



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

June 30, 1999

Robert A. Hoffman, Esq.
Venable, Baetjer and Howard, LLP
210 Allegheny Avenue
P. O. Box 5517
Towson, MD 21285-5517

Dear Mr. Hoffman:

RE: Spirit and Intent, Proposed Office and Manufactured Home Display,
Williams Estates, 15th Election District

Thank you for your letter of June 18, 1999 to W. Carl Richards, Zoning Supervisor. This correspondence has been referred to me for reply.

You requested confirmation that the proposed relocation of the sales office and two display homes (from the western corner of Eastern Avenue and Benjies Road to the east portion of the intersection) is within the spirit and intent of Zoning Cases 66-185-X, 70-184-ASPH, and 84-283-A.

Based upon the information you have submitted, please be advised that the Zoning Office will consider the relocation of said buildings as within the spirit and intent of the granted zoning relief, on the basis that the new location is within the documented area approved via the referenced zoning hearings, and provided that all proposed buildings meet the minimum and current setback and parking standards or relief that was granted in those hearings. It appears that the setbacks and parking do not meet that criteria and all improvements must be modified prior to final zoning approval.

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.

Sincerely,

A handwritten signature in black ink, appearing to read "Mitchell J. Kellman".

Mitchell J. Kellman
Planner II
Zoning Review

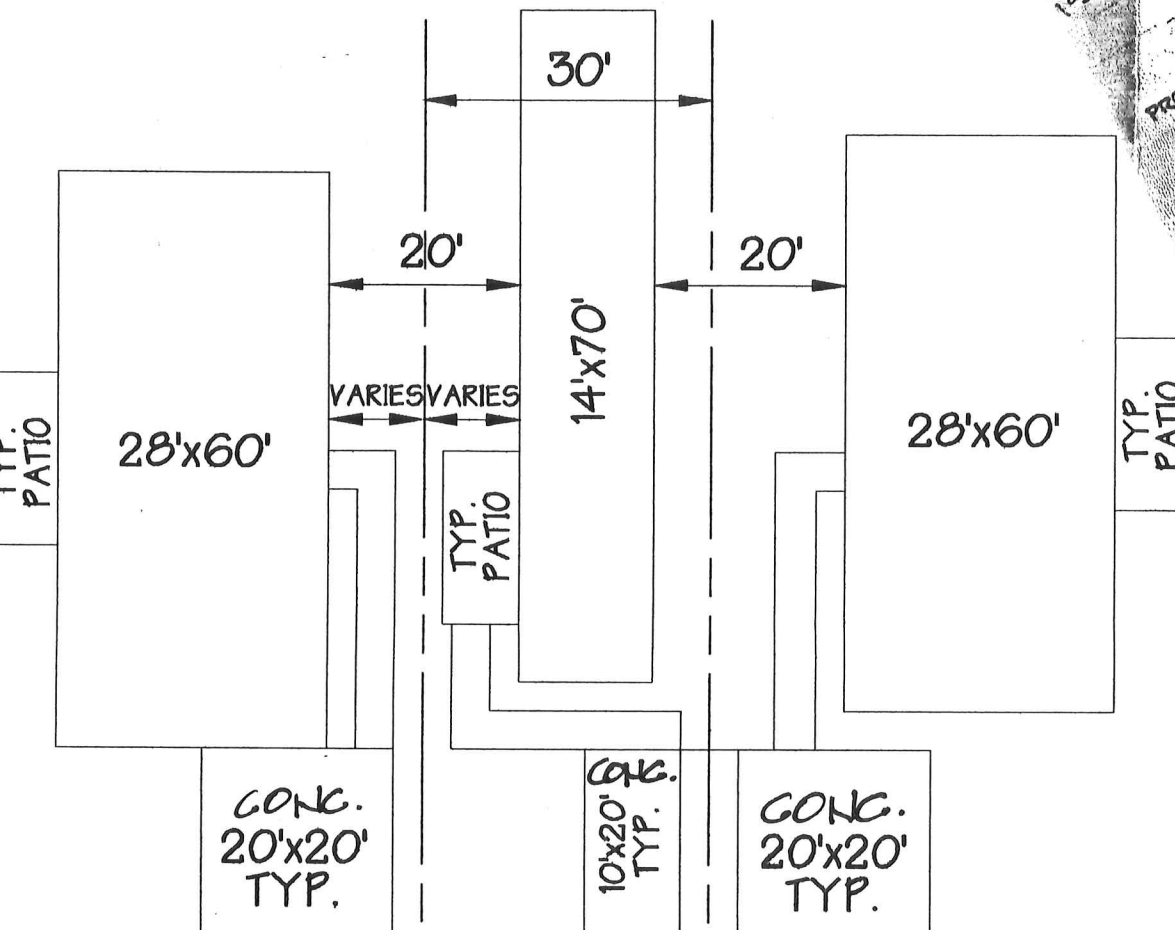
MJK:ggg

c: Zoning Cases 84-283-A, 70-184-ASPH, 66-185-X

Come visit the County's Website at www.co.ba.md.us



TRAILER AREAS ARE 3,000
SF MIN. PER SECT. 411.2

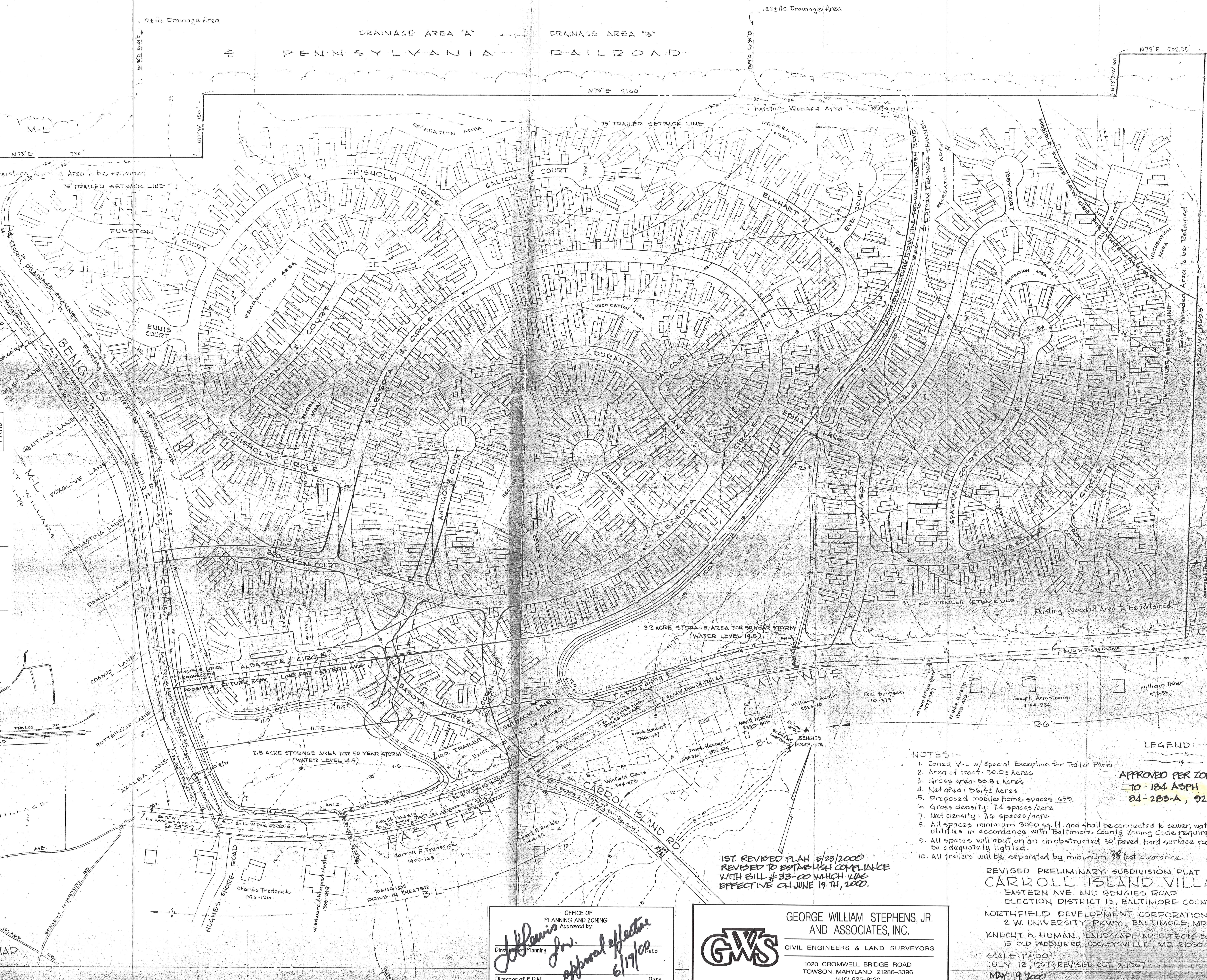
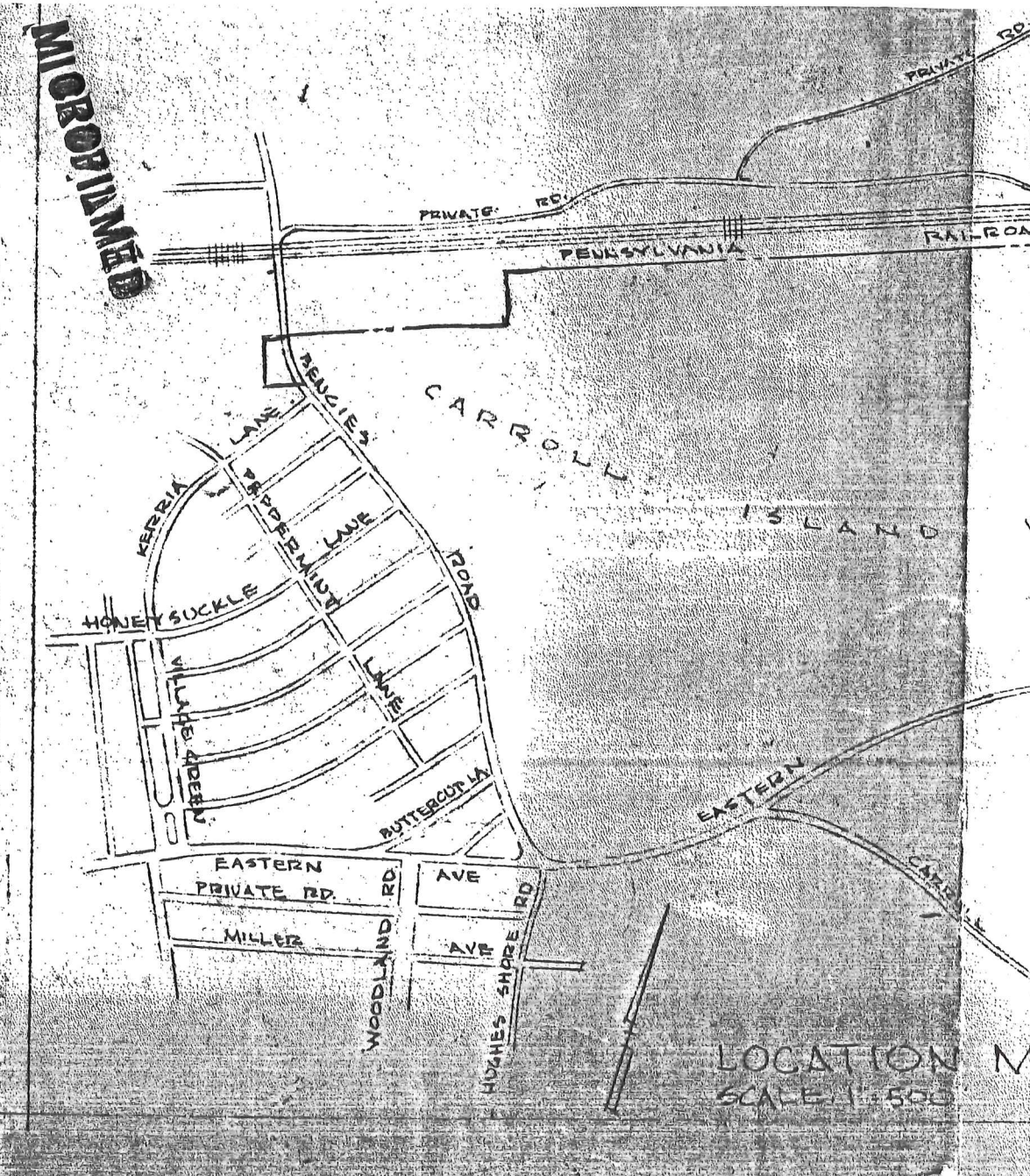


TYPICAL LOT LAYOUT

SCALE: 1" = 20'

NOTE: DETAIL PER BILL # 33-00.

