TIMOTHY M. KOTROCO

Attorney at Law
305 Washington Avenue, Suite 502
Towson, Maryland 21204
410-299-2943
Tkotroco@gmail.com

November 22, 2017

Hand Delivered
Mr. Carl Richards, Zoning Supervisor
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Granite Mobile Home Park

Davis Avenue, Woodstock, Maryland
Prior Case Nos. #3545-RX & 93-383-SPH
DRC Letter Approval dated 10/16/97
Request for Approval of current use for 52 pad sites

Dear Mr. Richards,

I write to you on behalf of the Granite Mobile Home Park, hereinafter "Granite". This mobile home park has existed on Davis Avenue in Granite, Maryland for the past 62 years. At present the park is situated on 15.8383 acres of land and contains 52 mobile home pad sites. (See attached aerial photo from My Neighborhood)

By way of background, Granite received its original zoning approval by way of a petition for reclassification and special exception which was approved on June 30th, 1955. (See attached Case No. 3545-RX) At the time of that approval in 1955, the property was raw land. However, over the ensuing years the park grew and was developed with pad sites installed along three roadways known as Courts "A", "B" & "C".

In 1993, 38 years after its original approval, the owners of Granite filed a Petition for Special Hearing in case No. 93-383-SPH to slightly enlarge the area of their original special exception, adding a very small area of .370 acres to the existing special exception area. The area of that expansion is depicted on the attached site plan and is shaded in gray. (See attached site Plan from Case 93-383-SPH)

At the time that the Special Hearing was filed in 1993 Granite had grown from zero pad sites to 48 mobile home pad sites along Courts "A", "B" & "C" as shown on the attached plan. In addition, over the past 24 years Granite has added 4 more pad sites, 2 sites along exiting Court "B" and two sites along existing Court "C". (See attached most recent site plan depicting a total of 52 pad sites)

It should be noted that the attached site plans depict the area of the special exception outlined in pink marker. The property actually owned by Granite is much

Zoning Density Verification Letter June 12, 2017 Page 2

larger than the special exception area and that property line is outlined in green marker. The entire property is about 5 acres larger than the special exception area.

It bears mentioning that Granite filed with the Development Review Committee (DRC) in 1997, a request to add another 10 mobile home pad sites depicted on the Plan to Accompany DRC Request. At that time, in 1997, Granite intended to create a Court "D" which contained an additional roadway and 10 mobile home pad sites, all located within the original special exception area. The DRC met on October 14, 1997 and issued their letter of approval on October 16, 1997. No hearing was required by the DRC and Granite was instructed to submit a new plan showing the additional 10 sites. Granite did not follow through with this expansion and Court "D" was not constructed as of this time. Granite may, in the future, construct these additional sites per their approval in 1997. (See attached DRC letter)

At the time of the writing of this letter, Granite is improved with 52 mobile home pad sites as evidenced by the documents attached to this letter. In light of these facts, I respectfully request your verification and confirmation that the 52 pad sites that currently exist at the Granite Mobile Home park are lawful and may continue to exist on the property.

Thank you for your kind consideration of this matter.

Sincerely, letty llotro co

Timothy M. Kotroco

Enclosures

AFTER REVIEWING THE DOCUMENTS ATTACHED HERETO AND BASED UPON THE CONTENTS OF THIS LETTER, THE 52 PAD SITES THAT CURRENTLY EXIST ON THE PROPERTY OWNED BY THE GRANITE MOBILE HOME PARK ARE LAWFUL AND MAY CONTINUE TO EXIST ON THE PROPERTY. THIS LETTER SHALL SUPERCEDE ALL OTHER LETTERS ISSUES BY THIS DEPARTMENT.

W. CARL RICHARDS, ZONING SUPERVISOR

DATE

Petitioners

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing. The Petitioners herein, Mr. and Mrs. Vernon W. Mathena, Jr., are the owners of the Granite Mobile Home Park located in Granite, Maryland in western Baltimore County. The Mathena's mobile home park, defined as a trailer park under § 101 of the Baltimore County Zoning Regulations ("B.C.Z.R."), comprises approximately 10.50 acres and is zoned DR 1, RC 5 and The Petitioners request my approval of an amendment to the special exception area approved in Case No. 3545-X so that three existing mobile homes located outside the special exception line may be brought into compliance, all as shown on the attached Site Plan entered as Petitioners' Exhibit 1 at the hearing.

