

IN THE MATTER OF
THE APPLICATION OF
WALTER FLOOD

* BEFORE THE CECIL COUNTY
* BOARD OF APPEALS
* CASE NO.: 4238
*

(Special Exception – NAR)

* * * * *

OPINION

The Cecil County Board of Appeals (the “Board”) is now asked to consider the application of Walter Flood (the “Applicant”). The Applicant seeks a special exception in accordance with Article XVII, Part II, Section 311 of the Cecil County Zoning Ordinance (“Ordinance”) to place a manufactured home for hardship purposes at the property located at 1888 North East Road, North East, Maryland 21901, consisting of approximately 5.079 acres and designated as Parcel 646, Lot 4, Block 2 on Tax Map 19 in the Ninth Election District of Cecil County (the “Property”), in an area zoned Northern Agricultural Residential (“NAR”) in accordance with Article V, Part III, Section 70 of the Ordinance. The Property is owned by the Applicant and Mi Suk Flood.

Article XVII, Part II, Section 311 of the Ordinance specifies that no special exception shall be approved by the Board of Appeals after considering all facts in the case unless the following findings are made:

1. Such use or any operations thereto will not be detrimental to or endanger the public health, safety, or general welfare.
2. The use will not be unduly injurious to the peaceful use and enjoyment of other property in the neighborhood, nor substantially diminish or impair property values in the neighborhood.

3. The establishment of the use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zone.

4. The use will not, with respect to existing development in the area and development permitted under existing zoning, overburden existing public facilities, including schools, police and fire protection, water and sewer, public road, storm drainage, and other public improvements.

5. The use shall not adversely affect critical natural areas or areas of ecological importance.

6. The use shall, in all other respects, conform to the applicable regulations of the zone in which it is located.

7. That the particular use proposed at the particular location proposed, would not have any adverse effect above and beyond those inherently associated with such special exception use irrespective of its location in the zone. (*Schultz v. Pritts*, 291 MD. 1)

8. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

9. That the proposed special exception is not contrary to the objectives of the current Comprehensive Plan for the County.

Article V, Part III, Section 70 states, in relevant part, a single wide manufactured home may be permitted as a Special Exception in the NAR zone provided that the Board of Appeals finds that a hardship exists involving a member of the immediate family. For purposes of this provision, "immediate family" shall only include a child, grandchild, parent or grandparent, step child or step parent.

Applicant appeared and testified on August 28, 2023 that he is seeking a special exception to place a mobile home on the Property due to a hardship. Applicant testified that his mother, who is

ninety years old, is no longer able to care for herself living independently and he would like to move her into a temporary modular home on his property to see to her welfare. He further testified the mobile home would be removed when she is no longer living there. The mobile home will be placed behind the existing garage so it will be shielded from sight. Flood explained that his mother needs wheelchair access and space for belongings and her cat, so it would not be practical to move her into his home. Applicant is prepared to install additional septic facilities if necessary and will work with the Health Department to determine what is needed. The Health Department submitted written comment that “a second dwelling unit requires a second 10,000 square foot sewage reserve area. This would require valid percolation tests.”

No other witnesses testified in favor or opposition of the application.

Aaron Harding, Division Chief, testified that the Division of Planning and Zoning Staff and the Planning Commission recommended approval of the special exception for two years.

From the evidence, the Board makes the following findings of facts pursuant to the requirements of Section 311:

1. That granting the special exception will not be detrimental to or endanger the public health, safety, or general welfare. Based on the testimony, the Board finds there will be little to no impact to neighboring properties. The placement of the proposed structure will be temporary and results from hardship, therefore the request is a reasonable use of the Applicant’s property in the NAR. Applicant will work with the Health Department to ensure proper waste removal and placement of the mobile home has been selected to minimize visibility from the road or neighboring properties.