PARKING PAD SIZES & PATIO/DECK SIZES MAY VARY DEPENDING ON THE LOT CONFIGURATION & LOCATION OF EXISTING & PROPOSED IMPROVEMENTS.



NOTES:-

1. Zone M-L w/ Special Exception for Trailer Park
2. Area of tract: 50.0± Acres
3. Gross area: 86.8± Acres
4. Net area: 86.4± Acres
5. Proposed mobile home spaces: 659
6. Gross density: 7.4 spaces/acre
7. Net density: 7.6 spaces/acre
8. All spaces minimum 3000 sq. ft. and shall be connected to sewer, water and electric utilities in accordance with Baltimore County Zoning Code requirements
9. All spaces will abut on an unobstructed 30' paved, hard surface roadway which will be adequately lighted.
10. All trailers will be separated by minimum 28' foot clearance.

LEGEND:-

APPROVED PER ZONING CASE #15:
70-184-ASP, 66-185X,
84-283-A, 92-460-A

REVISED PRELIMINARY SUBDIVISION PLAT
CARROLL ISLAND VILLAGE
EASTERN AVE. AND BENGIES ROAD
ELECTION DISTRICT 15, BALTIMORE COUNTY, MARYLAND
NORTHFIELD DEVELOPMENT CORPORATION
2 W. UNIVERSITY PKWY, BALTIMORE, MD 21218
KNECHT & HUMAN, LANDSCAPE ARCHITECTS & ENGINEERS
15 OLD PADONIA RD, COCKEYSVILLE, MD 21030

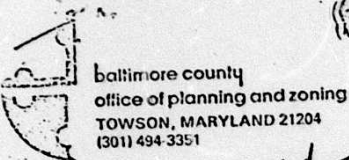
SCALE: 1"=100'
JULY 12, 1997; REVISED OCT. 9, 1997
MAY 19, 2000

AKA
WILLIAMS
ESTATES

OFFICE OF
PLANNING AND ZONING
Approved by
[Signature]
Director of P.D.M. *[Signature]* approval effective 6/19/00 Date

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
1020 CROMWELL BRIDGE ROAD
TOWSON, MARYLAND 21286-3396
(410) 825-8120

MICRO AND PUT IN CASE 92-460-A
84-283-A
70-184-ASP
66-185-X
1997-1013-X



S. ERIC DINENNA
ZONING COMMISSIONER

D14 File

April 27, 1977

Mr. William T. Poole, Jr.
P.O. Box 4996
Baltimore, Maryland 21220

RE: Trailer Park Special Exception
Williams Estates, Formerly
Known as "Bengies Trailer
Village" - 15th Election District
Case No. 66-185-X

Dear Mr. Poole:

Reference is made to your letter of March 31, 1977, in which you request information as to whether or not the above referenced trailer park can expand into that area which has been held in abeyance for the construction of White Marsh Boulevard. The area in question contains approximately 30 acres of land, which would be devoted to the continued expansion of the trailer park as originally designed and laid out on plats submitted with the hearing which granted the original Special Exception.

Please be advised that the expansion of the existing trailer park is permitted provided that said expansion substantially coincides with the plans which were presented during the course of said Special Exception hearing. It is also my understanding that Mr. James E. Dyer, Zoning Supervisor, has been in contact with the State Highway Administration and has obtained an unofficial opinion that the State Highway Administration would not oppose the proposed expansion at this time.

If you have any further questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

[Signature]
S. ERIC DINENNA
Zoning Commissioner

March 31, 1977

Mr. S. Eric DiNenna
Zoning Commissioner of Baltimore County
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

Re: Special Exception for Trailer Park

Dear Mr. DiNenna:

Williams Estates, originally called "Bengies Trailer Village," is a 391-space mobile home park located off Eastern Boulevard at Bangles Road. The Park was constructed on approximately 50 acres of a larger tract of land which was granted a special exception by the Baltimore County Board of Appeals on January 6, 1967 (No. 66-185-X). The petitioner for the special exception was Mercantile Safe Deposit and Trust Company, et al.

Since the special exception covers over 80 acres of land, and more than 30 acres in the parcel remain undeveloped, we are at this time seeking confirmation that the special exception granted in 1967 is still valid as to the remaining undeveloped acreage. I met with Mr. James Dyer on Tuesday, March 29th, regarding this matter. Mr. Dyer felt that since we had used the special exception within the proper time period (in that a mobile home park was in fact constructed), that the special exception covering the entire tract of land (80+ acres) was still valid, even with respect to the still undeveloped portion. Mr. Dyer recommended, however, that we obtain a formal opinion from you.

We appreciate your attention to this matter, and look forward to your reply.

Very truly yours,

WILLIAMS ESTATES, INC.

William T. Poole, Jr.

WTP/ew

201119

A. V. WILLIAMS
vs. *Mer Safe Dep + Trust*

WILLIAM S. BALDWIN,
JOHN A. SLOWIK and
PAUL T. McHENRY, JR.,
constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 8
Filed No. 174
File No. 3693

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, etc.

Muriel E. Buddemeier
County Board of Appeals of Baltimore County

Mercantile Safe Deposit & Trust Co., et al. - No. 66-185-X - Appointed 2/6/67

A. V. WILLIAMS

WILLIAM S. BALDWIN,
JOHN A. SLOWIK and
PAUL T. McHENRY, JR.,
constituting the
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Docket No. 8
Filed No. 174
File No. 3693

CERTIFICATE OF NOTICE

Mr. Clerk:

Presented to the provisions of Rule 1101-6 (4) of the Maryland Rules of Practice, William S. Baldwin, John A. Slowik and Paul T. McHenry, constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the Appeal to the representative of every party to the proceeding before by, namely, Robert J. Gorman, Esq., Kaysor Building, Calvert and Redwood Streets, Baltimore, Maryland 21202, Attorney for the Petitioner, and Robert Paul Menn, Esq., Loyola Federal Building, Towson, Maryland 21204, Attorney for the Protestants, a copy of which notice is attached hereto and prayed that it may be so a part thereof.

JOHN T. WILSON, Secretary
County Board of Appeals of Baltimore County
County Office Building, Towson, Md. 21204
VAKey 9-3000, Ext. 270

I hereby certify that a copy of the foregoing Certificate of Notice has been mailed to Robert J. Gorman, Esq., Kaysor Building, Calvert and Redwood Streets, Baltimore, Maryland 21202, Attorney for the Petitioner, and Robert Paul Menn, Esq., Loyola Federal Building, Towson, Maryland 21204, Attorney for the Protestants, on this 8th day of February, 1967.

JOHN T. WILSON, Secretary
County Board of Appeals of Baltimore County

RE: PETITION FOR SPECIAL EXCEPTION :
for a Trailer Park,
Northeast Corner of Eastern Avenue :
and Bengles Road, :
15th District :
Mercantile Safe Deposit and :
Trust Company, et al. :
Petitioner. :
BEFORE :
COUNTY BOARD OF APPEALS :
OF :
BALTIMORE COUNTY :
No. 66-185-X

OPINION

The petitioner in this case seeks a special exception on a tract of land approximately eighty-nine (89) acres in size, situate on the northeast corner of Eastern Avenue and Bengles Road, in the Fifteenth Election District of Baltimore County, for use as a trailer park. The tract is presently zoned Manufacturing Light, and has been so used industrially since 1945. A trailer park is a permitted use in a manufacturing light zone as a special exception. The petitioner proposes, if the special exception is granted, to develop the property to provide for six hundred and fifty-nine (659) trailer spaces. The property is bounded on the north side by the Pennsylvania Railroad, on the south side by Eastern Avenue, and on the west by Bengles Road. To the north of the subject property are the Pennsylvania Railroad tracks, and north of that is a large undeveloped M-H zone. To the east the zoning is M-L; to the south across Eastern Boulevard are two large commercially zoned tracts of ground. The majority of the frontage along Eastern Avenue is zoned B-R and the smaller portion is zoned Business Local. To the west across Bengles Road the property is zoned M-L, and is developed with an existing trailer park known as "Trailer Village".

The property is an asset of the estate of Henry Wagner, which is being administered by the Mercantile Safe Deposit and Trust Company. Mr. V. G. Mitchell, Real Estate Officer for the Bank, testified he received the property in May of 1963. He has actively promoted the sale of the property since October of 1963. He stated

Mercantile Safe Deposit and Trust Co. - No. 66-185-X

the property had been posted with "For Sale" signs, that sales information was circulated and re-circulated to over one hundred and fifteen brokers. No offers were ever received on the property except the present contract, which is contingent on the granting of the special exception. He testified that in attempting to sell the property, they had indicated to prospective buyers that they were open to an offer, but could find no buyers.

A witness for the petitioner, Mr. Harold Walden, Vice President of the Maryland Mobile Homes Association, testified extensively to the operation of trailer parks in general in Baltimore County, particularly there is a great need for additional trailer spaces in Baltimore County, and that ninety percent of the existing parks have long waiting lists. He stated there are a total of 1740 trailer spaces in Baltimore County, housing a total of 1,104 children. 616 of which are of school age. Statistics indicate an average yield of .25 school child per trailer. Jerome Wolfe, an expert on traffic and utilities, testifying on behalf of the petitioner, stated that he had studied the adjacent Trailer Village park and its traffic movements, and that there would be no difficulty in handling any additional traffic generated by the trailer park sought here. He did recommend, however, that the site plan be altered so as to provide no vehicular access to Eastern Avenue from Bengles Road to Carroll Island Road. He also stated that all utilities are available to the property and have sufficient capacity to handle the proposed park.

Bernard Willemann, an expert land planner testifying on behalf of the petitioner, stated that Baltimore County had never provided adequately for the basic need for trailer parks, and felt that the park would provide a better balance in the housing needs for the community, and that the granting of the special exception would not burden public facilities nor be detrimental to the area. He took exception to the straight line projection of estimating school pupil yield as used by the Board of Education.

