constructed on the southeast corner of the subject property, and Johnnycake Junior High School, which is located immediately across Woodlawn Drive.

All of the property directly to the north of the subject property, across I-70N, is zoned for business and industrial use. The most prevalent zoning to the north is ML, usually accompanied by district zoning such as IM. Among other uses of this industrial and business property are the Woodlawn Social Security complex and the Meadows Industrial Park.

The property in the northwest quadrant of the I-70/Beltway interchange is also zoned ML. The construction of a major shopping center has begun on this property. To the northwest of that property lies a substantial area zoned MLR.

One of the specifically stated purposes of an MLR zone is "to permit planned dispersal of industrial employment centers so as to be conveniently and satisfactorily related to residential communities; and as transitional bands between residential or

institutional areas and ML or ML zones." (Section 247, Baltimore County Zoning Regulations, 1955, as amended.) (Emphasis added.)

The subject property is ideally situated to serve these declared purposes of an MLR zone. At the present time, there is no existing buffer between the industrial and business developments to the north and the residential developments to the south of the subject property, and the current zoning maps fail to provide for such a buffer. A long-range view of the entire area indicates that it will best be served by the buffer which can be provided if this property is reclassified MLR as requested by this petition. The property, zoned MLR, will contribute to a well-balanced community which is in harmony with the overall zoning plan as it now exists. The property is serviced by utilities, sewer and water, which will facilitate the orderly development of the subject property for office buildings, warehouses and a motel.

Finally, there will be no injury to surrounding property; indeed, the Petitioners believe that the buffer which will be provided if MLR reclassification is granted will protect and enhance the residential properties which are located to the south and east of the subject property.

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

Lester Matz
John C. Childs
Associates
Ronald W. Brayley
George W. Bushby
Robert W. Cramer
Leonard M. Glase
Edmund F. Heise
Norman F. Herrmann
Paul Lee
Fred F. Mirmiran
Winifred P. O'Brien
Paul S. Smetzer

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MATZ, CHILDS & ASSOCIATES, INC.

DESCRIPTION

9.2 ACRE PARCEL, MORE OR LESS, SOUTHWEST CORNER OF WOODLAWN DRIVE AND I-70 N, FIRST ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND

This description is for Special Exception.

Beginning for the same at a point at the intersection of the southern right of way line for I-70 N as shown on State Roads Commission of Maryland Plat No. 20377 and the northwest side of Woodlawn Drive 80 feet wide, running thence and binding on the northwest side of said Woodlawn Drive two courses: (1) southwesterly by a curve to the right with a radius of 1209.92 feet a distance of 261.96 feet, the chord of said arc being S 25° 34' 32" W 261.45 feet, and (2) S 31° 46' 41" W 565 feet, more or less, thence for new lines of division two courses: (3) N 58° 13' 19" W 320.2 feet, more or less, and (4) N 19° 15' W 575 feet, more or less, to the southern right of way line for I-70 N as shown on State Roads Commission of Maryland Plat No. 20379, thence binding on the southern right of way line of I-70 N as shown on State Roads Commission of Maryland Plats No. 20379 and 20377 three courses: (5) N 84° 25' 02" E 332 feet, more or less, (6) S 88° 14' 24" E 410.13 feet and (7) easterly by a curve to the right with a radius of 5578.34 feet, a distance

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of 134.19 feet, the chord of said arc being S 81° 45' 27" E 134.19 feet to the place of beginning.

Containing 9.2 acres of land, more or less.

rwbdg
J.O. #71132
3/10/72



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DESCRIPTION

61.5 ACRE PARCEL, SOUTHWEST CORNER OF WOODLAWN DRIVE AND I-70N, FIRST ELECTION DISTRICT, BALTIMORE COUNTY, MARYLAND.

This Description is for "MLR-IM" Zoning

Beginning for the same at a point at the intersection of the southern right of way line for I-70 N as shown on State Roads Commission of Maryland Plat No. 20377 and the northwest side of Woodlawn Drive 80 feet wide, running thence and binding on the northwest side of said Woodlawn Drive two courses: (1) southwesterly, by a curve to the right with a radius of 1209.92 feet, a distance of 261.96 feet, the chord of said arc being S 25° 34' 32" W 261.45 feet, and (2) S 31° 46' 41" W 1913.32 feet to the land described in the deed from Ragan M. Doub and wife to Baltimore County, Maryland in Liber W. J. R. 4035, page 107, thence binding on a part of the second line and on the third line of said land two courses: (2) N 62° 35' 13" W 325.25 feet, and (3) S 30° 06' 54" W 364.5 feet more or less, thence binding on the southwest side of Johnnycake Road as originally laid out, (4) N 65° 22' 00" W 75.5 feet, more or less, thence along the eighth line of the land described in the deed from Monumental Life Insurance Company to Ragan M. Doub and wife, dated October 1, 1943 and recorded in Liber R. J. S. 1304, page

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MCA 
MATZ, CHILDS & ASSOCIATES, INC.