2. There was no evidence indicating that the use will be unduly injurious to the peaceful use and enjoyment of other property in the neighborhood, nor was there any evidence to

demonstrate that such use will substantially diminish or impair property values in the neighborhood, nor will the proposed use materially increase traffic to or from the Property. The Property consists of over five acres and the resident of the mobile home will be an elderly woman and one cat. There is no reason to suspect any disturbance to neighboring properties resulting from the proposed use.

3. There was no evidence indicating that normal and orderly development and improvement of the surrounding properties will be impeded by the proposed use. No development of land would be necessary other than the potential need for installation of additional septic facilities which should not have an impact on neighbors since the subject property is over five acres in size. For this and the reasons stated in the previous two paragraphs, the Board finds the Applicant has met this standard.

4. There was no evidence indicating that the use will, with respect to existing development in the area and development permitted under existing zoning, overburden existing public facilities, including schools, police and fire protection, water and sewer, public road, storm drainage, and other public improvements. As previously stated, one additional resident to the Property will not have an impact to the surrounding area or utilities. Based on the foregoing, the Board finds that the proposed use will be consistent with the current use of the Property.

5. The proposed use will not adversely affect critical natural areas or areas of ecological importance. The Property is not in the Critical Area, the 100-year floodplain, or the Agricultural Preservation District.

6. The proposed use will, in all other respects, conform to the applicable regulations of the NAR zone.

7. The particular use proposed at the particular location proposed, will not have any adverse effect above and beyond those inherently associated with such special exception use irrespective of its location in the zone. (*Schultz v. Pritts*, 291 Md. 1)

8. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets. The mobile home will not require additional access than what currently exists and will have no impact on traffic on public streets.

9. That the proposed special exception is not contrary to the objectives of the current Comprehensive Plan for the County.

For the reasons stated above, by unanimous vote, the Board is satisfied that the requirements of Article XVII, Part II, Section 311 and Article V, Part III, Section 70 of the Ordinance have been met and the application for the special exception for placement of a mobile home with dimensions of at least 26*56 on an area (1,456 sf) basis for hardship purposes on the Property is therefore **APPROVED FOR TWO YEARS AND SO LONG AS APPLICANT'S MOTHER OCCUPIES THE MOBILE HOME.**

All Applicants are hereby notified that they are required to obtain any and all necessary licenses and permits required for the use described herein.

9/25/2023
Date


Mark Saunders, Chairman

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for ensuring transparency and accountability in the organization's operations.

2. The second part outlines the various methods and tools used to collect and analyze data. This includes the use of surveys, interviews, and focus groups to gather qualitative information, as well as the application of statistical techniques to quantitative data.

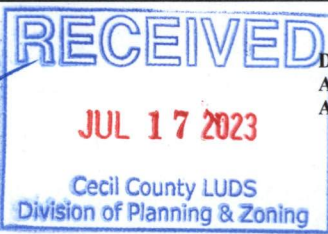
3. The third part of the document focuses on the interpretation of the collected data. It provides a detailed analysis of the findings, highlighting key trends and patterns that have emerged from the research. This analysis is supported by relevant statistics and charts.

4. The final part of the document discusses the implications of the research findings. It identifies the key areas where the organization's performance can be improved and provides a series of recommendations to address these areas. These recommendations are based on the insights gained from the data analysis and are designed to be practical and actionable.

BOARD OF APPEALS APPLICATION
CECIL COUNTY, MARYLAND

MEET. MONTH: Aug 2023
 FILE NO. 4238

- THIS REQUEST IS FOR:
 SPECIAL EXCEPTION RENEWAL
 SPECIAL EXCEPTION
 VARIANCE
 APPEAL



DATE FILED: 7/17/23
 AMOUNT PD: \$150
 ACCEPTED BY: JB

A. APPLICANT INFORMATION

Walter Flood
 APPLICANT NAME - PLEASE PRINT CLEARLY
1888 N East Road NorthEast MD 21901
 ADDRESS CITY STATE ZIP CODE
[Signature] 443.207.0079
 APPLICANT SIGNATURE PHONE NUMBER

