

BALTIMORE COUNTY, MARYLAND
Board of Appeals of Baltimore County
Interoffice Correspondence

DATE: June 5, 2002

TO: Arnold Jablon, Director
Permits & Development Management
Attn.: David Duvall

FROM: Theresa R. Shelton *TRS*
Board of Appeals

SUBJECT: **David E. Herman**
Case No.: 92-460-SPHA
Circuit Court Case No.: 93 CV 7271

PDM No.: 92-460-SPHA

The Court of Special Appeals by Opinion dated December 8, 1994 REVERSED the decision of the Circuit Court, which affirmed the Board of Appeals. The decision of the Circuit Court was vacated with instructions to remand to the Board of Appeals. On March 7, 1995, the Circuit Court closed the file and returned same to the Office of Permits and Development. No further appeals have been taken in this matter. The Board of Appeals is closing and returning the file and exhibits that are attached herewith.

Attachment: SUBJECT FILE ATTACHED
EXHIBITS ATTACHED

WILLIAMS ESTATES
NW/S Eastern Avenue, 1600' NE of
the c/l of Carroll Island Road

#92-460-SPHA

No. 92-460-SPHA

May 19, 1992	Petitions for Special Hearing and Zoning Variance of Williams Estates to amend the special exception granted in Case No. 66-185 and to amend and add to the variance granted in Case Nos. 70-184-SPHA and 84-283-A; and to permit a space of 20 ft. from side to side and to permit a space of 16 ft. from rear to rear of unit in lieu of the required 25 ft.
November 2	Order of D.Z.C. that Petition for Special Hearing is GRANTED; and Petition for Zoning Variance is GRANTED with restrictions.
May 19, 1993	Hearing before the County Board of Appeals.
July 16	Order of the Board of Appeals GRANTING Petition for Special Hearing; and GRANTING Petition for Zoning Variance with restrictions.
August 11	Amended Order of the Board of Appeals correcting clerical error of <u>20 feet from rear to rear</u> .
August 13	Petition for Judicial Review filed in the Circuit Court for Baltimore County by J. Carroll Holzer, Esquire, on behalf of Gretchen Floyd, Sandra Dawson, Barbara Shaver, individually and Baltimore County Mobile and Manufactured Homeowners Association, Inc.
August 16	Copy of Petition for Judicial Review received by the Board of Appeals from the Circuit Court for Baltimore County.
August 17	Certificate of Notice sent to interested parties.
October 8	Transcript of testimony filed; Record of Proceedings filed in the Circuit Court.
February 17, 1994	Decision of the Circuit Court for Baltimore County which AFFIRMED the Order of the Board in which the Petition for Special Hearing and Petition for Zoning Variance were GRANTED. (Christian M. Kahl, Judge)
March 11	Notice of Appeal filed in the Court of Special Appeals by J. Carroll Holzer, Esquire.
December 8	Order issued by the CSA; judgment REVERSED; case REMANDED CCT for REMAND to CBA to DENY VAR. 12/8/94 (Bishop, Bloom, Davis)

Handwritten notes:
A large checkmark is drawn over the February 17, 1994 entry.
The initials "JCH" are written next to the March 11 entry.
The initials "E" are written next to the December 8 entry.

92-460-SPHA /Williams Estates
REVERSED; case RAMANDED to
CCT for REMAND to CBA to DENY VAR.
12/8/94 (Bishop, Bloom, Davis)

UNREPORTED
IN THE COURT OF SPECIAL APPEALS
OF MARYLAND

No. 551

September Term, 1994

GRETCHEN FLOYD, ET AL.

v.

WILLIAM ESTATES, ET AL.

Bishop,
Bloom,
Davis,

JJ.

PER CURIAM

Filed: December 8, 1994

This is an appeal from a judgment in the Circuit Court for Baltimore County. Appellee Williams Management Services, Inc. manages a mobile home park owned by appellee Williams Estates. In 1992, appellees requested a variance from Baltimore County zoning regulations that govern the distance between mobile home units. The zoning commissioner granted the variance with regard to one section of the park, but denied it with regard to the remainder. Williams appealed the denial to the County Board of Appeals, which approved the variance for the remainder of the park by order dated July 16, 1993 and amended August 11, 1993. On February 14, 1984, the Circuit Court for Baltimore County affirmed the Board's orders.

Appellants present the following questions for our review, several of which we restate for clarity:

- I. Did the Board err by issuing an opinion that failed to contain findings of fact setting forth the reasons for the Board's decision?
- II. Did the Board err in finding that "special circumstances or conditions" existed?
- III. Did the Board err in finding that strict compliance with the zoning regulations would result in "practical difficulty"?
- IV. Did the Board err by granting a variance when the record fails to establish that the owner cannot fully use his property without the variance?
- IV. Did the Board err by granting a "blanket variance" that applied to all home sites at Williams Estates?
- V. Did the Board err by granting a variance that was not in "strict harmony" with the "spirit and intention" of the applicable zoning regulation?

Nonetheless, there was also testimony that only five of the park's 557 sites are currently vacant (a vacancy rate of less than one percent), and that two of the vacant lots could accommodate a double-wide home without the requested variance. Mr. Poole also testified that there is still a "very large" market for new single-section homes, and as many as fifty percent of the sites in the older section of the park could accommodate a double-section home without the requested variance.

Mr. Poole's testimony was supplemented with the opinions of several experts, including a landscape architect and an industry trade official. Both testified that a separation of twenty feet was the norm in new communities, and opined that the requested variance would not have an adverse impact on the safety or appearance of Williams Estates. The trade official stated that mobile home communities that fail to adapt to the demand for double-wide home sites are likely to experience higher vacancy rates and a gradual decline in appearance, as home owners relocate elsewhere and renters move into older homes. Such parks, he concluded, would cease to be "viable" communities.

The requested variance was opposed by park residents, neighboring property owners, and the People's Counsel for Baltimore County. The owner of a neighboring drive-in theater testified that flooding caused by poor drainage at Williams Estates has shut down his theater on several occasions and caused extensive property damage. A park resident testified that some areas of the park remain flooded more than forty-eight hours after a heavy rain.

Park residents also expressed concerns about the loss of open space, and the possibility that a fire in one home would threaten neighboring homes. Notwithstanding the opposition, the Board granted the variance, subject to certain restrictions intended to ensure that the flooding problem does not become worse. The Board subsequently amended its order to provide for a separation of twenty feet rear-to-rear, rather than sixteen feet.² Appellants, who include park residents as well as an association of mobile home owners, took an appeal from the Board's decision to the Circuit Court for Baltimore County. The court affirmed, and appellants noted this appeal.

LEGAL ANALYSIS

I

As a general rule, review in both this Court and the circuit court is limited to determining whether the Board's decision is "in accordance with the law or whether it is arbitrary, illegal, and capricious." *Moseman v. County Council*, 99 Md. App. 258, 262 (1994). The court will not overturn the board's factual findings or its application of law to facts if the board's decision is supported by substantial evidence. *Mortimer v. Howard Research & Dev. Corp.*, 83 Md. App. 432, 441, cert. denied, 321 Md. 164 (1990). Substantial evidence means more than a scintilla of evidence,

² On appeal, Williams had amended its petition to provide for twenty feet of space rear-to-rear, but the Board's original order mistakenly granted a variance for sixteen f et.

Montgomery County v. Gr. Colesville Citizens' Ass'n, 70 Md. App. 374, 382 (1987); such that a reasonable person could come to more than one conclusion. *Moseman*, 99 Md. App. at 262-63 (citing *Eger v. Stone*, 253 Md. 533, 542 (1969)). In such a situation, the issue is considered to be "fairly debatable," and the reviewing court will not substitute its judgment for that of the board. When reviewing issues of law, on the other hand, the reviewing court may reach its own conclusions without deference to the board's opinion. *Columbia Road Citizens' Ass'n v. Montgomery County*, 98 Md. App. 695, 698 (1994).

Several of the issues raised by appellants may be addressed in short order. Under § 307.1 of the Baltimore County Zoning Regulations, a variance may be granted only upon a showing that "practical difficulty or unreasonable hardship" would result from strict compliance with the ordinance. See *Red Roof Inns, Inc. v. People's Council*, 96 Md. App. 219, 224 (1993) (the language of the Baltimore County ordinance is disjunctive and a showing of either "practical difficulties" or "unreasonable hardships" will suffice); *McLean v. Soley*, 270 Md. 208, 214-15 (1973) (discussing the criteria for evaluating a claim that "practical difficulties" existed). Under the practical difficulties standard, the party seeking a variance need not show that full use of the property cannot be made unless the variance is granted. See *McLean*, 270 Md. at 214. As we explain more fully below, *McLean* requires only that the party seeking a variance show a substantial and unnecessary burden.

We likewise find no error in the Board's decision to grant a "blanket" variance covering most of the lots at Williams Estates. As Williams correctly points out, a trailer park is not analogous to a subdivision. Williams Estates is a single piece of property, for which a single variance has been granted. Assuming, *arguendo*, that a showing of "special circumstances" and "practical difficulties" has been made, those difficulties could be alleviated only by granting a broad variance covering some substantial portion of the park. It should be obvious that Williams can neither control nor predict where future vacancies may occur. The only alternative to the variance granted here would effectively require that Williams petition for a separate variance on each individual lot. We think that result to be both unnecessary and unreasonable.

Appellants also contend that the grant of a "blanket" variance is invalid because it crosses the boundary between "adjudication" and "legislation." We disagree. An ordinance authorizing variances presumes that they will be the exception, and that only a fraction of a particular zoning district will qualify. See 3 ROBERT M. ANDERSON, *AMERICAN LAW OF ZONING* § 20.74, at 604-07 (3d ed. 1986) (discussing variance requests with regard to large tracts of land). Although the record does not state the number of parks now operating in the county, there was testimony concerning two others. Assuming that special circumstances could be shown, we think it fair to conclude that the twenty-foot separation between trailers would remain the exception rather than the rule.

II

Appellants stand on firmer ground when they contend that the Board's opinion failed to contain the necessary factual findings. In Baltimore County, an order granting a variance "shall contain a finding of fact setting forth and specifying the reason or reasons for making such variance." B.C.Z.R. § 307.1. In their brief, appellants broadly contend:

A review of the [Board's] opinion and order of July 16, 1993, subsequently amended, establishes that the Board summarized the testimony of the witnesses that it believed key to the Petitioner's case. Appellants submit that the recitation of the witness' testimony cannot be viewed as the statement or findings of fact that are necessary for the Board to explain its decision. . . .

We disagree that the Board's opinion is devoid of factual findings. Where testimony containing statements of fact is quoted or paraphrased with approval, and is not contradicted by other statements in the Board's opinion, we think it fair to count those statements among the facts found by the Board.³ See *Gray v. Anne Arundel County*, 73 Md. App. 301, 313-14 (1987) (reference to summary of testimony may suffice as statement of factual findings).

³ For example, the Board's opinion states:
The property owner of the drive-in theater across Eastern Avenue, Edward Vogle, stated that Williams Estates has caused major flooding to his property. This flooding has shut down the drive-in theater on several occasions, and caused major property damage to the site.

The opinion does not discuss conflicting evidence. Although we would prefer that the Board label its findings more clearly, we think it obvious that the facts stated above were found by the Board.

See also *Mossberg v. Montgomery County*, 329 Md. 494, 507 (1993) (agency's statement of factual findings must be such that parties are appraised of the facts relied upon by the agency and meaningful judicial review is possible).

Nonetheless, appellants are correct when they state that the Board's factual findings are insufficient to support the Board's ultimate conclusion. Section 307.1 of the Baltimore County Zoning Regulations sets out four requirements that must be met before a variance can be granted. It must be shown that:

- 1) "special circumstances or conditions exist that are peculiar to the land or structure which is the subject of the variance request";
- 2) "strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship";
- 3) the requested variance is "in strict harmony with the spirit and intent" of the zoning regulations; and
- 4) the requested variance may be granted "without injury to the public health, safety, and general welfare."

The Board's conclusion with regard to each of those issues must be supported by detailed factual findings, *Ocean Hideaway Condo. v. Boardwalk Plaza*, 68 Md. App. 650, 659-60 (1986), and the party seeking a variance bears the burden of showing that each requirement for a variance is satisfied. *North v. St. Mary's County*, 99 Md. App. 502, 510 (1994); *Easter v. Mayor of Baltimore*, 195 Md. 395, 400 (1950). As the Court of Appeals explained in *Turner v. Hammond*, 270 Md. 41, 56 (1973), the Board's opinion must

contain something more than conclusory statements or mere boilerplate resolutions. *Accord Ocean Hideaway*, 68 Md. App. at 658-59; *Pistorio v. Zoning Board*, 268 Md. 558, 570 (1983).

The inadequacy of the Board's factual findings with regard to the first two requirements will be explained in greater detail below. With regard to the remaining requirements, the Board's opinion is entirely devoid of the required statement of reasons. The Board does not state that the requested variance is in keeping with the spirit and harmony of the zoning regulations, nor does it state that the variance can be granted without injury to the public health and welfare. At best, those conclusions may only be inferred from the Board's brief summary of the testimony.

The Board found that other Maryland counties permit a twenty-foot separation between trailers, and that new parks are designed with twenty feet between structures. Relying on testimony by Mr. Poole, the Board summarily concluded that Williams "need[s] the requested variances in order to keep the park as updated as possible and desirable to the public." From the testimony of the trade official, the Board noted that "[i]f older parks are not updated, developers may buy up units and turn them into rentals." Those findings and conclusions, taken together, do not add up to the findings of fact "setting forth and specifying the reason or reasons for granting the variance" that are required by B.C.Z.R. § 307.1. Moreover, the Board's opinion does not address the concerns raised by appellants, including the loss of open space and the increased danger of fire spreading from one structure to another.

The residents of the park "are entitled to more than the perfunctory disposition" that the Board made of this case. *Ocean Hideaway*, 68 Md. App. at 659-60.

Williams attempts to supplement the Board's meager and conclusory factual findings with numerous references to the record. The Board's decision must be supported on the facts that were found by the Board and stated in the Board's opinion. Where the Board's factual findings are inadequate, the necessary facts may not be supplied by the parties, and neither we nor the circuit court will glean the record in search of evidence to support the Board's conclusion. As we explained in *Ocean Hideaway*, 68 Md. App. at 661-662, appellee's attempt to delve into the record for specific facts to support the Board's conclusions only serves to support our holding that the necessary factual findings were not made by the Board. See also *United Steelworkers v. Bethlehem Steel*, 298 Md. 665, 679 (1984) (holding that a court may not uphold an agency order unless it is sustainable on the agency's factual findings, and for the reasons stated by the agency).

In the interests of sparing a further appeal, however, we may go beyond the Board's factual findings and review the record to determine whether the Board's ultimate conclusions were supported by substantial evidence. See *Ocean Hideaway*, 68 Md. App. at 662-63. Upon reviewing the record here in the light most favorable to Williams, we conclude that Williams has failed to meet its burden of proof. The record does not contain substantial evidence to support the conclusion that special circumstances existed, or that

practical difficulties would result from strict adherence to the zoning regulations. Accordingly, the judgment of the circuit court is reversed.

III

Under § 307.1 of the Baltimore County Zoning Regulations, a finding of special circumstances must be supported by evidence that those circumstances are "peculiar to the land or structure" that is the subject of the variance request. A "peculiar" condition is one that is "uncommon," "unusual," or "distinguished in character or nature from others." THE RANDOM HOUSE DICTIONARY OF THE ENGLISH LANGUAGE (1967). As the Court of Appeals explained in *Easter*, 195 Md. at 400, the existence of special circumstances must be tested against "other property in the neighborhood." See also *North*, 99 Md. App. at 514 (property must have "an inherent characteristic not shared by other properties in the area"). In *Burns v. Mayor of Baltimore*, 251 Md. 554, 559 (1968), the owner of an apartment building complained of financial difficulties brought on by general economic conditions and a greater demand for one-bedroom as opposed to two-bedroom apartments. The Court concluded that:

These are also factors which present problems common to other rental properties in the neighborhood and are not sufficiently peculiar to the appellee's premises as to justify the relaxation of the ordinance. . . .

Compare *Frankel v. Mayor of Baltimore*, 223 Md. 97, 104 (1960) (irregular shape of lot and relationship of property to neighboring streets and structures were not common to other property in the area).

Although we have said that special circumstances must be tested against other properties in the area or "neighborhood," it would be more accurate to state that special circumstances must be tested against other properties which are subject to the same zoning restrictions. See *Ad + Soil, Inc. v. County Comm'rs*, 307 Md. 307, 339-40 (1986). The reason should be obvious; if a variance could be granted without such a showing, the exceptions to a particular restriction would ultimately swallow the rule. In the context of this case, we conclude that the existence of special circumstances must be tested against other properties that are subject to the requirements contained in B.C.Z.R. § 414.5. In short, the "neighborhood" here consists of all mobile home parks in Baltimore County. In order to find that "special circumstances" existed, there must be evidence from which the Board could reasonably conclude that conditions at Williams Estates are unusual or uncommon among those parks. As a practical matter, Williams was required to demonstrate that the great majority of the parks in the county can accommodate double-wide homes without the need for a variance.

The Board's opinion is devoid of any reasoning as to how or why special circumstances existed in this case, and the Board made no factual findings that would support that conclusion. In their brief, Williams contends that the special circumstances here consist of limitations created by the park's original design. The necessary practical difficulties arise, they explain, from "the configuration of the park, the placement of the utilities, and the

layout of home sites," none of which can be easily adapted to current market demand for double-wide homes unless the variance is granted.

Although that may be true, there was no evidence to show that those limitations were in any way "uncommon" or "unusual." While there was testimony that the total number of parks in Baltimore County is relatively small, and that no parks were built in the county between 1970 and 1985, there was no testimony concerning present conditions at other parks, with the exception of brief testimony about the other two parks controlled by Williams Management.

We shall carry appellants' argument one step farther. There is not sufficient evidence from which the Board could have concluded that the conditions found at Williams Estates are uncommon among the three parks managed by Williams, much less among other parks in the county. According to Mr. Poole, Williams manages a park called Oakdale that was built in the 1940's and 1950's, when a "trailer" was genuinely a trailer and could be towed behind the family car. Poole testified that Oakdale was originally designed to accommodate trailers approximately eight-feet wide and twenty to twenty-five feet in length. We find nothing in the record concerning current conditions at Oakdale, and certainly no testimony that Oakdale could accept a double-wide home without the type of variance requested here.

IV

Williams has also failed to meet its burden of proof with regard to the practical difficulties requirement. An applicant seeking a variance from area restrictions in Baltimore County must show that "strict compliance with the zoning regulations for Baltimore County would result in practical difficulty or unreasonable hardship. . . ." B.C.Z.R. § 307.1. Courts have interpreted the "practical difficulty or unreasonable hardship" language to be disjunctive, and a showing of practical difficulty alone will be sufficient. *Red Roof Inns v. People's Counsel*, 96 Md. App. 219, 224-45 (1993); *Loyola S&L Ass'n v. Buschman*, 227 Md. 243, 250-51 (1961). Although the "practical difficulty" requirement may be satisfied by a lower standard of proof than "unreasonable hardship," *Red Roof Inns*, 96 Md. App. at 224-25, the precise limits of the rule have not been well-delineated.

A ruling by the Court of Appeals in *Carney v. City of Baltimore*, 201 Md. 130 (1952) provides a useful starting point. The issue in *Carney* was a special exception from certain setback requirements. The relevant ordinance provided that the exception could not be granted unless "there are practical difficulties or unreasonable hardships." *Carney*, 201 Md. at 136. The Court of Appeals concluded:

The need sufficient to justify an exception must be substantial and urgent and not merely for the convenience of the applicant, inasmuch as the aim of the ordinance is to prevent exceptions as far as possible, and a liberal construction allowing exceptions for reasons that are not substantial and urgent would have

the tendency to cause discrimination and eventually destroy the usefulness of the ordinance.

Id. at 137. *Accord Pem Constr. Co. v. Mayor of Baltimore*, 233 Md. 372, 377 (1964). See also *McLean v. Soley*, 270 Md. 208, 212-13 (quoting *Carney* with approval). In *McLean*, the Court of Appeals adopted additional criteria for determining whether practical difficulty would result from strict compliance with the zoning ordinance. The applicant must also establish, *inter alia*, that strict compliance "would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome." *McLean*, 270 Md. at 214. When *McLean* and *Carney* are read together, it is clear that the party seeking a variance must show that conformity with the ordinance would impose a burden that is both substantial and unnecessary. A burden that is unnecessary but insubstantial is merely an inconvenience and will not justify a variance.

Under proper circumstances a financial burden may satisfy the practical difficulty requirement. See, e.g., *Loyola S&L Ass'n*, 227 Md. at 250 (subterranean water conditions required construction of narrow building on front half of site, and variance was necessary to construct a building sufficiently large to be economical); *Red Roof Inns*, 96 Md. App. at 226-27 (showing of competitive disadvantage may constitute practical difficulty). But see *Salisbury Bd. of Zoning Appeals v. Bounds*, 240 Md. 547, 555 (1965) (a lower return on investment does not constitute "unwarranted hardship and injustice"). The financial burden must nonetheless be

significant or substantial. *McLean*, 270 Md. at 212-13. The facts of *McLean* illustrate the minimum showing that will satisfy the practical difficulty requirement. There, the petitioner presented evidence that strict compliance with the zoning ordinance would result in the destruction of trees, and that preservation of existing trees had greatly contributed to full occupancy of a neighboring apartment building over a six-year period. There was also considerable evidence to show the natural beauty of the trees, their importance to the ecology, and the public benefit of preserving those trees. The Court of Appeals suggested that it would have reached a different conclusion on those facts, but conceded that the issue was "fairly debatable." *Id.* at 215-16.

Our conclusion that practical difficulties must be supported by a showing of some substantial burden is consistent with the decisions of other states, including those of New York, where the practical difficulty rule originated. See 3 ANDERSON § 20.50, at 527-31. The New York courts, for example, have generally held that a financial burden or loss does not constitute practical difficulties unless the loss is "significant" or "substantial." See, e.g., *Orchard Michael, Inc. v. Falcon*, 481 N.Y.S.2d 906, 907 (N.Y. App. Div.), *aff'd*, 484 N.E.2d 127 (N.Y. 1985) (holding that the goal of making a supermarket "more profitable and competitive" does not constitute the "significant economic injury" necessary to justify an area variance).

As the Court of Appeals stressed in *McLean*, it is not our task to substitute our judgment for that of the Board. 270 Md. at 215-

16. The zoning ordinance requires a showing that practical difficulties "would result" from strict compliance. B.C.Z.R. § 307.1 (emphasis added). In reviewing the Board's opinion, we observe that the Board's analysis of the issue is cursory at best. Citing testimony by Mr. Poole, the Board notes that Williams needs the requested variance "to keep the park as updated as possible and desirable to the public." Relying on the testimony of the trade official, the Board further notes that "older parks must be updated in order to survive," and that where older parks are not updated, "developers may buy up units and turn them into rentals." After quoting the full three-part test from McLean, the Board summarily concludes that Williams has met the burden of proof. We disagree. The Board's conclusory summary of assertions by three or four witnesses does not constitute the factual findings necessary to support the Board's conclusion. Moreover, McLean and Carny require that the party seeking a variance show some substantial burden or injury. The language of the ordinance requires that the injury must flow, with a fair degree of probability, from compliance with the zoning regulations. The evidence presented by Williams falls short of meeting those requirements.

Although the trade official may choose not to live in a park containing older rental units, that is merely his preference. The record is devoid of evidence to show that conversion of home sites from home ownership to rentals would be unprofitable or burdensome. The desire to keep the park updated and attractive is likewise merely a preference; it cannot support the requested variance

without a showing that the inability to do so would also result in some significant injury or competitive disadvantage to the property owner requesting the variance. The record contains no specific facts from which the Board could make such a finding.

Our conclusion is guided, in part, by *Mayor of Baltimore v. Borinsky*, 239 Md. 611 (1965). In that case, Sarah Borinsky sought approval to build an office and warehouse building on property located in a residential use district. In support of her petition, Borinsky offered the testimony of two experts. One, a registered architect, testified that the site was not feasible for residential construction due to the shape and depth of the lot. The other, a developer and real estate expert, testified that it would be economically unsound and unwise to build houses on it; in his words, the use of the land for residential purposes would be "economic suicide." 239 Md. at 619. In reversing the lower court's conclusion that an unconstitutional taking had occurred, the Court of Appeals declared that "even emphatic opinion testimony does not take the place of the necessary factual support." 239 Md. at 624. The Court noted that there was no specific evidence regarding the cost or marketability of the five row houses which could be constructed on the property, and concluded that Borinsky had failed to meet her burden of proof.

The same may be said for the evidence presented in this case. Expert opinion that outdated mobile home parks, in general, may cease to be a "viable" business at some unspecified date in the future does not constitute the factual support necessary to show

that a substantial burden "would result" if the variance is not granted. Compare *McLean*, 270 Md. at 210-11 (development of the lot without the variance would require the destruction of trees). The survival of Williams Estates will depend on whether the park remains competitive in relation to other parks in the same geographic market. By Mr. Poole's own testimony, Williams Estates may have as many as 366 sites which will accommodate a double-wide home without the requested variance.⁴ Of the five vacant sites at Williams, two will accommodate a double-wide home. There was no evidence that any resident of Williams Estates has ever left the park because the site they already occupied could not accommodate a double-wide home, or that any prospective resident has been turned away for want of such a site. There was also no evidence that any vacancy at Williams Estates has ever been filled with a home inferior in quality and appearance to the home that previously occupied the lot.

We have already noted that Williams presented no evidence concerning conditions which may exist at other parks in the area. With regard to the issue of practical difficulty, there is no evidence that denial of the variance would place Williams at a competitive disadvantage in relation to other parks. There is no evidence, for example, regarding the total number of double-wide sites at other parks, or the total number of sites which may be

⁴ We calculate that number as follows: 170 sites for which a variance was previously granted, plus 50% of the remaining 393 sites. The number may be lower if some of those sites are located in the Critical Area.

vacant in the county at any given time. Compare *Red Roof Inns*, 96 Md. App. at 226 (motel seeking sign variance presented evidence that neighboring competitors enjoyed significantly higher and larger rooftop signs, and that Red Roof was ineligible for a State-sponsored highway sign program which benefitted competing motels). Williams contends that the variance is necessary to compete with parks in neighboring counties, where a twenty-foot separation between homes is permitted. That conclusion is also unsupported by the record. Whether parks in Howard or Harford counties can accommodate a double-wide home will depend on how those parks were designed. A park designed for single-section homes, with a twenty-foot separation between trailers, would have precisely the same problems that currently exist at William Estates.

As in *Borinsky*, the opinions of Mr. Poole and the expert witnesses regarding the viability of Williams Estates and the consequences of strict compliance with the ordinance are unsupported by specific factual evidence. In the absence of such evidence, the Board's conclusion that practical difficulties "would result" from the denial of the requested variance is arbitrary and unreasonable.

V

In view of the expert testimony offered by Williams, the Board could have fairly concluded that a separation of twenty-five feet between trailers is unnecessary. That alone will not suffice to justify a variance, and we believe that the advice offered by the

Court of Appeals in *Marino v. Mayor of Baltimore*, 215 Md. 206 (1957), may be appropriate:

"* * * where a claimed hardship is common to other properties in the area and not one special and peculiar to the specific property, the remedy is by change in the zoning ordinance itself."

Id. at 222-23 (quoting *Miller v. Silver*, 105 N.Y.S.2d 474 (1951)).

JUDGMENT REVERSED; CASE
REMANDED TO THE CIRCUIT COURT
FOR REMAND TO THE COUNTY BOARD
OF APPEALS WITH DIRECTION THAT
THE VARIANCE BE DENIED.

COSTS TO BE PAID BY APPELLEES.

CIRCUIT COURT FOR BALTIMORE COUNTY
CIVIL CATEGORY **APPEAL** 93CV07271 59/153

ATTORNEYS

IN THE MATTER OF THE
APPLICATION OF
WILLIAMS ESTATES

J. CARROLL HOLZER, ESQUIRE
305 Washington Avenue
Suite 502
Towson, MD 21204
825-6961

p. 105

PETITION OF GRETCHEN FLOYD
SANDRA DAWSON, BARBARA SHAVER AND

BALTIMORE COUNTY MOBILE AND MANUFACTURED HOME
OWNERS ASSOCIATION, INC.

FOR JUDICIAL REVIEW OF THE DECISION OF THE
BALTIMORE COUNTY BOARD OF APPEALS

IN THE CASE OF:

IN THE MATTER OF THE APPLICATION OF WILLIAMS
ESTATES FOR A SPECIAL HEARING AND VARIANCE

Case No. 92-460 SPHA

John H. Zink, III
Patricia A. Malone
210 Allegheny Ave, PO Box 5517
21204/494-6200

CIVIL ASSIGNMENT

2/18/94 *Completed*

CIVIL COSTS 9307271

CV CLK 30.00

B LBY 10.00

CHECK TL 90.00

#50822 0001 R01 T0813

08/13/93

df (1) Aug. 12, 1993 - Appellant's Order of Appeal from the Order of
the Baltimore County Board of Appeals fd.

gb(2) Aug. 13, 1993- Petition for Judicial Review fd.

rlb(3) Aug. 26, 1993 (rec'd 8/17/93) Certificate of notice, fd.

rlb(4) Sept. 21, 1993 (rec'd 9/2/93) Respondents, Williams Estates & Williams Mngt.
Services Inc's response to petition for judicial review, fd.

dd(5) *Oct. 12, 1993 Transcript of Record, fd. (rec'd 10/8/93)

dd(6) *Oct. 12, 1993 Notice of filing of Record, fd. Notices sent to parties.
(rec'd 10/8/93)

al (7) November 18, 1993 Gretchen Floyd's, Sandra Dawson's, and
Barbara Shaver's Rule 7-207 Memorandum of appellant, fd.
(rec'd 11-9-93)

rs (8) November 15, 1993 Pltff's Counsel's change of address, fd.

rs(9) Dec. 28, 1993 Appellees' Answering Memorandum fd. (rec'd 12-10-93)

rr (10) Feb. 17, 1994 Memorandum Opinion and Order Of Court affirming the
opinion of the CBA, etc., fd. (CMK)

PETITION OF GRETCHEN FLOYD,
ET AL., FOR JUDICIAL REVIEW

IN THE CIRCUIT COURT

FOR

IN THE MATTER OF THE
APPLICATION OF WILLIAMS
ESTATES FOR A SPECIAL
HEARING AND VARIANCE

BALTIMORE COUNTY

CASE NO. 93CV7271

92-460-SPHA

* * * * *

MEMORANDUM OPINION AND ORDER

This zoning matter originated before the Baltimore County Deputy Zoning Commissioner on a Petition for Special Hearing and a Petition for Zoning Variance. Among other relief, the Petitioners requested a variance from Section 414.5 of the Baltimore County Zoning Regulations to permit a distance between housing units of 20' from side to side and 16' from rear to rear in lieu of the required 25' specified by Section 414.5. Exempted from the variance request were lots falling within the Chesapeake Bay critical area. As the case progressed, Petitioners dropped their request for 16' distances from rear to rear and ultimately requested variances of 20' in each direction instead of the required 25'.

The Deputy Zoning Commissioner granted the request for variances in part and denied it in part and an appeal was taken by the Petitioners to the County Board of Appeals (hereinafter CBA) from the order of the Deputy Zoning Commissioner dated November 2, 1992.

After conducting a lengthy hearing in May of 1993, the CBA granted, among other relief, the petition for variances, allowing 20' from side to side and 16' from rear to rear. Their opinion and order were filed on July 16, 1993. On August 11th,

10 FILED FEB 17 1994

Sandra Sanidas—887-2660

Civil Assignment Commissioner

CIRCUIT COURT FOR BALTIMORE COUNTY

ASSIGNMENT OFFICE
COUNTY COURTS BUILDING
401 Bosley Avenue
P.O. Box 6754
Towson, Maryland, 21285-6754

Kathy Rushton—887-2660

Jury Assignments—Civil

Joyce Grimm—887-3497

Director of Central Assignment

Jan Dockman—887-2661

Non-Jury Assignments—Civil

November 1, 1993

J. CARROLL HOLZER, ESQ.

COUNTY BOARD OF APPEALS OF BALTO. CO.

**JOHN H. ZINK, III, ESQ.
PATRICIA A. MALONE, ESQ.**

OFFICE OF LAW

✓

RE: Non-Jury 93 Cv 7271 - MATTER OF WILLIAMS ESTATES

SETTLEMENT CONFERENCE DATE:

N/A

Conference Room # 507 before the Honorable

All counsel and their clients **MUST** attend this Settlement Conference in **person**. All Insurance Representatives or, in domestic cases, a corroborating witness **MUST** attend this Settlement Conference in person. **Failure of attendance in person** of all parties listed above can result in sanctions being imposed, unless prior approval of the Court is obtained. **THERE WILL BE NO EXCEPTIONS.**

HEARING DATE:

Appeal; 2 Hours

Wednesday, February 9, 1994, @ 9:30 a.m.

WITH THE EXCEPTION OF DOMESTIC CASES, COURT COSTS MUST BE PAID ON THE DATE OF SETTLEMENT CONFERENCE OR TRIAL, UPON SETTLEMENT OF THE CASE.

POSTPONEMENT POLICIES:

UPON RECEIPT OF THIS NOTICE: Counsel shall contact each other to conform calendars for the above date(s).
Claim of not receiving notice will not constitute reason for postponement.

A request for postponement **MUST BE MADE IN WRITING** to the Assignment Office with a copy to all counsel involved.

COUNSEL MUST NOTIFY THE CIVIL ASSIGNMENT OFFICE **WITHIN 15 DAYS OF RECEIPT OF THIS NOTICE** AS TO ANY CONFLICTS THAT MAY EXIST WITH THE ABOVE REFERENCED DATES. OTHERWISE, IT WILL BE ASSUMED THAT THESE DATES ARE VALID AND **NO POSTPONEMENT WILL BE GRANTED.**

INDIVIDUALS WITH DISABILITIES, WHO MAY NEED ACCOMMODATIONS PRIOR TO COURT DATES, SHOULD CONTACT THE COURT ADMINISTRATOR'S OFFICE (887-2687) OR USE THE COURT'S TDD LINE (887-3018) OR THE VOICE/TDD MD. RELAY SERVICE 1-800-735-2258.

