Baltimore County
Department of Permits and
Development Management

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

October 6, 1998

Mr. Patrick M. O'Keefe
Morris & Ritchie Associates, Inc.
110 West Road, Suite 245
Towson, MD 21204

Dear Mr. O'Keefe :

RE: Biscayne Bay, Zoning Case 86-524-XA, 15th Election District

This letter confirms the zoning spirit and intent approval for the changes proposed in zoning case 86-524-XA. The changes were already approved on the revised CRG plan dated May 29, 1998.

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Very truly yours,

John L. Lewis
Planner II
Zoning Review

JLL:scj

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

Printed with Soybean Ink on Recycled Paper

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

No. 056219

DATE 9/25/98 ACCOUNT R001-6150
AMOUNT $ 40 —
RECEIVED FROM: James Knott
FOR: Spirit & Intent 86-524-XA Biscayne Bay

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT
PROCESS ACTUAL TIME
9/28/1998 9/25/1998 14:46:55
MISC MISC CASHIER PAYS PDM CASHIER 3
5 MISCELLANEOUS CASH RECEIPT
Receipt # 059965
Control 056219
40.00 CHECK: FP
Baltimore County, Maryland

CASHIER'S VALIDATION

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

☐ 139 N. MAIN ST., STE. 200 BEL AIR, MD 21014 (410) 879-1690 (410) 836-7560 FAX (410) 879-1820
☐ 110 WEST RD., STE 245 TOWSON, MD 21204 (410) 821-1690 FAX (410) 821-1748

245 9/28/98

LETTER OF TRANSMITTAL

DATE 9/25/98 JOB NO. 10455
ATTENTION % - CARL RICHARDS
RE: BISCAYNE BAY VILL. LETTER OF SPIRIT & INTENT CASE NO. 86-524-XA

TO BALTIMORE COUNTY P.D.M. - ZONING ADM. 111-W. CHESAPEAKE AVE. ARNOLD JABLON, DIRECTOR

WE ARE SENDING YOU ☑ Attached ☐ Under separate cover via _____ the following items:
☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
1	SET 4 dwgs —		1st AMENDED PHASE II CRG / FINDINGS / DRC #02098H / DATA-SHEETS

RECEIVED 98 410! PDM

THESE ARE TRANSMITTED as checked below:
☑ For approval ☐ Approved as submitted ☐ Resubmit _____ copies for approval
☐ For your use ☐ Approved as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE _____ 19____ ☐ PRINTS RETURNED AFTER LOAN TO US

REMARKS PLEASE NOTE THAT THIS LETTER OF SPIRIT AND INTENT DATED MAY 14, 1998 IS THE SUBJECT OF SOME CONCERN SINCE WE HAVE NO RECORD OF YOUR PRIOR RESPONSE. THEREFORE IN THE ABSENCE OF RESPONSE, WE SUBMIT HEREWITH AN ADDITIONAL FILING FEE FOR S&I LETTER. YOUR EARLY RESPONSE WOULD BE APPRECIATED, SINCE PLUMBING PERMITS SEEM TO BE HELD IN ABEYANCE AWAITING A ZONING RESOLUTION.

COPY TO C. KNOTT
M. DAVIS

SIGNED: Patrick M. O'Keefe

If enclosures are not as noted, kindly notify us at once.

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS

#10455

May 14, 1998

Mr. Arnold Jablon
Baltimore County Permits
and Development Management
111 W. Chesapeake Avenue, Rm 109
Towson, MD 21204

Subject: Biscayne Bay Village
Case No. 86-524-XA

Dear Mr. Jablon:

The zoning case on the aforementioned property granted September 26, 1989 permitted a Special Exception for a trailer park within a DR 3.5 zone for the Phase II area of the project, along with variance reductions in boundary setback of 12.5 feet in lieu of the 75 feet required, a paving reduction to 25 feet in lieu of 30 feet and a trailer to trailer setback reduction of 15 feet in lieu of 25 feet. The approved plans were for a 174 unit mobile home park of which 24 units have been constructed.

The First Amended CRG Plan revised the unit mix between double wide and single wide units along with minor layout modifications. The total number of units is reduced to 164 units.

It is our opinion that these revisions are within the spirit and intent of the variances and Special Exception Order. The first CRG refinement was approved by the Development Review Committee on February 26, 1998 for the revised layout.

We request that you review the enclosed Plan, the zoning case file, and render your decision on this matter.

☐ 139 N. MAIN STREET, SUITE 200 BEL AIR, MARYLAND 21014 (410) 879-1690 (410) 836-7560
☐ 110 WEST ROAD, SUITE 245 TOWSON, MARYLAND 21204 (410) 821-1690
☐ 9090 JUNCTION DRIVE, SUITE 9 ANNAPOLIS JUNCTION, MARYLAND 20701 (410) 792-9446 (301) 470-4470

Please contact this office if you require additional information.

Very Truly Yours,

MORRIS & RITCHIE ASSOCIATES, INC.

Scott D. Rouk, RLA
Associate

enclosure

cc: Tom Brooks
Ted Scott
Tom O'Laughlin
David Taylor

SDR:mak\#10455\unitrev.ltr\051498

12/7/94
To MJK 12/8/94
To w/ $ at cashie

JAMES F. KNOTT REALTY GROUP

December 6, 1994

Mr. Arnold Jablon
Director
Baltimore County
Zoning Administration & Development Management
111 Chesapeake Avenue
Room 109
Towson, Maryland 21204

Dear Mr. Jablon:

We are in the process of refinancing a residential property that is located in Baltimore County. Our lender, Loyola Federal Savings Bank, has requested verification of our compliance with the zoning regulations for this property. I would greatly appreciate a letter from your office that would satisfy their request. The property is identified as follows:

1) Biscayne Bay Village Mobile Home Park, Phase I & II
   Parcel 167 in grid 5 on tax plat map number 91

I have attached a portion of an appraisal to facilitate identification of this property. Please notify me at 321-1000 when the letter is ready for pick up. The letter should be addressed as follows:

Loyola Federal Savings Bank
c/o Charles O'Donovan
James F. Knott Realty Group
110 West Road, Suite 203
Towson, Maryland 21204

Thank you for your assistance

Sincerely,

Charles O'Donovan

Speed Letter

In the interest of speed and economy, we are replying to your letter with marginal notes. If you need more information, do not hesitate to call or write. Thank you for your interest.

December 15, 1994

Please be advised that the above-referenced property, as approved per zoning cases #86-524-XA and #90-74-SPHA, the final development, and recorded plats, complies with the Baltimore County Zoning Regulations. Please also be aware that upon final approval of any development or construction, all other applicable Baltimore County regulations must be complied with. This includes, but is not limited to, the Development Regulations.

Mitchell J. Kellman
Planner II

DEPARTMENT OF TRAFFIC ENGINEERING

BALTIMORE COUNTY, MARYLAND

TO : M. James Markle Date: 5-7-86

FROM : C. Richard Moore

SUBJECT: C.R.G. Comments

PROJECT NAME: Biscayne Bay Village C.R.G. PLAN: X

PROJECT NUMBER & DISTRICT: 15C5 86080 DEVELOPMENT PLAN:

LOCATION: Eastern Ave. Exit RECORD PLAT:

There will need to be a clear sight area of at least 10 ft. behind the edge of paving for all proposed roads, with grading and clearing and no sight obstructions. This area needs to be shown on the standard detail and cross-section. Also, 250 ft. long sight lines need to be shown on the inside of the curve in the southeast corner of the property. The area between the sight line and the edge of paving needs to be cleared, graded, and kept free of sight obstructions, and needs to be shown on all future plans including the development plan.

C. Richard Moore
Deputy Director
Department of Traffic Engineering

CRM:GWJ:lt

DEPARTMENT OF PLANNING

BALTIMORE COUNTY PUBLIC SCHOOLS

COUNTY REVIEW GROUP MEETING

of 5/8/86

evelopment Biscayne Bay Village

ocation Eastern Avenue Extended

istrict 15

Comments

chool Situation 9/85

School	Enrollment	Capacity	Over/Under
Chase Elem.	252	452	-200
Middle River Mid.	997	1174	-177
Perry Hall High	1798	1910	-112

Future Construction

School	Status	Capacity	Estimated To Open

*Programmed Construction

School	Capacity	Year Programmed	Estimated To Open

Possible Student Yield

Elementary 33

Junior 24

Senior 23

*Subject to availability of funds

Planning

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

BALTIMORE COUNTY, MARYLAND

DATE: APRIL 24, 1986

SUBJECT: SUBDIVISION REVIEW COMMENTS

FROM: BALTIMORE COUNTY FIRE DEPARTMENT, FIRE PREVENTION BUREAU, PLANS REVIEW DIVISION
CAPTAIN JOSEPH KELLY

PROJECT NAME: BISCAYNE BAY VILLAGE

PROJECT NUMBER: CRG AGENDA 5/8/86, 11:00 AM

LOCATION: EASTERN AVENUE EXTENDED

DISTRICT # 15

COMMENTS:

CRG 01
PROPOSED BUILDINGS SHALL BE DESIGNED AND CONSTRUCTED SO AS TO MEET THE APPLICABLE PROVISIONS OF THE FIRE PREVENTION CODE AND THE NFPA 101 LIFE SAFETY CODE, 1981 EDITION.

CRG 02
FIRE FLOW TEST IS REQUIRED TO BE CONDUCTED BY THE BALTIMORE CITY WATER DEPARTMENT AS CLOSE TO THE SITE AS POSSIBLE,SPECIFICALLY: ON BISCAYNE BAY BLVD.
TEST RESULTS ARE TO BE FORWARDED TO THE OFFICE OF THE FIRE PROTECTION ENGINEER.

CRG 09
ALL FIRE HYDRANT SPACING SHALL BE IN ACCORDANCE WITH THE BALTIMORE COUNTY STANDARD DESIGN MANUAL, SEC 2.4.4, FIRE HYDRANTS.
FIRE HYDRANTS AT 500' INTERVALS.

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. REINCKE
CHIEF

BALTIMORE COUNTY, MARYLAND

DATE: APRIL 29, 1986

SUBJECT: SUBDIVISION REVIEW COMMENTS

FROM: BALTIMORE COUNTY FIRE DEPARTMENT, FIRE PREVENTION BUREAU, PLANS REVIEW DIVISION
CAPTAIN JOSEPH KELLY

PROJECT NAME: BISCAYNE BAY VILLAGE

PROJECT NUMBER: CRG AGENDA 5/8/86, 11:00 AM

LOCATION: EASTERN AVENUE EXTENDED

DISTRICT # 15

COMMENTS:

CRG 01
PROPOSED BUILDINGS SHALL BE DESIGNED AND CONSTRUCTED SO AS TO MEET THE APPLICABLE PROVISIONS OF THE FIRE PREVENTION CODE AND THE NFPA 101 LIFE SAFETY CODE, 1981 EDITION.

CRG 02
FIRE FLOW TEST IS REQUIRED TO BE CONDUCTED BY THE BALTIMORE CITY WATER DEPARTMENT AS CLOSE TO THE SITE AS POSSIBLE,SPECIFICALLY: BISCAYNE BAY BLVD.
TEST RESULTS ARE TO BE FORWARDED TO THE OFFICE OF THE FIRE PROTECTION ENGINEER.

