

IN THE MATTER OF THE APPLICATION OF LODGE FOREST PARTNERSHIP FOR REZONING FROM D.R. 16 AND D.R. 5.5 TO D.R. 3.5; FOR SPECIAL EXCEPTION FOR A MOBILE HOME PARK; AND FOR A VARIANCE FROM SECTIONS 414.4 AND 414.5 OF THE BALTIMORE COUNTY ZONING REGULATIONS
NE/S DUNDEE VILLAGE CIRCLE 785' E. OF EASTERN AVENUE 15th DISTRICT

ORDER

Upon review of this amended petition for reclassification, subject to a specific revised site plan, and following review by the Baltimore County Planning Board, the parties appeared in open hearing before Acting Chairman William R. Evans on September 25, 1984. Having considered the matter, the County Board of Appeals of Baltimore County, this 9th day of October, 1984, ORDERS that:

1. So much of the subject property as is designated "Phase I" on the revised plat accompanying the petition for reclassification and submitted at the hearing be, and hereby is, GRANTED a rezoning classification from D.R. 16 and D.R. 5.5 to D.R. 3.5, subject to compliance with said revised site plan pursuant to Section 2-58.1(n) of the Baltimore County Code; and
2. The balance of the subject property shown on said revised site plan (including all but "Phase I") be, and hereby is, DENIED a zoning reclassification from D.R. 16 and D.R. 5.5 to D.R. 3.5; provided, that such denial is without prejudice, under the circumstances of this case, to the filing by Petitioner of a new petition for reclassification within eighteen months of this Order if such petition is filed after the effective date of the 1984 Comprehensive Zoning Maps; and
3. The special exception for a trailer park be, and hereby is, GRANTED as to the portion of the property designated as "Phase I" on the aforesaid revised site plan; and
4. The special exception for a trailer park for the balance of the property (including all of the property except "Phase I") be, and

hereby is, declared moot, so that there is no prejudice to any of the parties in the event of the filing of a future petition for special exception; and

5. The variances from Section 414.5 of the Baltimore County Zoning Regulations to reduce the space between trailers from the required twenty-five feet to fifteen feet, and from BCZR Section 414.4 to reduce the required seventy-five foot setback from boundary lines to fifteen feet be, and hereby are, GRANTED as to "Phase I" subject to compliance with the aforesaid revised site plan, and be, and hereby are, declared moot as to the remainder of the property (all of the property except "Phase I") without prejudice to the parties in the event of a future petition for variance; and

6. This Order supersedes the previous Orders of the County Board of Appeals of Baltimore County dated October 4, 1983 and May 29, 1984.

Any appeal from this decision must be in accordance with Rules B-1 through B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
William T. Hackett, Chairman

William R. Evans
William R. Evans

Patricia Phipps
Patricia Phipps

CONSENTED TO AS TO FORM
JOHN B. GONTRUM
ATTORNEY FOR THE PETITIONER

Peter Max Zimmerman
PETER MAX ZIMMERMAN
DEPUTY PEOPLE'S COUNSEL

IN THE MATTER OF THE APPLICATION OF LODGE FOREST PARTNERSHIP FOR REZONING FROM D.R. 16 AND D.R. 5.5 TO D.R. 3.5; FOR SPECIAL EXCEPTION FOR A MOBILE HOME PARK; AND FOR A VARIANCE FROM SECTIONS 414.4 AND 414.5 OF THE B.C.Z.R. NE/S DUNDEE VILLAGE CIRCLE 785' E. OF EASTERN AVENUE, 15th DIST.

BEFORE
COUNTY BOARD OF APPEALS
OF
BALTIMORE COUNTY
NO. R-83-59-XA

ORDER

This case comes before the Board in order that an amended plan become part of the record.

On May 29, 1984, the Board ordered acceptance of an amended plan which had been reviewed and approved by the County Review Group at public hearing. Subsequently, an appeal was noted by People's Counsel.

Petitioners have requested with the consent of People's Counsel that our May 29, 1984, order be amended and the plat and plan transmitted to the Director of Planning to be distributed to the Planning Board for action within forty-five (45) days pursuant to Section 2-58.1 (m) of the Baltimore County Code.

The Board feels that the plan has been well considered by the proper Baltimore County departments including the Department of Planning and approved by them, but believes that Petitioner's request is not objectionable.

It is, therefore, this 26th day of July, 1984, by the County Board of Appeals ORDERED, that the amended plan be referred to the Director of Planning for transmittal to the Planning Board for consideration within forty-five (45) days of the date hereof and further Ordered that this case shall remain

open until such time that the amended plan has been reviewed by this Board with the Planning Board's comments and reviewed in public hearing.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett
WILLIAM T. HACKETT, CHAIRMAN

Patricia Phipps
PATRICIA PHIPPS

William R. Evans
WILLIAM R. EVANS

2

IN THE MATTER OF THE APPLICATION OF LODGE FOREST PARTNERSHIP FOR REZONING FROM D.R. 16 AND D.R. 5.5 TO D.R. 3.5; FOR SPECIAL EXCEPTION FOR A MOBILE HOME PARK; AND FOR A VARIANCE FROM SECTIONS 414.4 AND 414.5 OF THE B.C.Z.R. NE/S DUNDEE VILLAGE CIRCLE 785' E. OF EASTERN AVE., 15th District
Zoning File No. R-83-59-XA

ORDER

Upon the foregoing Petition for Limitation of Record, it is, this 20th day of July, 1984, by the Circuit Court for Baltimore County, ORDERED, that there be granted to include only the transcript of May 29, 1984 in the record in the above case, and to exclude the transcript of earlier hearing days.

Judge
James F. Ffrench
ELMER H. KAPLAN, JR., Clerk
Deputy Clerk

RECEIVED APPEALS
COUNTY BOARD OF APPEALS
JUL 24 1984

RECEIVED
COUNTY BOARD OF APPEALS
JUL 24 1984

IN THE MATTER OF THE APPLICATION OF LODGE FOREST PARTNERSHIP FOR REZONING FROM D.R. 16 AND D.R. 5.5 TO D.R. 3.5; FOR SPECIAL EXCEPTION FOR A MOBILE HOME PARK; AND FOR A VARIANCE FROM SECTIONS 414.4 AND 414.5 OF THE B.C.Z.R. NE/S DUNDEE VILLAGE CIRCLE 785' E. OF EASTERN AVE., 15th District
Zoning File No. R-83-59-XA

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY
AT LAW
Misc. No. 84M222

ORDER

Upon the foregoing Petition for Extension of Time to File Transcript of Proceedings, it is hereby ORDERED this 20th day of July, 1984, that the time for filing in Court the transcript of proceedings before the Board of Appeals is hereby extended until September 24, 1984.

Judge
James F. Ffrench

Deputy Clerk
Glenn B. Smith

IN THE MATTER OF THE APPLICATION OF LODGE FOREST PARTNERSHIP FOR REZONING FROM D.R. 16 AND D.R. 5.5 TO D.R. 3.5; FOR SPECIAL EXCEPTION FOR A MOBILE HOME PARK; AND FOR A VARIANCE FROM SECTIONS 414.4 AND 414.5 OF THE B.C.Z.R. NE/S DUNDEE VILLAGE CIRCLE 785' E. OF EASTERN AVE., 15th DISTRICT

PHYLLIS C. FRIEDMAN, PEOPLE'S COUNSEL - APPELLANT
Zoning File No. R-83-59-XA

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW
Misc. Doc. No. 16
Folio No. 277
File No. 84-M-222

CERTIFICATE OF NOTICE

Mr. Clerks:

Pursuant to the provisions of Rule B-2(d) of the Maryland Rules of Procedure, William T. Hackett, William R. Evans, and Patricia Phipps, 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 it; namely, Robert J. Romadka, Esq., and John B. Gontrum, Esq., 809 Eastern Blvd., Baltimore, Md. 21221, Counsel for Petitioner, and Phyllis C. Friedman, Court House, Towson, Md. 21204, People's Counsel for Baltimore County, a copy of which Notice is attached hereto and prayed that it may be made a part thereof.

June Holman
County Board of Appeals of Baltimore County
Rm. 200, Court House, Towson, Md. 21204
494-3180

Lodge Forest Partnership
Case No. R-83-59-XA

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to Robert J. Romadka, Esq. and John B. Gontrum, Esq., 809 Eastern Blvd., Baltimore, Md. 21221, Counsel for Petitioner, and Phyllis C. Friedman, Court House, Towson, Md. 21204, People's Counsel for Baltimore County, on this 26th day of June, 1984.

June Holman
County Board of Appeals of Baltimore County



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180
June 26, 1984

Robert J. Romadka, Esq.
John B. Gontrum, Esq.
809 Eastern Blvd.
Baltimore, Md. 21221

Re: Case No. R-83-59-XA
Lodge Forest Partnership

Gentlemen:

Notice is hereby given, in accordance with the Rules of Procedure of the Court of Appeals of Maryland, that an appeal has been taken to the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter.

Enclosed is a copy of the Certificate of Notice.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.
cc: A. Jablon
J. Dyer
N. Gerber
J. Hoswell
Bd. of Education



County Board of Appeals of Baltimore County
Room 200 Court House
Towson, Maryland 21204
(301) 494-3180
June 26, 1984

Phyllis C. Friedman
People's Counsel for Baltimore County
Court House
Towson, Md. 21204

Dear Mrs. Friedman: Lodge Forest Partnership
Re: Case No. R-83-59-XA

In accordance with Rule B-7 (a) of the Rules of Procedure of the Court of Appeals of Maryland, the County Board of Appeals is required to submit the record of proceedings of the zoning appeal which you have taken to the Circuit Court for Baltimore County in the above matter within thirty days.

The cost of the transcript of the record must be paid by you. Certified copies of any other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court not later than thirty days from the date of any petition you might file in court, in accordance with Rule B-7 (a).

Enclosed is a copy of the Certificate of Notice; also invoice covering the cost of certified copies of necessary documents.

Very truly yours,

June Holmen
June Holmen, Secretary

Encl.



Baltimore County, Maryland
PEOPLE'S COUNSEL
OLD COURT HOUSE
TOWSON, MARYLAND 21204

PHYLLIS COLE FRIEDMAN
People's Counsel
PETER MAX ZIMMERMAN
Deputy People's Counsel

June 26, 1984

Robert J. Romadka, Esquire
John B. Gontrum, Esquire
809 Eastern Blvd.
Baltimore, MD 21221

RE: Lodge Forest Partnership, Petition
Zoning Case No. R-83-59-XA
Ckt. Ct. Misc. No. 84M222

Gentlemen:

Enclosed please find:

1. Petition for Extension of Time to File Transcript of Proceedings.
2. Proposed Order for Extension of Time.
3. Petition for Limitation of Record.
3. Proposed Order for Limitation of Record.

We would be willing to cooperate in having the appeal heard as expeditiously as possible. In this connection, we request that you agree to our Petition for Limitation of Record. If this is not in dispute, we are hopeful that we can obtain the transcript of the final day of hearing promptly.

If you have any questions, please do not hesitate to call me.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

Enclosures

PMZ:sh

IN THE MATTER OF : IN THE CIRCUIT COURT
THE APPLICATION OF : FOR BALTIMORE COUNTY
LODGE FOREST PARTNERSHIP :
FOR REZONING FROM : AT LAW
D.R. 16 and D.R. 5.5 :
to D.R. 3.5; : Misc. No. 84M222
FOR SPECIAL EXCEPTION FOR :
A MOBILE HOME PARK; AND :
FOR A VARIANCE FROM SECTIONS :
414.4 and 414.5 OF THE :
B.C.Z.R. :
NE/S DUNDEE VILLAGE CIRCLE :
785' E. OF EASTERN AVE., :
15th District :
Zoning File No. R-83-59-XA : : : : :
: : : : :

PETITION FOR EXTENSION OF TIME TO FILE TRANSCRIPT OF PROCEEDINGS

People's Counsel for Baltimore County, Appellant herein, petitions this Court, pursuant to Maryland Rule B7(b), for an extension of time within which to file the transcript of proceedings before the Baltimore County Board of Appeals and in support of this Petition states:

Carol Ann Beresh, Court Reporter for the County Board of Appeals at the time of the first four days of hearing before said Board in the above-entitled case, because of experience and the length of the voluminous transcript, will need an additional sixty-day extension of time to prepare the transcript of proceedings.

WHEREFORE, Appellant prays this Honorable Court to extend the time for filing the transcript of proceedings until September 24, 1984, ninety days after the Petition on Appeal was filed.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

- 2 -

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 25th day of June, 1984, a copy of the foregoing Petition for Extension of Time to File Transcript of Proceedings was served on the Administrative Secretary, County Board of Appeals, Room 200, Court House, Towson, MD 21204; and a copy thereof was mailed to Robert J. Romadka, Esquire, and John B. Gontrum, Esquire, 809 Eastern Blvd., Baltimore, MD 21221.

Peter Max Zimmerman
Peter Max Zimmerman

IN THE MATTER OF : IN THE CIRCUIT COURT
THE APPLICATION OF : FOR BALTIMORE COUNTY
LODGE FOREST PARTNERSHIP :
FOR REZONING FROM : AT LAW
D.R. 16 and D.R. 5.5 : Misc. No. 84M222
to D.R. 3.5; :
FOR SPECIAL EXCEPTION FOR :
A MOBILE HOME PARK; AND :
FOR A VARIANCE FROM SECTIONS :
414.4 and 414.5 OF THE :
B.C.Z.R. :
NE/S DUNDEE VILLAGE CIRCLE :
785' E. OF EASTERN AVE., :
15th District :
Zoning File No. R-83-59-XA : : : : :
: : : : :

ORDER

Upon the foregoing Petition for Extension of Time to File Transcript of Proceedings, it is hereby ORDERED this _____ day of _____, 1984, that the time for filing in Court the transcript of proceedings before the Board of Appeals is hereby extended until September 24, 1984.

JUDGE

IN THE MATTER OF : IN THE CIRCUIT COURT
THE APPLICATION OF : FOR BALTIMORE COUNTY
LODGE FOREST PARTNERSHIP :
FOR REZONING FROM : AT LAW
D.R. 16 and D.R. 5.5 : Misc. No. 84M222
to D.R. 3.5; :
FOR SPECIAL EXCEPTION FOR :
A MOBILE HOME PARK; AND :
FOR A VARIANCE FROM SECTIONS :
414.4 and 414.5 OF THE :
B.C.Z.R. :
NE/S DUNDEE VILLAGE CIRCLE :
785' E. OF EASTERN AVE., :
15th District :
Zoning File No. R-83-59-XA : : : : :
: : : : :

PETITION FOR LIMITATION OF RECORD

People's Counsel for Baltimore County, Appellant herein, requests leave to limit the record as follows:

1. The appeal involves a limited question of jurisdiction concerning an amended plan or documentation in connection with this zoning reclassification.
2. To determine the merits of the appeal, it is not necessary for the Court to read the transcript of the first four days of hearing because these concerned the original plan and would unnecessarily confuse and add to expense on appeal.
3. It is necessary and appropriate for this appeal that the Court review simply the transcript of proceedings for May 29, 1984, upon the amended plan, together with the pertinent documentation otherwise on file at the County Board of Appeals.
4. Moreover, by so appropriately limiting the record on appeal, the Court Reporter will be able to prepare the transcript far more promptly, so that the record will be transmitted as expeditiously as possible. In the absence of such limitation, it will surely take ninety days to obtain the record.

5. It is in the interest of justice that the record be so limited and transmitted to the Court in such reasonable fashion.

Phyllis Cole Friedman
Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel
Rm. 223, Court House
Towson, MD 21204
494-2188

I HEREBY CERTIFY that on this 25th day of June, 1984, a copy of the foregoing Petition for Limitation of Record was served on the Administrative Secretary, County Board of Appeals, Room 200, Court House, Towson, MD 21204; and a copy thereof was mailed to Robert J. Romadka, Esquire, and John B. Gontrum, Esquire, 809 Eastern Blvd., Baltimore, MD 21221.

Peter Max Zimmerman
Peter Max Zimmerman

of the shore and/or wetland, plus approximately two-thirds of the identified "old field" community. Informal discussions have taken place between the Director and staff of the Office of Planning and Zoning with representatives of the developer and it has been agreed that there is an area which is suitable for development. This area is shown on the accompanying map as Phase 1. This area contains approximately 106 mobile homes. It requires no change on the plan as presented to the County Review Group. The developer will be able to proceed to develop Phase 1. Phase 2 can also be built without harm to the environment. However, the road and lot arrangement will need to be rearranged. This finding will permit the developer to proceed with a reasonable project that has been previously recognized by the Planning Board as providing needed housing while at the same time protecting the Critical Area of the Chesapeake Bay. Subsequent amendments to this plan will require additional review by the Planning Board and County Review Group.

RECOMMENDATION

The Director of the Office of Planning and Zoning recommends that the Baltimore County Planning Board ratify his finding and forward same to the Baltimore County Board of Appeals. That is: the Board of Appeals should continue to grant the rezoning and special exception as shown on the accompanying map for Phase 1. The Planning Board takes note of the need to move ahead due to the 45 day limit imposed by the Baltimore County Code. We recognize that subsequent changes may result in the need for further Planning Board and CRG review.

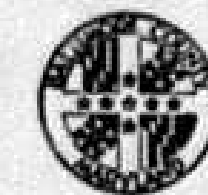
5/21/84 - Notified of hearing to accept new plan set for TUESDAY, MAY 29, 1984 at 9:30 a.m.

Robert J. Romadka, Esq.
John B. Gontrum, Esq.
Phyllis C. Friedman

9/6/84 - Above notified of hearing on REVISED PLAT set for WEDNESDAY, OCTOBER 3, 1984 at 10 a.m.
Charged

9/13/84 - Above notified of hearing to accept new plat plan set for TUESDAY, SEPT. 27, 1984 at 9:30 a.m.

*Hearing held
B. Romadka, Esq.
J.B. Gontrum, Esq.
P.C. Friedman, Esq.
Plat forwarded to Bd
Adm. Sec. 10/15/84*



County Board of Appeals of Baltimore County

Room 200 Court House (Hearing Room #218)

Towson, Maryland 21204

(301) 494-3180

September 13, 1984

NOTICE OF ASSIGNMENT

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. CR-83-59-XA

LODGE FOREST PARTNERSHIP

NW/4 OF DUNDEE VILLAGE CIRCLE
785' E. OF EASTERN AVENUE

15th DISTRICT

RE: AMENDED PLAN

ASSIGNED FOR:

TUESDAY, SEPTEMBER 25, 1984 at 9:30 a.m.

cc: Robert J. Romadka, Esquire

Counsel for Petitioner

John B. Gontrum, Esquire

" " "

Phyllis Cole Friedman

People's Counsel

Board of Education

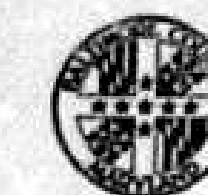
Arnold Jablon

James E. Dyer

Norman E. Gerber

James G. Hoswell

Edith T. Eisenhart, Adm. Secretary



Baltimore County, Maryland

PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204
494-2186

PHYLLIS COLE FRIEDMAN
People's Counsel

PETER MAX ZIMMERMAN
Deputy People's Counsel

October 3, 1984

The Honorable
William R. Evans, Acting Chairman
County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

RE: Lodge Forest Partnership,
Petitioner - Zoning Case
No. R-83-59-XA

Dear Chairman Evans:

We are in receipt of the proposed "Opinion" prepared by Petitioner in the above case, and it is unacceptable. At the conclusion of the hearing on September 25, 1984, the Board instructed that an Order be prepared accurately to reflect the result. There was no evidentiary hearing upon which findings of fact or detailed conclusions of law might be drawn.

In our view, furthermore, some of the statements in the proposed Opinion are wrong. To facilitate a proper resolution of this proceeding, and in the hope of avoiding another appeal, I have drafted the enclosed Order, which I am circulating to the Petitioner at the same time.

Very truly yours,

Peter Max Zimmerman
Peter Max Zimmerman
Deputy People's Counsel

RECEIVED
COUNTY BOARD OF APPEALS
1984 OCT -4 P 12:05
PMZ:sh

Enclosure

cc: Robert J. Romadka, Esquire



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204
(301) 494-3180

October 9, 1984

Robert J. Romadka, Esquire and
John B. Gontrum, Esquire
809 Eastern Blvd.
Baltimore, Md. 21221

Re: Case No. CR-93-59-XA
Lodge Forest Partnership

Dear Sirs:

Enclosed herewith is a copy of the Order passed today by the County Board of Appeals in the above entitled case.

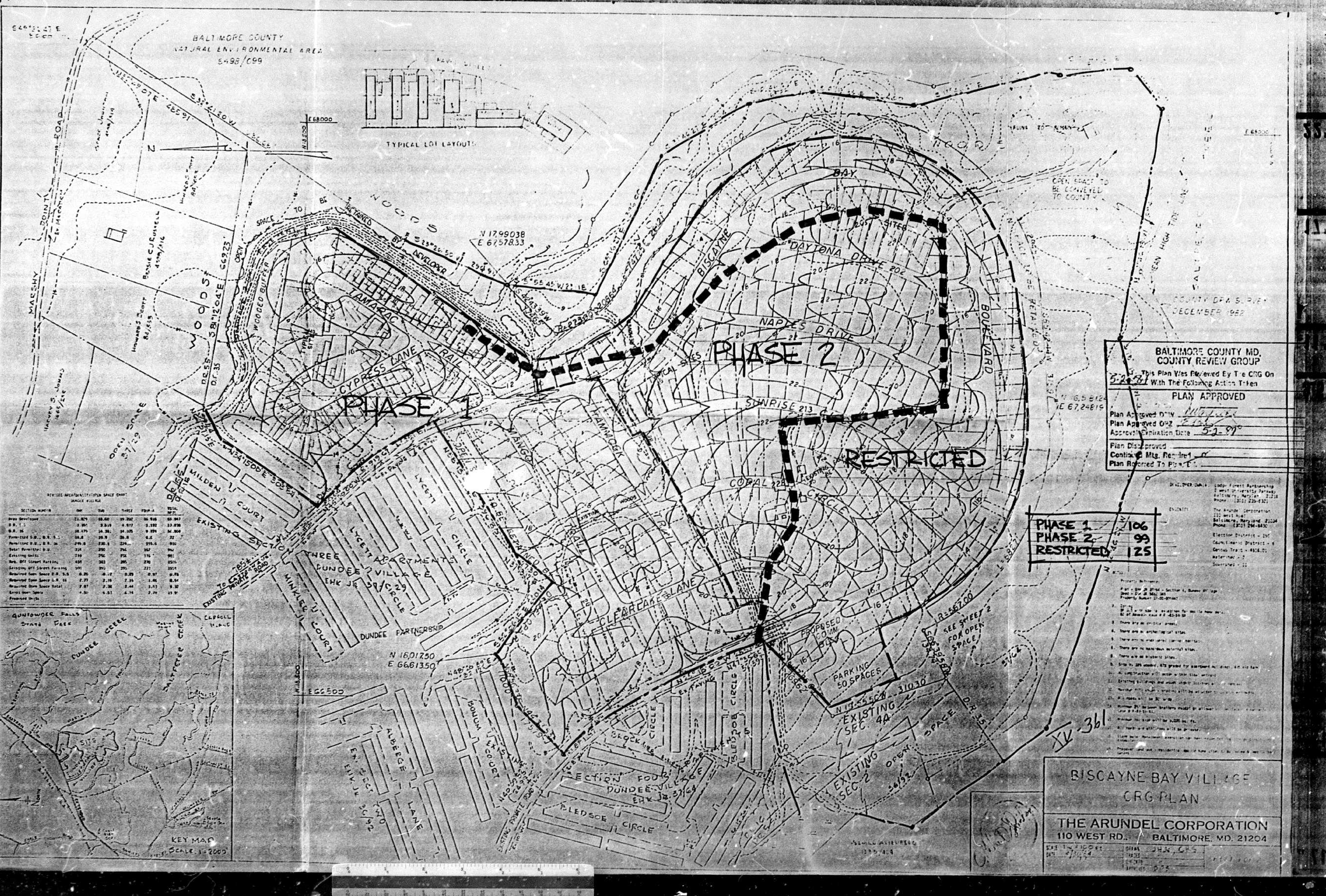
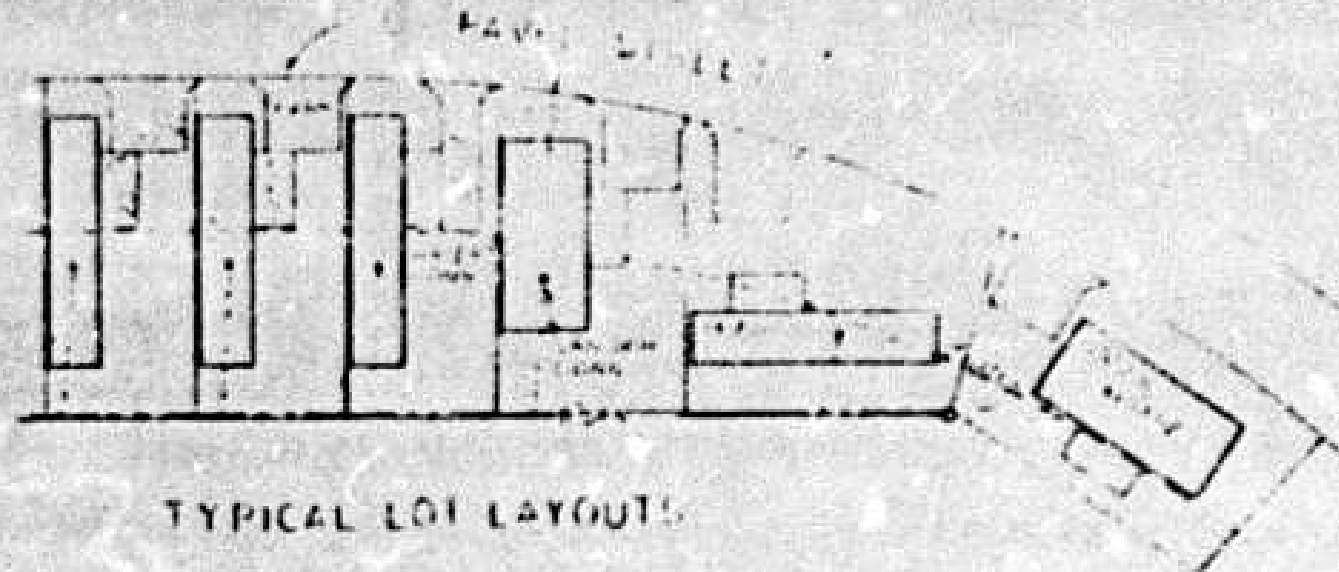
Very truly yours,

Edith T. Eisenhart
Edith T. Eisenhart, Adm. Secretary

Encl.

