MATISWARFIELD
Consulting Engineers

November 13, 2013

W. Carl Richards, Zoning Supervisor
Baltimore County Department of
Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204

Subject: Expedited Spirit and Intent Letter for
Case Nos. 89-409-SPHX, 89-476-SPHX & 90-362-SPHA
Caves Valley Golf Club-2910 Blendon Road
4th Election District, 2nd Councilmanic District

Caves Valley Club, Inc. ("CVC") is the owner of the above referenced Caves Valley Golf Club property, located in the Owings Mills area of Baltimore County (the "Property").

In Case No. 89-409-SPHX, the Zoning Commissioner for Baltimore County approved a country club use as a special exception on the Property. Subsequently, by way of another case in 1989 (89-476-SPHX) and one in 1990 (90-362-SPHA), the Zoning Commissioner approved petitions for special hearing to amend the site plan for the country club and a petition for variance for certain reduced building-to-building setbacks. Among the permitted variances shown on the 1990 plan was for a setback of 40 feet between Building 'D' (the Men's Locker Room Building) and Building "E", in lieu of the required 70 feet. CVC now proposes to build a 2,445 square feet addition to the Men's Locker Room Building, which addition will be on the south side of the existing locker room building towards the internal courtyard area of the site. The setbacks between the proposed addition will meet or be greater than the setbacks required under the Baltimore County Zoning Regulations or reduced as part of the previous zoning variance case, as applicable. We are requesting confirmation, by countersignature below, that the minor reconfiguration of the Building "D" is within the spirit and intent of the Zoning Commissioner's decisions issued in Case Nos. 89-409-SPHX, 89-476-SPHX, and 90-362-SPHA.

As a brief background, in 1989, the Zoning Commissioner, by way of an order and an amended order issued in Case No. 89-409-SPHX (copies enclosed), granted a petition for special exception approving a country club use on the Property, consistent with a site plan accepted as an exhibit in that case. Later that year, the Zoning Commissioner issued an order in Case No. 89-476-SPHX (copy enclosed) granting a petition for special hearing to permit CVC to add additional land area to the special exception approved in Case No. 89-409-SPHX and to amend the site plan approved in that case. Thereafter, in Case No. 90-362-SPHA, the Zoning Commissioner approved a petition for special hearing to amend the site plan approved in the 1989 cases and a petition for variance to

Matis Warfield, Inc. 410.683.7004
10540 York Road, Suite M 410.683.1798 FAX
Hunt Valley, MD 21030 www.matiswarfield.com

permit reduced setbacks between several buildings proposed for the Property (copy of order enclosed). The three sheet site plan approved in the 1990 case formed the basis for the subsequent development and layout of the country club use on the Property. The 1990 site plan includes on sheet three a legend of buildings proposed for the Property. Over the years, CVC has made minor changes to the building layout on the Property, for which it obtained confirmation from your office that those changes were within the spirit and intent of the orders issued in the above-referenced zoning cases. Now, as described in greater detail above, CVC likewise proposes a minor addition to the Men's Locker Room Building, which will respect all required/approved setbacks.

If you are in agreement, please confirm, by countersignature below, that the proposed addition to Building "D" (the Men's Locker Room Building) as shown on the Plan to Accompany DRC request, is within the spirit and intent of the Zoning Commissioner's decisions in Case Nos. 89-409-SPHX, 89-476-SPHX, and 90-362-SPHA.

With this letter, find enclosed check in the amount of $500.00 made payable to "Baltimore County, Maryland" to cover the administrative costs associated with your expedited review of this request. If you have any questions or require any additional information, please contact me. Thank you for your attention to this matter.

Sincerely,
MATIS WARFIELD, INC.

Stephen A. Warfield, P.E., President

AGREED AND ACCEPTED

W. Carl Richards, Jr. Supervisor
Zoning Review Office

RDG:saw
Enclosures

LEGEND

- TRACT BOUNDARY
- EXISTING STREAM
- WETLAND/STREAM BUFFER
- LIMIT OF WETLANDS
- NATURAL RESOURCE CONSERVATION LINE: AREA SUBJECT TO ENVIRONMENTAL RESTRICTIONS
- LIMIT OF 100 YEAR FLOODPLAIN
- ZONE LINE
- CONTOUR LINE, 10' INTERVAL
- EXIST. EDGE OF WOODS
- POWER TRANSMISSION TOWER
- (10) PROPOSED GOLF HOLE
- POND, EXISTING
- PROPOSED POND
- PROPOSED GOLF PATH
- STEEP SLOPES (25%+)
- EXISTING WELL
- PERC TEST LOCATION
- EXISTING TREE
- M.E.T. EASEMENT

BALTIMORE COUNTY MD.
COUNTY REVIEW GROUP
This Plan Was Reviewed By The CRG On 4/19/89
With The Following Action Taken
4th Refinement PLAN APPROVED
DAC# 070505B
Plan Approved DPW — Dennis A. Kennedy 9/11/06
Plan Approved OPZ — Jeffrey Clark Vessella
Approval Expiration Date — Vested
Plan Disapproved
Continued Mtg. Required
Plan Referred To Plan. Bd.

REASON FOR 5TH AMENDMENT:
PROPOSED ADDITION TO EXISTING MENS LOCKER BUILDING (BUILDING "D")

LOCATION MAP
SCALE: 1" = 2000'
2000' 0 2000'

VICINITY MAP
1000' 0 1000'

SOILS

SOIL SERIES & SYMBOL	HYDRO CLASS	WATERSHEDVIEW	UNDERGROUND BASEMENT	STREETS & PARKING
Atkins&Lake(Ak)	D	Severe: water table flooding	Severe: water table flooding	Severe: water table, flooding
Baltimore(BmA)	B	Slight	Slight	Slight
Codorus(CaA)	C	Moderate: water table	Slight	Moderate: water table
Codorus(CaB2)	C	Moderate: water table	Slight	Moderate: water table
Codorus(Co)	C	Severe: flooding	Severe: flooding	Severe: flooding
Conestoga(CnB3)	B	Slight	Slight	Moderate: Slope
Dunning(Du)	D	Severe: water table, drainage, flooding	Severe: water table, drainage, flooding	Severe: water table, drainage, flooding
Elkton(ElB2)	B	Slight	Slight	Moderate: Slope
Glenelg(GlC2)	B	Slight	Slight	Moderate: Slope
Glenelg(GlD2)	B	Moderate: slope	Moderate: slope	Severe: slope
Glenville(GnB2)	C	Severe: water table	Moderate: water table	Severe: water table
Hatboro(Ha)	D	Severe: water table, flooding	Severe: water table, flooding	Severe: water table, flooding
Lindside(Ld)	C	Severe: water	Severe: flooding	Severe: flooding
Manor(MaB2)	B	Slight	Slight	Moderate: Slope
Manor(MaC2)	B	Moderate: slope	Moderate: Slope	Severe: Slope
Manor(MaD2)	B	Severe: Slope	Severe: Slope	Severe: Slope
Manor(MaE)	B	Severe: Slope	Severe: Slope	Severe: Slope
Manor(MaF)	B	Severe: Slope	Severe: Slope	Severe: Slope
Manor(MeB)	B	Severe: Slope	Severe: Slope	Severe: Slope
Melvin(Me)	D	Severe: water table, drainage, flooding	Severe: water table, drainage, flooding	Severe: water table, drainage, flooding

.4	8/29/06	PLAN REFINEMENT
3.	6/14/05	PHASE 1 and PHASE 2 RENOVATIONS AND ADDITIONS
2.	10/3/94	REVISED LOCATION OF COTTAGES J, K & L
1	12/27/93	REVISED LOCATION AND AREA OF COTTAGE J, (FILL COTTAGE L&J)
		FOR COTTAGES, J, K & L, ONLY

ZONING HISTORY

A. Most of this property was formerly owned by Joseph Gould, et. al. and was purchased by him (the Gould Parcel) and is now owned by Ann B. and Patrick L. Norgard. (The Norgard Parcel) and is shown hatched in Caves Valley Golf, Inc.

B. The Gould Parcel (which is zoned almost entirely RC-2) has been subject to the following rezoning requests and applications in the last five years:

1. In 1984, the Gould Parcel was the subject of a legal request to rezone 306 acres from RC-2 to RC-5 as part of the Comprehensive Map Process (Item 306). The request was not granted.

2. In 1988, Comprehensive Application 604 a petition seeking rezoning of 693.5 acres including the Gould Parcel from RC-2 to RDO on the property now known as Caves Valley Golf. The Board of Appeals denied the request on May 1, 1987 and this case was subsequently upheld.

3. In 1988, the Gould Parcel was the subject of a request to rezone a 2023.2 acre properties from RC-2 to RC-5 as part of the Comprehensive Map Process (Item 306D). The request was not approved.

4. The Norgard Parcel (which is zoned entirely RC-2) was the subject of the 1984 Comprehensive Map Process (Item 306) and was retained in the RC-5 rezoning that did occur.

5. The Norgard Parcel (which is zoned entirely RC-2) was the subject of a petition for rezoning 1,122 acres from RC-2 to RC-5. On January 15, 1988 the Planning Board voted to the County Council that the property be rezoned to RC-5. The Board of Appeals subsequently denied the petition stating that the request for rezoning was inconsistent with the Master Plan. The County Council adopted the recommendation of the Planning Board and the Board of Appeals and rezoned the Norgard Parcel to RC-5 on October 3, 1988.

6. The Gould Parcel (which is zoned almost entirely RC-2) was the subject of a petition for rezoning 1,122 acres from RC-2 to RC-5. On January 15, 1988 the Planning Board voted to the County Council that the property be rezoned to RC-5. The Board of Appeals subsequently denied the petition stating that the request for rezoning was inconsistent with the Master Plan. The County Council adopted the recommendation of the Planning Board and the Board of Appeals and rezoned the Norgard Parcel to RC-5 on October 3, 1988.

C. The Petitioner may apply for her building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at its 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

D. Pursuant to Section 500.7 of the BCZR, this Order shall be void and of no further force or effect unless the Petitioner files a petition for special hearing to approve the site plan and landscape plan within one year after the date of this Order.

E. Within seventy (70) building permits, the site plan and landscape plan shall have received approval and all trees and landscaping required to be planted in accordance with the approved site plan shall have been planted. Failure to comply with this condition shall result in the withholding of any further building permits, occupancy permits or use permits, whichever shall be appropriate, until the requirement of the site plan and landscape plan has been fulfilled. The Petitioner shall post a bond or letter of credit with the Department of Permits and Development Management in an amount sufficient to guarantee the planting of the trees and landscaping required by the site plan and landscape plan.

F. Upon request and reasonable notice, the Petitioner shall permit representatives of the Office of Planning and Zoning to make inspections of the subject property to assure strict compliance with this Order.

On June 8, 1988, the Zoning Commissioner entered into the Special Exception proceeding at Case No. 88-176-SX and granted the Special Petition to amend the previously granted Special Exception by Case No. 69-469-X by adding additional golf areas shown and described on the golf course expansion and to apply a new Special Exception site plan (Petitioner's Exhibit 1, and for the purpose of this Order, hereinafter referred to as the "Site Plan"). Among other terms, conditions and restrictions of the Order of June 8, 1988 in Zoning Case No. 88-176-SX are as follows:

1. The Petitioner shall not have exclusive use of the golf course. Golf course memberships and fees as facilities generally available to the public shall be offered on a reasonable basis. Petitioner shall not be denied or refused membership because of race, color, religion or national origin. Petitioner shall not be denied or refused membership because of race, color, religion or national origin. Petitioner shall not be denied or refused membership because of race, color, religion or national origin.

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3. The Petitioner shall not be denied or refused membership because of race, color, religion or national origin.

4. The Petitioner shall not be denied or refused membership because of race, color, religion or national origin.

5. The Petitioner shall not be denied or refused membership because of race, color, religion or national origin.

6. The country club and golf course shall be operated as a non-membership facilities and not as facilities generally available to the public.

7. The facilities shall not be rented or leased for commercial purposes to the general public, other than golf tournaments or other events, provided that this limitation shall not prevent the Club itself from holding or sponsoring tournaments or other events at which primary social members may be invited.

8. No further changes, use or other terms, conditions and restrictions of this original Order of June 8, 1988 and June 15, 1988 not specifically amended by this Order shall remain in full force and effect.

On June 15, 1988, the Zoning Commissioner entered into the Special Petition proceeding at Case No. 88-176-SX and granted the Special Petition to amend the previously granted Special Exception by Case No. 69-469-X by adding additional golf areas shown and described on the golf course expansion and to apply a new Special Exception site plan (Petitioner's Exhibit 1, and for the purpose of this Order, hereinafter referred to as the "Site Plan"). Among other terms, conditions and restrictions of the Order of June 8, 1988 in Zoning Case No. 88-176-SX are as follows:

1. The Petitioner shall not have exclusive use of the golf course. Golf course memberships and fees as facilities generally available to the public shall be offered on a reasonable basis. Petitioner shall not be denied or refused membership because of race, color, religion or national origin. Petitioner shall not be denied or refused membership because of race, color, religion or national origin. Petitioner shall not be denied or refused membership because of race, color, religion or national origin.

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BALTIMORE COUNTY MD.
COUNTY REVIEW GROUP
This Plan Was Reviewed By The CRG On 4-19-89
With The Following Action Taken:
Revised PLAN APPROVED
Plan Approved DPW — Dennis A. Kennedy 9/11/06
Plan Approved OPZ — Jeffrey Clark Vessella
Approval Expiration Date — Vested
Plan Disapproved
Continued Mtg. Required
Plan Referred To Plan. Bd.

PLAN TO ACCOMPANY DRC REQUEST
5TH (4TH) AMENDED CRG PLAN
CAVES VALLEY CLUB INC.
GOLF COURSE/COUNTRY CLUB
ELECTION DISTRICT 3RD COUNCILMANIC DISTRICT 2ND BALTIMORE COUNTY, MARYLAND
SCALE: 1" = 300'
SHT. 2006
JOB ORDER NO. 88015A
ISSUE DATE 8-90
SHEET 1 OF 2

STATE OF MARYLAND
DAVID E. LOCKE
REGISTERED LANDSCAPE ARCHITECT
NO. 654

RECEIVED
OCT 2 A 9:59
PLANNING & ZONING

MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
300 EAST JOPPA ROAD, SUITE 1010
TOWSON, MARYLAND 21286
(410) 821-1100
(410) 821-1551 FAX
MRA@MRAMD.COM
MRAMD.COM

Consulting Engineers
849 Fairmount Avenue
Baltimore, Maryland 21286
(410) 512-4500
WHITNEY, BAILEY, COX & MAGNANI

THE WHITING-TURNER CONTRACTING CO.
300 E. JOPPA ROAD TOWSON
BALTIMORE, MARYLAND 21204-3048
301-821-1100

DAFT McCUNE WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERING SURVEYORS
200 EAST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
TELEPHONE (301) 296-3333

EXISTING PAVING
EX. 8" SD
EX. 8" PVC
EX. WALK
EXISTING 1 STORY MENS LOCKER BUILDING
EXISTING MEETING HOUSE
BLDG TO BLDG 44'
EXISTING WOMEN'S LOCKER BUILDING
EX. BRICK WALK
PROPOSED 1-STORY LOCKER BUILDING ADDITION HEIGHT= 22'+/-
31'
87.33'
PR WALK
PROPOSED WALK
STONE SLAB
EXISTING OFFICE BUILDING
SANITARY MANHOLE TOP ELEV. 668.81' INV. OUT (SE) 8" PVC 656.51' INV. IN (W) 8" PVC 656.61'
SANITARY MANHOLE TOP ELEV. 667.84' INV. OUT (S) 8" PVC 655.74' INV. IN (NW) 8" PVC 655.84'
SANITARY MANHOLE TOP ELEV. 661.76' INV. OUT (S) 8" PVC 654.16' INV. IN (N) 8" PVC 654.26' INV. IN (N) 8" PVC 654.36'
STORM DRAIN MANHOLE TOP ELEV. 663.22' INV. OUT (N) 8" PVC 655.47' INV. IN (E) 8" PVC 655.47'
STORM DRAIN INLET TOP ELEV. 661.92 INV. 12" RCCP 655.87 INV. 12" RCCP 655.60 INV. 12" RCCP 655.75
SANITARY MANHOLE TOP ELEV. 660.47' INV. OUT (N) 8" PVC 653.97' INV. IN (SW) 8" PVC 654.07'
INV. 12" RCCP 657.90
STORM DRAIN INLET TOP ELEV. 658.07
RELOCATED INLET
INV. 8" PVC ELEV. 657.46'
INLET TOP ELEV. 662.19'
INV. 8" PVC ELEV. 657.25'
EX. 10" SD
EX. 8" SAN
EX. 8" SD
EX. 6" W
EX. 2" W
M DRAIN MANHOLE TOP ELEV. 665.22' (W) 8" PVC 658.32' (E) 8" PVC 658.42' (SW) 8" PVC 658.52'
LIGHT W/ BRICK BASE
LIGHT W/ BRICK BASE
SPECIAL PAVING AREA
BRICK WALL LANDING ELEV. 663.60
BRICK WALL
STONE WALL
EDGE OF MAC
EDGE OF BRICK
MACADAM
BRICK
BLUESTONE
STEPS
CANOPY
WINDOW WELL
WINDOW WELLS
CONC PAD
BRICK AND BLUESTONE PATIO
CLUB HOUSE ADDITION
PROPOSED TRELLIS
BRICK PATH RELOCATION
6" CLUSTER
4" CLUSTER
MAIN STREET
IRRIGATION CONTROL VALVE
COBBLE CROSSING
GRANITE CURB (TYP.)
6' LIGHTING (TYP.)
STONE RETAINING WALL
LIGHT DUTY ASPHAULT (TYP.)
PROP. FENCE (TYP.)
FLOWERS
CONCRETE CURB (TYP.)
VALVE BOX
PATH
FLOW LINE
12"
14" CLUSTER
18"
HEAVY DUTY ASPHALT (TYP.)
EX. PATH TO BE REMOVED
SPECIAL PAVING AREA
TALL SHRUBS
UPLIGHTING (TYP.)
CURB AND GUTTER
WHITE FLAG
BLUE FLAG (TYP.)
ORANGE FLAG (TYP.)
10' MIN
(4) CART SPACES
WOOD BOLLARDS (TYP)
ELECTRIC HAND BOX
PEDISTAL
UNKOWN MANHOLE SEALED SHUT
TELEPHONE MANHOLE TOP ELEV. 657.44'
BLENDON ROAD
STOP SIGN
PROPOSED GATE
METAL BOXES
6" PVC, VERTICAL 5'± W/ BENT METAL PIPE PROTRUDING VERTICALLY
PROP. COBBLE CROSSING
STONE
RIP-RAP
92" CLUSTER

PARKING LOT AND SERVICE ENTRANCE FIELD SURVEY BY MRA AUGUST 2006.

CLUB HOUSE SURVEY BY DMW OCTOBER 2005.

CLUB HOUSE ADDITION BY ARCHITECTURAL DESIGN GROUP JULY 2006.

REASON FOR 5TH AMENDMENT:
PROPOSED ADDITION TO EXISTING MENS LOCKER BUILDING (BUILDING "D")

20 0 20 40 60
Scale 1" = 20'

MRA
MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748
MRAGTA.COM

STATE OF MARYLAND DAVID E. LOCKE REGISTERED LANDSCAPE ARCHITECT NO. 65A

PAN TO ACCOMPANY DRC REQUEST 5TH 4TH AMENDED CRG PLAN

CAVE'S VALLEY

REDLINE SITE PLAN ENLARGEMENT

OCT 2 4 2006

ELECTION DISTRICT – 4 COUNCILMANIC DISTRICT – 2

DATE	REVISIONS

JOB NO.: 15165
SCALE: 1"= 20'
DATE: 8/29/2006
DRAWN BY: MAB
DESIGN BY: DL
REVIEW BY: DL
SHEET: 1 OF 1

CLUBHOUSE AREA

LEGEND

PHASE ONE

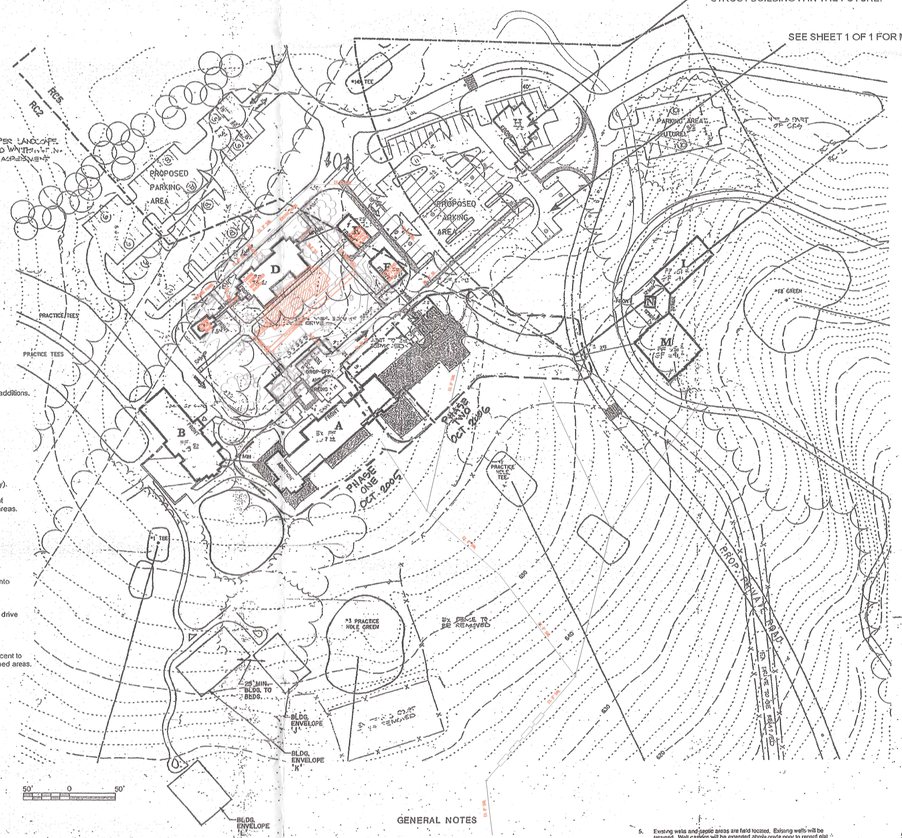
A CLUBHOUSE
B PRO SHOP AND CART SHED
C MEETING HOUSE
D MEN'S LOCKER BUILDING
E GUEST HOUSE
F ADMINISTRATION BUILDING
H RESIDENT MANAGER'S HOUSE

PHASE TWO (FUTURE)

G HOUSEKEEPING
I 18TH HOLE DORMITORY
J COTTAGE #ONE
K COTTAGE #TWO
L COTTAGE #THREE
M 18TH HOLE DINING AREA
N 18TH HOLE PAVILION

"THE CLUB RESERVES THE RIGHT TO MODIFY THIS PROPOSED PARKING LOT AND CONSTRUCT BUILDING H IN THE FUTURE."

SEE SHEET 1 OF 1 FOR MORE DETAIL



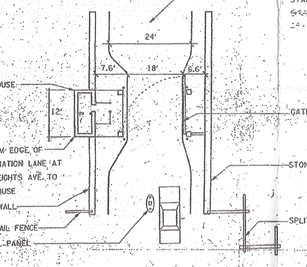
The existing building is two stories with a basement. The new porches and the new kitchen are one story additions.

Phase One will include:

1. Renovation and expansion of the existing 19th hole bar and service area to include grille and service access from the exterior.
2. Addition of 2 handicapped toilets adjacent to the 19th hole.
3. Addition of a covered members porch (one story).
4. Removal of exterior paved social areas adjacent to this covered terrace and restoration of lawn areas.
5. Central porch will not be modified.

Phase Two will include:

1. Remodeling of the existing Dining Room areas.
2. Relocation and expansion of the main kitchen into the existing service court area. Relocation of grease traps to the new service court.
3. Realignment and reconfiguration of the service drive to screen from member view.
4. Addition of covered exterior dining porch.
5. Removal of existing paved social terraces adjacent to this porch and restoration of lawn and landscaped areas.



GATEHOUSE (PRELIMINARY)

(NOT TO SCALE)

GENERAL NOTES

1. Developer/Owner: Caves Valley Golf Club, Inc. 2910 Blenheim Rd. Owings Mills, MD 21117
2. Election District 4; Councilmanic District 3; Census Tract 4049
3. Watershed 24; Subswatershed 61
4. Site Data:
   a. Current Zoning and Acreage: (See Zoning History)
      Net & Gross = 141.2 Ac.± RC-5
      = 173.2 Ac.± RC-2
      Total = 314.4 Ac.±
   b. Density:
      Allowed: RC-5 per Zoning Order: 32 Lots
      6.7 Ac. RC-2 (former Fisher tract) 21 Lots
      Total 54 Lots
      (Not a part of this CRG)
      Proposed: 18 hole golf course with accessory clubhouse and maintenance facilities (see zoning history).
      The majority of the property northeast of Park Heights Avenue zoned RC-5 and the portion of the Fisher tract not included in the golf course special exception are reserved for future residential development for 34 lots, as shown on the plan (not a part of this CRG).
   No structure will exceed 35 feet in height, except as permitted by Section 300.1(C)2. Buildings in the RC5 shall be set back a minimum of 75 feet from the centerline of Park Heights Avenue, 50 feet from any lot line other than a street line, and 50 feet from any lot line other than a street line, as modified herein by recovered variances.
   c. Open Space: not required in RC-2 or RC-5 zones.
   d. Landscape Requirements: RC-5 Golf course/county club only
      Required: 1000'/lot, RC is 1000 x .75 Trees (34 Mid. Dec.)
      119 p.s. at 1/12 = 9 Trees (9 Mid. Dec.)
      Total Required = 86 Trees (47 Mid. Dec.)
      1. Less 50% Credit for trees retained = 43 Trees (23 Mid. Dec.)
      Total = 43 Trees (24 Mid. Dec.)
      150 L.F. screening for parking, loading and dumpsters
      Provided: 45 Trees (24 Mid. Dec.)
      300 L.F. screening @ RC-2 adjacent lots or 3 OC trees/L.F.
      All plantings will be in accordance with Baltimore County Landscape Manual, Section 256.4.2 notes, and the Community Enhancement Guidelines for Baltimore County.
      Waivers or variances will be requested to eliminate the requirement for an 8' planting strip along property lines based on the heavily wooded condition of the site.
5. Existing wells and septic areas are field located. Existing wells will be retained. Well casings will be extended above grade prior to record plat.
   The existing septic system serving the existing Konigsand residence will be pumped and abandoned after connection to sewage disposal system prior to occupancy of the converted residence.
   The existing cesspool will be pumped and backfilled prior to record plat.
6. Soils: (See sheet 1 of 2)
7. Existing streams with associated flood plains are as shown on the plan. Flood plains were established using the TR-20 and HEC-2 computer programs with a 5' freeboard.
8. Existing wetlands and ponds are as shown on the site plan. Existing wetlands may be disturbed during construction of golf holes. Mitigation will occur in accordance with Baltimore County Water Quality Policy and in coordination with Baltimore County DEPRM.
9. The area within the golf course special exception includes a golf course, which is currently under construction, and a large parcel of undeveloped property consisting mainly of Tallow Beats (southeast of Park Heights Avenue). The remainder of the property is hardwood trees and is reserved for future residential development.
   The site includes two existing residential structures and other accessory structures as shown. The existing Konigsand residence will be retained as the clubhouse. The remaining structures will be razed. The existing swimming pool and tennis court will also be demolished prior to occupancy of the course. THIS IS NOW DONE.
10. There are no known endangered species or hazardous materials on the site.
11. Current Ownership: Caves Valley Golf Club, Inc. 2910 Blenheim Rd. Owings Mills, MD 21117
    Deed Reference: Gil 8000468, 8000481, 8000491, 8029720, 8029707, 8213394
    Property Number: 04-000090, 04-000091, 04-000092, 04-000093, 04-000094, 04-000095, 04-000096, 04-000097, 04-000098, 04-000099, 04-000100, 04-000101, 04-000102, 04-000103, 04-000104, 04-000105, 04-000106, 04-000107, 04-000108, 04-000109, 04-000110, 04-000111, 04-000112, 04-000113, 04-000114, 04-000115, 04-000116, 04-000117, 04-000118, 04-000119, 04-000120, 04-000121, 04-000122, 04-000123, 04-000124, 04-000125, 04-000126, 04-000127, 04-000128, 04-000129, 04-000130, 04-000131, 04-000132, 04-000133, 04-000134, 04-000135, 04-000136, 04-000137, 04-000138, 04-000139, 04-000140, 04-000141, 04-000142, 04-000143, 04-000144, 04-000145, 04-000146, 04-000147, 04-000148, 04-000149, 04-000150, 04-000151, 04-000152, 04-000153, 04-000154, 04-000155, 04-000156, 04-000157, 04-000158, 04-000159, 04-000160, 04-000161, 04-000162, 04-000163, 04-000164, 04-000165, 04-000166, 04-000167, 04-000168, 04-000169, 04-000170, 04-000171, 04-000172, 04-000173, 04-000174, 04-000175, 04-000176, 04-000177, 04-000178, 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    Property Number: 16-00-007943
12. Estimated Average Daily Trips: (Golf Course only)
    Clubhouse Entry Drive:
    Approximately 18,000 rounds of golf planned per year x 10,000 / 365 days = 28 rounds/day in and 28 out = 56, plus 100 ADT's miscellaneous traffic delivered. Total = 156 ADT's
    Maintenance facility driveway = 105 ADT's
13. Water Quality: (Golf Course only)
    A Stormwater Management exemption has been granted. Water quality will be managed locally throughout the site as follows:
    Golf Holes: runoff from the southernmost golf holes will be managed by ponds located northeast of Park Heights Avenue. Remaining areas of the golf course will be managed thru infiltration in natural and man-made depressions, and thru vegetative practices.
    Maintenance facility: detailed management of 1 inch storm in extended detention pond/infiltration practices.
    Clubhouse Entry Drive: detailed management of 1 inch storm in extended detention pond/infiltration practices.
14. Stream Crossings:
    The Club is advised that all crossings of streams must be approved by the Army Corps of Engineers. Current applications are as follows:
    - Two stream crossings for golf cart and maintenance equipment.
    - One private driveway crossing for access to maintenance facility.
    - One stream crossing for a golf cart bridge and pedestrian bridge.
    - Stream and wetland crossings for golf holes and pedestrian walkways (not a part of this CRG).