2.

455, (5) N 21° 41' 00" E 16.51 feet, thence binding on the center line of said Johnnycake Road, three courses: (6) N 70° 44' 00" W 290 feet, more or less, (7) N 74° 54' 00" W 202.30 feet, and (8) N 77° 09' 00" W 180 feet, more or less to a point on the southeast Right of Way Line of I-70N, as shown on State Roads Commission of Maryland Plat No. 20386, thence binding on said Right of Way Line, as shown on said plat and on Plat No. 20385, two courses: (9) northeasterly, by a curve to the right with a radius of 2779.17 feet, the distance of 757.90 feet, the chord of said arc being N 11° 20' 36" E 755.55 feet, and (10) northeasterly, by a curve to the right with the radius of 1551.66 feet, the distance of 66.30 feet, the chord of said arc being N 20° 22' 47" E 66.29 feet, thence continuing to bind on said Right of Way Line, as shown on Plat No. 2083, six courses: (11) N 14° 46' 12" E 194.75 feet, (12) N 31° 13' 44" E 145.33 feet, (13) N 46° 25' 22" E 49.33 feet, (14) N 37° 21' 14" E 96.30 feet, (15) N 49° 44' 42" E 97.01 feet, and (16) N 43° 28' 44" E 47.70 feet, thence continuing to bind on said Right of Way Line, as shown on Plat No. 20380, four courses: (17) N 39° 15' 17" E 48.03 feet, (18) N 57° 05' 43" E 191.39 feet, (19) N 55° 05' 15" E 188.60 feet, and (20) N 56° 43' 13" E 143.14 feet, thence continuing to bind on said Right of Way Line, as shown on Plat No. 20379, and No. 20377, seven courses: (21) N 60° 15' 17" E 48.03 feet, (22) N 71° 24' 22" E 96.62 feet, (23) N 62° 09' 49" E 98.18 feet, (24) N 77° 38' 40" E 194 feet, more or less, (25) N 84° 25' 02" E 386.19 feet, (26) S 88° 14' 24" E 410.13 feet, and (27) easterly, by a curve to the right with a radius of 5578.34 feet, a distance of 134.19 feet, the chord of said arc being S 81° 45' 27" E 134.19 feet to the place

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3.

of beginning.

Containing 61.5 acres, more or less.

RWB:mp1

J.O. #71132

March 29, 1972



STATE HIGHWAY ADMINISTRATION
300 WEST PRESTON STREET
BALTIMORE, MD. 21201
(BALTIMORE ADDRESS) • TEL. 701 BALTIMORE, MD. 21201

April 11, 1972

Mr. S. Eric DiMenna
Zoning Commissioner
Attn: Mr. O.L. Myers

Re: Z.A.C. meeting April 4, 1972
Reclassification
Item 25. Ragan Doub
S/E Quadrant: Balto. Beltway and
I-70N D.R. S.S. Reclass. to M.L.R.,
redistrict to I.M. Special Exc.
for Motel Dist. 161.5 acres

Dear Mr. DiMenna:

The storm drain structure constructed in conjunction with the Baltimore Beltway and Interstate Route 70-N, were designed based on the drainage area as zoned at the time of design. If the subject property is rezoned and developed as planned, the existing drainage structures could be rendered inadequate, thereby causing serious problems in the area.

