

86-216-SPH 84 **PETITION FOR SPECIAL HEARING** TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situated 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 the transfer of density from Parcel No. 1, a parcel resulting from a severance by the Northwest Expressway, to Parcel No. 2, See Section 1B01.2AL and 1B00.2G.

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:

Jeffrey F. Klein, President

(Type or Print Name)

Signature: *Jeffrey F. Klein*

Crosby Homes, Inc.

Address

c/o Jeffrey F. Klein, Inc.

6729 North Charles Street

City and State

Baltimore, MD 21212 377-8600

Attorney for Petitioner:

Robert J. Ryan, Moore, Carney & Ryan

(Type or Print Name)

Signature: *Robert J. Ryan*

406 Jefferson Building

Address

Towson, MD 21204

City and State

Attorney's Telephone No.: 820-7100

Legal Owner(s):

J. Hamilton Easter

(Type or Print Name)

Signature: *J. Hamilton Easter*

Edmund H. Henderson

(Type or Print Name)

Signature: *Edmund H. Henderson*

14230 Cuba Road

City and State

Cockeysville, MD 21030

Henderson: 29 University Circle

Address

Phone No.

City and State

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

Name

Address

Phone No.

ORDERED BY The Zoning Commissioner of Baltimore County, this 14th day of October, 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 106, County Office Building in Towson, Baltimore County, on the 23rd day of November, 1985, at 1:00 o'clock.

Carl Lee
Zoning Commissioner of Baltimore County.

(over)

Case No. 86-216-SPH

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this 14th day of October, 1985.

Arnold Jablon
Zoning Commissioner

Petitioner: J. Hamilton Easter, et al
Attorney: Robert J. Ryan, Esquire

Chairman, Zoning Plans Advisory Committee

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

October 29, 1985

Robert J. Ryan, Esquire
Moore, Carney and Ryan
406 Jefferson Building
Towson, Maryland 21204

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

MEMBERS

Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Fire Prevention
Health Department
Project Planning
Building Department
Board of Education
Zoning Administration
Industrial Development

RE: Item No. 84 - Case No. 86-216-SPH
Petitioners - J. Hamilton Easter, et al
Special Hearing Petition

Dear Mr. Ryan:

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

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

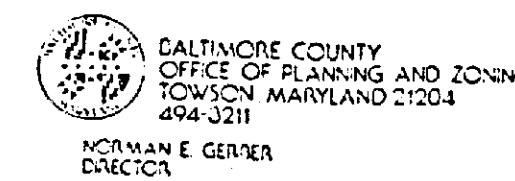
Very truly yours,

James E. Dyer, Jr.
JAMES E. DYER
Chairman
Zoning Plans Advisory Committee

JED:mr

Enclosures

cc: Daft, McName, Walker, Inc.
200 East Pennsylvania Ave
Towson, Maryland 21204



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

NOVEMBER 6, 1985

RE: Zoning Advisory Meeting of SEPTEMBER 10, 1985
Item # 84
Property Owner: J. Hamilton Easter, et al (Crosby Hill)
Location: S/S Tollgate Rd. 1,180' SE of Pleasant Hill Road

Dear Mr. Jablon:

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

- ☒ There are no site planning factors requiring comment.
- ☒ A County Review Group Meeting is required.
- ☒ A County Review Group meeting was held and the minutes will be forwarded by the Bureau of Public Services.
- ☒ This site is part of a larger tract; therefore it is defined as a subdivision. The plan must show the entire tract.
- ☒ A record plat will be required and must be recorded prior to issuance of a building permit.
- ☒ The access is not satisfactory.
- ☒ The circulation on this site is not satisfactory.
- ☒ The parking arrangement is not satisfactory.
- ☒ Parking calculations must be shown on the plan.
- ☒ This property contains soils which are defined as wetlands, and development on these soils is prohibited.
- ☒ Construction in or alteration of the floodplain is prohibited under the provisions of Section 22-39 of the Development Regulations.
- ☒ Development of this site may constitute a potential conflict with the Baltimore County Master Plan.
- ☒ The amended Development Plan was approved by the Planning Board on 10/24/85.
- ☒ Landscaping: Must comply with Baltimore County Landscaping Manual. The property is located in a deficient service area as defined by Bill 178-79. No building permit may be issued until a Reserve Capacity Use Certificate has been issued. The deficient service is:
- ☒ The property is located in a traffic area controlled by a "D" level intersection as defined by Bill 178-79, and as conditions change traffic capacity may become more limited. The Basic Services Areas are re-evaluated annually by the County Council.
- ☒ Additional comments: CCG PLAN IV-273 (CROSBY HILL)
WAS APPROVED 9/10/85

cc: James Hoswell

Eugene A. Boser
Chief, Current Planning and Development



Maryland Department of Transportation
State Highway Administration

William K. Hollmann
Secretary
Hal Kassoff
Administrator

September 20, 1985

Mr. A. Jablon
Zoning Commissioner
County Office Building
Towson, Maryland 21204
Att: James Dyer

RE: Baltimore County
Item No. 84
Property Owner: J. Hamilton Easter, et al (Crosby Hill)
Location: S/S Tollgate Rd, 1,180' SE of Pleasant Hill Rd.
Existing Zoning: D.R. 3.5
Proposed Zoning: Special Hearing to approve the transfer of density from Parcel No. 1, a parcel resulting from a severance by the Northwest Expressway, to Parcel No. 2.
Acreage: 14.639 acres ±
District: 4th Election District

Dear Mr. Jablon:

Attached for your use & review are our CRG Comments of 9-6-85.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits

by: George Wittman

CL/GW/rab

cc: J.Ogle

My telephone number is 301-659-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-482-5082 Statewide Toll Free
P.O. Box 7171 707 North Convent St., Baltimore, Maryland 21203-0717



Maryland Department of Transportation
State Highway Administration

William K. Hollmann
Secretary
Hal Kassoff
Administrator

September 6, 1985

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

Dear Mr. Markle:

On review of the revised CRG submittal of 8/26/85, for Crosby Hill, the site plan shows a direct outfall crossing the State Highway Administration Right of Way from the Storm Water Management Facility.

The State Highway Administration will require the developer to provide a complete set of the Baltimore County approved storm water management plans for State Highway Administration Hydraulic Review.