CRG 09
ALL FIRE HYDRANT SPACING SHALL BE IN ACCORDANCE WITH THE BALTIMORE COUNTY STANDARD DESIGN MANUAL, SEC 2.4.4, FIRE HYDRANTS.
FIRE MAINS SHALL BE LOOPED OR GRIDDED.

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

PETITIONER'S EXHIBIT 2

more County Zoning Regulations requiring 25 feet between each unit be granted to allow modern day mobile homes with "tip outs" to be situated on each lot should the owner of same so desire.

The entire parcel is now undeveloped with municipal water, sewerage and storm water drains presently existing. The property is either abutting or very near to a tidal estuary known as Saltpeter Creek.

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

: :

OPINION

This case comes before the Board of Appeals on a petition for a reclassification of some 62.5 acres of land from D.R. 16 and D.R. 5.5 to D.R. 3.5, a request for a special exception to allow this parcel to be developed as a Mobile Home Park, and also a request for variances from Sections 414.4 and 414.5 of the Baltimore County Zoning Regulations. The subject property is located on the northeast side of Dundee Village Circle 765 feet east of Eastern Avenue in the Fifteenth Election District of Baltimore County. Parts of three days of hearings were required for presentation of all the testimony and evidence pertinent to this hearing.

As the situation now exists, the Petitioner has 54± acres of land zoned D.R. 16 and 8.5± acres zoned D.R. 5.5 upon which some 900± residential units could be erected. He is requesting D.R. 3.5 zoning for the entire 62.5 acres, which would permit the erection of some 220± residential units. He is also, however, requesting a special exception to permit the development of this parcel as a mobile home park containing some 420± residential units. The variances requested have to do with portions of the proposed mobile home park that Petitioner's plat show to be closer to the boundary line than the 75 feet required in Section 414.4 of the Baltimore County Zoning Regulations, and the request that a variance from Section 414.5 of the Baltimore County Zoning Regulations requiring 25 feet between each unit be granted to allow modern day mobile homes with "tip outs" to be situated on each lot should the owner of same so desire.

The entire parcel is now undeveloped with municipal water, sewerage and storm water drains presently existing. The property is either abutting or very near to a tidal estuary known as Saltpeter Creek.

As a result of this, the Baltimore County Health Department and the Bureau of Environmental Services have evidenced concern about the possible effect this proposal would have upon this estuary and its associated tidal wet lands.

Testimony and evidence were presented to this Board for Petitioners by James F. Knott, property owner, who described in detail his proposed use of the property and entered the latest plat showing same.

Mr. Barry Gossett, a partner in the Williams Estates who are the owners of a large mobile home park containing some 391 units developed in 1971, the newest mobile home park in Baltimore County, testified as to the need for more such parks and the practicality of the requested variance from Section 414.5 of the Baltimore County Zoning Regulations.

Mrs. Alberta Pugh, representing the Middle River Council of Civic Associations, testified that the Council she represents was in favor of this proposal rather than the now allowable 900± residential units. She also stated that Baltimore County should be especially vigilant in its protection of the nearby wet lands.

Captain Joseph Kelly, Baltimore County Fire Department, testified that the proposal meets all Baltimore County Fire Department standards.

Charles H. Shinham, a civil engineer, testified at length as to the present condition of the property, the various elevations above sea level thereon, and the effect this proposal, in his opinion, would have on the estuary and wet lands.

All of the above testified that, in their opinion, all the requirements of Section 502.1 of the Baltimore County Zoning Regulations have been complied with. This basically concluded the direct testimony in support of Petitioner's case. The Board, in this Opinion, will not attempt to summarize this lengthy testimony but will allow the record to so speak, however, we will note that all of this testimony and evidence was carefully evaluated in this Opinion and in the Order to follow.

Baltimore County presented Ms. Janice Outen, a water quality planner, who expressed concern about the effect the proposal could have on the estuary and wet lands. She especially noted the proximity of the property to the estuary and wet lands, the importance of protecting these

assets and recommended a 100 foot buffer between development and the wet lands. The testimony of Paul J. Soloman, Head, Environmental Planning Section, Office of Planning and Zoning for Baltimore County, was received in letter form dated July 18, 1983, and reiterated in detail the above noted concerns. This basically concluded all the testimony in this case.

After careful consideration of all this testimony and evidence, the Board must now address the specific issues before it. The first of these issues is the request for reclassification from D.R. 16 and D.R. 5.5 to D.R. 3.5. This request for a reduction in density is of itself unusual, the normal request being from lesser to greater density. The Board must, however, find evidence of change in the neighborhood or error in the present classification to grant the change.

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, expecially 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-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

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 sixty 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.

ORDER

For the reasons set forth in the aforegoing 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

IN RE: PETITION FOR SPECIAL EXCEPTION AND ZONING VARIANCE
Center of Dundee Village Circ.
1920' SE of the center of
Eastern Avenue Extended
Lodge Forest Partnership
Petitioner

BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
Case No. 86-524-XA

* * * * * * * * * * *

The Petitioner herein requests a special exception to build a mobile home park in a D.R. 3.5 zone and zoning variances to reduce the required 75-foot setback from boundary lines to a minimum of 50 feet, and to reduce space between mobile homes from the required 25 feet to 15 feet.

Counsel for the Petitioner proferred information on the checkered history of the site while the Petitioner has sought approval for a mobile home park and variances relative to the placement of individual mobile homes. That history has included the October 1983 Baltimore County Board of Appeals' decision to grant a reclassification and special exception for a total of 400 units in Phase I and II, subject to County Review Group (CRG) approval. In the spring of 1984, CRG approved a plan for 330 units. The Chesapeake Bay Critical Area legislation became effective, retroactive to March 1, 1984, thereby sending the project plans back to CRG. Phase I has been approved by the Board of Appeals and by CRG as to the requirements of the County and the Critical Area legislation and is currently under construction. Phase II received conditional approval on May 18, 1986 from CRG and is the subject of the instant case.

Phase II is a planned and integral part of the mobile home park now being constructed. The request for a 50-foot setback from a boundary line will be utilized only for six (6) mobile homes and only for a distance of approximately 450 feet along the southwestern boundary of the site. The request for variance of 15 feet between mobile homes will be utilized only for the purpose of expanded room additions (tip-outs). The Baltimore County Department

ORDER RECEIVED FOR FILING
DATE 7/3/86
BY
ADMINISTRATIVE ASSISTANT

of Recreation and Parks and the Office of Planning are in the final stages of determining the locations of the local open space and the critical area buffer before the anticipated final CRG approval of plans.

There were no Protestants.

Pursuant to the advertisement, posting of property and public hearing, in the opinion of the Deputy Zoning Commissioner, strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners, the requirements of Section 502.1 have been met, and the health, safety and general welfare of the community will not be adversely affected, and, therefore, the special exception and variances should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 3rd day of July, 1986 that the herein request for special exception to allow for the construction of a mobile home park in a D.R. 3.5 zone and zoning variances to reduce the required 75-feet setback from boundary lines to a minimum of 50 feet and to reduce space between mobile homes from the required 25 feet to 15 feet, in accordance with the plan submitted herein prepared by George W. Stephens, Jr. and Associates, Inc., revised June 9, 1986, identified as Petitioner's Exhibit 1, as modified by the final CRG approved plan, are GRANTED, from and after the date of this Order, subject to the following restriction:

1) There shall be a minimum distance of less than 25 feet between trailers only when required for an expanded room addition (tip-out). Any expanded room addition for any trailer may not exceed 10 feet wide by 22 feet long, and the total width of the trailer and tip-out shall not exceed 24 feet.

Deputy Zoning Commissioner of Baltimore County

ORDER RECEIVED FOR FILING
DATE 7/3/86
BY
ADMINISTRATIVE ASSISTANT

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

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

RE: Petition Special Exception and Zoning Variance
Ctr. of Dundee Village Circ.
1920' SE of the Center of
Eastern Avenue Extended
15th Election District
Case No. 86-524-XA

Dear Sirs:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ:bjs

Attachments

cc: People's Counsel

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
P.O. BOX 6828, TOWSON, MARYLAND 21204

Description to Accompany Petition
For Special Exeption and Variances

April 21, 1986

Beginning for the same at a point in the center of Dundee Village Circle 30 feet wide distant 1920 feet more or less measured southeasterly along the center of Dundee Village Circle from the center of Eastern Avenue extended as shown on a plat of Section One Dundee Village Apartments filed in the Plat Records of Baltimore County in Plat Book O.T.G. 35 folio 133 thence running

1 South 47° 35' 05" West 269.62 feet thence
2 South 19° 55' 50" East 310.30 feet thence
3 South 54° 13' 33" West 258.40 feet to Saltpeter Creek thence on or near the waters of Saltpeter Creek the twelve following courses and distances
4 South 35° 46' 27" East 154.00 feet more or less
5 South 72° 46' 27" East 775.50 feet
6 North 78° 13' 33" East 280.50 feet
7 South 79° 46' 13" East 594.00 feet
8 North 52° 13' 33" East 132.00 feet
9 North 0° 46' 27" West 181.50 feet
10 North 13° 46' 27" West 396.00 feet
11 North 6° 13' 33" East 264.00 feet
12 North 10° 46' 27" West 165.00 feet
13 North 31° 46' 27" West 264.00 feet
14 North 65° 16' 27" West 396.00 feet and
15 North 5° 55' 45" East 231.18 feet thence
16 South 75° 02' 30" West 283.15 feet thence
17 South 14° 00' 00" East 91.14 feet thence
18 southeasterly by a line curving to the east with a radius of 410.00 feet for an arc distance of 80.61 feet (the chord of said arc being South 19° 38' 22" East 80.48 feet) thence
19 South 58° 15' 00" West 194.11 feet thence
20 South 25° 18' 00" East 20.12 feet thence
21 South 58° 15' 00" West 196.24 feet thence
22 North 25° 18' 00" West 10.06 feet thence
23 South 58° 18' 00" West 211.34 feet thence
24 South 66° 12' 26" West 110.20 feet thence
25 South 25° 18' 00" East 40.00 feet and thence

Description to Accompany Petition
For Special Exception and Variances

April 21, 1986
Page -2-

26 South 76° 12' 17" West 102.05 feet to the place of beginning. Containing 47.962 acres of land more or less.

#3026

JUN 19 1987

398

PETITION FOR SPECIAL EXCEPTION

86-524-XA

TO THE ZONING COMMISSIONER 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 for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the herein described property for a mobile home park in a D. R. 3.5 zone.

MAP	NE 7L
	5B
E.D.	15
DATE	3-4-87
200	
1000	
DP	

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

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

N-17,320
E-66,650

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Legal Owner(s):

Lodge Forest Partnership
(Type or Print Name)

[signature]
Signature

(Type or Print Name)

Signature

Attorney for Petitioner:

Robert J. Romadka/John B. Gontrum
(Type or Print Name)

[signature]
Signature

809 Eastern Blvd.
Address

Baltimore, Md. 21221
City and State

Attorney's Telephone No.: 686-8274

110 West Road 321-6436
Address Phone No.

Towson, Maryland 21204
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of May, 19 86, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of June, 19 86, at 10:30 o'clock A. M.

