E

IN RE: PETITION FOR SPECIAL HEARING Int. of NE/S of Morse Road, and SE/S of Lymburst Road

and SE/S of Lynhurst Road 15th Election District 7th Councilmanic District

Beachwood Development Corp. Petitioners BEFORE THE

DEPUTY ZONING CONNISSIONER

OF BALTIMONE COUNTY

Case No. 88-5-SPH

The Petitioners herein request a special hearing to approve a three-year extension to April 2, 1990 for utilization of the Special Exception for a trailer park granted in Case No. 84-360-XA.

Testimony on behalf of the Petitioners indicated that subsequent to the April 2, 1985 Order in which the Zoning Commissioner granted a special exception for a trailer park, the County Review Group approved plans on April 25, 1985, the Public Works agreement was paid, the record plat was executed, and internal road and preliminary water and sewer plans were completed. Since the Old Court Savings and Loan Association was involved in financing this project, and in fact. James L. Gay and Jeffrey Levitt were 50/50 owners, the project came to a stands'ill. Now, the Maryland Deposit Insurance Fund, as well as the current Petitioners, wish to proceed with the original plans. The instant petition was filed on March 26, 1987. The engineer testified that improvements would include the widening of Morse Road and the extension of water as well as internal roads. an independent sewer system with a private pumping station, and storm water management. Traffic volume will be increased but congestion will not occur. Sediment control is now stabilized and the flow will be directed to a stilling basin adjacent to Morse Lane. The CRG scrutinized the wetland situation in detail and determined that there would be no impact. Much of the woodland will remain. Plans revised in connection with County processes reduced the number of units to 203. All requirements of Section 502.1 of the Baltimore County Zoning Regulations (BCIR) continue to be met-

Three persons attended and requested to be noted in the file as Participants. Guido Guarmaccia did not testify. Walter Naylor, Jr. expressed his con-

PETITION FOR SPECIAL HEARING

TO THE ZONENG COMMENSIONER OF BALTIMORE COUNTY:

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

I or we agree to pay expenses of the above Special Houring advertising, peeling, etc., upon \$1 ing of this Petition, and further agree to and are to be bound by the sening regulations and restrictions of Bultimore County adopted pursuant to the Zoning Law for Bultimore County.

L/We do selectedly declare and office.

coder the possition of parjusy, that L/we
are the legal owner(s) of the property
which is the subject of this Politics.

- KEXT THO MONTHS

Contract Purchaser:	Legal Owner(s): BENGSBOOD DEVELOPMENT CONSUM
(Type or Prox Name)	RY: James Gay
Signature	SHARM SAVINGS & LOAN ASSOCIATION OFFICE
Allena	Cippe Par Mine)
City and State	Saus Vici Intidai
Actorney for Petitioner:	
Crype or Print Name)	Baltimore, Maryland 21202
Spann	City and State
Suite 600, 36 S. Charles Street	Name, address and phase marker of legal countr, con- tract perchaser or representative to the comment
Beltimore, Maryland 21201-3060	Michael F. Lettire
City and State	Suite 600, 36 S. Charles Street
MO ALL COPIES TO THE FOLLOWING	Beltimore, MD 21201-1060 (301) 332-8539
ORDERED By The Zoning Commissioner of	
equired by the Zoning Law of Baltimore County	subject matter of this potition to advertised, as , in two nowspapers of general circulation through- ad that the public hearing to had before the Zoning 16, County Office Building in Townes, Buildman
County, on the	July 19 87 at 9:30 o'clock
1. North Charles Stroot Jam	esay) Cell Siller

DEN RECEIVED FOR PLINE

30 Eco-

Beltimore, Maryland 21201

Gal M Stern, Esquie Cou

300 E. Lembard Street
Baltimore, Maryland 217

Esquire

(301) 752 - 3650

Howard Sklein,

(x1) 625-3500

After due consideration of all testimony and evidence presented, as well as a review of the file and Order in Case No. 84-360-XA, of which a copy is included herein and identified as Petitionar's Exhibit 1, it is the opinion of the Deputy Zoning Commissioner that conditions relative to this project have not changed since the original public hearing and order. It appears that strict compliance with the Baltimore County Zoning Regulations (BCZR) would result in practical difficulty and unreasonable hardship upon the Petitioners. Baltimore County has reviewed the application involving property located in the Maryland Chesapeake Bay Critical Areas and has ascertained that it is consistent with the requirements of the State of Maryland to minimize adverse impacts on water quality and fish, wildlife, and plant habitat. In the opinion of the Deputy Zoning Commissioner, the requirements of Section 502.1 of the BCZR have been met and the relief requested will not adversely affect the health, safety, and general welfare of the community.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this /5 day of August, 1987 that a three-year extension to April 2, 1990 for utilization of the Special Exception for a trailer park granted in Case No. 84-360-XA, be approved, and as such, the Petition for Special Hearing be and is hereby GRANTED, from and after the date of this Order.