It is requested that all Baltimore County permits be held until the State Highway Administration's Hydraulic review is completed.

Very truly yours,

Charles Lee
Charles Lee, Chief
Bureau of Engr. Access Permits

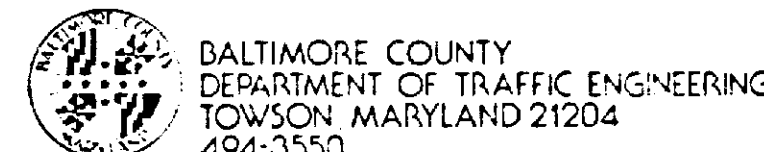
by: George Wittman

CL-GW:es

cc: J. Ogle

My telephone number is 301-659-1350

Teletypewriter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-482-5082 Statewide Toll Free
P.O. Box 7171 707 North Convent St., Baltimore, Maryland 21203-0717



BALTIMORE COUNTY DEPARTMENT OF TRAFFIC ENGINEERING
TOWSON, MARYLAND 21204
494-3350

STEPHEN COLLINS
DIRECTOR

September 23, 1985

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

Item No. 84 -ZAC- Meeting of September 10, 1985
Property Owner: J. Hamilton Easter, et al (Crosby Hill)
Location: S/S Tollgate Road,
D.R. 3.5
Existing Zoning:
Proposed Zoning:

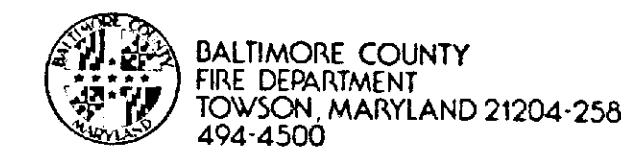
Acreage: 14.639
District: 4th

Dear Mr. Jablon:

This item is being reviewed by the C.R.G., please see comments.

Michael S. Flanagan
Michael S. Flanagan
Traffic Engineer Assoc II

MSF/bld



PAUL H. RENCKE
CHIEF

September 26, 1985

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

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: J. Hamilton Easter, et al (Crosby Hill)

Location: S/S Tollgate Road, 1,180' SE of Pleasant Hill Road

Item No.: 84 Zoning Agenda: Meeting of 9/10/85

Gentlemen:

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

- ☒ 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ☒ 2. A second means of vehicle access is required for the site.
- ☒ 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.
- ☒ 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. See CRG comments.
- ☒ 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 edition prior to occupancy.
- ☒ 6. Site plans are approved, as drawn.
- ☒ 7. The Fire Prevention Bureau has no comments, at this time.

VIEWER: *Paul H. Rencke* Noted and Approved: *John F. O'Neill*
Fire Prevention Bureau
Special Inspection Division

/mb

AUG 11 1985

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that by reason of the following finding of facts:



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

October 21, 1985

TED ZALESKI, JR.
DIRECTOR

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

Dear Mr. Jablon:

Comments on Item # 814 Zoning Advisory Committee Meeting are as follows:

Property Owners: J. Hamilton Easter, et al (Crosby Hill)
Location: S/S Tollgate Road, 1,100' SE of Pleasant Hill Road
District: 4C3

APPLICABLE STANDARDS AND COMMENTS:

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

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

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

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

5. All Use Groups except B-4 Single Family Detached Dwellings require a minimum of 1 hour fire rating for exterior walls closer than 5'-0" to an interior lot line. B-4 Use Groups require a one hour wall if closer than 5'-0" to an interior lot line. Any wall built on an interior lot line shall require a fire or party wall. See Table 101, Section 1007, Section 1006.2 and Table 1002. No openings are permitted in an exterior wall within 5'-0" of an interior lot line.

6. The structure does not appear to comply with Table 505 for permissible height/area. Reply to the requested variance by this office cannot be considered until the necessary data pertaining to height/area and construction type is provided. See Table 101 and 505 and have your Architect/Engineer contact this department.

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

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

9. The proposed project appears to be located in a Flood Plain, Flood/Divergence. Please see the attached copy of Section 516.0 of the Building Code as adopted by Bill #17-85. Site plans shall show the correct elevations above sea level for the lot and the finished floor levels including basement.

10. Comments: Structures when constructed shall comply with the set backs from interior lot lines, other buildings, etc. as required for fire separation in the building code.

11. These abbreviated comments reflect only on the information provided by the drawings submitted to the Office of Planning and Zoning and are not intended to be construed as the full extent of any permit. If desired the applicant may obtain additional information by visiting Room 102 of the County Office Building at 11 V. Chesapeake Avenue, Towson, Maryland 21204.

Mark S. Schuler
871 C. E. Burroughs, Chief
Building Plans Review

11/25
86-216 371
11/22/85

Project #85225
Crosby Hill
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GENERAL COMMENTS: (Cont'd)

Easements shall be established within the unencumbered area adjacent to the public 40-foot right-of-way to allow County maintenance of the water and sewer service connections, including the right to read the water meters as required.

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

Where construction contracts do not cover an entire Public Works Agreement, an additional Public Works Agreement fee will be collected. This fee will be the difference in cost between the fee/unit as covered in the Public Works Agreement and the fee/unit cost for the number of lots covered by the proposed contract. This additional fee will be collected at the time of contract for all partial contracts.

The Developer's engineer shall furnish along with the quantity estimates, the total number of units covered by the Public Works Agreement and the number of units served by the proposed contract.

The Plan is satisfactory pending conformance with the following comments.

HIGHWAY COMMENTS:

Tollgate Road is an existing road, which shall ultimately be improved as a 40-foot street cross-section on a 60-foot right-of-way.

All streets in this subdivision shall be improved with a 24-foot combination curb and gutter cross-section on a 40-foot right-of-way and shall be the Developer's full responsibility.

The paving thickness shall conform with Baltimore County Standards and requirements for 11-inch thick paving.

Baltimore County will only maintain the travelled way of streets with perpendicular parking. A Condominium or Homeowners Association must be established to maintain the parking bays and sidewalk areas.

It shall be the responsibility of the Developer's engineer to clarify all rights-of-way within the property and to initiate such action that may be necessary to abandon, widen or extend said rights-of-way. The Developer shall be responsible for the submission of all necessary plats and for all costs of acquisition and/or abandonment of these rights-of-way.

