

IN RE: PETITION FOR ZONING VARIANCE
South of Cape May, 600 ft.
plus or minus East of Back
River Neck Road
15th Election District
5th Councilmanic District
Petitioner - Legal Owner
Frost Brothers Development
Corporation

BEFORE THE
ZONING COMMISSIONER
OF
BALTIMORE COUNTY
CASE NO. 90-312-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioner herein requests a variance to approve a window to tract setback of ten (10) feet in lieu of the required thirty-five (35) feet for proposed lots 1 and 9 as set forth in Petitioner's Exhibit No. 1.

Dr. Rex Frost appeared on behalf of Frost Brothers Development Corporation, the Petitioner, which was represented by John B. Gontrum, Esquire. Also appearing and testifying on behalf of the Petitioner was Leonard Bohager, surveyor, who assisted in the preparation of the site plan, Petitioner's Exhibit No. 1. There were no protestants.

Testimony indicated that the subject property known as Cape May Landing had been approved by the Baltimore County Review Group for development into 33 single family units. Testimony indicated that previously two lots had been conveyed out of an overall parcel and had been developed into single family dwellings. It was the development of these two lots which created the need for the variances on lots 1 and 9. Attached hereto is a plat prepared by Charles R. Crocken and associates now marked Petitioner's Exhibit A indicating in

further detail the proposed setbacks of the proposed dwellings on lots 1 and 9. It is this site plan in conjunction with Petitioner's Exhibit No. 1 to which this opinion will refer and the relief requested will be limited to the information shown on both Petitioner's Exhibits 1 and A.

Testimony indicated that there was no objection from the owner of the out-conveyed lots to the requested variances. Had these lots remained as part of the subdivision, there is no variance which would have been necessary. Consequently, it is apparent that it was the internal mechanism which Petitioners chose rather than the proposed location of the houses on the lots which necessitates the request for the zoning variance.

Section 307 of the Baltimore County Zoning Regulations indicates that the Zoning Commissioner shall have the right to grant a variance only in cases where strict compliance with the zoning regulations for Baltimore County would result in practical difficulty. Furthermore, any such variance should be granted only if in strict harmony with the spirit and intent of the zoning regulations and in such a manner as to grant relief without substantial entry to public health, safety and general welfare. In determining whether practical difficulty exists, the course of appeal in *McLean v. Soley*, 270 Md. 208, 310A.2d783 (1973) and in *Anderson vs. Board of Appeals, Town of Chesapeake Beach*, 22 Md. App. 28, 322 A.2d 220 (1974) that a three fold test applies. The criteria are as follows:

(1) Whether strict compliance with requirement would unreasonably prevent the use of the property for permitted purpose or render conformance unnecessarily burdensome.

(2) Whether the grant would do substantial injustice to applicant as well as other property owners in district or substantial relief.

(3) Whether relief can be granted in such fashion that the spirit of the ordinance would be observed and public safety and welfare secured.

In the event the variances are not granted as requested, Petitioner would lose two lots. Obviously, if the out conveyed parcel had remained part of the property Petitioner would have the ability to develop these two lots. It is a form and timing issue rather than a substance issue, which dictates in this case whether the two lots would be built. This is not the reason that the particular setbacks were ordained by the Baltimore County Manual of Development and by the Baltimore County Zoning Regulations. It would be unreasonable to prohibit the developer from doing that which any other developer would otherwise be allowed to do but for the issue of timing.

Failure to grant this particular variance would also do a substantial injustice to the developer. Failure to give the relief as sought would merely push the other buildings closer together on the lots. While these lots are not large, they do meet Baltimore County Development Requirements. Petitioner's Exhibit A attached hereto indicates how the homes may be situated on the site so as to meet necessary setbacks between the homes at 25 feet. There is no other variance which would satisfy the requirements and yet allow these houses to be

built.

By granting the variance, I believe that the spirit of the ordinance will be observed and the public safety and welfare will be secured.

Pursuant to the advertising, posting of the property and public hearing held and for reasons given above, the Petition for Zoning Variance should be granted.

THEREFORE, IT IS ORDERED, by the Zoning Commissioner of Baltimore County, Maryland, this 4th day of April, 1990, that the Petition for Zoning Variance to approve a window to tract setback of ten (10) feet in lieu of the required thirty-five (35) feet for Lots 1 and 9 as depicted in Petitioner's Exhibit 1 and Petitioner's Exhibit A attached hereto, be and the same is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner may apply for his building permit and Petitioner is hereby made aware that proceeding at this time process from this Order has expired. If, for whatever reason, return, and be responsible for returning, said property to its original condition.

2. When applying for a building permit, the site plan and landscaping plan must reference this case and set forth and address the restrictions of this Order.

3. Upon request and reasonable notice, Petitioner shall make an inspection of the subject property to insure compliance with this Order.

J. Robert Haines
Zoning Commissioner

ORDER RECEIVED FOR FILING
Date 4/10/90
By J. Robert Haines

ORDER RECEIVED FOR FILING
Date 4/10/90
By J. Robert Haines

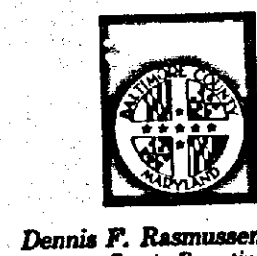
ORDER RECEIVED FOR FILING
Date 4/10/90
By J. Robert Haines

ORDER RECEIVED FOR FILING
Date 4/10/90
By J. Robert Haines

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333

J. Robert Haines
Zoning Commissioner

April 4, 1990



John B. Gontrum, Esquire
809 Eastern Avenue
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCE
S of Cape May Road, 600' E of Back River Neck Road
(Lots 1 and 9 of Cape May Landing)
15th Election District - 5th Councilmanic District
Frost Brothers Development Corp. - Petitioners
Case No. 90-312-A

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
Zoning Commissioner
for Baltimore County

JRH:bjs

cc: People's Counsel

File

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

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 Variance from Section 1.B01.2.C.2.a. and V.B.5.a.-(C.M.D.P.)

for a window to tract setback of 10' in lieu of the required 35 feet for proposed lots 1 and 9.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

MAP 2912
A.D. 15
DATE 11/1/91
1000
2000
3000
4000
5000
6000
7000
8000
9000
10000

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

I, or we, agree to pay expenses of above Variance 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: (Type or Print Name) Signature Address City and State	Legal Owner(s): Frost Brothers Development Corp. (Type or Print Name) BY: J. Robert Haines, Development Corp. by Signature Rex Frost, President (Type or Print Name) Signature Address City and State
Attorney for Petitioner: John B. Gontrum (Type or Print Name) Signature Address City and State	54 Windemere Parkway 592-2967 Phoenix, Maryland 21131 Name, address and phone number of legal owner, contract purchaser or representative to be contacted Name Address City and State
Attorney's Telephone No.: 686-8274	Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 4th day of April, 1990, 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 7th day of FEB, 1990, at 2:30 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County
(over)