FINDINGS OF FACT AND CONCLUSIONS OF LAN

Appearing at the public hearing was Mr. and Mrs. Mathena and their son, Jeffrey Mathena, who manages the mobile home park. Also appearing at the hearing was Jeffrey F. Higdon, Esquire, the Mathena's attorney in connection with the possible sale of the park. Representing the Petitioner at the public hearing was G. Paige Wingert, Esquire. There were no Protestants present.

The testimony and evidence presented at the hearing indicated that the subject site is comprised of three tracts of mobile homes known as Courts "A," "B" and "C." The three trailers in question are trailers B14, C22 and C23, which all lie near to one another on the southeastern portion of the trailer park. As can be seen from a review of the zoning plat submitted with the petition, trailers B14 and C22 lie only partially outside the special exception line, while trailer C23 lies completely outside the special exception line. Mr. Wingert, counsel for the Petitioners, proffered testimony for the Petitioners. The testimony proffered for Mr. Mathena explained the background of the mobile home park in general and specifically as to the three trailers in non-compliance. This testimony explained that Mr. Mathena's father was granted a special exception for the trailer park in 1955. Mr. Mathena was involved in helping his father develop the trailer park and recalls that the three trailers in question were all placed at their present locations in the late 1950's or early 1960's. The testimony proferred on behalf of Mr. Mathena further indicated that at the time these three trailers were situated, the Mathenas were unaware that they were being placed outside the special exception area. In fact, it was not until the Petitioners had the property surveyed in anticipation of selling the mobile home park in 1992, that they were informed that a mistake had been made with respect to the location of the three trailers in question. Thus, these trailers have been in the same location lightly outside the special exception areafor over thirty years.

The requirements for a special exception are contained in § 502.1 B.C.Z.R. These standards also apply when determining whether the grant of an amendment to an existing special exception is proper. In the case at hand, Counsel for Petitioners noted that he had reviewed the decision from the original special exception and could find nothing indicating that the boundary lines were particularly at issue at that time. Moreover, it has been noted that the requested amendment would not result in any change from either a visual or a use perspective, and that the additional area needed to bring the three trailers into compliance is only .3701 of an acre -- or about a 4% increase in the special exception area. Petitioners have also contacted the Greater Patapsco Community Association and sent letters to the trailer park's tenants and have not received any objections to the proposed amendment. Finally, Petitioners established that the landowners neighboring the trailer park are all members of the extended Mathena family. In support of this testimony, the Petitioners submitted as Exhibit No. 2, three aerial photos of the mobile home park which shows the relatively isolated location of the Granite Mobile Home Park.

It is clear from the testimony proffered by Mr. Wingert on behalf of the Petitioners that the requested amendment to the special exception area would not be detrimental to the health, afety or general welfare of the surrounding locale. Moreover, I ind that the Petitioners have met their burden of proof under 502.1 B.C.Z.R. Finally, I find that the amendment to the special exception will not be contrary to the spirit and intent of the Zoning Regulations.

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

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County this 8^{+h} day of June, 1993, that the Petition for a Special Hearing to approve an amendment to the special exception area granted in Case No. 3545-X in order to accommodate the three existing trailers located outside the special exception line in accordance with Petitioners' Exhibit 1, be and is hereby GRANTED.

Any appeal of this decision must be taken in accordance with § 26-132 of the Baltimore County Code.

> Deputy Zoning Commissioner for Baltimore County

Baltimore County Governmen Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

June 8, 1993

Robert A. Hoffman, Esquire Venable, Baetjer & Howard 210 Allegheny Avenue Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING W/S Davis Avenue, 3098' SE of the c/l of Old Court Road (10600 Davis Avenue) 2nd Election District - 1st Councilmanic District Vernon W. Mathena, Jr., et ux - Petitioners Case No. 93-383-SPH

Dear Mr. Hoffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has 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 the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Deputy Zoning Commissioner for Baltimore County

cc: Jeffrey F. Higdon, Esquire Provident Bank Building, Suite 501 114 E. Lexington Street, Baltimore, Md. 21202

People's Counsel File

Petition for Special Hearing to the Zoning Commissioner of Baltimore County for the property located at, Davis Avenue Woodstock MD 21163 which is presently zoned DR1 RC5 & RC2

This Petition shall be filed with the Office of Zoning Administration & Development Management.

