RE: PETITION FOR SPECIAL EXCEPTION for Trailer Park in "M-L" Zone and VARIANCES to Section 414.4 of Zoning Regulations E/S Stevens Road, 151' south of 15th District Sadie C. Stevens, Trailer Village

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Corporation, Paritioners

REFORE COUNTY BOARD OF APPEALS OF

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BALTIMORE COUNTY

No. 5575-XV

E/S

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#5575XV

BALTIMORE

MAP

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## OPINION

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The petitioners herein apply for a special exception to operate a Trailer Park on approximately 29 acres of land located on the east side of Stevens Road, beginning at a point 151 feet south of Eastern Avenue in the 15th District. The subject property is zoned "M-L" and is surrounded by land with similar classifications. If the special exception is granted, the petitioners will provide for 209 trailers on the property. The entrance to the park will be on Eastern Avenue through on "M-L" Zone

The protestants, the majority of whom live on Stevens Road across from the proposed trailer park, objected on the grounds that it would adversely affect the value of their homes, would increase traffic hazards on Eastern Avenue, and would overcrowd the public school: in the area.

In deciding this case, we are concerned only with the intent and meaning of Section 502.1 of the Zoning Regulations. Considering these requirements in their inverse order, we begin by finding nothing in the evidence before us which would indicate that the requested use would interfere with adequate light and air.

With respect to possible interference with adequate provisions for schools, parks, water, sewerage, transportation or other public requirements, conveniences or improvements, we dismiss all factors except possible interference with schools. Mr. David Black, Assistant for Capital Planning for Baltimore County School Board, presented statistics which indicated that the public schools in the area are operating near or at capacity with the Hawthorn Elementary School having 115 pupils in excess of capacity. Mi. Black said a trailer park of the size proposed would have about 90 elementary school students and about 30 junior high school students. We must therefore give serious con-

Continuing to examine Section 502,1, there appears little likelihood that the special exception would tend to overcrowd land and cause undue concentration of population. Nor would it, if operated in accordance with regulations, in cur opinion, create a potential hazard from fire, panic or other dangers.

David W. Dallas. Jr.

8713 OLD HARFORD ROAD

NORTHFIELD 5-7422 SADIE C. STEVENS

LEASE TO: TRAILER VILLAGE CORPORATION

414/62 BEGINSING for the mans on the easternment side of Stevens Road (20 feet wide) av distant 15% feet Southerly from South Side of Rantern Avenue said point being dista 185,09 feet couth 20 decrees 05 minutes east from the beginning of the fifth or south 20 degrees 05 minutes east foot line of that treet of land which by deed dated July 5, 1961 and recorded among the Land Records of Baltimore County in Liber WJR No. 3861 felio 246 etc. war conveyed by Boris E. Gaffney to Sadie C. Stevens, widow, said point of beginning being at the end of the third or easterly 172 feet line of that tract of land which by lease dated February 2, 197 and recorded monor the Land Records of Faltimore County in Liber GLB No. 3174 folio 173 etc. was leased by Scores I. Stevens, dr., and wife to George I. Stewers, Jr., and wife, thence running with and binding on a part of said fifth line of said line and the westernmost side of Free Morter Creek, thence running with and hinding or the sixth line of said deed and on the westernesst side of said creek south 5 degrees 10 minutes east 39.95 feet to the end of said line, thesee leaving said creek and running with and binding on the powerth line of said deed north 68 decrees 57 minutes west 156.63 feet to the center of a road (20 feet wide) and to the end of said line, thence running with an bigding on the sighth, sight and tenth lines of said demi and on the menter of said read the three following courses and distances south 6 degrees 13 minutes were 145-16 feet to the end of said eighth line, south 18 decrees 21 minutes east 141.78 feet to the end of said minth line and south 48 degrees 22 minutes west 365.07 feet to the end of eaid tenth line and the end of said road, thrace running with and binding on the eleventh line of said does

With regard to possible creation of congestion in roads, streets or alleys, the Board is of the opinion that the development of this tract under its present "M-L" zoning would most likely generate as much traffic as the proposed trailer park.

This leaves for consideration Section 502.1 (a) which imposes upon us the duty of assuring ourselves that the use requested will not be detrimental to the health, safety and general welfare of the locality involved. There was no test imony to indicate that public safety or health would be endangered by the granting of the petition. This leaves only the question of general welfare.