PETITION FOR ZONING VARIANCE

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Attorney for Petitioner: John B. Gontrum (Type or Print Name) Signature Address City and State	54 Windemere Parkway 592-2967 Phoenix, Maryland 21131 Name, address and phone number of legal owner, contract purchaser or representative to be contacted Name Address City and State
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J. Robert Haines
Zoning Commissioner of Baltimore County
(over)

CHARLES R. CROCKEN & ASSOCIATES, INC.
Civil Engineering & Land Planning
P.O. BOX 307
WESTMINSTER, MARYLAND 21157

DESCRIPTION TO ACCOMPANY PETITION
FOR ZONING VARIANCE CAPE MAY
LANDING, LOTS 1 AND 9

Beginning for the same in the center of existing Cape May Road at a point located 338 feet more or less as measured Northeastly along the center of said road from the centerline of Back River Neck Road, and running thence in the center of Cape May Road (1) North 55°14'11" East 549.75 feet, thence leaving the centerline and running (2) South 35°32'37" East 30.01 feet to the southeast right of way line of Cape May Road, as proposed and laid out to be 66' wide; thence binding thereon (3) South 55°14'11" West 125.48 feet; thence leaving said right of way line, (4) South 34°45'19" East 109.25 feet; (5) North 55°14'11" East 126.96 feet; (6) South 35°32'37" East 775.57 feet to the North right of way line of MD Route 702 extended, thence binding thereon (7) North 66°50'35" West 43.50 feet; thence binding thereon (8) North 62°11'16" West 112.97 feet; (9) West 100.00 feet; (10) North 62°11'16" West 112.97 feet; (11) South 34°45'19" East 109.25 feet; (12) South 35°32'37" East 775.57 feet to the North right of way line of MD Route 702 extended, thence binding thereon (13) North 66°50'35" West 43.50 feet; (14) North 62°11'16" West 112.97 feet; (15) West 100.00 feet to the place of beginning. Containing 8.0587 acres of land, more or less.

DES-ON CAP 6

CERTIFICATE OF PUBLICATION

TOWSON, MD. January 11, 1990

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on January 11, 1990.

THE JEFFERSONIAN,

P. S. Zake Olson
Publisher

CERTIFICATE OF PUBLICATION

Office of

THE AVENUE NEWS

442 Eastern Blvd.
Towson, MD. 21221

January 11, 1990

THIS IS TO CERTIFY, that the annexed advertisement of

Frost Brothers Corporation Development
in the matter of Petition for Zoning Variance
on S of Cape May, 600' +/- E of Back River
Neck Rd. Case # 90-312-A, P.O. # 0101092
Reg. # M38143 94.50 lines @ \$51.97

was inserted in The Avenue News a weekly newspaper

published in Baltimore County, Maryland once a week for

successive week(s) before the 12 day of Jan 1990

It is to say, the same was inserted in the issues of Jan. 11 1990

The Avenue Inc.

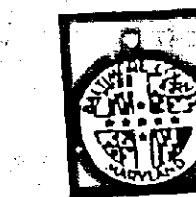
Deane Caldwell
per publisher

Notice of Hearing
The Zoning Commission 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 on the following
date and time:
Case Number: 90-312-A
South of Cape May, 600' +/-
East of Back River Neck Road
15th Election District -
5th Comprehensive
Zoning District
Petitioner(s): Frost Brothers
Development Corporation
HEARING DATE:
WEDNESDAY, FEBRUARY 7, 1990
at 2:30 p.m.
Variance for a window to
be located within the 10 ft. in
line of the required 35 ft. for
proposed lots 1 and 2.
In the event that this Petition is
granted, a building permit may be
issued within the thirty (30) day
appeal period. The Zoning Commission
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.
NOTE: If "PHASE II" of the
"SNOW EMERGENCY PLAN" is in effect
in Baltimore County on the above
hearing date, the hearing will be
postponed. In the event of snow,
telephone 887-3391 to confirm
hearing date.)
J. ROBERT HAINES
Zoning Commissioner
BALTIMORE COUNTY, MARYLAND

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(801) 887-3353

J. Robert Haines
Zoning Commissioner

DATE 1-25-90



Dennis F. Rasmussen
County Executive

Frost Brothers Development Corporation
54 Windway Parkway
Pawcatuck, Maryland 21131

Re:

Petition for Zoning Variance
CASE NUMBER: 90-312-A
South of Cape May, 600' +/- East of Back River Neck Road
15th Election District - 5th Comprehensive
Zoning District
Petitioner(s): Frost Brothers Development Corporation
HEARING DATE: WEDNESDAY, FEBRUARY 7, 1990 at 2:30 p.m.

Declaration:

Please be advised that \$26.08 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

Be advised that should you fail to return the sign & post set(s), there will be an additional \$50.00 added to the above amount for each such set not returned.

Very truly yours,

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

cc: John S. Carls, Esq.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(801) 887-3353

J. Robert Haines
Zoning Commissioner

October 15, 1989

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:

Petition for Zoning Variance
CASE NUMBER: 90-312-A
South of Cape May, 600' +/- East of Back River Neck Road
15th Election District - 5th Comprehensive
Zoning District
Petitioner(s): Frost Brothers Development Corporation
HEARING DATE: WEDNESDAY, FEBRUARY 7, 1990 at 2:30 p.m.

Variance for a window to be located within the 10 ft. in line of the required 35 ft. for proposed lots 1 and 2.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commission 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.

NOTE: If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3391 to confirm hearing date.)

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

cc: Petitioner
John S. Carls, Esq.