The sharp curves must conform with Baltimore County Standards for minimum length of curve, minimum radii and widening.

In accordance with Bill No. 32-72, street lights are required in all subdivisions. The Developer will be responsible for the full cost of installation of the cable, poles and fixtures. The County will assume the cost of the power when the streets have been accepted for County maintenance.

COUNTY REVIEW GROUP MEETING MINUTES
Wednesday, September 18, 1985

CROSBY HILL
District 4 C3

COUNTY REVIEW GROUP - THOSE PRESENT
Catherine Warfield, Chairman - Department of Public Works
Susan Carrell, Co-Chairman - Office of Current Planning

Agency Representatives

Capt. Jos. Kelly - Fire Prevention Bureau
Robert Covahey - Developers Engineering Division
Gary Kerns - Office of Current Planning
Greg Jones - Dept. of Traffic Engineering

Developer and/or Representatives

Jeffery Klein - Developer
Ed Halls - Daft-McCune-Walker, Inc.

*Interested Citizens

Mrs. Warfield opened the meeting at 9:15 a.m., introduced the staff, and explained the purpose of the meeting.

Mr. Halls presented the Plan.

Mrs. Carrell summarized the staff comments submitted from Traffic Engineering, Health Department, Storm Water Management Review Group, Fire Prevention Bureau, Building Plans Review, Bureau of Sanitation, Department of Recreation & Parks, Office of Planning and Zoning, Developers Engineering Division. These comments have been made a part of these minutes, and a copy was also given to the developer and developer's engineer.

Citizens were invited to comment. Mr. Hazard questioned the transfer of density and quantity of trees in the buffer area adjacent to the storm water management pond, and he objected to the increase of traffic on Tollgate Road. Other citizens noted that the buffer adjacent to the storm water management pond was less than 50-feet wide and commented about traffic from townhouses.

It was explained that the transfer of density will be decided by a Special Hearing before the Zoning Commissioner. If it is determined that the density cannot be allocated as shown on the Plan, the layout must be revised and a new County Review Group Meeting will be required. The Office of Planning will notify the citizens present of the decision by the Zoning Office. Mr. Jones, the County Traffic Engineer, reiterated the position of the Traffic Department that existing Tollgate Road is capable of handling the additional

Project #85225
Crosby Hill
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September 17, 1985

HIGHWAY COMMENTS: (Cont'd)

"No Parking" signs shall be posted prohibiting parallel parking on 24-foot wide streets and within the turnaround area.

Ramps shall be provided for physically handicapped persons at all street intersections.

On public roads with perpendicular parking bays, the maximum grade for the curb and gutter shall be 5% for the road frontage of such parking bays.

Concrete valley gutters are required between the parking bays and the traffic way in locations where the grade is 2% or less. Where grades exceed 2% up to 5%, the use of bituminous concrete to form the valley gutters is permissible.

Sidewalks are required adjacent to the public roads serving this site. The walks shall be 4 feet wide and shall be installed to conform with Baltimore County Standards, which places the back edge of the sidewalk 2 feet off the property line, or the adjacent unencumbered area.

The Developer shall be responsible for construction stake-out of all highway improvements required in connection with this site and all stake-outs shall be in accordance with Baltimore County Standards.

It shall be the Developer's responsibility to have his engineer set property line control stakes on the points of curvature and points of tangency and on adjacent rights-of-way along proposed roads to be used as control for the stake-out of utilities.

The Developer's responsibilities along the existing road frontage of Parcel 2 of the subdivision shall be as follows:

a. The submission of detailed construction drawings to extend a minimum distance of 200 feet beyond the limits of the subdivision or as may be required to establish line and grade.

b. The submission of full cross-sections is deemed necessary for design and/or construction purposes. The sections are to be taken at 25-foot intervals and are to be shown on standard cross-section paper at 1"=5' horizontal to 1"=5' vertical scale.

c. The preparation of the right-of-way plat for, and the dedication of any widening and slope easements at no cost to the County.

d. The preparation of the right-of-way plats for any offsite road rights-of-way required to make the necessary improvements. Baltimore County will attempt to acquire the right-of-way, at the Developer's cost.

e. The grading of the widening and the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to these properties.

CRG Minutes (Continued)

-2-

September 18, 1985

CROSBY HILL - Dist. 4 C3

traffic generated by this subdivision. He advised that the townhouses will create fewer trips per day than individual homes.

Zoning Comments addressed the issue of definition of the buffer area. The developer advised that he will provide a continuous 50-foot buffer and relocate the storm water management pond outside the buffer.

The Plan was revised to comply with County requirements including Traffic Comments and was found acceptable; therefore, the Plan was approved.

11/25

BALTIMORE COUNTY, MARYLAND

SUBJECT: SUBDIVISION REVIEW COMMENTS DATE: September 17, 1985
FROM: Edward A. McDonough, P.E., Chief
Developers Engineering Division

PROJECT NAME: Crosby Hill
PROJECT NUMBER: #85225
LOCATION: Tollgate Road
DISTRICT: 4C3

The Plan for the subject site, dated August 9, 1985 and revised August 26, 1985, has been reviewed by the Developers Engineering Division and we comment as follows:

GENERAL COMMENTS:

All private contracts for construction of storm drains and roads intended for public title and maintenance must be let under a contract form, proposal and attachments adopted by the Baltimore County Department of Public Works. The Developer has the option of placing the storm drains under a public contract.

All construction drawings and construction for public use shall conform with Baltimore County Department of Public Works Design Standards and Standard Specifications and Details for Construction.

The responsibilities of the Developer involving public improvements shall include the Inspection Fees, Burden and Fringe Costs Incurred. Currently these charges are 3.0 times payroll for Metropolitan District Projects and 2.0 times payroll for the Capital Improvement Fund.

All improvements, intersections, entrances, drainage requirements and construction affecting a State Road right-of-way are subject to the standards, specifications and approval of the Maryland State Highway Administration in addition to those of Baltimore County.

The Developer is responsible for the full cost of all highway and storm drain construction.

A Public Works Agreement must be executed by the owner and Baltimore County for the required public improvements, prior to the recording of a record plat.