of Baltimore County

GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, ENC. ENGIMERES 365 ALLEGHENY AVENUE, TOWSON, MARY LAND 21204

Description to Accompany Petition for Special Exception

March 28, 1984

Beginning for the same at the intersection of the northeast side of Morse Road and the southeast side of Lynhurst Road thence running 1) North 25" 14' 04" West 264.02 feet to the center of Lynhurst Road thence binding on the center of Lynhurst Road the thirty five following courses and distances:

2) North 22" 11' 04" West 140.00 feet

3) North 18° 25' 04" West 50.00 feet 4) North 14" 36' 04" West 49.67 feet

5) North 10° 19' 04" West 49.67 feet

6) North 5" 19' 04" West 50.00 feet

7) North 0° 11' 56" East 28.75 feet

8) North 8" 31' 56" East 49.75 feet

9) North 14° 43' 56" East 50.00 feet 10) North 17° 46' 56" East 50.00 feet

11) North 16° 21' 56" East 50.00 feet

12) North 12° 17' 56" East 100.00 feet

13) North 23° 37' 56" East 43.50 feet

14) North 35° 48' 56" East 59.00 feet

15) North 41° 46' 56" East 40.00 feet

16) North 42° 36' 56" East 50.00 feet

17) North 42° 12' 56" East 50.00 feet

18) North 41° 53' 56" East 50.00 feet 19) North 43° 10' 56" East 50 feet

20) North 46° 11' 56" East 100.00 feet

21) North 45° 18' 56" East 150.00 feet

22) North 43° 56' 56" East 150.00 feet

23) North 47° 51' 56" East 45.00 feet 24) North 51° 59' 56" East 29.50 feet

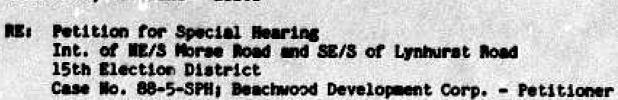
25) North 57° 56' 56" East 59.75 feet

26) North 63° 46' 56" East 40.00 feet

27) North 69° 39' 56" East 100.50 feet 28) North 67° 18' 56" East 100.00 feet

August 13, 1987

Michael F. LeHire, Esquire 36 S. Charles Street, Suite 600 Baltimore, Mar land 21201



Pursuant to the recent hearing held on the subject case, enclosed please find a copy of the decision rendered. Your Petition for Special Hearing has been Granted in accordance with the attached Order.

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

> ary truly yours, Deputy Zoning Commissioner

> > March 28, 1984

the center of .Beachwood

the center of Beschwood Road the four

JMHJ:bjs

Enclosures

cc: Thomas Crowe, Esquire 1 North Charles Street, Suite 900, Baltimore, Md. 21201

Howard S. Klein, Esquire, and Lawrence Conn, Esquire 300 E. Lombard Street, Baltimore, Md. 21202

Mr. Walter Maylor, Jr. 4230 Lynhurst Road, Balto., Md. 21222

Ms. Ethel Weber 4506 Todd Point Lane, Balto., Md. 21219

Mr. Ken Dryden, Executive Office

Description to Accompany Petition

29) North 65° 29' 56" East 200.00 feet

30) North 68° 14' 56" East 114.00 feet

31) Borth 67° 28' 56" East 140.00 feet

32) North 73° 03' 56" East 29.67 feet

33) North 76° 17' 56" East 49.67 feet

34) North 84° 43' 56" East 49.50 feet

Road thence binding in

35) South 77° 53' 04" East 42.75 feet and

36) South 57° 42' 04" East 40.00 feet to

following courses and distances:

39) South 44° 02' 04" East 200.00 feet and

40) South 47° 42' 33" Bast 4.36 feet, thence

41) South 44° 19' 00" West 72.00 feet thence

42) South 44° 55' 44" East 62.00 feet thence

43) South 40° 28' 14" West 75.00 feet thence

45) Southerly 5028 feet more or less thence

46) South 63° 55' 10" West 15.00 feet thence

47) South 2° 05' 38" East 231.48 feet thence

48) South 10° 00' 00" West 285.00 feet thence

49) South 38° 00' 00" West 264.10 feet thence

50) South 68° 00' 00" West 264.40 feet thence

following courses and distances

North 3° 49' 24" West 160.53 feet)

44) South 9° 46' 46" East 481.62 feet to or near the mean high water line

Back River meandering in a generally southerly direction

51) North 86° 00' 00" West 422.88 feet to the said northeast side of

52) Northwesterly by a line curving to the north with a radius of 1331.02

53) Northwesterly by a line curving to the west with a radius of 2990.93

feet for an arc distance of 160.63 feet (the chord of said arc being

feet for an arc distance of 1235.44 feet (the chord of said arc being

Morse Road thence binding on the northeast side of Morse Road the five

of Back River thence binding on or near the mean high water line of

37) South 50° 42' 06" East 29.20 feet

38) South 46° 34' 04" East 70.00 feet

for Special Exception

People's Counsel

RE: PETITION FOR SPECIAL HEARING Int. of NW/S Morse Rd. & SE/S of Lynhurst Rd., 15th District :

: BEFORE THE ZONING COMMISSIONER OF BATTIMORE COUNTY

BEACHWOOD DEVELOPMENT CORP., : Case No. 88-5-SPH Petitioner

.

