

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

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



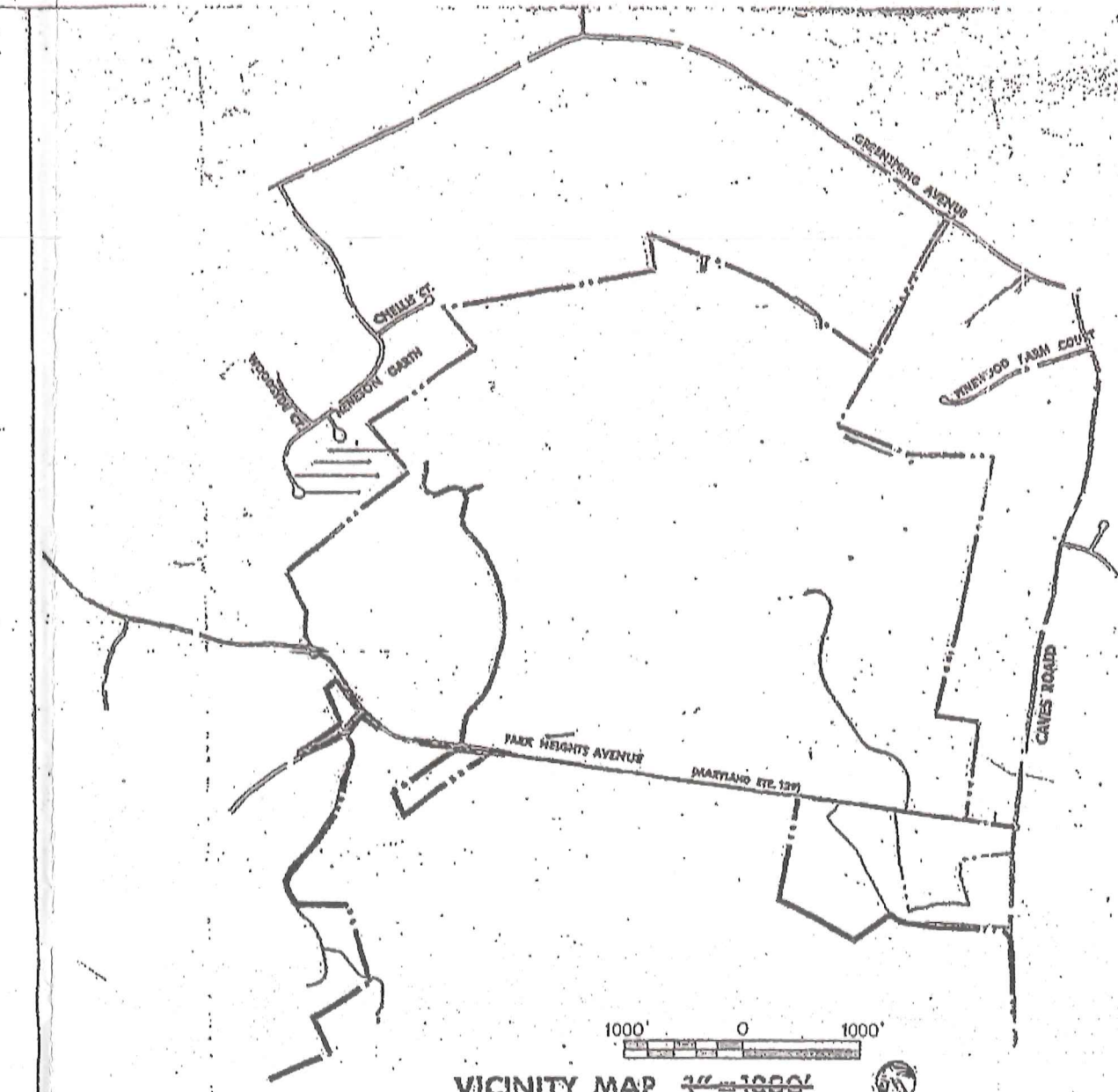
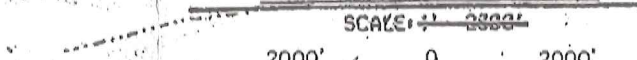
W. Carl Richards, Jr. Supervisor
Zoning Review Office

RDG:saw
Enclosures

- 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
- PROPOSED GOLF HOLE
- POND, EXISTING
- PROPOSED POND
- PROPOSED GOLF PATH.
- STEEP SLOPES (25%+)
- EXISTING WELL
- PERC TEST LOCATION
- EXISTING TREE
- M.E.T. EASEMENT

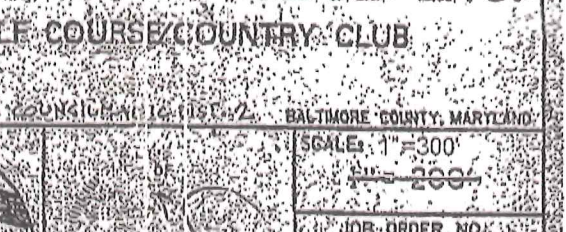
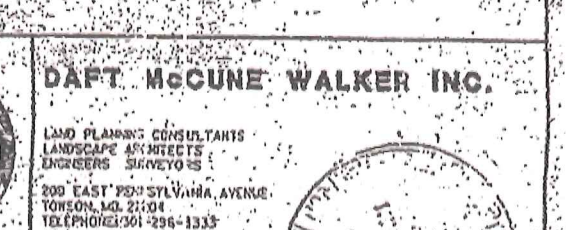
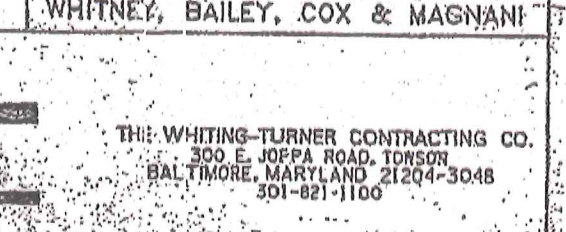
Plan Disapproved _____
Continued Mtg. Required _____
Plan Referred To Plan. B _____

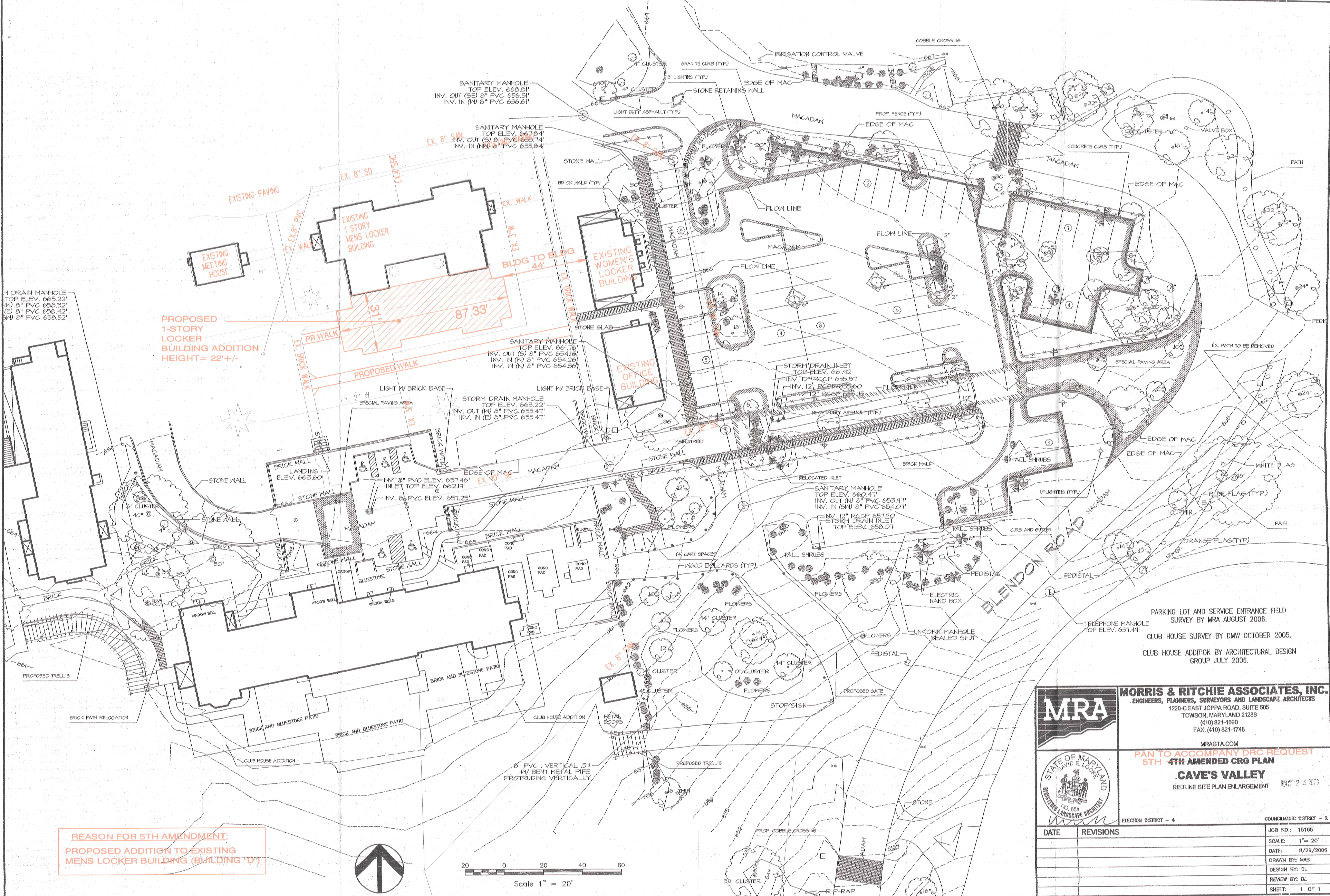
RECEIVED OCT 26 1964 DEPT OF JUSTICE		88015A ISSUE DATE 1-8-50
DATE	REVISIONS	