RECEIVED
COUNTY BOARD OF APPEALS
93 NOV - 3 PM 3:38

GRETCHEN FLOYD, SANDRA DAWSON, BARB-
PETITION OF: ARA SHAVER, INDIVIDUALLY AND
BALTIMORE COUNTY MOBILE AND MANUFACTURED HOMES ASSOC INC.
CIVIL ACTION # 93 CV 7271 /59/153

IN THE MATTER OF WILLIAMS ESTATES

RECEIVED FROM THE COUNTY BOARD OF
APPEALS EXHIBITS, BOARD'S RECORD
EXTRACT & TRANSCRIPT FILED IN THE
ABOVE-ENTITLED CASE, AND ZONING
COMMISSIONER'S FILE AND EXHIBITS


Clerk's Office

Date: 10/8/93

10/20/92
PETITION OF GRETCHEN FLOYD,
SANDRA DAWSON, BARBARA SHAVER,
INDIVIDUALLY

and

BALTIMORE COUNTY MOBILE AND MANU-
FACTURED HOME OWNERS ASSOCIATION, INC.
P.O. Box 5074
Middle River, Maryland 21220

FOR JUDICIAL REVIEW OF THE DECISION OF
THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Room 49, Courthouse, 400 Washington
Towson, MD 21204

IN THE CASE OF: IN THE MATTER OF
THE APPLICATION OF WILLIAMS ESTATES
FOR A SPECIAL HEARING AND VARIANCE

Case No. 92-460-SPHA

* * * * *

PROCEEDINGS BEFORE THE OFFICE OF PLANNING AND ZONING
AND THE BOARD OF APPEALS OF BALTIMORE COUNTY

TO THE HONORABLE, THE JUDGE OF SAID COURT:

And now come C. William Clark and Harry E. Buchheister, Jr.,
constituting the County Board of Appeals of Baltimore County, and
in answer to the Petition for Judicial Review directed against them
in this case, herewith return the record of proceedings had in the
above-entitled matter, consisting of the following certified copies
or original papers on file in the Office of Planning and Zoning and
the Board of Appeals of Baltimore County:

ENTRIES FROM THE DOCKET OF THE BOARD OF APPEALS AND THE
OFFICE OF PLANNING AND ZONING OF BALTIMORE COUNTY

No. 92-460-SPHA

May 19, 1992

Petitions for Special Hearing and Zoning
Variance of Williams Estates to amend the

CIVIL
ACTION
No. 93-CV-07271
/59/153

RECEIVED AND FILED
93 OCT -8 PM 9:10
BALTIMORE COUNTY
CLERK OF COURT

special exception granted in Case No. 66-185 and to amend and add to the variance granted in Case Nos. 70-184-SPHA and 84-283-A; and to permit a space of 20 ft. from side to side and to permit a space of 16 ft. from rear to rear of unit in lieu of the required 25 ft.

November 2 Order of D.Z.C. that Petition for Special Hearing is GRANTED; and Petition for Zoning Variance is GRANTED with restrictions.

May 19, 1993 Hearing before the County Board of Appeals.

July 16 Order of the Board of Appeals GRANTING Petition for Special Hearing; and GRANTING Petition for Zoning Variance with restrictions.

August 11 Amended Order of the Board of Appeals correcting clerical error of 20 feet from rear to rear.

August 13 Petition for Judicial Review filed in the Circuit Court for Baltimore County by J. Carroll Holzer, Esquire, on behalf of Gretchen Floyd, Sandra Dawson, Barbara Shaver, individually and Baltimore County Mobile and Manufactured Homeowners Association, Inc.

August 16 Copy of Petition for Judicial Review received by the Board of Appeals from the Circuit Court for Baltimore County.

August 17 Certificate of Notice sent to interested parties.

Transcript of testimony filed.

Petitioner's Exhibits No.:

- 1A-B - Plats to accompany Petition
- 2 - #66-185/Petition for Variance (1966)
- 3 - #70-184-ASPH/Petition for Variance and Special Hearing (1970)
- 4 - #84-283-A/Petition for Variance (1984)
- 5 - Resume of William T. Poole (5/2/84)
- 6 - Two Photos/ Oakdale Trailer Park (1950)
- 7A-D Photos of single and double homes
- 8 - Standard for Firesafety Criteria

- 9 -Comparison between BOCA & HUD
- 10A-Compendium of Executive Summaries
- 10B-Manufactured Housing Research Project
- 11A-Photos of Stormwater Management Plain
- 11B-Key to Stormwater Plan
- 12 -Photo of Stormwater Wall
- 13 -Photos of Drains
- 14 -Sunpapers news releases on storms 3/93
- 15 -Photos -Stormwater at wall 3/93
- 16 -Stormwater & sites along Eastern Ave
- 17 -DEPRM letter
- 18 -Analysis of Home Sales Ratio
- 19 -Photos of Community Cntr & Tot Lot
- 20 -Resume of Chakrabarti
- 21 -Resume of Donald Westphal
- 22 -Resume of George Gavrelis
- 23 -Impervious areas by house type (IN CBA
EXHIBIT CLOSET)
- 24 -Illustration of home layout (IN CBA
EXHIBIT CLOSET)
- 25 -Comments - Office of Planning & Zoning
- 26 -Comments - Fire Department

People's Counsel Exhibits No.:

- 1 -List of names of Protestants (5/19/93)
- 2 -Drawing of Bengies Theater/
Williams Estates
- 3A-Letter from Sheesley to Segansh
- 3B-Letter from Limpert to Vidmar
- 3C-Letter from Dieter to Vogel
- 4A-C Photos showing damage (7/23/89)
- 5A-G Photos of flooding damage
- 6A-D Photos of problem of erosion
- 7A-H Photos of progression erosion
- 8 -Photo Board/Chart of homes in two
sections (IN CBA EXHIBIT CLOSET)
- 9 -Petition letters in opposition
- 10-A Notice of fees for lease
- 11-Williams Estates newsletter regarding
boundaries

October 8, 1993

Record of Proceedings filed in the
Circuit Court for Baltimore County.

Record of Proceedings pursuant to which said Order was entered
and upon which said Board acted are hereby forwarded to the Court,

92-460-SPHA, Williams Estates
File No. 59/153/93-CV-07271

together with exhibits entered into evidence before the Board. However, all tangible material or evidence of an unwieldy or bulky nature will be retained in the Board of Appeals' office and upon request of the parties or the Court will be transmitted to the Court by whomever institute the request.

Respectfully submitted,

Charlotte E. Radcliffe

Charlotte E. Radcliffe
Legal Secretary
County Board of Appeals of Baltimore
County, Room 49, Basement - Old Courthouse
400 Washington Avenue
Towson, MD 21204 (410) 887-3180

cc: J. Carroll Holzer, Esquire
Baltimore County Mobile and Manufactured
Homeowners Association, Inc., et al
Robert A. Hoffman, Esquire
William T. Poole, Jr.
People's Counsel for Baltimore County

VERIFIED
ALL EXHIBITS
LISTED ARE NOW
INCLUDED IN
CCT. FILE
8-18-93

Case # 92-460 - SPHA
William Estate

✓ Ret. Exh #1 - Plan

✓ Ret. Exh #2 - 66-185 Ret. for Variance (1966)

✓ Ret. Exh #3 - 70-184 - SPH Ret. for Variance (1970)

✓ Ret. Exh #4 - 84-283 - A Ret. for Variance (5-2-84)

✓ Ret. Exh #5 - Resume of Wm. J. Poole

✓ Ret. Exh #6 - Two Photographs of Oakdale Fiddle Park (1950)

✓ Ret. Exh #7A - Photo of Bay coast Circle (1980") Single Sect.

" 7B - " " Double Section

" 7C - Original homes from early 70's

" 7D - State of the Art homes

✓ Ret. Exh #8 - Standard for Manufact Homes in Fire Dept

✓ Ret. Exh #9 - Comparison between BOCA & HUD

✓ Ret. Exh #10A - Compendium of Executive Summaries
10B - Man. Housing Research Project

✓ Ret. Exh #11A - Photo of Storm Water Plain (2)

Ret. Exh 11B - Key to Storm Water Plain

Ret. Exh #12 - Storm Water Wall

✓ Ret. Exh #13 - Photo of Drains

Ret. Exh #14 - Samples & tests released on Storm. 3/4/93

Ret. Exh #15 - March & Stormwater at Wall (1 PM)

Ret. Exh #16 - Storm Water & sites along Eastern Ave.

Ret. Exh #17 - Dept of En + R.M. regarding William J. Poole

Ret. Exh #18 - Analysis of Home Sales Rates

Ret. Exh #19 - Photo of Community Center & Jet Set

Ret. Exh #20 - Resume of Chakrabarti

Ret. Exh #21 - Resume of Donald Westghal

Ret. Exh #22 - Resume of George Daniels

* (OVER)

VERIFIED
ALL EXHIBITS
LISTED HAVE BEEN
INCLUDED IN OCT FILE
8-18-85

Case # 92-460 SPHA

William Estate

Protestant Exh

~~Protest~~

✓ Peoples Exh #1 - List of Names of Protestants (5/19)

✓ Peoples Exh #2

Protestant Exh #2 - Drawing of Peoples Theater / William Est.

✓ Peoples Exh #3 A - Letter from Segunich to Shewby 11/23/90

" " B " " Letter to Vidmar 3/13/91

" " C " " Letter to Vogel 4/9/91

✓ Peoples Exh 4A - Set of Photos

" " 4B - " " " showing damage

" " 4C - " " " " 7/23/91

✓ Peoples Exh # 5A - Photo of drainage ditch widening
5B

5C - Box office damage of war

D - Flooding

E - Entrance flooding

F - Theater closed

G - View to Entrance

✓ Peoples Exh # 6 A-D Problem of Erosion (Drain etc)

✓ Peoples Exh #7 A-H Photos of Progressing Erosion

✓ ~~Peoples~~ Exh # 8 - Photos of Home in two sections
(CHART)

✓ Peoples Exh # 9 - Petition letters in opposition

✓ Peoples Exh #10 - A notice of 'you for leave'

✓ Peoples Exh #11 - William Estate / per letter re boundaries



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

August 17, 1993

J. Carroll Holzer, Esquire
HOLZER, MAHER, DEMILIO & LEE
305 W. Chesapeake Avenue, Suite 105
Towson, MD 21204

RE: Civil Action No. 93-CV-07271
WILLIAMS ESTATES /92-460-SPHA

Dear Mr. Holzer:

In accordance with Rule 7-206(c) of the Maryland Rules of Procedure, the County Board of Appeals is required to submit the record of proceedings of the petition for judicial review which you have taken to the Circuit Court for Baltimore County in the above-entitled matter within sixty days.

The cost of the transcript of the record must be paid by you. In addition, all costs incurred for certified copies of other documents necessary for the completion of the record must also be at your expense.

The cost of the transcript, plus any other documents, must be paid in time to transmit the same to the Circuit Court within sixty days, in accordance with Rule 7-206(c).

Enclosed is a copy of the Certificate of Notice which has been filed in the Circuit Court.

Very truly yours,

A handwritten signature in cursive script, reading "Charlotte E. Radcliffe".

Charlotte E. Radcliffe
Legal Secretary

Enclosure

cc: Baltimore County Mobile and Manufactured
Home Owners Association, Inc., et al

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

PETITION OF GRETCHEN FLOYD,
SANDRA DAWSON, BARBARA SHAVER,
INDIVIDUALLY

and

BALTIMORE COUNTY MOBILE AND MANU-
FACTURED HOME OWNERS ASSOCIATION, INC.
P.O. Box 5074
Middle River, Maryland 21220

FOR JUDICIAL REVIEW OF THE DECISION OF
THE COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY
Room 49, Courthouse, 400 Washington
Towson, MD 21204

CIVIL
ACTION
No. 93-CV-07271
/59/153

IN THE CASE OF: IN THE MATTER OF
THE APPLICATION OF WILLIAMS ESTATES
FOR A SPECIAL HEARING AND VARIANCE

Case No. 92-460-SPHA

* * * * *

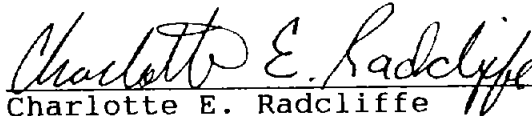
CERTIFICATE OF NOTICE

Madam Clerk:

Pursuant to the provisions of Rule 7-202(e) of the Maryland Rules of Procedure, C. William Clark and Harry E. Buchheister, Jr., constituting the County Board of Appeals of Baltimore County, have given notice by mail of the filing of the Petition for Judicial Review to the representative of every party to the proceeding before it; namely, J. Carroll Holzer, Esquire, HOLZER, MAHER, DEMILIO & LEE, 305 West Chesapeake Avenue, Suite 105, Towson, MD 21204, Counsel for Petitioners; Gretchen Floyd, Sandra Dawson, Barbara Shaver, individually and Baltimore County Mobile and Manufactured Homeowners Association, Inc., P.O. Box 5074, Middle River, MD 21220, Petitioners; William T. Poole, Jr., President, Williams Mgmt. Services, Inc., 3300 Eastern Boulevard, Baltimore, MD 21220; Robert A. Hoffman, Esquire, VENABLE, BAETJER & HOWARD, 210 Allegheny Avenue, Towson, MD 21285-5517, Counsel for Mr. Poole; People's Counsel of Baltimore County, Room 47 - Basement,

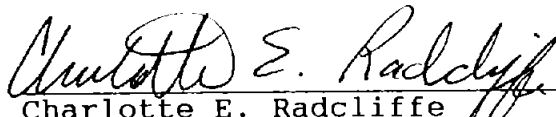
AUG 17 1993

Old Courthouse, 400 Washington Avenue, Towson, MD 21204; and Michael B. Sauer, Esquire, c/o County Board of Appeals, Room 49 - Basement, Old Courthouse, 400 Washington Avenue, Towson, MD 21204, a copy of which Notice is attached hereto and prayed that it may be made a part hereof.



Charlotte E. Radcliffe
Legal Secretary, County Board
of Appeals, Room 49, Basement -
Old Courthouse, 400 Washington Avenue
Towson, MD 21204 (410) 887-3180

I HEREBY CERTIFY that a copy of the foregoing Certificate of Notice has been mailed to J. Carroll Holzer, Esquire, HOLZER, MAHER, DEMILIO & LEE, 305 West Chesapeake Avenue, Suite 105, Towson, MD 21204, Counsel for Petitioners; Gretchen Floyd, Sandra Dawson, Barbara Shaver, individually and Baltimore County Mobile and Manufactured Homeowners Association, Inc., P.O. Box 5074, Middle River, MD 21220, Petitioners; William T. Poole, Jr., President, Williams Mgmt. Services, Inc., 3300 Eastern Boulevard, Baltimore, MD 21220; Robert A. Hoffman, Esquire, VENABLE, BAETJER & HOWARD, 210 Allegheny Avenue, Towson, MD 21285-5517, Counsel for Mr. Poole; People's Counsel for Baltimore, Room 47 - Basement, Old Courthouse, 400 Washington Avenue, Towson, MD 21204, and Michael B. Sauer, Esquire, c/o County Board of Appeals, Room 49 - Basement, Old Courthouse, 400 Washington Avenue, Towson, MD 21204, on this 17th day of August, 1993.



Charlotte E. Radcliffe
Legal Secretary, County Board
Appeals, Room 49, Basement -
Old Courthouse, 400 Washington Avenue
Towson, MD 21204 (410) 887-3180



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

August 17, 1993

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD
210 Allegheny Avenue
P.O. Box 5517
Towson, MD 21285-5517

RE: Civil Action No. 93-CV-07271
WILLIAMS ESTATES /92-460-SPHA

Dear Mr. Hoffman:

Notice is hereby given, in accordance with the Maryland Rules of Procedure, that a Petition for Judicial Review was filed on August 13, 1993 in the Circuit Court for Baltimore County from the decision of the County Board of Appeals rendered in the above matter. Any party wishing to oppose the petition must file a response within 30 days after the date of this letter, pursuant to Rule 7-202(d)(2)(B) of the Maryland Rules.

Enclosed is a copy of the Certificate of Notice which has been filed in the Circuit Court.

Very truly yours,

A handwritten signature in cursive script, reading "Charlotte E. Radcliffe".

Charlotte E. Radcliffe
Legal Secretary

Enclosure

cc: William T. Poole, Jr., President
People's Counsel for Baltimore County
Mr. and Mrs. Donald Cutsail
Danny C. Jackson
Ken Wrightson
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards
Docket Clerk /ZADM
Arnold Jablon /ZADM

RECEIVED
COUNTY BOARD OF APPEALS

93 AUG 16 PM 12:09

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

PETITION OF GRETCHEN FLOYD,
SANDRA DAWSON, BARBARA SHAVER,
Individually

and

BALTIMORE COUNTY MOBILE
AND MANUFACTURED HOME OWNERS
ASSOCIATION, INC.
P.O. Box 5074
Middle River, Maryland 21220

FOR JUDICIAL REVIEW OF THE
DECISION OF THE BALTIMORE COUNTY
BOARD OF APPEALS
400 Washington Avenue
Towson, Maryland 21204

IN THE CASE OF: IN THE MATTER OF
THE APPLICATION OF WILLIAMS
ESTATES FOR A SPECIAL HEARING
AND VARIANCE

Case No.: 92-460 SPHA

Civil Action

No.: *93CV 7271*
59/153

* * * * *

PETITION FOR JUDICIAL REVIEW

Gretchen Floyd, Sandra Dawson, Barbara Shaver,
individually and Baltimore County Mobile and Manufactured
Homeowners Association, Inc., by and through their attorney,
J. Carroll Holzer, hereby requests judicial review by the
Circuit Court for Baltimore County in accordance with Maryland
Rule 7-202 from the Order of the County Board of Appeals dated

RECEIVED AND FILED

93 AUG 13 AM 9:13

CLERK OF THE CIRCUIT COURT
BALTIMORE COUNTY

LAW OFFICES

HOLZER, MAHER, DEMILIO

& LEE

105 W. CHESAPEAKE AVENUE

SUITE 105

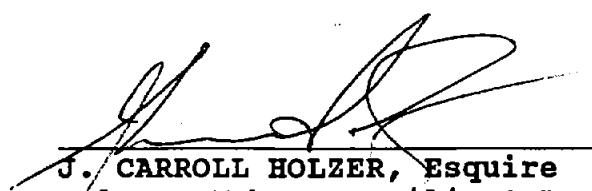
TOWSON, MARYLAND

21204

(410) 825-6960

FAX: (410) 825-6964

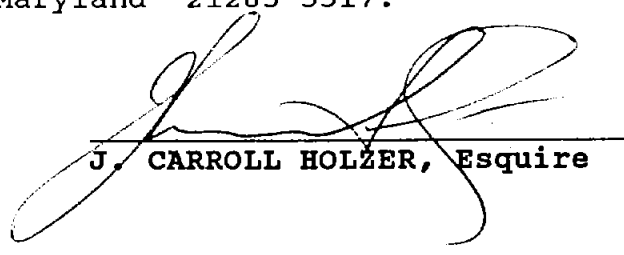
July 16, 1993 and the Amended Order of the Board dated August 11, 1993. The Petitioners were all party to the agency proceedings below.



J. CARROLL HOLZER, Esquire
Holzer, Maher, Demilio & Lee
305 West Chesapeake Avenue
Suite 105
Towson, Maryland 21204
410-825-6961
Attorney for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of August, 1993, a copy of the foregoing Petition for Judicial Review was served, in accordance with Maryland Rules 7-202, upon the County Board of Appeals prior to filing of said with the Circuit Court for Baltimore County. On this same day, a copy of said Petition was mailed postage pre-paid to: Peter Max Zimmerman, Esquire, People's Counsel for Baltimore County, Basement, Old Courthouse, Towson, Maryland 21204 and upon Robert A. Hoffman, Esquire, Venable Baetjer & Howard, 210 Allegheny Avenue, Towson, Maryland 21285-5517.



J. CARROLL HOLZER, Esquire

petition\williams.pet

IN THE CIRCUIT COURT
FOR BALTIMORE COUNTY

PETITION OF GRETCHEN FLOYD,
SANDRA DAWSON, BARBARA SHAVER,
Individually

and

BALTIMORE COUNTY MOBILE
AND MANUFACTURED HOME OWNERS
ASSOCIATION, INC.
P.O. Box 5074
Middle River, Maryland 21220

FOR JUDICIAL REVIEW OF THE
DECISION OF THE BALTIMORE COUNTY
BOARD OF APPEALS
400 Washington Avenue
Towson, Maryland 21204

IN THE CASE OF: IN THE MATTER OF
THE APPLICATION OF WILLIAMS
ESTATES FOR A SPECIAL HEARING
AND VARIANCE

Case No.: 92-460 SPHA

Civil Action

No.: 93 CV 7271
59/153

* * * * *

PETITION FOR JUDICIAL REVIEW

Gretchen Floyd, Sandra Dawson, Barbara Shaver,
individually and Baltimore County Mobile and Manufactured
Homeowners Association, Inc., by and through their attorney,
J. Carroll Holzer, hereby requests judicial review by the
Circuit Court for Baltimore County in accordance with Maryland
Rule 7-202 from the Order of the County Board of Appeals dated

LAW OFFICES

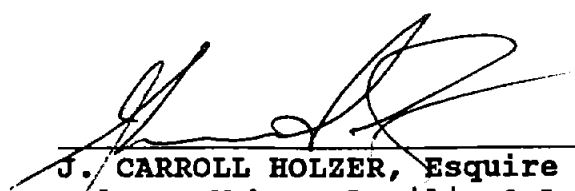
HOLZER, MAHER, DEMILIO
& LEE

35 W. CHESAPEAKE AVENUE
SUITE 105
TOWSON, MARYLAND
21204

(410) 825-6960

FAX: (410) 825-6964

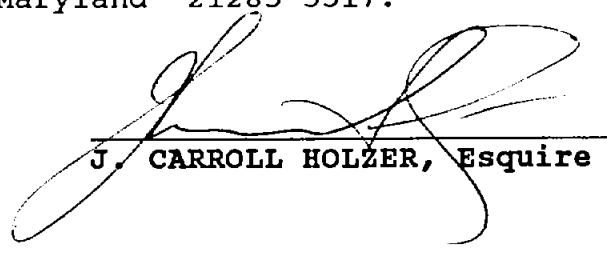
July 16, 1993 and the Amended Order of the Board dated August 11, 1993. The Petitioners were all party to the agency proceedings below.



J. CARROLL HOLZER, Esquire
Holzer, Maher, Demilio & Lee
305 West Chesapeake Avenue
Suite 105
Towson, Maryland 21204
410-825-6961
Attorney for Petitioners

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 13th day of August, 1993, a copy of the foregoing Petition for Judicial Review was served, in accordance with Maryland Rules 7-202, upon the County Board of Appeals prior to filing of said with the Circuit Court for Baltimore County. On this same day, a copy of said Petition was mailed postage pre-paid to: Peter Max Zimmerman, Esquire, People's Counsel for Baltimore County, Basement, Old Courthouse, Towson, Maryland 21204 and upon Robert A. Hoffman, Esquire, Venable Baetjer & Howard, 210 Allegheny Avenue, Towson, Maryland 21285-5517.



J. CARROLL HOLZER, Esquire

petition\williams.pet

IN THE MATTER OF THE
APPLICATION OF
WILLIAMS ESTATES FOR
A SPECIAL HEARING AND
VARIANCE ON PROPERTY
LOCATED ON THE NORTHWEST
SIDE EASTERN AVENUE,
1600' NORTHEAST OF
CENTERLINE OF CARROLL ISLAND
ROAD (WILLIAMS ESTATES)

15th Election District
5th Councilmanic District

* IN THE
* CIRCUIT COURT
* FOR
* BALTIMORE COUNTY
* Case No.:
*

* * * * *

ORDER OF APPEAL

Gretchen Floyd, Sandra Dawson, Barbara Shaver,
individually and Baltimore County Mobile and Manufactured
Homeowners Association, Inc., by and through their attorney,
J. Carroll Holzer, hereby orders an appeal to the Circuit Court
for Baltimore County in accordance with Maryland Rule B2 from
the Order of the County Board of Appeals dated July 16, 1993
and the Amende Order of the Board dated August 11, 1993.


J. CARROLL HOLZER, Esquire
Holzer, Maher, Demilio & Lee
305 West Chesapeake Avenue
Suite 105
Towson, Maryland 21204
410-825-6961
Attorney for Appellants

44:2 PM 21 AUG 93
RECEIVED
COUNTY BOARD OF APPEALS

8-11-93

IN THE MATTER OF THE	*	BEFORE THE
THE APPLICATION OF	*	COUNTY BOARD OF APPEALS
<u>WILLIAMS ESTATES</u>	*	OF
FOR A SPECIAL HEARING AND	*	BALTIMORE COUNTY
VARIANCE ON PROPERTY LOCATED	*	CASE NO. 92-460-SPHA
ON THE NORTHWEST SIDE EASTERN	*	
AVENUE, 1600' NORTHEAST OF	*	
CENTERLINE OF CARROLL ISLAND	*	
ROAD (WILLIAMS ESTATES)	*	
15TH ELECTION DISTRICT	*	
5TH COUNCILMANIC DISTRICT	*	

* * * * *

AMENDED ORDER

On July 16, 1993, this Board issued an Opinion and Order in the above-captioned matter. The Board, on its own initiative, pursuant to Rule 10, has reviewed its Order issued in the proceedings and finds that a clerical error exists within that Order. The Board will therefore correct this clerical error as indicated by the underscored portion of the following Amended Order.

PURSUANT TO THE AFOREGOING, IT IS THEREFORE this 11th day of August, 1993 by the County Board of Appeals of Baltimore County

ORDERED that the Petition for Special Hearing to approve an amendment to the special exception granted in prior Case No. 66-185-X, and to amend and add to the variances granted in prior Case Nos. 70-184-ASPH and 84-283-A, in accordance with Petitioner's Exhibit 1 be and is hereby GRANTED; and it is further

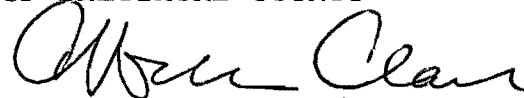
ORDERED that the Petition for Variance from Section 414.5 of the Baltimore County Zoning Regulations (BCZR) to permit a distance between units of 20 feet from side to side and 20 feet from rear to rear in lieu of the required 25 feet for those lots shown on

Petitioner's Exhibit 1 be and is hereby **GRANTED** with the following restrictions:

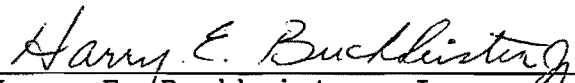
1. The manufactured homeowners shall not be required to remove or relocate any structure that is permitted and placed on their site prior to this Order so long as the Park's rules are not broken;
2. Any future placement of manufactured homes on the site within the Park shall direct any water that flows upon its roof to under the manufactured home in order to utilize that area under the home for maximum water absorption within that site;
3. The percent of water falling on the park that leaves the Park shall not increase, and the owner of the Park shall take steps that will increase the absorption of water within the Park, and if there is any increase in water runoff after the conversion to 20-foot distances between units, such conversion shall cease within the Park until corrected; and
4. The patios and parking pads be reduced in order to maintain the same amount of impervious surfaces within the Park.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY



C. William Clark, Acting Chairman



Harry E. Buchheister, Jr.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

August 11, 1993

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD
210 Allegheny Avenue
P.O. Box 5517
Towson, MD 21285-5517

RE: Case No. 92-460-SPHA
Williams Estates /Amended Order

Dear Mr. Hoffman:

Enclosed please find a copy of an Amended Order, issued this date by the County Board of Appeals of Baltimore County, to correct a clerical error contained in its original Order issued July 16, 1993 in the subject matter.

Very truly yours,

Kathleen C. Weidenhammer /cw

Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: William T. Poole, Jr., President
Williams Mgmt. Services, Inc.
Sandra Dawson /addressed to
BMHOA c/o G. Floyd
Mr. and Mrs. Donald Cutsail
Danny C. Jackson
Ken Wrightson
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director/ZADM



7-16-93

IN THE MATTER OF THE	*	BEFORE THE
THE APPLICATION OF	*	COUNTY BOARD OF APPEALS
<u>WILLIAMS ESTATES</u>	*	
FOR A SPECIAL HEARING AND	*	OF
VARIANCE ON PROPERTY LOCATED	*	BALTIMORE COUNTY
ON THE NORTHWEST SIDE EASTERN	*	CASE NO. 92-460-SPHA
AVENUE, 1600' NORTHEAST OF	*	
CENTERLINE OF CARROLL ISLAND	*	
ROAD (WILLIAMS ESTATES)	*	
15TH ELECTION DISTRICT	*	
5TH COUNCILMANIC DISTRICT	*	

* * * * *

O P I N I O N

This case comes before the Board on appeal from a denial by the Deputy Zoning Commissioner of Petitioner's request in part. This Opinion will only be directed to that part of the Petition denied by the Deputy Zoning Commissioner, as that part of the Petition granted below is final.

The Petitioner requests a special hearing to approve an amendment to the special exception granted in prior Case No. 66-185-X, and to amend and add to the variances granted in the prior Case No. 70-184-ASPH and Case No. 84-263-A, in accordance with Petitioner's Exhibit 1. The Petitioner also requests variances from Section 414.5 of the Baltimore County Zoning Regulations (BCZR) to permit a distance between the units of 20 feet in lieu of the required 25 feet for those lots shown on Petitioner's Exhibit 1 as outlined in red.

William T. Poole, Jr., President of Williams Estates, Petitioner, testified as to the history of the park. His firm had checked other jurisdictions in order to find out if there were sites in those jurisdictions who had the requested site sizes. He found that several other Maryland counties, especially Howard

County, require only 20 feet between structures. He further testified that there will not be any increase in impervious surfaces. This will be done by reducing the patio and driveway sizes.

The reason Williams Estates Park desires to reduce the structure to structure setback is that newer manufactured homes (hereinafter "MH") are double wide and they need the requested variances in order to keep the park as updated as possible and desirable to the public. Williams Estates does not request this variance to increase profits nor to increase the number of lots.

Tapobrata Charkrobarti, P.E., testified for the Petitioner. He explained to the Board that the design of the stormwater management will not allow additional stormwater to leave the site. He also stated that the soil is clay, and the site would meet the requirements of Section 502.1 of the BCZR.

Donald Westphal testified as an expert witness. He was qualified as a MH park designer. New parks are designed with 20 feet between structures. He testified that Williams Estates park is rated at very near to top as an MH community.

George Gavrelis, former Director of Planning and Zoning for Baltimore County, testified that the park is very attractive except for five vacant lots. Only with the variances can 24-foot manufactured homes be placed on the site. Mr. Gavrelis also testified that in his opinion the site would meet the requirements of Section 502.1 of the BCZR, and that the special exception should be granted.

Andrew Scholy, from the MH Institute, testified that older parks must be updated in order to survive. If older parks are not updated, developers may buy up units and turn them into rentals. Older homes built prior to June 15, 1976, were built to different standards.

There were many protestants at the hearing. Their major concern was the water flow during a storm. Photographs were submitted which show flooded streets during storms. An added concern was the closeness of the manufactured homes which may be dangerous to the park if a fire did occur.

The property owner of the drive-in theater across Eastern Avenue, Edward Vogle, stated that Williams Estates has caused major flooding to his property. This flooding has shut down the drive-in theater on several occasions, and caused major property damage to his site.

A video of the park was shown to the Board. The park was very attractive and showed that the MH owners had invested much money and time in their homes, and the site that they lease. The Board was very interested in the way the downspouts were directed. In order for the Board to find that the special exception for a manufactured home park at this site should be granted, the requirements of Section 502.1 of the BCZR must be met.

In order for the Board to grant a variance, the following criteria for determining practical difficulty or unreasonable hardship, as established by McLean v. Soley, 270 Md. 216, 1973, must be met:

"1) Whether compliance with the strict letter of the restrictions governing various variances would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.

"2) Whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

"3) Whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured." McLean v. Soley, 270 Md. 216, 1973

The Board, after reviewing all the evidence presented to it, finds that the Petitioner has met the burden of proof, and therefore the Board will issue an Order granting Petitioner's request with restrictions.

O R D E R

IT IS THEREFORE this 16th day of July, 1993 by the County Board of Appeals for Baltimore County

ORDERED that the Petition for Special Hearing to approve an amendment to the special exception granted in prior Case No. 66-185-X, and to amend and add to the variances granted in prior Case Nos. 70-184-ASPH and 84-283-A, in accordance with Petitioner's Exhibit 1 be and is hereby GRANTED; and it is further

ORDERED that the Petition for Variance from Section 414.5 of the Baltimore County Zoning Regulations (BCZR) to permit a distance between units of 20 feet from side to side and 16 feet from rear to rear in lieu of the required 25 feet for those lots shown on Petitioner's Exhibit 1 be and is hereby GRANTED with the following restrictions:

1. The manufactured homeowners shall not be required to remove or relocate any structure that is permitted and placed on their site prior to this Order so long as the Park's rules are not broken;
2. Any future placement of manufactured homes on the site within the Park shall direct any water that flows upon its roof to under the manufactured home in order to utilize that area under the home for maximum water absorption within that site;
3. The percent of water falling on the park that leaves the Park shall not increase, and the owner of the Park shall take steps that will increase the absorption of water within the Park, and if there is any increase in water runoff after the conversion to 20-foot distances between units, such conversion shall cease within the Park until corrected; and
4. The patios and parking pads be reduced in order to maintain the same amount of impervious surfaces within the Park.

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

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY



C. William Clark, Acting Chairman



John G. Disney



Harry E. Buchheister, Jr.



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

July 16, 1993

Robert A. Hoffman, Esquire
VENABLE, BAETJER & HOWARD
210 Allegheny Avenue
P.O. Box 5517
Towson, MD 21285-5517

RE: Case No. 92-460-SPHA
Williams Estates

Dear Mr. Hoffman:

Enclosed please find a copy of the final Opinion and Order issued this date by the County Board of Appeals of Baltimore County in the subject matter.

Very truly yours,


Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: William T. Poole, Jr., President
Williams Mgmt. Services, Inc.
Sandra Dawson /addressed to
BMHOA c/o G. Floyd
Mr. and Mrs. Donald Cutsail
Danny C. Jackson
Ken Wrightson
People's Counsel for Baltimore County
P. David Fields
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk /ZADM
Arnold Jablon, Director/ZADM

Williams Estates

Hearing: Wednesday, May 19, 1993 @ 10:00 a.m.

5/18/93

Telephone call from Sandra Dawson 335-5308

Her community association has filed the required Rule 8 documents in the subject case. However, since that filing, the name of the association has been changed. The officers, individual members, etc. have all remained the same; only the name has been changed. She will be submitting a letter indicating the above prior to the hearing on Wednesday, May 19, 1993 to be entered into the record.

Per Chairman Hackett, new documents are not necessary since the only change is in the name of the group, and not the membership, officers, etc.

k cw

Wednesday, 5/19/93
8:15 a.m.

Note for the Board of Appeals from Donald Cutsail, Protestant and neighboring mobile home park resident regarding Williams Estates appeal hearing today:

He called and left following message since he will be unable to attend hearing.

He resides at Oakdale Mobile Homes -has lived there 30 years. He has called Jim Thompson and the County Executive regarding the situation at Williams Estates.

He notified Tim Kotroco's secretary that Tim's order was being violated; she referred him to Jim Thompson.

They wanted his name in Thompson's office; wouldn't give it. Thompson and his inspectors are part of the problem; he has problems with the inspectors in the area, and with Thompson.

The park Mr. Cutsail lives in is so bad they have light, health and safety situation which Zoning is well aware of and which the County Executive is aware of. They also have major problems with water and every County law from zoning has been violated over the past 15 years.

This is the first time, with Tim's decision, that the citizens have had anything from zoning that's been fair and square and honorable. Tim kept them from going to the news media. Even the Attorney General attends their meetings now.

He has spoken with Thompson's office this morning; left the above message for Phyllis Friedman; and spoken with Jablon's office (who advised him to call and leave this message with us) and has spoken with the Executive Office this morning.

kathi

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

92-460-SPHA

District 15th Date of Posting Re 4/17/93

Posted for: Appeal

Petitioner: Williams Estates

Location of property: NW 1/2 Eastern Ave. 1600' NE Carroll Est. Rd.