Areas disturbed for golf cart stream crossings shall be revegetated to the following minimum standards:

Cut paths will be field aligned to avoid major deciduous trees. Disturbed areas will be planted with indigenous species of understory trees, shrubs, and herbaceous plant material. All planting will be spaced according to tree species density. Plantings are to be used to stabilize disturbance to stream channels, and to provide adequate canopy for the stream channel.

A detailed planting plan for areas along the stream to be cleared for the golf course will be provided to ensure adequate shading of the stream and for stream bank stabilization. The cleared planting site will be revegetated with the final landscape plan.

15. Natural Resources Conservation Easement: (Golf course/County Club only)
    No clearing, grading or disturbance will occur in the Natural Resource Conservation Easement, except as permitted by the Baltimore County Department of Environmental Protection and Resource Management.
16. Underground tank will be removed prior to record plat.
17. Wash for by precipitation will be provided in accordance with adopted Baltimore County Regulations.
18. Historical Register Historic District of Caves Valley:
    The applicant has contacted the Maryland Historical Trust and will conduct a 106* review as required for all federal permit applications;
    Information from the Office of Planning and Zoning reveals no Landmarks on the Caves Valley Site. The Konigsand House is considered to be worthy of inclusion on the National Register.
19. A waiver of Public Works Standards (Right-of-way width of 40 feet, paving setback, maximum grade of 12 percent, horizontal alignment) was granted November 22, 1999. (01-02-223).
20. 4 bathroom and maintenance facilities:
    This application includes the proposed development concept for the golf course, the clubhouse and maintenance facilities. The proposed buildings are shown on the plan and are further delineated as follows:

CLUBHOUSE COMPLEX

Phase I

Building	Area (square ft.)	Use
A Clubhouse	23,370 (Clubhouse 19,370 / Basement 13,000 / Lower Level 4,000)	Clubhouse (golf registration desk), Dining Room, Lounge, Kitchen, Pro Shop, Men's Locker Room (as a basement of the clubhouse)
B Pro Shop / Golf Shed	2,700	Pro shop, golf equipment, golf cart storage and repair
C Meeting House	1,000	Meeting room
D Men's Locker Building	3,000	Men's locker room
E Guest House	4,000	Guest house (overnight accommodations)
F Administration Building	1,600	Administrative offices
H Resident House	3,000	Resident manager's house

Phase II

Building	Area (square ft.)	Use
G Housekeeping	1,200	Laundry facility
I 18th Hole Dormitory	4,000	Overnight accommodations
J Cottage (1) 1900 TO 1920	1,500	Overnight accommodations
K Cottage (2) 1900 TO 1920	1,500	Overnight accommodations
L Cottage (3) 1900 TO 1920	1,500	Overnight accommodations
M 18th Hole Dining Area	4,000	Restaurant, bar and grill
N 18th Hole Pavilion	250	Outdoor pavilion

MAINTENANCE FACILITY

Building	Area (square ft.)	Use
A Equipment Storage	6000	Machinery repair, and storage
B Wash Station	500	Equipment wash area
C Bulk Material Storage	2000	Fertilizer and chemical storage
D Employee Residence	800	Employee residence
E Shop/Administration	6400	Equipment repair and parts storage, office, lunch
F Storage Shed	1200	Seasonal equipment storage
G Storage/Hoist	400	Storage
H Alternative Residence Facility	2200	Permit holder's (or Contractor's) employee housing and/or office space for a resident caretaker, if the maintenance facility is converted to non-residential use.

The Clubhouse complex, including the Clubhouse itself, Phase 1 guest rooms, 18th hole facility, and the cottages will provide overnight accommodations in a maximum of 28 bedrooms for not more than 40 members and their guests. All overnight accommodations will be available only for club members and members's guests visiting the club in order to use it's golf facilities.

21. This CRG Plan is a conceptual document upon which minor changes may occur with approval of the CRG.
22. A WAIVER TO SETBACK FROM THE LINE RESIDENTIAL ZONE TO THE CLUBHOUSE, GOLF HOLES, & THE MAINTENANCE FACILITY.

LOT TABULATION

OWNER	DEED REFERENCE	ZONING	AREA: GOLF COURSE	AREA: NON-COUNTRY	TOTAL ± SQ'S
West of Park Heights Avenue					
Caves Valley Golf, Inc.					
Tax Parcel	SM 8029749	RC-2		12.60	13.00
Tax Parcel	SM 8029749	RC-2	280.21		281.0
Tax Parcel	SM 8029709	RC-2	45.47		45.47
Tax Parcel	SM 8029709	RC-2	5.10		5.10
Tax Parcel	SM 8029709	RC-5		1.22	1.22
Tax Parcel	SM 8029709	RC-5	49.39		49.39
Tax Parcel	SM 8029707	RC-5	4.54		4.54
Tax Parcel	SM 8029707	RC-2		9.78	9.78
Parcels	SM 8029707	RC-2	2.00		2.00
		Subtotal	386.69	13.58	400.27 (Golf Course) 13.58 (non-golf course area)
East of Park Heights Avenue					
Parcel 'A'	07/03/0456	RC-5	85.91		85.91
Parcel 'B'	07/03/0456	RC-5	3.01	3.37	6.38
Parcel 'C'	07/03/0456	RC-5	4.00		4.00
Parcel 'D'	07/03/0456	RC-5	0.66		0.66
Parcel 'E'	07/03/0456	RC-5	0.55	97.50	98.05
Tax Parcel	SM 8029749	RC-2	213.47		213.47
Tax Parcel	SM 8029749	RC-2		13.29	13.29
Tax Parcel	SM 8029749	RC-2	41.36		41.36
Parcels	SM 8029749	RC-2	9.82		9.82
		Subtotal	359.09	113.91	501.00
		Grand Total	745.88	127.49	914.27

All lands in excess of the requirement for zoning lot(s) purposes, including all wetlands, floodplains, and other lands which are likely to be deed restricted as a result of the development process (such as environmental buffers), should be designated as "Non-Buildable Parcels" on the plan. Density credit for such lands may be transferred to other lands in accordance with the provisions of Section 1A04.3.B.3 of the Baltimore County Zoning Regulations.

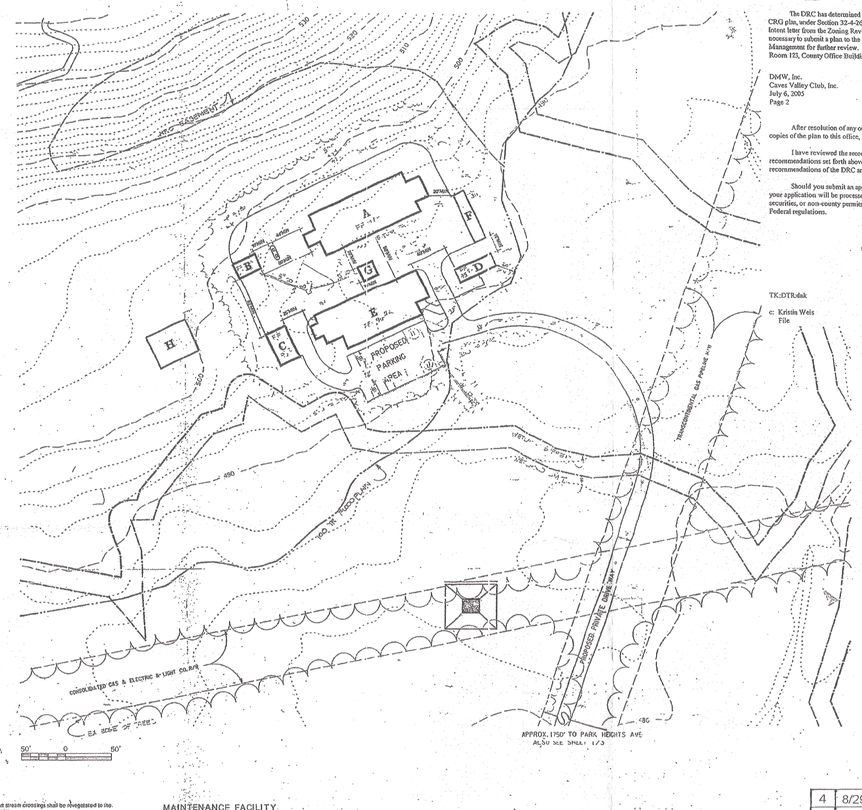
REASON FOR 5TH AMENDMENT:
PROPOSED ADDITION TO EXISTING MENS LOCKER BUILDING (BUILDING "D")

BALTIMORE COUNTY MD. COUNTY REVIEW GROUP
This Plan Was Reviewed By The CRG On [illegible] With The Following Action Taken
Revised PLAN APPROVED
Plan Approved DPW & SHA
Plan Approved OZ
Plan Approved Soil Conservation
Plan Disapproved
Conditional Approval Granted
Plan Referred To Plan. Bd.

LEGEND

- EXISTING ZONE LINE
- CONTOUR LINE
- STREAM
- EDGE OF EXSITING WOODS
- POWER TRANSMISSION TOWER
- LIMIT OF WETLANDS
- STREAM BUFFER
- PROPOSED GOLF CART PATH
- NATURAL RESOURCE CONSERVATION EASEMENT
- LIMIT OF 100 YEAR FLOODPLAIN

MAINTENANCE AREA



Merritt Beltway Business Community Lot 6
Baltimore County Government
Department of Permits and Development Management

111 West Chesapeake Avenue
Towson, MD 21204
410-887-3335

July 14, 2005

DMW, Inc.
200 East Pennsylvania Avenue
Towson, MD 21286

RE: Caves Valley Club, Inc.
PDM Number 1V-349
DRC Number 070506B, Dist. 4C2

Dear Sir or Madam:

Pursuant to Article 25A, Section 5 (X) of the Annotated Code of Maryland and the authority provided in Section 602 (d) of the Baltimore County Charter, and Sections 32-1-101, 32-3-401, and 32-3-517 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal, or modification of a license, permit, approval, exemption, waiver, or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land-use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to ensure compliance with Section 32-4-106 and Section 32-4-260 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management (PDM).

The DRC has, in fact, met in an open meeting on July 5, 2005, and made the following recommendations:

The DRC has determined that your project meets the requirements of refinement to the CRG plan, under Section 32-4-202. Please be advised that your project will require a Spirit and Intent letter from the Zoning Review Section. They may be reached at 410-887-3391. It is also necessary to submit a plan to the Department of Environmental Protection and Resource Management for further review. Please forward the plan, along with a copy of this DRC letter, to Room 123, County Office Building; 111 West Chesapeake Avenue; Towson, MD 21204.

After resolution of any outstanding issues, please submit a copy of this letter, and ten copies of the plan to this office, Room 123, for signature.

I have reviewed the recommendations carefully, and have determined to adopt the recommendations set forth above. It is this 14th day of July 2005, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Sincerely,

Timothy Kotroco
Director

TK:DTR:dak

c: Kristin Weis
File

STATE OF MARYLAND
DAVID E. LOCKE
MD. 654
REGISTERED LANDSCAPE ARCHITECT

4	8/29/06	PLAN REFINEMENT
3	6/14/06	PHASE 1 AND PHASE 2 RENOVATIONS AND ADDITIONS
2	10/5/10	REVISED LOCATION OF COTTAGES. J,K & L
1	12/21/99	REVISED LOCATION AND AREA OF COTTAGES. J,K,L (COTTAGE 1,2,3)
FOR COTTAGES J,K & L ONLY		

MRA

NORRIS & RITCHIE ASSOCIATES, INC.
BUILDING, HOUSING, AND HISTORIC ARCHITECTS
1200 EAST FAYETTE STREET, SUITE 200
BALTIMORE, MARYLAND 21202
(410) 539-1600
FAX (410) 539-1601
WWW.NRA-INC.COM

Consulting Engineers
849 Fairmount Avenue
Baltimore, Maryland 21286
(410)-512-2500

WHITNEY, BAILEY, COX & MAGNANI

DAFT McGUIRE WALKER INC.
LAND PLANNERS CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS SURVEYORS
300 EAST PENNSYLVANIA AVENUE
TOWSON, MD. 21286
TELEPHONE 410-296-3333

PLAN TO ACCOMPANY DRC REQUEST

GOLF CLUB
CAVES VALLEY CLUB, INC.

5TH 4TH AMENDED CRG PLAN

ELECTION DISTRICT 4 TH COUNCILMANIC DISTRICT 3 RD BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 100' DATE: 12/21/99

DRAWN BY: DTR CHECKED BY: DAVID E. LOCKE

DRAWING NO. 1 OF 2

DATE

4103563642 CAVES VALLEY GC 872 P02 NOV 03 '99 09:25
2910 Blendon Road
Owings Mills, Maryla[illegible]1117
410 356 1313

Caves Valley
Golf Club

November 3, 1999

Mr. Arnold Jablon
Director of P.D.M.
111 West Chesapeake Avenue
Towson, MD 21204

Dear Mr. Jablon:

This letter is to confirm that we met with Councilman Bryan McIntire yesterday to review with him the proposed Learning Center. After a review of the intended purpose of the building and the siting thereof, he communicated his support of the structure. Should you have any questions or need additional information, please call me at (410) 356-1315. Best regards.

Sincerely,

CAVES VALLEY GOLF CLUB

Nancy S. Palmer
General Manager

PIPER & MARBURY
L.L.P.
CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201-3018
410-539-2530
FAX: 410-539-0489

WASHINGTON
NEW YORK
PHILADELPHIA
RESTON
EASTON

GEORGE A. NILSON
(410) 576-1769
FAX: (410) 576-2276
gnilson@pipermar.com

10/13/99 ag WCR

To: JLL See Me ULA

VL 10/15 SEE WCR.

PLAN ON WAY FROM PAT O'KEEFE 10/18

WCR WANTS ORIG. HRNG REDLINE + LTR FROM VALLEYS PLAN CNCL. CALLED MR NILSON FOR PLAN 10/19. WILL ASK FOR VPC LTR IF OK FOR Z.

October 11, 1999

Mr. Arnold Jablon
Director of P.D.M.
111 West Chesapeake Avenue
Towson, MD 21204

Re: Caves Valley Golf Club Special Exception - Proposed Construction of (Relocated) Golf Instructional Facility

Dear Mr. Jablon:

As I believe you know, the Caves Valley Golf Club Project (or at least the Golf and related facilities aspect of the Project) was approved in a series of Special Exception orders and determinations from the Zoning Commissioner in Case No. 89-409 XSPH. That Special Exception approval, granted by then Zoning Commissioner Hines, authorized the construction on a very large site of an 18-hole golf course and a whole variety of facilities comprising the kinds of facilities often associated with golf courses. In addition to the clubhouse itself, and certain specially approved overnight accommodations facilities, the Special Exception Authorization included "practice fairways, greens, holes and other appropriate practice facilities", as well as "other appropriate recreational facilities." In terms of practice facilities specifically, the Club initially had (and its Special Exception Petition plat showed) a primary putting or practice green, three "practice holes," a primary practice range suitable for a whole variety of shots, from short irons up to full drivers, and indoor practice facilities located in an existing barn. The practice facilities evolved in subsequent years to a total of three practice "ranges" or substantial practice facilities, the second located in the vicinity of the clubhouse complex on the site of the original three practice holes, and the third and final practice range or practice facility being located some distance to the south from the clubhouse complex area. At the outset, an indoor learning facility was included in the old barn on the property to the right of the main entrance road. The Club has since outgrown that barn in terms of its need for indoor instructional or practice facilities, and proposes to construct a facility which it calls "The Learning Center" to the left of the main entrance drive and in a part of the area where the three practice holes were originally located.

99-265

The Caves Valley facility was conceived from the outset as a place that would be specifically devoted to golf. Part of that concept and philosophy was that golf instruction would be a major part of the Caves Valley operation. The availability of a wide range of practice facilities, both indoors and outdoors, is an essential part of fulfilling that instructional mission. The Learning Center (located in a part of the area originally set aside for practice holes) represents a logical step in the natural course of the development of the practice facilities at the Caves Valley Club, and is entirely consistent with the spirit and intent of the Zoning Commissioner's Special Exception orders and opinions in this matter and with the spirit and intent of the Zoning Regulations' authorized country club/golf club Special Exception use. I hope and trust that you agree with this. If you have any questions at all, do not hesitate to contact me.

Sincerely,

George A. Nilson

GAN/vdk
cc: Ms. Nancy Palmer

Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

December 15, 1997

Mr. David C. Powlen
Whitney, Bailey, Cox & Magnani
849 Fairmount Avenue, Suite 100
Baltimore, MD 21286

RE: Zoning Verification
Caves Valley Golf Club
Zoning Case 89-476-SPHX
4th Election District

Dear Mr. Powlen:

I have reviewed your request for a spirit and intent review of the proposed refinement to the plan approved in zoning case 89-476-SPHX. Your proposal was to build one new cottage, but still limit the number of bedrooms to 31 and the total of overnight quests to 40.

After a discussion with collegues and the zoning commissioner, it was determined that this request would be within the spirit and intent of the original case subject to the following notes being placed on the plan:

CRG Refinement and Zoning Spirit and Intent Plan.

An increase in the number of cottages from 4 to 5 is within the spirit and intent of zoning cases 89-476-SPHX and 89-~~904~~409-X provided:

1. The number of guests will not exceed 40;

2. The total number of bedrooms will not exceed 31;

3. The Valleys Planning Council has reviewed this plan and agreed in writing that they have no objection to the change.

APPROVED:

Arnold Jablon, Director
Permits and Development Management

Date

The CRG refinement plan should be accompanied by the letter from Valleys Planning Council and one extra plan should be submitted for signature so that it may be included in zoning case file 89-476-SPHX.

Printed with Soybean Ink
on Recycled Paper

I trust that the information set forth in this letter is sufficiently detailed and responsive to the request. If you need further information or have any questions, please do not hesitate to contact me at 410-887-3391.

Sincerely,

Catherine A. Milton
Planner II
Zoning Review

CAM:rye

c: Donald Rascoe
zoning case 89-476-SPHX

Enclosure

PLAN
SCALE : 1" = 50'

PLAT FOR SFI
C Milton letter
12/15/97

```
--                                                        PASSWORD :
                                  ----------

NTER - PERMIT DETAIL  PF3 - INSPECTIONS   PF7 - DELETE        PF9 - SAVE
F2 - APPROVALS        PF4 - ISSUE PERMIT  PF8 - NEXT PERMIT   PF10 - INQRY
                                                              PANEL BP1003M
IME:  09:48:45      AUTOMATED PERMIT TRACKING SYSTEM   LAST UPDATE  12/14/90
ATE:  12/13/90       GENERAL PERMIT APPLICATION DATA       PLP      09:53:29

ERMIT  #: B078831     PROPERTY  ADDRESS
ECEIPT #: A112442     11747       PARK HEIGHTS AVE
ONTROL #: C-2163-90     SUBDIV:   110.987 AC NES
REF #:    B078831     TAX ACCOUNT #: 1600007943     DISTRICT/PRECINCT 04   02
                          OWNERS INFORMATION (LAST, FIRST)
EE:       190.00      NAME: CAVES VALLEY CLUB INC.
AID:      190.00      ADDR: 2 HOPKINS PLAZA, STE. 1210, BALTO.,MD. 21201
AID BY: APPL
         DATES            APPLICANT INFORMATION
'PLIED: 12/13/90       NAME: GRANT D. TORMEY
SUED:                COMPANY: THE WHITING-TURNER CONTR. CO.
CPNCY:                 ADDR1: 300 EAST JOPPA RD.
                       ADDR2: TOWSON,MD. 21204
 SPECTOR: JA.        PHONE #: 337-5883          LICENSE #:
 TES: DLS/SAS


                                                        PASSWORD :
                                  ----------

TER - PERMIT DETAIL  PF3 - INSPECTIONS   PF7 - DELETE        PF9 - SAVE
2 - APPROVALS        PF4 - ISSUE PERMIT  PF8 - NEXT PERMIT   PF10 - INQRY
                                                              PANEL BP1004M
IE:  09:48:54      AUTOMATED PERMIT TRACKING SYSTEM   LAST UPDATE  12/14/90
'E:  02/14/91          BUILDING DETAIL 1                   PLP      10:01:14
                                                 TRACT: 4049     BLOCK: 307B
 MIT # B078831     PLANS:  CONST 3    PLOT 9   FLAT 0   DATA 5   EL 1   PL 1
                      TENANT
 LDING CODE: 2        CONTR: TO BE DETERMINED
 RV 1                 ENGNR: M. JACK RINEHART JR.-ARCHITECT
   23                 SELLR:

 NDATION   BASE         WORK: CONSTRUCT GATEHOUSE AT ENTRANCE TO PROPERTY
  2                          OF GOLF CLUB. REFER TO B078833 FOR REST STATION
 STRUC FUEL SEWAGE WATER     ,B078832 FOR 2ND REST STATION.
 ?    3       2P     2P     13'2"X12'8"X15'6"=102.5SF.
 'RAL AIR  1
 MATED COST
```

20,000.00 PROPOSED USE: GOLF CLUB - GATEHOUSE
OWNERSHIP: 1 EXISTING USE: GOLF CLUB
RESIDENTIAL CAT:
#EFF: #1BED: #2BED: #3BED: TOT BED: TOT APTS:
1 FAMILY BEDROOMS: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU
PANEL BP1005M

TIME: 09:49:05 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 12/14/90
DATE: 02/14/91 BUILDING DETAIL 2 PLP 10:01:14

PERMIT #: B078831

BUILDING SIZE
FLOOR: 102.5
WIDTH: 13'2"
DEPTH: 12'8"
HEIGHT: 15'6"
STORIES: 1

LOT NOS:
CORNER LOT:

LOT SIZE AND SETBACKS
SIZE: 110.987AC
FRONT STREET:
SIDE STREET:
FRONT SETB: 75
SIDE SETB: 740/4610
SIDE STR SETB:
REAR SETB: 2030

GARBAGE DISP:
POWDER ROOMS:
BATHROOMS:
KITCHENS:

ZONING INFORMATION
DISTRICT:
PETITION:
DATE:
MAP:

BLOCK:
SECTION:
LIBER:
FOLIO:
CLASS: 05

ASSESSMENTS
LAND: 0201870.00
IMPROVEMENTS: 0392320.00
TOTAL ASS.:

PLANNING INFORMATION
MSTR PLAN AREA: SUBSEWER: CRIT AREA: PASSWORD:

ENTER - NEXT DETAIL PF2 - APPROVALS PF7 - PREV. SCREEN PF9 - SAVE
PF1 - GENERAL PERMIT PF3 - INSPECTIONS PF8 - NEXT SCREEN CLEAR - MENU
PANEL BP1018M

TIME: 09:49:27 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 01/03/91
DATE: 02/14/91 APPROVALS DETAIL SCREEN PSE 09:24:05

PERMIT #: B078831

AGENCY	DATE	CODE	COMMENTS
BLD PLAN	12/26/90	01	GFM
FIRE	12/19/90	01	JP
SEDI CTL	12/31/90	01	GP/TT
ZONING			
PUB SERV	01/03/91	01	CEB/BLP
ENVRMNT	12/20/90	12	WW/W&S-X2762,EIRD-01/2/91
PLANNING	12/18/90	01	LEO/TO ZONING JJS 12/18/90
PERMITS			

2 Rest Houses
(833 MAYBE W/ CLAWN.

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL PF4 - ISSUE PERMIT CLEAR - MENU
PANEL BP1018M

TIME: 09:49:27 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 01/03/91
DATE: 02/14/91 APPROVALS DETAIL SCREEN PSE 09:24:05

PERMIT #: B078833

AGENCY	DATE	CODE	COMMENTS
BLD PLAN	12/26/90	01	GFM
FIRE	12/19/90	01	JP
SEDI CTL	12/31/90	01	GP/TT

```
ZONING
PUB SERV    01/03/91    01    CEB/BLP
ENVRMNT     12/20/90    12    WW/W&S-X2762,EIRD-01/2/91
PLANNING    12/18/90    01    LEO/TO ZONING JJS 12/18/90
PERMITS
```

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL PF4 - ISSUE PERMIT

CLEAR - MENU

PANEL BP1018M

```
TIME:  09:49:56      AUTOMATED PERMIT TRACKING SYSTEM    LAST UPDATE  01/03/91
DATE:  01/03/91           APPROVALS DETAIL SCREEN             PSE       09:24:57

PERMIT #: B078833
AGENCY      DATE        CODE  COMMENTS
--------    --------    ----  --------
BLD PLAN    12/26/90    01    GFM
FIRE        12/19/90    01    JP/DLR
SEDI CTL    12/31/90    01    GP/TT
ZONING
PUB SERV    01/03/91    01    CEB/BLP
ENVRMNT     12/20/90    12    WW/W&S-X2762,EIRD-01/02/91
PLANNING    12/18/90    01    LEO/TO ZONING JJS 12/18/90
PERMITS
```

01 THRU 09 INDICATES AN "APPROVAL" ** 10 THRU 99 INDICATES A "DISAPPROVAL"

ENTER - NEXT APPROVAL PF4 - ISSUE PERMIT

CLEAR - MENU

NWIS FRANKLIN SQUARE 106 DEV.
965 ft NEly of LENNINGS AVE.

SCARFIELD #328

89-409-X

19890409 "A"
supplemental

(1)

ALSO SEE ZONING CASE # 1989-0476-SPHX
ALSO SEE ZONING CASE # 1989-0476-SPHX

IN THE MATTER OF CAVES VALLEY CLUB, INC. NORTHEAST AND SOUTHWEST SIDES OF PARK HEIGHTS AVENUE, 470' NORTHWEST OF CENTERLINE OF CAVES ROAD 4th ELECTION DISTRICT 3rd COUNCILMANIC DISTRICT	:	BEFORE THE COUNTY BOARD OF APPEALS OF BALTIMORE COUNTY CASE NO. 89-409-X

: : : :

Case No. 89-409-X be and the same is DISMISSED WITH PREJUDICE.

COUNTY BOARD OF APPEALS
OF BALTIMORE COUNTY

William T. Hackett

William T. Hackett, Chairman

Harry E. Buchheister Jr.

Harry E. Buchheister, Jr.

Michael B. Sauer

County Board of Appeals of Baltimore County
COUNTY OFFICE BUILDING, ROOM 315
111 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
(301) 887-3180

December 27, 1989

Mr. & Mrs. Jerome Benesch
3121 Hunting Tweed Drive
Owings Mills, MD 21117

RE: Case No. 89-409-X
Caves Valley Club, Inc.

Dear Mr. & Mrs. Benesch:

Enclosed is a copy of the Order of Dismissal issued this date by the County Board of Appeals in the subject matter.

