

RE: PETITION FOR A SPECIAL PERMIT FOR TRAILER
CAMP - N. E. Side Martin Boulevard, 101
St. W. M. Cedar Drive, 15th District -
Mariano Grimaldi, Petitioner

The appeal in the above entitled matter coming on for hearing on the 25th day of February, 1954, before the Board of Zoning Appeals of Baltimore County from an Order of the Zoning Commissioner of Baltimore County dated November 18, 1953, granting a special permit for a trailer camp in regard to the property described therein; and it appearing from the facts and evidence adduced at the appeal that the granting of the said special permit would not be detrimental to the safety, health, morals, or general welfare of the community and for reasons set forth in the opinion; therefore,

It is this 14th day of April, 1954, Ordered by the Board of Zoning Appeals of Baltimore County that this special permit for a trailer camp be granted.

Samuel W. Orlowski
Chairman
Earl F. Wilson
Board of Zoning Appeals of
Baltimore County

OPINION OF THE BOARD OF ZONING APPEALS
OF
BALTIMORE COUNTY

This is an appeal from an Order of the Zoning Commissioner of Baltimore County dated November 18, 1953, granting a special permit for a trailer camp in regard to the property described in the petition.

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

The subject property is located at the intersection of Martin Boulevard and U. S. Route 40, but is so situated that it has no access to either of these highways, and the only means of ingress and egress is over a 20-foot strip opening up into Cedar Drive.

A trailer camp is permitted under the Zoning Regulations of Baltimore County in any zone, but by a special permit only. This property is zoned commercial, but because it is hemmed in so completely its usefulness is much limited. The Board has been unable to find from the testimony or from a view of the site that a traffic hazard would result if the permit were granted. The difficulty of turning into the subject property, if any difficulty would arise, would take place on Cedar Drive and not on Martin Boulevard. As to the over-taxing of the sewerage system, the Board cannot find that this burden would be any more excessive with a trailer camp than with any other reasonable authorized use of the property.

To develop the land with commercial buildings can probably result in a more substantial increase in the number of vehicles entering and leaving the property than a trailer camp. The Board does not believe that a trailer camp would be detrimental to the safety, health, morals, or general welfare of the community; would not tend to create congestion

in the roads or streets; would not create a hazard from fire, panic, or other damages, or tend to overcrowd the land and cause undue concentration of population, or otherwise be detrimental to the community. The Board will, therefore, pass its Order granting the special permit.

Samuel W. Orlowski
Chairman
Earl F. Wilson
Board of Zoning Appeals of
Baltimore County

IN THE MATTER OF :
PERMIT FOR TRAILER PARK :
BY :
OF :
W. ORLALDI and Wife :
BALTIMORE COUNTY

Mr. M. Grimaldi, the owner of a tract of land on the southeast corner of Martin Boulevard and Pulaski Highway, as outlined in Petitioner's Exhibit #1, has applied for a permit on this property, now zoned "Commercial" for its use as a trailer park.

He endeavored to make an application for group houses prior thereto and was informed by the various interested County authorities and the Zoning Board that such an application would not be entertained with approval.

While this property borders on two highways, the owner has access to neither, and this, too, greatly restricts the use thereof; so that unless he is permitted to use it in accordance with its zoning as a commercial unit, it will amount to depriving him of his property.

The protestants, (Oak Grove Apartment Corporation), object for two reasons:

1. It would depreciate the value of their property.

2. Trailer park tenants are a hazard to the community.

Neither of these defenses are good in law. No one can lawfully protest the use of another's property within the use of the zone in which it is classified, because it depreciates the value, otherwise zoning would be useless and other persons subject to the caprice of a few adjoining owners. This is especially true where an adjoining tenant endeavors to dictate the kind of tenants on his neighbor's property. Furthermore, no one is entitled to a guarantee of the value of his property simply because he improved it to his liking prior to his adjoining property owner, knowing at the time that it was zoned "Commercial".

W. LINDY ORTEL
ATTORNEY AT LAW
1128 MARKET BUILDING
BALTIMORE 6, MD.

Notwithstanding, however, the owner contends that a trailer park will not depreciate the property of the protestant, especially the type of tenants and premises which he intends to operate.

As to the second reason, the Supreme Court of the United States, only several years ago, held that the owners of adjoining property could not restrict the sale and use of properties against color or race, which would also include the "inferior type (white) tenant", to whom, it is alleged, the owner will rent.