[illegible]

4	8/29/06	PLAN REFINEMENT
3	6/14/05	PHASE 1 and PHASE 2 REMEDIATIONS AND ADDITIONS
2	10/3/94	REVISED LOCATION OF COTTAGES J, K & L
1	12/27/93	REVISED LOCATION AND AREA OF COTTAGES J, K & L (COTTAGE 5243)

FOR COTTAGES J, K & L ONLY





PROPOSED 1-STORY LOCKER BUILDING ADDITION
HEIGHT = 22' +/-

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

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.

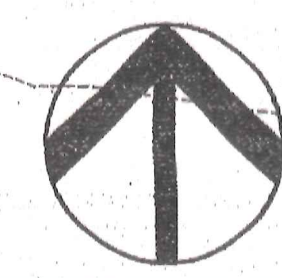


MORRIS & RITCHIE ASSOCIATES, INC.
ENGINEERS, PLANNERS, SURVEYORS AND LANDSCAPE ARCHITECTS
1220-C EAST JOPPA ROAD, SUITE 505
TOWSON, MARYLAND 21286
(410) 821-1690
FAX: (410) 821-1748

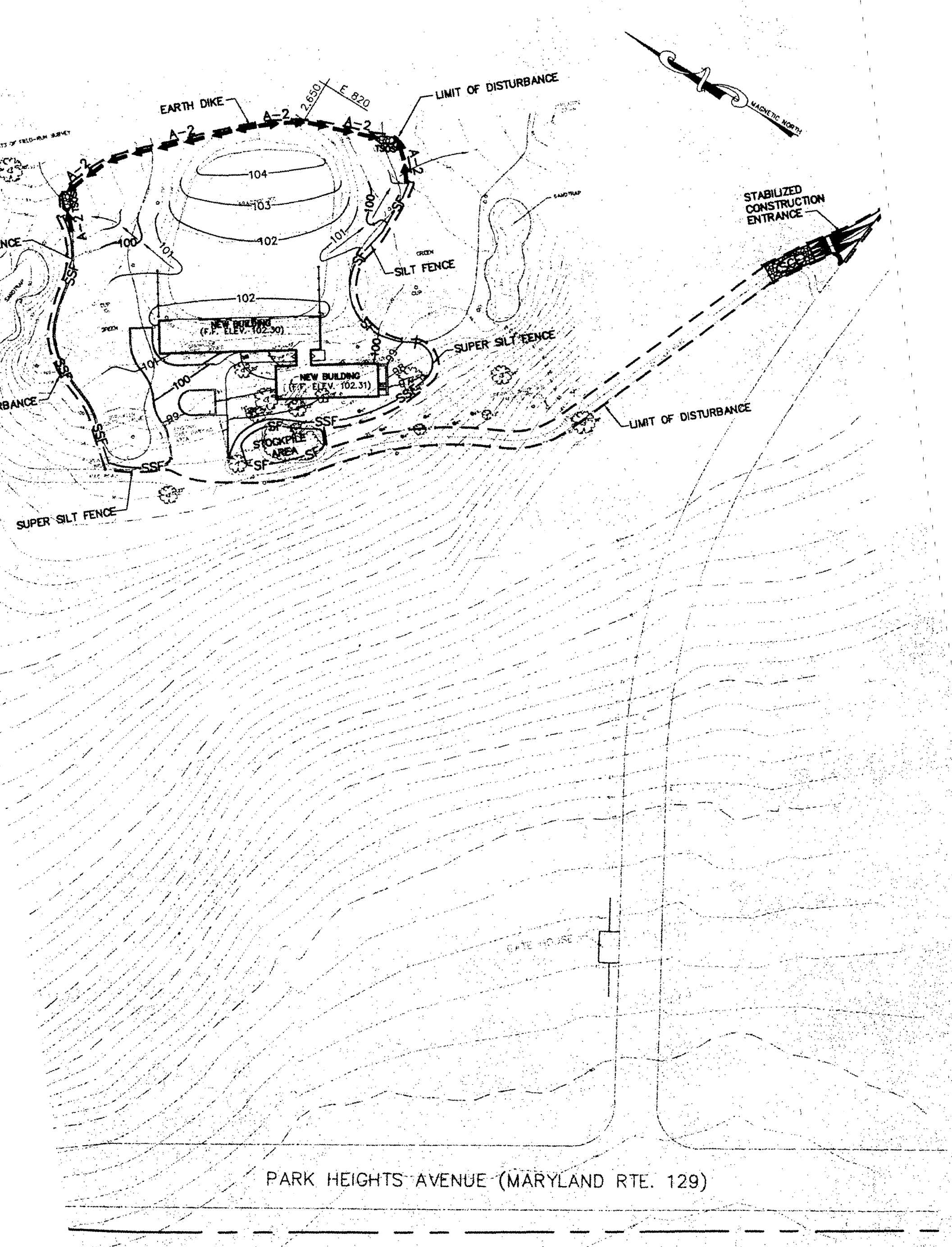


**PAN TO ACCOMPANY DRC REQUEST
5TH 4TH AMENDED CRG PLAN
CAVE'S VALLEY**
REDLINE SITE PLAN ENLARGEMENT
JULY 12, 2006

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



Scale 1" = 20'



PLAN
SCALE: 1" = 50'

PLAT FOR SPT
C Milton letter
12/15/97

5/18 and 19, 1989 at 9:00 a.m.

ALSO SEE ZONING CASE # 1989-0409-X

89-476 SPHX Item # 433

CERTIFICATE OF POSTING

) Posted 4/26/89 Hearing Date 5-18+19-89
) Posted _____ Hearing Date _____

IDS

1) Paper/Date NWS 4-26 Enc _____
Paper/Date 8-27 Enc _____

2) Paper/Date _____ Enc _____
Paper/Date _____ Enc _____

P&A FEES

1) \$89.10
2) _____

COMMENTS

Planning ☒ Fire ☒ Traffic ☒
Critical Area _____ SHA _____ EPA _____
Health: _____

Associate WCR

Zoning Violation # _____

Prior Hearing(s) 89-409-X

19890476
2 of 2

Note - No "A"

PAID
\$89.10

1

89-476-SPHX
#433

ALSO SEE ZONING CASE # 1989-0409-X

Bay Valley Club, Inc., et al
W Side Park Heights Avenue, 470'

89-476-SPHX

Re: In the Matter of the Petition	*	Before the Zoning
for Special Exception and	*	
Special Hearing for the	*	
Property Located at NE and SW	*	Commissioner of
Side Park Hgts. Ave., 470' NW of	*	Baltimore County
C/L of Caves Rd., 4th Election	*	
Dist.; 3rd Councilmanic Dist.	*	
Caves Valley Club, Inc., <u>et al.</u>	*	
	*	Zoning Case No.
	*	89-409-X
Petitioners	*	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 Baltimore 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 necessary element of many golf or country clubs, the inclusion of the very different and restricted overnight rooms proposed here are an indispensable 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.