Mercantile Safe Deposit and Trust Co. - No. 66-185-X

and their use of .4 pupil per trailer was based on the yield at Trailer Village, which is the highest pupil yield figure for any trailer park in Baltimore County. In his opinion a yield of .25 school pupils per trailer is a more realistic estimate of the expected school pupil yield from the proposed park, and he further felt that the granting of the special exception here would not create any undue concentration of population on the property, pointing out that under the Zoning Regulations an R-6 zone, which can be developed with semi-detached houses, yields 6 to 6-1/2 housing units per acre, while the proposed plan here would yield only 7.4 units per acre. He also noted that the proposed plan has two open space recreational areas incorporated into it, and that the setbacks required under the Baltimore County Zoning Regulations give an additional 17.6 acres of open space around the perimeter of the park. The plan provides off-street parking for each space, and that in his opinion it is one of the best planned parks he has seen. He agreed with Mr. Walden that there is a pressing and immediate need for additional trailer spaces in Baltimore County.

George Gavelis, Director of Planning for Baltimore County, opposed the granting of the special exception on the basis that it would remove potential future industrial land from the County's reservoir of such land, and that the granting of the special exception would overburden the schools in the community. Also, he stated that the proposed White Marsh Expressway is now set to eventually go through the subject property and will take twenty-five to thirty percent of the land. However, he did acknowledge that there is presently an abundance of industrially zoned land in the area, and that the supply should be more than adequate to supply the need for the next twenty to twenty-five years. He also stated that the construction of the White Marsh Expressway could be as far off as 1980. He further testified that the County's Master Plan proposes additional school sites for the area, and the Plan indicates that within a two mile radius there will be eight elementary schools, two junior high schools

Mercantile Safe Deposit and Trust Co. - No. 66-185-X

and two senior high schools. Mr. Malcolm Dill, a land planning expert and former head of the Baltimore County Planning Department, testified on behalf of the protestants, and agreed with Mr. Gavelis' comments regarding the special exception requested. He referred to the tract as a "prime industrial site". It should be noted, however, that the property has been zoned for industrial uses since 1945 and never developed, and has been actively on the market since 1963 and the Bank has been able to find no takers for this property for industrial use.

Mr. David Black, Assistant in Capital Planning for the Baltimore County Board of Education, testified at length as to the public school situation in the eastern section of Baltimore County, and gave the Board numerous statistics regarding the enrollment in various schools in the eastern section of the County. In addition to these statistics, which we will go into later, he stated that he had investigated five different trailer parks in Baltimore County, and that the child yield per trailer ranged from a low of .11 child per housing unit to a high of .41 child per unit. Additionally, he testified that additions to schools normally require two years from inception to completion, and new schools normally require three years for completion, and that a new vocational school in the area will be opened in 1969 which will have a pupil capacity of 864 children. The statistics indicated that presently there are 940 vacancies in elementary schools and a 689 over-capacity in the high schools. However, it is expected that in 1967 there will be a total enrollment of 28 pupils over capacity in the elementary schools, and a reduction to 473 pupils over capacity in the high schools due to the opening of the new Perry Hall Junior High in 1967. He stated that these statistics were not unusual but were typical of what is consistently found in the County in growth areas such as Essex, Dundalk and Towson. The figures given did not take into consideration any relief from the proposed vocational school to be constructed, nor did it include the Orem Elementary School, which is presently under capacity.

Mercantile Safe Deposit and Trust Co. - No. 66-185-X

The Board feels that this property bounded on one side by a main line Railroad and Manufacturing Heavy zoning, on another by Manufacturing Light zoning, on the third by extensive commercial zoning, and on the fourth side by an existing trailer park, is a very suitable location for the proposed use. We further find that the granting of the special exception will not be detrimental to the health, safety and general welfare of the community, or violate any of the other sections of Section 502.1 of the Zoning Regulations. There may be a need for additional classroom spaces in the area; however, the Board feels that this point is fairly debatable and is alleviated to a great extent by the petitioner's willingness to restrict temporarily the rental of trailer spaces to families with no children of school age. Testimony indicated that there is presently no demand for the land for industrial use, that there is more than ample industrially zoned land in the area to meet the needs for years to come. Further, the schedule for construction of the White Marsh Expressway through the property is very remote and speculative, and the Board feels that it would be unjustified and unfair to the petitioner and deprive him of any reasonable use of the land to deny the special exception petition on the basis of the proposed road coming through the property.

For the reasons given above, the Board will grant the special exception for a trailer park, subject to the following restrictions:

1. That the site shall have no vehicular access or exit along Eastern Avenue from Bengles Road to Carroll Island Road.
2. That the site plan be subject to the approval of the Planning Department.
3. That the property shall be developed substantially in accordance with the site plan submitted by the petitioner as Exhibit 1, 2, in that it shall contain open space recreational areas within the confines of the Trailer Park at least three (3) acres in size, and that the existing wooded areas around the perimeter of the park be left in tact so as to screen the park from the surrounding properties.

Mercantile Safe Deposit and Trust Co. - No. 66-185-X

4. That for a period for two (2) years from the date of Baltimore County's approval of the petitioner's site plan, no trailer spaces shall be rented to tenants having children of elementary or high school age.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 6th day of January, 1967, by the County Board of Appeals ORDERED, that the Special Exception petitioned for be and the same is hereby GRANTED, subject to the aforesaid restrictions.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William S. Baldwin, Chairman

John A. Slowik

Paul T. McHenry, Jr.

DATE 4/1/66
BY J. C. HARRIS
ADMINISTRATIVE ASSISTANT

RE: PETITION FOR SPECIAL EXCEPTION
For Trailer Park - N/E Cor. of
Eastern Ave. and Bengles Road,
15th Dist., Mercantile Safe Deposit
& Trust Co., Petitioner -
Redevelopment, Inc. Cont. Pur.
BALTIMORE COUNTY
No. 66-195-X

BEFORE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY

The petitioners have requested a special exception for a Trailer Park at the northeast corner of Eastern Avenue and Bengles Road, in the Fifteenth District of Baltimore County. This property is located in a Manufacturing Light Zone. Section 253.2 of the Baltimore County Zoning Regulations reads as follows:

"Residential Uses in M-L Zone as follows:

Dwellings, one-family or two family on lots of record before March 30, 1955, but new subdivisions for residential development are prohibited;
Farm (See Section 404);
Living quarters for watchmen and caretakers and their families employed and living on the premises, in connection with any lawful use in the M-L Zone."

This would indicate a very strong inclination on the part of the drafters of the original zoning regulations that residential uses in an M-L Zone should be exceedingly limited. The petitioners are requesting 659 mobile home spaces on 88.8 acres of land.

Mr. George E. Gavrellis, Director of the Office of Planning and Zoning had the following to say:

"After consultation with the Department of Education, the planning staff has determined that execution of the subject proposal would impact schools in the area. The following table shows the present school enrollment situation in this part of the County:

School	Capacity	Present Enrollment	Overload or Publ. Deficit
Chase	540	543	+3
Glenmar	720	725	+5
Hawthorne	720	750	+30
Martin Blvd.	420	435	+15
Totals	2,400	2,453	+53

Seneca Elementary School is scheduled to open in September, 1966. With some shifting of service areas, the September school population is estimated as follows:

School	Capacity	September 1966 Enrollment	September Overload or Publ. Deficit
Chase	540	520	-20
Glenmar	720	714	-6
Hawthorne	720	795	+75
Martin Blvd.	420	412	-8
Seneca	555	535	-20
Totals	2,955	2,976	+21

It should be pointed out that not all of the schools listed above are close enough to serve the proposed trailer park satisfactorily. Schools in other neighborhoods and communities are included only because their eventual use to serve the trailer park would become necessary if the trailer park were to be established.
Trailer Village, adjacent to the petitioners' property, has an elementary school population of 226 children, housed in 522 trailers, or 0.43 students per trailer. These students are now accommodated in the Glenmar school, and will attend Seneca Elementary in 1966.

Using the Trailer Village pupil yield as a basis, the trailer park proposed under the subject petition would yield 283 elementary school pupils. Even considering only the September, 1966 projections, without regard to expected future growth, the total overload for the area would be 304, and the total average for Chase school, where the new pupils would go initially, would amount to 263. The yield from both trailer parks (509) would be enough to fill an 18-room school.

It may be argued that Chase and Seneca schools could be enlarged to the maximum desirable size, or 24 rooms each. The service areas of both schools, however, have not been fully developed and enlargement to 24 rooms each will be necessary in any event.

If the subject petition should be granted and the trailer park developed, only the following alternatives will be available:

- Build a new school to serve the trailer park. This is economically unsound because of the large acquisition costs of industrial land and the uncertain stability of trailer parks as a land use.
- Build a school in another area and transport the entire student body to it by bus. This, too, is impractical. A heavy permanent financial transportation commitment of this nature runs counter to present policies. But, more important, the area would be deprived of what is from a planning viewpoint a significant part of its life - the school-recreation center.
- Severely overcrowd the present schools and those now proposed.

It is clear that none of the alternatives is desirable.

-2-

PETITION FOR SPECIAL EXCEPTION
15th DISTRICT

ZONING: Petition for Special Exception for a Trailer Park.
LOCATION: Northeast corner of Eastern Avenue and Bengles Road.
DATE & TIME: FRIDAY, APRIL 1, 1966 at 10:00 A.M.
PUBLIC HEARING: Room 105, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing

Petition for special exception for a Trailer Park.

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Mercantile-Safe Deposit and Trust Company and Mildred J. Goeller, Trustee.

Hearings: Friday, April 1, 1966 at 10:00 A.M.
Public Hearings: Room 105, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
JOHN G. ROSE
ZONING COMMISSIONER OF
BALTIMORE COUNTY

Prepared in the office of:
Robert J. Romack, Esq.
Landscape Architects & Engineers
1800 York Road
Lutherville, Maryland 21093



Andrew H. Kirsch
Dec. 10, 1965

- The subject petition threatens basic premises of planning. Planning is done to promote orderly, desirable growth and conservation of land and other resources. In providing for orderly growth, economies should be effected. The County has invested heavily in a plan that commits land embraced by the subject petition to industrial and related uses.

It is true that trailer parks are permitted as special exceptions in M-L and M-H zones - but the intention of the Zoning Regulations here is to permit trailer parks as interim uses. We are by no means certain that the subject proposal would constitute an interim use, nor are we certain that it would not. From the plan submitted with the petition however, it would definitely appear most likely that the trailer park would be a permanent one.

Thus, in short, development of this project would constitute a negation of planning - by removing valuable property from the County's planned industrial land reservoir, by throwing off balance the projected needs for public facilities based on the plan, and by pouring down the drain a great deal of effort and money that went into planning for this area in the first place.

- In view of the above considerations, we firmly believe that the subject proposal would "tend to overcrowd land and cause undue concentration of population; would interfere with adequate provisions for schools, parks ... transportation or other public requirements, conveniences or improvements;" and would thus "be detrimental to the ... general welfare of the locality involved."

The figures mentioned by Mr. Gavrellis pertaining to schools were confirmed by Mr. David Black, Assistant for Capital Planning, Board of Education of Baltimore County. For the above reasons it follows that the granting of the special exception would be detrimental to the health, safety and general welfare of the locality involved, tend to overcrowd land; cause undue concentration of population and interfere with adequate provisions for schools.

It should be emphasized that vast areas of land have been zoned for manufacturing uses and as manufacturing uses are processed on the new Eastern Area Map, it would follow that planning would not recommend as many schools in such an area.