B. PROPERTY OWNER INFORMATION - ALL PROPERTY OWNERS MUST SIGN

Walter and Mi Suk Flood
 PROPERTY OWNER NAME - PLEASE PRINT CLEARLY
1888 N East Road North East MD 21901
 ADDRESS CITY STATE ZIP CODE
[Signature] Mi Suk 443.207.0079
 PROPERTY OWNER SIGNATURE - ALL PROPERTY OWNERS MUST SIGN PHONE NUMBER

C. PROPERTY INFORMATION

1888 N East Road, North East 9th 022074
 PROPERTY ADDRESS ELECTION DIST. ACCT. NUMBER
19 2 646 4 5.079 NAR
 TAX MAP # BLOCK PARCEL LOT # #ACRES ZONE

D. PURPOSE OF APPLICATION - Indicate reasons why this application should be granted. (attach separate sheet if necessary)

request for exception due to hardship. Momma is 90yrs old and no longer able to care for herself. Would like to move her in a modular on our property. Modular to be removed when she is no longer a resident of the property.

Special Exception for a single wide mobile home for an immediate family member

F. LAND USE DESIGNATION

Is property in the Critical Area? YES NO
 If yes, Pertinent provision of the Chesapeake Bay Critical Area Program:
 Is property in the 100 year Floodplain? YES NO
 Is property an Agricultural Preservation District? YES NO

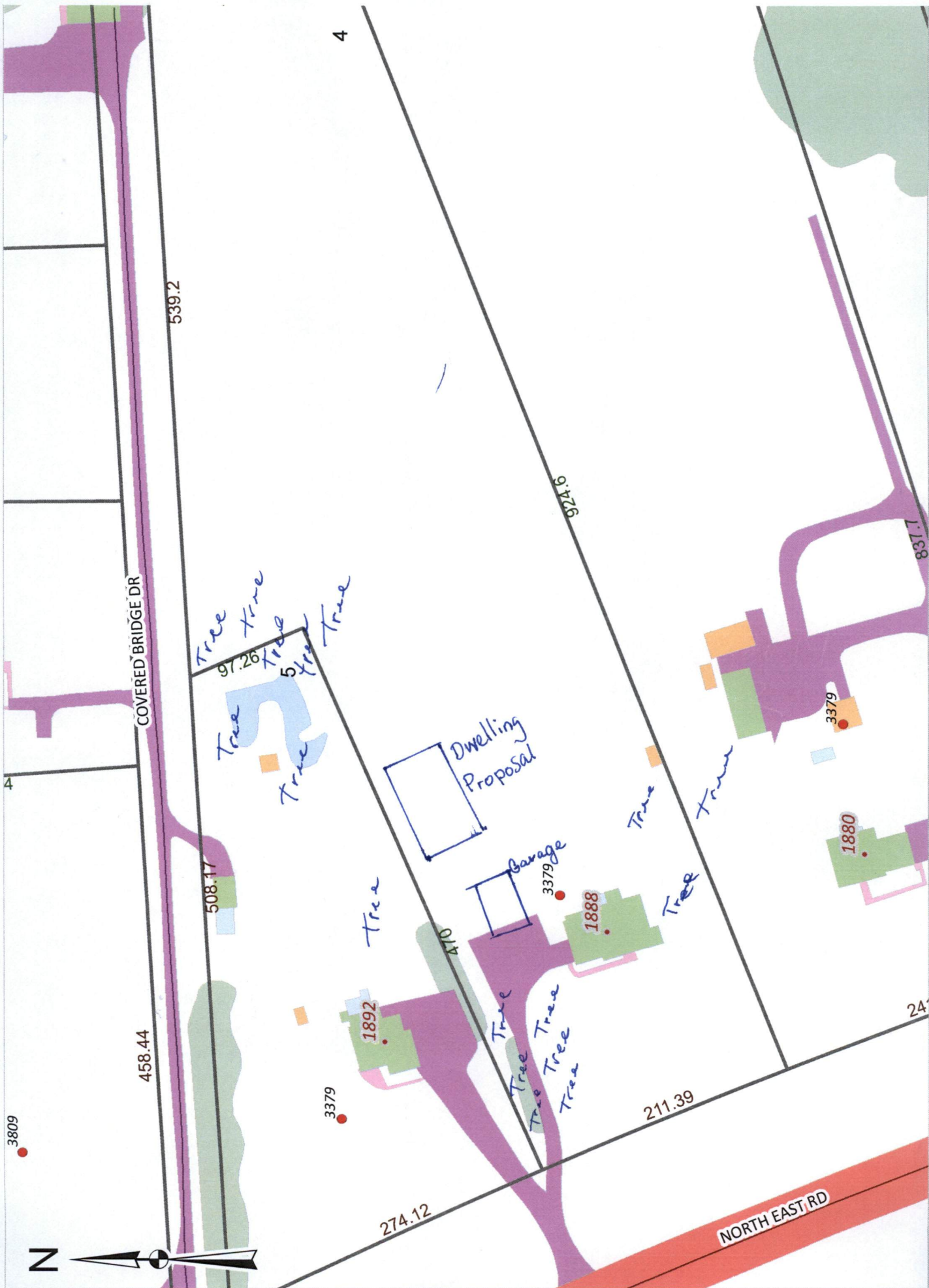
If property is located in the Critical Area, all provisions and requirements must be met as outlined in Article XVII, Part I, II & III of the Zoning Ordinance.