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150

Number N: 412

receipt

Date

11/22/89

119000174

PUBLIC HEARING FEES	QTY	PRICE
010 - ZONING VARIANCE (1RL)	2 X	\$55.00
TOTAL:		\$70.00

LAST NAME OF OWNER: FROST BROS DEV CO

8 0076*****7000: 2225F

Cashier Validation

Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150

Number N: 1276

receipt

Date

2/06/90

119000134

PUBLIC HEARING FEES	QTY	PRICE
080 - POSTING SIGNS / ADVERTISING	1 X	\$126.08
TOTAL:		\$126.08

LAST NAME OF OWNER: FROST BROS DEV CO

8 112*****12601: 3085F

Cashier Validation

Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

Account: R-001-6150

Number N: 1276

receipt

Date

2/06/90

119000134

PUBLIC HEARING FEES	QTY	PRICE
080 - POSTING SIGNS / ADVERTISING	1 X	\$126.08
TOTAL:		\$126.08

LAST NAME OF OWNER: FROST BROS DEV CO

8 112*****12601: 3085F

Cashier Validation

Please make checks payable to: Baltimore County

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner

January 23, 1990



Dennis F. Rasmussen
County Executive

John B. Gontrum, Esquire
809 Eastern View
Baltimore, MD 21221

RE: Item No. 174, Case No. 90-312-A
Petitioner: Frost Brother Dev. Corp.
Petition for Zoning Variance

Dear Mr. Gontrum:

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 of 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 WINTARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

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

JED:jw

Enclosures

cc: Mr. Rex Frost
Frost Brothers Development Corp.
54 Wilderness Parkway
Phoenix, MD 21131

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3333
J. Robert Haines
Zoning Commissioner



Dennis F. Rasmussen
County Executive

Your petition has been received and accepted for filing this 6th day of December, 1989.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER

Received By:

James E. Dyer
Chairman,
Zoning Plans Advisory Committee

Petitioner: Frost Brothers Dev. Corp. et al
Petitioner's Attorney: John B. Gontrum

Baltimore County
Fire Department
800 York Road
Towson, Maryland 21204-2606
(301) 887-4500
Paul H. Kelnick
Chief

DECEMBER 4, 1989



Dennis F. Rasmussen
County Executive

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

RE: Property Owner: FROST BROTHERS DEVELOPMENT CORP.
Location: S OF CAPE MAY ROAD
Item No.: 174 Zoning Agenda: DECEMBER 5, 1989

Gentlemen:

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

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.

REVIEWER: *Pat Keller* 12-4-89 Noted and Approved *Paul H. Kelnick*
Planning Group File Prevention Bureau
Special Inspection Division

JK/KEK

BALTIMORE COUNTY, MARYLAND
INTEROFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: December 19, 1989

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for December 5, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 171, 173, 177 and 178.

For Item 172, the cover over the existing sewer is 7 feet to 10 feet and is adequate. Avoid damage to existing onsite manhole.

Robert W. Bowling
ROBERT W. BOWLING, P.E. Chief
Developers Engineering Division

RWB:s

DEC 27 1989

RECEIVED
JAN 2 1990

BALTIMORE COUNTY, MARYLAND
ZONING OFFICE
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines
Zoning Commissioner DATE: December 28, 1989