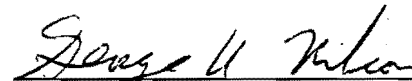
For the reasons stated above, Petitioner hereby requests the Zoning Commissioner to modify his Order of June 6, 1989 in case No. 89-409-X so as to:

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

Piper & Marbury
1100 Charles Center South
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

IN RE: PETITIONS FOR SPECIAL * BEFORE THE
EXCEPTION & SPECIAL HEARING *
NE and SW side of Park * ZONING COMMISSIONER
Heights Ave., 470' NW of *
c/l of Caves Road, * OF BALTIMORE COUNTY
4th Election District *
3rd Councilmanic District * CASE #89-476 SPHX

Caves Valley Club, Inc. *
Andre' W. Brewster *
Petitioner *

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, overnight accommodations for a maximum of forty (40) members and their guests, other appropriate recreational facilities, and maintenance facilities associated with the foregoing, shelters, and restroom structures; and a Petition for Special Hearing to amend the previously issued Special Exception for a country club/golf course in zoning case #89-409X to add additional land area to the Special Exception for primary use as part of the golf course operation and to introduce a new Special Exception plan for the country club/golf course, as more particularly described on Petitioner's Exhibits 1 and 2.

The Petitioner, Andre' W. Brewster, appeared, testified and was represented by George A. Nilson, Esquire. The Petitioner was supported in his testimony by an expert witness, who testified, namely, Mr. Edward Hale of Daft, McCune and Walker. There were no Protestants.

ORDER RECEIVED FOR FILING

Date

6/9/89

By

M. H. Walsh

The testimony and evidence tend to establish that the Caves Valley Club, Inc., golf facility on what is normally referred to as the northern tract is being expanded by approximately 8 acres of ground known as the Fisher tract. This tract is shown on Petitioner's Exhibit 1 in the western portion of the tract bounding on Park Heights Avenue. The property is triangularly shaped and would be added to the overall acreage covered by the Special Exception for the country club/golf course facility. The proposed additional acreage is zoned R.C.2 and is currently improved with a dwelling unit. The overall acreage of the northern parcel will be expanded to approximately 375 acres and the total area covered by the Special Exception will be approximately 793 acres.

The purpose of acquiring this additional tract of land is to allow the re-orientation of the first hole of the golf course and to facilitate a more comprehensive grouping of the land tracts involved in the overall project. The evidence tends to indicate that the golf course could operate without the acquisition of this additional land, however, the additional parcel is desired by the Petitioner in order to facilitate a better golf course design and to provide for a contiguous golf course design.

The Petitioner's witness testified that the additional acreage will be included into the overall Special Exception for the country club/golf course and would be consistent with all of the prerequisites of Section 502.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) for a Special Exception. Furthermore, the evidence tends to indicate that there would be no detrimental impact upon the health, safety and welfare of community or the neighborhood at large and the use of that extra parcel would actually make the Special Exception use less of a negative impact upon the community

ORDER RECEIVED FOR FILING

Date

By

than would normally be associated with a country club operation in the R.C.2 zone.

The Petitioner has filed both a Petition for Special Exception and a Petition for Special Hearing. In light of the fact that the Special Exception for the proposed country club/golf course was created in zoning case #89-409X, there is no need to revisit that issue. The Petition for Special Exception filed herein is redundant. There is no additional Special Exception relief requested in this second Petition which is in any way different from the previous matter.

The Petition for Special Hearing to amend the previous Special Exception is sufficient to afford the Petitioner the relief that they have requested, namely, to incorporate additional acreage into the Special Exception country club and to permit certain site plan changes. The Petition for Special Exception should be dismissed as moot and relief should be granted pursuant to the Special Hearing to amend the site plan provided for additional land area.

Pursuant to the advertisement, posting of the property, and public hearing held on the Petitions for Special Hearing and Special Exception, and for the reasons given above, the relief requested in the Petition for Special Exception should be dismissed and the relief requested in the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County, this 8th 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

ORDER RECEIVED FOR FILING

Date

By

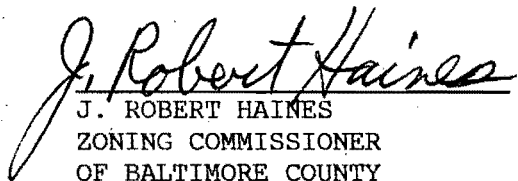
locker rooms, overnight accommodations for a maximum of forty (40) members and their guests, other appropriate recreational facilities, maintenance facilities associated with the foregoing, shelters, and restroom structures be and is hereby DISMISSED.

IT IS FURTHER ORDERED that approval for a Special Hearing to amend previously issued Special Exception for a country club/golf course in zoning case #89-409X to place additional land area, as shown and described on Petitioner's Exhibits 1 & 2, to the Special Exception for primary use in the golf course operation and to accept a new Special Exception site plan (Petitioner's Exhibits 1 & 2) for the country club/golf course be and is hereby GRANTED.

IT IS FURTHER ORDERED, that all other terms, conditions, and restrictions of the Order of June 6, 1989 in Zoning Case #89-409X be and are hereby enforced, except as amended by this Order concerning the new site plan and additional land area.

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

1. The Petitioner shall use the land incorporated into the Special Exception area for the purposes and in a manner consistent with Petitioner's Exhibits 1 and 2. Any additional use or different use of any part, area, lot or parcel included within the Special Exception area shall require an amendment to the Special Exception country club granted in zoning case #89-409X and as amended in zoning case #89-476SPHX.


J. ROBERT HAINES
ZONING COMMISSIONER
OF BALTIMORE COUNTY

ORDER RECEIVED FOR FILING

Date

By

JRH:mmm

cc: Peoples Counsel

George Nilson, Esquire

Mr. Edward Hale, Daft, McCune & Walker

ORDER RECEIVED FOR FILING

Date

6/8/89

By

M. Noak

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

June 8, 1989



Dennis F. Rasmussen
County Executive

George A. Nilson, Esquire
36 South Charles Street
Baltimore, Maryland 21201

RE: Petitions for Special Hearing and Special Exception
Case #88-476-SPHX
Caves Valley Club, Inc., Andre' W. Brewster, Petitioner

Dear Mr. Nilson:

Enclosed please find the decision rendered in the above captioned case. The Petition for Special Hearing has been granted and the Petition for Special Exception has been dismissed, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

J. Robert Haines
J. Robert Haines
Zoning Commissioner

JRH:mmn

att.

cc: Peoples Counsel

Mr. Andre' W. Brewster c/o George Nilson

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

89-476-SPHX

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the a country club (primarily a golf oriented facility), herein described property for 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, overnight accommodations for a maximum of 40 members and their guests, other appropriate recreational facilities, maintenance facilities associated with the foregoing, shelters, restroom structures. Note: this Petition supplements (adding additional property to) and slightly modifies that Petition For Special Exception in Case No. 89-409-X.

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

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: *

Caves Valley Club, Inc.

(Type or Print Name)

Signature

2 Hopkins Plaza, Suite 1210

Address

Baltimore, Maryland 21201

City and State

Attorney for Petitioner:

George A. Nilson

(Type or Print Name)

Signature

36 South Charles Street

Address

Baltimore, Maryland 21201

City and State

Attorney's Telephone No.: 576-1769

Legal Owner(s): *

Caves Valley Club, Inc.

(Type or Print Name)

Signature

Mr. and Mrs. Alvin B. Krongard

(Type or Print Name)

Signature

11747 Park Heights Ave. 356-6287

Owings Mills, Maryland 21117

Lucretia B. Fisher

Address Name

1907 Ruxton Road

Ruxton, Maryland 21204

City and State Address

Phone No. Signature

823-5730

Phone

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

George A. Nilson

Name

36 S. Charles Street

Address

576-1769

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of April, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 18th + 19th day of May, 1989, at 9 o'clock A.M.

ESTIMATED LENGTH OF HEARING

AVAILABLE FOR HEARING

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

OTHER

VIEWED BY: ucn

DATE 4/12/89

J. Robert Hines
Zoning Commissioner of Baltimore County

Z.C.O.—No. 1

(over)

* Caves Valley Club, Inc. is the legal owner of most of the property which is the subject of this petition and is the contract purchaser of several parcels which makeup the remaining portion (the legal owners of one such parcel being Mr. and Mrs. A.V. Krongard, and the legal owners of the other being Lucretia B. Fisher et al.)