G. PROVISION OF ZONING ORDINANCE: Art II Section 71, Art III Part II Section 311

H. SPECIAL EXCEPTION RENEWAL - PREVIOUS FILE NO. & CONDITIONS FOR APPROVAL: _____

I. SPECIAL EXCEPTION FOR A MANUFACTURED HOME - Please fill out the following information:

Will unit be visible from the road? Please select... Yes, partial If yes, distance: 200ft
 Will unit be visible from adjoining properties? Please select... Yes, partial If yes, distance: _____
 Distance to nearest manufactured home: N/A Size/Model/Year of Unit: _____
 Number of units on property at present time: 1 additional dwellings + 1 home



Disclaimer: Cecil County Government makes no warranty regarding the spatial data displayed on this exhibit. Although the County strives to make accurate and current data available on this exhibit, I, as the user, understand that this is not a survey of subject property and is for informational purposes only.

1 inch = 100 feet



Dear Cecil County Board of Appeals,

I am aware of my neighbors' [Mr. and Mrs. Walter Flood of 1888 N East Rd, NE] to place a NTE 28' x 52' manufactured home on the property. This structure is temporary and to be removed at which time the hardship is no longer warranted. I have reviewed the building characteristics and proposed placement. I fully support their intent and concur with the appeal for additional structure on their property.

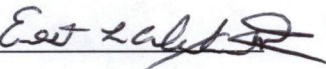
Mr. Vaughn Brenneman of 61 Covered Bridge Road, NE