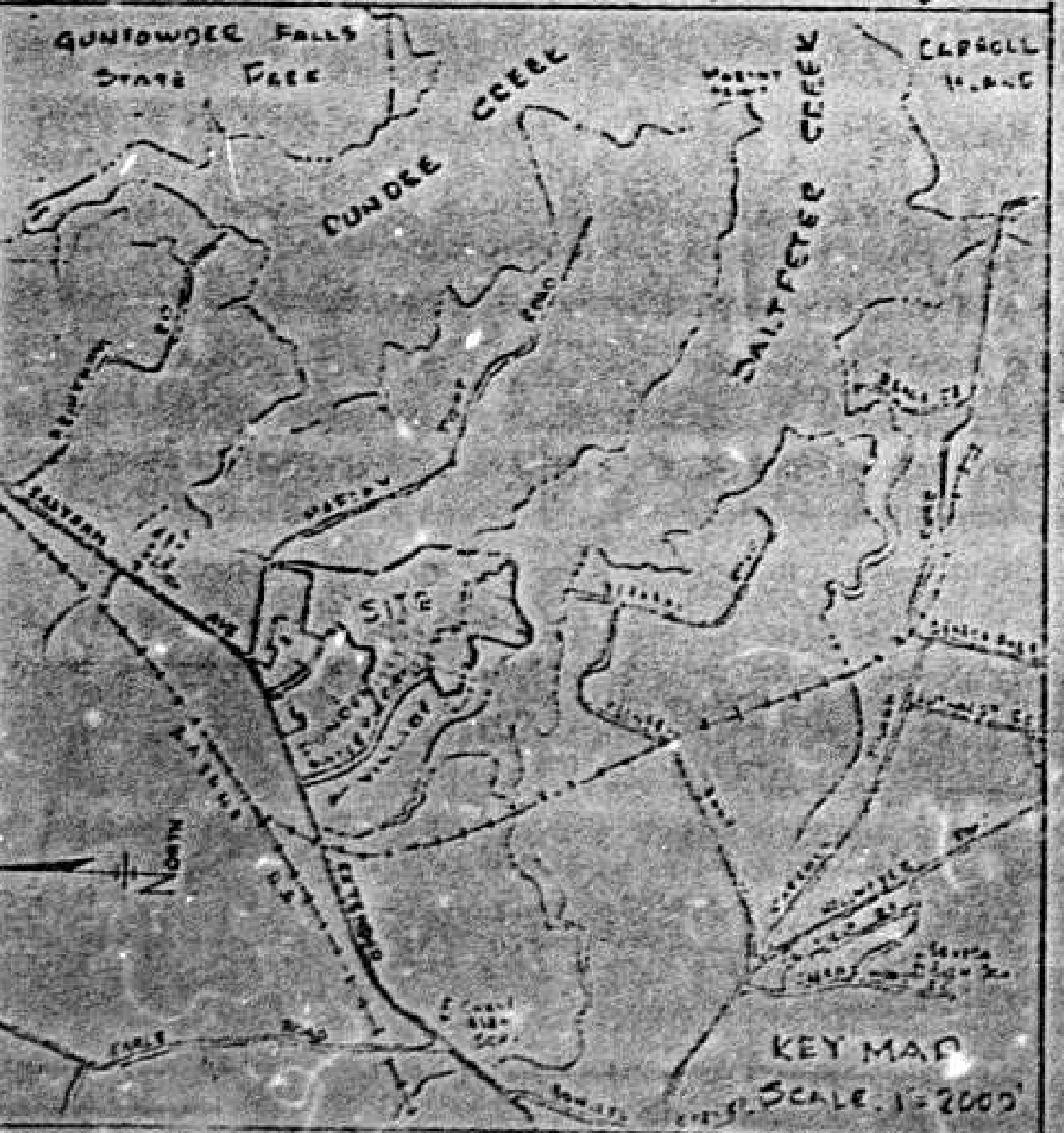
cc: Phyllis C. Friedman
Board of Education
Arnold Jablon
James E. Dyer
Norman E. Gerber
James G. Hoswell

BALTIMORE COUNTY
NATURAL ENVIRONMENTAL AREA
6498/099



REVISED AREA/PERCENTAGE SPACE CHART
SINGLE-FAMILY

SECTION NUMBER	ONE	TWO	THREE	FOUR	TOTAL
Area Development	11.82%	18.60%	19.20%	16.98%	66.60%
S.F. 1.1	2.85%	3.81%	4.87%	3.19%	14.72%
S.F. 1.2	18.17%	14.38%	14.35%	9.79%	56.69%
Permitted S.F. 1.2, S.F. 1.1	18.17%	14.38%	14.35%	9.79%	56.69%
Permitted S.F. 1.2, S.F. 1.1	249.6	230.3	224.1	155.6	859.6
Permitted S.F. 1.2, S.F. 1.1	231	230	224	157	842
Existing S.F. 1.2	231	230	224	157	842
Max. Off Street Parking	450	383	381	270	1584
Existing Off Street Parking	500	390	390	271	1551
Required Open Space S.F. 1.1	0.20	0.12	0.29	0.17	0.78
Required Open Space S.F. 1.2	2.77	2.19	2.19	1.41	8.56
Required Open Space Total	2.97	2.31	2.48	1.58	9.34
Open Space	4.30	4.51	4.74	2.76	16.31



BALTIMORE COUNTY MD.
COUNTY REVIEW GROUP
This Plan Was Reviewed By The CRG On
5-2-97
With The Following Action Taken
PLAN APPROVED
Plan Approved Date 5-2-97
Plan Approved By [Signature]
Approval/Expiration Date 5-2-97
Plan Disapproved
Continuing Mfg. Required
Plan Referred To Plan []

PHASE 1 106
PHASE 2 99
RESTRICTED 125

DEVELOPER: Lodge Forest Partnership
2 West of University Parkway
Baltimore, Maryland 21204
Phone: (410) 224-8300
The Arundel Corporation
110 West Rd.
Baltimore, Maryland 21204
Phone: (410) 224-8400
Election District - 10
Councilmanic District - 6
Census Tract - 4316.01
Waterfront - 2
Overlaid - 10

- Property Information:
1. Lot 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000, 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1030, 1031, 1032, 1033, 1034, 1035, 1036, 1037, 1038, 1039, 1040, 1041, 1042, 1043, 1044, 1045, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1054, 1055, 1056, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1065, 1066, 1067, 1068, 1069, 1070, 1071, 1072, 1073, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1083, 1084, 1085, 1086, 1087, 1088, 1089, 1090, 1091, 1092, 1093, 1094, 1095, 1096, 1097, 1098, 1099, 1100, 1101, 1102, 1103, 1104, 1105, 1106, 1107, 1108, 1109, 1110, 1111, 1112, 1113, 1114, 1115, 1116, 1117, 1118, 1119, 1120, 1121, 1122, 1123, 1124, 1125, 1126, 1127, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1136, 1137, 1138, 1139, 1140, 1141, 1142, 1143, 1144, 1145, 1146, 1147, 1148, 1149, 1150, 1151, 1152, 1153, 1154, 1155, 1156, 1157, 1158, 1159, 1160, 1161, 1162, 1163, 1164, 1165, 1166, 1167, 1168, 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1182, 1183, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1192, 1193, 1194, 1195, 1196, 1197, 1198, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1219, 1220, 1221, 1222, 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1253, 1254, 1255, 1256, 1257, 1258, 1259, 1260, 1261, 1262, 1263, 1264, 1265, 1266, 1267, 1268, 1269, 1270, 1271, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1288, 1289, 1290, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1299, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1318, 1319, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1358, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1372, 1373, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1383, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1396, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1413, 1414, 1415, 1416, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1466, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1474, 1475, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1485, 1486, 1487, 1488, 1489, 1490, 1491, 1492, 1493, 1494, 1495, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1517, 1518, 1519, 1520, 1521, 1522, 1523, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1537, 1538, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1550, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1562, 1563, 1564, 1565, 1566, 1567, 1568, 1569, 1570, 1571, 1572, 1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1589, 1590, 1591, 1592, 1593, 1594, 1595, 1596, 1597, 1598, 1599, 1600, 1601, 1602, 1603, 1604, 1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, 1614, 1615, 1616, 1617, 1618, 1619, 1620, 1621, 1622, 1623, 1624, 1625, 1626, 1627, 1628, 1629, 1630, 1631, 1632, 1633, 1634, 1635, 1636, 1637, 1638, 1639, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1651, 1652, 1653, 1654, 1655, 1656, 1657, 1658, 1659, 1660, 1661, 1662, 1663, 1664, 1665, 1666, 1667, 1668, 1669, 1670, 1671, 1672, 1673, 1674, 1675, 1676, 1677, 1678, 1679, 1680, 1681, 1682, 1683, 1684, 1685, 1686, 1687, 1688, 1689, 1690, 1691, 1692, 1693, 1694, 1695, 1696, 1697, 1698, 1699, 1700, 1701, 1702, 1703, 1704, 1705, 1706, 1707, 1708, 1709, 1710, 1711, 1712, 1713, 1714, 1715, 1716, 1717, 1718, 1719, 1720, 1721, 1722, 1723, 1724, 1725, 1726, 1727, 1728, 1729, 1730, 1731, 1732, 1733, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1741, 1742, 1743, 1744, 1745, 1746, 1747, 1748, 1749, 1750, 1751, 1752, 1753, 1754, 1755, 1756, 1757, 1758, 1759, 1760, 1761, 1762, 1763, 1764, 1765, 1766, 1767, 1768, 1769, 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1780, 1781, 1782, 1783, 1784, 1785, 1786, 1787, 1788, 1789, 1790, 1791, 1792, 1793, 1794, 1795, 1796, 1797, 1798, 1799, 1800, 1801, 1802, 1803, 1804, 1805, 1806, 1807, 1808, 1809, 1810, 1811, 1812, 1813, 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, 1824, 1825, 1826, 1827, 1828, 1829, 1830, 1831, 1832, 1833, 1834, 1835, 1836, 1837, 1838, 1839, 1840, 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, 1850, 1851, 1852, 1853, 1854, 1855, 1856, 1857, 1858, 1859, 1860, 1861, 1862, 1863, 1864, 1865, 1866, 1867, 1868, 1869, 1870, 1871, 1872, 1873, 1874, 1875, 1876, 1877, 1878, 1879, 1880, 1881, 1882, 1883, 1884, 1885, 1886, 1887, 1888, 1889, 1890, 1891, 1892, 1893, 1894, 1895, 1896, 1897, 1898, 1899, 1900, 1901, 1902, 1903, 1904, 1905, 1906, 1907, 1908, 1909, 1910, 1911, 1912, 1913, 1914, 1915, 1916, 1917, 1918, 1919, 1920, 1921, 1922, 1923, 1924, 1925, 1926, 1927, 1928, 1929, 1930, 1931, 1932, 1933, 1934, 1935, 1936, 1937, 1938, 1939, 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 19

PETITION FOR ZONING RE-CLASSIFICATION
SPECIAL EXCEPTION AND/OR VARIANCE

TO THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY:

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 D.R. 16 & D.R. 5.5 zone to an D.R. 3.5 zone, for the reasons given in the attached statement; and (2) for a Special Exception, under the said Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property, for

MOBILE HOME PARK

and (3) for the reasons given in the attached statement, a variance from the following sections of the Zoning Law and Zoning Regulations of Baltimore County:

414.4 to reduce required seventy-five (75) feet setback from boundary lines to a minimum of fifteen (15) feet

414.5 to reduce space between trailers for the required twenty-five (25) feet to fifteen (15) feet

Property is to be posted and advertised as prescribed by The Baltimore County Code.

I or we, agree to pay expenses of above Re-classification, Special Exception and/or Variance, 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.

Contract Purchaser: Legal Owner(s):
(Type or Print Name) Henry J. Knott
(Type or Print Name)
Signature Signature
(Type or Print Name) for Lodge Forest Partnership
(Type or Print Name)
Address Address
City and State City and State
Attorney for Petitioner:
Robert J. Romadka/John B. Gentrup
(Type or Print Name)
Signature Signature
809 Eastern Boulevard
Address
Baltimore, MD 21221
City and State
Attorney's Telephone No.: 686-8274
Address
Phone No.

BANC Form 1

BALTIMORE COUNTY
DEPARTMENT OF PUBLIC WORKS
TOWSON, MARYLAND 21204

Mr. William T. Hackett, Chm.
Board of Appeals
Court House
Towson, Maryland 21204

Dear Mr. Hackett:

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

General:

Subdivision and resubdivision of property within Baltimore County is subject to Baltimore County Subdivision Regulations.

This property is a portion of the overall property depicted on "Record Plat - Section Four Dundee Village", recorded E.H.K., Jr. 37, Folio 64.

Baltimore County highway and utility improvements are not directly involved.

The Developer proposes to extend private roads, water mains and sanitary sewerage within this site from the private roads, water mains and sanitary sewerage constructed in conjunction with the development of existing sections of Dundee Village.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

Drainage studies, storm water management drawings and sediment control drawings will be necessary to be reviewed and approved prior to the recording of any record plat or the issuance of any grading or building permits.

Item #4 Zoning Cycle III (April-October 1982)
Property Owner: Henry J. Knott
Page 2
April 6, 1982

General: (Cont'd)

The Petitioner must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Petitioner.

In accordance with the drainage policy, the Petitioner is responsible for the total actual cost of drainage facilities required to carry the storm water run-off through the property to be developed to a suitable outfall.

Open stream drainage requires a drainage reservation or easement of sufficient width to cover the flood plain of a 100-year design storm. However, a minimum width of 50 feet is required.

Portions of this property are below elevation 10 (Baltimore County Datum).

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this Item 4 Cycle III (April-October 1982).

Very truly yours,

ROBERT A. MORTON, P.E., Chief
Bureau of Public Services

RAM:RAM:FW:as

cc: Jack Wimbley
Catherine Warfield

2-NW Key Sheet
17-19 NE 44-46 Pos. Sheets
NE 5 K & L Topo
83 & 91 Tax Maps

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 3, 1982

COUNTY OFFICE BUILDING
111 W. Chesapeake Ave.
Towson, Maryland 21204

Chairman

MEMBERS

Bureau of Engineering

Department of Traffic Engineering

State Roads Commission

Bureau of Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial Development

Robert J. Romadka, Esquire
John B. Gentrup, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

RE: Item No. 4 - Cycle III
Petitioner - Henry J. Knott
Reclassification, Special Exception,
and Variance Petitions

Gentlemen:

This combination hearing has been timely filed with the Board of Appeals for a public hearing within the April - October '82 reclassification cycle (Cycle III). It has been reviewed by the zoning office as to form and content and has also been reviewed by the Zoning Plans Advisory Committee. The review and enclosed comments from the Committee are intended to provide you and the Board of Appeals with an insight as to possible conflicts or problems that could arise from the requested reclassification or uses and improvements that may be specified as part of the request. They are not intended to indicate the appropriateness of the zoning action requested.

If it has been suggested that the petition forms, descriptions, briefs, and/or the site plans be amended so as to reflect better compliance with the zoning regulations and commenting agencies' standards and policies, you are requested to review these comments, make your own judgement as to their accuracy and submit the necessary amendments to this office before May 31. In the event that any requested amendments are not received prior to this date, the petition will be advertised as originally submitted.

Located on the north side of Dundee Village Circle approximately 785 feet south of Eastern Avenue in the 15th Election District, the subject property, consisting of 62.704 acres, is currently vacant and was proposed to be part of the overall development of Dundee Village, which exists to the west. To the north and fronting on Marney Point Road are dwellings, while a nursery exists to the east.

This combination hearing is necessitated as a result of your client's proposal to develop the property as a trailer park and to allow the trailers to be located closer to the boundary and in relation to each other than allowed. The proposed trailer park encompasses the majority of what was approved as Section 4 of Dundee Village. In reviewing the site plan, the approved development plan and through conversation with your engineer, it appears that this part of the proposed development has been divided into three sections of which only a part (Section 4-A-1) has been developed with apartments. The overall calculations should be

Maryland Department of Transportation
State Highway Administration

Lowell K. Bridwell
Secretary
N. S. Caltrider
Administrator

March 19, 1982

Mr. William Hackett, Chairman
Board of Appeals
County Office Building
Towson, Maryland 21204

Attention: Mr. N. Commodari

Dear Mr. Hackett:

The existing entrances from Eastern Avenue are acceptable, however, the proposed 427 lots added to the existing 981 units could congest the highway. The subject section of Eastern Avenue aside from the immediate Dundee Village frontage consists of two narrow lanes with no shoulders. Considerable highway improvements will be required to accommodate the increase in traffic.

Very truly yours,
Charles Lee, Chief
Bureau of Engineering
Access Permits

CL:JM:maw

By: John Meyers

cc: Mr. J. Wimbley
Mr. G. Wittman

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
363-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free
P.O. Box 717 / 707 North Calvert St., Baltimore, Maryland 21203 - 0717

Item No. 4 - Cycle III
Petitioner - Henry J. Knott
Reclassification, Special Exception,
and Variance Petitions

revised to reflect the total parking required and provided for the entire development. In addition, since .346 acres has been transferred from the open space in Section 4-A-1 to the proposed trailer park, this will change all of the calculations for this section and should be reflected on the revised chart.

If the petition is granted a revised development plan for Section 4 must be submitted. In keeping with this and because the limits of the trailer park would now become the tract boundary for Dundee Village, it should be reflected on revised site plans that all existing apartments are located at least 35 feet from this boundary line. If this is not the case a variance will be required.

In order to determine whether the proposed development will be affected by the residential transition requirements (Bill #121-81), all dwellings within 300 feet and all vacant lots of two acres or less within 250 feet of the subject property must be indicated on the revised site plans. This pertains to the properties abutting the proposed trailer park to the north along Marney Point Road and to the east. If the transition area covers any part of the subject property, this may alter the final layout of the proposed park.

At the time of this writing, the comments from Mr. Jack Wimbley, Current Planning, were not available. However, I spoke to him, and he stated that all applicable subdivision regulations will have to be satisfied. In keeping with this it appears that the record plat, reflecting the revision to Section 4, may have to be re-recorded as well as maintaining other requirements. I suggest that you contact him at 494-3335 in order to ascertain more detailed comments.

In view of the enclosed comments from the Planning Office, concerning the environmental impact statement that you submitted with this petition, and the Health Department, I will await your response to these, and the direction in which you wish to proceed with the petition. In reviewing the petition forms, it appears that Henry J. Knott signed the forms for Lodge Forest Partnership. However, all material that has been distributed thus far indicates Mr. Knott as the legal owner. If he is in fact, not the legal owner, please advise me, and I will have this reflected on all future correspondence.

In view of the fact that this is a complex development and other changes may be required at some stage in any future review process, I strongly suggest that this be noted at the public hearing. I feel that it would be in your client's best interest to request that if any order is written, granting this petition, that it allow you some flexibility in making changes to the final site plan.

Prior to making the revisions requested above, I suggest that your engineer arrange a meeting with me in order to discuss this development and other changes that may be necessary. You may contact me at 494-3391.

Very truly yours,

NICHOLAS B. COMMODARI, Chairman
Zoning Plans Advisory Committee

NBC:bac

Enclosures

cc: John Hocheder, Arundel Corp., 110 West Rd., Baltimore, Md. 21204

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

NICK COMMODARI, Chairman
Zoning Advisory Committee

TO: Zoning Office

Date: April 16, 1982

FROM: PAUL J. SOLOMON, Head
Environmental Planning Section, OPZ

SUBJECT: Galway Bay Environmental Impact Statement

This statement does not meet the requirements of an environmental impact statement (as required by Appendix F, Sec. 2-58.1(1)(1) and (2), Baltimore County Zoning Regulations) because it is not a comprehensive study which accurately discloses the environmental consequences or enhancement of the proposed action. It does not adequately discuss the impact of the proposed development to existing conditions. Comparisons to other proposed and approved plans for this site are alternatives, not existing conditions. There are many properties in the county which are recorded and not developed.

For a comprehensive outline of points to consider when preparing an EIS, the applicant may wish to refer to the EIS guideline prepared for the Department of Housing and Urban Development (entitled: Interim Guide for Environmental Assessment, HUD field office edition, 1975). The EIS should include at-a-minimum information and technical data on the following relevant environmental components:

1. Geology
2. Soils
3. Special Land Features (wetlands, coastal zone, shoreline)
4. Water
5. Biota
6. Climate and Air
7. Energy
8. Services
9. Safety
10. Physiological well-being
11. Sense of Community (homogeneity, diversity, and community stability)
12. Psychological well-being
13. Visual quality
14. Historic and Cultural Resources

In particular, existing conditions and impacts should be discussed relative to the adjacent community of people in Dundee Village, the plans of the Dundee-Saltwater Creek Natural Environmental Area, other adjacent property owners and users of adjacent state waters; and secondary impacts of this development on the quality of life of the existing community residents.

Although engineering design descriptions appear adequate to describe the proposed action, natural resource data is not adequate to permit a careful assessment of environmental impact of this action.

April 16, 1982

We must insist that the applicant employ a professional who has competence (as required by the zoning code) in evaluating community impacts and quantifying natural resource trade-offs which will occur as a result of the proposed action.

The following comments are directed at the only statement of impact found on Page 18 of the report.

Without considering a no-build alternative, it is impossible to assess the future or present impacts of this proposed project.

The EIS contains no quantitative evidence that impacts from the proposed development will "clean up the environment."

The use of poor conservation practices by past landowners is irrelevant to this project, particularly since the EIS offers no evidence that these conditions still exist and are attributable to this piece of land. This irrelevant point does not warrant one-third of the applicants' impact conclusions.

The EIS does not identify the source of the so-called "attractive nuisances" and offers no evidence to suggest that these five problems exist on this site. Unattended vacant land in the State of Maryland is not an attractive nuisance.

Current evidence from the professional staff of the Urban Wildlife Research Center and the Maryland Save-Our-Streams program suggests that the stated conclusions about displacement of desirable wildlife and changes in runoff are unfounded.

No alternatives to the proposed action to reduce or eliminate impacts are presented as required in Item #4 of the EIS definition of the Zoning Code. Environmental impacts and costs of these alternatives should be discussed.

Long-term environmental effects of the proposed action are not stated as required in Item #5 of the EIS definition of the Zoning Code.

Any irreversible or irretrievable commitment of resources that might result from the proposed action or curtail the beneficial use of the existing environment is not stated as required in Item #6 of the EIS definition of the Zoning Code.

In conclusion, this EIS is inadequate based on the various comments specified herein.

PJS:vh

cc: Norman E. Gerber
Robert W. Marriott, Jr.
Herbert P. Bangs
Jim Hoswell

Paul J. Solomon
PAUL J. SOLOMON, Head
Environmental Planning Sec.



BALTIMORE COUNTY
DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3550

STEPHEN E. COLLINS
DIRECTOR

March 29, 1982

Mr. William Hackett
Chairman, Board of Appeals
Office of Law, Courthouse
Towson, Maryland 21204

Cycle III - 1982, Meeting of March 16, 1982
Item No. 4
Property Owner: Henry J. Knott
Location: NE/S Dundee Village Circle 785' S. of Eastern Avenue
Existing Zoning: D.R. 16 & D.R. 5.5
Proposed Zoning: D.R. 3.5
Special Exception for mobile home park
Acres: 62.358
District: 15th

Dear Mr. Hackett:

The proposed rezoning from D.R. 16 and D.R. 5.5 to D.R. 3.5 with a special exception for a mobile home park should reduce the overall traffic from this site.

Sincerely,

Michael S. Flanagan
Michael S. Flanagan,
Engineering Associate II

MSF/r1j



BALTIMORE COUNTY
DEPARTMENT OF HEALTH
TOWSON, MARYLAND 21204

DONALD J. ROOP, M.D., M.P.H.
DEPUTY STATE & COUNTY HEALTH OFFICER

April 7, 1982

Mr. William Hackett, Chairman
Board of Appeals
Court House
Towson, Maryland 21204

Dear Mr. Hackett:

Comments on Item #4, Cycle III Meeting, March 16, 1982, are as follows:

Property Owner: Henry J. Knott
Location: NE/S Dundee Village Circle 785' S. of Eastern Avenue
Existing Zoning: D.R. 16 & D.R. 5.5
Proposed Zoning: D.R. 3.5
Special Exception for mobile home park
Acres: 62.358
District: 15th

Metropolitan water and sewer are proposed.

The owner must contact Wetlands Permits Division, Water Resources Administration and Army Corps of Engineers to have the limits of the Tidal Wetlands identified. No construction, grading or filling will be allowed in the areas identified as Tidal Wetlands.

There is an abandoned dug well in the vicinity of the proposed clubhouse that must be properly back filled and sealed prior to the issuance of any building permit for the site.

Review of the plan submitted revealed that several of the proposed variances of distance requirements are not in conformance with the Maryland State Department of Health and Mental Hygiene Regulations Governing Construction, Equipment, Sanitation, Operation and Maintenance of Mobile Home Parks, Comar 10.16.02. More specifically, the owner is proposing 30' right of way while the aforementioned regulations mandates a minimum of 40' right of way. The owner proposes a minimum distance of 15' from the trailers to the exterior boundary of the park while the State regulations require a 20' minimum distance.

Mr. William Hackett, Chairman
Page 2
April 7, 1982

The proposed minimum distance between trailers is 15' while the State regulations require a minimum distance of 20'.

It is, therefore, recommended that the owner contact Ms. Judith Lewis, Chief of Recreational Sanitation, Division of General Sanitation, State Department of Health and Mental Hygiene, 383-2909, for purposes of requesting a review of the plans and proposed variances of the State regulations.

Very truly yours,

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/als

cc: Mr. Henry J. Knott
Ms. Judith Lewis

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. William Hackett, Chairman
Board of Appeals
Date: April 6, 1982
FROM: Charles E. Burdham, Plans Review
Department of Permits & Licenses
SUBJECT: Cycle III Zoning, 1982
Comments "h"

Property Owner: Henry J. Knott

Applicable Codes: Baltimore County Building Code as adopted by
Bill #4-82, Effective 3-26-82

Portions of this site appear to be in tidal inundation areas subject to compliance to Section 519.1 as amended in Bill #4-82.