[signature]
Zoning Commissioner of Baltimore County.

Z.C.O.—No. 1

(over)

ORDER RECEIVED FOR FILING
DATE 7/3/86
BY Bette J. Schlubkins

Lodge Forest Partnership 86-524-XA
Center of Dundee Village Circle,
1920' SE of the Center of Eastern
Ave. Extended
15th Elec. Dist.

86-524-XA
#398

86-524-XA

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 21st day of May, 19 86.

[signature]
ARNOLD JABLON
Zoning Commissioner

Petitioner: Lodge Forest Partnership
Petitioner's Attorney: Robert J. Romadka

Received by: James E. Dyer
Chairman, Zoning Plans Advisory Committee

398

PETITION FOR ZONING VARIANCE

86-524-XA

TO THE ZONING COMMISSIONER 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 for a Variance from Section 414.4 to reduce required seventy-five (75) feet setback from boundary lines to a minimum of fifty (50) feet. from Section 414.5 to reduce space between mobile homes from the required twenty-five (25) feet to fifteen (15) feet of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

Boundary lines are with similarly developed property and the required setback would necessitate a total reconfiguration of roads and access points as well as disrupt the continuity of the developments.

Compliance with the required mobile home separation setback would limit the varying styles of homes allowable in the park which has been designed to prov ide residents with choices as to style and appearance.

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

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Legal Owner(s):

Lodge Forest Partnership
(Type or Print Name)

[signature]
Signature

(Type or Print Name)

Signature

MAP	NE 7L
	5B
E.D.	15
DATE	3-4-87

N-17,320
E-66,650

Attorney for Petitioner:

Robert J. Romadka/John B. Gontrum
(Type or Print Name)

[signature]
Signature

809 Eastern Blvd.
Address

Baltimore, Md. 21221
City and State

Attorney's Telephone No.: 686-8274

110 West Road 321-6436
Address Phone No.

Towson, Maryland 21204
City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of May, 19 86, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 24th day of June, 19 86, at 10:30 o'clock A. M.

[signature]
Zoning Commissioner of Baltimore County.

(over)

ORDER RECEIVED FOR FILING
DATE 7/3/86
BY Bette J. Schlubkins

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon ✓
Zoning Commissioner

Date: June 12, 1986

FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning

SUBJECT: Zoning Variance #86-254-XA; Biscayne Bay

I have reviewed the above petition and found its request consistent with the Chesapeake Bay Critical Area legislation.

[signature]
Norman E. Gerber, AICP
Director

NEG:slm

cc: Ms. Jean Jung
Mr. Jim Hoswell
Mr. Tom Vidmar
Ms. Audrey Thier
Mr. Tim Dugan
Mr. Paul Solomon

CPS-008

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

June 16, 1986

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

oOo

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

Lodge Forest Partnership
110 West Road
Towson, Maryland 21204

RE: Item No. 398 - Case No. 86-524-XA
Petitioner: Lodge Forest Partnership
Petitions for Special Exception and Zoning Variance

Gentlemen:

The Zoning Plans Advisory Committee and the County Review Group (CRG) have both reviewed the plans submitted with the above-referenced petition. The comments from the CRG have been added to those of the Zoning Plans Advisory Committee and are part of this case file. They are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commission with recommendations as to the suitability of the requested zoning.

This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours,

[signature] /kkb
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:kkb

Enclosures

cc: Robert J. Romadka, Esquire
George W. Stephens, Jr. & Associates, Inc.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon
Zoning Commissioner

Date: June 13, 1986

FROM: Norman E. Gerber, AICP, Director
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 86-524-XA

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber per J. Hoswell
Norman E. Gerber, AICP
Director

NEG:JGH:slm

CPS-008

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
TOWSON, MARYLAND 21204
494-3211

NORMAN E. GERBER
DIRECTOR

Mr. Arnold Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

JUNE 2, 1986
(CRITICAL AREA)

Re: Zoning Advisory Meeting of MAY 6, 1986
Item # 398
Property Owner: LODGE FOREST PARTNERSHIP
Location: CENTER OF DUNDEE VILLAGE CIRCLE 1920'SE OF THE ℄ OF EASTERN AVE. EXT.

Dear Mr. Jablon:

The Division of Current Planning and Development has reviewed the subject petition and offers the following comments. The items checked below are applicable.

( ) There are no site planning factors requiring comment.
( ) A County Review Group Meeting is required.
(X) A County Review Group meeting was held and the minutes will be forward by the Bureau of Public Services.
( ) This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
(X) A record plat will be required and must be recorded prior to issuance of a building permit.
( ) The access is not satisfactory.
( ) The circulation on this site is not satisfactory.
( ) The parking arrangement is not satisfactory.
( ) Parking calculations must be shown on the plan.
(X) This property contains soils which are defined as wetlands, and development on these soils is prohibited.
( ) Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-98 of the Development Regulations.
( ) Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
( ) The amended Development Plan was approved by the Planning Board on ______.
(X) Landscaping: Must comply with Baltimore County Landscape Manual.
( ) The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is ______.
( ) The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
(X) Additional comments:

① THIS SITE IS LOCATED IN THE CHESAPEAKE BAY CRITICAL AREA. ADDITIONAL COMMENTS WILL BE PROVIDED BY THE COMPREHENSIVE PLANNING DIVISION

② THE CRG PLAN XV-361 (K/A PHASE II - BISCAYNE BAY VILLAGE) WAS APPROVED CONDITIONALLY ON 5/8/86

Eugene A. Bober
Chief, Current Planning and Development

cc: James Hoswell

Maryland Department of Transportation
State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

ZONING DEPARTMENT

May 28, 1986

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Attention: Mr. James Dyer

Re: ZAC Meeting of 5-6-86
ITEM: #398.
Property Owner: Lodge Forest Partnership (CRITICAL AREA)
Location: Center of Dundee Village Circle, 1920 Feet SE of the center of Eastern Ave. Extended, Route 150
Existing Zoning: D.R. 3.5
Proposed Zoning: Variance to reduce required 75 foot setback from boundary lines to a minimum of 50 feet and to reduce space between mobile homes from the required 25 feet to 15 feet and a Special Exception for a mobile home park in a D.R. 3.5 zone
Acres: 47.962 acres
District: 15th Election District

Dear Mr. Jablon:

On review of the submittal of 3-28-85 and field inspection, the State Highway Administration finds all access to the site by way of Eastern Avenue (Route 150) generally acceptable.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 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

BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204-2586
494-4500

PAUL H. RENCKE
CHIEF

May 20, 1986

Mr. Arnold Jablon
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Lodge Forest Partnership (Critical Area)

Location: Center of Dundee Village Circle, 1920' SE of the center of Eastern Avenue Extended.

Item No.: 398 Zoning Agenda: Meeting of 5/6/86

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 or 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.

( ) 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.

REVIEWER: Capt. Joseph Kelly 5/12/86 Noted and Approved: John J. O'Neill
Planning Group — Fire Prevention Bureau
Special Inspection Division

* Installation of mobile homes shall be in accordance with NFPA Standard 501A 1977 Edition.

/mb

BALTIMORE COUNTY
DEPARTMENT OF PERMITS & LICENSES
TOWSON, MARYLAND 21204
494-3610

TED ZALESKI, JR.
DIRECTOR

May 19, 1986

Mr. Arnold Jablon, Zoning Commissioner
Office of Planning and Zoning
Towson, Maryland 21204

Dear Mr. Jablon:

Comments on Item # 398 Zoning Advisory Committee Meeting are as follows:

Property Owner: Lodge Forest Partnership (CRITICAL AREA)
Location: Center of Dundee Village Circle, 1920 feet SE of the center of Eastern Avenue Extended
District: 15th.

APPLICABLE ITEMS ARE CIRCLED:

(A) All structures shall conform to the Baltimore County Building Code as adopted by Council Bill #17-85, the Maryland Code for the Handicapped and Aged (A.N.S.I. #117-1 - 1980) and other applicable Codes and Standards.

(B) A building and other miscellaneous permits shall be required before the start of any construction.

C. Residential: Two sets of construction drawings are required to file a permit application. The seal of a registered in Maryland Architect or Engineer is/is not required on plans and technical data.

(D) Commercial: Three sets of construction drawings sealed and signed by a registered in Maryland Architect or Engineer shall be required to file with a permit application. Reproduced seals are not acceptable.

E. All Use Groups except R-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 6'-0" to an interior lot line. R-4 Use Groups require a one hour wall if closer than 3'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 401, Section 1407, Section 1406.2 and Table 1402. No openings are permitted in an exterior wall within 3'-0" of an interior lot line.

F. The structure does not appear to comply with Table 505 for permissable height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 401 and 505 and have your Architect/Engineer contact this department.

G. The requested variance appears to conflict with Section(s) _____, _____, of the Baltimore County Building Code.

H. When filing for a required Change of Use/Occupancy Permit, an alteration permit application shall also be filed along with three sets of acceptable construction plans indicating how the existing structure is to be altered in order to comply with the Code requirements for the new use. Maryland Architectural or Engineer seals are usually required. The change of Use Groups are from Use _____ to Use _____, or to Mixed Uses _____, _____, _____. See Section 312 of the Building Code.

(I) The proposed project [redacted] is located in a Flood Plain, Tidal [redacted]. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #1-85. Site plans shall show the correct elevations above sea level for the lot and the finish floor levels including basement.

(J) Comments: All mobile units shall comply with Section 613.0. The Code of Maryland Regulations 05.01.07. Industrialized building and mobile home regulations may also be applicable.

K. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 122 of the County Office Building at 111 W. Chesapeake Avenue, Towson, Maryland 21204.

BY: C. E. Burnham, Chief
Building Plans Review

L/27/86

CRG Comments

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS DATE: May 6, 1986

FROM: Edward A. McDonough, P.E., Chief
Developers Engineering Division

PROJECT NAME: Biscayne Bay Village - Phase II

PROJECT NUMBER: #86080

LOCATION: Eastern Avenue Extended

DISTRICT: 15CS

The Plan for the subject site, dated March 28, 1985 with the latest revision dated May 1, 1986, has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

The State Health Department Construction Permits for each private utility (water, sanitary sewer and storm drains) totaling over 400 feet in length will be obtained through the Baltimore County Department of Public Works.

In accordance with Bill No. 56-82, dredging, filling or construction in any wetland is prohibited.

The Developer shall be responsible for damages to the County's facilities, such as water meters, manholes, curbs and gutters and inlets within his subdivision. Occupancy Permits will be withheld until such damages have been corrected.

HIGHWAY COMMENTS:

All roadways will be privately maintained. The proposed road cross-section appears to be satisfactory to provide proper access to all units in the mobile home park.

In accordance with Bill No. 32-72, street lights are required in all subdivisions. The Developer will be responsible for the full cost of installation of the cable, poles and fixtures.

Project #86080
Biscayne Bay Village - Phase II
Page 2
May 6, 1986

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS:

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

The Developer 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 Developer.

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.

In accordance with Baltimore County Council Grading Ordinance (Bill No. 13-85), a grading plan shall be approved and a Performance Bond posted prior to issuance of a grading permit.