Sincerely,

Kathleen C. Weidenhammer
Administrative Assistant

encl.

cc: Andre' W. Brewster, Esquire
George A. Nilson, Esquire
Mr. Edward Hale
Mr. John Spencer
Ms. Virginia F. Kearney
Mr. George E. Gavrelis
Mr. Glen Cook, Traffic Group, Inc.
Mr. Thomas Marzolf
Mr. Edward G. O. Hon
Mr. Lawrence Rectanus
Ms. Kathleen Pontone
Mr. James Cox
Mr. Charles Anderson
Mr. Norman Lorch
Mr. Neil Rosenberg
Mr. Richard Goldman
Charles Heyman, Esquire
Mr. Larry Carson
P. David Fields
Pat Keller
J. Robert Haines
Ann M. Nastarowicz
James E. Dyer
W. Carl Richards, Jr.
Docket Clerk -Zoning
Arnold Jablon, County Attorney

October 18, 1989

The Honorable William T. Hackett
Chairman
County Board of Appeals of Baltimore County
County Office Building
Room 315
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Caves Valley Club, Inc.
Case No.: 89-409-X

Dear Mr. Hackett:

Please accept for filing the enclosed letter dismissing the Appeal referenced herein upon confirmation from George Nilson, Esquire, counsel for Appellees, that the contract between the parties to this matter has been signed by his clients. It is our understanding that Mr. Nilson is in the process of obtaining signatures from his clients, and at that time, our dismissal can be filed.

We appreciate the cooperation of the Board in any slight delay that may be caused on account of the failure of Mr. Nilson to have his clients sign the agreement by 11:00 on October 18, 1989. We sincerely believe that resolving this matter in this way will obviate the need for any hearing by the Board.

Very truly yours,

Mark S. Cohen

Mark S. Cohen

MSC/krk

Enclosure

cc: George Nilson, Esquire

89 OCT 18 PM 1:23
RECEIVED
COUNTY BOARD OF APPEALS

October 18, 1989

The Honorable William T. Hackett
Chairman
County Board of Appeals of Baltimore County
County Office Building
Room 315
111 West Chesapeade Avenue
Towson, Maryland 21204

Re: Caves Valley Club, Inc.
Case No.: 89-409-X

Dear Mr. Hackett:

I have been authorized on behalf of the below Appellants to dismiss, with prejudice, the Appeal filed in the above-referenced case:

JEROME BENESCH
MARTHA BENESCH
STEVEN BECKER
NINA BECKER
MARK S. COHEN
MAURY FINE
ILENE FINE
ROBERT HIERONIMUS
JILL HIERONIMUS
MICHAEL KANDEL
JO ANN KANDEL
RICHARD YAFFEE
ILENE YAFFEE

If you should have any further questions concerning this matter, please feel free to contact me at 821-6800.

Very truly yours,

Mark S. Cohen

MSC/krk

cc: George Nilson, Esquire

RECEIVED
COUNTY BOARD OF APPEALS
89 OCT 18 PM 1:25

7/14/89

IN RE: PETITIONS FOR SPECIAL EXCEPTION & SPECIAL HEARING NE and SW side of Park Heights Ave., 470' NW of c/l of Caves Road, 4th Election District 3rd Councilmanic District	*	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY CASE #89-409-X
Caves Valley Club, Inc. Andre' W. Brewster Petitioner	*	

****

AMENDED ORDER

The Petitioner has requested relief to amend or modify the Orders in Zoning case #89-409X issued on June 6, 1989 and in case #89-476-SPHX issued on June 8, 1989. The Petition to Modify Orders requested relief from three (3) issues; specifically, the living quarters for the golf course superintendent and either the general manager or golf professional, rooms for overnight accommodations for members and their guest and removal of the prohibition against leasing the facilities for tournaments.

The Petitioner, Caves Valley Club, Inc., by Andre' W. Brewster, was represented by George A. Nilson, Esquire who appeared and testified. The Petitioner was supported by the testimony by Mr. Leslie B. Disheroon and Mr. Reinhart. Messrs. Mitchell Kolkin and Lawrence A. Rectanus appeared, but did not testify. There were no Protestants.

Additional evidence was provided by Mr. Reinhart and Mr. Disheroon on behalf of the Petitioner. The only additional facts I will review herein are those necessary to a resolution of the three (3) issues raised by the Petitioner.

The Petitioner provided a substantial amount of evidence concerning the desirability and necessity of having the residential homes of the golf course superintendent and either the general manager or the golf professional on the actual site of the golf course. The surrounding community

associations support this request. I agree there are several good business reasons for the placement of the homes upon the grounds of the golf course. There is no evidence that these two (2) homes would not comply with the accessory use definition. However, the question is not one of desirability of the planned homes, but whether the issue of the planned homes is procedurally before the Zoning Commissioner. For the reasons set forth below, the requested homes cannot be ruled upon at this time as the issue is not properly before the Zoning Commissioner and, therefore, the issue must be dismissed and reviewed at a later date in a separate action to amend the relief granted in zoning case 89-409-X.

The issue regarding these two homes is raised on the Petitioner's site plan. The Petitioner believes these facilities are, therefore, requested as an accessory use planned as part of the whole development of the golf club.

The question is not answered by simply reviewing the site plan (Petitioner's Exhibit 1A). The relief requested in a Special Exception is the relief stated upon the actual pleading, known as a Petition for Special Exception. Pursuant to Section 500 of the Baltimore County Zoning Regulations (B.C.Z.R.) and the Zoning Commissioner's Rules of Practice and Procedure, the relief requested in a Special Exception shall be upon such form as the Zoning Commissioner may prescribe. The Petition for Special Exception is that prescribed form. The responsibility for requesting relief rest with the Petitioner. Furthermore, the final wording of the Petitioner's request as set forth on the Petition for Special Exception form shall be the responsibility of the Petitioner, or his legally authorized representative (See Zoning Commissioner Rule Nos. 1 & 3).

The living quarters issue is not stated upon the face of the Petitioner's request; i.e., there is no request in the text of the Petition for Special Exception for these homes within the area of the proposed golf course. As a result of the failure to list this relief on the Petition, the request for the homes was not listed on the legal notice posted on the property. Notice of this relief was not, therefore, listed in the published notice found in the newspapers of general circulation as required. Proper legal notice of all relief requested must be accomplished in order for the fundamental due process requirements listed in Section 22-26 of the Baltimore County Code and Sections 500.2 and 500.5 of the B.C.Z.R. to be satisfied.

The Zoning Commissioner's position has been greatly misunderstood concerning this issue. Clearly, the site plan is part of the request a Petitioner makes when Special Exception relief is requested. However, the site plan serves to define, clarify and, in specific detail, establish the nature, scope and extent of the relief requested. It is not the forum for raising new issues.

The Petitioner went to great length on his Petition for Special Exception to list his various request and the types of uses proposed for this golf course operation. No residential uses within the area of this Special Exception were mentioned. All of the language refers to either recreational or commercial facilities and not any residential use.

In order to request the proposed on-site living quarters for the golf course superintendent and either the general manager or the golf professional, the Petitioner must amend the relief granted in zoning case #89-409-X, pursuant to a Petition for Special Hearing.

th

The Petitioner has requested a modification of the decision denying the overnight accommodations for a maximum of 40 members and their guests. The Petitioner provided extensive evidence that the proposed overnight accommodations would not be similar to a hotel or motel operation. In fact, the Petitioner provided evidence and testimony that the overnight accommodations would be an indispensable part of the Caves Valley facility and would conform to the accessory use definition.

The evidence establishes that the rooms would be available only to members and their guests who are at the site for the purpose of using the golf course. The rooms would not be available to anyone other than members and their guests and, the rooms would not even be available to members who are simply passing through town wishing to use the Club as an overnight accommodation. Guests may not use the overnight accommodations unless the sponsoring member is also staying at the Club with them. There was a great deal of evidence that the use would be subordinate to the golf club operation.

The Petitioner believes the evidence underscores the extent to which the rooms constitute ancillary or accessory uses, incidental to the primary use of a private golf club facility for members only.

The evidence provided, clearly, establishes that the facility in question will have a significant number of non-residential members who will travel from out of the Baltimore area to play on this world class golf course. The Petitioner believes that all such world class golf courses must have overnight accommodations for these non-residential members. That the facility is not viable if such overnight facilities are not available for those members who cannot easily commute from their homes to the golf

course. That the accommodations will contribute to the comfort, convenience and necessity of the occupants and business of the golf course.

I find that this particular golf course will be operated in such a manner as to require accessory on-site overnight facilities.

The Petitioner argues that the overnight accommodations are an appropriate facility which is proper within the country club definition. I disagree. The concept of overnight accommodations is not a use normally associated with a country club or golf course operation. In order to find that overnight accommodations are an appropriate facility for a golf course, the Zoning Commissioner must interpret, pursuant to Sections 500.6 and 500.7, that the Baltimore County Council intended that a golf/country club use would include overnight accommodations. I do not believe that was the intent of the County Council. Therefore, the overnight accommodations must raise or fall as an accessory or ancillary use.

The Petitioner offered a new plan for the club house (Petitioner's Exhibit A) that shows the first eight (8) overnight rooms to be included on the second floor of the club house. The club house plan and the testimony, clearly, establishes that those eight (8) overnight rooms will be ancillary to the principal use of both the golf course and the club house building and, therefore, these rooms should be approved as an ancillary use which is incidental to the primary golf course use.

The Petitioner has future plans for, at least, two other buildings on site which will serve as additional overnight accommodations for a maximum of twenty (20) rooms. These proposals will be addressed at a later date, when the additional plans for the other rooms have been submitted to the Zoning Commissioner. The Petitioner is free to request an expansion of this ancillary use, when the plans for additional rooms have been finalized

and the rooms will be permitted if they are consistent with the spirit and intent of this Amended Order.

The prohibition against leasing for tournaments is an issue that is based upon a misreading of restriction No. 6 of the original order. The evidence, clearly, establishes that the facilities will not be leased to non-members and that commercial leasing of the facilities will not be permitted.

Restriction No. 6 of the Order dated June 6, 1989 was designed to prevent such commercial leasing of facilities, because it would be inconsistent with the limited scope and mission of this special exception golf club. The restriction was not intended to prevent golf tournaments established, developed and/or sponsored by the Caves Valley Club, Inc. There was no intention to interfere with normal golf club activities; the restriction was intended to prevent the wholesale commercial leasing of the golf course or the facilities generally. Restriction No. 6 of the Order dated June 6, 1989 will be amended to attempt to clarify the permitted and restricted activities.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 14th day of July, 1989 that the Order in zoning case #89-409X issued on June 6, 1989 and the Order in zoning case #89-476-SPHX issued on June 8, 1989 be and is hereby amended to permit the eight (8) overnight accommodation rooms, as shown on Petitioner's Exhibit A, as an accessory and ancillary use in conjunction with the principal use of the golf course and country club, as more particularly described on Petitioner's Exhibit 1A, subject, however, to the following restriction:

1. The Petitioner may submit to the Zoning Commissioner a proposal for expansion of the accessory overnight accommodations use not to exceed a maximum of 28 rooms.

IT IS FURTHER ORDERED that a Special Exception for approval of the proposed residential quarters for the golf course superintendent and either the general manager or the golf professional on the actual site of the golf course be and the same is hereby DISMISSED.

IT IS FURTHER ORDERED that Restriction No. 6 of the Order issued on June 6, 1989 in zoning case #89-409-X shall be amended to read as follows:

> 6. The country club and golf course shall be operated as private membership facilities and not as facilities generally available for public use. The facilities shall not be rented or leased for commercial purposes to the general public, either for golf tournaments or other events, provided that this limitation shall not prevent the Club itself from holding or sponsoring tournaments or other events to which persons other than members may be invited.

IT IS FURTHER ORDERED, that all other terms, conditions and restrictions of the original Orders of June 6, 1989 and June 8, 1989 be and are enforced except as amended by this Order.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER
OF BALTIMORE COUNTY

JRH:mmn
cc: Peoples Counsel
George Nilson, Esquire
Mr. Andre' W. Brewster
Mr. Edmond G. O. Hon
Mr. Norman J. Lorch
Mr. Richard J. Goldman
Mr. Glenn Cook
Mr. Charles R. Anderson
Ms. Kathleen Pontone
Mr. Jerry Benesh
Mr. James Cox
Mr. John Spencer

6/23/89

Re: In the Matter of the Petition for Special Exception and Special Hearing for the Property Located at NE and SW Side Park Hgts. Ave., 470' NW of C/L of Caves Rd., 4th Election Dist.; 3rd Councilmanic Dist.	*	Before the Zoning Commissioner of Baltimore County
Caves Valley Club, Inc., et al.	*	
Petitioners	*	Zoning Case No. 89-409-X
	*	Zoning Case No. 89-476-SPHX

* * * * * *

PETITION TO MODIFY ORDERS

The Zoning Commissioner issued Findings of Fact and Conclusions of Law, including multiparagraph orders, in these two matters on June 6, 1989 (89-409-X) and June 8, 1989 (89-476-SPHX). The focus of this Petition to Modify Orders is on three of the determinations in Case No. 89-409-X. The second case is only involved because it incorporates by reference the determinations of the Commissioner in Case No. 89-409-X. The Petition describes the relief requested and summarizes the argument in support of the requests.

The Commissioner's June 6, 1989 decision grants the special exception request of the Peititioner, Caves Valley Club, Inc., to construct a golf course and various associated facilities on a portion of an 885 acre site near the intersection of Park Heights Avenue and Caves Road. This Petition to Modify relates to: (a) one of the 6 enumerated

restrictions contained in the Commissioner's June 6, 1989 Order (leases/tournaments); (b) the procedural dismissal of that part of the original application requesting the inclusion of residential quarters on the site for two administrative employees; and (c) the denial of the request to include within the overall country club facility overnight sleeping facilities for a maximum of 40 members and their guests. The grounds for the requested modifications are set forth in this Petition separately as to each of the 3 issues.

I. LIVING QUARTERS FOR GOLF COURSE SUPERINTENDENT AND EITHER GENERAL MANAGER (OR GOLF PROFESSIONAL).

The proposal that the country club facility include on-site living quarters for the golf course superintendent and the general manager (or possibly the golf professional) was conceived of not only as a significant benefit to the operation of the club, but also as an extremely desirable feature from the point of view of the surrounding residential communities. Both the letters of support and the supporting testimony from representatives of the surrounding community associations reflect their specific endorsement of the inclusion of these two staff residences. See the highlighted portions of Section VII of the enclosed Worthington-Woodsyde Association Agreement (Exhibit I) and the highlighted portion of the letter of support submitted by other neighboring community associations

(Exhibit II). See also, the hearing testimony of Richard Goldman, for Worthington-Woodsyde, and the representatives of the other associations. Given the complexity of maintaining modern golf courses and effectively managing the application of pesticides and nutrients, everyone concerned believe that providing on-site living quarters for the golf course superintendent would be a distinct asset to the operation of the course and an additional assurance to both the immediate and larger community that the maintenance of the course and the handling of the various chemicals applied to it would receive constant hands on attention. The Worthington-Woodsyde community specifically endorsed the inclusion of these on-site staff residences because they would help insure that the Club's operation is conducted in such a way as to minimize its impact on the adjoining Worthington-Woodsyde Community. For example, having the general manager and his or her family living in the immediate vicinity of the clubhouse would insure that activities in the clubhouse area would be conducted so as not to disturb (by noise or otherwise) the environment of the nearby homes in the Worthington-Woodsyde community. For that reason, the Worthington-Woodsyde Agreement, and the subsequently refined plans of the Club, have contemplated that these on-site residences would be located in the area between the clubhouse and the Worthington-Woodsyde homes. The security

benefits of these on-site residences to the Club in terms of its ability to protect its multi-million dollar investment are substantial.

The Commissioner dismissed that element of our petition which reflected the inclusion of these two ancilliary living quarters on the grounds that the Club had not requested them in its original petition. The original petition consisted of a short textual description of the project, which specifically included by reference the overall facility as described in the site plan which accompanied that petition. That site plan provides the details of the proposed facility, not only by the enumeration of its constituent elements, but also by its indications of location, size and other characteristics. The textual notes which form a part of that site plan described the basic elements of the proposed country club facility. Note 9 specifically and unequivocally indicated the inclusion within the country club facility of these two on-site residences ("on-site golf course superintendent's residence...and on-site club general manager's or golf professional's residence") as being among the accessory uses planned as a part of the facility, for which the Commissioner's approval was sought.

Testimony was offered at the hearing about the nature of these residential facilities and their desirability for inclusion in the project. No opposition was registered to

these facilities, and indeed all of the surrounding community associations supported their inclusion. No issue was made over their inclusion in the project at the hearing. We would respectfully submit that they were described in the original petition on Note 9 of the accompanying and incorporated site plan, and that the request for their inclusion should not be dismissed but rather should be granted. We will be happy to present further information (and evidence, if necessary) about these two facilities at or subsequent to any hearing on this petition for modification. As Note 9 indicates, these residential quarters would be owned by the Club itself, and their occupancy would be strictly limited to administrative personnel as indicated in Note 9. They would not be residential facilities available for general sale or general use, they would be located in the clubhouse area, and they would offer the specific benefits and advantages described above. Inasmuch as they are designed solely for occupancy by substantial administrative personnel of the Club, they clearly are ancilliary or incidental to the primary purpose of the Club itself, and are not in any way principal residential uses. Petitioner respectfully submits that they qualify either as "appropriate facilities" for inclusion within the defined term "country club" or as proper accessory uses to a primary country club use. An accessory building "is a subordinate building,

the use of which is incidental to the use of the main building." Carney v. City of Baltimore, 93 A.2d 74, 76 (Md. 1952). An "incidental or accessory use under a zoning law is a use which is dependent on or pertains to the principal or main use." Town of Needham v. Winslow Nurseries, 111 N.E. 2d 453, 457 (Mass. 1953).

II. ROOMS FOR MEMBERS AND THEIR GUESTS

The Commissioner has denied that aspect of the special exception petition requesting approval for "overnight accommodations for a maximum of 40 members and their guests." The basis for this conclusion was that

> "[t]here was no evidence presented that strongly persuaded the Zoning Commissioner that the proposed overnight accommodations are so fundamentally necessary to a golf course/country club operation, and so commonly expected, that it is reasonable to assume that the use is to be permitted in the RC-2 zone as a necessary use. Clearly the evidence does not establish that hotels are customarily incident to golf course operations."

Findings of Fact and Conclusions of Law, at page 7 (emphasis in original).

As in the case of the special lodging facilities for the two on-site employees, the inclusion of overnight accommodations in this golf course facility was specifically endorsed by all of the community associations in the area. See

the highlighted portions of the Worthington-Woodsyde Agreement and the letter of support from the other community associations, referred to earlier and enclosed herewith as Exhibits I and II. These associations endorsed the inclusion of a limited number of rooms for members and their guests because they recognized the special character of the facility, whose membership is to include a significant number of non-residents who will be travelling from out of town to play the world class golf course which is the heart of the complex. The estimated 150 corporate members could be located anywhere, and only slightly more than half of the individual members will be local residents.

Petitioner does not claim that the support of the surrounding community means that these rooms for members and their guests should necessarily be approved, nor has Petitioner ever argued that the lack of any adverse effect on the community renders unimportant the question of whether the Zoning Regulations do or do not permit or provide for such a use. Petitioner fully appreciates that this particular element of the proposed facility can only be approved if it is permissible, either as an appropriate facility constituting a part of the principal use or as an accessory use, under the Zoning Regulations of Baltimore County.

Petitioner submitted a memorandum at the beginning of the hearing on April 18, 1989 in support of the inclusion of these rooms for members and their guests. A copy of that memorandum is attached hereto as Exhibit III. The memorandum argued not that hotels or motels are or should be permitted uses in an RC-2 zone and not that rooms for members and their guests are generally speaking necessary to a golf course operation, but rather that such rooms were "appropriate facilities" as a part of a golf course or country club such as the one contemplated for this site. An exhibit was submitted in the course of the testimony of Mr. Andre Brewster establishing without dispute that the vast majority of the golf club facilities after which Caves Valley is modelled include a comparable number of overnight accommodations for members and their guests. Like the Caves Valley Club, these other clubs generally include a world class golf course and a significant number of non-resident members. Accordingly, that memorandum argued, rooms for non-resident members and their guests fall within the unusual definition of the term "country club" (which specifically includes "appropriate facilities") and could be permitted as a part of the principal use authorized by the special exception. This is the only land use definition in the Zoning Regulations that includes the phrase "appropriate facilities," or anything like it. Thus the issue presented by the proper interpretation of that phrase is a novel one, with little general precedential significance.

It may be that Petitioner's argument was not set forth with sufficient clarity in its original memorandum, because the Commissioner's ruling does not speak to the term "appropriate facilities," as that term is used in the definition of a "country club" under the Baltmore County Zoning Regulations, but rather speaks to the issue of whether overnight accommodations are a necessary part of the average or usual golf course operation. Petitioner believes that the term "appropriate facilities" is used in the Zoning Regulations' definition of a country club specifically to provide a degree of flexibility in terms of just what component facilities may be included in a country club from time to time in the future. The use of that flexible term obviates the need to spell out all the different uses and structures that might be included in a country club. We believe that rooms for overnight use by members and their guests are entirely appropriate (or, to use the dictionary definition of "appropriate," "fit, suitable and proper") facilities, when and only when they are included as an ancilliary or subordinate part of a larger country club facility.

Petitioner has never contended that hotels or motels are permitted uses either as a matter of right or as a special exception use in a RC-2 zone. Petitioner respectfully suggests that the rooms contemplated at the Caves Valley Club for its

members and its guests do not in any way constitute in the aggregate a hotel or motel. Whether by reference to the definition in the Zoning Regulations or by reference to common parlance, a hotel or motel is a facility where lodging is provided to the general public for short-term occupancy. Webster's Third New International Dictionary of the English Language (§101 of the Zoning Regulations) defines a hotel as "a house licensed to provide lodging and usu[ally] meals, entertainment and various personal services for the public." It is invariably a facility which constitutes either a primary destination for the traveler or a point of transit from one place to another. People who come to such a facility clearly come there primarily to spend the night at the hotel or motel, and their use of any other facilities provided by management is ancilliary. Conversely, the non-resident members of the Caves Valley Club and their guests who would travel from out of town to the Club's site will be coming for the principal purpose of playing the golf course, and their use of the overnight accommodations would be the ancilliary use.

While Petitioner has urged, and continues to urge, that the requested rooms at the Caves Valley Club constitute a part of the principal use by reason of their being "appropriate facilities" under the special definition of a country club, one could view these rooms alternatively as constituting an

accessory use to the principal country club use. An accessory use under the Baltimore County Zoning Regulations is essentially a use which is customarily incidental to a primary use. Under the doctrine of accessory uses, "a landowner is permitted to maintain an accessory or incidental use in connection with a permitted use of land if the accessory use is truly incidental to the primary nonconforming use and does not change the basic nature of the use of the property," Atkins v. Zoning Bd. of Adjustment, Etc., 281 S.E. 2d 756, 760 (N.C. App. 1981). See also, authority cited in Part I, supra.

There is no question but that the rooms for overnight use proposed at the Caves Valley Club are incidental to the primary use of the property - for a golf course. As we have indicated before, and as we reiterate here, these rooms would be available only to members and their guests who are at the site for the purpose of using the golf course. They would not be available to anyone other than members and their guests, and they would not even be available to members who are simply passing through town wishing to use the Club as an overnight accommodation. Moreover, the Club intends to adopt a policy that no guests may use the overnight accommodations unless their sponsoring member is also staying at the Club with them. This policy underscores the proposition that the accommodations are provided for the specific and limited benefit of members

using the course, and are not intended as accommodations available for general use by members of the general public. This again underscores the extent to which these accommodations constitute ancilliary uses, incidental to the primary use of a private golf club facility for members only. If there are any other reasonable restrictions that the Commissioner should see fit to impose to insure that these accommodations are incidental to the primary function of the facility, and that they are not operated as a hotel or motel in the ordinary sense of that term, the Club is more than willing to abide by such restrictions. Petitioner has no desire whatsoever to operate a hotel or motel on the site. That is not the Club's proposal. Petitioner believes, however, that its request for the right to allow up to 40 members and their guests to stay overnight at the Club is proper and should be granted, whether those rooms are viewed as "appropriate facilities" within the definition of the term "country club" or whether they are viewed as accessory uses. While the Commissioner may be correct in his view that a hotel or motel is not a <u>necessary</u> element of many golf or country clubs, the inclusion of the very different and restricted overnight rooms proposed here are an <u>indispensable</u> part of the Caves Valley facility. It is extremely doubtful that plans for the facility will go forward without these accommodations, for their absence will destroy one of the

critical elements of this Club - its ability to attract members and players from outside of the immediate area.

III. PROHIBITION AGAINST LEASING/TOURNAMENTS

No one who appeared at either of the two hearings on these petitions registered any concern or objection about the possibility that the proposed Club facilities might some day be leased for any purpose or might be chosen as the location for a golf tournament, either small or large. There was no evidence whatsoever presented to the Commissioner supporting the necessity or desirability of any limitation on golf tournaments. While the Commissioner is certainly free to impose necessary limitations or restrictions on a Petitioner in connection with the granting of a special exception, those limitations or restrictions must find some support in the record of the proceedings, or at the very least must be supported by some rational and proper zoning consideration. The imposition of a categorical ban on the occasional leasing of the Club facility to any person and the inclusion of a categorical ban on playing any tournaments whatsoever at the Club is not justified by any evidence in the record of this case, and, Petitioner would respectfully submit, is not supported by any reasonable consideration. The restriction in question would prohibit the Club from leasing any of its

facilities for any purpose whatsoever, regardless of the size of the group leasing the facility and regardless of the purpose of the lease or any other circumstances. While the Club does not plan on leasing its facilities and would have no objection to a restriction against its generally engaging in the commercial leasing of its facilities to non-members, we do not understand the basis for the very broad and somewhat unclear prohibition.

For example, the apparent prohibition against playing any tournament at the Club is not limited only to large tournaments but would extend to every single tournament, regardless of whether the nature of the tournament was such as would attract any crowd. Moreover, Petitioner does not understand why the Zoning Commissioner would respond to an application to build one of the truly great golf courses of the world in Baltimore County by seeming to impose an absolute prohibition against ever playing a golf tournament at such a course. No legitimate purpose is served by such a limitation, and the Club and the County are unconditionally barred from ever taking advantage of some future opportunity which clearly would be in the best interest of the Club, the County and the region. To the extent that the Commissioner is concerned about the possibility of large crowds of spectators who might attend some tournaments,

§25-17 of the Baltimore County Code (enclosed as Exhibit IV) is, and has been in the past, the appropriate mechanism for regulating such gatherings and establishing appropriate conditions on the operation of any such one time or occasional event. This is exactly what happened only last year when the Baltimore Country Club played host to the U.S. Womens Open, an event that attracted much positive attention to the County. There was no prohibition against holding tournaments at the Baltimore Country Club, and there is no such prohibition at any other golf club facility in Baltimore County. Such a limitation would be entirely without precedent, is unnecessary in connection with this petition, and was neither requested by anyone nor supported by anything in the record before the Commissioner. A no tournament restriction is even more incomprehensible when imposed on a course of the caliber proposed for this site. Petitioner accordingly would request that the condition No. 6 of the June 6, 1989 Order in Case No. 89-409-X IV CONCLUSION either be clarified so as to be limited to general commercial leasing of the facilities or be deleted.

For the reasons stated above, Petitioner hereby requests the Zoning Commissioner to modify his Order of June 6, 1989 in case No. 89-409-X so as to:

1. Consider on the merits and approve the proposed two on-site living quarters for employees, either as "appropriate facilities" or as accessory uses;

2. Approve the requested inclusion of rooms for up to 40 members and their guests, either as appropriate facilities or as accessory facilities, and subject to whatever limitations the Commissioner deems appropriate to insure that they are not operated as a hotel or motel; and

3. Either delete condition No. 6 (leases/tournaments) as imposed by the Commissioner's original Order, or modify and clarify it as indicated above.

Respectfully submitted,



George A. Nilson

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36 South Charles Street
Baltimore, Maryland 21201
(301) 539-2530

Attorney for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 23rd day of June, 1989, a copy of the foregoing Petition to Modify Orders was mailed first class, postage prepaid Norman J. Lorch, 1 High Pasture Court, Owings Mills, Maryland 21117, Richard J. Goldman, 12127 Heneson Garth, Owings Mills, Maryland 21117, Charles Anderson, 11801 Greenspring Avenue, Owings Mills, Maryland 21117, Kathleen Pontone, Esquire, 250 West Pratt Street, Baltimore, Maryland 21201, Charles B. Heyman, Esquire, Sun Life Building, 10th Floor, 20 South Charles Street, Baltimore, Maryland 21201, and People's Counsel for Baltimore County, Room 304, County Office Building, Towson, Maryland 21204.