For the above reasons the special exception SHOULD NOT BE GRANTED.

It is this 4th day of April, 1966, by the Zoning Commissioner of Baltimore County ORDERED that the special exception for a Trailer Park should be and the same is hereby DENIED.

Zoning Commissioner of
BALTIMORE COUNTY

March 4, 1966

Redevelopment Inc.
2 W. University Parkway
Baltimore, 18, Maryland

NOTICE OF HEARING

Re: Petition for Special Exception for Trailer Park
for Mercantile-Safe Deposit & Trust Co. and Mildred J. Goeller,
Trustee
#66-195-X

TIME: 10:00 A.M.
DATE: Friday, April 1, 1966
PLACE: ROOM 105 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND

cc: Robert P. Mann, Esq.
Loyola Federal Building
Towson, Md. 21204

ZONING COMMISSIONER OF
BALTIMORE COUNTY

PETITION FOR ZONING RE-CLASSIFICATION
AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Mercantile-Safe Deposit
& Trust Co., et al., legal owners 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 _____ zone to an "X" zone; for the following reasons:

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 _____ a trailer park.

Property is to be posted and advertised as prescribed by Zoning Regulations.

Let us 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.

Redevelopment Inc. by _____
Contract purchaser

Mildred J. Goeller, Trustee
Address: _____

Robert P. Mann, Esq.
Address: 809 Eastern Blvd., Baltimore 21, Md.

Robert P. Mann, Esq.
Address: 809 Eastern Blvd., Baltimore 21, Md.

Robert P. Mann, Esq.
Address: 809 Eastern Blvd., Baltimore 21, Md.

Robert P. Mann, Esq.
Address: 809 Eastern Blvd., Baltimore 21, Md.

ORDERED: By The Zoning Commissioner of Baltimore County, this 18th day of JANUARY, 1966, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 105, County Office Building in Towson, Baltimore County, on the 20th day of February, 1966, at 1:30 o'clock P.M.

Zoning Commissioner of Baltimore County.

(over)

1300
20306
4-6-66

Zoning Commissioner of Baltimore County.

(over)

January 1, 1966

Robert J. Romack, Esq.
809 Eastern Blvd.
Baltimore 21, Md.

NOTICE OF HEARING

Re: Petition for Special Exception for Mercantile-Safe
Deposit and Trust Co., et al
#66-195-X

TIME: 1:30 P.M.
DATE: Wednesday February 23, 1966
PLACE: ROOM 105 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND

ZONING COMMISSIONER OF
BALTIMORE COUNTY

PETITION FOR ZONING RE-CLASSIFICATION AND/OR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

Mercantile Safe Deposit

I, or we, the undersigned, legal owner(s) 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 _____ zone to an _____ zone for the following reasons:

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 _____ A. TRAILER PARK.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above reclassification and/or Special Exception advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Reclassification Inc. by _____
Contract purchaser _____
Address _____
City _____
State _____
Zip _____

Address _____
City _____
State _____
Zip _____
Petitioner's Attorney _____
Address _____
City _____
State _____
Zip _____

ORDERED By The Zoning Commissioner of Baltimore County, this _____ day of _____, 1967, that the subject matter of this petition be advertised as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the _____ day of _____, 1967, at _____ o'clock _____ P.M.

Zoning Commissioner of Baltimore County

(over)

A. V. WILLIAMS, Appellant
VS
WILLIAM S. BALDWIN, JOHN A. SLOWIN and PAUL T. McHEERY
Constituting the COUNTY BOARD OF APPEALS FOR BALTIMORE COUNTY, Appellees
MERCANTILE SAFE DEPOSIT & TRUST COMPANY BY MILDRED J. GOELLER, Trustee and REDEVELOPMENT, INC., Intervenor Appellees

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
A/174/3693

ORDER FOR APPEAL

MR. CLERK:

Please enter an appeal in the above entitled case to the Court of Appeals of Maryland.

Richard C. Murray,
Attorney for A. V. Williams

I HEREBY CERTIFY, that a copy of the foregoing Order for Appeal was mailed this _____ day of June, 1967, to Robert J. Gerstund, Esquire, Keyser Building, Calvert and Redwood Streets, Baltimore Maryland, 21202, Attorney for Mercantile Safe Deposit and Trust Company and Redevelopment, Inc. and to the County Board of Appeals, Baltimore County Office Building, Towson, Maryland, 21204.

Richard C. Murray

RE: PETITION FOR SPECIAL EXCEPTION: BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
No. 66-185-X

OPINION

The petitioner in this case seeks a special exception on a tract of land approximately eight-tenths (89) acres in size, situate on the northeast corner of Eastern Avenue and Bengles Road, in the Fifteenth Election District of Baltimore County, for use as a trailer park. The tract is presently zoned Manufacturing Light, and has been zoned industrially since 1951. A trailer park is a permitted use in a manufacturing light zone as a special exception. The petitioner proposes, if the special exception is granted, to develop the property to provide for six hundred and fifty-nine (659) trailer spaces. The property is bounded on the north side by the Pennsylvania Railroad, on the south side by Eastern Avenue, and on the west by Bengles Road. To the north of the subject property are the Pennsylvania Railroad tracks, and north of that is a large undeveloped M-H zone. To the east the zoning is M-H; to the south across Eastern Boulevard are two large commercially zoned tracts of ground. The majority of the frontage along Eastern Avenue is zoned B-R and the smaller portion is zoned Business Local. To the west across Bengles Road the property is zoned M-L, and is developed with an existing trailer park known as "Trailer Village".

The property is an asset of the estate of Henry Wagner, which is being administered by the Mercantile Safe Deposit and Trust Company. Mr. V. G. Mitchell, Real Estate Officer for the Bank, testified he received the property in May of 1962. He has actively promoted the sale of the property since October of 1963. He stated

A. V. WILLIAMS
Appellant
VS
WILLIAM S. BALDWIN, JOHN A. SLOWIN and PAUL T. McHEERY
Constituting the COUNTY BOARD OF APPEALS FOR BALTIMORE COUNTY, Appellees
MERCANTILE SAFE DEPOSIT & TRUST COMPANY BY MILDRED J. GOELLER, Trustee and REDEVELOPMENT, INC., Intervenor Appellees

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
Misc. Docket #
Folio 174
Case No. 3693

ORDER

The above entitled matter having come on for hearing in open court upon the Motion to Dismiss an Order for Appeal: testimony having been taken and argument of counsel heard. It is this _____ day of May, 1967, by the undersigned, one of the Judges of the Circuit Court for Baltimore County. ORDERED that the Order for Appeal filed by the Appellant in this case be dismissed, and it is further ORDERED that the Appellant, A. V. Williams, pay the costs of these proceedings.

Robert J. Gerstund
Attorney for Appellant

A. V. WILLIAMS
VS
WILLIAM S. BALDWIN, JOHN A. SLOWIN, and PAUL T. McHEERY, Constituting the County Board of Appeals for Baltimore County
Misc. Docket: Folio 174
Case No. 3693

Mr. Clerk: Please enter an appeal on behalf of A. V. Williams from the opinion and order of the Board of Appeals for Baltimore County, dated January 4, 1967, in Case No. 66-185-X, a petition for special exception for a trailer park, northeast corner of Eastern Avenue and Bengles Road, 15th Election District of Baltimore County, said appeal being filed pursuant to the provisions of Chapter 1100, Subtitle B, of the Maryland Rules of Procedure.

Robert J. Gerstund,
Attorney for Appellant
1070 Federal Building
22 N. Pennsylvania Ave.
Baltimore, Maryland 21201
Tel. 3-1412

Certificate of Service by Agent

I HEREBY CERTIFY that on the 4th day of February, 1967, prior to filing the above Order of Appeal, a copy of the foregoing Order of Appeal was served by me on the Board of Appeals for Baltimore County by leaving a copy of same with the Clerk of said Board of Appeals for Baltimore County.

Robert J. Gerstund,
Attorney for Appellant

Mercantile Safe Deposit and Trust Co. - No. 66-185-X
the property had been posted with "For Sale" signs, that sales information was circulated and re-circulated to over one hundred and fifteen brokers. No offers were ever received on the property except the present contract, which is contingent on the granting of the special exception. He testified that in attempting to sell the property, they had indicated to prospective buyers that they were open to an offer, but could find no buyers.

A witness for the petitioner, Mr. Harold Walden, Vice President of the Maryland Mobile Home Association, testified extensively in the operation of trailer parks in general in Baltimore County, particularly there is a great need for additional trailer spaces in Baltimore County, and that ninety percent of the existing parks have long waiting lists. He stated there are a total of 1746 trailer spaces in Baltimore County, housing a total of 1,104 children, 616 of which are of school age. Statistics indicate an average yield of .22 school child per trailer. Jerome Wolfe, an expert on traffic and utilities, testifying on behalf of the petitioner, stated he has studied the ancient Trailer Village park and its traffic movements, and that there would be no difficulty in handling any additional traffic generated by the trailer park sought here. He also recommended, however, that the site plan be altered to provide for direct access to Eastern Avenue from Bengles Road to Central Avenue Road. He also stated that all utilities are available to the property and have sufficient capacity to handle the proposed park.

Bernice W. Gorman, an expert and planner, testifying on behalf of the petitioner, stated that Baltimore County has never provided adequately for the basic need for trailer parks, and felt that the park would provide a better balance in the housing needs for the community, and that the granting of the special exception would not burden public facilities not be detrimental to the area. He took exception to the straight line projection of estimating school pupil yield as used by the Board of Education.

Mercantile Safe Deposit and Trust Co. - No. 66-185-X
and the use of .4 pupil per trailer was based on the yield at Trailer Village, which is the highest pupil yield figure for any trailer park in Baltimore County. In his opinion a yield of .22 school pupils per trailer is a more realistic estimate of the expected school pupil yield from the proposed park, and he further felt that the granting of the special exception here would not create any undue concentration of population on the property, pointing out that under the Zoning Regulations on the zone, which can be developed with semi-detached houses, yields a 1-1/2 housing units per acre, while the proposed plan here would yield only 7.4 units per acre. He also noted that the proposed plan has two open space recreational areas incorporated into it, and that the setbacks required under the Baltimore County Zoning Regulations give an additional 17.2 acres of open space around the perimeter of the park. The plan provides off-street parking for each space, and that in his opinion it is one of the best planned parks he has seen. He agreed with Mr. Walden that there is a pressing and immediate need for additional trailer spaces in Baltimore County.

George Gavrilis, Director of Planning for Baltimore County, opposed the granting of the special exception on the basis that it would remove potential future industrial land from the County's reserve at such land, and that the granting of the special exception would overburden the schools in the community. Also, he noted that the proposed White Marsh Expressway is now set to eventually go through the subject property and will take twenty-five to thirty percent of the land. However, he did acknowledge that there is presently an abundance of industrially zoned land in the area, and that the supply should be more than adequate to supply the need for the next twenty to twenty-five years. He also stated that the construction of the White Marsh Expressway could be as far off as 1982. He further testified that the County's Master Plan proposes additional school sites for the area, and the Plan indicates that within a two mile radius there will be eight elementary schools, two junior high schools

Rec'd 6-28-67
245

Mercantile Safe Deposit and Trust Co. - No. 66-185-X

and two senior high schools. Mr. Malcolm Dill, a land planning expert and former head of the Baltimore County Planning Department, testified on behalf of the respondents, and agreed with Mr. Govett's comments regarding the special exception requested. He referred to the tract as a "prime industrial site". It should be noted, however, that the property has been zoned for industrial use since 1945 and never developed, and has been actively on the market since 1960 and the Bank has been able to find no taker for this property for industrial use.