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned 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 12th day of June, 1987, a copy of the foregoing Entry of Appearance was mailed to Thomas Crowe, Esquire, I N. Charles St., Baltimore, MD 21201; Gail M. Stern, Esquire, and Howard S. Klein, Esquire, 300 E. Lombard St., Baltimore, MD 21202; & Michael F. LeMire, Esquire, Suite 600, 36 S. Charles St., Baltimore, MD 21201-3060.

> Jameran Peter Max Zimmerman

Description to Accompany Petition for Special Exception

Merch 28, 1994

Morth 12" 11' 58" West 1226.67 feet)

- 54) Morth 24" 01' 58" West 326.51 feet thence still binding on the northeast side of Morse Road and crossing over a paper road known as Lynhurst Road
- 55) North 24" 01' 58" West 50 feet more or less thence binding on the northeast side of Morse Road
- 56) North 15" 57' 54" West 381.05 feet to the place of beginning.

Containing 90.104 Acres of land more or less.

OFFICE COPY

Beach wood Derelopment Corp. Location of property NELS Morse Rd + SEls Lynhurs I Rd. Location of Signa Formy Mores Rd, 10' Fr. You dway, opposit 200 fr. interitor of Min & lyn burt

LOCATION: Intersection of Northeast Side Morse Road and Southeast Side of Lynhusst Road DATE AND TIME: Tuesday, July 7. 1987, at 930 a.m.
PUBLIC HEARING: Room 106,
County Office Building, 111 W.
Chesapeshe Avenue, Towson,
Maryland The Zoning Commiss mer at Bal-timore County, by authority of the Zoning Act and Regulations of Balti-more County, will hold a public Petition for Special Hearing to ap-prove a three (3)-year extension to April 2, 1990, for utilization of the Special Exception for a trailer park Case No. 34-340-XA). Being the property of Beachwood Development Corp., as shown on plat plan filed with the Zoning Of-In the event that this Petition(s) is granted, a building permit may be insued 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 bearing.

Rumber of Signe:

CERTIFICATE OF PUBLICATION

TOWSON, MD., ________, 1957______, 1957_______, 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

THE JEFFERSONIAN.

32.17

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

Chestman

MEMBERS

Department of

Fire Prevention

Health Department

Project Planning

Building Department

Imming Administration

Board of Education

Traffic Engineering

State Poads Commissio

Bureau of

Bureau of

Industrial

Development

Engineering

4 N. Center Place P. O. Box 8936 Dundalk, Md. 21222

June 18,

THIS IS TO CERTIFY, that the annexed advertisement of Arnold Jablon in the matter of Zoning Hrgs. - Case #88-5-SPH -P.O. \$88916 - Req. \$803242 - 83 lines @ \$33.20.

CERTIFICATE OF PUBLICATION

OFFICE OF

Dundalk Eagle

was inserted in The Dundalk Eagle a weekly newspaper published in Baltimore County, Maryland, once a week seccessism weekschefore the

19 87 : that is to say. the same was inserted in the issues of June 18, 1987

Kimbel Publication, Inc.

per Publisher.

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING County Office Building 111 W. Chesapeake Avenue Towson, Maryland 21204 Your potition has been received and accepted for filing this Beachwood Development Corplaceived by: Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

Michael F. LeMire, Esquire

Dear Mr. LeMire:

Suite 600, 36 South Charles Street

Baltimore, Maryland 21201-3060

June 15, 1987

RE: Item No. 386 - Case No. 386-88-5-SPH

Petition Special Hearing

The Zoning Plans Advisory Committee has reviewed the plans

submitted with the above-referenced petition. The following

comments 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

may file a written report with the Zoning Commissioner with recom-

Enclosed are all comments submitted from the members of the

Committee at this time that offer or request information on your

received. I will forward them to you. Otherwise, any comment that

is not informative will be placed in the hearing file. This

petition was accepted for filing on the date of the enclosed

Very truly yours,

Zoning Plans Advisory Committee

JAMES E. DYER

Chairman

petition. If similar comments from the remaining members are

mendations as to the suitability of the requested zoning.

filing certificate and a hearing scheduled accordingly.

that may have a bearing on this case. The Director of Planning

Petitioner: Beachwood Development Corp.

Michael F. LeMire, Esquire Suite 600 36 South Charles Street

May 22, 1987

Baltimore, Maryland 21201-3060

NOTICE OF HEARING

RE: PETITION FOR SPECIAL HEARING Int. of NE/S Morse Rd. and SE/S

of Lynhurst Rd. 15th Election District - 7th Councilmanic District Beachwood Development Corporation - Petitioner Case No. 88-5-SPH

Tuesday, July 7, 1987

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE REVENUE DIVISION

VALIDATION OR SIGNATURE OF CASHIER

MISCELLANEOUS CASH RECEIPT

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

> Zoning Complessioner of Baltimore County

orporation

JED:kkb Enclosures

> cc: Thomas Crowe, Esquire Suite 900, 1 North Charles Street Baltimore, Maryland 21201