Along the streets with perpendicular parking, a 40-foot right-of-way shall be centered on the 24-foot travelled way. A minimum 18-foot Condominium or Homeowners Association strip must be established adjacent to the right-of-way to cover the remainder of the parking bays and sidewalks.

Project #85225
Crosby Hill
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September 17, 1985

HIGHWAY COMMENTS: (Cont'd)

f. The construction of combination curb and gutter in its ultimate location and a maximum of 28.5 feet of paving adjacent thereto along the frontage of the property. The paving thickness shall conform with Baltimore County Standards and requirements for 11-inch thick paving.

g. The relocation of any utilities or poles as required by the road improvements.

The Developer's responsibilities along the existing road frontage of Parcel 1 of the subdivision shall be as follows:

a. The submission of detailed construction drawings to extend a minimum distance of 200 feet beyond the limits of the subdivision or as may be required to establish line and grade.

b. The submission of full cross-sections is deemed necessary for design and/or construction purposes. The sections are to be taken at 25-foot intervals and are to be shown on standard cross-section paper at 1"=5' horizontal to 1"=5' vertical scale.

c. The preparation of the right-of-way plat for, and the dedication of any widening and slope easements at no cost to the County.

d. The preparation of the right-of-way plats for any offsite road rights-of-way required to make the necessary improvements. Baltimore County will attempt to acquire the right-of-way, at the Developer's cost.

e. The grading of the widening and the existing road to the established grade. Where adjacent properties are adversely affected by the improvements, the Developer shall be financially responsible for the necessary repairs to these properties.

f. The construction of the widening to 74 feet of paving. The paving thickness shall conform with Baltimore County Standards and requirements for 11-inch thick paving.

g. The relocation of any utilities or poles as required by the road improvements.

STORM DRAINS, SEDIMENT CONTROL AND STORM WATER MANAGEMENT COMMENTS:

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

AUG 12 1985

Project #85225
Crosby Hill
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September 17, 1985

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

The Developer must provide necessary drainage facilities (temporary or permanent) to prevent creating any nuisances or damages to adjacent properties, especially by the concentration of surface waters. Correction of any problem which may result, due to improper grading or improper installation of drainage facilities, would be the full responsibility of the Developer.

Development of this property through stripping, grading and stabilization could result in a sediment pollution problem, damaging private and public holdings downstream of the property. A grading permit is, therefore, necessary for all grading, including the stripping of top soil.

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

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

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

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

A permanent method for retaining storm water runoff in excess of the original runoff based on a 2-year, 10-year and 100-year frequency storm must be provided on the site.

Storm water management must comply with the requirements of the 1984 Baltimore County Storm Water Management Policy and Design Manual adopted September 11, 1984.

The Developer is responsible for the cost of temporary structures and measures required in the event of sectional development.

The Developer shall provide a minimum 10-foot drainage and utility easement along all bordering property lines which are not adjacent to County rights-of-way or storm drain reservations, unless a similar easement easement has previously been provided along the property lines of the adjacent subdivision.

A permit will be required to allow the discharge from the proposed storm water management pond into the State storm water management facility.

Project #85225
Crosby Hill
Page 6
September 17, 1985

WATER AND SANITARY SEWER COMMENTS:

A preliminary print of this property had been referred to the Baltimore City Water Division for review and their comments are as follows:

"...service may be obtained from the Reisterstown Fifth Zone.

Eight-inch water mains should be installed in the public roads from the existing 12-inch main in Tollgate Road. A 4-inch main should be installed in each cul-de-sac unless a fire hydrant is to be provided.

Metered services for the townhouses may be taken from the proposed water main extension. However, to receive water service, all lots must have fee simple frontage on a public road.

Pressures will exceed 100 psi below elevation 620 feet and we suggest that pressure reducing valves be installed to provide service to all units below that elevation.

All mains within the project not in public roads, will not be maintained or serviced by the City."

The Developer is responsible for any deficit to be incurred by the construction, under County contract and inspection, of public water main extension and/or public sanitary sewerage required to serve this property. He is responsible for the preparation and the cost of construction drawings and right-of-way plats required. He is further responsible for conveying any required right-of-way to Baltimore County at no cost to the County.

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

The total Water and/or Sewer System Connection Charge is determined, and payable, upon receipt of bids for the utility construction contract. This Charge is in addition to the normal front foot assessment and permit charges.

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

The public sewer must be extended through this property to Tollgate Road to provide for extension to the properties on the north side of the road.

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

EM:REC:ss

cc: Vernon Bucher
File

GRA Meeting of September 18, 1985
Crosby Hill

1. The feasibility of infiltrating the first inch of rainfall must be investigated at final design. Subdrainage data will be required at that time.

2. 2.10 + 100 year peak SWM is required.

3. Any off-site right-of-way or easements required for construction of the SWM pond outfall must be required prior to final plan approval.

Thomas L. Thelma
9/15/85

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS
FROM: ZONING OFFICE

DATE: September 18, 1985

PROJECT NAME: CROSBY HILL
LOCATION: S/S Tollgate Rd., W/Ritters La.
DISTRICT: 4th Election District

PLAN: 8/26/85
DEVELOPMENT PLAN:
PLAT:

1. Transfer of density has not been allowed involving non-contiguous parcels. Zoning approval would be contingent upon the outcome of the special hearing to transfer the density from parcel #1 to parcel #2.
2. The Storm Water Management pond should be located outside of the buffer area. The pond and the buffer area should be well defined.
3. Under Note #11 height will be determined by the highest point at grade to the highest point on the structure.

WCR
W. CARL RICHARDS, JR.
Zoning Associate III

WCR:bg

BALTIMORE COUNTY, MARYLAND

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

DATE: September 17, 1985

PROJECT NAME: CROSBY HILL
COUNCIL & ELECTION DISTRICT: IV-273
PLAN: XXXXXXXXXXXXXXXX
PLAN EXTENSION:
REVISED PLAN:
PLAT:

The Office of Planning has reviewed the subject plan dated August 9, 1985 and submits the following comments:

Tollgate Road needs to be widened to a 24' roadway along the frontage of Parcel 1 to Pleasant Hill Road. At the intersection, Tollgate Road should be 35' as per comments of the Department of Traffic Engineering.