ORDER RECEIVED FOR FILING

Date

by

PETITION FOR SPECIAL EXCEPTION

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

89-476-SPHX

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Exception under the Zoning Law and Zoning Regulations of Baltimore County, to use the a country club (primarily a golf oriented facility),

herein described property for 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, overnight accomodations for a maximum of 40 members and their guests, other appropriate recreational facilities, maintenance facilities associated with the foregoing, shelters, restroom structures. Note: this Petition supplements (adding additional property to) and slightly modifies that Petition For Special Exception in Case No. 89-409-X.

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

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser: *

Caves Valley Club, Inc.

(Type or Print Name)

Signature

2 Hopkins Plaza, Suite 1210

Address

Baltimore, Maryland 21201

City and State

Attorney for Petitioner:

George A. Nilson

(Type or Print Name)

Signature

36 South Charles Street

Address

Baltimore, Maryland 21201

City and State

Attorney's Telephone No.: 576-1769

Legal Owner(s): *

Caves Valley Club, Inc.

(Type or Print Name)

Signature

Mr. and Mrs. Alvin B. Krongard

(Type or Print Name)

Signature

11747 Park Heights Ave. 356-6287

Owings Mills, Maryland 21117

Lucretia B. Fisher

Address Name

1907 Ruxton Road

Ruxton, Maryland 21204

City and State Address

Phone No. Signature

823-5730 Phone

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

George A. Nilson

Name

36 S. Charles Street

Address

576-1769

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 13th day of April, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 18th & 19th day of May, 1989, at 9 o'clock

ESTIMATED LENGTH OF HEARING

AVAILABLE FOR HEARING

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

ALL OTHER

REVIEWED BY:

DATE 4/12/89

J. Robert Haines
Zoning Commissioner of Baltimore County.

Z.C.O.-No. 1

(over)

* Caves Valley Club, Inc. is the legal owner of most of the property which is the subject of this petition and is the contract purchaser of several parcels which make up the remaining portion (the legal owners of one such parcel being Mr. and Mrs. A.V. Krongard, and the legal owners of the other being Lucretia B. Fisher et al.)

Item # 433

Description

To Accompany Petition for Special Exception

793.0 Acre Parcel, Part of Caves Valley Club, Inc. Property,

Northeast and Southwest of Park Heights Avenue,

Fourth Election District, Baltimore County, Maryland



Land Planning
Engineering
Landscape Architecture
Surveying
Computer Design
Graphics

Beginning for the same at the end of the following course and distance measured from the intersection of the centerline of Caves Road, with the centerline of Park Heights Avenue (Maryland Route 129) (1) Northwesterly 470 feet, more or less, measured along the centerline of Park Heights Avenue, thence leaving said beginning point, referring all courses of this description to the Grid Meridian established in the Baltimore County Metropolitan District, and running the 41 following courses and distances, viz: (1) Northwesterly 1531 feet, more or less measured along said centerline of Park Heights Avenue, thence leaving said centerline (2) South 38 degrees 48 minutes 34 seconds West 165.85 feet, thence (3) South 40 degrees 48 minutes 34 seconds West 784.43 feet, thence (4) South 31 degrees 48 minutes 10 seconds East 453.85 feet, thence (5) South 31 degrees 48 minutes 10 seconds East 324.19 feet, thence (6) North 83 degrees 10 minutes 00 seconds East 382.15 feet, thence (7) Southeasterly by a line curving to the left with a radius of 250.00 feet for a distance of 176.86 feet (the arc of said curve being subtended by a chord bearing South 30 degrees 08 minutes

13 seconds East 173.19 feet), thence (8) South 58 degrees 38 minutes 57 seconds East 31.00 feet, thence (9) South 51 degrees 06 minutes 15 seconds East 202.93 feet, thence (10) South 56 degrees 09 minutes 10 seconds East 664.46 feet, thence (11) South 11 degrees 09 minutes 00 seconds East 83.17 feet, thence (12) South 27 degrees 36 minutes 00 seconds West 693.00 feet, thence (13) South 27 degrees 36 minutes 00 seconds West 387.75 feet, thence (14) South 30 degrees 21 minutes 00 seconds West 232.65 feet, thence (15) South 29 degrees 36 minutes 00 seconds West 97.35 feet, thence (16) North 26 degrees 09 minutes 00 seconds West 1476.75 feet, thence (17) South 69 degrees 51 minutes 00 seconds West 1209.45 feet, thence (18) North 31 degrees 19 minutes 00 seconds West 449.00 feet, thence (19) North 85 degrees 57 minutes 10 seconds West 1080.32 feet, thence (20) North 37 degrees 57 minutes 10 seconds West 1591.30 feet, thence (21) South 69 degrees 01 minute 40 seconds West 464.00 feet, thence (22) South 69 degrees 36 minutes 00 seconds West 1848.00 feet, thence (23) North 20 degrees 24 minutes 00 seconds West 1947.00 feet, thence (24) South 83 degrees 39 minutes 00 seconds East 1191.30 feet, thence (25) South 83 degrees 39 minutes 00 seconds East 582.49 feet, thence (26) North 07 degrees 19 minutes 37 seconds East 347.68 feet, thence (27) North 87 degrees 29 minutes 22 seconds East 610.01 feet, thence (28) North 13 degrees 48 minutes 17 seconds East 729.15

feet, thence (29) North 58 degrees 58 minutes 38 seconds West 408.09 feet, thence (30) South 75 degrees 34 minutes 36 seconds West 29.44 feet, thence (31) North 01 degree 03 minutes 52 seconds West 124.98 feet, thence (32) North 13 degrees 21 minutes 33 seconds East 100.83 feet, thence (33) North 44 degrees 06 minutes 38 seconds East 76.69 feet, thence (34) North 67 degrees 13 minutes 53 seconds East 376.57 feet, thence (35) North 64 degrees 01 minute 03 seconds East 308.75 feet, thence (36) North 50 degrees 17 minutes 18 seconds East 173.32 feet, thence (37) North 42 degrees 20 minutes 08 seconds East 182.44 feet, thence (38) North 48 degrees 13 minutes 28 seconds East 198.42 feet, thence (39) North 35 degrees 08 minutes 58 seconds East 49.69 feet, thence (40) Northeasterly by a line curving to the right with a radius of 140.00 feet for a distance of 122.54 feet (the arc of said curve being subtended by a chord bearing North 10 degrees 04 minutes 29 seconds East 118.66 feet), and thence (41) North 15 degrees 00 minutes 00 seconds West 25.85 feet to intersect the southern right-of-way line of Hunting Tweed Drive, 50 feet wide, thence binding on said right-of-way line (42) Northeasterly by a line curving to the left with a radius of 442.23 feet for a distance of 127.08 feet (the arc of said curve being subtended by a chord bearing North 68 degrees 03 minutes 49 seconds East 126.64 feet), thence continuing along said southern right-of-way line of Hunting Tweed Drive and along

an extension thereof (43) Northeasterly by a line curving to the right with a radius of 380.00 feet for a distance of 168.81 feet (the arc of said curve being subtended by a chord bearing North 72 degrees 33 minutes 33 seconds East 167.43 feet), to the centerline of aforementioned Park Heights Avenue, thence binding on the centerline of Park Heights Avenue the following four courses and distances, viz: (44) North 08 degrees 12 minutes 56 seconds West 250.00 feet, thence (45) North 03 degrees 18 minutes 57 seconds West 260.00 feet, thence (46) North 13 degrees 47 minutes 10 seconds West 105.00 feet, and thence (47) North 36 degrees 47 minutes 21 seconds West 76.15 feet, thence leaving said centerline and running the following eight courses and distances, viz: (48) South 80 degrees 10 minutes 35 seconds West 53.58 feet, thence (49) North 07 degrees 49 minutes 59 seconds East 189.36 feet, thence (50) North 34 degrees 17 minutes 25 seconds East 197.08 feet, thence (51) North 05 degrees 07 minutes 12 seconds East 392.90 feet, thence (52) North 79 degrees 53 minutes 21 seconds East 1385.71 feet, thence (53) North 06 degrees 57 minutes 02 seconds West 544.50 feet, thence (54) North 84 degrees 45 minutes 20 seconds East 901.35 feet, and thence (55) South 40 degrees 15 minutes 07 seconds East 519.42 feet to intersect the division line between the existing RC-2 zone and proposed RC-5 zone as shown on plat to accompany Petition for Special Exception Golf Course/Country Club, prepared by Daft-McCune-Walker, Inc. on February 10, 1989.