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 Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

A modification of the special exception area granted in Case No. 3545RX to accommodate three existing trailers located outside the special

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

To the country by the southly regulations and restrictions of balance	re County adopted pursuant to the Zoning Law for Baltimore County.
	I/We do scientify declare and affirm, under the penalties of parjury, that I/we are the legal owner(s) of the property which is the subject of this Patition.
Contract Purchases/Lessee:	Legal Owner(s):
Type or Print Heme)	Vernon W. Mathena Jr
Souther .	Vernor W. Mathera J.
	Virginia A. Mathena
Ally State Zipcode	(Type or Print Name) League A Mattless Signature
	10302 Davis Avenue 461-5220
Morney for Petitioner:	Address Phone No.
Robert A. Hoffman	Woodstock Maryland 21163
Type or Print Name)	City State Zipcode Name, Address and phone number of legal owner, contract purchaser or representative to be contacted.
Species Vonable Pastion (House	Robert A. Hoffman Esquire
Venable, Baetjer & Howard 210 Allegheny Avenue 494-6200	Name 210 Allegheny Avenue
	Towson Maryland 21204 494-6200
Phone No.	Address Phone No.
Towson. Maryland 21204	OFFICE USE ONLY

MEMEWED BY: JCM DATE 4-28-13

391

STV Group

PROPOSED AMENDMENT TO SPECIAL EXCEPTION AREA

BEGINNING at a point located at the end of the 6th line of the hereindescribed Existing Special Exception Area, thence running reversely with said 6th line,

- North 21°57'20" East 299.04 feet to a point, thence running for the five following courses and distances.
- 2. South 17°58'29" East 80.93 feet to a point, thence,
- South 69°16'50" East 49.50 feet to a point, thence,
- 4. South 20°43'10" West 107.10 feet to a point, thence,
- 5. North 69°16'50" West 49.50 feet to a point, thence,
- 6. South 44°37'28" West 140.78 feet to the point of beginning.

CONTAINING 16,123.3 square feet or 0.3701 acre of land, more or less.

The proposed total Special Exception Area herein to contain 473,539 square feet or 10.8709 acres of land, more or less.

STV GROUP Mark A. Riddle MD Professional Land Surveyor No. 10899

March 23, 1993

39

STV Group

STV/Seelye Stevenson Value & Knecht STV/Sanders & Thomas STV/Lyon Associates

STV Environmental

STV Architects **DESCRIPTION OF SPECIAL EXCEPTION AREA** GRANITE MOBILE HOME PARK SOUTH SIDE OF DAVIS AVENUE, NEAR GRANITE 2ND ELECTION DISTRICT, 1ST COUNCILMANIC DISTRICT BALTIMOPE COUNTY, MARYLAND

EXISTING SPECIAL EXCEPTION AREA (CASE NO. 3545-RX, JUNE 30, 1955)

BEGINNING at a point in the center of Davis Avenue, being distant, as measured along the centerline of said Davis Avenue, 3,098 feet southeasterly from the centerline of Old Court Road, thence running along said Davis Avenue, with the outlines of the whole tract, the three following courses and distances, as now surveyed,

- South 88°14'15" East 90.90 feet to a point, thence,
- North 54°53'04" East 275.00 feet to a point, thence,
- South 88°37'52" East 176.20 feet to a point, thence leaving the tract outline and continuing in or near the existing pavement of Davis Avenue, the two following courses and distances.
- 4. South 50°29'28" East 215.99 feet to a point, thence,
- South 18°30'33" West 392.00 feet to a point, thence running,
- South 21°57'20" West 299.04 feet to a point, thence,
- South 80°27'49" West 319.27 feet to a point, thence running along the outline of the whole tract, the two following courses and distances,
- North 46°47'33" West 361.41 feet to a point, thence,
- 9. North 19°29'01" East 467.53 feet to the point of beginning.

CONTAINING 457,415.7 square feet or 10.5008 acres of land, more or less.

BEING that same area of Special Exception as granted under Baltimore County Zoning Case No. 3545-RX, dated June 30, 1955.

21 Governor's Court Baltimore, MD 21244-2722 tel: 410-944-9112 fax: 410/298-2794

ZONING DEPARTMENT OF BALTIMORE COUNTY 93-383-SPH

Posted for:	Special Hearing	Date of Posting 5/14/93
Petitioner:	Version & Virginia Ma	Nony
Location of prop	y (1000) Durin Hrs N	IFt sup Davis Here - 3, 0981 From O.
***************************************	$\mathcal{E} \rightarrow \mathcal{A}$	+ + +
Location of Sign	formy fordury on	proporty lobs ton. de

CERTIFICATE OF PUBLICATION

the County Office Building, lo-cated at 111 W Chesapeake Av-enue in Towson, Maryland 21204 or Room 118, Old Courthouse 400 Washington Avenue Towson, Maryland 21204 as fol Case Number: 93-383-SPH (Item 391) 10600 Davis Avenue, 3098 10600 Davis Avenue, 3098
(+/-) from c/l of Old Court Rd.
2nd Election District
1st Councilmanic
Legal Owner(s):
Vernon W. Mathena, Jr.
and Virginia A. Mathena
HEARING: FRIDAY,
JUNE 4, 1993 at 10:00 a.m.
in Rm. 106, County Office

Special Hearing: to approve modification of the special exception area granted in Case #3545-RX to accommodate three existing trailers located outside the special exception

111 West Chesapeake Avenue

MAY 6, 1993

Towson, MD 21204

TOWSON, MD., May 13, 1993 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 3 successive weeks, the first publication appearing on $\underline{\mathcal{M}ay}$ /3, 19 $\underline{93}$.