Location of Signs: HT entrance to Williams Estates

Sign missing - new sign posted

Remarks: _____

Posted by M. Healy Date of return: 4/23/93
Signature

Number of Signs: 1



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

92-460-SPHA

District 15th Date of Posting 12/4/92

Posted for: Appeal

Petitioner: Williams Estates

Location of property: NN/S Eastern Ave., 1600' NE/Corroll Est. Rd

Location of Signs: Post at entrance to Williams Mobil. Estate.
Facing Eastern Ave

Remarks: _____

Posted by M. L. Henry Date of return: 12/11/92
Signature

Number of Signs: 1



4/13/93

Mr. Stealey:

T/C from Ms. Gretchen Floyd 547-5052

RE: Appeal sign at Williams Estates

Sign has been torn down and almost destroyed as a result of recent storms. Requests re-posting.

92-460-SPHA Williams Estates
NW/s Eastern Avenue 1600' NE of c/l of Carroll
Island Rd (Williams Estates)
15th E; 5th C

Appealed: 11/23/92

Hearing date: 5/19/93

kathi

4/05/93

Carolyn:

Two appeals filed in Circuit Court:

- 1) Charles J. Henry /CBA-92-137
filed by James Farmer 828-0700 for Henry

Hearing Date: 12/16/92
Due Date : 6/01/93

Please call his office regarding cost of transcript.

-
- 2) Frederick Smith III /CBA-92-166
filed by Damon A. Trazzi 583-2133 for Smith

Hearing Date: 12/23/92
Due Date : 6/01/93

He'd like to talk w/you re cost of transcript.

kathi

RE: PETITION FOR SPECIAL HEARING : BEFORE THE COUNTY BOARD OF APPEALS
 AND VARIANCE
 NW/S Eastern Ave., 1600' NE of : OF BALTIMORE COUNTY
 C/L of Carroll Island Road
 (Williams Estates) : Zoning Case No. 92-460-SPHA
 15th Election District
 5th Councilmanic District :
 WILLIAMS ESTATES, Petitioner :

: : : : :

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

Phyllis Cole Friedman
 People's Counsel for Baltimore County

Peter Max Zimmerman

Peter Max Zimmerman
 Deputy People's Counsel
 Room 47, Courthouse
 400 Washington Avenue
 Towson, Maryland 21204
 (410) 887-2188

I HEREBY CERTIFY that on this 10th day of February, 1993, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esquire, 210 Allegheny Ave., Towson, MD 21204; Ms. Sandra Dawson, Chairman, Zoning Committee, Bengies Manufactured Homeowners Assn., P.O. Box 5074, Baltimore, MD 21220; Mr. Danny C. Jackson, 3532 Dahlia La., Baltimore, MD 21220; Mr. & Mrs. Donald Cutsail, 9 Iris Lane, Baltimore, MD 21220; and Mr. Ken Wrightson, 3518 Wheelhouse Rd., Baltimore, MD 21220.

Phyllis Cole Friedman

Phyllis Cole Friedman

RECEIVED
 COUNTY BOARD OF APPEALS

93 FEB 10 PM 2:32



County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue

January 15, 1993

NOTICE OF ASSIGNMENT

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

CASE NO. 92-460-SPHA

WILLIAMS ESTATES
NW/s Eastern Avenue
1600' NE of c/l of Carroll
Island Road (Williams Estates)
15th Election District
5th Councilmanic District

SPH-Amend SE in 66-185-X; Amend and
add to variance granted in 70-184-ASPH
& 84-263-A;
VAR-distance between units

11/2/92 - D.Z.C.'s Order GRANTING
Petition in part; DENYING in part.

ASSIGNED FOR:

WEDNESDAY, MAY 19, 1993 AT 10:00 a.m.

cc: William T. Poole, Jr., President Petitioner/Appellant
 Williams Mgmt. Services, Inc.
 Robert A. Hoffman, Esquire - Counsel for Petitioner/Appellant
 Mr. and Mrs. Donald Cutsail
 Mr. Danny C. Jackson
 Mr. Ken Wrightson
 Ms. Sandra Dawson - *attempted delivery - returned by*
 People's Counsel for Balto. Co. *P.O.*
 P. David Fields
 Public Services
 Lawrence E. Schmidt
 Timothy M. Kotroco
 W. Carl Richards, Jr.
 Docket Clerk - Zoning
 Arnold Jablon, Director of Zoning
 Administration

LindaLee M. Kuszmaul
Legal Secretary



1/15/93 - Following parties notified of hearing set for May 19,
1993 at 10:00 a.m.:

William T. Poole, Jr., President
Williams Mgmt. Services, Inc.
Robert A. Hoffman, Esquire
Mr. and Mrs. Donald Cutsail
Mr. Danny C. Jackson
Mr. Ken Wrightson
Ms. Sandra Dawson
People's Counsel for Balto. Co.
P. David Fields
Public Services
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon

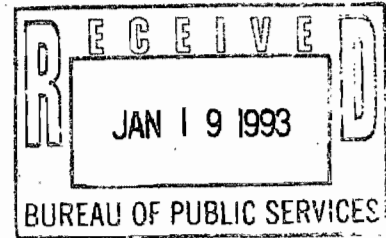


County Board of Appeals of Baltimore County

OLD COURTHOUSE, ROOM 49
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

Hearing Room -
Room 48, Old Courthouse
400 Washington Avenue

January 15, 1993



NOTICE OF ASSIGNMENT

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

CASE NO. 92-460-SPHA

WILLIAMS ESTATES
NW/s Eastern Avenue
1600' NE of c/l of Carroll
Island Road (Williams Estates)
15th Election District
5th Councilmanic District

SPH-Amend SE in 66-185-X; Amend and
add to variance granted in 70-184-ASPH
& 84-263-A;
VAR-distance between units

11/2/92 - D.Z.C.'s Order GRANTING
Petition in part; DENYING in part.

ASSIGNED FOR:

WEDNESDAY, MAY 19, 1993 AT 10:00 a.m.

cc: William T. Poole, Jr., President Petitioner/Appellant
 Williams Mgmt. Services, Inc.
 Robert A. Hoffman, Esquire - Counsel for Petitioner/Appellant
 Mr. and Mrs. Donald Cutsail
 Mr. Danny C. Jackson
 Mr. Ken Wrightson
 Ms. Sandra Dawson
 People's Counsel for Balto. Co.
 P. David Fields
 ✓Public Services
 Lawrence E. Schmidt
 Timothy M. Kotroco
 W. Carl Richards, Jr.
 Docket Clerk - Zoning
 Arnold Jablon, Director of Zoning
 Administration

Yes ✓ *no* —

LindaLee M. Kuszmaul
Legal Secretary



1/15/93 - Following parties notified of hearing set for May 19,
1993 at 10:00 a.m.:

William T. Poole, Jr., President
Williams Mgmt. Services, Inc.
Robert A. Hoffman, Esquire
Mr. and Mrs. Donald Cutsail
Mr. Danny C. Jackson
Mr. Ken Wrightson
Ms. Sandra Dawson
People's Counsel for Balto. Co.
P. David Fields
Public Services
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

92-460-SPH12

District 15th Date of Posting 12/4/92
Posted for: Appeal
Petitioner: Williams Estates
Location of property: NN/S Eastern Ave., 1600' NE/Carroll Fsl. Rd
Location of Signs: Post at entrance to Williams Mobile Estate.
Facing Eastern Ave
Remarks: _____
Posted by M. Healy Date of return: 12/11/92
Signature
Number of Signs: 1



Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 2, 1992

Baltimore County Board of Appeals
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing and Zoning Variance
NW/S Eastern Avenue, 1600' NE of the c/1 of Carroll Island
(Williams Estates)
15th Election District, 5th Councilmanic District
WILLIAMS ESTATES
Case No. 92-460-SPHA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on November 23, 1992 by William T. Poole, Jr. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon - Director
Zoning Administration and
Development Management

AJ:cer

Enclosures

cc: William T. Poole, Jr.
Robert A. Hoffman, Esquire
Mr. & Mrs. Donald Cutsail
Mr. Danny C. Jackson
Mr. Ken Wrightson
People's Counsel of Baltimore County
File

APPEAL

Petition for Special Hearing and Zoning Variance
NW/S Eastern Avenue, 1600' NE of the c/1 of Carroll Island
(Williams Estates)
15th Election District - 5th Councilmanic District
WILLIAMS ESTATES - PETITIONER
Case No. 92-460-SPHA

✓ Petition(s) for Special Hearing and Zoning Variance

✓ Description of Property

Certificate of Posting (NONE IN FILE)

✓ Certificate of Publication

Entry of Appearance of People's Counsel

✓ Zoning Plans Advisory Committee Comments

✓ Director of Planning & Zoning Comments (Included with ZAC Comments)

✓ Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: ✓ 1. Plat to accompany Petition (2 Sheets)

2. No Exhibit marked #2

✓ 3. Photograph display of trailer sites

Protestant's Exhibits:

Unmarked - ✓ Letters of Protest

Additional Exhibits: ✓ Microfilm copies of Case No. 84-283A
✓ Microfilm copies of Case No. 66-185X
✓ Microfilm copies of Case No. 70-184ASPH

✓ Deputy Zoning Commissioner's Order dated November 2, 1992 (Denied) in

✓ Notice of Appeal received on November 23, 1992 from William T. Poole, Jr. *BmHOA* *in part* *part* *return*

444212 cc: *William T. Poole, Jr., 3300 Eastern Blvd., 21220
Robert A. Hoffman, Esquire, 210 Alleg., 21204
Mr. & Mrs. Donald Cutsail, 9 Iris La., 21220
Mr. Danny C. Jackson, 3532 Dahlia La., 21220
Mr. Ken Wrightson, 3518 Wheelhouse Rd., 21220
People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of ZADM
Public Services

✓ E

APPEAL

Petition for Special Hearing and Zoning Variance
NW/S Eastern Avenue, 1600' NE of the c/1 of Carroll Island
(Williams Estates)
15th Election District - 5th Councilmanic District
WILLIAMS ESTATES - PETITIONER
Case No. 92-460-SPHA

✓ Petition(s) for Special Hearing and Zoning Variance

✓ Description of Property

Certificate of Posting (NONE IN FILE)

✓ Certificate of Publication

Entry of Appearance of People's Counsel

✓ Zoning Plans Advisory Committee Comments

✓ Director of Planning & Zoning Comments (Included with ZAC Comments)

✓ Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: ✓ 1. Plat to accompany Petition (2 Sheets)

2. No Exhibit marked #2

✓ 3. Photograph display of trailer sites

Protestant's Exhibits:

Unmarked

✓ Letters of Protest

Additional Exhibits:

✓ Microfilm copies of Case No. 84-283A

✓ Microfilm copies of Case No. 66-185X

✓ Microfilm copies of Case No. 70-184ASPH

✓ Deputy Zoning Commissioner's Order dated November 2, 1992 (Denied) *in part*

✓ Notice of Appeal received on November 23, 1992 from William T. Poole, Jr. *B.M.H.O.A. Ms. Sandra Jackson, A.P. Box 5074, 2/22/92*

cc: *William T. Poole, Jr., 3300 Eastern Blvd., 2/22/92

Robert A. Hoffman, Esquire - 210 Alleg., 2/20/92

Mr. & Mrs. Donald Cutsail, 9 Iris La., 2/22/92

Mr. Danny C. Jackson, 3532 Dahlia La., 2/22/92

Mr. Ken Wrightson, 3518 Wheelhouse Rd., 2/22/92

People's Counsel of Baltimore County

Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of ZADM
Public Services

✓ E

Williams Management Services, Inc.

November 19, 1992

Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing and Zoning Variance
NW/S Eastern Avenue, 1600' NE of the c/l of
Carroll Island Road (Williams Estates)
Case No.: 92-460-SPHA

Dear Mr. Jablon:

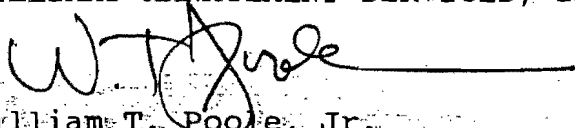
As petitioners in the above-referenced zoning case, please note our appeal from the denial of certain variances and the applicable portion of the special hearing found in the Deputy Zoning Commissioner's Finding of Facts and Conclusions of Law, dated November 2, 1992. Our name and address is as follows:

Williams Estates
Williams Management Services, Inc., General Partner
3300 Eastern Boulevard
Baltimore, Maryland 21220

Enclosed is our check in the amount of \$385.00 to cover the costs of this appeal. Thank you for your cooperation.

Very truly yours,

WILLIAMS MANAGEMENT SERVICES, INC.


William T. Poole, Jr.
President

WTP/mw
Enc.

RECEIVED
PAYMENT
\$385.00
11-23-92
ZONING OFFICE

11-2-92

IN RE: PETITIONS FOR SPECIAL HEARING * BEFORE THE
AND ZONING VARIANCE - NW/S *
Eastern Avenue, 1600' NE of the * DEPUTY ZONING COMMISSIONER
c/l of Carroll Island Road *
(Williams Estates) * OF BALTIMORE COUNTY
15th Election District *
5th Councilmanic District * Case No. 92-460-SPHA

Williams Estates *
Petitioners *
* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing and a Petition for Zoning Variance filed by the Legal Owners of the subject property, Williams Estates, by Williams Management Services, Inc., General Partners, by and through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special hearing to approve an amendment to the special exception granted in prior Case No. 66-185-X, and to amend and add to the variances granted in prior Case Nos. 70-184-ASPH and 84-283-A, in accordance with Petitioner's Exhibit 1. The Petitioners also request variance relief from Section 414.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a distance between units of 20 feet from side to side and 16 feet from rear to rear in lieu of the required 25 feet for those lots shown on Sheet 2 of 2, or Page 2 of Petitioner's Exhibit 1.

At the outset of the hearing, it was made clear that the Petitioners are not seeking any variances for lots that fall within the Chesapeake Bay Critical areas. The Petitioners marked on Petitioner's Exhibit 1 those lots which fall within the Critical Areas and have designated a line marked C.A.L. showing the lots which are not part of the variance request.

Appearing on behalf of the Petition were William T. Poole, Jr., President, Williams Management Services, Inc., represented by Robert A.

ORDER RECEIVED FOR FILING
Date 11/2/92
By [Signature]

Hoffman, Esquire. Also appearing on behalf of the Petition were Mike Nima with Williams Management Services, Inc., and Charles K. Stark, Registered Land Surveyor. Numerous residents of the subject park and adjacent mobile home parks appeared and testified in opposition to the Petitioners' request.

Testimony and evidence presented indicated that the subject property consists of 86.413 acres, more or less, zoned M.L.-I.M. and is the site of the Williams Estates mobile home park. Portions of the subject property are located within the Chesapeake Bay Critical Areas near Middle River. Said property was the subject of prior case No. 66-185-X in which a special exception for a trailer park was granted. The Petitioners filed the instant Petition in an effort to provide their residents the opportunity to place larger manufactured homes on their particular lot. Testimony presented by William T. Poole, Jr. indicated that the manufactured home industry has changed since the development of Williams Estates in 1966. Testimony indicated that homes have increased in width and that the industry now offers double-wide homes in lieu of the single-wide home offered in the 1960s. Since Williams Estates was laid out in the 1960s, the Petitioners were not able to take into account the advent of double-wide manufactured homes. Testimony indicated that the existing lots are not of sufficient size to accommodate the newer, wider manufactured homes. Accordingly, the Petitioner has requested variances for all lots in the subdivision, excluding those located within the Chesapeake Bay Critical Areas, in order to afford their residents the opportunity to locate a larger manufactured home on their particular lot if they so desire. Testimony indicated that the subject trailer park is one of the nicest manufac-

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By

tured housing developments in Baltimore County and that the park is well-maintained and beautifully landscaped.

As previously stated, this park came into existence by virtue of the special exception granted in 1966. Since that time, the Petitioners petitioned the Office of Zoning on two other occasions. In 1970, in Case No. 70-184-ASPH, the Petitioners were granted a variance which permitted mobile homes to be located as close as 8 feet to the existing Penn Central Railroad right-of-way line in lieu of the required minimum 75 feet. That variance was granted by the then Zoning Commissioner, Edward D. Hardesty, and allowed for the placement of 20 additional manufactured homes along the Penn Central Railroad right-of-way line. Also in Case No. 70-184-ASPH, the Petitioners requested a variance to permit mobile homes to be situated 25 feet from the street right-of-way of Bengies Road in lieu of the required 100-foot setback. Commissioner Hardesty also granted that variance which allowed the Petitioners to situate an additional 19 manufactured homes along Bengies Road. By virtue of the variances being granted in 1970, the Petitioner was permitted to place an additional 39 mobile homes on the subject site.

In 1984, the Petitioners expanded Williams Estates to that which exists today. In the course of the expansion of the park, the Petitioners requested a variance in Case No 84-283-A, to permit mobile homes to be located 60 feet from the street right-of-way of Bengies Road in lieu of 100 feet. That variance was granted and the Petitioner was able to situate 5 additional trailers within that setback area. The Petitioners also requested a variance to permit mobile homes to be situated 60 feet from the Penn Central Railroad right-of-way line in lieu of the required 75-foot setback. That variance was granted and it allowed the Petitioners to

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locate an additional 8 manufactured homes along that right-of-way line. It should be made clear that in the instant Petition for Zoning Variance, the Petitioners are not requesting to add any additional mobile homes to the subject site. The Petitioners only seek relief which will permit the placement of larger manufactured homes on those lots currently existing in the park.

As previously stated, many residents of the community appeared in opposition to the Petitioners' request. They voiced opposition to the granting of this variance because of the loss of useable space outside of their mobile homes. They testified that larger homes on the same size lots would significantly reduce the amount of open space that their children currently enjoy and upon which they recreate. In addition to the testimony presented at the hearing, many residents of the area mailed petitions and letters to this Office voicing their opposition to the Petitioners' request. Of particular interest to this Deputy Zoning Commissioner was a photograph taken by George and Bernice McAllister, who reside on Dahlia Lane, which depicts the appearance of the park after a thunderstorm in September 1990. The photograph, a copy of which is attached hereto, shows a street right-of-way completely flooded with approximately 2 feet of standing water covering the entire area. It is obvious from viewing this photograph that there currently exists a storm water runoff problem in this community. It is clear that allowing larger manufactured homes to be placed on every lot that exists in this mobile home park would substantially reduce the permeable surface contained therein and would only contribute to an already existing storm water problem. I believe that granting all of the variances requested would not be in the best interests of the public health, safety or general welfare of this mobile home community.

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However, there are certain lots within Williams Estates where I believe the variance being requested would be appropriate. Specifically, those lots which were added in 1984 that are somewhat larger than the lots in the original Williams Estates park. Also there exists a drainage easement that separates the lots added in 1984 from the older section which currently experiences the water runoff problems. Therefore, it appears that any storm water runoff that might be created by a larger manufactured home being placed on the lots added in 1984 would be diverted into the drainage ditch and would not run into the older section of the park that currently has these problems. Also, many of the lots added in 1984 are larger and do not back up to other lots. Therefore, I find that the spacing of these lots in this particular section could accommodate a larger manufactured home without any detriment to the surrounding community and would not exacerbate the runoff problem in the older section of the park. The lots about which I am speaking are Lots 100 through 108, and Lots 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140 and 142 on Roundup Road; Lots 100 through 103, 105, 107, 109, 111, 113, 115 and 117 and Lots 119 through 130, 132 and 134 on Lariat Road; Lots 101 through 119 and Lots 121, 127, 129, 131, 133, 135 and 137, and Lots 139 through Lot 152 and Lot 154 on Cowhide Circle; Lots 101 through 113 and Lots 115, 117, 119, 121, 123, 125, 127 and 129, and Lots 130 through Lot 141, and Lots 143 and 145 on Rodeo Circle/Rodeo Drive.

It should be noted that the Office of Planning and Zoning recommended approval of the variances for all lots contained within this park. However, for the reasons previously stated, variances shall only be granted for those lots specifically identified above.

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Date

By

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, as modified herein, such use as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances, as modified herein, are not granted. I find that since there exists a drainage and utility easement between the section added in 1984 and the original section of Williams Estates which has a storm water runoff problem that the variances granted for the newer section would not contribute to that problem. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the

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Date

By

land due to the special conditions unique to this particular parcel. In addition, the variances requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and variances requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2nd day of November, 1992 that the Petition for Special Hearing to approve an amendment to the special exception granted in prior Case No. 66-185-X, and to amend and add to the variances granted in prior Case Nos. 70-184-ASPH and 84-283-A, in accordance with the revised site plan to be submitted, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 414.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a distance between units of 20 feet from side to side and 16 feet from rear to rear in lieu of the required 25 feet, be and is hereby GRANTED for the following lots: Lots 100 through 108, and Lots 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140 and 142 on Roundup Road; Lots 100 through 103, 105, 107, 109, 111, 113, 115 and 117 and Lots 119 through 130, 132 and 134 on Lariat Road; Lots 101 through 119 and Lots 121, 127, 129, 131, 133, 135 and 137, and Lots 139 through Lot 152 and Lot 154 on Cowhide Circle; Lots 101 through 113 and Lots 115, 117, 119, 121, 123, 125, 127 and 129, and Lots 130 through Lot 141, and Lots 143 and 145 on Rodeo Circle/Rodeo Drive, in

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Date

By

accordance with the revised site plan to be submitted, subject to the following restrictions:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2) Within sixty (60) days of the date of this Order, Petitioners shall submit a revised site plan which clearly depicts those lots for which variances have been granted pursuant to this Order.

3) Above-grade building extensions such as decks, sunporches, etc., shall not be located closer than 10 feet to another principal structure or deck, sunporch, etc.

4) Parking shall only be provided in the front yard. Any existing parking pads extending past the front yard shall be removed unless covered with a patio, deck or sunporch.

5) Accessory structures, such as storage sheds, should not be provided at the rear of dwelling units which are separated by less than 25 feet.

6) Prior to the placement of a manufactured home on a lot which is less than 25 feet from another building, the Petitioner shall provide a site plan to the Office of Planning and Zoning for review and approval signature. The plan should show: 1) the proposed location of the home, and 2) the location of principal and accessory structures immediately surrounding the proposed home.

7) A tot lot addressing the needs of small children living in the development shall be provided at the Community Center.

8) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that there shall be no variances granted for any of those lots which fall within the Chesapeake Bay Critical Areas.

ORDER RECEIVED FOR FILING

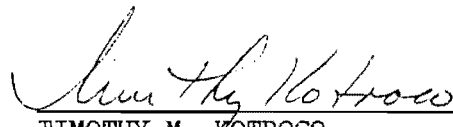
Date

By

as designated on Petitioner's Exhibit 1 by a line marked C.A.L. showing those lots which are not part of the variance request; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 414.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a distance between units of 20 feet from side to side and 16 feet from rear to rear in lieu of the required 25 feet, for all other lots in the Williams Estates Mobile Home Park, be and is hereby DENIED.

TMK:bjs



TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

ORDER RECEIVED FOR FILING

Date

By

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

June 23, 1992

(410) 887-3353

Robert A. Hoffman, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Item No. 487, Case No. 92-460-SPH
Petitioner: William Estates, et al
Petition for Special Hearing

Dear Mr. Hoffman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.



Zoning Plans Advisory Committee Comments

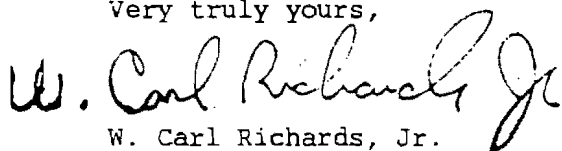
Date: June 23, 1992

Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,



W. Carl Richards, Jr.
Zoning Coordinator

WCR:jw

Enclosures

cc: Mr. William T. Poole
William Estates
3300 Eastern Blvd
Baltimore, MD 21220

ZAC COMMENTS: Williams Estates - No. 487

TO: Arnold Jablon

DATE: July 9, 1992

The modular home construction industry essentially prefabricates the homes at a plant, which are then conveyed to the site and then pieced together.

The modular homes are quite sizeable containing up to 1,200 square feet of living space. In addition, the homes have architectural details such as pitched roofs, porches, bay windows, etc. The newer manufactured homes present a much better image than the older mobile homes.

The variances requested regarding the side yard setbacks are in conformance with the new CMDP regarding building setbacks (Attachment C). The BCZR and CMDP allow distances between buildings of 20 feet for single-family detached dwellings, DR 5.5, 10.5 or 16 zones. The petitioner's request is in conformance with these regulations.

The rear yard variances differ significantly from what is required for single-family detached homes in the DR 5.5, 10.5 or 16 zones. A 30 foot rear yard is required. Staff believes that adequate rear yards should be provided, however, the nature of the manufactured housing industry as well as the layout for the Williams Estates does provide adequate building separation and adequate rear yard space for the provision of storage sheds. The restrictions on the development also regulate exterior maintenance. The entire resubdivision of this development to accommodate these upgraded units would not be appropriate.

Based upon the analysis conducted and information provided staff recommends APPROVAL of the petitioner's request.

PK:bjs

Attachments

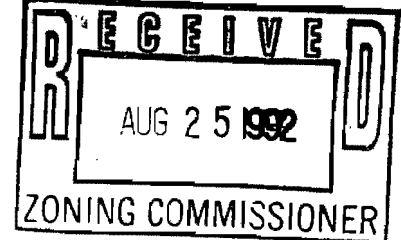
BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: Tim Kotroco, Deputy
Zoning Commissioner

DATE: August 25, 1992

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Williams Estates
Case No. 92-460



Based upon the site visit conducted August 24, 1992 and the testimony received at the hearing, staff provides additional conditions which should be placed on the property if this request is granted.

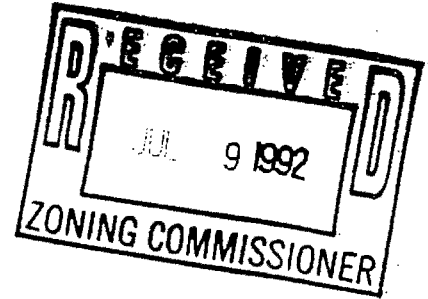
1. Above grade building extensions such as decks, sun porches etc. should not be located closer than 10 feet to another principal structure or deck, sunporch, etc.
2. Parking shall only be provided in the front yard. Any existing parking pads extending past the front yard shall be removed unless covered with a patio, deck or sunporch.
3. Accessory structures such as storage sheds should not be provided at the rear of dwellings which are separated by less than 25 feet.
4. Prior to the placement of a manufactured home on a lot, which is less than 25 feet from another building the petitioner shall provide a site plan to the Office of Planning and Zoning for review and signature. The plan should show 1) the proposed location of the home, and 2) the location of principal and accessory structures immediately surrounding the proposed home.
5. A tot lot addressing the needs of small children living in the development should be provided at the Community Center.

PK:rdn

WMS. EST

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE



TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

A

DATE: July 9, 1992

SUBJECT: Williams Estates

INFORMATION:

Item Number: No. 487

Petitioner: Williams Management Services, Inc.

3300 Eastern Blvd

Baltimore MD 21220

Property Size: 86.413± acres

Number of Units: 557

Zoning: ML-IM

Requested Action: Variances

Zoning History:

- #66-165-X, Special exception granted for manufactured housing.
- #70-184-ASPH, Variances granted for setbacks to tract boundaries.
- #84-283-A, Variances granted for setbacks to tract boundary.

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The petitioner has requested blanket variances to allow building to building setbacks of 20 feet, and 16 foot setbacks from the rear of those units backing onto Eastern Ave., and the eastern track boundary as well as the rears of other units.

The Williams Estates is one of Baltimore County's largest and best managed manufactured home developments. The quality of the development is excellent with the vast majority of the units being well maintained and landscaped. The original development was approved in 1966 with the vast bulk of the units being 12 or 14 feet wide and 60 to 80 feet in length. The industry at that time was manufacturing units which were conveyed to the site via the use of axle and wheel assemblies (Attachment A). The manufactured home industry has changed radically since that time with the advent of modular home construction (Attachment B).

DPW/Engineering

06/08/92

Development Review Committee Response Form

Authorized signature Rakee j. Familj

Date 6/8/92

Project Name
File Number Waiver Number Zoning Issue Meeting Date

✓ Stephen G. And Lynn M. Swimm	477	N/C	6-1-92
DED DEPRM RP STP TE			
=====			
Albert F. And Ann B. Nocar	478	N/C More Time	
DED DEPRM RP STP TE			
=====			
Maryland Marine Manufacturing Co., Inc.	479	N/C More Time	
DED DEPRM RP STP TE			
=====			
✓ Robert C. And Sylvia W. Eppig	480	N/C	
DED DEPRM RP STP TE			
=====			
✓ James Ronald And Beth B. Porter	481	N/C	
DED DEPRM RP STP TE			
=====			
✓ Nelson H. And Lee M. Hendler	485	N/C	
DED DEPRM RP STP TE			
=====			
✓ Leon G. McKemy	486	N/C	
DED DEPRM RP STP TE			
=====			
✓ Williams Management Services, Inc.	487	N/C	
DED DEPRM RP STP TE			
=====			
✓ John M. And Karen R. Jacob	488	N/C	
DED DEPRM RP STP TE			
=====			
✓ Matthew F. Reckenberger, Jr.	490	N/C	
DED DEPRM RP STP TE			
=====			
✓ Herbert H. And And Betty Rosen	491	N/C	
DED DEPRM RP STP TE			
=====			
✓ Meadows Park Ltd. Prtnrshp Russel Asset Mgt, Inc.	492	N/C	
DED DEPRM RP STP TE			
=====			

Department of Recreation and Parks

Development Review Committee Response Form

Authorized signature _____

Walter K...

Date *6/8/92*

Project Name

File Number

Waiver Number

Zoning Issue

Meeting Date

✓ Stephen G. And Lynn M. Swimm

477

6-1-92

DED DEPRM RP STP TE

No Comment

✓ Albert F. And Ann B. Nocar

478

DED DEPRM RP STP TE

No Comment

✓ Maryland Marine Manufacturing Co., Inc.

479

DED DEPRM RP STP TE

No Comment

✓ Robert C. And Sylvia W. Eppig

480

DED DEPRM RP STP TE

No Comment

✓ James Ronald And Beth B. Porter

481

DED DEPRM RP STP TE

No Comment

✓ Nelson H. And Lee M. Hendler

485

DED DEPRM RP STP TE

No Comment

✓ Leon G. McKemy

486

DED DEPRM RP STP TE

No Comment

✓ Williams Management Services, Inc.

487

DED DEPRM RP STP TE

No Comment

✓ John M. And Karen R. Jacob

488

DED DEPRM RP STP TE

No Comment

✓ Matthew F. Reckenberger, Jr.

490

DED DEPRM RP STP TE

No Comment

✓ Herbert H. And And Betty Rosen

491

DED DEPRM RP STP TE

No Comment

✓ Meadows Park Ltd. Prtnrshp Russel Asset Mgt, Inc.

492

DED DEPRM RP STP TE

No Comment

BALTIMORE COUNTY, MARYLAND
I N T E R O F F I C E C O R R E S P O N D E N C E

TO: Arnold Jablon, Director DATE: June 5, 1992
 Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
 for June 8, 1992
 Item 487

The Developers Engineering Division has reviewed the subject zoning item and confirmation of compliance should be provided to this office that compliance with the landscape and fence requirements of the conditions #1 and #2 of Case #84-283A has been achieved.


ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:s

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: June 5, 1992

FROM: Mr. J. Lawrence Pilson *JLP/ams*
Development Coordinator, DEPRM

SUBJECT: Zoning Item 487
Williams Estates
3300 Eastern Boulevard
Zoning Advisory Committee Meeting of June 1, 1992

The Department of Environmental Protection and Resource Management requests an extension for the review of the above referenced zoning item to determine whether the proposed development is in compliance with the Chesapeake Bay Critical Area Regulations. The applicant must submit a Critical Area Findings Plan for review and approval by this Department prior to preparation of a Critical Area Findings for the development. The applicant may contact the Environmental Impact Review Division of the Department at 887-2904 for details.

LJP:sp

JABLON/S/TXTSBP

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development
Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

DATE: June 5, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - June 1, 1992

The Office of Planning and Zoning has no comments on the following petitions:

George S. Nyquist	- Item 474
Stephen G. Swimm	- Item 477
Albert F. Nocar Jr.	- Item 478
Maryland Marine Mfg. Co.	- Item 479
Robert C. Eppig	- Item 480
James R. Porter	- Item 481
Dorothy S. Hunter	- Item 482
St. Lukes Health Ministries	- Item 484
Williams Estates	- Item 487
John M. Jacob	- Item 488
Gene Ensor	- Item 489
Lawrence F. Solomon	- Item 493

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21204-5500

(301) 887-4500

MAY 27, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: WILLIAMS MANAGEMENT SERVICES, INC.

Location: WILLIAMS ESTATES

Item No.: +487 (MJK) Zoning Agenda: JUNE 1, 1992

Gentlemen:

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

SITE PLAN SHOWING THE LOCATION OF FIRE HYDRANTS IS REQUIRED.

REVIEWER: Capt Jerry Quiter Noted and
Planning Group Approved
Special Inspection Division Fire Prevention Bureau

JP/KEK

5272

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MAY 29 1992

ZONING OFFICE

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92-460-SPH

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

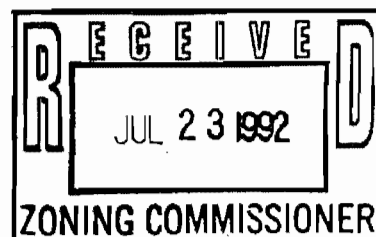
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6929-92
7/21/92
8

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 16, 1992

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item 487
Williams Estates
3300 Eastern Avenue



See attached Chesapeake Bay Critical Area Findings.

JLP:ju

JABLON/S/TXTJEU

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ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration
and Development Management

DATE: July 16, 1992

FROM: J. James Dieter

SUBJECT: Petition for Zoning Variance and Special
Hearing - Item 487 - Williams Estates
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 3300 Eastern Avenue. Portions of the site are within the Chesapeake Bay Critical Area (CBCA). The southeastern portion is classified as a Limited Development Area (LDA) and the southwestern portion is classified as an Intensely Developed Area (IDA).

APPLICANT'S NAME Williams Management Services, Inc.

APPLICANT PROPOSAL

The applicant has requested a variance from Section 414.5 of the Baltimore County Zoning Regulations to permit a space of 20 feet from side to side and to permit a space of 16 feet from rear to rear of unit in lieu of the required 25 feet for certain lots.

The applicant has also requested a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to amend the special exception granted in Case No. 66 I85 and to amend and add to the variances granted in Case Nos. 70-184-ASPH and 84-283-A.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

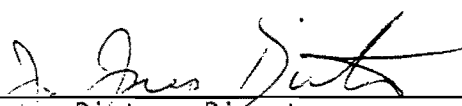
1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and

Mr. Arnold E. Jablon
July 16, 1992
Page 2

3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.0>

CONCLUSION

The project proposal cannot be approved at this time because the applicant has failed to submit a CBCA Findings Plan indicating how the proposed development would comply with the CBCA Regulations. If there are any questions, please contact Ms. Patricia M. Farr at 887-2904.