and intended to be filed herewith, thence binding on said proposed division line the following nineteen courses and distances, viz: (56) North 51 degrees 51 minutes 28 seconds East 147.81 feet, thence (57) South 89 degrees 39 minutes 23 seconds East 168.08 feet, thence (58) South 70 degrees 13 minutes 30 seconds East 1123.33 feet, thence (59) North 17 degrees 06 minutes 44 seconds East 370.96 feet, thence (60) South 66 degrees 59 minutes 38 seconds East 269.35 feet, thence (61) South 01 degree 25 minutes 56 seconds West 411.38 feet, thence (62) South 43 degrees 33 minutes 56 seconds East 574.89 feet, thence (63) North 48 degrees 43 minutes 51 seconds East 441.36 feet, thence (64) South 29 degrees 50 minutes 32 seconds East 327.13 feet, thence (65) South 65 degrees 19 minutes 43 seconds West 455.16 feet, thence (66) South 16 degrees 24 minutes 33 seconds East 396.28 feet, thence (67) South 01 degree 00 minutes 26 minutes West 340.68 feet, thence (68) South 26 degrees 25 minutes 37 seconds East 257.41 feet, thence (69) South 35 degrees 19 minutes 26 seconds East 317.62 feet, thence (70) South 26 degrees 46 minutes 52 seconds East 702.03 feet, thence (71) South 12 degrees 17 minutes 58 seconds West 187.28 feet, thence (72) South 47 degrees 59 minutes 13 seconds West 366.25 feet, thence (73) South 60 degrees 17 minutes 31 seconds West 445.28 feet, and thence (74) South 40 degrees 22 minutes 42 seconds East 415.25 feet, thence leaving aforesaid proposed

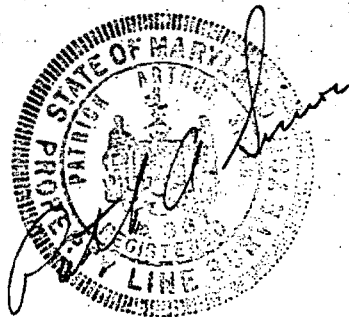
division line and running the three following courses and distances, viz: (75) South 42 degrees 56 minutes 30 seconds West 869.22 feet, thence (76) South 50 degrees 58 minutes 40 seconds East 393.92 feet, and thence (77) South 38 degrees 44 minutes 05 seconds West 906.66 feet to the point of beginning; containing 836.9 acres of land, more or less.

THIS DESCRIPTION HAS BEEN PREPARED FOR ZONING PURPOSES ONLY AND IS NOT INTENDED TO BE USED FOR CONVEYANCE.

Saving and excepting from the above described parcel of land a 40.1 acre parcel of land proposed to be rezoned RC-5 and a 3.8 acre parcel of land situate on the southwest side of Park Heights Avenue owned by the Consolidated Gas, Electric and Light Company both as shown on the plat to accompany petition for Special Exception for Golf Course/Country Club, prepared by Daft-McCune-Walker, Inc. on February 10, 1989. The area of land being Petitioned for Special Exception is 793.0 acres.

February 10, 1989

Our Job No. 88015 (L88015A)



89-476-SPRX
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

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

Your petition has been received and accepted for filing this
13th day of April, 1989.


J. ROBERT HAINES
ZONING COMMISSIONER

Petitioner Caves Valley Club, Inc.
Petitioner's et al
Attorney George A. Wilson

Received by: James E. Dyer
Chairman, Zoning Plans
Advisory Committee

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

J. Robert Haines
Zoning Commissioner

Date: 5/2/89

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

Re: 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.



Dennis F. Rasmussen
County Executive

Gentlemen:

Please be advised that \$89.10 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED
ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

JRH:gs

cc: George A. Nilson, Esq.
File

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

No. 066036

DATE 5/18/89 ACCOUNT R-01-615-000

AMOUNT \$ 89.10

RECEIVED FROM: Carver Valley

FOR: RA for 5/18/89 89-476 SPHY

6 B11*****8910:a .10.F

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

PIPER & MARBURY

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201

301-539-2530

TELECOPIER 301-539-0489

CABLE PIPERMAR BAL

TELEX 908054

GEORGE A. NILSON
DIRECT DIAL NUMBER
301-576-1769

1200 NINETEENTH STREET, N.W.
WASHINGTON, D.C. 20036
202-861-3900

April 11, 1989

The Honorable J. Robert Haines
Zoning Commissioner
c/o W. Carl Richards, Jr.,
Zoning Coordinator
Baltimore County Office of Planning & Zoning
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21205

RECEIVED
APR 11 1989

ZONING OFFICE

Re: Caves Valley Club, Inc, et al.
Petition for Special Exception

Item No. 341, Case No. 89-409-X(2)
433 89-476 — SPHX

Dear Commissioner Haines:

Enclosed is a check payable to Baltimore County in the amount of \$150.00 representing the balance of the filing fee due in connection with the special hearing petition and supplemental special exception petition filed in the Caves Valley Club matter. This letter is to confirm our desire to retain the original special exception petition and the hearing dates scheduled on it (4/18 and 19, 1989). We hope that your office is able to schedule the special hearing petition and the supplemental special exception petition for sometime in May.

If you or your staff have any questions at all, please call either me or Ted Millspaugh.

Sincerely,

George A. Nilson
George A. Nilson

GAN/rg
Enclosure
cc: Thomas E.D. Millspaugh, Esquire
Mr. George Gavrellis

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 + Manbury \$150.00
Daft McCune + Walker 50.00

FOR: Item # 433 (89-409XSPH(2))

UOR

B B 1111111111111111

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

VALIDATION OR SIGNATURE OF CASHIER

Tracking System

Baltimore County
Zoning Commissioner
Office of Planning & Zoning

Council District

Election District



Date Receipt FEE
Day Month Year Number TYPE Identification Number Zip Code

04 12 89 066023 89 - 409 3 04 21117

Petitioner: Cares Valley Club / Krongard
(Last) (First) (Middle Initial)

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

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

89-476-SPHE

District 4th Date of Posting April 26, 1989
Posted for: Special Exception Special Hearing
Petitioner: Cares Valley Club, Inc. et al
Location of property: NE and SW Side Park Heights Avenue, 470' NW
C/L Caree Road
Location of Signs: NE Side of Park Heights Avenue, approx. 600'
NW of Caree Road
Remarks: _____
Posted by S. J. Arata Date of return: April 28, 1989
Signature
Number of Signs: 2

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, Merchants, 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 CABLE TV 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 shut-ins, 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/T 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 appropriate recreational facilities, maintenance facilities associated with the foregoing, 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! 655-3477, anytime.

REAL ESTATE

GOVERNMENT HOMES from \$1.00 (Up to \$100K). Foreclosures, Reposs., Tax Delinquent Properties. Now selling. Call 1-315-736-7375, ext. H-Md-P1 for info., 24 hrs.

REAL ESTATE

REAL ESTATE

OWNER'S SALE

New Townhomes of Greengate-
Only 2 Years Old!

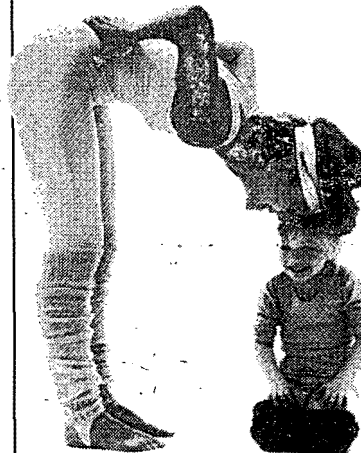
Beautiful 3BR, 2 1/2 BA, family room, fireplace, cathedral ceiling, skylights, recessed lighting, large deck, custom window treatments throughout. Many extras.

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, 1989

the second publication appearing on the

_____ day of _____, 1989

the third publication appearing on the

_____ day of _____, 1989

THE NORTHWEST STAR

Jon Bauli
Manager

Cost of Advertisement

\$ 32.40

13
4.5
2.2
9 0
31.5
32.40

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 21204 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 Date: Thursday,
May 18, and Fri. May 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 limitation a pro shop, lounge, eating facility and locker rooms, overnight accommodations for a maximum of 40 members and their guests, other appropriate recreational facilities, maintenance facilities associated with the foregoing, 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

CERTIFICATE OF PUBLICATION

TOWSON, MD.,

May 1

1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on *April 27*, 1989.