George A. Nilson

6/6/89

IN RE: PETITIONS FOR SPECIAL EXCEPTION & SPECIAL HEARING NE and SW side of Park Heights Ave., 470' NW of c/l of Caves Road, 4th Election District 3rd Councilmanic District	*	BEFORE THE ZONING COMMISSIONER OF BALTIMORE COUNTY CASE #89-409 XSPH
Caves Valley Club, Inc. Andre' W. Brewster Petitioner	*	

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FINDINGS OF FACTS AND CONCLUSIONS OF LAW

The Petitioner requests approval of a Special Exception for a country club (primarily a golf oriented facility), including one regulation 18 hole golf course, practice fairways, greens, holes and other appropriate practice facilities, a clubhouse complex including without limitation a pro shop, lounge, eating facility and locker rooms, other appropriate recreational facilities, maintenance facilities associated with the aforegoing, shelters, restroom structures and halfway houses for use by golfers, and other structures, improvements or facilities generally associated with golf or country clubs and for approval of overnight accommodations for a maximum of 40 members and their guests, as more particularly described on Petitioner's Exhibits 1A and 1B.

The Petitioner, Andre' W. Brewster, appeared, testified and was represented by George A. Nilson, Esquire. The Petitioner was supported in his testimony by six (6) expert witnesses who testified, namely, Mr. Edward Hale and Mr. George E. Gavrelis of Daft, McCune and Walker, Mr. Glenn Cook of the Traffic Group, Inc., Mr. Thomas Marzolf, a Consultant, Mr. Ottman, a retired expert Hydrologist and Mr. Lawrence Rectanus of The Baltimore Gas and Electric Company. Testimony in support of the Petitioner was also provided by five (5) community associations, namely, Ms. Kathleen Pontone of the Valleys Planning Council; Mr. James Cox, Caveswood Association;

Mr. Charles Anderson, Chestnut Ridge Association; Mr. Norman Lorch, Timber Valley Association and Mr. Richard Goldman, Worthington-Woodside Association. Charles Heyman, Esquire for the Park Heights Community Association attended the hearing as an observer. There were no Protestants.

The subject property is located near the intersection of Park Heights Avenue, Maryland Route 129 and Caves Valley Road. The property consists of approximately 885 acres. The property is somewhat nearly equally divided by Park Heights Avenue as shown on Petitioner's Exhibit 1A and 1B. The entire country club operation will be limited to the parcel known as the northern parcel which is shown on Petitioner's Exhibit 1A. The southern parcel shown on Petitioner's Exhibit 1B will be held in agricultural conservation and will not be developed in conjunction with the country club special exception. There will be wells to provide a water supply for the country club on the southern parcel (Petitioner's Exhibit 1B). There will also be ancillary services such as the Consolidated Gas and Electric Light Company power lines the Baltimore Gas and Electric underground and above ground utilities and the power lines.

The Petitioner is seeking a special exception for a country club which is intended to be primarily a golfing facility. There will be numerous ancillary and accessory uses involved with this country club.

Specifically, the Petitioner has requested relief pursuant to Section 1A01.2.C.10 of the Baltimore County Zoning Regulations (B.C.Z.R.). This section provides for golf courses or country clubs by special exception within the R.C. 2 zone. There is similar language in Section 1A04.2.B.8. for the R.C.5 zone. The large majority of the land for the golf course is contained within the R.C.2 zone.

Section 101 of the B.C.Z.R. defines a country club as " a 9- or 18-hole golf course with a club house or other appropriate facilities which may include other recreational facilities (See Section 406A)".

Section 406A controls tennis facilities in conjunction with country clubs and golf courses. The evidence establishes that the proposed project will not be in contradiction to the requirements set forth in Section 406A. This particular country club/golf course will have an 18 hole golf course and will not have more than 12 tennis courts. Therefore, the proposal complies with Section 406A.

There were a great number of witnesses who testified on behalf of the Petitioner. The evidence is all uncontradicted. There were no Protestants and no opposition was offered to any element of this proposal. Since there is no opposition to the request, the findings of fact will be limited. I will not give credit for the testimony of the various witnesses since it is all uncontradicted.

All of the witnesses testified to the requirements of Section 502.1 of the B.C.Z.R. for a special exception golf course, either generally or within the scope and purview of their particular areas of expertise. The witnesses also addressed the issue of the 40 overnight accommodations and the two proposed living quarters for employees contained within the area of the special exception country club.

The proposed country club will be, primarily, a golf facility with a very exclusive membership and all of the facilities will be closed to the general public. This will be a members only club and the facilities will never be rented to the general public.

The evidence and Petitioner's Exhibit 1A and 1B establish that this country club will have an 18 hole golf course, practice fairways, greens,

holes, practice facilities, a clubhouse complex, a pro shop, lounge, eating facilities, locker rooms, additional appropriate recreational facilities, maintenance facilities, shelters, restrooms, and halfway house for purposes which are all typical to most golf courses within the R.C.2 and R.C.5 zones of Baltimore County.

All of the evidence and exhibits tend to prove that the proposed special exception golf course/country club at this location would be no more detrimental than any other golf course/country club within the R.C.2 zone.

There are several special agreements that have been created between the Petitioner and various interested neighborhood and community associations. Petitioner's Exhibits 4, 5 and 6 are copies of these specific agreements between the Petitioner and one or many of the various Homeowner and Improvement Associations. These agreements are specifically designed to protect the health, safety and general welfare of the participants. They believe they are protected and there is no need for any restrictions or conditions within this Order.

All of the facilities to be used by the members will be located north of Park Heights Avenue and are contained on the northern parcel (Petitioner's Exhibit 1A). The testimony and Petitioner's Exhibits 1A all establish that the club house facilities and ancillary services and all of the golf course holes will be on the northern parcel. There will be major modifications made to the above ground high voltage transmission lines that cross the property.

The witnesses stated that there will be no adverse impact above and beyond that inherently associated with a country club special exception use, irrespective of its location within the R.C.2 zone.

The club house and maintenance facilities for the golf course are all typical to the industry. These facilities are shown on Petitioner's Exhibit 1A and will be restricted to those areas as shown on that plan.

The Petitioner's witnesses all testified in support of the 18 hole golf course, practice fairways, greens, holes, a clubhouse complex, including a pro shop, lounge, eating facility and locker rooms, with additional appropriate recreational facilities, maintenance facilities, such as shelters, restroom structures and halfway houses and other associate golf facilities all comply with the requirements of Section 502.1.

Although, not all of these facilities are shown in final detail, testimony, clearly, indicates that they will exist and will be established as is typical in the industry. A final plan will be developed which will more specifically show the locations and sizes of these particular ancillary uses and this plan will be submitted to the Zoning Commissioner for approval prior to the issuance of any permits relative to the Petition for Special Exception for the country club.

The Special Exception for the country club/golf course, as described above, should be granted.

The Petitioner has requested relief, pursuant to the Petition for Special Exception for "overnight accommodations for a maximum of 40 members and their guests...". This relief is not specifically listed as a special exception uses in the R.C.2 zone and there appears to be no grounds on which to grant such relief.

The Petitioner has argued vigorously that such use is consistent with the spirit and intent of the regulations. The Petitioner has offered a Memorandum in Support of this use and has argued that overnight accommodations constitute appropriate and suitable facilities in conjunction with a

golf club complex within a country club special exception within the R.C. 2 zone.

The Petitioner argues this use is an "overnight accommodation", however, the use most, clearly, fits the definition of a hotel and/or motel.

The Baltimore County Zoning Regulations (B.C.Z.R.), clearly, deals with the issue of hotels, motels and similar lodging facilities. It is clear that the regulations do not differentiate between private and/or public hotels or motels. However, the regulations envision buildings or groups of buildings containing guest rooms or units where lodging is provided on a daily, weekly or similar short term basis. It is interesting to note that the definition for hotel or motel also envisions that such uses may contain restaurants, meeting rooms, recreation facilities, lounges, retail shops and personal services as ancillary uses. See Section 101 of the B.C.Z.R.

There is absolutely no provision in the Resource Conservation zone, specifically, Section 1A01.2.B. & C. for a hotel operation in the R.C.2 zone. Although, this operation would be limited to an exclusive group of members belonging to the country club, the use is, clearly, that of a hotel or motel. The regulations are written to provide for appropriate and permitted uses and uses by special exception within each zone. There is no language indicating that the County Council of Baltimore County ever envisioned a hotel use within the R.C.2 zone. In fact, the spirit and intent of the R.C.2 zone regulations would prohibit just such commercial use. The fact that this commercial use is incorporated into and located on the campus of a very large special exception use does not change the fact

that it is still a use that was not and is not envisioned as being acceptable within the R.C.2 zone.

This use is not permitted as a matter of right nor is it permitted by special exception in this zone. The use is not normally associated with agricultural uses. This type of commercial use is not customarily found in the spirit and intent of the R.C.2 zone. See Section 1A01.1.A. & B. of the B.C.Z.R. This type of commercial use is not consistent with single family homes and low density agricultural activities in this zone.

There was no evidence presented that strongly persuaded the Zoning Commissioner that the proposed overnight accommodations are so fundamentally necessary to a golf course/country club operation, and so commonly expected, that it is reasonable to assume that the use is to be permitted in the R.C.2 zone as a necessary use. Clearly, the evidence does not establish that hotels are customarily incident to golf course operations.

The Petitioner argues that because the hotel/motel use would not have any adverse affect upon the health, safety and general welfare of the community; the fact that the regulations do not provide for such a use is unimportant for this particular site. I simply do not agree. There is no logical reading of the regulations that would allow an existing use, such as a hotel/motel, to be placed within the R.C.2 zone by special exception.

The Court of Special Appeals in Scott Strienbinger, et al v. Beachmont, Inc., an unreported opinion of July 6, 1987, stated on page 7 that:

> "The power of the Zoning Commissioner and the County Board of Appeals to grant the special exception is statutory and can be exercised only to the extent and in the manner directed by the enabling statute. Harbor Island Marina, Inc. v. Board of County Commissioners of Calvert County, 286 Md. 303, 309-10 (1970); Gordon v. Commissioners of St. Michaels, 270 Md. 128, 136

(1976); Hewitt v. County Commissioners of Baltimore County, 195 Md. 348, 353-54 (1949). In the case subjudice, the basic zoning power is delineated in BCZR Section 1A01, which established a R.C.2 agricultural zone "in order to foster conditions favorable to a continued agricultural use." BCZR Section 1A01.1.B. Pursuant to this zoning ordinance, the legislature identified various "preferred use{s} permitted as of right" and nonagricultural uses in which a landowner may engage by special exception."

The Court went on to say on page 9 and 10 that the power of the Zoning Commissioner is limited to the text of the B.C.Z.R.

"Following the court's general guidelines, the Zoning Commissioner and the Board possessed the power to grant special exceptions in R.C.2 zones only for the uses that BCZR Section 1A01.2.C. enumerates. This ordinance is written in the affirmative; unless explicitly stated as permitted by special exception or as a matter of right, the use is prohibited. Kowalski v. Lamar, 25 Md. App. 493, 498 (1975) (ruling that '{a}ny use other than those permitted and being carried on as of right or by special exception is prohibited'); see also Town of Harvard v. Maxan, 275 N.E.2d 347, 349-50 (Mass. 1971); Williams v. City of Bloomington, McLean County, 247 N.E.2d 446, 449-50 (Ill. App. 1969); Samsa v. Heck, 234 N.E.2d 312, 315-16 (Ohio App. 1967); Gada v. Zoning Board of Appeals of the Town of East Lyme, 193 A.2d 502, 503 (Conn. 1963); Gordon v. Zoning Board of the City of Stamford, 145 A.2d 746, 750 (Conn. 1958); Silver v. Zoning Board of Adjustment, 112 A.2d 84, 86-87 (Penn. 1955); City of Warwick v. Campbell, 107 A.2d 334, 336-37 (R.I. 1954); City of Knoxville v. Brown, 260 S.W.2d 264, 267 (Tenn. 1953); Dolan v. DeCapua, 80 A.2d 655, 659 (N.J. Super. 1951); Jones v. Robertson, 180 P.2d 929, 931 (Cal.App. 1947).

The Special Exception for the "...overnight accommodations for a maximum of 40 members and their guests..." should be denied.

The Petitioner has made an oral request for two (2) proposed living quarters for employees of the golf course contained within the area of the special exception country club. This use is not properly before the

Zoning Commissioner. The relief was not requested as part of the Petition for Special Exception and any relief not properly requested may not be granted. All of the request for special exception relief before the Zoning Commissioner must be presented in the form prescribed by the Zoning Commissioner and are subject to a public hearing. See, Section 500.5 of the B.C.Z.R.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed country club use met the prescribed standards and requirements set forth in Section 502.1. In fact, the Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1A would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A2d 1319 (1981).

The proposed use will not be detrimental to the health, safety or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

After reviewing all of the testimony and evidence presented, it appears that the special exception country club should be granted with restrictions and limitations.

Pursuant to the advertisement, posting of the property, and public hearing held on this Petition for Special Exception, and for the reasons

given above, the relief requested should be granted in part and denied in part.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 6th day of June, 1989, that approval for a Special Exception for a country club (primarily a golf oriented facility), including one regulation 18 hole golf course, practice fairways, greens, holes and other appropriate practice facilities, a clubhouse complex including without limitation a pro shop, lounge, eating facility and locker rooms, other appropriate recreational facilities, maintenance facilities associated with the aforegoing, shelters, and restroom structures be and the same is hereby GRANTED.

IT IS FURTHER ORDERED that a Special Exception for approval of the proposed residential quarters located on the subject site within the Special Exception area be and the same is hereby DISMISSED.

IT IS FURTHER ORDERED that a Special Exception for approval of ... "overnight accommodations for a maximum of 40 members and their guests ...", as more particularly described on Petitioner's Exhibits 1A and 1B be and the same is hereby DENIED.

IT IS FURTHER ORDERED that all of the relief requested is subject to the following restrictions:

1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his 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 Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. Pursuant to Section 502.3 of the B.C.Z.R., this Special Exception may be utilized within five (5) years of the date of this final Order.

3. When applying for a building permit, the site plan and landscaping plan filed must reference this case and set forth and address the restrictions of this Order, and the Petitioner shall submit to the Zoning Commissioner's office by no later than June 15, 1990 a new site plan prepared by a registered professional engineer and/or land surveyor, which clearly identifies all buildings, their size and area dimensions, their exact location on the subject property, their distances from all property lines, and any other information as may be required to be a certified site plan.

4. Upon request and reasonable notice, the Petitioner shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

5. The Petitioner shall provide a landscape plan to the Office of Current Planning for approval by the Baltimore County Landscape Planner and said landscape plan shall then be submitted to the Zoning Commissioner for approval. The approved landscape plan shall become a permanent part of the record and file in this matter.

6. The country club and golf course shall be closed to the general public. The facilities shall not be rented or leased to the general public and this shall include golf tournaments. All facilities shall be used only by members and guests of the country club.

J. Robert Haines

J. ROBERT HAINES
ZONING COMMISSIONER
OF BALTIMORE COUNTY

JRH:mmn
cc: Peoples Counsel
George Nilson, Esquire
Mr. Andre' W. Brewster
Mr. Edmond G. O. Hon
Mr. Norman J. Lorch
Mr. Richard J. Goldman
Mr. Glenn Cook
Mr. Charles R. Anderson

Ms. Kathleen Pontone
Mr. Jerry Benesh
Mr. James Cox
Mr. John Spencer
Mr. Edward Hale
Ms. Virginia F. Kearney
Mr. Lawrence A. Rectanus
Mr. Tom Marzolf
Mr. George Gavrelis
Charles Heyman, Esquire

Re: In the Matter of the Petition for Special Exception on Property Located at NE and SW Side Park Hgts. Ave., 470' NW of C/L of Caves Rd., 4th Election Dist.; 3rd Councilmanic Dist.

Caves Valley Club, Inc., et al.

Petitioners

* Before the Zoning

* Commissioner of

* Baltimore County

*

* Zoning Case No. 89-409-X

* * * * * *

MEMORANDUM IN SUPPORT OF INCLUSION OF TWO ON-SITE RESIDENTIAL FACILITIES FOR CLUB EMPLOYEES AND ACCOMMODATIONS FOR AS MANY AS 40 OVERNIGHT MEMBERS AND GUESTS

The Caves Valley Club special exception application herein specifically describes a variety of component parts which together make up the proposed country club or golf club facility. The component parts include a clubhouse complex, a maintenance facility, 18 holes of golf, various practice facilities, possible swimming pool and tennis courts, parking areas, a pro-shop, and other related facilities. Also included in the club complex are 2 proposed residential facilities designed exclusively for occupancy by employees of the club (expected to be the general manager and the golf course superintendent). In addition, the proposal includes accommodations for a maximum of 40 overnight guests (limited to members and their guests), although the number of such accommodations likely to be provided in the initial stage is 16

EXHIBIT III

rather than 40. One issue which the Zoning Commissioner must resolve in this proceeding is whether these facilities can be properly included within an overall "country club facility" under the Baltimore County Zoning Regulations.

Evidence will indicate why these particular facilities are both desirable and important. The on-site facilities for the employees are recommended for the project in order to help insure that the overall facility is maintained and operated in the best way possible, and so as to minimize impact on both the environment and the surrounding communities. By having key personnel responsible for the golf course on the one hand and the other related facilities on the other hand living on the property and available 24 hours a day, the Club can insure a better quality of service and operation, and can also insure that these key employees will be more acutely and directly aware of any potential impacts that the operation of the club and the course are having either on the surrounding community or on the environment.

Up to 40 overnight accommodations proposed for members and their guests at the facility are critical to this Club, given its character. The proposal here is to build a world class golf club facility to service primarily the business and professional community of the Baltimore area. The intent is to provide a golf course of such exceptional quality

and a facility of such a high level of appeal that it will attract members and players (guests) not only from the immediate Baltimore area, but from a considerable distance. The membership structure of the club contemplates the inclusion of a significant number of regional and non-resident members, who would in many instances travel from a considerable distance away. It is also likely that local business/professional members of the club will want to invite as their guests either other people within their business organization or other people generally, living outside of the Baltimore area. Those people will be traveling out of town members and guests who will obviously need accommodations in connection with their visit to the Club. This kind of higher than usual use of the facility by non-residents makes it critical that the facility be able to provide on-site accommodations for a limited number of people. Such overnight accommodations are regularly provided at the kinds of golf club facilities after which the Caves Valley Club project is modeled. The precise numbers and characteristics of those overnight accommodations have varied from one club to another, but they are a common element of world class facilities designed to attract significant out-of-town members and significant out-of-town use. It should be observed that the kind of facility and the kind of accommodations we are dealing with here are quite distinct from a golf course complex

designed as a resort facility and expected to attract vacationers from out-of-town coming to use the course and to stay in accommodations on a non-membership basis. That is not at all what this project contemplates.

The definitional section of the Baltimore County Zoning Regulations defines a "country club" (which this application is for) as "a 9- or 18- hole golf course with a club house and other appropriate facilities, which may include other recreational facilities." While the Caves Valley Club is contemplated as a golf club, it certainly fits within the definition of country club. The Zoning Regulations do not define the subsidiary terms "golf course", "club house" or "appropriate facilities". Section 101 of the Zoning Regulations provide as follows:

> "Any word or term not defined in this section [the definitional section including the term country club] shall have the ordinarily accepted definition as set forth in the most recent edition of Webster's Third New International Dictionary of the English Language, Unabridged."

That dictionary provides the following three definitions for the word "appropriate":

1. "specially suitable; fit, proper"
2. "belonging peculiarly: special" and
3. attached as an accessory possession."

The 3 primary words referred to (suitable, fit and proper) tend to contain definitions which return us to the word "appropriate". The question thus becomes whether the employee accommodations proposed and the planned overnight accommodations constitute appropriate, suitable, fit or proper facilities as a part of a golf club complex such as that proposed here. We would respectfully submit that they clearly do, that they constitute facilities that both are critical to the operation of the proposed Club and will enhance the quality of its operation in a number of significant respects. There will be no adverse impact as a consequence of inclusion of these facilities, and <u>their inclusion in the project is supported by every single community association surrounding the Club's property.</u>

The proposed specific facilities are to be restricted as indicated in the Petition itself, and the plat described and the notes contained on the plans describing the facility. Generally speaking, those notes indicate that the employee facilities are to be limited in their use to employees, and are not to be available for sale to or use by the general public. Overnight accommodations are to be limited in number and location as indicated on those notes, and are to be available only to members and their guests who are in the area for the

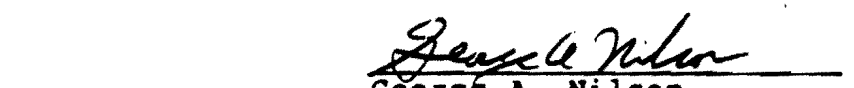
purpose of playing at the golf club and using its facilities. It will not be possible for the general public to reserve rooms or stay at the Club. In order to stay there one must either be a member or the guest of a member, and one must be at the site for the purpose of using the facility itself (not just passing through town).

While we have not separately gathered information and data relative to the provision of employee accommodations at golf and country clubs, this is a common practice, although by no means a universal one. Evidence introduced at the hearing does provide some specific information relative to overnight accommodations for members and guests.

Clearly a country club or golf club, and a clubhouse complex, can quite properly include a number of facilities which are not universally included at golf clubs or country clubs. They can also include facilities which arguably might fall within other specific uses dealt with elsewhere in the Zoning Regulations. To illustrate the latter point, virtually any country club will include a restaurant, a facility where alcoholic beverages are served, and a pro shop (including a retail outlet) including a retail outlet for the sale of merchandise to members and their guests. Because such component facilities are to be found at the club, and are available to members and their guests, it does not follow that

they must receive a separate zoning approval under some other classification of the Zoning Regulations. Similarly, it is clear that facilities may be included in a country club which are not universally found at such facilities. Paddle tennis courts, for example, are found at some but by no means the majority of country clubs; bowling alleys of at least limited capacity are sometimes found at country clubs. Other facilities such as skeet ranges, squash courts and the like are found at some but by no means all clubs. The fact that they may only be found at a small number of country clubs does not make them inappropriate, unsuitable, unfit or improper. The same is true of employee accommodations and overnight accommodations for members and their guests.

Respectfully submitted,



George A. Nilson

Piper & Marbury
1100 Charles Center South
36 South Charles Street
Baltimore, Maryland 21201
(301) 539-2530

Attorneys for Petitioners

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 066023

DATE 4/12/89 ACCOUNT 01-615-000

AMOUNT $ 200.00

RECEIVED FROM: Piper + Marbury # 150.00
Daft McCune + Walker 50.00

FOR: Item # 433 (89-409XSPH(Z)
UCR

B B [illegible]

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

Tracking System

Baltimore County
Zoning Commissioner
Office of Planning & Zoning

Date (Day Month Year)	Receipt Number	FEE TYPE	Identification Number	Council District	Election District	Zip Code
04 12 89	066023		89-409	3	04	21117

Petitioner: Caves Valley Club / Knousand
(Last) (First) (Middle Initial)

Property Address: 11797 Park Hgts Ave - 21117
(Number) (Street)

HELP WANTED

BE ON T.V. - Many needed for commercials. Casting info. (1) 805-687-6000, ext. TV-7952.

STAY HOME - Make $325 weekly, helping local businesses with overflow clerical work. Part-time. No experience. Get paid daily. To apply, send long self-addressed stamped envelope: ALLIED 442-881, 4521 Campus, Irvine, CA. 92715.

WANTED: Grocery Checker-Cashiers, (Part time) and full or part time night stock clerks. Good pay-experience recognized-benefits. Smith Ave. Call Mr. Spiller, 653-9670.

MEDICAL SECRETARY/RECEPTIONIST - Randallstown, P/T, mornings. Typing/dictaphone essential. Call afternoons, 655-1144.

AIRLINES NOW HIRING - Flight Attendants, Travel Agents, Merchanics, Customer Service. Listings. Salaries to $105K. Entry level positions. Call (1) 805-687-6000, ext. A-7952.

DEPENDABLE PERSON needed to work May-August. Must be available to begin working afternoons in May. Contact Jeff, 484-0592. Leave message with name & number.

FRIENDLY HOME PARTIES has openings in this area for managers and dealers. Free training. Commission up to 25% override up to 7%. No paper work. No delivering or collecting, highest hostess awards. No handling or service charge. Over 800 dynamic items - toys, gifts, home decor and christmas decor. For free catalog call 1-800-227-1510.

FUN, FANTASTIC, EASY - Be your own boss: Earn up to $339 per week. Work from home. Call amazing recorded message. 1-301-637-5571 (Dept. 30). Act now.

HELP WANTED

CLERICAL - Do you need a job or just a second income? No experience or travel necessary. $300-$500 weekly. For more info., send a SASE to: Johnell Enterprises, P.O. Box 26083, Alexandria, VA. 22313.

EARN MONEY Reading books! $30,000/yr. income potential. Details. (1) 805-687-6000, ext. Y-7952.

GOVERNMENT JOBS - $16,040 - $59,230/yr. Now hiring. Call (1) 805-687-6000, ext. R-7952 for current federal list.

CAB DRIVERS WANTED, Over 25, Pikesville area. Full or part time, days or nights & weekends. 486-4004.

LEGAL NOTICE

BALTIMORE COUNTY, MARYLAND
NOTICE OF PUBLIC HEARING

NOTICE is hereby given that a public hearing will be held by the County Council of Baltimore County, Maryland:

DATE: Thursday, May 11, 1989
TIME: 7:30 P.M.
LOCATION: County Council Chambers
Second Floor Court House
Towson, Maryland 21204

concerning the levy, imposition and collection of the following taxes:

BILL NO. 43-89 PROPERTY TAX

To levy and impose a property tax for the use of Baltimore County for the taxable year beginning July 1, 1989 and ending on the 30th day of June following and to fix the rate of County taxation for such taxable year at $2.895 on each $100.00 of assessed valuation of such property.

BILL NO. 44-89 TRANSIENT OCCUPANCY TAX

To levy and impose a tax equivalent to eight percent (8%) of the total amount paid for room rental by or for any transient to any hotel, motel or similar place.

BILL NO. 45-89 BEVERAGE CONTAINER TAX

To levy and impose a two-tier tax (4 cents & 8 cents) on non-reusable beverage containers.

BILL NO. 46-89 CATV FRANCHISE FEE

To increase the cable T.V. franchise fee from 3% to 5% of gross revenues.

County Council of Baltimore County, MD
Thomas Toporovich, Secretary

HELP WANTED

PART-TIME HELP needed immediately, for telephone soliciting, for the Purple Heart. Great job for shutins, Owings Mills, Reisterstown, Westminster area. Work from your own home at your own pace, with a potential of $50 or more commission per week. Absolutely no selling involved. For more details, call 833-2817, Mon.-Fri. 10 a.m.-1 p.m. only.

LEGAL NOTICE

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, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petitions for Special Exceptions
and Special Hearing
CASE NUMBER: 89-476-SPHX
NE and SW Side Park Heights Avenue,
470' NW c/l Caves Road
4th Election District - 3rd Councilmanic
Petitioner(s): Caves Valley Club, Inc., et al
HEARING SCHEDULED: MAY 18 and 19, 1989
at 9:00 a.m.

Special Exception: A Country Club (primarily a golf oriented facility), including one regulation 18 hole golf course, practice fairways, greens, holes and other appropriate practice facilities, a clubhouse complex including without limitations a pro shop, lounge, eating facility and locker rooms, overnight accommodations for a maximum of 40 members and their guests, other approriate recreational facilities, maintenance facilities associated with the aforegoing, shelters, restroom structures. Note: This petition supplements (adding additional property to) and slightly modifies the Petition for Special Exception in Case No. 89-409-X.

Special Hearing: Approval of the supplemental Petition for Special Exception filed with this Petition which supplements (adding additional property to) and slightly modifies the Petition for Special Exception in Case No. 89-409-X.

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 in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

HELP WANTED

TELEMARKETING - Growing Randallstown company seeks top individuals to set up appointments. YOUR SITS WILL BE CLOSED! Hourly plus commission, plus bonus plus health plus day care, plus comfort and fun. Call 655-3477, anytime.

REAL ESTATE

GOVERNMENT HOMES from $1.00 (U repair). Foreclosures, Repos, Tax Delinquent Properties. Now selling. Call 1-315-736-7375, ext. H-Md-P1 for info., 24 hrs.

REAL ESTATE

OWNER'S SALE

New Townhomes of Greengate-Only 2 Years Old!

Beautiful 3BR, 2½ bath, family room, fireplace, cathedral ceiling, skylights, recessed lighting, large deck, custom window treatments throughout. Many extras.

By Appointment
484-8464

REAL ESTATE

Get into shape close to home.

Chase Lea apartments



- Fitness center
- Aerobics
- Hot tub
- Tennis
- Swimming pool
- Full size washer and dryer
- Much, much more

Families with incomes between $17,000 and $33,000 given special consideration.

Models open Mon. thru Sat. 10 to 6, Sun. 1 to 6.
DIRECTIONS: Off McDonogh Road in Owings Mills.

PHONE: (301) 363-8050

A Trammell Crow Co. Community.

Classified Ads: $4.00 for 15 words

25¢ for each additional word

All ads must be prepaid. Please enclose check, money order or charge card name, number and expiration date.