A sediment control plan is required. The number of square feet of land disturbed shall be indicated on the sediment control drawing.

The Developer shall be responsible to stabilize the sidewalk areas and supporting slopes on all road rights-of-way following completion of the initial grading of the boxed-out subgrade. The stabilization shall be accomplished within the nearest period of optimum seeding as established in the Baltimore County Sediment Control Manual. Minimum acceptable stabilization measures will be as specified in the Baltimore County Sediment Control Manual under "Critical Area Stabilization (With Semi-Permanent Seedings)".

Failure by the Developer to accomplish the stabilization as aforementioned will result in the termination of all processing phases of this development.

No storm water management is required.

The property to be developed is located adjacent to tidewater. The Developer must adhere to all sections of the County Building Code as they relate to elevation restrictions for residential development above mean high tide.

Project #86080
Biscayne Bay Village - Phase II
Page 3
May 6, 1986

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS: (Cont'd)

Approvals for this project may be required from the Water Resources Administration and the Corps of Engineers.

WATER AND SANITARY SEWER COMMENTS:

A preliminary print of this property has been referred to the Baltimore City Water Division for review and comment in regard to adequacy of water pressure in this development. If Baltimore City has any comment, it will be forwarded.

Fire hydrant spacing and location are subject to review and approval by the Fire Protection Section of the Fire Department.

Onsite private water mains with fire hydrants shall be metered at the public source. The size and design of the meters shall conform with Baltimore City Standards. Permission to obtain a metered connection may be obtained from the Department of Permits and Licenses.

The Developer is entirely responsible for the construction, and the cost of the construction and maintenance, of his onsite private sanitary sewerage, which must conform with the Baltimore County Plumbing Code.

Permission to connect to the existing public sanitary sewer may be obtained from the Department of Permits and Licenses.

This property is subject to Water and/or Sewer System Connection Charges based on the size of water meters utilized in accordance with current County Policy.

The total Water and/or Sanitary Sewer System Connection Charge is determined, and payable, upon application for the Plumbing Permit. This Charge is in addition to the normal front foot assessment and permit charges.

* * * * * * * *

The Plan may be approved, subject to conformance with the above comments.

EDWARD A. MCDONOUGH, P.E., Chief
Developers Engineering Division

EAM:DES:ss

cc: File

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: OFFICE OF PLANNING AND ZONING

DATE: May 8, 1986

PROJECT NAME: BISCAYNE BAY VILLAGE PHASE II
COUNCIL & ELECTION DISTRICT XV-361

PLAN XXXXXXXXXXXXXXXXX
PLAN EXTENSION _____
REVISED PLAN _____
PLAT _____

The Office of Planning has reviewed the revised subject plan dated May 11, 1986 and submits the following comments:

This site is located within the "Critical Area" designated by the Chesapeake Bay Critical Areas law. The Critical Area legislation requires local governments to make specific findings about the environmental impacts of proposed development in the Critical Area. The findings must show that any proposed development will minimize adverse impacts on water quality from discharge or runoff. Any fish, wildlife, or plant habitats which may be adversely affected must be identified and the development designed to preserve habitats. Local governments must require applicants for development to provide any information needed to make the required findings.

The Office of Planning's report on the Critical Area review is attached. The report indicates that the revised CRG plan dated May 1, 1986 essentially restricts development to the area within the "limit of development" line established by the Office of Planning. Because of the applicant's compliance with this requirement and with the majority of other Critical Area requirements which have been extensively reviewed and discussed, the Office of Planning's report recommends that Critical Area approval be granted for the May 1, 1986 plan with the following modification and conditions:

1. The Local Open Space must be reconfigured to provide maximum protection for the sensitive wetland habitats. It must be stipulated on the plan that only passive use of the open space is allowed.

2. It must be stipulated, on the CRG Plan, final development plan, and plat, that no activity is to be allowed in the undisturbed Critical Area Buffer (environmental area) beyond the local open space.

3. The Department of Public Works must confirm that the stormwater management system will function to reduce runoff pollutant loadings to the same degree as was proposed for all previous submittals. New pollutant loading calculations have not been submitted as was requested. They must be submitted in order for this office to confirm sufficient runoff treatment.

4. Stormwater management wetlands must not be located within lot lines and ownership and maintenance of these wetlands must be the responsibility of the developer.

5. The undisturbed Critical Area Buffer (environmental area) should be deeded in fee to Baltimore County.

over

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO SUSAN S. CARRELL, Acting Chief
Current Planning & Development

Date May 7, 1986

FROM AUDREY L. THIER
Asst. Coastal Zone Planner, OPZ

SUBJECT Biscayne Bay - Critical Area Review

I have reviewed the most recent submittal (dated May 1, 1986) for the Biscayne Bay Mobile Home Park. Essentially, all development is now shown within the "limit of development" line drawn by the Office of Planning and Zoning. Because of the applicant's compliance with this requirement and with the majority of other Critical Area requirements which have been extensively reviewed and discussed this past year, I recommend that Critical Area approval be granted for the May 1, 1986 plan with the following modifications and conditions:

1. Local Open Space must be reconfigured as shown on the attached overlay. This reconfiguration is necessary for maximal protection of sensitive wetland habitats. Additionally, it must be stipulated that only passive use of the open space is allowed.

2. It must be stipulated that no activity is to be allowed in the Critical Area buffer area beyond the local open space.

3. Public Works must confirm that the stormwater management system will function to reduce runoff pollutant loadings to the same degree as was proposed for all previous submittals. No new pollutant loading calculations (as requested at the pre-CRG) have been submitted.

4. Stormwater management wetlands must not be located within lot lines and ownership and maintenance of these wetlands must be the responsibility of the developer.

Additionally, it is recommended that the Critical Area buffer be deeded in fee to Baltimore County.

ALT:vh

AUDREY L. THIER
Asst. Coastal Zone Planner

Attachment:
Overlay

CPS-008

JUN 19 1987

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS DATE: May 8, 1986

FROM: ZONING OFFICE

PROJECT NAME: BISCAYNE BAY VILLAGE, PHASE II PLAN: 3/28/85

LOCATION: NE/S of Dundee Village Circle, E of Eastern Avenue Extended

~~DEVELOPMENT~~ REVISED PLAN: 5/1/86

✓ - Compliance

~~PLAN~~ O - Non-Compliance

DISTRICT: 15th Election District

(1.) Include the zoning history of the property on the plan:

Zoning Case No. 83-59-XA - Docket and History to Date

Too Small Contested

2/26/82 Petition filed for Lodge Forest Partnership before the Board of Appeals for conditional reclassification from D.R.16 and D.R.5.5 to D.R.3.5 and Special Exception for a trailer park and variances to Sections 414.4: to permit a 15' setback to a boundary line in lieu of the required 75' and from Section 414.5 to permit a setback of 15' between trailers in lieu of the required 25'.

10/4/83 Ordered by Board of Appeals that (a) reclassification from D.R.16 and D.R.5.5 to D.R.3.5 be GRANTED; (b) that special exception for a trailer park be GRANTED, subject to final approval and compliance with all CRG requirements; (c) that the variance to reduce the required 75' setback from boundary lines to 15' be DENIED, but in lieu thereof a variance from the required 75' setback to a 60' setback be GRANTED; (d) a variance to reduce the space between trailers from 25' to 15' be GRANTED.

11/7/83 No appeal; case closed.

5/2/84 CRG approved an amended plan with 100 fewer dwellings that significantly reduced the density and increased the wetlands setbacks.

5/23/84 Board of Appeals ordered that the amended plan be recieved into the case.

6/1/84 Chesapeake Bay Critical Areas Commission legislation enacted. Interim protection S.8-1813. Case reopened for amended plan.

6/25/84 Case reopening for an amended plan appealed to the Circuit Court by the People's Counsel for non-compliance with S.2-58.1(M) of the Baltimore County Code.

7/25/84 Circuit Court remanded case to Board of Appeals.

BISCAYNE BAY VILLAGE, PHASE II - 3 - May 8, 1986
CRG COMMENTS (continued)

The preceeding docket and history should be updated with any C.R.G. or zoning case highlights and be made a part of the plan.

✓2. The requested variances conflict with Note #3, please clarify.

(3.) Indicate with a bold line the boundary between Phase I and Phase II and the restricted area as shown on the revised, amended site plan in the previous zoning case. If the development conflicts with these documented boundaries, please justify this change on the plan.

✓4. Deleted The proposed Community Building should meet all of the requirements of S.V.B.2 (C.M.D.P.) and it should be noted if it is for the use of residents only.

(5.) Key the typical lot layouts to the individual lots and indicate which lots would not meet or would be an exception to the typical layout.

(6.) Add permit numbers and issued date for Phase I to the history in Comment No. 1.

(7.) The trailer pads should be shown prior to building permit or development plan approvals. There was confusion at these times in the approval process for Phase I.

Not even a note?

W. Carl Richards, Jr.
W. CARL RICHARDS, JR.
Zoning Coordinator

WCR:bg

CRG MEETING OF MAY 8, 1986
BISCAYNE BAY VILLAGE - PHASE II

1. Peak SWM is not required for this site due to proximity to tidewater.

*2. I assume that the 4 wetland areas shown on the plan are for water quality control. As shown, they will intercept all the proposed impervious area in this Phase. We will defer to Planning regarding design requirements for water quality control & will provide technical advice as necessary.

3. First floor elevations must be 11.2 or greater.

Thomas L. Vidmar
4/21/86

* Revised plan of 4/21/86 eliminates a number of units & one of the 4 wetland areas. Because of this, portions of 4 proposed roads will not be directed to the wetland areas for water quality control.

DEV
4/25/86

Maryland Department of Transportation
State Highway Administration

William K. Hellmann
Secretary
Hal Kassoff
Administrator

May 5, 1986

Mr. J. Markle, Chief
Bureau of Public Services
County Office Building
Towson, Maryland 21204

Re: CRG Meeting of 5-8-86
Biscayne Bay Village
S/S Eastern Ave., Route 150
@ Dundee Village Circle

Dear Mr. Markle:

On review of the submittal of 3-28-86, the State Highway Administration finds all access to the site by way of Eastern Avenue (Route 150) generally acceptable.

Very truly yours,

Charles Lee, Chief
Bureau of Engineering
Access Permits

By: George Wittman

CL:GW:maw

cc: Mr. J. Ogle

My telephone number is (301) 659-1350
Teletypewriter for Impaired Hearing or Speech
383-7555 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

COUNTY REVIEW GROUP
COMMENTS ON PROPOSED SUBDIVISION PLANS
BALTIMORE COUNTY DEPARTMENT OF HEALTH

BISCAYNE BAY - PHASE II
Subdivision Name, Section and or Plat

Lodge Forest Partnership — Baltimore and Assoc.
Developer and or Engineer

Saltpeter Creek	205	47.96	Public	Public
Watershed	No. of lots or Units	Total Acreage	Water	Sewer

COMMENTS ARE AS FOLLOWS:

___ Soil percolation tests are required; a minimum of two test are required within a designated 10,000 square foot sewage disposal reserve area. For further information regarding these requirements, contact this office at 494-2762.