Additional landscaping is needed along the Northwest Expressway right-of-way to provide an effective noise and visual barrier between the development and the expressway. A final landscape plan prepared by a registered landscape architect must be approved by this office prior to the issuance of building permits.

Landscaping for Rte 282 Buffer must comply w/ Section 17.1 of the Landscape Ordinance.
Gary Kerns
Gary Kerns

BALTIMORE COUNTY, MARYLAND

Subject: County Review Group Comments
From: Dept. of Recreation and Parks
Date: September 20, 1985
(Supersedes 9/11/85)

Project Name: Crosby Hill
Project Number: 8522
Location: Tollgate Road
Districts: 4, C-3
Zoning: DR 3.5
Preliminary Plan
Development Plan
Final Plat
CRG: X

COMMENTS:

1. L.O.S. is required and the calculations shown are correct.
2. The proposed H.O.A. Open Space shown, including "Parcel 1", is acceptable.
3. Open space should be labeled "H.O.A. Open Space".
4. Show lines of division between SWM area and Open Space.
5. Show easements for any utilities that cross H.O.A. Open Space including SWM outfall.
6. The usual covenants guaranteeing the existence and maintenance of the H.O.A. Open Space in perpetuity are required.
7. The Open Space must be protected during construction as per the L.O.S. manual.

Frank Miner
Facilities Coordinator

FN:sm

DEPARTMENT OF TRAFFIC ENGINEERING
BALTIMORE COUNTY, MARYLAND

TO: Mr. James A. Markle
FROM: C. Richard Moore
SUBJECT: C.R.G. Comments
DATE: 9-17-85

PROJECT NAME: Crosby Hill
PROJECT NUMBER & DISTRICT: 8CA
LOCATION: Tollgate Road
C.R.G. PLAN: X
DEVELOPMENT PLAN:
RECORD PLAT:

It is recommended that Tollgate Road be widened approximately 4ft. with a minimum of 24ft. of paving. It is also recommended that at Pleasant Hill Road, Tollgate Road should be widened to 35ft. for 100ft., with a 30 to 1 taper back to the narrower section.

Grading and clearing and an area kept free of sight obstructions will be needed on the inside of the curve of the main road in accordance with AASHTO intersection sight distance standards. This area needs to be shown on future plans including the development plans.

C. Richard Moore
C. Richard Moore
Deputy Director of
Traffic Engineering

CRM/GMJ/bid

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

Crosby Hill
Subdivision Name, Section and/or Plat

Crosby Home, Inc.
Thyngs Falls
Developer and/or Engineer: *Thyngs Falls*
No. of Lots: *73*
Total Acreage: *21.01*
Water: *Public*
Sewer: *Public*

COMMENTS ARE AS FOLLOWS:

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

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

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

A Hydrogeological Study and Environmental Effects Report for this subdivision, must be submitted, is incomplete and must be revised, has/have been reviewed and approved.

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

It is recommended the plan, be approved as submitted, be approved as submitted subject to the following conditions noted: *on the attached memo dated 9-17-85*

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

REVISIONS AND/OR COMMENTS:

SS 783R

AUG 13 1985

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. Brooks Staff, Director
Environmental Support Services
TO: _____ Date: 9-17-85
FROM: Judith Platt
Waste and Water Quality Management
SUBJECT: ENVIRONMENTAL EFFECTS REPORT Crosby Hill
(Name)
CRG MEETING 9-18-85 9:00 AM
(Date) (Time)

PLAN REVIEW NOTES

1. 73 townhouses on 21.01 acres
(Describe Site)
2. public water and public sewer is proposed.
3. No streams on site
(Describe streams on-site)
4. _____
5. No wetlands on site
(Describe wetland soils on-site)
6. Storm Water Management _____ required.
7. _____ proposed impervious area.

RESPONSES

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

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

- A. _____ No development is allowed in _____
(Soil/name & symbol)
- B. _____ A revised site plan indicating no development in _____
must be submitted.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Cass Warfield
TO: _____ Date: September 5, 1985
FROM: Charles K. Weiss
Crosby Hill
Tollgate Road
SUBJECT: _____
CRG 9/18/85

Collection will be made at islands only "station collection"—This will apply as long as 2-turn-arounds are striped appropriately & left open.

Note: Close proximity to expressway could cause many problems—noise etc.

Note: Acceptance of this plan in no way binds Baltimore County into collection of this development. At the time of construction a representative of the Bureau will meet with the developer or his representative to discuss details of collection.

CKM/KRA/rab

CPS-008

BALTIMORE COUNTY, MARYLAND

Date: September 3, 1985

SUBJECT: SUBDIVISION REVIEW COMMENTS
FROM: BALTIMORE COUNTY FIRE DEPARTMENT, FIRE PREVENTION BUREAU
Captain Joseph Kelly

PROJECT NAME: Crosby Hill
PROJECT NUMBER: CRG Agenda 9/18/85, 9:00 am
LOCATION: Tollgate Road DISTRICT: 3

COMMENTS

1. Proposed buildings shall be designed and constructed so as to meet the applicable provisions of the Fire Prevention Code and the NFPA 101 Life Safety Code, 1981 Edition.
2. Fire flow test is required to be conducted by the Baltimore City Water Dept. on Tollgate Road as close to proposed site as possible. Test results are to be forwarded to the office of the Fire Protection Engineer.
3. Proposed panhandle driveways must be a minimum of 16 feet in width and of a hard surface capable of supporting emergency apparatus, weighing 50,000 pounds on two axles.
4. Access road shall be posted with Fire Lane signs along its entire length.
5. Standard cul-de-sac or t-turnaround shall be provided at deadend street rear _____
6. All roads shall have a minimum width of 20 feet.
7. Driveways in excess of 300 feet shall have standard cul-de-sac or t-turnaround.
8. Maximum angle of departure (grade percentage) shall not exceed 8% per NFPA Standard #901. Angle of departure in excess of 8% would prohibit emergency fire apparatus from gaining access to the site.
9. Submitted site plan fails to indicate proposed fire hydrant spacing at feet intervals in accordance with Baltimore County Standard Design Manual.
10. All self-service stations shall have at least one attendant on duty while the station is open to the public. The attendant's primary function shall be to supervise, observe and control the dispensing of Class I liquids while said liquids are actually being dispensed, according to NFPA 30, 1981 Edition, Section 7-8.4.3 and Section 7-8.4.4.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Catherine Warfield, C. R. G. Date: September 6, 1985
FROM: G. E. Burman, Chief, Building Plans Review C 2.13
SUBJECT: Crosby Hill Dist. 493
Tollgate Road