Gail M. Stern. Esquire 300 East Lombard Street Baltimore, Maryland 21202

Geo. Wm. Stephens, Jr. & Associates, Inc. 303 Allegheny Avenue Towson, Maryland 21204

PETITION FOR SPECIAL HEARING

15th Election District - 7th Councilmanic District

Case No. 88-5-SPH

Intersection of Northeast Side Morse Road and Southeast LOCATION: Side of Lynhurst Road

DATE AND TIME: Tuesday, July 7, 1987, at 9:30 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 Hearing to approve a three (3)-year extension to April 2, 1990, for utilization of the Special Exception for a trailer park (Case No. 84-350-XA)

Being the property of Beachwood Development Corp. . 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 a y 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 ARMOLD JABLOW ZOWING COMMISSIONER OF BALTIMORE COUNTY

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

ARNOLD JABLON ZONING COMMISSIONER

JEAN M. H. JUNG DEPUTY ZONING COMMISSIONER

June 30, 1987

Michael F. LeMire, Esquire Suite 600 36 South Charles Street Baltimore, Maryland 21201-3060 RE: PETITION FOR SPECIAL HEARING Int. of NE/S Morse Rd. and SE/S of Lynhurst Rd.

15th Election District - 7th Councilmanic District Peachwood Development Corporation - Petitioner Case No. 88-5-SPH

Dear Mr. LeMire:

This is to advise you that ____\$80.37 ____ 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

BALTIMORE COUNTY, MARYLAND · County, Maryland, and remit OFFICE OF FINANCE - REVENUE DIVISION ing, Towson, Maryland MISCELLANEOUS CASH RECEIPT 2-01-015-000 ADVERTIS ING A POSTERG COSTS RE CASE #88-5-SPIT B BBD7********** 1,574F VALIDATION OR SIGNATURE OF CASHIER

BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING TOWSON, MARYLAND 21204 STEPHEN E. COLLINS DIRECTOR

April 27, 1987

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

-ZAC-Item No. 386 Property Owner:

Location: Existing Zoning:

Proposed Zoning:

SE/S Lynhurst Road M.L.-IM Special Hearing to approve a three-year extension, to April 2, 1990, for utilization of the Special Exception for a trailer park (Case 84-360-XA)

90.104 acres 15th Election District

Meeting of April 6, 1987

Beachwood Development Corporation

Intersection of NE/S Morse Road and

Area:

District:

Please see the CRG comments for this site.

Traffic Engineer Associate II

MSF:1t

BALTIMORE COUNTY DEPARTMENT OF HEALTH

60		
	Zoning	
ing 120		
120	V	

Office of Planning County Office Build Towson, Maryland 21204

Zoning Commissioner

Zoning Item # 566. Zoning Advisory Committee Meeting of 4-6-87 Property Owner: Beachwood Development Corp

COMMENTS ARE AS FOLLOWS:

() Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review

Section, Environmental Support Services, for final review and approval. () Prior to new installation/s of fuel burning equipment, the owner should contact the Division of Air Pollution Control, 494-3775, to obtain require-

ments for such installation/s before work begins. A permit to construct from the Division of Air Pollution Control is required

for such items as spray paint processes, underground gasoline storage tank/s (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere. A permit to construct from the Division of Air Pollution Control is required

for any charbroiler operation which has a total cooking surface area of five (5) square feet or more.

() Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type of equipment to be used for the food service operation must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.

() Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health and safety; two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Health for review and approval. For more complete information, contact the Recreational Hygiene Section, Division of Environmental Support Services.

) Prior to approval for a nursery school, owner or applicant must comply with all Baltimore County regulations. For more complete information, contact the Division of Maternal and Child Health.

() If lubrication work and oil changes are performed at this location, the method providing for the elimination of waste oil must be in accordance with Water Resources Administration requirements.

WWQ 1 4/86

PAUL H REINCKE

April 7, 1987

Mr. Arnold Jablon Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towser "aryland 21204

Item No.:

Musting of 4/6/87

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.

The vehicle dead end condition shown at

EXCEEDS the maximum allowed by the Fire Department.

. () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or leginning 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.

The Fire Prevention Bureau has no comments, at this time

Plaining Group Special Inspection Division

TED ZAIENU, IA

DIRECTOR

Beschwood Development Corporation Intersection of ME/S Norse Rd & SE/S Lynhurst Rd.

(5) All structures that confum to the Builtiness County Building Coin as admitted by Council Bill \$17-05.
The Paryland Code for the Santiagnes and Ages (A.S.S.I. \$117-1 - 1980) and other applicable Codes and Standards

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

(b.) Compared to Physics note of complementary densings contact and educate by a populational in Displays Architect of Englands about the Colle with a population. Englands and contact are not accomplant.

and the former energy bit blacks family interest inciding angular a status of 1 has the rating for extension will allow the first the property let have been said if electrically the property in the first of the state of the first or party will. See party let have been subject to him that seems a first or party will. See party let it the third like. See quality as provided in the like. See quality are provided in the first will state the first like. See quality are provided in the content of the content of the first like.