THE JEFFERSONIAN,

S. Zehe Orlean

Publisher

PO 11996

reg M 28923

cc 89-476-SPHX

price \$59.10

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
494-3353

April 14, 1989

J. Robert Haines
Zoning Commissioner

NOTICE OF HEARING



Dennis F. Rasmussen
County Executive

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 limitation a pro shop, lounge, eating facility and locker rooms, overnight accommodations for a maximum of 40 members and their guests, other appropriate recreational facilities, maintenance facilities associated with the foregoing, 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.

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A handwritten signature in cursive script that reads "J. Robert Haines".

J. ROBERT HAINES
Zoning Commissioner of
Baltimore County

Page 2

April 14, 1989

NOTICE OF HEARING

CASE Number: 89-476-SPHX

Petitioner(s): Caves Valley Club, Inc., et al

bcc: Caves Valley Club, Inc.

Mr. & Mrs. Alvin B. Krongard

George A. Nilson, Esq.

Lucretia B. Fisher

File :

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

May 4, 1989

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

o0o

George A. Nilson, Esquire
36 South Charles Street
Baltimore, MD 21201

RE: Item No. 433, Case No. 89-476-SPHX
Petitioner: Caves Valley Club, Inc., et al
Petition for Special Exception and
Special Hearing

MEMBERS

Bureau of
Engineering

Department of
Traffic Engineering

State Roads Commission

Bureau of
Fire Prevention

Health Department

Project Planning

Building Department

Board of Education

Zoning Administration

Industrial
Development

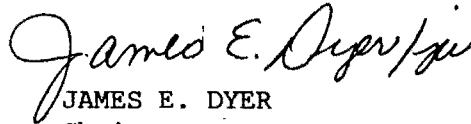
Dear Mr. Nilson:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,



JAMES E. DYER
Chairman

Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Caves Valley Club, Inc.
2 Hopkins Plaza, Suite 1210
Baltimore, MD 21201

2

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

April 25, 1989

Mr. J. Robert Haines
Zoning Commissioner
County Office Building
Towson, MD 21204



Dennis F. Rasmussen
County Executive

Dear Mr. Haines

The Bureau of Traffic Engineering has no comments for the Caves Valley Club site (item #433).

Very truly yours,

A handwritten signature in cursive script, reading "Michael S. Flanigan".

Michael S. Flanigan
Traffic Engineer Assoc. II

MSF/lab

RECEIVED

APR 28 1989

ZONING OFFICE

Baltimore County
Fire Department
Towson, Maryland 21204-2586
494-4500

Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

APR 14 1989



Dennis F. Rasmussen
County Executive

Re: Property Owner: Caves Valley Club, Inc., et al

Location: NE&SW/S Park Heights Ave., 470' NW of the
centerline Caves Road

Item No.: 433

Zoning Agenda: 4/12/89

Gentlemen:

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

- () 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- () 2. A second means of vehicle access is required for the site.
- () 3. The vehicle dead end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

- *(X) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1988 edition prior to occupancy.
- () 6. Site plans are approved, as drawn.
- () 7. The Fire Prevention Bureau has no comments at this time.

* Water for fire protection shall be provided in accordance with the Urban Guide for Fire Prevention and Control Master Planning

REVIEWER: Capt Joseph Kelly 4-14-89
Planning Group
Special Inspection Division

Noted and

Approved: Capt Wm Brady Jr
Fire Prevention Bureau

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner

DATE: April 21, 1989

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

SUBJECT: ZONING ADVISORY COMMENTS (A:51889.txt pg 1)

Case No. 89-476 - SPHX
Item No. 433

Re: Caves Valley Club

The petitioner is requesting a special exception to allow 1) County Club; 2) 18 hole golf course; 3) practice fairways; 4) practice greens; 5) other appropriate practice facilities; 6) clubhouse complex including professional golf shop, lounge, eating facility, locker rooms, lodging for 40 guests (16 rooms for 32 guests, allowance for 8 more guests at private residences located on site), appropriate recreational facilities; 7) maintenance facilities to consist of building of 14,000 sq. ft., outdoor storage area, parking lot, fuel storage, out-buildings; 8) accessory uses and buildings for eating, resting, storage, and maintenance, and 9) signage.

The particular request is outlined in detail on site plan dated 2/10/89 titled Golf Club Caves Valley Club, Inc. In reference to this request, staff provides the following information:

- ° A CRG for this plan will be held on Wednesday, April 19, 1989.
- ° The site plan for special exception notes the possible uses in considerable detail in provisions 7,8,9,10 and 11. Although the notes go into detail, the site plan does not reflect the extent or impact of the request. The Office of Planning and Zoning agrees in concept to the applicant's request as originally proposed.
- ° Site plan details that are not provided yet which raise planning concerns, include the following:
 - limits of disturbance
 - development of Maintenance Area and Club Area:

architectural designs	lighting
site design	noise
landscaping	trash
restaurant capacity	odors
ancillary uses	signage
parking lot layout and design	

cc: George A. Nilson, Esq. 4/25/89

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.

PK/sf

4/17/89

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

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 - 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



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



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 colleagues 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

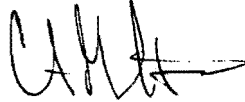
The CRG refinement plan should be accompanied by the letter from Valleys Planning Council and one extra plan should be submitted for signature so that it may be included in zoning case file 89-476-SPHX.



Mr. David C. Powlen
December 15, 1997
Page 2

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,

A handwritten signature in black ink, appearing to read 'CAM', with a long horizontal stroke extending to the right.

Catherine A. Milton
Planner II
Zoning Review

CAM:rye

c: Donald Rascoe
zoning case 89-476-SPHX

Enclosure

PASSWORD :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY
PANEL BP1003M
TIME: 09:48:45 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 12/14/90
DATE: 12/13/90 GENERAL PERMIT APPLICATION DATA PLP 09:53:29
PERMIT #: B078831 PROPERTY ADDRESS
RECEIPT #: A112442 11747 PARK HEIGHTS AVE
CONTROL #: 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
APPLIED: 12/13/90 NAME: GRANT D. TORMEY
ISSUED: 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 :

ENTER - PERMIT DETAIL PF3 - INSPECTIONS PF7 - DELETE PF9 - SAVE
PF2 - APPROVALS PF4 - ISSUE PERMIT PF8 - NEXT PERMIT PF10 - INQRY
PANEL BP1004M
TIME: 09:48:54 AUTOMATED PERMIT TRACKING SYSTEM LAST UPDATE 12/14/90
DATE: 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 ENGR: 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

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 LOT SIZE AND SETBACKS
FLOOR: 102.5 SIZE: 110.987AC
WIDTH: 13'2" FRONT STREET:
DEPTH: 12'8" SIDE STREET:
HEIGHT: 15'6" FRONT SETB: 75
BATHROOMS: 1 SIDE SETB: 740/4610
KITCHENS: SIDE STR SETB:
REAR SETB: 2030
ZONING INFORMATION ASSESSMENTS
DISTRICT: BLOCK: LAND: 0201870.00
PETITION: SECTION: IMPROVEMENTS: 0392320.00
DATE: LIBER: TOTAL ASS.:
MAP: FOLIO:
CLASS: 05

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 JF
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

Rest Houses
0833 MAYBE W/ CRAWN

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 JF
SEDI CTL 12/31/90 01 GP/TT