In considering general welfare, we must first make certain that the proposed use will be in harmony with the general purpose and intent of the Zoning Regulations and that it can be conducted without detriment to the neighborhood. Testimony in this case indicates that this special exception would represent a departure from the comprehensive plan for the area, resulting in an irreparable break in the integrity of this industrially zoned area. The Court of Appeals has indicated in several cases that reclassifications or special exceptions representing a departure from the comprehensive plan should not be made on a piecemeal basis but as a result of a general survey (Zinn v. Bd. of Zoning Appeals, 207 Md. 355, and American Oil Co. v. Miller, 204 Md. 32). The Board is unanimous ir. its opinion that the granting of this special exception would be detrimental to the general welfare of the community.

For the reasons sut forth above, the petition for a special exception to operate a trailer park on the subject property is denied. With regard to the request for a variance from Section 414.4, incomuch as the petition for a special exception has been denied, the question of a variance becomes mute.

#### ORDER

For the reasons set forth in the aforegoing Opinion, it is this 4 4 day of December, 1963 by the County Board of Appeals, ORDERED that the special exception and variance petitioned for, be and the same is hereby denied.

Any appeal from this decision must be in accordance with Chapter 1100, subtitle B of Maryland Rules of Procedure, 1961 edition.

David W. Dallas, Jr

Civil Engineer

NO: agree 5,7422

the end of said line, thence running with and binding on the waters of said crock and on 1/4/62

the welfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth lines

106.27 feet to the end of said twolfth line, south 61 degrees 25 minutes west 97 feet to the

Fourteenth line, north 49 degrees 15 minutes west 33 feet to the end of said fifteenth line.

north 17 decress 04 minutes west 64 feet to the end of said sixteenth line, north 48 degrees

05 minutes west 101 front to the end of said seventeenth line and north 58 degrees 30 minutes

west 58 feet to the easternment side of Gar Gut and the end of said eighteenth line, thence

sixth lines fo said deed the eight following courses and distances north 3 degrees 50 minutes

west 171 feet to the end of said mineteenth line, north 0 degrees 15 minutes east 90 feet to

the end of said twentieth line, north 12 degrees went 49 feet to the end of said twenty-first

degrees 55 minutes west 139 feet to the end of said twenty-third line, north 45 degrees

20 minutes west 64 feet to the and of said beauty-fourth line, north 24 decrees 50 minutes

west 147 feet, and north 10 decrees 42 minutes east 265 feet to the end of anid two tractively

line, thence running with and binding on the twenty-coverith line of said deed and crossing

said Car Out north 72 degrees 39 minutes west 125.35 feet to the end of said twenty-sevents

line, thence running with and binding on the twenty-eighth, twenty-ninth and part of the

thirtieth lines of said dead and on the west side and center of said for Out the three

following courses and distances north 16 degrees 48 minutes west 270,40 feet to the end of

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rth 3 degrees 30 minutes west 155 feet to the end of said twenty-third line, north 16

rusning of th and Minding on the sesterament side of said for dat and on the nineteenth.

of said deed the seven following courses and distances south 45 degrees 20 minutes west

end of said thirtrenth line, north 73 degrees 25 minutes west 61 feet to the end of said

outh 9 degrees 45 minutes east 310.47 feat to the waters of east From Nortar Creal

8713 CLD HARFORD ROAD

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

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BALTIMORE 14, MAP

MAGUIRE AND BRENNAN ATTORNEYS AT LAS ESSEX, BALTIMORE 21, MD.

September 27, 1962

#5575XV

BALTIMORE 14, MD45-6

(MAP)

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Mr. John G. Rose, Zoning Commissioner County Office Building 111 W. Chesapeake Ave. Towson 4, Maryland

Dear Mr. Rose.

Re: Petition for Special Exception and Variances to Zoning Regulations -E. S. Stevens Road 151' S. Eastern Ave., 15th District - Sadie C. S. evens, Peti\_ioner-Trailer Village Corporation, Contract Purchaser - No. 5575-XV

On behal of the protestants in the above entitled matter, please docket an Appeal to the County Board of

Very truly yours, Shut. magina John N. Maguire



HE: PETITION FOR SPECIAL EXCEPTION FOR TRAILER PLEE IN AN "M-L" ZOME AND VALLANCES TO SECTIONS this, is of the Zoning Regulations E.S. Liveous Road 151 S. of Eastern Ave., Usin District -Sadio C. Stevens, Patitioner -Trailer Village Corporation, Contract Purphases

BEFORE ZONING COMMISSIONER

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BALTIMORE COUNTY No. 5575-XV

Upon having on the above petition for a special exception Upon having on the above petition for a special exception to me, the prepart described therein for a trailer park in a M-L\*I Zead and for variances to Section him, in of the Zending Regulations to permit a rear part of 10 fest instead of the required 75 fest along the most him property line; a side and/or rear pard of 20 fest instead of the required 75 fest along the most side of Stevens Hoad, as proposed to be widened, and the partit a side and/or rear pard of 10 fest instead of the required partition of the section with property, as the potitioner has not the requirements of Section high property, as the potitioner has not the requirements of Section high property, as the potitioner has not the requirements of Section high property, as the potitioner has not been supported by the special exception, should be granted.