Very truly yours

Charles Lee Chief,
Development Engineering Section
by John E. April
Ass. Development Engineer

CL-JH-es



MAR 09 1973

**Baltimore County, Maryland
Department of Public Works
COUNTY OFFICE BUILDING
TOWSON, MARYLAND 21204**

April 20, 1972

Bureau of Engineering
ELLSWORTH N. DYER, P. E. CHIEF

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
County Office Building
Towson, Maryland 21204

Re: Item #29 (Cycle April - October 1972)
Property Owner: Ragan Doub
S/E Quadrant Baltimore Beltway and I-70N
Present Zoning: R.L. 5.5
Proposed Zoning: Reclassification to M.L.R.,
redistrict to I.M., Special
Exception for Motel
District: 1st No. Acres: 61.5 acres

Dear Mr. Myers:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

U. S. Route 70-N is a State Road; therefore, all improvements, intersections, entrances, drainage requirements and any construction within the State Road right-of-way will be subject to the standards, specifications and approval of the State Highway Administration of Maryland.

Highways:

Woodlawn Drive is an existing 48-foot curb and gutter street on an 80-0-1 right-of-way of which no additional improvements are required.

Johnnycake Road is an existing road which shall ultimately be improved as a 36-foot combination curb and gutter street on a 60-foot right-of-way. The Petitioner shall be responsible for the necessary construction, drainage, delineation of the necessary right-of-way and curb and gutter and 15' feet of paving adjacent thereto for the frontage of the site.

The interior roads shall be improved as 40-foot curb and gutter paved streets on 60-foot right-of-ways and shall be the Petitioner's full responsibility.

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

The private drives and parking areas shall be the Petitioner's full responsibility for construction and maintenance.

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
Page 2
April 20, 1972

Re: Item #29 (Cycle April - October 1972)

Storm Drainage:

In accordance with the drainage policy for this type development, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall. The Petitioner's cost responsibilities include the acquiring of easements and rights-of-way - both onsite and offsite - including the dealing in fee to the County of the rights-of-way. Preparation of all construction, rights-of-way and easement drawings including engineering and surveys, and payment of all actual construction costs including the County overhead both within and outside the development, are also the responsibilities of the Petitioner.

The Petitioner must provide necessary drainage facilities (temporary or permanent) 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 improper installation of drainage facilities, would be the full responsibility of the Petitioner.

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 stripping of top soil.

Water:

There are existing 12-inch water mains in Woodlawn Drive and Johnnycake Road.

Sanitary Sewer:

Sanitary sewer exists in Woodlawn Drive.

Very truly yours,

Ellsworth N. Dyer
ELLSWORTH N. DYER, P.E.
Chief, Bureau of Engineering

ENCLOSURE

1-38 Key Sheet
MM 1 P Topo Sheet
2, 3 NW 24 Section Sheets

ROUSE E. GAVRELLIS
Director
Zoning Commission
County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204
496-3331



S. ERIC DINENNA
Zoning Commissioner
County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204
496-3331

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

May 9, 1972

Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Myers:

Comments on Item 29, Zoning Advisory Committee Meeting, April 4, 1972, are as follows:

Property Owner: Ragan Doub
Location: S/E Quadrant Baltimore Beltway and I-70N
Present Zoning: D.R. 5.5
Proposed Zoning: Reclassification to M.L.R., redistrict to I.M., Special Exception for Motel

District: 1
No. Acres: 61.5 acres

Any development of this site will have to go through the subdivision process before the J.S.P.C. and we will comment at that time.

Very truly yours,

Richard B. Williams
Richard B. Williams
Planner II
Project Planning Division
Office of Planning and Zoning

Baltimore County Fire Department



Towson, Maryland 21204
872-7510

J. Austin Deitz
Chief

April 17, 1972

Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204
ATT: Mr. Oliver L. Myers, Chairman
Zoning Advisory Committee

RE: Property Owner: Ragan Doub

Location: S/E Quadrant Baltimore Beltway and I-70N
Item No. 29 Zoning Agenda April 4, 1972

Gentlemen:

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

- (x) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead-end condition shown at _____

- EXCEEDS the maximum allowed by the Fire Department.
- () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operations.
- (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "The Life Safety Code" 1970 Edition prior to occupancy.
- () 6. Site plans are approved as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

Reviewed: *Eric Dinenna* Noted and Approved: *Paul H. Riecke*
Planning Group Deputy Chief
Social Inspection Division Fire Prevention Bureau
4/17/72

**BOARD OF EDUCATION
OF BALTIMORE COUNTY**

ITEM #29

TOWSON, MARYLAND - 21204

Property Owner: Ragan Doub

District 1

Present Zoning: DR 5.5

Proposed Zoning: M.L.R., I.M., S.E. for motel

No. Acres: 61.5

No bearing on student population other than resulting in a loss of potential students