___ Soil percolation test have been conducted. Revised plans, ___ must be submitted prior to approval of plat, ___ are not required and the plat can be approved as submitted. Contact this office for more complete information, 494-2762.

✓ Public sewers ✓, public water ✓, must be utilized and/or extended to serve the property.

✓ A Hydrogeological Study and Environmental Effects Report for this subdivision, ___ must be submitted, ___ are not required, ___ is incomplete and must be revised, ✓ has/have been reviewed and approved.

___ A Water Appropriation Permit Application, ___ must be submitted, ___ has been submitted. NOTE: Greater than 33 lots necessitates a public hearing with Water Resources Administration as part of the permit process.

✓ It is recommended the plan, ___ be approved as submitted, ✓ be approved as submitted subject to the following conditions noted: on the attached memo dated 4-25-86

___ It is recommended this plan not be approved at this time. See revisions and/or comments.

REVISIONS AND/OR COMMENTS:

SS 782R

BALTIMORE COUNTY, MARYLAND

Subject: County Review Group Comments Date May 8, 1986

From: Dept. of Recreation and Parks

Project Name: Biscayne Bay Village Preliminary Plan ___
Project Number: 86080 Development Plan ___
Location: Eastern Avenue Extended Final Plat ___
Districts: 15, C-5 CRG Plan xx
Zoned DR 3.5

COMMENTS: Revised plan dated May 1, 1986

1. Local Open Space is required.
2. The L.O.S. shall be titled to the developer or his assigns and shall be maintained and protected as per the L.O.S. Manual.
3. In order to best protect the Critical Area Buffer (Environmental Area) the L.O.S. should be configured as a narrow band along the perimeter of the developed area rather than the 1.94A± parcel shown.
4. The Department of Recreation and Parks feels that title to the Critical Area Buffer (Environmental Area) should eventually be transferred to Baltimore County in order to follow the Dundee-Saltpeter Creek Master Plan and protect the adjacent Marshy Point Environmental Area. If ownership of the area in question should not be by Baltimore County, guarantees must be in place that no development or alteration of this land will be permitted and that the area shall be maintained by the developer in a clean, sanitary and attractive condition.

Francis R. Niner
Facilities Coordinator

FRN:rlw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO James A. Markle Date April 25, 1986

FROM Charles K. Weiss

SUBJECT Biscayne Bay Village
Eastern Avenue Extended
CRG 5/8/86

Baltimore County does not provide residential collection to mobile home parks, since these are considered commercial ventures. However, as roads are shown there would be no problem in providing front street collection to 30' through streets.

Cul de sacs at Clear Lake, Cypress and Tamarac Trail if built to county specs would pose no collection problems to any commercial hauler.

Note--The revised plan showing dead end streets, rather than through streets, would be acceptable for refuse collection by commercial haulers as long as built to county specs for turnarounds and roads.

CKW/KRA/rab

CPS-008

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO Mr. Brooks Stafford, Director
Environmental Support Services Date April 25, 1986

FROM Rocky Powell
Waste and Water Quality Management

SUBJECT ENVIRONMENTAL EFFECTS REPORT Biscayne Bay (Name)

CRG MEETING May 8 1986 (Date) 11:00 am (Time)

PLAN REVIEW NOTES

1. Mobile home park on 47.962 (Describe Site)
2. Public water and Public sewer is proposed.
3. Site is bounded on east and west by (Describe streams on-site) tributaries to Saltpeter Creek
5. Tidal marsh, Fallsington and Elkton (Describe wetland soils on-site) soils
6. Storm Water Management 10 required.
7. 10.63 acres proposed impervious area.

RESPONSES

___ The Environmental Effects Report is not approved. In order to receive approval, the following checked items/conditions must be met.

✓ The Environmental Effects report is approved, subject to the following checked items/conditions.

A. ✓ No development is allowed in Fallsington (Fa) Elkton (Ek) (Soil name & symbol)

B. ___ A revised site plan indicating no development in ___ must be submitted.

PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCES

15th Election District

Case No. 86-524-XA

LOCATION: Center of Dundee Village Circle, 1920 feet Southeast of the Center of Eastern Avenue Extended

DATE AND TIME: Tuesday, June 24, 1986, at 10:30 a.m.

PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

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

Petition for Special Exception for a mobile home park in a D.R. 3.5 Zone

Petition for Zoning Variances to reduce the required 75 feet setback from boundary lines to a minimum of 50 feet and to reduce space between the mobile homes from the required 25 feet to 15 feet

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

In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.

BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

RE: PETITION FOR SPECIAL EXCEPTION
PETITION FOR VARIANCES
Center of Dundee Village Circle, 1920' Se of the Center of Eastern Ave. Extended, 15th District

LODGE FOREST PARTNERSHIP, Petitioner

: BEFORE THE ZONING COMM. IONER
: OF BALTIMORE COUNTY
: Case No. 86-524-XA

: : : : : : :

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notices should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Phyllis Cole Friedman
People's Counsel for Baltimore County

Peter Max Zimmerman
Deputy People's Counsel
Room 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 10th day of June, 1986, a copy of the foregoing Entry of Appearance was mailed to Robert J. Romadka, Esquire, and John B. Gontrum, Esquire, 809 Eastern Blvd., Baltimore, MD 21221, Attorneys for Petitioner.

Peter Max Zimmerman

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

ARNOLD JABLON
ZONING COMMISSIONER

JEAN M. H. JUNG
DEPUTY ZONING COMMISSIONER

June 17,1986

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

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCES
Center of Dundee Village Circle, 1920' SE of the Center of Eastern Ave. Extended
15th Election District
Lodge Forest Partnership - Petitioner
Case No. 86-524-XA

Dear Messrs. Romadka and Gontrum:

This is to advise you that $97.75 is due for advertising and posting of the above property. This fee must be paid before an Order is issued.

THIS FEE MUST BE PAID AND THE ZONING SIGN AND POST RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Do not remove sign from property from the time it is placed by this office until the day of the hearing itself.

Please make the check payable to Baltimore County, Maryland, and remit [illegible] ng, Towson, Maryland

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 021733

DATE 7-15-86 ACCOUNT R-01-615-000
AMOUNT $ 41.75
RECEIVED FROM John Gontrum Esq.
FOR Advertising & Posting - 86-524-XA
B 052 PAID 41.75
VALIDATION OR SIGNATURE OF CASHIER

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

May 26, 1986

NOTICE OF HEARING

RE: PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCES
Center of Dundee Village Circle, 1920' SE of the Center of Eastern Ave. Extended
15th Election District
Lodge Forest Partnership - Petitioner
Case No. 86-524-XA

TIME: 10:30 a.m.

DATE: Tuesday, June 24, 1986

PLACE: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

Zoning Commissioner
[illegible] County

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
No. 019940

DATE 4/2/86 ACCOUNT 01-615-000
AMOUNT $ 200.00
RECEIVED FROM Lodge Forest Partnership
FOR SE - Var. - 310 # 378
B 052 PAID 200.00
VALIDATION OR SIGNATURE OF CASHIER

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

86-524-A

District 15th
Date of Posting 6/4/86
Posted for: Special Hearing & Variance
Petitioner: Lodge Forest Partnership
Note: incorrect name
Location of property: ~~Center of Dundee Village Circle, 1920' SE of Eastern Ave Extended~~ Biscayne Bay Village & Biscayne Bay Blvd
Location of Signs: Mt end of Biscayne Bay Blvd, approx. 50' S of intersection of Tamarac Trail & Biscayne Bay Blvd, on property of Petitioner
Remarks: See Plat For Sign Location
Posted by [illegible] Signature
Date of return: 6/6/86
Number of Signs: 3

PETITIONS FOR SPECIAL EXCEPTION AND ZONING VARIANCES
15th Election District
Case No. 86-524-XA

LOCATION: Center of Dundee Village Circle, 1920 feet Southeast of the Center of Eastern Avenue Extended
DATE AND TIME: Tuesday, June 24, 1986, at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Special Exception for a mobile home park in a D.R. 3.5 Zone.
Petition for Zoning Variances to reduce the required 75 feet setback from boundary lines to a minimum of 50 feet and to reduce space between the mobile homes from the required 25 feet to 15 feet.
Being the property of Lodge Forest Partnership, as shown on plat plan filed with the Zoning Office.
In the event that this Petition(s) is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order Of
ARNOLD JABLON,
Zoning Commissioner
of Baltimore County
5513 June 5.

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 5, 1986

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on June 5, 1986.

THE JEFFERSONIAN,

Publisher

Cost of Advertising

27.50

Petitions for Special Exception and Zoning Variances
15th Election District
Case No. 86-524-XA

LOCATION: Center of Dundee Village Circle, 1920 feet southeast of the center of Eastern Avenue Extended.
DATE & TIME: Tuesday, June 24, 1986, at 10:30 a.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland.
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:
Petition for Special Exception for a mobile home park in a D.R. 3.5 Zone.
Petition for Zoning Variances to reduce the required 75 feet setback from boundary lines to a minimum of 50 feet and to reduce space between the mobile homes from the required 25 feet to 15 feet.
Being the property of Lodge Forest Partnership, as shown on the plat filed with the Zoning Office.
In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be received in writing by the date of the hearing set above or made at the hearing.
By Order Of
Arnold Jablon
Zoning Commissioner
of Baltimore County

The Times

Middle River, Md., June 5, 1986

This is to Certify, That the annexed Petit Pay L 87495 was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 5th day of June, 1986

Publisher.

Include the zoning history of the property on the plan:

Zoning Case No. 83-59-XA - Docket and History to Date

3/28/82 Petition filed for Lodge Forest Partnership before the Board of Appeals for conditional reclassification from D.R.16 and D.R.5.5 to D.R.3.5 and Special Exception for a trailer park and variances to Section 414.4: to permit a 15' setback to a boundary line in lieu of the required 75' and from Section 414.3 to permit a setback of 15' between trailers in lieu of the required 25'.

10/4/83 Ordered by Board of Appeals that (a) reclassification from D.R.16 and D.R.5.5 to D.R.3.5 be GRANTED; (b) that special exception for a trailer park be GRANTED, subject to' final approval and compliance with all CRG requirements; (c) that the variance to a reduce the required 75' setback from boundary lines to 15' be DENIED, but in lieu thereof a variance from the required 75' setback to a 60' setback be GRANTED; (d) a variance to reduce the space between trailers from 25' to 15' be GRANTED.

11/7/83 Re appeal; case closed.

5/2/84 CRG approved an amended plan with 100 fewer dwellings that significantly reduced the density and increased the wetlands setbacks.

5/29/84 Board of Appeals ordered that the amended plan be recieved into the case.

6/1/84 Chesapeake Bay Critical Areas Commission legislation enacted. Interim production 5.6-1813. Case reopened for amended plan.

6/25/84 Case reopening for an amended plan appealed to the Circuit Court by the People's Counsel for non-compliance with B.2-58.1(m) of the Baltimore County Code.

7/25/86 Circuit Court remanded case to Board of Appeals.

7/28/86 Board of Appeals, in open hearing, ordered that the amended plan be forwarded to the Director of Planning in compliance with Bill 46-79.