Mail to: Classifieds, The Northwest Star, 23 Walker Avenue, Pikesville, MD 21208. Charge ads acceptable by phone.

Please print legibly! Use capital and lower case letters.

You may use the form at right or use a separate sheet of paper if you need more lines.

Next Publication Date . . . . . Wednesday, May 3
Classified Deadline . . . . . Thursday, April 27, 3 p.m.

EASY-BY-MAIL CLASSIFIED AD TAKER
NORTHWEST STAR, 23 WALKER AVE.
PIKESVILLE, MD. 21208 653-3800

Classified Deadline Thursday 3 p.m.

NAME _____
ADDRESS _____
CITY _____ STATE _____ ZIP _____
CHARGE NO. (CHOICE),(VISA),(MC) _____
CHECK OR CASH ENCLOSED _____
DATES TO RUN: _____
CLASSIFICATION _____

$4.00 FOR THE FIRST 15 WORDS; 25¢ FOR EACH ADDITIONAL WORD

CERTIFICATE OF PUBLICATION

Pikesville, Md., April 26 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 27th day of April 19 89 the first publication appearing on the 26th day of April, 19 89 the second publication appearing on the _____ day of _____, 19____ the third publication appearing on the _____ day of _____, 19____

THE NORTHWEST STAR

Manager Jon Berk

Cost of Advertisement $32.40

13
45
22
90
315
32.40

Based upon the analysis conducted and information provided, staff recommends the following conditions be attached to the petitioner's request if approved.

- Separate detailed plans shall be approved by the Zoning Commissioner, Office of Planning and Zoning and Department of Environmental Protection and Resource Management for the 1) Maintenance Facility area and 2) Clubhouse Facility areas. If plans are phased, then reviews should be provided for each phase as developed. Elements including the following shall be provided for plan review:

  - landscaping;
  - site design;
  - parking lot layout;
  - facilities (numbers 7,8,9,10,11);
  - lighting;
  - limits of disturbance;
  - and other items as generally required for County Review Group.

- A stream valley park access easement should be provided as approved by the Department of Recreation and Parks.

FK/sf

4/17/89

PUBLIC DOC.

EXHIBITS

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97409

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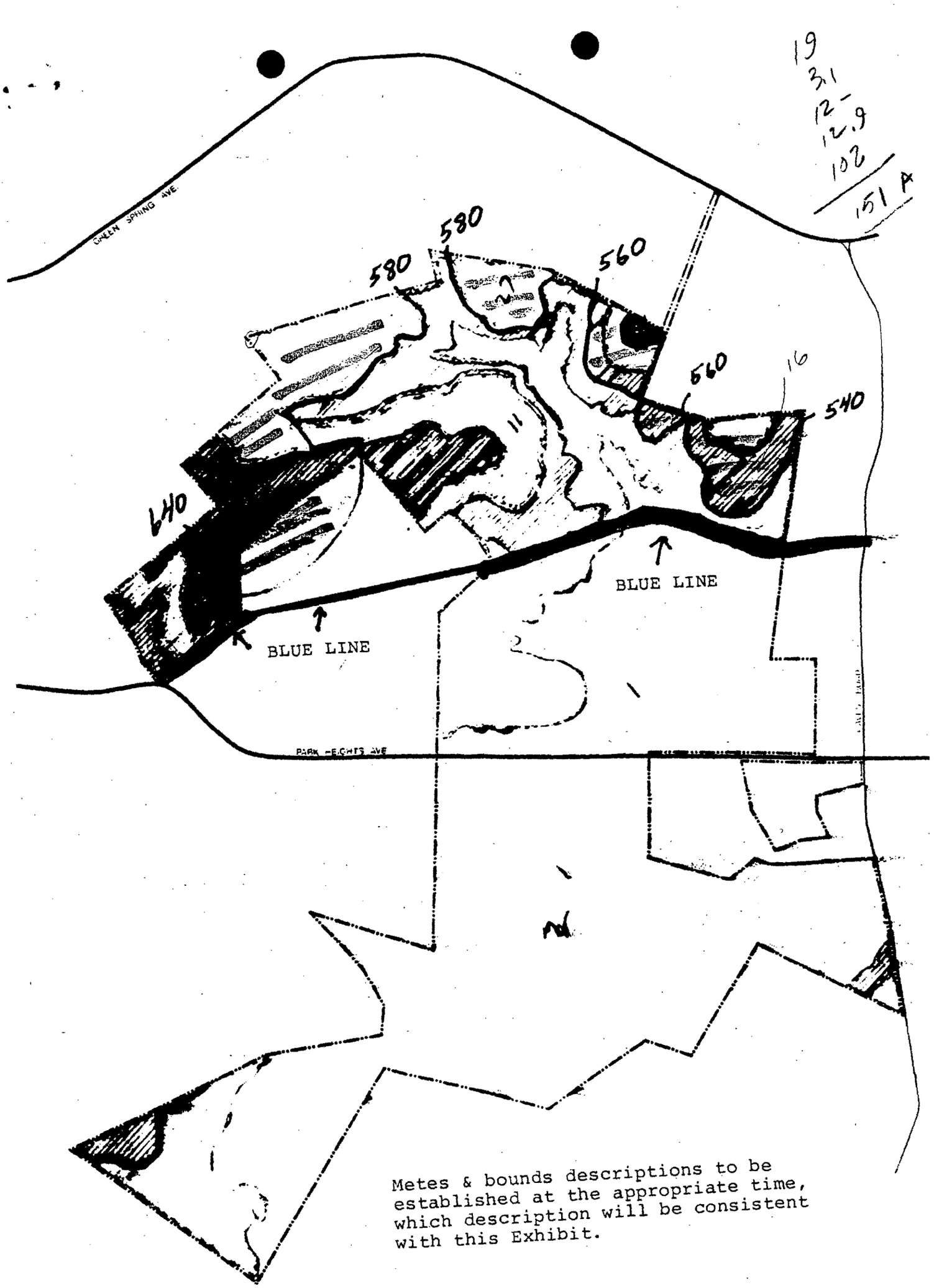
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89-409-X

Caves Valley Club, Inc.

Zoning Commissioner's
Exhibits
2 through 23
(no Exh. #4)

(2)



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TOPOGRAPHIC RELIEF

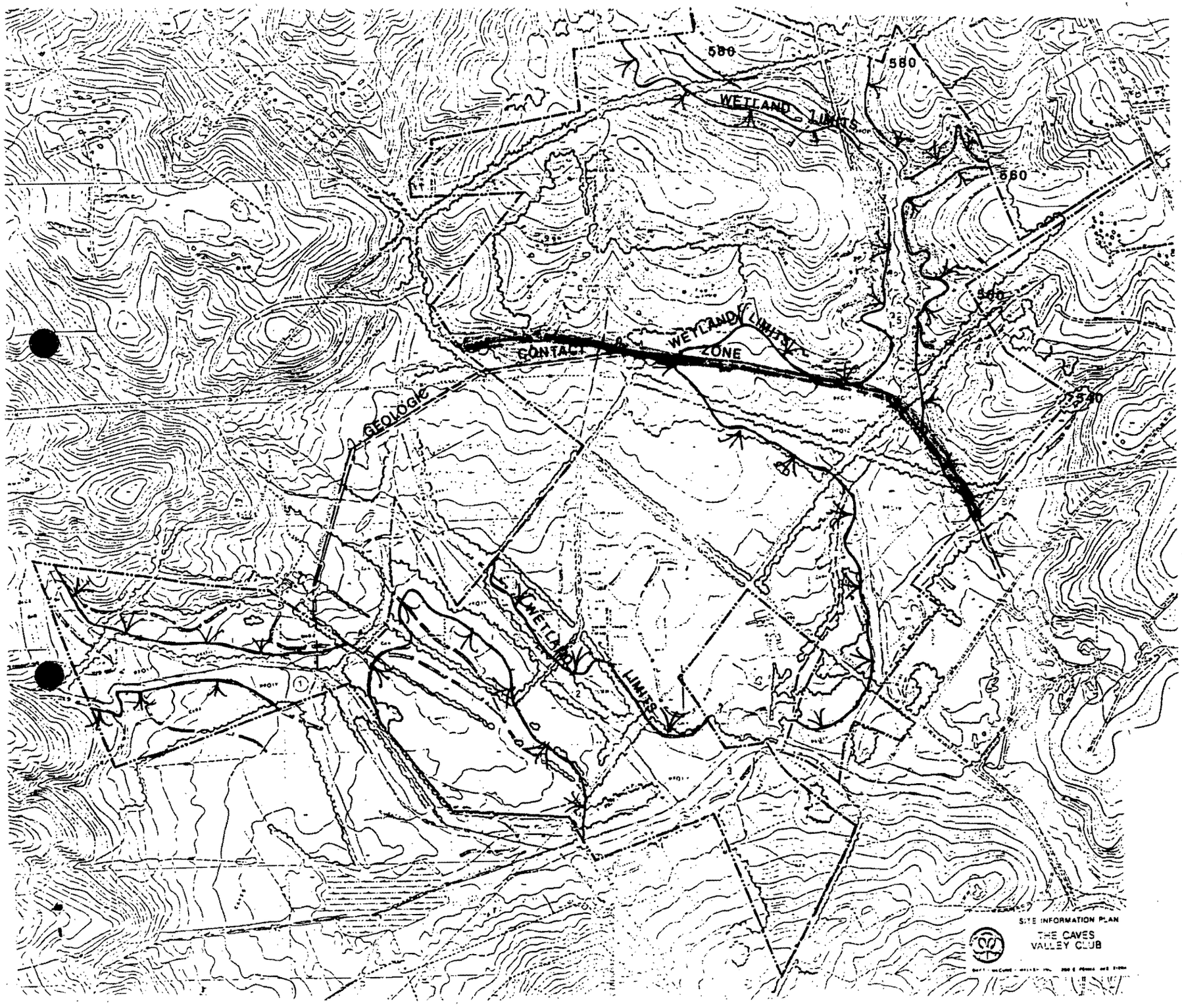
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500–540
540–580
580–620
620–660
640–

CONSERVATION ASSOCIATES PROPERTY

GREEN SPRING VALLEY BALTIMORE COUNTY, MARYLAND

PREPARED BY
SDC

EXHIBIT D-1



For the purpose of permittin
up to (but not to exceed) 13
Additional Homesites, CVC ma
designate as the area to be
acreage located on or over t
plateau or ridges above the
line, provided that such acr
is contiguous to existing RC
land and is not in excess of
acreage designated as "eligi
for rezoning on Exhibit D-1

EXHIBIT D-2

WATER QUALITY MONITORING PLAN OUTLINE

GENERAL DESCRIPTION OF WELLS AND MONITORING

There are to be ten monitoring wells for water quality. Those monitoring wells were initially labeled as OW-8, OW-7, OW-6, OW-5 (this will be a homeowner well and it will be tested at the tap.) Additional wells include: OW-1, OW-2, PW-8, PW-5, OW-6 (a well to be cited in the area somewhere between PW-6 and PW-9 to the north of Park Heights Avenue nearby to the actual golf course holes themselves), OW-3 (up by Huntington), OW-4, and OW-5. In addition, there will be three lysimeters set in the areas of OW-8, OW-7 and OW-6. (A map of these wells will be attached.)

10 Water Quality Wells / 3 Lysimeters

6 Peripheral Wells	PW-5
	PW-8
	OW-3
	OW-4
	OW-5
	OW-1
4 Interior Wells	OW-6/lysimeter
	OW-7/ "
	OW-8/ "

It has been agreed that if these monitoring wells begin to show contamination, or if the course or drainage plans change, that DEPRM will evaluate whether additional monitoring wells will be necessary.

BASELINE WATER QUALITY

CVC will establish baseline water quality by sampling background wells MW-10, PW-5 and W-8. This will be determined over a one year period by sampling these wells quarterly. These wells will establish the baseline of the water quality in the marble. DEPRM will determine the substances which will be tested in the baseline monitoring program and will require volatile organic compound monitoring. The Oversight Committee will have an opportunity to review and comment on the list of substances compiled by CVC for the proposed background monitoring and DEPRM will make the final decision about which substances are to be monitored.

Baseline water quality for the schist will be determined by monitoring the existing Krongard well, OW-5 (which may be a domestic well), and one additional homeowner well which will be sited somewhere on the center ridge.

EXHIBIT 2

Proposed Pesticide List for Caves Valley Club Golf Course

Pesticide	LC50	LD50 (mg/kg)	Health Guidelines	Physical and Chemical Properties	Transport and Fate Information
2,4-D [Acetic acid, 2,4-dichlorophenoxy] (herbicide)	.....	300-1000(Rat) 368-375 (Mice) 100 (dogs)	Perm. exposure in air mg/cu.m 10(Fed. Lim.); 20(STEL); 500(IDLH) Perm. Conc. in drinking water 100 µg/l (EPA);0.9 mg/l(no adverse effect level calculated by NAS/ARC Acceptable daily intake 0.03 mg/kg (FAO/WHO); Health Advisory = 70 ppb	Colorless powder; bp.160C mp.136-140C; mol.wt.221.04 sp.gr. 1.416 (25 C); v.d.7.63; C-43.47% H-2.47% O-21.71% Cl-32.08%; log Poct 2.81 at 20 C Water sol. = 890 ppm Soluble in organic solvents. Henry's Constant: 5.6E-9 Koc (cu.cm/g): 20 Half-life 15 days Not volatile;	Non-persistent. Biodegradation half-life = weeks. Dry condition half-life = 1 year. biodegradation: 26 days for ring cleavage in soil suspension. Treatment methods: A.C. type BL(Pittsburgh Chem. Co.), % adsorbed by 10 mg A.C. from 0.0001M aqueous sol. at pH 3.0 - 60.1% pH 7.0-18.8%, pH 11.0-14.3% Readily adsorbed in black acid soil.
2,4-DP [Propanoic acid, 2-(2,4-dichlorophenoxy)] (herbicide)		518-800 (Rat) 400-434 (Mice) 620 (guinea pig)		Colorless crystals; mp.117-118C; mol.wt.235.05 C-45.99% H-3.43% Cl-30.16% O-20.42; Water solubility = 350ppm (20C) Readily soluble in organic solvents. Corrosive to metals in presence of water.	Half-life 3-10 days in forest and agricultural soils. Degrades slowly in low pH soils. Negligible degradation in air dried soils(15% of field capacity)
Acephate [Phosphoramidothioic acid, acetyl O,S-dimethyl ester] (insecticide)		700-900 (Rat)		White solid; mp. 64-68 C; mol.wt. 183.16; C-26.23% H-5.50% N-7.65% O-26.21% P-16.91% S-17.50%; Very soluble in water; Moderately soluble in acetone, alc. Low soly. in aromatic solvents.	
Anilazine (Dyrene, Triazine)		2700-5000(Rat)		White to tan crystals;	Can be biodegradable

EXHIBIT 3

RECEIVED MAR 0 2 1989

DMW ENVIRONMENTAL SERVICES, INC.

24 February, 1989

Mr. David Locke
Daft-McCune-Walker, Inc.
200 East Pennsylvania Avenue
Towson, Maryland 21204

Re: Caves Valley Club, Inc.: Golf Course Turf Management Nutrient Application
DMW Project No. 88015A

Dear Dave:

Turfgrass management requires special formulations of nitrogen (N), phosphorus (P) and potassium (K). Various nutrient ratios are used, dependent on specific soil requirements and stages of turf development. Nutrient application mixtures vary significantly from the turfgrass grow-in period to establishment. Phosphorus may be two to three times higher than both nitrogen and potassium for seedling development. For example, seedling grasses may require ratios of N:P:K, 1:2.5:1. Established grasses may require ratios of 3:1:2 or 2:3:2, or any of numerous compositions.

The nutrient composition is dependent upon the time of year, the area being treated and the specific soil deficiencies. Caves Valley golf course soil composition of fairways and roughs will not be known until the course is actually built. Greens and tees make-up may be determined prior to the development of the course, but specific soil, sand and peat mixtures must be determined.

Dr. Thomas Watschke, turfgrass specialist at Penn State University, and Mr. Thomas Cassett, Pine Ridge Golf Course Superintendent, were contacted for estimates of the quantity, types and forms of nutrients which could be applied at the subject golf course. Watschke and Cassett agreed that nutrients could be applied in any of the various forms. Several application ratios were suggested. Ratios vary according to whether applied on greens and tees or fairways and roughs. Cassett indicated that nutrients were applied at a ratio of 18:18:18 on greens and tees and a ratio of 12:22:16 for fairways and roughs at Pine Ridge Golf Course. Cassett adjusts N, P and K ratios in accordance with soils test results. The "Pine Ridge Golf Course Proposed Expansion", February 1988, document projected annual fertilizer application amounts. The report indicated that 52 to 209 pounds of nitrogen per acre would be applied on greens and tees. Fairways were expected to require 90 to 175 pounds of nitrogen per acre.

Phosphorus and potassium were proposed to be used at a rate of 17.5 to 175 pounds of each nutrient per acre on greens and 45 to 180 pounds of each nutrient per acre on fairways. Cassett stated that nutrients are applied at a one-half pound increment per 1,000 square feet throughout the year. This allows for optimum uptake of nutrients by the plants, thus limiting excessive runoff or infiltration into soils.

EXHIBIT 4

420 Virginia Avenue • Towson, Maryland 21204 • (301) 296-5220 • Fax (301) 296-4705

DMW ENVIRONMENTAL SERVICES, INC.

April 14, 1989

Mr. Jeffrey B. Jollie
Baltimore County
Department of Environmental Protection
and Resource Management
County Courts Building
401 Bosley Avenue
Towson, MD 21204

Re: Caves Valley Club Golf Course (CVC); Water Sampling and Analysis Strategies
DMW Job No. 88015

Dear Jeff:

As agreed upon in our meeting of April 13, 1989, we have established ten monitoring wells and three lysimeters to routinely evaluate groundwater quality for the referenced site. The groundwater monitoring plan is designed to act as an early detection system for the movement of pesticides and nutrients prior to reaching the highly productive Cockeysville marble aquifer or residential wells. The peripheral arraignment of monitoring wells are strategically located to assess groundwater quality prior to moving off-site. The interior wells and lysimeters will provide very early detection of pesticides and nutrients should they move to a significant level in the soil column. This allows ample time to react using the integrated pest management program, such as pesticide substitution or formulation change, to prevent significant contaminant concentrations from reaching drinking water resources.

Interior monitoring wells and lysimeters, observation wells (OW)6, 7, 8 and 2 will be sampled three times per year. Peripheral monitoring wells, production well (PW)5, PW8, OW3, OW4, OW5 and OW1, will be sampled at the beginning of the second year of golf course establishment. Samples will be collected from the peripheral wells three times during the second year and then one time per year thereafter. Sampling times will be spread evenly over the year. Table 1 illustrates the sampling schedule.

This sampling regime will continue as scheduled until such time that either results of interior monitoring well sample analysis indicate a contamination incident or Baltimore County, Department of Environmental Protection and Resource Management, concludes that less frequent sample collection and analysis may be applied due to "not detectable" results.

EXHIBIT 5

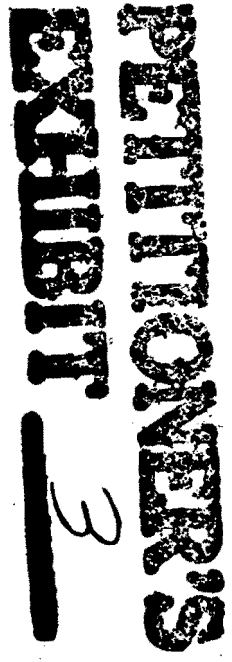
420 Virginia Avenue • Towson, Maryland 21204 • (301) 296-5220 • Fax (301) 296-4705

Pet. Owners Bx. 3

CAVES VALLEY CLUB

Questionnaire - Accommodations

	Rooms	Guests	How Long	By Members Only	Zoning Approval?
Shoal Creek Shoal Creek, Alabama	10	20	1978	Members & Guests	No
Old Baldy Club Saratoga, New York	42	84	1961	Members & Guests	No
The Country Club Brooklin, Mass.	DECLINED TO COMPLETE QUESTIONNAIRE				
Castle Pines Golf Club Castle Rock, Co.	50	100-150	1982	Members & Guests	Yes
Augusta National Augusta, Georgia	Yes - No response				
Baltimore Country Club Timonium, Md.	Used to Have Accommodations - No Details				
Cypress Point Pebble Beach, Ca.	4	8	1927	Members & Guests	?
The Honors Course Chattanooga, Tenn.	10	20	1983	Members & Guests	No
Pine Valley Clementon, NJ	51	64	25yrs+	Members & Guests	?
Laurel Valley Ligonier, Pa.	20	26	1966	Members & Guests	No
Golf Club of Oklahoma Broken Arrow. Oklahoma	12	20	1983	Yes	No
Congressional Bethesda, Md.	Yes - No Details				
Chevy Case Club Chevy Chase, Md.	18	40	1927	Members & Guest	No



ENVIRONMENTAL AGREEMENT

1. This agreement is by and among Caves Valley Club, Inc. ("CVC") and The Valleys Planning Council, Inc. ("VPC"), The Caveswood Association, Chestnut Ridge Improvement Association, Inc., Timber/Valley Association, Inc., and Worthington Woodsyde Association, The Caves Park Association and The Huntington Residents Group (collectively, the "Local Associations" and, together with VPC, the "Community Groups"). This agreement shall bind the successors and assigns of the parties and shall remain in full force and effect so long as a golf course is operated on the site. Its purpose is to amplify and supplement the Agreement of June 15, 1988 with respect to the environmental issues set out in Section 2, Paragraph 1, items (a) - (d) as follows:

> "(a) will not jeopardize the adequacy or potability of the present well water supply of its member residents in terms of quantity and availability, (b) will be safe in terms of human health; (c) will not be harmful to wildlife populations or the environment; and (d) will not endanger or contaminate the aquifer located under the Valley floor."

This agreement is intended to set out the rights and expectations of the parties as to these matters. It is not intended to limit, describe or define the rights, authorities and powers of Baltimore County (the "County") or its Department of Environmental Protection and Resource Management ("DEPRM"), or of the State of Maryland (the "State") or its Department of Natural Resources ("DNR").

2. Pursuant to the June 15, 1988 agreement, an oversight committee has been established to receive and review information about the environmental impact of the course. The committee consists of representatives of DEPRM, a representative of Trout Unlimited and either the President of each of the Community Groups or the President's designee. The committee may be enlarged to include a representative of any other known bonafide homeowners association in the Caves Valley area which requests representation. The oversight committee will receive copies of all the monitoring reports set out below and will meet from time to time as needed, but in no event less than quarterly.

3. CVC agrees that it will comply with all regulations of DNR applicable to its use and appropriation of groundwater in the Caves Valley area and with all lawful conditions and requirements imposed on it in connection with

PETITIONER'S EXHIBIT 4

AGREEMENT RELATIVE TO CAVES VALLEY CLUB,
GOLF COURSE AND RESIDENTIAL FACILITY

This Agreement dated as of March 21, 1989 by and between Caves Valley Club, Inc. ("CVC") and the Worthington-Woodsyde Association, Inc. ("WW").

WHEREAS, CVC proposes to develop a golf club consisting of one 18 hole world class caliber course and various facilities appurtenant to the operation of a golf club, including other recreational facilities, and a limited number of homesites, on its property in the Caves Valley; and

WHEREAS, the CVC property abuts and is adjacent to residences owned by members of the Worthington-Woodsyde Assoc., Inc. (the "members"); and

WHEREAS, WW wishes to eliminate any potential detrimental effects to their members' properties due to the proposed club;

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt of which are hereby acknowledged, the parties do hereby covenant and agree as follows:

SECTION I. INTENT OF THE PARTIES

A. To eliminate or mitigate any potential detrimental effect of the construction of the club on the properties of WW's members by maintaining wooded buffer zones, creating restricted areas, and locating certain facilities at a sufficient distance from WW member properties so as to reduce the extent to which they will have any impact on those properties.

B. To extend the protection of certain outdoor lighting and noise restrictions to the WW members living in the immediate area of the Golf Club complex so that they can continue to enjoy the piece and quiet of their homes and their residential neighborhood.

C. To provide appropriate assurances and/or protections to WW members to the effect that CVC's use of water from the aquifer beneath the floor of Caves Valley will not adversely effect the adequacy of their residential water supplies (wells).

PETITIONER'S EXHIBIT 5

AGREEMENT RELATIVE TO THE PROPOSED
CAVES VALLEY CLUB GOLF COURSE PROJECT

This Agreement dated as of June 15, 1988 by and among Caves Valley Club, Inc. ("CVC"), The Valleys Planning Council, Inc. ("VPC") and The Caveswood Association, Chestnut Ridge Improvement Association, Inc. and Timber/Valley Association, Inc. (collectively, the "Local Associations" and, together with VPC, the "Community Groups").

WHEREAS, CVC has obtained options to purchase approximately 900 acres in the Caves Valley area of Baltimore County from Kingdon Gould, Jr. (and entities owned or controlled by him), S&R Investors, and Mr. and Mrs. Alvin B. Krongard, which option agreements require that they be exercised, if at all, by June 15, 1988, July 15, 1988, and July 1, 1988, respectively (the property subject to these options being referred to herein as the "Site");

WHEREAS, CVC proposes to develop on the Site a single golf club, consisting of one 18 hole course of world class caliber (the "First Course"), various facilities appurtenant to the operation of a golf club, including other recreational facilities as hereinafter described, and a limited number of homesites as may be permitted by the Zoning Regulations of Baltimore County and the terms of this Agreement;

WHEREAS, golf courses or golf clubs are an expressly permitted use by special exception within the RC-2 zoning classification;

PETITIONER'S
EXHIBIT 6

LOT 20
DAVID & SHELLY
MAZER
2.88 Ac.
EHK.JR. 7140/396

N 56° W
138.71'
200.00'
S 41° 40' E

EXIST. RESIDENCE
PRPOSED CLUB HOUSE

N. B. KRONGARD
& WIFE
DTG. 5048/98

SEPTIC FIELD
LIFT STATION
PROP EVERGREENS (TYP)
RETAINING WALL
VERTICAL
BARRIER (TYP)

10

EXHIBIT B
2

1800 MERCANTILE BANK & TRUST BUILDING
2 HOPKINS PLAZA
BALTIMORE, MD. 21201

April 18, 1989

The Honorable J. Robert Haines
Zoning Commissioner of Baltimore County
Room 109, County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Re: Caves Valley Club, Inc., et al.
Petition for Special Exception
Case No. 89-409-X

Dear Commissioner Haines:

The Caves Valley Club has filed an application for a special exception dated February 10, 1989 and revised March 20, 1989 and April 3, 1989 seeking to construct a world class championship golf course and associated appropriate facilities on portions of its more than 900 acre property located approximately at the intersection of Caves Road and Park Heights Avenue. The hearing on this special exception application is scheduled to be held on April 18-19, 1989. We write this letter to express to you, and to any other County officials involved in the review of this project, the support of the associations we represent for the golf course project which is the subject of this special exception application. We have previously expressed our support for the Caves Valley Club's related proposal to rezone certain of its property on the plateau from RC-2 to RC-5, so as to permit a limited number of homesites as a part of an overall golf course community. That application is pending before the Baltimore County Board of Appeals.

The associations which we represent in turn represent hundreds of households located immediately adjacent to and in the area of the Caves Valley Club holdings generally and the golf course site in particular. Our associations have been involved in long and difficult battles over the better part of this last decade to preserve and protect the Caves Valley area, to insure the retention of its basic present character and at the same time to permit responsible and compatible development in those portions of the Caves Valley area where such development is appropriate. We have had to resist development proposals that would have threatened the integrity of the Caves Valley not only in the comprehensive map process, but in extensive hearings before the Board of Appeals and in the

PETITIONER'S EXHIBIT 7

Traffic Impact Analysis
for

CAVES VALLEY GOLF CLUB
Baltimore County, Maryland

Prepared for

DAFT, McCUNE & WALKER

PETITIONER'S
EXHIBIT 8

March 14, 1989

THE TRAFFIC GROUP, INC.

Pet. Exhibit #9

Water Supply for Golf Course Irrigation



- Production Well
- Monitoring Well
- Abandoned Well
- Wetlands
- Stream with 50' buffer

The provision of an adequate supply of water to irrigate The Caves Valley Club golf course is of primary importance. Therefore, well drilling began on the property in October, 1988. An extended aquifer yield test of 72 hours was conducted on the most promising well in January, 1989. This well was pumped at a constant rate of 250 gallons per minute (360,000 gallons per day) for 72 hours. The water level in the pumped well, and in six surrounding monitoring wells, was observed and recorded at regular intervals during this test, as well as for 24 hours after pumping ceased. All test procedures were conducted in accordance with Maryland Department of Natural Resources requirements.