X 

Mr. Chris Allen of 45 Covered Bridge Road, NE

X 

Ernest
Mr. Ernest Alexander of 1892 N East Road, NE

X 

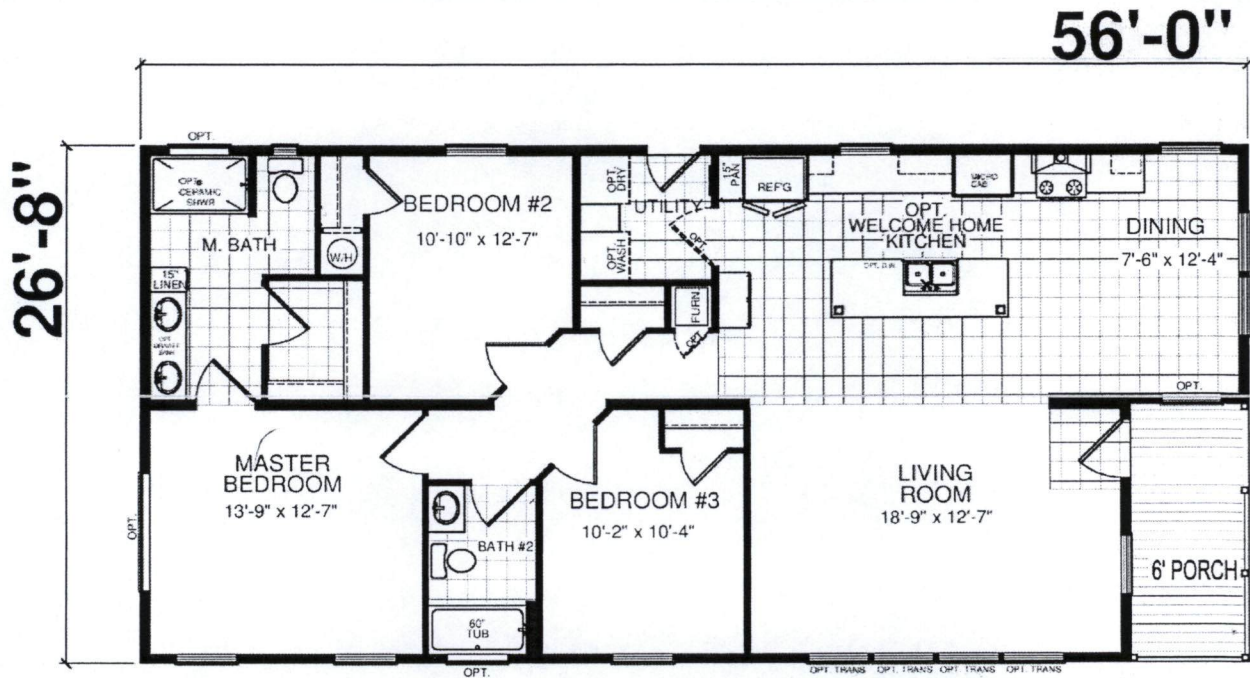
Mr. William J. Bundschuh of 1880 N East Road, NE

X 

Dolphin



28x56 3 bed 2 bath 1,493 sq ft



Standard features

Vinyl Covered Drywall
8' Side Walls, 2x6 - 16" O.C
Gas Furnace
30 Gallon Electric Water Heater
R-19 Sidewall Insulation
R-22 Roof Insulation

Low E Windows with Grids
Vinyl Mini Blinds
3-Tab 25-Year Shingles
Whole House Water Shut-Off
Louvered Panel Shutters
18 Cu. Ft Refrigerator
30" Deluxe Gas Range

Color Customization

- Exterior Siding
- Shutters & Shingles
- Cabinets
- Countertops
- Flooring
- Interior Walls