Mobile homes when placed on a permanent foundation would become subject to the above Building Code and its' restrictions. The main areas where conflict would occur is when units are placed within six feet (6'-0") of an interior lot line, or within twelve (12') of another unit or structure, when legally permitted within 3'-0" of an interior lot line. Openings in an exterior wall are prohibited. Also, the fact that mobile homes are not normally manufactured with exterior walls which could survive a one hour fire test which would permit placement with 6'-0" as described above. The sections of code which determine the above problem areas are as listed:

Section 623.0 Mobile Homes.
Section 503.2 Interior Lot Line Restrictions.
Table 401 Type 1B Construction, Exterior Wall Line, One - Fire Separation.
Definition - Page 29 "Fire Separation, Exterior Fire Separation".
Section 110.6 Prohibition of Waiver.
Section 1402.2 Unclassified Uses.
Section 1403.1.1 Fire Resistance Ratings.
Section 519.1 Flood Areas.

Mr. William Hammond
Zoning Commissioner
April 6, 1982
Page two

Comment #4. Each mobile home shall be located at least 25 feet from any park property boundary line abutting upon a public street or highway and mobile homes shall not be located closer than 10 feet from any other mobile home or permanent building according to NFPA 501A-1975, Section 3-2 and Section 10-1.3., also tee turnarounds shall be 40' X 80' minimum width.



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7340

PAUL H. REINCKE
CHIEF

April 6, 1982

Mr. William Hammond cc: William Hackett
Zoning Commissioner Chairman of Board of Appeals
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Henry J. Knott

Location: NE/S Dundee Village Circle

Item No.: 4 Zoning Agenda: Meeting of March 16, 1982

Gentlemen:

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

(X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 500 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

(X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. (See Attachment)

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments, at this time.

REVIEWED BY: *George M. McManis* Noted and Approved: *George M. McManis*
Planning Group Fire Prevention Bureau
Special Inspection Division

TB:en



BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3900

TED JALESKI, JR.
DIRECTOR

Mr. William E. Hammond, Zoning Commissioner
Office of Planning and Zoning
County Office Building
Towson, Maryland 21204

October 14, 1982
(Retyped)

Dear Mr. Hammond:

Comments on Item # 4, Zoning Advisory Committee Meeting are as follows:

Property Owner: Henry J. Knott
Location: NE/S Dundee Village Circle 785' S. of Eastern Avenue
Existing Zoning: D.R. 16 & D.R. 5.5
Proposed Zoning: D.R. 3.5 special exception for Mobile Home Park

Acres: 62.358
District: 15

The items checked below are applicable:

X A. All structure shall conform to the Baltimore County Building Code 1981/ Council Bill #4-82 State of Maryland Code for the Handicapped and Aged; and other applicable Codes.

X B. A building and other miscellaneous permits shall be required before beginning construction.

C. Residential: Three sets of construction drawings are required to file a permit application. Architect/Engineer seal is/is not required.

X D. Commercial: Three sets of construction drawings with a Maryland Registered Architect or Engineer shall be required to file a permit application.

E. An exterior wall erected within 6'0" of an adjacent lot line shall be of one hour fire resistive construction, no openings permitted within 3'-0" of lot lines. A firewall is required if construction is on the lot line. See Table 401, line 2, Section 1407 and Table 1402.

F. Requested variance conflicts with the Baltimore County Building Code, Section/s

G. A change of occupancy shall be applied for, along with an alteration permit application, and three required sets of drawings indicating how the structure will meet the Code requirements for the proposed change. Drawings may require a professional seal.

H. Before this office can comment on the above structure, please have the owner, thru the services of a Registered in Maryland Architect or Engineer certify to this office, that the structure for which a proposed change in use is proposed can comply with the height/area requirements of Table 505 and the required construction classification of Table 401.

X I. Comments: No indications has been made that anyone has recognized the fact that nearly one hundred of these spaces and the club house are below or partly below the tidal flood inundation level. Please be advised that some of these units are at elevation 1'. Please

submit the Section 519.1 as amended by Bill #4-82 for consideration. If desired, additional information may be obtained by visiting Room #122 (Plans Review) at 111 West Chesapeake Ave., 21204.

Very truly yours,

Charles E. Burdham
Charles E. Burdham, Chief
Plans Review

CEB:rrj
FOUR 01-82

BALTIMORE COUNTY PUBLIC SCHOOLS

Robert Y. Dubel, Superintendent

Towson, Maryland - 21204

Date: 3/22/82

Mr. Walter Reiter
Chairman, Board of Appeals
Baltimore County Office Building
1111 West Chesapeake Avenue
Towson, Maryland 21204

Zoning Cycle #111

RE: Item No. 4
Property Owner: Henry J. Knott
Location: N/E/S Dundee Village Circle; 785' S. of Eastern Ave.
Present Zoning: DR 16 and DR 5.5
Proposed Zoning: DR 3.5

School Situation Sept. 1981

School	Enrollment	Capacity	Over/Under
Chase Elementary	359	471	- 112
Oliver Beach Elementary	370	358	+ 12
Seneca Elementary	431	506	- 75
Middle River Junior	1186	1174	+ 12
Perry Hall Senior	1810	1910	- 100

Student Yield With:	Existing Zoning	And	Proposed Zoning (est.)
Elementary from 72 to 258			149+
Junior High from 65 to 113			107+
Senior High from 30 to 102			64+

Very truly yours,
Wm. Nick Petrovich
Wm. Nick Petrovich, Assistant
Department of Planning

WNP/bp

is absolutely unsuitable to any sort of residential development let alone the planned residential community which Petitioner proposes. Consequently, we wish to add as additional error, failure of the County to provide for suitable residential classifications in the area in which a special exception could be given for a mobil home park.

John B. Gontrum

RECEIVED
BALTIMORE COUNTY
MAY 5 11 51 AM '82
COUNTY BOARD
OF APPEALS
BY: [Signature]

RECLASSIFICATION PETITION * BEFORE THE
FROM D-16 and DR 5.5 * BOARD OF APPEALS
to DR 3.5 *
With Special Exception *
and Variances for a * OF
Mobile Home Park *
Known as Galway Bay Park * BALTIMORE COUNTY
Item #4 - Cycle III

SUPPLEMENTAL MEMORANDUM
IN SUPPORT OF ZONING RE-CLASSIFICATION,
SPECIAL EXCEPTION AND VARIANCE

This Memorandum is being filed to supplement rather than to change or delete portions of the previous Memorandum filed in this case.

It is clear from a review of the comprehensive Zoning Maps that no provision has been made for a mobil home park in the subject area. The Baltimore County Zoning Regulations indicate that mobil home parks are permissible only by means of special exception in certain designated zones. No residential zones which would permit a mobile home park exist within a mile of the subject property. Not only has there been a failure to provide for mobile home park zoning in the area which Petitioner seeks re-classified, but also there has been a failure to provide for any feasible mechanism whereby a special exception can be obtained for a mobile home park in the area. Nearby property which is zoned MH and ML is currently under heavy industrial use for quarry operations and

RECLASSIFICATION PETITION * BEFORE THE
FROM D-16 and DR 5.5 * BOARD OF APPEALS
to DR 3.5 *
With Special Exception *
and Variances for a * OF
Mobile Home Park *
Known as Galway Bay Park * BALTIMORE COUNTY

SUPPLEMENTAL MEMORANDUM
IN SUPPORT OF ZONING RE-CLASSIFICATION,
SPECIAL EXCEPTION AND VARIANCE

This Memorandum is being filed to supplement rather than to change or delete portions of the previous Memorandum filed in this case.

It is clear from a review of the comprehensive Zoning Maps that no provision has been made for a mobil home park in the subject area. The Baltimore County Zoning Regulations indicate that mobil home parks are permissible only by means of special exception in certain designated zones. No residential zones which would permit a mobile home park exist within a mile of the subject property. Not only has there been a failure to provide for mobile home park zoning in the area which Petitioner seeks re-classified, but also there has been a failure to provide for any feasible mechanism whereby a special exception can be obtained for a mobile home park in the area. Nearby property which is zoned MH and ML is currently under heavy industrial use for quarry operations and

ROBERT J. ROMADKA
ATTORNEY AT LAW
BEECH, MARYLAND

is absolutely unsuitable to any sort of residential development let alone the planned residential community which Petitioner proposes. Consequently, we wish to add as additional error, failure of the County to provide for suitable residential classifications in the area in which a special exception could be given for a mobil home park.

John B. Gontrum

RECEIVED
BALTIMORE COUNTY
MAY 5 11 51 AM '82
COUNTY BOARD
OF APPEALS
BY: [Signature]

is absolutely unsuitable to any sort of residential development let alone the planned residential community which Petitioner proposes. Consequently, we wish to add as additional error, failure of the County to provide for suitable residential classifications in the area in which a special exception could be given for a mobil home park.

John B. Gontrum

RECEIVED
BALTIMORE COUNTY
MAY 5 11 51 AM '82
COUNTY BOARD
OF APPEALS
BY: [Signature]

RECLASSIFICATION PETITION * BEFORE THE
FROM D-16 and DR 5.5 * BOARD OF APPEALS
to DR 3.5 *
With Special Exception *
and Variances for a * OF
Mobile Home Park *
Known as Galway Bay Park * BALTIMORE COUNTY

SUPPLEMENTAL MEMORANDUM
IN SUPPORT OF ZONING RE-CLASSIFICATION,
SPECIAL EXCEPTION AND VARIANCE

This Memorandum is being filed to supplement rather than to change or delete portions of the previous Memorandum filed in this case.

It is clear from a review of the comprehensive Zoning Maps that no provision has been made for a mobil home park in the subject area. The Baltimore County Zoning Regulations indicate that mobil home parks are permissible only by means of special exception in certain designated zones. No residential zones which would permit a mobile home park exist within a mile of the subject property. Not only has there been a failure to provide for mobile home park zoning in the area which Petitioner seeks re-classified, but also there has been a failure to provide for any feasible mechanism whereby a special exception can be obtained for a mobile home park in the area. Nearby property which is zoned MH and ML is currently under heavy industrial use for quarry operations and

RECLASSIFICATION PETITION * BEFORE THE
FROM D-16 and DR 5.5 * BOARD OF APPEALS
to DR 3.5 *
With Special Exception *
and Variances for a * OF
Mobile Home Park *
Known as Galway Bay Park * BALTIMORE COUNTY

MEMORANDUM IN SUPPORT OF ZONING RE-CLASSIFICATION,
SPECIAL EXCEPTION AND VARIANCE

SUMMARY

In assigning zoning classifications of D.R. 16 and D.R. 5.5. to the subject site in the comprehensive map process the County Council committed reversible error. The assumptions of development and needs in the neighborhood of the subject site on which the classification were based were erroneous. The Baltimore County Master Plan for 1979-1990 contained erroneous information on development in the vicinity of the subject site. Economic assumptions and forecasts of available housing have been shown to be erroneous since the Map was adopted. Finally, failure of the Council to provide for mobile home housing in the comprehensive map process despite a recognized need for this housing constituted reversible error.

Changes in the neighborhood of the subject site have occurred since adoption of the maps. These changes include extensive development in the area and up-grading of public facilities as well as the economic changes which have effected the entire housing business.

ROBERT J. ROMADKA
ATTORNEY AT LAW
BEECH, MARYLAND

Variances from setback requirements are sought to enhance variety in the housing alternative offered and to conform to an optimal developmental scheme. Failure to approve the requested variances would result in unreasonable hardship not only on the developer but also on the owners of the mobile home units.

I. STATEMENT OF FACTS

The subject property is located in the Fifteenth Election District in Baltimore County and contains sixty-two and one-half (62.5) acres more or less. No structures exist on the site, but it is improved by public water and sewer. The property is part of property currently known as Section Four of Dundee Village. A record plat, among the land records of Baltimore County in Plat Book E.N.K., Jr.37, page 64, depicts and includes the subject site. The property lies between Saltpeter Creek on the South and the Dundee Village apartments on the North. Access to the property is obtained from Dundee Circle off of Old Eastern Avenue extended.

The general neighborhood of the property contains various zoning classifications and uses. Although the Baltimore County Master Plan, 1979-1990 (hereinafter referred to as "Master Plan"), refers to the area as rural and agricultural, land use and zoning classifications are much more intense. The zoning classification surrounding the property is D.R.5.5. This classification exists all along the southern side of Old Eastern Avenue with the exception of a few small areas of BL classification. The northern side of Old Eastern Avenue also contains substantial D.P.5.5 zoning, but nearby are large tracts classified BM, MH-IM, and ML-IM, and ML-BM.

The extension of public water and sewer along Old Eastern Avenue has effectively opened this section of the Eastern Avenue corridor for development. Since 1980 when the

Comprehensive Zoning Map was adopted, large developments of townhouses have started off of Eastern Avenue extended and Graces Quarters Road. Actually, there is no rural zoning within fifteen hundred (1500) feet of Old Eastern Avenue until its intersection with Ebenezer Road. The Gunpowder State Park and the United States Military reservation property account for the vast majority of the rural zoning classifications and uses in the area. Of course, those areas are eliminated totally from any potential growth or development.

Almost fifty-four (54) acres of the subject site is classified as zone D.R.16. The remaining 8.787 acres is classified as zone D.R.5.5. It is located between a fully developed apartment complex and a large nursery zoned D.R. 5.5. At one time the subject parcel was utilized as a stock farm, but much of the top soil has been lost; and the property is covered by scrub grass, weeds and brush. A third of the property has been graded for development. The current zoning classification and recorded plat provide for over nine hundred (900) apartment dwelling units on the subject property.

PROPOSED USE

The proposed use of a mobile home park exists as a permitted use only by means of special exception. No zoning classification permits a mobile home park without a special exception, and in no event may a mobile home park be built in a D.R.16 or a D.R.5.5 zone. The development plan attached to the application proposes a mobile home park use with provision for at least four hundred twenty-seven (427) lots, or less than one-half (1/2) of the currently allowed number of apartment units. The typical mobile home lot is designed to accommodate a trailer fourteen (14) wide by seventy (70) feet long, and a parking area. All lots are sized greater than the minimum required by the Baltimore County Zoning Regulations

error and any finding that the prospective reclassification is warranted may be made only upon consideration of factors relating to the purposes of the zoning regulations and maps, including, but not limited to: all of the following: Population trend; availability and adequacy of present and proposed transportation facilities, schools, recreational facilities, and other public facilities; compatibility of uses generally allowable under the prospective classification with the present and projected development of character of the surrounding area; any pertinent recommendation of the planning board or office of planning and zoning; and consistency of the current and prospective classifications with the master plan, the county plan for sewerage and water-supply facilities, and the capital program (Bill No. 46-79).

In addition to the legislated standards, standards promulgated by the courts must also be considered. For example, the courts have applied a more liberal standard when the re-classification is from one residential class to another than when the property is sought to be re-classified to an altogether different use. See *Missouri Realty, Inc. v. Ramer* 216 Md 422 at 449, 140 A 2d 655 at 658 (1957); *Tennison v. Shomette*, 38 Md App.1, 379 A. 2d 18 at 190 (1977). Other court decisions have added to the scope of error and change.

Error in the adoption of the comprehensive zoning maps may exist when "the assumptions or premises relied upon by the Council at the time of the comprehensive zoning were invalid." *Boyce v. Sembly*, 25 Md. App. 43 at 50, 334 A. 2d 137 at 142 (1975). Error may also exist if "at the time of the comprehensive zoning the Council failed to take into account then existing facts, or projects or trends which were reasonably foreseeable of fruition in the future, so that the Council's action was premised initially on a misapprehension". *People's Counsel for Baltimore County v. Williams*, 45 Md. App. 617, 415 A. 2d 585 at 588 quoting *Boyce v. Sembly*, 25 Md. App. 43, 334 A. 2d 137 (1975). This error may be shown by showing the mistaken premises considered by the Council such as

(hereinafter referred to as "B.C.F.R."), section 414.2. In addition, space is allocated to open spaces, particularly along the waterfront of Saltpeter Creek. Natural screening and fencing will be provided in and about the site in addition to existing plantings.

Two variances are sought in the proposed plan from the B.C.F.R., section 414.4. This variance is necessary because of the hardship presented in utilizing and adapting the available space in an optimum configuration with the requisite setbacks.

The other variance requested is also from a setback requirement. It is requested that a variance be given from Section 414.5 requiring a twenty-five (25) feet setback between trailers. Although the typical lot configuration will be in compliance with this requirement, a variance is sought to allow mobile home owners a choice of lot design and the option of adding an Expando Room onto the units. Failure to allow the variance would create a hardship not only for the developer but also for the unit owners who may desire variety and additional living area.

II. DISCUSSION

A. NEED FOR MOBILE HOME FACILITIES

The need for additional mobile home parks in Baltimore County is great. The Master Plan stated in 1979 that there existed virtually no for-sale housing production under \$30,000.00 in Baltimore County. *3 Master Plan* at 10. Mobile home units typically cost \$20,000.00 to \$30,000.00. The Master Plan went on to state that "roughly 15,750 households will be required by their low incomes to find alternative housing sources." Certainly, low cost apartment units have virtually become non-existent with the high interest rates facing developers in recent years.

mistakes in the Master Plan or "by producing evidence that the Council failed to make any provision to accommodate a project, trend or need which if (sic), itself, recognized as existing at the time of the comprehensive zoning." *Boyce v. Sembly*, 25 Md. App. 43, 334 A. 2d 137 at 143 (1975).

Error or mistake may also be demonstrated by showing that events occurring after adoption of the Maps have shown the premises on which the Maps were based to be incorrect. *People's Counsel for Baltimore County v. Williams*, 45 Md. App. 617, 415 A. 2d 585 (1980). In *Mayor and Council of Rockville v. Stone* 271 Md. 655, 319 A. 2d 420 (1959) stated:

On the question of original mistake, this Court has held that when the assumption upon which a particular use is predicated proves, with the passage of time, to be erroneous, this is sufficient to authorize a rezoning.

Id., 271 Md. 655 at 622, 319 A. 2d 536, 571 (1974)

Obviously, the distinction between mistake or error and change begins to blur when factors occurring after the adoption of the Map are related to assumptions on which the Map was based.

Change in the neighborhood obviously depends on what one defines the neighborhood to be. Obviously, in rural areas the neighborhood may be defined as a much larger area than in City urban locales. In this case the Master Plan has designated an area known as Bird River-Chase as an area with a stable self-image and an area for which planning may be viewed as a unit. *3 Master Plan* 93. Indeed, throughout the Master Plan the community known as "Bird River-Chase" within which the subject property is located, is viewed as a comprehensive planning unit. It is reasonable, therefore, to adopt the county's own designation of neighborhood in resolving the question of change.

Mobile homes are under-utilized as a housing resource in Baltimore County. The Master Plan states: "Mobile homes have the potential to satisfy a large portion of the demand for lower priced units, but zoning policies in Baltimore County and the rest of the region have restricted this source of lower cost housing." *3 Master Plan* at 10. "There are no known mobile home parks in Baltimore County with less than full occupancy. There has been no new park development in the past fifteen (15) years. Consequently, newcomers to the housing market, or those home buyers who have had to scale down their potential investment due to interest rates and inflation, have been unable to break into the existing market for mobile homes.

Mobile home parks appeal to a large variety of people. Ease of maintenance and upkeep is of particular appeal to the elderly. Young couples are attracted to mobile homes because of their appeal as a "starter home" where the pros and cons of home ownership are first discovered. Mobile homes also attract middle-aged couples whose children have grown and may not be accustomed to the emptiness of a large house or may want the freedom to travel more without the worry of home maintenance.

Although the affordable cost of mobile homes is certainly attractive, it often is not a major criterion in the selection of the mobile home alternative. Many people now living in mobile home parks have previously owned more expensive housing but have grown weary of mowing yards or cleaning many rooms or lonely in the vastness of large homes after children have grown and moved away. These people, however, currently have no open alternative other than apartment dwelling which involves a wholly different lifestyle from home ownership.

II. ERROR IN CURRENT CLASSIFICATION

The County Council committed error with respect to the classification of the subject site in that its conclusions were based on inaccurate premises. The Master Plan on which the Council relied inaccurately portrayed the area along Eastern Avenue in the Bird River-Chase area as relatively undeveloped with few or inadequate public services. See *1 Master Plan* at 10, 16, 50-51. On the contrary, the area along Eastern Avenue is highly developed with a much more than adequate complement of public services. The Master Plan's utility section, for instance, noted that the sewerage facilities had large excess capacity, yet the Land Use Volume failed to accurately characterize the area.

The Council in its deliberations, therefore, did not have an accurate portrayal of the actual growth of the vicinity of the subject property. The Council also lacked an accurate portrayal of the services available to the subject property. As the *Boyce* case stated, these inaccurate premises may, and here do, constitute reversible error.

Other premises on which the Council relied have also been shown to be in error. At the time of the adoption of the maps the high interest rates were thought to be a short term aberration. The housing market was believed to be in temporary recession, and relief was foreseeable. Not even the Master Plan foresaw the extended slump of the housing industry or the impact of high interest rates.

Over the last two years the interest rates have stabilized at the inordinate high levels of two (2) years ago. As a result there has been a tremendous slump in available new housing. Consequently, although the demand for housing has increased as projected, the availability of housing has disappeared. The assumptions before the Council at the time of adoption of the Map with respect to available new housing

ROBERT J. ROMADKA
ATTORNEY AT LAW
BETHESDA, MARYLAND

ROBERT J. ROMADKA
ATTORNEY AT LAW
BETHESDA, MARYLAND

ROBERT J. ROMADY
ATTORNEY AT LAW
BOSTON, MASSACHUSETTS

ROBERT J. ROMADK
ATTORNEY AT LAW
3000 N. STATE ST.

RECEIVED
BALTIMORE COUNTY
AUG 10 3 04 PM '82
COUNTY BOARD
OF APPEALS
BY:

There is ample evidence of need for this type housing, both from testimony and from the Master Plan, but need is not a criterion authorizing the requested change. To charge that the County Council erred in not reclassifying this particular parcel to allow for a mobile home park when the need exists virtually County wide is unrealistic, especially when the said parcel was not an issue during the 1980 map process. There is, however, significant evidence before this Board showing a change in the neighborhood. The mere fact that this request is before the Board evidences change in the neighborhood. The Petitioner now has, by right, the ability to construct some 900⁺ units on his holdings but instead requests the right to construct only 400⁺ units. This certainly indicates that the need for D.R. 16 density units, usually town houses or garden apartments, that existed when the D.R. 16 density was granted no longer exists, and the testimony today indicated a total lack of available moderate cost mobile home space in the area, all existing mobile home parks being fully occupied and having "waiting lists" for prospective tenants. These two conditions, when considered together, constitute change in the character of the neighborhood since the D.R. 16 zoning was applied, and this criterion grants this Board the right to grant the requested reclassification. The Board is also cognizant of the fact that this reduction in density is advantageous to Baltimore County due to the fact that it reduces the traffic potential

and reduces the demands placed upon the water and sewer services already present. For all these reasons, the Board is of the opinion that the request for the change in zoning classification from D.R. 16 and D.R. 5.5 to D.R. 3.5 should be granted and will so order.

Accompanying the petition for reclassification is a request for a special exception for a mobile home park or as referred to in Section 414 of the Baltimore County Zoning Regulations, a "Trailer Park". If all the requirements of Section 502.1 are complied with, the Board has no choice but to grant the special exception. If, however, any section is not complied with, the Board has no choice but to deny the requested special exception.

Only Section 502.1.a appears to be in question. Baltimore County evidences extreme concern over the detrimental effect the proposal, as presented, would have on the estuary and associated wet lands. The evidence indicated that no matter whether 900+ units would be built in clusters or separately, a great amount of impervious surface from roofs, parking areas and other paved areas will result. Likewise, if the parcel is developed into 400+ individual home sites a great amount of impervious surface from roofs, driveways, patios, etc. will be generated. If this special exception be granted, all these considerations will be evaluated in the CRG process prior to allowing development. Bill No. 56-82, Article IV, Section 22-37-DEVELOPMENT POLICIES - Sub-section (B) states:

"(B) THESE REGULATIONS ARE INTENDED TO PROTECT AND PROMOTE PUBLIC HEALTH, SAFETY AND WELFARE AND TO ENSURE PROVISION FOR PUBLIC FACILITIES, SERVICES AND AMENITIES. TO THIS END, THESE REGULATIONS ARE DESIGNED AND INTENDED TO INSURE THE SAFETY, ADEQUACY AND CONVENIENCE OF PROPOSED PROVISIONS FOR THE FOLLOWING: "

Then Sub-section (4) of the above quoted Sub-section (B) states:

"(4) PREVENTION OF ENVIRONMENTAL DEGRADATION AND PROMOTION OF ENVIRONMENTAL ENHANCEMENT, INCLUDING ADEQUACY OF LANDSCAPING AND ENERGY CONSERVATION MEASURES, AND OF PROTECTION OF FLOODPLAINS, STEEP SLOPES, WATERSHEDS, WETLANDS, VEGETATION, OTHER NATURAL FEATURES, AND HISTORICAL SITES OR AREAS."

Bill No. 56-82 specifically addresses all these concerns. Any alterations, changes, or restrictions deemed necessary by any Baltimore County authority having expertise in these specific matters must be incorporated onto the

IN RE: * BEFORE THE
PETITION FOR * BOARD OF APPEALS
RECLASSIFICATION AND * OF
SPECIAL EXCEPTION * BALTIMORE COUNTY
* CASE NO.: R-83-59-XA

MOTION TO STRIKE

NOW COMES Lodge Forest Partnership, by and through its attorneys, Robert J. Romadka and John B. Gontrum, and moves to strike Exhibit No. 1 of the comments of Paul Solomon, Head of Environmental Planning Section of the Office of Planning and Zoning, and in support thereof says as follows:

1. That Exhibit No. 1 is an inter-office paper, not necessarily reflective of the position of the Office of Planning and Zoning, and in apparent contradiction to the statement of the Director of Planning and Zoning.
2. That Attachment A hereto, correspondence dated June 1, 1982, makes clear that the Office of Planning and Zoning does not consider any proposal acquisition of the property as a factor in this case and, therefore, not material or relevant to it.
3. That the September 20, 1982, review appears in large part to be merely a justification for said acquisition, particularly in light of the section entitled "Conformance with County Land Use Planning" which really discusses the proposal acquisition in direct conflict with the Director's opinion that this is not relevant.
4. That as the comments contain factual conclusions now eleven (11) months old relating to the proposed acquisition and now hopelessly outdated and prejudiced, this Review should be stricken as prejudiced and immaterial to any issue now pending before this Board.

final plat before recordation of said plat, and the development must comply with this final recorded plat. With this consideration in mind, the Board is persuaded that all requirements of Section 502.1 will be met and will, therefore, grant the requested special exception.