Mr. David Black, Assistant in Capital Planning for the Baltimore County Board of Education, testified at length as to the public school situation in the eastern section of Baltimore County, and gave the Board numerous statistics regarding the enrollment in various schools in the eastern section of the County. In addition to these statistics, which we will go into later, he stated that he had investigated five different trailer parks in Baltimore County, and that the child yield per trailer ranged from a low of .11 child per housing unit to a high of .41 child per unit. Additionally, he testified that additions to schools normally require two years from inception to completion, and new schools normally require three years for completion, and that a new vocational school in the area will be opened in 1969 which will have a pupil capacity of 804 children. The statistics indicated that presently there are 940 vacancies in elementary schools and a 689 over-capacity in the high schools. However, it is expected that in 1967 there will be a total enrollment of 28 pupils over capacity in the elementary schools, and a reduction to 475 pupils over capacity in the high schools due to the opening of the new Perry Hall Junior High in 1967. He stated that these statistics were not unusual but were typical of what is consistently found in the County in growth areas such as Essex, Dundalk and Towson. The figures given did not take into consideration any relief from the proposed vocational school to be constructed, nor did it include the Chems Elementary School, which is presently under capacity.

Mercantile Safe Deposit and Trust Co. - No. 66-185-X

The Board feels that this property bounded on one side by a main line Railroad and Manufacturing Heavy zoning, on another by Manufacturing Light zoning, on the third by extensive commercial zoning, and on the fourth side by an existing trailer park, is a very suitable location for the proposed use. We further find that the granting of the special exception will not be detrimental to the health, safety and general welfare of the community, or violate any of the other sections of Section 502.1 of the Zoning Regulations. There may be a need for additional classroom spaces in the area; however, the Board feels that this point is fairly debatable and is alleviated to a great extent by the petitioner's willingness to restrict temporarily the rental of trailer spaces to families with no children of school age. Testimony indicated that there is presently no demand for the land for industrial use, that there is more than ample industrially zoned land in the area to meet the needs for years to come. Further, the schedule for construction of the White Marsh Expressway through the property is very remote and speculative, and the Board feels that it would be unjustified and unfair to the petitioner and deprive him of any reasonable use of the land to deny the special exception petition on the basis of the proposed road coming through the property.

For the reasons given above, the Board will grant the special exception for a trailer park, subject to the following restrictions:

1. That the site shall have no vehicular access or exit along Eastern Avenue from Bengies Road to Carroll Island Road.
2. That the site plan be subject to the approval of the Planning Department.
3. That the property shall be developed substantially in accordance with the site plan submitted by the petitioner as Exhibit No. 2, in that it shall contain open space recreational areas within the confines of the Trailer Park at least three (3) acres in size, and that the existing wooded areas around the perimeter of the park be left intact so as to screen the park from the surrounding properties.

Mercantile Safe Deposit and Trust Co. - No. 66-185-X

4. That for a period for two (2) years from the date of Baltimore County's approval of the petitioner's site plan, no trailer spaces shall be rented to tenants having children of elementary or high school age.

ORDER

For the reasons set forth in the foregoing Opinion, it is this 6th day of January, 1967, by the County Board of Appeals ORDERED, that the Special Exception petitioned for be and the same is hereby GRANTED, subject to the aforesaid restrictions.

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

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William S. Baldwin
William S. Baldwin, Chairman

John A. Slowik

Paul T. McHenry
Paul T. McHenry, Jr.

CERTIFICATE OF PUBLICATION

TOWSON, MD. 1966

THIS IS TO CERTIFY that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md. on March 11, 1966, before the first publication day of March 1966, the first publication appearing on the 11th day of March 1966.

THE JEFFERSONIAN

Richard J. Stuebel
Manager

Cost of Advertisement \$

CERTIFICATE OF PUBLICATION

OFFICE OF The Community Press

DUNDALK, MD. March 9, 1966

THIS IS TO CERTIFY that the annexed advertisement of "Mercantile Safe Deposit and Trust Co." was inserted in T.E. COMMUNITY PRESS, a weekly newspaper published in Baltimore County, Maryland, once a week for 1 successive week before the 8th day of March 1966; that is to say, the same was inserted in the issues of 3-6-66.

Stromberg Publications, Inc.

Publisher.

By Mrs. Palmer Price

PETITION FOR A SPECIAL EXCEPTION
TOWSON, MD. 1966

ZONING: Petition for Special Exception for a Trailer Park.
LOCATION: A portion of the Eastern Avenue and Bengies Road, Eastern Avenue and Bengies Road, Towson, Maryland.
DATE & TIME: FRIDAY, APRIL 1, 1966 at 10:00 A.M.
PUBLIC HEARING: Room 108, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, in accordance with the provisions of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the petition for a special exception for a trailer park, submitted by the petitioner, Mercantile Safe Deposit and Trust Co., at the time and place specified above.

PETITION FOR A SPECIAL EXCEPTION
TOWSON, MD. 1966

ZONING: Petition for Special Exception for a Trailer Park.
LOCATION: A portion of the Eastern Avenue and Bengies Road, Eastern Avenue and Bengies Road, Towson, Maryland.
DATE & TIME: FRIDAY, APRIL 1, 1966 at 10:00 A.M.
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INVOICE
BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE
Division of Collection and Receipts
COURT HOUSE
TOWSON, MARYLAND 21204

No. 41081
DATE 2/21/67

TO: Robert Paul Allen, Esq.
Loyola Federal Building
Towson, Maryland 21204

AMOUNT TO ACCOUNT FOR: \$94.72

QUANTITY: 1

DESCRIPTION: 66-185-X

Cost of certified documents - File No. 66-185-X

Mercantile Safe Deposit & Trust Co.
1815 Eastern Avenue and Bengies Road
18th Floor
PARD

1-21-67 14.00
1-21-67 14.00

IMPORTANT: 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.

#66-185

2/28/66

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 15th

Posted for: Robert Paul Allen, Esq.

Petitioner: Robert Paul Allen, Esq.

Location of property: 1815 Eastern Avenue and Bengies Road

Location of Signs: 1815 Eastern Avenue and Bengies Road

Remarks: Robert Paul Allen, Esq.

Posted by: Robert Paul Allen, Esq.

Date of return: 2-28-66

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
TEL. 2800GEORGE E. GAVNELLS
DIRECTOR
JOHN G. ROSE
ZONING COMMISSIONERRobert J. Rosetta, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

January 25, 1966 #66-185-X

Re: Special Exception Trailer Park
Mercantile-Safe Deposit and Trust Co., et al, located NW/8
Eastern Avenue, 2300' NE from
Bengies Rd, 15th District
(Item 2, January 18, 1966)

Dear Sir:

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

If you have any questions concerning this matter, please do not hesitate to contact me at A J-3000, Extension 353.

Very truly yours,

James S. Rose
JAMES S. ROSE, Principal
Zoning Technician

JDR/mb

January 17, 1966

Robert J. Rosetta, Esq.
809 Eastern Blvd.
Baltimore, Md. 21221Re: Petition for Special Exception for
Mercantile-Safe Deposit and Trust, et al
#66-185-X

Dear Sir:

This is to advise you that \$57.55 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Md. and remit to Mrs. Anderson, Room 121, County Office Building, before the hearing.

Yours very truly,

John G. Rose
JOHN G. ROSE
ZONING COMMISSIONER

JDR/mb

April 20, 1966

No. 66-185-X -- Mercantile-Safe Deposit & Trust Co., et al

Petition, description of property, Order of Zoning Commission
Certificate of posting
Certificates of advertisement
Comments of Office of Planning
Comments of Industrial Development
9 letters of complaint
Petition of protest
Order of appeal
3 plats

2 signs

Robert J. Gerstung, Esq.,
Keyser Building
Calvert & Redwood Sts.,
Baltimore, Maryland 21202

Counsel for petitioners

Robert P. Mann, Esq.,
Loyola Federal Building
Towson, Maryland 21204

" " protestants

April 20, 1966

Robert P. Mann, Esq.,
Loyola Federal Building
Towson, Maryland 21204Re: Petition for Special Exception
for Trailer Park - NW/8 Cor. of
Eastern Ave. and Bengies Road,
15th Dist., Mercantile-Safe
Deposit & Trust Co., Petitioner
No. 66-185-X

Dear Mr. Mann:

An appeal has been filed from the decision of the Zoning Commissioner rendered in the above matter.

You will be notified of the date and time of appeal hearing when scheduled by the Board of Appeals.

Very truly yours

Zoning Commissioner

WYATT & JONES
ATTORNEYS AND COUNSELLORS AT LAWKEEVER BUILDING
CALVERT AND REDWOOD STS.
BALTIMORE, MD. 21202
TELEPHONE BAYVIEW 7-2840
April 7, 1966JOSEPH H. WYATT
C. EDWARD JONES
ROBERT J. GERSTUNG
EDWARD G. WYATTMr. John G. Rose
Zoning Commissioner
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204Re: Petition for Special Exception
for Trailer Park - NW/8 Cor. of
Eastern Ave. & Bengies Road, 15th
District, Mercantile-Safe Deposit
and Trust Co., Petitioner - No. 66-185-X

Dear Mr. Rose:

Please enter my appeal in the above styled matter. Enclosed please find our check made payable to Baltimore County Maryland in the amount of \$80.00.

RDG:mas
Enclosure

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John Rose
Zoning Commissioner
FROM: Mr. H. B. Staab

Date: January 18, 1966

SUBJECT: Zoning Advisory Agenda
Janus - 18, 1966
Item #2: 15th District
Property Owner: Mercantile-Safe Deposit & Trust Co.
Location: NW/8 Eastern Avenue at Bengies Road
Present Zoning: ML
Special Exception for Trailer Park

The subject site is one of the few large acreage parcels zoned for industry that is located adjacent to a railroad with public sewer and water available at the property line. The Industrial Development Commission feels that this special exception for a trailer park should not be granted as any development of this property, other than industrial, will virtually eliminate it from the reserve of Industrially Zoned Land.

H. B. Staab
H. B. STAAB, Director
Industrial Development
Commission

GCH:HBS:sk

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21204
TEL. 2800GEORGE E. GAVNELLS
DIRECTOR
JOHN G. ROSE
ZONING COMMISSIONER

April 4, 1966

Robert J. Gerstung, Esq.,
301 Keyser Building
Baltimore, Maryland 21202Re: Petition for Special Exception
for Trailer Park - NW/8 Cor.
of Eastern Ave. & Bengies Road,
15th Dist., Mercantile-Safe
Deposit & Trust Co., Petitioner -
No. 66-185-X

Dear Mr. Gerstung:

I have today passed my Order denying the special exception in the above matter for reasons stated in the attached copy of said Order.

Very truly yours

John G. Rose
JOHN G. ROSE
ZONING COMMISSIONER

cc: Robert P. Mann, Esq.,
Loyola Federal Building
Baltimore, Maryland 21204

March 17, 1966

Redevelopment Inc.,
2 W. University Parkway
Baltimore 18, Md.Re: Petition for Special Exception for Trailer
Park for Mildred J. Goeller, et al
#66-185-X

Continued:

This is to advise you that \$57.55 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Md. and remit to Mrs. Anderson, Room 121, County Office Building, before the hearing.