J. James Dieter, Director
Department of Environmental Protection
and Resource Management

JJD:tjl

Attachment

cc: Mr. William T. Poole, Jr.
Mr. Robert A. Hoffman

WILLIAM2/WQCBCA

92-460-SPH

7-20-92

7252-92

JW

8/4/92
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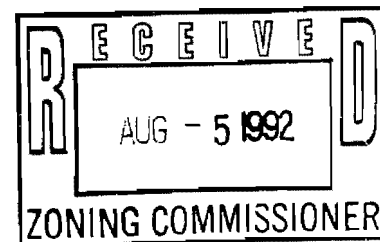
BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

DATE: July 31, 1992

FROM: J. Lawrence Pilson *JLP*
Development Coordinator, DEPRM

SUBJECT: Zoning Item 487
Williams Estates
3300 Eastern Avenue



See attached Chesapeake Bay Critical Area Findings.

JLP:ju

JABLON/S/TXTJEU

RECEIVED

AUG 4 1992

ZONING OFFICE

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration
and Development Management

DATE: July 31, 1992

FROM: J. James Dieter

SUBJECT: Petition for Zoning Variance and Special
Hearing - Item 487 - Williams Estates
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 3300 Eastern Avenue. Portions of the site are within the Chesapeake Bay Critical Area (CBCA). The southeastern portion is classified as a Limited Development Area (LDA) and the southwestern portion is classified as an Intensely Developed Area (IDA).

APPLICANT'S NAME Williams Management Services, Inc.

APPLICANT PROPOSAL

The applicant has requested a variance from Section 414.5 of the Baltimore County Zoning Regulations to permit a space of 20 feet from side to side and to permit a space of 16 feet from rear to rear of unit in lieu of the required 25 feet for certain lots.

The applicant has also requested a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to amend the special exception granted in Case No. 66 I85 and to amend and add to the variances granted in Case Nos. 70-184-ASPH and 84-283-A.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and

Mr. Arnold E. Jablon
July 31, 1992
Page 2

3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.0>

CONCLUSION

The applicant has amended the petition to exclude all lots within the Chesapeake Bay Critical Area, therefore, a Chesapeake Bay Critical Area Findings is not required for this petition. If there are any questions, please contact Ms. Patricia M. Farr at 887-2904.



J. James Dieter, Director
Department of Environmental Protection
and Resource Management

JJD:tjl

cc: Mr. William T. Poole, Jr.
Mr. Robert A. Hoffman

WILLIAM2/WQCBCA

RECEIVED

AUG 4 1992

ZONING OFFICE

Chatter 42-460-SPH 10/14/92 8390-92 Jw

B A L T I M O R E C O U N T Y, M A R Y L A N D

D E P A R T M E N T O F E N V I R O N M E N T A L P R O T E C T I O N A N D R E S O U R C E M A N A G E M E N T

I N T E R - O F F I C E C O R R E S P O N D E N C E

T O : M r . A r n o l d E . J a b l o n , D i r e c t o r
 O f f i c e o f Z o n i n g A d m i n i s t r a t i o n
 a n d D e v e l o p m e n t M a n a g e m e n t

D A T E : O c t o b e r 5 , 1 9 9 2

F R O M : J . J a m e s D i e t e r

S U B J E C T : P e t i t i o n f o r Z o n i n g V a r i a n c e - I t e m 4 8 6
 M c K e m y P r o p e r t y
 C h e s a p e a k e B a y C r i t i c a l A r e a F i n d i n g s

S I T E L O C A T I O N

The subject property is located at 2513 Ruth Avenue. The site is within the Chesapeake Bay Critical Area and is classified as a Resource Conservation Area (RCA).

A P P L I C A N T ' S N A M E M r . L e o n M c K e m y

A P P L I C A N T P R O P O S A L

The applicant has requested a Special Hearing to approve the legal "non-conforming use of the subject contractor's equipment yard."

G O A L S O F T H E C H E S A P E A K E B A Y C R I T I C A L A R E A P R O G R A M

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.0>

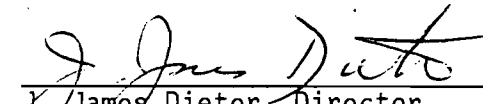
Mr. Arnold E. Jablon
October 5, 1992
Page 2

Regulation: Grandfathering. After program approval, local jurisdictions shall permit the continuation, but not necessarily the intensification or expansion, of any use in existence on the date of program approval. <COMAR 14.15.02.07.A>

Finding: If this use is determined to be a non-conforming use, then its continuation shall be allowed; however, clear boundaries must be determined for the permitted use. Any intensification or expansion since the date of Chesapeake Bay Critical Area Program approval, June 1, 1988, shall have to comply with all Critical Area requirements.

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above. Please keep this Department informed regarding the Zoning Commissioner's determination. If this use is determined to be a non-conforming use then its continuance shall be allowed in accordance with the above Chesapeake Bay Critical Area Regulations. If there are any questions, please contact Ms. Patricia M. Farr at 887-2904.



J. James Dieter, Director
Department of Environmental Protection
and Resource Management

JJD:NSP:ju

c: Mr. Leon McKemy

MCKEMY/WQCBCA

RECEIVED

OCT 14 1992

ZONING OFFICE

**NOTICE OF
ZONING COMMISSIONER'S
HEARINGS**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the properties identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

RESCHEDULED FROM 7/10/92

Case: #92-460-SPH

(Item 487)

NW/5 Eastern Avenue, 1600'

NE of c/1 Carroll Island Road

Williams Estates

15th Election District

5th Councilmanic

Petitioner(s):

Williams Management

Services, Inc.

Hearing Date: Monday,

July 20, 1992 at 9:00 a.m.

in Rm. 118, Old Courthouse.

Special Hearing to amend the special exception granted in case #66-185; and to amend and add to the variances granted in case #70-184-ASPH and #84-283-A. Variance to permit a space of 20 ft. from side to side and to permit a space of 16 ft. from rear to rear of unit in lieu of the required 25 ft. for those lots shown on sheet 2 of the submitted plan.

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

June 18, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 18, 1992.

THE JEFFERSONIAN,

S. Zehe Orlean

Publisher

~~\$753.41~~

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this
19th day of May, 1992

A handwritten signature in cursive script, reading "Arnold Jablon", is written over a horizontal line.

ARNOLD JABLON
DIRECTOR

Received By:

A handwritten signature in cursive script, reading "W. Carl Richards Jr.", is written over a horizontal line.

Chairman,
Zoning Plans Advisory Committee

Petitioner: William Estates, et al

Petitioner's Attorney: Robert A. Hoffman



#487

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

92-460-SPH

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 Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve ----- to amend the special exception granted in Case No. 66-185 and -----

to amend and add to the variances granted in Case Nos. 70-184-ASPH

and 84-283-A.

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

I, or we, agree to pay expenses of the above Special Hearing 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/Lessee:

N/A

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Robert A. Hoffman, Esquire

(Type or Print Name)

Signature

210 Allegheny Avenue

Address

Towson, Maryland 21204

City and State

494-6200

Attorney's Telephone No.:

Legal Owner(s):

Williams Estates

(Type or Print Name)

Williams Management Services, Inc.,
General Partners

Signature

By X

(Type or Print Name)

William T. Poole, Jr.,
President

Signature

3300 Eastern Boulevard

574-8666

Address

Phone No.

Baltimore, Maryland 21220

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted
Robert A. Hoffman, Esquire

Name 210 Allegheny Avenue

Towson, Maryland 21204 494-6200

Address

Phone No.

ORDER RECEIVED FOR FILING

Date

By



OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING - 1/2HR.

+1HR.

AVAILABLE FOR HEARING

MON./TUES./WED. - NEXT TWO MONTHS

ALL OTHER

REVIEWED BY: mtk DATE 5/19/92



Petition for Variance

#487

92-400-5PH

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 414.5 to permit a space of 20 feet from side to

side and to permit a space of 16 feet from rear to rear of unit in lieu of the required 25 feet for those lots shown on the attached plan (sheet 2 of 2).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

To permit the replacement of an older existing home with either a larger single-section home or a double-section home in an existing mobile home park as the present owners of existing homes desire to up-date their houses. Will allow the owners of the park to maintain a desirable and up-dated manufactured housing community and continue to offer this affordable housing option to Baltimore County residents for years to come.

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/Lessee:

N/A

(Type or Print Name)

Signature

Address

City and State

Legal Owner(s):

Williams Estates

(Type or Print Name)

Williams Management Services, Inc.

General Partners

Signature

By

W.T. Poole Jr.

(Type or Print Name)

William T. Poole Jr.,
President

Signature

3300 Eastern Boulevard 574-8666

Address

Phone No.

Baltimore, Maryland 21220

City and State

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

Robert A. Hoffman, Esquire

Name 210 Allegheny Avenue

Towson Maryland 21204 494-6200

Address

Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING -1/2HR.

+1HR.

AVAILABLE FOR HEARING

MON./TUES./WED. - NEXT TWO MONTHS

ALL OTHER

REVIEWED BY: MTK DATE 5/19/92

Attorney for Petitioner:

Robert A. Hoffman, Esquire

(Type or Print Name)

Signature

210 Allegheny Avenue

Address

Towson, Maryland

City and State

494-6200

Attorney's Telephone No.:

ORDER RECEIVED FOR FILING

Date

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
658 KENILWORTH DRIVE, SUITE 100, TOWSON, MARYLAND 21204

92-460-SPH

Description to Accompany
Petition for Variance.

April 30, 1992

Beginning for the same on the northern right-of-way line of Eastern Avenue (Route 150) 50 feet wide at the easternmost corner of a Plat of Bengies Trailer Village filed among the Plat Records of Baltimore County in Plat Book E.H.K., Jr. 35 folio 101 thence binding on the northern right-of-way line of Eastern Avenue as shown on said Plat the five following courses and distances

1 - Southwesterly by a line curving to the west with a radius of 2058.48 feet for an arc distance of 219.70 feet (the chord of said arc being South 62° 36' 14" West 219.59 feet)

2 - South 65° 39' 40" West 622.81 feet

3 - Southwesterly by a line curving to the south with a radius of 1170.92 feet for an arc distance of 564.39 feet (the chord of said arc being South 51° 51' 10" West 558.94 feet)

4 - South 38° 02' 40" West 249.69 feet and

5 - Southwesterly by a line curving to the west with a radius of 975.00 feet for an arc distance of 624.24 feet (the chord of said arc being South 56° 23' 10" West 613.63 feet) to the northeast right-of-way line of Bengies Road 50 feet wide thence binding on the northeast right-of-way line of Bengies Road as shown on said Plat the nine following courses and distances

6 - North 74° 58' 43" West 41.48 feet

7 - North 44° 41' 40" West 163.14 feet

8 - Northwesterly by a line curving to the north with a radius of 575.00 feet for an arc distance of 146.05 feet (the chord of said arc being North 37° 25' 04" West 145.66 feet)

9 - North 30° 08' 28" West 441.53 feet

10 - Northwesterly by a line curving to the west with a radius of 425.00 feet for an arc distance of 176.04 feet (the chord of said arc being North 42° 00' 26" West 174.78 feet)

11 - North 53° 52' 24" West 200.00 feet

12 - Northwesterly by a line curving to the west with a radius of 1019.99 feet for an arc distance of 99.92 feet (the chord of said arc being North 56° 40' 47" West 99.88 feet)

13 - North 59° 29' 10" West 390.02 feet and

14 - North 21° 11' 40" West 90.60 feet thence

#487

Description to Accompany
Petition for Variance.

April 30, 1992

Page -2-

92-4603PH

15 - North 68° 48' 20" East 589.64 feet thence

16 - North 21° 11' 40" West 150.00 feet to the southern right-of-way of
the Penn Central Railroad thence binding on the southern right-of-way of Penn
Central Railroad as shown on said Plat the three following courses and distances

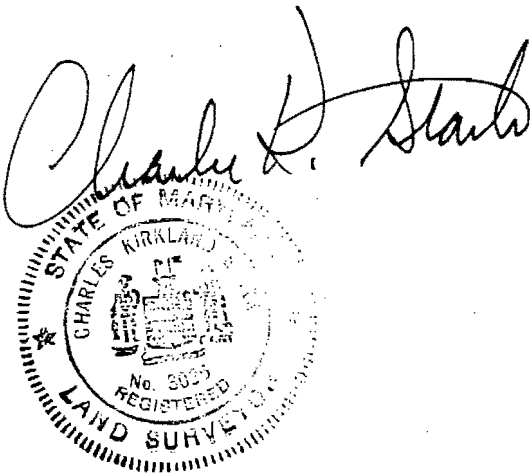
17 - North 68° 48' 20" East 2111.65 feet

18 - North 18° 01' 40" West 62.60 feet and

19 - North 68° 48' 20" East 202.95 feet thence

20 - South 19° 21' 30" East 1292.50 feet to the place of beginning.

Containing 84.524 acres of land more or less.



RECEIVED
COUNTY BOARD OF APPEALS

James Hetmanski
3617 Wheelhouse Tr.
Baltimore, MD 21220

May 3 - 1993

93 MAY -7 PM 3:53 RE: Variance SPHA-92-460

Court of Appeals.

I am a resident of Williams Estates for the past 3 years.

29' side to side 16' rear to rear, is too close for mine and my neighbors safety.

Mobile Homes are made of light metal and softwood are vulnerable to fire, lightning, wind storm and are highly inflammable. These units are heated with kerosene.

Down my home pay taxes, rent \$305.50 Month, insurance and maintenance. If there were any casualties I would suffer the loss.

There are enough lots in Williams Estates to put double section homes without the variance. Please consider my request not to grant the variance as requested by Williams Estates Management.

Thanking you sincerely for giving this matter your kind attention.

James Hetmanski

TO WHOM IT MIGHT CONCERN:

The Bengies Manufactured Home-Owners Association, Inc., a legal corporation in the State of Maryland, located in Baltimore County consisting of the Manufactured Homeowners on the land known as Williams Estates, Oakdale, & Peppermint Woods does resolve by the authority of the Board of Directors of the Bengies Manufactured Home-Owners Association, Inc., to appoint until replaced Mrs. Sandra Dawson and Ms. Gretchen Floyd as Zoning Committee members be responsible for review on our action on all zoning matters which may have impact on our community both directly or indirectly, and shall include, but not be limited to, being opposed to the appeal on Zoning issue 92-460-SPHA dated 11/23/92.

RECEIVED
COUNTY BOARD OF APPEALS
92 JAN - 8 AM 10:23

Be it also resolved that the Zoning Committee shall be concerned and supportive of other like community associations such as, but not limited to The Bowleys Quarters Improvement Assoc., The Stevens Road Improvement Association, Bird River Civic Assoc., and any other Mobile and or Manufactured Homeowners Assoc.

This Resolution shall serve as to include all parts of Rule 8 of the Board of Appeals of Baltimore County, and as such, so states it has been the intention of the Board of Directors of the Bengies Manufactured Home-Owners Association, Inc., for Sandra Dawson and Gretchen Floyd to represent the Association in all zoning matters in the past, in the present and in the future.

AFFIDAVIT: I swear upon penalty of perjury that I am a duly appointed member of the Zoning Committee of the Bengies Manufactured Home-Owners Association, Inc.

Sandra Dawson

Sandra L. Dawson

P.O. Box 5074, Balt. Md.
21220

Gretchen Floyd

Gretchen A. Floyd

P.O. Box 5074 Balt. Md.
21220

As witness our hands and seals this 11th. day of October, 1992,
Board of Directors, Bengies Manufactured Home-Owners Association,
Inc.

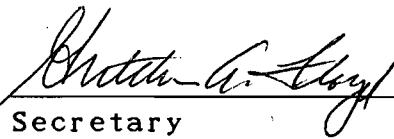
Jacqueline M. Miller
Jacqueline W. Miller 2nd
Gretchen A. Floyd
Sandra L. Dawson

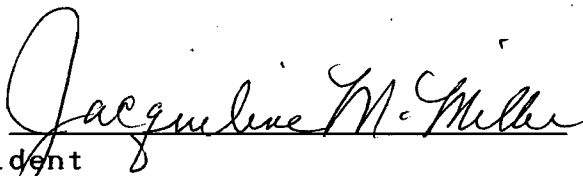
Page 2 of 2

Bengies Manufactured Home-Owners Association

As witness our hands and seals this 11th, day of October, 1992,

ATTEST: Bengies Manufactured Home Owners Association


Secretary


President

* Change of name recorded w/ appeals:

(SD)

TO WHOM IT MIGHT CONCERN:

BALT. COUNTY MORTGAGE &

The Bengies Manufactured Home-Owners Association, Inc., a legal corporation in the State of Maryland, located in Baltimore County consisting of the Manufactured Homeowners on the land known as Williams Estates, Oakdale, & Peppermint Woods does resolve by the authority of the Board of Directors of the Bengies Manufactured Home-Owners Association, Inc., to appoint until replaced Mrs. Sandra Dawson and Ms. Gretchen Floyd as Zoning Committee members to be responsible for review on our action on all zoning matters which may have impact on our community both directly or indirectly, and shall include, but not be limited to, being opposed to the appeal on Zoning issue 92-460-SPHA dated 11/23/92.

RECEIVED
COUNTY BOARD OF APPEALS
JAN-93
4:10:23

Be it also resolved that the Zoning Committee shall be concerned and supportive of other like community associations such as, but not limited to The Bowleys Quarters Improvement Assoc., The Stevens Road Improvement Association, Bird River Civic Assoc., and any other Mobile and or Manufactured Homeowners Assoc.

This Resolution shall serve as to include all parts of Rule 8 of the Board of Appeals of Baltimore County, and as such, so states it has been the intention of the Board of Directors of the Bengies Manufactured Home-Owners Association, Inc., for Sandra Dawson and Gretchen Floyd to represent the Association in all zoning matters in the past, in the present and in the future.

AFFIDAVIT: I swear upon penalty of perjury that I am a duly appointed member of the Zoning Committee of the Bengies Manufactured Home-Owners Association, Inc.

Sandra Dawson

Sandra L. Dawson

P.O. Box 5074, Balt. Md.
21220

Gretchen Floyd

Gretchen G. Floyd

P.O. Box 5074 Balt. Md.
21220

As witness our hands and seals this 11th. day of October, 1992,
Board of Directors, Bengies Manufactured Home-Owners Association,
Inc.

Jacqueline M. Miller

Janet W. Miller 2nd

Gretchen G. Floyd

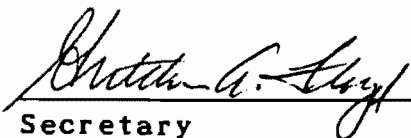
Sandra L. Dawson

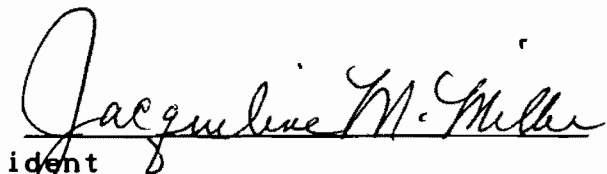
Page 2 of 2

Bengies Manufactured Home-Owners Association

As witness our hands and seals this 11th, day of October, 1992,

ATTEST: Bengies Manufactured Home Owners Association


Secretary


President

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME

ADDRESS

Rob Hoffman
Bill POOLE
MIKE NIMA
CHARLES R. STARK

210 Alleyway
3300 EASTERN BOULEVARD 21220
3300 Eastern " 21220
G.W. STEPHENS JR & ASSOC
658 Kenilworth Drive 21207

KENNETH Wrightson
THERESA Wrightson
Linda Dawson
GEORGE C MAI
JAMES KRAFT

3518 WHEELHOUSE Rd. 21220
3518 WHEELHOUSE Rd. 21220
149 Cowbird Circle
3592 DAHLIA LANE 21220
3525 DAHLIA LANE 21220

PROTESTANT(S) SIGN-IN SHEET

ADDRESS

DANNY C JACKSON	3532 DOLLY LN 21220
Donald & Carol Cristall	9 Iris Lane 21220
Ken Wright	3515 WHEE/HOUSE 21220
Jim Wright	57 Peppermint Lane 21220
Donna P. Foard	17 Iris Lane 21220
BARBARA A. JACKSON	3532 DAHLIA LANE 21220
BARBARA SHAVEN	3515 BUCKBOARD LANE 21220
& LLOYD	205 TRAILWAY RD 21220
Jennifer Dawson	149 Cowhick Circle 21220
FREDERICK J. DENKIE	151 Cantidie Circle 21220

NW/s Eastern Ave., 1600' NE of c/l of Carroll
Island (Williams Estates)

#92-460-SPHA

WILLIAMS ESTATES

Appealed: 11/23/92 15th District

PETITIONER'S
EXHIBIT 3



WILLIAMS ESTATES



Older single-wide homes



Available Empty Sites



New larger homes on sites that had older single wide homes.

New larger homes on sites that
had older single wide homes.



66-185

Cert. Sub

Cert. Sub # 2

Zoning

A. V. WILLIAMS

vs.

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

IN THE
CIRCUIT COURT
FOR
BALTIMORE COUNTY
AT LAW

2
Dkt. No. _____
Folio No. 179
File No. 2073

ANSWER TO ORDER OF APPEAL TO CIRCUIT COURT
FOR BALTIMORE COUNTY AND CERTIFIED COPIES
OF PROCEEDINGS BEFORE THE ZONING COMMISSIONER
AND BOARD OF APPEALS OF BALTIMORE COUNTY

ME, CLERK:

Please file, &c.

Muriel E. Erdman
County Board of Appeals of Baltimore County

70-184-ASPH

1

PETITION FOR ZONING VARIANCE
FROM AREA AND HEIGHT REGULATIONS

AS & Special Hearing

70-184-ASPH

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

I, or we, Bungles Trailer Village, Inc., legal owner... of the property... in Baltimore County and which is described in the description and plat attached hereto and which is part hereof,

herby petition for a Variance from Section 111.1.1 - (1) To provide an 8' setback along

the N 68° 10' 20" E - 52.00'; N 21° 11' 10" W - 150'; N 68° 10' 20" E -

1662.66' (Railroad Property) instead of required 75' and (2) To permit a 95'

setback along the East Side of Bungles Road as widened instead of required 100' of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

(1) The 8' setback will be against the Railroad Property, therefore the 75' setback is not needed as protection to Residential Properties.

(2) Along the West Side of Bungles Road a Trailer Park exists and Trailers are situated within several feet of the Road.

Special Hearing - To remove Restriction number 3 in Board of Appeals

Order dated January 6, 1967

See attached description

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.

Contract purchaser

Address

Robert J. Amadio

Petitioner's Attorney

Address

Address

10 Box 836

BALTO, MD 21203

Protestant's Attorney

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day

of FEBRUARY 1967, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commission of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of March, 1967, at 2:00 o'clock



Edward D. Hardin
Zoning Commissioner for Baltimore County

(over)

2-21-67
3/2/67
6-2-67

P.L. Vol # 3

84-283-A

PETITION FOR ZONING VARIANCE 84-283-A

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 111.4 (1) 50 FEET MIN. A 50 foot setback from Bangles Road instead of the required 100 feet for lots 151 through 157 and (2) to permit a 25 setback from the north boundary line adjacent to the Penn Central Railroad property instead of the required 75 feet for lots 51 through 99.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)

- (1) The 50 foot setback will allow mobile homes to within 10 feet of an existing 50 foot drainage easement along Bangles Road. Variance was granted to permit 25 foot setback immediately adjacent north of this area.
- (2) There is an existing wooded buffer area 62.6 feet in width between the north boundary line and the main Penn Central Railroad right of way.

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

Attorney for Petitioner:

John A. Howard

(Type or Print Name)

210 Allegheny Avenue

P.O. Box 5517

Baltimore, MD 21204

City and State

Attorney's Telephone No.: 823-4111

Legal Owner(s):

William T. Poole

(Type or Print Name)

Signature

William T. Poole

(Type or Print Name)

Signature

P. O. Box 4996

574-8466

Address

Phone No.

Baltimore, Maryland

21220

City and State

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

John A. Howard

Name

210 Allegheny Ave.

P.O. Box 5517

823-4111

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 21st day of

March 1985, 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 104, County Office Building in Towson, Baltimore County, on the 25th day of April, 1985 at 1:30 o'clock

P.M.

Bill John

Zoning Commissioner of Baltimore County

(over)

Pet. Exh #4

ORDER RECEIVED

Mary Catherine Hall







WILLIAM T. POOLE, JR.
3300 Eastern Boulevard
Baltimore, Maryland 21220
(410) 574-8666

Pl. Encl #5

BUSINESS EXPERIENCE:

WILLIAMS MANAGEMENT SERVICES, INC.
Baltimore, Maryland

1976 - Present

President
Property Management and Development
of Manufactured Housing Communities.
Currently 5 communities under management
in Maryland.

A.V. WILLIAMS TRUST
Baltimore, Maryland

1976 - Present

Director of Real Estate
Management of 1,500 acre land bank
of residential and industrial property.

PASCAL-TURNER, LTD.
Baltimore, Maryland

1984 - Present

President
Manufactured home sales, brokerage and
home improvement.

WACHOVIA MORTGAGE COMPANY
Raleigh and Winston-Salem, N.C.

1974 - 1976

Construction Loan Officer
Income property loan brokerage and
construction loan administration.

EDUCATION:

WASHINGTON AND LEE UNIVERSITY
Lexington, Va.

B.S. in Commerce

1970

WHARTON SCHOOL OF FINANCE
University of Pennsylvania
Philadelphia, Pa.

M.B.A. in Real Estate Finance

1974

Pt E.L.#6





Main Entrance at the intersection of Eastern Blvd. and Bengies Road

Plot Exh 7A



Daycoach Circle streetscape showing portion of expansion built in 1985.

WILLIAMS ESTATES
VARIANCE REQUEST

WILLIAMS ESTATES COMMUNITY

Pct. Est 7B



Streetscape of double wides in Williams Estates expansion on Rodeo Circle.

WILLIAMS ESTATES
VARIANCE REQUEST

WILLIAMS ESTATES COMMUNITY

Pl. 5/17/70



Streetscape of original homes on Dahlia Lane.



Streetscape of original homes on Honeysuckle Lane.

WILLIAMS ESTATES
VARIANCE REQUEST

WILLIAMS ESTATES COMMUNITY

*Per. Sub
7D*



New double wide home replacing previous older single wide home on Wheelhouse Road.



Now double wide home replacing previous older single wide home on Wheelhouse Road.

Est. Exh #8

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NFPA 501A

Standard for Firesafety Criteria for Manufactured Home Installations, Sites, and Communities

1987 Edition

This edition of NFPA 501A, *Standard for Firesafety Criteria for Manufactured Home Installations, Sites, and Communities*, was prepared by the Technical Committee on Firesafety for Manufactured Homes, and acted on by the National Fire Protection Association, Inc. at its Annual Meeting held May 18-21, 1987 in Cincinnati, Ohio. It was issued by the Standards Council on June 10, 1987, with an effective date of June 30, 1987, and supersedes all previous editions.

The 1987 edition of this standard has been approved by the American National Standards Institute.

Origin and Development of NFPA 501A

NFPA activity in this general area commenced in 1937 when NFPA organized its first Committee on Trailers and Trailer Courts. The first standard covering Trailer Coach Camps appeared in 1939, with revisions in 1940, 1952, 1960, and 1964. A completely new edition was adopted in 1971, and this text was revised in 1972, 1973, 1974, 1975, 1977, and 1982.

The American National Standards Institute (ANSI) approved the 1972 NFPA edition on May 8, 1973; the 1973 NFPA edition on December 28, 1973; the 1974 NFPA edition on January 30, 1975; the 1975 NFPA edition on February 27, 1976; and the 1977 NFPA edition on October 18, 1977.

The 1982 edition on *Standard for Firesafety Criteria for Mobile Home Installations, Sites and Communities* superseded the 1977 edition and was adopted by NFPA at its Annual Meeting held in San Francisco on May 19, 1982.

The 1982 edition was produced by the newly formed Committee for Firesafety for Mobile Homes (June 20, 1979) charged with the responsibility of developing documents for firesafety criteria for single-family mobile homes including the installation, sites, and communities, and the maintenance of and improvements for existing mobile homes. Therefore, that edition excluded all sections of previous editions not considered within the Committee scope. Notably excluded were stabilizing and anchoring systems; requirements for piers and footings; and plumbing, including sewage disposal systems. Requirements for park electrical systems were addressed by reference to the *National Electrical Code*®.

Modifications were also made in sections dealing with fuel supply, air conditioning and life and firesafety.

This 1987 edition includes major revisions to the standard in an attempt to better coordinate the NFPA chapters in a joint publication with NCSBCS, ANSI A225.1/NFPA 501A. Major changes include substituting "manufactured home" for "mobile home" throughout, deleting Chapter 3, "Air Conditioning," and expanding Chapter 2, "Fuel Supply," and combining three appendixes into two.

Get. Sub #9

ITEM	HUD CODE	DOCA CODE	SAME-LESS-MORE
SPACE PLANNING (MINIMUM)			
Overall floor area	Not specified	Not specified	Same
Room size	Living room=150 sq. ft. Double bedroom=70 sq. ft.	Living room=150 sq. ft. Bedrooms=70 sq. ft.	Same Same
Ceiling height	7 ft.	7.5 ft.	Less
Hallway width	28 in.	36 in.	Less
LIGHT & VENTILATION (MINIMUM)			
Glazed area	8%	8%	Same
Unobstructed area	4%	4%	Same
Mechanical - ventilation	Habitable=2 air changes per hr. Bath=5 air changes per hr.	Habitable=2 air changes per hr. Bath=5 air changes per hr.	Same Same
THERMAL PROTECTION			
	Equipment & insulation to provide 70 degrees F. inside in winter	Equipment & insulation to provide 70 degrees F. inside in winter	Same
PLUMBING			
Material	Nationally accepted standards	Nationally accepted standards	Same
Construction & System	Accepted methods	Accepted methods	Same
Tests & Inspections	Water system, drainage, vent system & fixtures are tested	Water system, drainage, vent system & fixtures are tested	Same
ELECTRICAL			
Material	Acceptable under NEC	Acceptable under NEC	Same
Construction & System	NEC	NEC	Same
Electrical tests	Dielectric, continuity operational, polarity tests/NEC	Dielectric, continuity operational, polarity tests/NEC	Same
TRANSPORTATION			
	Designed to fully withstand the transportation shocks and vibrations	Not applicable	N/A
DESIGN EVALUATIONS			
	Designed by professional engineers/architects & checked by independent professionals	Site built residences not necessarily designed and checked by professionals	More
INSPECTIONS DURING CONSTRUCTION			
	Inspected by independent inspectors & public officials	Local inspectors	More

Compendium Of Executive Summaries

Reports **1** - **6**

MANUFACTURED
HOUSING
RESEARCH
PROJECT

Project Directors:

Kate Warner, Ph.D.

Robert Johnson, D.Arch.

Est. ExL 10A



University of Michigan

College of Architecture & Urban Planning
Ann Arbor, Michigan 48109-2069

January 1993

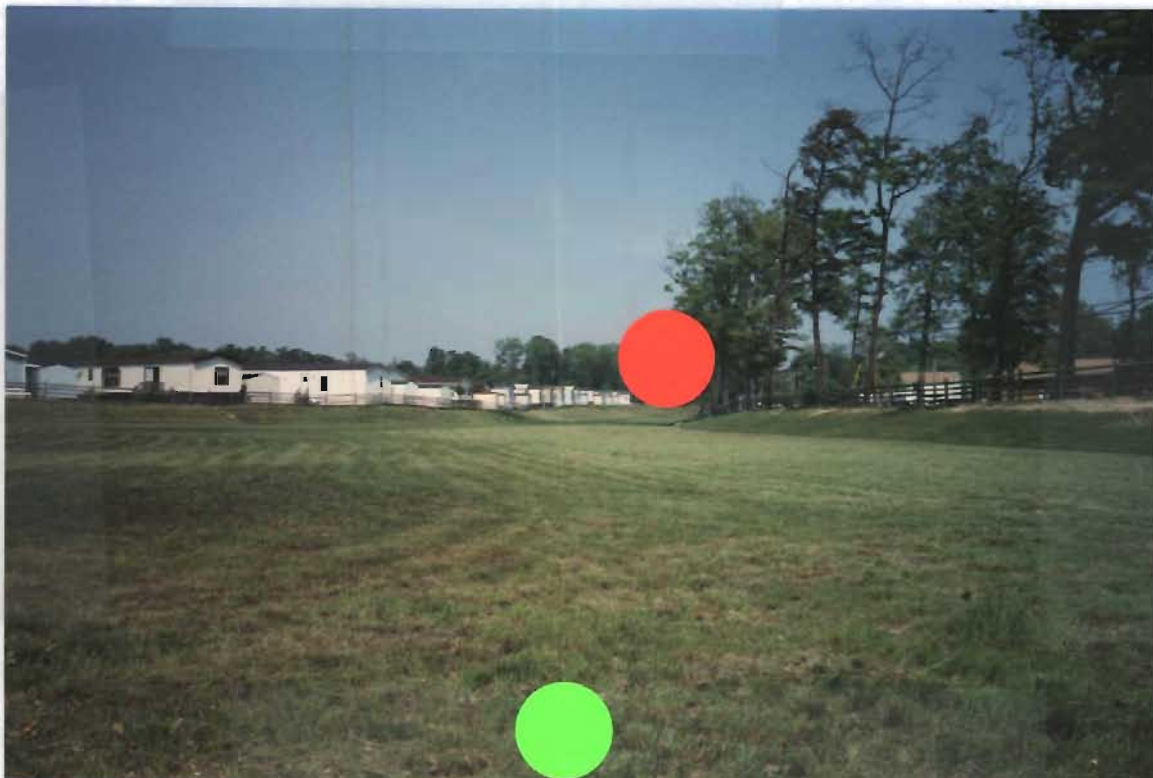
WILLIAMS ESTATES
VARIANCE REQUEST

STORM WATER MANAGEMENT

*Put. E&L
11 A*



RED DOT: Picture taken at North end of storm pond looking to South end (green dot).

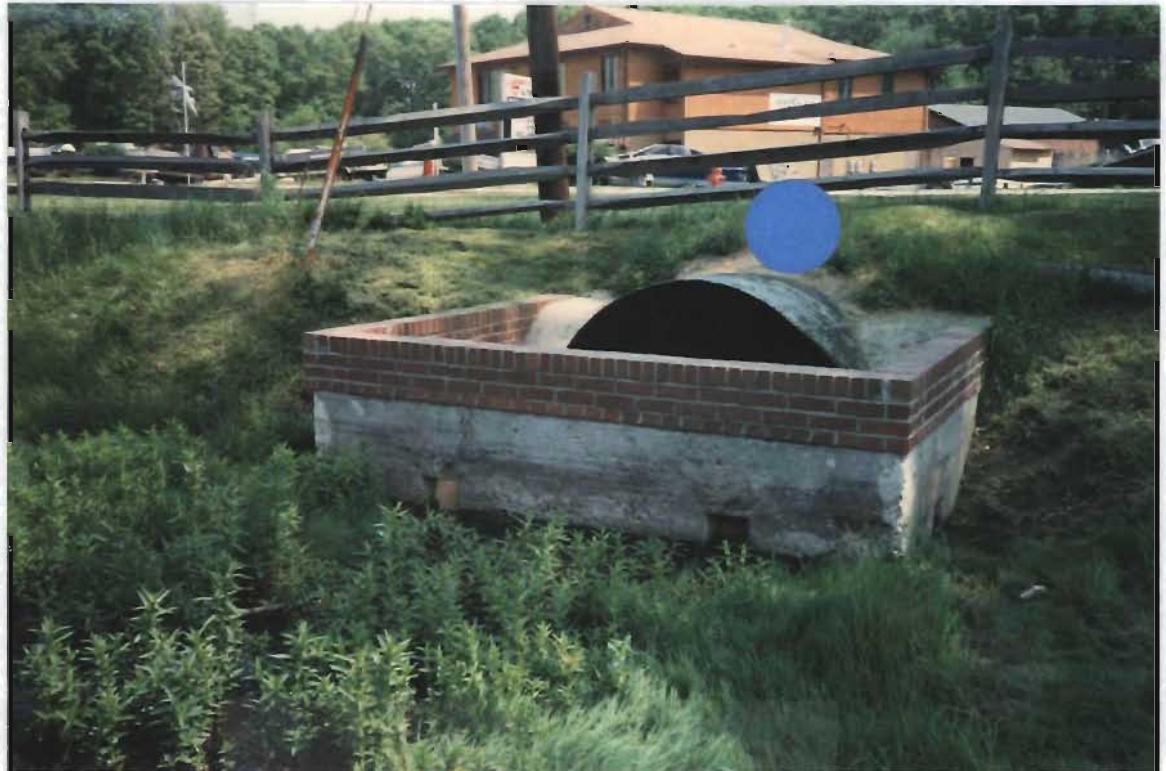


GREEN DOT: Picture taken at South end of storm pond looking to North end (red dot).