Caves Valley Club, Inc. has applied for a permit from the Department of Natural Resources for the "appropriation and use" of groundwater for the golf course irrigation system. The most recent estimate of average daily use during the 2 year grow in period is 125,610 gallons (1380 gallons per day per acre), with a maximum daily use of 354,960 gallons (3900 gallons per day per acre) on the hottest, driest days of the year.

Irrigation storage ponds will be in place to help meet peak demands.

An estimated average daily use, once the golf course has been established, is 83,740 gallons (920 gallons per day per acre), with a maximum daily use of 223,670 gallons (2,460 gallons per day per acre) on the hottest, driest days of the year. Additional well drilling to provide a second, back–up production well is in progress.

PETITIONER'S EXHIBIT 9

Figure 1

The Caves Valley Club

Caves Valley, Inc.

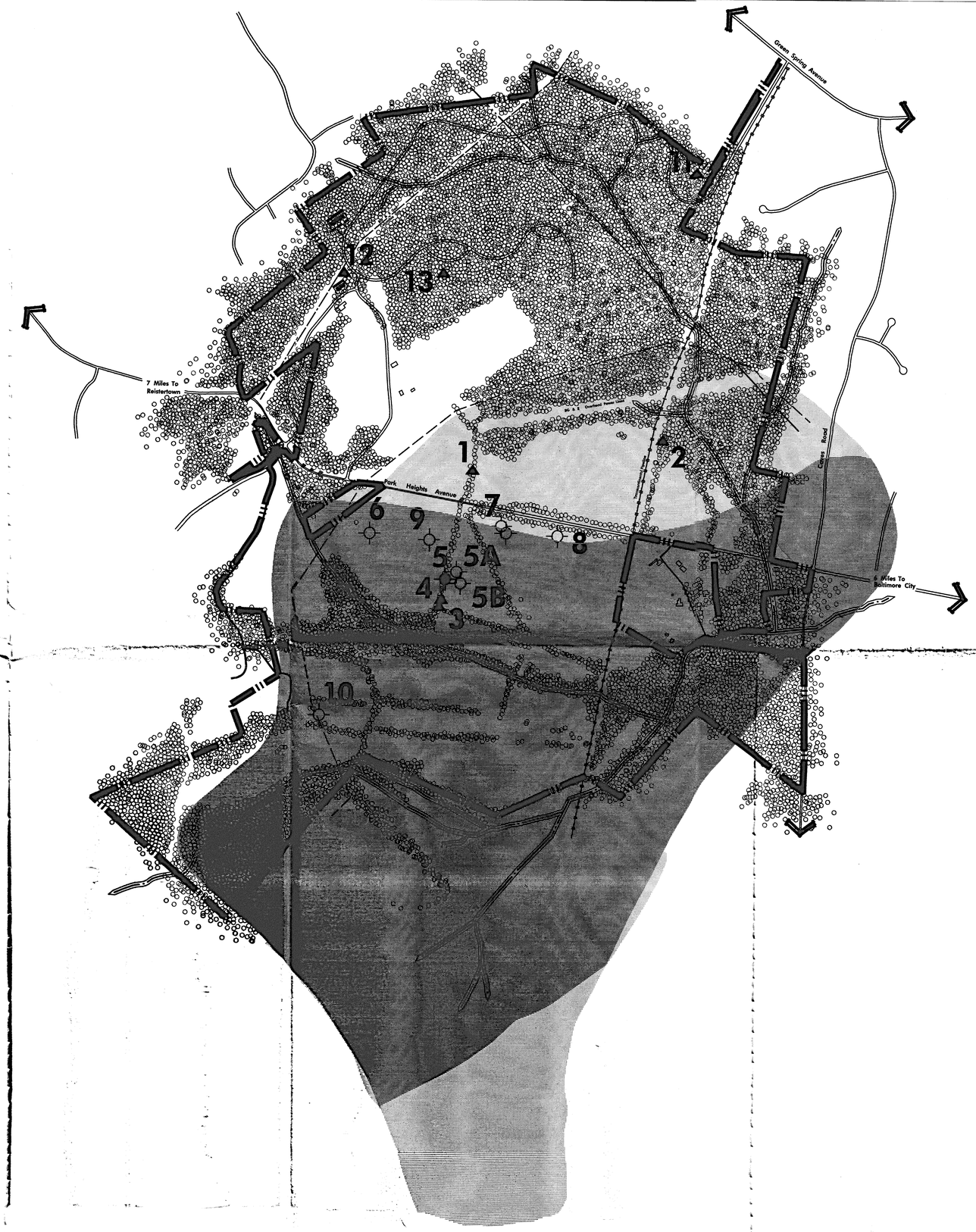
Fazio Golf Course Designers, Inc.

DMW Environmental Services, Inc.

Daft McCune Walker, Inc. – Land Planners

Pet Ex 10

Figure 7



Aquifer Zone

- Production Well
- Monitoring Well
- Abandoned Well
- Stream with 50' buffer
- Extent of Cockeysville Marble as shown on Atlas Map No. 1, QA No. 3 (1975)
- Inferred Extent of Productive Segment of Cockeysville Aquifer
- Loch Raven Schist

PETITIONER'S EXHIBIT 10

The Caves Valley Club

Fazio Golf Course

Designers, Inc.

Caves Valley, Inc.

0 200 400 600

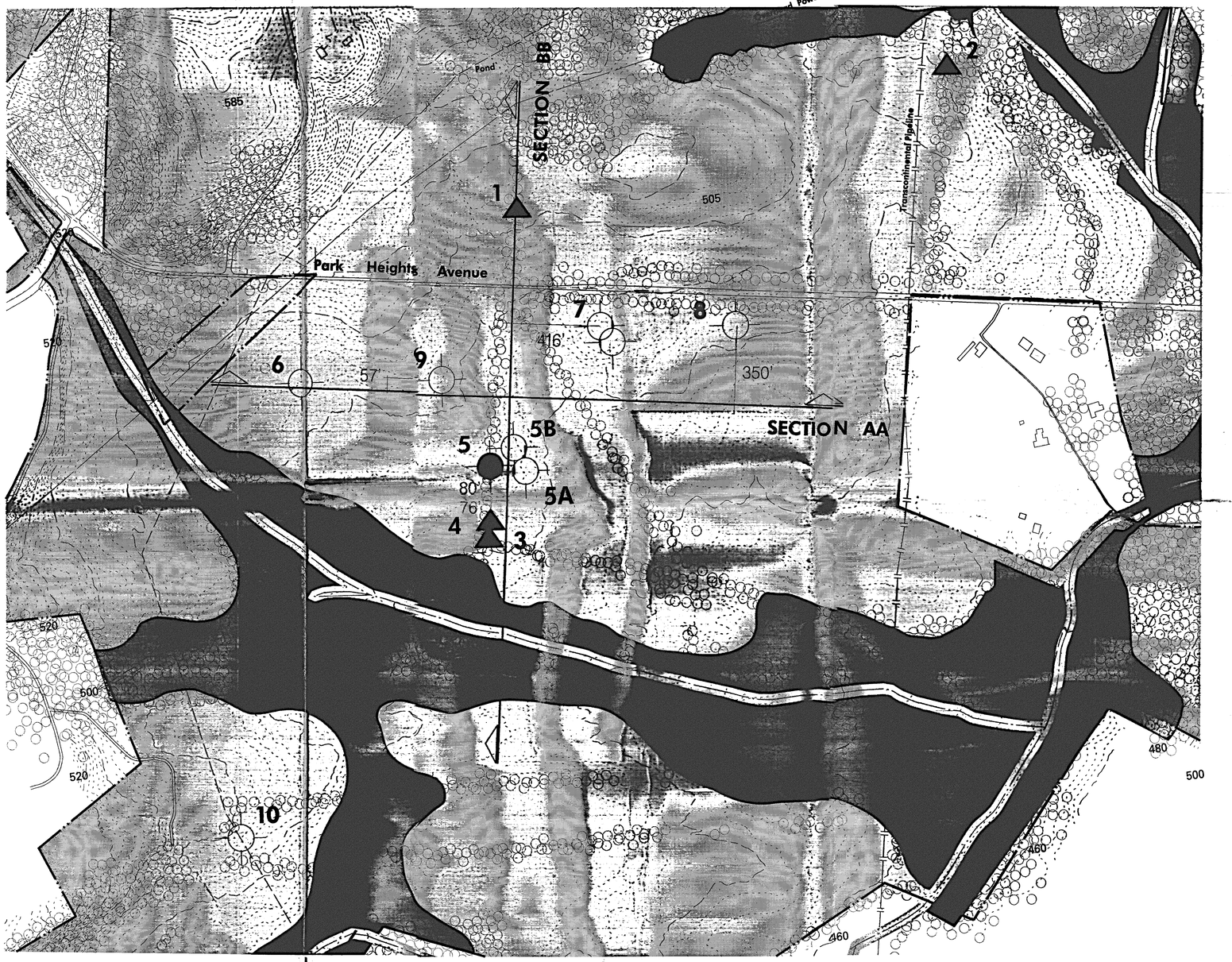
ne Walker Inc. - Land Planners

DMW - Environmental Services, Inc.

Pet Ex 11

Section Location Map

- Production Well
- Monitoring Well
- Abandoned Well
- Wetlands
- Stream with 50' buffer
- Section Line
- Dimension Line



PETITIONER'S EXHIBIT 11

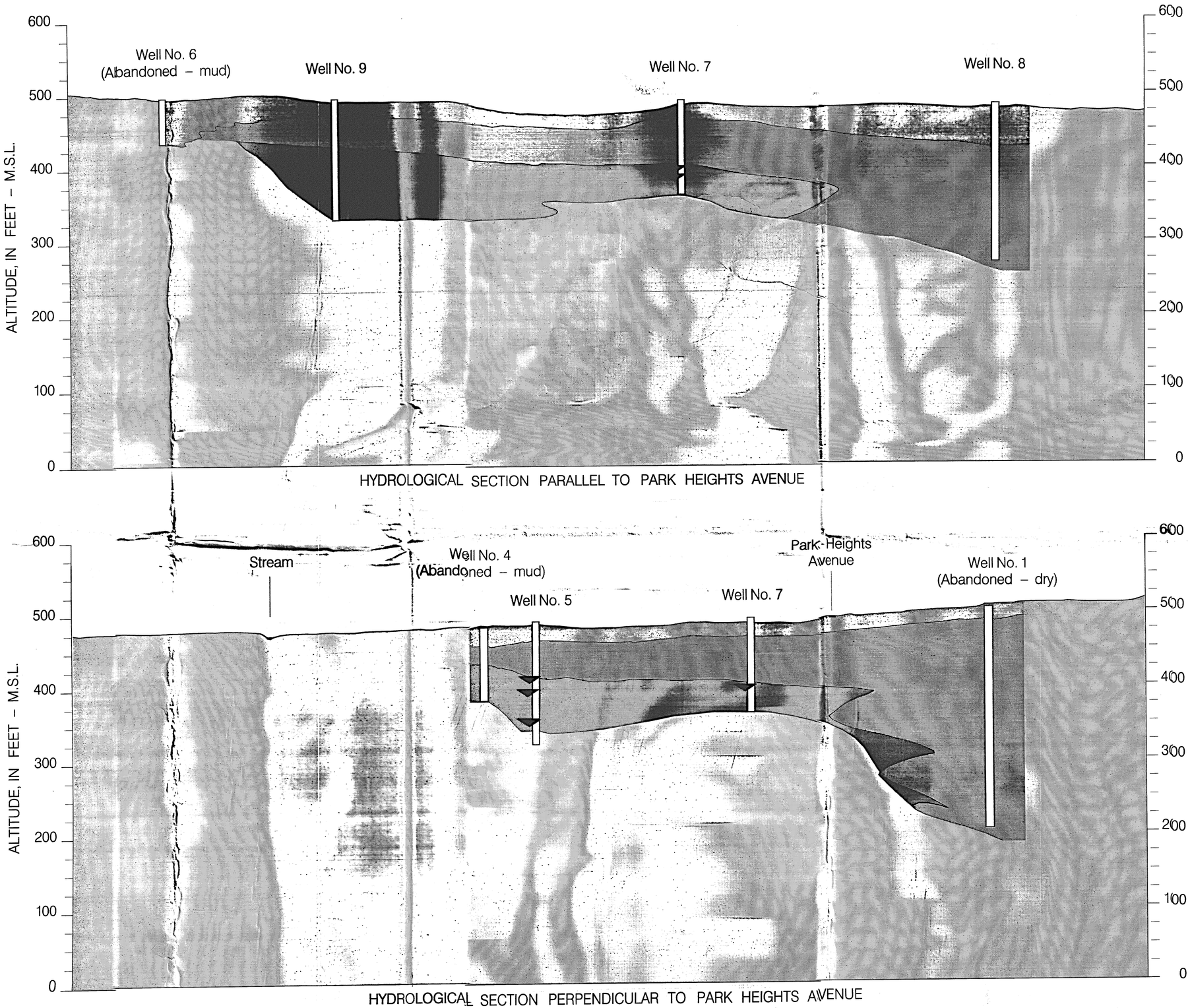
Figure 3

The Caves Valley Club

0 200 400 600

Daft McCune Walker, Inc. – Land Planners | DMW Environmental Services, Inc. | Fazio Golf Course Designers, Inc. | Caves Valley, Inc.

Pet Ex 12



Legend

Code	Description
	Residuum, weathered marble and soil
	Marble, white to pale yellow
	Rock, broken, clayey, with quartz and mica; some marble; mixture of clay and rock – in places
▼	Water –bearing zones

SECTION AA

SECTION BB

PETITIONER'S EXHIBIT 12

Figure 4

The Caves Valley Club

0 50 100 200 300

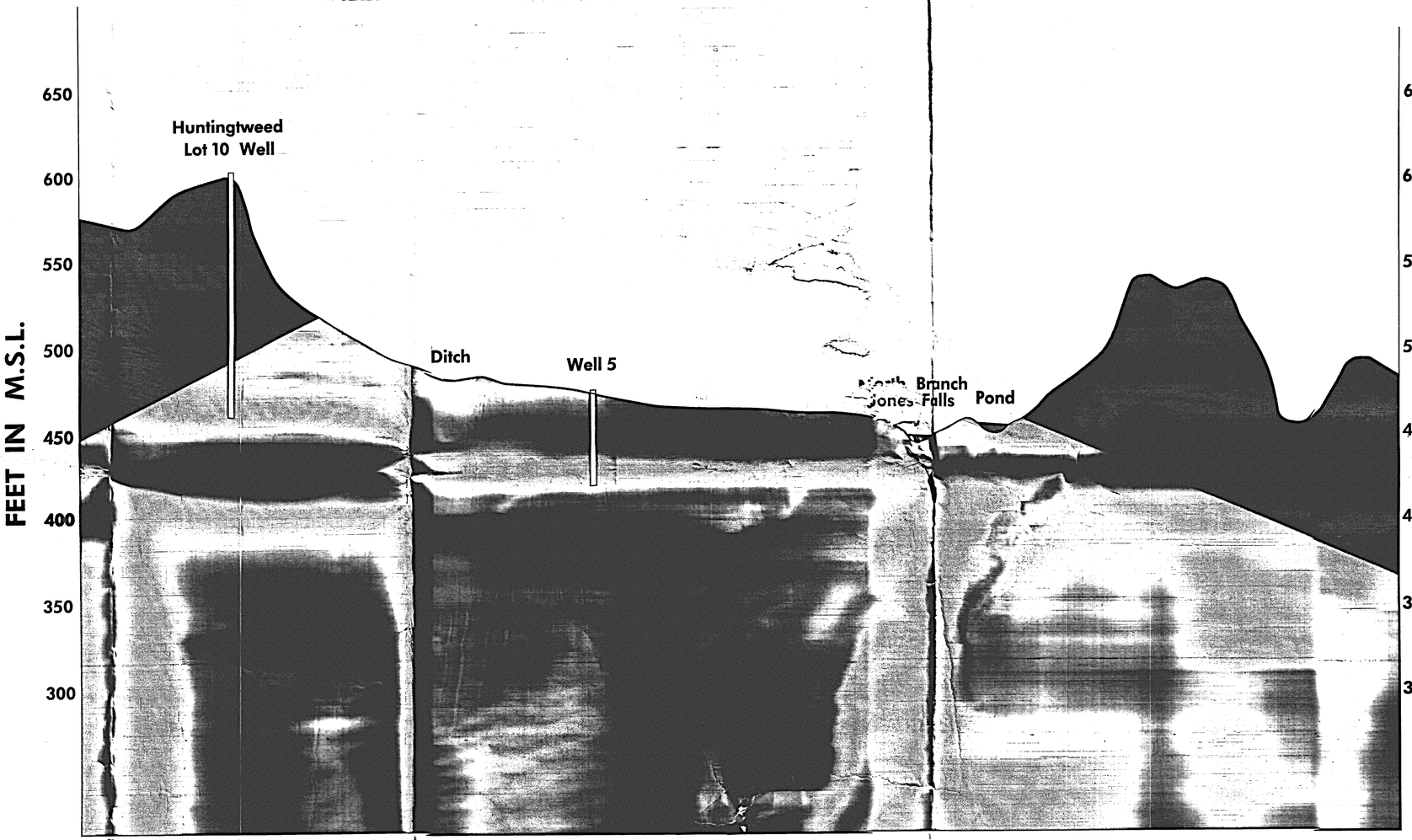
DMW – Environmental Services, Inc.

Fazio Golf Course Designers, Inc.

Caves Valley , Inc.

Pet Ex 13

Geologic Section Across Caves Valley



Loch Raven Schist

Cockeysville Marble

PETITIONER'S
EXHIBIT 13

0 500 1000 1500 Vertical Exaggeration 0.08

The Caves Valley Club

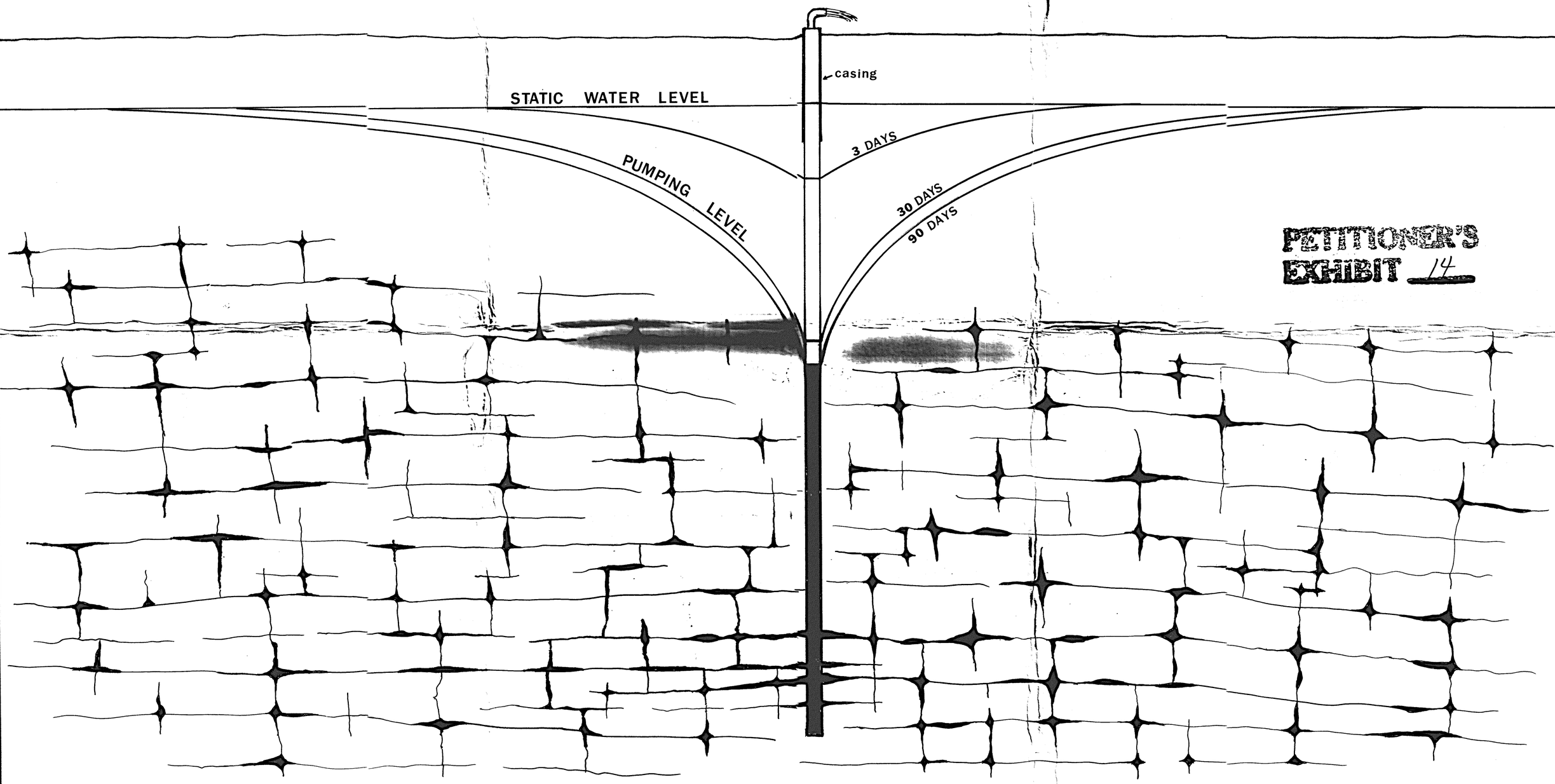
Daft McCune Walker, Inc. – Land Planners

DMW Environmental Services, Inc.

Fazio Golf Course Designers, Inc.

Caves Valley, Inc.

Pet Ex 14



PETITIONER'S EXHIBIT 14

DRAWDOWN CONE IN LIMESTONE AQUIFER

DMW ENVIRONMENTAL SERVICES, INC.

Water Management Plan

Caves Valley Club
Baltimore County, Maryland

February 1989
DMW Project Number 88015A

PETITIONER'S EXHIBIT 15

Prepared for:

Caves Valley Club, Inc.
2 Hopkins Plaza, Suite 1210
Baltimore, Maryland 21201

420 Virginia Avenue • Towson, Maryland 21204 • (301) 296-5220 • Fax (301) 296-4705

DMW ENVIRONMENTAL SERVICES, INC.

Assessment of the Groundwater Supply of the Caves Valley Golf Course

Caves Valley Club
Baltimore County, Maryland

By Edmond G. Otton, Consulting Geologist
7400 York Road
Towson, Maryland 21204

March 1989
DMW Project Number 88015A

PETITIONER'S
EXHIBIT 16

Prepared for:

Caves Valley Club, Inc.
2 Hopkins Plaza, Suite 1210
Baltimore, Maryland 21201

420 Virginia Avenue • Towson, Maryland 21204 • (301) 296-5220 • Fax (301) 296-4705

BCMD GRD MERIDIAN

N 54106.05
W 39404.09

TOWER 134

66' R/W (W.P.C. 600/513)

N 67°13'53" E 376.57'

HUNTINGTON
SECTION TWO
EHK.JR.55/13

N 64°01'03" E 308.75'

N 54140.20
W 38705.26

TOWER 133

N 54210.75
W 38489.36

3:1 SLOPE MAX.

S 87°12'24" 2327.20' W
(TOWER 130 TO 134)

N 54214.16
W 38412.45

PC = STA 0+00

N 54250
W 38250

TOWER 132

R/W

PROP. U.G. PIPES

PC 1+46

PRC 2+29.33

PT 3+12.67

N 54167.74
W 38137.87

MATCH LINE - SEE SHT. NO. 2
DWG. NO. 88-

N 54 000
W 39500

N 54000
W 38250

HUNTINGTON
SECTION ONE
EHK.JR.50/66

N 13°21'33" E 100.83'

N 44°06'38" E 76.69'

CAVES VALLEY CLUB INC.
4TH PARCEL
S.M. 8029/T20

3:1 SLOPE MAX.

COMPACT FILL TO
95% MAX. DENSITY

N 54094.29
W 38413.63

N 54090.89
W 38483.56

B.G.&E. CO. WEST
TERMINATION STA.

CURVE DATA
Δ=15°54'56"
R 300.0'
T 41.9368
L 83.3337

530
520
510
500
6(16)
5(14)
5(12)
5(10)
5(8)

PLAN
SCALE: 1" = 50'

PROFILE
HOR. - 1" = 50'
VERT. - 1" = 5'

70'
8' 6' 10' 10'
120'
15' 15'
PUMPING PLANT & FORCED COOLING SPACE
2" OIL PIPE FEED
2" OIL PIPE FEED
14' BARRIER
VALVE
VALVE
0+00
3 CKT. 110578-A (230 KV. PIPE TYPE CABLE)
CKT. 110579-C (230 KV. PIPE TYPE CABLE)
DEAD END POLE (6 REQUIRED)
STAINLESS STEEL RISERS (6 REQUIRED)
230 KV. POTHEADS (6 REQUIRED)
LIGHTNING ARRESTORS (6 REQUIRED)
A
A

WEST TERMINATION STATION
SCALE: 1" = 20'

O.H. LINE
O.H. LINE
POTHEAD
BARRIER
LIGHTNING ARRESTOR
15'
35'
24'
SPREADERHEAD (2 REQ'D.)
PIPE (3 CABLES EA.)

SECTION A-A
SCALE: 1" = 20'

30' R/W
10'
20'
7½'
5' TRENCH
3'
NORMAL BACKFILL
6"
QUARTZ BACKFILL
10" LINE PIPE
5' TRENCH
6" FORCED COOL RETURN LINE
6"
SANDBAG

TYPICAL CROSS SECTION
LOOKING TOWARDS WEST TERMINATION STA.
SCALE: 1/4" = 1'

PRELIMINARY ONLY
Not to be used
For Construction

NOTE:
GROUND CONTROL-TOWER & TERMINAL STATION
COORDINATES BY DAFT-McCUNE-WALKER

AERIAL PHOTO INTERPRETED BY PHOTO
SCIENCE INC. 4/20/88

BASE MAP PREPARED FOR B.G & E
JAN. 6, 1989 BY DAFT-McCUNE-WALKER

Record Copy

EX. GROUND
PROP.
B.G.&E. CO. WEST TERMINATION STA. 0+00
GE.
PC 1+46
PRC 2+29.33
PT 3+12.67
10" PIPE
4+03
FOR CONTINUATION SEE SHEET 2 OF 6 DWG.87-
0+80
525
520
515
510
505
500
495
490
0
1
2
3
4

NOTE: EXISTING & PROPOSED PROFILE GRADES INDICATED ARE APPROXIMATE ONLY.

PETITIONER'S EXHIBIT 19A

RECEIVED
FEB 22 1989
DAFT - McCUNE - WALKER, INC.

THE WHITING-TURNER CONTRACTING CO.
300 E. JOPPA ROAD, TOWSON
BALTIMORE, MARYLAND 21204-3048
301-821-1100

DAFT McCUNE WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS SURVEYORS
200 EAST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
TELEPHONE: 301-296-3333

BALTIMORE GAS & ELECTRIC
REGIONAL TRANSMISSION LINE

THE CAVES
VALLEY GOLF CLUB

ELECTION DISTRICT 4,C3 — BALTIMORE COUNTY, MARYLAND

BALTIMORE GAS & ELECTRIC CO.
DISTR. & TRANS. ENGINEERING DEPT.