8/30/86 Planning Board voted to recommend that Petitioner's request be granted for a period of ten property shown on the amended plan. The board adopts the findings of the Director of Planning that:

a. The current development proposal does not meet the criteria set forth by State Legislation governing "Critical Areas" (Section 8-1813 of Chapter 794, Laws of 1984).

b. However, the portion of the property identified as Phase I is recommended for approval.

9/5/86 The Director of Planning notified the Board of Appeals of the findings of the Planning Board and included a detailed statement of the Director's findings.

9/25/86 Board of Appeals hearing on revised specific site plan and review by the Planning Board.

10/8/86 Board of Appeals ordered:

a. Phase I granted reclassification from D.R.16 and D.R.5.5 to D.R.3.5 subject to compliance with the revised site plan, pursuant to Section 2-58.1(M).

b. The balance of the subject property is denied a zoning reclassification without prejudice with a condition.

c. Spe ial Exception for a trailer park in Phase I is granted.

d. Special Exception for a trailer park on the balance of the subject property is declined soon.

e. Variances in Phase I - 75' boundary setback is reduced to 15' and distance between trailers is reduced from 25' to 15' subject to compliance with the revised site plan.

f. This order supersedes all previous orders.

1/25 Balance of property zoned D.R.3.5 by comprehensive map.

4/25.26 Zoning Hearing filed (without detailed review) for Special Exception for mobile home park in Phase II and variances to reduce the required boundary setback from 75' to 50' and to reduce the required 25' setback between mobile homes to 15'.

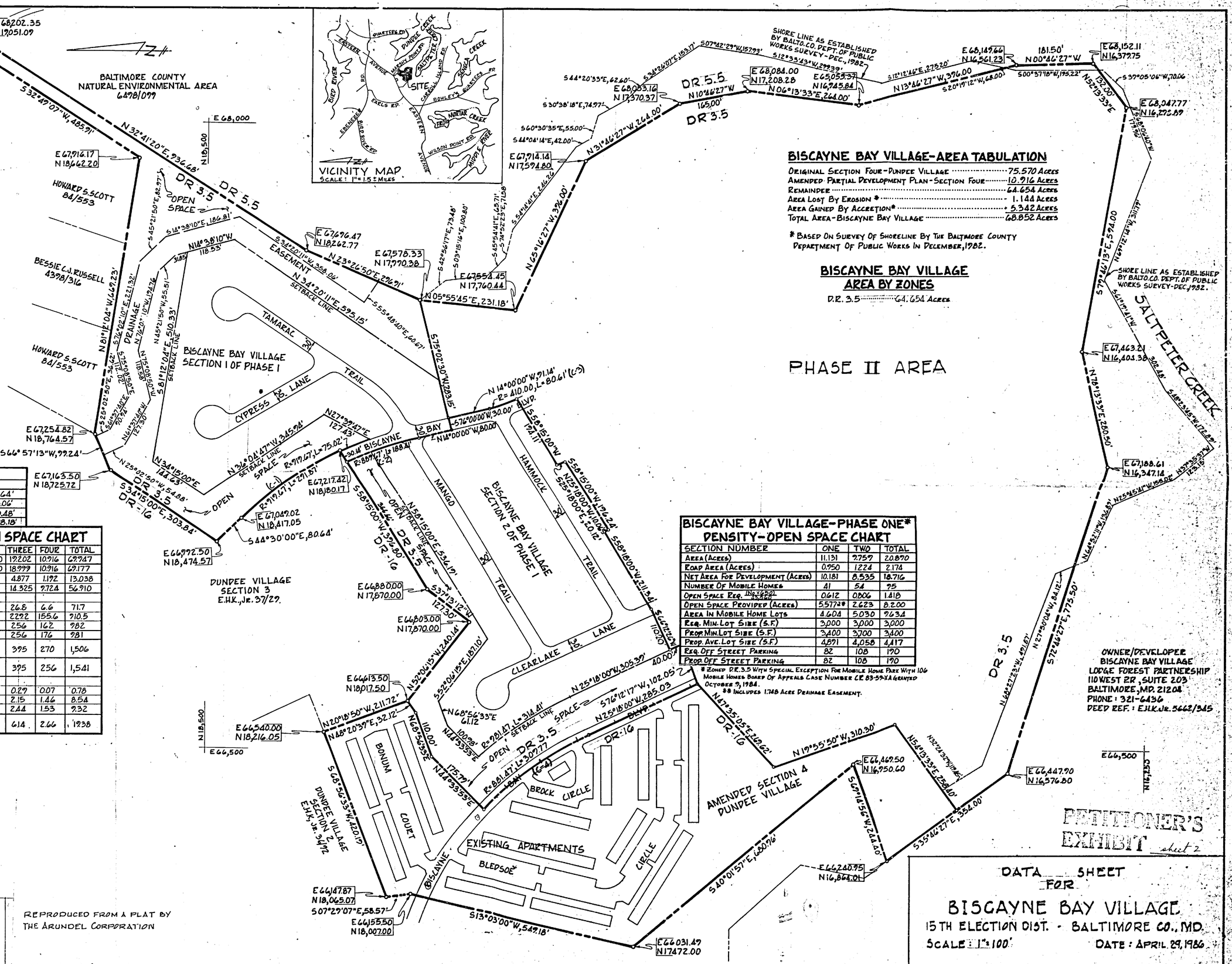
5/18/86 CRG Plan approved, subject to certain revisions to S.D.R., E.H.K., etc.

CURVE DATA

NO.	Δ	RADIUS	LENGTH	CHORD
C-1	18°11'00"	919.67'	291.87'	S35°24'30"E, 290.64'
C-2	12°08'02"	889.67'	188.41'	S20°03'52"E, 188.06'
C-3	11°15'54"	410.00'	80.61'	S19°38'22"E, 80.48'
C-4	20°08'07"	881.47'	307.77'	N 35°21'56"W, 308.18'

DUNDEE VILLAGE: DENSITY-OPEN SPACE CHART

SECTION NUMBER	ONE	TWO	THREE	FOUR	TOTAL
GROSS AREA (ACRES)	21.829	18.000	19.202	10.916	69.947
AREA OF SECTION (ACRES)	21.262	18.000	18.999	10.916	69.177
ZONING: D.R. 5.5 (ACRES)	3.35	3.619	4.877	1.192	13.038
D.R. 16 (ACRES)	18.48	14.381	14.325	9.724	56.910
PERMITTED NUMBER OF UNITS:					
D.R.5.5 AREA×5.5 (DWELLING UNITS)	18.4	19.9	26.8	6.6	71.7
D.R.16 AREA×16 (DENSITY UNITS)	295.6	230.1	229.2	155.6	910.5
TOTAL (DENSITY + DWELLING UNITS)	314	250	256	162	982
NUMBER OF DENSITY UNITS PROP./EX.	299	250	256	176	981
REQUIRED NUMBER OF OFF-STREET PARKING SPACES.	458	383	395	270	1,506
NUMBER OF OFF-STREET PARKING SPACES PROP./EX.	500	390	395	256	1,541
REQUIRED OPEN SPACE AREA:					
D.R.5.5 AREA ×.4 (ACRES)	0.20	0.22	0.29	0.07	0.78
D.R.16 AREA×1.5% (ACRES)	2.77	2.16	2.15	1.46	8.54
TOTAL (ACRES)	2.97	2.38	2.44	1.53	9.32
TOTAL OPEN SPACE AREA PROP./EX. (ACRES)	4.50	4.53	6.14	2.66	19.38



BISCAYNE BAY VILLAGE-AREA TABULATION

ORIGINAL SECTION FOUR-DUNDEE VILLAGE	75.570 ACRES
AMENDED PARTIAL DEVELOPMENT PLAN-SECTION FOUR	10.916 ACRES
REMAINDER	64.654 ACRES
AREA LOST BY EROSION *	- 1.144 ACRES
AREA GAINED BY ACCRETION*	+ 5.342 ACRES
TOTAL AREA-BISCAYNE BAY VILLAGE	68.852 ACRES

* BASED ON SURVEY OF SHORELINE BY THE BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS IN DECEMBER, 1982.

BISCAYNE BAY VILLAGE AREA BY ZONES

D.R. 3.5 ..... 64.654 ACRES

BISCAYNE BAY VILLAGE-PHASE ONE* DENSITY-OPEN SPACE CHART

SECTION NUMBER	ONE	TWO	TOTAL
AREA (ACRES)	11.131	9.759	20.890
ROAD AREA (ACRES)	0.950	1.224	2.174
NET AREA FOR DEVELOPMENT (ACRES)	10.181	8.535	18.716
NUMBER OF MOBILE HOMES	41	54	95
OPEN SPACE REQ. (ACRES)	0.612	0.806	1.418
OPEN SPACE PROVIDED (ACRES)	5.577**	2.623	8.200
AREA IN MOBILE HOME LOTS	4.604	5.030	9.634
REQ. MIN. LOT SIZE (S.F.)	3,000	3,000	3,000
PROP. MIN. LOT SIZE (S.F.)	3,400	3,700	3,400
PROP. AVE. LOT SIZE (S.F.)	4,871	4,058	4,417
REQ. OFF STREET PARKING	82	108	190
PROP. OFF STREET PARKING	82	108	190

* ZONED D.R.3.5 WITH SPECIAL EXCEPTION FOR MOBILE HOME PARK WITH 106 MOBILE HOMES BOARD OF APPEALS CASE NUMBER CE 83-59-XA GRANTED OCTOBER 9, 1984.

** INCLUDES 1.748 ACRE DRAINAGE EASEMENT.

OWNER/DEVELOPER
BISCAYNE BAY VILLAGE
LODGE FOREST PARTNERSHIP
110 WEST 27, SUITE 203
BALTIMORE, MD. 21204
PHONE: 321-6436
DEED REF.: E.H.K.JR. 5662/345

PETITIONER'S EXHIBIT sheet 2

DATA SHEET FOR

BISCAYNE BAY VILLAGE

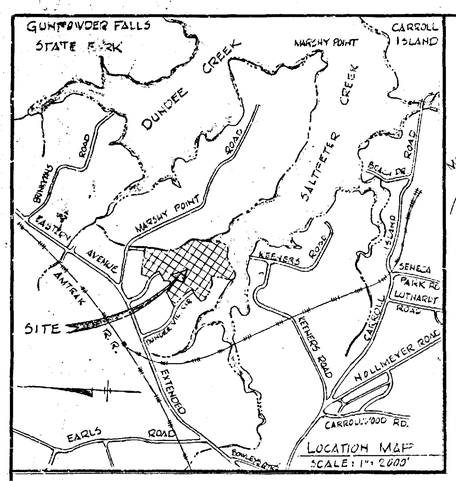
15TH ELECTION DIST. - BALTIMORE CO., MD.