Yours very truly,

John G. Rose
JOHN G. ROSE
ZONING COMMISSIONER

JDR/mb

February 24, 1966

Mr. Thomas J. Rose
315 Nicholson Road
Baltimore, Maryland 21221

Subject: Mercantile Safe Deposit
and Trust Company Trailer
Park Special Exception
Hearing - NO. 66-185X

Dear Mr. Rose:

The purpose of this letter is to inform you that the subject Petition has been rescheduled for April 1, 1966, at 10:00 a.m. in Room 106, County Office Building, Towson, Maryland 21204.

Your letter of protest has been acknowledged and made a part of the above Petition.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

JAMES E. DYER, Principal
Zoning Technician

JED/jdr

ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
(BETHESDA, MARYLAND 20814)
ESSEX, MARYLAND 21221
MURDOCK 6-8374

March 2, 1966

Mr. John G. Rose
Zoning Commissioner
Baltimore County Office of
Planning and Zoning
County Office Building
Towson, Maryland (21204)

Re: Petition for Special Exception for
Mercantile-Safe Deposit and Trust,
et al 66-185-X

Dear Mr. Rose:

Would you please withdraw my appearance as attorney of Record on behalf of the petitioners who have filed the above captioned petition.

It is my understanding that Mr. Robert Gerstung will file his appearance as the new counselor of Record.

Thank you for your past cooperation in this matter.

Very truly yours,

ROBERT J. ROMADKA

JJR:clh

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. John G. Rose, Zoning Commissioner Date: February 11, 1966
FROM: Mr. George E. Gavrellis, Director
Office of Planning and Zoning

SUBJECT: "Petition 66-185-X, NE corner of Eastern Avenue and Bergies Road. Petition for Special Exception for a Trailer Park. Mercantile-Safe Deposit and Trust Co. and Mildred J. Graeller Trust."

15th District

HEARING: Wednesday, February 23, 1966. (1:30 P.M.)

The planning staff of the Office of Planning and Zoning has reviewed the subject petition and offers the following comments:

- After consultation with the Department of Education, the planning staff has determined that execution of the subject proposal would impact schools in the area. The following table shows the present school enrollment situation in this part of the County:

School	Capacity	Present Enrollment	Overload or Pupil Deficit
Chase	340	542	+202
Glenmar	720	895	+175
Hawthorne	720	950	+230
Martin Blvd.	420	385	-35
Totals	2,400	2,772	+372

Seneca Elementary School is scheduled to open in September, 1966. With some shifting of service areas, the September school population is estimated as follows:

School	Capacity	September 1966 Enrollment	September Overload or Pupil Deficit
Chase	340	520	-20
Glenmar	720	714	-6
Hawthorne	720	795	+75
Martin Blvd.	420	412	-8
Seneca	555	535	-20
Totals	2,955	2,976	+21

It should be pointed out that not all of the schools listed above are close enough to serve the proposed trailer park satisfactorily. Schools in other neighborhoods and

To: John G. Rose
Page 2 - Petition 66-185X

February 11, 1966

communities are included only because their eventual use to serve the trailer park would become necessary if the trailer park were to be established.

Trailer Village, adjacent to the petitioner's property, has an elementary school population of 226 children, housed in 522 trailers - or 0.43 students per trailer. These students are now accommodated in the Glenmar school, and will attend Seneca Elementary in 1966.

Using the Trailer Village pupil yield as a basis, the trailer park proposed under the subject petition would yield 283 elementary school pupils. Even considering only the September, 1966 projection, without regard to expected future growth, the total overload for the area would be 304 - and the total average for Chase school, where the new pupils would go initially, would amount to 263. The yield from both trailer parks (507) would be enough to fill an 18-room school.

It may be argued that Chase and Seneca schools could be enlarged to the maximum desirable size, or 24 rooms each. The service areas of both schools, however, have not been fully developed and enlargement to 24 rooms each will be necessary in any event.

If the subject petition should be granted and the trailer park developed, only the following alternatives will be available:

- Build a new school to serve the trailer park. This is economically unsound because of the large acquisition costs of industrial land and the uncertain stability of trailer parks as a land use.
- Build a school in another area and transport the entire student body to it by bus. This, too, is impractical. A heavy permanent financial transportation commitment of this nature runs counter to present policies. But, more important, the area would be deprived of what is from a planning viewpoint a significant part of its life - the school-recreation center.
- Severely overcrowd the present schools and those now proposed.

It is clear that none of the alternatives is desirable.

- The subject petition threatens basic premises of planning. Planning is done to promote orderly, desirable growth and conservation of land and other resources. In providing for orderly growth, encroachment should be effected. The County has invested heavily in a plan that commits land embraced by the subject petition to industrial and related uses.

It is true that trailer parks are permitted or special exceptions in ML and MH zones - but the intention of the Zoning Regulations here is to permit trailer parks as interim uses. We are by no means certain that the subject proposal would constitute an interim use, nor are we certain that it would not. From the plan submitted with the petition, however, it would definitely appear most likely that the trailer park would be a permanent one.

To: John G. Rose
Page 3 - Petition 66-185X

February 11, 1966

Thus, in short, development of this project would constitute a negation of planning - by removing valuable property from the County's planned industrial land reservoir, by throwing off balance the projected needs for public facilities based on the plan, and by pouring down the drain a great deal of effort and money that went into planning for this area in the first place.

- In view of the above considerations, we firmly believe that the subject proposal would "tend to overcrowd land and cause undue concentration of population," would "interfere with adequate provisions for schools, parks ... transportation or other public requirements, conveniences or improvements," and would thus "be detrimental to the ... general welfare of the locality involved."

George E. Gavrellis

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

COUNTY OFFICE BUILDING
111 W. CHESAPEAKE AVE.
TOWSON, MD. 21206
TA. 8000

GEORGE E. GAVRELLIS
DIRECTOR
JOHN G. ROSE
ZONING COMMISSIONER

February 23, 1966

Mr. and Mrs. Arnold H. Bennett
315 Nicholson Road
Baltimore, Maryland 21221

Subject: Mercantile Safe Deposit
and Trust Company Trailer
Park Special Exception
Hearing - NO. 66-185X

Dear Mr. and Mrs. Bennetts:

The purpose of this letter is to inform you that the subject Petition has been rescheduled for April 1, 1966, at 10:00 a.m. in Room 106, County Office Building, Towson, Maryland 21204.

Your letter of protest has been acknowledged and made a part of the above Petition.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

JAMES E. DYER, Principal
Zoning Technician

JED/jdr

February 16, 1966

Mr. Raymond J. Krul, President
15th District Republican Club, Inc.
1817 Eastern Avenue
Baltimore, Maryland 21222

Subject: Mercantile Safe Deposit
and Trust Company Trailer
Park Special Exception
Hearing - NO. 66-185X

Dear Mr. Krul:

The purpose of this letter is to inform you that the subject Petition has been rescheduled for April 1, 1966, at 10:00 a.m. in Room 106, County Office Building, Towson, Maryland 21204.

Your letter of protest has been acknowledged and made a part of the above Petition.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

JAMES E. DYER, Principal
Zoning Technician

JED/jdr

February 15, 1966

Mr. William J. Osterhaus
1317 Bergies Avenue
Baltimore, Maryland 21206

Subject: Mercantile Safe Deposit
and Trust Company Trailer
Park Special Exception
Hearing - NO. 66-185X

Dear Mr. Osterhaus:

The purpose of this letter is to inform you that the subject Petition has been rescheduled for April 1, 1966, at 10:00 a.m. in Room 106, County Office Building, Towson, Maryland 21204.

Your letter of protest has been acknowledged and made a part of the above Petition.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

JAMES E. DYER, Principal
Zoning Technician

JED/jdr

BALTIMORE COUNTY OFFICE OF PLANNING AND ZONING

County Office Building
111 W. Chesapeake Ave.
Towson, Md. 21204
Tel. 8-2001

George E. Gavrilin
Director
John G. Rose
Zoning Commissioner

February 16, 1966

Mr. Calvin J. Frens
1503 Wilson Point Road
Baltimore, Maryland 21220

Subject: Merchante Safe Deposit
and Trust Company, Trailer
Park Special Exception
Hearing - NO. 66-185-X

Dear Mr. Frens:

The purpose of this letter is to inform you that the subject Petition has been rescheduled for April 1, 1966, at 10:00 a.m. in Room 106, County Office Building, Towson, Maryland 21204.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

JAMES E. DINE, Principal
Zoning Technician

JED/jtr

February 15, 1966

Robert F. Mann, Acquire
Loyale Building
Towson, Maryland 21204

Subject: Merchante Safe Deposit
and Trust Company, Trailer
Park Special Exception
Hearing - NO. 66-185-X

Dear Mr. Mann:

The purpose of this letter is to inform you that the subject Petition has been rescheduled for April 1, 1966, at 10:00 a.m. in Room 106, County Office Building, Towson, Maryland 21204.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

JAMES E. DINE, Principal
Zoning Technician

JED/jtr

cc: Robert J. Romadka
809 Eastern Avenue
Baltimore, Maryland 21221

February 24, 1966

Mrs. Theresa Airy
208 River Thomas Road
Baltimore, Maryland 21220

Subject: Merchante Safe Deposit
and Trust Company Trailer
Park Special Exception
Hearing - NO. 66-185-X

Dear Mrs. Airy:

The purpose of this letter is to inform you that the subject Petition has been rescheduled for April 1, 1966, at 10:00 a.m. in Room 106, County Office Building, Towson, Maryland 21204.

Your letter of protest has been acknowledged and made a part of the above Petition.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

JAMES E. DINE, Principal
Zoning Technician

JED/jtr

February 21, 1966

Mr. John T. Josenmans, President
Barronshill Water Improvement Association, Inc.
Box 731, Route 1
Baltimore, Maryland 21221

Subject: Merchante Safe Deposit
and Trust Company Trailer
Park Special Exception
Hearing - NO. 66-185-X

Dear Mr. Josenmans:

The purpose of this letter is to inform you that the subject Petition has been rescheduled for April 1, 1966, at 10:00 a.m. in Room 106, County Office Building, Towson, Maryland 21204.

Your letter of protest has been acknowledged and made a part of the above Petition.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

JAMES E. DINE, Principal
Zoning Technician

JED/jtr

February 24, 1966

Mr. Jack King
Middle River Civic Association
209 Wampler Road
Baltimore, Maryland 21220

Subject: Merchante Safe Deposit
and Trust Company Trailer
Park Special Exception
Hearing - NO. 66-185-X

Dear Mr. King:

The purpose of this letter is to inform you that the subject Petition has been rescheduled for April 1, 1966, at 10:00 a.m. in Room 106, County Office Building, Towson, Maryland 21204.

Your letter of protest has been acknowledged and made a part of the above Petition.

If you have any questions concerning this matter, please do not hesitate to contact me.

Very truly yours,

JAMES E. DINE, Principal
Zoning Technician

JED/jtr

PETITION FOR A SPECIAL EXCEPTION
15th DISTRICT

ZONING: Petition for Special Exception for a Trailer Park.
LOCATION: Northwest corner of Eastern Avenue and Dangles Road.
DATE & TIME: WEDNESDAY, FEBRUARY 23, 1966 at 1:30 P.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing

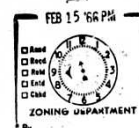
Petition for Special Exception for a Trailer Park.