- 1) The Building Codes now applicable are as follows:
1984 B.O.C.A. Basic National Building, Mechanical, and Energy Codes as amended and adopted by County Council Bill #17-85.
The Code of Maryland Regulations 05.01.07, A.N.S.I. Standard A117.1 - 1983 also known as the Maryland Building Code for the Handicapped as amended January 1, 1985 is applicable.
- 2) Handicapped parking and passenger loading zones shall comply with Section 4-6 of A.N.S.I. A117.1 when the project is completed. This includes signage, curb cuts, ramps, etc., etc.
- 3) Buildings shall comply with the height and area requirements of the Code (Table 501) and fire separation requirements of Table 401. Section 502.2 may be applicable on the larger building depending on the proposed construction type.
- 4) A full code review of the structures will be conducted when the building(s) permit is submitted.

CEB/vw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon
TO: Zoning Commissioner Date: November 13, 1985
Norman E. Gerber, Director
FROM: Office of Planning and Zoning
SUBJECT: Zoning Petition No. 86-216-SPH

In view of the subject of this petition, this office offers no comment.

REG:JCH:slw

IN RE: PETITION SPECIAL HEARING * BEFORE THE
S/S of Tollgate Road, 1,180' * ZONING COMMISSIONER
SE of Pleasant Hill Road - * OF BALTIMORE COUNTY
4th Election District *
J. Hamilton Easter, et al, * Case No. 86-216-SPH
Petitioners *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request approval to transfer density from Parcel 1 to Parcel 2, as shown on Petitioners' Exhibit 2.

The Petitioners, by their Contract Purchaser, Crosby Homes, Inc., by its President, Jeffrey F. Klein, appeared and testified and were represented by Counsel. George E. Gavrellis, an expert planner, also testified on behalf of the Petitioners. There were no Protestants.

Testimony indicated that the subject property, zoned D.R.3.5, is located off Tollgate Road in Owings Mills. The property consists of two parcels which originally comprised one continuous tract until bifurcated at an odd angle when the Northwest Expressway was constructed. The State's taking of the land for the expressway created Parcels 1 and 2 being totally separate and apart with a piece of land not owned by the Petitioners between the two parcels. Parcel 1, consisting of approximately four acres, is very elongated and narrow; Parcel 2, consisting of approximately 14.6 acres, is triangular. Use of Parcel 1 for development is extremely limited and the Petitioners propose to transfer its density to Parcel 2 to permit 73 units.

The Petitioners seek relief from Sections 1801.2.A.1 and 1802.2.C, Baltimore County Zoning Regulations (BCZR).

The Petitioners request no further relief than to be permitted to do what they had the right to do before the taking by the State. They are not asking

for anything that is contrary to the spirit and intent of the BCZR, and it is clear that what they propose is and of itself within the meaning of "density" zoning.

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

Therefore, IT IS ORDERED by the Zoning Commissioner of Baltimore County, this 6th day of December, 1985, that the transfer of density from Parcel 1 to Parcel 2 is approved and, as such, the Petition for Special Hearing is hereby GRANTED, from and after the date of this Order, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

1. Parcel 1 cannot be utilized for building or development, notwithstanding any change in zoning. The Petitioners shall record a restrictive covenant among the Land Records of Baltimore County that Parcel 1 shall not be buildable or developed in the future, notwithstanding any change in zoning.
2. Parcel 1 shall remain open space permanently.
3. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the applicable 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.

cc: Robert J. Ryan, Esquire
People's Counsel

- 2 -

PETITION FOR SPECIAL HEARING

4th Election District
LOCATION: Southside of Tollgate Road, 1180' Southeast of Pleasant Hill Road.

DATE AND TIME: Monday, November 25, 1985 at 1:00 p.m.
PUBLIC HEARING: Room 106, County Office Building, 111 West Chesapeake Avenue, Towson, Maryland