SCALE: 1" = 100' DATE: APRIL 29, 1986

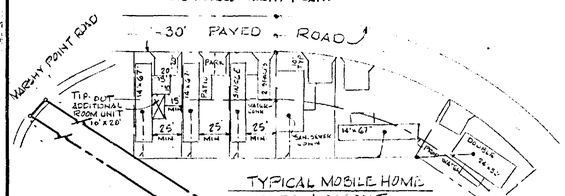
GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
303 ALLEGHENY AVENUE
TOWSON, MARYLAND 21204
(301) 825-8120

REPRODUCED FROM A PLAT BY THE ARUNDEL CORPORATION

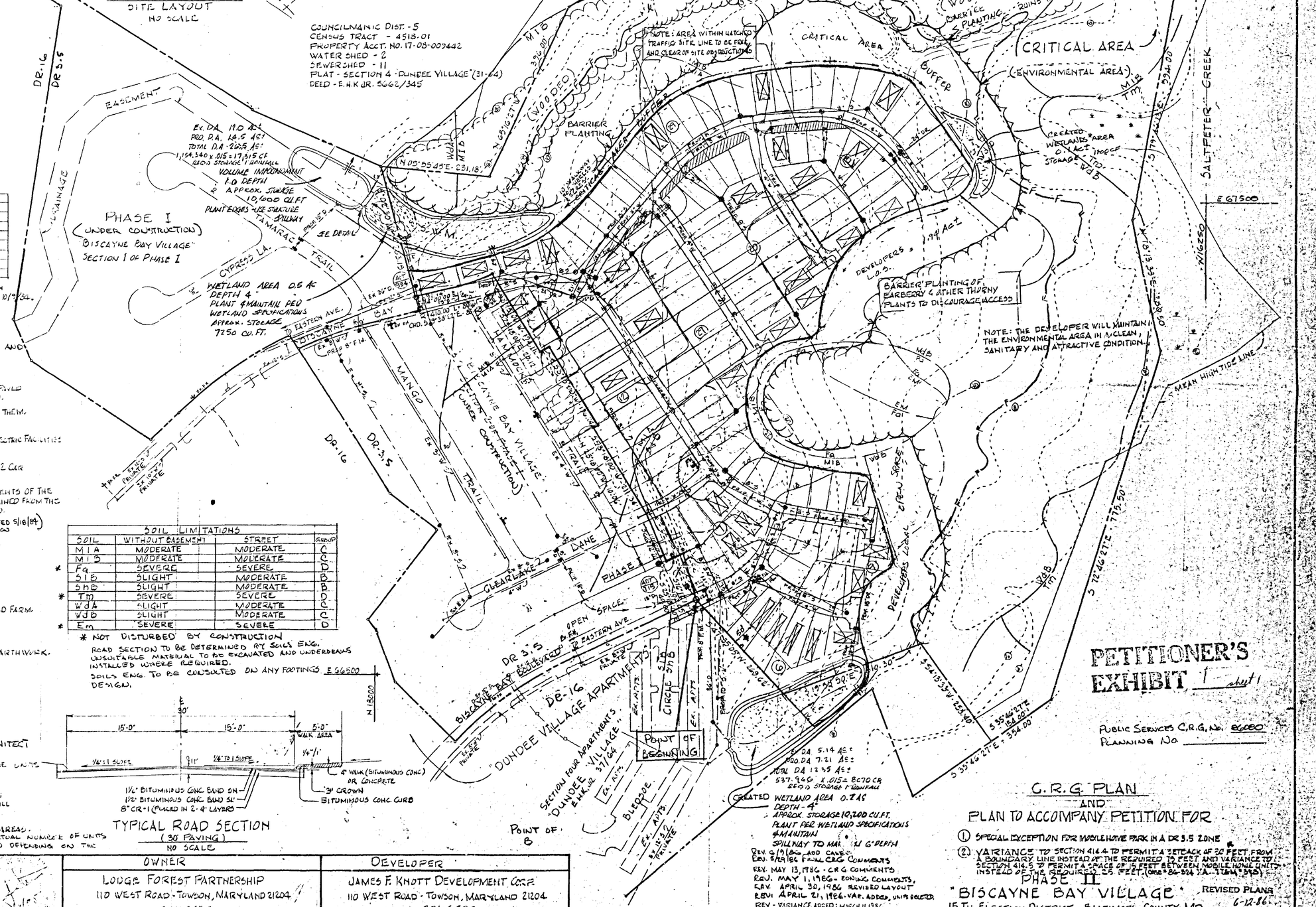
PN 5177



LOCATION OF TYPICAL MOBILE HOME UNIT SHOWN HEREON IS TENTATIVE AND SUBJECT TO CHANGE AND WILL BE SHOWN ON THE FINAL DEVELOPMENT PLAN.



TYPICAL MOBILE HOME SITE LAYOUT
NO SCALE



TABULATION				
	PHASE I *	PHASE II	TOTAL	REMARKS
ACRES (GROSS & NET)	20.890	47.962	68.852	
ZONING	DR-3.5	DR-3.5	DR-3.5	
PROPOSED No MOBILE HOMES	106	130	236	
OPEN SPACE REQ'D RED	1.582	1.94±	3.522	40 x 650 = 2.5960
OPEN SPACE PROVIDED	** 8.200 AC±	1.94 AC±	10.14 AC±	
PARKING REQUIRED	212	260	472	
PARKING PROVIDED	212	260	472	

* PHASE I - GRANTED SPECIAL EXCEPTION FOR MOBILE HOME PARK WITH 106 MOBILE HOMES - SEE BOARD OF APPEALS CASE No. CR 83-59 KA GRANTED 10/9/84.

** INCLUDES 1.748 ACRE DRAINAGE EASEMENT.

NOTES

1. THERE WILL BE APPROXIMATELY 80 DOUBLE-WIDE UNITS AND 100 SINGLE WIDE UNITS (WITH OR WITHOUT TIP-OUTS)
2. MINIMUM LOT SIZE: 3000 SQUARE FEET.
3. ALL MOBILE HOME SITES SHALL ABUT AN UNOBSTRUCTED 30' WIDE PAVED HARD SURFACED ROADWAY WHICH SHALL BE ADEQUATELY ILLUMINATED.
4. ALL MOBILE HOMES SHALL HAVE A MINIMUM DISTANCE OF 15' BETWEEN THEM.
5. ALL INTERIOR ROADS ARE PRIVATE.
6. ALL MOBILE HOMES SHALL BE CONNECTED TO SEWER, WATER AND ELECTRIC FACILITIES
7. ALL ON-SITE UTILITIES ARE PRIVATE.
8. EACH MOBILE HOME SITE SHALL HAVE A PAVED (BITUMINOUS CONCRETE) 2 CAR PARKING PAD 20' x 20'.
9. THE MOBILE HOME PARK IS SUBJECT TO REGULATIONS AND REQUIREMENTS OF THE BALTIMORE COUNTY HEALTH DEPT. AND WRITTEN APPROVAL WILL BE OBTAINED FROM THE BALTIMORE COUNTY HEALTH DEPT. BEFORE A BUILDING PERMIT IS ISSUED.
10. SITE IS EXEMPT FROM STORM WATER MANAGEMENT (SEE LETTER DATED 5/16/84 FROM R.A. MORTON)
11. SITE IS WITHIN CRITICAL AREA.
12. THERE ARE NO ARCHEOLOGICAL SITES.
13. THERE ARE NO ENDANGERED SPECIES HABITATS.
14. THERE ARE NO HAZARDOUS MATERIALS SITES.
15. THERE ARE NO HISTORIC SITES.
16. SITE IS 10% WOODED, 47% GRADED FOR APARTMENT BLDGS. AND 43% OLD FARM.
17. NO CONSTRUCTION WILL OCCUR WITHIN TIDAL WETLANDS.
18. EXISTING BLDGS WITHIN MOBILE HOME AREA WILL BE REMOVED.
19. MAXIMUM FILL SHOWN - GRADING WILL BE ADJUSTED TO BALANCE EARTHWORK.
20. MINIMUM ELEVATION OF ALL MOBILE HOME SITES WILL BE 10.6'.
21. ALL LOTS ARE FOR LEASE.
22. SITE IS WITHIN CHESAPEAKE BAY CRITICAL AREA.
23. ⊕ - 14' STREET LIGHT AT 200'± INTERVAL
24. —F— FLOOD AREA - 100 YEAR TIDAL
25. LANDSCAPING PLAN TO BE PROVIDED BY LANDSCAPE ARCHITECT
26. PRIOR TO BUILDING PERMIT APPLICATION
27. AREAS CURRENTLY SIZED TO ACCOMODATE DOUBLE-WIDE UNITS ARE INDICATED ON THE PLAN.
28. ANY EXISTING WELLS WILL BE FILLED: IF DUG WELL BY BACKFILLING; IF DRILLED WELL BY REGISTERED WELL DRILLER. ANY SEPTIC SYSTEMS WILL BE PUMPED OUT AND BACKFILLED.
29. NO CLEARING OR GRADING IN FALLSTON OR ELKTON SOILS OR IN TIDAL MARSH AREAS.
30. THIS C.R.G. PLAN IS CONCEPTUAL AND SCHEMATIC AND THE ACTUAL NUMBER OF UNITS MAY VARY WITHIN THE DEVELOPMENT FORMAT INDICATED HEREON DEPENDING ON THE TYPE OF MANUFACTURED UNIT USED AND FINAL LAYOUT.

SOIL LIMITATIONS			
SOIL	WITHOUT BASEMENT	STREET	GROUP
MIA	MODERATE	MODERATE	C
MIB	MODERATE	MODERATE	C
Fa	SEVERE	SEVERE	D
SIB	SLIGHT	MODERATE	B
SHB	SLIGHT	MODERATE	B
Tm	SEVERE	SEVERE	D
WdA	SLIGHT	MODERATE	C
WdB	SLIGHT	MODERATE	C
Em	SEVERE	SEVERE	D

* NOT DISTURBED BY CONSTRUCTION

ROAD SECTION TO BE DETERMINED BY SOILS ENG. UNSUITABLE MATERIAL TO BE EXCAVATED AND UNDERDRAINS INSTALLED WHERE REQUIRED.
SOILS ENG. TO BE CONSULTED ON ANY FOOTINGS DESIGN. E 66500 N 15000

TYPICAL ROAD SECTION
(30' PAVING)
NO SCALE

PETITIONER'S EXHIBIT 1 sheet 1

PUBLIC SERVICES C.R.G. No. 86060
PLANNING No.