WILLIAMS ESTATES
VARIANCE REQUEST

*Carl. Esch
#12*

STORM WATER MANAGEMENT



BLUE DOT: In storm pond looking at head wall. Shows 3 of 4 access holes for storm water along with State Highway drain pipe under Eastern Blvd.



Outfall Structure: Picture shows inside of outfall structure looking behind head wall. Shows 3 of 4 access holes.

WILLIAMS ESTATES
VARIANCE REQUEST

STORM DRAIN IMPROVEMENT

DAHLIA LANE AND WAGON TRAIN ROAD DRAIN

*Cont. Sch
#13*



RED DOT: Additional Drain Installed.



RED DOT: New drain along with new end section to original drain.

Est. Sub # 14

INSIDE

Suzanne Vega

Trying to capture
the sounds inside
a person's head

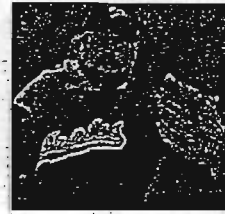
Maryland Live



UMBC, Mount advance

UMBC wins, Towson
upset in Big South;
Mount wins in NEC

Sports, 1D, 6D



Play ball!

Rick Sutcliffe
is Orioles starter
for exhibition opener

Sports, 1D

THE

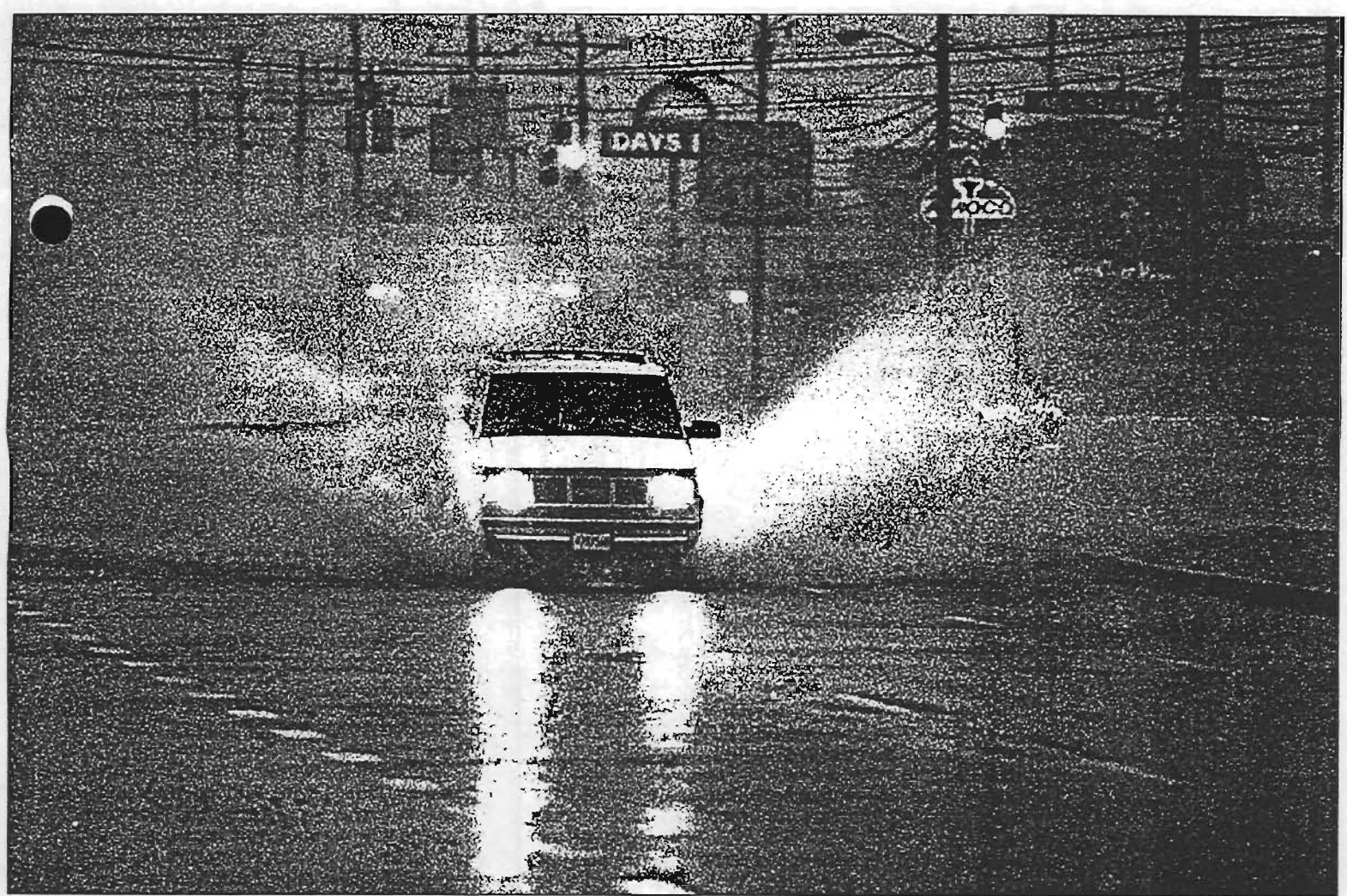


SUN

FRIDAY, MARCH 5, 1993 • VOLUME 312, NUMBER 94

BALTIMORE, MARYLAND

HOME DELIVERY: 25¢ (in most areas) • NEWSSTAND: 50¢



BO RADER/STAFF PHOTO

**March storm
soaks state**

A van on Ocean City's Coastal Highway appears to have water wings as it rolls through floodwaters. Heavy snow buried Western Maryland, and high winds and heavy rain buffeted the rest of the state, knocking out power to more than 160,000 homes and businesses — most of them in the Baltimore metropolitan area. The rain also was cited as a factor in a fatal traffic accident. (Article on Page 1B)

Est. Gph # 15



W.E. stormpond
Working Fine
314193 1:00pm

Cat. Sub # 16



Wagon + Dahlia
Working Fine
3/4/93 1:00pm



Jackie Miller
Inspecting
3/4/93 1:00pm

Baltimore County Government
Department of Environmental Protection
and Resource Management



401 Bosley Avenue
Towson, MD 21204

(410) 887-3733

August 10, 1992

Post-It™ brand fax transmittal memo 7871 # of pages 2

To	Williams Boole	From	Jim Dieter
Co.	Mrs. Ingrid. Ser	Co.	DEPRM
Dept.		Phone	887-3733
Fax	574-3255	Fax	887-4804

Ms. Jacqueline Miller
8 Raspberry Court
Baltimore, Maryland 21220

Re: Williams Trailer Parks

Dear Ms. Miller:

At the recent (July 14, 1992) meeting at Chase Elementary School, several inquiries, concerns and complaints were voiced by the citizens. In an effort to keep the lines of communication open, I hope you will forward this response to your neighbors.

1. Water Drainage - Sanitarians of the Eastern Regional Community Services Division have made several inspections over the last several weeks. Generalized drainage problems have not been detected. However, they will continue to monitor the situation particularly after heavy rain events. As indicated, the stormwater management facilities and storm drain system within the park are private utilities. The park owner is responsible for all repair and maintenance to this system. However, my offer to provide some review and suggestions by County engineers to the Citizen Committee is still available.

The question of individual or specific lot drainage problems would have to be rectified by park management. The County uses a rough criteria of standing water for 24 hours to qualify as a drainage problem on a lot.

2. Oil Tanks - The State of Maryland (Maryland Department of the Environment) regulates certain underground fuel tanks. The normal residential (275 gallon) tanks are not under these regulations. The removal of the underground tanks and replacement above ground is not a mandated requirement. Payment for this activity would be strictly between the landlord and the tenant.
3. Noise - Construction noise within the park would be regulated according to the Maryland State Noise Regulations. Between the hours of 7:00 a.m. and 10:00 p.m., the maximum limit is 90 decibels. A 55-decibel limit is in force, unless an emergency situation occurs, during the remainder of the night and early morning hours.

Ms. Jacqueline Miller
August 10, 1992
Page Two

4. Oil in Driveway - A report of an oil-soaked driveway from a previous tenant was reported. DEPRM personnel will continue to evaluate this situation at 102 Cowhide Circle.

If additional clarification is necessary, please contact me at 887-3733. Arrangements can also be made to have DEPRM staff attend any committee meetings if you think it would be beneficial.

Sincerely yours,


J. James Dieter
Director

JJD:pmf

cc: The Hon. Vincent J. Gardina
Ms. Lea A. Petr
Mr. William T. Poole

WILLIAMS ESTATES VARIANCE REQUEST
 ANALYSIS OF HOME SALES RATIOS

Pet. Exh
#18

HOME SIZE	S.F. INCREASE OR (DECREASE) IN IMPER- VIOUS AREA VS. 14'*70'	ASSUME FOLLOWING PERCENTAGE OF SALES FOR EACH HOME SIZE	WEIGHTED AVERAGE INCREASE OR (DECREASE) IN IMPER- VIOUS AREA
SCENARIO #1			
14'*70'	0	50%	0
24'*44'	-379	10%	-37.9
24'*52'	-187	15%	-28.05
24'*60'	5	8%	0.4
28'*48'	-100	10%	-10
28'*60'	235	7%	16.45
		100%	

AVERAGE INCREASE OR (DECREASE) IN IMPERVIOUS
 AREA PER SITE UNDER THIS SCENARIO.....

-59.1 S.F. (~~DECREASE~~)

SCENARIO #2			
14'*70'	0	40%	0
24'*44'	-379	20%	-75.8
24'*52'	-187	15%	-28.05
24'*60'	5	6%	0.3
28'*48'	-100	4%	-4
28'*60'	235	15%	35.25
		100%	

AVERAGE INCREASE OR (DECREASE) IN IMPERVIOUS
 AREA PER SITE UNDER THIS SCENARIO.....

-72.3 S.F. (~~DECREASE~~)

SCENARIO #3

14'*70'	0	50%	0
24'*44'	-379	15%	-56.85
24'*52'	-187	5%	-9.35
24'*60'	5	5%	0.25
28'*48'	-100	0%	0

Tapobrata Chakrabarti, P.E.

Ch. E. #20

Principal

Chief Engineer
Vice-President

Since 1970, Mr. Chakrabarti has been with Stephens and Associates, bringing expertise in:

Project Management

Industrial & Business Park Planning & Design

Storm Water Management

Storm Drain Design

Highway Engineering

Sewage Treatment Facilities

Water Supply Systems

Erosion & Sediment Control

Railroad Design

Structures

Construction Administration

Mr. Chakrabarti's experience also includes work as a teaching assistant at Brigham Young University. In addition, he worked in Calcutta, India, with the Calcutta Metropolitan Planning Organization and the State Public Works Department as an assistant engineer and technical assistant, respectively.

Registration

Professional Engineer, Maryland

Education

M.C.E., Brigham Young University
Sanitary and Structural Engineering

B.E., University of Calcutta, India
Civil Engineering

Professional Memberships

National Society of Professional Engineers (NSPE)

County Engineers Association of Maryland

**Member, Board of Supervisors -
Baltimore County Soil Conservation District**

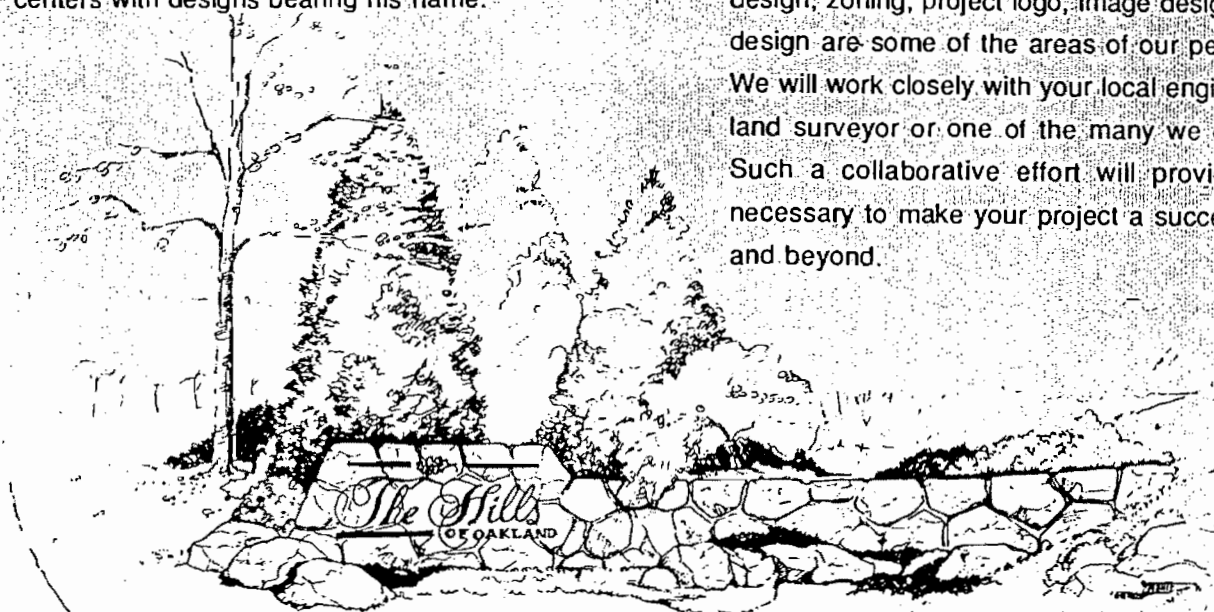


The challenge to the professional Land Planner or Landscape Architect is to combine efficiency and creativity in the design process so that the end product is attractive and cost effective. For more than twenty five years, Don Westphal has provided this kind of design service. Schooled in Landscape Architecture at Michigan State University (B.S. 1963) and the University of Illinois (M.L.A. 1969), Mr. Westphal brings a balanced blend of practicality, knowledge, creativity and sensitivity to the environment to each land planning challenge. Attractive environments for more than 250,000 homes nation wide have been provided in subdivisions, manufactured home communities, and sales centers with designs bearing his name.

The decade of the 1990's promises to be a time of fierce competition for the consumer dollar. The leveling off of the growth in income and the increases in land costs, regulations and requirements on the developer make efficiency and creativity in the design process even more important today than in the past. Yet the consumer of today demands a level of quality image and aesthetics in both the living and working environment never before required.

Oct 24/81

The firm of Donald C. Westphal, Landscape Architects and Site Planners stand ready to assist you in your next new project or on the upgrading or modernization of an existing one. Site planning and design, zoning, project logo, image design and landscape design are some of the areas of our personal expertise. We will work closely with your local engineer, architect or land surveyor or one of the many we can recommend. Such a collaborative effort will provide the planning necessary to make your project a success in the 1990's and beyond.



donald c. westphal

landscape architect and site planner
512 madison avenue rochester, mi. 48307



GEORGE E. GAVRELIS

Est. 1948
22

Vice President



George Gavrelis has broad, extensive training and background in planning and zoning, particularly in Baltimore County. Mr. Gavrelis has a thorough knowledge of planning and zoning procedures, as well as the detailed requirements and standards of the zoning and development regulations. His expertise assures that projects comply with applicable standards and move more expediently through the approval process.

Mr. Gavrelis is recognized as an expert witness in planning, zoning and land use issues and testifies before the Zoning Commissioner, the Board of Appeals and the Circuit Court.

Professional Background

Daft-McCune-Walker, Inc.
Towson, Maryland
1984 - Present

Private Planning Consultant
1982 - 1984

Developers General
Corporation
1972 - 1982

Baltimore County Office of
Planning and Zoning
Towson, Maryland
1951 - 1972
Director, 1963 - 1972

Education

Master of City Planning
Harvard University Graduate
School of Design

Bachelor of Arts
Harvard College

Associations

American Institute of
Certified Planners, Charter
Member

American Planning
Association

Committees

The Towson Partnership
Urban Design Subcommittee

Executive Steering
Committee, Baltimore
County Master Plan, Strategic
Plan 2000

Land Use Committee
Baltimore County
Chamber of Commerce

Long Range Planning
Committee, Trinity Episcopal
Church

Advisory Group
1992 Comprehensive Zoning
Map Guidelines

Significant Projects

Towson Commons
Towson, Maryland

Caves Valley Club
Documented site plan
reclassification and special
exception

Mays Chapel North Planned
Unit Development
Timonium, Maryland

Land Owners Council,
Reciprocal Regional
Development Agreement
Owings Mills Growth Area
Baltimore County, Maryland

New Density Residential
Zones
Baltimore County, Maryland

The Guideplan, a
Comprehensive Plan for
Baltimore County, Maryland

Guest Lecturer

National Conventions,
National Association of
Home Builders
Houston, Texas
Las Vegas, Nevada

Development Seminar,
National Association of
Home Builders
Phoenix, Arizona

Home Builders Institute,
Home Builders Association
of Maryland

Awards

Home Builders Association
of Maryland, Distinguished
Service Award
1979 and 1980

Baltimore County Chamber
of Commerce Leadership
Award, Growth
Management Committee
1981



DAFT-McCUNE-WALKER, INC.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: July 9, 1992

SUBJECT: Williams Estates

INFORMATION:

Item Number: No. 487

Petitioner: Williams Management Services, Inc.

3300 Eastern Blvd

Baltimore MD 21220

Property Size: 86.413± acres

Number of Units: 557

Zoning: ML-IM

Requested Action: Variances

Zoning History:

#66-165-X, Special exception granted for manufactured housing.

#70-184-ASPH, Variances granted for setbacks to tract boundaries.

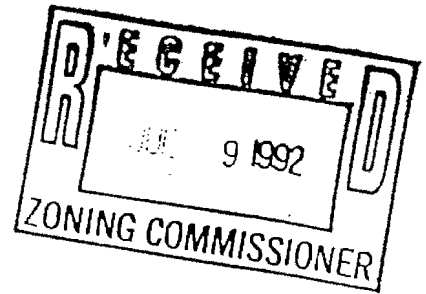
#84-283-A, Variances granted for setbacks to tract boundary.

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

The petitioner has requested blanket variances to allow building to building setbacks of 20 feet, and 16 foot setbacks from the rear of those units backing onto Eastern Ave., and the eastern tract boundary as well as the rears of other units.

The Williams Estates is one of Baltimore County's largest and best managed manufactured home developments. The quality of the development is excellent with the vast majority of the units being well maintained and landscaped. The original development was approved in 1966 with the vast bulk of the units being 12 or 14 feet wide and 60 to 80 feet in length. The industry at that time was manufacturing units which were conveyed to the site via the use of axle and wheel assemblies (Attachment A). The manufactured home industry has changed radically since that time with the advent of modular home construction (Attachment B).



ZAC COMMENTS: Williams Estates - No. 487

TO: Arnold Jablon

DATE: July 9, 1992

The modular home construction industry essentially prefabricates the homes at a plant, which are then conveyed to the site and then pieced together.

The modular homes are quite sizeable containing up to 1,200 square feet of living space. In addition, the homes have architectural details such as pitched roofs, porches, bay windows, etc. The newer manufactured homes present a much better image than the older mobile homes.

The variances requested regarding the side yard setbacks are in conformance with the new CMDP regarding building setbacks (Attachment C). The BCZR and CMDP allow distances between buildings of 20 feet for single-family detached dwellings, DR 5.5, 10.5 or 16 zones. The petitioner's request is in conformance with these regulations.

The rear yard variances differ significantly from what is required for single-family detached homes in the DR 5.5, 10.5 or 16 zones. A 30 foot rear yard is required. Staff believes that adequate rear yards should be provided, however, the nature of the manufactured housing industry as well as the layout for the Williams Estates does provide adequate building separation and adequate rear yard space for the provision of storage sheds. The restrictions on the development also regulate exterior maintenance. The entire resubdivision of this development to accommodate these upgraded units would not be appropriate.

Based upon the analysis conducted and information provided staff recommends APPROVAL of the petitioner's request.

PK:bjs

Attachments

Baltimore County Government
Fire Department



700 East Joppa Road Suite 901
Towson, MD 21204-5500

(301) 887-4500

MAY 27, 1992

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204

Crit. Esh #26

RE: Property Owner: WILLIAMS MANAGEMENT SERVICES, INC.

Location: WILLIAMS ESTATES

Item No.: +487 (MJK)

Zoning Agenda: JUNE 1, 1992

Gentlemen:

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

SITE PLAN SHOWING THE LOCATION OF FIRE HYDRANTS IS REQUIRED.

REVIEWER: Capt. Jerry Reiter Noted and
Planning Group Approved _____
Special Inspection Division Fire Prevention Bureau

JP/KEK

5276

5/19/93

Attendees In Opposition to Williams Estates Variances

92-460 SPHA

U.B.R.	Name	Address	Park Resident?
1	GRETCHEN FORD	207 TRAILWAYS RD	WMS. BSTD RESID.
2	DANNY JACKSON	3532 Dahlia Ln	Wm3 BSTD RESID.
3	Carolyn Rice	3533 Dahlia Ln	Williams
4	Laurie M. Peach	335100 Roundup	Williams Estates
5	Laurelle Barteluzzi	102 Lariat Rd	Williams Estates
6	Kenneth P. Moshier	3527 Honeysuckle Lane	Williams Estates
7	ROBERT SCHNEEMAN	104 REDD CIRCLE	WILLIAM EST.
8	William J. RYNES	1245 Cowhide Ct	Williams EST
9	D. EDWARD VOGEL	3417 EASTERN BLVD. (BENGIES DRIVE - 114 SEATTLE)	NO.
10	Lucille Johnson	208 Trailways Rd	yes
11	Arline Sewell	139 Trailways Rd.	yes
12	Joan Dawson	149 Cowhide Circle	yes
13	Raye Beatty	11 Teacrose Dr	yes
14	R. C. Davis	125 LARIAT RD.	"
15	STUDY DAWSON	149 COWHIDE C 12	yes
16	Jacqueline Miller	8 Raspberry Cr.	yes

Protestant Ex #1

April - MAY 1993

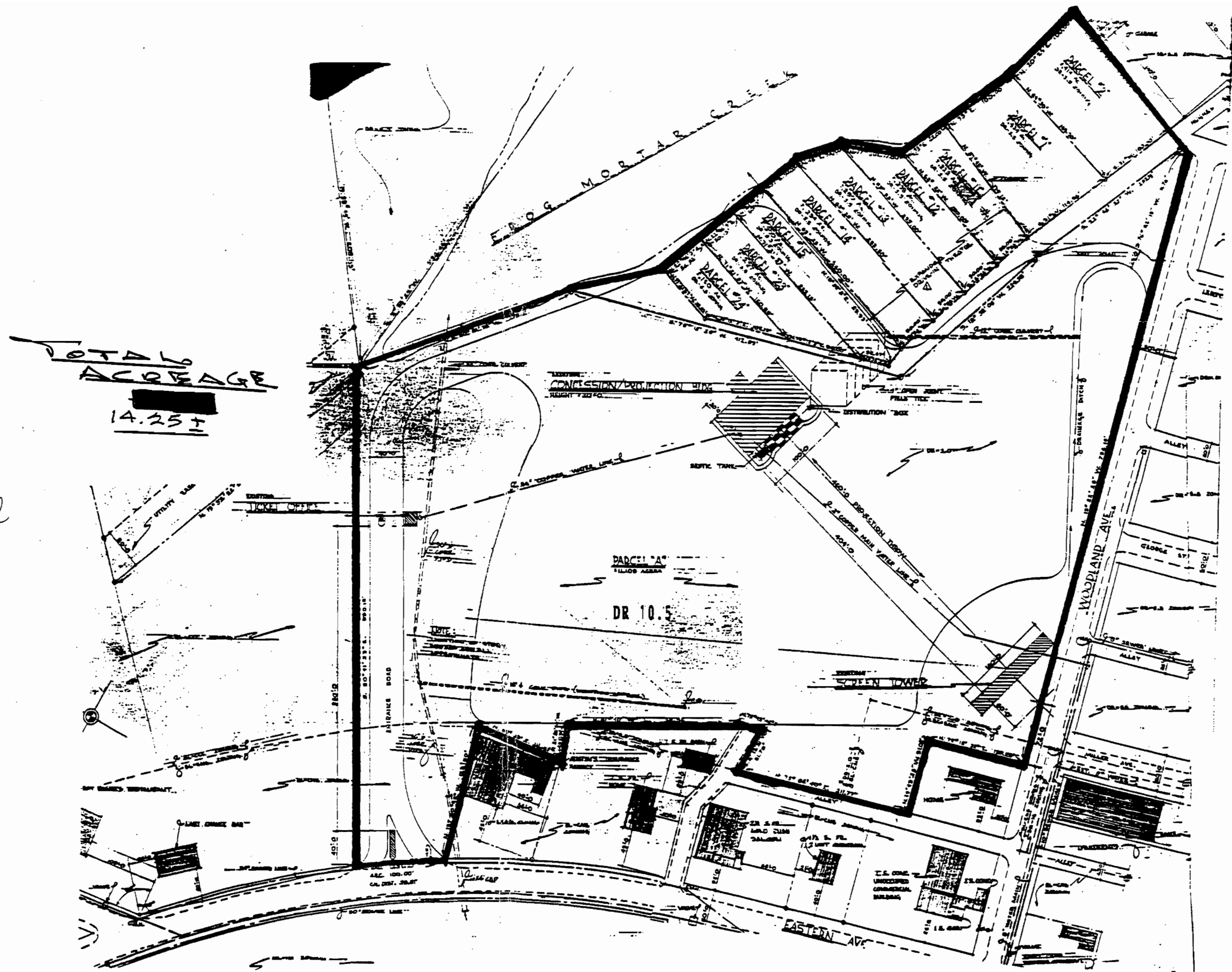
WE THE UNDERSIGNED ARE OPPOSED TO VARIANCE ISSUE SPHA 92-460,

AND LIVE IN WILLIAMS ESTATES

NAME	ADDRESS
1. Barbara Greer	100 Lariat Rd.
2. Gary Greer	100 Lariat Rd.
3. Cathy Reese	109 Lariat Rd.
4. Margaret A. Bennett	115 Lariat Rd.
5. James L. Allen	113 Lariat Rd.
6. Dorothy D. Leitch	121 Lariat Rd.
7. Richard C. Davis	125 Lariat Rd. - 90 Wed
8. Richard W. Haskins Sr.	132 Lariat Rd.
9. Carol Tracy	135 Lariat Rd.
10. Joseph Karwacki	135 Lariat Rd.
11. Angeline Davis	125 Lariat Rd.
12. Dorothy Bates	105 Roundup Rd.
13. Carolyn A. Bittz	116 Roundup Rd.
14. Diane Pawlowski	" "
15. William Pawlowski	" "
16. Denise Pawlowski	102 Cowhide R.R.
17. Pat Watts	104 Cowhide Ave
18. Jeff Watts	104 " "
19. Connie Schadenfeld	118 " "
20.	

Letter of Protest
Case 92-460-SPH
Hrg Date - 7/20/92

People's Counsel
Exh #2



Baltimore County
Department of Environmental Protection
& Resource Management
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204
(301) 887-3733

Robert W. Sheesley
Director

WORK COPY

Profile Eyrh
3A

November 23, 1990



Dennis F. Rasmussen
County Executive

Mr. W. Michael Seganish
606 Baltimore Avenue, Suite 106
Towson, MD 21204

Re: Bengies Drive-In
3417 Eastern Boulevard

Dear Mr. Seganish: *Mike*

I would like to apprise you of the results of the joint office and field reviews conducted by this Department and the Department of Public Works.

Review of construction drawings and past aerial photographs confirm that the roads and trailer pads for the majority of Williams Estates (aka Bengies Trailer Village), which drains under Eastern Boulevard and through the Drive-In, was constructed in 1972. This portion of the development consisted of approximately 208 concrete trailer pads (10'x50') and 6,400 linear feet of roads. The 72"x44" culvert under Eastern Boulevard was also constructed at that time and the construction plans show the culvert discharging into an existing ditch. No storm water management was required since the first regulations were not enacted until 1974.

In 1985, another 30 trailer pads and 780 linear feet of road were added to portion of the trailer park draining through the theater. Storm water management regulation required analysis of the peak storm flows through the 72"x44" culvert with and without the 30 unit addition. This analysis demonstrated that overall peak flows through the culvert were less without storm water management for the addition. This is due to the fact that the original trailer park produced approximately 90% of the total flow and providing management for the addition only would detain runoff such that the maximum flows for both areas would reach the culvert at the same time. Although this may be somewhat confusing, the end result is that storm water management for the addition would not have reduced peak flows through the culvert.

SO THERE IS A 10%
INCREASE WHICH IS 100%
NEW.

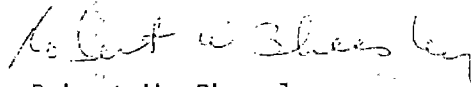
WFL
Mr. W. Michael Seganish
November 23, 1990
Page Two

Re: Bengies Drive-In
3417 Eastern Boulevard

In an attempt to document an on-going flooding problem, Public Works has researched its complaint files and found that your client's complaint of June 5, 1989 was the County's first notification of the problem. Given the history outlined above, we do not have the authority to require the upstream property owner to either construct improvements on your client's property or retrofit storm water management on his property.

Neither this Department nor Public Works has Capital Improvement funds available to construct a drainage system through the Drive-In property. Furthermore, it is Public Works' policy that Capital Improvement funds not be used to improve a single commercial property. I regret that there is nothing further that we can do at this time.

Very truly yours,


Robert W. Sheesley
Director

RWS/TLV/jbm

cc: Mr. Gene L. Neff
Mr. Robert E. Covahey
Mr. Paul L. Hudson
Mr. Thomas L. Vidmar



STATE OF MARYLAND
DEPARTMENT OF THE ENVIRONMENT
2500 Broening Highway Baltimore, Maryland 21224
(301) 631-

PAUL

William Donald Schaefer
Governor

Robert Perciasepe
Secretary

March 13, 1991

Baltimore County Department of Environmental
Protection and Resource Management
Bureau of Engineer Services
401 Bosley Avenue, Suite 416
Towson, Maryland 21204
Attn: Mr. Thomas L. Vidmar, Chief
Engineering Services

*People's Sub
#3B*

Re: Bengie's Drive-In

Dear Mr. Vidmar:

Thank you for the information that you gave me via our telephone conversation and your fax on February 22, 1991 concerning Mr. D. Edward Vogel's complaints of stormwater problems at Bengie's Drive-In from Williams Estates Development.

At the request of Mr. Vogel, Mr. William Jenkins and Mr. Clay Troy of my staff met with him on the site on February 25, 1991. Their observations, along with Mr. Vogel's statements and photographs make it clear that a stormwater problem exists at the drive-in.

As you know, my office has no enforcement authority in this case. Nevertheless, this appears to be a serious problem. Any assistance that Baltimore County can offer will be greatly appreciated. Additionally, Maryland Department of the Environment stormwater retrofit funds may be available to assist Baltimore County in correcting this problem. Please call Mr. Thomas Tapley, Water Resources Engineer of the Sediment and Stormwater Administration, Construction Management Program at (301) 631-3957 for information concerning this program.

Thanks again for your help. Please call me at (301) 631-3510 if you have any questions.

Sincerely,

William F. Limpert

William F. Limpert
Division Chief

WFL/dlr

cc: Mr. D. Edward Vogel ✓

**SEDIMENT AND STORMWATER ADMINISTRATION
COMPLIANCE PROGRAM
(301) 631-3510**

Baltimore County Government
Department of Environmental Protection
and Resource Management



401 Bosley Avenue
Towson, MD. 21204

887-3733

April 9, 1991

*Cooper Syb
#3A*

Mr. D. Edward Vogel
Vocol Entertainments
3417 Eastern Boulevard
Baltimore, Maryland 21220

Re: Bengies Drive-In Theatre

Dear Mr. Vogel:

First of all, I want you to know that I have recently been appointed Department Director and, as such, am following up your March 25 letter to Donald Outen.

In reviewing the project file and discussing the situation with my staff, there is no question that a severe drainage problem exists on your property which affects your entrance drive, ticket building and viewing area. However, as was explained in the letter of November 23, 1990, the changes in runoff from the Williams property began in 1972 with construction of 208 trailer units along with roads and a 72" x 44" culvert under Eastern Boulevard which drains onto your property. You stated that, during your association with the Drive-In in the mid and late 1970's, your drainage system was able to handle the increased runoff from the Williams property.

In 1985, another 30 trailer pads and additional roads were constructed adjacent to Eastern Boulevard. As explained earlier, the analysis performed to determine whether storm water management was required determined that there would be no increase in the peak rate of runoff onto your property. This, plus the fact that the County had no record of flooding on your property, was the reason that the Williams addition was permitted to proceed. By the time the Department of Public Works was notified of your problem in June 1989 (see attached information), the Williams addition was virtually complete, with permits and security deposits returned to the developer.

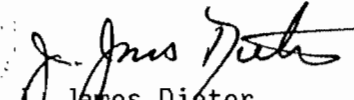
With the time that has elapsed since both the original construction and the addition were completed, we have no way of requiring the developer to correct the damage to the Drive-In property. As you know, neither this Department nor Public Works has funds available to rebuild your drainage

Mr. D. Edward Vogel
April 9, 1991
Page Two

system. I can make staff available to advise you on a possible solution to your problem, but I regret that this Department can go no further than this assistance.

Please contact Mr. Thomas Vidmar at 887-3768 if you wish to discuss this option.