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

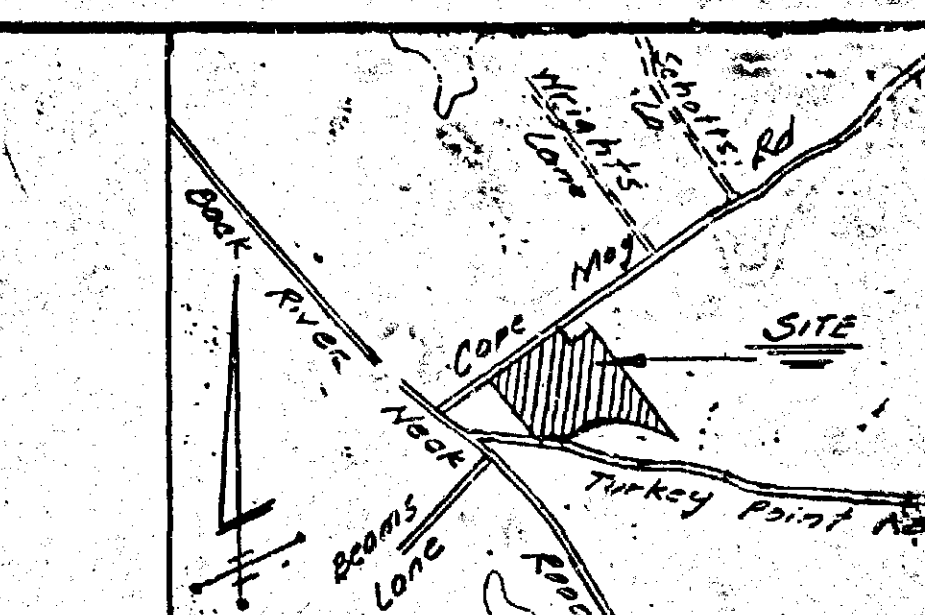
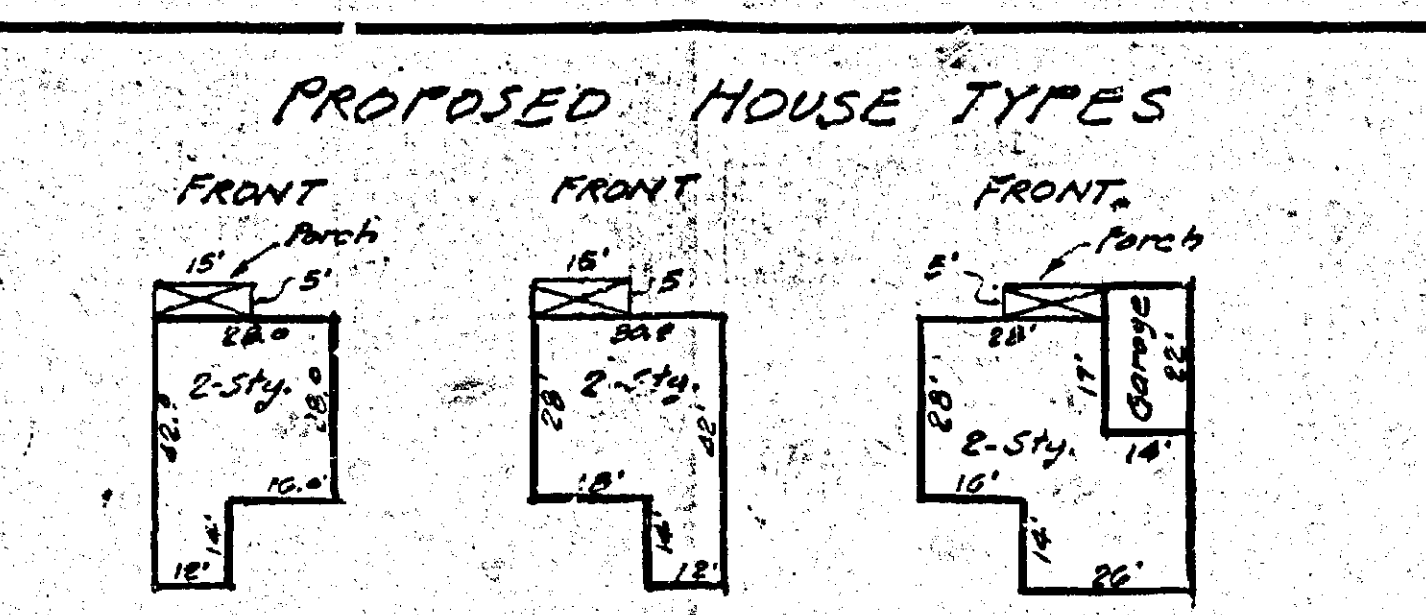
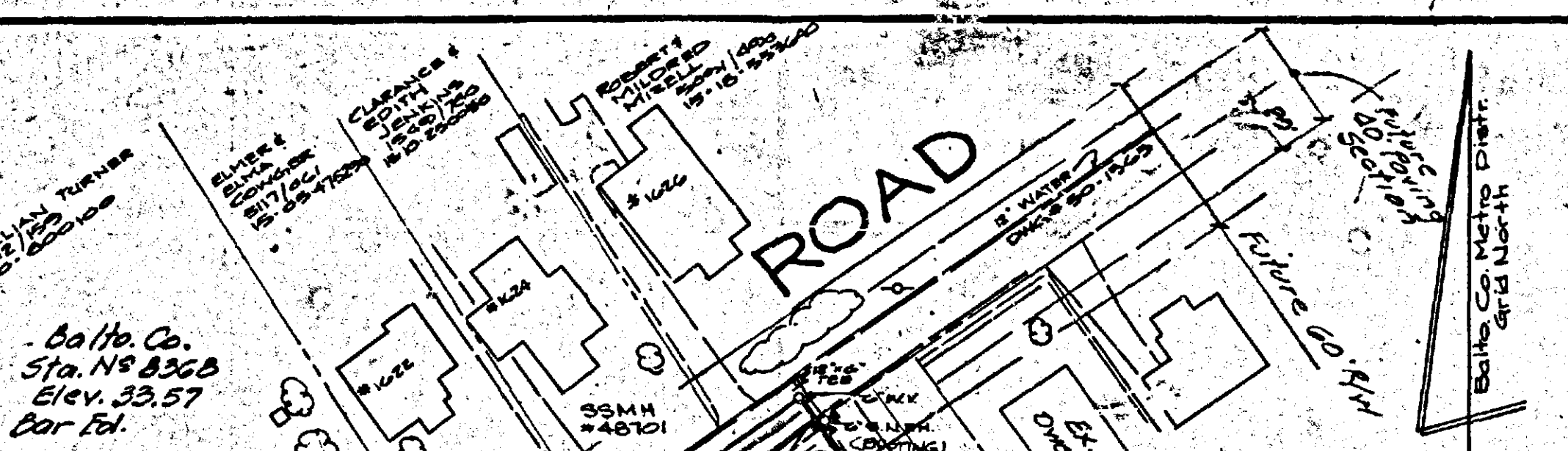
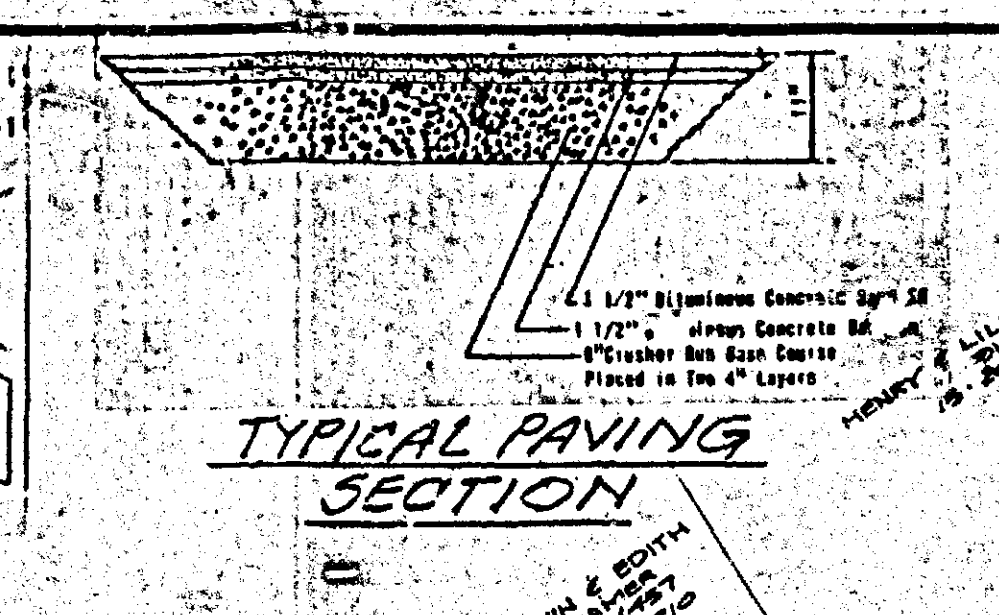
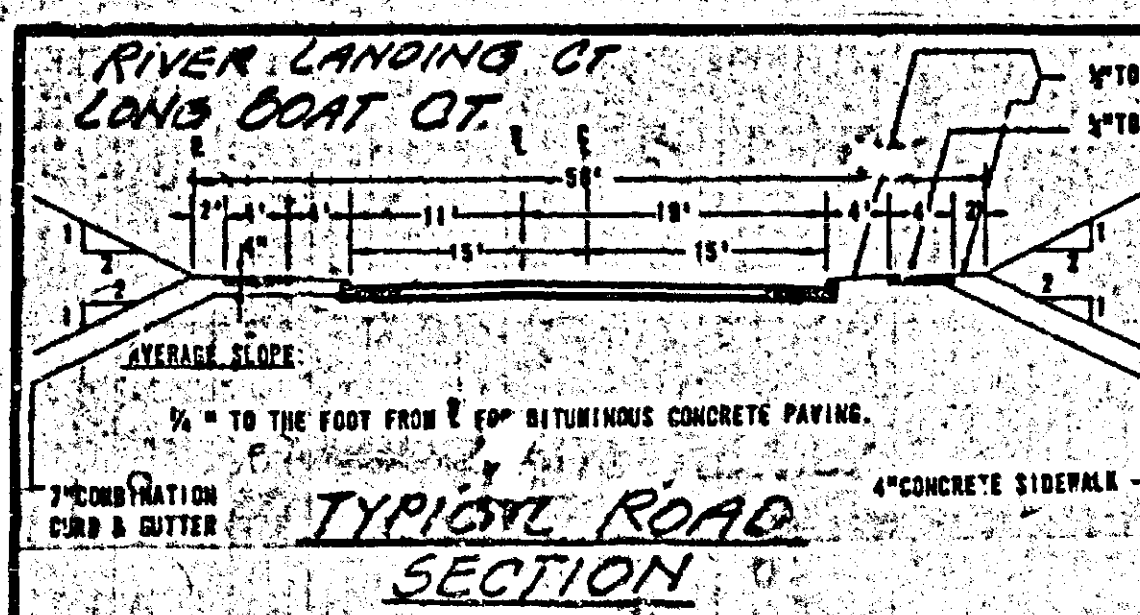
SUBJECT: Frost Brothers Development Corp, Item 174
Zoning Petition No. 90-312

The Petitioner requests a Variance to permit a window to tract boundary setback of 10 ft. in lieu of the required 35 ft. for proposed lots 1 and 9.