THE JEFFERSONIAN.

5. Zete Orlins

Zoning Administration & Development Management 111 West Chesapeake Avenue Torrson, Maryland 21204

Baltimore County Government Office of Zoning Administration and Development Management

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

111 West Chesapeake Avenue

Towson, MD 21204

1) Posting fees will be accessed and paid to this office at the

2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER

For newspape	er advertising:		
Item No.:	391		
Petitioner:	VERNON	MATh.	ena JR:
Location:	10600	DAVIS	AUE
PLEASE FORW	RD ADVERTISING BII	Д TO:	
NAME:	DERT H	offman	tzo
ADDRESS:	210 ALL	Chen-1	Are
	Towson.	Md. 2	1204
PHONE NUMBER	: 494-	6200	

Printed on Recycled Paper

(Revised 04/09/93)

Baltimore County Government Office of Zoning Administration and Development Management



(410) 887-3353

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

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

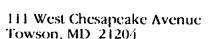
CASE NUMBER: 93-383-SPH (Item 391) 10600 Davis Avenue, 3098'(+/-) from c/l of Old Court Road 2nd Election District - 1st Councilmanic Legal Owner(s): Vernon W. Mathena, Jr. and Virginia A. Mathena HEARING: FRIDAY, JUNE 4, 1993 at 10:00 a.m. in Rm. 106, County Office Building.

Special Hearing to aprpove modification of the special exception area granted in Case #3545-RX to accompodate three existing trailers located outside the special exception line.

cc: Vernon and Virginia Mathena Robert A. Hoffman, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

Baltimore County Government Office of Zoning Administration and Development Management



(410) 887-3353

May 24, 1993

Robert A. Hoffman, Esquire Venable, Baetjer & Howard 210 Allegheny Avenue Towson, MD 21204

> RE: Case No. 93-383-SPH, Item No. 391 Petitioner: Vernon W. Mathena, Jr., et ux Petition for Special Hearing

Dear Mr. Hoffman:

Frinted on Recycled Paper

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 April 28, 1993, and a hearing was 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.



O. James Lighthizer Hal Kassoff

5-11-93

Ms. Helene Kehring Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204 Re: Baltimore County Item No.: + 391 (JCM)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

John Contestabile, Chief

Engineering Access Permits

My telephone number is _____ Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717



NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Rogulations of Baltimore

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Haryland 21204 as follows:

Special Hearing to aprpove modification of the special exception area granted in Case #3545-RX to

Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

County will hold a public hearing on the property identified herein in

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director Zoning Administration & Development Management

TO: PUTUXENT PUBLISHING COMPANY

Please foward billing to:

10302 Davis Avenue

(410) 461-5220

Vernon and Virginia Mathena

Woodstock, Maryland 21163

CASE NUMBER: 93-383-SPH (Item 391)

LAWRENCE E. SCHMIDT

ZONING COMMISSIONER FOR BALTIMORE COUNTY

2nd Election District - 1st Councilmanic

10600 Davis Avenue, 3098'(+/-) from c/l of Old Court Road

Legal Owner(s): Vernon W. Mathena, Jr. and Virginia A. Mathena

HEARING: FRIDAY, JUNE 4, 1993 at 10:00 a.m. in Rm. 106, County Office Building.

accommodate three existing trailers located outside the special exception line.

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

DATE: May 12, 1993

SUBJECT: 10302 Davis Avenue

INFORMATION:

Item Number: Vernon W. Mathena, Jr. Petitioner: Property Size:

D.R. 1, R.C. 5 and R.C. 2

Hearing Date: SUMMARY OF RECOMMENDATIONS:

Staff is familiar with the site on which the Granite Mobile Home Park is improved, and views the park as one of the best maintained and most attractive uses

of this type. The mobile home park fills a documented and substantial need for affordable hous-

Therefore, based on the information provided and analysis conducted, staff recom-

mends that the applicant's request be granted.

391.ZAC/ZAC1

Pg. 1

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