Sincerely yours,



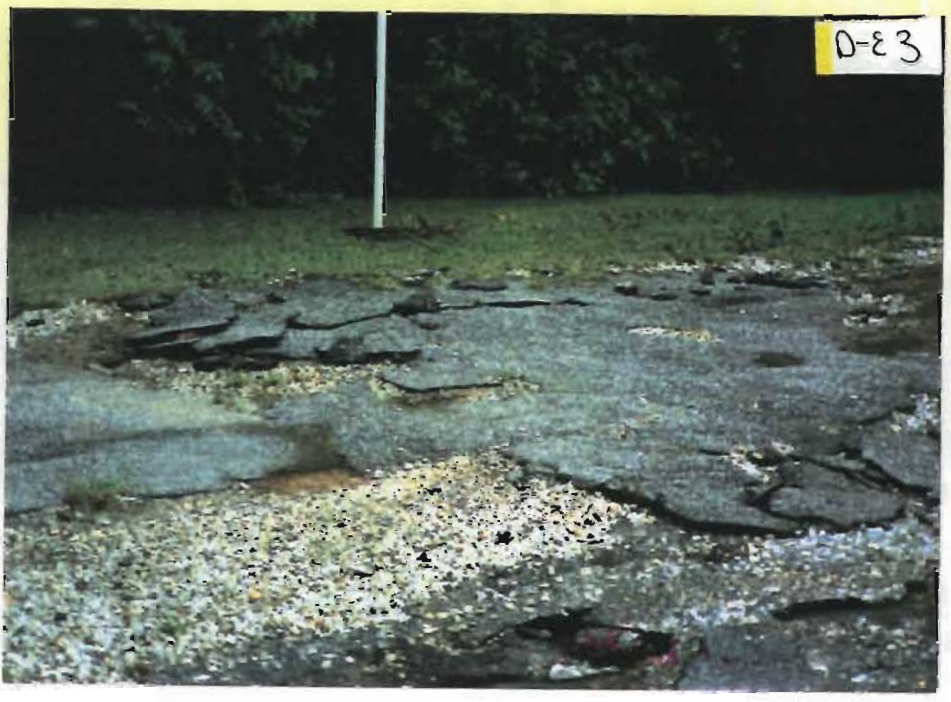
James Dieter
Director

JJD:pmf
Attachment

cc: The Hon. Roger B. Hayden
Mr. William F. Limpert
Mr. Gene L. Neff
Mr. Thomas L. Vidmar



Perceps E4L #4 A



Gravelly Earth
40



Progle's Lph # 4B



P. Ent 5A



90 E

AUG 90 E

AUG

SB



JUL 7 90

JUL 8 90

6 D



JUL 11 90

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5/11



JULY 90

JULY 90

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23 / 90

24 / 90

P.C. 5A-5D

" 7A-7H

" 6A-6D

Photos

Williams Estates

92-460-SPHA



6A



63



6c



GD



JUN 91

JUN 91

7A



JUN 91

JUN 91

7B



JUN 91

JUN 91

7C



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JUN 91

7D





JUN 91

JUN 91

7E



JUN 91

7G



JUN 91

7H

Williams Management Services, Inc.

Property Management Division

#1

Baltimore

123 Whistle Stop Road
Baltimore, Maryland 21220
(410) 335-5358

Southern Maryland

23 Suburban Drive
Lexington Park, Maryland 20653
(301) 862-3127

May 27, 1992

Albert Dawson
149 Cowhide Circle
Baltimore, Maryland 21220

PC
Exp #10

Re: Rent Increase

Dear Albert Dawson,

Effective July 1, 1992, your total monthly rental will be increased. The new monthly rates are broken down as follows. Please note that your new rate will be found in either Column A or Column B below, A being the rate for residents without a registered pet, and B being the rate for residents with a registered pet.

SINGLE WIDE SITES:	A. Without Pet	B. With Pet
Basic Site Rental	\$264.09	\$264.09
Baltimore County 10% Tax	26.41	26.41
Water/Sewer	15.00	15.00
Pet Fee	-0-	5.00
	-----	-----
NEW TOTAL RENT (SINGLE WIDES)	\$305.50	\$310.50
DOUBLE-WIDE SITES:	A. Without Pet	B. With Pet
Basic Site Rental	\$287.27	\$287.27
Baltimore County 10% Tax	28.73	28.73
Water/Sewer	15.00	15.00
Pet Fee	-0-	5.00
	-----	-----
NEW TOTAL RENT (DOUBLE WIDES)	\$331.00	\$336.00

Very truly yours,

WILLIAMS MANAGEMENT SERVICES, INC.

Accounting Department

Agent for the Williams Estates,
Peppermint Woods, Oakdale,
Suburban Estates, and Lexington Estates
Manufactured Housing Communities



Members of Maryland Manufactured Housing Association, Inc.

The Williams Newsletter

Georgie Ekh #11

SUMMER INSPECTION GIFT COUPONS

WE WANTED TO REMIND YOU THAT THE \$15.00 GIFT COUPONS EXPIRE ON AUGUST 31, 1992.

RUMOR OF THE MONTH

RUMOR: IF YOU WANT TO ADD SOMEONE TO THE RENTAL AGREEMENT, ALL YOU NEED TO DO IS SEND A NOTE TO THE MANAGEMENT OFFICE.

ANSWER: BEFORE ANYONE CAN BE ADDED TO THE RENTAL AGREEMENT, THEY MUST FIRST BE APPROVED JUST AS ANY OTHER RESIDENT. THEY WOULD HAVE TO SUBMIT AN APPLICATION, PAY AN APPLICATION FEE AND BE APPROVED BEFORE A NEW RENTAL AGREEMENT COULD BE SIGNED.

IF THEY DO NOT WANT TO BE ON THE RENTAL AGREEMENT, JUST SEND A NOTE AND THEY WILL BE LISTED AS AN ADDITIONAL OCCUPANT.

BOUNDARY LINES

MANUFACTURED HOUSING COMMUNITIES ARE NOT SUB-DIVISIONS. THERE ARE NO RECORDED SUB-DIVISION PLATS SHOWING LOT LINES. SITES ARE DEFINED MORE BY RELATIONSHIPS BETWEEN HOMES THAN ANYTHING ELSE. HERE ARE SOME BASIC GUIDELINES FOR THE DIFFERENT COMMUNITIES.

WILLIAMS ESTATES: SPLIT THE DIFFERENCE BETWEEN THE HOMES.

WILLIAMS ESTATES EXPANSION: APPROXIMATELY 7' ON THE BACK SIDE OF THE HOME (USUALLY NEAR ELECTRIC PEDESTAL) AND 18' ON THE FRONT DOOR SIDE.

PEPPERMINT WOODS: APPROXIMATELY 15' ON THE BACK DOOR SIDE AND 10' ON FRONT DOOR SIDE.

OAKDALE: SO MANY DIFFERENT SITUATIONS. IN MOST CASES, SPLIT THE DIFFERENCE BETWEEN HOMES.

THANK YOU TO THE "SILENT MAJORITY"

SO MANY LETTERS AND CALLS HAVE COME IN, MORE AND MORE EACH DAY, FROM RESIDENTS TELLING US THEY ARE TIRED OF THE SOLICITATIONS AND DESTRUCTIVE TACTICS OF CERTAIN INDIVIDUALS WHO ARE ATTEMPTING TO FORM AN "ASSOCIATION" IN THE COMMUNITIES. THEY ARE HAPPY RESIDENTS WHO HAVE BEEN LIVING HERE FOR MANY YEARS AND WOULD JUST LIKE TO BE LEFT ALONE TO LIVE IN PEACE. WE KNOW THE "ASSOCIATION" DOESN'T REPRESENT THE SILENT MAJORITY. THANKS FOR YOUR SUPPORT AND ENCOURAGEMENT. KEEP THESE CALLS AND LETTERS COMING.

CHANGES IN THE WILLIAMS MANAGEMENT TEAM

HOWARD EDWARDS, WHO HAS BEEN WITH WILLIAMS MANAGEMENT SERVICES FOR SEVEN YEARS, RESIGNED LAST WEEK TO PURSUE ANOTHER CAREER OPPORTUNITY. WE WISH HOWARD THE BEST IN ALL HIS FUTURE ENDEAVORS.

WE ARE PLEASED TO ANNOUNCE THAT MIKE KRUEGER, WHO HAS BEEN PRIMARILY INVOLVED WITH SALES THE LAST FEW YEARS, IS TAKING ON THE ADDITIONAL ROLE OF COMMUNITY MANAGER. WELCOME TO THE MANAGEMENT TEAM, MIKE.

WILLIAMS ESTATES SECURITY LIGHTS

WE ARE PLEASED TO INFORM YOU THAT THE COMMUNITY HAS INSTALLED ADDITIONAL SECURITY LIGHTS BETWEEN THE HOMES ON DAY COACH CIRCLE AND EASTERN BOULEVARD. THIS HAS BEEN AN AREA WHERE PEOPLE CUT THROUGH TO GET TO EASTERN BOULEVARD. THE SECURITY LIGHTS HAVE HELPED AND WE AGAIN REQUEST RESIDENTS TO RESPECT THE PRIVACY OF OTHERS. ALSO, WE REQUEST THE PARENTS OF WILLIAMS ESTATES TO SPEAK WITH THEIR CHILDREN ABOUT USING THIS AREA AS A SHORTCUT.

OAKDALE MAINTENANCE BUILDING

WE ARE PLEASED TO INFORM YOU THAT THE FIFTY YEAR OLD MAINTENANCE BUILDING IS NOW HISTORY! THE BUILDING HAS BEEN DEMOLISHED AND THIS SEPTEMBER, WE WILL BE TAKING DOWN THE FENCE AND SEEDING OVER THE AREA.

OAKDALE HOME RELOCATIONS

BY THE TIME THIS NEWSLETTER IS PUBLISHED, THE LAST RELOCATION WILL HAVE TAKEN PLACE. **THIS IS NOT A TYPO!** THERE WILL BE NO MORE RELOCATIONS, AS PREVIOUSLY PUBLISHED, FOR AT LEAST THE NEXT TWO OR THREE YEARS.

C.O.P.E. UNIT

FOR YOUR PROTECTION, WE KEEP IN TOUCH WITH THE BALTIMORE COUNTY POLICE DEPARTMENT ON MOST POLICE ACTIVITY IN WILLIAMS ESTATES, PEPPERMINT WOODS AND OAKDALE COMMUNITIES. IN ANY SECURITY ISSUE, WHEN IN DOUBT, CALL 911.

IN THIS MONTH'S NEWSLETTER IS A REPRINT OF THE TWO LETTERS WE RECEIVED ON THE VERY POSITIVE RESULTS OF THE C.O.P.E. SURVEY,

FALL YARD SALE

THERE WILL BE ANOTHER COMMUNITY YARD SALE THIS FALL. WE WILL BE ANNOUNCING THE DATE IN SEPTEMBER'S NEWSLETTER. RESIDENTS REPORTED BACK TO US THAT THE YARD SALE WAS VERY SUCCESSFUL.

SPEED BUMPS

ORIGINALLY THE SPEED BUMPS WERE PUT IN THE COMMUNITIES TO ENFORCE THE SAFE SPEED LIMITS WITHIN THE COMMUNITIES. AS YOU ARE ALL AWARE, WE HAVE MANY CHILDREN RESIDING IN OUR COMMUNITIES, AS WELL AS GUESTS WHO VISIT OUR RESIDENTS. WE WANT TO KNOW WHAT YOU THINK! PLEASE FIND BELOW A COUPON THAT WE WOULD LIKE YOU TO FILL OUT AND RETURN TO MANAGEMENT OFFICE LOCATED AT 123 WHISTLE STOP ROAD.

NAME: _____ ADDRESS: _____

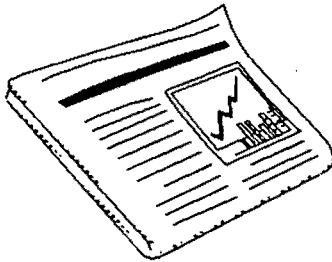
____ WE DO NOT NEED ANYMORE SPEED BUMPS
ON OUR STREET.

____ WE DO NEED MORE SPEED BUMPS ON OUR
STREET.

COMMENTS: _____

THE WILLIAMS NEWSLETTER

PUBLISHED BY
WILLIAMS MANAGEMENT SERVICES, INC.



FOR
WILLIAMS ESTATES
OAKDALE
PEPPERMINT WOODS

MANUFACTURED HOUSING COMMUNITIES

AUGUST 1992

"HOMES OF THE MONTH"

WILLIAMS ESTATES

203 BENGIES ROAD

OAKDALE

26 IRIS LANE

"HOME OF DISTINCTION"

PEPPERMINT WOODS

47 TEAROSE DRIVE

WE CONGRATULATE THESE RESIDENTS WHO ARE BEING RECOGNIZED FOR THEIR FINE EFFORTS IN MAINTAINING NICE HOMES IN THE COMMUNITIES. THEY ARE BEING AWARDED A \$50.00 SAVINGS BOND FOR THEIR EFFORTS AND A SIGN WILL BE DISPLAYED ON THEIR LAWNS, SHOWING THEIR ACHIEVEMENT. ONCE AGAIN, WE CONGRATULATE THEM!!!!

CLASSIFIED SECTION

THIS SECTION OF THE NEWSLETTER IS PROVIDED AS A FREE SERVICE TO OUR RESIDENTS TO ADVERTISE CLASSIFIED ITEMS. IF YOU HAVE ITEMS TO SELL OR SERVICES TO PROVIDE, PLEASE WRITE DOWN THE INFORMATION, AND DROP IT OFF AT THE MANAGEMENT OFFICE LOCATED AT 123 WHISTLESTOP ROAD. ALL INFORMATION NEEDS TO BE IN THE OFFICE BY THE 15TH OF THE MONTH FOR THE FOLLOWING MONTH'S NEWSLETTER.

BABYSITTING: I WILL BABYSIT ANYTIME OR ANY AGE CHILD. I HAVE 5YRS. OF EXPERIENCE AND WILL BABYSIT AT A REASONABLE RATE. CALL TINA AT 335-4946.

BABYSITTING: NEED A BABYSITTER? CALL JEAN AT 335-1987. I HAVE TWENTY FIVE YEARS EXPERIENCE. INFANTS AND TODDLERS ARE ALWAYS WELCOME. REASONABLE RATES AND CLOSE TO HOME.

FOR SALE: LAWN MOWER, SEARS ELECTRIC START, SELF PROPELLED AND BAGGER. USED FOR TWO AND A HALF SUMMERS, PAID \$400.00 - WILL TAKE \$200.00. CALL NORMAN AT 335-1284 OR 335-7796.

NOTARY: CALL VIVIAN AT 335-4718.

NOW OPEN: YOUR NEIGHBORS, LEO AND MARY LOU KONOPACKI OF PEPPERMINT WOODS HAVE OPENED A NEW BEAUTY & TANNING SALON WHICH CATERS TO THE ENTIRE FAMILY. SPECIALIZING IN SHAMPOOS & SETS, SENIOR DISCOUNTS ON THURSDAY AND FRIDAY, BLOW DRY, CUTS, COLORING, FROSTING AND NAIL ART. COME VISIT US AT SENSUOUS REFLECTIONS- 12536 EASTERN AVENUE, IN CHASE, NEXT TO HART'S MARKET. OUR HOURS ARE MONDAY - FRIDAY 9:00 A.M. - 10:00 P.M., SATURDAY 9:00 A.M. - 7:00 P.M.. CALL US AT 335-7421.

NEED AN ELECTRICIAN: CALL AMBER ELECTRIC AT 687-4943.

BY PUBLISHING THESE CLASSIFIED ADS FOR OUR RESIDENTS, WILLIAMS MANAGEMENT SERVICES, INC. IS NOT ENDORSING THE ITEMS OR SERVICES AND ACCEPTS NO RESPONSIBILITY FOR THE CONTENT OF THE ADVERTISEMENTS.

CONGRATULATIONS!!!!

CONGRATULATIONS TO MR. AND MRS. TRAVIS ANDERSON OF WILLIAMS ESTATES ON THIER RECENT MARRIAGE. MRS. ANDERSON IS THE FORMER MS. VIVIAN BARRETT.

66-185

70-184

84-2883

1 IN THE MATTER OF: * BEFORE THE
2 WILLIAMS ESTATES * COUNTY BOARD OF APPEALS
3 * OF BALTIMORE COUNTY
4 * Case No. 92-460-SPHA
5 * May 19, 1993

6 * * * * *

7 The above-entitled case came on for hearing
8 before the County Board of Appeals of Baltimore County at
9 the Old Courthouse, Towson, Maryland 21204 at 10 o'clock
10 a.m., May 19, 1993.

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14 ORIGINAL

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20 Reported by:
21 C.E. Peatt

1 IN THE MATTER OF: * BEFORE THE
2 WILLIAMS ESTATES * COUNTY BOARD OF APPEALS
3 * OF BALTIMORE COUNTY
4 * Case No. 92-460-SPHA
5 * May 20, 1993

6 * * * * *

7 The above-entitled case came on for hearing
8 before the County Board of Appeals of Baltimore County at
9 the Old Courthouse, Towson, Maryland 21204 at 9:30 o'clock
10 a.m., May 20, 1993.

11 * * * * *

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14 ORIGINAL
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20 Reported by:

21 C.E. Peatt

IN RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE - NW/8 Eastern Avenue, 1600' NE of the C/L of Carroll Island Road (Williams Estates) 15th Election District 5th Councilmanic District
* BEFORE THE DEPUTY ZONING COMMISSIONER OF BALTIMORE COUNTY
* Case No. 92-460-SPHA
Williams Estates
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing and a Petition for Zoning Variance filed by the Legal Owners of the subject property, Williams Estates, by Williams Management Services, Inc., General Partners, by and through their attorney, Robert A. Hoffman, Esquire. The Petitioners request a special hearing to approve an amendment to the special exception granted in prior Case No. 66-185-X, and to amend and add to the variances granted in prior Case Nos. 70-184-ASPH and 84-283-A, in accordance with Petitioner's Exhibit 1. The Petitioners also request variance relief from Section 414.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a distance between units of 20 feet from side to side and 16 feet from rear to rear in lieu of the required 25 feet for those lots shown on Sheet 2 of 2, or Page 2 of Petitioner's Exhibit 1.

At the outset of the hearing, it was made clear that the Petitioners are not seeking any variances for lots that fall within the Chesapeake Bay Critical areas. The Petitioners marked on Petitioner's Exhibit 1 those lots which fall within the Critical Areas and have designated a line marked C.A.L. showing the lots which are not part of the variance request.

Appearing on behalf of the Petition were William T. Poole, Jr., President, Williams Management Services, Inc., represented by Robert A.

MICROFILMED

Hoffman, Esquire. Also appearing on behalf of the Petition were Mike Nima with Williams Management Services, Inc., and Charles K. Stark, Registered Land Surveyor. Numerous residents of the subject park and adjacent mobile home parks appeared and testified in opposition to the Petitioners' request.

Testimony and evidence presented indicated that the subject property consists of 86.413 acres, more or less, zoned M.L.-I.M. and is the site of the Williams Estates mobile home park. Portions of the subject property are located within the Chesapeake Bay Critical Areas near Middle River. Said property was the subject of prior case No. 66-185-X in which a special exception for a trailer park was granted. The Petitioners filed the instant Petition in an effort to provide their residents the opportunity to place larger manufactured homes on their particular lot. Testimony presented by William T. Poole, Jr. indicated that the manufactured home industry has changed since the development of Williams Estates in 1966. Testimony indicated that homes have increased in width and that the industry now offers double-wide homes in lieu of the single-wide home offered in the 1960s. Since Williams Estates was laid out in the 1960s, the Petitioners were not able to take into account the advent of double-wide manufactured homes. Testimony indicated that the existing lots are not of sufficient size to accommodate the newer, wider manufactured homes. Accordingly, the Petitioner has requested variances for all lots in the subdivision, excluding those located within the Chesapeake Bay Critical Areas, in order to afford their residents the opportunity to locate a larger manufactured home on their particular lot if they so desire. Testimony indicated that the subject trailer park is one of the nicest manufac-

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tured housing developments in Baltimore County and that the park is well-maintained and beautifully landscaped.

As previously stated, this park came into existence by virtue of the special exception granted in 1966. Since that time, the Petitioners petitioned the Office of Zoning on two other occasions. In 1970, in Case No. 70-184-ASPH, the Petitioners were granted a variance which permitted mobile homes to be located as close as 8 feet to the existing Penn Central Railroad right-of-way line in lieu of the required minimum 75 feet. That variance was granted by the then Zoning Commissioner, Edward D. Hardesty, and allowed for the placement of 20 additional manufactured homes along the Penn Central Railroad right-of-way line. Also in Case No. 70-184-ASPH, the Petitioners requested a variance to permit mobile homes to be situated 25 feet from the street right-of-way of Bengies Road in lieu of the required 100-foot setback. Commissioner Hardesty also granted that variance which allowed the Petitioners to situate an additional 19 manufactured homes along Bengies Road. By virtue of the variances being granted in 1970, the Petitioner was permitted to place an additional 39 mobile homes on the subject site.

In 1984, the Petitioners expanded Williams Estates to that which exists today. In the course of the expansion of the park, the Petitioners requested a variance in Case No 84-283-A, to permit mobile homes to be located 60 feet from the street right-of-way of Bengies Road in lieu of 100 feet. That variance was granted and the Petitioner was able to situate 5 additional trailers within that setback area. The Petitioners also requested a variance to permit mobile homes to be situated 60 feet from the Penn Central Railroad right-of-way line in lieu of the required 75-foot setback. That variance was granted and it allowed the Petitioners to

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locate an additional 8 manufactured homes along that right-of-way line. It should be made clear that in the instant Petition for Zoning Variance, the Petitioners are not requesting to add any additional mobile homes to the subject site. The Petitioners only seek relief which will permit the placement of larger manufactured homes on those lots currently existing in the park.

As previously stated, many residents of the community appeared in opposition to the Petitioners' request. They voiced opposition to the granting of this variance because of the loss of useable space outside of their mobile homes. They testified that larger homes on the same size lots would significantly reduce the amount of open space that their children currently enjoy and upon which they recreate. In addition to the testimony presented at the hearing, many residents of the area mailed petitions and letters to this Office voicing their opposition to the Petitioners' request. Of particular interest to this Deputy Zoning Commissioner was a photograph taken by George and Bernice McAllister, who reside on Dahlia Lane, which depicts the appearance of the park after a thunderstorm in September 1990. The photograph, a copy of which is attached hereto, shows a street right-of-way completely flooded with approximately 2 feet of standing water covering the entire area. It is obvious from viewing this photograph that there currently exists a storm water runoff problem in this community. It is clear that allowing larger manufactured homes to be placed on every lot that exists in this mobile home park would substantially reduce the permeable surface contained therein and would only contribute to an already existing storm water problem. I believe that granting all of the variances requested would not be in the best interests of the public health, safety or general welfare of this mobile home community.

- 4 -

However, there are certain lots within Williams Estates where I believe the variance being requested would be appropriate. Specifically, those lots which were added in 1984 that are somewhat larger than the lots in the original Williams Estates park. Also there exists a drainage easement that separates the lots added in 1984 from the older section which currently experiences the water runoff problems. Therefore, it appears that any storm water runoff that might be created by a larger manufactured home being placed on the lots added in 1984 would be diverted into the drainage ditch and would not run into the older section of the park that currently has these problems. Also, many of the lots added in 1984 are larger and do not back up to other lots. Therefore, I find that the spacing of these lots in this particular section could accommodate a larger manufactured home without any detriment to the surrounding community and would not exacerbate the runoff problem in the older section of the park. The lots about which I am speaking are Lots 100 through 108, and Lots 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140 and 142 on Roundup Road; Lots 100 through 103, 105, 107, 109, 111, 113, 115 and 117 and Lots 119 through 130, 132 and 134 on Lariat Road; Lots 101 through 119 and Lots 121, 127, 129, 131, 133, 135 and 137, and Lots 139 through Lot 152 and Lot 154 on Cowhide Circle; Lots 101 through 113 and Lots 115, 117, 119, 121, 123, 125, 127 and 129, and Lots 130 through Lot 141, and Lots 143 and 145 on Rodco Circle/Rodco Drive.

It should be noted that the Office of Planning and Zoning recommended approval of the variances for all lots contained within this park. However, for the reasons previously stated, variances shall only be granted for those lots specifically identified above.

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An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Boley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variances are granted, as modified herein, such use as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variances, as modified herein, are not granted. I find that since there exists a drainage and utility easement between the section added in 1984 and the original section of Williams Estates which has a storm water runoff problem that the variances granted for the newer section would not contribute to that problem. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioners seek relief will unduly restrict the use of the

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land due to the special conditions unique to this particular parcel. In addition, the variances requested will not cause any injury to the public health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and variances requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 2nd day of November, 1992 that the Petition for Special Hearing to approve an amendment to the special exception granted in prior Case No. 66-185-X, and to amend and add to the variances granted in prior Case Nos. 70-184-ASPH and 84-283-A, in accordance with the revised site plan to be submitted, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 414.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a distance between units of 20 feet from side to side and 16 feet from rear to rear in lieu of the required 25 feet, be and is hereby GRANTED for the following lots: Lots 100 through 108, and Lots 110, 112, 114, 116, 118, 120, 122, 124, 126, 128, 130, 132, 134, 136, 138, 140 and 142 on Roundup Road; Lots 100 through 103, 105, 107, 109, 111, 113, 115 and 117 and Lots 119 through 130, 132 and 134 on Lariat Road; Lots 101 through 119 and Lots 121, 127, 129, 131, 133, 135 and 137, and Lots 139 through Lot 152 and Lot 154 on Cowhide Circle; Lots 101 through 113 and Lots 115, 117, 119, 121, 123, 125, 127 and 129, and Lots 130 through Lot 141, and Lots 143 and 145 on Rodco Circle/Rodco Drive, in

MICROFILMED

accordance with the revised site plan to be submitted, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.
- 2) Within sixty (60) days of the date of this Order, Petitioners shall submit a revised site plan which clearly depicts those lots for which variances have been granted pursuant to this Order.
- 3) Above-grade building extensions such as decks, sunporches, etc., shall not be located closer than 10 feet to another principal structure or deck, sunporch, etc.
- 4) Parking shall only be provided in the front yard. Any existing parking pads extending past the front yard shall be removed unless covered with a patio, deck or sunporch.
- 5) Accessory structures, such as storage sheds, should not be provided at the rear of dwelling units which are separated by less than 25 feet.
- 6) Prior to the placement of a manufactured home on a lot which is less than 25 feet from another building, the Petitioner shall provide a site plan to the Office of Planning and Zoning for review and approval signature. The plan should show: 1) the proposed location of the home, and 2) the location of principal and accessory structures immediately surrounding the proposed home.
- 7) A tot lot addressing the needs of small children living in the development shall be provided at the Community Center.
- 8) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

IT IS FURTHER ORDERED that there shall be no variances granted for any of those lots which fall within the Chesapeake Bay Critical Areas

MICROFILMED

- 5 -

BALTIMORE COUNTY, MARYLAND
Inter-office Correspondence

TO: James Dieter, Director
DEPRM

FROM: Vince Gardina, Councilman
5th District

SUBJECT: Storm Drain Project
Carrollwood Manor/ Bowleys Quarters

DATE: August 28, 1991

It has come to my attention that the new storm drain that is being installed on Hollmeyer Road has not been designed with any special water quality features. Given that the location of the storm drain is within the critical area this does not seem to make good sense. The County has undertaken the task of identifying and retrofitting existing storm drains at a great cost in both money and time. It would seem to me that the design for this storm drain should be changed to include a higher standard for water quality. I would appreciate your assistance by correcting the design thereby improving the quality of the surrounding waterways.

Please advise me on this at your earliest opportunity.

Thank you for your attention.

VC:me
cc: Gene Neff
Paul Hudson
Tom Vidmar
Jack Berger
Milt Reibair
Bill Jordan
Bob Christopher

Baltimore County
Office of Planning & Zoning
Towson, Maryland 21204
494-3211
P. David Fields
Director

May 25, 1988



The Honorable E. Farrell Maddox
6th Legislative District
418 Eastern Boulevard
Baltimore, MD 21221

Dear Farrell,

Thank you for your letter regarding the Carrollwood Manor Project. Following a review by the County Waiver Advisory Committee of the requested waiver of CRG plan and meeting, it is my intention to deny the waiver request as "the size, scope and nature of the proposed development justifies strict compliance with these Development Regulations."

Thank you for your interest in this project. If I can be of further assistance, don't hesitate to call me on 494-3215, as I am sure you will continue to be involved through subsequent CRG, etc. submissions.

Sincerely,

David
P. David Fields
Director

PDF:pat

Williams Management Services, Inc.

April 6, 1993

Office of Planning and Zoning
Baltimore County Court House
Towson, Maryland 21204

RE: Variance Case #92-460-SFPA

Gentlemen:

The sign that you posted in the front of Williams Estates (at the corner of Eastern Blvd. and Bangies Rd.) disappeared over the weekend. The post is still there, but the sign is gone. I just wanted to notify you in the event you wish to replace it.

Very truly yours,

WILLIAMS MANAGEMENT SERVICES, INC.

W. T. Poole, Jr.
William T. Poole, Jr.
President

WTP:kmo

RECEIVED
APR 16 1993

ZADM

RECEIVED

APR 8 1993
OFFICE OF
PLANNING & ZONING

MICROFILMED

3300 Eastern Boulevard • Baltimore, Maryland 21220 • (410) 574-8666

Baltimore County Government
Department of Environmental Protection
and Resource Management

401 Bosley Avenue
Towson, MD 21204

(410) 887-3733

August 10, 1992

Post-It brand fax transmittal memo 7871	1 of pages 2
To: Williams Estate	From: Jim Dieter
Co: Jma Input Serv	DEPRM
Phone: 887-3733	
Fax: 887-4804	
574-3255	

Re: Williams Trailer Parks

Dear Ms. Miller:

At the recent (July 14, 1992) meeting at Chase Elementary School, several inquiries, concerns and complaints were voiced by the citizens. In an effort to keep the lines of communication open, I hope you will forward this response to your neighbors.

1. Water Drainage - Sanitarians of the Eastern Regional Community Services Division have made several inspections over the last several weeks. Generalized drainage problems have not been detected. However, they will continue to monitor the situation particularly after heavy rain events. As indicated, the stormwater management facilities and storm drain system within the park are private utilities. The park owner is responsible for all repair and maintenance to this system. However, my offer to provide some review and suggestions by County engineers to the Citizen Committee is still available.

The question of individual or specific lot drainage problems would have to be rectified by park management. The County uses a rough criteria of standing water for 24 hours to qualify as a drainage problem on a lot.

2. Oil Tanks - The State of Maryland (Maryland Department of the Environment) regulates certain underground fuel tanks. The normal residential (275 gallon) tanks are not under these regulations. The removal of the underground tanks and replacement above ground is not a mandated requirement. Payment for this activity would be strictly between the landlord and the tenant.

3. Noise - Construction noise within the park would be regulated according to the Maryland State Noise Regulations. Between the hours of 7:00 a.m. and 10:00 p.m., the maximum limit is 90 decibels. A 55-decibel limit is in force, unless an emergency situation occurs, during the remainder of the night and early morning hours.

MICROFILMED

Baltimore County
Office of Planning and Zoning
May 19, 1993

SUMMARY OF AMERICAN PLANNING ASSOCIATION
PLANNING ADVISORY SERVICE
MANUFACTURED HOUSING--SITE DEVELOPMENT GUIDE

I. Findings

A. Setback Requirements
Front Yard - 20-25 feet, to accommodate parking
Rear Yard - 10 feet to property line (20 feet between buildings)
Side Yard - 4-8 feet, (10 to 20 feet separation between homes)

B. Lot Frontage
40-50 feet

C. Lot Coverage
not to exceed 50%

II. Area Not Granted Variances

A. Setback Requirements
Front Yard - none required
Rear Yard - 25 feet between buildings
Side Yard - 25 feet between buildings

B. Lot Frontage
45 feet

C. Lot Coverage
Lot size: 4,275 sq. ft. (45'x95')
Single wide: 910-980 sq. ft. (14'x65-70')
Storage Bldg.: 80 sq. ft. (8'x10')
Building Extension: 120 sq. ft. (8'x15')

TOTAL COVERAGE: 1,110-1,180 sq. ft.
PERCENT OF LOT COVERED: 26%

III. Area if Granted Variances

A. Setbacks
Front Yard - none required
Rear Yard - 16 feet between buildings
Side Yard - 20 feet between buildings

B. Lot Frontage
45 feet



George William Stephens, Jr.
AND ASSOCIATES, INC.
CONSULTING ENGINEERS
George William Stephens, Jr.
(1988-1993)

RECEIVED
APR 16 1993

April 16, 1993

WILLIAMS MANAGEMENT SERVICES, INC.

Mr. William T. Poole, Jr.
Williams Management Services, Inc.
3300 Eastern Boulevard
Baltimore, Maryland 21220

RE: Williams Estates
Storm Water Management

Dear Mr. Poole,

This is to state that the existing storm water management facility, which was approved on September 26, 1984, was designed to handle all of the development of Williams Estates including the addition to the east in accordance with the Baltimore County policy and requirements in effect at that time.

Very truly yours,

GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
George William Stephens, Jr.
Moderata Chakrabarti, P.E.,
Chief Engineer



TC:kmp

MICROFILMED



George William Stephens, Jr.
AND ASSOCIATES, INC.
CONSULTING ENGINEERS
George William Stephens, Jr.
(1988-1993)

March 23, 1993

RE: Williams Estates

To Whom It May Concern:

Williams Management Services contracted with George William Stephens, Jr. and Associates, Inc. to conduct a preliminary investigation on alleviating an occasional ponding occurrence at the intersection of Wagon Train Road and Dahlia Lane in the manufactured house community known as Williams Estates.

After the preliminary investigation it was recommended that an additional inlet be installed at said intersection and a parallel drain of the same size as the existing drain be installed adjacent to the existing drain and outfalling in the existing channel.

This construction has been completed by Williams Management Services as recommended by George William Stephens, Jr. and Associates, Inc.