These two paragraphs should close this brief, but let us continue to explore the kind of testimony offered. What testimony has been offered which is evidence in law that a trailer camp will depreciate another's property? The kind of testimony given was furnished by a prejudiced adjoining owner who has no permanent tenants and empties 26 per cent of his apartments each year. They seem to look with disdain upon folks who have trailer homes, whose husbands work in the same community factories, and wives, too, work in drugstores and merchandising houses. A good sample of the prejudice instilled into the minds of these people was a gentleman who was very apprehensive about his two teen-age daughters. He gave no reasons for his being so, except "a trailer park". He seemed to think, too, that the temporary housing unit, constructed by the Government at Victor Villa would also be a hazard to his family, except for a 200-ft. plowed strip between his home and this fine little development, which housed some of the finest folks of our County. Can the Board possibly consider such testimony as evidence for the proper use of one's property?

The Oak Grove Apartment Corporation, which collects the rents next door on apartments built by the Government, testified how clean they keep their premises. This is only what they are required to do, and is immaterial to the issue. They backed their improvements against the owner's property and showed

him their platforms full of trash cans and parked cars and say to the owner, "You can't put a trailer park next door to our premises, it will depreciate our property". What can the owner construct on his commercially zoned property which would grace the dignity of their many garbage platforms? As long as this corporation could use the owner's property for years to park their trailers and dump their trash on his premises, and use the sign of the owner to advertise their property, there was no complaint. Now the owner desires to make the property earn its taxes and keep and the Oak Grove Apartment Corporation, even before the permit is granted, knows just what kind of tenants the owner is going to have occupy the premises. He calls these prospective tenants of the owner, who have worked and saved enough to buy a trailer, "inferior type of tenant". Is this evidence, or is this just the prejudice of a corporation which desires to dictate to the community? There is no evidence that a trailer park, as such, and the tenants who occupy them are unlawful; quite to the contrary. Our Nation is a people on wheels. Even the tenants in the Oak Grove Apartments have cars lined up by the hundreds along the boundary of the owner's property. Their own inspection report shows a turnover in tenants of 26 per cent - nearly one-third move out every year. If they house 900 families, then approximately 270 families move out and 270 more families move in, or a total of 540 moving vans back in each year.

Furthermore, the owner's property is zoned "Commercial" and if he cannot use it for the purpose for which it is zoned, then he is deprived of the use of his property. This community is not zoned "Residential" since there is the race track across the road, to the northeast is the night club and the auto junk yard, and to the southeast the temporary frame Government housing unit. Then why not a trailer camp?

The Petitioner respectfully contends that the arguments against the Petition are not good in law, nor reasonable in fact, and this Honorable Board should affirm the granting of the permit.

Respectfully submitted

W. Lindy Ortel
W. LINDY ORTEL, Attorney
for Petitioner

FILED NOV 23 1954

CARROLL W. ROYSTON
ATTORNEY AT LAW
CARRIAGE BUILDING
TOWSON, MARYLAND

November 20, 1953

Board of Zoning Appeals
100 Washington Avenue
Towson 5, Maryland

Re: Petition for a Trailer Camp -
N. E. Side Martin Boulevard 101
St. W. M. Cedar Drive, 15th
Dist., Mariano Grimaldi, Pet.

Gentlemen:

Please enter an appeal from the Order of the Zoning Commissioner granting a special permit in the above captioned matter. Enclosed herewith is my check in the amount of \$30.00 in payment of costs. This appeal is filed on behalf of Oak Grove Apartments. Very truly yours,

CWR/nrv
Enclosure

Mem. 6-3634

W. LINDY ORTEL
ATTORNEY AT LAW
1128 MARKET BUILDING
BALTIMORE 6, MD.

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ATTORNEY AT LAW
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BALTIMORE 6, MD.

OWNED by the Zoning Commissioner of Baltimore County this 1st day of October, 1953, that the subject matter of this petition be advertised in a newspaper of general circulation throughout Baltimore County and that the property be posted, as required by the Zoning Regulations and Act of Assembly aforesaid, and that a public hearing thereon be had in the office of the Zoning Commissioner of Baltimore County, Maryland, on the 28th day of October, 1953, at 11:00 o'clock A.M.