RELOCATION 115 KV. TRANSMISSION
CAVES VALLEY

DRAWN: BAC 2-21-89
CHECKED:
DWG. NO. 305-676-D

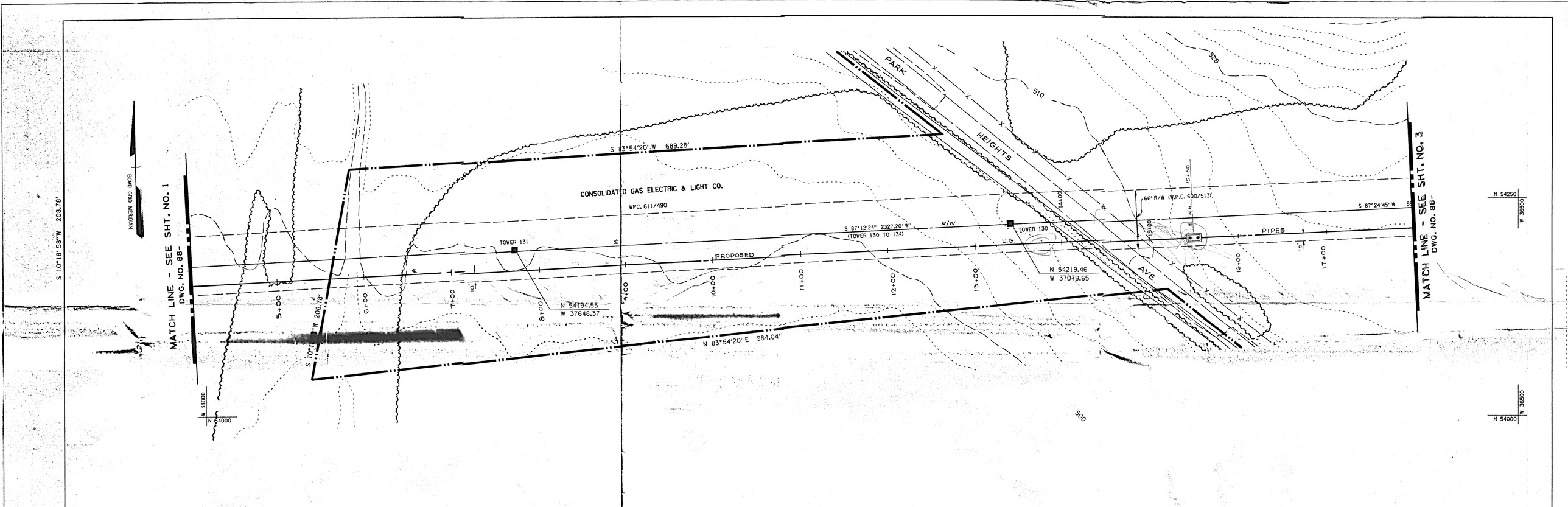
SCALE: 1" = 50'

JOB ORDER NO. 88015A

ISSUE DATE

SHEET 1 OF 6

88015AUT1

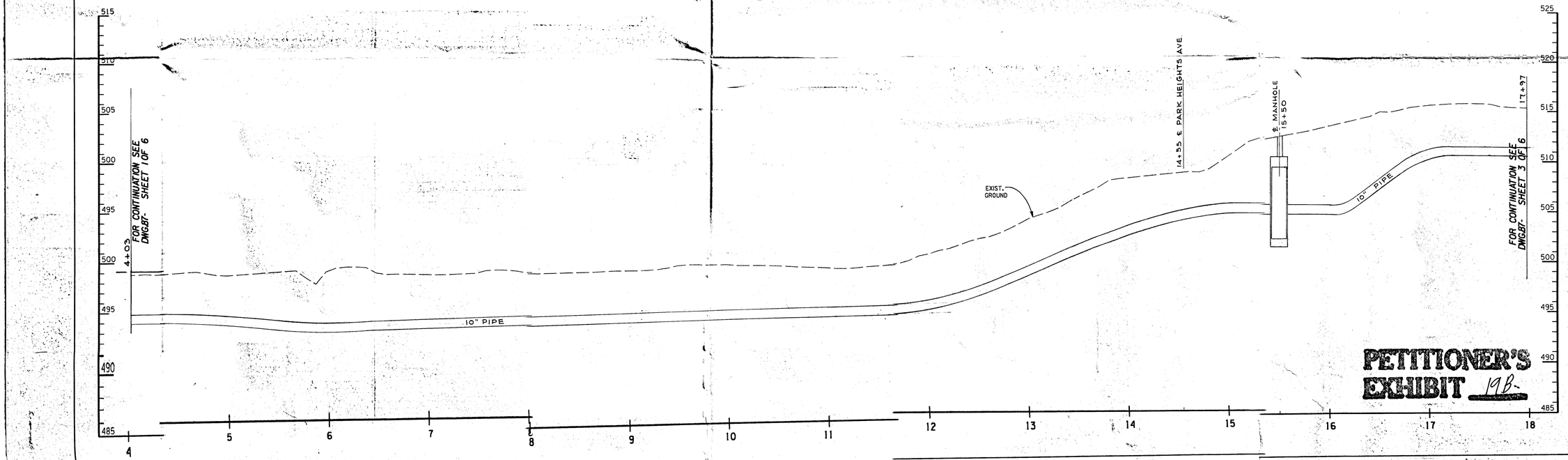


PRELIMINARY ONLY
Not to be used
For Construction

PLAN
SCALE: 1" = 50'

PROFILE
HOR. - 1" = 50'
VERT. - 1" = 5'

NOTE:
PROPERTY INFORMATION SHOWN HEREON IS BASED ON THE PLAT ENTITLED "PLAT OF SRVEY S & R INVESTORS" PREPARED BY D.S.THALER & ASSOCIATES INC. NOV. 1, 1988



PETITIONER'S EXHIBIT 19B

THE WHITING-TURNER CONTRACTING CO.
300 E. JOPPA ROAD, TOWSON
BALTIMORE, MARYLAND 21204-5048
301-821-1100

DAFT McCUNE WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS SURVEYORS
200 EAST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
TELEPHONE: 301-296-3333

BALTIMORE GAS & ELECTRIC
REGIONAL TRANSMISSION LINE
THE CAVES
WALLEY GOLF CLUB

ELECTION DISTRICT 4,C3 — BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS

SCALE: 1" = 50'

JOB ORDER NO. 88015A

ISSUE DATE

SHEET 2 OF 6

88015AUT2 TBS

MATCH LINE - SEE SHT. NO. 2
DWG. NO. 88-

MATCH LINE - SEE SHT. NO. 4
DWG. NO. 88-

N 54250
W 35150

N 54000
W 35150

N 54250
W 35250

BOMD GRD MERIDIAN

TOWER 129

TOWER 128

0.646' ℄

R/W

PROP 18" SDR PIPE

N 88°13'58" W 815.983'

N 54246.13
W 36489.60

N 54222.36
W 35672.96

P.C. 19+31.66

P.T. 20+30.73

P.C. 25+03.79

P.T. 27+41.81

CURVE DATA
Δ 1°23'04"
R 4100.0'
T 49.537
L 99.062

CURVE DATA
Δ 17°35'48"
R 775.0'
T 119.953
L 238.017

U.G. PIPES

PLAN
SCALE: 1"=50'

PROFILE
HOR. - 1"=50'
VERT. - 1"=5'

PRELIMINARY ONLY
Not to be used
For Construction

PROP. GROUND

EX. GROUND

10" PIPE

PROPOSED 18" SDR PIPE IN RCP SLEEVE

17+98

20+28

31+98

FOR CONTINUATION SEE DWG.87- SHEET 2 OF 6

FOR CONTINUATION SEE DWG.87- SHEET 4 OF 6

PETITIONER'S EXHIBIT 19C

THE WHITING-TURNER CONTRACTING CO.
300 E. JOPPA ROAD, TOWSON
BALTIMORE, MARYLAND 21204-3048
301-821-1100

DAFT McCUNE WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS SURVEYORS
209 EAST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
TELEPHONE: 301-296-3333

BALTIMORE GAS & ELECTRIC
REGIONAL TRANSMISSION LINE

THE CAVES
VALLEY GOLF CLUB

ELECTION DISTRICT 4,C3 BALTIMORE COUNTY, MARYLAND

DATE	REVISIONS

SCALE: 1" = 50'

JOB ORDER NO. 88015A

ISSUE DATE

SHEET 3 OF 6

TBS

MATCH LINE - SEE SHT. NO. 3 DWG. NO. 88-

N 54022.27
W 35085.82

TOWER 127

℄ R/W

66' R/W (W.P.C. 604/192)

PROP

P.C. 33+64.15

P.R.C. 34+68.60

CURVE DATA
Δ 19°56'54"
L 104.450'

Δ 31°55'49"
R 300.0'
T 85.732'
L 167.012'

P.R.C. 36+35.61

P.T. 36+98.18

CURVE DATA
Δ 11°56'25"
R 300.0'
T 31.395'
L 62.56'

N 53922.60
W 34606.23

N 53900.04
W 34539.97

N 53830.54
W 34522.80

N 53786.45
W 34578.64

N 53809.00
W 34644.91

N 71°12'01" W
(TOWER 128 - 127)
3228.20' PIPES

372 TG

B.G.&E. CO. EAST TERMINATION STA.
38+60.75

B.G.&E. CO. EAST TERMINATION STA.
38+60.759

TOWER 126

CKT. 110578-A (230 KV. PIPE TYPE CABLE)
CKT. 110579-C (230 KV. PIPE TYPE CABLE)

37+80.75

38+60.75

14' BARRIER

DEAD END POLE (G REQUIRED)
STAINLESS STEEL RISERS (G REQ'D.)
230 KV. POTHEADS (G REQ'D.)
LIGHTNING ARRESTORS (G REQ'D.)

50'
10' 10' 6' 8'
12' 15' 15' 12'
120'

EAST TERMINATION STATION
SCALE: 1" = 20'

BCMD GRID MERIDIAN

N 54000
W 33750

N 53750
W 33350

N 53750
W 33150

MATCH LINE - SEE SHT. NO. 5 DWG. NO. 88-

PLAN
SCALE: 1" = 50'

PROFILE
HOR. - 1" = 50'
VERT. - 1" = 5'

FOR CONTINUATION SEE DWG. NO. 88- SHEET 3 OF 6

P.C. 33+64.15
P.R.C. 34+68.60
P.R.C. 36+35.61
P.T. 36+98.18

10" PIPE

EX. GROUND

B.G.&E. CO. EAST TERMINATION STA.
38+60.759

FOR CONTINUATION SEE DWG. NO. 88- SHEET 5 OF 6

PRELIMINARY ONLY
Not to be used
For Construction

THE WHITING-TURNER CONTRACTING CO.
700 E. JOPPA ROAD, TOWSON
BALTIMORE, MARYLAND 21204-3048
301-821-1100

DAFT McCUNE WALKER INC.
LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS SURVEYORS
200 EAST PENNSYLVANIA AVENUE
TOWSON, MD. 21204
TELEPHONE: 301-296-3333

BALTIMORE GAS & ELECTRIC
REGIONAL TRANSMISSION LINE
THE CAVES
VALLEY GOLF CLUB
ELECTION DISTRICT 4,C3 BALTIMORE COUNTY, MARYLAND

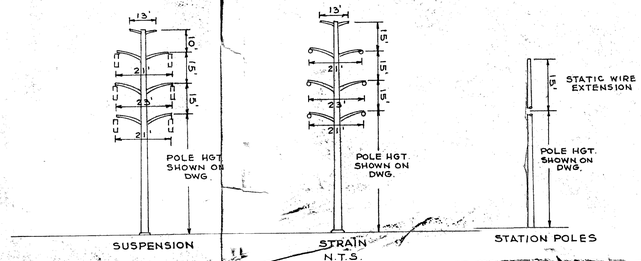
DATE	REVISIONS

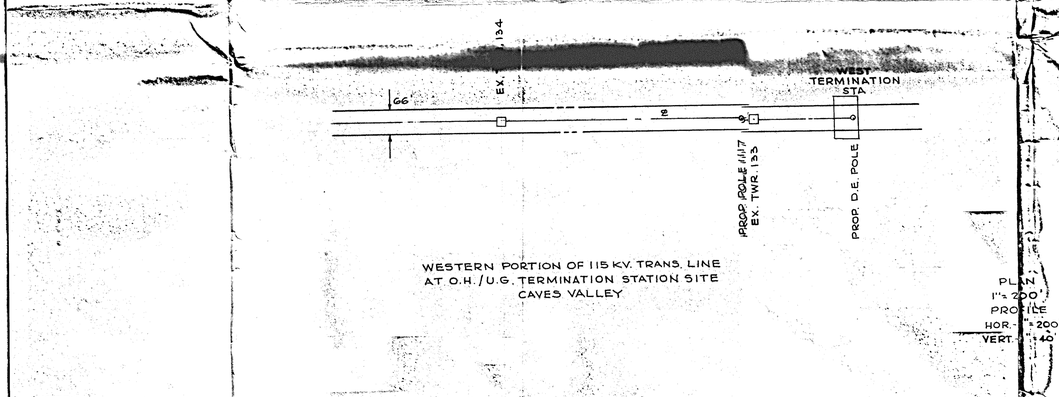
SCALE: 1" = 50'
JOB ORDER NO. 88015A
ISSUE DATE

SHEET 4 OF 6

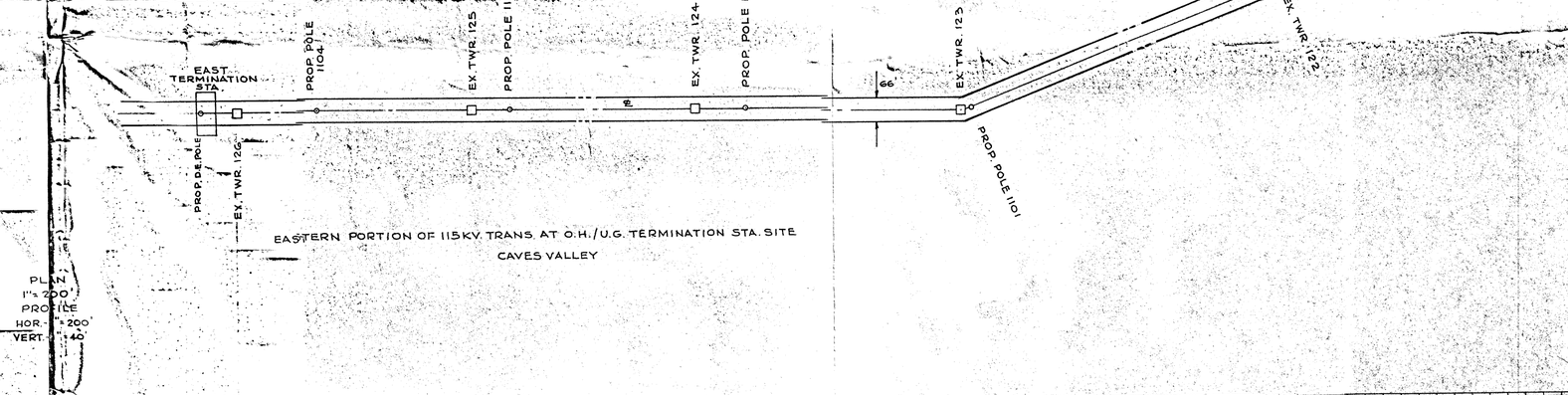
PETITIONER'S EXHIBIT 19

88015A.UT4 TBS



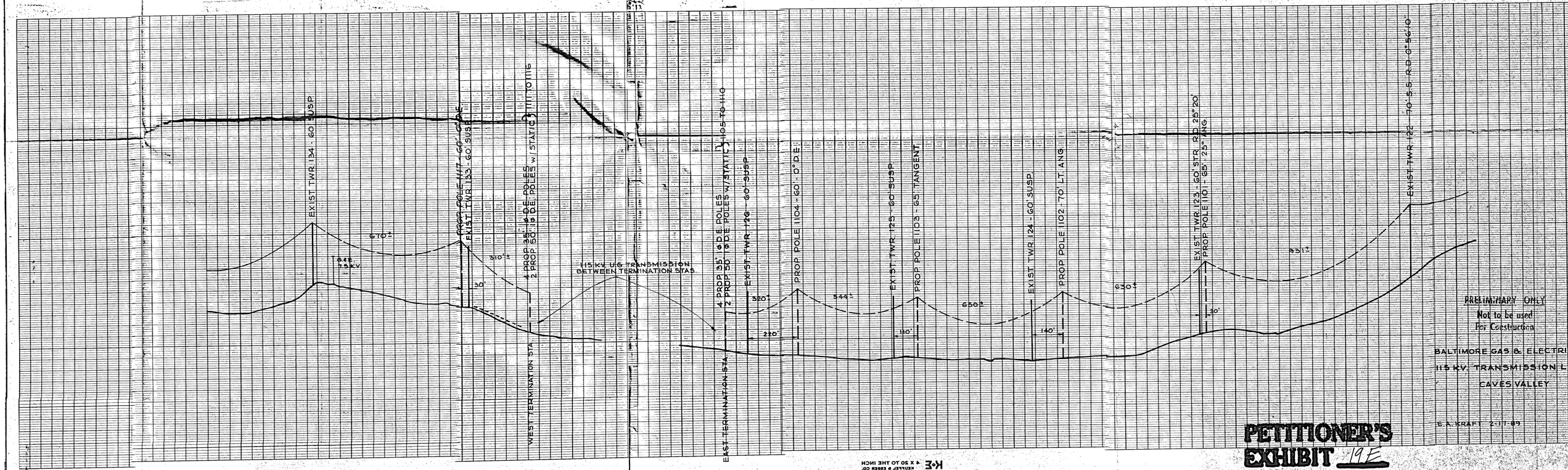


WESTERN PORTION OF 115 KV. TRANS. LINE
AT O.H./U.G. TERMINATION STATION SITE
CAVES VALLEY



EASTERN PORTION OF 115KV. TRANS. AT O.H./U.G. TERMINATION STA. SITE
CAVES VALLEY

PLAN
1" = 200'
PROFILE
HOR. 1" = 200'
VERT. 1" = 40'



PETTITIONER'S EXHIBIT 19E

WETLAND AND STREAM REPORT

Caves Valley Club
Baltimore County, Maryland

PETITIONER'S
EXHIBIT 21

May 1988

DMW Project Number 88015

ESI
DMW ENVIRONMENTAL SERVICES, INC.

Pet. Exhibit No 22

Field and Laboratory Soil Analysis

o Soil test location

Field permeability tests, grain size analyses, moisture content determinations, and soil classifications were conducted on soils from representative sites on The Caves Valley Club golf course. The purpose of these tests and analyses is to determine soil permeability, which can be defined as "the ease with which gases, liquids, or plant roots penetrate or pass through a bulk mass of soil or a layer of soil" (Brady, The Nature and Property of Soils, 1984) Information about the permeability of the soil will tell us how rapidly water and potentially any substance which travels with water, such as fertilizers and pesticides, moves down through the soil and subsoil.
The results of the soil permeability tests are included in the accompanying report.

Soil samples from these sites were sent to the laboratory for a total organic carbon analysis. This test is a measure of the amount of carbon in the subsoil, which helps absorb chemicals moving through the soil and subsoil structure. The results of these tests are included in the accompanying report.

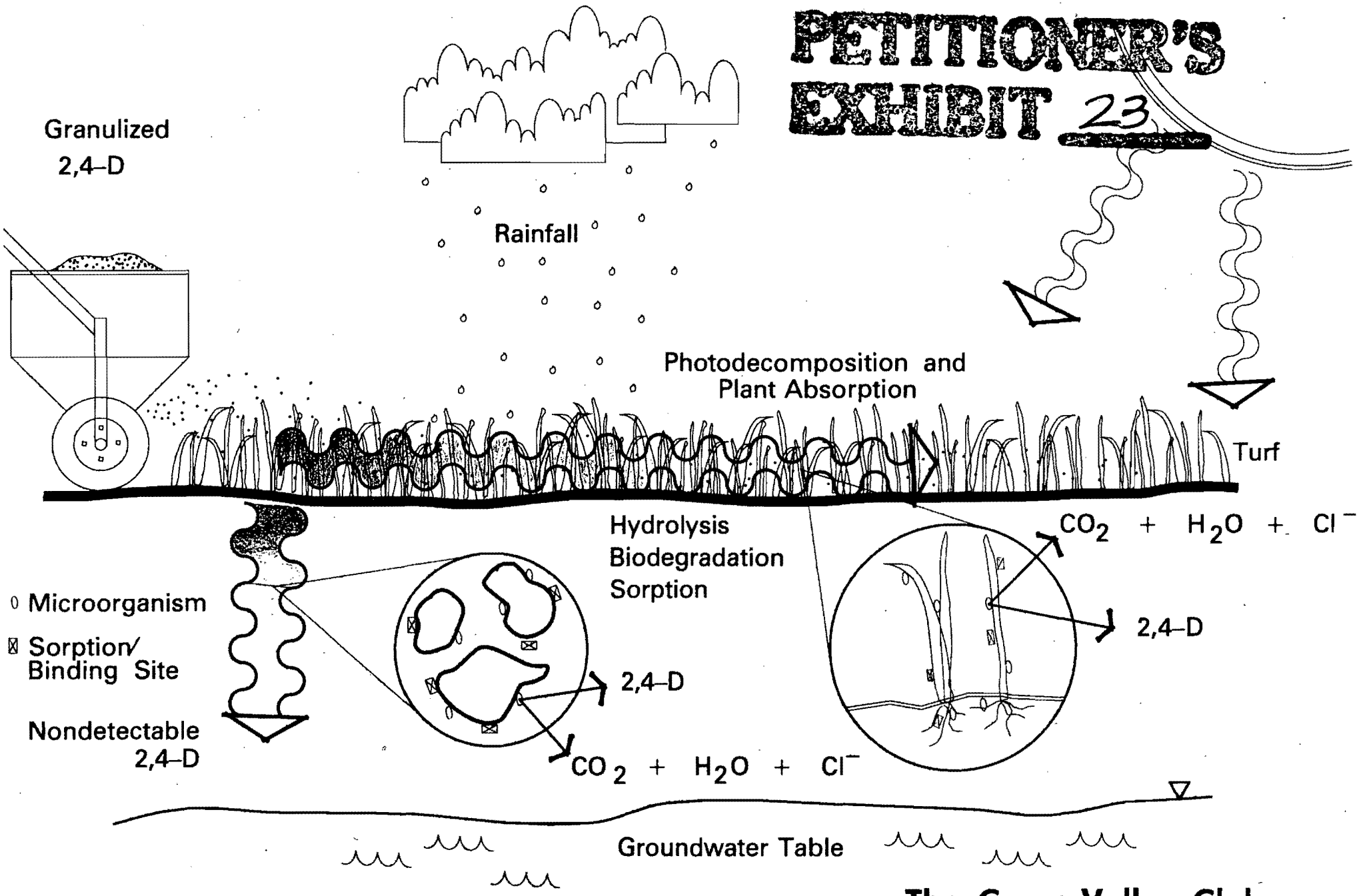
PETITIONER'S EXHIBIT 22

Figure 5

The Caves Valley Club

Daft McCune Walker, Inc. – Land Planners | DMW Environmental Services, Inc. | Fazio Golf Course Designers, Inc. | Caves Valley, Inc.

PETITIONER'S EXHIBIT 23



The Caves Valley Club

Daft McCune Walker, Inc. – Land Planners

DMW Environmental Services, Inc.

WBCM P:\PROJECTS\99052900\GRADING-SEDCON.DWG



TOTAL DISTURBED AREA

39,176.45 S.F.
0.90 AC±

BENCH MARK DATA

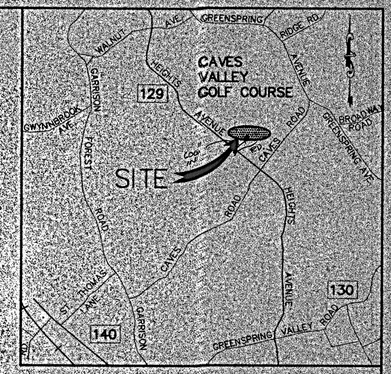
ELEVATION: 100.00

DESCRIPTION: AT A BOX CUT SET ON A CONCRETE PAD FOR SPRINKLER CONTROL BOXES

COORDINATES: N 2,607.09
E 663.08

LEGEND

DESCRIPTION	EXISTING	NEW	TO BE REMOVED
BUILDING		"NEW BLDG."	
PAVING			
GRAVEL			
CONCRETE SIDEWALK			
CURB			
SPRINKLER			
VALVE			
CONTOUR	101 / 100	101 / 100	
SPOT ELEVATION	101.00	101.00	
TREE			
FENCE			



VICINITY MAP

SCALE: 1"=4,000'

NOTES:

A. "THE PROPOSED GRADING SHOWN ON THIS PLAN MEETS THE REQUIREMENTS SET FORTH BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION & RESOURCE MANAGEMENT AND COMPLIES WITH TITLE 14, ARTICLE VI OF THE BALTIMORE COUNTY CODE. HOWEVER, DUE TO BUILDING TYPES AND LAYOUT, SOME FIELD ADJUSTMENTS MAY BE REQUIRED. ALL CHANGES MUST COMPLY WITH THE ABOVE MENTIONED REQUIREMENTS."

B. "ALL SWALES HAVE BEEN DESIGNED BY THE ENGINEER TO CONVEY RUNOFF ACCORDING TO BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS DESIGN STANDARDS."

C. PROPOSED FIRST FLOOR IS CONCRETE SLAB ON GRADE.

STANDARD NON-DISTURBANCE NOTE:

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF THE VEGETATION IN THE FOREST BUFFER EASEMENT OR OTHER FOREST RETENTION AREAS, EXCEPT AS PERMITTED BY THE BALTIMORE CO. DEPARTMENT ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

EROSION AND SEDIMENT CONTROL LEGEND

STABILIZED CONSTRUCTION ENTRANCE W/ MOUNTABLE BERM	SCE
TEMPORARY STONE OUTLET STRUCTURE	TSOS
EARTH DIKE	E-2
SUPER SILT FENCE	SSF
SILT FENCE	SF
LIMIT OF DISTURBANCE	

UTILITY NOTE

A) CONTRACTOR SHOULD OPEN ONLY THAT SECTION OF TRENCH THAT CAN BE BACKFILLED AND STABILIZED EACH DAY. IF TRENCH MUST REMAIN OPEN LONGER THAN ONE DAY, SILT FENCE SHALL BE PLACED BELOW (DOWNSLOPE) THE TRENCH.
B) PLACE ALL EXCAVATED MATERIAL ON UPHILL SIDE OF TRENCH.
C) ANY SEDIMENT CONTROLS DISTURBED BY UTILITY CONSTRUCTING ARE TO BE REPAIRED IMMEDIATELY.

REQUIRED SEQUENCE OF CONSTRUCTION

NOTE: ANY CHANGES TO THIS REQUIRED SEQUENCE OF CONSTRUCTION REQUIRE THE APPROVAL OF THE BALTIMORE COUNTY SOIL CONSERVATION DISTRICT.

ACTIVITY	SUGGESTED TIME OF COMPLETION
1. NOTIFY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT AT (410) 887-3226 AT LEAST 48 HOURS PRIOR TO THE START OF WORK.	1 DAY
2. IF APPLICABLE, ORANGE HIGH VISIBILITY FENCE SHALL BE MANUALLY INSTALLED ALONG THE LIMIT OF DISTURBANCE, WHERE THE LIMIT IS WITHIN 50 FEET OF THE FOREST BUFFER/CONSERVATION EASEMENT. THIS SHALL BE COMPLETED BY AND INSPECTED AT THE PRE-CONSTRUCTION MEETING.	2 DAYS
3. CLEAR AND GRUB FOR SEDIMENT & EROSION CONTROL MEASURES OR DEVICES ONLY.	3 DAYS
4. INSTALL ALL SEDIMENT & EROSION CONTROL MEASURES AND DEVICES, INCLUDING BUT NOT LIMITED TO STABILIZED CONSTRUCTION ENTRANCES, SILT FENCE, AND SUPER SILT FENCE.	7 DAYS
5. NOTIFY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT, INSPECTION AND ENFORCEMENT DIVISION, UPON COMPLETION OF SAID INSTALLATION.	1 DAY
6. WITH THE APPROVAL OF BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT, AND THE SEDIMENT CONTROL INSPECTOR, CLEAR AND GRUB REMAINDER OF SITE.	2 DAYS
7. ROUGH GRADE SITE.	1 DAY
8. CONCURRENT WITH STEP 7, START BUILDING CONSTRUCTION.	2 MONTHS
9. FINE GRADE THE PRACTICE TEE AREA.	2 DAYS
10. PERMANENTLY STABILIZE THE PRACTICE AREA.	2 DAYS
11. ONCE PARKING LOT AND DRIVEWAY SUB GRADES ARE REACHED INSTALL AGGREGATE BASE FOR ALL BITUMINOUS (HOT MIX ASPHALT) PAVING, TEMPORARILY STABILIZE ALL AREAS NOT COVERED BY BUILDINGS OR PAVING.	1 DAY
12. FINE GRADE SITE AND PERMANENTLY STABILIZE ALL DISTURBED AREAS NOT COVERED BY BUILDINGS OR PAVING. INSTALL ALL PAVING AND FENCING.	4 DAYS
13. ONCE ALL AREAS HAVE BEEN STABILIZED, AND WITH PERMISSION OF THE SEDIMENT CONTROL INSPECTOR, REMOVE ALL SEDIMENT CONTROL MEASURES AND STABILIZE ANY REMAINING DISTURBED AREAS.	1 WEEK

NOTE:

A. "THE PROPOSED GRADING SHOWN ON THIS PLAN MEETS THE REQUIREMENTS SET FORTH BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT AND COMPLIES WITH TITLE 14, ARTICLE VI OF THE BALTIMORE COUNTY CODE. HOWEVER, DUE TO BUILDING TYPES AND LAYOUT, SOME FIELD ADJUSTMENTS MAY BE REQUIRED. ALL CHANGES MUST COMPLY WITH THE ABOVE MENTIONED REQUIREMENTS."