The variances requested should also be granted which will grant relief to the petitioner without substantial injury to the public beatth, safety and the general welfare of the locality

Commissions of Baltimore Commy, GROBED that a special exception for a trailor park should be and the same is granted, from and after the date of this Great.

The variances to penals a rear yard of 10 feet instead of the required 75 feet along the north property line; a side and/fer yet rear yard of 10 feet instead of the rear yard of 10 feet instead of the required to be a feet of the rear yard of 10 feet instead of the required 75 feet along the west property Line shouldn alone be granted.

The granting of the special exception and the requester variances are subject to spiroval of the site plan by the State Road Commission, Division of Land Revelopment and the Office of Planning and Zoning, which must be in conformity with plat marked Exhibit "A"

## #5575 XV PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY.

MAP legal owner... of the property situate in Bay ore 15-6 County and which is described in the description and plat attached hereto and made a part/he hereby petition (2) that the zoning status of the herein described property be re-classified, ant x V

to the Zoning Law of Baltimore County, from an \_\_zone; for the following reasons

Requested Variance:

Section 41.4.
1. To permit a rear yard of 10' instead of required 75' along north property line.
2. To permit a side and/or rear yard of 20' instead of required 75' along west side of Stevens Road, as proposed to be widened, as shown on plans attached

3. To permit a side and/or rear yard of 10' instead of required 75' along west

### 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 Trailer Park in an M-L Zone (see above for requested variances)

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 aling 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 Baltimor

Walliam Village Corporation

Sadie E. Stevens Sadie C. Stevens Legal Owner

6/14/62

Contract purchasemPresident Address P. O. Box 5045

Address 100 Stevens Road Baltimore 20, Maryland

Aerson Blog U43-6200

Magine ( Buma

Protestant's Attorne 825 Eastern Que # 21 ORDERED By The Zoning Commissioner of Baltimore County this 13th

of April , 196\_2, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation through-out Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Ealtimore County in Room 106, County Office Building in Towron, Baltimore County, on the \_\_, 195\_2\_, at \_3:00 o'clock

MPR 13 '62 P.M.

OFFICE OF PLANNING & ZONING

CONTAINING 28.933 seres of land sere or lass. TOOKTHER with the right of the use in common with others entitled thereto for ingress and over the bed of Stevens Road (20 feet wide). BERMO part of that treet of land which by deed dated July 5, 1961 and recorded among the Land Secords of Ralbinore County in Liber NJS No. 3861 Julio 246 etc. was conveyed by Deria E. Caffney to Sadie C. Stevens, widow.

David W. Dallas, Jr

minth line and north 16 degrees 18 minutes were 116.33 feet to the point formed by the 6/14/6

intersection of said Mirtisth line with a line drawn parallel to Eastern Avenue as room

direction from the southernment side of an existing dwelling there situate, these running

on State Roads Commission Plat No. 4929 and distent 34 feet messared in & southeasterly

with and binding on said line north 66 degrees 51 minutes east 177.22 feet to the point

ferred by the intersection of said line with a line drawn at right magles to said Hastern

Avenue and distant 30 feet secoured in a northeasterly direction from the easternment side

of said dwelling, thence running with and binding on said line north 2 degrees 09 minutes

weet 18.7% fort, thence running for lines fe division the two following courses and distances

north 69 degrees 55 minutes cost 382.73 feet and north 20 degrees 05 minutes rest 36.00 feet

to the beginning of said third line of said lease to George I. Stevens, Jr., and wife, thence

running with and binding on said line north 66 degrees 51 minutes cast 172.03 feet to the

said trenty-eighth line, north 2 degrees 57 minutes sant 97,00 feet to the end of

place of beginning.

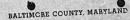
8713 OLD HARFORD ROAD

March 31, 1962

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INTEL OFFICE CORRESPONDENCE

TO Mr. John O. Rose, Zoning Commissioner Date June 8, 1965

FROM Mr. George E. Cavrelis, Deputy Director

SUBJECT #5575-XV. Special Exception for a Trailor Park SUBJECT FORTING. Special Ecosption for a Trailer Park and Mariance to permit a rear yard of 10 feet instead of remains to permit a rear yard of 10 feet instead of representations of the property lines. The standard of the property lines and to permit Stevens Road, as proposed to 10 feet instead of required 7 cent along worst property line. Eastern most side of Stevens Road 151 feet entered lines are lines of the south standard or required 7 cent along any lines are lines of the south side of Eastern Avance. Being property of Sadie of Stevens Road 151 feet instead of the south side of Eastern Avance. Being property of Sadie of Stevens Road 151 feet instead of the south side of Eastern Avance.