There is also before this Board two requests for variances, one from Section 414.4 and one from Section 414.5. Section 307 of the Baltimore County Zoning Regulations defines the conditions under which variances may be granted or denied. The request for variance from Section 414.4 is to reduce the setback requirement from 75 feet to a minimum of 15 feet. The Board can find no practical difficulty or unreasonable hardship to allow the minimum of 15 feet. A careful study of the proposed plat shows that the purpose of this variance is merely to increase the available number of sites. There are, however, several points on the plat at which the 75 foot requirement is only reduced to 60 feet, more or less. To maintain the 75 foot requirement at these small points does result in practical difficulty and unreasonable hardship, and the 60 foot setback would grant relief without substantial injury to public health, safety and general welfare. The Board will, therefore, grant a variance from Section 414.4 from the required setback of 75 feet to 60 feet, and will so order.

The request for a variance from the requirement of Section 414.5 of 25 feet between trailers to 15 feet is somewhat unusual as it is not a definitive request, but merely a general relief requested to allow a mobile homeowner to purchase a "tip out" for his trailer if he so desires. To deny this option to the homeowner would be a practical difficulty and an unreasonable hardship, and since the proposed sites exceed County area standards and since at least 15 feet must still be maintained between trailers, the granting of this relief would not create substantial injury to the public health, safety or general welfare and, therefore, the Board will grant the requested variance from Section 414.5.

WHEREFORE, Petitioners pray that Attachment A of the comments of Paul Solomon be stricken from the record and consideration of the Board in this case.

ROBERT J. ROMADKA

JOHN B. GONTRUM
ROMADKA, GONTRUM, HENNEGAN & FOOS
809 East 3rd Boulevard
Baltimore, Maryland 21221
Phone: 686-8274

Attorneys for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing Motion to Strike was mailed this 2nd day of July, 1983, to John W. Hessian, III, Esquire, People's Counsel, Room 223, Court House, Towson, Maryland 21204.

JOHN B. GONTRUM

ORDER

For the reasons set forth in the foregoing Opinion, it is this 4th day of October, 1983, by the County Board of Appeals, ORDERED that the reclassification from D.R. 16 and D.R. 5.5 to D.R. 3.5 petitioned for be and the same is hereby GRANTED; and it is

FURTHER ORDERED that the special exception for a Trailer Park petitioned for, be and the same is hereby GRANTED, subject to final approval and compliance with all CRG requirements; and it is

FURTHER ORDERED that the variance from Section 414.4 of the Baltimore County Zoning Regulations petitioned for, to reduce the required 75 foot setback from boundary lines to 15 feet be and the same is hereby DENIED, but in lieu thereof a variance from the required 75 foot setback to a 60 foot setback be and the same is hereby GRANTED; and it is

FURTHER ORDERED that the variance from Section 414.5 of the Baltimore County Zoning Regulations petitioned for to reduce the space between trailers from the required 25 feet to 15 feet, be and the same is hereby GRANTED.

Any appeal from this decision must be in accordance with Rules B-1 thru B-13 of the Maryland Rules of Procedure.

COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY

William T. Hackett, Chairman

William R. Evans

Joanne L. Suder



BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211
NORMAN E. GERBER
DIRECTOR

June 1, 1982

Robert J. Romadka, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

Re: Zoning Reclassification Petition
Cycle III, Item 4: Knott Property

Dear Mr. Romadka:

This office is processing the zoning reclassification petition for the Knott property in Dundee Village. As part of the review process, the planning staff identified this parcel of land as part of the proposed acquisition for the Dundee/Salt Creek Natural Environmental Area.

Although the staff is cognizant of the fact that the proposed acquisition cannot be considered a factor in determining any governmental action on the subject petition, this office believes it an appropriate time to identify the proposed acquisition to you.

For detailed information, please contact Paul Solomon (494-3521) of my staff.

Sincerely,

Norman E. Gerber
Director of Planning and Zoning

NEG:JGH:alc

cc: J.G. Hoswell
Paul Solomon, Chief
Environmental Studies Section

COUNTY BOARD OF APPEALS
Room 219 Court House
Towson, Md. 21204

June 3, 1983
Hearing Room 218

NOTICE OF POSTPONEMENT

CASE NO. R-83-59-XA

LODGE FOREST PARTNERSHIP

NE/S Dundee Village Circle
785' E. of Eastern Avenue

15th District

Reclassification from D.R. 16 & D.R. 5.5
to D.R. 3.5
Special Exception for Mobile Home Park
Variance from Sections 414.4 and 414.5 of Z.R.

Assigned for hearing on Tuesday, June 14, 1983, at 10 a.m. has been POSTPONED by the Board at the request of People's Counsel (due to illness).

cc: Robert J. Romadka, Esq.

Counsel for Petitioner

John B. Gontrum, Esq.

" " "

J. W. Hessian, Esq.

People's Counsel

Board of Education

W. E. Hammond

J. E. Dyer

N. E. Gerber

J. G. Hoswell

June Holmen, Secretary

RE: SPECIAL EXCEPTION FOR * BEFORE THE BOARD
MOBILE HOME PARK * OF APPEALS
VARIANCE FROM SECTIONS * OF BALTIMORE COUNTY
414.4 and 414.5 OF *
ZONING REGULATIONS *
LODGE FOREST PARTNERSHIP * CASE NO.: R-83-59-XA
NE/S DUNDEE VILLAGE CIRCLE *
785' E OF EASTERN AVENUE *

SUMMONS

Please issue a summons for the following witnesses:

Ian J. Forrest
Baltimore County Health Department
Bureau of Environmental Services
Room 416
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
Baltimore County

Captain Joseph Kelly
Baltimore County Department
of Permits and Licenses
Planning Group Special Inspection Division
County Office Building
Towson, Maryland 21204
Baltimore County

Kindly have said persons appear before the County Board of Appeals, Room 219, Court House, Towson, Maryland 21204, on Wednesday, March 16, 1983, at 10:00 a.m. and on Wednesday, March 23, 1983, at 11:00 a.m. to testify for the Petitioner in the above-captioned case.

Mr. Sheriff:
Please issue the above summons.

Edith T. Eisenhart, Adm. Secretary, Board of Appeals

RE: SPECIAL EXCEPTION FOR
MOBILE HOME PARK
VARIANCE FROM SECTIONS
414.4 and 414.5 OF
ZONING REGULATIONS
LODGE FOREST PARTNERSHIP
NE/S DUNDEE VILLAGE CIRCLE
785' E OF EASTERN AVENUE

BEFORE THE BOARD
OF APPEALS
OF BALTIMORE COUNTY
CASE NO.: R-83-59-XA

SUMMONS

Please issue a summons for the following witness:

Robert A. Morton, Chief
Department of Public Works
Public Services Bureau
Room 319
County Office Building
Towson, Maryland 21204

Kindly have said person appear before the County Board of
Appeals, Room 219, Court House, Towson, Maryland 21204, on
Wednesday, March 16, 1983, and March 23, 1983, at 10:00 a.m. to
testify for the Petitioner in the above-captioned case.

Robert J. Romadka

John B. Gontrum
809 Eastern Boulevard
Baltimore, Maryland 21204
Phone: 686-8274
Attorneys for Petitioners

CERTIFICATION OF SERVICE

I HEREBY CERTIFY that on this 14th day of March, 1983, a copy
of the foregoing Summons was mailed to J.W. Hessian, Esquire,
People's Counsel.

John B. Gontrum

Mr. Sheriff:

Please serve the above summons.

Edith T. Eisenhart, Adm. Secretary - Bd. of Appeals

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Edith T. Eisenhart
Board of Appeals
FROM: Nicholas Commodari
Zoning Office
SUBJECT: Item No. 4 - Cycle III

Date: May 26, 1982

Please be advised that the owner of the above property is
Lodge Forest Partnership and not Henry Knott, as originally
indicated.

NICHOLAS B. COMMODARI

cc: Mr. James G. Howell
John W. Hessian, III, Esquire

DESCRIPTION OF PART OF SECTION FOUR DUNDEE VILLAGE TO BE
RECLASSIFIED FROM DR 16 & 5.5 TO DR 3.5 WITH SPECIAL
EXCEPTION FOR TRAILER PARK B.C.Z.R.

Beginning for the same on the northeast side of
Dundee Village Circle at a point distant 785'± measured
along the said northeast side of said Dundee Village Circle
from the south side of Eastern Avenue 80' wide as shown on a
plat entitled "Record Plat - Section Three Dundee Village"
dated May 11, 1973 and recorded among the Plat Records of
Baltimore County in Plat Book EHK JR 37, Folio 29 the coordinates
of said point being N 18474.57 E 66992.50 as shown on said
plat and running thence and binding on the north side of Section
Four Dundee Village as shown on a plat entitled "Record Plat
Section Four Dundee Village" dated November 2, 1973 and revised
July 15, 1974, to show outlines of Section 4-A said plat being
recorded among the Plat Records of Baltimore County in Plat Book
EHK JR 37, Folio 64, the four following courses and distances viz:
(1) N 34° 15' 00" E 303.84' (2) N 66° 57' 13" E 99.24'
(3) S 81° 12' 04" E 669.23' and (4) N 32° 49' 07" E 485.91'
to the center of Marshy Point Road, 30' wide, thence binding on
the center of said road S 49° 32' 47" E 30.00' thence binding on
the east side of said Section Four the three following courses
and distances viz: (1) S 32° 41' 20" W 936.68' (2) S 23° 26' 50" W
296.91' and (3) S 5° 55' 45" W 231.18' to the waters of Saltpeter
Creek thence binding of Saltpeter Creek the ten following
courses and distances viz:

PAGE TWO

(1) S 65° 16' 27" E 396.00' (2) S 31° 46' 27" E 264.00'
(3) S 10° 46' 27" E 165.00' (4) S 6° 13' 33" W 264.00'
(5) S 13° 46' 27" E 396.00' (6) S 0° 46' 27" E 181.50'
(7) S 52° 13' 33" W 132.00' (8) N 79° 46' 13" W 594.00'
(9) S 78° 13' 33" W 280.50' and (10) N 72° 46' 27" W 410.00'
to the east side of Section 4A-I Open Space Area as shown on the
hereinbefore mentioned Record Plat - Section Four, revised
July 15, 1974 thence binding on said Open Space Area the four
following courses and distances viz: (1) N 17° 37' 28" E 409.54'
(2) S 89° 48' 00" W 354.11' (3) N 40° 01' 57" W 363.08' and
(4) N 0° 12' 00" W 150.02' to the south side of Section 4-I thence
binding on the south side of said Section 4A-I the two following
courses and distances viz: (1) N 89° 48' 00" E 292.17' and
(2) N 47° 35' 05" E 52.39' to the centerline of Dundee Village
Circle thence binding on the centerline of said Dundee Village
Circle as now constructed 30' wide the two following courses and
distances viz: (1) N 25° 18' 00" W 285.03' and (2) northwesterly
along a curve to the left with a radius of 881.47' for a distance
of 377.47' said curve being subtended by a chord bearing
N 37° 34' 04" W 374.59' thence leaving said road and binding on
the south side of the aforementioned Section 4A-I the three following
courses and distances viz: (1) N 40° 09' 52" E 24.99'
(2) N 68° 56' 33" E 278.50' and (3) N 48° 20' 39" E 32.12'
to intersect the southwest side of Section 3 Open Space Area as
shown on the aforementioned plat entitled Record Plat - "Section
Three Dundee Village" and running thence binding on said Open Space

PAGE THREE

the two following courses and distances viz: (1) S 52° 06' 15"
E 240.14' and (2) N 37° 13' 12" E 127.30' thence continuing on
the south side of the Section Three and on the north side of
Section Four N 58° 15' 00" E 396.80' to the northeast side of
Dundee Village Circle thence binding on the northeast side of
said Dundee Village circle as now constructed 30' wide the two
following courses and distances viz: (1) northwesterly along
a curve to the left with a radius of 919.67' for a distance of
291.87' said curve being subtended by a chord bearing
N 35° 24' 30" W 290.64' and (2) N 44° 33' 00" W 80.64' to the
place of beginning.

Containing 62.358 Acres of Land more or less.

Together with a small portion of Open Space Area recorded
with Section 4A-I containing 0.35 Acres of land more or less and
being more particularly described as follows:

Beginning for the same at the end of the first or N 17° 37' 28"
E 409.54' line of said Open Space Area as shown on the Plat entitled
"Record Plat - Section Four Dundee Village" revised July 15, 1974
and recorded among the Plat Records of Baltimore County in Plat
Book EHK JR 37, Folio 64 and running thence binding on said Open
Space S 89° 48' 00" W 154.28' thence by a line of division
S 25° 18' 00" E 215.74' to intersect the first line of said Open
Space and being on the remainder of said first line N 17° 37' 28"
E 205.21' to the place of beginning.

DESCRIPTION OF PART OF SECTION FOUR DUNDEE VILLAGE TO BE
RECLASSIFIED FROM DR 16 & 5.5 TO DR 3.5 WITH SPECIAL
EXCEPTION FOR TRAILER PARK B.C.Z.R.

Beginning for the same on the northeast side of
Dundee Village Circle at a point distant 785'± measured
along the said northeast side of said Dundee Village Circle
from the south side of Eastern Avenue 80' wide as shown on a
plat entitled "Record Plat - Section Three Dundee Village"
dated May 11, 1973 and recorded among the Plat Records of
Baltimore County in Plat Book EHK JR 37, Folio 29 the coordinates
of said point being N 18474.57 E 66992.50 as shown on said plat
and running thence and binding on the north side of Section Four
Dundee Village the four following courses and distances viz:
(1) N 34° 15' 00" E 303.84' (2) N 66° 57' 13" E 99.24'
(3) S 81° 12' 04" E 669.23' and (4) N 32° 49' 07" E 485.91'
to the center of Marshy Point Road, 30' wide, thence binding on
the center of said road S 49° 32' 47" E 30.00' thence binding on
the east side of said Section Four the three following courses
and distances viz: (1) S 32° 41' 20" W 936.68' (2) S 23° 26' 50" W
296.91' and (3) S 5° 55' 45" W 231.18' to the waters of Saltpeter
Creek thence binding on Saltpeter Creek the
ten following courses and distances viz:

(1) S 65° 16' 27" E 396.00' (2) S 31° 46' 27" E 264.00'
(3) S 10° 46' 27" E 165.00' (4) S 6° 13' 33" W 264.00'
(5) S 13° 46' 27" E 396.00' (6) S 0° 46' 27" E 181.50'
(7) S 52° 13' 33" W 132.00' (8) N 79° 46' 13" W 594.00'
(9) S 78° 13' 33" W 280.50' and (10) N 72° 46' 27" W 410.00'

REVISED PLANS

Item 44
cycle 14 RECD

DUNDEE VILLAGE
PAGE TWO

thence binding the seven
following courses and distances viz:
(1) N 17° 37' 28" E 204.33' (2) N 25° 18' W 215.74'
(3) S 89° 48' 00" W 199.83' (4) N 40° 01' 57" W 363.08'
(5) N 0° 12' 00" W 150.02' (6) N 89° 48' 00" E 292.17' and
(7) N 47° 35' 05" E 52.39' to the centerline of Dundee Village
Circle thence binding on the centerline of said Dundee Village
Circle as now constructed 30' wide the two following courses
and distances viz: (1) N 25° 18' 00" W 285.03' and
(2) northwesterly along a curve to the left with a radius of
881.47' for a distance of 377.47' said curve being subtended
by a chord bearing N 37° 34' 04" W 374.59' thence leaving said
road and binding on the north side of Section Four the six
following courses and distances viz:
(1) N 40° 09' 52" E 24.99' (2) N 68° 56' 33" E 278.50'
(3) N 48° 20' 39" E 32.12' (4) S 52° 06' 15" E 240.14'
(5) N 37° 13' 12" E 127.30' and (6) N 58° 15' 00" E 396.80'
to the northeast side of Dundee Village Circle thence binding
on the northeast side of said Dundee Village Circle as now
constructed 30' wide the two following courses and distances viz:
(1) northwesterly along a curve to the left with a radius of
919.67' for a distance of 291.87' said curve being subtended by
a chord bearing N 35° 24' 30" W 290.64' and (2) N 44° 33' 00"
W 80.64' to the place of beginning.

Containing 62.701 Acres of land more or less.

PETITION FOR CONDITIONAL RECLASSIFICATION, SPECIAL EXCEPTION
AND VARIANCES

15th Election District

ZONING: Petition for Conditional Reclassification, Special Exception
and Variances

LOCATION: Northeast side of Dundee Village Circle, 785 ft. South
from Eastern Avenue

DATE & TIME: Thursday, September 16, 1982 at 10:00 A.M.

PUBLIC HEARING: Room 218, Courthouse, Towson, Maryland

The County Board of Appeals for Baltimore County, by authority of the Baltimore
County Charter will hold a public hearing:

Petition for Conditional Reclassification from a D.R. 16
and D.R. 5.5 zone to a D.R. 3.5 zone; Special Exception
for a trailer park (mobile home park); and Variances to
reduce required 75 ft. setback from boundary lines to a
minimum of 15 ft. and to reduce space between trailers
for the required 25 ft. to 15 ft.

The Zoning Regulation to be excepted as follows:
Sections 414.4 and 414.5 - distance from boundary lines for trailers and distance
between trailers

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

Being the property of Lodge Forest Partnership, as shown on plat plan filed with
the Zoning Department.

Hearing Date: Thursday, September 16, 1982 at 10:00 A.M.
Public Hearing: Room 218, Courthouse, Towson, Maryland

BY ORDER OF
WILLIAM T. HACKETT, CHAIRMAN
COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

ASSOCIATES
CHARLES E. FORD, III
JOHN B. GONTRUM
ALFRED M. WALBERT

ROBERT J. ROMADKA
ATTORNEY AT LAW
809 EASTERN BOULEVARD
(ESSEX FEDERAL BUILDING)
ESSEX, MARYLAND 21221

April 13, 1982

William T. Hackett, Chairman
Zoning Board of Appeals
Room 200
Old Court House
Towson, Maryland 21204

RE: Re-classification of
Galway Bay Park

St. 4
Cycle III

Dear Chairman Hackett:

I have enclosed herewith a Supplemental Memorandum filed on behalf of the Petitioner, Henry Knott, in the above referenced case. A review of the comprehensive zoning maps of the area brought to our attention an additional fact which although mentioned in our prior Memorandum, was not discussed as fully as it should have been. Although we feel that the Memorandum on file contains ample reasons for reversal of re-classification, we wish the additional reasons for re-classification to be brought to the Board's attention as well as the attention of any one else reviewing the Petition.

Thank you very much for your consideration.

Very truly yours,

John B. Gontrum

JBG:klg
enc.

cc: Mr. Henry Knott



Baltimore County, Maryland

PEOPLE'S COUNSEL
RM. 223, COURT HOUSE
TOWSON, MARYLAND 21204

JOHN W. HESSIAN, III
People's Counsel
PETER MAX ZIMMERMAN
Deputy People's Counsel

June 2, 1983

The Honorable
William T. Hackett, Chairman
County Board of Appeals
Room 200, Court House
Towson, Maryland 21204

RE: Lodge Forest Partnership, Petitioner
Zoning Case #CR-83-59-XA
(Item 4, Cycle III)

Dear Mr. Hackett:

The above case was continued to Tuesday, June 14th. The Petitioner wanted the continuance in order to review more detailed Health Department comments on its plans prior to closing its case.

In turn, the People's Counsel's case will include testimony pertaining to health and environmental matters. Two of the witnesses who have been present at the previous hearings and will testify in this case are James G. Hoswell and Paul J. Solomon.

Unfortunately, we have just learned that Mr. Solomon suffered an accident over the Memorial Day weekend and currently is in the hospital in Pennsylvania. We do not know his precise condition. Nor do we know when he will be released. At the same time, Mr. Hoswell is being treated for a condition in his knee, although we do not yet have the precise diagnosis. Nor do we know whether an operation will be required or when.

The Health Department comments have recently come out, and in view of the current disability of our witnesses, we have not had an opportunity to analyze the comments and properly prepare for the June 14th hearing. In order to avoid problems, and at the same time assure a fair proceeding for all parties, we request that the case be postponed to a mutually agreeable date as soon as reasonably possible considering the course of the above unforeseen medical situation.

Very truly yours,

Peter Max Zimmerman
Deputy People's Counsel

cc: Robert J. Romadka, Esquire
John B. Gontrum, Esquire
Office of Planning & Zoning

Rec'd 6/2/83
3:15 PM

Peter Max Zimmerman
6/2/83

TEL. 494-2188

August 18, 1983

Robert J. Romadka, Esquire
John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

NOTICE OF HEARING

Re: Petition for Conditional Reclassification, Special
Exception and Variance
NE/S Dundee Village Cir., 785' S from Eastern Avenue
Lodge Forest Partnership - Petitioner
Case #CR-83-59-XA Item 4

TIME: 10:00 A.M.

DATE: Thursday, September 16, 1983

PLACE: Room 218, Courthouse, Towson, Maryland

cc: People's Counsel

William T. Hackett
William T. Hackett, Chairman
County Board of Appeals

1/27/83 - Everyone in file notified of hearing set for Wed., March 16, 1983, at 10 a.m.

3/23/83 - All in file notified of CONTINUED HEARING set for TUESDAY, JUNE 14, 1983 at 10 a.m.

6/17/83 - All notified of CONTINUED HEARING set for TUESDAY, JULY 12, 1983 at 10 a.m.

Rec'd 10-17-83
9:55 am

October 14, 1983

Baltimore County Board of Appeals
County Office Building
Towson, Maryland 21204

Gentlemen:

Recently I read in a Wednesday evening paper dated October 12, 1983, that a zoning change was made by Baltimore County Zoning Board for 62 acres in the Bengies Chase Area for a 427 mobile home park.

This section has two large mobile home parks now. The proposed 62 acre development adjoins Tander Village and the Baltimore County Board of Appeals should have consulted the Fire Department and the Police Department regarding the many problems they have had there in the past. Also, the newspaper article made a statement that Alberta Pugh testified in favor of this zoning change. Mrs. Pugh represents the Middlesex and Essex areas which is approximately 7 miles from the proposed new mobile home park. Since Alberta Pugh is in favor of a new mobile home park, perhaps they should locate it in her neighborhood.

The Bengies Chase community does not need this 62 acre mobile home park, it is just money to the big man.

Sincerely,

Leroy Samuel
of Bengies Chase Area

494-3180

County Board of Appeals

Room 200, Court House
Towson, Maryland 21204

June 17, 1983

NOTICE OF ASSIGNMENT

CONTINUED HEARING

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. R-83-59-XA LODGE FOREST PARTNERSHIP
For reclassification from DR 16 & DR 5.5 to DR 3.5
" SE - Mobile Home Park
" Variance from Sections 414.4 and 414.5 of Z.R.
NE/S Dundee Village Circle 785' E. Eastern Ave.
15th District

ASSIGNED FOR: TUESDAY, JULY 12, 1983 at 10 a.m.

cc: Robert J. Romadka, Esquire Counsel for Petitioner
John B. Gontrum, Esquire " "
John W. Hessian, III, Esquire People's Counsel
Mr. W. E. Hammond
Mr. J. E. Dyer
Mr. N. E. Gerber
Mr. J. G. Hoswell
Board of Education

Edith T. Eisenhart, Adm. Secretary

494-3180

County Board of Appeals

Room 200, Court House
Towson, Maryland 21204

March 23, 1983

NOTICE OF ASSIGNMENT

CONTINUED HEARING

NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #59-79

CASE NO. R-83-59-XA LODGE FOREST PARTNERSHIP
NE/S Dundee Village Circle
785' E. of Eastern Avenue
15th District
Reclassification from D.R. 16 & D.R. 5.5 to D.R. 3.5
Special Exception for Mobile Home Park
Variance from Sections 414.4 and 414.5 of Z.R.

ASSIGNED FOR: TUESDAY, JUNE 14, 1983 at 10 a.m.

cc: Robert J. Romadka, Esquire Counsel for Petitioner
John B. Gontrum, Esquire " "
John W. Hessian, III, Esquire People's Counsel
Board of Education
W. E. Hammond
J. E. Dyer
N. E. Gerber
J. G. Hoswell

Edith T. Eisenhart, Adm. Secretary

494-3180

County Board of Appeals

Room 219, Court House
Towson, Maryland 21204

January 27, 1983

NOTICE OF ASSIGNMENT

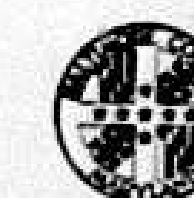
NO POSTPONEMENTS WILL BE GRANTED WITHOUT GOOD AND SUFFICIENT REASONS. REQUESTS FOR POSTPONEMENTS MUST BE IN WRITING AND IN STRICT COMPLIANCE WITH BOARD RULE 2(b). ABSOLUTELY NO POSTPONEMENTS WILL BE GRANTED WITHIN FIFTEEN (15) DAYS OF SCHEDULED HEARING DATE IN ACCORDANCE WITH RULE 2(c), COUNTY COUNCIL BILL #108

CASE NO. R-83-59-XA LODGE FOREST PARTNERSHIP
NE/S Dundee Village Circle 785'
E of Eastern Avenue
15th District
D.R. 16 and D.R. 5.5 to D.R. 3.5
Special Exception for Mobile Home Park
Variance from Sections 414.4 and 414.5
of Zoning Regulations

ASSIGNED FOR: WEDNESDAY, MARCH 16, 1983, at 10 a.m. and
WEDNESDAY, MARCH 23, 1983 at 11 a.m.

cc: Robt. J. Romadka, Esq. Counsel for Petitioner
John B. Gontrum, Esq. " "
J. W. Hessian, Esq. People's Counsel
Board of Education
W. E. Hammond
J. E. Dyer
N. E. Gerber
J. G. Hoswell

Jane Holman, Secretary



County Board of Appeals of Baltimore County

Room 200 Court House
Towson, Maryland 21204

(301) 494-3180

October 4, 1983

Robert J. Romadka, Esquire
John B. Gontrum, Esquire
809 Eastern Boulevard
Baltimore, Md. 21221

Re: Case No. R-83-59-XA
Lodge Forest Partnership

Dear Sirs:

Enclosed herewith is a copy of the Opinion and Order passed today by the County Board of Appeals in the above entitled case.