In reference to this request, staff offers no comment.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm



STORM WATER MANAGEMENT DATA

EXISTING CONDITIONS: D.A. = 0.57%, R.O.N. = 71, 2.1K SWHM = 430 CB, 10.1K SWHM = 1205 CB

PROPOSED CONDITIONS: D.A. = 0.57%, R.O.N. = 83, 2.1K SWHM = 15.71 CB, 10.1K SWHM = 5840 CB

CONCLUSION: Provide SWHM facility

SOIL DATA FOR SWHM:

INfiltration Data As Per Field Test Date: 10-5-83, f = 0.51 in/hr

PROVIDE INFILTRATION BASIN:

1.00' depth = 62,500 CF

1.00' depth = 62,500 CF

1.00' depth = 62,500 CF

NOTE: This plan is to conform to the Best Management Practices for Balto. Co.

NOTE: All lots along Cape May Beach Road to be improved with a 4' concrete sidewalk and a 12' wide road frontage.

NOTE: PURPOSE OF PLAT

The purpose of this Plat is to accompany the Petition for a Variance to reduce the Boundary Setback from the required distance of 25 feet to 10 feet for Lots No. 1 and No. 9 as shown herein.

PHASING PLAN

Section One - Lots 1-7

Section Two - Lots 8-33

PETITIONER'S EXHIBIT 1

GENERAL NOTES:

1. ELECTION DISTRICT: 18
2. COUNCILMANIC DISTRICT: 5
3. CENSUS TRACT: 1509
4. WATERSHED: 15
5. SUBWATERSHED: 39
6. SOIL TYPES AND LIMITATIONS

Soil Types Bldg. w/bsn't Bldg. w/o bsn't Parking Soil Cl.

LAB Severe Severe Severe Severe

MIA Moderate Slight Moderate Moderate

* Denotes High Water Table

DETAIL LOTS 1 & 9

Scale: 1" = 50'

The diagram shows the detailed layout of Lots 1 and 9, including the required boundary setbacks and the proposed boundary setbacks.

GENERAL NOTES:

7. NO HISTORIC BUILDINGS ON SITE
8. NO CRITICAL AREAS
9. NO ARCHEOLOGICAL SITES
10. NO ENDANGERED SPECIES
11. NO HAZARDOUS MATERIALS
12. NO SLOPES OVER 25 PERCENT
13. N.T.A. BUS ROUTE NO. 10 BACK RIVER NECK RD.
14. LIGHTING SHALL BE DIRECTED SO AS NOT TO INTERFERE WITH ADJACENT PROPERTIES AND TRAFFIC
15. LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH BALTIMORE COUNTY REGULATIONS
16. ESTIMATED SEWER FLOW = 0.22 CFS (BASED ON 1980)
17. TOPOGRAPHY PREPARED FROM AERIAL PHOTO OF BALTO. COUNTY - BM # 8367 & 8368
18. BOUNDARY FROM FIELD RUN SURVEY BY CRC & ASSOC.
19. FOR GEOLOGICAL INFORMATION SEE ENVIRONMENTAL REPORT TO BE SUBMITTED SEPARATELY
20. NO WETLANDS OR HYDRIC SOILS ON SITE
21. NO FLOOD PLAIN ON SITE
22. NO UNDERGROUND PETROLEUM PRODUCTS STORAGE TANKS LOCATED ON SITE
23. THERE ARE NO EXISTING OR ABANDONED GAS STATIONS WITHIN ONE QUARTER MILE OF THE PROPERTY - UNDERGROUND GAS TANKS LOCATED ON THE ADJOINING PROPERTY AT INTERSECTION WERE REMOVED IN 1964.

Site Data

BL + 0.55

a) Gross Area 0.77 = 7.91 ac.

b) Net Area = 7.54 ac.

Cape May Beach Rd. 0.37 ac.

R/W Widening Parcel 0.37 ac.

c) Reg'd. Open Space = 33 x 650 = 21,450 sq. ft.

d) Open Space Provided = None (Waiver Approved)

e) Reg'd. Park Space = 33 x 2 = 66

f) Prop. Park Space = 66

g) Allowable N° of Units: 7.77 x 5.5 = 43

Prop. N° of Units = 33

h) Existing Zoning = "G. 2.5.5" & D.L.

Avg. Lot Area = 8537/sf

NOTE: Lots 119 require a variance for front line setback from 30' to 10'.

NOTE: Entire Site is wooded.

NOTE: Existing Zoning Map No. 4-B, Essex - Mobile Dist.

NOTE: Regional Planning Dist. #2B.

NOTE: Open Space & Common Space: Waiver Requested, Reg'd. 650 x 33 = 21,450 sq. ft.

NOTE: There are No Existing Oils, Wells or Septic Systems on Site.

LANDSCAPING NOTE

Landscaping shall be provided as per Landscape Manual Balto. Co. Md.

Trees/Reg'd. = 1 Tree/Unit x 33 = 33 Trees

Trees Provided (See Plan) = 33 Trees

Ex. Trees To Remain Where Noted on Plan.

Lots 11 thru 30 to be screened from Turkey Point Rd. as indicated on plan per Manual.

Owner/Developer:

First Brothers Development Corp.

56 Dr. Rev. A. Frost

54 Windemere Plany.

Phoenix, MD 21131

Tel. (301) 592-2367

Title Reference:

Residential & Commercial Builders, Inc.

to

First Brothers Development Corp.

Under S.M. 0225, Folio 363

October 10, 1989

Prop. Acct. No. 15-03-100002

REVISION DESCRIPTION

DATE	REVISION DESCRIPTION
6/10/82	Rev. Per CRG Comm. 5-1-82
5-4-82	Pre-CRB Meet. 5-1-82

BORINGS

The diagram shows the locations of the borings on the site. The borings are labeled with numbers 1 through 10.