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

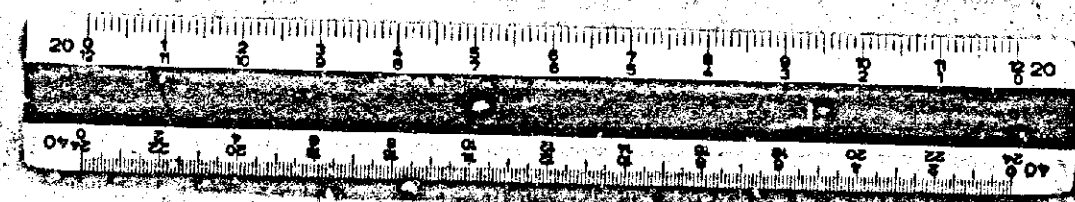
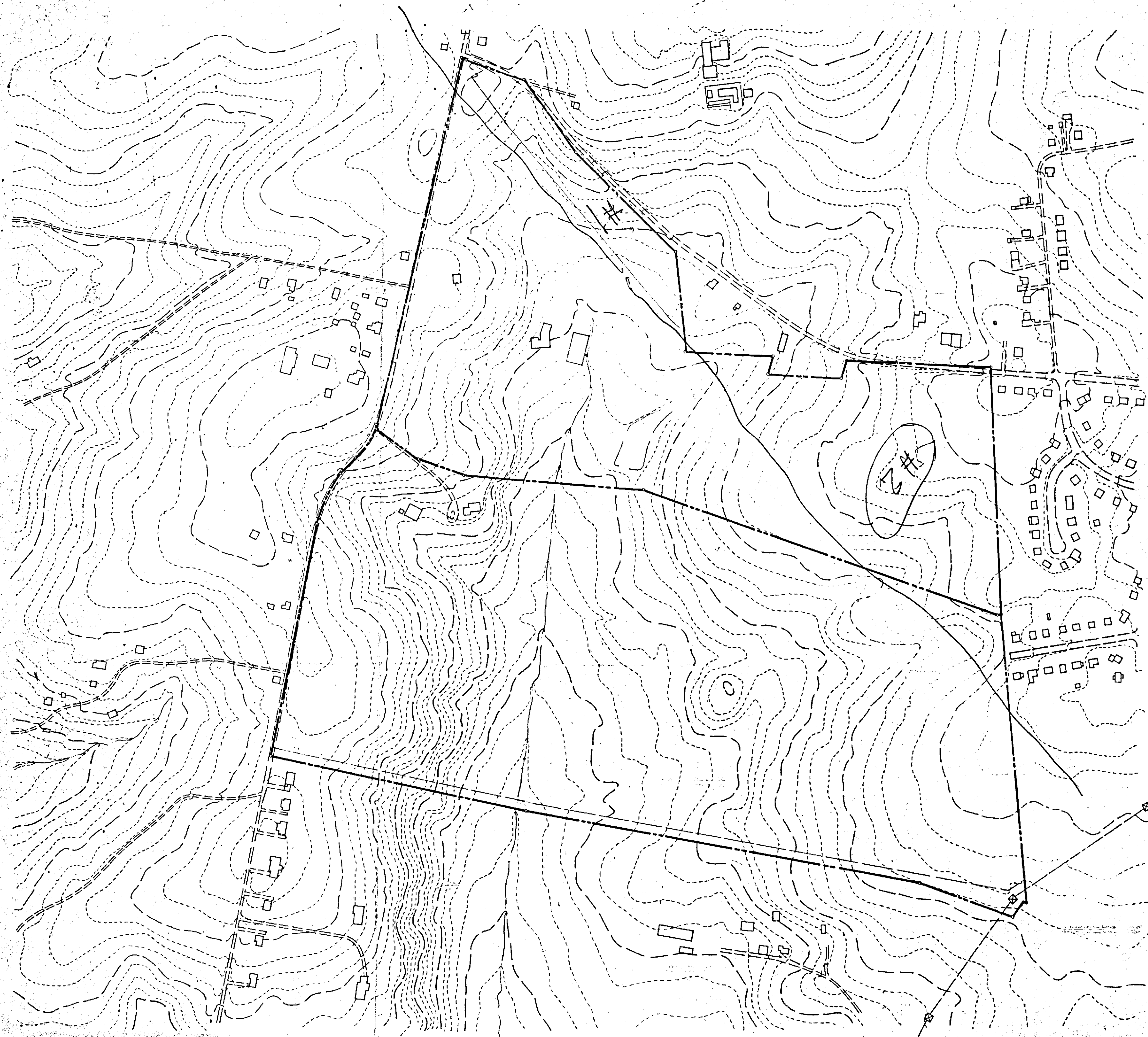
Petition for Special Hearing to approve the transfer of density from Parcel No. 1, a parcel resulting from a severance by the Northwest Expressway, to Parcel No. 2. See Section 1801.2A1 and 1802.2C.

Being the property of J. Hamilton Easter, et al as shown on the plat filed with the Zoning Office.

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

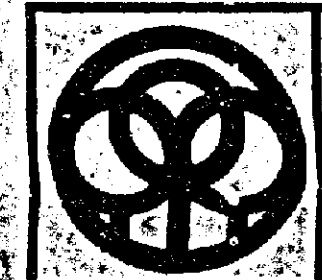
BY ORDER OF
ARNOLD JABLON
ZONING COMMISSIONER
OF BALTIMORE COUNTY

AUG 12 1985



**PETITIONER'S
EXHIBIT**

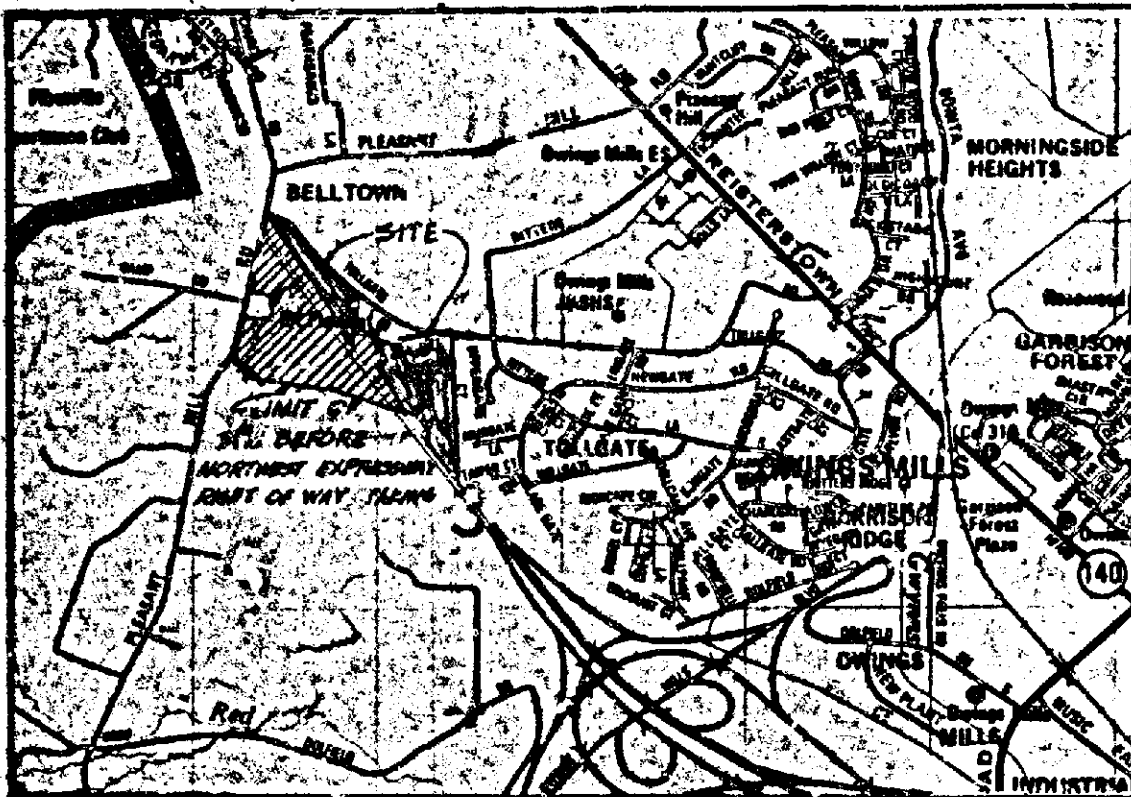
DATE: 11/12/00
BY: JHE
SCALE: 1"=200'