Very truly yours,

Edith T. Eisenhart, Adm. Secretary

Encl.

cc: Alberta Pugh
John W. Hessian, III, Esq.
Mr. J. E. Dyer
Mr. A. E. Jablon
Mrs. J. Jung
Mr. N. E. Gerber
Mr. J. G. Hoswell
Board of Education

July 18, 1983

Mr. William T. Hackett, Chairman
Mr. William R. Evans, Member
Ms. Joanne L. Suder, Member
Baltimore County Board of Appeals
Room 200, Baltimore County Court House
Towson, Maryland 21204

Dear Board Members:

I am writing to you at this time to provide environmental and environmental-related information to the Board in regard to Case No. R-83-59-XA, Lodge Forest Partnership, under an agreement among the Board and the parties to this case.

I have visited the subject property several times within the last year and am quite familiar with the area in general. On several occasions, I have taken boat trips into Saltpeter Creek to familiarize myself with shoreline uses, water quality, and aesthetic values in particular. I have reviewed and commented on the petitioner's EIS and site plan exclusive of petitioner's Exhibit #9, a site-grading plan which was not available at the time. (Attached is a copy, referenced as Exhibit #1, of my project review which was prepared for the Baltimore County Office of Planning and Zoning.) Since the completion of this written review, I have received additional information regarding this petition.

Based on water quality, general environmental, land use, and aesthetic considerations, the shoreline of the Bay estuaries should be protected from intense or otherwise potentially degrading uses. Such a concept is consistent with the Baltimore County Master Plan and the Coastal Zone Management Program. (See Exhibit #2.) Intense urban uses such as that being proposed here should be located well inland from shoreline areas. Less intense uses such as public open space, agriculture, or clustered residential uses should be located as part of a transition zone between the intense or heavily developed interior sites and the environmentally sensitive shoreline areas.

The development plan, including the site's grading plan, submitted by the petitioner as part of this petition is flawed with respect to its impact on the shallow estuary of Saltpeter Creek, wetlands, woodland protection, and general visual or aesthetic considerations. The development plan will result in an overdevelopment of the site. This overdevelopment requires an extensive regrading of the site in order to meet the County elevations and federal flood

Mr. William T. Hackett, Chairman
Mr. William R. Evans, Member
Ms. Joanne L. Suder, Member
Baltimore County Board of Appeals
Page 2

July 18, 1983

insurance requirements with respect to tidal flooding. The regrading of the site based on a review of the petitioner's grading plan will result in the destruction of a large portion of the site's existing woodlands. In addition, the massive earth moving or regrading as proposed creates the potential for massive erosion and sedimentation problems. (The County's sediment control requirements only reduce sedimentation up to 70 percent.)

The intensive and extensive nature of the development will leave the site largely impervious. The dramatic increase in storm-water volumes and peak flows, coupled with the "urban-related pollutants" which typically are generated on such a site, will adversely impact the wetland areas and the water quality and biota of Saltpeter Creek. These shallow, estuarine areas simply cannot assimilate the expected increase in pollutants. The dissolved oxygen (DO) level of the estuary will decline while the biological oxygen demand increases due to nutrient overenrichment. Additionally, various toxic substances will flow into the estuary from parking lots and other impervious areas. The 208 Water Quality and related studies have documented the significant number of types and concentrations of the various pollutants typically generated from this type of development.

The Chesapeake Bay Study has concluded that the Bay is in a state of decline as measured particularly by reduced dissolved oxygen (DO) levels, nutrient overenrichment, loss of aquatic vegetation and increases in toxic substances.

As planned, the site does not allow for infiltration of stormwater which would be the most desired form of stormwater management. If the site plan was based on clustering as permitted and encouraged by the existing DR-16 zoning, infiltration would be a more workable option.

In conclusion, while I recognize and support the need for mobile home communities in Baltimore County, this particular proposal poses a number of potentially serious environmental consequences. These problems can be substantially reduced if the area below elevation 10' were left in a natural state (instead of being filled), regrading significantly reduced or eliminated, and infiltration utilized as the major technique of stormwater management.

Sincerely,

Paul J. Solomon
PAUL J. SOLOMON, Head
Environmental Planning Section

PJS:vh
Attachment: Exhibits 1 and 2

cc: Peter M. Zimmerman, Deputy
People's Counsel

Mr. Robert J. Romadka
Attorney-at-Law
809 Eastern Boulevard
Baltimore, Maryland 21221

Rec'd 7/20/83

REVIEW OF GALWAY BAY -

A PROPOSED MOBILE HOME COMMUNITY

IN EASTERN BALTIMORE COUNTY, MARYLAND

Baltimore County
Office of Planning and Zoning
September 20, 1982

Introduction

The purpose of this review is to:

- (1) describe the zoning petition submitted by the Arundel Corporation to the Baltimore County Board of Appeals;
- (2) describe the proposed development project and analyze its conformance to certain County environmental requirements;
- (3) and determine consistency with County planning.

It is recognized that a strong demand exists in the Baltimore Metropolitan area for mobile home housing. The need and desirability for this form of housing is understood and supported. A number of suitable sites exist throughout the County. Unfortunately, mobile home developments are more likely to be located on marginal land or otherwise unsuitable sites as compared to conventional forms of development.

Zoning Petition - Arundel Corporation

The Arundel Corporation has petitioned to the Baltimore County Board of Appeals for a zoning change on their 62.36 acre property in eastern Baltimore County from DR-16 to DR-3.5 and for a special exception for a mobile home park. In addition, variances are being requested regarding the dimensional requirements of the individual lots which would reduce the required 75-foot setback from boundary lines to 15 feet and the space between units from 25 feet

to 15 feet. The petitioner submitted a detailed site plan as part of the zoning petition. If the zoning request is granted by the Board of Appeals, the petitioner is required to develop the subject property in conformance with the site plan. If afterwards certain changes are made on the site plan as part of the County's development approval process, the validity of the zoning approval would be questionable since their approval was contingent on strict compliance with the site plan submitted as part of the petition.

Description of Proposed Mobile Home Community and Analysis of Its Conformance to County Environmental Requirements

The site proposed for this mobile home community is located along Eastern Avenue just west of Chase, Maryland to the rear of the existing apartment complex known as Dundee Village. The site consists of 62.36 acres of mostly old fields along with some woodland bordering Saltpeter Creek to which the tract extends. The entire site has considerable frontage and drains into Saltpeter Creek. This site is level to slightly rolling. A relatively small portion of the site has been graded. A storm drain system traverses the site, transporting stormwater from Dundee Village to Saltpeter Creek.

The site plan contains 427 individual lots. Of these 101,

or almost 25 percent are entirely or partially below elevation 10 feet. Based on current County development requirements, these lots cannot be developed since all land below the elevation 10 feet is subject to severe tidal flooding. Some moderate tidal flooding is predicted in areas above the 10-foot elevation based on mapping provided by the Federal Flood Insurance Program.

Stormwater management facilities are not presently shown on the plan. However, current County stormwater management regulations require stormwater management facilities in tidal areas "where found necessary to protect the environment as determined by other County agencies or the State of Maryland." A suitable stormwater management facility is necessary in order to protect Saltpeter Creek from degradation. Towards this end, infiltration should be featured as a key design feature.

While most of the site contains soils with few development limitations, the Othello soils and, to some degree, the Woodstown soils require special consideration in the design and construction phases of the development in order to minimize problems associated with a high water table and poor drainage and permeability.

The site plan submitted as part of the zoning proceedings

will not be reviewed at this stage by the various County agencies charged with assuring conformance with County requirements such as those dealing with traffic, water and sewer, sediment control, and other provisions relating to health, safety, and general welfare. This review process will commence at the time the site plan is formally submitted for approval as part of the County's development approval process.

Conformance With County Land Use Planning

The proposed development of the site is not consistent with the Baltimore County Master Plan which designates this area as public open space. In addition, and consistent with the Master Plan, the County and the State of Maryland have included the subject tract as part of an estuarine natural environmental area since the inception of the Coastal Zone Management Program in Maryland. A sum of \$2,750,000 is now available for the purchase of a significant portion of the nearly 1,200 acres to be acquired. A recent staff acquisition priority recommendation has placed the subject tract as the number two priority following the purchase of the Marshy Point peninsula. However, this staff report is strictly unofficial. It is now under review by the County administration and other County agencies. The

County administration will make final decisions regarding the priority of purchases.

PJS:vh
September 20, 1982

BALTIMORE COUNTY MASTER PLAN 1979-1990



land use element

Objectives

In order to realize recommended policies concerning wetlands, the County should:

- Recognize all wetlands, tidal and non-tidal, as areas of critical concern;
- Prohibit all developed land uses in wetlands, either by right or by special exception;
- Encourage low intensity recreational, educational/research, and open space uses, returning wetlands in undisturbed conditions;
- Discourage the use of wetlands for rights-of-way for public and private utilities, sewer, and water supply lines;
- Strictly enforce erosion control regulations in areas adjacent to and directly impacting wetlands;
- Encourage on-site recharge in developed areas adjacent to and directly impacting wetlands; and
- Require on-site treatment of urban and agricultural runoff in areas adjacent to and directly impacting wetlands.¹

CHESAPEAKE BAY AND ESTUARIES

Policies

The Master Plan states that "the coastal estuarine areas of Baltimore County function as an important natural resource. They are basic to the vitality of the entire Chesapeake Bay and are a potentially important recreational and open space resource. These valuable natural areas are very susceptible to spoiling by uncontrolled urban growth. Therefore, incompatible development should be prohibited within them so that they may continue to provide a habitat for the propagation of wildlife and be a source of human enjoyment."²

The Upper Chesapeake Bay was designated as a critical area recommended for conservation and preservation in the draft Designation of Areas of Critical State Concern Within Baltimore County. This designation included the Bay and its estuaries and tidal wetlands.³

In December, 1977, the revised Coastal Zone Management Program of the State Department of Natural Resources was published, presenting a more detailed analysis of conditions of concern along the bay and its estuaries and recommended policies addressing each of these concerns.

¹ Wallace, McHarg, Roberts and Todd, Baltimore County Growth Management Program, Technical Memorandum No. 7, Natural Environments Analysis, October, 1977, pp. 166-167, 203-204.

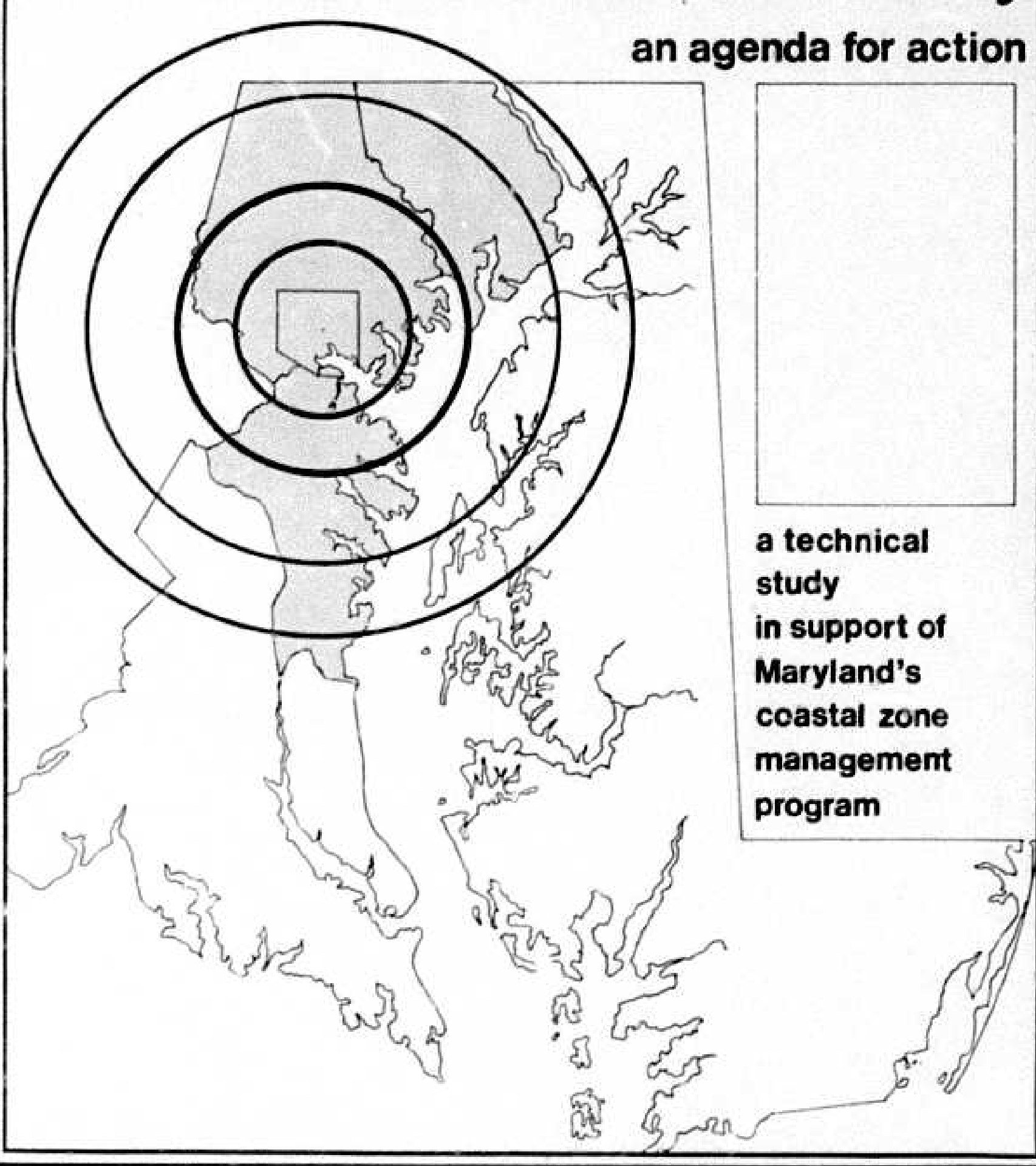
² Baltimore County Master Plan, 1975, p. 17.

³ Baltimore County Office of Planning and Zoning, Designation of Areas of Critical State Concern Within Baltimore County, Draft, 1977, p. 19.

vi

Baltimore Metropolitan Coastal Area Study

an agenda for action



a technical study in support of Maryland's coastal zone management program

gravel mining operations. In short, urbanization of the coastal zone has resulted in the preemption of natural areas for other land uses. It has also meant an increase in incompatible land uses adjacent to natural areas, thus reducing their value. The cumulative impact of encroaching urban land uses upon natural areas seriously threatens the performance of their ecological processes. Public benefits from coastal natural areas can only be assured if they are sufficiently protected from incompatible land uses.

Currently, Anne Arundel County is the only coastal jurisdiction in the region which zones natural areas to prevent their development. However, the Anne Arundel County Open Space District applies only to those natural areas within the "Natural Drainage System," including wetlands, marshlands, swamps, and all lands within the 100-year floodplain. However, little of the 190 year floodplain has actually been designated as open space. One of the Baltimore County Resource Conservation Zones (R.C. 2) provides for the inclusion of wetlands, but the application of this Zone to a wetland area would still allow agricultural and large-lot residential uses. Both types of zoning have been applied to coastal natural areas in an extremely limited fashion.

Recommendation: Coastal counties should limit development in areas where development would adversely affect water quality, productive wildlife habitat, biotic systems or scenic and natural values. Including:

- Tidal and non-tidal wetlands;
- 100-year riverine and tidal floodplains;
- Upland natural areas having moderate to high-value wildlife habitat;
- Areas that provide habitat for rare or endangered plant or animal species;
- Slopes of 20% or greater;
- Unstable soil subject to slipping, mass movement, or severe erosion, when these areas are two acres or more in size;
- Natural areas of significant scenic or esthetic value.

Recommendation: Coastal jurisdictions should control development adjacent to significant and fragile natural areas. Development in areas adjacent to significant or fragile natural areas should be controlled carefully by the coastal jurisdictions to prevent adverse impacts which may significantly degrade the qualities of those areas. Specifically:

- Priority should be given to proposed development or activities that are complementary to wildlife uses, such as wildlife or fishing preserves or agricultural or grazing lands that serve as auxiliary feeding areas for wildlife.

agricultural or grazing lands that serve as auxiliary feeding areas for wildlife.

-New development should be of a type and intensity and siting to prevent significant adverse impact to these natural areas. No unnecessary disturbance or destruction of existing shoreline and intertidal natural areas or wetland vegetation should be permitted.

-New development, including new divisions of land and construction on existing lots, should be regulated to maintain a natural vegetation buffer strip along all ponds, bays, lagoons, wetlands, and intermittent and perennial coastal rivers, creeks, and streams. The buffer strip should be as wide as necessary for protection of natural areas, but in no case less than 100 feet wide except for minor intrusions upon natural vegetation (e.g., small boat docks and utility pipelines). The buffer strip should normally consist of indigenous vegetation, but in partially developed areas appropriate landscaping may be acceptable where the natural area will not be adversely affected.

Because of their small size and the proximity to housing, commercial, and industrial development, the region's coastal woodlands are generally unsuited for commercial logging; yet, they have values which cannot be measured in board feet. Woodlands exert strong influences upon the coastal environment and coastal ecological systems. They reduce the force of winds, increase humidity, moderate temperatures, produce oxygen, filter air pollutants and dirt, and serve as noise barriers. Woodlands influence the soil by generating humus, stabilizing the soil (reducing water and wind erosion), increasing the porosity of the soil (increasing water storage capabilities), and they function as a filter system to insure water quality. Coastal woodlands also protect the aquifer recharge areas, reduce flood peaks and damages, and eliminate excess erosion and sedimentation. The existence of several Maryland Big Tree Champions in the coastal zone provide an irreplaceable natural heritage for existing and future generations. Quite simply, woodlands are an essential component of the general welfare of coastal communities.

Rapid growth, the spread of development, and increasing demands upon natural resources have encroached upon, spoiled, or eliminated many coastal trees and other forms of vegetation and have disturbed the natural processes associated with them. While local and state regulations have been developed to protect other critical environmental areas, woodlands have been relatively ignored even though they are vital to the public good. Although local erosion and sedimentation regulations play a part in protecting woodland resources, there are no provisions specifically directed

114

THE ARUNDEL CORPORATION

110 West Road
Baltimore, Maryland 21204
301-296-6400

July 28, 1983

Mr. William T. Hackett, Chairman
Mr. William R. Evans, Member
Ms. Joanne L. Suder, Member
Baltimore County Board of Appeals
Room 200 Baltimore County Court House
Towson, MD 21204

Case No. R-59-XA
Lodge Partnership

Dear Board Members:

The Arundel Corporation has been retained to provide engineering information and services for Lodge Forest Partnership in the above referenced zoning case. This letter is written in response to comments which were submitted to you on July 10, 1983 by Paul Solomon of the Office of Planning and Zoning.

Mr. Solomon's comments offer little factual support for the generalized conclusory statements made in his presentation. His comments appear to be generally directed toward all development along the Baltimore County Waterfront rather than to the specific project before the Board. With respect to this particular site it should be noted that the current zoning classification, enacted after the issuance of the Master Plan, would result in more than two (2) times the number of units proposed in the current case. The record plat submitted in this case reflects an approved development of the site of over twice the number of residential units which are now being sought. Obviously the Office of Planning and Zoning in their previous reviews of the site felt that it could be reasonably developed in the public interest. Since the proposed use would involve a downshift in current zoning and a development plan less than half as intense as that currently permitted, it can not be said that this proposal would result in overdevelopment.

Unfortunately, it appears that Mr. Solomon's comments are reflective of prejudices held for years by planners when confronted with mobile home parks. There has been no mobile home park development in this County for over fifteen (15) years, and in that time the mobile home industry has changed greatly, yet Mr. Solomon refers to unsuitable sites as likely locations in general for this particular use. Except to the extent that planners have permitted the use by special exception in areas zoned for heavy industry and commercial uses, there is no current factual basis for this statement. These commercial and industrial zones are hardly appropriate locations for this form of residential living. This particular site, however, is ideally situated for mobile home park development adjacent to existing high density development and public services yet providing a buffer to less developed areas. It is my opinion that a mobile home development would be the most appropriate use for this site considering all factors including the current natural environment, community needs, and man-made environment.

THE ARUNDEL CORPORATION

Mr. William T. Hackett, Chairman
July 28, 1983
Page Two

Mr. Solomon's characterization of the property as it now exists is inaccurate. As the photographs before the Board indicate, only a small percentage of the site is wooded (11%). Most of these woods, as has been indicated, would be untouched by the development as proposed. Only thin strips of trees exist in much of the proposed development area. More important from an environmental standpoint should be the quality of the woodland, but this has not been raised by the planning staff. Certainly, the subject site contains no dense forestation such as would commonly be signified by the term "woodland", except around the perimeter, and this would remain largely untouched. Thirty-eight percent (38%) of the property has been graded already for apartments, including much of the hydric soils identified in testimony, thereby reducing their significance. This large portion of the property has had its top soil stripped already, further development will improve, not detract from its appearance and full environmental impact. Finally, fifty-one percent (51%) of the property is in uncultivated and untended fields.

The Board should also be aware that the subject site also contains public works improvements of over \$600,000.00 in furtherance of the apartment project. These improvements have irrevocably changed the character of the property and include a storm drain system, public sewerage lines, public water lines, curb and gutter, roadwork and grading and fillings. The site is hardly in an untouched natural state.

If the question which Mr. Solomon is presenting to the Board is one of degree of impact, then I would suggest that the degree can not be determined until final development plans indicating water, sewer, grading, sedimentation control etc. have been prepared at the building permit stage. Obviously, at that stage we will have to satisfy the concerns of numerous county agencies who will all focus on something different in our ultimate designs. What these designs might be will depend on the particular characteristics of this site from an engineering point of view in relation to the proposed development. Generalizations may or may not apply when this particular site is studied at that stage.

For example, several generalizations used by Mr. Solomon are simply not applicable. The site does not have to be brought up to a ten (10) foot level everywhere. Under existing county requirements the first floor elevations must be above ten feet. The first floor of a mobile home are usually two feet above the ground, thereby providing for an eight, not ten foot, level. Furthermore, the homes are not usually located at the point of lowest elevation on each lot. This means that grading will be significantly less than that anticipated by Mr. Solomon.

In final design, conducted within the CRG process, the need for storm water management would be addressed. If management were necessary, detailed engineering studies would be required to determine the most effective strategy. Management by infiltration may not be a practical or even possible option. The Department of Public Works is the County agency responsible for review and approval of storm water management plans. In a letter dated June 3, 1983, the Director of that agency, Mr. Harry J. Pistel, commented to the State Water Resources Administration regarding infiltration as follows:

THE ARUNDEL CORPORATION

Mr. William T. Hackett, Chairman
July 28, 1983
Page Three

"The practicality of infiltration needs to be demonstrated before it is mandated as the preferred method of management. Damage to aquifers and well supplies, damage to foundations and basements, possible flotation of structures, generation of spring heads at embarrassing or dangerous locations, etc. are an illustration.

The cost of geologic surveys could be enormous. Without these surveys, all concerned with the design and approval process are guessing and in peril personally and professionally should unwanted results be produced. Law suits could not be defended."

"In summary, we feel the Administration should not be mandating management methods such as infiltration that are relatively new and for which little actual field test data is available."

A copy of Mr. Pistel's complete comments are attached for your information.

The issue of grading already has been discussed with The Department of Public Works and we have indicated that no grades beyond those currently acceptable to public works will be used. To my knowledge nothing on the site plan submitted to the Board or on the preliminary grading study will conflict with Public Works requirements, and in fact the preliminary grading study in large part reflects public works comment. In addition, during the construction phase we intend to comply with whatever requirements are placed on the project by sediment control and public works. It should be pointed out that the flat and gently rolling topographic characteristics of the property alluded to by Mr. Solomon will in large measure work to minimize a sediment and erosion problem. We anticipate that federal, county, and state agencies will regulate the manner in which any grading on the site will be done, and they will require detailed erosion and sediment control plans.

Mr. Solomon's conclusions about the effects of grading on run-off are also unsupported by any facts. Further grading will not render the surface impervious to rainfall and run-off. The impervious area associated with each lot in the park would consist of the patio, two parking places, one-half the roadway fronting the lot, and to an extent the mobile home. It should be recognized that the largest contribution to the total impervious area, the mobile home, does not really represent a wholly impervious area. The homes are not on permanent foundations, and because of the fact that they are located off the ground, they permit infiltration of run-off under the home itself. Any examination of any mobile home park will indicate that the area under the mobile home absorbs its share of rainfall. If we allow, therefore, for a maximum of one-half infiltration under the mobile home unit, only a small percentage of the total site would be impervious. In addition, unlike apartments built with large parking areas, permanent foundations, and curb and gutter, mobile home park development has dispersed parking areas, no curb and gutter but rather natural swale water carriers to maximize infiltration. We feel that our proposed plan will utilize natural infiltration.

THE ARUNDEL CORPORATION

Mr. William T. Hackett, Chairman
July 28, 1983
Page Four

We certainly believe that we are in compliance with the Master Plan and with the Coastal Zone Management Program. Neither the plan nor the program are designed to stop needed development. Both indicate the need to protect the Bay where necessary. At the particular location, water quality and estuarine quality are in compliance with current quality standards. Obviously, the existing apartment complex has had little adverse impact on the environment and on water quality. As was pointed out in our environmental impact statement, the publication Maryland Water Quality 1980 states: "Water quality in this segment is generally suited for maintenance of aquatic resources and recreational activities. Waters in this segment show a relatively healthy estuarine area with all water quality standards being met." This is an area which has coped with existing development and is capable of handling the proposed development.

Urban pollution from a developed site is directly proportional to the number of persons and automobiles located on and using the particular site. As a result, down-zoning the site and halving the number of permitted residences will certainly reduce the amount of pollutants generated from that currently permitted. As with any development or land use activity, this proposal will have some impact on water quality and on the environment. I do not believe, however, that the impact will not be significantly greater than that from a similar up-stream development. The short-time of flow in an open channel from such an upstream development would not greatly reduce the water-borne pollutant load.