15th District

HEARING: Wednesday, June 20, 1962 (3:00 P.M.)

The staff of the Office of Planning and Zoning has reviewed the "which position for Special Exception for a trailor park and variances. It has the following advisory comments to make with respect to partinent planning factors:

- A. The Special Ecoption The Planning staff considers that the subject property is well located with respect to its proposed use as a trailar part. It has no advects comment to make with respect to the Special Exception.
- B. The Variances The Planning staff can make no definitive consent with respect of the appropriateness or inappropriateness of the requested respect of the appropriateness or inappropriateness of the requested respectively. It is to be noted that the variance acted along the respectively line is animal inasenta as the changing shore line has added land beyond the extent of the original property line.
- C. General Comments If granted, the granting should be subject to approval of an overall site plan 1; the Office of Planning and Zening which would be further conditioned by mandatory dedication gas estable improvement of the widening for Stevens Road and establishment of effective screening along the easterly boundary line of the analyset property.



# CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland #5575 Date of Posting. 5-24-6-7 Trailer Park & Marianil Location of property St. of Stevens St. 15.1 H Suntherly from 5/5 of League of Signaf Jath segue Cart net of Viewers Road opposer & Storye that Remarks:
Posted by Scoul & Manney Date of return: 5-25-62

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VALLEY	3-3000	
1000		

BALTIMARE COUNTY, MARYL ND OFFICE OF FINANCE

ccurr House

Maguire & Brennan 825 Eastern Avenue, Baltimore 21, Md.

BULLEY Office of Planning & Zoning 119 County Office Bldg., Townen b, Md.

OSIT TO ACC	OUNT NO. 01.622	TOTAL AMOU
ANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
	Comt of appeal to County Board of Appeals	870.00
	Ho.5575-XV	
	19-362 612 * * * ML~	10.00

IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TODIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURNUPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTIMONE COUNTY, MARYLAND OFFICE OF FINANCE

DATE 6/25/62

No. 12850

Division of Collection and Receipt COURT HOUSE TOWSON 4. MARYLAND

To: The Trailer Village Corp. P.O. Bex 5065 Baltimore 20, Md.

BILLED Zoning Department of

DEPOSIT TO A	accurate No.	01,622	10.00.00 HT
QUANTITY	CCOUNT NO.	DETACH UPPER SECTION AND RETURN WITH YOUR REMITYANCE	COST
	Retttin	Admiratising and posting of property for Sadia C. Stevens	50.00
		pa-cheon account	
		6-15-62 6540 * * * TL-	50.00
	3	SECKS PAVABLE TO BALTIMORE COUNTY, MARYLAND	

MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

BALTICORE COUNTY, MARYAND OFFICE OF FINANCE

No. 12857

Division of Collection and Receip COURT HOUSE TOWSON 4, MARYLAND

To: The Trailer Village Corp. P.C. Box 5045 Baltimore 20, Md.

BIT TO ACCOUNT NO. \$41.10 Advertising and posting of property forGadie C. Stevens 41.10 0-2662 6620 0 0 0 ML-1.10 IMPORTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND

MAIL TODIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND
PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE.

TELEPHONE

The Trailer Village Corp. P.O. Box 5005 Baltimore 20, Md.

BALTIMORE COUNTY, MARY AND OFFICE OF FINANCE

DATE 1/13/62

Division of Collection and Receipts COURT HOUSE TOWSON 4, MARYLAND

BILLED Zoning Department of Baltimore County

	01622	T9750.00
QUANTITY	DETACH UPPER SECTION AND RETURN WITH YOUR REMITTANCE	COST
	Petition for Special Exception & Variance for Sadie Stevens	50,00
	- Carlot Santon Committee	7
	4-1302 2961 e e e ILL 5	0.0.0
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RTANT: MAKE CHECKS PAYABLE TO BALTIMORE COUNTY, MARYLAND MAIL TO DIVISION OF COLLECTION & RECEIPTS, COURT HOUSE, TOWSON 4, MARYLAND PLEASE RETURN UPPER SECTION OF THIS BILL WITH YOUR REMITTANCE. CERTIFICATE OF PUBLICATION

TOWSON, MD June 1. 1062 THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed day of . . . June appearing on the \_\_\_\_lst\_\_day of \_\_\_\_\_June\_

THE JEFFERSONIAN.

Cost of Advertisement of