C.R.G. PLAN
AND
PLAN TO ACCOMPANY PETITION FOR

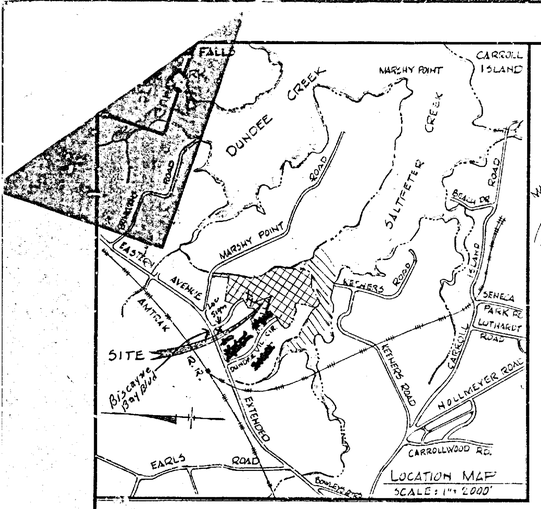
1. SPECIAL EXCEPTION FOR MOBILE HOME PARK IN A DR 3.5 ZONE
2. VARIANCE TO SECTION 414.4 TO PERMIT A SETBACK OF 20 FEET FROM A BOUNDARY LINE INSTEAD OF THE REQUIRED 75 FEET AND VARIANCE TO SECTION 414.5 TO PERMIT A SPACE OF 15 FEET BETWEEN MOBILE HOME UNITS INSTEAD OF THE REQUIRED 25 FEET. (ORDER 86-324 SA - ITEM 3-15)

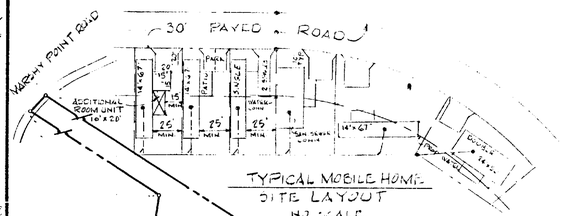
PHASE II
"BISCAYNE BAY VILLAGE"
15TH ELECTION DISTRICT - BALTIMORE COUNTY, MD.
SCALE: 1" = 100'
DATE: MARCH 28, 1985
REVISED PLANS 6-12-86

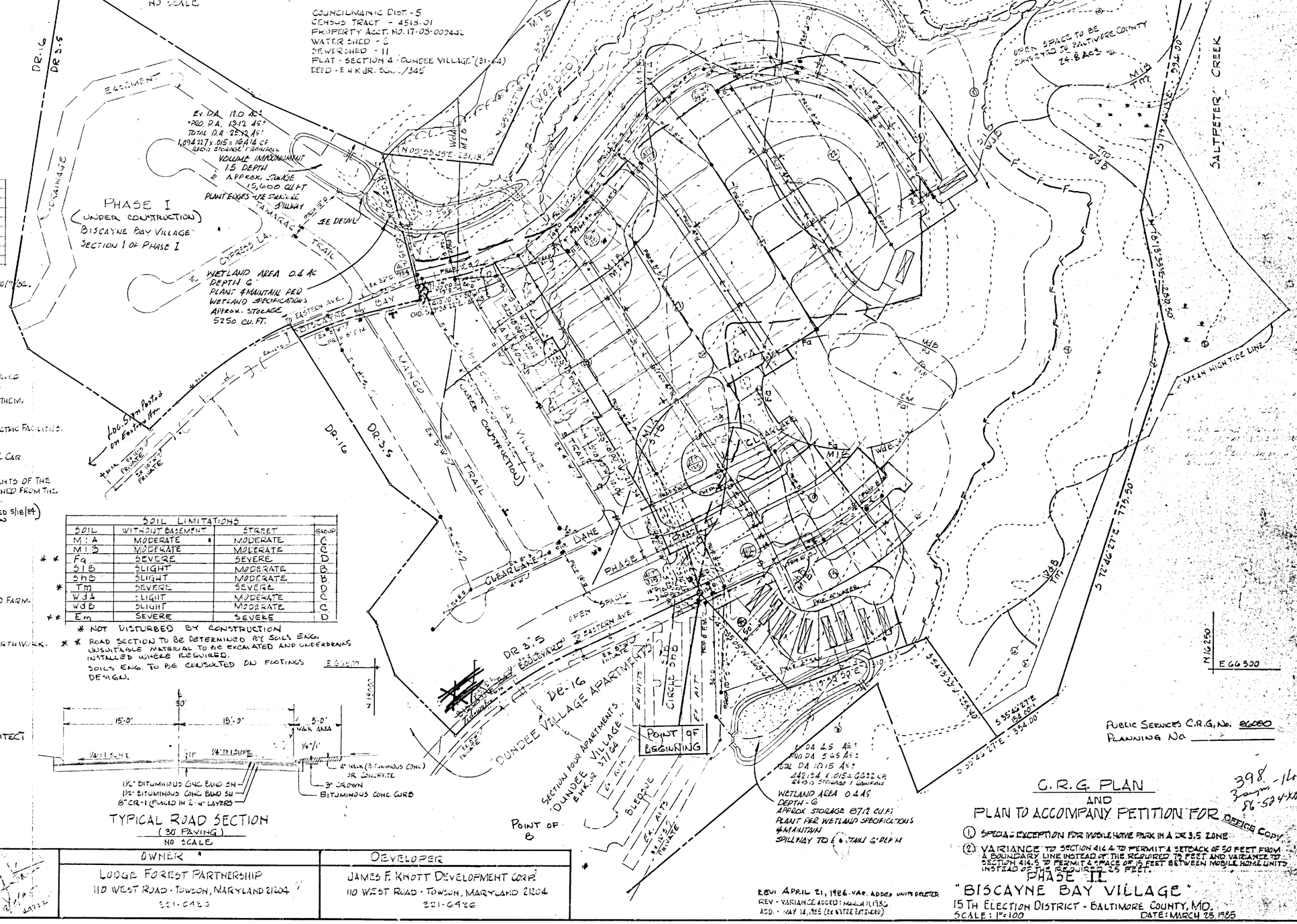
GEORGE W. STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
303 ALLEGHENY AVENUE - TOWSON, MARYLAND 21204
(301-825-8120)

OWNER	DEVELOPER
LODGE FOREST PARTNERSHIP 110 WEST ROAD - TOWSON, MARYLAND 21204 321-6432	JAMES F. KNOTT DEVELOPMENT CORP. 110 WEST ROAD - TOWSON, MARYLAND 21204 321-6426

PN 5177







TYPICAL ROAD SECTION
(30' PAVING)
NO SCALE

TABULATION				
	PHASE I *	PHASE II	TOTAL	REMARKS
ACRES (GROSS & NET)	20.890	47.962	68.852	
ZONING	DR-3.5	DR-3.5	DR-3.5	
PROPOSED No MOBILE HOMES	106	170	276	
OPEN SPACE REQUIRED	1.582	2.537	4.119	10% x 68.852 = 6.8860
OPEN SPACE PROVIDED	8.200 AC±	24.8 AC±	33.0 AC±	**
PARKING REQUIRED	190	410	600	
PARKING PROVIDED	190	410	600	

* PHASE I - GRANTED SPECIAL EXCEPTION FOR MOBILE HOME PARK WITH 106 MOBILE HOMES - SEE BOARD OF APPEALS CASE No CR 83-59 KA GRANTED 10/9/82.

** INCLUDES 1.748 ACRE DRAINAGE EASEMENT, WETLANDS, WOODED AREAS, OPEN FIELDS, SHORE LINE, ETC..

NOTES

1. MINIMUM LOT SIZE: 3600 SQUARE FEET.
2. ALL MOBILE HOME SITES SHALL ABUT AN UNOBSTRUCTED 30' WIDE PAVED HARD SURFACED ROADWAY WHICH SHALL BE ADEQUATELY ILLUMINATED.
3. ALL MOBILE HOMES SHALL HAVE A MINIMUM DISTANCE OF 15' BETWEEN THEM.
4. ALL INTERIOR ROADS ARE PRIVATE.
5. ALL MOBILE HOMES SHALL BE CONNECTED TO SEWER, WATER AND ELECTRIC FACILITIES.
6. ALL ON-SITE UTILITIES ARE PRIVATE.
7. EACH MOBILE HOME SITE SHALL HAVE A PAVED (BITUMINOUS CONCRETE) 2 CAR PARKING PAD 20' x 20'.
8. THE MOBILE HOME PARK IS SUBJECT TO REGULATIONS AND REQUIREMENTS OF THE BALTIMORE COUNTY HEALTH DEPT., AND WRITTEN APPROVAL WILL BE OBTAINED FROM THE BALTIMORE COUNTY HEALTH DEPT. BEFORE A BUILDING PERMIT IS ISSUED.
9. SITE IS EXEMPT FROM STORM WATER MANAGEMENT. (SEE LETTER DATED 5/16/84 FROM R.A. MORTON)
10. SITE IS WITHIN CRITICAL AREA.
11. THERE ARE NO ARCHEOLOGICAL SITES.
12. THERE ARE NO ENDANGERED SPECIES HABITATS.
13. THERE ARE NO HAZARDOUS MATERIALS SITES.
14. THERE ARE NO HISTORIC SITES.
15. SITE IS 10% WOODED, 47% GRADED FOR APARTMENT BLDGS. AND 43% OLD FARM.
16. NO CONSTRUCTION WILL OCCUR WITHIN TIDAL WETLANDS.
17. EXISTING BLDGS. WITHIN MOBILE HOME AREA WILL BE REMOVED.
18. MAXIMUM FILL SHOWN - GRADING WILL BE ADJUSTED TO BALANCE EARTHWORK.
19. MINIMUM ELEVATION OF ALL MOBILE HOME SITES WILL BE 10.4'.
20. ALL LOTS ARE FOR LEASE.
21. SITE IS WITHIN CHESAPEAKE BAY CRITICAL AREA.
22. ⊕ - 14' STREET LIGHT AT 200'± INTERVAL
23. —F— FLOOD AREA - 100 YEAR TIDAL
24. LANDSCAPING PLAN TO BE PROVIDED BY LANDSCAPE ARCHITECT PRIOR TO BUILDING PERMIT APPLICATION

SOIL LIMITATIONS			
SOIL	WITHOUT BASEMENT	STREET	GROUP
MIA	MODERATE	MODERATE	C
MIB	MODERATE	MODERATE	C
Fa	SEVERE	SEVERE	D
SIB	SLIGHT	MODERATE	B
SHB	SLIGHT	MODERATE	B
Tm	SEVERE	SEVERE	D
WJA	SLIGHT	MODERATE	C
WDB	SLIGHT	MODERATE	C
Em	SEVERE	SEVERE	D

* NOT DISTURBED BY CONSTRUCTION

** ROAD SECTION TO BE DETERMINED BY SOILS ENG. UNSUITABLE MATERIAL TO BE EXCAVATED AND UNDERDRAINS INSTALLED WHERE REQUIRED. SOILS ENG. TO BE CONSULTED ON FOOTINGS DESIGN.

PUBLIC SERVICES C.R.G. No. 86060
PLANNING No

398 - Hearing
Zoning
86-59-4-XA

OFFICE COPY

C.R.G. PLAN
AND
PLAN TO ACCOMPANY PETITION FOR

(1) SPECIAL EXCEPTION FOR MOBILE HOME PARK IN A DR 3.5 ZONE

(2) VARIANCE TO SECTION 414.4 TO PERMIT A SETBACK OF 50 FEET FROM A BOUNDARY LINE INSTEAD OF THE REQUIRED 75 FEET AND VARIANCE TO SECTION 414.5 TO PERMIT A SPACE OF 15 FEET BETWEEN MOBILE HOME UNITS INSTEAD OF THE REQUIRED 25 FEET.

PHASE II
"BISCAYNE BAY VILLAGE"

15TH ELECTION DISTRICT - BALTIMORE COUNTY, MD.
SCALE: 1" = 100'
DATE: MARCH 28, 1985

REV: APRIL 21, 1986 - VAR. ADDED UNITS DELETED
REV - VARIANCE ADDED: MARCH 11, 1986
ADD. - MAY 14, 1985 (SEE WATER EXTENDED)

GEORGE W. STEPHENS, JR. & ASSOCIATES, INC.
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PN 5177