In conclusion, we would ask the Board to review the comments made with respect to our environmental impact in our pre-hearing submissions. No answer to the data contained therein was presented by the County, and no refutation of the conclusions made therein occurred. Mr. Solomon's generalized conclusory statements are not in conformance with the data available for this particular site. We would, therefore, respectfully ask the Board to approve the site plan before it, without restrictions at this stage and to give us the latitude to make reductions in the scope of the project if necessary as further planning engineering and the CRG process may require.

Sincerely,

C. Robert Shinham

C. Robert Shinham, P.E., P.L.S.

CRS:nm

Attachment

cc: People's Counsel
Mr. Robert J. Romadka

Paul J. 7-25-83
11:25 AM

HARRY J. PISTEL, P.E.
DIRECTOR

June 3, 1983

Mr. H. Earl Shaver, Chief
Stormwater Management Division
Water Resources Administration
Towson State Office Building
Annapolis, Maryland 21401

Reference: WRA Regulations 08.05.05
Stormwater Management

Dear Mr. Shaver:

We have reviewed the proposed regulations and wish to offer the following comments:

1. Section .01 Purpose and Scope

These regulations, by design criteria found in Section .08E, go beyond the prevention of problems from development and require that development "reduce stream channel erosion, pollution, siltation and sedimentation, and local flooding". We believe that such criteria would not stand a legal test. A more equitable method would be to require that existing development be retrofitted with stormwater management facilities and that agricultural operations have a large impact on the streams and waters of the state. If the state is truly concerned with water quality and stream channel erosion, why has this problem been ignored?

2. Section .03 General Provisions C and D.(2)

What sanctions may the Administration impose if a county is found to not have an acceptable stormwater management program?

3. Section .03 General Provisions E.

The Administration should be required to approve or disapprove any county ordinance within 30 days. We feel that Baltimore County must have approval by February 1984 so that the County Council can conduct the necessary public hearings, make revisions and adopt the ordinance by April 1984. If the ordinance is not approved by April, the County Council will be involved in the annual budget process in which case the stormwater management ordinance may not be approved until after July 1984.

Mr. H. Earl Shaver
June 3, 1983
Page 2

4. Section .05 When Stormwater Management is Required.

- B(1) Does this exemption apply only to the house or to detached garages, etc.?
B(2) Do you mean disturbed area or new impervious area?

The term development is not defined in these regulations and therefore the activities exempt in (3) are not clear. Item (4) and (5) appear the same. They need further clarification if they are referring to different circumstances.

There appears to be no allowance for "grandfathering" approved subdivisions or management plans. Will plans that are in the review process prior to July 1, 1984 have to be revised to meet the new standards?

The exemptions listed are for state-wide use while the impacts from similar developments may not be the same state-wide.

5. Section .06 Minimum Control Requirements

(A) It appears that the Bay was used as a dividing line for setting the minimum control requirements. Is it really necessary for coastal areas and mountainous areas to provide identical management? For example, the impacts of identical developments in Baltimore County, one in the eastern coastal section, and one in the rolling hills of northern Baltimore County, will have very different impacts.

We do not feel that 10-year frequency control is necessary in Baltimore County except at specific locations where existing inadequate drain facilities may need to be protected. The 10-year control in Baltimore County will do little to reduce stream channel erosion, pollution, siltation and sedimentation. The 10-year floodplain for most streams in Baltimore County is out of the natural stream channel and is almost as wide as the 100-year floodplain. Increases in peak discharges from development will change the stream velocities very little because most of the flow is out of the banks in the overbank floodplain areas which are normally well stabilized with vegetation.

(B) Most rural counties will not have the funding or manpower and expertise to investigate alternate minimum control requirements. Will the State be able to assist in this work?

6. Section .07 Inter-jurisdictional Flood Hazard Watersheds

The State has been quite lax in its enforcement of approved flood management plans in the Gwynns Falls, specifically the MTA and N.W. Expressway. Should we expect future enforcement of the flood management plans?

Mr. H. Earl Shaver
June 3, 1983
Page 3

100-year stormwater management is not necessary in all areas of the Gwynns Falls to maintain existing flood peaks.

If this is documented in the flood management plan for the watershed with the appropriate supporting data, will the Administration waive the blanket 100-year management requirement?

7. Section .08 Stormwater Management Design Criteria

A. The practicality of infiltration needs to be demonstrated before it is mandated as the preferred method of management. Damage to aquifers and well supplies, damage to foundations and basements, possible flotation of structures, generation of spring heads at embarrassing or dangerous locations, etc. are an illustration.

The cost of geologic surveys could be enormous. Without these surveys, all concerned with the design and approval process are guessing and in peril personally and professionally should unwanted results be produced. Law suits could not be defended.

Who must provide the justification for rejecting the preferred methods? This section is not clear. We would presume that the developer's engineer would have to justify the rejections of specific practices to Baltimore County. If so, the Administration should provide some very detailed guidelines unless the Administration wishes to assume the review responsibility.

B. and C. The detailed design criteria found in these two sections should not be in these regulations as they would be difficult to change without public hearings, etc. which are time consuming. Design details such as the minimum distance a practice should be from a well should be in a design manual that could easily be changed by the Administration, if necessary, as more practical experience is gained.

B.2. All infiltration systems including residential should be a minimum of 100 feet from any water supply well.

C. The special requirements for off-site structures appear to be the desires of a special interest group. Why is a 400 acre drainage area critical? Why is the 1-year storm critical only in this case? Why is discharge into a trout stream prohibited? How far away from a trout stream must a facility be so as to not be considered as discharging into a trout stream? These regulations eliminate the future consideration of regional facilities in most watersheds.

The downstream analysis requirements will be quite difficult for many small consultants without computer modeling capability. This requirement will also be quite expensive. Many counties will not have the staff to review such work anyway. Will WRA accept the review responsibility or will

Mr. H. Earl Shaver
June 3, 1983
Page 4

the State assist with funding that will be required for the additional personnel?

C.3.c. If an approving agency waives the use of detention or retention structures, will some other method of management be required?

E. Assuming that cropland is meadow may be valid when proof of long term agricultural use is not available. However, Baltimore County has aerial photography from the 1950's which can be used to document long term agricultural use.

I. Storm water management with 100-year controls will not be in accordance with approved Watershed Management Plans for the Gwynns Falls and Jones Falls watersheds.

L. The elimination of curb and gutter may appear to have certain advantages but the problems far outweigh the advantages. Density zoning in Baltimore County further complicates the issue. Light densities can still result in tightly compressed (clustered) development on a portion of a site. Swales or roadside ditches would be objectionable to most residents in such instances. Curbing is necessary for traffic control and proper drainage control in many cases.

For example, in many of the older subdivisions in Baltimore County the roadside ditches have been piped and/or filled in by residents or completely destroyed by off-street parking, etc. This results in drainage complaints of various degrees to Baltimore County, such as ponded water, flooded yards, flooded basements, etc. Usually the only acceptable solution is the construction of curb and gutter.

8. Section .09 Inspection Requirements During Construction

B.2.(d). A top course of "crushed stone" will not allow infiltration of storm water from the porous asphaltic concrete surface to the reservoir base course.

C. Notice of construction completion should be submitted to the Administration by the owner of the facility or his inspector, which may not be Baltimore County.

9. Section .10 Maintenance

A. How do you inspect infiltration systems?

Inspection of all storm water management facilities, at least once every three years, will become a massive undertaking in a very short time. In Baltimore County approximately 1500 homes or commercial projects are constructed each year. Even if only 10% of these have storm water management facilities, starting in the fourth year, 300 inspections would be required.

Is the State ready to assist counties in the cost of this entire storm water management program?

Mr. H. Earl Shaver
June 3, 1983
Page 5

In summary, we feel the Administration should not be mandating management methods such as infiltration that are relatively new and for which little actual field test data is available.

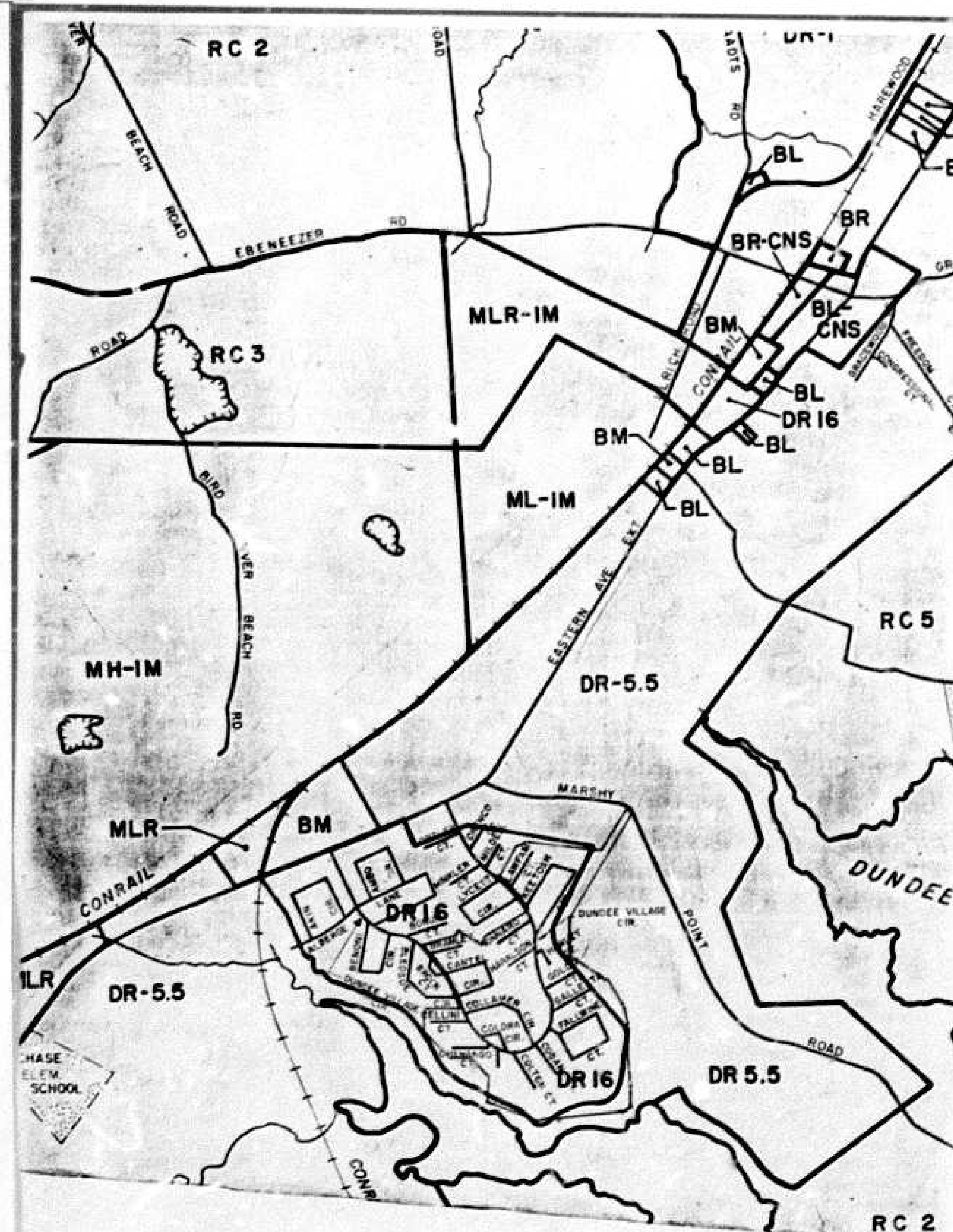
The Administration would far better serve the citizens of the State went back to the legislature and requested a delay in implementation of regulations and requested funding to conduct several years of field research testing of various storm water management devices to determine the actual benefits, if any, and the problems and costs. Baltimore County would support such legislation. Then, intelligent decisions could be made as to the future of storm water management in the State. For too long the State and counties have been perpetuating regulations and policies based on theoretical analysis and marginal field test data.

Very truly yours,

HARRY J. PISTEL, P.E.
Director, Department of Public Works

HJP:JAM:hnm

cc: Mr. B. Melvin Cole
Mr. Norman E. Gerber
Mr. Donald Brand
Mr. James E. Markle



ENVIRONMENTAL IMPACT STATEMENT
FOR
GALWAY BAY
A WATERFRONT MOBILE HOME PARK
ON SALTPETER CREEK
ELECTION DISTRICT No. 15 BALTIMORE COUNTY, MARYLAND.

Prepared by:
THE ARUNDEL CORPORATION
ENGINEERING DEPARTMENT
110 West Road, Baltimore, Maryland 21204

INDEX

Index	Page 1
Existing Conditions	Page 2 - 6
Soils	Page 7 - 11
Topography	Page 12 - 13
Proposed Development	Page 14 - 17
Impact of Galway Bay Park on The Environment	Page 18
Alternative to Developing Galway Bay Park	Page 19 - 21

TABLES

Table 1 - Soil Legend	Page 7
Table 2 - Impact Comparison	Page 20

EXHIBITS

I.S.-1 Existing Conditions	Page 3
I.S.-2 Record Plat Dundee Village	Page 4
I.S.-3 Soils	Page 8
I.S.-4 Topography	Page 13
I.S.-5 Site Plan	Page 15

GALWAY BAY PARK EXISTING CONDITIONS

The existing property consists of 62.358 Acres together with 0.346 Acres or a total of 62.704 Acres presently zoned D.R. 16 and D.R. 5.5. It is bounded on the north by four large lots facing Marshy Point Road, and Section 3 and 4-A-I of Dundee Village a development of 981 low-cost rental townhouse apartments. On the east the site is bounded by a large estate known as Marshy Point, now occupied by a nursery, and the head waters of Saltpeter Creek. Along the south and west boundaries, the site binds on the waters of Saltpeter Creek.

Approximately half of the site has been cleared and graded in preparation for future apartment expansion and is lying bare and unproductive. The remainder of the tract is grown over pasture land leading down to the marshy edge of Saltpeter Creek.

There is some wood remaining along the east side of the property consisting of oak, scrub pine, american holly and gum.

The entrance to the site is through two 30 foot paved roads known as Dundee Village Creek leading southeasterly from Eastern Avenue, through the existing Dundee Village project. The developer intends to use the northeasternmost road as primary entrance to the site.

-2-

The apartments are drained westerly by pipe system to Saltpeter Creek at the northwestern corner of this site and by a 450 foot drain extension running southeasterly to Saltpeter Creek from the end of paving of Dundee Village Circle (east) at the southeasternmost corner of Section Three. There is also a graded swale running along the north and east sides of the property in an existing Drainage and Utility Easement shown on Exhibits I.S.-1 & I.S.-2.

WILDLIFE:

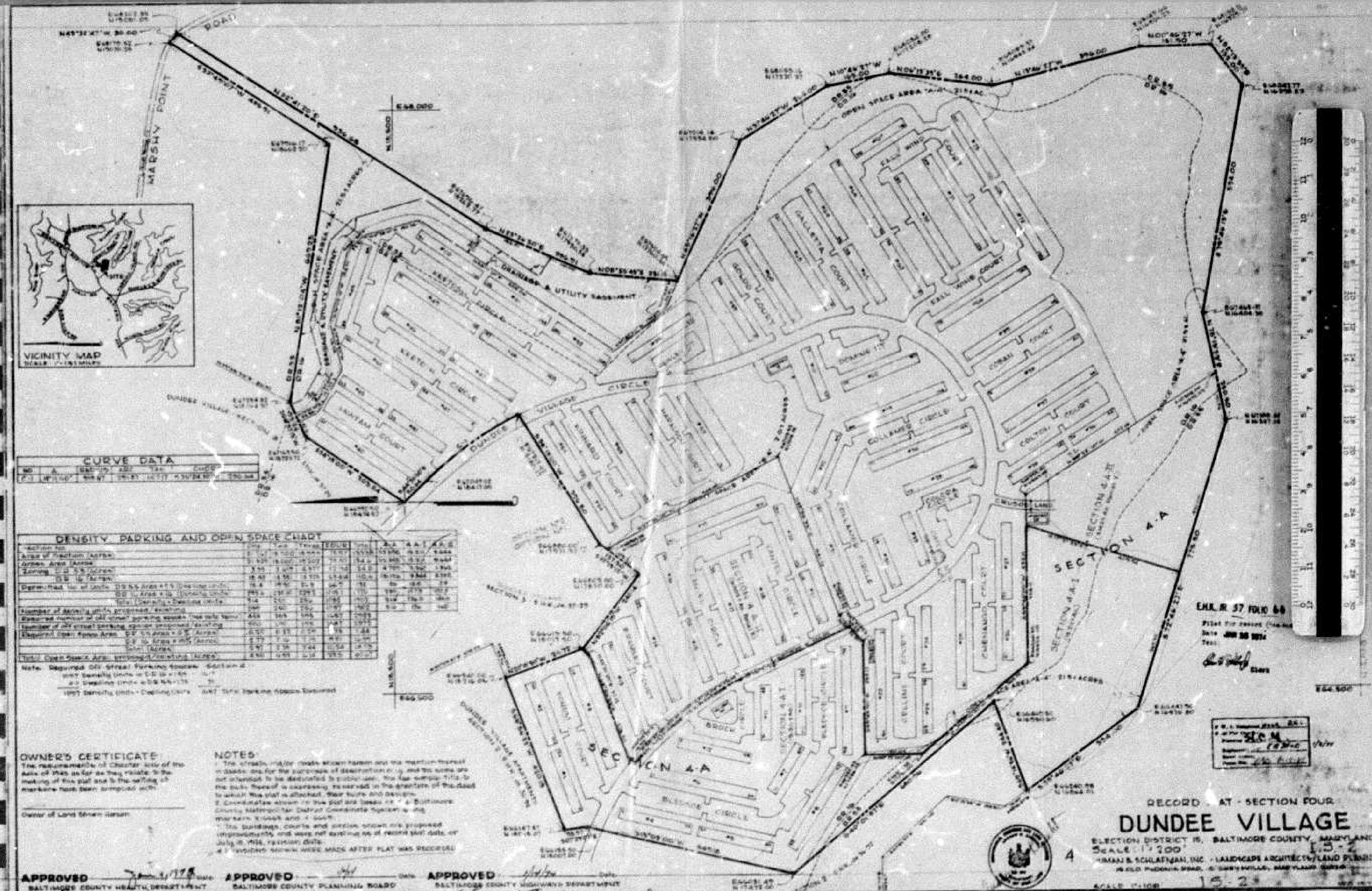
This undeveloped section was formerly a stock farm on which beef cattle and hogs were raised.

Some wildlife can be found such as raccoon, opossum, cottontail rabbit, field mice, ground hog, musk rat, gray and red squirrel and an occasional visit by white-tailed deer. Also present are domestic rats and mice, wild cats and dogs. Some upland bird life such as bobwhite, quail and morning dove abound together with migratory visits by many varieties of ducks and Canadian geese on Saltpeter Creek. Hawk, owl, shore birds, song birds, gull and turkey vultures can be found on or near the property.

Marine life such as white perch, yellow perch, large mouth bass, pike, pickerel, carp, blue gill and cat fish occasionally can be found in Saltpeter Creek in close proximity to the subject site.

The blue channel crab, once driven away by algi and milfoil congestion due to pollution of the local water from septic systems and numerous waterfront cattle farms, are slowly returning due to reduced use of farms and sewer extension throughout the area by Baltimore County.

-6-



The undisturbed portion of the property has a ridge running southeasterly generally along a 10 foot paved farm road passing through a compound of farm buildings, which have been demolished or burned out. This road terminates at a point at the southeast corner, where the remains are of what was once the farm house and its out buildings, and was once known as Reid Road. From this ridge the land slopes gently to the northeast and southwest to Saltpeter Creek. (See Exhibit I.S.-1 Existing Conditions).

The land has presently been laid out for an additional 921 apartment townhouses and is on Record in Baltimore County in Plat Book E.J.H. Jr 37, Folio 64 (See Exhibit I.S.-2 "Record Plat Section Four Dundee Village" revised July 15, 1974 to show outline of Section 4-A). A 13.211 Acre portion of this plat designated as Section 4-A-I has been developed with 176 apartments on Bonum Court, Brock Circle and Bledsoe Circle.

UTILITIES:

The property is served by a private sanitary sewer system which has been extended with two private 12" sanitary sewers through Dundee Village from the existing county sewer. This sewer runs through the apartment project to the Bowleys Quarters Pumping Station. The sewer is designed to accommodate the existing apartments and the 921 additional units which were proposed.

Private water exists in both roads with minimum 8" water mains leading through the apartment project from the existing county water main in Eastern Avenue. This system is presently looped through the subject tract from Lycett Circle to Dundee Village Circle at Brock Circle.

Natural gas and electricity have been constructed to the site through the existing apartments.

-5-

SOILS

The land is made up of several classifications of soil, most of which have moderate to severe high water tables except for Sassafras series.

One can see from these soil characteristics that it was evident that septic systems in the area were not functioning (See Exhibit I.S.-3). The extension of sanitary sewer now makes the land developable.

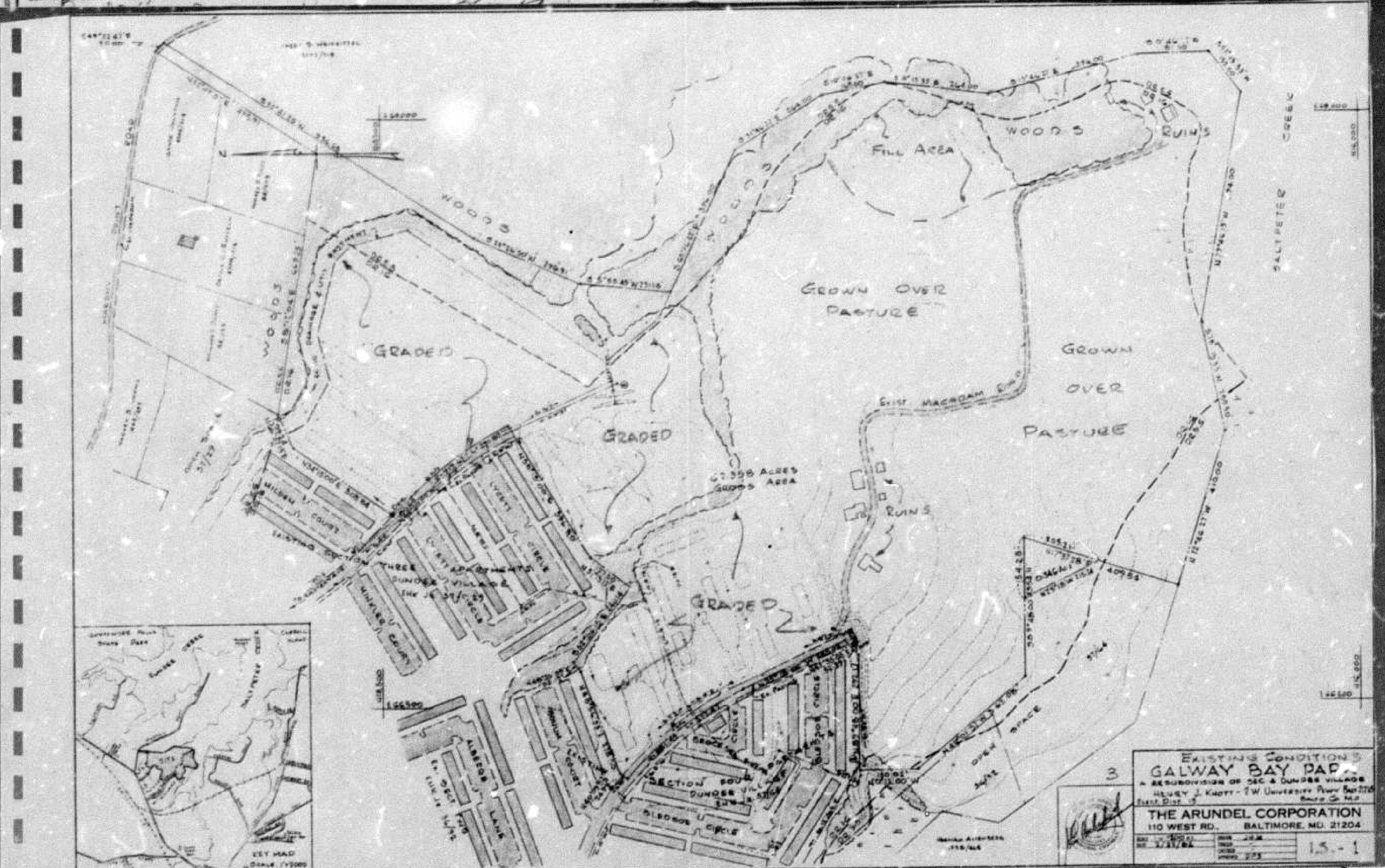
It should also be noted that all soils are primarily suited to either woodland or pasture use.

TABLE 1 - SOIL LEGEND

1. MIA - Mattapex Silt Loam - 0 to 2% slopes
2. AIB - Mattapex Silt Loam - 2 to 5% slopes
3. Ot - Othello Silt Loam.
4. SIB - Sassafras Loam - 2 to 5% slopes
5. ShB - Sassafras Sandy Loam - 2 to 5% slopes
6. Tm - Tidal Marsh.
7. WdA - Woodstown Sandy Loam - 0 to 2% slopes
8. WdB - Woodstown Sandy Loam - 2 to 5% slopes
1. & 2. - The Mattapex series - consists of deep, moderately well drained, nearly level to gently sloping soils on uplands of the Coastal Plain. These soils formed in old deposits of silty material underlain by older, coarser textured sediment. The native vegetation is mixed hardwoods that tolerate wetness.

In a representative profile the surface layer is dark grayish-brown silt loam about 9 inches thick. The subsoil, about 27 inches thick, is yellowish-brown and dark yellowish-brown silty clay loam and silt loam that is mottled in the lower part. The underlying material is yellowish-brown mottled silt loam.