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

Pulaski

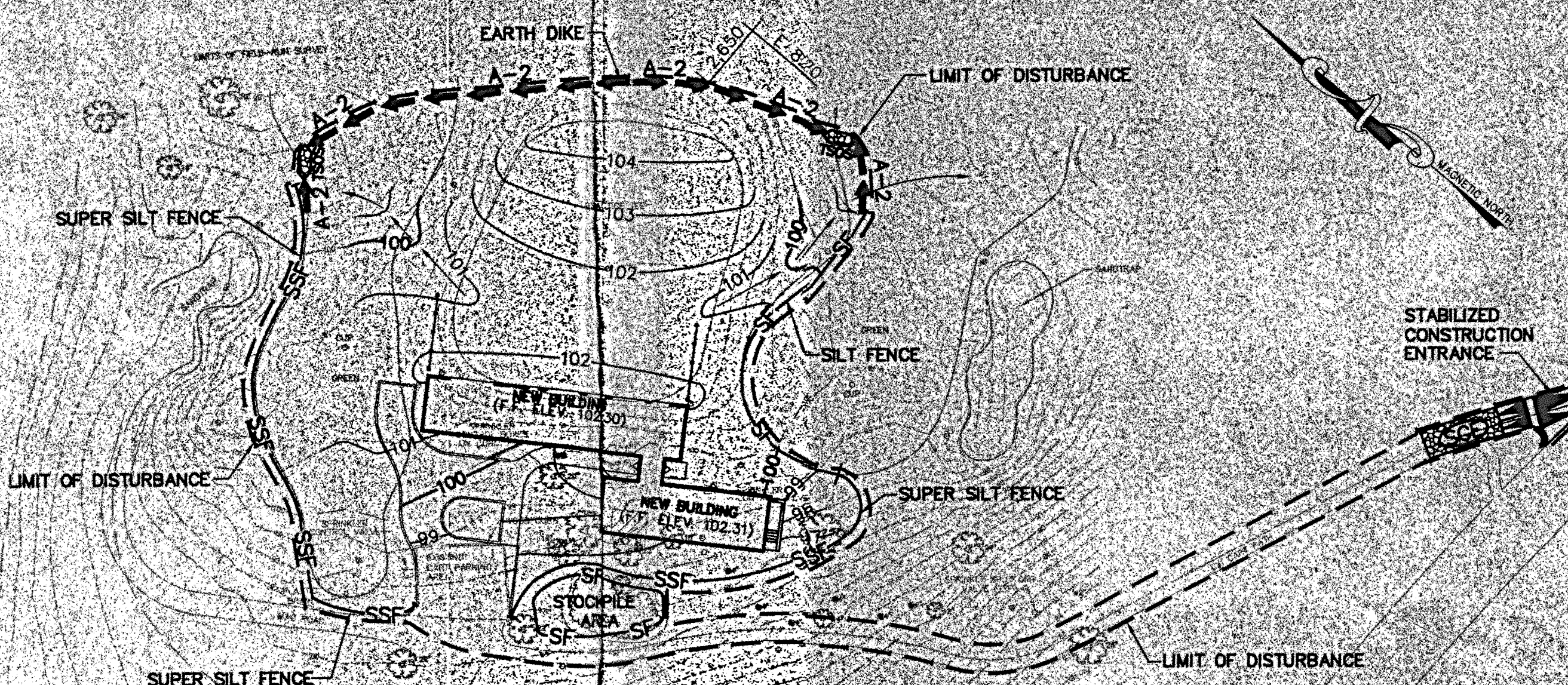
EXHIBITS

19890476

2

12④

B 737408RA



TOTAL DISTURBED AREA

39,176.45 S.F.
0.90 AC±

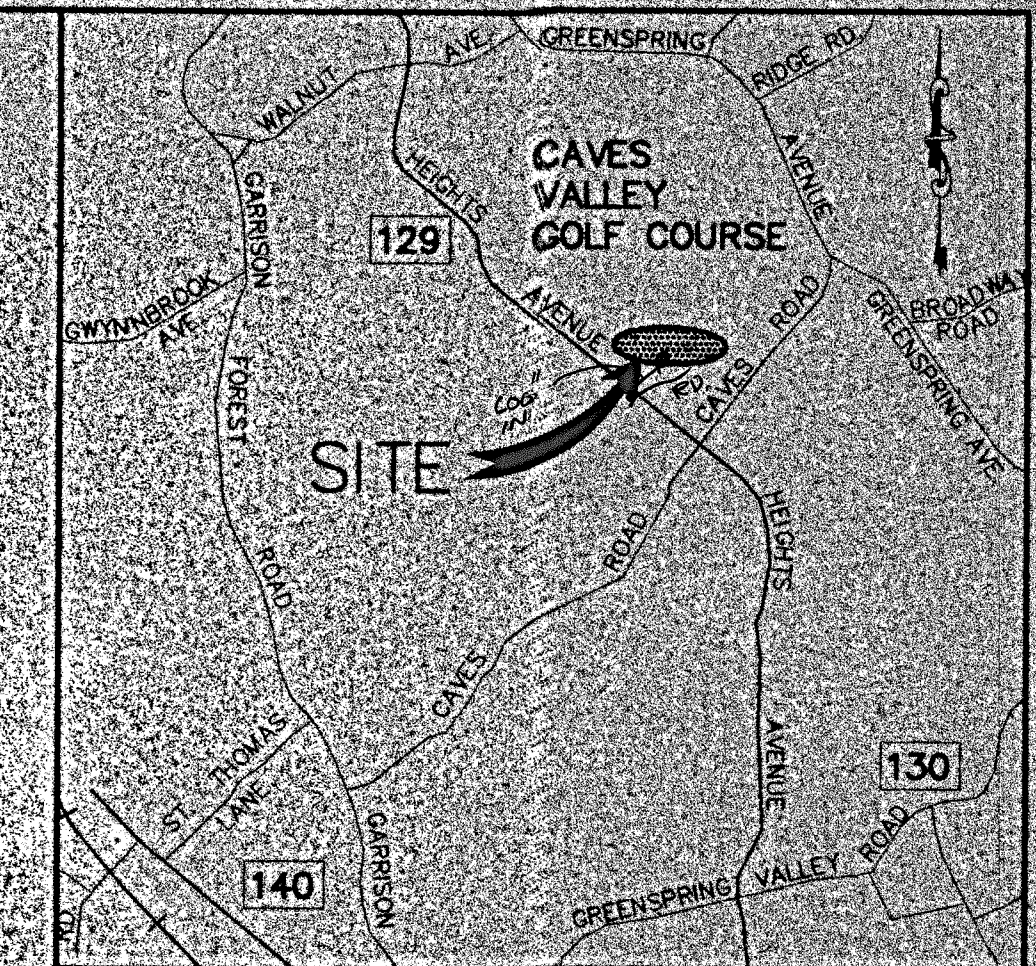
BENCH MARK DATA

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			
PAVING			
GRAVEL			
CONCRETE SIDEWALK			
CURB			
SPRINKLER			
VALVE			
CONTOUR			
SPOT ELEVATION			
TREE			
FENCE			



VICINITY MAP
SCALE: 1" = 4,000'

EROSION AND SEDIMENT CONTROL LEGEND

STABILIZED CONSTRUCTION ENTRANCE W/ MOUNTABLE BERM	
TEMPORARY STONE OUTLET STRUCTURE	
EARTH DIKE	
SUPER SILT FENCE	
SILT FENCE	
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.

NOTE:

A. THE PROPOSED GRADING SHOWN ON THE PLAN MEETS THE REQUIREMENTS SET FORTH BY THE BALTIMORE COUNTY PUBLIC WORKS DESIGN STANDARDS FOR PROTECTION AND RESOURCE MANAGEMENT AND COMPLIES WITH TITLE 14, ARTICLE 3 OF THE BALTIMORE COUNTY CODE. HOWEVER, DUE TO BUILDING SETBACKS AND LAYOUT, SOME FIELD WORK MAY BE REQUIRED TO MAKE 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 THE 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.

REQUIRED SEQUENCE OF CONSTRUCTION

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

ACTIVITY

1. AT (410) 687-3228 AT LEAST 48 HOURS PRIOR TO THE START OF WORK.
2. IF APPLICABLE, ORANGE HIGH VISIBILITY PILE SHALL BE MANUALLY INSTALLED ALONG THE LIMIT OF DISCURABLE, 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.
3. CLEAR AND GRUB FOR SEDIMENT & EROSION CONTROL MEASURES OR DEVICES ONLY.
4. INSTALL ALL SEDIMENT & EROSION CONTROL MEASURES AND DEVICES INCLUDING BUT NOT LIMITED TO STABILIZED CONSTRUCTION ENTRANCES, SILT FENCE, AND SUPER SILT FENCE.
5. NOTIFY BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INSPECTION AND ENFORCEMENT DIVISION UPON COMPLETION OF SAID INSTALLATION.
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.
7. ROUGH GRADE SITE.
8. CONCURRENT WITH STEP 7, START BUILDING CONSTRUCTION.
9. FINE GRADE THE PRACTICE TREE AREA.
10. PERMANENTLY STABILIZE THE PRACTICE AREA.
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.
12. FINE GRADE SITE AND PERMANENTLY STABILIZE ALL DISTURBED AREAS NOT COVERED BY BUILDINGS OR PAVING. INSTALL ALL PAVING AND FENCING.
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.