B. "ALL TRAFFIC ASSOCIATED WITH SITE WORK MUST USE STABILIZED CONSTRUCTION ENTRANCE FOR EGRESS AND INGRESS."

C. "ALL SWALES HAVE BEEN DESIGNED BY THE ENGINEER TO CONVEY RUNOFF ACCORDING TO BALTIMORE COUNTY DEPARTMENT OF PUBLIC WORKS DESIGN STANDARDS."

D. THE CONTRACTOR SHALL MAINTAIN POSITIVE DRAINAGE AT ALL TIMES.

E. ALL ROADWAY WORK SHALL BE RESTRICTED TO THAT WHICH CAN BE STABILIZED WITHIN ONE WORKING DAY, OR PROVIDE SILT FENCE ALONG THE DOWN STREAM SIDE.

STANDARD NON-DISTURBANCE NOTE:

THERE SHALL BE NO CLEARING, GRADING, CONSTRUCTION OR DISTURBANCE OF THE VEGETATION IN THE FOREST BUFFER EASEMENT OR OTHER FOREST RETENTION AREAS, EXCEPT AS PERMITTED BY THE BALTIMORE CO. DEPARTMENT ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT.

STORM DRAINS TO BE FLUSHED PRIOR TO TRAPPING DEVICE REMOVAL.

GRADING

I/WE CERTIFY THE ALL GRADING ON THIS SITE WILL BE DONE IN ACCORDANCE WITH THE CURRENT GRADIN REQUIREMENTS AS SET FORTH BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT AND WITH THE REQUIREMENTS SPECIFIED IN TITLE 14, ARTICLE VI OF THE BALTIMORE COUNTY CODE.

SIGNATURE OF OWNER/DEVELOPER _____ TITLE _____

_____ DATE _____

PRINT NAME _____

AIR QUALITY

I ACKNOWLEDGE THAT I AM RESPONSIBLE UNDER THE CODE OF MARYLAND REGULATIONS (26.11.06.03) TO PREVENT PARTICULATE MATTER FROM BECOMING AIRBORNE DUE TO GRADING, LAND CLEARING, EXCAVATION, CONSTRUCTION OR OTHER RELATED ACTIVITIES. I HAVE RECEIVED A COPY OF "GUIDELINES TO THE AIR POLLUTION REGULATIONS FOR CONTROLLING EXCESSIVE ABP (DUST) ON ACTIVITY SITES", WHICH INCLUDES A COPY OF COMAR 26.11.06.03. I WILL CONTACT THE "WASTE MANAGEMENT AND AIR QUALITY SECTION" (887-3775) AT LEAST THREE DAYS PRIOR TO BEGINNING WORK.

SIGNATURE OF OWNER/DEVELOPER _____ TITLE _____

_____ DATE _____

PRINT NAME _____

DATE	NO.	REVISIONS

GRADING, EROSION AND SEDIMENT CONTROL PLAN

PROJECT TITLE:
CAVES VALLEY LEARNING CENTER @ CAVES VALLEY GOLF CLUB
2910 BLENDON ROAD
BALTIMORE COUNTY, MARYLAND 21117

ENGINEERS: WHITNEY, BAILEY, COX & MAGNANI, LLP
Consulting Engineers
849 Fairmount Avenue (410) 512-4500
Baltimore, Maryland 21286 (410) 324-4100 (FAX)

STATE OF MARYLAND — 10/8/99

C-3

DESIGNED:	MMM
DRAWN:	SAC
CHECKED:	DCP
DATE:	10/8/99
SCALE:	1" = 40'
WBCM JOB NO:	99052900.0
DRAWING NAME:	GRADING, SEDCON. DWG

© WBCM 1999

NOT INCLUDED IN PETITION FOR GOLF COURSE /COUNTY CLUB

CWB.JR.979/14

MINOR C.K. JONES
LMcL.M. 899/146

CAVES VALLEY CLUB INC.
3RD PARCEL
S.M. 8029/720

CAVES VALLEY CLUB INC.
S.M. 8029/737

R=380.00'
L=119.35'
S 57° 50'38" E
12.71'
S 10°39'20" W
27.25'
S 36°01'06" E
139.01'

PROPOSED POND

S 55°48'48" E
304.36'

CAVES VALLEY CLUB INC.
S.M. 8000/446

PROPOSED POND

PROPOSED POND

PROPOSED UTILITY HOUSE FOR WELL

PARK HEIGHTS AVENUE (MARYLAND RTE. 129)

PLAT OF SIMEON YARUTA PROPERTY
EHK.JR.45/33

SIMEON YARUTA
W.JR 3578/144

SIMEON YARUTA
W.JR 3578/147

NORTHWESTERLY 1531'

NORTHWESTERLY 210'±

S 30°45'00" W
165.85'

LOT 2

PLAT OF
MARIE T. GRADY PROPERTY
EHK.JR.48/87

LOT 1

JAMES HOOPER
& WIFE
W.JR. 3100/611

NOT INCLUDED IN PETITION FOR GOLF COURSE /COUNTY CLUB

RANDOLPH BOLLING HUBARD
& WIFE
EHK.JR. 3984/291

S 30°45'00" W
406.45'

S 39°46'10" E
965.85'

S 39°46'10" E
334.19'

LILLY L. CROSS
W.JR. 3459/303

N 83°10'00" E
1180.19'

SIDNEY FRIEDMAN & WIFE
EHK.JR. 6778/141

S 51°06'15" E
202.95'

S 58°38'57" E
31.00'

S 44°29'10" E
662.40'

S 11°29'00" E
83.17'

R=250.00'
L=176.86'

CAVES ROAD

S 27°36'00" W
1325.35'

S 29°36'00" W
97.35'

S 27°36'00" W
695.00'

N 50,000

N 54,000

N 56,000

N 52,000

W 42,000

W 39,000

W 36,000

W 33,000

HUNTING TWEED DRIVE

CAVES VALLEY CLUB INC.
2ND PARCEL
S.M. 8029/720

R=380.00'
L=122.50'
N 35°08'38" E
49.00'

N 15°00'00" W
49.00'

N 48°13'28" E
198.42'

LOT 2

HUNTINGTON
SECTION ONE
EHK.JR. 50/66

N 42°20'08" E
182.44'

LOT 4

CAVES VALLEY CLUB INC.
S.M. 8029/720

N 50°17'18" E
173.32'

LOT 6

N 64°01'03" E
308.75'

LOT 8

LOT 10

HUNTINGTON
SECTION TWO
EHK.JR. 55/13

LOT 12

PROP. UNDERGROUND TERMINATION STATION

CAVES VALLEY CLUB INC.
4TH PARCEL
S.M. 8029/720

N 67°13'53" E 376.57'

N 44°06'38" E 76.69'

N 13°21'33" E 100.83'

N 01°03'52" W 124.98'

N 68°58'38" W 408.08'

S 75°34'36" W
29.44'

HUNTINGTON
SECTION ONE
EHK.JR. 50/66

LOT 31

ARNOLD M. SELIGMAN
0.L.B. 2543/443

N 13°28'22" E 513.03'

N 37°29'22" E 514.00'

S & R INVESTORS
EHK.JR. 6517/801

S 63°30'00" E 1180.00'

ATLANTIC SEABOARD GAS PIPELINE

LIMIT OF WETLANDS

N 27°30'00" W 1743.00'

LOT 1

RESUBDIVISION OF
LOUIS A. HOGAN PROPERTY
S.M. 55/122

LOT 2

ROSEWOOD STATE
TRAINING SCHOOL
WPC 405/48

S 63°30'00" E 1048.00'

N 63°30'00" W 464.00'

N 31°57'10" W 1591.30'

N 85°57'10" W 1080.32'

N 31°57'10" W 449.00'

CAVES FARM INVESTMENT CO.
RRG.4245/212

CAVES VALLEY CLUB INC.
1ST PARCEL
S.M. 8029/720

CAVES VALLEY CLUB INC.
2ND PARCEL
S.M. 8000/440

GOLF COURSE IRRIGATION SYSTEM WELL SUPPLY

3.5 AC.

WPC. 617/486

CHESAPEAKE & POTOMAC TEL. CO.

CONSOLIDATED GAS ELECTRIC & LIGHT CO.

S 82°57'00" E 1284.00'

S 82°57'00" E 384.04'

TRANSCONTINENTAL GAS PIPELINE

LIMIT OF WETLANDS

LIMIT OF WETLANDS

RC2

RC5

RC2

RC5

RC2

RC5

GEORGE C. DOUB & WIFE
LMcL.M. 817/158

LOT 1
PLAT OF
GEORGE C.DOUB & WIFE
PROPERTY
EHK.JR. 43/88

THIS CONTRACT OF SALE AND PURCHASE, made this 30th day of March, in the year one thousand nine hundred and eighty-nine

between LORRETTA R. FISHER, for herself and as agent for the various heirs of Katherine Fisher, having an interest in the property, whose signatures appear below to confirm this agreement to the terms hereof

hereinafter referred to as Seller, and
CAVES VALLEY CLUB, INC., a Maryland corporation

hereinafter referred to as Buyer.

Witnesseth

In consideration of the mutual covenants of the parties, it is agreed as follows:

1. Seller hereby agrees to bargain and sell to Buyer, and Buyer agrees to purchase from Seller the property situate and lying in Baltimore County, State of Maryland, known as

together with improvements thereon, and all rights, ways, waters, and appurtenances thereto belonging, or in anywise appertaining, in fee simple, subject to an existing annual ground rent of $, payable in equal semi-annual installments on the day of and in each year, as indicated and further described among the land records.

described as follows:

A tract of approximately 8.00 acres shown as Parcel 200, The Map 49 located on the northwest side of Park Heights Avenue opposite Hunting Tweed Drive.

Additional Provisions:

A. All parties signing hereunder on behalf of Seller designate Lorretta R. Fisher as their representative with whom Buyer may deal in connection with this agreement.

B. Upon request, Seller, through its designated representative, will join in Buyer's zoning proceedings in connection with Buyer's plans for development of Seller's or adjacent property owned or under contract to Buyer, provided that Buyer shall bear all costs of such zoning proceedings and shall hold Seller harmless with respect to any such costs and expenses.

C. Notwithstanding paragraph 3 below, to the extent that any deed or deeds delivered by Seller pursuant to this agreement are executed by the personal representative or trustee under any estate or trust, such deed shall be a "trustee's deed" without warranty.

D. Buyer shall pay all closing costs (including, but not limited to, all back real property taxes, recordation taxes, transfer taxes, and agricultural transfer taxes) and all reasonable costs and expenses incurred by Seller in curing title defects through which title vests in the Seller (such costs to include the fees and costs of Seller's attorneys, however, if any), provided, however, in no event shall Buyer's liability for the foregoing exceed $25,000. Seller shall pay all such costs in excess of $25,000. At closing Buyer shall deposit with the Title Company funds sufficient to pay the foregoing described expenses. When the foregoing expenses shall have been finally determined, Susquehanna Title Company shall pay such expenses and shall have been finally refund to Buyer any amounts remaining from such $25,000.

2. Taxes, ground rent, if any, water and sewer charges (including Metropolitan District charges for sewer and water, if any) and all other public charges payable on an annual basis for the premises shall be apportioned as of the closing date, at which time possession shall be given, except that Seller shall pay and discharge all benefit assessments for improvements levied or imposed prior to the date of closing. Title examination, preparation of deed, notary fees, and recording charges shall be at Buyer's expense. Cost of all documentary stamps and transfer tax, where required by law, shall be divided equally between the parties hereto.

3. The herein described property is to be held at the risk of the Seller until legal title has passed or possession given; Risk of loss understood and agreed that Seller shall immediately have all of the insurance policies on the property in an amount at least equal to 80% of the purchase price or endorsed so as to protect all parties hereto, as their interests may appear, and continue said insurance in force during the life of this Contract.

4. The Seller hereby recognizes no broker as the broker negotiating this Contract and agrees to pay said broker a brokerage fee for services rendered entered to percent (0 %) of the sales price, plus one-half of the amount of the ground rent if any, and shall hold the Buyer harmless from claims arising out of the services of the broker.

11. The provisions of this Contract shall be binding upon and inure to the benefit of the parties and their respective heirs, personal representatives and assigns.

12. This Contract contains the final and entire Agreement between the parties hereto, and neither they nor their Agents shall be bound by any terms, conditions or representations not herein written; time being of the essence of this Agreement.

Witness the hands and seals of the parties hereto the day and year first above written.

Test:

Lorretta R. Fisher (Seal)
Lorretta R. Fisher

(Seal)

Katherine S. Fisher (Seal)
Katherine S. Fisher, Executrix of the Estate of Agnes M. Fisher

(Seal)

(Seal)

CAVES VALLEY CLUB, INC. (Seal)

By: (Seal)
Its President

Petitioner's Exhibit 2

DAFT McCUNE WALKER INC.

LAND PLANNING CONSULTANTS
LANDSCAPE ARCHITECTS
ENGINEERS SURVEYORS

200 EAST PENNSYLVANIA AVENUE
TOWSON, MD. 21286
TELEPHONE 301-296-3333

GOLF CLUB
CAVES VALLEY CLUB INC.

SUPPLEMENTAL PLAT
TO ACCOMPANY PETITION
SUPPLEMENTING PETITION
AND PLAT IN CASE NO. 89-409-X

ELECTION DISTRICT 4C3 — BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 200'

JOB ORDER NO.

LEGEND

- TRACT BOUNDARY
- EXISTING ZONE LINE
- PROPOSED ZONE LINE
- CONTOUR LINE, 10' INTERVAL
- LIMIT OF WETLANDS
- EDGE OF WOODS
- POWER TRANSMISSION TOWER
- STREAM
- PROPOSED FUTURE GOLF HOLE
- POND, EXISTING
- PROPOSED FUTURE POND
- STREAM BUFFER
- PROPOSED GOLF PATH
- NATURAL RESOURCE CONSERVATION EASEMENT

3. **Site Area:**
   a. Northeast of Park Heights — 316.6 acres
   b. Proposed RC-5 area included in rezoning request for adjoining property (Case No. _____) — 20.9 acres
   c. Southwest of Park Heights — 396.6 acres
   d. Total area within this request — 734.1 acres

a. 18 holes of championship golf play area, including tees, roughs, hazards, fairways and greens (91 acres total exclusive of hazards).
b. Paths (including bridges) for golf carts, pedestrians (players), and course/club maintenance and emergency vehicles.
c. Private infrastructure serving golf course facility, including, but not limited to: irrigation and necessary water distribution mains, laterals and remote control wiring, private three phase and two phase electrical distribution, storm drainage lines, conduits and wiring for private and public telephone and cable TV lines, misc. conduits for future electrical utilities and communication wiring.
f. Golf practice facilities.

6. **Demolition**
a. Existing Tenant Farm House - Will be retained during construction phase for staging and construction office. Will be demolished prior to opening of course.
b. Existing Tenant Barns - Will be retained during construction phase for staging and construction office. Will be demolished prior to opening of course.
c. Existing Swimming Pool and Tennis Court - Will be demolished prior to opening of course.

7. **Maintenance Facility:**
The Club will maintain the proposed golf course facility and related property by employing trained professional maintenance staff. The Club will construct the following facilities during its initial phases of development.
a. Maintenance Building: approximately 14,000 s.f.
b. Employee Parking and areas for outdoor equipment and bulk storage — 3 acres
c. Additional support outbuildings for cart storage, bulk materials, and equipment — 2 acres

8. **Clubhouse Facility:**
The applicant will maintain a clubhouse facility to serve the golfing and related needs of the membership. This facility initially will be contained within the confines of the existing Konjurst residence, with such additions as may be required to adequately provide those functions normally associated with a golf course during later phases of construction. The development of these facilities shall be in conformance with those agreements currently in force with the community. The following facilities will be contained or provided for within or adjacent to the clubhouse facility:
a. Golf pro-shop
b. Locker rooms
c. Storage for golf carts and clubs
d. Parking area(s)
e. Other facilities customarily associated with a golf course clubhouse complex.

b. On-site golf course superintendent's residence (owned by the club)
c. On-site Club general manager's or golf professional's residence (owned by the club)

10. **Other Recreational Uses:**
Applicant may locate up to 6 tennis or racket courts and a single swimming pool of up to 25 yards in length (plus a diving area) in the general clubhouse area.

11. **Signs:**
Sign shall be in accordance with provisions of Section 413.1, Baltimore County Zoning Regulations, and such other street name and traffic control signs as may be required by Baltimore County.

12. **Environmental Impacts:**
Development of the site is not expected to result in any substantial increase in sound or other vibrations, dust, odor, gases, light and heat emanations beyond those normally occurring within private golf course facilities. Applicant has done extensive analysis of the environmental impact of the proposed facility; the results of that analysis will be provided to the county in various written reports and will be presented at the hearing on the special exception. The golf course facility proposed for this site will have less of an impact than would be expected of a typical golf course on a typical RC-2 site.

13. **Topography:**
Existing topography is based on Datt McCune Walker, Inc. field run control and boundary survey with Photo-Science 100 scale photogrammetry dated December 28, 1988.

14. **Tree Cover:**
The proposed golf course area consists of a combination of existing agricultural land, pasture land and wooded areas. Trees will be removed only to the extent necessary in connection with grading and construction of golf course tees, greens, fairways, hazards, roughs, associated paths and other permitted facilities.

15. **Stream Crossings:**
Areas disturbed for stream crossings shall be revegetated to the following minimum standards:
a. Establish 36 fall transplant or nursery grown specimen canopy and sub canopy trees with 1.5 in. caliper or greater per 1,000 sf. of area disturbed by golf course construction or construction of other permitted facilities. Acceptable Species are Acer, Quercus, Ilex, Hamamelmalis, Viburnum, Fraxinus, Platanus, Betula, or similar site indigenous species. In addition to the above, establish indigenous type shrub or groundcover at 128 shrubs (24 in. minimum size) per 1,000 sf. Acceptable species are Arctostaphylos, Azalea, Kalmia, Rhododendron, Lindera, Cornus, Viburnum, Clethra, Vaccinium, Aronia, Amelanchier, Ilex or indigenous herbaceous wetland species.

16. **RC-5 Height and Area Standards:**
a. Height shall not exceed 35 feet except as may be permitted by Section 300, Baltimore County Zoning Regulations.
b. Standards for accessory structures shall be developed as a component of architectural restrictions.

17. **Parking:**
Off street parking shall be provided for employees and members of this facility. No less than 144 spaces shall be provided (18 holes at 8 spaces/hole). All parking areas shall be provided with a durable, dustless surface properly drained so as not to create any undesirable conditions. All parking areas shall be screened in accordance with the provisions of the Landscape Manual.

18. **Utilities:**
The site is not served by public water or sewerage lines. It is expected that water supply and sewage disposal for the clubhouse, maintenance and accessory use facilities will be on an individual facility basis. Irrigation for golf course areas will be handled on the basis of an overall course-wide system or systems utilizing modern water conservation techniques. The water for this irrigation system will be drawn from production wells planned to be located to the southwest of Park Heights Avenue and then pumped and piped from there to storage ponds as indicated and to the course itself. Storage ponds may be used as an emergency source of water for fire suppression purposes.

19. **Lighting:**
All on-site lighting will be arranged to not reflect or shine upon adjacent residential premises.

20. **Storm Drains:**
Runoff shall be accommodated by a storm drain system and management facilities as may be required by Baltimore County. The details will be resolved at CRG phase of the development approval process.

21. **R.O.W.:**
Street rights of way and paving widths are as shown. Final details shall be resolved at CRG.

22. **Additional Requirements:**
Caves Valley Club, Inc. shall execute and record among the Land Records a fully executed and acknowledged counterpart of a permanent perpetual conservation easement or easements for the property which is the subject of this application. Such conservation easement or easements shall be in favor of the Maryland Environmental Trust or another independent conservation group such as the Nature Conservancy as approved by the Office of Planning and Zoning and Baltimore County, Maryland. This easement, however, need not be executed. This easement will impose sufficient additional restrictions on the use and development of the property.

If applicant's concurrent request for RC-5 rezoning is finally granted, then except for overnight accommodations permitted under Note 8c and limited facilities permitted under Note 8b and c, no additional residential development shall be permitted on the property subject to this application.

General Note:
The arrangement of golf course holes, streets, structures and other facilities on the portion of the RC-2 portion of the site is schematic and concerning course configuration, accessory facility layout and other details are subject to modification based on field data and final plans.

These facilities are subject to the following locational criteria:

While specific routing and location of holes of golf may vary from what is shown on the routing and location plan contained in this petition, the routing of golf holes is subject to that general plan in that it is also and is permitted to do so. It will continue to use its present routing across the 118 farms to the northeast of Park Heights Avenue.

As indicated, the clubhouse will be located at the site of the present Konjurst residence. All buildings and other significant structures including centralized facilities related directly to the operation of the golf course (excluding golf carts) including maintenance facilities) will be located either within a reasonable walking distance of the Konjurst residence or at that portion of the property to the northeast of Park Heights Avenue and in a location where they will not be visible from Park Heights Avenue. This limitation shall not apply to half-way houses, shelters or other facilities typically located along the route of the golf course.

No parking lots, buildings or similar structures associated with the golf course will be located to the southwest of Park Heights Avenue. A production well or wells will be located to the southwest of Park Heights Avenue along with appropriate pumping equipment and piping necessary to bring water to the northeast of Park Heights Avenue.

This application for special exception is directly and substantially related to the counterpart RC-5 documented site plan and rezoning application heretofore filed on January 4, 1989.

ZONING HISTORY OF PROPERTY OF CAVES VALLEY CLUB, INC.

Most of this property was formerly owned by Kingdon Gould, Jr., or entities controlled by him (The Gould Parcel); some is now owned by Alvin B. and Patricia L. Krongard, (The Krongard Parcel) and is under contract to Caves Valley Club, Inc.

The Gould Parcel (which is zoned almost entirely RC-2) has been the subject to (but following) zoning requests and applications in the last five years.

1. In 1984, The Gould Parcel was the subject of a large request of re-zone 308 acres from RC-6 to RC-5 as a part of the Comprehensive Map Process (Issue 3-84). The request was not adopted.
2. In 1986, Conservation Associates filed a petition seeking rezoning of 303.3 acres including The Gould Parcel from RC-5 to RC-2 on an open site plan (Case #86-110). The Board of Appeals denied the request on May 1, 1987 and that denial was subsequently upheld.
3. In 1988, The Gould Parcel was the subject of a request to rezone a 303.3 acre parcel from RC-2 to RC-5 as part of the Comprehensive Map Process (Issue 3-004). The request was not adopted.

The Krongard Parcel (which is zoned entirely RC-2) was the subject of the 1984 Comprehensive Map Process (Issue 3-86). The request for RC-5 zoning was not adopted.

Portions of the property are also the subject of a documented site plan request to reclassify 123 acres from RC-2 to RC-5. On January 19, 1989 the Planning Board certified to the County Council that it was in the public interest to exempt the reclassification petition from the regular cyclical procedure. On February 6, 1989 the County Council approved the certification. 20.9 acres of the 123 acres requested RC-5 zone also are included in this petition for a golf course/country club special exception. No case number has been established as yet for the reclassification.

PETITIONER'S EXHIBIT Jms 3

PRINTED APR 1, 1989

DAFT-McCUNE-WALKER, INC.

DAFT McCUNE WALKER, INC.
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89-476-SPH

GOLF CLUB
CAVES VALLEY CLUB IN

SUPPLEMENTAL PLAT TO ACCOMPANY PETITION SUPPLEMENTING PETITION AND PLAT IN CASE NO. 89-476-X

ELECTION DISTRICT 4th

SCALE 1" = 200'

DATE MARCH 31, 1989

SHEET 1 OF 2

CONTINUED ON SHEET 2

- CONTOUR LINE, 10' INTERVAL
- EDGE OF WETLANDS
- STREAM BUFFER
- POWER TRANSMISSION TOWER
- STREAM
- PROPOSED FUTURE GOLF HOLE
- POND, EXISTING
- PROPOSED FUTURE POND
- INTERIOR PROPERTY LINE
- PROPOSED GOLF CART PATH
- NATURAL RESOURCE CONSERVATION LINE
- LIMIT OF 100 YEAR FLOODPLAIN
- LIMIT OF SPECIAL EXCEPTION
- FORMER MAINTENANCE AREA TO BE REMOVED FROM GOLF COURSE SPECIAL EXCEPTION AND RESIDENTIAL LOTS. MAINTENANCE AREA RELOCATED IN RC2 AS SHOWN (SEE SHEET 3 FOR DETAILS)
- AREA TO BE ADDED TO SPECIAL EXCEPTION FOR CLUBHOUSE COMPLEX (SEE SHEET 3 FOR DETAILS) AND GOLF COURSE
- RC2 AREA WITHIN GOLF COURSE SPECIAL EXCEPTION TO SERVE ADJOINING RC5 LOTS BY EASEMENTS AND PROVIDE WELLS AND SEPTIC SITES WITHIN AN RC2 ZONE, AS SHOWN
- AREA OF FORMER FISHER TRACT TO BE DELETED FROM GOLF COURSE SPECIAL EXCEPTION IF REQUEST FOR 34 LOTS IN RC-5 IS NOT APPROVED

Vicinity Map
Scale 1"=1000'

SPECIAL HEARING TO AMMEND ZONING CASES 89-409-X AND 91-251 IN ORDER TO CHANGE MINIMUM DISTANCE BETWEEN COTTAGES J, K, L, O AND P FROM 70 FEET TO 25 FEET.

REVISION NO.5 - 9/22/99

FOR AN ADDITIONAL BUILDING TO BE ADDED FOR GOLF LEARNING CENTER APPROVE 3,100 S.F. APPROVED BY DRC

APPROVED:

ARNOLD JABLON, DIRECTOR PERMITS AND DEVELOPMENT MANAGEMENT — DATE

REVISION NO.4 - 2/26/98

CRG REFINEMENT AND ZONING SPIRIT AND INTENT PLAN

AN INCREASE IN THE NUMBER OF COTTAGES FROM 4 TO 5 IS WITHIN THE SPIRIT AND INTENT OF ZONING CASES 89-476-SPHX, 89-409-X AND 91-251 PROVIDED:
1. THE NUMBER OF GUESTS WILL NOT EXCEED 40.
2. THE TOTAL NUMBER OF BEDROOMS WILL NOT EXCEED 31.
3. THE VALLEYS PLANNING COUNCIL HAS REVIEWED THIS PLAN AND AGREED IN WRITING THAT THEY HAVE NO OBJECTION.

APPROVED:

ARNOLD JABLON, DIRECTOR PERMITS AND DEVELOPMENT MANAGEMENT — DATE

REVISION NO. 3 - 08/30/95

AN INCREASE IN THE NUMBER OF APPROVED BEDROOMS FROM 28 TO 31 IS WITHIN THE SPIRIT AND INTENT OF THE ORIGINAL ZONING CASE PROVIDED:
1. THE NUMBER OF GUESTS WILL NOT EXCEED 40;
2. THE VALLEYS PLANNING COUNCIL HAS BEEN NOTIFIED OF THE PROPOSED CHANGE BY CAVES VALLEY GOLF CLUB LTR 10-24-95 TO MR. JOHN BERNSTEIN
3. THIS PLAN HAS BEEN PREPARED REFERENCING ITEM 112 FOR APPROVAL AND INCLUSION IN THE PERMANENT ZONING FILE.

APPROVED: DATE:

ARNOLD JABLON, DIRECTOR PERMITS AND DEVELOPMENT MANAGEMENT

CRG REFINEMENT PLAN - 03/21/95

1. THE CLUBHOUSE (A), GUESTHOUSE (B) AND COTTAGES (J)(K)(L)(O) WILL NOT EXCEED THE MAXIMUMS OF 40 OVERNIGHT ACCOMMODATIONS AND 28 BEDROOMS. THE COTTAGES ARE IN LIEU OF THE PREVIOUSLY APPROVED DORMITORY.
2. THE VALLEYS PLANNING COUNCIL HAS REVIEWED THIS PLAN AND AGREED IN WRITING THAT THEY HAVE NO OBJECTION TO THE CHANGE.

5	9/22/99	ADDED GOLF LEARNING CENTER.
4	2/26/98	ADDED COTTAGE 'P' AND NOTES
3	10/09/95	REVISED NUMBER OF BEDROOMS PERMITTED FROM 28 TO 31.
2	09/21/95	ADDED COTTAGE 'O'
1	2/4/94	REVISED LOCATION AND AREA OF COTTAGES J,K&L (COTTAGE 1,2&3).
WBCM - REVISIONS 1,2,3&4&5		

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GOLF CLUB
CAVES VALLEY CLUB INC.
PLAN AND PLAT TO ACCOMPANY ZONING PETITION

ELECTION DISTRICT 4,C3 — BALTIMORE COUNTY, MARYLAND

SCALE: 1" = 200'
JOB ORDER NO. 88015A
ISSUE DATE

CONTINUED ON SHEET 2