Chas. D. King
Zoning Commissioner
of Baltimore County

Upon hearing on petition for a special permit to use the property described therein for a Trailer Camp and it appearing that by reason of location, being in a commercial area, the safety of the general public and the general welfare not being detrimentally affected and no traffic hazard being created, the said petition should be granted, therefore:

It is this 15th day November, 1953, ORDERED by the Zoning Commissioner of Baltimore County that the aforesaid special permit be and the same is hereby granted, subject, however, to the compliance with the Regulations and Restrictions governing the operation of Trailer Camps in Baltimore County and also subject to compliance with the requirements of the Baltimore County Health Department.

Chas. D. King
Zoning Commissioner
of Baltimore County

PETITION FOR SPECIAL PERMIT

IN THE MATTER OF
Petition of
Mariano Grimaldi
:
: BEFORE THE
: ZONING COMMISSIONER
: OF BALTIMORE COUNTY
:
:
: For a Special Permit
: to The Zoning Commissioner of Baltimore County
:
: Mariano Grimaldi
: Legal Owner
: Contract
: Purchaser

herby petition for a Special Permit, Under the Zoning Regulations and Restrictions passed by the County Commissioners of Baltimore County, assembly to Chapter 877 of the acts of the General Assembly of Maryland of 1943, for a certain permit and use, as provided under said Regulations and Act, as follows:

A Special Permit to use the land (and improvements now or be erected thereon) hereinafter described for

TRAILER CAMP

Northeast side of Martin Boulevard, 15th District of Baltimore Co., beginning 101 feet northwest of Cedar Drive, thence northeasterly, on the north east side of Martin Boulevard, 977.83 feet, thence south 50 degrees 55 minutes east 811.23 feet and thence South 45 degrees 20 minutes west 300 feet to beginning.

Contract Purchaser

Legal Owner

Mariano Grimaldi

1205 Olive St. Baltimore 6

3-SIGNS
11/12/53
11 AM

Ending Petition #2747-5
15th District

Special Permit - trailer camp
Owner - Mariano Grimaldi
Location - N.E. Martin Blvd., 101' N.W. of Cedar Drive

1. The problem as presented by the petitioner is a special one since the only access to his property is a right-of-way to a 20-foot right-of-way strip leading in to the property from Cedar Drive. The three-sided property is bounded in one side by a detached-access ramp of the aforementioned intersection by an existing apartment project on the other, and by a separate company other than the petitioner of land zoned for apartments on the third side (see the accompanying plot plan).
2. This 20-foot right-of-way available to the petitioner in the use of his land is poorly located to handle any quantity of traffic because the entrance of the right-of-way on Cedar Street is only 60-feet distant from the eastern pavement of the dualized Martin Boulevard. Traffic turning into the petitioner's property from the Boulevard via Cedar Street cannot be accommodated safely unless there is at least 100 to 200 feet of distance on Cedar Drive between the Boulevard and the subject entrance; and if this petition were approved, trailers making such turning movements would present even more of a hazard than ordinary passenger vehicles do. Also, it is the writer's understanding that there is a significant vertical differential between Cedar Drive and the petitioner's property which presents difficulties in negotiating the hill by any number of vehicular from trailers unless the entrance road is properly realigned and so constructed.
3. There is some question as to whether a trailer camp operation (or any residential use, for that matter) would be able to hook into the already overloaded Rose-Middle River sanitary sewer system at this time. The Metropolitan District office reports that they are not accommodating new requests for service in this area until additional lines are built, probably 1 to 15 years hence.
4. The Planning Commission staff would like to suggest alternate uses permitted under the property's present zoning classification which would be compatible with the restriction of access and with the lack of sewer service at present. These uses might be: a small printing, lithographing or publishing plant, a scientific research operation, a warehouse or storage building for least storage of a like use; at any rate, a use which has a minimum number of employees and a small quantity of daily material deliveries.
5. One further item, for whatever it is worth. This owner property is at the entrance (gateway) to the whole Middle River area and a use aesthetically pleasing to the eye should be encouraged in deciding the best improvement of the property. This is not to say that a trailer park can not be beautiful, but rather to suggest that such camps seem to be often eyesores and since there are now too few trees on the property, it is wondered whether adequate landscaping would be included if the special petition for the camp were approved.
6. On the basis of the above, it seems reasonable to recommend that this petition be denied.

Legis. Coun., Balto. Co. Plann. Comm.