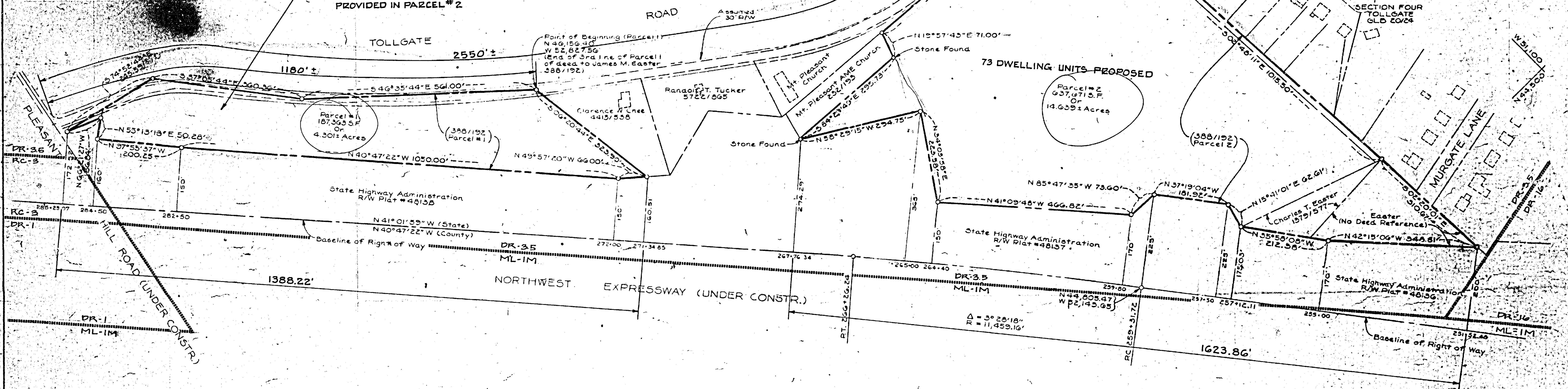
DAFT, McCune & Walker, Inc.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS
830 E. JOPPA ROAD
TOWSON, MD 21204
TELEPHONE: (410) 886-3333

*Preliminary Outline & Base
J. Hamilton Enster & Henderson
Properties*

DATE: 11/12/00		SCALE: 1"=200'
JOB ORDER NO.		
ISSUE DATE		
DATE	REVISIONS	



LOCATION MAP



DENSITY SUMMARY

PARCEL #	NET AREA	GROSS AREA *
1	4.301 AC.	5.257 AC.
2	14.639 AC.	15.757 AC.
TOTAL 21.014 AC. x 3.5 = 73.55 DWELLING UNITS		

* INCLUDES 30' FROM NORTHWEST EXPRESSWAY ALONG PARCEL FRONTAGE

GENERAL NOTES

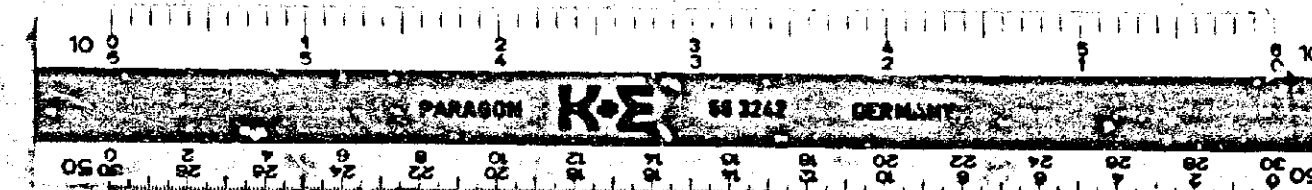
- NO STRUCTURES EXIST ON PARCEL 1 OR PARCEL 2
- BOUNDARY SURVEY TAKEN FROM PLAN PREPARED BY THE BEAVIN COMPANY DATED JUNE 25, 1985
- EXISTING ZONING = DZ 3.5
- PLAN TO BE PREPARED AND PRESENTED FOR CRG REVIEW AND APPROVAL
- FOR THE PURPOSE OF COMPLYING WITH SECTION 1801.2A1, PARCELS NO. 1 AND NO. 2 ARE INTENDED TO BE ONE SUBDIVISION TRACT REGARDING OVERALL PERMITTED DENSITY AND DEVELOPMENT PLAN APPROVAL.
- THE PURPOSE OF THE SPECIAL HEARING IN ACCORDANCE WITH SECTION 1800.2 IS TO ALLOW GREATER FLEXIBILITY IN SUBDIVISION DEVELOPMENT PLANNING AND A MORE CREATIVE AND ECONOMIC APPROACH RESULTING IN ESTABLISHING A DISTINCTIVE AND DESIRABLE RESIDENTIAL CHARACTER.

PETITIONER'S
EXHIBIT 2

CONTRACT PURCHASER:
CROSBY HOMES, INC. c/o JEFFREY F. KLEIN
6229 NORTH CHARLES STREET
BALTIMORE, MD. 21212 377-2400

OWNERS:
J. HAMILTON EASTER
VIRGINIA C. EASTER
EDMUND H. HENDERSON
ACHSAH E. HENDERSON

Note: Coordinates shown are based on
Baltimore County Traverse Stations:
*X=9051 N45,255.00 W=1250.85
*X=9033 N45,024.18 W=50,763.26



Note: All property corners have been
set in field.

**CROSBY
HILL**

PLAT TO ACCOMPANY REQUEST
FOR SPECIAL HEARING

ELECTION DISTRICT #4
BALTIMORE CO., MARYLAND

SCALE:
1" = 100'

JOB ORDER NO.
85059

DATE:
AUG. 2, 1985



DAFT · McCUNE · WALKER · INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS & SURVEYORS
200 E. PENNSYLVANIA AVE.
TOWSON, MD. 21204
TELEPHONE: (301) 296-3333