-7-



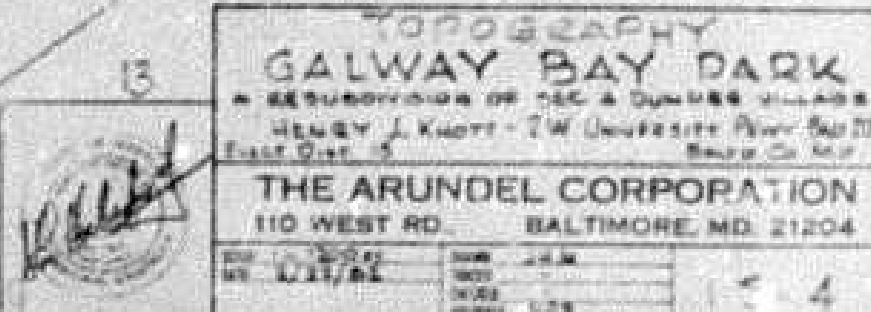


-11-

-12-

-9-

-10-



PROPOSED DEVELOPMENT
OF
GALWAY BAY PARK

The Galway Bay Park consisting of 62.704 Acres under this proposal, is to be converted from a low-cost townhouse apartment complex of 921 units to a modern mobile home park of 427 lots. The lots proposed will average 3,600 square feet in area and will be designated for 70' x 14' mobile homes. Each lot will be provided with a concrete patio and hard surface offstreet parking for two vehicles.

Access to these lots will be by a 30 foot bituminous concrete roadway with easy grades and winding alignment designed to discourage speeding.

Storm water drainage will be collected in pipe systems and discharged directly into tide water to minimize erosion.

Private sanitary sewer will be extended to each lot and flow by gravity into the two existing 12" sewer lines at the east and west sides of the tract.

Private water will be provided for each lot from the existing water system in Dundee Village. The entire development will have adequate fire protection by installation of fire hydrants throughout.

Underground natural gas and electric service will be provided to each lot as an extension of the existing system.

Telephone service will also be provided to those owners so desiring this service.

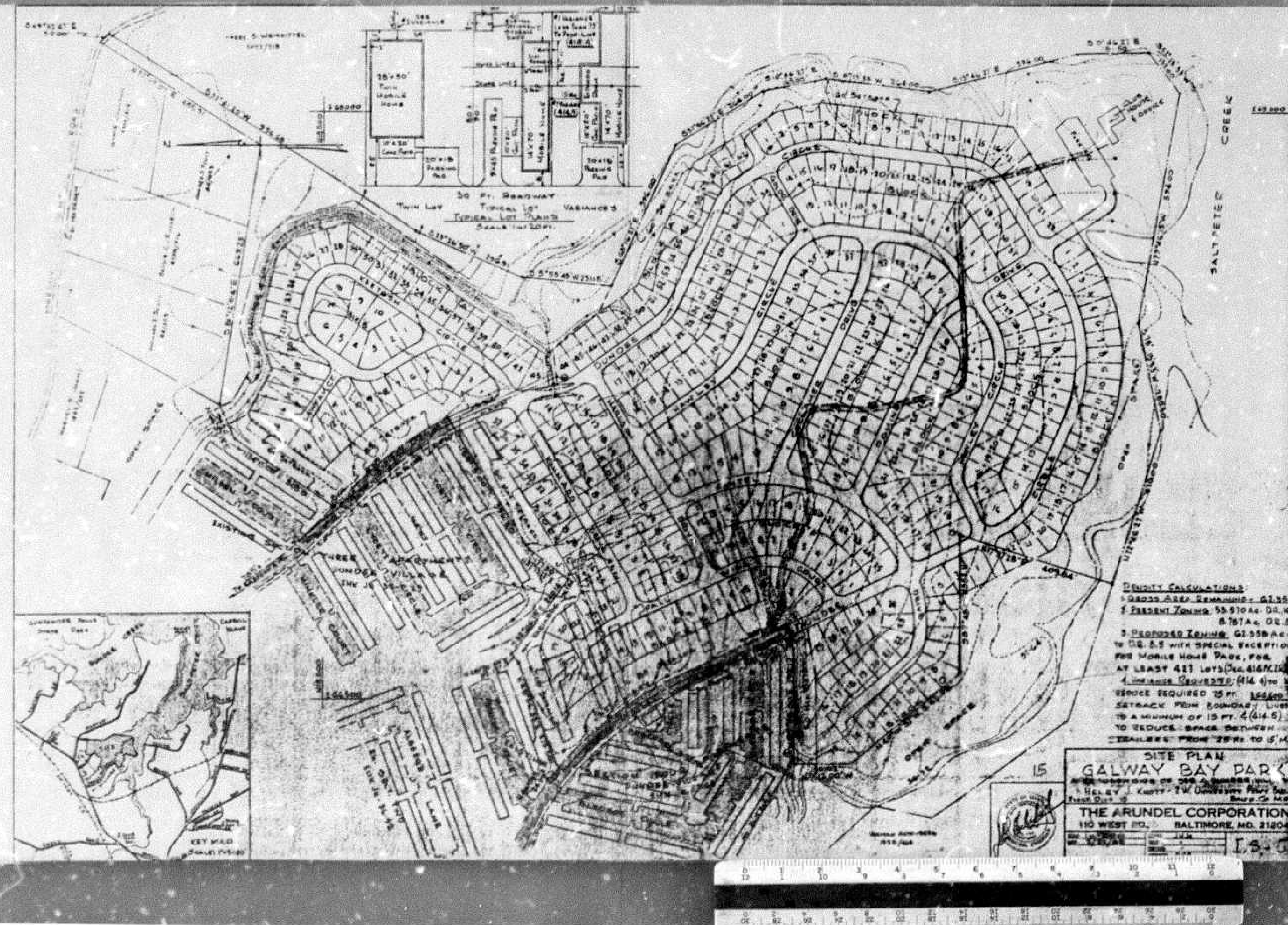
-14-

Although the affordable cost of mobile homes is certainly attractive, it often is not a major criterion in the selection of the mobile home alternative. Many people now living in mobile home parks have previously owned more expensive housing but have grown weary of mowing lawns or cleaning many rooms or lonely in the vastness of large homes after children have grown and moved away. These people, however, currently have no open alternative other than apartment dwelling which involves a wholly different lifestyle from home ownership.

In this proposal certain design controls are proposed to add to the aesthetic appeal of the mobile home park. The minimum lot size is twenty percent (20%) greater than the minimum lot size required by B.C.Z.R. section 414.2. Natural buffer woodland will be preserved, and additional planting will be undertaken in open space areas. Of course, the natural resource of Saltpeter Creek will be preserved, and the shoreline enhanced where appropriate. A variance has been sought from Section 414.5 of the B.C.Z.R. purposefully to meet the concern noted in the Master Plan for design flexibility in the orientation of mobile homes. 3 Master Plan at 16.

The need for practical affordable housing is greater in the vicinity of the proposed mobile home park than in other areas of the county. The Master Plan projected a 98% increase in housing in the Chase-Bird River area over the next ten (10) years. 3 Master Plan 33. Both the 1980 Census Report and the Master Plan indicate, however, that most of the existing families in the area have low-to-moderate incomes, and that over half of the dwelling units in the area are not owner-occupied. 3 Master Plan 24, 33-34. If the Master Plan's assumption that the price of housing demand for owner-occupied units is twice the annual household income, then clearly mobile home units are the only alternatives for most of the people drawn to the area who seek a form of home ownership.

-17-



IMPACT OF GALWAY BAY PARK ON THE ENVIRONMENT

The development of this area presently a run-down farm, partially graded will certainly clean up the environment.

The runoff from areas pre-graded for apartments prior to sediment control requirements is causing some erosion to the detriment of Saltpeter Creek. This creek is just recovering from severe degradation caused by non-point contamination attributed to failing septic systems, stock farm run off and siltation which caused a complete choking of this and other estuaries in the area with milfoil and algae to a point that they were almost completely unnavigable.

It should also be noted that unattended, vacant land is an attractive nuisance welcoming undesirable activities such as:

1. dumping of trash; abandonment of junk cars and equipment.
2. An attractive gathering place for undesirable persons.
3. A harbor for undesirable wildlife such as rats, mice; abandoned cats and dogs, racoon and opossum.
4. A breeding place for filth and disease.
5. An attractive place for children to gather and get in trouble.

It is our belief that the development of this property with clean, orderly occupant owned mobile homes, will do nothing but eliminate most of these existing problems.

Of course, some desirable wildlife will be displaced and run off will be slightly increased, however these impacts can not be avoided as long as development of any type is expected.

-18-

ALTERNATIVE TO DEVELOPING
GALWAY BAY PARK

If the subject 62.704 Acres are not developed as requested into a mobile home park, the owner would still be able to continue construction of Dundee Village Section Four. Under the existing D.R. 16 and D.R. 5.5 zoning, there is sufficient density to construct 921 additional townhouse apartments as laid out on Exhibit I.S. -2 "Record Plat - Section Four Dundee Village" recorded in Plat Book EHK, Jr. 33, Folio 64.

These low-cost rental units although necessary, has proven to not attract the most desirable tenants. Mobile homes will on the other hand be owned by the occupants and although low cost would give that pride of ownership that is so necessary to keep up a community.

Construction of apartments in lieu of mobile homes would more than double the density and almost all other demands on public facilities except for impervious area. The mobile homes have a roof area of 67 x 14 or 938 square feet compared with two story townhouse apartments of 14' x 26' or 364 square feet per average unit. For comparison see Table #2.

-19-

TABLE 2
DEVELOPMENT IMPACT COMPARISON OF DUNDEE VILLAGE
PROPOSED GALWAY BAY PARK

ITEM	DUNDEE VILLAGE	GALWAY BAY PARK	% OF DUNDEE VILLAGE
Development Area (Acres)	62.358	62.704	100.55 %
Number Dwelling Units	921	427	46.36 %
Density (F.P.A.)	14.77	6.81	46.11 %
Population (Persons)	2,579	1,196	46.36 %
Paving (Sq. Ft.)	700,040	607,080	86.72 %
Roof Area (Sq. Ft.)	340,080	403,762	118.72 %
Total Impervious Area (Acres)	23.878	23.205	97.18 %
Required Open Space (Acres)	8.563	1.881	21.97 %
Open Space Provided (Acres)	18.53	19.33	104.32 %
Sanitary Sewer Demand (M.G.D.)	0.232	0.106	46.36 %
Traffic Impact (A.D.T.)	7,828	4,441	56.73 %
Daily Trips Per Person	8.5	10.4	122.35 %
Gross Lot Area Per Family (Acres)	1.470	4.200	285.71 %

-20-

Cable television will be available at the site which will eliminate the need for unsightly television aerials. Since this service is available its use will be made a part of restrictive covenants in the development.

Decorative street lights will be installed along all roadways together with attractive street signs.

The existing woodland along the east boundary will be preserved. Lawns and landscaping will be developed along the waterfront and around community clubhouse and administrative office. Compact white pine screen planting will be used in all areas adjacent to the existing Dundee Village and a chainlink security fence will be constructed along all adjoining property lines. New landscaping will be done along Dundee Village Circle (east) to provide as pleasing an entrance as possible.

Variances are requested to provide a more interesting variety in layout and housing types within the park; however, stringent restrictive covenants will be enforced to maintain a well-planned, orderly park with varied setbacks. See I.S.-5.

The fact that these mobile homes will be privately owned by the occupant, will certainly attract much more desirable residents with pride of ownership and permanency.

Mobile home parks appeal to a large variety of people. Ease of maintenance and upkeep is of particular appeal to the elderly. Young couples are attracted to mobile homes because of their appeal as a "starter home" where the pros and cons of home ownership are first discovered. Mobile homes also attract middle-aged couples whose children have grown and may not be accustomed to the emptiness of a large house or may want the freedom to travel more without the worry of home maintenance.

-16-

Please note that most impacts and overall densities for the proposed development would be less than half of what was originally proposed, where the living space, lot area (to the center of access roads) and open space for the proposed development are greater than Dundee Village by as much as almost 3 times. Paved area is more than one half of Dundee Village as off street parking for mobile homes is provided for 2 car spaces per dwelling unit where apartments only provide for an average of slightly in excess of 1.53 car spaces per dwelling unit.

Therefore, it can be seen that impacts on density and effect on public facilities are far less and living space is far greater than the Dundee Village alternate.

Petition For Conditional Reclassification Special Exception and Variances

15th Election District

ZONING: Petition for Conditional Reclassification, Special Exception and Variances
LOCATION: Northeast side of Dundee Village Circle, 785' S from Eastern Avenue
DATE & TIME: Thursday, Sept. 16, 1982 at 10:00 A.M.
PUBLIC HEARING: Room 214, Courthouse, Towson, Md.

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing:

Petition for Conditional Reclassification from D.R. 16 and D.R. 5.5 zone to a D.R. 5.5 zone, Special Exception for a trailer park (mobile home park); and Variances to reduce required 75 ft. setback from boundary lines to a minimum of 15 ft. and to reduce space between trailers for the required 30 ft. to 15 ft.

The Zoning Regulations to be accepted as follows: Sections 414.4 and 414.5 - distance from boundary lines for trailers and distance between trailers.

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

Beginning for the same on the northeast side of Dundee Village Circle at a point distant 785' - measured along the said north side of said Dundee Village Circle from the south side of Eastern Avenue 60' wide as shown on a plat entitled "Record Plat Section Three Dundee Village" dated May 11, 1973 and recorded among the Plat Records of Baltimore County is Plat Book E11K 2E 37, Folio 35 the coordinates of said point being N 18474.57' E 6992.50' as shown on said plat and running thence

and binding on the north side of Section Four Dundee Village the four following courses and distances viz: (1) N 24° 15' 00" E 363.34' (2) N 60° 57' 13" E 39.24' (3) S 41° 12' 04" E 669.23' and (4) N 32° 49' 01" E 485.91' to the center of Marshy Point Road, 30' wide, thence binding on the center of said road S 69° 32' 47" E 36.00' thence binding on the east side of said Section Four the three following courses and distances viz: (1) S 32° 41' 20" W 308.82' (2) S 33° 34' 56" W 296.21' and (3) S 5° 55' 43" W 231.18' to the waters of Saltpeter Creek, thence binding on Saltpeter Creek the ten following courses and distances viz: (1) S 65° 16' 27" E 296.00' (2) S 31° 46' 27" E 264.00' (3) S 104° 27" E 165.00' (4) S 6° 11' 13" W 264.00' (5) S 13° 27" E 396.00' (6) S 6° 46' 27" E 181.60' (7) S 22° 11' 22" W 122.00' (8) N 75° 47' 13" W 594.00' (9) S 78° 1' 32" W 280.60' and (10) N 72° 46' 27" W 410.00' thence binding the seven following courses and distances viz: (1) N 17° 37' 28" E 264.33' (2) N 75° 11' W 215.14' (3) S 89° 47' 00" W 199.83' (4) N 49° 01' 51" W 363.06' (5) N 9° 12' 00" W 160.02' (6) N 89° 47' 00" E 292.17' and (7) N 47° 35' 06" E 12.29' to the center of Dundee Village Circle, thence binding on the center of said Dundee Village Circle as now constructed 30' wide the following courses and distances viz: (1) N 25° 15' 00" W 395.11' and (2) northwesterly along a curve to the left with a radius of 881.47' for a distance of 277.47' said curve being subtended by a chord bearing N 27° 54' 04" E 374.59' thence leaving said road and binding on the north side of Section Four the six following courses and distances viz: (1) N 40° 00' 30" E 14.87' (2) N 69° 36' 31" E 278.56' (3) N 49° 30' 30" E 92.12' (4) S 82° 06' 18" E 530.14' (5) N 37° 13' 12" E 127.30' and (6) N 54° 12' 00" E 24.80' to the northeast side of Dundee Village Circle, thence binding on the northwest side of said Dundee Village Circle as now constructed 30' wide the two following courses and distances viz: (1) northwesterly along a curve to the left with a radius of 291.87' said curve being subtended by a chord bearing N 30° 24' 30" W 290.64' and (2) N 44° 33' 30" W 80.64' to the place of beginning.

Containing 62.704 Acres of land more or less.

Being the property of Lodge Forest Partnership, as shown on plat filed with the Zoning Department.

Hearing Date: Thursday, Sept. 16, 1982 at 10:00 A.M.

Public Hearing: Room 214, Courthouse, Towson, Md.

By Order Of William T. Shackelford, Chairman, County Board of Appeals of Baltimore County

The Times

Middle River, Md., Aug 26 1982

This is to Certify, That the annexed

Petition

was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 26th day of August, 1982

Robert J. Romaua Publisher.

PETITION FOR CONDITIONAL RECLASSIFICATION, SPECIAL EXCEPTION AND VARIANCES

15th Election District

ZONING: Petition for Conditional Reclassification, Special Exception and Variances
LOCATION: Northeast side of Dundee Village Circle, 785' S from Eastern Avenue
DATE & TIME: Thursday, September 16, 1982 at 10:00 A.M.
PUBLIC HEARING: Room 214, Courthouse, Towson, Maryland.

The County Board of Appeals for Baltimore County, by authority of the Baltimore County Charter will hold a public hearing:

Petition for Conditional Reclassification from a D.R. 16 and D.R. 5.5 zone to a D.R. 5.5 zone, Special Exception for a trailer park (mobile home park); and Variances to reduce required 75 ft. setback from boundary lines to a minimum of 15 ft. and to reduce space between trailers for the required 30 ft. to 15 ft.

The Zoning Regulation, to be accepted as follows: Sections 414.4 and 414.5 - distance from boundary lines for trailers and distance between trailers.

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

Beginning for the same on the northeast side of Dundee Village Circle at a point distant 785' - measured along the said north side of said Dundee Village Circle from the south side of Eastern Avenue 60' wide as shown on a plat entitled "Record Plat Section Three Dundee Village" dated May 11, 1973 and recorded among the Plat Records of Baltimore County is Plat Book E11K 2E 37, Folio 35 the coordinates of said point being N 18474.57' E 6992.50' as shown on said plat and running thence

and binding on the north side of Section Four Dundee Village the four following courses and distances viz: (1) N 24° 15' 00" E 363.34' (2) N 60° 57' 13" E 39.24' (3) S 41° 12' 04" E 669.23' and (4) N 32° 49' 01" E 485.91' to the center of Marshy Point Road, 30' wide, thence binding on the center of said road S 69° 32' 47" E 36.00' thence binding on the east side of said Section Four the three following courses and distances viz: (1) S 32° 41' 20" W 308.82' (2) S 33° 34' 56" W 296.21' and (3) S 5° 55' 43" W 231.18' to the waters of Saltpeter Creek, thence binding on Saltpeter Creek the ten following courses and distances viz: (1) S 65° 16' 27" E 296.00' (2) S 31° 46' 27" E 264.00' (3) S 104° 27" E 165.00' (4) S 6° 11' 13" W 264.00' (5) S 13° 27" E 396.00' (6) S 6° 46' 27" E 181.60' (7) S 22° 11' 22" W 122.00' (8) N 75° 47' 13" W 594.00' (9) S 78° 1' 32" W 280.60' and (10) N 72° 46' 27" W 410.00' thence binding the seven following courses and distances viz: (1) N 17° 37' 28" E 264.33' (2) N 75° 11' W 215.14' (3) S 89° 47' 00" W 199.83' (4) N 49° 01' 51" W 363.06' (5) N 9° 12' 00" W 160.02' (6) N 89° 47' 00" E 292.17' and (7) N 47° 35' 06" E 12.29' to the center of Dundee Village Circle, thence binding on the center of said Dundee Village Circle as now constructed 30' wide the following courses and distances viz: (1) N 25° 15' 00" W 395.11' and (2) northwesterly along a curve to the left with a radius of 881.47' for a distance of 277.47' said curve being subtended by a chord bearing N 27° 54' 04" E 374.59' thence leaving said road and binding on the north side of Section Four the six following courses and distances viz: (1) N 40° 00' 30" E 14.87' (2) N 69° 36' 31" E 278.56' (3) N 49° 30' 30" E 92.12' (4) S 82° 06' 18" E 530.14' (5) N 37° 13' 12" E 127.30' and (6) N 54° 12' 00" E 24.80' to the northeast side of Dundee Village Circle, thence binding on the northwest side of said Dundee Village Circle as now constructed 30' wide the two following courses and distances viz: (1) northwesterly along a curve to the left with a radius of 291.87' said curve being subtended by a chord bearing N 30° 24' 30" W 290.64' and (2) N 44° 33' 30" W 80.64' to the place of beginning.

Containing 62.704 Acres of land, more or less.

Being the property of Lodge Forest Partnership, as shown on plat filed with the Zoning Department.

Hearing Date: Thursday, September 16, 1982 at 10:00 A.M.

Public Hearing: Room 214, Courthouse, Towson, Md.

By Order Of William T. Shackelford, Chairman, County Board of Appeals of Baltimore County

CERTIFICATE OF PUBLICATION

TOWSON, MD., August 26, 1982

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., ~~once in each of one time~~ ~~successive weeks~~ before the 16th day of September, 1982, the first publication, appearing on the 26th day of August, 1982

THE JEFFERSONIAN,

William E. Hammond Manager.

Cost of Advertisement, \$



BALTIMORE COUNTY OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

Robert J. Romaua, Esquire
John B. Gonttrum, Esquire
809 Eastern Boulevard
Baltimore, Maryland 21221

September 8, 1982

Re: Petitions for Conditional Reclassification, Special Exception and Variances
NE/S Dundee Village Cir., 785' S from Eastern Avenue
Lodge Forest Partnership - Petitioners
Case #CR-83-59-XA Cycle III - Item #4

Dear Sirs:

This is to advise you that \$280.27 is due for advertising and posting of the above property.

Please make the check payable to Baltimore County, Maryland, and remit to Arlene January, Zoning Office, Room 113, County Office Building, Towson, Maryland 21204, before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE-REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

DATE 10/6/82 ACCOUNT R-01-615-000

AMOUNT \$280.27

RECEIVED John B. Gonttrum, Esquire

FOR Advertising & Posting Case #R-83-59-XA

157*****20271b R088A

VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 26th day of February, 1982.

Filing Fee \$ 50.00 Received: ☒ Check

☐ Cash

☐ Other

William E. Hammond
William E. Hammond, Zoning Commissioner

Submitted by Robert Romaua

Petitioner Henry J. Romaua

Petitioner's Attorney Robert Romaua

Reviewed by William E. Hammond

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District 15 Date of Posting 9/29/82

Posted for Petition for Conditional Reclassification, Special Exception & Variances

Petitioner: Lodge Forest Partnership Licensee

Location of property: N.E. 1/4 Dundee Village Circle, 785' S from Eastern Ave.

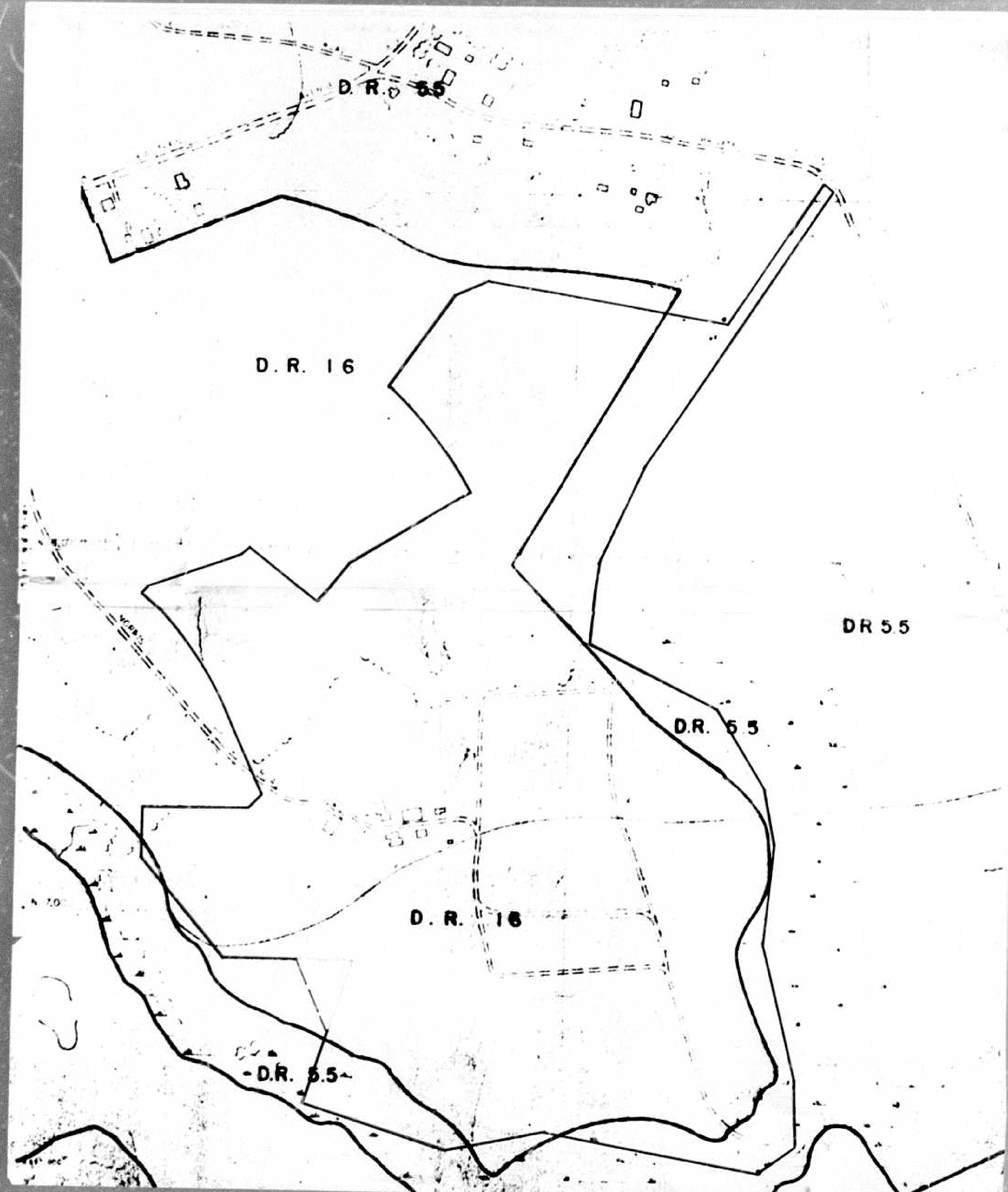
Location of Signs: at the 1st & 2nd turning Dundee Village Circle opposite Dundee Circle

Remarks:

Posted by William E. Hammond Date of return: 9/3/82

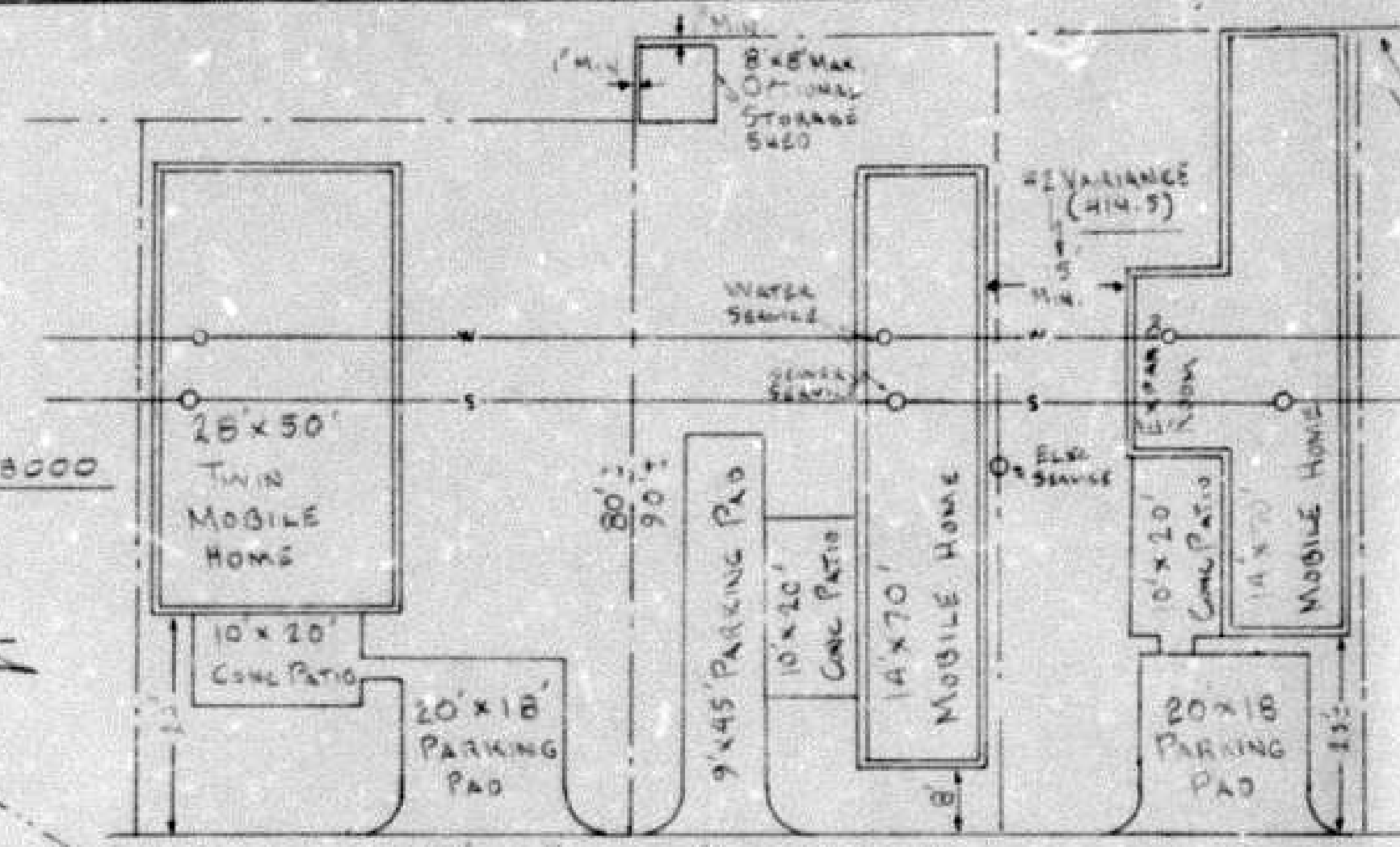
Signature

Number of Signs: 6



S49°31'47"E
50.00'

HARRY S. WEL KITTTEL
5077/118



*VARIANCES
LESS THAN 75'
TO PAVED LINE
(A4.4)
15' MINIMUM

S0°46'27"E
16.50'

SALT PETER CREEK

668,000
115,000

ROAD

POINT

MARENY

OPEN SPACE

EXISTING SECTION

NOTE:
ALL UTILITIES TO BE PRIVATE
EXTENSION OF EXISTING PRIVATE
UTILITY SYSTEM IN DUNDEE
VILLAGE, ROADS TO BE PRIVATE



KEY MAP
SCALE 1"=2000'

30' PAVED ROADWAY
TWIN LOT
TYPICAL LOT
VARIANCES
SCALE 1"=20'

WOODS

OF TIDAL WETLANDS

WOODS

EXISTING 8' CONTOUR
PROPOSED 8' CONTOUR
LIMIT TIDAL WETLANDS

PRELIMINARY

SUBJECT TO MINOR ADJUSTMENTS A
MAY BE REQUIRED TO CONFORM WITH
COUNTY AND STATE REGULATIONS AND
STANDARDS

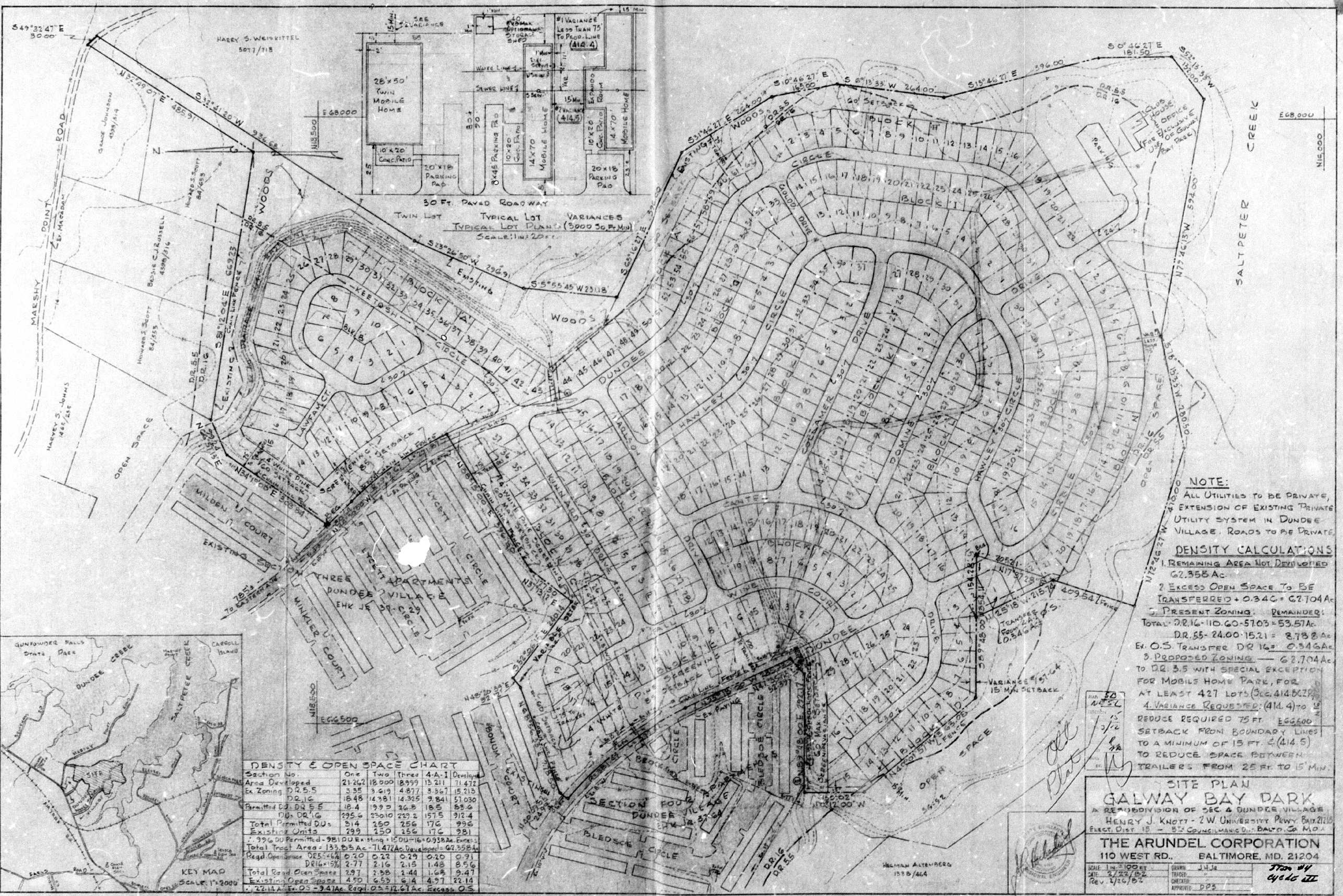
GALWAY BAY PARK
A RESUBDIVISION OF DEC 4 DUNDEE VILLAGE

SHEET 15 OF 15 BALTO CO MD

THE ARUNDEL CORPORATION
110 WEST RD., BALTIMORE, MD. 21204

SCALE 1"=100'	DRAWN J.H.J.
DATE 5/22/84	TRACED
REVISED 3/7/83 C.A.S.	CHECKED
	APPROVED P.J.S.





NOTE:

ALL UTILITIES TO BE PRIVATE,
EXTENSION OF EXISTING PRIVATE
UTILITY SYSTEM IN DUNDEE
VILLAGE. ROADS TO BE PRIVATE

DENSITY CALCULATIONS

1. REMAINING AREA NOT DEVELOPED
62.358 Ac.

EXCESS OPEN SPACE TO BE
TRANSFERRED + 0.34C = 62.704Ac

PRESENT ZONING: REMAINDER:
L-22.16-110.60-57.03 = 53.57Ac.

DR.55-24.00-15.21 = 2.738Ac
S. TRANSFER DR 16 = 0.346Ac

PROPOSED ZONING — G2.704Ac
2.3.5 WITH SPECIAL EXCEPTION

MOBILE HOME PARK, FOR
EAST 427 LOTS (500.414 B. 27)

CE REQUIRED 75 FT EGG 500

MINIMUM OF 15 FT. $\pm$ (414.5)

REDUCE SPACE BETWEEN
LERS FROM 25 FT. TO 15' MIN.

SITE PLAN

GALWAY BAY PARK.

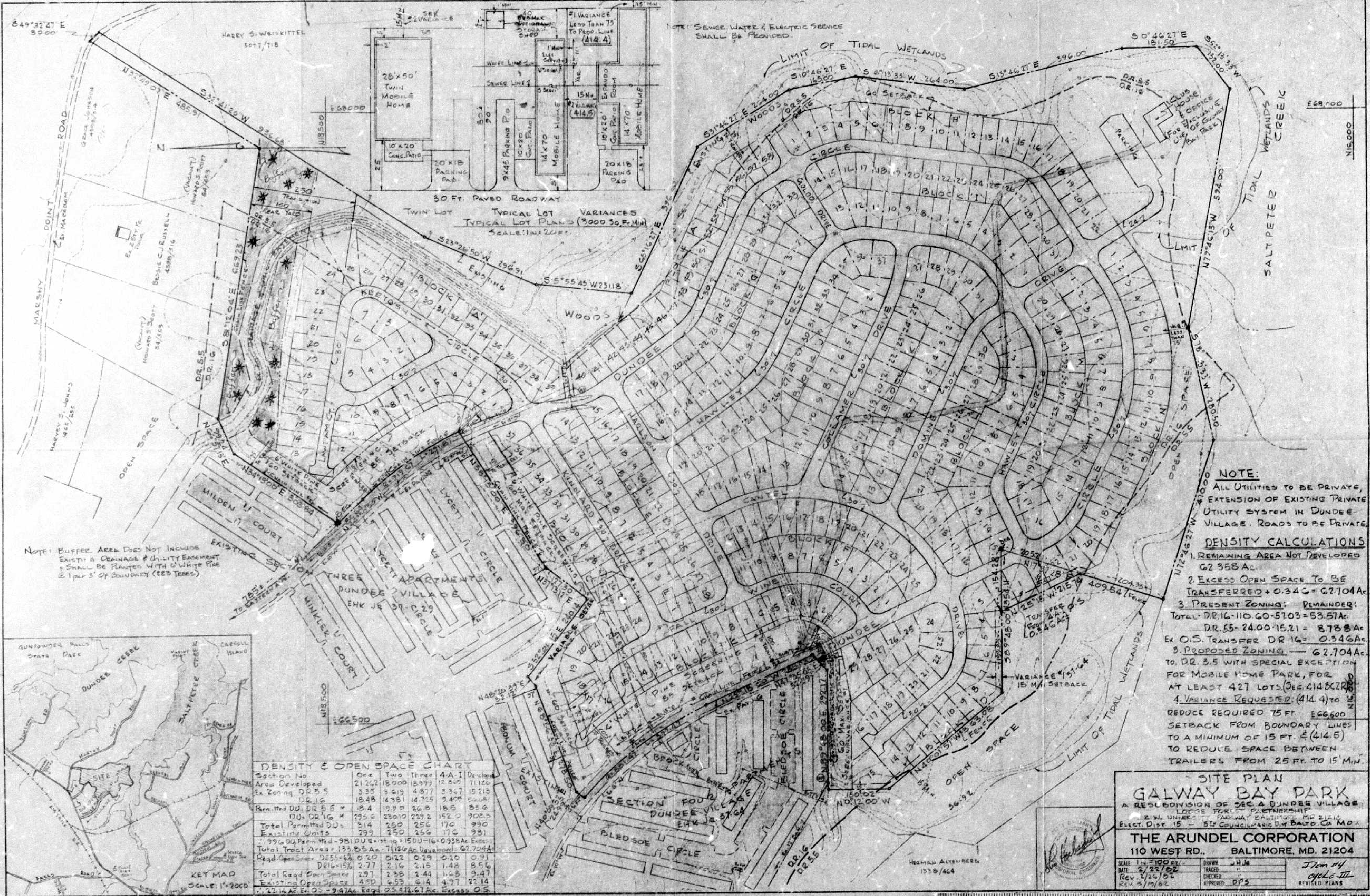
A RESUBDIVISION OF SEC 4 DUNDEE VILLAGE
HENRY J. KNOTT - 2 W. UNIVERSITY PKWY. BALD. 212
ELECT. DIST. 15 - 874 COUNCILMAN DR. BALD. Co. MO.

THE ARUNDEL CORPORATION
110 WEST RD., BALTIMORE, MD. 21204

SCALE 1 in. = 100 FT	DRAWN J.H.Jr	STATION #4 CYCLO III
DATE 3/22/82	TRACED "	
REV 2/26/82	CHECKED "	
	APPROVED D.P.S.	

A horizontal ruler with markings from 5 to 11 inches. The markings are in inches, with major ticks every inch and minor ticks every millimeter. The numbers 5, 7, 8, 9, 10, and 11 are visible below the ruler.

DENSITY & OPEN SPACE CHART					
Section No.	One	Two	Three	4-A-1	Developed
Area Developed	21.262	18.000	18.999	13.211	71.472
Ex. Zoning	DR 5.5	3.35	3.419	4.877	3.367
	DR 16	18.48	14.381	14.325	9.84
Permitted DU: DR 5.5	28.4	19.9	26.8	18.5	85.6
DU: DR 16	295.6	330.10	229.2	157.5	912.4
Total Permitted DUs	314	250	256	176	996
Existing DUs	299	250	256	176	981
. 99% DU Permitted - 98% DU Existing - 15 DU - 16 = 0.93282 Area Excess					
Total Tract Area = 139.83 Ac - 71.472 Ac Developed = 67.358 Ac					
Regd. Open Space	DR 5.5 = 66%	0.30	0.22	0.29	0.20
	DR 16 = 15%	2.77	2.16	2.13	1.48
Total Regd. Open Space	2.97	2.38	2.44	1.68	9.47
Existing Open Space	4.50	6.53	6.14	4.97	22.14
. 22.14 Ac Ex. OS - 9.47 Ac Regd. OS = 12.67 Ac Excess OS					



NOTE: BUFFER AREA DOES NOT INCLUDE EXISTING & DRAINAGE & CHURCH EASEMENT & SHALL BE PLANTED WITH WHITE PINE @ 1 PER 3' OF BOUNDARY (223 TREES)

NOTE:
1. ALL UTILITIES TO BE PRIVATE, EXTENSION OF EXISTING PRIVATE UTILITY SYSTEM IN DUNDEE VILLAGE. ROADS TO BE PRIVATE.
2. DENSITY CALCULATIONS
3. REMAINING AREA NOT DEVELOPED 62.358 AC.
4. EXCESS OPEN SPACE TO BE TRANSFERRED + 0.346 = 62.704 AC.
5. PRESENT ZONING: REMAINDER: TOTAL - DR. 16 - 110.60 - 57.03 = 53.57 AC.
6. DR. 55 - 24.00 - 15.21 = 8.788 AC.
7. EX O.S. TRANSFER DR. 16 = 0.346 AC.
8. PROPOSED ZONING - 62.704 AC.
9. TO DR. 3.5 WITH SPECIAL EXCEPTION FOR MOBILE HOME PARK, FOR AT LEAST 427 LOTS (SEE 414.502R).
10. VARIANCE REQUESTED: (414.4) TO REDUCE REQUIRED 75 FT. E66500 SETBACK FROM BOUNDARY LINES TO A MINIMUM OF 15 FT. E(414.5) TO REDUCE SPACE BETWEEN TRAILERS FROM 25 FT. TO 15' MIN.

DENSITY & OPEN SPACE CHART					
Section No.	One	Two	Three	4-A-1	Developed
Area Developed	21.241	18.000	12.999	12.805	71.126
Ex. Zoning DR. 5.5	3.35	3.619	4.877	3.367	15.213
DR. 16	18.48	14.381	14.325	9.438	55.913
Permitted DU: DR. 5.5	18.4	19.9	26.8	18.5	83.6
DU: DR. 16	235.5	230.0	229.2	152.0	905.5
Total Permitted DU:	214	250	256	170	990
Existing Units	299	250	256	176	981
99% DU Permitted - 981 DU Existing = 1500 - 16 = 9938 Ac. Excess					
Total Tract Area = 133.83 Ac. - 71.126 Ac. Developed = 62.704 Ac.					
Regd. Open Space DR. 5.5 = 6%	0.20	0.22	0.29	0.20	0.91
DR. 16 = 15%	2.77	2.16	2.15	1.48	8.56
Total Regd. Open Space	2.97	2.38	2.44	1.68	9.47
Existing Open Space	4.50	6.53	6.14	4.27	21.44
22.12 Ac. Ex. O.S. = 9.47 Ac. Regd. O.S. = 12.61 Ac. Excess O.S.					

* PARKING REQUIRED: DR. 5.5 - 1.75 x 55.5 = 97.125 + DR. 16 = 908.5 x 1.53 = 1389.7 = 1586.82 TOTAL PARKING PROVIDED: 1555

SITE PLAN
GALWAY BAY PARK
A RESUBDIVISION OF 266.4 DUNDEE VILLAGE LOTS FOR A PARTNERSHIP
2 W. UNIVERSITY PARKWAY BALTIMORE, MD 21216
ELECT. DIST. 15 - 5TH COUNCILMANIC DIST. BALTO. CO. MD.
THE ARUNDEL CORPORATION
110 WEST RD., BALTIMORE, MD. 21204
SCALE: 1" = 100' DRAWN: J.H.M.
DATE: 2/22/82 TRACED: J.H.M.
REV. 3/10/82 CHECKED: J.H.M.
APPROVED: D.P.S.
Plan of Cycle III
REVISED PLANS



CURVE DATA					
NO.	Δ	RADIUS	ARC	TAN	CHORD
C-1	111.00	918.67	191.67	147.17	536.24

DENSITY, PARKING AND OPEN SPACE CHART					
Section No.	One	Two	Three	Four	Five
Area of Section (Acres)	21.22	18.00	16.79	15.33	13.21
Gross Area (Acres)	21.22	18.00	16.79	15.33	13.21
Zoning D.R. 5.5 (Acres)	3.35	3.61	4.87	12.11	13.21
D.R. 16 (Acres)	18.45	14.38	14.32	3.22	0.00
Permitted No. of Units	125	190	260	320	180
D.R. 5.5 Area x Density Units	205	230	229	101	180
Total (Density + Existing Units)	205	230	229	101	180
Number of Density Units Proposed	205	230	229	101	180
Required number of off-street parking spaces (density below)	456	369	335	227	227
Number of off-street parking spaces proposed/existing	5	5	5	5	5
Required Open Space Area D.R. 5.5 Area x 6% (Acres)	0.26	0.22	0.26	0.26	0.26
D.R. 16 Area x 10% (Acres)	2.77	2.16	2.16	0.32	0.00
Total (Acres)	2.77	2.38	2.42	0.58	0.00
Total Open Space Area Proposed/Existing (Acres)	2.77	2.38	2.42	0.58	0.00
Notes: 1. The above chart is based on the assumption that the minimum parking spaces required for each section are as shown. 2. The above chart is based on the assumption that the minimum open space required for each section is as shown. 3. The above chart is based on the assumption that the minimum density units required for each section are as shown. 4. The above chart is based on the assumption that the minimum gross area required for each section is as shown.					

OWNER'S CERTIFICATE:
The requirements of Chapter 106 of the Code of 1945 as far as they relate to the making of this plat and to the setting of markers have been complied with.

Owner of Land Shown Hereon

APPROVED
BALTIMORE COUNTY HEALTH DEPARTMENT
Date: 1/15/74
Signature: [Signature]
Deputy State and County Health Officer

APPROVED
BALTIMORE COUNTY PLANNING BOARD
Date: 1/15/74
Signature: [Signature]
Director, Baltimore County Planning Board

APPROVED
BALTIMORE COUNTY HIGHWAYS DEPARTMENT
Date: 1/15/74
Signature: [Signature]
Road Engineer, Baltimore County Highways Dept.

NOTES:
1. The streets and/or roads shown herein and the section thereof in blocks are for the purposes of description only and the same are not intended to be dedicated to public use. The fee simple title to the beds thereof is expressly reserved in the grant of the deed to which this plat is attached, their name and design.
2. The plat is shown on the plat as being in the Baltimore County Metropolitan District Council's system using markers X-6665 and X-6666.
3. The buildings, courts and circles shown are proposed improvements and were not existing as of record plat date or July 15, 1974, revision date.
4. REVISIONS SHOWN WERE MADE AFTER PLAT WAS RECORDED.

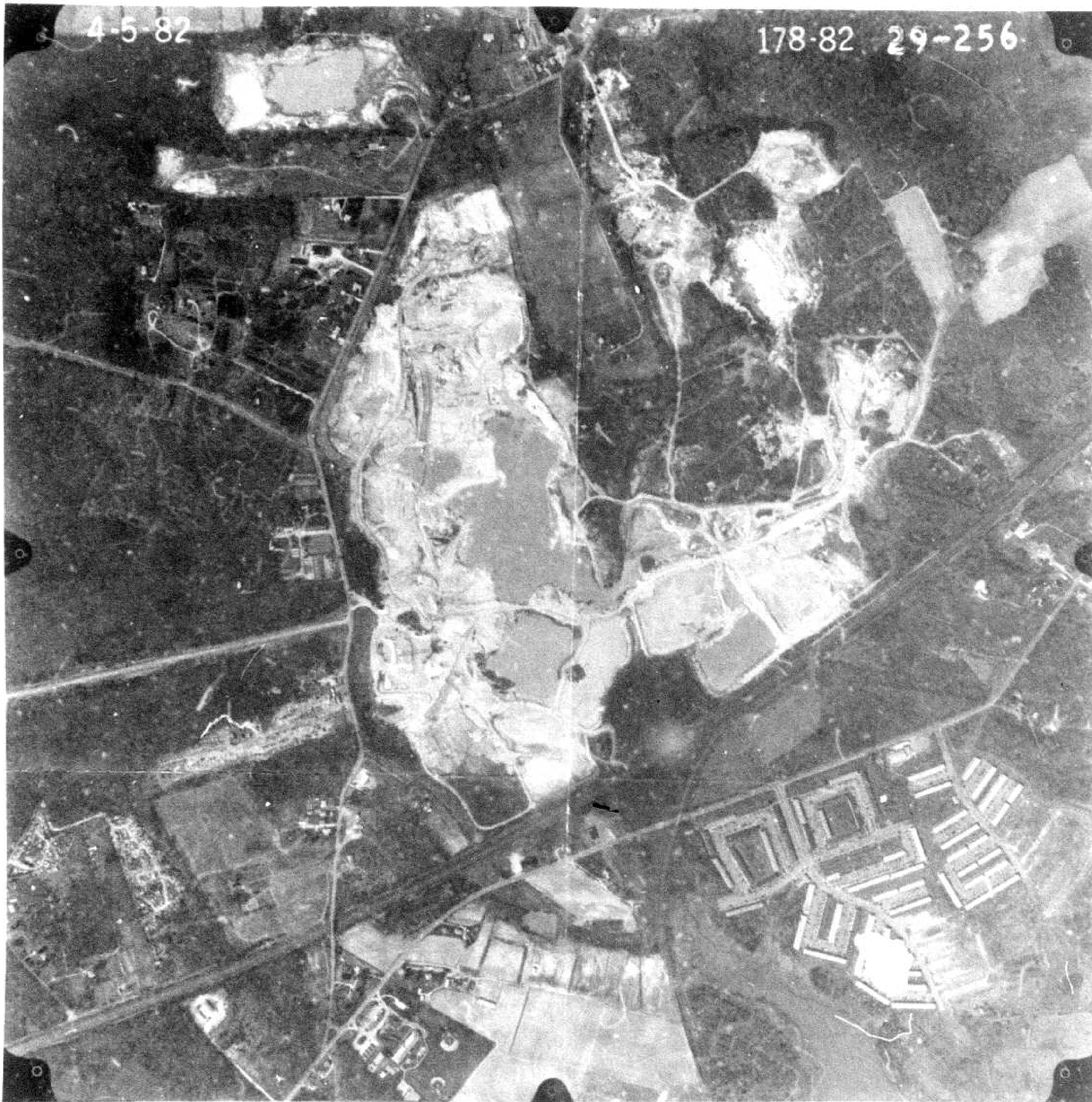


RECORD PLAT - SECTION FOUR
DUNDEE VILLAGE
ELECTION DISTRICT 15, BALTIMORE COUNTY, MARYLAND
HUMAN & SCHLAFMAN, INC. - LANDSCAPE ARCHITECTS/LAND PLANNERS
15 OLD PADONIA ROAD, COCKEYSVILLE, MARYLAND 21030
SCALE: 1"=100'
NOVEMBER 2, 1973
REVISED JULY 15, 1974, TO SHOW OUTLINE OF SECTION 4-A
WO 1571.4
FILE: 2-704



4-5-82

178-82 29-256



ADP