FILED OCT 19 1953

CERTIFICATE OF PUBLICATION

TOWSON, MD., October 16, 1953
THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., commencing on the 14th day of October, 1953, the first publication appearing on the 14th day of October, 1953.
THE JEFFERSONIAN,
Manager

Cost of Advertisement, \$.....

\$25.00 RECEIVED of M. Grimaldi the sum of Twenty Five (\$25.00) Dollars, being cost of petition for special permit, a varietal and posting property, northeast side of Martin Boulevard, 101 feet northwest of Cedar Drive, 15th District.

Zoning Commissioner

Hearings:
November 18, 1953
at 11:00 a.m.
basement of
Towson Building
Towson, Md.

PAID
OCT 15 53
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY *41781*

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District - 15th
Date of Posting - 10-14-53
Petitioner - Mariano Grimaldi
Location of property - N.E. Martin Blvd. by 101' N.W. of Cedar Drive, thence N.W. on the N.E. of Martin Blvd. 977.83 ft., thence S. 45° 20' E. on the N.E. of Martin Blvd. 300 ft. to the 22nd N.W. of Cedar Drive on the N.E. of Martin Blvd.
Remarks:
Posted by *George S. Hummel*
Date of return - 10-15-53

ANNEXED ADVERTISEMENT
SPECIAL PERMIT-TRAILER CAMP
Mariano Grimaldi
N.E. Martin Blvd. by 101' N.W. of Cedar Drive, thence N.W. on the N.E. of Martin Blvd. 977.83 ft., thence S. 45° 20' E. on the N.E. of Martin Blvd. 300 ft. to the 22nd N.W. of Cedar Drive on the N.E. of Martin Blvd.

F.R.A. INSPECTION REPORT

Project: Oak Grove Apartments & Cooperative F.R.A. Project No.: 62-4-202
Location: Baltimore, Maryland
Loan Number: 64-775
A. Inspection Date: July 8, 1953
Deadline Date: July 15, 1953

B. Significant Trends or Changes in Environment: None

CHANGES	EXTERIOR
1. Drainage Good	1. Foundations OK
2. Landscaping Good	2. Concrete - Steps and Ramps OK
3. Fencing of Grounds Good	3. Painting Good
4. Walls and Drives Good	4. Screens Good
5. Garbage and Trash Disposal Good	5. Outlets and Downspouts OK
	6. Roof OK
	7. Glass OK

INTERIOR - RENTABLE SPACES	INTERIOR - NON-RENTABLE SPACES
1. Electric OK	1. Equipment OK
2. Heating OK	2. Basement OK
3. Floors OK	3. Condition of Public Spaces Good
4. Equipment OK	
5. Plumbing OK	

D. Changes, Additions, Improvements or Detriments to the Property:
None

E. Occupancy - 100%

F. Annual Statement of Income and Expenditure to F. R. A.

G. 1. Original Loan Amount \$ 60,000.00
2. Present Balance \$ 23,579.59
3. Repayments Reserve Account \$ 36,420.41
4. Experience with Borrower

H. Management Good

I. Is property being subjected to permanent or substantial injury through unreasonable use, abuse or neglect? No

Inspector
Benjamin B. Hellyer
George C. Howell

Copies to New York in triplicate (Chief Appraiser)

444 apts. built
2 comm. bldgs.
347 units

RECEIVED of Carroll W. Keyston, Attorney for protestants, the sum of Thirty (\$30.00) Dollars, being cost of appeal to the Board of Zoning Appeals of Baltimore County from the decision of Zoning Commissioner granting a special permit for Trailer Camp N. E. Side Martin Boulevard 101 feet northwest of Cedar Drive, Mariano Grimaldi, petitioner.