All that parcel of land in the Fifteenth District of Baltimore County

Being the property of Merchante-Safe Deposit and Trust Company and Mildred J. Sculler, Trustees.

Hearing Date: Wednesday, February 23, 1966 at 1:30 P.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Md.

BY ORDER OF
JOHN G. ROSE
ZONING COMMISSIONER OF
BALTIMORE COUNTY



ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN AVENUE, TOWSON
(Baltimore County Building)
ESSEX, MARYLAND 21221
MURDOCK 6-9274

February 14, 1966

Mr. John G. Rose
Zoning Commissioner
County Office Building
Towson, Maryland (21204)

Re: Special Exception Trailer Park
Merchante-Safe Deposit and
Trust Co., et al, located NW/4
Eastern Avenue, 2390' NE from
Benglies Rd., 15th District
(Item 2, January 18, 1966)

Dear Mr. Rose:

This letter will confirm my unsigned letter which was sent to you on Friday requesting that the hearing on the application for the above mentioned Special Exception be rescheduled for another day. This particular day conflicts with my appearing before the Baltimore County Board of Appeals.

Mr. Knott, the applicant, has asked that said case be rescheduled in the first or second week of April, if possible, as he is presently General Chairman of a fund raising campaign for the Catholic Archdiocese of Baltimore, and hopes that the campaign will be concluded by that time.

Thank you for your kind cooperation in this matter.

Very truly yours,

Robert J. Romadka

RJR:rlh

February 10, 1966

Mr. John G. Rose
Zoning Commissioner
County Office Building
Towson, Maryland 21204

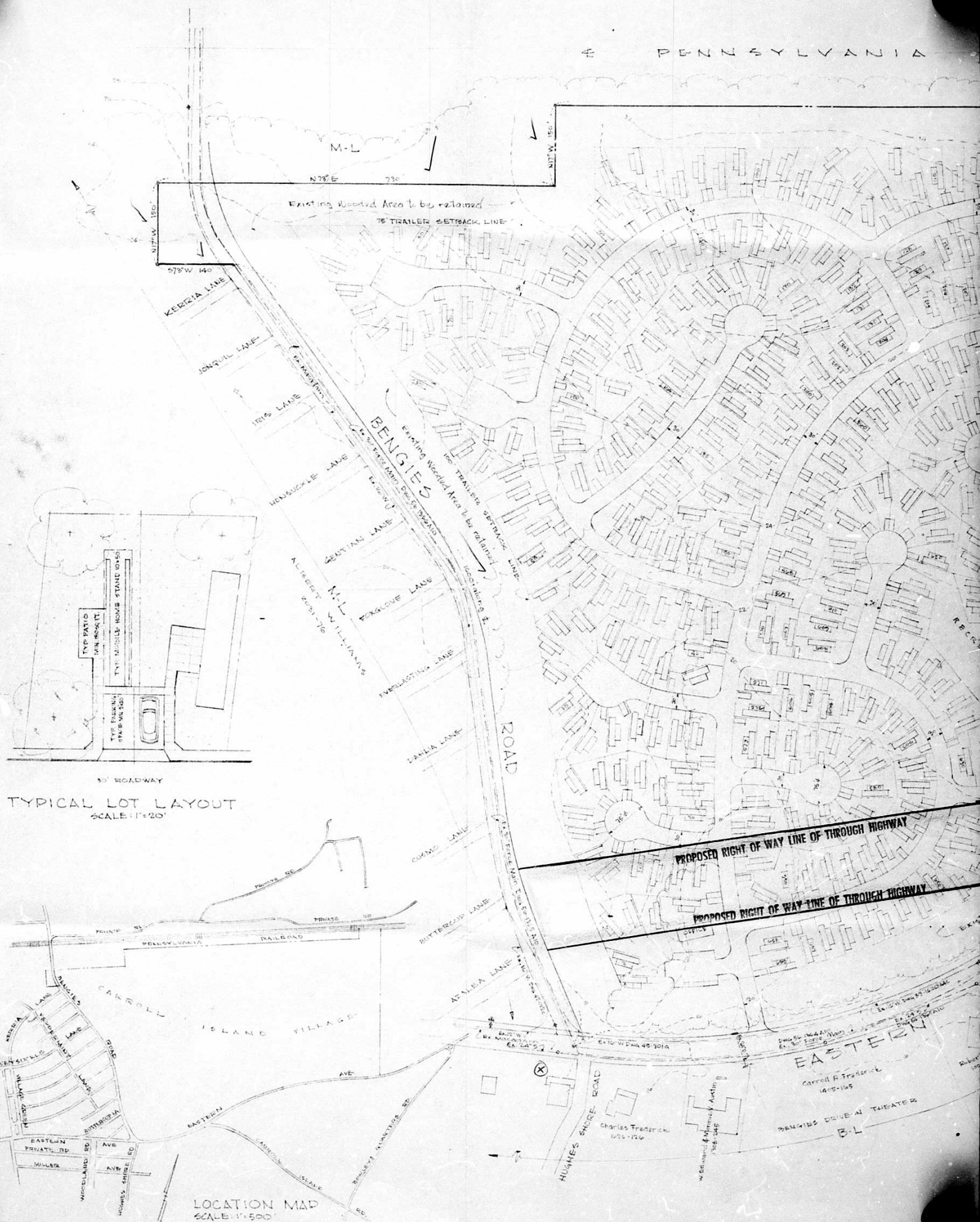
Dear Mr. Rose:

Would you please re-schedule the Petition of Redevelopment Company, Inc. for a Special Exception for a trailer park as it is necessary for us to appear before the Zoning Board of Appeals for sure will require an entire day.

Thanking you in advance for your cooperation in this matter.

Very truly yours,

J. H. Knott



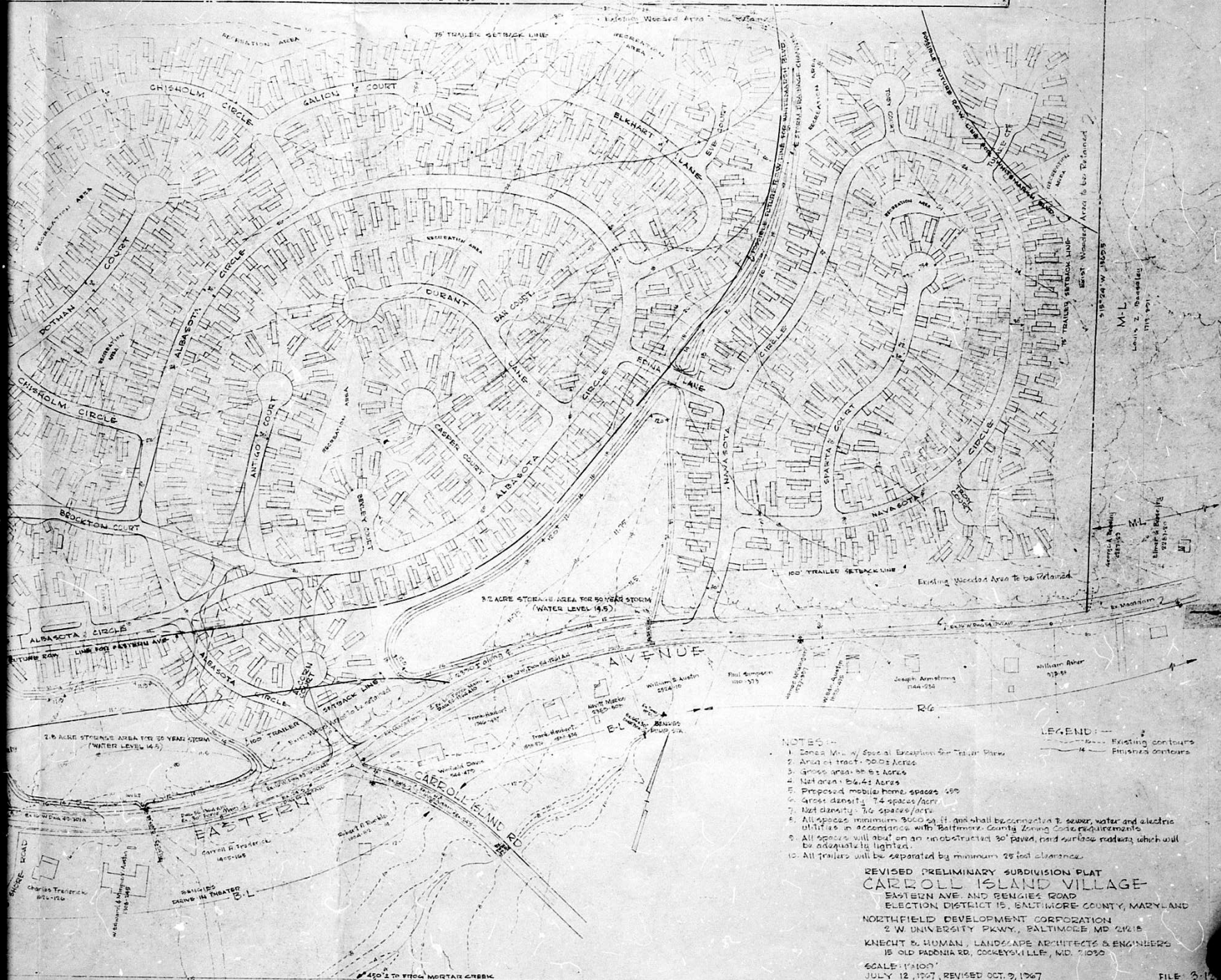
DRAINAGE AREA "A"

DRAINAGE AREA "B"

PENNSYLVANIA RAILROAD

N73°E 5100

N73°E 200.35



NOTES:

1. Jones M. W. Special Exception for Trailer Parks
2. Area of tract, 50.03 Acres
3. Gross area, 50.03 Acres
4. Net area, 56.41 Acres
5. Proposed mobile home spaces, 450
6. Gross density, 7.4 spaces/acre
7. Net density, 7.6 spaces/acre
8. All spaces minimum 3000 sq. ft. and shall be connected to sewer, water and electric utilities in accordance with Baltimore County Zoning Code requirements
9. All spaces will be on an unobstructed 30' paved, hard surface roadway which will be adequately lighted.
10. All trailers will be separated by minimum 25 foot clearance.