I. then filling for a proposed thomps of templeropency Pennis, on distribute points application deal) also be filled along with these acts of quantifies constantion plans indicating her the antering provider in to be altered in order to emply with the Cole requirements for the new yet. Revised devictorists or frequency explanations and the first temple of temple of temple of the first temple of temple o

I. The proposed project appears to be longist to a Flood Flood, Tital Advances. Floods one the extent appear of faction file.0 of the Suilding Code or adopted by Sill Al7-15. Bits place chall show the correct elegations given one lovel for the lot and the finish floor lovels including because.

@ common Mobile unite shall comply to the State Industrialized buildings laws & Bestion 613.0 of BOCA.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon

TO Zoning Commissioner Date June 24, 1987

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

Zoning Petition Nos.: 88-5-SpH; 88-6-SpH; SUBJECT 88-9-A1 58-11-A1 88-17-A1 88-30-A

Please consider the Chesapeake Bay Critical Area Findings (see memoranda from Gerber to Jablon dated June 22, 1987) to represent the position of this

NEG/JGH/sf

cc: Shirley Hess, People's Counsel J. G. Hoswell

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Armold Jablon Date June 22, 1987 TO Zoning Commissioner Norman E. Gerber, AICP, Director

FROM Office of Flanning and Zoning Chesapeake Bay Critical Area Findings - Beechwood SUBJECT Development Corp. (88-5 SpH, Item 386

In accordance with Section 8-1813 of the Chesapeake Bay Critical Law and the July 8, 1985 Opinion from the County Attorney, it is hereby my "findings" that the proposed petition for a Special Hearing will comply with the terms of Section 8-1813 (a) for minimizing adverse impacts on water quality and protecting identified habitats.

> Norman E. Gerber, AICP, Direct Office of Planning and Zoning

NEG: FJS:pat

cc: Tim Dugan David Fields Jim Hoswell Tom Vidmar People's Counsel

JUN 25 1907

ZONING OFFICE

FRANK. BERNSTEIN, CONAWAY & GOLDMAN 300 EAST LOMBARD STREET

TELECOPIER (301) 625 3702

CABLE PRASADE TELEX 67939

SUITE 1000 7799 LEESBURG PIKE TYSONS CORNER VIRGINIA 22043

Dear Mr. Dembeck:

703 893 4670

BALTIMORE, MARYLAND 21202 (301) 625-3500 (703) 556 9676

SUITE 700 AMERICAN CITY BUILDING COLUMBIA MARYLAND 21044 301 730 9477

WRITER'S DIRECT NUMBER

301 625 3733

March 18, 1987

Mr. James Dembeck Zoning Information Office County Office Building Towson, Maryland 21204

ZONING OFFICE

Re: Beechwood Development Corporation

This firm represents the State of Maryland Deposit Insurance Fund Corporation in its capacity as Receiver for Old

Court Savings & Loan, Inc. Beechwood Development Corporation is a wholly-owned subsidiary of Old Court. On April 2, 1985, Beechwood obtained numerous variances and special exceptions as more particularly set forth in an Order issued by the Zoning Commissioner in Case No. 84-360-XA.

As you may be aware, the special exceptions and variances will expire on April 2, 1987, unless extended by Order of the Zoning Commissioner. This letter will confirm that we have scheduled a filing appointment with your offices on March 26, 1987 at 9:45 a.m. to file a Petition for Special Hearing in order to have the Order in the above-referenced case extended for another three years. We have been advised by your offices and the Office of the Zoning Commissioner that the special exceptions and variances will not expire so long as the Petition is filed on or before April 2, 1987.

Thank you for your assistance with regard to these matters. I look forward to meeting with you and members of your staff on March 26.

cc: Mr. Arnold Jablon, Zoning Commissioner for Baltimore County Michael F. LeMire, Esquire Ms. Kathie A. Siswick Shale D. Stiller, Esq. Gail M. Stern, Esquire Deborah L. Robinson, Esquire

Baltimore County, Marylan Executive Office Courthouse Mezzanine

July 24, 1987



Mrs. Ethel B. Weber 4506 Todd Point Lane Baltirore, Maryland 21219

RE: Case No. 88-5-5PH Beachwood Development Corporation, Petitioner

Thank you for your letter of July 7, 1987 regarding the above-referenced case, which was heard by Jean M. H. Jung, Deputy Zoning Commissioner, on July 7, 1987. It is my understanding that Mrs. Jung has not yet rendered a decision, but is carefully considering all of the testimony and evidence presented. A copy of the Order will be forwarded to you, and you will have 30 days from its date to file an appeal to the Board of Appeals of Baltimore County if you disagree with the decision.

I know that your opposition to the requested relief, as indicated in your letter dated July 7, 1987 to Mr. Jablon, to which he has replied, will also be given careful consideration prior to Mrs. Jung's decision. I appreciate those concerns and have relayed them to her.

It is obvious that you are familiar with the procedure required for zoning hearings, which are judicial in nature, and that you have communicated your objections verbally as well as in writing. It is unfortunate that you feel that you were not given an adequate chance to testify, but it is evident that you were still able to relay your concerns about the requested relief. I know and have been assured that careful and thorough consideration will be given to them before Mrs. Jung makes her decision.