Very truly yours,

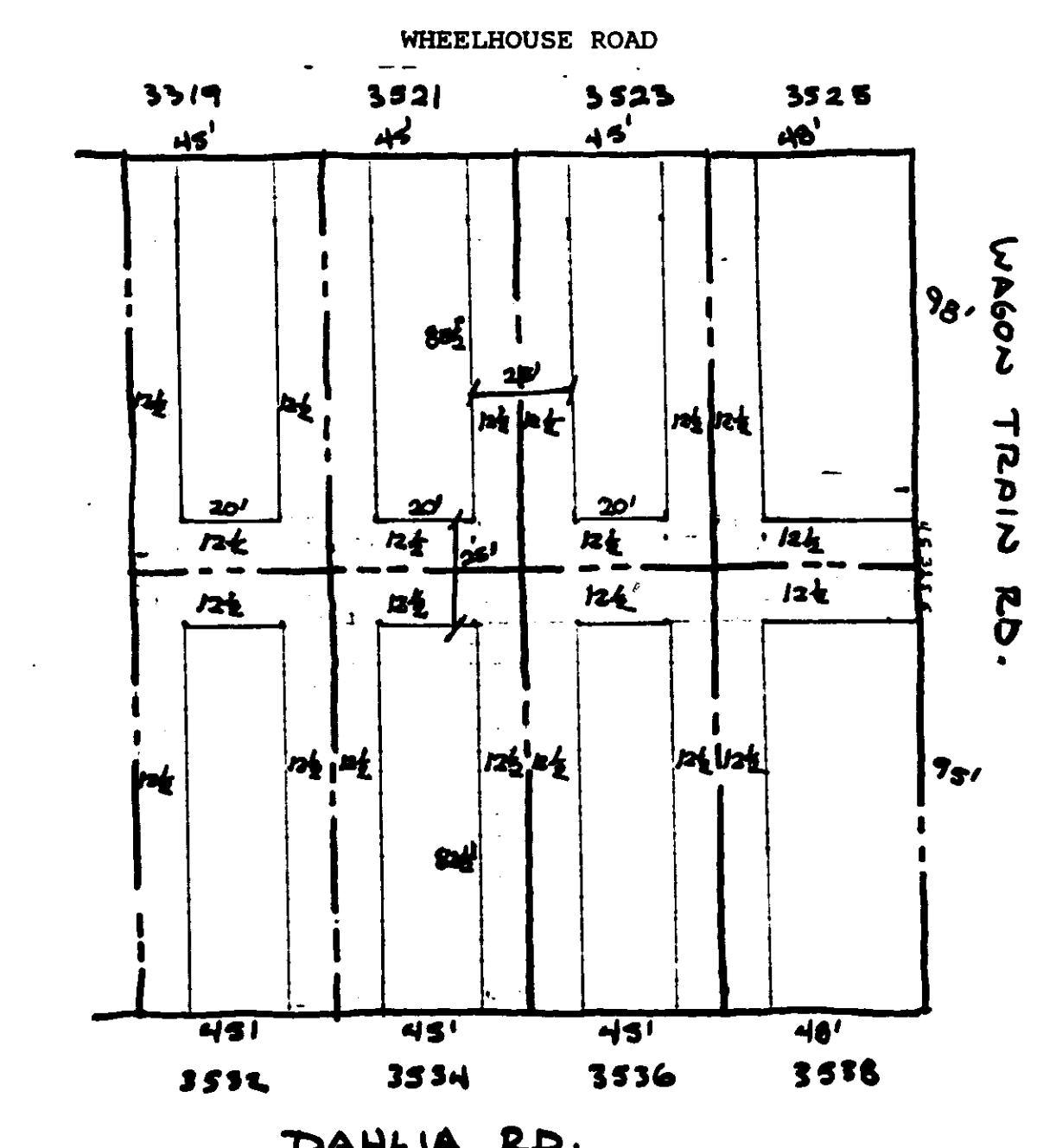
GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
Charles K. Stark
Charles K. Stark, P.E.

CKS:kmp

MICROFILMED

A. AREA NOT RECEIVING VARIANCES FROM ZONING COMMISSIONER

1. Typical Building Area



*Lot Size 45'-48' x 95'-98'

*Building Footprint
20' x 82 1/2' - 85 1/2'

MICROFILMED

BOWLEY'S QUARTERS IMPROVEMENT ASSN., Inc.
1124 BOWLEY'S QUARTERS ROAD
BALTIMORE, MARYLAND 21220
Telephone: 325-9802

Mr. David Fields
Director
Baltimore County Planning Office
Towson, Maryland 21204

May 16, 1988
Page 1 of 2

The Bowley's Quarters Improvement Association (BQIA) is opposed to the development concept proposed in plans filed with the Baltimore County Planning Office designated as the Carrollwood Manor Project - Plat # XV 181, dated March 14, 1979. It has been brought to our attention that the owner (MDIF) will request a waiver to bypass the CRG review which will essentially allow the grandfathering of this development plan beyond the reach of the CRG review process.

The BQIA is opposed to the possible waiving of this development for the following reasons:

1. We believe that the Critical Area Map depicting the proposed area misrepresents the area as it currently exists. The Critical Area Map dated 2/11/88 shows the area as a high density urban area when in fact the area is densely wooded and undeveloped.
2. If the Baltimore County Planning Board staff, in its recommendations proposed in the 1988 Comprehensive Zoning Requests document intended to protect the Saltwater Creek area (Petition # 5-179) from storm water runoff by designating this land parcel (consisting of 503 acres) for downgrading to R.C. 20 then how, knowing that this parcel is directly north of the Carrollwood Manor plat XV 181, could the planning staff justify the designation of the Carrollwood Manor Project-Plat # XV181 as a high density development area. This designation would surely sacrifice the water quality of the Seneca Creek area by aggravating storm water runoff problems which currently exist in this area.

It is the hope of the BQIA that the Baltimore County Planning Board will not grant the waiver request if filed, thereby forcing the CRG review.

The BQIA intends to lobby the CRG to persuade them to seize the opportunity provided by this building permit lapse and reconsider the high density development designation granted for this parcel. The downgrading of this area to a classification as a limited development area would be the more desirable designation and should be considered.

SENATE OF MARYLAND

MAY 20, 1988

Mr. David Fields, Director
Baltimore County Planning Office
Baltimore, MD 21220

Dear Mr. Fields:

The Bowley's Quarters Improvement Association has contacted me to let me know their position with regard to the Carrollwood Manor Project. They are opposed to any attempt to bypass the CRG review process in order to proceed with this project.

As a 6th District legislator and as a resident of the district, I agree wholeheartedly with the position of the Improvement Association. I am an advocate of the environment, and I vigorously oppose any development that threatens the ecology of the community and the quality of life of its present and future citizens.

We are presently engaged in a hard-fought battle to save the Chesapeake Bay and its tributaries, and we cannot expect to win that battle if we do not consider carefully the impact of further development in critical areas. The long-range effects of a healthy Bay, both ecologically and economically, far outweigh the immediate benefits of continued development, and I hope you will take this factor into consideration in your deliberations. I'm sure you share my concern for the well-being of Baltimore County and its residents.

Very truly yours,

Michael J. Collins

Michael J. Collins
Senator

MJC:kak

E. FARRELL MADDOX
4TH LEGISLATIVE DISTRICT
BALTIMORE COUNTY
JUDICIARY COMMITTEE



HOUSE OF DELEGATES

ANNAPOLIS, MARYLAND 21401-1991

May 27, 1988

Mr. Phillip Edwards
President
Bowley's Quarters Improvement Assn.
1124 Bowley's Quarters Road
Baltimore, Maryland 21220

Dear Phil:

The enclosed copy of a letter received by us is the most recent answer to the letter which we sent in response to your association's letter to me dated May 16 where you objected to the Carrollwood Manor Project.

I believe that you will find the enclosed letter to be favorable. If there is anything further that I can help you with, please do not hesitate to get in touch with me.

Sincerely,

E. Farrell Maddox
E. Farrell Maddox

EPM: ah

Copy: Carrollwood Civic and Improvement Assn.

MICROFILMED

MICHAEL J. COLLINS
4TH LEGISLATIVE DISTRICT
BALTIMORE COUNTY
MEMBER
ECONOMIC AND ENVIRONMENTAL
AFFAIRS COMMITTEE



SENATE OF MARYLAND

ANNAPOLIS, MARYLAND 21401-1991

August 2, 1991

Mr. James Dieter, Director
Baltimore County Department of Environmental
Protection and Resource Management
Courts Building
Towson, MD 21204

Dear Jim:

My office was recently contacted by Mrs. Emilie Bochenek, 710 Nollmeyer Road, Baltimore, MD 21220 (335-7483), regarding possible storm drain improvements which may exacerbate the current siltation of Seneca Creek.

Mrs. Bochenek is concerned that storm drain improvements associated with a nearby development between Carrollwood Road and Nollmeyer Road may empty into Seneca Creek. According to Mrs. Bochenek, existing County storm drains have carried much sediment into the creek, and she fears that additional sediment will only worsen the condition of Seneca Creek. Given your department's interest in improving the water quality of County waterways, I was hopeful that someone from your office could review this matter and speak personally with Mrs. Bochenek.

Your cooperation in this matter would be greatly appreciated.

Very truly yours,

Michael J. Collins
Michael J. Collins
Senator

MJC:kmk

cc: Mrs. Emilie Bochenek
Mr. Stephen Verch

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Rob Hoffman	210 Allynway
Bill Poole	3300 EASTERN BOULEVARD 21220
MIKE NIMA	3300 EASTERN " 21220
CHARLES R. STARK	640 STEPHENS JEFFERSON 650 RAILROAD BLVD 21204
KENNETH WRIGHTSON	3518 WHEELHOUSE RD 21220
TERESA WRIGHTSON	3518 WHEELHOUSE RD 21220
JANIS DUNN	149 COWHIDE CIR 21220
GEORGE C. MAI	3572 DANIELA LANE 21220
JAMES LAMET	3525 DANIELA LANE 21220

PLEASE PRINT CLEARLY

PROTESTANT(S) SIGN-IN SHEET

NAME	ADDRESS
Danny C. Jackson	3532 DANIELA LN 21220
Ronald & Carol Central	9 Daniel Lane 21220
Lee Wrightson	3518 Wheelhouse 21220
John Wrightson	57 Pepperack Lane 21220
Danna P. Ford	17 Iris Lane 21220
Debra A. Jackson	3630 DANIELA LANE 21220
BARBARA SHAWEN	3515 BUCKLEBROOK LANE 21220
GEORGE J. JONES	205 TRILUMAS RD 21220
Jennifer Dawson	149 Cowhide Circle 21220
FRANCIS J. DUNN	121 Cowhide Circle 21220

Attachment C. A. RESIDENTIAL STANDARDS

Single-Family Detached

Building Type: Single-Family
Detached, Semi-Detached and
Duplex Dwellings

Location: D.R.3.5, 5.5, 10.5, 16

Minimum setback requirements:

From a front building face to a
public street right-of-way or
property line -- 25 feet

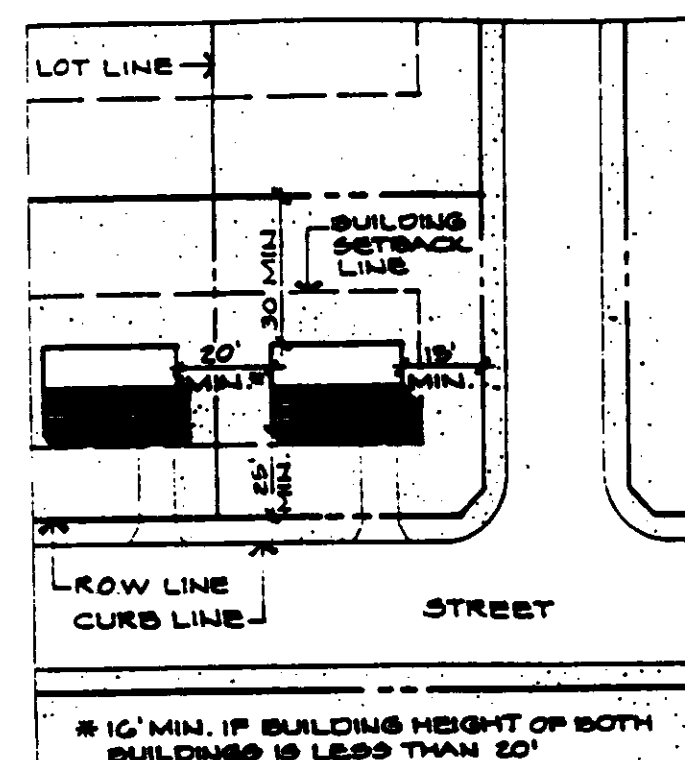
Between side building faces -- 16
feet for buildings up to 20 feet
in height, and 20 feet for
buildings with heights greater
than 20 feet

From a rear building face to a
rear property line or public
street right-of-way -- 30 feet

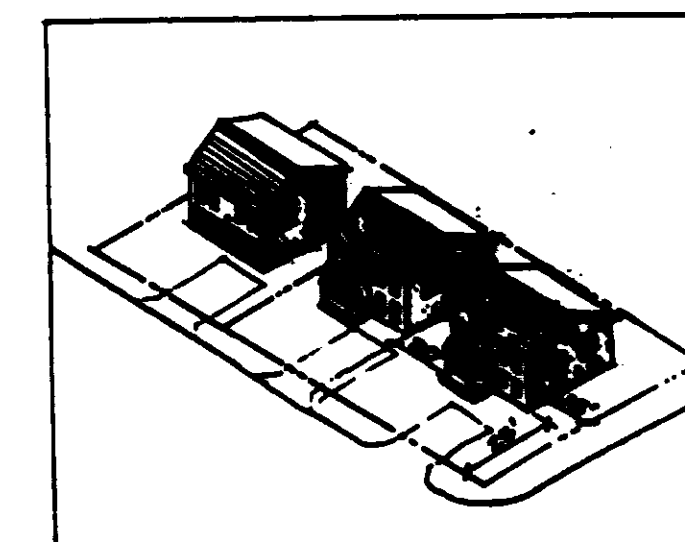
From a side building face to a
public street right-of-way and/or
tract boundary -- 15 feet

From side or front building face
to the edge of paving of a
private road -- 25 feet

Setbacks for buildings located
adjacent to arterial roadways
shall be increased by 20 feet.



Minimum setbacks for single family detached,
semi-detached and duplex units in DR 3.5, 5.5,
10.5 and 16 zones.



Perspective view, minimum setbacks in DR 3.5, 5.5,
10.5 and 16 zones

URBAN DEVELOPMENT STANDARDS II-5

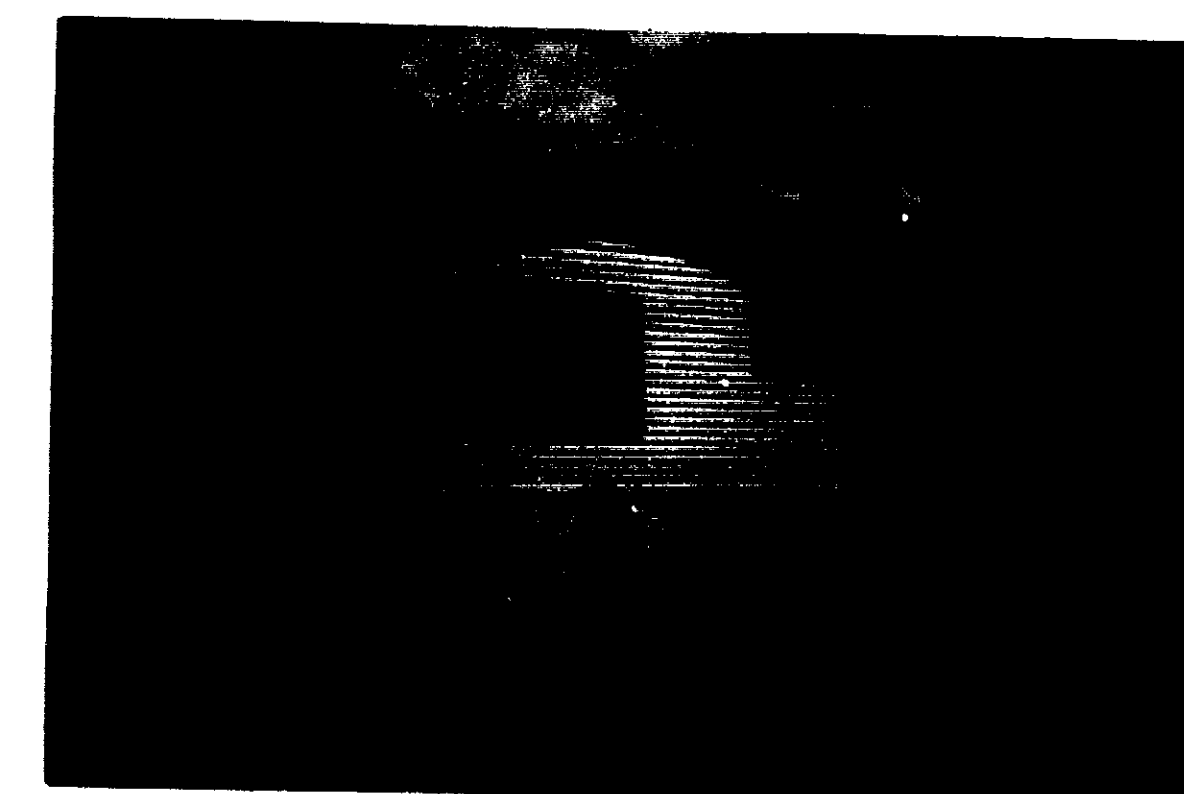
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Attachment A.



MICROFILMED

Attachment B.



MICROFILMED

as designated on Petitioner's Exhibit 1 by a line marked C.A.L. showing those lots which are not part of the variance request; and,

IT IS FURTHER ORDERED that the Petition for Zoning Variance requesting relief from Section 414.5 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a distance between units of 20 feet from side to side and 16 feet from rear to rear in lieu of the required 25 feet, for all other lots in the Williams Estates Mobile Home Park, be and is hereby DENIED.

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjb

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

November 2, 1992

(410) 887-4386

Robert A. Hoffman, Esquire
210 Allegheny Avenue
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING AND ZONING VARIANCE
NW/8 Eastern Avenue, 1600' NE of the c/l of Carroll Island Road
(Williams Estates)
15th Election District - 5th Councilmanic District
Williams Estates and Williams Management Services, Inc. - Petitioners
Case No. 92-460-SPHA

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing and Zoning Variance, as modified, have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3351.

Very truly yours,

Timothy M. Kotroco
TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TMK:bjb

cc: Mr. & Mrs. Donald Cutsall
9 Iris Lane, Baltimore, Md. 21220

Mr. Danny C. Jackson
3532 Dahlia Lane, Baltimore, Md. 21220

Mr. Ken Wrightson
3518 Wheelhouse Road, Baltimore, Md. 21220

People's Counsel, Baltimore

Chesapeake Bay Critical Areas Commission
45 Calvert Street, 2nd Floor, Annapolis, Md. 21401

DEPRM

MICROFILMED

Petition for Special Hearing

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 Hearing under Section 506.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve or deny to amend the special exception granted in Case No. 66-185 and to amend and add to the variances granted in Case Nos. 70-184-ASPH and 84-283-A.

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

I, or we, agree to pay expenses of the above Special Hearing 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/Lessee:

N/A
(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:
Robert A. Hoffman, Esquire

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.

Legal Owner(s):

Williams Estates

(Type or Print Name)

Williams Management Services, Inc.,
General Partners

Signature

By *W.T. Poole, Jr.*
(Type or Print Name) William T. Poole, Jr.,
President

Signature

Address

City and State

3300 Eastern Boulevard 574-8666

Address

City and State

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

Robert A. Hoffman, Esquire

Name 210 Allegheny Avenue

Towson, Maryland 21204 494-6200

Address

City and State

Attorney's Telephone No.

494-6200

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING - 1/2HR.

AVAILABLE FOR HEARING

ALL / YES / NO - NEXT TWO MONTHS

REVIEWED BY: *TMK* DATE: *5/1/92*

Petition for Variance

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 414.5 to permit a space of 20 feet from side to side and to permit a space of 16 feet from rear to rear of unit in lieu of the required 25 feet for those lots shown on the attached plan (sheet 2 of 2).

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
To permit the replacement of an older existing home with either a larger single-section home or a double section home in an existing mobile home park as the present owners of existing homes desire to update their houses. Will allow the owners of the park to maintain a desirable and un-dated manufactured housing community and continue to offer this affordable housing option to Baltimore County residents for years to come.

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/Lessee:

N/A

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Robert A. Hoffman, Esquire

(Type or Print Name)

Signature

Address

City and State

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

Robert A. Hoffman, Esquire

Name 210 Allegheny Avenue

Towson, Maryland 21204 494-6200

Address

City and State

Attorney's Telephone No.

494-6200

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING - 1/2HR.

AVAILABLE FOR HEARING

ALL / YES / NO - NEXT TWO MONTHS

REVIEWED BY: *TMK* DATE: *5/1/92*

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 18, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 18, 1992.

THE JEFFERSONIAN,

S. Zake Orlov

Publisher

CERTIFICATE OF PUBLICATION

TOWSON, MD., June 11, 1992

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on June 11, 1992.

THE JEFFERSONIAN,

S. Zake Orlov

Publisher

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Date

Account: R-001-4150

Number

12/23/92

H9200467

PUBLIC HEARING FEES

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04040111CHRC

PA 021237PH12-03-92

Please Make Checks Payable To Baltimore County

\$395.00

FROM THE OFFICE OF
GEORGE WILLIAM STEPHENS, JR. & ASSOCIATES, INC.
ENGINEERS
604 EISENHART DRYL SUITE 104 TOWSON, MARYLAND 21204

Description to Accompany
Petition for Variance.

Beginning for the same on the northern right-of-way line of Eastern Avenue (Route 150) 50 feet wide at the easternmost corner of a Plat of Bengies Trailer Village filed among the Plat Records of Baltimore County in Plat Book E.H.K., Jr. 35 folio 101 thence binding on the northern right-of-way line of Eastern Avenue as shown on said Plat the five following courses and distances

1 - Southwesterly by a line curving to the west with a radius of 2058.48 feet for an arc distance of 219.70 feet (the chord of said arc being South 62° 36' 14" West 219.59 feet)

2 - South 65° 39' 40" West 622.81 feet

3 - Southwesterly by a line curving to the south with a radius of 1170.92 feet for an arc distance of 564.39 feet (the chord of said arc being South 51° 51' 10" West 558.94 feet)

4 - South 38° 02' 40" West 249.69 feet and

5 - Southwesterly by a line curving to the west with a radius of 975.00 feet for an arc distance of 624.24 feet (the chord of said arc being South 56° 23' 10" West 613.63 feet) to the northeast right-of-way line of Bengies Road

50 feet wide thence binding on the northeast right-of-way line of Bengies Road as shown on said Plat the nine following courses and distances

6 - North 74° 58' 43" West 41.48 feet

7 - North 44° 41' 40" West 163.14 feet

8 - Northwesterly by a line curving to the north with a radius of 575.00 feet for an arc distance of 146.05 feet (the chord of said arc being North 37° 25' 04" West 145.66 feet)

9 - North 30° 08' 28" West 441.53 feet

10 - Northwesterly by a line curving to the west with a radius of 425.00 feet for an arc distance of 176.04 feet (the chord of said arc being North 42° 00' 26" West 174.78 feet)

11 - North 53° 52' 24" West 200.00 feet

12 - Northwesterly by a line curving to the west with a radius of 1019.99 feet for an arc distance of 99.92 feet (the chord of said arc being North 56° 40' 47" West 99.88 feet)

13 - North 59° 29' 10" West 390.02 feet and

14 - North 21° 11' 40" West 90.60 feet thence

Containing 84.524 acres of land more or less.

April 30, 1992
Page -2-

92-460-SPH

MICROFILMED

#487

Description to Accompany
Petition for Variance.

15 - North 68° 48' 20" East 589.64 feet thence
16 - North 21° 11' 40" West 150.00 feet to the southern right-of-way of the Penn Central Railroad thence binding on the southern right-of-way of Penn Central Railroad as shown on said Plat the three following courses and distances
17 - North 68° 48' 20" East 2111.65 feet
18 - North 18° 01' 40" West 62.60 feet and
19 - North 68° 48' 20" East 202.95 feet thence
20 - South 19° 21' 30" East 1292.50 feet to the place of beginning.
Containing 84.524 acres of land more or less.

Charles H. Stahl
CLERK OF THE COURT
BALTIMORE COUNTY
LAW BUILDING
TOWSON, MARYLAND 21204

MICROFILMED

WILLIAMS ESTATES				CHECK No. 001572	
CURR. INV. NO.	YOUR INVOICE NO.	INVOICE DATE	INVOICE AMOUNT	AMOUNT PAID	NET CHECK AMOUNT
		11/19/92	\$385.00		
			Zoning Variance Appeal Case No. 92-460-SPH		
					MICROFILMED

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150
Number

Date: 7/23/92

92-460

MS 300031

PUBLIC HEARING FEES DIV PRICE
000 POSTING SIGNS / ADVERTISING 1 X \$98.16
TOTAL: \$98.16

LAST NAME OF OWNER: WILLIAMS MORT

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Please Make Check Payable to Baltimore County \$98.16
BA C01046AM07-24-92

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

DATE: 7-1-92

Williams Estates
3300 Eastern Boulevard
Baltimore, Maryland 21220

ATTN: WILLIAM T. POOLE, JR.

Re: Case #92-460-SPH (Item 487)
NW/4 Eastern Avenue, 1600' NE of c/l Carroll Island Road
Williams Estates
15th Election District - 5th Councilmanic
Petitioner(s): Williams Management Services, Inc.
HEARING: MONDAY, JULY 20, 1992 at 9:00 a.m. in Rm. 118

Dear Petitioner(s):

Please be advised that \$ 98.16 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

ARNOLD JANLOW
DIRECTOR

cc: Robert A. Hoffman, Esq.

MICROFILMED

Baltimore County Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

receipt

92-460

Account: R-001-6150
Number

Date: 7/23/92

PUBLIC HEARING FEES DIV PRICE
000 POSTING SIGNS / ADVERTISING 1 X \$98.16
TOTAL: \$98.16

LAST NAME OF OWNER: WILLIAMS MORT

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Please Make Check Payable to Baltimore County \$98.16
BA C01126AM06-30-92

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204

DATE: 6-18-92

Williams Estates
3300 Eastern Boulevard
Baltimore, Maryland 21220

ATTN: WILLIAM T. POOLE, JR.

Re: Case #92-460-SPH (Item 487)
NW/4 Eastern Avenue, 1600' NE of c/l Carroll Island Road
Williams Estates
15th Election District - 5th Councilmanic
Petitioner(s): Williams Management Services, Inc.
HEARING: FRIDAY, JULY 10, 1992 at 2:00 p.m. in Rm. 106, Office Building.

Dear Petitioner(s):

Please be advised that \$ 98.16 is due for advertising and posting of the above captioned property and hearing date.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please forward your check via return mail to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 109, Towson, Maryland 21204. Place the case number on the check and make same payable to Baltimore County, Maryland. In order to avoid delay of the issuance of proper credit and/or your order, immediate attention to this matter is suggested.

ARNOLD JANLOW
DIRECTOR

cc: Robert A. Hoffman, Esq.

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Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 887-3353

JUNE 5, 1992

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE #92-460-SPH (Item 487)
NW/4 Eastern Avenue, 1600' NE of c/l Carroll Island Road
Williams Estates
15th Election District - 5th Councilmanic
Petitioner(s): Williams Management Services, Inc.
HEARING: FRIDAY, JULY 10, 1992 at 2:00 p.m. in Rm. 106, Office Building.

Special Hearing to amend the special exception granted in case #66-185; and to amend and add to the variances granted in case #70-164-SPH and #84-283-A.
Variance to permit a space of 20 ft. from side to side and to permit a space of 16 ft. from rear to rear of unit in line of the required 25 ft. for those lots shown on sheet 2 of the submitted plan.

Lawrence E. Schmidt
Zoning Commissioner of
Baltimore County

cc: Williams Estates
Robert A. Hoffman, Esq.

NOTE: HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

JUNE 10, 1992

NOTICE OF REASSIGNMENT

CASE NUMBER(S): 92-460-SPH
LEGAL OWNER: WILLIAMS ESTATES
LOCATION: NW/4 EASTERN AVENUE, 1600' NE CARROLL ISLAND RD

HEARING OF THE ABOVE MATTER WILL TAKE PLACE AS FOLLOWS:

MONDAY, JULY 20, 1992 at 9:00 a.m.

IN THE BALTIMORE COUNTY ROOM 118, OLD COURTHOUSE, 400 WASHINGTON AVENUE, TOWSON, MARYLAND 21204.

Lawrence E. Schmidt
ZONING COMMISSIONER
BALTIMORE COUNTY

cc: Williams Estates
Robert A. Hoffman, Esq.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

June 23, 1992

Robert A. Hoffman, Esquire
210 Allegheny Avenue
Towson, MD 21204

RE: Item No. 487, Case No. 92-460-SPH
Petitioner: William Estates, et al
Petition for Special Hearing

Dear Mr. Hoffman:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, 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 filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

MICROFILMED

Baltimore County Government
Office of Zoning Administration
and Development Management
Office of Planning & Zoning

111 West Chesapeake Avenue
Towson, MD 21204 (410) 887-3353

Your petition has been received and accepted for filing this 19th day of May, 1992

ARNOLD JANLOW
DIRECTOR

Received By:
W. Carl Richman, Jr.
Chairman,
Zoning Plans Advisory Committee

Petitioner: William Estates, et al
Petitioner's Attorney: Robert A. Hoffman

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration and Development Management

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for June 8, 1992
Item 487

The Developers Engineering Division has reviewed the subject zoning item and confirmation of compliance should be provided to this office that compliance with the landscape and fence requirements of the conditions #1 and #2 of Case #84-283A has been achieved.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division

RWB:DAK:s

BALTIMORE COUNTY, MARYLAND

OFFICE OF PLANNING AND ZONING
New Courts Building
401 Bosley Avenue
Towson, MD 21204

MEMORANDUM

TO: Arnold Jablon, Director - Zoning Administration & Development Management

FROM: Ervin McDaniel, Chief
Development Review Section
Office of Planning and Zoning

DATE: June 5, 1992

SUBJECT: PETITIONS FROM ZONING ADVISORY COMMITTEE - June 1, 1992

The Office of Planning and Zoning has no comments on the following petitions:

George S. Nyquist	- Item 474
Stephen G. Swinn	- Item 477
Albert P. Nocar Jr.	- Item 478
Maryland Marine Mfg. Co.	- Item 479
Robert C. Eppig	- Item 480
James R. Porter	- Item 481
Dorothy S. Hunter	- Item 482
St. Lukes Health Ministries	- Item 484
Williams Estates	- Item 487
John M. Jacob	- Item 488
Gene Ensor	- Item 489
Lawrence F. Solomon	- Item 493

If there should be any further questions or if this office can provide additional information, please contact Francis Morsey in the Office of Planning and Zoning at 887-3211.

6.5.92.txt
Petition.txt

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06/08/92

Development Review Committee Response Form
Authorized signature *Robert W. Bowling* Date *6/8/92*

Project Name	Waiver Number	Zoning Issue	Meeting Date
✓ Stephen G. And Lynn M. Swinn	477	NIC	6-1-92
DED DEPRM RP STP TE			
✓ Albert F. And Ann B. Nocar	478	More Time	
DED DEPRM RP STP TE			
✓ Maryland Marine Manufacturing Co., Inc.	479	More Time	
DED DEPRM RP STP TE			
✓ Robert C. And Sylvia W. Eppig	480	NIC	
DED DEPRM RP STP TE			
✓ James Ronald And Beth B. Porter	481	NIC	
DED DEPRM RP STP TE			
✓ Nelson H. And Lee M. Hendler	485	NIC	
DED DEPRM RP STP TE			
✓ Leon G. McKemy	486	NIC	
DED DEPRM RP STP TE			
✓ Williams Management Services, Inc.		NIC	
DED DEPRM RP STP TE			
✓ John M. And Karen R. Jacob	488	NIC	
DED DEPRM RP STP TE			
✓ Matthew F. Reckenberger, Jr.	490	NIC	
DED DEPRM RP STP TE			
✓ Herbert M. And And Betty Rosen	491	NIC	
DED DEPRM RP STP TE			
✓ Meadows Park Ltd. Partnership Russel Asset Mgt, Inc.	492	NIC	
DED DEPRM RP STP TE			

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BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and Development Management

FROM: Mr. J. Lawrence Pilon
Development Coordinator, DEPRM

SUBJECT: Zoning Item 487
Williams Estates
3300 Eastern Boulevard
Zoning Advisory Committee Meeting of June 1, 1992

The Department of Environmental Protection and Resource Management requests an extension for the review of the above referenced zoning item to determine whether the proposed development is in compliance with the Chesapeake Bay Critical Area Regulations. The applicant must submit a Critical Area Findings Plan for review and approval by this Department prior to preparation of a Critical Area Findings for the development. The applicant may contact the Environmental Impact Review Division of the Department at 887-2904 for details.

LJP:sp

JABLON/S/TXTSBP

700 East Joppa Road Suite 901
Towson, MD 21204-5500

MAY 27, 1992

(301) 887-4500

Arnold Jablon
Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: WILLIAMS MANAGEMENT SERVICES, INC.
Location: WILLIAMS ESTATES
Item No.: 487 (NJK) Zoning Agenda: JUNE 1, 1992

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

SITE PLAN SHOWING THE LOCATION OF FIRE HYDRANTS IS REQUIRED.

REVIEWER: *Carl J. R. R. R.* Noted and Approved
Planning Group Fire Prevention Bureau
Special Inspection Division

JP/KEK

RECEIVED
MAY 29 1992

ZONING OFFICE

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE MEMORANDUM

TO: Tim Kotroco, Deputy
Zoning Commissioner

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

SUBJECT: Williams Estates
Case No. 92-460

DATE: August 25, 1992
Pat Keller
ZONING COMMISSIONER

Based upon the site visit conducted August 24, 1992 and the testimony received at the hearing, staff provides additional conditions which should be placed on the property if this request is granted.

- Above grade building extensions such as decks, sun porches etc. should not be located closer than 10 feet to another principal structure or deck, sunporch, etc.
- Parking shall only be provided in the front yard. Any existing parking pads extending past the front yard shall be removed unless covered with a patio, deck or sunporch.
- Accessory structures such as storage sheds should not be provided at the rear of dwellings which are separated by less than 25 feet.
- Prior to the placement of a manufactured home on a lot, which is less than 25 feet from another building the petitioner shall provide a site plan to the Office of Planning and Zoning for review and signature. The plan should show 1) the proposed location of the home, and 2) the location of principal and accessory structures immediately surrounding the proposed home.
- A tot lot addressing the needs of small children living in the development should be provided at the Community Center.

PK:rdn
WNS:EST

MICROFILMED

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration & Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: July 9, 1992

SUBJECT: Williams Estates

INFORMATION: Item Number: No. 487

Petitioner: Williams Management Services, Inc.
3300 Eastern Blvd
Baltimore MD 21220

Property Size: 86.4134 acres

Number of Units: 557

Zoning: MU-1M

Requested Action: Variances

Zoning History: #66-165-X, Special exception granted for manufactured housing.
#70-184-ASP, Variances granted for setbacks to tract boundaries.
#84-283-A, Variances granted for setbacks to tract boundary.

Hearing Date: 7/1/92

SUMMARY OF RECOMMENDATIONS:
The petitioner has requested blanket variances to allow building to building setbacks of 20 feet, and 16 foot setbacks from the rear of those units backing onto Eastern Ave., and the eastern tract boundary as well as the rears of other units.
The Williams Estates is one of Baltimore County's largest and best managed manufactured home developments. The quality of the development is excellent with the vast majority of the units being well maintained and landscaped. The original development was approved in 1966 with the vast bulk of the units being 12 or 14 feet wide and 60 to 80 feet in length. The industry at that time was manufacturing units which were conveyed to the site via the use of axle and wheel assemblies (Attachment A). The manufactured home industry has changed radically since that time with the advent of modular home construction (Attachment B).

487.ZAC/ZAC1

MICROFILMED

Pg. 1

ZAC COMMENTS: Williams Estates - No. 487

TO: Arnold Jablon

DATE: July 9, 1992

The modular home construction industry essentially prefabricates the homes at a plant, which are then conveyed to the site and then placed together.

The modular homes are quite sizeable containing up to 1,200 square feet of living space. In addition, the homes have architectural details such as pitched roofs, porches, bay windows, etc. The newer manufactured homes present a much better image than the older mobile homes.

The variances requested regarding the side yard setbacks are in conformance with the new CMHP regarding building setbacks (Attachment C). The BCER and CHDP allow distances between buildings of 20 feet for single-family detached dwellings, DR 5.5, 10.5 or 16 zones. The petitioner's request is in conformance with these regulations.