LEGEND:

- Existing contours
- Finished contours

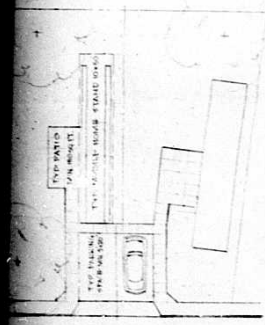
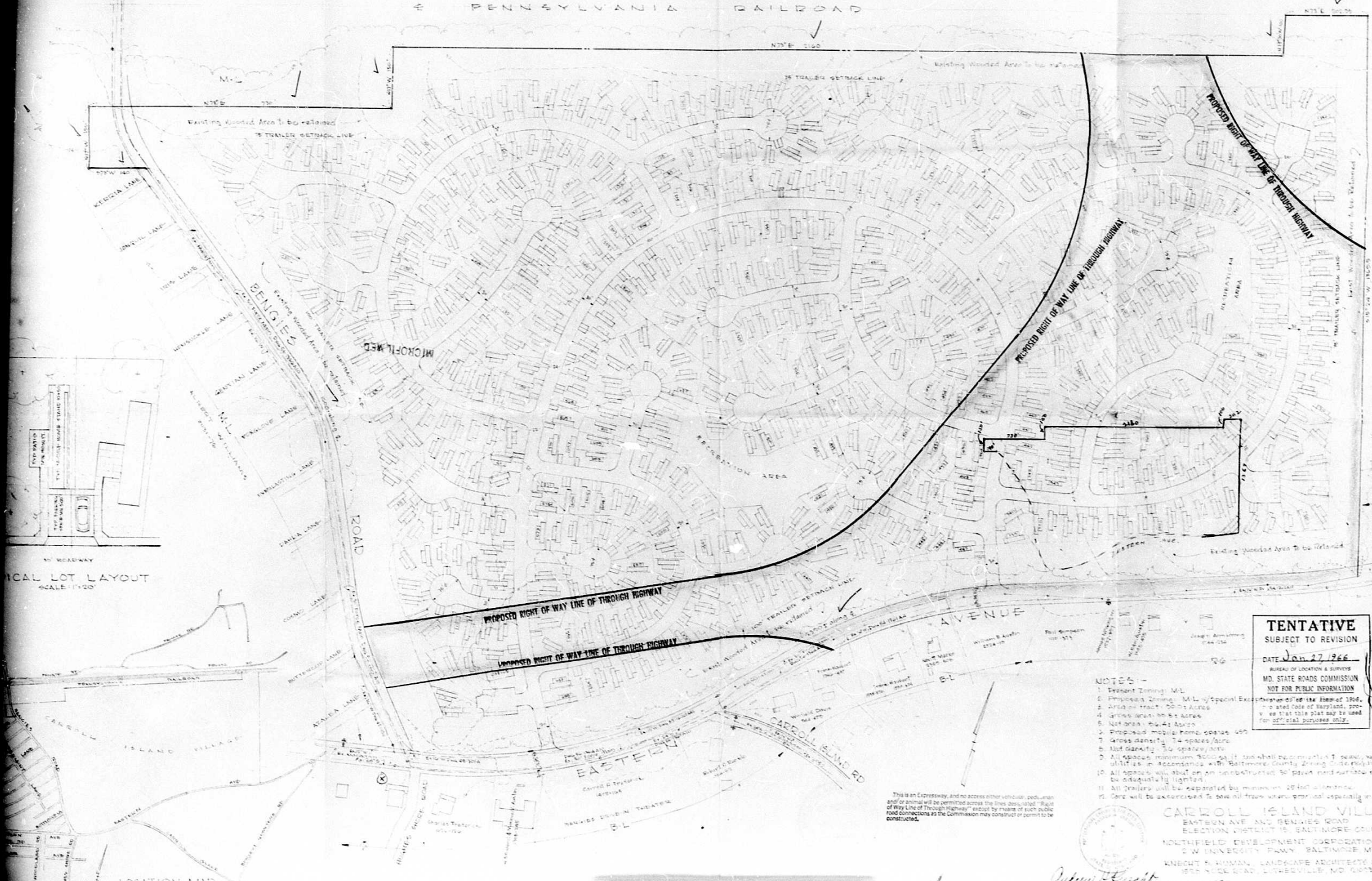
REVISED PRELIMINARY SUBDIVISION PLAT
 CARROLL ISLAND VILLAGE
 EASTERN AVE. AND BENJES ROAD
 ELECTION DISTRICT 15, BALTIMORE COUNTY, MARYLAND
 NORTHFIELD DEVELOPMENT CORPORATION
 2 W. UNIVERSITY PKWY., BALTIMORE MD 21215
 KNECHT & HUMAN, LANDSCAPE ARCHITECTS & ENGINEERS
 15 OLD PADONIA RD., COCKEYSVILLE, MD. 21030

SCALE: 1"=100'
 JULY 12, 1967, REVISED OCT. 9, 1967

FILE: 3-12

MICROFILMED

PENNSYLVANIA RAILROAD



LOCATION MAP SCALE 1"=500'

TENTATIVE
SUBJECT TO REVISION
DATE JAN 27 1966
BUREAU OF LOCATION & SURVEY
MD. STATE ROADS COMMISSION
NOT FOR PUBLIC INFORMATION

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MAP IS-C
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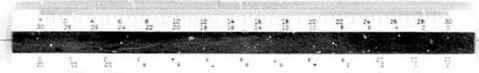
- NOTES:-
1. Present Zoning: M-L
 2. Proposed Zoning: M-L w/ Special Exception of the Board of 1966.
 3. Area: 25.75 Acres
 4. Gross area: 11.85 Acres
 5. Net area: 13.90 Acres
 6. Proposed mobile home spaces: 450
 7. Gross density: 14 spaces/acre
 8. Net density: 10 spaces/acre
 9. All spaces minimum 300 sq ft and shall be equipped with electric and electric utilities in accordance with Baltimore County Zoning Ordinance.
 10. All spaces shall be on an unobstructed 50' paved road surface and shall be adequately lighted.
 11. All trailers shall be separated by minimum 20' lot width.
 12. Care will be taken to preserve the natural features of the site, especially in the 100' setback buffer strips.

CARROLL ISLAND VILLAGE
EASTERN AVE AND BENGUE ROAD
ELECTION DISTRICT 15, BALTIMORE COUNTY, MARYLAND
NORTHFIELD DEVELOPMENT CORPORATION
20 W. UNIVERSITY PARK, BALTIMORE, MD 21201
KNECHT & HOWAN, LANDSCAPE ARCHITECTS & ENGINEERS
872 N. 10TH ST., LITZVILLE, MD 21093

Andrew H. Hest
Dec. 10, 1965

SCALE 1"=100'
DECEMBER 10, 1965

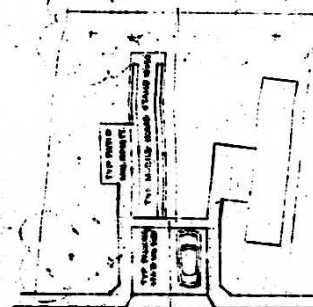
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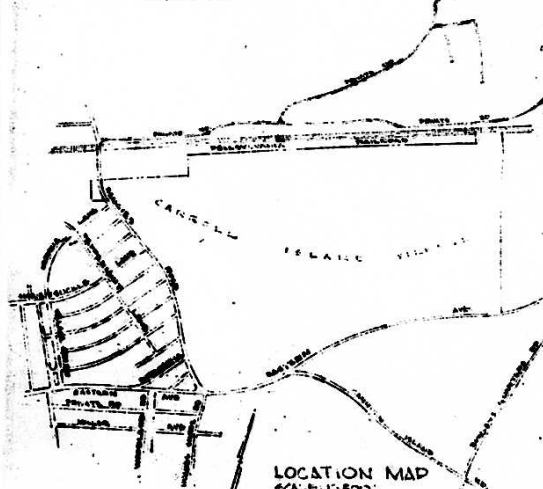
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66-185-X

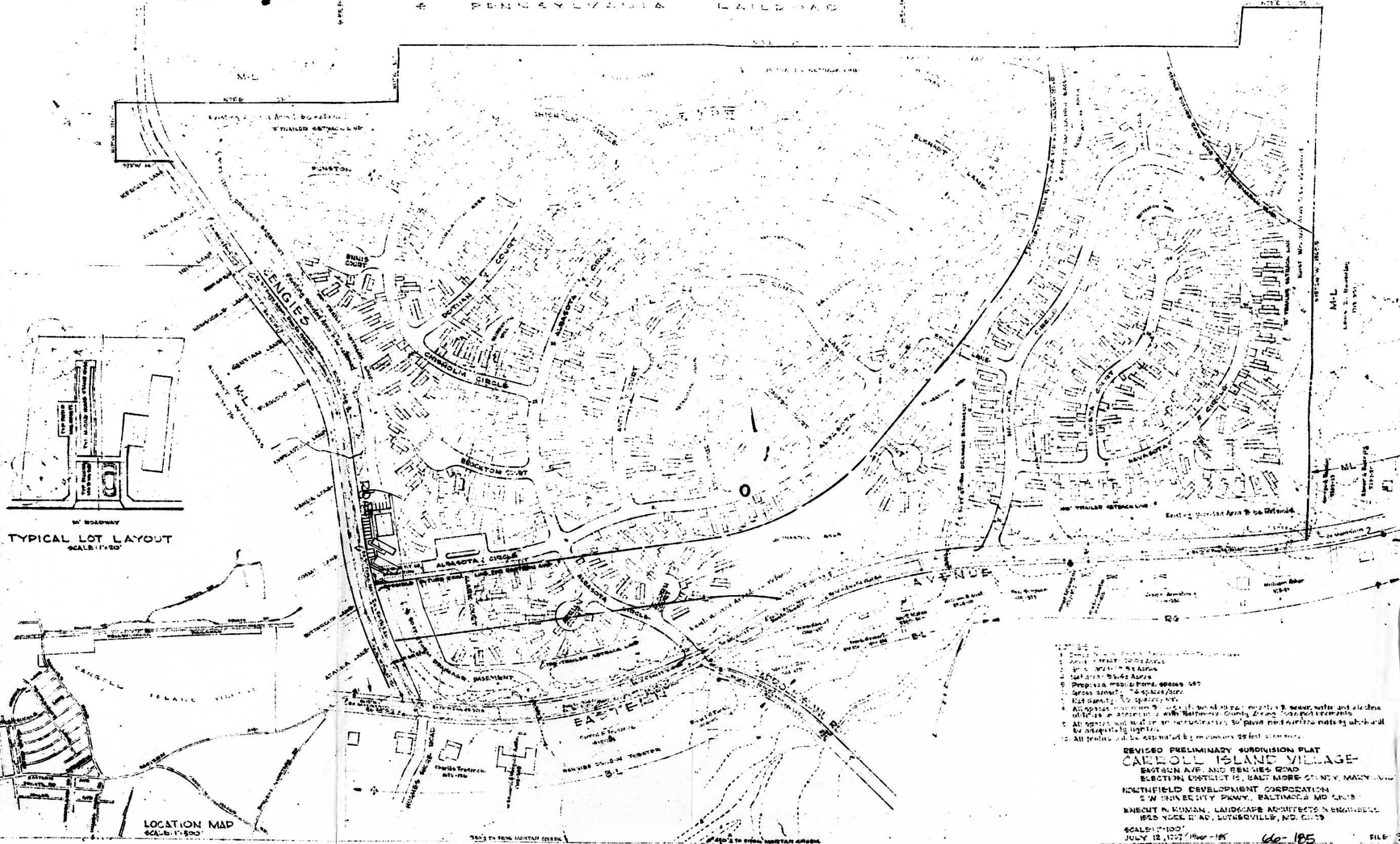
PENNSYLVANIA RAILROAD



TYPICAL LOT LAYOUT
SCALE: 1"=20'



LOCATION MAP
SCALE: 1"=500'



1. Proposed lots to be shown on this map.
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100. Proposed lots to be shown on this map.

REVISED PRELIMINARY SUBDIVISION PLAT
CARROLL ISLAND VILLAGE
EASTON AVE AND GENIES ROAD
ELECTION DISTRICT 15, EAST MORE COUNTY, MARYLAND
NORTHFIELD DEVELOPMENT CORPORATION
210 UNIVERSITY PKWY., BALTIMORE MD 21201
KNECHT W. HUMAN, LANDSCAPE ARCHITECTS & ENGINEERS
1825 YORK ROAD, LUTHERSVILLE, MD 21033

SCALE: 1"=100'
JULY 12, 1977 / 1966-1985
66-185
FILE