Sincerely,

DENNIS F. RASMUSSEN County Executive

DPR/AJ/srl

Elmer A. und Ethel B. Weber 4506 Todd Point Lane Baltimore, Maryland 21219 July 7, 1987 Mr. Konneth L. Lingden' Executive ande-Batter Co. administration Towson md. 21204 Lear Mr. Digolen: I collid, but was unable to great with your concerning a zoning matter. So I am sending a letter that I went The letter contains a complaint concerning the meeting for Galy 7th 1989. If you want more information you can contact me at the address above by mail or phone 477-4628.

Thank you and also your societary who was most cordial and helpful.

MACAWOOD DOV. CORP.

ione.

per.

mental

CPS-COB

Baltimore County Zoning Commissioner Office of Planning & Zonia; Towson, Maryland 21204 494-3353

July 15, 1987



Mrs. Ethel B. Weber 4506 Todd Point Lane Baltimore, Maryland 21219

RE: Case No. 88-5-SPH
Beachwood Development
Corporation. Petition

Dear Mrs. Web

In response to your letter of July 7, 1987, this is to advise you that a decision has not yet been rendered by the Deputy Zoning Commissioner. When the decision is rendered, a copy will be forwarded to you. If you wish to take an appeal from that decision, you will have 30 days in which to do so.

ARNOLD JAMES ON Zoning Commissioner

AJ/ST

991 Pelmer of and Ethel B. Water 1906 Told Point Lane 4506 Told Point Lane Baltimore, Maryland 21219 Mr. anold Jablon Govern Commissioner of Balto Co. Dear Mr. gallon I am writing to you because I have Concerns afout case no 88-5-5+4 for which a hearing was held on July 1987. of the special exception for 84-360-XA was granted immediately after the hearing which was conducted by Ma Jung I'me have the right to write a letter of objection to the granting of this extension If ao, I would like the letter to be filed for the purpose of objection. One objection is that in a part the developer to stay 300 ft. bock from the wetlands, but the developer (hojor permission was granted) had already Created a been and a deep canal that engther into the river. at the hearing a letter won shown to me by the lawyer cutical area regulations on your 16, 787. There was no one from the citical or environmental departments present at the meeting to answer questions concerning any objections

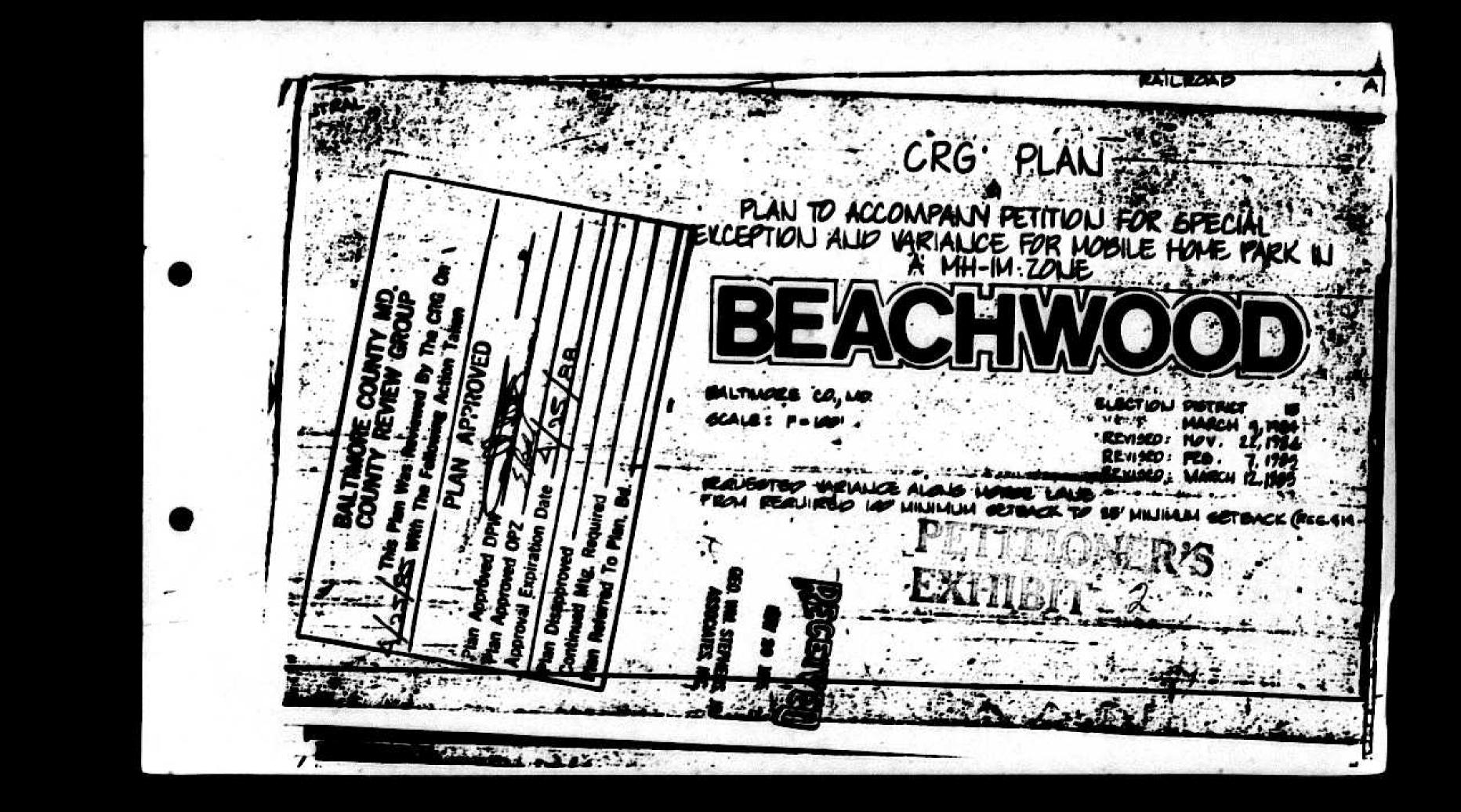
, I feel that This project has been so minmone ged that the environment has been secumently destroyed. I he developer should not be allowed to Continue with this project because of this mismanagement of this property the extension should not be granted. This is a new case, not an old one Surrounding the case I feel that a decision is being The case. also I feel that the having war conducted in a humedatomorgalow. The recorder was broken and I felt a look of familiarity of the case, I was regiment ed for being tondy to war four mitterlete and did not give my name before the henring) Line own late no questions were answered . Concerning statements by members of the grand prior to Iny arrival). Yet another gentleman war allowed to get up from the audience and speak prevalely to member sitting at the table and nothing was said to him. This was disturbing to one when I was