BALTIMORE COUNTY ZONING ADVISORY COMMITTEE

May 8, 1972

John J. Ghingher, Jr., Esquire
10 Light Street, 20th Floor
Baltimore, Maryland 21202

Re: Reclassification Petition
3rd Zoning Cycle
Item 29
Ragan M. Doub, Petitioner

Dear Mr. Ghingher:

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

The subject property is located in the southeast quadrant of the Baltimore Beltway and Interstate 70 (North) with access via Johnnycake Road and Woodlawn Drive in the Second Election District of Baltimore County. The subject property contains 61.5 acres of land which is zoned DR 5.5. The subject site is improved with an old large frame dwelling and several outbuildings and the property is still used for agricultural purposes. It is immediately north of the northernmost sections of Westview Park. The Westview Fire Station is located on the northwest corner of Johnnycake Road and Woodlawn Drive and is immediately adjacent to this site.

This property was the subject of an earlier zoning Petition (Case No. 68-136-R) that was ultimately decided at the Maryland Court of Appeals. In reviewing the subject Petition and site plan, we note that the plan does not indicate all structures within 200' of the subject site or the zoning of adjacent properties. This must be shown on revised plans prior to the Hearing. Also, this office is concerned that as Johnnycake Road is primarily a residential street, the Petitioner consider revising his request to indicate a buffer of like dwellings along the frontage of Johnnycake Road and restrict access to the industrial park via Woodlawn Drive.

Very truly yours,

Oliver L. Myers
OLIVER L. MYERS, Chairman
John J. Dillon, Jr., Zoning Tech. II

OLM:JJD:bbr



**INDUSTRIAL DEVELOPMENT COMMISSION
BALTIMORE COUNTY, MARYLAND**

April 11, 1972

To: Mr. S. Eric Dinenna, Zoning Commissioner

From: H. B. Staab - Industrial Development Commission

Re: Ragan Doub
S/E Quadrant Baltimore Beltway and I-70 N
61.5 acres - 1st Election District
Reclassification from D.R. 5.5 to M.L.R.,
redistrict to I.M. - Special Exception for Motel

The subject site of some 61.5 acres is located in the southeast quadrant of one of the largest highway interchanges in the United States, i.e., 70N and the Baltimore County Beltway. This property has been of interest to the Industrial Development Commission for some years and testimony was given before the County Board of Appeals stating the many advantages for industrial use and the great demand in the market for industrial use of this property.

As you know, the County Board of Appeals granted the reclassification and the Circuit Court for Baltimore County affirmed it, but the Court of Appeals stated that since Mr. Doub was also the owner of the Agneslane tract located on the east side of Woodlawn Drive they reversed the County Board of Appeals - but the Court of Appeals did not say, and has not said, that this is not good industrial property.

We have discussed the Court of Appeals case with Mr. James D. Nolan, counsel of record for Mr. Doub, and he advises us that the Court actually asked them why they did not go by the comprehensive zoning rather than by the petition method of zoning.

Many years ago, the Office of Planning in its master plan, prior to the adoption of the master map for this area, recognized the future potential of the Doub tract for industrial use, and as late

Mr. S. Eric Dinenna

April 11, 1972

-2-

as February 1, 1970 on the map approved by the Planning Board and forwarded to the County Council, this property was indicated as an M.L. area.

There would be many advantages, both in tax revenues and economically to Baltimore County should this property be zoned M.L. In our travels around the County, we find that such industrial-office and headquarters type uses have no adverse effect on the residential property in the immediate neighborhood, but to the contrary, create additional job opportunities for area residents. Further, with the exception of the Pistorio land, there is practically no remaining industrial land in the first and thirteenth districts. With the Meadows Industrial Park now almost completely developed, the use of approximately 100 acres by the Security Square Shopping Center and the Security Industrial Park rapidly being developed, additional industrial land in this section of the County is urgently needed.