PLAN

Scale: 1" = 50'

The diagram shows the main site plan for Cape May Beach Road. The plan shows the road layout, lot numbers, and various annotations.

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TYPICAL SECTION

USE IN COMMON DRIVE

LOTS 31 TO 101

The diagram shows a typical cross-section of the common drive. It details the width of the drive, the location of the sidewalks, and the location of the trees.

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TYPICAL SECTION

USE IN COMMON DRIVE

LOTS 31 TO 101

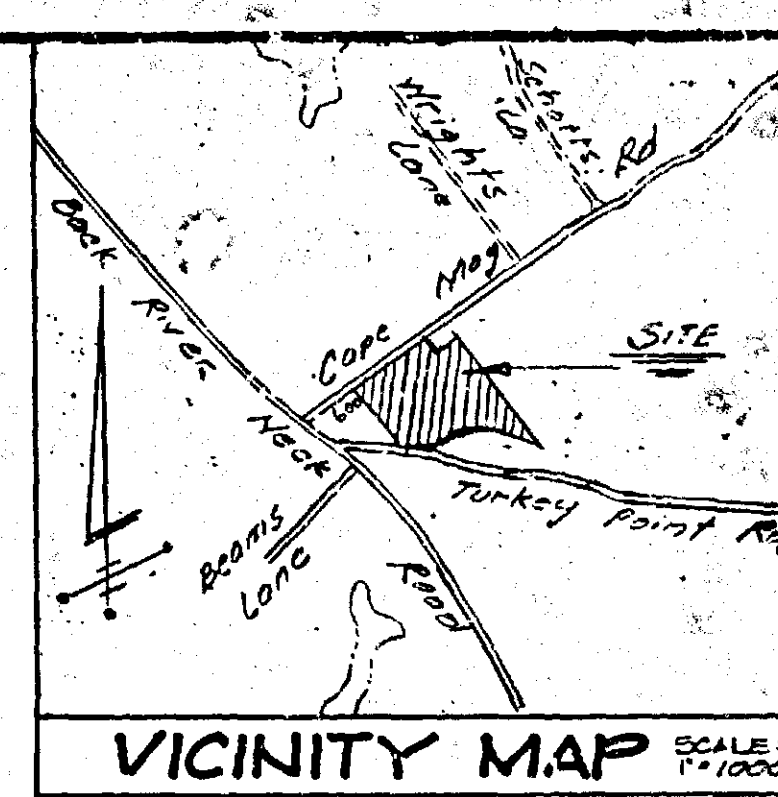
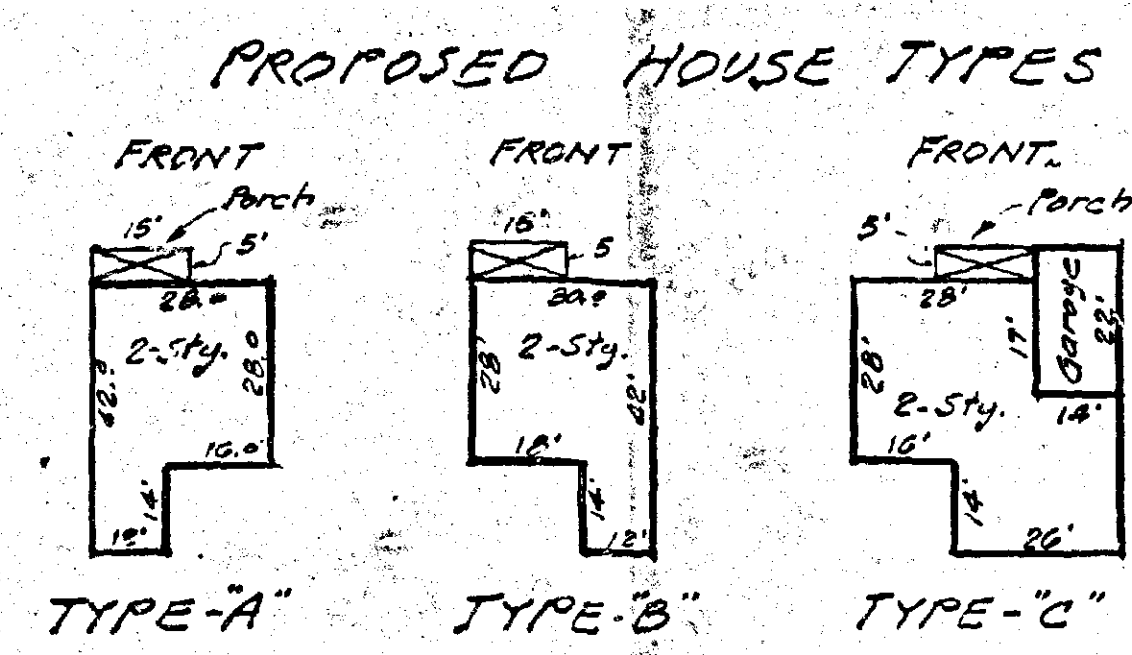
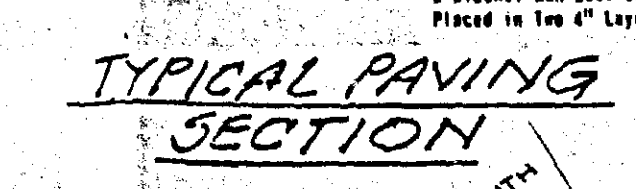
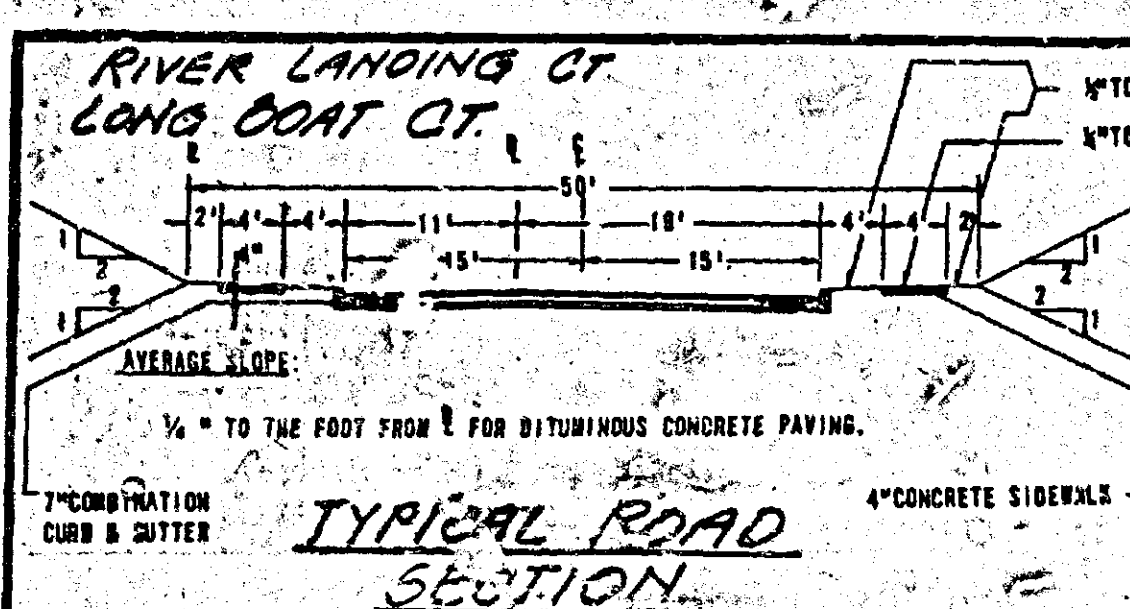
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TYPICAL SECTION