In close of would like to thanknywe for being four with me in all the hearings that you conducted for this case in the past. The meetings were conducted in a professional way and you showed patience with protestate when we made mistelse in procedure. I did not have any of these feelings for the way in which the July of meeting was conducted.

Of our a truly,

Ethel B. Weber





IN HE:	PETITIONS SPECIAL EXCEPTION AND VARIANCE		BEFORE THE
	SE corner of Morse and Lyn- hurst Roads - 15th Election	(1 .	ZONING COMMISSIONER
	District	1000	OF BALTIMORE COUNTY
	Beechwood Development Cor- poration, et al.	•	Case No. 84-360-XA
	Petitioners		
	CONTRACTOR OF THE PROPERTY	(G B (G	

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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The retitioners herein request a special exception for a trailer park. A nearing was held on June 25, 1984, at which time testimony was presented.

The Petitioner, Beechwood Development Corporation (Beechwood), by its President, James L. Gay, appeared and testified and was represented by Counsel. Also appearing on behalf of the Petitioners were William Kerwin, a landscape architect and planner; Susan Bitter, an environmental biologist; and John Stamm, the project manager and a registered engineer. Appearing as Protestants were Mr. and Mrs. Weber.

Testimory indicated that Beechwood proposed to utilize approximately 41 acres of the 90-acre, more or less, tract, zoned M.H.-I.M., for a trailer park containing 308 mobile nome units. Each lot would measure 45' x 110' and have a two-car parking pad and a wooden deck attached to the unit. The property is presently being used as a community dump and by hunters. All of the testimony from Mr. Kerwin and Mr. Stamm indicated that the proposed project would satisfy the conditions precedent in Section 502.1. Baltimore County Zoning Regulations 5023. Indeed. Ms. Bitter testified that the plant and wildlife habitats thriving on the property would not be disturbed but instead would be protected, that the property would be cleaned up, and that the poor drainage would be corrected, all to greatly improve and enhance the area.

katitudi ____

PETITION FOR SPECIAL HEARING

TO THE ZONING COMMISSIONER OF BALTEMORE COUNTY:

trailer park and the zoning variance to permit trailers within 25 feet of Morse Lane granted by the Zoning Commissioner of Baltimore County for the above-referenced property on April 2, 1985.

Property is to be posted and advertised as prescribed by Zoning Regulation

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filling of this Petition, and further agree to and ere to be bound by the soning regulations and restrictions of Beltimore County adopted pursuant to the Zoning Law for Beltimore County