**SUGGESTED TIME
OF COMPLETION**

PARK HEIGHTS AVENUE (MARYLAND RTE 129)

GRADING

THE CURRENT GRADING REQUIREMENTS AS SET FORTH BY THE BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCES IN THE BALTIMORE COUNTY CODE, ARTICLE VI OF THE BALTIMORE COUNTY CODE.

SIGNATURE OF OWNER/DEVELOPER _____ TITLE _____

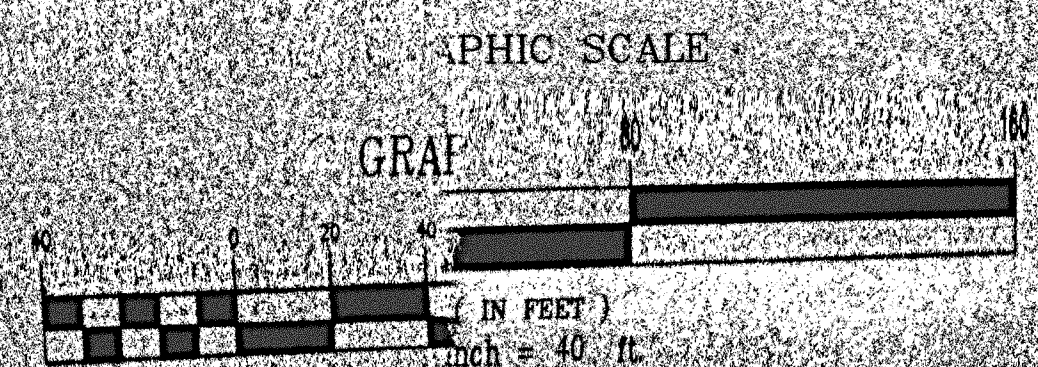
PRINT NAME	
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AIR QUALITY:

1. AIRBORNE DUST: I AM RESPONSIBLE UNDER THE 26.11.06.03 TO PREVENT PARTICULATE MATTER FROM BECOMING AIRBORNE DUE TO GRADING, RELATED ACTIVITIES. I HAVE LAND CLEARING, EXCAVATION, CONSTRUCTION OR OTHER REGULATIONS FOR CONTROLLING RECEIVED A COPY OF GUIDELINES TO THE AIR POLLUTION. I HAVE A COPY OF CONAR 26.11.06.03 EXCESSIVE: AFB (DUST) ON ACTIVITY SITES WHICH INCLUDES SECTION (987-5775) AT LEAST THREE I WILL CONTACT THE WASTE MANAGEMENT AND AIR DAYS PRIOR TO BEGINNING WORK.

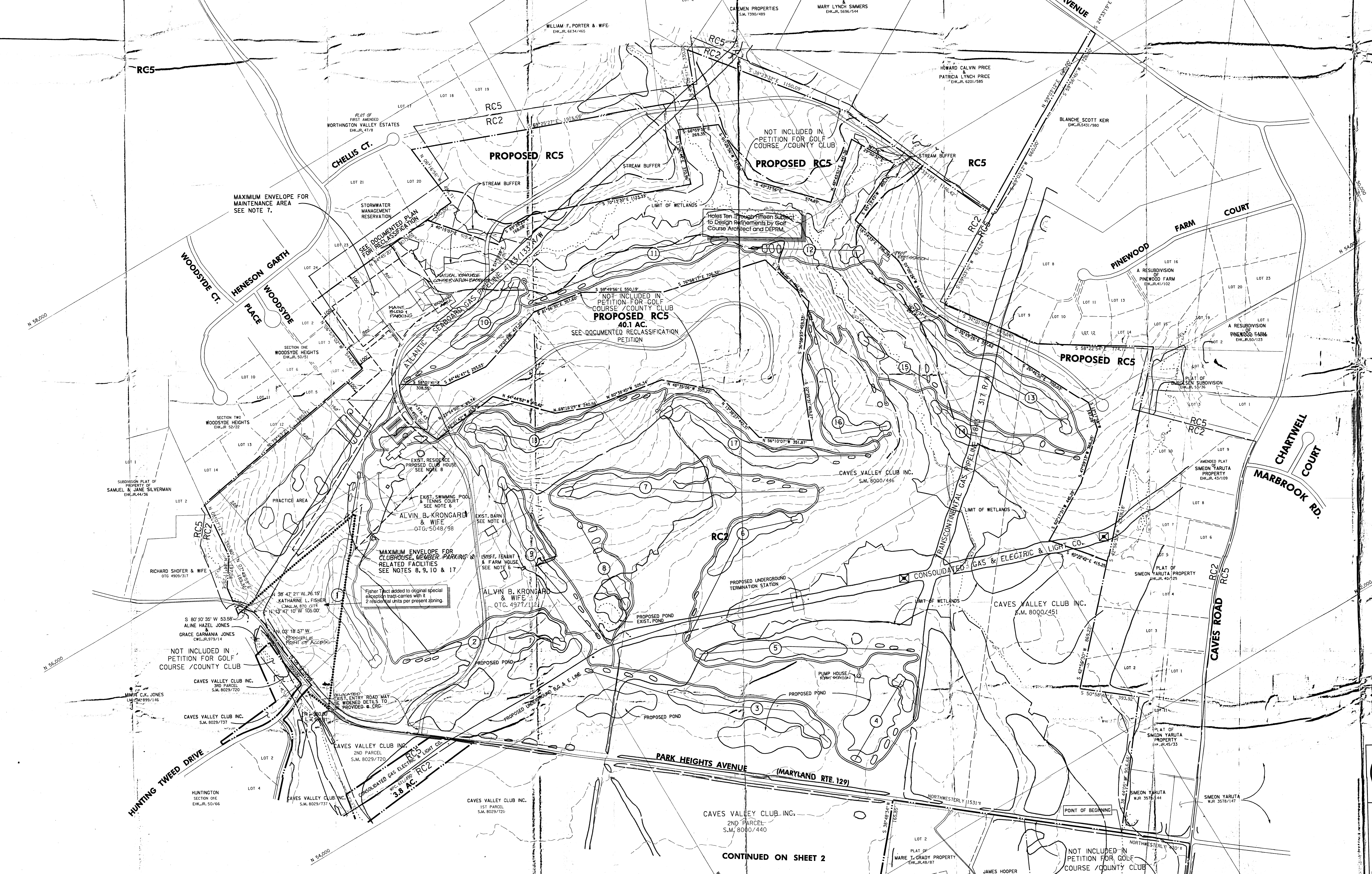
SIGNATURE OF OWNER/DEVELOPER TITLE

PRINT NAME



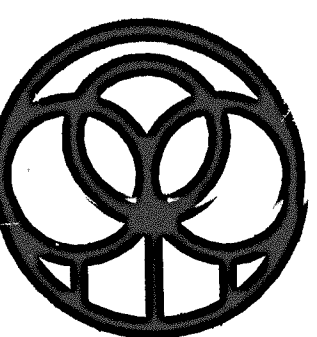
DATE	NO.	REVISIONS
GRADING, EROSION AND SEDIMENT CONTROL PLAN		
PROJECT TITLE:		
CAVES VALLEY LEARNING CENTER  CAVES VALLEY GOLF CLUB 2910 BLENDON ROAD BALTIMORE COUNTY, MARYLAND 21117		
ENGINEERS:		Consulting Engineers 849 Fairmount Avenue Baltimore, Maryland 21286 (410) 512-4500 (410) 324-4100 (FAX) WHITNEY, BAILEY, COX & MAGNANI, LLP
C-3	DESIGNED:	MMN
	DRAWN:	SAC
	CHECKED:	DCP
	DATE:	10/8/99
	SCALE:	1" = 40'
	WBCM JOB NO:	99052900.0
DRAWING NAME		GRADING, SEDCON. DWG

- 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



- [illegible]

PETITIONER'S
EXHIBIT 1 4-33 **PRINTED**



LAND PLANNING CONSULTANTS, INC.
LANDSCAPE ARCHITECTS
ENGINEERS SURVEYORS

200 EAST PENNSYLVANIA
TOWSON, MD. 21204
TELEPHONE: 301-296-3333

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2015-2

GOLF C

CAVES VALLEY

SUPPLEMENTA

TO ACCOMPANY

SUPPLEMENTING
AND PLAT IN CASE NO.

ELECTION DISTRICT 4.C3