USE IN COMMON DRIVE

LOTS 31 TO 101

The diagram shows a typical cross-section of the common drive. It details the width of the drive, the location of the sidewalks, and the location of the trees.



Note:
Cape May Beach Road to be improved 3/4 mile section including 4" concrete sidewalk, along entire road frontage.

STORM WATER MANAGEMENT DATA

EXISTING CONDITIONS
RA = 0.07 in
RN = 71
24" SWRM = 4.22 in
10% SWRM = 12.05 in

PROPOSED CONDITIONS
RA = 0.07 in
RN = 103
24" SWRM = 15.71 in
10% SWRM = 32.45 in

INCREASE RUNOFF
Percent = $\frac{15.71 - 4.22}{4.22} \times 100 = 270\%$
OR 250%

CONCLUSION:
Provide SWM facility

SOIL DATA FOR SWM:
Infiltration Data As Per Field Test
Date: 12-8-88, f = 2.1" / 3.07" / hr.

PROVIDE INFILTRATION BASIN
Vol. Required = 62,346 CF
Vol. Provided = 80,875 CF
SUMMARY: To be Filled per 346.

Utility Easement
See Balto Co. R/W 11-349-36

Temporary Constr. Easement

NOTE:
Lots 119 require a variance for front line setback from 30' to 10'.

NOTE:
Entire Site is wooded

Existing Zoning Map No.
4-B, Essex - Middle River

Regional Planning Dist. #328

Open Space & Common Space:
Waiver Requested, Req'd: 650 x 33 = 21,450 sq. ft.

There are No Existing Bldgs, Wells or Septic Systems on Site.

BORINGS

2' bit cane
5' D.G.S.A. base

TYPICAL SECTION

USE IN COMMON DRIVE

LOTS 3112, LOTS 18113

N.T.S.

LANDSCAPING NOTE
Landscaping shall be provided as per "Landscape Manual" Balto. Co. Md.

Trees Req'd = 1 Tree/Unit x 25 = 33 Trees
Trees Provided (See Plan) = 33 Trees
Ex. Trees to Remain Where Noted on Plan.

Lots 21 thru 30 to be screened from Turkey Point Rd as indicated on plan per Manual.

Denotes Deciduous Tree (EQ Total) Not Incl

Denotes Evergreen Tree (II Total) Screening

SCREENING? A double staggered row of Evergreen Trees or a Combination of Fencing & Planting Will be Provided at the Discretion of the Balto. Co. Landscape Planner.

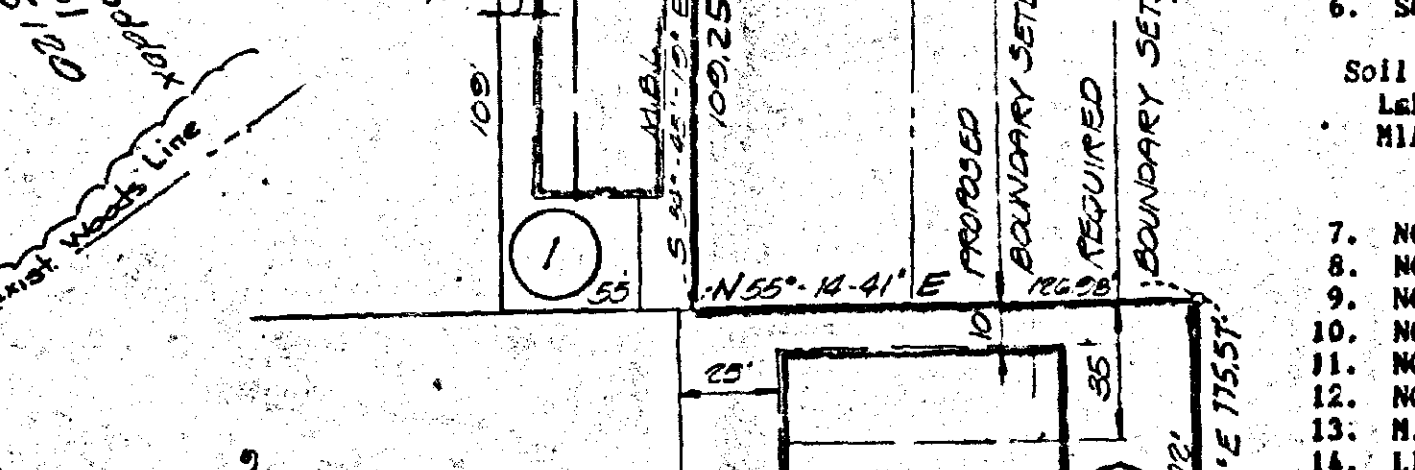
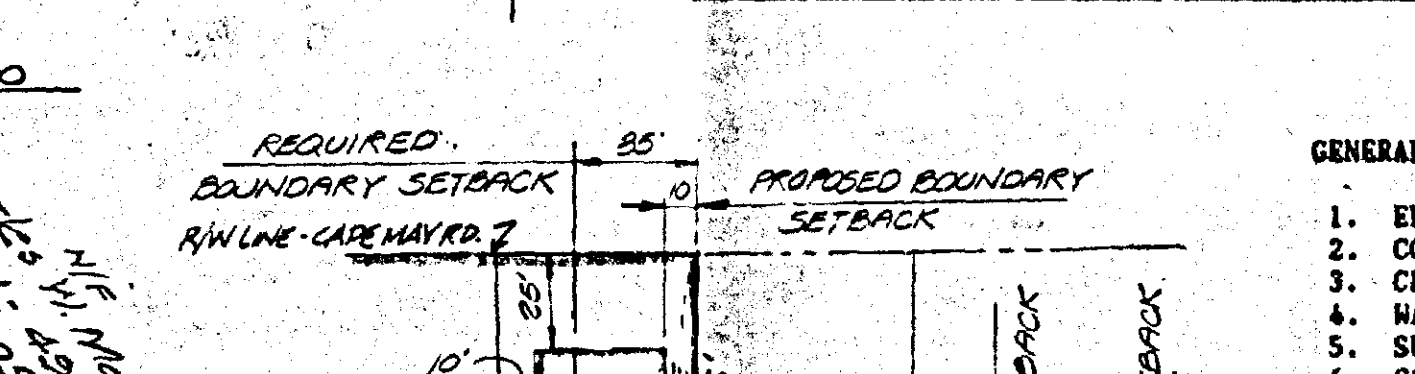
Owner/Developer
First Brothers Development Corp.
% Dr. Rex A. Frost
54 Windemere Pkwy.
Phoenix, MD 21131
Tel. (301) 316-2267