	I/We do selectally declare and affirm, under the penalities of perjusy, that I/we are the logal owner(s) of the property which is the subject of this Petition.
Contract Purchaser:	Legal Owner(s): REACISHOOD DEVELOPMENT CORPORAT.
(Type or Print Name)	Type or Print Name
Signature	SHARON SAVERS & LOAN ASSOCIATION (Nortgages)
Address	(Type of Prior Mome) Leah Meledones, Vice President
City and State	Signature
Attorney for Petitioner:	
Michael F. LeMire	16 S. Calvett Street Suite 100
Muchan F L Milia	Baltimore, Maryland 21202
Signature Suite 600, 36 S. Charles Street	City and State
Address	Name, address and phone number of legal owner, con- tract purchaser or representative to be contacted
Baltimore, Maryland 21201-3060 City and State	Michael F. LeMire
Attorney's Telephone No.: (301) 332-8539	Suite 600, 36 S. Charles Street Baltimore, MD 21201-3060 (3011 332-8539 Address Phone No.
ORDERED By The Zoning Commissioner of	Baltimore County, this day
of, that the	subject matter of this petition be advertised, as
required by the Zoning Law of Baltimore County,	in two newspapers of general circulation through-
	d that the public hearing be had before the Zoning
Commissioner of Baltimore County in Room 10	d, County Office Building in Towson, Beitimore
County, on the day of	19, at o'cleck
	TER'S
- C. A. L. L	, 2 · · · · · · · · · · · · · · · · · ·
Themas Crond district Test states	Zoning Commissioner of Beitimore County.
I North Courter Street Jones Gay)	
CO WAS 125 Z- 3650 Course (Course of Street Course)	

set & a mened Street

Silber - 3100

Buttonic W- + 121 6-22

GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC. ENGINEERS

303 ALLEGHENY AVENUE TOWSON, MARYLAND 21204

Description to Accompany Petition for Special Exception

March 28, 1984

the intersection of the north-Beginning for the same at east side of Morse Road and the southeast side of Lynhurst Road thence running the center of Lynhurst Road the center of Lynhurst Road the thirty five following courses and distances 21 North 22" 111 04" West 140.00 feet

3) North 18" 25" 04" West 50.00 feet

4| North 14" 36' 04" West 49.67 feet

5/ Worth 10" 19' 04" West 49.67 feet

6) North 5" 19" 04" West 50.00 feet

7) North 0" 11' 56" East 28:75 feet 8) Worth 8" 31' 56" East 49.75 feet

9) North 14' 43' 56" East 50.00 feet

[0] North ["1 46" 56" East 50.00 feet

117 North le 111 56" East 50,00 feet

'3: North 23" 37" 56" East 42.50 feet

12 North 12' 17' 56' East 100.00 feet

14 Nort: 35' 48' 56" East 59.00 feet

.5 Nurth 42" 46" 56" East 40.00 feet

le: North 421 36: 56" East 50:00 feet

." North 47" 12" 56" East 50.00 feet 18 North 41" 52" 56" Last 50.00 feet

10 North 46' 12' 56' fast 10' 0' feet 1. Street 457 of 547 East 157 A feet

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Ill Signit 477 for Net Bast 48 27 feet

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Baltimore County, Maryland

June 24, 1987

Bornon E. Gerber, AICP, Director proces Office of Florening and Soning

Zoning Potition Soc.: 88-5-898; 88-6-898; SUBSECT. 58-9-81 58-11-8; 59-17-8; 58-30-8

Please consider the Chesapeake Bay Critical Area Findings (see meacrande from Gerber to Jables dated June 22, 1987) to represent the position of this

MEG/JGH/st

cc: Shirley Hose, People's Counsel
J. G. Hoswell

PETITIONER'S

BALTIMORE COUNTY, MARYLAND

Arnold Jablon To Zoning Commissioner Date June 22, 1987

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

Chosepeaks Bay Critical Area Findings - Beechwood support Development Corp. (88-5 SpH, Item 386)

In accordance with Section 8-1813 of the Checapsake Bay Critical Law and the July 8, 1985 Opinion from the County Attorney, it is hereby my "findings" that the proposed petition for a Special Hearing will comply with the terms of Section 8-1813 (a) for minimizing adverse impacts on water quality and protecting identified habitats.

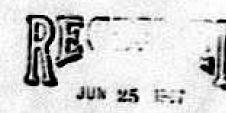
Morman E. Gerber, AICP, Directo Office of Planning and Zoning

MEG: PJS: pat

oc: Tim Dugan David Fields Jim Hoowell Ton Videnr People's Counsel

> PETITIONER'S EXHIBIT

> > 56



STATE OF MARYLAND DEPOSIT, IMBURANCE PUND CORPORATION. RECEIVER FOR OLD COURT SAVINGS AND LOAM, INC.

Plaintiff

BALTINORE CITY

900

IN THE

CIRCUIT COURT

JEFFREY A. LEVITT, et al., Defendants

Case No.: 85-212034

Plaintiff's Motion to Ratify and Approve the Irrevocable Power of Attorney by Jeffrey A. Levitt having been duly considered by this Court, it is this 32 day of July, 1986 ORDERED

That the same be and hereby is GRANTED; further, that the Irrevocable Power of Attorney by Jeffrey A. Levitt to the State of Maryland Deposit Insurance Fund Corporation ("MDIF"), Receiver for Old Court Savings & Loan, Inc., dated July 2, 1986, a copy of which is attached hereto, is hereby ratified and approved.

It is further ORDERED that the said Irrevocable Power of Attorney does not apply to that real property located at 11408 Woodland Drive, Lutherville, Maryland, provided that Karol Levitt, Ross Levitt and/or Sanford Levitt pay to MDIF out of their own assets 50% of the value of said real property as determined by an independen, appraiser to be selected by MDIF.

- SAUNDE- E Est. :

This document has been altered by eliminating the Judge's signature