The rear yard variances differ significantly from what is required for single-family detached homes in the DR 5.5, 10.5 or 16 zones. A 30 foot rear yard is required. Staff believes that adequate rear yards should be provided, however, the nature of the manufactured housing industry as well as the layout for the Williams Estates does provide adequate building separation and adequate rear yard space for the provision of storage sheds. The restrictions on the development also regulate exterior maintenance. The entire resubdivision of this development to accommodate these upgraded units would not be appropriate.

Based upon the analysis conducted and information provided staff recommends APPROVAL of the petitioner's request.

PK:bjs

Attachments

487.ZAC/ZAC1

Pg. 2

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

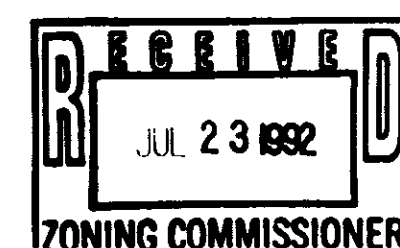
TO: Mr. Arnold Jablon, Director

DATE: July 16, 1992

Zoning Administration and Development Management

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

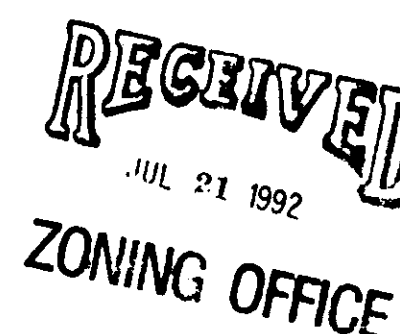
SUBJECT: Zoning Item 487
Williams Estates
3300 Eastern Avenue



See attached Chesapeake Bay Critical Area Findings.

JLP:ju

JABLON/S/TXTJEU



MICROFILMED

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration and Development Management

DATE: July 16, 1992

FROM: J. James Dieter

SUBJECT: Petition for Zoning Variance and Special Hearing - Item 487 - Williams Estates
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 3300 Eastern Avenue. Portions of the site are within the Chesapeake Bay Critical Area (CBCA). The southeastern portion is classified as a Limited Development Area (LDA) and the southwestern portion is classified as an Intensely Developed Area (IDA).

APPLICANT'S NAME Williams Management Services, Inc.

APPLICANT PROPOSAL

The applicant has requested a variance from Section 414.5 of the Baltimore County Zoning Regulations to permit a space of 20 feet from side to side and to permit a space of 16 feet from rear to rear of unit in lieu of the required 25 feet for certain lots.

The applicant has also requested a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to amend the special exception granted in Case No. 66 185 and to amend and add to the variances granted in Case Nos. 70-184-ASPH and 84-283-A.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and

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Mr. Arnold E. Jablon
July 16, 1992
Page 2

3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.D>

CONCLUSION

The project proposal cannot be approved at this time because the applicant has failed to submit a CBCA Findings Plan indicating how the proposed development would comply with the CBCA Regulations. If there are any questions, please contact Ms. Patricia M. Farr at 887-2904.

J. James Dieter, Director
Department of Environmental Protection and Resource Management

JJD:tjl

Attachment

cc: Mr. William T. Poole, Jr.
Mr. Robert A. Hoffman

WILLIAM2/MQCBCA

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration and Development Management

DATE: July 31, 1992

FROM: J. James Dieter

SUBJECT: Petition for Zoning Variance and Special Hearing - Item 487 - Williams Estates
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 3300 Eastern Avenue. Portions of the site are within the Chesapeake Bay Critical Area (CBCA). The southeastern portion is classified as a Limited Development Area (LDA) and the southwestern portion is classified as an Intensely Developed Area (IDA).

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The applicant has also requested a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to amend the special exception granted in Case No. 66 185 and to amend and add to the variances granted in Case Nos. 70-184-ASPH and 84-283-A.

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and

Mr. Arnold E. Jablon
July 31, 1992
Page 2

3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.D>

CONCLUSION

The applicant has amended the petition to exclude all lots within the Chesapeake Bay Critical Area, therefore, a Chesapeake Bay Critical Area Findings is not required for this petition. If there are any questions, please contact Ms. Patricia M. Farr at 887-2904.

J. James Dieter, Director
Department of Environmental Protection and Resource Management

JJD:tjl

cc: Mr. William T. Poole, Jr.
Mr. Robert A. Hoffman

WILLIAM2/MQCBCA



ZONING OFFICE

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BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

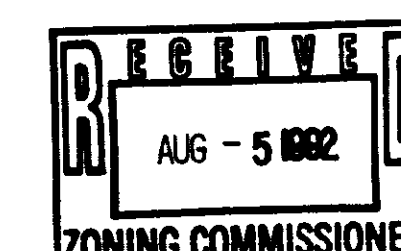
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration and Development Management

DATE: July 31, 1992

FROM: J. Lawrence Pilson
Development Coordinator, DEPRM

SUBJECT: Zoning Item 487
Williams Estates
3300 Eastern Avenue



See attached Chesapeake Bay Critical Area Findings.

JLP:ju

JABLON/S/TXTJEU



ZONING OFFICE

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BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold E. Jablon, Director
Office of Zoning Administration and Development Management

DATE: October 5, 1992

FROM: J. James Dieter

SUBJECT: Petition for Zoning Variance - Item 486
McKew Property
Chesapeake Bay Critical Area Findings

SITE LOCATION

The subject property is located at 2513 Ruth Avenue. The site is within the Chesapeake Bay Critical Area and is classified as a Resource Conservation Area (RCA).

APPLICANT'S NAME Mr. Leon McKew

APPLICANT PROPOSAL

The applicant has requested a Special Hearing to approve the legal "non-conforming use of the subject contractor's equipment yard."

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts." <COMAR 14.15.10.01.D>

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Mr. Arnold E. Jablon
October 5, 1992
Page 2

Regulation: Grandfathering. After program approval, local jurisdictions shall permit the continuation, but not necessarily the intensification or expansion, of any use in existence on the date of program approval. <COMAR 14.15.02.07.>

Finding: If this use is determined to be a non-conforming use, then its continuation shall be allowed; however, clear boundaries must be determined for the permitted use. Any intensification or expansion since the date of Chesapeake Bay Critical Area Program approval, June 1, 1988, shall have to comply with all Critical Area requirements.

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above. Please keep this Department informed regarding the Zoning Commissioner's determination. If this use is determined to be a non-conforming use then its continuance shall be allowed in accordance with the above Chesapeake Bay Critical Area Regulations. If there are any questions, please contact Ms. Patricia M. Farr at 887-2904.

J. Dieter
James Dieter, Director
Department of Environmental Protection
and Resource Management

JJD:NSP:ju

c: Mr. Leon McKemy

MCKEMY/MQBCA

RECEIVED
14 1992

ZONING OFFICE

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

December 2, 1992

Baltimore County Board of Appeals
Old Courthouse, Room 49
400 Washington Avenue
Towson, Maryland 21204

RE: Petition for Special Hearing and Zoning Variance
NW/S Eastern Avenue, 1600' NE of the c/l of Carroll Island
(Williams Estates)
15th Election District, 5th Councilmanic District
WILLIAMS ESTATES
Case No. 92-460-SPHA

Dear Board:

Please be advised that an appeal of the above-referenced case was filed in this office on November 23, 1992 by William T. Poole, Jr. All materials relative to the case are being forwarded herewith.

Please notify all parties to the case of the date and time of the appeal hearing when it has been scheduled. If you have any questions concerning this matter, please do not hesitate to contact this office.

Very truly yours,

Arnold Jablon
Arnold Jablon, Director
Zoning Administration and
Development Management

At:ccr

Enclosures

cc: William T. Poole, Jr.
Robert A. Hoffman, Esquire
Mr. & Mrs. Donald Cutsail
Mr. Denny C. Jackson
Mr. Ken Wrightson
People's Counsel of Baltimore County
File

MICROFILMED

APPEAL

Petition for Special Hearing and Zoning Variance
NW/S Eastern Avenue, 1600' NE of the c/l of Carroll Island
(Williams Estates)
15th Election District - 5th Councilmanic District
WILLIAMS ESTATES - PETITIONER
Case No. 92-460-SPHA

Petition(s) for Special Hearing and Zoning Variance

Description of Property

Certificate of Posting

Certificate of Publication

Entry of Appearance of People's Counsel

Zoning Plans Advisory Committee Comments

Director of Planning & Zoning Comments (Included with ZAC Comments)

Petitioner(s) and Protestant(s) Sign-In Sheets

Petitioner's Exhibits: 1. Plat to accompany Petition (2 Sheets)
2. No Exhibit marked #2
3. Photograph display of trailer sites

Protestant's Exhibits:

Unmarked - Letters of Protest

Additional Exhibits: Microfilm copies of Case No. 84-283A
Microfilm copies of Case No. 66-185X
Microfilm copies of Case No. 70-184ASPH

Deputy Zoning Commissioner's Order dated November 2, 1992 (Denied)

Notice of Appeal received on November 23, 1992 from William T. Poole, Jr.

cc: William T. Poole, Jr.
Robert A. Hoffman, Esquire
Mr. & Mrs. Donald Cutsail
Mr. Denny C. Jackson
Mr. Ken Wrightson
People's Counsel of Baltimore County
Rm. 304, County Office Bldg., Towson, Md. 21204

Request Notification: P. David Fields, Director of Planning & Zoning
Patrick Keller, Office of Planning & Zoning
Lawrence E. Schmidt, Zoning Commissioner
Timothy M. Kotroco, Deputy Zoning Commissioner
W. Carl Richards, Jr., Zoning Coordinator
Docket Clerk
Arnold Jablon, Director of ZAM
Public Services

MICROFILMED

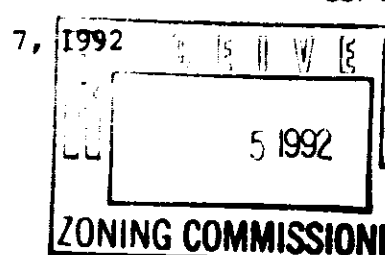
Baltimore County Government
County Executive's Office



Roger B. Hayden
County Executive

400 Washington Avenue
Towson, Maryland 21204
887-2450

August 7, 1992



Ms. Gretchen A. Floyd
Merrill Lynch
Private Client Group
Equitable Bank Center
100 South Charles Street
Baltimore, Maryland 21201

RE: Case No. 92-460-SPH (Item No. 487)
(Previous Case Nos. 66-185-X,
70-184-ASPH, and 84-283-A)
NW/S Eastern Avenue, 1,600' NE of the
Center Line of Carroll Island Road
15th Election District

Dear Ms. Floyd:

I am in receipt of your recent letter concerning the zoning requests submitted by Williams Estate.

As you know, a public hearing was held on July 20, 1992, and I have been advised that a decision has not been rendered at this time.

Since zoning hearings are quasi-judicial in nature and the zoning commissioner's office is an independent body, I cannot intervene in this process. The process must remain free of interference if it is to successfully protect the interests of all our citizens. However, I do share your concerns, and I can assure you that they will be given every consideration before a decision is rendered.

By copy of this letter, I am forwarding your letter to Timothy M. Kotroco, Deputy Zoning Commissioner, so that a copy of the decision can be forwarded to you when a decision is reached.

Thank you for bringing your concerns to my attention.

Sincerely,

R. B. Hayden
Roger B. Hayden
County Executive

RBH/SRL/srl

cc: Timothy M. Kotroco



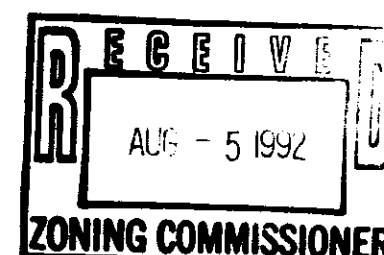
Baltimore County Government
County Executive's Office



Roger B. Hayden
County Executive

400 Washington Avenue
Towson, Maryland 21204
887-2450

August 7, 1992



Ms. Barbara Shaver
3515 Buckboard Lane
Baltimore, Maryland 21220

RE: Case No. 92-460-SPH (Item No. 487)
(Previous Case Nos. 66-185-X,
70-184-ASPH, and 84-283-A)
NW/S Eastern Avenue, 1,600' NE of the
c/l of Carroll Island Road
15th Election District

Dear Ms. Shaver:

I am in receipt of your recent letter concerning the zoning requests submitted by Williams Estate.

As you know, a public hearing was held on July 20, 1992, and I have been advised that a decision has not been rendered at this time.

Since zoning hearings are quasi-judicial in nature and the zoning commissioner's office is an independent body, I cannot intervene in this process. The process must remain free of interference if it is to successfully protect the interests of all our citizens. However, I do share your concerns, and I can assure you that they will be given every consideration before a decision is rendered.

By copy of this letter, I am forwarding your letter to Timothy M. Kotroco, Deputy Zoning Commissioner, so that a copy of the decision can be forwarded to you when a decision is reached.

Thank you for bringing your concerns to my attention.

Sincerely,

R. B. Hayden
Roger B. Hayden
County Executive

RBH/SRL/srl

cc: Timothy M. Kotroco

County Board of Appeals of Baltimore County



OLD COURTHOUSE, ROOM 48
400 WASHINGTON AVENUE
TOWSON, MARYLAND 21204
(410) 887-3180

January 15, 1993

NOTICE OF ASSIGNMENT

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

CASE NO.

WILLIAMS ESTATES
NW/S Eastern Avenue
1600' NE of c/l of Carroll
Island Road (Williams Estates)
15th Election District
5th Councilmanic District

SPH-Amend SE in 66-185-X; Amend and
add to variance granted in 70-184-ASPH
& 84-283-A;
VAR-distance between units

11/2/92 - D.E.C.'s Order GRANTING
Petition in part; DENYING in part.

ASSIGNED FOR:

WEDNESDAY, MAY 19, 1993 AT 10:00 a.m.

cc: William T. Poole, Jr., President Petitioner/Appellant
Williams Mgmt. Services, Inc.
Robert A. Hoffman, Esquire - Counsel for Petitioner/Appellant
Mr. and Mrs. Donald Cutsail
Mr. Denny C. Jackson
Mr. Ken Wrightson
Ms. Sandra Dawson
People's Counsel for Balto. Co.
P. David Fields
Public Services
Lawrence E. Schmidt
Timothy M. Kotroco
W. Carl Richards, Jr.
Docket Clerk - Zoning
Arnold Jablon, Director of Zoning
Administration

LindaLee H. Rasmussen
Legal Secretary

MICROFILMED

VENABLE, BAETJER AND HOWARD

BALTIMORE, MD
WASHINGTON, D.C.
MELAN, VA
ROCKVILLE, MD
BETH AIR, MD

ROBERT A. HOFFMAN

June 8, 1992

404-9182

Arnold Jablon, Director
Office of Zoning Administration
and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Case No. 92-460-SPH
Item No. 487
Williams Estates - Petitioner

Dear Mr. Jablon:

Our client, Bill Poole, received a copy of a Notice of Hearing in the referenced case for July 10 at 2:00 p.m. Unfortunately, Mr. Poole (who will be testifying at the hearing) will be out of town on that date and has asked me to request that the case be rescheduled for either July 14, July 17 or a date between July 20 and August 12. I hope that this case can be rescheduled to one of these dates without too much inconvenience to your department.

Thank you for your consideration of this request.

Yours truly,

Robert A. Hoffman
Robert A. Hoffman

BAH/tls
cc: William T. Poole, Jr.

RECEIVED
JUN 9 1992

ZONING OFFICE

MICROFILMED

Williams Management Services, Inc.

November 19, 1992

Mr. Arnold Jablon, Director
Office of Zoning Administration
and Development Management
County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Petition for Special Hearing and Zoning Variance
NW/S Eastern Avenue, 1600' NE of the c/l of
Carroll Island Road (Williams Estates)
Case No.: 92-460-SPHA

Dear Mr. Jablon:

As petitioners in the above-referenced zoning case, please note our appeal from the denial of certain variances and the applicable portion of the special hearing found in the Deputy Zoning Commissioner's Finding of Facts and Conclusions of Law, dated November 2, 1992. Our name and address is as follows:

Williams Estates
Williams Management Services, Inc., General Partner
3300 Eastern Boulevard
Baltimore, Maryland 21220

Enclosed is our check in the amount of \$385.00 to cover the costs of this appeal. Thank you for your cooperation.

Very truly yours,

WILLIAMS MANAGEMENT SERVICES, INC.

William T. Poole, Jr.
William T. Poole, Jr.
President

WTP/mw
Enc.

MICROFILMED



Backboard Lane





Between 129-131 Cowhide Circle



Buckboard Lane



Cowhide Circle



Cowhide Circle



Buckboard + Honeysuckle



131-133 Cowhide Circle



3500 BUCKBOARD - BACK.
18' 13" BETWEEN HOMES - #4
6' TANKS -
ALLOWS 12' BETWEEN TANKS



BUCKBOARD &
HONEYSUCKLE



Buckboard + Honeysuckle

24' 3" Back
24' 9" Front



HONEYSUCKLE #1
26' SIDE TO SIDE
13' 9" HOUSE TO PROPERTY LINE
4'-5 1/2' ALLOW FOR STEPS



#2 HONEYSUCKLE LANE



PENN CENTRAL RAILROAD ZONED MH-1M



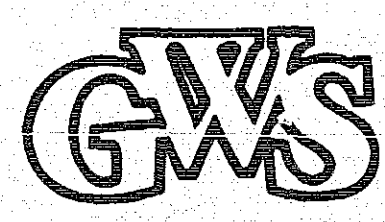
TABULATION

ZONED ML-1M W/SPECIAL EXCEPTION FOR TRAILER PARK #66-185X

GROSS AREA	= 26.413 AC
NET AREA	= 24.524 AC
EXISTING SPACES	= 557
PROPOSED SPACES	= 557
GROSS DENSITY	= 557 / 26.413 = 21.09
NET DENSITY	= 557 / 24.524 = 22.71
MINIMUM AREA PER SPACE	= 3516 SF
TYPICAL SPACE	= 44' X 50'
TYPICAL UNIT	= 24' X 60'

ZONED DR 5.5

VARIANCE TO SECTION 414.5 TO PERMIT A SPACE OF 20 FEET FROM SIDE TO SIDE AND TO PERMIT A SPACE OF 16 FEET FROM REAR TO REAR OF UNIT IN LIEU OF REQUIRED 25 FEET. SPECIAL HEARING TO AMEND SPECIAL EXCEPTION GRANTED IN CASE #66-185 AND TO AMEND AND ADD TO THE VARIANCES GRANTED IN CASE #70-184 ASPH AND CASE #24-283-A.



GEORGE WILLIAM STEPHENS, JR. AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(301) 825-8120

William P. Davis

OWNER & DEVELOPER
WILLIAMS ESTATES MARYLAND PARTNERSHIP
3100 EASTERN AVENUE
BALTIMORE MARYLAND 21220
574-8666

NOTE - SEE FOLLOWING ZONING CASES
#66-185 X
#70-184 ASPH
#24-283-A

PLAN TO ACCOMPANY PETITION FOR SPECIAL HEARING AND VARIANCE
WILLIAMS ESTATES
EHL JR 35/101
18TH ELECTION DISTRICT
SCALE 1"=100'
BALTIMORE COUNTY MARYLAND
DATE - APRIL 28TH, 1992
SHEET 2 OF 2

#487

CASE #70-184 - ASPH - 4-1-1970
TO PERMIT AN 8 FOOT SETBACK ALONG THE N 68° 48' 20" E 92 FEET, N 21° 11' 40" W 150 FEET,
N 68° 48' 20" E 162.65 FEET INSTEAD OF THE REQUIRED 75 FEET AND A 25 FOOT SETBACK
ALONG THE EAST SIDE OF BEUNGIES ROAD AS WIDENED INSTEAD OF THE REQUIRED 100 FEET.
IT IS FURTHER ORDERED THAT THE RESTRICTION NO 3 IN THE COUNTY BOARD OF APPEALS
ORDER DATED 1-6-67 BE AND THE SAME IS HEREBY ANNULLED.

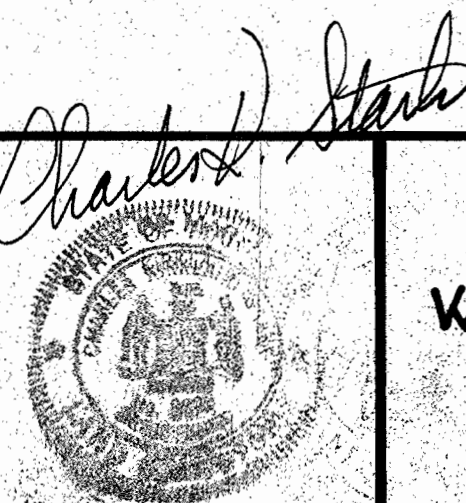
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**PETITIONER'S
EXHIBIT 1**

**GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.**

CIVIL ENGINEERS & LAND SURVEYORS

658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(301) 825-8120



OWNER/DEVELOPER
WILLIAMS ESTATES MARYLAND
PARTNERSHIP
3100 EASTERN AVENUE
BALTO, MD. 21220
574-8606

PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING AND VARIANCE

WILLIAMS ESTATES

BALTIMORE CO., MARYLAND
SCALE: 1" = 200'

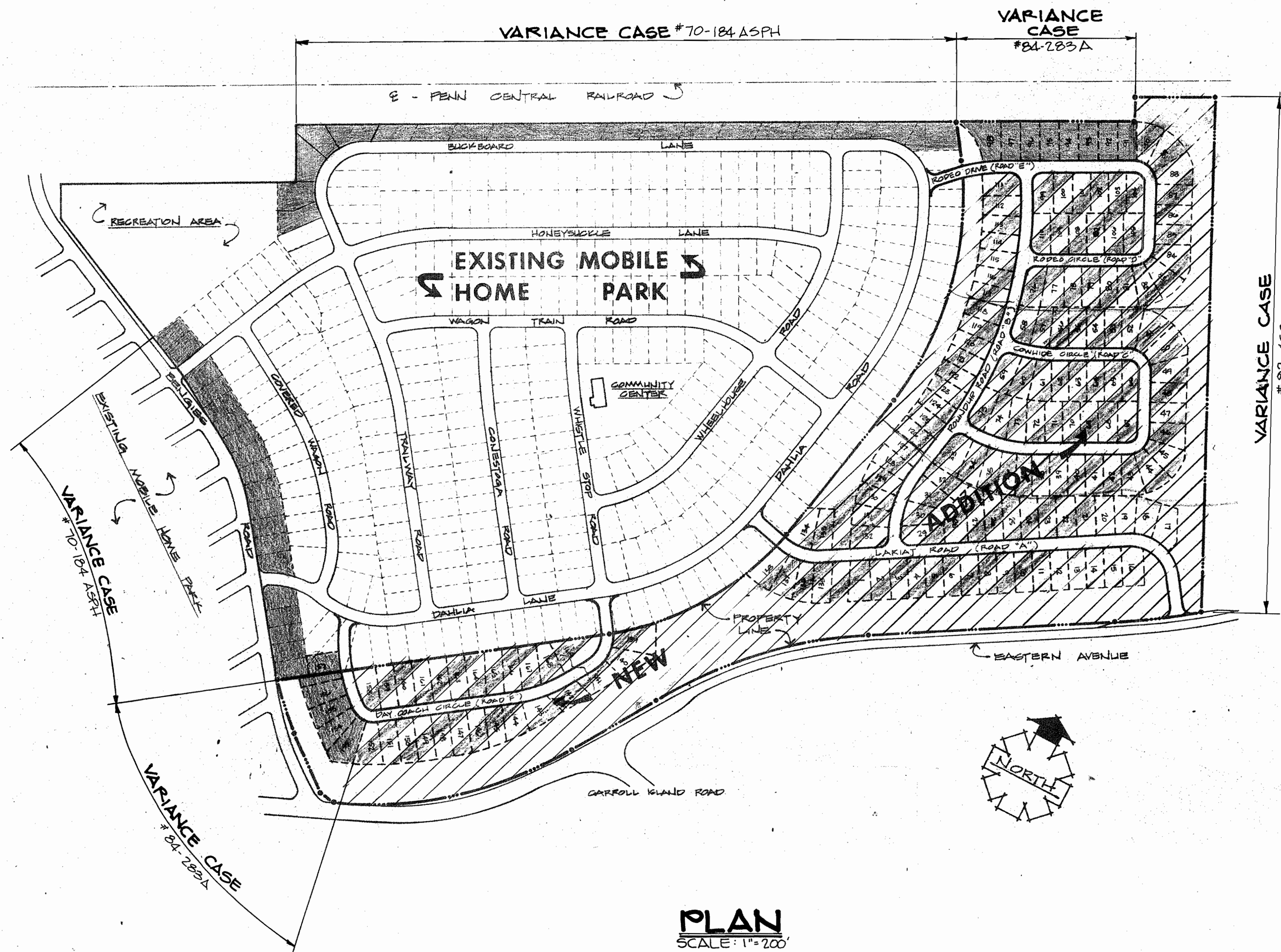
35-101

ELECTION DISTRICT #15

MAY 6, 1992

SHEET 1 OF 2

PN. 4277



CASE #66-185 - 1-6-67
SPECIAL EXCEPTION GRANTED FOR TRAILER PARK SUBJECT TO FOLLOWING RESTRICTIONS:
1) SITE SHALL HAVE NO VEHICULAR ACCESS OR EXIT ALONG EASTERN AVENUE FROM BENGIES ROAD TO CARROLL ISLAND ROAD
2) SITE SHALL BE SUBJECT TO APPROVAL OF PLANNING DEPARTMENT.
3) THIS RESTRICTION ANNULLED BY 1970 ORDER.
4) THIS RESTRICTION NOT ENFORCEABLE.

CASE #70-184 - ASPH - 4-1-1970
TO PERMIT AN 8 FOOT SETBACK ALONG THE N 68° 48' 20" E 92 FEET, N 21° 11' 40" W 150 FEET, N 68° 48' 20" E 1662.65 FEET INSTEAD OF THE REQUIRED 75 FEET AND A 25 FOOT SETBACK ALONG THE EAST SIDE OF BENGIES ROAD AS WIDENED INSTEAD OF THE REQUIRED 100 FEET. IT IS FURTHER ORDERED THAT THE RESTRICTION NO 3 IN THE COUNTY BOARD OF APPEALS ORDER DATED 1-6-67 BE AND THE SAME IS HEREBY ANNULLED.

CASE #84-283A 5-2-84
TO PERMIT A 60 FOOT SETBACK FROM BENGIES ROAD IN LIEU OF THE REQUIRED 100 FEET FOR LOTS 153 THROUGH 157 AND A 25 FOOT SETBACK FROM THE NORTH BOUNDARY LINE ADJACENT TO THE PENN CENTRAL RAILROAD PROPERTY IN LIEU OF THE REQUIRED 75 FEET FOR LOTS 91 THROUGH 98 SUBJECT TO THE FOLLOWING:
1) LANDSCAPING SHALL BE PROVIDED ALONG BENGIES ROAD AND WOODED AREAS SHALL BE RETAINED ALONG EASTERN AVENUE AND THE EAST SIDE OF THE SITE.
2) A FENCE, A MINIMUM OF 6 FEET HIGH SHALL BE INSTALLED ALONG THE NORTH PROPERTY LINE ADJACENT TO LOT 89 THROUGH 98 WITH EVERGREENS AND DECIDUOUS TREES PLANTED ALONG THE ENTIRE LENGTH OF FENCE.
3) A REVISED SITE PLAN SHALL BE SUBMITTED AND APPROVED BY OFFICE OF PLANNING AND ZONING.

CASE #92-460 - SPHA 11-2-92
1) SPECIAL HEARING TO APPROVE AN AMENDMENT TO THE SPECIAL EXCEPTION GRANTED IN PRIOR CASE # 66-185-X, AND TO AMEND AND ADD TO THE VARIANCES GRANTED IN PRIOR CASE # 70-184-ASPH AND 84-283-A, IN ACCORDANCE WITH PETITIONERS EXHIBIT 1.
2) VARIANCE RELIEF FROM SECTION 414.5 OF THE BALTIMORE COUNTY ZONING REGULATIONS (B.C.Z.R.) TO PERMIT A DISTANCE BETWEEN UNITS OF 20 FEET FROM SIDE TO SIDE AND 16 FEET FROM REAR TO REAR IN LIEU OF THE REQUIRED 25 FEET FOR THOSE LOTS SHOWN ON SHEET 2 OF 2, OR PAGE 2 OF PETITIONERS EXHIBIT 1.

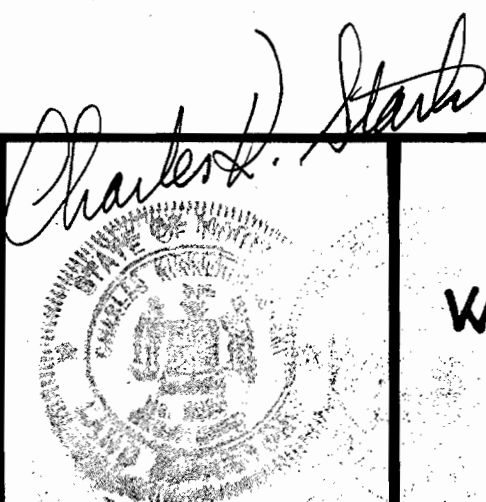
Petitioners
Ex 1b



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.

CIVIL ENGINEERS & LAND SURVEYORS

658 KENILWORTH DRIVE, SUITE 100
TOWSON, MARYLAND 21204
(301) 825-8120



OWNER/DEVELOPER
**WILLIAMS ESTATES MARYLAND
PARTNERSHIP**

3100 EASTERN AVENUE
BALTO, MD. 21220
574-8666

PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING AND VARIANCE

WILLIAMS ESTATES

BALTIMORE CO, MARYLAND

SCALE: 1"=200'

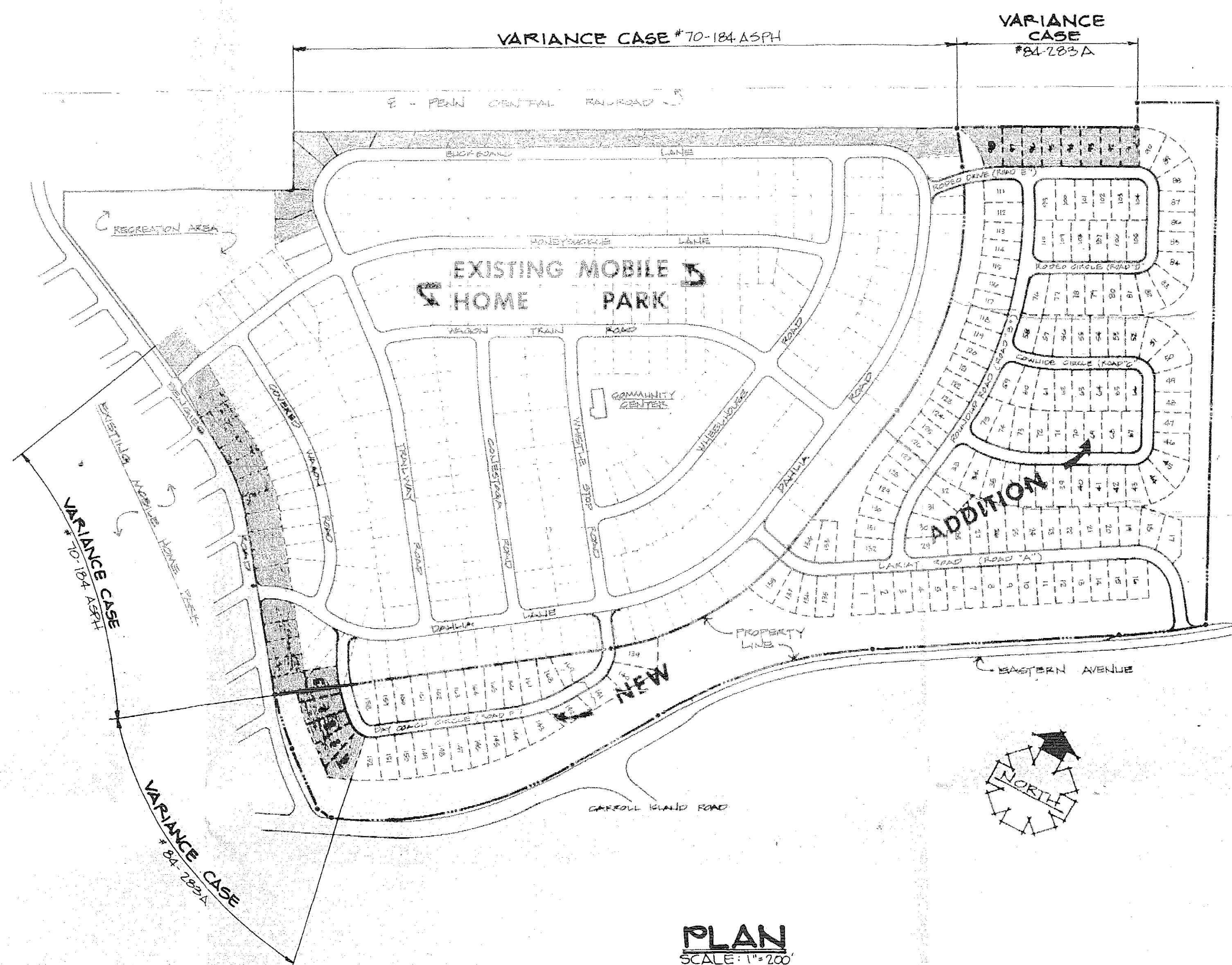
35-101

ELECTION DISTRICT #15

MAY 6, 1992

SHEET 1 OF 2

PN. 4277



CASE #66-185 - 1-6-67
SPECIAL EXCEPTION GRANTED FOR TRAILER PARK SUBJECT TO FOLLOWING RESTRICTIONS:
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CASE #70-184 - ASPH - 4-1-1970
TO PERMIT AN 8 FOOT SETBACK ALONG THE N 68° 48' 20" E 92 FEET, N 21° 11' 40" W 150 FEET, N 68° 48' 20" E 1462.00 FEET INSTEAD OF THE REQUIRED 75 FEET AND A 25 FOOT SETBACK ALONG THE EAST SIDE OF BENGIES ROAD AS WIDENED INSTEAD OF THE REQUIRED 100 FEET. IT IS FURTHER ORDERED THAT THE RESTRICTION NO. 3 IN THE COUNTY BOARD OF APPEALS ORDER DATED 1-6-67 BE AND THE SAME IS HEREBY ANNULLED.

CASE #84-283A 5-2-84
TO PERMIT A 60 FOOT SETBACK FROM BENGIES ROAD IN LIEU OF THE REQUIRED 100 FEET FOR LOTS 155 THROUGH 157 AND A 25 FOOT SETBACK FROM THE NORTH BOUNDARY LINE ADJACENT TO THE PENNSYLVANIA CENTRAL RAILROAD PROPERTY IN LIEU OF THE REQUIRED 75 FEET FOR LOTS 91 THROUGH 98 SUBJECT TO THE FOLLOWING:
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92-460-A
#487



GEORGE WILLIAM STEPHENS, JR.
AND ASSOCIATES, INC.
CIVIL ENGINEERS & LAND SURVEYORS
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PLAT TO ACCOMPANY PETITION FOR
SPECIAL HEARING AND VARIANCE

WILLIAMS ESTATES

BALTIMORE CO, MARYLAND
SCALE: 1" = 200'

ELECTION DISTRICT #15
MAY 6, 1992
SHEET 1 OF 2
PN 4277

MICROFILMED