Title Reference
Residential & Commercial
Builders, Inc.
to
First Brothers Development Corp.
Liver S.M. 0203-010 323
October 16, 1989
Prop. Acct. No 13-05-100022

NOTE:
This plan is to conform to the Best Manage-ment Practices for Balto. Co.

FRONT
2' Overhang
6'-Level

TYPE-B



GENERAL NOTES

- ELECTION DISTRICT 15
- COUNCILMANIC DISTRICT 5
- CENSUS TRACT 4509
- WATERSHED 18
- SUBWERSHED 32
- SOIL TYPES AND LIMITATIONS

Soil Types Bldg. w/bs't Bldg. w/o bs't Parking Soil Cl.
Sev. e. Severe Slight Moderate Moderate
LMB Moderate Slight Moderate
HMB Moderate Slight Moderate
HMB Moderate Slight Moderate
Denotes High Water Table

- NO HISTORIC BUILDINGS ON SITE
- NO CRITICAL AREAS
- NO ARCHEOLOGICAL SITES
- NO ENDANGERED SPECIES
- NO HAZARDOUS MATERIALS
- NO SLOPES OVER 25 PERCENT
- N.Y.A. BUS ROUTE NO. 10 BACK RIVER NECK RD.
- LIGHTING SHALL BE DIRECTED SO AS NOT TO INTERFERE WITH ADJACENT PROPERTIES AND TRAFFIC
- LANDSCAPING SHALL BE PROVIDED IN ACCORDANCE WITH BALTIMORE COUNTY REGULATIONS
- ADY 25 Units & 1 Unit
- ESTIMATED SEWER FLOW = 12,252 GPD (ASSUMED)
- TOPOGRAPHY PREPARED FROM AERIAL PHOTO BASED ON BALTO. COUNTY BR # 8367 & 8368.
- BOUNDARY FROM FIELD RUN SURVEY BY CRC & ASSOC.
- FOR GEOLOGICAL INFORMATION SEE ENVIRONMENTAL REPORT TO BE SUBMITTED SEPARATELY
- NO WETLANDS OR HYDRIC SOILS ON SITE
- NO FLOOD PLAIN ON SITE
- NO UNDER GROUND PETROLEUM PRODUCTS STORAGE TANKS LOCATED ON SITE
- THERE ARE NO EXISTING OR ABANDONED GAS STATIONS WITHIN ONE QUARTER MILE OF THE PROPERTY - UNDER GROUND GAS TANKS LOCATED ON THE ADJOINING PROPERTY AT INTERSECTION WERE REMOVED IN 1964.

Site Data

a) Gross Area 0.44 x 0.55 = 0.242 sq. ft.

b) Net Area = 7,689 sq. ft.

c) Gross May Beach Rd = 0.37 ac. ft.

d) Req'd. Open Space = 33 x 650 = 21,450 sq. ft.

e) Open Space Provided = None & Waiver Approved May 10, 1989.

f) Req'd. Park Space = 33 x 2 = 66

g) Prop. Park Space = 66 (166)

h) Available No. of Units 777 x 5.5 = 43

i) Property of Units = 33

j) Existing Zoning: "D.R. 5.5" & D.L.

Avg. Lot area = 8537 sq. ft.

6a. Lots 182 shown hereon are not part of this Submittal. Retained Prior to CRG Submittal.

61. See Landscape Notes this sheet.

ZONING PLAT

CAPE MAY LANDING

330' Northeast of Back River Neck Rd
Election Dist. 4-154 Balto. Co. Md.

Public Services CRG No 89023
CRG Plan Approved May 11, 1989

6/7/89	Rev. Per CRG Comm 5-11-89
5-4-89	Pre-CRA Map 5-1-89
DATE	REVISION DESCRIPTION
CHARLES R. CROCKEN AND ASSOCIATES INC. CIVIL ENGINEERING AND LAND PLANNING 302 LEE AVENUE STYKEVILLE, MD 21154 788-8780	
TAX MAP 97	PAGE 130
DESIGNED BY	RCB & CRC
DRAWN BY	SS, CRCB & CRC
PROJECT NO.	
DATE	17 MARCH 20 1989
SCALE	1" = 50'
DRAWING NO.	OF 1



BENCHMARK
BCMP. BM #8368
ELEV 33542 3398.11 E62669.10
DESCRIPTION 7/8" IRON BAR IN THE SOUTH SIDE
OF CAPE MAY ROAD 800' FROM BACK RIVER NECK RD

THE PURPOSE OF THIS "PLAT" IS TO ACCOMPANY THE PETITION FOR A VARIANCE TO REDUCE THE WINDOW TO BOUNDARY SETBACK FROM THE REQUIRED DISTANCE OF 35' TO 15' FOR LOTS NO. 1 AND NO. 2 AS SHOWN.

**SUPPLEMENT ZONING PLAT
FOR
CAPE MAY LANDING**

ZONING CASE # 20-12-A
SOUTH OF CAPE MAY RD 600' ± EAST OF BACK RIVER NECK RD.
15th ELECTION DIST. - 5th CONCIL MANIC
PETITIONER(S): FROST BROTHERS DEVELOPMENT CORP.

CHARLES R. CROCKEN & ASSOCIATES, INC.
Civil Engineering • Land Planning
P.O. BOX 307
WESTMINSTER, MARYLAND 21157
Tel. (301) 549-2708

DATE	TAX MAP	PARCEL
	DESIGNED BY	17
	DRAWN BY	17
	PROJECT NO.	
	DATE	
	SCALE	
PROFESSIONAL ENGINEER NO. 7647	DRAWING NO.	CS

173 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 10