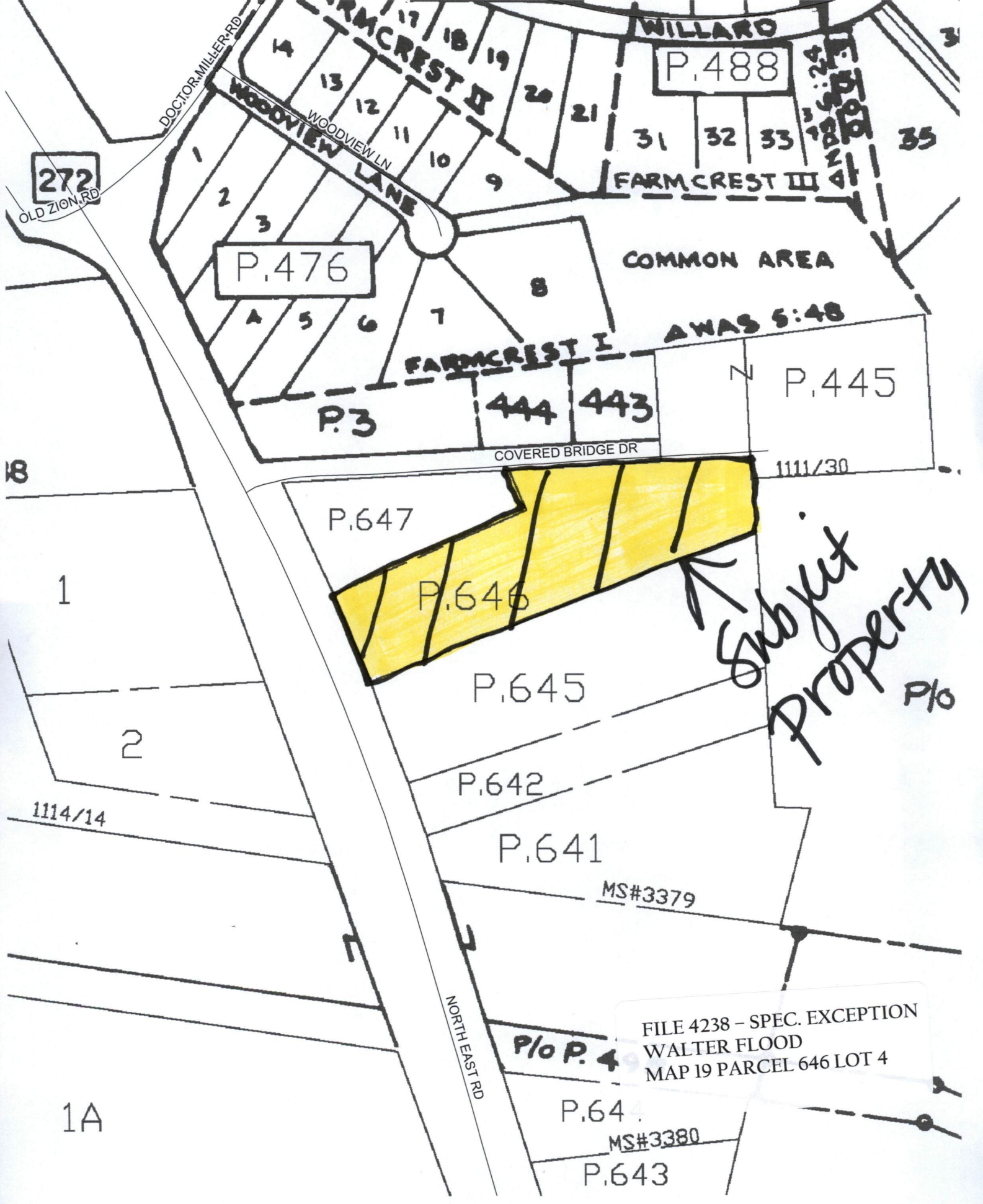
Quality. Service. Family.



Office: 717-394-0360
www.SuperiorHomes.com
2187 Lincoln Hwy E / Lancaster, PA
Info@Superiorhomes.com

Base Price \$110,985

Due to the volatile price of lumber, price subject to change at any time 4/17/2023



P.476

P.488

P.3

444

443

P.445

P.647

P.646

P.645

P.642

P.641

MS#3379

P.64

MS#3380

P.643

Subject Property

FILE 4238 - SPEC. EXCEPTION
WALTER FLOOD
MAP 19 PARCEL 646 LOT 4

272

18

1

2

1114/14

1A

P/O

P/O P. 4

1111/30

COMMON AREA

AWAS 5:48

FARMCREST I

FARMCREST II

FARMCREST III

WILLARD

WOODVIEW LANE

DOCTOR MILLER RD

NORTHEAST RD

COVERED BRIDGE DR

OLD ZION RD