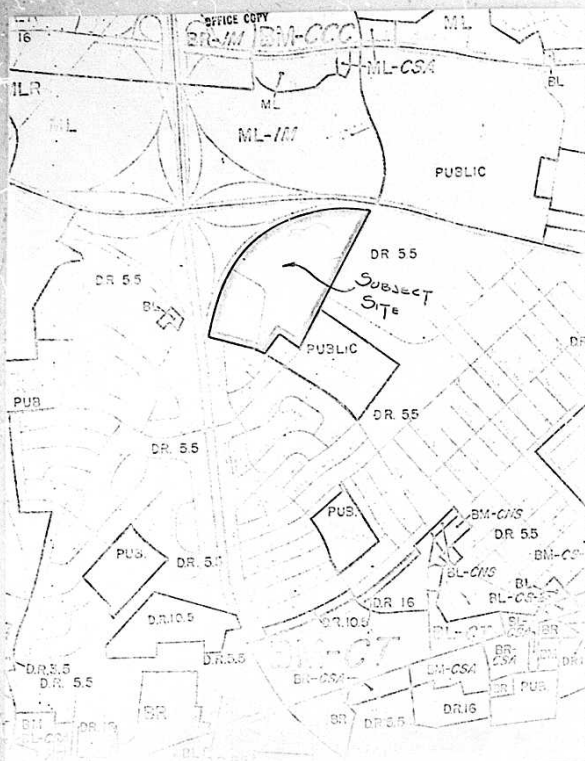
The Industrial Development Commission requests that this petition be given favorable consideration.

H. B. Staab
H. B. STAAB
Director

H. EMILIE PARES, President
EUGENE C. HESS, Vice President
MR. ROBERT L. DENNEY

MR. JOHN A. CROCKEN
JOSEPH A. H. SCHWAB
ALVIN L. DRECK

R. BAYARD WILLIAMS, JR.
EDWARD W. BRADY, V.M.D.
MR. RICHARD K. HOFFER



PETITION MAPPING PROGRESS SHEET										
FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>[Signature]</i>	Revised Plans: Change in outline or description								Yes No	
Previous case: <i>68-138</i>	Map #									

BALTIMORE COUNTY, MARYLAND No. 3822
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE May 10, 1972 ACCOUNT 01-662

AMOUNT \$50.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Messrs. Weinberg and Green
10 Light St.
Baltimore, Md. 21202
Petition for Reclassification for Ragan M. Doub
and Redistricting

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING
John J. Ghingher, Jr., Esquire County Office Building
10 Light Street, 20th Floor 111 W. Chesapeake Avenue
Baltimore, Maryland 21202 Towson, Maryland 21204

Your Petition has been received and accepted for filing
this 3rd day of July 1972.

[Signature]
ERIC DINENBA,
Zoning Commissioner

Petitioner: Ragan Doub

Petitioner's Attorney John J. Ghingher, Jr., Esquire Reviewed by *[Signature]*
Chairman, Advisory Committee

BALTIMORE COUNTY, MARYLAND No. 3793
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE August 16, 1972 ACCOUNT 01-662

AMOUNT \$72.00

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Messrs. Weinberg and Green
10 Light Street
Baltimore, Md. 21202
Advertising of property for Ragan Doub
#73-38-BX



LOCATION PLAN
Scale 1" = 1000'

1/8
NW 1/4
4-6-72
40
46
48

- GENERAL NOTES**
- Total Area of Site Equals 61.5 Acres ±
 - Existing Zoning of Tract "D-1" is "B5"
 - Existing Use of Tract "Form Use" is "No Use"
 - Proposed Zoning of Tract MLR I-M With a Special Exception for 9.02 Ac.
 - Proposed Use of Tract "Planned More, Site and Planned Industrial, Gen2"
 - Parking Data

LOT	USE	SQ. FT./AC.	25' x 10' SPACES	20' x 8' SPACES
1	25' x 10' Bldg	22,200	178	181
2	25' x 10' Bldg	22,800	178	181
3	25' x 10' Bldg	27,000	214	219
4	25' x 10' Bldg	21,400	170	174
5	25' x 10' Bldg	22,200	178	181
6	25' x 10' Bldg	22,100	177	180
7	25' x 10' Bldg	17,500	140	143
More	25' x 10' Bldg	20,000	160	163
5-7%	Office Use	20,000	160	163

PLAT TO ACCOMPANY PETITION
FOR
DECLASSIFICATION OF PROPERTY
VICINITY
WOODLAWN RD & JOHNNYCAKE ROAD
Election District 1 Baltimore County Maryland
Scale 1"=100' March 29, 1972

MATZ, CHILDS & ASSOCIATES
1020 CROMWELL BRIDGE ROAD
BALTIMORE, MARYLAND 21204
JOB NO. 10001 DRAWN BY J. CHANDLER
11/22/70