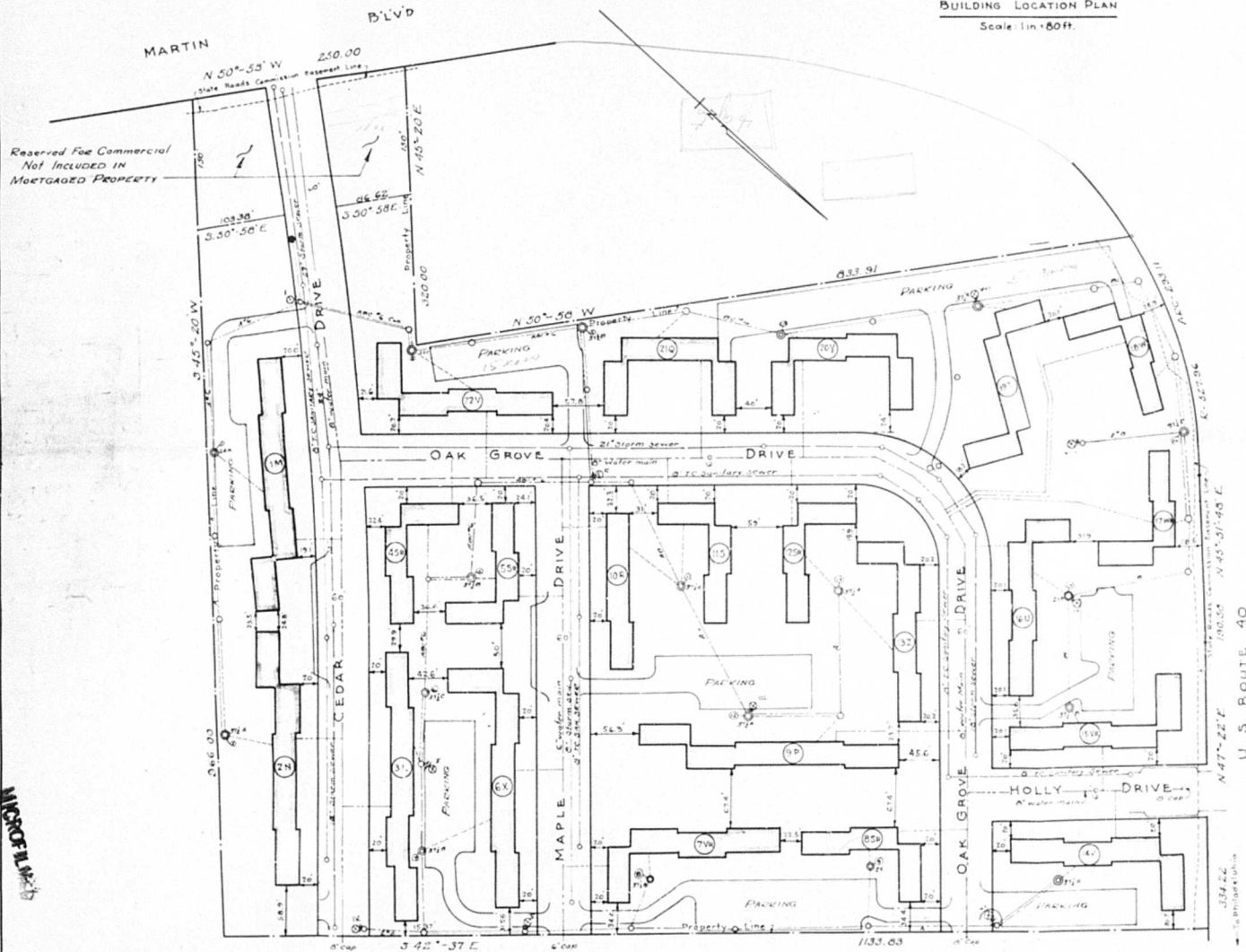
Ending Commissioner

PAID
NOV 24 53
COUNTY COMMISSIONERS
OF BALTIMORE COUNTY
BY *41781*

OAK GROVE APARTMENTS CORP.
MIDDLE RIVER BALTIMORE COUNTY, MD.

BUILDING LOCATION PLAN

Scale 1 in = 80 ft.



U S ROUTE 40

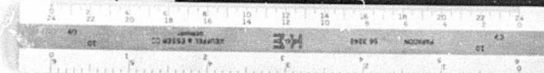
This is to certify that buildings nos. 3L, 4SR, 5SR, 6X, 7VW, 8SR, 9P, 10R, 11S, 12SR, 13Z, 20Y, 21Q and 22V are constructed in the locations shown herein. August 31, 1944.



This is to certify that buildings nos. 1M, 15VR, 16U, 17WE and 18W are constructed in the locations shown herein. October 11, 1944.

This is to certify that buildings nos. 2N, 18V and 19T are constructed in the locations shown herein. November 22, 1944.

GEORGE WILLIAM STURGES, JUNIOR
AND ASSOCIATES
ENGINEERS
BALTIMORE, MARYLAND



MICROFILMED

